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SENATE

THURSDAY, SEPTEMBER 10, 1959

(Legislative day of Saturday, September 5, 1959)

The Senate met at 9:30 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of the nations, as we lift to Thee our fervent prayer for our land bright with freedom's holy light—

Not for battleships and missiles,
Not for conquests of the sword;
But for conquests of the spirit
Give we thanks to Thee, O Lord.

For the priceless gift of freedom,
For the home, the church, the school;
For the open door to manhood
In a land the people rule.

For our prophets and apostles
Loyal to the living word;
For all heroes of the spirit,
Give we thanks to Thee, O Lord.

God of justice, save our people
From the clash of race and creed,
From the strife of class and faction
Make our Nation free indeed.

Keep her faith in simple goodness
Strong as when her life began,
Till it finds its full fruition
In the brotherhood of man.

We ask it in the dear Redeemer's name. Amen.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I announce that we have already approved the usual morning hour for the transaction of routine business with a limitation of 3 minutes on statements; and I ask that the Journal of the legislative day of September 5, which includes the calendar days of September 5, 7, 8, and 9, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 8, 1959:

S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers;

S. 417. An act to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota;

S. 551. An act to declare portions of Bayous Terrebonne and LeCarpe, La., to be nonnavigable streams;

S. 1392. An act for the relief of Isabel M. Menz;

S. 1448. An act to change the name of the Abraham Lincoln National Historical Park at Hodgenville, Ky., to Abraham Lincoln Birthplace National Historic Site;

S. 1521. An act to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938;

S. 1557. An act for the relief of Allen Howard Pilgrim, Cheryl Ann Pilgrim, Robb Alexander Pilgrim, and Jocelyn Marie Pilgrim;

S. 1650. An act for the relief of Edmund A. Hannay;

S. 1667. An act for the relief of the widow of Colonel Claud C. Smith;

S. 1915. An act for the relief of Chung Ching Wei;

S. 2013. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds;

S. 2027. An act for the relief of William James Harkins and Thomas Lloyd Harkins;

S. 2050. An act for the relief of Leokadia Jomboski;

S. 2081. An act for the relief of Yadwiga Boczar;

S. 2102. An act for the relief of Irene Wladyslawa Burda;

S. 2238. An act for the relief of Kenzo Hachtmann, a minor;

S. 2334. An act to transfer from the Department of Commerce to the Department of Labor certain functions in respect of insurance benefits and disability payments to seamen for World War II service-connected injuries, death, or disability, and for other purposes; and

S. 2339. An act to amend the law relating to the distribution of the funds of the Creek Tribe.

On Sepember 9, 1959:

S. 539. An act for the relief of Mrs. Joyce Lee Freeman;

S. 669. An act to authorize the Secretary of Agriculture to convey certain lands to the Bethel Baptist Church of Henderson, Tenn.;

S. 685. An act to exempt from all taxation certain property of the Association for Childhood Education International in the District of Columbia;

S. 696. An act for the relief of Mrs. Annie Voisin Whitley;

S. 1071. An act for the relief of Nettie Korn and Manfred Korn;

S. 1298. An act for the relief of Concetta Meglio Meglio;

S. 1372. An act to extend the jurisdiction of the Domestic Relations Branch in the Municipal Court for the District of Columbia to cover the adjudication of property rights in certain actions arising in the District of Columbia;

S. 1453. An act to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua;

S. 1792. An act for the relief of Lilia Alvarez Szabo;

S. 1921. An act to exempt from taxation certain property of the United Spanish War Veterans, Inc., in the District of Columbia;

S. 1947. An act relating to the authority of the Customs Court to appoint employees, and for other purposes;

S. 2021. An act for the relief of Irene Milios;

S. 2029. An act to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes;

S. 2118. An act to amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes;

S. 2421. An act to amend the Klamath Termination Act; and

S. 2435. An act to provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colo.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

PRESIDENT'S VETO OF PUBLIC WORKS LEGISLATION

Mr. MANSFIELD. Mr. President, the President has now vetoed for a second time the public works legislation. Members know that the Congress bent over backward to try to meet the President's wishes. Insofar as the budget is concerned, it is under the budget request of the Government, and insofar as the time limitation is concerned, the administration, I understand, offered 24 months' leeway. The Democratic leadership tried to meet the administration more than halfway and offered 18 months' leeway on new starts, but this offer was declined. We cut the amount across the board in an attempt to stay within his budgetary allotment for resource conservation and development.

Now, it has been said time and again that this measure is very close to the

hearts of Members of Congress because it involves public construction and other activity in just about every section of the country. But is that something disgraceful? Is it shameful to want to seek to develop, to conserve, to utilize effectively the natural resources of this land, and to do it to a large extent on an absolutely reimbursable, repayable basis?

And who knows better what the needs are in this respect for particular sections of the Nation than Members of Congress? Yet, the superficial delight in calling this measure a pork barrel. The barrel, for the benefit of the superficial, happens to be the natural resources, the basic wealth of the Nation and, those benefited by the measure, happen to be millions of Americans in all parts of the land. It seems to me a grave matter for the President to reject such a measure on the grounds—implied or expressed—that it is wasteful or spendthrift. Equally, Mr. President, it is false economy to object to the measure on the grounds that it contains "new starts," that is, provision for new undertakings. Natural resources development is not a casual thing. There must be continuing improvements to keep up with a continuing expansion of human needs. And new starts are essential to continuing improvements.

It seems to me that the administration would be on much sounder grounds when it rejects on the grounds of economy, the concept of continuing development of natural resources at home, if it took the same view as regards continuing development of resources abroad under the foreign aid program. But does the administration do that? Oh, no, Mr. President, appropriations, new starts are described to us as essential when they are included in the foreign aid program. It is only when they are provided for at home that they become wasteful, spendthrift and even socialistic.

Mr. President, I have looked into what might be called—if we must use the term—the foreign aid pork barrel bill. It is not easy to pin down what the administration regards as not wasteful, not spendthrift, but essential in this respect. The best figure I have been able to come up with is in excess of $300 million under the bilateral aid program for 1960. What is this money going to be spent for? For purposes which have a familiar sound. For irrigation, forestry, fisheries, mining, power, and similar undertakings. Where, Mr. President? In Cambodia, Formosa, Indonesia, Korea, Laos, the Philippines, Vietnam, Jordan, Sudan, Liberia, Libya, Morocco, Somali, Tunisia, and Yugoslavia.

What about new starts, Mr. President, which are particularly singled out for condemnation by the administration? Yes, Mr. President, they, too, are contemplated in Morocco, Somali, and Tunisia.

This administration has no compunction about spending money on telecommunications in Liberia, on irrigation in Spain, on roads and bridges in Malaya, on a dam in Taiwan costing more than $20 million, on dredging in Thailand, on waterworks in Paraguay, on a sewage system in Pakistan, on waterworks in Vietnam, and on an airport in Bolivia.

Under the Development Loan Fund, moreover, we are contemplating new starts of a $125 million in Africa, $238 million in Europe, $255 million in the Far East, $71 million in Latin America, $474 million in the Near East, and $347 million in southeast Asia. But remember, Mr. President, these are not pork barrel projects. When the recipients are countries abroad rather than States of the Union, the term "pork barrel" is improper. The accepted term is "development." Of course, it is purely coincidental that the same types of projects are involved both in development abroad and pork barrel at home.

If these projects are for development abroad, they are urgent and essential. If these projects are to operate at home, they are spendthrift and socialistic. If these projects are for development abroad, then Congress must act and is admonished by the President to act. If these projects are for the States of the Union, the Congress is admonished not to act and if it does, its actions are negated by the Presidential veto.

Mr. President, I do not underestimate the significance of these projects which we are financing in one form or another abroad. They have great significance in countries which are poorly developed. They have much meaning for the well-being of those countries and hence, for the State of our relations with these countries. But, Mr. President, at the same time, I wish that the President of the United States would recognize that the public works legislation which he has just vetoed is also of the greatest importance to the people of the United States and particularly to those States whose natural resources are also in a condition of serious underdevelopment. The majority party has every wish to cooperate with the President in these essential international matters and has done so consistently.

I must ask, Mr. President, is it too much to expect this administration to recognize the needs of the States of the United States and to cooperate with the Congress in trying to meet those needs insofar as natural resource development and other highly useful public works are concerned?

PERSONAL STATEMENT BY SENATOR DODD

Mr. DODD. Mr. President, I rise to a point of personal privilege.

In this morning's Washington Post, is a column written by Mr. George Dixon with the following headline: "Gift $50 Checks Disturb 47 Senators."

The article goes on to state that 47 Senators who voted for the so-called McClellan bill of rights amendment to the labor bill last April received gift checks of $50 each. Among those named in the article is the junior Senator from Connecticut.

First of all, I wish to state that this is not a fact. I have never received any check or letter such as that described in the article. I have never heard of H. M. Forman.

I wish to point out to my colleagues the implications of this article. Every one of us should be disturbed that a reporter whose column is widely distributed should write an item of this kind without verifying the facts.

I do not speak for the other Senators named. I am sure they will speak for themselves. But I feel outraged about the situation, and could not let the day pass without setting the record straight.

PROPOSED SUPPLEMENTAL APPROPRIATION TO PAY CLAIMS FOR DAMAGES AND A JUDGMENT RENDERED AGAINST THE UNITED STATES (S. DOC. NO. 56)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims for damages and a judgment rendered against the United States, as provided by various laws, in the amount of $323,629, together with such amount as may be necessary to pay indefinite interest, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2230. A bill to amend the National Cultural Center Act (Rept. No. 991);

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam (Rept. No. 993); and

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the General Edgar Jadwin Dam and Reservoir (Rept. No. 992).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd (Rept. No. 996);

S. Res. 183. Resolution authorizing the printing of additional copies of part 3 of the Select Committee on Improper Activities in the Labor or Management Field;

S. Res. 184. Resolution authorizing the printing of additional copies of part 4 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field;

S. Res. 186. Resolution to print the study "Tensions in Communist China" as a Senate document;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd (Rept. No. 994);

H. Con. Res. 404. Concurrent resolution providing for printing additional copies of the compendium of papers entitled "Compendium of Papers Submitted on Revision of the Federal Income Tax Laws"; and

H. Con. Res. 405. Concurrent resolution providing for printing additional copies of the hearings entitled "Hospital, Nursing Home, and Surgical Benefits for OASI Beneficiaries."

By Mr. CLARK, from the Committee on Labor and Public Welfare, with an amendment:

S. 743. A bill to amend the Federal Coal Mine Safety Act in order to remove the ex-

emption with respect to certain mines employing no more than 14 individuals (Rept. No. 995).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment:

H.R. 2982. An act to fix the official station of retired judges assigned to active duty (Rept. No. 998).

By Mr. KEATING, from the Committee on the Judiciary, without amendment:

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week (Rept. No. 999); and

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year (Rept. No. 1000).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 2068. An act for the relief of Howard F. Knipp (Rept. No. 1002);

H.R. 7640. An act for the relief of James F. Conroy (Rept. No. 1003); and

H.R. 7935. An act for the relief of Father Kenneth M. Rizer (Rept. No. 1004).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2673. A bill to provide for the appointment of additional circuit and district judges, and for other purposes (Rept. No. 997).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 6809. An act for the relief of Lt. (junior grade) James W. Little (Rept. No. 1001).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

S. 609. A bill for the relief of the estate of Gregory J. Kessenich (Rept. No. 1005).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 173. Resolution commending the national Jaycee community development program.

PRINTING AS A SENATE DOCUMENT THE PROCEEDINGS OF CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF—REPORT OF A COMMITTEE

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 190) to provide for the printing of the proceedings of the 39th biennial meeting of the Convention of American Instructors of the Deaf, with illustrations, as a Senate document, which was placed on the calendar, as follows:

Resolved, That the report of the proceedings of the thirty-ninth biennial meeting of the Convention of American Instructors of the Deaf, held at Colorado Springs, Colorado, June 28 to July 3, 1959, be printed with illustrations as a Senate document, and that one thousand additional copies be printed for the use of the Joint Committee on Printing.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and fifteen postmaster nominations.

By Mr. EASTLAND, from the Committee on the Judiciary:

John O. Henderson, of New York, to be U.S. district judge for the western district of New York; and

Girard E. Kalbfleisch, of Ohio, to be U.S. district judge for the northern district of Ohio.

Charles M. Merrill, of Nevada, to be U.S. circuit judge, ninth circuit.

By Mr. CARROLL, from the Committee on the Judiciary:

Donald G. Brotzman, of Colorado, to be U.S. attorney for the district of Colorado.

By Mr. DODD, from the Committee on the Judiciary:

Harry W. Hultgren, Jr., of Connecticut, to be U.S. attorney for the district of Connecticut.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND (for himself and Mr. JOHNSTON of South Carolina):

S. 2673. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 2674. A bill to authorize the acquisition of certain lands for addition to Harpers Ferry National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana (for himself, Mr. BARTLETT, Mr. BEALL, Mr. BIBLE, Mr. BUSH, Mr. BUTLER, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CARROLL, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DOUGLAS, Mr. ENGLE, Mr. ERVIN, Mr. FULBRIGHT, Mr. GREEN, Mr. GRUENING, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN, Mr. JOHNSTON of South Carolina, Mr. KEATING, Mr. KEFAUVER, Mr. KENNEDY, Mr. KUCHEL, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MARTIN, Mr. MUSKIE, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCNAMARA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. PROUTY, Mr. RANDOLPH, Mrs. SMITH, Mr. SPARKMAN, Mr. SYMINGTON, Mr. THURMOND, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. DODD):

S. 2675: A bill to amend title 38 of the United States Code in order to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Finance.

By Mr. FONG (for himself and Mr. LONG of Hawaii):

S. 2676. A bill to provide for the designation of a Hawaii Defense Highway System and to authorize appropriations therefor; and

S. 2677. A bill to provide for the designation of defense highways in the State of Hawaii as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HUMPHREY:

S. 2678. A bill to provide for the reorganization of the safety functions of the Federal Government, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 2679. A bill to provide fishery conservation measures on the Provo River, Utah, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER (for himself, Mr. GORE, and Mr. O'MAHONEY):

S. 2680. A bill to revise the boundaries and change the name of the Stones River National Military Park, Tenn., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DODD:

S.J. Res. 140. Joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HUMPHREY:

S.J. Res. 141. Joint resolution proposing an amendment to the Constitution of the United States with respect to the right of citizens to vote; to the Committee on the Judiciary.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 190) printing of the Proceedings of the 39th Biennial Meeting of the Convention of American Instructors of the Deaf with illustrations, as a Senate Document, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. HENNINGS, which appears under the heading "Reports of Committees.")

ACQUISITION OF ADDITIONAL LAND FOR HARPERS FERRY NATIONAL MONUMENT

Mr. RANDOLPH. Mr. President, on behalf of my colleague, the junior Senator from West Virginia [Mr. BYRD], and myself, I introduce, for appropriate reference, a bill which would authorize the acquisition of certain lands for an addition to the Harpers Ferry National Monument and for other purposes.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2674) to authorize the acquisition of certain lands for addition to Harpers Ferry National Monument, and for other purposes, introduced by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia), was received, read twice by its title, and referred to

the Committee on Interior and Insular Affairs.

Mr. RANDOLPH. Mr. President, the proposed legislation would authorize the United States to acquire 30 acres of land and improvements for addition to the Harpers Ferry National Monument in the State of West Virginia. Purchase and exchange would be authorized.

The property sought includes two parcels associated with historical events which are commemorated at the Harpers Ferry National Monument. The first is the old Federal arsenal tract which includes the original site of John Brown's Fort. The second parcel includes Camp Hill, the site of Storer College which adjoins and overlooks significant features of the national monument. Storer College contains historic structures associated with events commemorated at the monument. It also contains recent buildings which may be adapted to meet the administrative requirements of the monument.

The U.S. arsenal or musket factory at Harpers Ferry was situated on the low ground adjacent to the Potomac River on the south side. It was one of the primary objectives of the John Brown raiders when they seized Harpers Ferry in October 1859 in an effort at wholesale freeing of slaves. Brown, a few followers, and some 20 hostages finally sought refuge in the small brick fire engine house, since known as John Brown's Fort. A detachment of Marines under then Col. Robert E. Lee broke into the building and captured the raiders.

The arsenal buildings were destroyed by the Union Army in April 1861 to prevent capture by the Confederates, although the engine house, being of no military importance, was left standing. It was later dismantled, taken to the Chicago World's Fair, and again returned to Harpers Ferry. It was finally rebuilt on the grounds of Storer College, where it now is located a half mile or so from its original site. Foundations of the arsenal may still be seen.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MUSKIE. I was interested in the remarks of the Senator from West Virginia concerning the musket factory. I remember with pleasure my visit to the Harpers Ferry National Monument with the distinguished Senator from West Virginia. As I recall, there was a name connected with that musket factory which I think should be in the RECORD.

Mr. RANDOLPH. The Senator is correct. The gun factory, turning out muskets at the rate of 10,000 a year, was identified with John Hall from the State of Maine. He received a contract in 1819 for the manufacture of a breech-loading flintlock rifle. Two years later, Hall's rifle plant was producing 1,000 muskets and rifles a month.

Mr. MUSKIE. May I say to the Senator that I was very much impressed by this monument area, which really is in its beginning stages, and I join with the Senator in his desire to expand the historical site which was authorized by his bill passed in 1944 when he served in the House of Representatives. It will be in the interest not only of the people of West Virginia and the citizens of Maine, but also people all over the country.

Mr. RANDOLPH. Mr. President, I am grateful for the observation of my friend, who comes from a State many hundreds of miles removed from where this monument presents such a historical appeal, not only to the people of the immediate area, but to the country as a whole and from other nations.

I think it is appropriate to indicate we have had more than 315,000 men, women and children sign the guest book at the U.S. Park Service headquarters of this monument so far this year. I am grateful that the Senator from Maine visited this monument. I hope that others will have the opportunity and feel the urge to come to this historic and scenic section of West Virginia within the near future.

Mr. President, following the establishment of the U.S. arsenal at Harpers Ferry in 1796, a number of residential structures were built for supervisory personnel, from time to time. Several of these were erected on the hill, overlooking the town, later the site of Storer College.

The oldest of these buildings still in existence is the Lockwood house, built in or about 1819. The Morrell and Brackett houses date from 1858, and a portion of Anthony Hall also antedates the Civil War.

These homes were important landmarks during the war and were occupied by soldiers or officers.

Harpers Ferry was occupied alternately by the opposing armies throughout much of the war. Thomas J. "Stonewall" Jackson drilled his men on the hill, known as Camp Hill, during the early summer of 1861. Later occupied by Union forces, it came under fire briefly during the last days of Jackson's famous Shenandoah Valley campaign of May-June 1862, when a detachment of his army looked down on Camp Hill from Loudoun Heights.

The Union men tried to hold the Harpers Ferry area during the Antietam campaign, with about 12,000 men, and were hemmed in and captured on September 15, again by the redoubtable Jackson, aided by men from Longstreet's corps. The quick capture saved General Lee from probable disaster at Antietam. The captives were paroled on Bolivar Heights and Camp Hill.

Part of McClellan's Union army encamped on the hill following Antietam, where they were visited by President Lincoln.

Expeditions were constantly being sent out from this camp to harass Mosby and other Confederate partisans.

The Storer College property and certain of the historically important buildings are especially adapted for use by the National Park Service in furtherance of the purposes of the Harpers Ferry National Monument including administrative purposes. These facilities will lend themselves for use as park headquarters, housing for personnel, utility shops, and training center for National Park Service personnel.

In addition to its historical values and its adaptability to important administrative purposes, Storer College adjoins and overlooks the Harpers Ferry National Monument. At present it is an integral part of the historic scene, but adverse use of the property of this now inactive college could gravely affect the historic setting of the monument.

SAFETY FUNCTIONS OF THE FEDERAL GOVERNMENT

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide for the organization of the safety functions of the Federal Government.

This bill is designed to reduce the Federal employee accident rate and the cost of accidents in Federal employment, both financially and in terms of human suffering, by providing for the promotion and establishment of improved safety educational programs and new safety inspection procedures.

The bill seeks to accomplish this objective by creating within the Department of Labor a Federal Safety Division, which would be responsible, under the supervision and direction of the Secretary of Labor, for the direction and coordination of all safety educational programs and related loss-prevention procedures conducted by the various Federal agencies in furtherance of existing legislation to encourage safety and accident prevention, and for all of the functions now vested in the Federal Safety Council. The Federal Safety Division would be headed by a Director, appointed by the Secretary of Labor, who would receive compensation at the rate established for GS–16, and would perform his duties under the supervision and direction of the Secretary.

Among the duties of the Director are first, collection and analysis of data relative present safety standards and programs in Federal agencies; second, development and promulgation of minimum standards for the conduct of safety educational programs and minimum safe working standards to be maintained by Federal agencies; third, providing a clearinghouse function in the Division to gather and make available to the Federal agencies appropriate assistance on all matters relating to employee safety; fourth, promotion of uniformity by assisting and cooperating with related health and fire prevention activities presently pursued by Federal agencies; fifth, periodic inspection of premises and interrogation of Federal agency personnel to ascertain if minimum standards developed and established are being maintained; sixth, annual recommendation to the Secretary of Labor for transmittal to agency heads and the Bureau of the Budget of the amount which should be included in each agency budget for carrying out its safety educational programs, based upon the need of each agency; seventh, preparation of an annual report for submission to the Congress by the Secretary of Labor showing Federal agency progress in the field of accident prevention, and the amounts recommended for inclusion in Federal agency budgets, together with action

taken with respect to such recommendations.

The bill provides further for first, the appointment by the Secretary of at least 10 qualified safety engineers, regional directors, and other appropriate employees, all of whom shall be appointed under civil service and solely on the basis of merit and qualifications; second, the establishment of a Federal Safety Advisory Committee composed of 27 members, appointed with regard to geographical representation, to the extent practicable, which would advise the Federal Safety Director concerning his functions under the act; third, entry by the Director or appropriate officers in his Division in order to inspect Federal agency premises and records and interrogate employees relative to facts, conditions, practices, and so forth; fourth, inclusion in the annual budget estimate of each Federal agency of an amount for safety educational programs at least equal to that recommended by the Department of Labor, unless the agency head determines the inclusion of such amount is inadvisable and forwards to the Secretary of Labor and the Director of the Bureau of the Budget a written report stating the reasons why such inclusion has been deemed inadvisable; and fifth, imposition of criminal penalties for Federal officers or employees who willfully falsify or conceal material facts relative to the injury or death of persons compensable under the Federal Employees' Compensation Act, or who make false or fraudulent statements or representations with respect thereto.

This bill is identical to S. 931 which I introduced on behalf of myself and 14 other Senators in the 85th Congress and which was favorably reported by the Committee on Government Operations without amendments.

Both of these bills are identical to S. 3517, also introduced by me in the 84th Congress, as revised by the Committee on Government Operations so as to meet some of the major objections as well as suggestions brought out during the extensive hearings. S. 3517, as amended, was unanimously approved by the committee and passed the Senate by unanimous consent on the call of the calendar on July 26, 1956—too late to permit action in the other body.

Work injuries sustained by Federal employees are far from uncommon. Some of my colleagues in the Senate would be surprised to know that in the last calendar year for which complete figures are available at this time—1957—over 94,000 civilian employees reported work injuries—41,000 of which were disabling.

The total direct cost of such injuries during 1957 amounted to $27.5 million. This amounts to $11.38 per worker when one divides the total of Federal employees into the cost of work injuries.

The total direct cost of such injuries, as might be expected in view of the rising number of Federal employees in the past 20 years and the increased costs of medical care, has risen significantly. For example, in 1937 the total cost of work injuries amounted to a little less than $4 million. By 1947, direct costs had risen to more than $10 million. And as I have already noted, the cost was $27.5 million in 1957.

I ask unanimous consent, Mr. President, that a table as prepared by the Bureau of Employees Compensation of the U.S. Department of Labor, which lists the yearly direct costs of work injuries as well as the total cost per employee, frequency rate, and severity rate, for the years 1937 through 1957 be inserted at the end of my remarks in the RECORD.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, with a Federal civilian work force of over 2.4 million, both humanitarian and economic considerations dictate that we give very careful consideration to ways in which we may prevent work injury. Progress has been, and continues to be made, but there is more, much more, that we can and should do.

The bill which I am introducing today has such an objective in mind. In order that other Senators who may care to do so may join as cosponsor, I ask unanimous consent that the bill remain at the desk for 7 days.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2678) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Government Operations.

EXHIBIT 1

All Federal establishments

Calendar year	Average number of employees	Total direct cost	Total cost per employee	Frequency rate	Severity rate
1937	852,188	$3,994,844	$4.69	11.4	1,260
1938	862,861	4,096,021	4.75	11.7	1,270
1939	927,529	4,241,282	4.57	13.1	1,230
1940	1,036,485	4,402,553	4.25	13.1	1,210
1941	1,478,549	7,200,558	4.87	13.0	1,390
1942	2,291,225	12,106,662	5.28	12.5	880
1943	3,093,135	17,454,987	5.64	12.5	930
1944	3,211,516	18,785,001	5.85	11.0	920
1945	2,815,277	14,685,185	5.22	9.9	670
1946	2,625,797	12,560,828	4.78	9.2	760
1947	2,147,353	10,125,027	4.72	8.6	720
1948	2,085,736	9,092,711	4.36	8.1	550
1949	2,067,498	20,674,963	10.00	8.4	660
1950	2,070,625	22,942,168	11.08	8.6	680
1951	2,459,173	26,628,119	10.83	8.4	660
1952	2,572,152	23,371,749	9.09	8.0	560
1953	2,480,170	25,842,889	10.42	7.8	590
1954	2,380,715	25,738,244	10.81	7.7	589
1955	2,396,571	26,304,396	10.98	7.8	552
1956	2,433,698	29,203,216	12.00	8.0	568
1957	2,419,502	27,529,868	11.38	8.3	529

FISHERY CONSERVATION MEASURES ON THE PROVO RIVER

Mr. BENNETT. Mr. President, I introduce for proper reference, a bill which will provide fishery conservation measures on the Provo River, Utah, and for other purposes.

During the 85th Congress an appropriation of $500,000 was approved for reclamation and flood control measures on the Provo River. As this project has progressed, it has become evident that the program of channel revision on the Provo River will cause loss of fishing opportunities unless certain measures are taken to conserve the trout and other game fish in the stream. As a result, a number of meetings have been held with officials of the Bureau of Reclamation and the Fish and Wildlife Service to discuss the matter of fisheries mitigation, and the bill I am introducing today is the result of these conferences.

From the preliminary studies which have been made by local interests and by Reclamation and Fish and Wildlife officials, it has been determined that the most feasible means of mitigating the fishery damages is to construct a series of small fishing reservoirs and dams on the upper tributaries of the Provo River, and possibly develop the offchannel oxbow areas along the stream. This would result in the creation of a number of small lakes on the stream which passes through the Uinta and Wasatch National Forests and would be stocked with trout so as to provide needed fishing in the area.

One damsite has been studied in detail and a cost estimate has been prepared since the location has met with the approval of local groups and the government agencies concerned. This project is the Mill Hollow Dam, and construction costs are estimated at $70,000. Four additional sites have been located and an appropriation of $25,000 will be requested for engineering feasibility studies of these potential reservoirs.

This fishery conservation bill which I have introduced has the backing and support of the State of Utah Department of Fish and Game, and I am hopeful favorable reports will be forthcoming from the appropriate Federal agencies concerned so that work on these proposed dams and reservoirs might proceed at an early date.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2679) to provide fishery conservation measures on the Provo River, Utah, and for other purposes, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO STATE TAXATION OF INCOME OF NONRESIDENT INDIVIDUALS

Mr. DODD. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals.

The operative part of the proposed amendment reads as follows: "The Congress shall have power to establish uniform laws prescribing the terms in conformity with which the States shall be permitted to levy and collect taxes on the income of nonresident individuals."

You may recall, Mr. President, that two other proposals on this subject have been introduced this session, and that

we had hearings on them earlier this year. They were Senate Joint Resolution 29, sponsored by the two Senators from New Hampshire, and Senate Joint Resolution 67, sponsored by the senior Senator from New Jersey and myself.

The hearings on these joint resolutions brought into bold relief the fact that the several States are making a veritable jungle out of what can best be described as interstate taxation. Some States are literally taxing everything they can get their hands on and some things they cannot.

If the matter were not deadly serious for the victims, it would be almost comic. For example, some States are levying and collecting income taxes on airline pilots who fly over but do not land within their territory. This is absurd. If all States followed this example, an airline pilot might have to pay 20 or 30 State income taxes each year.

I will grant that this is an extreme case, but there are numerous inequities which afflict a huge number of citizens who live in roughly 20 States, and who work across State lines in another State. For example, there are more than 200,000 citizens and residents of Connecticut and New Jersey who work in New York City and who are subject to the New York State income tax. They must pay this tax in addition to a full tax load in either Connecticut or New Jersey.

In my view, New York may be entitled to collect some taxes from them for services rendered. Yet, because of provisions in the New York law, these unfortunate individuals pay up to 45 percent more than New York residents on the same income.

Furthermore, they probably would not have to pay any New York tax if Connecticut and New Jersey, like Massachusetts, had an income tax which was applicable to nonresidents, including New Yorkers. Adoption of such taxes would result in mutual credits for income taxes paid in the State of residence.

At the moment, adoption of such a tax is the only defense for States which do not have an income tax. It is defense by retaliation, and it has been rejected, at least, for the moment, by the Governors of Connecticut and New Jersey.

Needless to say, if no other relief is furnished, every one of the 50 States will be forced into adoption of income taxes applicable to nonresidents. In the end, because of mutual credits, this will result in massive bookkeeping, but very little tax money for any State.

There is a similar problem with respect to State taxation of out-of-State corporations. However, under the interstate commerce clause of the Constitution, the Congress has power to deal with this problem. Very recently, Senate bill 2524 was passed by the Senate to solve at least a part of this vexing problem.

Unfortunately, Congress has no power to regulate interstate taxation of incomes of private individuals. This problem can only be solved by a constitutional amendment.

Personally, I favored the approach which is contained in Senate Joint Resolution 29 and Senate Joint Resolution 67, and which would, in effect, ban taxation of incomes of nonresidents. However, even if both Houses of Congress adopted such an amendment by a two-thirds vote, which is most unlikely, there is not much hope that three-quarters of the States would ratify it, since, roughly, 30 States now have taxes which apply to nonresidents.

During the hearings on Senate Joint Resolution 29 and Senate Joint Resolution 67, Governor Meyner of New Jersey suggested the alternative solution which is embodied in the joint resolution which I am introducing today. This proposed amendment would not ban taxation of incomes of nonresidents, but, rather, it would empower Congress to eliminate the inequities in such taxation.

It would forestall the 20 States which do not have an income tax from adopting one for purposes of retaliation and self-defense.

It would eliminate such inanities as taxation of pilots flying over a State.

It would get the several States out of the jungle into which they have gotten themselves in their wild scramble to lay hands on taxable income.

It is my hope that we can have hearings on this joint resolution soon. I believe it is a sound approach to a most serious problem.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 140) proposing an amendment to the Constitution of the United States relating to State taxation of the income of nonresident individuals, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

RECOMMENDATIONS OF THE CIVIL RIGHTS COMMISSION

Mr. HUMPHREY. Mr. President, on September 9 there were published in the New York Times and in the Washington Post two excellent editorials commenting on the U.S. Commission on Civil Rights report which was issued yesterday. It is interesting to note that both editorials urge that the Congress act to extend the life of the Commission on Civil Rights.

In my statement in the Senate on Tuesday, in commenting on the report of the Commission, I pointed out that the continuation of the Commission is indeed imperative, as its work has really just begun. The Congress is, in my judgment, under an obligation to carefully study the thoughtful and reasonable recommendations of the Commission and to take action on the substantive recommendations contained therein.

One of the most glaring denials of civil rights, as pointed out by the Commission in its report, is in the area of voting. As the Commission stated:

> Few Americans would deny, at least in theory, the right of all qualified citizens to vote. A significant number, however, differ as to which citizens are qualified. None in good conscience can state that the goal of universal adult suffrage has been achieved. Many Americans, even today, are denied the franchise because of race. This is accomplished through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm. With those Americans who of their own volition are too apathetic either to register or, once registered, too apathetic to vote, this report does not concern itself.
>
> But with the denials of the right to vote because of race, color, religion, or national origin, this Commission and the Congress of the United States are urgently concerned.

I have been convinced for a long time that the denial of voting rights to our Negro citizens is the chief road block standing in the way of efforts to obtain equality in fields such as education, housing, and employment. Once our fellow Negro citizens are no longer denied the franchise, because of their race, second-class citizenship will be well on the way to oblivion.

This is why it is so important that the Congress take action to see to it that the rights of American Negroes to participate in elections, as guaranteed to them by the Constitution itself, shall not be denied.

One of the most important recommendations of the Commission concerning voting is its recommendation No. 5, whereby temporary Federal registrars, as designated by the President of the United States, would be empowered to register for Federal elections voters who are qualified under State registration laws, but who are, nevertheless, denied the right to register and, thus, the right to vote, by reason of their race, color, religion, or national origin.

As the Commission noted in its report:

> The existing remedies under the Civil Rights Act of 1957 are insufficient to secure and protect the right to vote of such citizens.

It is worthy of note that this recommendation calling for temporary registrars was agreed to by all but one of the six Commission members, the only dissenter being Commissioner Battle. The other two southern members of the Commission, Vice Chairman Stroey and Commissioner Carleton, joined with the three northern members of the Commission in approving such recommendation.

I have studied this recommendation very carefully, and I am convinced that it is both a reasonable and a highly desirable proposal. I am presently having this recommendation prepared in the form of a bill, which I hope to introduce, time permitting, before this session of the 86th Congress adjourns.

Also contained in the Commission report is the proposal for a constitutional amendment to establish universal suffrage. I point out, to be perfectly fair, that this is a proposal, rather than a recommendation; and it was not approved by a majority of the members of the Commission. This constitutional amendment was proposed by Chairman Hannah and Commissioners Hesberg and Johnson. The three southern members of the Commission are in opposition to such a proposed constitutional amendment.

The argument in favor of such an amendment to the Constitution, as presented in the Commission's report, is to me most persuasive and logical.

As is stated in the report:

> In its investigations, hearings, and studies the Commission has seen that complex voter

qualification laws, including tests of literacy, education and interpretation have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.

Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.

Therefore, as the best ultimate solution of the problem of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

An important aim of this amendment would be to remove the occasion for further direct Federal intervention in the States' administration and conduct of elections, by prohibiting complex voting requirements and providing clear, simple, and easily enforcible standards.

The proposed constitutional amendment would give the right to vote to every citizen who meets his State's age and residence requirements and who is not legally confined at the time of registration or election.

I agree with this proposal; and, therefore, I introduce at this time such a proposed amendment, for reference to the appropriate committee. I ask unanimous consent, Mr. President, that my proposed amendment to the Constitution be printed at this point in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 141) proposing an amendment to the Constitution of the United States with respect to the right of citizens to vote, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the editorials from the New York Times and the Washington Post, to which I have already made reference, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 9, 1959]

CONSCIENCE OF THE NATION

One striking effect of the Civil Rights Commission report is to make the House and Senate bills to bolster civil rights look pallid by comparison. Both Houses have been balking over mild, narrow and halting steps toward the elimination of discriminatory treatment on grounds of race. The Commission which Congress created to act as a sort of conscience to the Nation in this sphere has looked at the problem objectively and come in with sweeping proposals that would go far toward wiping out the disfranchisement of minorities instead of inching toward improvements.

We doubt that either the recommended constitutional amendment or the drastic proposals for temporary Federal registration officials in localities where State or local officials fail in their duty can be enacted at the present time. But they serve to focus national attention on the problem. The report itself gives further extended emphasis to the fact that the Negro is disfranchised in many parts of the South. By inaction the country has brought about "a partial repudiation of our faith in the democratic system."

The proposed constitutional amendment would wipe out all State control over voter qualifications, except age and length of local residence. In effect it would establish universal suffrage, except for persons legally confined, without any educational or other requirements that could be twisted into discriminatory devices in administration. This is open to the familiar objection of Federal encroachment on State prerogatives; moreover, it won the support of only three of the Commission's six members. It would, of course, require a two-thirds vote in Congress.

As a practical matter, therefore, attention is likely to be centered on the proposal for temporary Federal registration of voters where that becomes necessary to prevent inexcusable disfranchisement. This suggestion grew out of the actual situation that has developed in some counties since the Commission began its work, and it is given additional cogency by the fact that five of the six members support it.

In Macon County, Ala., the CRC heard 25 Negroes who claimed that the board of registrars had unlawfully refused to put their names on the voting rolls. The registrars refused to testify. They also resigned so that when the Attorney General sued to compel the registration of apparently qualified Negroes, under the Civil Rights Act of 1957, there was no one to sue. New registrars were named and refused to serve out of fear that they would have to register Negroes.

Obviously this situation, and others like it, are intolerable. The result is not merely to deny Negroes the right to vote in Alabama and some other Southern States but also to taint elections for the Presidency and Members of Congress. In these circumstances temporary Federal registration of voters would be perhaps the most potent lever by which to induce local officials to put their own houses in order.

For the moment, however, the effect of the report is to relieve the pressure on Congress for a comprehensive civil rights bill. New legislation must now be shaped in the light of the Commission's findings and recommendations in the fields of education and housing as well as voting. The imperative for this session is to continue the work of the Commission. Without action, the CRC would be a dead duck in 60 days, and Congress would be in the position of having stopped its investigative work because it has been forthright in its findings and recommendations. Regardless of how much opposition arises, therefore, continuation of the CRC as a going concern seems to us imperative.

[From the New York Times, Sept. 9, 1959]

CIVIL RIGHTS REPORT

The report of the Federal Civil Rights Commission to the President makes important, though unhappy, reading. It describes in detail what every informed American should be aware of—that large numbers of Negroes in the South are prevented from voting by methods which range from physical violence to legal trickery, that the Supreme Court decision outlawing school segregation has been far from implemented and that racial discrimination in housing forces Negroes, Puerto Ricans, and similar groups to provide disproportionate percentages of the Nation's slum dwellers. No American who takes seriously the ideas of freedom and equality in this Nation's heritage can feel anything but shame about the basic situation described in this report, even though progress has been and is being made in the area of extending civil rights to all.

What can be done to eliminate these evils in our democratic society? The recommendations of the Commission have already come under attack, particularly from those who benefit from the disqualification of many Negro voters in the South. But on the whole the proposals and recommendation of the Commission are moderate in nature and worthy of serious consideration by all men of good will.

The proposal that temporary Federal registrars be appointed to take over in southern areas where State and local officials prevent Negroes from voting has drawn immediate opposition from the diehards. Yet those who have begun shouting "States rights" must answer the grim story the Commission's report tells of how many State officials in the South have labored to prevent Negro Americans from voting. It is no answer to say merely, as does Commissioner Battle in his dissent, that "present laws are sufficient to protect" the right to vote. Too many Negro Americans are being denied the right to vote to take that claim seriously.

On housing, the Commission is constructive in its emphasis upon the need for more housing and for "equal opportunity to secure decent housing." On education the three northern members of the Commission should find a sympathetic reaction to their proposal that Federal aid be withheld from institutions of higher education which exclude students on racial grounds. We still have far to go to reach the ideal in the civil rights field, but the Commission's report promises to help us make progress. And it is certainly to be hoped that the move begun in the Senate yesterday to continue the life of the Civil Rights Commission beyond next November will be successful.

MUTUAL SECURITY APPROPRIATION BILL, 1960—AMENDMENTS

Mr. GORE submitted amendments, intended to be proposed by him, to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. ROBERTSON (for himself, Mr. ELLENDER, and Mr. HUMPHREY) submitted an amendment, intended to be proposed by them, jointly, to House bill 8385,

supra, which was ordered to lie on the table and to be printed.

Mr. JAVITS (for himself and Mr. KEATING) submitted an amendment, intended to be proposed by them, jointly, to House bill 8385, supra, which was ordered to lie on the table and to be printed.

Mr. HAYDEN submitted an amendment, intended to be proposed by him to House bill 8385, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments, intended to be proposed by him to House bill 8385, supra, which were ordered to lie on the table and to be printed.

JOINT COMMITTEE ON FEDERAL-STATE ECONOMIC RELATIONS—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. KEATING. Mr. President, by some oversight, the name of my distinguished colleague the senior Senator from Connecticut [Mr. BUSH] was omitted from the list of cosponsors of the concurrent resolution (S. Con. Res. 70) to create a Joint Committee on Federal-State Economic Relations, when the concurrent resolution was printed. I do not know the reason for the omission. I apologize to the Senator from Connecticut [Mr. BUSH], and I ask unanimous consent that the name of the Senator be added to the list of cosponsors of the concurrent resolution.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROPOSED SUMMER RECESS FOR CONGRESS

Mrs. SMITH. Mr. President, yesterday I submitted a concurrent resolution (S. Con. Res. 77) proposing that the Congress have a regular summer recess each year. I propose that in the even-numbered years we have a recess from the middle of August to the middle of November in order that Members have an opportunity to get back home to their constituents. For the odd-numbered years, I propose that the recess start 15 days earlier, on August 1, and last until November 1.

The difference in those proposed periods is due to the fact that elections are held in the even-numbered years and it would not be practical to be in session when the national elections are held in the first week of November.

There is nothing to preclude recessing at earlier dates than the first or middle of August if by such times Congress can complete all legislation on which there is an extreme time urgency. But there must be a firm deadline each year if we are not to be continually faced with the unsatisfactory conditions of legislating that every year mark the end of the session.

This year the situation is no different basically than in past years. The pressures have built up on the one hand to terminate the session because of the impending visit of a foreign dignitary, whose policies and practices are not approved by the American people whom we in Congress represent.

But the pressures have built up on the other hand to extend the session regardless of the timing of that visit—to extend the session long enough to complete the legislative business rather than leaving such business uncompleted.

Frankly, the Congress is in a dilemma. If we adjourn prior to September 15, we are subject to the charge of being scared out of Washington by a visiting foreign dignitary. But if we stay in session past September 15, we are in the position of either complying with diplomatic protocol in a manner offensive to the American people—or of pointedly rejecting such diplomatic protocol to the extent of risking impairment of peace potentials and aggravating further the dangerous tensions in the world.

While Congress itself is largely to blame for the dilemma in which it now finds itself, the contribution to this end result must be shared in some degree by the executive branch of the Government.

Regardless of where the blame rests, all of this could have been avoided if Congress had a set deadline date for recessing or adjourning each year and a date for returning after a summer recess. Definitely set legislative schedules would have avoided the dilemma.

My point is that whether we adjourn or not by a certain date should not be controlled by the time of a visit of a foreign dignitary. It should be controlled by whether we have finished the business at hand or not.

Yet, the visit of a controversial foreign dignitary—to put it mildly—should not be scheduled while the Congress is in session because of the obvious diplomatic embarrassment it causes.

Neither of these results would have been created if Congress had a set date for a summer recess—such as my proposal of recessing from August to November. If such a proposal were in effect the visit of the controversial foreign dignitary would have been scheduled during a time when Congress was not in session. If such a proposal were in effect the Congress of the United States would not be in the sorry spectacle of scrambling to get out of town before the foreign dignitary gets here—and of being vulnerable to the charge of being scared out of town before it completes its work on all urgent legislative measures. It reminds one of the song title of "Get Out of Town Before It's Too Late."

The pressures under which Congress works every year at this time of year do not make for orderly business, for clear thinking, for control of tempers and emotions, for sound legislating, or for the health of the Members. Whether it is this year—or any other year—these pressures create disorder, confused thinking, harmful emotions, destructive tempers, unsound and unwise legislation, and ill health with the very specter of death hanging over Members of Congress, including the key leaders.

I do not claim that the concurrent resolution I have submitted would solve all these problems or would remove and prevent all these conditions and results. But I am confident that such a proposed change of legislative schedule would go far to remove and prevent these results.

Mr. MORSE. Mr. President, will the Senator from Maine yield?

Mrs. SMITH. I yield.

Mr. MORSE. I heartily endorse the proposal offered by the Senator from Maine. I think it is a very sound proposal, and I hope that when the Congress reconvenes next January the concurrent resolution will be adopted at a very early date. If time permitted, I would wish that we could adopt it before Congress adjourns.

Some of the parliamentary discussions we have had in recent days in the Senate have caused many Senators to take a good, long, hard look at our procedures in the Senate. I believe that this is one of the procedural changes we should make. There are others.

As I stated on the floor of the Senate the other night, we should also make some procedural changes in regard to the daily schedule of the Senate, in order to expedite our business in the most efficient manner. We should set aside certain days of the week for Senate sessions, and other days for committee sessions, increasing the number of Senate meetings as the session proceeds and committee work grows less.

There is no reason, in my judgment, for not adopting a more businesslike schedule for the work of the Senate.

Mr. KUCHEL. Mr. President, here is one Senator who wishes to join enthusiastically in supporting the concurrent resolution introduced yesterday by the senior Senator from Maine [Mrs. SMITH]. I hope that early next year Members of the Senate and the House of Representatives can sit in judgment on the question of modernizing the Rules of Procedure, with particular relation to the time when Congress should adjourn for a summer recess, and when, and under what circumstances, it should reassemble in the fall for a short time.

The brains God gives us to think with are pretty well abused by 7 consecutive months of constant punishment and harassment. So far as I am concerned, I will give my modicum of support to the senior Senator from Maine in her sound and needed resolution. I hope my brethren on the Democratic side, as well as on the Republican side, will be given an opportunity to vote for the proposal which my friend from Maine is advancing.

STEEL COMPANIES SHOULD BARGAIN IN GOOD FAITH

Mr. YOUNG of Ohio. Mr. President, we have followed the impasse that exists in the steel strike with the greatest interest and concern. Not only does it vitally affect the prosperity and security of our Nation, but in my own State of Ohio more than 100,000 people are out of work and many others have been deeply affected by this strike. In Youngstown, Lorain, and other Ohio cities families of steelworkers are on relief rolls in terrifying increasing numbers.

I was delighted to read that the President of the United States is now showing an active interest in the steel negotiations taking place in New York. I assert

there appears a somewhat belated interest on the President's part, inasmuch as this steel dispute has now lasted longer than any since World War II, and the President had not heretofore taken an active part in trying to get the strike settled for the good of all concerned.

Be that as it may, the most important fact is that President Eisenhower now has shown concern and determination to end this unfortunate shutdown. I read his letter and the reply of David J. McDonald, the president of the United Steel Workers of America, with the greatest interest. Both letters, I thought, had considerable merit to them.

But, Mr. President, I was frankly amazed that the 12 steel company presidents, to whom President Eisenhower also addressed his communication, did not see fit to reply immediately to the Chief Executive of our Nation. Instead, the answer of the management of steel companies to the President was issued by their employee in these negotiations, R. Conrad Cooper.

The facts are that leaders of the steel workers' union have been contending all along that one clear indication that those representing the steel companies have not been willing to bargain in good faith has been the absence of their leading executives from the collective bargaining table.

The fact that Mr. Cooper, an employee, took it on himself to answer the President, even though the President's communication was not addressed to him, seems to give some substance to this contention by the union.

Mr. President, are the steel companies now ignoring the President of the United States just as they appear to have ignored the legitimate practice of collective bargaining in this controversy? When their employee in these negotiations answers a letter from our Chief Executive which was not addressed to him, it would suggest that they quite possibly are.

Of course, those of us who have closely followed this dispute may not be surprised at this attitude. It coincides with that of Roger Blough, the president of the United States Steel Corp., who recently declared that if the Government would not intervene in the steel strike, the price of steel probably would not be raised. But Mr. Blough added a very pointed threat: Government intervention very probably would lead to steel price increases.

Mr. President, I submit that this is an attitude toward the Government of the United States which has not been voiced by industrial leaders since the days of the "public-be-damned" moguls of a best forgotten era in U.S. history. Are the steel companies, swollen from the greatest peacetime profits in our history, trying to turn back the clock, not only in labor-management relationships, but in their attitude toward the U.S. Government?

Incidents such as I have mentioned give one cause to wonder, Mr. President. Officials of the steel corporations of America should meet President Eisenhower's challenge and finally sit down and bargain in good faith with the representatives of the union. The steel workers' union, as Mr. McDonald has clearly pointed out in his reply to the President, is now, and has been, willing to engage in honorable and bona fide collective bargaining. The national interest and the welfare of millions of Americans demand that the steel companies join the union in this effort.

SERIOUSNESS OF THE STEEL STRIKE

Mr. SYMINGTON. Mr. President, almost 90 percent of the steel capacity of this country has been closed down for 8 weeks.

There is far more at stake in this situation than how the income from the sale of steel will be divided between workers and stockholders.

After these 8 weeks of idle plants and idle workers, the economic balance sheet shows that we have lost the output of more than 17 million tons of steel; and also 15 million tons of coal.

We have lost more than 200 million man-hours of productive labor.

The Federal Government has lost hundreds of millions of dollars in tax revenues.

American families have lost several billion dollars of purchasing power.

During these 8 weeks, our steel industry has produced about 2.7 million tons of steel, while the Soviets have been producing an estimated 10½ million tons.

In other words, the balance has swung from where the United States was producing more than twice as much steel as the Soviets to where they are producing almost four times as much as we.

Last April, Allen Dulles, director of our Central Intelligence Agency, stated that Khrushchev predicted the United States future industrial growth "will be only 2 percent a year." Regarding that forecast, Mr. Dulles stated, "If this is true, the United States will be virtually committing economic suicide."

Consider what the prolonged shutdown of this country's steel plants is doing to support that prophecy.

It is becoming increasingly clear how little concern this administration has for the rapidly shrinking steel supplies of countless small and medium sized companies, or the suffering of millions of people whose wages have now been cut off for over 8 weeks.

It now appears the administration will only consider the situation serious after the planned swollen inventories of the great corporations have been liquidated, and those companies need some steel to continue operation.

There has been much talk about whether wages and price practices in the steel industry are inflationary. But the effects of this strike in themselves will be inflationary—especially in that black markets in steel already exist.

It is a fact that shortages cause price increases much faster than manipulations of the money market, monopolistic practices of large organizations, or Government deficits.

Businessmen who use steel know only too well what happens when it becomes necessary to go into the black market. Their costs jump up.

Again, I am not urging the President to enter the collective bargaining process. But I do urge him to give the American people specific details about just what this strike has done, is doing, and will continue to do the economy of the country.

If his intentions are to wait until these planned swollen inventories are liquidated and then to invoke the Taft-Hartley law, why does he not say so now, so that everybody can plan accordingly?

CENTENNIAL OBSERVANCE OF LAW SCHOOL OF UNIVERSITY OF MICHIGAN

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Chair recognizes the Senator from Michigan.

Mr. HART. Mr. President, science has put into the hands of man the means of destroying large numbers of people and of laying waste vast areas of the world. The tools of war now include items of almost world-ending power. People everywhere react to new spaceship achievements and avidly follow the discovery of the secrets of the sea's floor. Nevertheless, there is the recurring fear that these achievements may be turned to our destruction.

The increasing insistence that the "rule of law" become the ultimate and only means of resolving conflict between nations reflects this concern and fear and hope of mankind.

It is in this setting of a broader interest in the rule of law as the only means of survival that I invite the attention of the U.S. Senate to the centennial celebration of the Law School of the University of Michigan.

Beginning on Thursday, October 22, and continuing through Saturday, October 24, in the beautiful town of Ann Arbor, this program will develop the theme "Frontiers in Law and Legal Education." A complete summary of the program is, I believe, the most effective and persuasive invitation I could issue.

The purpose of the centennial observation is more than merely the marking of a milestone in the law school of a great university. It will look less to the past and more to the future. It will be directed to basic, fundamental matters, with the treatment having a philosophical rather than a purely technical orientation.

The main part of the program will consist of a series of lectures and addresses. The speakers will all be men of great distinction in public life and in their respective areas of the legal profession.

The Honorable John R. Brown, judge of the U.S. Court of Appeals for the Fifth Circuit, of Houston, Tex., will be one of the two speakers on Friday morning, October 23. He is planning an analysis of the relation between the National and State Governments in our Federal system.

Ralph M. Carson, of New York City, will be the second speaker on that Friday morning. Mr. Carson's discussion will be devoted to the subject of individual liberty in the modern state. The

effects of the ramifying state on personal liberty in the field of private law will be considered.

At a noon luncheon on Friday, the Honorable G. Mennen Williams, Governor of Michigan, and the Honorable John Dethmers, chief justice of the Michigan Supreme Court, will speak.

On that Friday afternoon, there will be addresses by Dean Erwin N. Griswold, of the Harvard Law School, and Dean Edward H. Levi, of the University of Chicago Law School. It is expected that these speakers will present their respective general philosophies of legal education with particular reference to purposes and goals.

On Friday night, at the centennial banquet, the principal speaker will be the Right Honorable Lord Hartley Shawcross, of London. He will speak on the rule of law in international affairs. Certainly, this is a "legal frontier," perhaps in these times the most critical of all.

At the convocation on Saturday morning, October 24, the principal address will be given by Mr. Justice Harlan, of the Supreme Court of the United States. He will discuss the place of the lawyer as a leader in American society in the formulation of basic public policies.

Mr. President, I hope that all who can do so will plan to attend any or all of these functions. I feel certain that in the next 100 years, as has been true in the past 100 years, the Law School of the University of Michigan will contribute men to all the States of the Nation and to many of the nations of the world men and women who will be leaders in their communities and professions, scholars, jurists, public servants, business leaders, and educators.

The preservation of civilization happens to be the assignment of this generation. The increasing application of the "rule of law" is, I suggest, the one means available if we are to fulfill this heavy assignment.

Again, on behalf of the Law School of the University of Michigan, I extend an invitation to all of the Members to attend the centennial observance. As an alumnus, I am proud to express the greetings of the Senate to the Law School of the University of Michigan on this centennial day.

PERSONAL STATEMENTS

Mr. MORSE. Mr. President, a few moments ago I listened to the Senator from Connecticut [Mr. DODD] discuss a newspaper article, published this morning, which maligns him and a group of other Senators.

In view of the fact that—for a change—in the article I do not happen to be smeared, I wish to raise my voice in defense of my colleagues who have been smeared.

Until recently, the author of the article was generally recognized around here as a sort of journalistic jester whose word clowning, which has characterized his writings, has—on occasion—been entertaining. But recently I have noticed that he has been inclined to use his pen as a yellow smear point, and has been making charges aimed at trying to destroy the reputation of good character of Members of the United States Senate, in particular.

In his article published this morning, he does an obvious injustice and smear job on a group of Senators who are entitled, I am certain, to words of character defense; and at the present time I shall speak a few of those words.

When that journalist proceeds to leave the reading public the sinister implications which he leaves in the article about men such as the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Connecticut [Mr. DODD], the Senator from Ohio [Mr. LAUSCHE], the Senator from Arizona [Mr. GOLDWATER], the Senator from South Dakota [Mr. MUNDT], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. AIKEN], the Senator from New York [Mr. KEATING], the Senator from California [Mr. KUCHEL], and the Senator from Colorado [Mr. ALLOTT], I do not propose to remain silent, because these men are the elected representatives of the people of sovereign States, and they are serving in the greatest parliamentary body that freedom knows today.

It is well known that I do not share the political viewpoints of some of these Members of the Senate, but I have the highest respect for their character and their integrity; and I do not propose to let that attack—sinister, subtle, canny, and cunning—remain in print without these words in testimony in behalf of and in support of the character of these Senators.

As Senators, I do not think we can permit such libelous, smear attacks on Senators to go unanswered, because let us not think for a moment that unanswered libelous assaults such as this one do not have sinister effects on American public opinion.

I am much concerned, anyway, about the tendency in this country to believe that if one is in politics, he must be just a little bit crooked, just a little bit expedient, or that he must have sacrificed, at least a little bit, his principles. Of course, not only do I deny that, but the record of the Members of this Senate is a living denial of it.

When the Senator from Colorado [Mr. ALLOTT], for example, is attacked—as he is—in the article, I believe a response must be made. I do not know anything about what the Senator from Colorado may or may not have said; but even if he said or wrote what is printed in the article, what is wrong with that? If a man sends him a $50 check, which he refuses and returns, obviously the one who sent it did so because he wanted to make a political contribution. What was wrong when the Senator from Colorado said, as stated in the article, "If you want to make a political contribution, I suggest that you might want to make it to the Republican National Committee."

That was a perfectly proper suggestion to make, and that would be a perfectly proper thing to do. But that is not the impression that is left by the article. I rise to protest such a smear.

The Senator from Connecticut [Mr. DODD] says he does not even have any recollection of having received such a check. But he has made perfectly clear what his position would have been if he had received it.

The great liberal Senator from Vermont [Mr. AIKEN] likewise is impliedly criticized in the article.

Mr. President, when such false charges or smear attacks are made upon Senators, in my judgment they are made upon the Senate and upon the integrity of the Senate.

Of course, Mr. President, if we ever have in our midst anyone who does not have the character and the integrity which we know are necessary in order to fulfill the solemn obligations of the office that Senators fill, we will have the duty—and we will exercise it—to take the proper steps.

But in this case false charges are made, and there is left the obviously incorrect impression that the Senate is composed of Members who, allegedly, are to be influenced by a $50 check; and in that connection, I point out the last sentence of this sinister and nasty article:

> A number of other recipients assured me they wouldn't think of keeping the palm-grown $50 either, even if it came from such a "frondly" source—
>
> Meaning "friendly," I suppose—
>
> but I fancied the palms of several itched.

Mr. President, what viciousness.

I assume that apparently the writer was writing from the standpoint of his own moral standards.

Mr. DODD. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Connecticut.

Mr. DODD. I thank the Senator from Oregon for what he has said.

I should like to make clear that I have not received any such letter or any such check—not as late as quarter of 10 this morning, at any rate—either in my office here in Washington, or in Hartford, or anywhere else. That is the first point I wish to make, namely, that the charge is absolutely false, insofar as I am concerned.

But I am pleased that the Senator from Oregon has pointed out the other implications of the article.

Mr. AIKEN. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Oregon yield to the Senator from Vermont?

Mr. MORSE. I yield.

Mr. AIKEN. Mr. President, I presume that the Senator from Oregon has been speaking about an article which was called to my attention this morning, in which my name was listed. I do not know what prompted the author of the article to use the names mentioned without ascertaining the facts. I would doubt that he had any legal right to do so.

At any rate, the first I ever heard of the incident to which reference has been made was when it was called to my attention this morning. I never heard of the person who is presumed to have sent all of the $50 checks. I never heard of

such a check, never saw such a check, have not received any such check.

Any person who makes such efforts—in fact, I will not call them efforts, because I do not think all of them are intentional, although some are—by means of false statements in an article, to discredit the legislative branch of the Government, certainly bears a great deal of responsibility. So far as I am concerned, the statements in the article are false.

Mr. ALLOTT. Mr. President, I came on the floor of the Senate in time to hear the Senator from Oregon mention my name, and I had no idea until just this moment, when I had placed before me the column by George Dixon, of the subject of his comments. In fact, I did not know what the subject matter of his comments was.

I would like to say only this. I did receive such a letter and such a check and, in conformity with my long practice, I returned the check, and returned it promptly. In fact, unless the typewritten transcript was delayed by a day, it went out of my office the same day that it came in.

As I said, I did not hear the remarks of the Senator from Oregon [Mr. MORSE]. All I wish to say is this: The columnist asked me yesterday if I had received such a check, and I told him that I had. I can see no point in lying to a newspaperman who asks me an honest question; and since I did not originate the check, nor did any of my friends originate the check, I am in the same position as the Senator from Oregon would be in if I sent a check to him.

I did what I think was the only sensible and honest thing to do under the circumstances, which was to return the check. I did suggest that he might, if he still felt the same way after considering the matter, offer it as a gift to the Republican National Committee.

This is the whole story so far as I am concerned, and I am satisfied to leave it there. Where Mr. Dixon got his information about other Senators I do not know. He did not get it from me, nor do I know what any other Senators who may have received such checks did with theirs. I know what GORDON ALLOTT did, and I am perfectly happy with what GORDON ALLOTT did in this instance.

Mr. KEATING. Mr. President, I received a check for $50. The columnist is correct in that one statement. I do not know where he got it. So far as I know, he did not contact my office. Perhaps he did. I did exactly what Senator ALLOTT says he did. I promptly returned it to the donor. I did not suggest what he do with it. I thought I would leave that to his discretion.

I never heard of the man in Florida referred to in the article before. The check came as a complete surprise. I was somewhat amused by it. As I said, I never had heard of this man before, but I doubt if he thought he was doing anything improper.

People get peculiar ideas. One time an immigrant who had recently come to this country came into my office and planked $500 on my desk and said, "I need some help in a problem." I do not think that man realized he was doing anything wrong.

It may be the man who sent these checks did not.

I have been more severely attacked in columns than I have been in the column mentioned today. I am not worried too much to be listed among such distinguished colleagues. The only thing I am worried about is that the implication might result from the article that the Senator from Colorado [Mr. ALLOTT] and the Senator from Maryland [Mr. BUTLER], who are the only two Senators mentioned as returning them, were actually the only two who returned the checks.

I think it might be well to find how many still have the checks in their jeans. I doubt if there are any left at this moment. But all I can say is that I am not too concerned about it. I hope this is as severe an attack as is ever made upon me in any column. My conscience is perfectly clear. I bear no ill will toward the man who sent the check or toward the columnist who wrote the article.

Mr. KUCHEL. Mr. President, I did not receive a check for $50 or for any other amount of money from Mr. H. M. Forman nor from anyone else. Moreever, I have just telephoned my office to ask if any member of my staff knew of the receipt of such a check. The answer was "No." I want to add, had I received such a check I would have had it returned.

My friend George Dixon the columnist is simply incorrect. He is wrong. I am sure when he learns of his error he will correct it.

But, Mr. President, I want to defend Mr. Dixon as a newspaperman of honor and of probity who, like all the rest of us, can be guilty of error from time to time. I must say Mrs. Kuchel enjoys turning the morning newspaper to the editorial page to read Mr. Dixon's rather sparkling columns day after day. So do I. Sometimes the senior Senator from California is mentioned, perhaps with a little caustic humor. Maybe a little fun is poked at him, and he rather enjoys the column himself.

That is all I have to say.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend from Kansas.

Mr. CARLSON. Mr. President, I wish to state that I did not receive a check. I do not know this man. I do not even know his name this morning. I have no doubt that he is one of our good citizens who felt, as a citizen, he had an interest in regard to a problem before the Congress of the United States. I do not think we should censure him too severely for what he did.

I do not approve of his actions. As I say, I did not receive a check, but I can readily understand his great interest and great feeling about the labor legislation which was so prominently before our Nation. Perhaps he thought, as a private citizen, he not only had a duty to petition the Congress but to reward Members for action he hoped they would take or had taken.

Mr. KUCHEL. I thank my friend. Like my friend from Kansas, I do not know this person, Mr. Forman, either personally or by reputation.

Mr. McGEE. Mr. President, I was not present when the discussion on this subject started this morning. Though I did not receive a $50 check from the same gentleman referred to in the column, I did receive some mimeographed tirades on matters affecting the labor bill, and I wonder, following the commendable action of the Senator from Colorado [Mr. ALLOTT] in suggesting, according to the press, that the check be forwarded to the Republican National Committee, if I might be privileged to forward the mimeographed sheets I received from the same source to the Republican National Committee and thus discharge any debt I may have to the correspondent involved in the article referred to this morning.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McGEE. I yield to the Senator from Colorado.

Mr. ALLOTT. I would suggest that the Senator might send it to the Democratic National Committee.

Mr. McGEE. I only wished to follow the example of the Senator from Colorado.

THE COAL INDUSTRY

Mr. McGEE. Mr. President, the matter I now desire to mention has nothing to do with the labor question in terms of labor-management legislation, but it has a great deal to do with labor in terms of labor productivity. Only so long as we have full employment can we realize our resource development, and the converse is true. As long as we pursue a program of resource development, we are going to encourage full employment.

I make this statement this morning because of a subject that is of deep concern to my distinguished freshman colleague from West Virginia [Mr. BYRD], as well as my colleague from Wyoming [Mr. O'MAHONEY], the Senator from Colorado [Mr. ALLOTT], and others. I refer to the future of coal.

We know that we have coal reserves in this country which would permit us to produce power unlimited, and the production of more and more power can encourage industrial expansion which can utilize the great resource and wealth of the West.

In my own State of Wyoming, for example, we have recoverable reserves of 60 billion tons of coal. That is enough to supply the United States for 150 years at the consumption rates of 1958, and because of the potential and the possibility, that resource development still holds. In the face of the antiresource development demonstrated by the repeated vetoes of this administration, I think it is important that we remind ourselves of what we really have, the riches that we command, and the power that we can produce here in America.

Along the line of this thought, I ask to insert at this point in my remarks in the RECORD an interesting study of the coal industry in Wyoming and in general

which appeared in the Laramie Daily Boomerang on Tuesday, September 1, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESURGENCE OF COAL INDUSTRY TO MEAN MILLIONS TO WYOMING

WASHINGTON.—King Coal, the fuel which made possible the world of today, is slated for a critical role in the world of tomorrow, and its expected resurgence in the next few decades will mean millions of dollars and hundreds of jobs to the people of Wyoming.

Depressed in recent years by the loss of many of its historic markets, the bituminous coal industry is now girding to meet growing demands which are expected to reach total tonnage levels at least double present output by 1975.

Already contributing well over $7 million annually to the economy of Wyoming and supplying jobs to hundreds of its citizens, the industry will be called on for tremendous expansion to keep pace with America's growing population and powerfed industrial complex, a survey by the National Coal Policy Conference has disclosed.

ELECTRIC ENERGY EXPLOSION

America is on the verge of an almost unbelievable surge in total electric power capacity, in the opinion of both government and private economists. And by far the greatest portion of the fuel for the planned new capacity during the next two or three decades must come from America's almost limitless reserves of bituminous coal.

Philip Sporn, president of the American Electric Power Co., Inc., one of the Nation's leading utilities, predicts that total electric generating capacity of the Nation will have to be increased by some 360 million kilowatts in the next 20 years, compared to present capacity of about 150 million. Only about 40 million kilowatts of this new capacity is expected to come from nuclear energy and about 25 million will be hydroelectric, Sporn declares. The rest must be supplied from steamplants burning fossil fuels, the bulk of which will be coal. His predictions are comparable to those of other industry leaders and government experts.

The U.S. Bureau of Mines has estimated that America's growing population and industrial complex will create a demand for the equivalent of 1 billion tons of coal in new electric energy by 1980. It also sees a steadily increasing demand for fuels to supply other industrial and commercial needs of the Nation. Much of this new fuel will have to come from America's inexhaustible coal mines.

If coal continues to supply only its present 30 percent of the total energy market, the expanded U.S. demand for energy will mean an annual market for more than 800 million tons of coal in the next 20 years, or double total production in 1958, the Bureau of Mines estimates.

ECONOMIC BOON FOR WYOMING

This great increase in the need for coal power is expected to prove a boon to the economy of Wyoming, the National Coal Policy Conference survey pointed out.

In 1958 Wyoming mines produced 1,550,000 tons of bituminous coal, with a value of more than $5 million. The industry provided employment for over 1,000 men, with payrolls of more than $4 million. Add the taxes, payrolls and dividends paid by railroads, barges and truckers who transport this fuel, plus the earnings of various suppliers and we get an idea of the importance of the coal industry to Wyoming's total economy.

Even this contribution by coal could multiply in the next two or three decades. With Wyoming playing a leading role in the great industrial expansion of the Mountain States, the demand for electric power and other energy is certain to grow correspondingly, and much of this may be supplied from the State's own mines.

The U.S. Bureau of Mines reports that Wyoming has recoverable reserves of bituminous coal in excess of 60 billion tons—or enough to supply the entire United States for 150 years at 1958 consumption rates. If increased production in the State only parallels the predicted national trend, the coal industry would provide at least an additional $14 million a year to Wyoming's economy within the next two decades.

Coal is expected to assume an even larger proportion of steam electric production in Montana than in some other States, however. One reason is coal's cost advantage over competing fuels. Data compiled by the Federal Power Commission shows that in 1958 the average cost of coal to utilities in the Mountain States, including Wyoming, was only 21.9 cents per million B.t.u.'s (British thermal units). This was a decrease of 6.3 cents since 1952 and compared to an average cost of 25.2 cents per million B.t.u.'s for oil and 22.7 cents for gas—the latter up 6.7 cents since 1952.

INDUSTRY MOVES TO MEET DEMAND

With the vast increase in national consumption expected soon, the coal and transportation industries are moving now in a combined effort to be ready to meet the demands it will face. The industry has been in a depressed state for several years, due to the loss of such traditional markets as steam railroad locomotives, home heating plants and others beyond its control, and present mining and transportation facilities are far below the level that would be needed to produce and ship more than 800 million tons of coal per year.

This has resulted in the formation of the National Coal Policy Conference, a unique organization of producers, the United Mine Workers of America, coal carrying railroads, representatives of utilities and coal industry suppliers.

Joseph E. Moody, Washington, D.C., conference president, has warned that recent low production levels have left the industry in a precarious position to meet substantially increased demands, particularly in case of a sudden national emergency.

Unworked mines deteriorate, machinery is moved out or may not be maintained, producing companies may go out of business, and skilled workers drift into other industries and even other geographical areas, he explained. Total mines in operation in 1958 were about 2,000 less than in 1950. In addition, the railroads cannot afford to maintain or replace unused and deteriorating hopper cars, locomotives and other coal transportation facilities. In the last 3 years almost 50,000 hopper cars have had to be scrapped—several thousand more than have been put into service.

CONGRESS CONSIDERS NATIONAL FUEL POLICY

"Factors which have caused this production decline must be corrected so that the coal and railroad industries can move now into an orderly, year-by-year expansion of facilities to be able to meet the great new demands the Nation will place on them in the next two decades," Moody warned this week.

"In furtherance of this program, Congress now has before it a proposal by the National Coal Policy Conference for the establishment of a sound national fuels policy to insure that all of the Nation's fuel resources will be utilized to the best advantage economically and to the greatest safety of the country.

"It is hoped that this proposal will result in recommendations which will enable the coal industry to meet the Nation's requirements, to the great advantage of the economy of Wyoming and other coal producing States."

THE PROBLEM OF INFLATION

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a remarkably fine article written by the distinguished editor of the Wall Street Journal, Mr. Vermont Royster, on the subject of the dangers of inflation.

It is my conviction that inflation is our No. 1 domestic problem. We have lost more than 52 percent of the purchasing power of the dollar since 1940. In many ways we have planted the seed which can and I think will germinate into an inflation which will be very harmful, if not disastrous. It must be curbed in every possible way.

I hope this article will be read with care.

Following the signed article by Mr. Royster, I ask unanimous consent also to have printed in the body of the Record an editorial entitled "Time To Pay for Prodigality," from the Wall Street Journal of September 10.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 10, 1959]

FISCAL CRISIS: FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES—IKE MAY RECALL CONGRESS—SOME FEAR A MONEY PANIC

(By Vermont Royster)

WASHINGTON.—A fiscal crisis of major proportions.

This is the grim prospect which the men who manage the money for the U.S. Government confess they see before them in the next 12 months—and perhaps sooner.

So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.

Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the crisis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.

NEEDED: DRASTIC STEPS

Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the "easy" ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.

The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are wiling to give voice to some of the consequences they foresee if stern measures are not soon taken.

Here are some of the things they see: At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.

At the very least, then, a severe "money shortage" that will make the recent tight money situation modest by comparison.

This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.

Beyond this almost certain probability, some of the best-informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.

A LOSS OF CONFIDENCE

The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high administration official, could bring a real money panic which would paralyze business and bring widespread unemployment.

This is truly a grim picture, and it may be that out of their deep harassment these officials draw it too darkly. But it is drawn with equal starkness in the executive offices along the Potomac and in some of the legislative offices on Capitol Hill. And even among those in Congress who have consistently dismissed all such concerns as "foolish fears," some now are beginning to wear worried frowns as they look at the hard figures that confront the U.S. Government.

Those figures, at best, do not present a cheerful picture. Here, in bare outline, is what they show:

Within the next 12 months the U.S. Government must try to borrow $78 billion merely to stay in the same place; that is, it must borrow this huge sum merely to pay off old debts it has coming due in that space of time. Actually the figure will be somewhat larger because some of the money will be borrowed on very short-term notes and bills which must be paid off by second borrowings before the 12 months have passed.

In addition to this heavy borrowing, the U.S. Treasury must somehow raise an additional $7 billion between now and Christmas to meet the spending bills that are piling up.

Thus the U.S. Government in 1 year must borrow a sum greater than the whole year's budget—a whopping $85 billion.

ONLY THE BEGINNING

But this only begins to sketch the difficulty. For these many billions must be raised in a money market already squeezed by the demands of the other borrowers—State governments, local governments, school districts, public authorities of one sort or another, plus record demands from private industrial borrowers.

How tightly the money market is stretched shows clearly in the record of the past few weeks. Last Friday the Treasury had to pay 3.9 percent interest to borrow money for only 13 weeks, the highest rate for such short-term bills since that dark March of 1933, when all the banks were closed. Its latest issue of 26-week bills drew an interest rate of 4.4 percent. This week the prices for U.S. Government bonds already on the market plummeted to their lowest prices on record and pushed the yields on these bonds (the effective interest rate) to the highest level for Government bonds since 1932.

The ordinary citizen can get a clearer idea of how high these interest rates are by reflecting that a decade ago the Government was borrowing money for 10 years on its savings bonds at a cost of 2.9 percent, whereas today it pays 4.4 percent for a 26-week loan. As late as 1958, it paid 1¼ percent for 1-year money; today it must pay more than 4¾ percent. The Treasury's lowest outstanding coupon rate on old bonds is 2⅛ percent; today the Government cannot borrow any money on long-term bonds at 4¼ percent, the present legal ceiling—it is simply out of the question.

This bar against long-term borrowing, if not lifted, means that the squeeze on the short-term money market will grow intense in the months immediately ahead. A 5-percent interest charge for even very short-term money no longer seems unlikely to anyone; the prime rate for commercial borrowers is already 5 percent. Some top officials expect it to soar even higher under the impact of the huge Treasury borrowings. "It's about ready to jump into the stratosphere," says one of them gloomily.

LUBRICANT FOR BUSINESS

The effect of this could be staggering. Long-term borrowers who use the money for capital investment can sometimes postpone their borrowings. But short-term loans are the lubricant for business; they are used to buy steel, to sell automobiles, to stock inventories. A short-term rate that did jump into the stratosphere would play havoc not only with the Treasury's money managers, but with the economy generally.

It is this prospect that lends urgency to the debate over whether to call a special session of Congress. At the current session the administration asked the authority to pay more than 4¼ percent on bonds so that it could shift a portion of its debt into longer term securities. So far this has been denied by Congress, and there is some feeling within the administration that the severity of the Treasury's money plight was not sufficiently dramatized.

A special session, particularly if it was coupled with a radio and TV talk by President Eisenhower explaining the gravity of the problem in simple language, would provide the sense of urgency. But against this—and here is what gives the administration pause—is the argument that it might also arouse public fears. And fear could set off a chain reaction to a real calamity.

For grim as is the immediate outlook for the money market, the real ghost that stalks the Treasury corridors these days is the specter of a sudden and wholesale loss of confidence in the U.S. Government's ability to meet its financial obligations without inflation.

PROBLEM FEEDS ON ITSELF

One of the highest administration officials puts it this way:

"No matter what we do, money is going to get tighter and everybody is going to be pinched. That means we have got to the point where the problem feeds on itself. The Government's huge demand for money pushes interest rates up, and the higher interest rates rise the more the Government's costs rise, which in turn means a bigger demand for money the next time around and so on.

"But the real crisis will come if people ever get the idea that the U.S. Government can't, or won't, face up to the facts.

"If the Government now tries to ease the pinch on itself by having the Federal Reserve supply its needs—which is what some people in Congress tell us to do—that would serve notice on everybody that we had abdicated. Then even the high interest rates wouldn't persuade foreigners to leave their money in dollars. Can you imagine what would happen if foreigners decided they would prefer to hold guilders or pounds or something to dollars?

"Or what would happen if Americans ever got persuaded—I mean really persuaded—that their Government was going to cut out paper dollars to pay its bills?"

The "what would happen," with regard to foreigners, refers not to the gold holdings of foreign governments here, although they too might be affected, but to the more than $18 billion of short-term securities held by foreigners in this country. Of this amount almost $7 billion are held by private citizens and businesses.

All these sums are, in effect, demand claims on the U.S. dollar; they could be liquidated and withdrawn at any time. And they probably would be, if ever confidence were lost abroad in the U.S. dollar. Such a flight from the dollar would mean further acute tightening of our money market, and still another spur to domestic inflation if the foreign fears spread to people at home.

The situation with regard to U.S. savings bonds could be almost as precarious. Americans today hold some $50 billion of these and they are entitled any day they choose to demand cash for them. In recent months more and more Americans have been cashing in their bonds anyway, under the lure of higher interest rates elsewhere and the bitter lesson since World War II that the dollars they receive at the end of 10 years are worth less than the dollars they pay for them.

In July alone the rate of redemption on savings bonds was more than double the rate of sales. Some $775 million of these bonds were presented for cash; only $350 million were sold, and most of those were sold through automatic check-off programs in business. This already adds to the squeeze on the Treasury's funds, but it is nothing to what the effect would be if the public really started cashing in their bonds wholesale.

Treasury officials hope that congressional permission to increase the interest rate payable on savings bonds, which may be forthcoming at this session of Congress, will help stem the tide of these cash-ins. But they are not even positive of that if at the same time interest rates generally are jumping higher and higher. "I'm not so sure," explains one official, "that the interest rate is nearly as important to the smaller saver as his confidence that the Government will pay him back dollars as good as those he spent for the bonds."

Confidence, then, is the key. And there is no question that some of the confidence of the men who manage the U.S. Government's money is already badly shaken.

At the Treasury there is a feeling that the Government can get through the immediate months ahead without a crisis, although not without difficulty. Treasury borrowings will be heavy between now and the year-end, and the upward pressure on interest rates will grow, but the squeeze should ease somewhat beginning in January when new tax money starts flowing in. If demands for cash aren't too high, the debt might even be reduced somewhat.

The problem of managing the debt would also be greatly eased if Congress gives the Government some better tools to work with. If the interest rate ceiling is lifted, the Treasury will probably put out some long-term bond issues, high interest rates or no, in an effort to reduce the pressure of conconstantly going to the money well for short-term loans.

SPENDING IS THE KEY

But there is no responsible official in the administration who pretends any of this will offer more than temporary relief if next June sees another large deficit to heap upon the $12 billion deficit of the fiscal year which ended last June. Spending is the key to the problem.

Since 1950 (to go back no farther) the U.S. Government has been running a parade of deficits of enormous proportions. The list of them tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion. In only 3 years of this decade has the Government spent less than its income, and then the difference was only small amounts. So the story is one of a cumulative demand, measured in many billions, on the Nation's money markets.

What gives administration officials here their deepest concern is what the future bill will be if the Government cannot stop its spending and is forced to resort to open and undisguised inflation on a mammoth scale. To these officials the key to the future, as well as to the past, is what happens to the Government's spending.

But though a lot of people here are plainly shaken by what lies in front of them, there is still a lot of what might be called "worried confidence."

In a large and ornate office overlooking the marbled buildings of Washington, one of the best informed of the money managers meditates: "I just can't believe that the country will refuse to face up to the fact that the picnic's over and the money's running out. So I think we'll get through this crisis all right. But not, I suppose, until everybody recognizes that that's the word for it."

[From the Wall Street Journal, Sept. 10, 1959]

TIME TO PAY FOR PRODIGALITY

It cannot be an easy decision for the President to make public acknowledgement that the Government of the United States is in financial straits.

For one thing, such an acknowledgement must partake of the nature of a confession by those who make it; it must also carry implications of blame for many past errors by others. Thus it would be bound to raise a tremendous political furor.

For another, there is the sheer difficulty of explaining the problem, of relating the Government's fiscal difficulties, seemingly so remote, to the workaday lives of the people. It would require considerable skill to do this with the right sense of proportion.

And finally there is the very real fear that dramatic gestures might carry such a tone of desperateness as to make matters worse. It is this that pinions the President and those about him upon the horns of a dilemma; they may need dramatic gestures to give a sense of urgency to action, but the same gestures could conceivably turn a sense of urgency into one of panic.

So we can understand the doubts and hesitation over the plan, now being discussed within the administration, to call a special session of Congress to deal with pressing fiscal problems and to have the President personally explain to the country, by television and radio, the dimensions of that problem.

Yet it seems to us that the time has come for something to dramatize the Government's fiscal plight. The risks involved, we think, are far outweighed by what is to be won.

The fiscal problem as viewed by the men who manage the Government's money, and whose views are reported elsewhere in this newspaper, is serious, beyond doubt. But it is not calamitous, much less hopeless—if the right actions are taken promptly. And we have not lost our conviction that the people of the United States will support the right actions, once they are told the truth plainly and honestly.

That truth, in its simplest form, is that time has caught up with a prodigal country. For more than a decade this country has spent money like the proverbial drunken sailor. We have poured out billions to make life more pleasant for farmers, to pay handsome rewards to veterans, to give ourselves a luxury of houses and roads and any sort of welfare that came happily to mind. We have poured many billions of hard-earned money all over the globe.

And we have done all this with a blatant disregard of the deficit the billions accrued in our accounts. Many politicians led us on by dangling before us all the wonderful things we could buy with these billions. Worse, many learned economists reassured us that all those deficits were of no consequence; the supply of money was endless. Still worse, we as a people believed all this, too intoxicated to remember that even the richest purse is not bottomless.

Well, now the men who manage the money see that the bottom is not far away. The technical problem that grabs the headlines—the rising interest rates for borrowed money—is merely a warning sign of what lies beneath. It says that the barrel is running dry not only for the Treasury of the United States but for everybody.

But a warning is also an opportunity. Here the opportunity is time to choose between two paths. One is to choose inflation; not the modest inflation we have heard so much about but inflation in mammoth doses. The other is to choose to put our house in order.

This means, first of all, to pay the price of our past prodigality. Congress must give the Government the legal authority to shoulder long-term debts regardless of the cost, in interest rates, of that debt; the managers must have the tools to manage with. But it means most of all that we must stop our prodigal spending.

Neither the President, the Secretary of the Treasury, nor anyone else needs suppose that it is any secret to the informed people of the world that the United States has come to this choice. Not to speak of it, not to say frankly what must be done, will only hide it a little longer from the great body of the citizens.

So we think it is far better to speak plainly and act boldly. This county has had more than a decade of dancing to a feverish spending tune. But nobody need despair of it if it shows it is now ready to pay the piper.

CREATE INTERNATIONAL PERSONAL FRIENDSHIPS THROUGH PROJECT HOPE

Mr. WILEY. Mr. President, on numerous occasions I have stressed the vital importance of private citizens voluntarily working together in order to best solidify the ties with other countries on a warm, human, individual-to-individual basis. We all recognize that tangible, material, nation-to-nation help has long been manifest in the billions of dollars expended in foreign aid by the American Government throughout the free world. In addition, the recent Nixon-to-Moscow trip, the U.S. exhibit in Moscow, and other significant events have demonstrated that there is increased reason to believe that the East-West struggle may well be won by the free world through an effective presentation of our ideas, ideals, and goals to the minds of the world.

However, as I have pointed out, the people-to-people concept is based on the belief of individual Americans that better understanding among the peoples of the world can be achieved on a personal level through friendship, through sharing knowledge, through helping others to help themselves. People-to-people diplomacy means thousands of part-time ambassadors all working for better relationships among all peoples; and such contacts will help to form the basis of a lasting peace. When we Americans share with peoples of other lands our knowledge and experience and seek theirs on a truly personal level, we are portraying America as we believe it to be: A peace-loving nation trying to be partners with our friends. And we accept for a friend anyone who genuinely holds out the hand of friendship to us.

An indication of the deep concern felt by Americans for other people throughout the world can be found in a meeting taking place today in New York City. There a number of the foremost leaders in American business, industry, communication, labor, and other fields are gathered to insure the ultimate success of Project Hope.

Project Hope, an outgrowth of President Eisenhower's people-to-people program, was started some 8 months ago by the People-to-People Health Foundation, which is the corporate entity of the Committee on Medicine and the Health Professions of the people-to-people program. The Foundation is the mechanism by which the Committee will achieve its primary objective of "health opportunity for people everywhere." In an effort to provide a means of exchanging medical information between American medical people and the medical professions of newly developing nations, Project Hope is engaged in staffing and outfitting a mothballed Navy hospital ship which will sail for southeast Asia early next year.

Staffed with medical experts, nurses, and technicians, and carrying medical supplies, equipment, and teaching aids, the ship will serve as a floating medical center and school. Rather than attempt the direct treatment of the afflicted millions in that part of the world, Hope will endeavor to help local physicians, nurses, and health personnel improve their own medical skills and techniques.

Mr. President, I wish to emphasize that the $3.5 million needed to operate this ship for a year will be raised entirely from private sources; which will include donations from business and industry, as well as from thousands of individuals throughout the country.

By waging peace in ways such as this, we not only help the afflicted of other countries, but we help ourselves as well. At the cost of a few million dollars contributed by private citizens and industry, we are able to show conclusively that the American public is vitally concerned with the peoples of other nations. Recognition that health is essential to the attainment of national dignity is the basis of the project being initiated. No country can grow strong without a basically healthy population and no nation can attain leadership if it loses its people soon after they reach a maturity of mind and body. As standards of living are improved and productivity increase, people of newly developing nations will less and less be forced to depend upon aid from other nations.

In speaking of Project Hope, President Eisenhower recently stated:

> I have been impressed with the merit of the proposal developed by your Committee, which you have referred to as Project Hope and wish to commend you and the Committee for it and for the great effort both in time and money which your associates envisage devoting to this basically private project.

In order to acquaint my colleagues with the names of those who are participating in today's New York meeting, thereby helping to demonstrate in a most effective way to peoples everywhere the peaceful intentions of our Nation, I ask unanimous consent that the list of the

officers and board of directors of Project Hope be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PROJECT HOPE

OFFICERS

William B. Walsh, M.D., president; Joseph T. Geuting, Jr., vice president; Eugene M. Zuckert, secretary-treasurer.

BOARD OF DIRECTORS

Francis Boyer, chairman of the board, Smith, Kline & French; Eugene Carusi, attorney at law, Washington, D.C.; John T. Connor, president, Merck & Co.; Justin Dart, president, Rexall Drug Co.; Mrs. Preston Davie, New York City; Spencer S. Eccles, president, Mountain States Implement Co., Ogden, Utah; Fred F. Florence, chairman, executive committee, Republic National Bank of Dallas; Joseph T. Geuting, Jr., manager, Utility Airplane Council, Aerospace Industries Association; Dr. Elmer Hess, former president, American Medical Association; Conrad N. Hilton, president, Hilton Hotels Corp.; C. D. Jackson, vice president, Time, Inc.; Eric Johnston, president, Motion Picture Association of America; George Killion, president, American President Lines; P. C. Lauinger, president, Oil and Gas Journal, Tulsa, Okla.; Edwin A. Locke, Jr., president, Union Tank Car Co.; L. F. McCollum, president, Continental Oil Co.; George Meany, president, AFL–CIO; Frank Pace, Jr., chairman of the board, General Dynamics Corp.; Morehead Patterson, chairman of the board, American Machine & Foundry Corp.; John G. Searle, president, G. D. Searle & Co.; Gen. L. J. Sverdrup, president, Sverdrup & Parcel Engineering Co.; Juan Trippe, chairman of the board, Pan American Airways; William B. Walsh, M.D., president, the People-to-People Health Foundation; Eugene M. Zuckert, attorney at law, Washington, D.C.

FEDERAL JUDGESHIPS

Mr. WILEY. Mr. President, I came to the Senate Chamber while there was a discussion with relation to checks. Apparently someone has been distributing checks. I know nothing about that, but I want to say a few words about what I think is necessary in relation to a check.

One might say that the administration of justice in many places in this country is very inadequate simply because we do not have enough justices to handle the volume of work. There was a recommendation, as I recall, for 45 additional Federal judges. I remember that was cut to about 27 or 28, but the bill to provide the judges is still pending. We are getting nowhere. The result is that justice delayed is justice denied. That is a check which should be removed. It is a very serious check.

Forty-five additional Federal judges are needed to adequately handle the business that is now crowding the Federal courts, and it is the duty of Congress to see that the people's right and desire for speedy justice are not denied by partisan politics. The people demand that justice be timely—not political.

I welcome the approval by the Judiciary Committee of 10 pending judicial appointments earlier this week. Nine more appointments, some dating back to last winter, still remain to be acted upon. It is necessary not only that we proceed to fill all existing judicial vacancies with due speed, but also that we expand the existing judicial machinery so that the people do not have to wait 2, 3, 4, or even 5 years for a trial of a civil case. Effective and unbiased justice is one of the vital differences between our free system of government and that existing under totalitarian communism. But none of us—Congress, judges, or lawyers—can escape the charge that a system which functions so slowly is defeating one of its primary objectives.

Three years ago, the Judicial Conference of the United States, which is the governing body for the whole Federal judiciary and which includes the Chief Justice of the U.S. Supreme Court and the chief judges of all Federal circuit courts of appeal, recommended that 45 additional judgeships be distributed among the districts and circuits with the most crowded calendars. As yet, this recommendation has gotten nowhere in Congress. One reason, it is said, is the reluctance of the Democrats to give such a big list of appointments to a Republican President. But those who suffer are the American citizens who are deprived of their speedy day in court.

Mr. President, as one who practiced for 30 years, I know justice delayed is really justice denied in many instances.

Recently, the administration has demonstrated its desire to remove partisan considerations from this needed reform when Attorney General William P. Rogers assured the annual convention of the American Bar Association that President Eisenhower is willing to fill half of the seats with Democrats if Congress creates additional Federal judgeships. I believe that the President's offer of judicial bipartisanship is an important step toward judicial improvement.

Mr. President, I have seen Republicans and Democrats appointed to the bench. After those men received their appointments they shed their so-called political color and no longer were active. Once in a while they did not. I remember one man particularly who could not seem to do so. He was always meddling in partisan politics. In many ways it reflected upon his ability as a judge.

When the present administration came into power in 1953, about 80 percent of the Federal judges were Democrats, but at present the number of Republicans and Democrats is about even. The American people have a tremendous investment in the Federal judiciary. The cost of operating the Federal courts is about $45 million a year. These courts handle litigation involving billions of dollars. Of even greater importance, however, is the fact that the courts serve to protect and preserve the most vital rights of citizens. We must make certain, therefore, that political considerations do not hinder the operation of our judicial machinery.

I most heartily welcome the administration's offer for bipartisan judicial appointments and a continuation of the balance between the two major parties. I now urge my colleagues to exercise the same degree of public responsibility and maturity by providing for new judgeships and by speedily filling existing judicial vacancies.

JUVENILE DELINQUENCY AND THE NEED FOR A YOUTH CONSERVATION CORPS

Mr. MORSE. Mr. President, one of the most serious domestic problems facing the American people is the problem of juvenile delinquency. The newspapers are full of discussions of this problem almost every day. The so-called gang warfare between and among teen-aged gangs is breaking out in many parts of the country.

We have pending, Mr. President, a juvenile delinquency bill. It is a bill which I certainly hope will be subjected to full debate, on motion, and voted upon before we adjourn, even if it carries the session far over into next week.

Mr. President, there is pending on the House side the bill to establish a Youth Conservation Corps, the youth camp program upon which the Senator from West Virginia [Mr. RANDOLPH] did such a marvelous job in the Senate. The bill has passed the Senate. Some of my advisers on the House side are rather pessimistic about action on the bill.

Mr. President, we should face the fact that this is another one of the very important domestic issues that Congress owes to the American people to consider before adjournment. That means we should go over into next week in order to consider this type of problem.

The youth corps bill, of which I am proud to be one of the cosponsors, is a bill which has been pushed on this side of the aisle, with some assistance from a few on the other side of the aisle, and is a Democratic-sponsored bill in the Senate.

It is interesting to note that the Republican Governor of the State of New York in a New York Times story yesterday took a very clear position in regard to the need for youth camps as an antidelinquency program. The headline reads: "Rockefeller Calls for Youth Camps, Easier Work Law—Antidelinquency Program by State Also Would Speed New Detention Facilities."

I ask unanimous consent that the article referred to be made a part of my remarks at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ROCKEFELLER CALLS FOR YOUTH CAMPS, EASIER WORK LAW—ANTIDELINQUENCY PROGRAM BY STATE LAW WOULD SPEED NEW DETENTION FACILITIES—THIRTY CIVIC LEADERS MEET—MOVES OUTLINED AFTER TALK WITH MAYOR AND OTHERS—POLICE CUT EXTRA FORCE

(By Peter Kihss)

Governor Rockefeller announced a wide State move against juvenile delinquency yesterday.

The program includes developing new youth work camps, speeding construction of more detention facilities and increasing probation and parole supervision.

In a joint news conference with Mayor Wagner, the Governor also proposed revising laws to permit greater work opportunities for youngsters 14 years old and older. The State will also confer with management and unions to increase job apprenticeships for teenagers.

Meanwhile, Police Commissioner Stephen P. Kennedy said the police roundup of teenagers suspected of delinquency, which started

September 1, would continue. By 4 p.m. yesterday 334 youths had been picked up.

EMERGENCY FORCE CUT

However, there was a cut in the force of policemen who had been shifted to emergency patrol duties August 31. The 1,400 extra men had included 300 to 400 detectives, who were put on patrol on their days off. Chief of Detectives James B. Leggett said these men were now being given their regular days off again.

Governor Rockefeller said he could not estimate the costs of the new State program. But he reported that it was costing the State $2,800 a year for each of the 100 or so youths in the 2 existing camps.

He said he hoped to get this down to the $1,900 to $2,000 a year it costs to maintain a youth in correctional institutions. This would mean that it would cost $200,000 a year just for maintenance for every 100 youths brought into the new camp or detention programs.

THREE PERCENT OF YOUTHS INVOLVED

Mayor Wagner, in response to questions, said the city's juvenile delinquency problem involved only 3 percent of the city's youngsters—but that this included 25,000 to 30,000 who might have had some brush with the law.

The Governor and mayor held a news conference after a closed meeting at the Governor's office, 22 West 55th Street. Thirty officials and civic leaders attended the meeting, which was called last week by the Governor.

The meeting lasted from 10:45 a.m. to 1:25 p.m.

Later, Governor Rockefeller reported agreement that "greater parental responsibility" was the crux of a solution; that prevention was less expensive than cure in institutions and jails and that great progress could be achieved by more effective coordination.

Under the State program, two types of youth camps would be developed for work on State lands and forests. A preventive type operated by the conservation department cooperating with the education and social welfare departments would voluntarily enroll potential delinquents. The other type would add to the present two correction department rehabilitation camps for youths sentenced for lesser offenses.

The Governor said that the camp programs would provide vocational skills, moral values and discipline, and that the number who could benefit could run into the thousands.

The construction of State detention facilities also would be accelerated to relieve overcrowding. Mayor Wagner said this had been a bottleneck for years and had forced judges here to turn back to society youths who should have been sent away. He said other youths were being released too soon.

LAWS TO BE REVISED

A review of the laws that limit part-time work for 14- to 16-year-olds would be undertaken with a view to directing youngsters who are unable to profit from regular school programs to jobs instead of delinquency. Those under 18 must now obtain employment certificates to get jobs; those of 16 who have not yet completed high school must now attend continuation school 4 hours a week; those 14 and 15 may now get only vacation work permits.

Overhauling the outmoded continuation school program would also be undertaken. Governor Rockefeller said the present requirements for part-time day schooling were ineffective and inadequate and proposed that night education be considered.

The State program would also seek a more effective apprenticeship training program for 16- to 18-year-olds by cooperation among industrialists, union leaders, and the State labor department.

While the Republican Governor and the Democratic mayor indicated friendliness throughout their news conference, a political note was injected later by Michael H. Prendergast, chairman of the Democratic State committee. Mr. Prendergast charged the Governor with political hypocrisy on youth camps.

SAYS WORK WAS HALTED

Mr. Prendergast said the Rockefeller administration had begun by halting construction on a youth camp for which appropriations had already been set aside by the 1958 legislature and full plans drawn by the department of public works.

Appropriations asked by the outgoing Democratic administration for two more camps, he said, were shelved by the Republican-controlled legislature without protest from Governor Rockefeller.

Mr. Prendergast also charged that the Republican-controlled legislature in 1958 had refused to reimburse New York City for $250,000 in salaries for probation officers after the staffs had been expanded on the strength of a promise of 50 percent State reimbursement.

Yesterday's meeting took up an agenda for immediate and long-range action worked out last Friday by the Governor and the mayor. Governor Rockefeller praised the city for having moved on the security aspect with decisiveness to increase the police force and the number of policemen on patrol.

There was no weight at this discussion to complaints about coddling of youths here, Governor Rockefeller said. Nor was there any discussion of parents' legal responsibility for delinquent children, according to Mayor Wagner.

The Governor's office made public a memorandum saying that the State was paying $1,852,032 of the $4,285,455 cost of the New York City Youth Board program this year, representing 60 percent of the $3,200,000 total in aid distributed by the State youth commission.

All State programs against juvenile delinquency throughout the State were listed as follows:

Child welfare services	$4,350,000
Public school programs	1,275,000
Mental health programs through clinics	4,930,000
Mental health treatment in institutions	8,210,000
Reform institutions for youthful offenders	12,800,000
Probation and parole services	1,650,000
Work camps	370,000
Foster care	19,000,000
Youth bureaus	206,000
Recreation	1,600,000
Youth service projects	1,374,000
Youth commission administrative cost	330,000
Total	56,095,000

PROPOSALS BY THE GOVERNOR

Following is the text of a program of action proposed yesterday by Governor Rockefeller to combat juvenile delinquency:

"1. Establish two types of work camps for youth.

"A. For prevention and designed for known potential delinquents. Develop immediately plans for work camps to be operated by the department of conservation in cooperation with the departments of education and social welfare. In these potential delinquents would do needed work on State lands and in forests. Programs for developing vocational skills useful in urban areas would be geared into the outdoor program. The plan calls for a survey of all facilities which might be obtained and used for these purposes.

"B. For rehabilitation of youths sentenced for lesser offenses. Accelerate expansion of camps under the correction department similar to the two now functioning (North Pharsalia in Chenango County and Monterey in Schuyler County). A program similar to that above but with more security regulations should be adopted for those who can benefit.

"2. Accelerate additional facilities for detention of youth to avoid overcrowding.

"Rush completion of planned expansion of institutional facilities to relieve overcrowding of State institutions and review immediately the needs for new or expanded institutions for young people subject to commitment by the courts.

"3. Augment probation and parole services.

"Extend probation and parole facilities to provide additional supervision of young offenders, particularly those living in high delinquency areas.

"4. Review laws on youth and work.

"Consult immediately with labor and management on revision of the laws governing part-time work for the 14–16 age group. Youngsters unable to profit from regular school program become early troublemakers, disrupting classrooms and destroying school discipline. This proposal is designed to facilitate their being directed toward useful employment to avoid their falling into a pattern of delinquency.

"5. Overhaul outmoded continuation school program.

"Present requirements on part-time day schooling are ineffective and inadequate. Prompt review of the entire continuation school law is essential with particular emphasis on providing for part-time education at night.

"6. Action program with management and trade unions for part-time work for 16–18 year group.

"This calls for working with union leaders, industrialists, and the division of employment of the labor department to initiate a cooperative approach to the employment of youngsters who cannot benefit from further academic instruction and developing a more effective apprenticeship training program. A meeting will be called in the near future to start this program."

Mr. MORSE. Mr. President, there is no question about what the authorities in the field of juvenile delinquency, who testified before our committee, had to say about the subject. I sat on that committee and attended many of the hearings, and at a few I acted as chairman.

Mr. President, we owe it to the parents of this country and to the teenagers of this country to do something about the juvenile delinquency bill and the youth camp bill before we adjourn.

If the people of this country wish to know why I have been taking the parliamentary position that I have been taking in trying to assure full consideration of these matters and to delay adjournment until they can be considered, here is a good example of the many that I will stress before the day is over. I will take them up one at a time, but I wish to say early this morning that these two pieces of legislation are legislative proposals that Congress cannot justify walking out on by an early adjournment.

Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, will the Senator withhold the suggestion for a moment?

Mr. MORSE. No. I am going to have a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allott	Green	Moss
Anderson	Hart	Murray
Bartlett	Hayden	Muskie
Bible	Hill	Prouty
Bridges	Hruska	Randolph
Byrd, Va.	Javits	Robertson
Byrd, W. Va.	Johnson, Tex.	Smith
Cannon	Keating	Sparkman
Carlson	Kuchel	Talmadge
Douglas	Long, Hawaii	Thurmond
Eastland	McGee	Wiley
Ervin	Mansfield	Young, Ohio
Frear	Morse	

Mr. MANSFIELD. Mr. President, I announce that the Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that the Senator from Idaho [Mr. CHURCH] is absent on official business, attending the Interparliamentary Conference in Warsaw, Poland.

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BEALL, Mr. BENNETT, Mr. BUSH, Mr. BUTLER, Mr. CAPEHART, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DIRKSEN, Mr. DODD, Mr. DWORSHAK, Mr. ELLENDER, Mr. ENGLE, Mr. FONG, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GORE, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. LANGER, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. NEUBERGER, Mr. PASTORE, Mr. PROXMIRE, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Is there further morning business?

INDIAN LAND AND CREDIT POLICY

Mr. MURRAY. Mr. President, Senators may recall that on several occasions I have spoken in criticism of the policies of the Bureau of Indian Affairs under the Eisenhower administration. Without going into burdensome details, it has sometimes seemed to me that the administration, insofar as it was concerned with the welfare of the American Indians, was preaching principles or doctrines which failed to take into account sufficiently the simple fact that the real objects of Federal Indian policy are human beings, men, women, and children.

For example, the administration, by emphasizing the desirability that Indian children should attend public schools, and making a showing that this objective is being rapidly reached, has shown much less concern over some of the attendant social and economic problems which such a policy entails. Also I have no doubt that Federal Indian schools have provided a more suitable education, therefore a better education, than could be provided in some of the poorer rural schools.

I am not one of those who argues that Indians must in perpetuity receive special services from the Federal Government. But I do say that the Federal Government has an obligation not only to Indians but to the States and the local communities not to terminate its responsibility and abandon the Indians, until it is certain that the Indians and the Indian communities will survive, if they so wish, on a social and economic level at least as high as that of their non-Indian neighbors. I was pleased that the Secretary of the Interior voiced similar sentiments in a campaign speech in Arizona during the fall of 1958. I am, however, disappointed that he has not as yet seen fit to endorse the resolution I introduced early this year, Senate Concurrent Resolution 12, which is an almost word-by-word copy of his own words, and which would, if enacted, give his campaign utterance the force of congressional approval.

It has been heartening to see that my views, which are not unique to me, have slowly made way against the prior opinions and policies of the Eisenhower administration. Almost from the beginning of the present Commissioner's tenure, I have complained about two major issues of policy. One of these involves credit for Indians, particularly the niggardly management of the revolving loan fund established under the act of June 18, 1934. The second has been the unrealistic attitude of the Bureau regarding the land problem.

Let me say a few words first about credit. For a number of years, the annual reports of the Commissioner of Indian Affairs, or of his subordinate in charge of credit operations, have showed that roughly one-half of the money available for loans to Indians has been left idle in the Treasury. The Commissioner has argued, like the banker that he is, that Indians should be encouraged to borrow money from other agencies, Federal or private, and that they should learn to do business, or at least their banking business, as other citizens do. So the Commissioner each year points with pride to the rapid increase in Indian indebtedness to agencies other than the Bureau of Indian Affairs.

I admit that I am not convinced of the soundness of the Commissioner's views when I read that the largest item in the large increase in indebtedness is for "automotive equipment." I suspect that this is a euphemism for secondhand cars, some of which may be running still and all of which may be needed. But even if all the expansion of non-Government credit is for laudable purposes, that is far from proving that it is desirable for Indians who have not previously enjoyed extended credit from Sears, Roebuck, General Motors and other great corporations, to expand their indebtedness three, four, or five times in as many years.

I am reminded of the story of one automobile dealer, not in Montana, but another State, who sold a secondhand car to an Indian for $1,500. The Indian made a downpayment, and two or three subsequent monthly contributions. Then he sent word to the dealer to come get the car, that he would make no more payments. The dealer discussed his problem with a representative of the Bureau of Indian Affairs, who said that the dealer should be pleased, for he had been paid $200 and would still have his car. Scornfully the dealer replied, "The damn thing isn't worth $200."

So I repeat, Mr. President, that this rapid expansion of credit of which the Commissioner boasts may not be wholly a blessing. I am the more inclined to this belief because the Commissioner, or perhaps the Secretary of the Interior over his head, seems to have reversed policy. Less than a year ago, after holding about one-half of the fund idle in the Treasury, the Commissioner rapidly loaned or committed all the money in the fund. Presto, he was out of money. To the tribes which then sought loans, the answer was: "So sorry, we have no money."

Of course I am not informed as to the reasons for this seeming reversal of policy. But it came shortly before the November elections. I note, too, that a substantial increase in loans to the Alaska natives occurred about the time of Secretary Seaton's visit to Alaska. Even so, as Members of the Senate know, the Secretary's proteges for the Senate and for Governor of Alaska were not elected.

Now let me say a few words about the Indian land problem. I admit that some reservations do not have enough land to support the present population in farming or ranching. Yet that does not seem to me to justify the policy of the past 6 years, which has encouraged the Indians to sell their lands. Speaking through the Commissioner, the Bureau has said repeatedly that it must not deprive the individual of the sacred right to sell his land if the Bureau decides a sale to be in his interest. The Commissioner subordinated the interests of the Indian community, even though these might be affected adversely, and he ignored the fact that the individual Indian had a piece of land because he was a member of the tribe. Parenthetically, most tribes did not want their lands allotted to individuals. That policy was rammed down the throats of Indians by people who were intent on doing good for the Indians without regard to Indian views. Under the present administration hundreds of thousands of acres of Indian land have gone out of Indian hands. One of the tragic aspects of this

trend has been that more than half of the land sold has been offered at supervised sales, conducted by Bureau officials. That means, in words which all will understand, that the Bureau admitted that those Indian owners were incompetent.

Although my protests were reinforced by those of many tribes and by outsiders interested in Indian welfare, the Department continued its policy substantially unchanged until last year. Then I asked for a moratorium on land sales until the end of the last session, in order that the Congress might look at the problem. You are well aware, Mr. President, how difficult it is to focus congressional attention on some of these Indian problems. Inevitably the Congress adjourned without taking any remedial action.

Nevertheless, two important things happened. First, our Committee on Interior and Insular Affairs sent out questionnaires, the answers to which provide some data for an overall attack on this problem of Indian land. Second, after all these months and years, the Secretary of the Interior appears to have reversed Bureau policy again. With the approval of the Bureau of the Budget, that is, with administration approval, he has asked the Congress to amend the Indian Reorganization Act of 1934, by increasing the loan fund authorization from $10 million to $25 million. And what is more, he wants to use the increased amount to buy land, land presently in Indian ownership, but that ownership so broken into inherited interests that no one family or group can make use of it.

I wish to make several comments on the Secretary's proposal submitted on June 4.

He seems to chide me because I have not been able to stop the sale of Indian lands. He should know that I could not stop them, but he could. Temporarily he did, at my request. Now he is seeking a remedy. His remedy is good, but it does not go far enough or soon enough. I wish to make two points:

First. Twenty-five million dollars today has the purchasing power, approximately, of $10 million in 1934. So the Secretary's request, if approved, would only get the Indians back to the level of 1934.

Second. Even if the Congress approves the Secretary's request, it will be several years before any money will be available. There is no possibility of enactment at this session. If it is enacted at the next session, it is possible that an appropriation to begin to carry out this program might be made for the fiscal year 1962, but it might be later.

In this situation, recognizing that the Secretary now admits a need for action, I have addressed a letter to the Secretary, which I will ask to have printed in full at the conclusion of my remarks. In brief, I have urged the Secretary to include in the Bureau's budget for fiscal 1961, the estimate which will come to the Congress next January, a request for $5 million to begin the land readjustment program. If my suggestion is followed and approved by the Congress, money for loans to Indians would be available next July 1.

My plan has one other merit, which may appeal to some Members of the Congress. Any money appropriated will be loaned to Indians, and when the loans are repaid the money will be returned to the Treasury.

If the Secretary's proposal is followed, the authorization for the Indian loan fund will be increased at some uncertain future date. Whatever money might be appropriated pursuant to such an authorization would be placed in the revolving loan fund. I do not object to that proposal, but I want to see something done promptly. I believe that on many reservations the situation is critical. If we do not move now, we shall have more and more Indians dependent on Federal bounty in the rural communities, or grudgingly, inadequately given relief by the States and local communities, or else we shall be relocating them, also at Federal expense, in the hope that they will be able to adjust to city life and there earn a decent living.

So, Mr. President, my proposal is that we return to the Snyder Act of 1921 which is still the basic act for appropriations to the Indian Bureau. Under that act, appropriations for loans to Indians were made each until 1944. These loans were designated as "advances" or "reimbursable loans." There is no doubt in my mind that this statutory authorization is still effective. In recent justifications for appropriations, addressed to the Congress, the Bureau has stated that it is winding up the program under this authorization, but obviously the Congress could reverse the Bureau's position. I suggest that, rather than wait several years for a new law which would perhaps make more money available, the Department and the Congress use the existing statutory authority. I have suggested an appropriation of $5 million. By the time the Congress has acted on the Secretary's request for legislation, the Department would have had the use of some immediate funds, and it would be in much better position to inform the Congress as to the total problem.

Let me sum up. The Secretary now admits that he should make more loans, especially to keep Indian lands in Indian ownership. We should say to the Secretary, "Good, we agree with you. We have been trying to convince you of this need. Now that you finally concur with us, we want to help you now by appropriating some money for you to make a start on this program." The Secretary of the Interior should not be left in the position of chiding the Congress, rightly or wrongly, for failing to do what he says is wise, particularly as some of us in the Congress have been telling him what we think he should do. Now that he concurs, let us give him the means to start the program.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following these remarks, my letter to the Secretary to which I have alluded.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., September 9, 1959.

Hon. FRED A. SEATON,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: In response to a request from this committee for a report on my bill S. 51, your Department, over the signature of Assistant Secretary Ernst, proposed a number of significant amendments, only one of which I intend to discuss in this letter, the proposal to increase the revolving loan fund for Indians from $10 million to $25 million. I have no doubt that in due course the Subcommittee on Indian Affairs and later the full Committee on Interior and Insular Affairs will consider your proposals in detail.

For the moment I wish to make two brief comments and one request for action which need not await passage of the amended bill.

First, as to the sum you recommended, $25 million, you concede in your report that the amount of the loan fund that may be needed * * * is difficult to estimate. I point out that $25 million today has approximately the purchasing power of $10 million in 1934. So, even if your suggestion is approved by the Congress, the Indians would be back at the 1934 level. It may well be, therefore, that your recommendation would not be adequate to carry on your enlarged program.

Second, even if the bill as you recommended should be enacted in the 2d session of the 86th Congress, it is not certain that an appropriation would immediately follow. In all probability, if I may judge the Bureau of the Budget fairly, it could conceivably take 3 to 5 years before the Department would be permitted to ask for the total sum authorized. Fiscal year 1962 would certainly be the first year in which any money could reasonably be expected.

Third, my proposal for immediate action is that in your Department budget for the next fiscal year, 1961, you ask the Congress for $5 million to be immediately available for loans to Indians. This appropriation would not require an amendment to the Indian Reorganization Act. For more than 20 years the Bureau made loans under the authority of the Snyder Act, approved November 21, 1921, the basic law under which appropriations are made to the Bureau. As a matter of fact, both before and after the approval of that act, the Congress appropriated money for advances or reimbursable loans to Indians. So far as I know, no question has ever been raised as to the authority for these appropriations. Each year, in essentially the same language, the Congress appropriated moneys:

"For the purpose of encouraging industry and self-support among the Indians, and to aid them in the culture of fruits, grains, and other crops * * * dollars, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided,* That said sum shall be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States on or before June 30, 19—."

Someone may object that the language used for many years does not expressly authorize loans for the purchase of land. I believe that the same objection might be raised to the section of the Indian Reorganization Act establishing the revolving fund. As the Department has approved loans out of the fund for land adjustment programs, neither the Department nor the Congress need object to my request. The

sum I have suggested, $5 million is only one-third of the total recommended by you. It would be adequate, I believe, to tide over the Department until the larger authorization could be obtained. It would be a simple matter, however, to modify the appropriation language so as to remove any doubt.

Finally, Mr. Secretary, let me assure you again of my concern for the preservation and extension of the Indians' land base, their homelands. Naturally I am delighted that you now assert the need for a land program, and have asked congressional support and approval.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

PROMPT ACTION BY THE MONTANA DELEGATION ON EARTHQUAKE

Mr. MOSS. Mr. President, the senior Senator from Montana [Mr. MURRAY], the junior Senator from Montana [Mr. MANSFIELD], and Montana's two sterling Representatives, LEE METCALF and LEROY ANDERSON, constitute a legislative team that works constantly for the benefit of both the Nation and the State of Montana. Their response to the earthquake disaster is but another example of their constructive leadership. I would be remiss if I did not make some mention of their vigorous and effective action. My close association with their work on this matter gave me a vivid demonstration of how effectively this team operates.

SENATOR MANSFIELD TELLS GOVERNOR THERE IS AN EARTHQUAKE

The most remarkable event was that Senator MANSFIELD knew about the earthquake in Montana on the morning of August 18 before the Governor did. This reflects, partly, the speed of radio communications that news can reach the four corners of the earth as it happens. But MIKE MANSFIELD was, as usual, alert, and, as usual, up early; and when he heard of the catastrophe, the first thing he did was call the Governor to offer all assistance. The Governor could not be located at the capitol in Helena. He was on his farm at Cut Bank, so the Senator alerted other people to advise the Governor.

DELEGATION GOES INTO ACTION

On August 19 the delegation met to discuss the problem, and Senator MURRAY and LEE METCALF suggested that an on-the-scene review be made. Arrangements were immediately started so that members of the Senate and House Public Works and Interior and Insular Affairs Committees could go to the earthquake area the weekend of August 22 and 23. Representative LEE METCALF and Representative LEROY ANDERSON led the group, which included Representative PFOST, Representative JOHNSON of Colorado, Representative MORRIS of New Mexico, and Representative BALDWIN of California.

There were also representatives for Senators DWORSHAK, CHURCH, and O'MAHONEY, as well as the staffs of the House Public Works and the Senate Interior Committees. In addition, the Federal agencies were represented by the Forest Service, Park Service, Fish and Wildlife Service, and the Corps of Engineers.

I was most fortunate in being able to go and see the disaster wrought by this earthquake and I can assure the Senate that it was an amazing sight.

The people on the ground—Forest Service smokejumpers, engineers, park and highway crews, law officers, Red Cross, and others—did a tremendous job in alleviating the damage.

POLICY CONFUSION AT STATE LEVEL

One thing which stood out in contrast to the effective on-the-ground work was the policy confusion at the State level. The Governor and his representatives came to meet us. In fact, the Governor had planned to go to Canada for the weekend but canceled his plans and came back to work with us. He kept emphasizing that he needed all Federal aid available but he seemed reluctant to declare a disaster area or else did not have a full grasp of the procedures available under the Federal Disaster Act and other subsidiary disaster authorities.

We left Montana only with the plea that we find out what Federal help was available and the assurance from the Governor that he needed it. I had the feeling that the Governor believed a disaster declaration might hurt Montana's tourist business. Already the radio, TV, and papers across the Nation had carried banner headlines on the earthquake and Life magazine came out with full pictorial coverage. The west Yellowstone route of Yellowstone Park was sealed off. The need was not to avoid publicity. This could not be done. The need was to write a final chapter of dramatic restoration so that the suffering of the people was alleviated and the economic life of the region saved.

Mr. President, I make these statements because the facts demonstrate that Montana's State Government needs to gear its governmental machinery to cope with disasters. I think that to varying degrees this is true of all States and our Federal agencies as well. But let me emphasize again that the people on the ground saving people's lives, reconstructing roads and maintaining law and order did a very creditable job.

MONTANA'S CONGRESSIONAL DELEGATION MAPS A PROGRAM

As we returned, we discussed the disaster and what the Federal Government could do. One salient fact was that a great deal of the damage strangling the economic life of the region had occurred on Federal lands—the national forests and the national park. Another was that road damage was a major problem.

As we returned, we agreed that the Governor should notify the President that he had a disaster situation. Representative METCALF also suggested the possibility of amending the Highway Act to permit 100 percent use of the emergency fund. The other possibilities were to obtain assistance from the Small Business Administration, also to permit commutation of VA and FHA loans under a President's disaster declaration, and to get aid for the schools so badly damaged that they wouldn't be safe for children. A major problem was assessment of the new dam a mile long and 150 feet deep which was creating a huge lake. Here the Corps of Engineers, with its customary dispatch, was moving in aggressively.

Upon returning to Washington the Montana delegation went to work. The heads of the various departments were contacted on August 24 to make certain they appreciated the urgency of the situation. Each, in turn, pledged support and promised to have representatives meet with the Governor on August 28 to give him much-needed advice and counsel.

DELEGATION CUTS ROADBLOCKS

The most significant action by the delegation occurred on the road problem affecting Federal lands.

On August 25 the Department of Commerce was asked to provide a draft of legislation to amend the Highway Act and on August 26 it was received. Consultation with key Members of Congress on August 27 brought assurance of active assistance to amend the Highway Act. The delegation then met with Highway Director Tallamy on the morning of August 31 and on that afternoon introduced legislation to make the highway emergency fund available.

With effective work well under way, the Public Works Committee acted promptly and the Highway Act, which passed the Senate on September 5 contained the Montanans' provisions.

In my opinion, this is a legislative record for positive action.

DISASTER AID INFORMATION

Another example of cooperation was the assistance offered by the able senior Senator from Minnesota [Mr. HUMPHREY]. He rushed to print a comprehensive "Federal Disaster Relief Manual." In the space of a few days the Senators from Montana had secured a special printing and had sent it on to the people of their State. This put into the hands of the people full information on the types of Federal assistance available. It told the people how to get help and where to get it.

THE DELEGATION WORKS FOR THE PUBLIC WELFARE

Mr. President, the members of the Montana delegation are, as I said, a team. This is the key to their effectiveness. They have between them over 50 years of legislative experience. When a problem occurs they are both ready to act and capable of moving.

The senior Senator from Montana [Mr. MURRAY] has a warm and complete understanding of the truth that the people's welfare is our most important public consideration. He has been a long-time leader in every piece of legislation that will provide opportunity to mankind.

I marvel at the capabilities of the junior Senator from Montana [Mr. MANSFIELD]. He stands here in the well of the Senate day after day conducting the important business of the Nation. He does this with one hand on the pulse of Montana, the other on the pulse of the Senate.

The House team of LEE METCALF and LEROY ANDERSON is outstanding, and

this is remarkable in that larger body where capabilities are harder to discern. LEE METCALF, in particular, has a natural reputation for his yeoman work in conservation and in the field of education. Representative ANDERSON, who brings to the House a wealth of military experience, is an agricultural expert of great ability.

I have no doubt that Montana will recover from the devastating effect of this earthquake. The process has been speeded and the needs of the people better met because in the Halls of Congress the Treasure State is represented by such capable people.

I want to salute them today because of their one major fault. The entire delegation is modest. Others may claim the credit for the work they do, and this does not deter them or even disturb them. I think their accomplishments should receive note because the single step of revising the Highway Act is going to provide future benefits to the West where Federal lands are so dominant.

TELEVISION PROGRAMING

Mr. McCARTHY. Mr. President, for almost 5 years, Joe McCaffrey's television program, "Celebrity Parade," has served the public interest in the Washington area by presenting week after week excellent informative interviews of public figures and private citizens, all concerned with political and social problems affecting the welfare of large numbers of our citizens.

On September 27 of this year "Celebrity Parade" will leave the air. In its place, station WMAL–TV will show by video tape a football game played the previous day. The football game will be shown from 12:45 until 2 p.m., and will usurp the 1:30–2 time now allotted to "Celebrity Parade." Mr. McCaffrey and his sponsor, the Retail Clerks International Association, were informed by WMAL–TV that the only time now available to "Celebrity Parade" would be 12 noon on Sundays, an hour universally acknowledged to be very poor television time in terms of the numbers of viewers. WMAL–TV says that no other time is available for "Celebrity Parade."

The fate of "Celebrity Parade" is a matter of concern to all thoughtful citizens who in recent years have observed to their dismay the similar plight of other worthwhile programs. It is, moreover, particularly regrettable that a program which so clearly reflected and served the interest of the Washington community should be forced to leave the air in this area.

In an interview in Look magazine for August 18, 1959, Edward R. Murrow observed:

> I believe that this country is in mortal danger, yet the TV audience is being fed a diet of pap during peak hours. Surely we will pay for using this powerful instrument to insulate the citizenry from hard realities.

I believe that Mr. Murrow's point is well illustrated in WMAL–TV's action in replacing "Celebrity Parade" with a day-old football game.

I am sure that it was the intent of Congress when it passed the Federal Communications Act of 1934 and that it is the intent of Congress now that broadcast licensees should have a responsibility to inform as well as to entertain the public. As Senators know, Federal Communications Commission regulations provide for the review of a station's programing at the time of renewal of the station's 3-year license to broadcast. At that time, the FCC may raise the question of whether a station is actually operating in the public interest. There are, however, no definite requirements as to the percentage of broadcast time which must be given to public information programs, and no explicit guidelines for determining whether the amount of time given by the station is adequate, or whether the airing time is desirable from a point of view of listenership.

Mr. President, I am in complete agreement with section 326 of the Federal communications law, which forbids any censorship of station programing by the FCC. I believe, however, that steps should and must be taken to assure that our broadcast media exercise in full their responsibility to serve the public interest, a responsibility they incur when they are licensed to broadcast. Surely one aspect of this public responsibility is the allotment of desirable viewing time to worthwhile and informative programs which clearly serve the public interest by alerting citizens to the great problems which face them.

Mr. President, I am of the opinion that unless the television stations themselves exercise this responsibility, the Congress will have to assume it in the near future.

COMMITTEE HEARINGS IN TEXAS ON PROPOSED PADRE ISLAND NATIONAL SEASHORE AREA

Mr. YARBOROUGH. Mr. President, it was indeed gratifying to me to receive from the distinguished and very able chairman of the Senate's Interior and Insular Affairs Committee, the Senator from Montana [Mr. MURRAY], a letter informing me that later this year, hearings will be held in Texas on my bill to set up a national seashore area on Padre Island.

I feel sure that when the members of the committee see for themselves that beautiful place, so rich in natural beauty with a 110-mile-long unchanged, natural shoreline, and with outstanding potential recreational facilities, they will understand why the movement to preserve this unspoiled area of our Nation's rapidly vanishing open shoreline is gaining such momentum. And I feel sure the people of Texas and the Nation will demonstrate to the committee their strong support of the proposal.

Senator MURRAY's statement came in reply to a letter from Senator LYNDON JOHNSON, Representative JOHN YOUNG, Representative JOE KILGORE, and me. We will welcome the committee to Texas at whatever time is deemed best for the hearings.

In deference to the Senators from Texas, in whose State this area lies, the committee has not fixed a definite place or a definite date for the hearings; but the committee has indicated that the hearings will be held.

Mr. President, among all the areas across the country that are being considered as prospective national seashore areas, this is the longest and the largest one that still is in an unspoiled state. A great part of the heritage of the American people will be saved if this area is established as a national seashore area.

Mr. JOHNSON of Texas. Mr. President, will my colleague yield to me?

Mr. YARBOROUGH. I yield.

Mr. JOHNSON of Texas. Mr. President, I have been informed, as has my colleagues, that the committee will delegate some of its members to hold the hearings in Texas. I believe that is largely the result of the vision and foresight of the very able junior Senator from Texas [Mr. YARBOROUGH] in introducing the bill and in awakening public opinion in regard to this very vital matter.

I commend him for his activity in this field, and I applaud the efforts of the Members of the Texas delegation in the other body who have supported him in his attempt to see that this valuable heritage is preserved.

Mr. YARBOROUGH. Mr. President, I thank the distinguished majority leader, my senior colleague from Texas, for his kind remarks, and also for his action in signing the letter appealing to the chairman of the committee to have the hearings held and to have the appropriate information gathered, for the benefit of the Congress and the people, in regard to the great opportunity to preserve this area.

It is most important that immediate steps be taken, because, although the island is 118 miles long, development has begun at each end, and 2 or 3 miles at each end have been built up, and plans are in their incipiency for further construction. So unless the area is now preserved as a part of the heritage of the American people, it will be lost forever, inasmuch as so large an unspoiled area will not long lie untouched.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Is the Senator from Texas submitting an amendment?

Mr. YARBOROUGH. No, Mr. President; I am commenting upon the proposed seashore national area and the bill I have introduced in that connection and the fact that the committee has written a letter in which it states it will hold hearings this fall on the bill which I have introduced, to create the area.

Mr. President, I request unanimous consent to have printed in the RECORD an editorial entitled "Texans Push Padre Island Project," from the Beaumont, Tex., Enterprise for Sunday, September 6, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Beaumont (Tex.) Enterprise, Sept. 6, 1959]

TEXANS PUSH PADRE ISLAND PROJECT

Every Texan whose soul is stirred by the wondrous works of Mother Nature will welcome wholeheartedly the news that certain

Members of Congress from the Lone Star State are pushing for establishment of a national shoreline area on Padre Island.

Even those who make a profession of proclaiming the perils of Federal encroachment could hardly afford to object to this move for preservation of the longest remaining undeveloped beach area in the Nation.

The people of no State will drink so fully of the island's lonely and unspoiled beauty as those of Texas. Even so, the area should prove a powerful magnet each year for thousands of outsiders—men and women and children who'll route many a dollar into the economy of this commonwealth.

Letters to Secretary of the Interior Fred A. Seaton and Senator JAMES E. MURRAY, of Montana, Senate Interior Committee chairman, pressing for establishment of the shoreline area, were cosigned by Senators LYNDON B. JOHNSON and RALPH YARBOROUGH, and Representatives JOE M. KILGORE and JOHN YOUNG.

The letter said: "Here at Padre Island the United States has its last opportunity to preserve a substantial length of beach area in its natural state."

Such action has been recommended by the National Park Service, the Interior Department Advisory Board, and other groups.

PERSONAL STATEMENT

Mr. PASTORE. Mr. President, I have just now returned from the Senate reading room, where I picked up a copy of the Wednesday issue of the Providence Journal in which I read—for the first time—a front page article, as follows:

Senators dreamed happily yesterday of what could be a most pleasant junket—a mass visit of all Members to Hawaii.

By way of making the dream more realistic, Senate Republican Leader EVERETT M. DIRKSEN, of Illinois, disclosed that he has drafted a resolution calling for a $200,000 outlay to cover the expenditures of Senators for such a trip.

I ask unanimous consent that the entire article be printed in the RECORD, in full.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. SENATORS DREAM HAPPILY OF $200,000 HAWAIIAN JUNKET

WASHINGTON.—Senators dreamed happily yesterday of what could be a most pleasant junket—a mass visit of all Members to Hawaii.

By way of making the dream more realistic, Senate Republican Leader EVERETT M. DIRKSEN, of Illinois, disclosed that he has drafted a resolution calling for a $200,000 outlay to cover the expenditures of Senators for such a trip.

A cabled invitation from Gov. William F. Quinn for the Senators to attend a statehood celebration beginning Thanksgiving Day provoked what Mr. DIRKSEN described as "hilarity and exuberance of spirit" when it was read to the Senate Republican Policy Committee.

Mr. DIRKSEN said, "There were some who shouted, 'When do we leave?' This was a demonstration of the Members' fatigue and need for a rest. There is doubt that tropical palms and blue waters lapping on the white beach would help wash their fatigue away."

As for House Members, Mr. DIRKSEN said he will have to leave any decision on the trip to them. He observed that the Representatives seem expert in taking care of themselves in such matters.

Mr. PASTORE. Mr. President, my observation is this. I hope this statement is in jest. I hope it is not serious. I do not know of anything which could hurt the prestige of the Senate more than to have the people of the country feel that there is any truth to such a story—a mass junket on the part of the Senate at a cost to the taxpayers of $200,000. The idea is unthinkable, and I certainly want the people of my State to understand that even if there is any truth to the article, the junior Senator from Rhode Island has no intention at all of traveling to Hawaii at the expense of the taxpayers.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MORSE. Is it the Senator's understanding that any such proposal would have to be implemented by a resolution presented to the Senate for a vote?

Mr. PASTORE. I understand that is true. I also understand that no resolution has yet been introduced, and I hope none will be. I hope this will be kept on a level of levity.

Mr. MORSE. We will get a chance to vote on this if it is offered, and I want the Senator from Rhode Island to know I completely agree with his observation, and I certainly think any such resolution would be entirely inappropriate.

A 1964 WORLD'S FAIR IN NEW YORK

Mr. KEATING. Mr. President, I have addressed the Senate on several occasions on the need for action regarding the selection of an American site for the next World's Fair. I intend to speak on this subject again when the Senate takes up Senate Resolution 169, the resolution introduced by Senator FULBRIGHT which would give the President certain responsibilities to decide whether an American World's Fair would be a good idea, and if so to appoint a commission of citizens to determine which of the several competing cities in this country would be best suited for this event.

I am strongly convinced that for a number of important reasons New York City should be and, in fact, will be selected as America's nominee for this honor when the International Bureau of Expositions meets in Paris in November of 1960 to select a site for the next World's Fair.

This morning I want to call attention to an excellent and enthusiastic letter from the Queens Chamber of Commerce which outlines some of the reasons that the fair should be held in New York, and pledges the full support of this fine organization.

Mr. President, I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE
OF THE BOROUGH OF QUEENS,
New York, N.Y., August 28, 1959.

Senator KENNETH B. KEATING,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR KEATING: The Queens chamber, speaking for 1,600 business and industrial firms, is vitally interested in securing approval for a 1964 World's Fair in New York.

At this time, therefore, we strongly urge your utmost influence and cooperation toward this important objective. It is imperative that we drum up an avalanche of support for the selection of our New York site.

It seems inconceivable that the World's Fair of 1964 would be conducted anywhere but in New York City, the Nation's greatest metropolis boasting a regional population of more than 15,000,000.

Similarly, 1,257-acre Flushing Meadow Park in Queens, site of the 1939–40 World's Fair, still ranks as the best location—in the heart of the city of New York—for the World's Fair of 1964.

We have everything here—rapid transit, buslines, passenger railroads, two airports, highways, expressways—all the facilities so necessary to insure the success of a World's Fair. And let's not overlook a Queens population alone of nearly 2 million persons who represent a rich resource of proximity "repeater" fair attendance.

Of great importance, too, would be enthusiastic participation in the World's Fair in Queens by New York City business and industry as well as firms throughout the Nation whose headquarters are, naturally, located here.

At the 1939–40 World's Fair, the Queens chamber erected and serviced the "Queens Borough Host House", the only chamber of commerce with a building at the Fair.

I intend to appoint a vibrant, hard-working World's Fair Committee—as soon as the site has been approved—to work with other groups in New York City to make this the biggest and most successful World's Fair in world history.

Sincerely,

IRA H. GENET,
President.

A NEW PROFESSIONAL FOOTBALL LEAGUE

Mr. McCARTHY. Mr. President, recently in this country our hopes have been raised that another professional football league will be formed. I believe another professional football league should be formed in this country.

During the hearings which were conducted by the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary, the present National Football League indicated that it would welcome the formation of another professional football league. A representative of Commissioner Bell of the National Football League informed my office that the league was favorable to the formation of another league.

In the Twin Cities of Minneapolis and St. Paul there is a great deal of interest in the organization of such a professional football team, to be associated with the new league.

I am now informed that the National Football League is attempting to undercut the efforts to organize teams for the proposed new league.

Mr. President, I am hopeful that the National Football League will not prevent the formation of such a new league and the organization of a professional football team to be associated with it in Minneapolis and St. Paul. I certainly cannot understand why there should be any opposition to the new teams or to the new league, for it seems to me that the interest of professional football would be advanced by the formation of such a new league.

YOUTH CONSERVATION CORPS

Mr. RANDOLPH. Mr. President, the Senate of the United States has affirmatively acted to create a Youth Conservation Corps. The measure is pending in the House of Representatives. It is too much to expect action there during the present session, although it is highly desirable that the other body approve, as has the Senate, this important measure.

It is with reluctance that I anticipate a possible adjournment of the 1st session of the 86th Congress without the enactment on Capitol Hill of this vital legislation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my colleague from Oregon.

Mr. MORSE. I want to plead with my colleague not to be of such little faith. I want him to be more hopeful.

The PRESIDING OFFICER (Mr. CANNON). The Senate will be in order.

Mr. MORSE. I stand shoulder to shoulder with my colleague in trying to get the bill passed. I will say to the Senator from West Virginia, "You are my leader in regard to this proposed legislation. Do you not think we ought to make a plea to Representative HALLECK, who seems to be 'calling the shots' on the House side in many particulars, to get the Republican Party lined up in support of the youth of the country, also? Do you not think that Mr. HALLECK ought to recognize the importance of getting the bill passed?"

Our majority leader, with whom I am not in complete agreement all of the time, did a magnificent job in assisting the Senator from West Virginia and the rest of the committee, including the chairman of the committee, the Senator from Alabama [Mr. HILL], in having the bill passed by the Senate.

I think the public ought to know what is stalling the bill on the House side. I think it is about time the American people made clear to the House of Representatives they think passage of the bill is sorely needed to meet the problem of juvenile crime, and that it should be passed without further delay.

Mr. RANDOLPH. Mr. President, I appreciate the observation made by the energetic Senator from Oregon. I am delighted to note the presence of Members who were vigorous in support of the bill, the chairman of the Senate Committee on Labor and Public Welfare, [Mr. HILL], the Senator from Rhode Island [Mr. PASTORE], the Senator from Alabama [Mr. SPARKMAN], the Senator from Ohio [Mr. YOUNG], and the Senator from Maine [Mr. MUSKIE].

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. PASTORE. I merely want to say to the distinguished Senator from West Virginia that the entire Nation has been shocked in recent weeks by the stories which have been printed in various newspapers throughout the country with reference to delinquency on the part of the youth of America.

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order.

The Senator will not proceed until the Senate is in order.

The Senate will be in order.

The Senator may proceed.

Mr. PASTORE. This problem apparently is extremely pressing in the State of New York. I say that with full respect to the State, because it could happen anywhere.

In reference to the status of the youth problem in the State of New York, I read an article in the newspaper only the other day. My eyes were caught by the headline I noted in the story that a public figure who is a very prominently mentioned candidate for the Republican nomination for the Presidency has come out with a similar idea of youth conservation for his own State of New York.

I merely wish to say that there was some doubt on the other side of the aisle as to whether the proposal we had before us was an expedition in wastefulness. Many of us who voted for the measure pleaded that any time we invest in the youth, in the human fiber of this Nation, surely we do not create waste. We voted for the measure, which went through the Senate, I must say, by a very slight majority. I hope the Members of the other body, whether Republicans or Democrats, will realize the full essence and substance of the measure passed by the Senate, and that something will be done about it expeditiously.

I do not say that the youth conservation program will eliminate delinquency completely, but idle hands and idle minds are most susceptible to temptation. If these young people who cannot go to school and who cannot find jobs have to drift along the streets of America they are going to get themselves into trouble. There must be some decent places for them to go, so that they may let off youthful steam. There can be places where they may be trained to do things in life which will bring them credit in future years rather than cause them disgrace and in many cases imprisonment.

Mr. RANDOLPH. Mr. President, I am grateful for the contribution of the Senator from Rhode Island to a discussion of this important subject.

Mr. President, I ask unanimous consent that a letter to the editor of the Sunday, Washington, D.C., Star, in that newspaper on August 30, 1959, and written by Charles L. Stout, in which Mr. Stout disagrees with the editorial opposition of the Star to the Youth Conservation Corps, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FAVORS CCC

In your editorial of August 21, "No Need for a New CCC" you were, I judged, careful not to argue that there is no need for the sort of conservation work the enrollees might be expected to do. I am sure you realize that even before President Eisenhower introduced his policy of inaction or reduced action, with reference to conservation there was already plenty of need for that sort of work. Evidences of such a need exist within less than a hundred miles of this city. The same or similar need exists in most all parts of our country.

As for the cost, about $3 for each U.S. resident per year, I think we can manage that as well as many other, possibly less essential Government services.

It is true that a new plan will encounter some difficulties not encountered by the old. The fine corps of Reserve officers, many of them engineers, which was available in the depression years will not be available now. Good leadership is essential to such a plan. I do have faith that Senator HUMPHREY and others interested in the reinstituted CCC will have an answer to that problem. There may be no great rush of enrollees. Not because of the lack of a depression, some areas are still depressed, but because many boys may not welcome the challenge of the outdoors life, regular hours and a certain flexing of muscle which any CCC program would promise. The boys might just prove me wrong there, too. The plan certainly deserves a thorough trial. Admittedly, the backers of such a plan did not present it as a reform school but if boys with criminal records or with such tendencies did happen to enroll the very nature of the life would do much to straighten them out. Petty thievery in a barracks may not be difficult but it is often very unhealthful.

The life of a CCC boy would not be a bowl of jelly. The program would not solve all of our problems but it would do much for a rather large segment of our population which needs a helping hand. I say give the plan another try.

CHARLES L. STOUT.

KHRUSHCHEV GUEST OF PRESIDENT

Mr. YOUNG of Ohio. Mr. President, early last January in a news column which I send regularly to many Ohio newspapers and many individuals, I wrote as follows:

If appeasing the Soviet Union is a stupid policy—and let us agree it is—is not hating the Soviet Union and its officials and citizens equally stupid, and also very dangerous? Should not the American people desire their leaders to take the initiative toward ending nuclear tests and stopping the tremendous international armaments race by binding agreements with the Soviet Union plus adequate safeguards against violations and breach of trust? We should all agree that enforcible and adequate inspection arrangements and safeguards are a must.

I concluded the article I wrote last January with the statement:

There should be more conferences with leaders of the Soviet Union and Red China at the summit, seeking to avoid a nuclear war which would exceed the destruction of all wars in the history of the world.

That was some 8 months ago. At that time, Mr. President, some newspaper editors in Ohio said it was obvious from the statement of the junior Senator from Ohio that he was not giving any thought to reelection. That is correct. Today, I reassert that I was correct in my view, and I reiterate that statement.

Mr. President, through the years, there has been a cardinal policy that I have applied, and I am sure all of my distinguished colleagues have diligently adhered to the same rule: when a man is a guest in my house, he receives the utmost courtesy.

Many times, there have been guests in my house whom I did not like. But the rule applied to them as well as to dear friends. In my house they received if not affection, at least courtesy.

Mr. President, in a very few days, the Premier of the Soviet Union, Mr. Khrushchev, will arrive in America as a guest of our President and our Nation.

Though we have heard expressions of horror, disgust and anger that the dictator of the Soviet Union has been invited to our country, I assert, Mr. President, that we are faced with an accomplished fact. The invitation has been tendered by our President, the Commander in Chief of our Armed Forces. It has been accepted by Mr. Khrushchev. He will be among us soon. It is conceivable—though I know there are many here who feel otherwise—that much good may result from Mr. Khrushchev facing America and America facing Mr. Khrushchev.

He will be a guest in our house.

In view of this, it is a matter of grave concern to our Government that Americans everywhere treat Mr. Khrushchev with the respect and dignity normally accorded a representative of a foreign nation. No more, no less.

Violent demonstrations, the ripe tomato treatment, sloganeering pickets—all of these could nullify any good that might emerge from face-to-face discussion between the President of the United States and the Premier of the Soviet Union.

After all, Mr. President, we must be aware of one thing: We are likely to be confronted with Mr. Khrushchev for many years.

In fact, may I assert, Mr. President, that one of the issues in the coming 1960 campaign for the Presidency of the United States, if not the paramount issue, is: Who of the candidates will be best fitted and is best qualified by his experience to meet face to face with this man, the dictator of the Soviet Union, with whom we may have to deal for several years to come.

To my mind this prerequisite eliminates the Governors of the various States, although quite frequently in the past my party has gone to them to make its selection of a presidential candidate. However, this quality—who is best fitted and qualified by experience and leadership to deal with Khrushchev—can be found in any one of several gentlemen who are receiving serious consideration as prospective candidates for the Presidency.

I refer to the Vice President, who has been mentioned as a prospective Republican candidate, and who has had experience in dealing with foreign nations, and to four of our colleagues in the United States who are prominently mentioned as candidates of the Democratic Party. I am looking right now at one of them, who is very prominently mentioned as a candidate for President, the distinguished and very able majority leader of the Senate [Mr. JOHNSON]. Although he says he is not a candidate for President, the American people, I feel sure, have absolute confidence in his experience in and knowledge of foreign affairs. Others are the senior Senator from Missouri [Mr. SYMINGTON], the junior Senator from Massachusetts [Mr. KENNEDY], and the senior Senator from Minnesota [Mr. HUMPHREY]. All four are distinguished U.S. Senators who have dealt wisely and ably with problems of foreign policy throughout the years. They would not have to be oriented on that subject, as would the Governor of a State, or any other prominent American inexperienced in this vital field. They know the problems confronting this Nation in the threat of the Soviet Union.

The American people could have faith and confidence that any one of them could be trusted to deal face to face with Khrushchev or any other dictator of the Soviet Union without giving an inch, without vacillating, without appeasing. Each, as leader of the free world, would at all times keep in mind the supreme necessity for dealing in a most determined manner with the dictator of the Soviet Union.

Mr. President, Mr. Khrushchev will shortly begin his visit here.

We cannot wish him away, nor can we turn our backs and pretend he is not here when every day's newspaper will make it plain he is.

He will be here, and he will be engaged in discussing matters of utmost importance with President Eisenhower. It is incumbent upon all of us in Congress, and all Americans, at this time to encourage our President, to let him know that, the decision having been made, he has our support regardless of personal feelings.

Mr. President, for more than a decade our Nation and the Soviet Union have been throwing stones across the street, so to speak. I am glad to say these have been mostly verbal missiles.

I remember as a young boy in Ohio, when groups of cocky youngsters hurled stones across the street at one another long enough, one of the gangs eventually would cross that street and a rousing fist fight would result.

I know that each of us here would prefer face-to-face discussion to hand-to-hand combat. And I know that each of us here would do all in his power to make certain that Russian or American armies never "cross the street."

It is for this reason that we must demonstrate our support of President Eisenhower in the crucial days ahead when the dictator of the Soviet Union is in this country. None of us, I am sure, would want to do anything that would jeopardize in any way the possibility of something good, something concrete emerging from discussions between our President and Premier Khrushchev.

And I am sure that with the example of cooperation and support of President Eisenhower shown by Members of this Congress, the American people will respond in kind.

Personally, it would have been my wish to see Mr. Khrushchev come to America not as a guest of our Government but, instead, as the head of an official Soviet delegation to discuss peace in the forum of the United Nations.

But, since he is coming as a guest in our house, I hope that Americans will greet him with respect.

I do not suggest that the American people roar a false approval of the Soviet Dictator. To most of our citizens this would be abhorrent, for most Americans well know the record of bloodshed and horror written by successive leaders of the Soviet Union.

However, Mr. President, I do hope that, in the typical American way, our people will walk to the halfway mark, extending a willing hand of friendship.

Mr. MORSE. Mr. President, I wish to make a brief comment on the remarks of the Senator from Ohio.

We have come to know the Senator from Ohio since he became a Member of this body as a man of great fairness, as a man of common sense. He has just made one of the most sensible speeches on a very difficult problem which I have yet heard on this subject.

Mr. President, the Senator from Ohio pointed out the point of view that many of the rest of us have expressed on different occasions. We did not prefer to have the Russian Premier come to this country under the type of invitation under which he is coming to our country. However, the President certainly was within his prerogatives to issue such an invitation, and if in his judgment that kind of conference with the Premier of Russia might help us along on the road toward peace, better American-Russian relationships, and an honorable understanding, we ought to see to it that the President gets our complete support and cooperation.

The Senator from Ohio pointed out that he would have preferred—as I have said for weeks—that the Russian Premier come as the head of an official Russian delegation to a United Nations conference with regard to the entire subject of peace and war. I believe that sooner or later we shall have to have such a conference, to be participated in by the leaders of all nations, large and small. The question of relationships between the United States and the other Western nations on the one hand, and Russia on the other, is no longer a matter that falls within the province of those nations only. The question of peace or war is a matter which involves the rights of all nations, large and small.

I think there is too great a tendency for people to accept the false premise that these are matters to be settled by the United States, Great Britain, France, the Germans, and Russia.

These are issues with respect to which every nation in the world has the right to speak up and propose solutions for settlement. That is why I have favored a United Nations conference on this subject, rather than a series of conferences by the heads of Russia and the Western states. I have always taken the position that the summit conference should be held under the auspices of the United Nations.

What I think is so sensible in the speech of the Senator from Ohio today is his pointing up the fact that, after all, the President has placed himself in a position in which, as Chief Executive of this Republic of ours, he is to be a host of the Russian Premier. I think that calls upon all Americans to extend to the President of the United States good manners; and we are not extending good manners to the President of the United States if, during the period the Russian

Premier is visiting the United States, we are insulting a guest in our house.

He has been made a guest in our national house by the President of the United States; and I am for extending to him politeness and decent hospitality, which does not mean that we agree with his ideology or that we approve of his record.

So I am somewhat at a loss to understand what good is hoped to be accomplished by such full page advertisements as we read in the press this morning, by the Allen-Bradley Co. of Milwaukee, Wis. It is certainly not an advertisement which will be at all helpful to the President of the United States. It is not an advertisement which will make the President's task of host any easier.

In view of the fact that the President has made the decision he has made, I suggest that it is incumbent upon all of us to extend to the President the courtesies the President is entitled to receive from the American people, as the host to the Russian Premier, keeping in mind what the President has said he is seeking to do, namely, to find out, as best he can, what, if anything, can be done to reach an understanding with Russia, which will give us the peace we want.

What is the alternative for a company which publishes such an advertisement as that which appeared in the press this morning, which, of course, cannot be read without the knowledge that it was designed to be insulting to the head of the Russian Government? The alternative is war. We either try in good faith to find some honorable basis on which we can promote honorable peace with the Russians, or we shall end up in war with them.

I propose no appeasement and no surrender; but I do propose that we owe it to future generations to exercise restraint at this time, and give the Russian Premier an opportunity to confer with the President. Give him an opportunity to see freedom at work, which he will see no matter where he goes in the United States during his visit here. We should make it clear that we have no intention of surrendering a single American principle; that we have no intention of appeasing but that we are willing, through the United Nations, under the system of international justice through law, for which the late Senator Vandenberg pleaded so many times, to sit down with the Russians and the heads of other States and try to find an honorable basis for an honorable peace.

Mr. YOUNG of Ohio. Mr. President, may I thank the distinguished senior Senator from Oregon [Mr. MORSE] for his expression of approval. I hold the Senator in the highest admiration as a profound thinker, courageous public servant, and outstanding American.

RECOMMENDATIONS BY THE CIVIL RIGHTS COMMISSION

Mr. TALMADGE. Mr. President, the oldest daily newspaper in the South is the Augusta, Ga., Chronicle, established in Augusta, Ga., in the year 1785. The leading editorial in its issue of Wednesday, September 9 deals with the report of the Civil Rights Commission. The editorial is entitled "Unconstitutional, Obnoxious."

The editorial is so clear and strong in its language that I believe every Member of Congress should have an opportunity to read the views of this editor on the Commission's report. I therefore ask unanimous consent that the editorial be printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNCONSTITUTIONAL, OBNOXIOUS

The report of the Federal Civil Rights Commission, which has just been released in Washington, proves two things conclusively:

1. The life of the Commission should not be extended because it is not doing the kind of job conducive to harmony and progress for Negroes or whites. It is nothing more than another attempt to emphasize racial hatred and to pave the way for a greater exercise of power by the Federal Government and its politically appointed bureaus.

2. The Commission, moreover, has plainly disclosed that it is willing to wreck completely the Constitution of the United States in order to further sociological and political aims, using the tattered rag of alleged racial discrimination as a banner for cohorts of agitators who seek to nullify constitutional guarantees of the rights of the States through which freedom and self-government are assured.

Most infuriating of all are the specious statements which seek to clothe the recommendations of the Commission with constitutional respectability. The members of the Commission who went on record as endorsing these recommendations had the audacity to suggest that new powers to control voting and elections be conferred upon the Federal Government when the Constitution itself has already provided all necessary safeguards to insure proper exercise of the right of citizens to vote. As the Commission report itself points out, section 4 of article I of the Constitution authorizes Federal protection of voting in Federal elections against interference of any sort. The question of racial discrimination is already covered by existing provisions in the Constitution. No new legislation is needed therefore.

Negroes, moreover, can register and vote anywhere in the United States. The Commission has offered no proof to negate that statement. The report merely states blandly that "it is apparent that legislation presently on the books is inadequate to assure that all our qualified citizens shall enjoy the right to vote." This, declares the report, with a hypocritical semblance of virtue, "is a moral gap. It runs counter to our traditional concepts of fair play. It is a partial repudiation of our faith in the democratic system. It undermines the moral suasion of our national stand in international affairs. It reduces the productivity of the Nation."

Words. Mere words. Words that would be ludicrous, in view of the existing situation throughout the United States, were it not for the tragic thought that all these smooth-sounding words are being used to camouflage a direct attempt to destroy the constitutional rights of the States.

The framers of the Constitution were concerned primarily with safeguarding the right of the people to vote as they choose without any outside interference with that right—and that includes interference by the Federal Government itself.

Senator STROM THURMOND, of South Carolina, has summed up the iniquities of the proposed new civil rights (?) program as follows:

"The Civil Rights Commission, which was established by the unconstitutional Civil Rights Act of 1957, is making some very radical, vicious, unconstitutional, and obnoxious proposals to the President and the Congress. They range from virtually stripping the States of their rights to decide who should vote in elections to the withholding of Federal aid funds from schools which refuse to integrate. Other proposals would authorize Federal registrars to supervise elections, have the Federal Government integrate all housing by executive fiat through the VA and FHA home loan programs, utilize the Commission as a conciliation and advisory service for speeding school desegregation, and have the Federal Government interfere in the operation of private schools, private real estate boards, and other areas which have nothing whatsoever to do with Government action.

"I warned my Senate colleagues in 1957 that they were creating an awesome monster which would stir up racial tensions, strife, hatred, and bitterness that could last for years to come. That was one of the principal reasons why I made my extended address of more than 24 hours. I regret that the proposals of the Commission—none of the worst carry the endorsement of a majority of the Commissioners—have made my prediction come true.

"I commend Commissioner Battle and concur in his sentiments that the report 'is not an impartial statement * * * but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.'

"The people of the United States have been warned, time and time again, by southern leaders of the dangers that threaten the whole country—not the South alone. It is time for an alerted and united people to act to halt continuing aggressions against the rights of the people."

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Engle	Long, La.
Anderson	Frear	McGee
Bartlett	Gore	Mansfield
Bible	Hart	Morse
Butler	Hickenlooper	Muskie
Cannon	Hill	Neuberger
Capehart	Javits	Schoeppel
Carlson	Johnson, Tex.	Sparkman
Chavez	Keating	Talmadge
Cotton	Kefauver	Thurmond
Dodd	Kerr	Wiley
Dworshak	Kuchel	Williams, N.J.
Eastland	Lausche	Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be directed to invite the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. BUSH, Mr. BYRD of West Virginia, Mr. CARROLL, Mr. CASE of New Jersey, Mr. COOPER, Mr. CURTIS, Mr. DOUGLAS, Mr. ELLENDER, Mr. ERVIN, Mr. FONG, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HENNINGS, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. JORDAN, Mr. KENNEDY, Mr. LANGER, Mr. LONG of Hawaii, Mr. MAGNUSON, Mr. MARTIN, Mr.

McCARTHY, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. PASTORE, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. ROBERTSON, Mr. RUSSELL, Mr. SALTONSTALL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. WILLIAMS of Delaware, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present.

Is there further morning business? If not, morning business is closed.

THE CALENDAR

The PRESIDING OFFICER. Under the order, the call of the calendar, commencing with Calendar No. 939, will now be had.

PERSONAL EXEMPTION FOR CHILDREN PLACED FOR ADOPTION

The Senate proceeded to consider the bill (H.R. 47) to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption, which had been reported from the Committee on Finance, with amendments, on page 1, line 3, after the word "That", to insert "(a)"; at the beginning of line 11, to strike out "SEC. 2." and insert "(b)"; in the same line, after the word "by", to strike out "the first section of this Act" and insert "subsection (a)", and on page 2, after line 2, to insert:

SEC. 2. (a) Section 1371 of the Internal Revenue Code of 1954 (relating to definitions applicable to certain small business corporations) is amended by adding at the end thereof the following new subsection:

"(c) STOCK OWNED BY HUSBAND AND WIFE.—For purposes of subsection (a)(1) stock which—

"(1) is community property of a husband and wife (or the income from which is community income) under the applicable community property law of a State, or

"(2) is held by a husband, and wife as joint tenants, tenants by the entirety, or tenants in common, shall be treated as owned by one shareholder."

(b) Section 1374(b) of the Internal Revenue Code of 1954 (relating to allowance of net operating loss to shareholders of electing small business corporations) is amended by inserting after "the taxable year of the corporation ends" the following: "(or for the final taxable year of a shareholder who dies before the end of the corporation's taxable year)".

(c) Section 1504(b) of the Internal Revenue Code of 1954 (relating to definition of includible corporation) is amended by striking out paragraph (8) thereof.

(d) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1959. The amendments made by subsection (b) and (c) shall take effect on the day after the date of the enactment of this Act.

The amendments were agreed to.

Mr. SPARKMAN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to insert the following new section:

SEC. 3. (a) That section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from definition of a personal holding company) is amended—

(a) By inserting ";" in lieu of "." at the end thereof; and

(b) By adding at the end thereof the following new paragraph (11):

(11) A small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act. This paragraph shall not apply if any shareholder of the small business investment company owns at any time during the taxable year directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)) a 5-percent or more proprietary interest in a small business concern to which funds are provided by the investment company or 5 percent or more in value of the outstanding stock of such concern.

(b) The amendment made by this Act shall apply to taxable years beginning after December 31, 1958.

Amend the title of the bill accordingly.

Mr. WILLIAMS of Delaware. Mr. President, this bill deals with the adoption of children. The bill was approved unanimously by the Finance Committee. The amendment submitted by the Senator from Alabama, as I understand it, proposes a change in the tax laws, and affects investments and small business. I do not think the amendment has been considered by the committee. I hope the amendment will be submitted to the committee, for its consideration.

Mr. SPARKMAN. Mr. President, this matter was submitted to the House by means of a letter written by Wendell B. Barnes, of the Small Business Administration, with budget clearance, and it also is approved by the Treasury Department. I took this up with the chairman of the commitee, and I think he understands what it is. There is nothing drastic in it; I think it will be most helpful for small business.

The Senate Finance Committee handled the Small Business Act, so the amendment is certainly germane, if the question of germaneness is raised.

Mr. BYRD of Virginia. Does the Senator from Alabama have the letter to which he has referred?

Mr. SPARKMAN. Yes, and also a statement on the bill. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the letter and the statement were ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., September 2, 1959.

The Honorable RICHARD M. NIXON,
President of the Senate,
U.S. Senate, Washington, D.C.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. PRESIDENT AND MR. SPEAKER: Enclosed are four copies of a draft bill to amend section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from the term "personal holding company") to exempt small business investment companies from the personal holding company tax.

The attached explanation describes the effect of the amendment and its importance to the successful operation of the small business investment company program.

I respectfully urge early enactment of this bill as a means of improving the program conducted by this Agency to meet the needs of small business for equity capital and long-term loans. The Bureau of the Budget has advised us that it has no objection to the presentation of the bill to the Congress for its consideration.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

EXPLANATION OF A BILL TO AMEND THE INTERNAL REVENUE CODE TO EXEMPT SMALL BUSINESS INVESTMENT COMPANIES FROM THE PERSONAL HOLDING COMPANY TAX

The Small Business Investment Act of 1958 authorizes the Small Business Administration to encourage the formation and growth of small business investment companies to provide equity capital and long-term financing to small business concerns.

Under existing law, a small business investment company is not accorded any exemption or other relief from the imposition of the surtax on undistributed personal holding income. This tax, when applicable, subjects a small investment company to an additional surtax of approximately 85 percent on undistributed earnings. Since the basic income of an investment company may consist principally of dividends and interest and, because dividends and interest typically constitute personal holding company income, an investment company is considered to be a personal holding company when more than 50 percent of the value of the investment company's outstanding stock is owned by not more than five individuals.

Because of the punitive nature of the personal holding company surtax, the effect of the application of this tax to an investment company is to prevent investment companies from being formed by family interests or other small groups of shareholders. Potential investors are unwilling to proceed with their plans to organize companies until the threat of the personal holding company surtax is eliminated.

At the present time, out of 105 applications for licenses for investment companies only one application has been made for the minimum size company where all the funds have been provided by members of a family. In contrast, many discussions have been held with private individuals who express active interest in forming investment companies but only in the event that these companies are not subject to the holding company surtax. It is expected that adoption of the recommended amendment would bring a substantial amount of new private capital into the Small Business Investment Company program.

The recommended exemption of investment companies from the personal holding company surtax is not inconsistent with the development and purpose of the surtax. This tax was devised to eliminate a form of tax avoidance whereby an individual may form a corporation and exchange for its stock his personal holdings in income-producing property. Under this plan the income from the property would be subject to the corporation tax but no surtax would be paid by the individual if the income were not distributed.

Traditionally, financial and investment institutions have received exemption from or special treatment under the personal holding company tax. Banks, trust companies, life insurance companies, and surety companies were exempted under the original 1934 legislation.

Subsequently, other forms of financial organizations were similarly exempted. These include personal finance companies licensed under State supervision, other lending companies engaged in small loan business, and industrial loan or investment companies.

The same considerations which led to these present exemptions would apply in the case of small business investment companies whose function is similar to, if not identical with, institutions presently exempted. Thus enactment of an amendment to section 542 (c) of the Internal Revenue Code of 1954 exempting small business investment companies from the personal holding company tax would be consistent with the purpose of that tax and would implement the declared policy of the Congress that the provisions of the Small Business Investment Company Act of 1958 be carried out by the Small Business Administration in such manner as to insure the maximum participation of private financing sources.

Mr. BYRD of Virginia. Mr. President, the staff has also approved the amendment; and the chairman of the committee has no objection.

The PRESIDING OFFICER. The Chair could not hear what the Senator from Virginia said.

Mr. BYRD of Virginia. I said the staff of the committee has approved the amendment, and the Treasury and the Small Business Administration have done likewise; and, that being the case, I would be willing to accept the amendment.

Mr. WILLIAMS of Delaware. Mr. President, may this matter go to the foot of the calendar? I should like to look further at the amendment.

Mr. BYRD of Virginia. There is no objection, so far as I am concerned, to placing it at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask consent to return to the consideration of Calendar No. 939, H.R. 47. The Senator from Delaware [Mr. WILLIAMS] has received a letter which was not available a few moments ago, and the amendment of the Senator from Alabama is agreeable.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 47) to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

Mr. KEATING. Mr. President, I want to indicate my strong support for H.R. 47, a bill which would amend the Internal Revenue Code of 1954 in such a way as to permit an individual to claim a regular $600 exemption for a child placed with him for adoption by an authorized placement agency.

I feel that it is entirely proper that such an exemption be granted to persons in this position and urge favorable action.

Mr. BYRD of Virginia. Mr. President, H.R. 47, as reported by the Committee on Finance, consists of two sections.

Section 1, which passed the House August 18, amends the definition of a dependent for purposes of claiming a $600 dependency exemption, to treat in the same manner as a natural born child and a legally adopted child, a child placed with the taxpayer by an authorized placement agency for legal adoption by him if the child is a member of the individual's household. Under present law an exemption can be claimed for such a child, assuming other required tests are met, only after he has been in the home of the taxpayer for an entire year. The effect of the bill is to waive the entire year requirement where the child is placed in the home by an authorized placement agency. This provision will be effective for taxable years beginning after December 31, 1958.

Section 2 of the bill, which was added by the committee, makes certain changes in the statute relating to election of certain small business corporations as to their taxable status.

Subsection (a) amends section 1371 of the Internal Revenue Code to provide that in determining the number of shareholders of a small business corporation, a husband and wife owning stock jointly or as community property shall be counted as only one shareholder. Under existing law such a corporation must have not more than 10 shareholders. From the manner in which the word "shareholder" is used in the present law, it is clear that each person having a common or community interest in stock must be counted as a shareholder. For all other purposes of subchapter S, including the requirement that all shareholders consent to the election, each spouse would continue to be considered as a separate shareholder. Subsection (a) would apply to taxable years beginning after December 31, 1959.

Subsection (b) amends section 1374 of the code to make clear that a deceased shareholder will not be denied his pro rata share of a small business corporation's net operating loss. Under present law a shareholder who dies before the end of the corporation's taxable year is deprived of his share of the net operating loss which occurs in the corporation's taxable year in which he dies. This results from the fact that the statute requires the deduction to be taken for the shareholder's "taxable year in which or with which the taxable year of the corporation ends." In the case of death, this condition cannot be met. This amendment would take effect on the day after the date of enactment of this act.

Subsection (c) strikes out paragraph (8) of section 1504(b) of the code and thereby clarifies the definition of a small business corporation. The existing statute defines a small business corporation as one which, among other things, is not a member of an affiliated group. This rule is intended to preclude the accumulation of corporate earnings in a subsidiary and thus avoid the taxation of those earnings to the shareholders of the subchapter S corporation. However, paragraph (8) of section 1504 (b), which was enacted to insure this result, actually has the opposite effect by permitting the acquisition of a subsidiary by a small business corporation after the election has been made. This amendment would prevent acquisition of an 80-percent-owned subsidiary at any time. Subsection (c) would take effect on the day after the date of enactment of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 47) was read the third time, and passed.

The title was amended, so as to read: "An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status."

EDUCATION AND REGULATION OF PRACTICING NURSES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1870) to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 6, line 19, after the word "by", to strike out "the" and insert "a"; on page 10, line 14, after the word "practice", to strike out "medicine", and in line 17, after the word "practical", to strike out "nurse, or by a nurses' registry" and insert "nurse"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known and may be cited as the "District of Columbia Nursing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of professional or practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of professional nursing" means a school or institution for the education of professional nurses.

(e) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. (a) No person shall in the District of Columbia in any manner whatsoever represent herself to be a professional, registered, certified, graduate or trained nurse or allow herself to be so represented unless she is registered as a registered nurse in accordance with the provisions of this Act.

(b) Any person holding a valid certificate of registration issued under the authority of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, shall be deemed to be registered under the provisions of this Act.

(c) Any person registered to practice as a registered nurse in the District of Columbia shall have the right to use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall assume such title or use such abbreviation.

(d) Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a professional, registered, certified, trained, or graduate nurse, or licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be in the majority; shall be registered under this Act; and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *Provided further,* That the practical nurse members of such Board shall participate only in such functions delegated by the Commissioners to such Board as shall affect or pertain to practical nursing: *And provided further,* That no action of any nature affecting or pertaining to practical nursing shall be taken by such Board at any meeting thereof unless at least two practical nurse members of such Board shall be present. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine. The Commissioners may appoint an executive secretary of such Board who shall not be a member of such Board, but who shall be registered under this Act and shall possess administrative ability and shall perform such functions and duties as may be imposed upon or delegated to her by the Commissioners. The executive secretary of such Board shall receive a salary to be fixed in accordance with the Classification Act of 1949, as amended.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for registration and licensure under this Act. They may provide for surveys of such schools and programs at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, register, license, and renew the registration and license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

SEC. 9. (a) An applicant for registration to practice as a registered nurse shall submit to the Commissioners written evidence, verified by her oath, that she (1) is of good moral character; (2) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (3) has completed at least an approved four-year high school course of study or the equivalent thereof as determined by the Commissioners; and (4) has completed a program of study of at least two years in an accredited school of nursing and holds a diploma therefrom. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, an applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Such written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a certificate of registration to practice nursing as a registered nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a certificate of registration to practice nursing as a registered nurse without examination to an applicant duly licensed or registered as a registered nurse, by examination, under the laws of any State or Territory of the United States, the Commonwealth of Puerto Rico, or foreign country, provided that the applicant meets the qualifications required of registered nurses in the District of Columbia.

An applicant for registration to practice as a registered nurse shall at the time such application is made pay the required fee for an original registration. An application shall be closed and filed as closed and incomplete at the end of a year from the time the application was received if the applicant has failed to take all steps required of her to obtain registration. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original registration.

SEC. 10. (a) Except as provided in section 11, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of any State or Territory of the United States, the Commonwealth of Puerto Rico, or foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 11. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided,* That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse.

SEC. 12. (a) The registration or license of every person registered or licensed under the provisions of this Act shall expire on June 30, of each year and be annually renewed On or before May 31 of each year, the Commissioners shall mail an application for renewal of registration or license to every person who at the time of such mailing holds a valid registration or license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon

receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any registrant or licensee who allows her registration or license to lapse by failing to renew the registration or license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person registered or licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered nurse or as a licensed practical nurse in the District of Columbia. Application for renewal of registration or license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered nurse or licensed practical nurse.

SEC. 13. (a) Any person conducting or desiring to conduct a school of professional nursing in the District of Columbia may apply to the Commissioners for registration, and, with the exception of schools of nursing owned and operated by the United States or the District of Columbia, shall pay the required fee at the time application is made. Such person shall submit with such application evidence that (1) such person is prepared to give a course of theoretical instruction and practical experience in nursing as prescribed in the curriculums approved by the Commissioners, which instruction and experience may be secured in one or more institutions approved by the Commissioners; (2) such person is prepared to meet all other standards established by this Act and by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of professional nursing are met, they shall approve such school as an accredited school of professional nursing.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of professional nursing in the District of Columbia. If the Commissioners determine that any accredited school of professional nursing in the District of Columbia is not maintaining the standards required by this Act, or by the Commissioners pursuant to authority contained in this Act, notice thereof in writing specifying the defect or defects shall be given to such school. Any such school which fails to correct such defect to the satisfaction of the Commissioners, within such time as the Commissioners prescribe, shall after hearing, be removed from the list of accredited schools of professional nursing.

SEC. 14. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than twelve months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this Act and by the Commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 15. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For registrations and licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each high school record of a candidate for admission to a school of professional nursing; (4) for verification of records; (5) for a duplicate certificate of registration upon proof acceptable to the Commissioners that the original certificate has been lost or destroyed; (6) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (7) for duplicate certificates of renewal of registration or licenses; (8) for mailing a certificate a second time if no timely notification of change of address has been made; (9) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All funds derived from fees and charges for examinations, registrations, and other services rendered pursuant to authority contained in the Act of February 9, 1907 (34 Stat. 887; ch. 4, title 2, D.C. Code, 1951 edition), remaining after payment of all expenses of administering said Act prior to July 1, 1954, and all moneys collected after the effective date of this Act for such fees and charges shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 16. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration, certificate of renewal of registration, license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration, license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such registration or license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom registrations, renewal of registrations, licenses, or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of any State, Territory, or possession of the United States, upon written request of such board.

SEC. 17. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, renewal of registration, license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 18. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a registered nurse or licensed practical nurse under cover of any diploma, license, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a registered nurse or licensed practical nurse unless duly registered or licensed so to practice under the provisions of this Act; or (d) practice nursing as a registered nurse or licensed practical nurse during the time his or her registration or license issued under the provisions of this Act shall be suspended or revoked.

SEC. 19. Any person who shall violate any of the provisions of section 4, 5, or 18 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 20. (a) Prosecutions for violations of any provision of section 4, 5, or 18 of this Act shall be conducted in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 21. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 22. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 23. The Act entitled "An Act to define the term 'Registered Nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, is hereby repealed: *Provided,* That licenses issued pursuant to the provisions of such Act shall be valid until the expiration of the term for which they were issued, unless sooner revoked or suspended pursuant to authority contained in this Act.

SEC. 24. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

The amendments were agreed to.

Mr. MORSE. Mr. President, I offer four clarifying amendments which I send to the desk; and I request their consideration.

The PRESIDING OFFICER. The amendments submitted by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 7, line 14, after the word "of", it is proposed to strike out "any State or Territory of the United States, the Commonwealth of Puerto Rico, or" and insert, in lieu thereof, "a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a".

On page 9, line 6, after the word "of", to strike out "any State or Territory of the United States, the Commonwealth of Puerto Rico, or" and insert, in lieu thereof, "a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a".

On page 12, line 8, after the word "the", where it appears the first time, to strike out "curriculums" and insert, in lieu thereof, "curricula".

On page 16, at the beginning of line 11, to strike out "of any State, Territory, or possession of the United States," and insert, in lieu thereof, "of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country,".

Mr. MORSE. Mr. President, I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments submitted by the Senator from Oregon.

The amendments were agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that a brief statement explanatory of the bill be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This bill provides for the examination, licensing, registration, and for the regulation of professional and practical nurses, and for nursing education in the District. The bill also sets up the necessary machinery to accomplish these purposes.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1870) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known and may be cited as the "District of Columbia Nursing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of professional or practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of professional nursing" means a school or institution for the education of professional nurses.

(e) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. (a) No person shall in the District of Columbia in any manner whatsoever represent herself to be a professional, registered, certified, graduate or trained nurse or allow herself to be so represented unless she is registered as a registered nurse in accordance with the provisions of this Act.

(b) Any person holding a valid certificate of registration issued under the authority of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, shall be deemed to be registered under the provisions of this Act.

(c) Any person registered to practice as a registered nurse in the District of Columbia shall have the right to use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall assume such title or use such abbreviation.

(d) Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a professional, registered, certified, trained, or graduate nurse, or licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be in the majority; shall be registered under this Act; and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *Provided further,* That the practical nurse members of such Board shall participate only in such functions delegated by the Commissioners to such Board as shall affect or pertain to practical nursing: *And provided further,* That no action of any nature affecting or pertaining to practical nursing shall be taken by such Board at any meeting thereof unless at least two practical nurse members of such Board shall be present. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine. The Commissioners may appoint an executive secretary of such Board who shall not be a member of such Board, but who shall be registered under this Act and shall possess administrative ability and shall perform such functions and duties as may be imposed upon or delegated to her by the Commissioners. The executive secretary of such Board shall receive a salary to be fixed in accordance with the Classification Act of 1949, as amended.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for registration and licensure under this Act. They may provide for surveys of such schools and program, at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, register, license, and renew the registration and license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

SEC. 9. (a) An applicant for registration to practice as a registered nurse shall submit to the Commissioners written evidence, verified by her oath, that she (1) is of good moral character; (2) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (3) has completed at least an approved four-year high school course of study or the equivalent thereof as determined by the Commissioners; and (4) has completed a program of study of at least two years in an accredited school of nursing and holds a diploma therefrom. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, an applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Such written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a certificate of registration to practice nursing as a registered nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a certificate of registration to practice nursing as a registered nurse without examination to an applicant duly licensed or registered as a registered nurse, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, provided that the applicant meets the qualifications required of registered nurses in the District of Columbia.

An applicant for registration to practice as a registered nurse shall at the time such application is made pay the required fee for

an original registration. An application shall be closed and filed as closed and incomplete at the end of a year from the time the application was received if the applicant has failed to take all steps required of her to obtain registration. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original registration.

SEC. 10. (a) Except as provided in section 11, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 11. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided*, That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse.

SEC. 12. (a) The registration or license of every person registered or licensed under the provisions of this Act shall expire on June 30, of each year and be annually renewed. On or before May 31 of each year, the Commissioners shall mail an application for renewal of registration or license to every person who at the time of such mailing holds a valid registration or license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any registrant or licensee who allows her registration or license to lapse by failing to renew the registration or license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person registered or licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered nurse or as a licensed practical nurse in the District of Columbia. Application for renewal of registration or license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered nurse or licensed practical nurse.

SEC. 13. (a) Any person conducting or desiring to conduct a school of professional nursing in the District of Columbia may apply to the Commissioners for registration, and, with the exception of schools of nursing owned and operated by the United States or the District of Columbia, shall pay the required fee at the time application is made. Such person shall submit with such application evidence that (1) such person is prepared to give a course of theoretical instruction and practical experience in nursing as prescribed in the curricula approved by the Commissioners, which instruction and experience may be secured in one or more institutions approved by the Commissioners; (2) such person is prepared to meet all other standards established by this Act and by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of professional nursing are met, they shall approve such school as an accredited school of professional nursing.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of professional nursing in the District of Columbia. If the Commissioners determine that any accredited school of professional nursing in the District of Columbia is not maintaining the standards required by this Act, or by the Commissioners pursuant to authority contained in this Act, notice thereof in writing specifying the defect or defects shall be given to such school. Any such school which fails to correct such defect to the satisfaction of the Commissioners, within such time as the Commissioners prescribe, shall, after hearing, be removed from the list of accredited schools of professional nursing.

SEC. 14. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than 12 months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this act and by the commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 15. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For registrations and licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each high school record of a candidate for admission to a school of professional nursing; (4) for verification of records; (5) for a duplicate certificate of registration upon proof acceptable to the Commissioners that the original certificate has been lost or destroyed; (6) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (7) for duplicate certificates of renewal of registration or licenses; (8) for mailing a certificate a second time if no timely notification of change of address has been made; (9) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All funds derived from fees and charges for examinations, registrations, and other services rendered pursuant to authority contained in the Act of February 9, 1907 (34 Stat. 887; ch. 4, title 2, D.C. Code, 1951 edition), remaining after payment of all expenses of administering said Act prior to July 1, 1954, and all moneys collected after the effective date of this Act for such fees and charges shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 16. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration, certificate of renewal of registration, license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration, license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commis-

sioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such registration or license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom registrations, renewal of registrations, licenses or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, upon written request of such board.

SEC. 17. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, renewal of registration, license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 18. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a registered nurse or licensed practical nurse under cover of any diploma, license, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fradulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a registered nurse or licensed practical nurse unless duly registered or licensed so to practice under the provisions of this Act; or (d) practice nursing as a registered nurse or licensed practical nurse during the time his or her registration or license issued under the provisions of this Act shall be suspended or revoked.

SEC. 19. Any person who shall violate any of the provisions of section 4, 5, or 18 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 20. (a) Prosecutions for violations of any provision of section 4, 5, or 18 of this Act shall be conducted in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 21. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 22. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 23. The Act entitled "An Act to define the term 'Registered Nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, is hereby repealed: *Provided,* That licenses issued pursuant to the provisions of such Act shall be valid until the expiration of the term for which they were issued, unless sooner revoked or suspended pursuant to authority contained in this Act.

SEC. 24. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

BETTER REGISTRATION OF BIRTHS IN THE DISTRICT OF COLUMBIA

The bill (S. 2327) to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of subsection (a) of the first section of the Act entitled "An Act to provide for the better registration of births in the District of Columbia, and for other purposes", approved March 1, 1907 (34 Stat. 1010; sec. 6–301, D.C. Code, 1951 edition), as amended, is amended to read as follows:

"Upon receipt of any report aforesaid, the Director of Public Health shall forward to the father of the child, or, if his address be unknown, to the mother, an acknowledgment of the receipt of such report, and if the infant delivered be not stillborn, and such report does not contain the given name of the child born, a blank form on which the father or mother may certify over his or her signature the name of such child, which form, if thus executed and returned to said Director, shall be a part of the official record of such birth. In those cases in which no given name of a child has been certified to said Director, and a certificate cannot be executed by a parent because both parents are deceased, unknown, or physically or mentally incapacitated, the Director is authorized to accept and make a part of the official record of the birth of such child a certificate made in accordance with such rules and regulations as may be promulgated by the Commissioners of the District of Columbia, who are hereby authorized to make rules and regulations governing the certification of the given name of a child where the birth record pertaining to such child does not include such given name."

SEC. 2. The first section of said Act approved March 1, 1907, as amended, is amended by adding the following subsection:

"(c) Wherever in this Act the terms 'health officer', 'Director of Public Health', or 'Director' are used, such terms shall mean the Director of the Department of Public Health of the District of Columbia established by the Commissioners of the District of Columbia pursuant to the authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824)."

SEC. 3. This Act shall not be considered as affecting the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), and the performance of any function vested by said plan in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners in accordance with section 3 of such plan. Any function vested by this Act in any office or agency established pursuant to such plan shall be deemed to be vested in said Board of Commissioners and shall be subject to delegation in accordance with said plan.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This bill amends the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes," so as to authorize the Commissioners of the District of Columbia to establish rules and regulations permitting the certification of given names for birth records in those cases where such names have never been properly certified, and where, because of death or incapacity upon the part of parents, proper certification cannot be executed. The Director of Public Health would be authorized to accept certifications made in accordance with the regulations authorized by this bill to be issued and to make appropriate entries upon the official records.

CONFERRING THE DEGREE OF MASTER OF ARTS IN EDUCATION BY DISTRICT OF COLUMBIA TEACHERS COLLEGE

The bill (S. 2445) authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Education of the District of Columbia is authorized to grant the degree of master of arts in education to students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, with the intention of working for such a degree and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree.

Mr. MORSE. Mr. President, I ask unanimous consent that a brief statement explanatory of the bill be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This bill would correct an inequity unintentionally imposed upon those students who, in good faith at present and in the past, with the intention and expectation of acquiring a master's degree in education, have taken courses which would normally lead to such a degree, but who were not able to obtain the degree because no authority now exists to grant the degree.

The authority granted to the Board of Education to confer the degree would extend only to those students who will have successfully completed the appropriate graduate courses initiated by the District of Columbia Teachers College in 1955, and who will have met all other requirements for the degree by July 1, 1961.

It is contemplated by the Board of Education that no further graduate degrees will be granted other than those authorized by the proposed legislation and that graduate courses, except for inservice training of District schoolteachers, will be discontinued after July 1, 1961.

ESTABLISHMENT OF JUNIOR COLLEGE DIVISION IN THE DISTRICT OF COLUMBIA TEACHERS COLLEGE

The bill (S. 2466) to authorize the establishment of a Junior College Division with the District of Columbia Teachers College, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Education of the District of Columbia is hereby authorized to establish a Junior College Division within the District of Columbia Teachers College which shall offer a two-year program leading to the degree of associate in arts, which degree is hereby authorized to be granted upon certification by the president and faculty of the District of Columbia Teachers College that all requirements for the granting of such degree have been met.

SEC. 2. (a) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is authorized to establish and determine, from time to time, tuition rates for resident students at the District of Columbia Teachers College including the Junior College Division thereof: *Provided,* That all moneys received for tuition payments shall be deposited in the Treasury to the credit of the general revenues of the District of Columbia.

(b) The Board of Education of the District of Columbia, with the approval of the Commissioners of the District of Columbia, is hereby authorized to establish, and determine, from time to time, fees to be paid by students at the District of Columbia Teachers College and the Junior College Division thereof, and receipts from such fees shall be deposited into a revolving fund to be known as "District of Columbia Teachers College Student Fund" in a private depository in the District of Columbia, which fund shall be available, without fiscal year limitation, for such purposes as the Board of Education of the District of Columbia shall approve, and the Board of Education is authorized, with the approval of the Board of Commissioners of the District of Columbia to make all necessary rules concerning deposits and withdrawals from such fund.

SEC. 3. The Board of Education of the District of Columbia is authorized to promulgate such rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 4. Nothing in this Act shall be construed to modify, repeal, or supersede the Act approved March 3, 1889 (30 Stat. 1056), as amended (sec. 31–301 D.C. Code, 1951 edition), and as supplemented by the last paragraph under the subheading "Capital Outlay" under the heading "PUBLIC SCHOOLS" in the District of Columbia Appropriation Act of 1950 (63 Stat. 303, 309; sec. 31–306, supp. VII, D.C. Code, 1951 edition).

SEC. 5. This Act shall take effect July 1, 1959.

Mr. MORSE. Mr. President, I ask that a brief explanatory statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This bill would authorize the Board of Education of the District of Columbia to (1) establish a 2-year junior college program leading to the degree of associate in arts within the District of Columbia Teachers College; (2) determine tuition rates for the District of Columbia Teachers College, with the approval of the Commissioners, including the junior college division and it is provided that tuition payments shall be deposited to the credit of the general revenues of the District; (3) set fees for students attending the District of Columbia Teachers College, including the junior college division, with the approval of the Commissioners, which fees shall be deposited in a revolving fund, to be available without fiscal year limitation for expenditure for purposes authorized by the Board of Education; (4) make all necessary rules covering the deposits and withdrawals from the revolving fund; and (5) promulgate such rules and regulations as may be necessary to carry out the purposes of the bill.

The bill would preserve the authority contained in existing law to charge nonresident students tuition when they attend the public schools of the District.

CREDITABLE SERVICE FOR RETIREMENT PURPOSES OF CERTAIN TEACHERS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2439) to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 6, after "(60 Stat. 875)", to insert "as amended,"; in line 9, after the word "him", to strike out "after June 30, 1940,", and on page 2, line 9, to strike out "period." and insert "period: *Provided,* That in order to receive such retirement credit a teacher must produce evidence satisfactory to the Superintendent of Schools of the District of Columbia that the authorized leave of absence without pay was taken for educational purposes."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any teacher who, on or after the date of enactment of this act, retires pursuant to the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, shall be entitled to have included in the years of service creditable to him for retirement purposes any period of authorized leave of absence which was taken by him without pay, and for educational purposes; except that credit for any such period shall be conditioned upon the deposit by such teacher to the credit of the teachers' retirement and annuity fund of the District of Columbia of a sum equal to the accumulated contributions and interest which would have been credited to his individual account if he had remained on active duty in the public schools of the District of Columbia during any such period: *Provided,* That in order to receive such retirement credit a teacher must produce evidence satisfactory to the Superintendent of Schools of the District of Columbia that the authorized leave of absence without pay was taken for educational purposes.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I ask that a brief explanatory statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

This bill would permit teachers of the public schools in the District of Columbia (as defined in the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such employees for educational purposes.

The bill as introduced would have limited the crediting for retirement purposes of authorized leave without pay for educational purposes to periods subsequent to June 30, 1940, the date on which Public Law 610, 76th Congress was enacted. Public Law 610 is the sabbatical leave law which authorizes teachers to take leave for educational purposes on the recommendation of the Superintendent of Schools and the approval of the Board of Education of the District of Columbia.

The committee, in removing the time limitation, did so in the belief that while few, if any, teachers might wish to contribute to the retirement system the amounts necessary to credit leave without pay taken for educational purposes for periods before 1940, if such employees wished to do so, proper provision ought to be made to permit them to do so.

CERTAIN TAX EXEMPTION FOR VETERANS OF FOREIGN WARS REGARDING CERTAIN PROPERTY IN DISTRICT OF COLUMBIA

The bill (H.R. 7683) to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization, but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF LIFE INSURANCE REGULATIONS IN THE DISTRICT OF COLUMBIA

The bill (H.R. 7145) to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 4283) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such act was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2653) to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems was announced as next in order.

Mr. HART. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

MINERAL GRANTS ON CERTAIN LANDS IN THE CROW INDIAN RESERVATION, MONT.

The Senate proceeded to consider the bill (H.R. 6508) to grant minerals including oil and gas on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD items covering the purpose, the need, and the cost of this measure. I may say the cost is nothing.

There being no objection, the excerpt from the report (No. 1047) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 6508, introduced by Representative ANDERSON of Montana, is to modify and clarify a section of the act of June 4, 1920 (41 Stat. 751), as amended, which relates to mineral deposits on the Crow Indian Reservation, (a) by changing the term for which leases may be entered into from 10 years with an option to renew for an additional 10 years to "10 years and as long thereafter as minerals are produced in paying quantities," as provided in the act of May 11, 1938 (52 Stat. 347, 25 U.S.C. 396a–f); (b) by providing that mineral rights may go to an allottee's devisees, as well as the allottee himself and his heirs, when the tribal interest ends in 1970 and that the ownership of the allottee, his heirs, or devisees in 1970 shall be subject to then outstanding leases; (c) by providing that no conveyance of the surface of the land, whether heretofore or hereafter made and regardless of reference or lack of reference to minerals, shall carry with it mineral rights; and (d) by providing that the Indian allottee or his successors in interest shall take a trust title in the minerals unless the surface of the land is held in fee.

NEED

The 1920 act cited in the bill provided for the allotment of land on the Crow Reservation to individual Indians. Section 6 of that act was amended in 1926 to reserve to the Crow Tribe for a period of 50 years after June 4, 1920, all minerals, including oil and gas, on the allotted lands unless otherwise authorized by Congress. Provision was made for leasing the reserved minerals during the 50-year period for a term of not more than 10 years with an option to renew for one additional term of 10 years. At the end of the 50-year period the minerals become the property of the allottee. The result, as of the present time, is that oil and gas development on the reservation is discouraged, since leases cannot now be entered into for more than 10 years. H.R. 6508 overcomes this problem by putting the Crow lands under the law generally applicable to mineral leases on Indian lands and by providing that allottees, when they come into possession of their subsurface rights in 1970, shall take subject to then outstanding leases.

H.R. 6508 also clarifies the earlier acts in other respects, the most important of which is its provision (included pursuant to a reservation of right in earlier law) that even if a Crow Indian has purported to sell his interest in subsurface minerals, the title thereto will belong to him or his heirs or devisees beginning in 1970.

COST

The enactment of this legislation will require no expenditure of Federal funds.

The PRESIDING OFFICER. If there be no amendment to be submitted, the question is on the third reading of the bill.

The bill (H.R. 6508) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask that the vote by which the bill was passed be reconsidered.

Mr. MORSE. Mr. President, I move to lay on the table the motion to reconsider.

Mr. ALLOTT. Mr. President, to what bill does the motion relate?

Mr. MANSFIELD. To House bill 6508, in regard to the Crow Indian Reservation.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

JOINT RESOLUTION PLACED AT FOOT OF THE CALENDAR

The joint resolution (H.J. Res. 465) approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of this measure?

Mr. HART. Mr. President, I ask that the joint resolution be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, it will be placed at the foot of the calendar.

SHUT-INS' DAY

The joint resolution (S.J. Res. 93) designating the first Sunday of June of each year as "Shut-Ins' Day" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first Sunday of June of each year is hereby designated as "Shut-Ins' Day", and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and urging the people to observe the day by remembering the sick and disabled through personal visits, flowers or other gifts, messages, or other acts of kindness.

ADDITIONAL RELIEF FOR LOSSES IN TEXAS CITY DISASTER

The bill (H.R. 4821) to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster was announced as next in order.

Mr. PROUTY. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 955, H.R. 4821. The calendar committee objected to the consideration of the bill originally, but it was in error.

There being no objection the bill (H.R. 4821) to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. I move to lay that motion on the table.

Mr. MORSE. Mr. President, I did not hear the motion.

Mr. JOHNSON of Texas. I moved to reconsider the vote by which the bill was passed, and the Senator from Colorado moved to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

GEORGIA KAOLIN CO.

The bill (H.R. 4894) for the relief of the Georgia Kaolin Co. was considered, ordered to a third reading, read the third time, and passed.

APPORTIONMENT OF BIG BLUE RIVER AND ITS TRIBUTARIES TO KANSAS AND NEBRASKA

The bill (S. 1605) granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the interests of such States in the waters of the Big Blue River and all its tributaries, and providing for an equitable apportionment between said States of the waters of the Big Blue River and its tributaries and for matters incident thereto: *Provided,* That one

qualified person appointed by the President of the United States shall participate in such negotiations as Chairman, representing the United States, and who shall make a report to the President and to the Congress on the proceedings and on the compact. No compact, the negotiation of which is authorized by this Act, shall be binding upon the parties thereto until it has been ratified by the legislatures of each of the respective States, and approved by the Congress of the United States.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided,* That such representative, if otherwise employed by the United States, shall not receive additional salary for services performed in connection with the compact negotiations authorized herein.

PEONY PARK, INC.

The bill (H.R. 3096) for the relief of Peony Park, Inc., and others, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, it seems a large sum of money is involved in this bill. May we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is called for.

Mr. HART. Mr. President, this bill would authorize payment to a number of ballroom operators in the State of Nebraska in settlement of their claims against the United States for a refund of taxes paid on receipts for food, refreshments and merchandise sold by them from September 1948, through October 1951.

It appears that there was an especially eager internal revenue collector who worked in Nebraska, and a ruling in 1942 from the national office of the Collector of Internal Revenue resulted in a holding that Peony Park operated primarily as a dance hall, and therefore admissions to the dances were subject to a tax on admissions. This also included receipts from sales of food and refreshments, which were not subject to the cabaret tax.

The same situation is applicable to the other half dozen claimants covered by this bill.

The Seventh Circuit Court of Appeals held that a dance hall was a roofgarden, and that proceeds from the operation of a checkroom in connection with a roofgarden were subject to tax as amounts paid for services at such place; and as a result of this Seventh Circuit Court of Appeals ruling, the earlier ruling of the internal revenue was revoked and this latter ruling was applied uniformly throughout Nebraska.

Following these decisions the Revenue Act was amended so as to avoid the broad construction placed upon the statute earlier in the case of the six or seven claimants covered by this bill.

The claimants would obtain relief on the ground that this sequence of events resulted in their being subjected to taxation in an unfair manner. The claimants did file court action before coming to Congress for relief. The court found, however, that while the course of action as to the collection of this tax in Nebraska was not uniform as to other States, nevertheless there was no intentional discrimination against these claimants, holding that the lack of uniformity in this matter prior to 1951 was due to uncertainty in the interpretation of the law. The claimants assert that this inconsistency plus the subsequent amendment of the law demonstrates that their cases merit legislative relief. The Treasury Department, in opposing the legislation, states that an undesirable precedent would be created by the action proposed in this bill.

The Judiciary Committee considered this matter carefully, and it concurs in the conclusion reached by the House that in this instance legislative relief is warranted.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. KEATING. As I recall the discussion in the Committee on the Judiciary of this bill—and the Senator will correct me if I am wrong—Nebraksa was the only jurisdiction where the internal-revenue collector insisted upon the collection of this tax from the ballroom. It was a unique situation. It might be called the Nebraska rule. It was felt that an inequity was created because the tax was not collected in any of the other States of the Union.

Mr. HART. The recollection of the Senator from New York [Mr. KEATING] is correct. This could not be said to be unjust enrichment, technically, but merely the correction of an inequity.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. ERVIN. I ask if, in short, this happened: The Internal Revenue Service had held that businesses of this kind were not subject to the cabaret tax. Nevertheless, a very energetic collector in Nebraska collected a tax from these particular firms. Then, after he had collected the tax from these firms, the court of appeals upheld the liability of persons carrying on this type of business and the cabaret tax.

Then Congress amended the law so as to relieve all persons, under the circumstances, from liability to pay the tax, the tax having been collected from these particular cabarets in Nebraska, the only place in the country not given relief by the congressional act, because they had already paid the tax, and it only relieved persons who had not paid the tax of liability. So if the bill is not passed, the Nebraska firms will be the only people in the United States who have ever paid the cabaret tax on the type of business they were doing.

Mr. HART. It is my impression the Senator from North Carolina [Mr. ERVIN] correctly states the case.

Mr. MORSE. I thank the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KEATING], and the Senator from North Carolina [Mr. ERVIN] for their explanation of the bill. I think it is good to have the legislative history in the RECORD. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 3096) was considered, ordered to a third reading, read the third time, and passed.

COMPACT RESPECTING THE BOUNDARY BETWEEN WEST VIRGINIA AND VIRGINIA

The bill (H.R. 7474) granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants was announced as next in order.

Mr. PROUTY. Over.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE subsequently said: Mr. President, I should like to have the attention of the acting majority leader. I have looked into Calendar No. 960, Senate bill 1447, a bill to amend section 161, title 35, United States Code, with respect to patents for plants.

When I saw it on the calendar, it sort of rang a bell with me, and I looked into my files. That is why I asked for an explanation. I should now like to ask unanimous consent to return to consideration of the bill, because I believe it was placed at the bottom of the calendar, to be explained later. I wonder if I may have unanimous consent to have the bill considered now.

Mr. HART. Mr. President, it is my impression that the request that the bill go over came from the Republican side.

Mr. MORSE. I understood the bill went to the bottom of the calendar.

Mr. KEATING. No.

Mr. MORSE. Then, Mr. President, I ask unanimous consent that a statement I previously made on the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WAYNE MORSE BEFORE THE SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS OF THE SENATE COMMITTEE OF THE JUDICIARY ON S. 1447, JULY 9, 1959

Mr. Chairman, I appreciate this opportunity to appear before your subcommittee to testify in behalf of S. 1447. For many years in the Senate I have consistently supported the principle that the protection of substantive rights can only be achieved through the procedural rights which are available to the individual. S. 1447 is designed to provide the procedures whereby those who are working in the field of research may protect their rights in the benefits created through extended periods of work and research. Under this bill they would be given rights equivalent to that enjoyed by horticulturists in other segments of agriculture.

You will note that enactment of S. 1447 will not require the expenditure of Federal funds, nor does it even envisage an extension of any existing Federal service. Its purpose solely, as I have said, is to extend equal treatment in the field of patents to those who are striving to improve the strains of potatoes; it removes the tuber exclusion provision of the Plant Patent Act.

I might add, Mr. Chairman, that those of us from Oregon who have been privileged to partake of the Klamath and Deschutes netted gem variety are convinced that the Oregon potato at present reaches toward perfection. However, we wish to assure you that should an even better potato be grown, difficult though this may be to achieve, the originator thereof ought, in all fairness, receive the just reward and protection that a patent would afford.

I have been assured that this legislation has the support not only of the National Potato Council as well as Certified Seed Producers and Processers in my own State.

I have brought to the attention of the subcommittee the letter of Mr. Don Palmer, administrator of the Oregon Potato Commission urging that S. 1447 receive favorable consideration by your subcommittee. I thank you.

MRS. ELBA HAVERSTICK CASH

The bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash was announced as next in order.

THE STEEL STRIKE

Mr. JAVITS. Mr. President, I would like to ask the indulgence of the Senate for 5 minutes, inasmuch as the senior Senator from Vermont [Mr. AIKEN] must return to a conference on the bill concerning Public Law 480.

Mr. President, I think Senator AIKEN and I were both disappointed with the words of Secretary Mitchell in respect to what would occur if facts he proposes to publish on the steel strike did not produce a settlement, and we shared the disquiet voiced here on the floor this morning by the Senator from Missouri [Mr. SYMINGTON] as to the steady progression of events which seems to be leading nowhere but to an injunction.

The reaction of both sides in the 58-day-old steel strike to President Eisenhower's stern letter released Tuesday, advising them to get down to intensive uninterrupted and good faith bargaining and reach agreement, must prove far more responsive and fruitful than previously if a national emergency is to be avoided and the use of the 80-day injunction period under Taft-Hartley is to be averted.

Mr. President, we invite the attention of the Senate to the fact that in 1952 this process led to an illegal seizure of the steel plants. This is pretty serious business for our country, at a time when the cold war is going on at the pace which obtains now.

Therefore, Mr. President, the Senator from Vermont [Mr. AIKEN] and I have issued a statement making the following recommendations.

We urge upon the President that he notify both management and labor that at a specific time proximate to now—and we suggest 1 week, September 17—the President will appoint a fact-finding committee which, on the basis of the facts already gathered by the Secretary of Labor, together with the facts to be gathered through whatever additional inquiry is considered necessary by the committee, will report its finding to the President, the next time with recommendations for settlement of the strike, so that the issues may be narrowed to the point where a settlement will be made.

Mr. President, we feel that the alternative—which would be very unwise—would be to await the 80-day injunction, which will only result in keeping the mills open until Christmas, and then bringing the crisis on again, because it is clear to us that nothing will be settled by the 80-day injunction period, except that period when the mills may again be put to work.

Mr. President, we are deeply concerned that management may be marking time and awaiting a Taft-Hartley injunction. We would consider this to be a great wrong.

We note from the press reports that President McDonald of the Steelworkers has given the solemn assurance that the Steelworkers' negotiators have the will and the authority to agree.

Therefore, Mr. President, we feel that positive action must be taken now to avert a national emergency. We point out that the idea of a factfinding committee follows the pattern which was followed in 1949 when, prior to the beginning of the threatened steel strike, President Truman appointed such a factfinding board, which turned in board findings and recommendations.

That strike only lasted 30 days, Mr. President, and the United Steelworkers made the statement that the findings and recommendations of the factfinding board formed the framework of the steel settlement.

We suggest this as a way to break the Gordian knot.

Mr. President, I ask unanimous consent to have printed in the RECORD in my remarks the exchanges of letters between the President and the head of the United Steelworkers, an editorial on this subject suggesting methods of settlement, and two news stories on the same subject.

There being no objection, the letters, editorials, and articles were ordered to be printed in the RECORD, as follows:

TEXTS OF EISENHOWER AND MCDONALD LETTERS

PRESIDENT'S LETTER

GENTLEMEN: Immediately upon my return from Europe I received another report from the Secretary of Labor concerning the negotiations between the steel companies and the United Steelworkers of America.

It is disappointing to me and disheartening to our people that so little apparent progress toward settlement has been made thus far. Tomorrow the strike will begin its ninth week. For this extended period a half-million employees of the steel companies have been out of work. Over 85 percent of the steel-producing capacity of the Nation has been shut down. About 145,000 workers, who have no connection with the strike but whose jobs depend on steel, have been forced into idleness.

The preservation of freedom in America is not an exclusive responsibility of Government. Every individual to a greater or lesser extent shares that responsibility. In these times, when the continuing strength of the Nation is so paramount to this task, the responsibility that rests upon the steelworkers and the steel companies is a heavy one. The American people have a right to expect a measuring up to this responsibility.

Disputes between labor and management must be settled by collective bargaining between the parties. It is only when the national safety and health are imperiled that Federal law should be invoked. All these weeks the Federal Mediation and Conciliation Service has been attempting to assist the parties to reach agreement. Secretary Mitchell has made available to the public an assessment of the economic facts bearing upon the dispute. The Secretary's report has demonstrated clearly that there is a reasonable basis for a settlement that will be responsive to the requirements of the public interest as I have previously outlined them in public statements.

This dispute is not a test of power. The people of the United States do not look to the economic strength of either side to govern the settlement. They will be satisfied only by a just settlement, voluntarily arrived at, that will serve the interests of all our citizens.

Half-hearted bargaining is not enough. Intensive, uninterrupted, good-faith bargaining with a will to make a responsible settlement is required. Compromising differences is a process with which I am familiar. I have seen far more difficult problems than the steel dispute resolved in far less time by people who spoke different languages and had diverse backgrounds. Everything in my experience leads me to believe that where there is a will to agree on both sides, there is a way to agree. The steelworkers and the steel companies must find that way expeditiously.

Sincerely,

DWIGHT D. EISENHOWER.

M'DONALD'S REPLY

DEAR MR. PRESIDENT: This is in response to your letter of September 8 which the Steelworkers Union deeply appreciates. The United Steelworkers of America shares your disappointment that so little apparent progress toward settlement of the steel dispute has been made thus far.

We agree that a voluntary settlement should be made by the parties.

We agree that Taft-Hartley will settle nothing and indeed frustrate bargaining.

We agree that Secretary Mitchell's report has demonstrated clearly that there is a reasonable basis for settlement.

We agree that this dispute should not be settled by economic strength but rather by a just and reasonable settlement.

We agree that half-hearted bargaining is not enough and that reasonable men should be able to effectuate a just compromise.

Mr. President, this is precisely what the union has been seeking these many months. We have been trying to negotiate a reasonable settlement with the industry since early in May. But there must be two parties, both responsible and willing to negotiate a settlement. The union cannot do this alone, and thus far the representatives of the steel companies with whom we have been meeting, have either refused or lacked the authority to negotiate, except on the basis of complete denial of any justice to the steelworkers.

Mr. President, I give you my solemn assurance:

The steel workers' negotiators have the will to agree. The steel workers' negotiators have the authority to agree. The steel workers' negotiators have been seeking and will continue to seek good-faith, uninterrupted, wholehearted bargaining with the objective of achieving a reasonable settlement.

Mr. President, we ask no more than this. We can only hope that your appeal will result in a change of attitude on the part of

the industry, a change of attitude which will make a reasonable settlement possible.

Respectfully yours,

DAVID J. McDONALD,
President.

[From the Washington Post, Sept. 2, 1959]

SILENCE ON STEEL

The dearth of information about the steel strike may mean good news, but it is more likely to mean that nothing constructive is happening. Although the strike has dragged on for 7 weeks, it has not yet hurt grievously despite the enormous loss of production and income. Accumulated steel inventories have shielded other industries, and savings plus the backlog of vacation pay have enabled most workers to avoid desperation. But the time is very rapidly approaching when the pinch will be real for everyone, when a continued shutdown of the country's most basic industry will become a national emergency.

What with the evident broad support of a tough antiracketeering bill in Congerss, some of the steel companies are said to view this as a propitious moment to crack down on labor. An effort seriously to weaken the unions would, we think, be highly unwise. But to the extent that the company position represents a determination to curtail featherbedding—one of the most indefensible union practices—and to resist an inflationary settlement, it is entitled to respect.

High wages earned by productivity, including reasonable concessions in work rules, are a desirable aspect of an expanding economy. But an extravagant settlement would not be in the public interest. Even though the steel industry itself might be able to absorb a substantial wage increase without increasing prices, the pattern which such a wage boost would set for other industries in a less favorable profit position could be highly inflationary and even disastrous for price stability.

At the same time, the lavish profits of the steel industry make a stand-pat position untenable and renew the question of whether the division of earnings is equitable. Many responsible economists and financiers think that the companies could reduce prices without injury to their capital position; and some companies are even said to have considered such proposals but to have discarded them because of possible customer difficulties.

In the circumstances a model settlement would be one which encompassed all three elements: a moderate wage increase based upon productivity, union concessions on wasteful labor practices, and a price cut which would promote stabilization. A voluntary compromise is much to be preferred to governmental intervention. But unless bargaining in earnest begins quickly, the national interest will compel invocation of the Taft-Hartley Act.

[From the New York Times, Sept. 10, 1959]

ROOTS OF STEEL IMPASSE: WHY WHITE HOUSE PLEAS AND ECONOMIC PRESSURES FAIL TO SPEED A SETTLEMENT

(By A. H. Raskin)

A distinguished group of experts on labor-management relations, meeting at Arden House 2 days before the steel deadlock began last May, warned that appeals by Government officials for restraint and responsibility in collective bargaining seldom accomplished much. The soundness of this judgment has been borne out by the ineffectiveness of the increasingly insistent pleas made by President Eisenhower to the striking United Steelworkers of America and the 12 biggest steel companies.

The total absence of headway toward a settlement in 4 months of negotiation has stirred fresh doubt about the adequacy of collective bargaining as an instrument for preventing strikes and safeguarding the public welfare in industries as essential as steel.

The extent to which past disputes—in 1946, 1949, 1952, and 1956—have involved White House intervention provides little foundation for confidence that any multiplication of bargaining hours will bring a direct agreement between the parties.

BOTH SIDES WILLING TO TALK

What has blocked progress up to now has not been the unwillingness of either side to spend enough time in the same room. It has been a joint recognition that the irreconcilability of their basic positions makes sessions meaningless until one side or the other is ready to shift ground.

In the absence of that readiness, the conferences called by Joseph F. Finnegan, Director of the Federal Mediation and Conciliation Service, have been exercises in frustration that would have sent a less jovial peacemaker to a psychiatrist long ago.

The nature of the steel industry immunizes the parties against much of the economic pressure that normally forces settlements in other strikes. The industry's productive capacity has become so great that it can satisfy all its customers' annual requirements in 9 months, even when business is booming.

This means it can sustain a strike of 2 or 3 months with only minor loss in total sales. As a further cushion, at least half of its out-of-pocket losses during the shutdown are eventually offset by adjustments in Federal taxes.

The hardship on the union's rank and file is much swifter. However, relatively few have yet completed the last turn of the wringer and had to petition for public relief. In the Chicago district, the union reports that 4,200 strikers still have unclaimed 2-week paychecks waiting for them.

The union has $60 million in its own treasury and in the funds of its locals to provide emergency aid. Moreover, the very size of the walkout and its pivotal importance as a patternsetter for other unions have made the idle workers the ward of the merged labor federation. It has guaranteed that it will not let them be "starved back" to the blast furnaces.

All this makes it certain that the huge stockpiles of metal built up before the strike will melt before either side is obliged to surrender.

At this danger point for the total economy the President has indicated that he will move for an 80-day injunction under the national emergency provisions of the Taft-Hartley Act.

The worst part of this procedure is that it settles nothing. It merely means that after 10 or 12 weeks of economic blood-letting the country will be able to look forward to a brief spasm of renewed output, followed by a new blackout at Christmastime.

The ironic aspect of the entire situation is that each side is defending its wage stand as the only sound one from the platform of the national interest. The President has stressed for many months his conviction that the result of the steel negotiations will have a vital bearing on the welfare of all Americans.

This raises the question of why it is desirable to leave public decisions of such moment to private decision by parties with no elective grant of authority from the general citizenry—especially when they show themselves incapable of deciding.

The more energetically the Democrats suggest that the right solution is the appointment of a Presidential factfinding board to evaluate all the wage and price considerations in this exceedingly complex dispute, the more emphatically the White House tosses the ball back to the industry and the union.

In the end their refusal to pick it up, coupled with the lack of governmental guidance on how the fruits of increased production should be shared among consumers, workers and stockholders, may lead to the same kind of public clamor for economic controls that expressed itself in the passage of a stiff labor-reform bill last week.

[From the Washington Post, Sept. 10, 1959]

STEEL IMPORTS RISE SHARPLY

NEW YORK, September 9.—Imports of steel mill products from foreign countries climbed sharply in June and exceeded exports for the seventh straight month, according to the American Iron and Steel Institute.

Citing prestrike buying as a factor in the rise, the Institute noted that the June import figure was 410,005 tons, up 25,218 tons from May, and 283,597 tons from the June, 1958, level.

Exports of steel mill products meanwhile stood at 191,355, compared with 165,856 in May and 163,309 in June a year ago. Imports for the first half more than trebled to 1,911,797 tons, from 589,640 during the comparable half of 1958.

Mr. JAVITS. I yield to my colleague from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, if I may have time on the bill before the Senate, I wish to join with the Senator from New York in repeatedly urging that every effort be made to secure a settlement of the steel strike before a national crisis develops. It does not seem to me that we should wait until a committee is appointed under the Taft-Hartley Act. The process of injunction and the resort to law and that type of procedure is not likely to prove effective.

If the strike continues, Mr. President, it will not be very long before we will hear talk about price and wage controls in the Congress. That may have to be effected.

If these two opponents, labor and industry, persist in continuing what appears to be not very sincere efforts to settle the strike until a national crisis occurs, it will affect everybody and it will have serious repercussions.

I am glad the President finally has spoken out. I think he should do more than to speak out. I think we should have, as the Senator from New York stated, a committee appointed which will not only find facts but also will make recommendations. A resort to the Taft-Hartley Act is not likely to prove to be effective. There is a strong possibility it will make matters worse.

Mr. JAVITS. Mr. President, I thank the Senate for its indulgence.

UNANIMOUS CONSENT AGREEMENT TO CONSIDER EN BLOC AMENDMENTS TO BILLS REPORTED BY COMMITTEE ON THE JUDICIARY FOR CONSIDERATION DURING THE CALL OF THE CALENDAR

Mr. EASTLAND. Mr. President, with respect to the bills on the calendar, which are to be passed if there is no objection, reported from the Committee on the Judiciary, I ask unanimous consent that amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

MRS. ELBA HAVERSTICK CASH

The PRESIDING OFFICER. Is there objection to the consideration of the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash?

There being no objection, the Senate proceeded to consider the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$21,700" and insert "$5,000", and on page 2, after line 14, to strike out:

SEC. 2. Upon the enactment of this Act, all pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a), shall be terminated.

And, in lieu thereof, to insert:

SEC. 2. The enactment of this Act shall not in any way terminate or affect the pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a).

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H.R. 3781) for the relief of Mrs. Anna Loftis, was announced next in order.

Mr. PROUTY. Mr. President, I have no personal objection to the bill, and probably would vote for it if it were before the Senate by motion, but I think the bill would establish a precedent, and should not be passed at this time.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PROUTY. Mr. President, the same would be true with regard to Calendar No. 963, H.R. 3782, for the relief of the estate of Williard Phillips, and I ask that that bill also be passed over.

The PRESIDING OFFICER. The bill (H.R. 3782) will also be passed over.

ELEANOR CONSTAN

The bill (S. 1193) for the relief of Eleanor Constan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the War Claims Act of 1948, as amended, limiting the period of time within which claims may be filed thereunder, the Foreign Claims Settlement Commission of the United States shall have jurisdiction to receive and to determine the validity and amount of the claim of Eleanor Constan of West Newton, Massachusetts, for civilian detention benefits under subsections (a) through (e) of section 5 of that Act of 1948, as amended, and shall certify to the Secretary of the Treasury for payment out of the War Claims Fund any award made thereunder. The Secretary of the Treasury shall pay to the said Eleanor Constan the amount of any such award so certified by the Commission.

GIM BONG WONG

The bill (S. 2309) for the relief of Gim Bong Wong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Gim Bong Wong, shall be held and considered to be the natural-born alien child of Chin Get Wong and Yee Yoke Ying Wong, citizens of the United States: *Provided,* That the natural parents of the said Gim Bong Wong shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

RAUL J. HERMITTE AND GINETTE N. HERMITTE

The Senate proceeded to consider the bill (S. 1703) for the relief of Raul J. Hermitte and Ginette N. Hermitte, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Raul Jorge Jose Hermitte has resided and was physically present in the United States or any State since September 23, 1953, shall be held and considered as compliance with the residence and physical presence requirements of section 316 of said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Raul Jorge Jose Hermitte."

GERARDO RAFAEL DOBARGANES Y TORRES

The bill (H.R. 1455) conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres was considered, ordered to a third reading, read the third time, and passed.

GORDON LANGLANDS JOHNSTON

The bill (H.R. 1499) for the relief of Gordon Langlands Johnston was considered, ordered to a third reading, read the third time, and passed.

EVA GURMAN

The bill (H.R. 1520) for the relief of Eva Gurman was considered, ordered to a third reading, read the third time, and passed.

MRS. ELLEN LESCHNER

The bill (H.R. 1701) for the relief of Mrs. Ellen Leschner was considered, ordered to a third reading, read the third time, and passed.

CITY OF MADEIRA BEACH, FLA.

The bill (H.R. 2390) for the relief of the city of Madeira Beach, Fla., was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. HART. The bill reflects a payment to the Florida municipality which would have been the obligation of the Government of the United States had the bulkhead or the seawall which was put in by the city in front of the Veterans' Administration hospital in that community been an obligation which the city could assess against a Federal unit. Actually, the Veterans' Administration hospital had been contemplating the construction of a comparable facility in front of the hospital. The municipality undertook across the frontage of the city, to construct a seawall or buttress. The bill reflects fairly the benefit accruing to the Government at the installation.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H.R. 2390) was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF NATHANIEL H. WOODS, DECEASED

The bill (H.R. 2631) for the relief of the estate of Nathaniel H. Woods, deceased, was considered, ordered to a third reading, read the third time, and passed.

MRS. LEONARD O. ERICKSON

The bill (H.R. 3410) for the relief of Mrs. Leonard O. Erickson was considered, ordered to a third reading, read the third time, and passed.

PETER F. DE ULLMANN

The bill (H.R. 4839) for the relief of Peter F. de Ullmann was considered, ordered to a third reading, read the third time, and passed.

PROCEEDINGS IN FORMA PAUPERIS

The bill (H.R. 5257) to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, this bill would amend section 1915(a) of title 28, United States Code, which relates to proceedings in courts of the United States without prepayment of fees, costs, or security under certain circumstances. Specifically, the proposed amendment is to substitute the word "person" for the word "citizen."

The Department of Justice submitted a draft of this proposal and recommended its enactment. The Judicial Conference of the United States likewise recommends favorable consideration of the legislation, and the Administrative Office of the U.S. Courts has estimated that the annual expense under this proposal would not exceed $5,000.

As pointed out by the Department of Justice, under present law any court of the United States may authorize the commencement, prosecution or defense of civil or criminal litigation, including appeals, without prepayment of fees, costs, or security "by a citizen who

makes affidavit that he is unable to pay such costs or give security therefor." It is the view of the Department of Justice that it would be consonant with the ideals and policies of the United States to afford indigent aliens the same privilege of proceeding in forma pauperis as is now afforded citizens.

The committee believes that the proposed legislation is meritorious and recommends that the bill H.R. 5257 be considered favorably.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H.R. 5257) was considered, ordered to a third reading, read the third time, and passed.

CHRISTOPHER J. MULLIGAN

The bill (H.R. 5645) for the relief of Christopher J. Mulligan was considered, ordered to a third reading, read the third time, and passed.

ZELDA GLICK

The bill (H.R. 5910) for the relief of Zelda Glick was considered, ordered to a third reading, read the third time, and passed.

VUKASIN KRTOLICA

The bill (H.R. 6405) for the relief of Vukasin Krtolica was considered, ordered to a third reading, read the third time, and passed.

ANDREW CHOA

The bill (H.R. 6720) for the relief of Andrew Choa was considered, ordered to a third reading, read the third time, and passed.

LILIANA CAPRARA

The bill (H.R. 6886) for the relief of Liliana Caprara was considered, ordered to a third reading, read the third time, and passed.

FROL MARTIN SIMONOV

The bill (H.R. 6954) for the relief of Frol Martin Simonov was considered, ordered to a third reading, read the third time, and passed.

MISS REMEDIOS VILLANUEVA

The bill (H.R. 7256) for the relief of Miss Remedios Villanueva was considered, ordered to a third reading, read the third time, and passed.

GIUSEPPA FERRANTE (SISTER CANDIDA)

The bill (H.R. 2090) for the relief of Giuseppa Ferrante (Sister Candida) was considered, ordered to a third reading, read the third time, and passed.

RUDOLPH ROZMAN

The bill (H.R. 7518) for the relief of Rudolph Rozman was considered, ordered to a third reading, read the third time, and passed.

VARTANOUCHE KALFAYAN

The bill (H.R. 7550) for the relief of Vartanouche Kalfayan was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TITLE 28, UNITED STATES CODE

The bill (H.R. 7979) to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PROUTY. Mr. President, I believe we should have an explanation of the bill. The report does not indicate the necessity for this legislation. The court is already permitted to sit at Durant but has not done so because suitable quarters have not been available. The General Services Administration now proposes to remodel the Federal building to include quarters for the court and this bill would waive a section of the law permitting U.S. district courts to sit only where suitable quarters are available or are furnished without cost to the United States. Since the court is already permitted to sit at Durant, the necessity for the legislation has not been made clear.

Mr. KERR. Mr. President, the facilities are wholly inadequate, and in order to avoid a situation whereby either the court cannot sit there or build a new building, the Department has proposed that existing facilities be remodeled. Actually there is a limited way to make it possible both for the court to sit and avoid the cost of a new building. It has been thoroughly canvassed and investigated. The bill was passed unanimously by the House, and the Committee on the Judiciary reported it unanimously.

Mr. EASTLAND. I should like the RECORD to show that the bill is recommended by the General Services Administration. They say its enactment is necessary.

Mr. PROUTY. I should like to understand the necessity.

Mr. MONRONEY. The Senator will observe that unless these facilities are provided, it will mean that this area of the State is 150 miles from the nearest place where the court can sit. This is the job that will enhance the value of the post office and the public building, and only by the expenditure of some $300,000 in the improvement and remodeling and extension of the post office to provide for these court facilities. It is in a section of the State where the State and the county governments did not provide an adequate chamber, suitable for the large number of witnesses and jurors who must be available for the trial of Federal cases.

Mr. PROUTY. May I say to the Senator that I have no objection to the court sitting in Durant, but I understand that the facilities are going to be provided by GSA, and I cannot understand why this legislation is necessary.

Mr. KERR. They will not have the facilities without this proposed legislation. That is the situation.

Mr. PROUTY. I have no objection to the purpose. I am not clear as to why the legislation is necessary.

Mr. ERVIN. Will the Senator yield?

Mr. PROUTY. I yield?

Mr. ERVIN. I think I could explain the situation. There is a provision in existing law which applies in a great many cases. It provides that the Federal court can sit at Durant, Okla., only if the court sessions can be held there without expense to the Federal Government; that is, only if the facilities are available without expense to the Federal Government.

They are enlarging the post office, I understand, at Durant so as to include a Federal courtroom. So they want to remove this limitation that the Federal court can sit there only if the court sessions can be held without expense to the Federal Government. As far as that provision is concerned "without expense to the Federal Government," that is a manifest impossibility since they will have to build a courtroom.

That is the only purpose of the bill.

Mr. PROUTY. I should like to call the Senator's attention to section 142 of title 28, United States Code, which provides that "court shall be held only at places where Federal quarters and accommodations are available, or suitable quarters and accommodations are furnished without cost to the United States."

I understand that Federal court quarters or accommodations are or will be available in Durant.

Mr. ERVIN. Yes, but the Senator will find there are a great many bills authorizing amendments to the bill that provide that they can hold courts at other places, other than the existing quarters, if the facilities are available without cost to the Federal Government. We have a good many courts like that in my Federal district, at Shelby, N.C., and Bryson City, in both of which it is necessary to get the county courthouse free of expense to the Federal Government. This will clear up the ambiguity with reference to the law as it applies to Durant, Okla.

Mr. PROUTY. I thank the Senator. I shall not object.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill H.R. 7979 was considered, ordered to a third reading, read the third time, and passed.

AGNES LORRAINE PANK

The Senate proceeded to consider the bill (H.R. 2302) for the relief of Agnes Lorraine Pank, which had been reported

from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee", to strike out the comma and "under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. BARBARA MAY BOSWELL

The Senate proceeded to consider the bill (H.R. 6884) for the relief of Mrs. Barbara May Boswell, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "Act", to strike out "under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose:".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF STATE OF OKLAHOMA

The bill (H.R. 7605) for the relief of the State of Oklahoma, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the numerals "25,", to strike out "1951" and insert "1941".

Mr. MORSE. Mr. President, there is a great deal of money involved. May we have an explanation?

Mr. EASTLAND. Mr. President this proposed legislation will pay to the State of Oklahoma, for the sole use of highway projects of such State, the sum of $652,-019.71. The payment of this sum will be in full settlement of all claims of the State of Oklahoma against the United States by reason of an agreement made by the United States under a stipulation filed on February 25, 1941, in the case of United States against Phillips and others, U.S. District Court for the Northern District of Oklahoma. The determination of the liability of the United States for the amount stated in the bill has been made by the court of claims as the result of a congressional referral for a report of its findings of fact and conclusions to the Congress. The court of claims in its opinion rendered June 3, 1959, determined that the plaintiff, the State of Oklahoma, would be entitled to recover under the stipulation as a matter of law. It is, therefore, recommended that the findings, conclusion and recommendations of the court of claims be adopted and H.R. 7605, as amended, be favorably considered.

Mr. MORSE. I have one question. Will the chairman of the committee tell me what the claim was for?

Mr. EASTLAND. That is in the report. I do not know what the claim is for. It is a judgment.

Mr. KERR. A copy of the decision of the Court of Claims is contained in the committee report, which is available to the Senator. Further, this amount of money was included in legislation which was before the Senate some years ago. It was objected to because it had not been adjudicated, and therefore it was referred to the Court of Claims. The matter was tried and adjudicated and a decision reached for the amount of money stated in the report.

Mr. EASTLAND. As I understand, it involves highways which were inundated by the Grand River Dam, and the highways were destroyed. We are compensating the State of Oklahoma under a judgment of the Court of Claims which held the Federal Government liable in this amount.

Mr. MORSE. That is what I wish to find out. I have not had a chance to read the report. The proposed legislation recompenses the State of Oklahoma for Oklahoma highways which were in effect destroyed because a dam was built and the water covered the highways. The State of Oklahoma was therefore obligated to build highways in other locations to the amount of the judgment.

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. Mr. President, does this subject have any relationship to the item which was under discussion in the civil works bill 2 years ago, when a $12 million claim was held by the Government, which was sought to be eliminated by the passage of a post facto law?

Does the Senator from Oklahama remember the item I have in mind?

Mr. KERR. I do not remember the item of which the Senator speaks. Does my colleague remember it?

Mr. MONRONEY. The claim was for more money than the Court of Claims allowed, but the action of the Judiciary Committee was to refer it to the Court of Claims to determine the damages under the agreement.

Mr. EASTLAND. Congress referred it to the Court of Claims, and we are obligated to appropriate the money to pay that judgment.

Mr. KERR. The amount adjudicated to be due.

Mr. LAUSCHE. The item I have in mind arose about 2 years ago, when, in the public works bill, there was inserted a provision to which the Department of Justice objected, stating that the provision took from the Department of Justice a defense which it set up in an answer to a petition that was filed by the State of Oklahoma against the U.S. Government, asking for damages because of inundation of land caused by the United States.

Mr. KERR. If I am correct in my memory, we were seeking action by the Congress anticipating what this decision might be. As I recall, it was taken out of the bill because of the objection of the Department of Justice, to the effect that the provision, if left in, would prejudice its position in this case. That is my recollection.

Mr. LAUSCHE. I should like to look into the case. I know that I objected at that time to the Congress passing a law intended to take away from the U.S. Government a defense which it had.

Mr. KERR. The Senator succeeded.

Mr. LAUSCHE. The President vetoed the bill, and I believe he set forth in the veto this particular item as one of the reasons.

Mr. KERR. Congress did not take away the defense. The Department made its defense. The Court of Claims has adjudicated the matter, and the Court of Claims judgment is the basis of the bill.

Mr. MONRONEY. Mr. President, the only question that could be raised is that, under strict interpretation of the law, the statute of limitations has run.

Mr. EASTLAND. That question was decided by Congress when it referred the bill to the Court of Claims. It has no bearing here. If any rights were waived, they were waived by the Congress years ago, when the bill was sent to the Court of Claims. There a determination was made. This is the judgment, and we are obligated to pay that judgment.

Mr. LAUSCHE. Has there been any objection raised to the passage of this bill by the Department of Justice? Has the Department of Justice been informed of the bill?

Mr. EASTLAND. No. We do not refer back to the Department of Justice or any other department of the Government a judgment of the Court of Claims.

Mr. GORE. Mr. President, this bill would merely authorize and direct the Secretary of the Treasury to pay a judgment which the Court of Claims has rendered.

Mr. EASTLAND. Certainly.

Mr. GORE. I had occasion to look into this question 2 days ago. If the Senator will examine the report, he will see that almost the entire report is the judgment of the Court of Claims in this case.

Mr. EASTLAND. This is the first time to my knowledge in which a judgment of the Court of Claims has been questioned. I may be mistaken in that statement, but that is the best of my knowledge.

Mr. LAUSCHE. The Senator from Oregon made the statement that $650,-000 was involved.

Mr. KERR. He asked for an explanation, and it has been given.

Mr. LAUSCHE. I asked for an explanation, too, and I think on good grounds. I know that 2 years ago an effort was made to write into the public works bill language which deliberately took from the Department of Justice the defense which it had to an action——

Mr. KERR. I will say to the Senator that he succeeded in that effort. The bill which was passed was vetoed. The bill which was passed and signed did not contain that provision.

Mr. LAUSCHE. The Department of Justice and the administration will undoubtedly have the opportunity to look at this bill; and if the Department feels that its rights were not protected——

Mr. EASTLAND. The Department of Justice represented the U.S. Government before the Court of Claims.

Mr. JOHNSON of Texas. Mr. President, I should like to read a paragraph from the decision:

> It necessarily follows that the State of Oklahoma, but for the possible bar of the statute of limitations, has a legal claim against the United States. Under the terms of the stipulation the State is entitled to receive $652,019.71 in Federal aid for highway construction. It is the opinion of the court that Congress should make this amount available to the State, together with the requirement that such funds be employed solely for highway projects.

Mr. MORSE. Mr. President, I call the attention of the Senator from Ohio to the fact that that stipulation was a stipulation which the Department of Justice, representing the Federal Government itself, entered into.

Mr. LAUSCHE. I believe that if there is any infirmity in the bill, the administration can handle it by veto.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT FOR CERTAIN ALIENS

The joint resolution (H.J. Res. 446) to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, this resolution waives certain excluding provisions of existing law in behalf of four persons who are close relatives of U.S. citizens or lawful resident aliens of the United States. In three cases, provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

EXCLUSION OF CERTAIN ALIENS

The joint resolution (H.J. Res. 477) relating to the exclusion of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, this joint resolution waives certain provisions of the Immigration and Nationality Act relating to the excludability of aliens in behalf of four persons. In two cases provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

Mr. MORSE. Does that mean that we are asked to adopt excluding provisions which apply specifically only to four people for the purpose of making it possible for the immigration authorities to send them out of the country, whereas others would be——

Mr. EASTLAND. The purpose is to let four people into the country.

Mr. MORSE. And the provisions seek to provide a guarantee that they will not become public charges?

Mr. EASTLAND. Yes.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

PERMANENT RESIDENCE AND DEPORTATION OF CERTAIN ALIENS

The joint resolution (H.J. Res. 478) relating to permanent residence and deportation of certain aliens was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation?

Mr. EASTLAND. Mr. President this joint resolution grants the status of permanent residence in the United States to 11 persons. Provision is made for appropriate quota deductions where necessary, and for the payment of the required visa fees. The joint resolution also provides for cancellation of outstanding deportation proceedings in behalf of six persons and further provides that a former native-born U.S. citizen may regain her citizenship which was lost by protracted residence abroad. In five cases, provision is made for the posting of a bond as a guarantee that the beneficiaries will not become public charges.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after the word "Act", to insert "Anna Almo,"; on page 2, at the beginning of line 1, to strike out "case" and insert "cases of Anna Almo and"; in line 4, after the word "Act", to insert "Alexander Antoniou,"; at the beginning of line 19, to strike out "issued in the cases of Antonia Grova, Mah Wah Yong, Alvin Ergin (Ahmet Hamdi Ergin), Maria Mariani Guidi, and Serpuhi Klavuzoglu: *Provided*, That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act as they apply to Alvin Ergin (Ahmet Hamdi Ergin). From and after the date of" and insert "issued in the cases of Nicola Peretta, Roberto Garcia Marquez, Salomon Chehebar, Mah Wah Yong, Maria Mariani Guidi, and Serpuhi Klavuzoglu. From and after the date of", and on page 3, line 6, after the word "have", to strike out "issued." and insert "issued: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the cases of Nicola Peretta, Roberto Garcia Marquez, and Salomon Chehebar."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

ENTRY OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 479) relating to the entry of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, after the resolving clause to strike out "That, for the purposes of the Immigration and Nationality Act, Luigi Filice shall be deemed to be a nonquota immigrant."; at the beginning of line 6, to strike out "Sec. 2. For" and insert "That, for"; at the beginning of line 11, to change the section number from "3" to "2"; on page 2, at the beginning of line 8, to change the section number from "4" to "3"; at the beginning of line 16, to change the section number from "5" to "4"; at the beginning of line 24, to change the section number from "6" to "5"; on page 3, at the beginning of line 4, to change the section number from "7" to "6"; after line 8, to strike out:

> SEC. 8. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Bronislawa Nowak, shall be held and considered to be the natural born alien child of Mr. and Mrs. Stanley Novak, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

At the beginning of line 17, to change the section number from "9" to "7"; at the beginning of line 25, to change the section number from "10" to "8"; on page 4, at the beginning of line 5, to change the section number from "11" to "9"; at the beginning of line 13, to change the section number from "12" to "10"; at the beginning of line 21, to change the section number from "13" to "11"; on page 5, at the beginning of line 4, to change the section number from "14" to "12"; at the beginning of line 12, to change the section number from "15" to "13"; at the beginning of line 20, to change the section number from "16" to "14"; on page 6, at the beginning of line 4, to change the section number from "17" to "15"; at the beginning of line 13, to change the section number from "18" to "16"; at the beginning of line 21, to change the section number from "19" to "17"; on page 7, at the beginning of line 4, to change the section number from "20" to "18"; at the beginning of line 9,

to change the section number from "21" to "19"; after line 13, to insert a new section, as follows:

SEC. 20. In the administration of the Immigration and Nationality Act, Kim Myon Yon, the fiancée of Thomas P. L'Esperance, a citizen of the United States, and her minor child, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Kim Myon Yon is coming to the United States with a bona fide intention of being married to the said Thomas P. L'Esperance and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of said Kim Myon Yon and her minor child, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Kim Myon Yon and her minor child, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Myon Yon and her minor child as of the date of the payment by them of the required visa fee.

On page 8, after line 10, to insert a new section, as follows:

SEC. 21. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Wong Ting Quey shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States.

After line 15, to insert a new section, as follows:

SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Wong Bick Sue, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States.

And, after line 20, to insert a new section, as follows:

SEC. 23. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Saeko Higa shall be held and considered to be the minor alien child of Kame Higa, a lawful permanent resident of the United States.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. Mr. President, this joint resolution grants to 20 children adopted or to be adopted by U.S. citizens or lawful permanent residents the status of nonquota immigrants or third preferance status. In six of these cases, minority is preserved. The joint resolution also preserves nonquota or third preference status in behalf of three persons, to which they would normally be entitled were it not for the fact that they have reached their majority. The joint resolution further provides for the admission of one person for the purpose of marriage to her citizen fiance, and her minor child. Provision is made for an adjustment of their status to that of lawful resident aliens if the marriage occurs within 3 months after admission to this country.

Mr. MORSE. Mr. President, I wish to commend the chairman and other members of the Committee on the Judiciary, and also the very able staff of the committee, for the way in which they handle the individual immigration cases. I hope that in the next session of Congress we will make their tasks a little lighter by having Congress itself go into the problem of reviewing the immigration laws, because I think there is a need for a review of them.

As the Senator from Mississippi knows, I have been among those who for some years have felt that there should be some general legislation on the general subject with regard to the handling of our immigration problems. But until such legislation is enacted, I desire the RECORD to show that I think the Senate is fortunate to have the benefit of the very conscientious work which is done for us by the chairman and the members of the Committee on the Judiciary, and its very able staff.

Mr. EASTLAND. I thank the Senator from Oregon.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ORDER OF BUSINESS—VETO MESSAGE

Mr. JOHNSON of Texas. Mr. President, I am informed that the House of Representatives has overridden the President's veto of the civil functions appropriation bill by a vote of 280 to 121. The message from the House is on the way to the Senate.

A number of Senators desire to keep commitments which they have made. I should like to ask that we attempt to vote on the veto message in the neighborhood of 2 o'clock. I should like to set a time certain for the vote, but I want the leadership on both sides of the aisle to explore the possibilities of doing so. I ask the aides of the Senate, on both sides of the aisle, to notify Senators who may be keeping luncheon engagements or who may be at other places, that the message is en route to the Senate. The moment it reaches here I expect to have it laid before the Senate.

Since the bill has been thoroughly discussed—and discussed several times, as a matter of fact—and since the distinguished minority leader said last night that he desired to take 3 minutes on behalf of the minority, I would expect the vote to occur very promptly. If this could be done, we would accommodate a half a dozen or more Senators who have engagements this afternoon at other places.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. Do I have any reason to believe that the statement of the majority leader might mean that by accommodating half a dozen or more Senators this afternoon, the rest of us might look forward to a reasonably early adjournment this evening?

Mr. JOHNSON of Texas. I would do anything I could to please the distinguished senior Senator from Oregon and the rest of my colleagues.

Mr. MORSE. It is always very pleasant to hear the Senator from Texas say so; but I will keep that possibility in mind.

Mr. JOHNSON of Texas. I think if we could finish the call of the calendar and call up by motion a few general bills—I understand there is no serious objection to them, but that it is necessary to call them up by motion—the Senate could conclude its business at a reasonably early time this evening.

I do not expect the Senate to be able to conclude its action on the mutual security bill on Saturday. If it is possible to make real progress on it, I hope we may be able to conclude our action on it on Monday.

We expect to have a call of the calendar on Monday and also to call up by motion Calendar No. 921, S. 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine, a bill introduced by the Senator from Arkansas [Mr. FULBRIGHT] and other Senators; and Calendar No. 828, Senate Resolution 169, submitted by the Senator from Arkansas [Mr. FULBRIGHT], concerning the desirability of holding an international exposition in the United States. I am informed that there will be some discussion of that resolution. Both of those measures will be called up by motion on Monday, and there will be a call of the calendar on Monday.

It is planned to have the Senate convene early on Monday. If we have not concluded action on the mutual security bill on Saturday—as I do not anticipate that we will—I hope we may reach a final yea-and-nay vote on the mutual security bill on Monday.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. PROUTY. Did I correctly understand the Senator from Texas to say that he planned to call up by motion on Monday the oleomargarine bill?

Mr. JOHNSON of Texas. The Senator is correct.

Mr. PROUTY. I think I should tell the Senator that there may be considerable debate on that bill.

Mr. JOHNSON of Texas. I cannot control the amount of debate; I shall simply give Senators on both sides of the aisle an opportunity to express their views, and to give them ample notice of the bills it is proposed to call up. I appreciate the notice given by the Senator from Vermont on the oleomargarine bill, so that all Senators who are interested in that bill, one way or another, may take notice.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Do I correctly understand from the statement the Senator from Texas made that he thinks the probabilities are good that the Senate will be in session on Monday?

Mr. JOHNSON of Texas. I beg the Senator's pardon; I did not quite hear all of his question.

Mr. MORSE. I ask the majority leader if my understanding is correct that he thinks the probabilities are good that the Senate will be in session on Monday.

Mr. JOHNSON of Texas. Yes. I do not think it is good; I think it is bad. But I think we will be here. [Laughter.]

Mr. MORSE. It is matter of the point of view. I was particularly pleased with the possibility that after we have finished the business which the Senator has suggested should be transacted today, we may leave at a reasonable time. I say this quite facetiously. I have a year-old grandson who has just arrived to see me. I think he would do me much more good, along the lines the Senator from Texas has suggested, than if we were kept in session tonight.

Mr. FREAR. Mr. President, I may say that it is something to have a year-old grandson arrive. [Laughter.]

Mr. JOHNSON of Texas. Mr. President, in view of the fact that at least seven Senators, now, will be accommodated by having a time certain set for the vote on the veto message, I ask unanimous consent that the Senate vote on the question of overriding the veto of the civil functions appropriation bill at not later than 2:30 o'clock.

Mr. MORSE. Mr. President, I think the message ought to be available to us for discussion. I shall have to object.

Mr. JOHNSON of Texas. Mr. President, I want the Senator's grandson to understand that it will be no fault of mine if his grandfather is not present. [Laughter.]

RESUMPTION OF CALL OF THE CALENDAR

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

NATIONAL MINING AND MINERALS POLICY

The bill (S. 1537) to establish a national mining and minerals policy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mining and Minerals Policy Act of 1959".

SEC. 2. The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage (1) the development of an economically sound and stable domestic mining and minerals industry, (2) the orderly development of domestic mineral resources and reserves necessary to assure satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. It shall be the responsibility of the Secretary of the Interior to carry out this policy in such programs as may be authorized by law other than this Act. For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this Act.

DEPRESSED DOMESTIC MINING AND MINERAL INDUSTRY

The concurrent resolution (H. Con. Res. 177) declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands was considered and agreed to.

PERMISSION OF GOVERNMENT OF GUAM TO BE SUED

The Senate proceeded to consider the bill (H.R. 4603) to amend the Organic Act of Guam for the purpose of permitting the Government of Guam, with the consent of the legislature thereof, to be sued, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, line 8, after the word "be", to strike out "sued." and insert "sued upon any contract entered into with respect to, or any tort committed incident to, the exercise by the Government of Guam of any of its lawful powers."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to read a third time.

The bill was read the third time, and passed.

AMENDMENT OF REVISED ORGANIC ACT OF VIRGIN ISLANDS

The bill (H.R. 7870) to amend the Revised Organic Act of the Virgin Islands, as amended, was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF LAND ON GUAM BY SECRETARY OF THE NAVY

The bill (H.R. 3608) to authorize the Secretary of the Navy to acquire certain lands on the island of Guam was considered, ordered to a third reading, read the third time, and passed.

BERNARD BARRETT

The bill (H.R. 2077) for the relief of Bernard Barrett was considered, ordered to a third reading, read the third time, and passed.

RACHEL NETHERY

The bill (H.R. 3111) for the relief of Rachel Nethery was considered, ordered to a third reading, read the third time, and passed.

CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY—BILL PASSED OVER

The bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. EASTLAND. The purpose of the bill is to provide that individuals who knowingly and fraudulently transfer or conceal their property in contemplation of their own bankruptcy shall be held to the same degree of accountability as the law now provides for agents and officers of potential bankrupts.

The proposed legislation has been requested by the Attorney General. It has also been recommended favorably by the Administrative Office of the U.S. Courts. It was the subject of a subcommittee hearing.

The committee believes that the proposed legislation is meritorious.

Mr. MORSE. Mr. President, I request the reading of the engrossed bill.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Chair is advised that the engrossed bill is not now available at the desk; and, therefore, the bill will be ordered over.

MRS. MARY D'AGOSTINO

The Senate proceeded to consider the bill (H.R. 1387) for the relief of Mrs. Mary D'Agostino, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

The Administrator of Veterans' Affairs is authorized and directed to consider the claim heretofore filed by Mrs. Mary D'Agostino, mother of Michael R. D'Agostino, XC-2943574, under section 602(d)(2) of the National Service Life Insurance Act of 1940, to have been filed within the time specified in section 602(d)(5) of that Act, and to adjudicate such claim under that Act, notwithstanding its repeal.

SEC. 2. In considering such claim, the line-of-duty status of the death of Michael R. D'Agostino shall be determined under the criteria set forth in section 105, title 38, United States Code.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

INTER-COUNTY TELEPHONE & TELEGRAPH CO., FORT MYERS, FLA.

The Senate proceeded to consider the bill (H.R. 2695) for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.

Mr. MORSE. This bill involves a great deal of money, and I should like to have an explanation of the bill.

Mr. EASTLAND. Mr. President, the bill would reimburse the Inter-County Telephone & Telegraph Co., of Fort Myers, Fla., in the amount of $22,390.28 for construction and engineering expenses incurred in connection with a planned U.S. Air Force installation which was abandoned. The committee has previously recommended, and the Congress has provided, legislative relief (Public Law 85-546) to the city of Fort Myers, Fla., and Lee County, Fla., for their expenses contracted at the request

of the Government in connection with the planned installation which was abandoned.

The claim of the telephone company has been validated by the Air Force in the amount of $22,390.28; and, after careful consideration, the committee believes that the claim is meritorious in this amount. The circumstances out of which this claim grows are set forth in detail in the committee report.

Mr. MORSE. In other words, the Air Force admits that liability, does it?

Mr. EASTLAND. Yes; and these installations and this work were done at the request of the Air Force.

Mr. MORSE. That is all I need to know.

I have no objection.

Mr. HOLLAND. I thank the Senator from Oregon.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 2695) was ordered to a third reading, read the third time, and passed.

RETIREMENT COMPENSATION FOR DIRECTOR OF METROPOLITAN POLICE FORCE BAND

The Senate proceeded to consider the bill (H.R. 3030) to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, at the beginning of line 3, after the resolving clause, to strike out:

That the second sentence of the first section of the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, as amended, is amended by striking "such" where it first appears and by striking "as may request such a detail".

SEC. 2. Said Act of July 11, 1947, as amended, is amended by inserting after section 2 thereof the following new sections:

And, in lieu thereof, to insert:

That the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, as amended, is amended by inserting after section 2 thereof the following new sections:

And on page 3, line 13, after the word "purpose", to insert "Annuities authorized by this section shall be computed on the basis of compensated service rendered after July 11, 1947.".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to amend the act entitled 'An act to authorize the establishment of a band in the Metropolitan Police force' so as to provide retirement compensation for the present director of said band after 10 or more years of service."

AMENDMENT OF POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

The Senate proceeded to consider the bill (H.R. 3735) to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 3, after "(a)", to insert "the amount of relief or retirement compensation payable to"; on page 2, at the beginning of line 4, to strike out "United States Secret Service, shall, for the purposes of such amendments of 1957, be held and considered to have retired from such force, Department, or Service, on such effective date" and insert "United States Secret Service is hereby increased by 10 per centum"; on page 3, line 1, after the word "the", to insert "first day of the month following the"; after line 2, to insert:

(d) No increase in relief or annuity shall be payable by reason of the enactment of this Act for any period before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, and this Act shall not be applicable in the case of any widow or any child otherwise entiled to benefits under this Act who died on or after October 1, 1956, but prior to the date of enactment of this Act.

And, at the beginning of line 11, to strike out "(d)" and insert "(e)".

Mr. DWORSHAK. Mr. President, may we have an explanation of the bill?

Mr. BIBLE. Mr. President, the bill, as amended by the committee, will provide a 10-percent increase of present retirement annuity to former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the Secret Service, who retired prior to October 1, 1956. The bill, as passed by the House, provided for an average increase of 33⅓ percent. It was the view of the committee that the 10-percent annuity increase represents an equitable upward adjustment for this group of former employees, and that a greater increase at this time would widen too greatly the existing disparity of treatment accorded the members of other retirement systems under the District government, specifically, the teachers and civil service retirees.

The bill also extends the benefits of the 1957 amendments to the Policemen and Firemen's Retirement and Disability Act to the widows and surviving minor children of deceased firemen and policemen who died prior to the effective date of the 1957 amendments.

The committee concurred strongly with the position of the Board of Commissioners of the District that relief was due, in equity, to the widows and surviving minor children of the deceased members of the various branches of the services. For example, the increased benefits for a widow and one child would rise from the present $150 a month to $200 a month.

The bill was unanimously approved by the committee, which believes that the bill, when enacted, will make the retirement benefits more equitable for the policemen and the firemen who left the services before October 1, 1956.

The committee noted that widows and surviving children have not had an increase in their annuities since 1949.

Mr. MORSE. Mr. President, I may say to the Senator from Idaho that the committee's decision is not very popular among the District of Columbia police and fire retirees; but we have reported what we believe is a fair bill. It provides for substantially less than the provisions made by the House of Representatives, but it follows, I believe, the same percentage increase as that provided for other civil service retirees last time. In that connection, I ask the chairman of the committee to check on the accuracy of that statement.

Mr. DWORSHAK. My sole interest is to determine whether any preferential treatment would be accorded those in these groups, or whether the treatment they would receive would be comparable with that received by other civil service employees.

Mr. MORSE. I state now, as I said in the committee, that we thought we should follow the same principle; and that if these employees were to receive any increase, they should reconcile themselves to the fact that they could not expect additional preferential treatment.

Mr. BIBLE. We think this measure will go a long way toward correcting some of the problems which exist in connection with the retired personnel of the police and fire services and their surviving dependents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. JOHNSON of Texas. Mr. President, I ask that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The question now is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to increase the relief of retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police

force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children."

STUDY COMMISSION ON DEVELOPMENT OF RIVERS AND PORTS AND DRAINAGE BASINS IN THE STATE OF ALASKA

The bill (S. 2628) to establish the U.S. Study Commission on the Development of the Rivers, Ports, and Drainage Basins (and intervening areas) of the State of Alaska was announced as next in order.

Mr. KEATING. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, the chairman of the Committee on Public Works is on the floor, and will go into the details of the bill.

However, at this time let me say that the provision of this measure is the most economical way to coordinate a water study and comprehensive water development plans. Such plans have been prepared in the past for certain areas; and we have found them to be of great value in the formulation and selection of the projects authorized. Examples of these studies are the comprehensive report on the New York-New England regions, and the equally comprehensive report on the Arkansas-White River-Red River Basin, in Southwestern United States. Other comprehensive studies have been made on the Columbia River, the Missouri River, the Mississippi River, and the Ohio River.

Congress has recently authorized similar study commissions for the southeastern river basins, as I recall—involving Georgia and Alabama—and for certain southwestern river basins involving Texas.

We have found that by bringing together the Corps of Engineers, the Reclamation Service, those whom the President appoints, and in whom he has confidence, and the State authorities, a great deal of time and money can be saved by using one coordinated plan.

The Commission will require a relatively small appropriation at the beginning stage. In the second year, the cost probably will amount to a few hundred thousand dollars.

As I recall, the Texas Commission had seven-hundred-thousand-odd dollars this year. At that time, Texas was the largest State in the Union, although I suppose that now Alaska has taken that honor from Texas.

I imagine that the appropriation would be in a similar amount.

At this time, I yield to my friend, the Senator from New Mexico [Mr. CHAVEZ], who was responsible for the bill, and reported it.

Let me say that I was speaking on behalf of the Senator from Alaska [Mr. BARTLETT], who had to go to the Pentagon.

Mr. CHAVEZ. Mr. President, I shall be glad——

Mr. KEATING. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Texas.

Mr. KEATING. May I inquire how he got it.

Mr. JOHNSON of Texas. I thought the Senator from New York requested an explanation.

Mr. KEATING. I did, but I assumed that I was retaining the floor.

Mr. JOHNSON of Texas. Mr. President, I have no desire to have the floor. I was merely trying to comply with the Senator's request.

Mr. KEATING. I was merely trying to comply with the rules of the Senate; and I was requesting an explanation. I wish to state my reasons for requesting an explanation.

Mr. CHAVEZ. I merely wished to answer the questions of the Senator from New York.

Mr. KEATING. The information I would like to have specifically is this: The report seems to be silent on the subject of costs. Can the distinguished Senator from New Mexico [Mr. CHAVEZ] verify the implication contained in the statement of the distinguished Senator from Texas [Mr. JOHNSON] that this is only a matter of a few hundred thousand dollars? I cannot find anything in the report pertaining to that matter.

Mr. CHAVEZ. I will answer the Senator from New York in the best of faith. We have to estimate what the cost of this study would be. I believe there would not be a better study or one more important to the country than a study of potential water and land resources in Alaska. All we have had heretofore were studies of the Columbia, and studies in the State of Missouri and the southeast United States. In the southeast, which includes Georgia, Alabama, and other States, there is no limit to the time of the study, and there is no limit to the time of the study in the State of Texas.

Under the proposed legislation there is a limitation of 7 years. The study in Texas is costing an average of $800,000 a year. In the southeast, the cost is more or less the same. In Alaska there is a limitation of 7 years.

Mr. KEATING. In other words, the commission authorized by the bill would last for only 7 years?

Mr. CHAVEZ. The Senator is correct, 7 years, and due to the shortness of the season, the water and land problems in Alaska cannot be studied as they can be studied in another State such as Georgia.

Mr. KEATING. May I ask the Senator from New Mexico when the expenditure of the $800,000 would end?

Mr. CHAVEZ. I cannot answer my good friend from New York, but I can say that there is a resolution pending now which provides for a 7-year study, and due to the weather conditions, it will not cost as much as it will in Texas, in southeastern United States, or elsewhere, including the Hudson.

Mr. KEATING. Alaska is a much bigger State than Texas. I would think there would be more to do there than in Texas.

Mr. JOHNSON of Texas. Mr. President, do I have the floor?

Mr. CHAVEZ. May I finish answering the Senator's question? Instead of $800,000 a year, I believe the studies in Alaska will be between $400,000 and $500,000 a year.

Mr. KEATING. That is the Senator's estimate for the total of 7 years?

Mr. CHAVEZ. No, yearly. The figure of $800,000 which I have given the Senator is the average for the study of the Columbia, for the Hudson, for the Delaware, and for all of the rivers in the United States, and the study in Alaska will cost between $400,000 and $500,000 a year.

Mr. JOHNSON of Texas. Will the Senator yield?

Mr. KEATING. I thank the Senator from New Mexico for his explanation.

Mr. CHAVEZ. I have some further information. The Army Engineers informed me the study in Texas will be completed within the next 5 years.

Mr. JOHNSON of Texas. Mr. President, I was attempting to give to the Senator from New York the information I thought he had asked for, and that is why I sought recognition.

Mr. KEATING. I understand perfectly that no discourtesy was intended by the distinguished majority leader.

Mr. JOHNSON of Texas. I had no desire to interrupt needlessly.

Mr. KEATING. I think the colloquy was helpful. I have no objection to the bill, but I thought the report was silent on the subject of cost and this factor should be brought out. I am happy to see we are not spending as much in New York as is being spent in Texas.

Mr. JOHNSON of Texas. I do not know what will be spent in Texas. I am sure it will be much less than the amount spent in New York because we are much more economical in our section of the country. Our study does not plan to go but 3 years.

Mr. KEATING. May I ask the Senator from New Mexico how much would be spent in New York State?

Mr. CHAVEZ. I could not tell the Senator at the moment.

Mr. KEATING. Does the Senator believe it would be as much as would be spent in Texas?

Mr. CHAVEZ. A member of the technical staff of the Committee on Public Works informs me that it cost about $12 million and it is already completed.

Mr. KEATING. Does not the bill authorize the spending of $800,000 in perpetuity?

Mr. CHAVEZ. No.

Mr. JOHNSON of Texas. Three years is the time for the plan of study in Texas.

Mr. CHAVEZ. May I add this in the best of faith. I come from a State which is short of water. That is one of the reasons why I am so deeply interested in water. I realize, as I stated before, the potentials to the American people in the creation of wealth and taxable property. I think this bill provides the best study of this type, I have seen in this body since I have been here, and I have been here 25 years.

Mr. KEATING. There is no question the Senator from New Mexico is absolutely correct. The amount and use of water is one of the great problems which faces our country. I agree with the

Senator wholeheartedly, and I have no objection.

I yield to the distinguished Senator from North Dakota.

Mr. LANGER. Mr. President, I should like to inform the Senate that in the Missouri Basin the Governors of four States, Montana, Minnesota, North Dakota, and South Dakota, have met together in order to arrive at the best way to solve this water problem.

I believe the bill before the Senate is a good bill, and I hope it will pass.

Mr. JOHNSON of Texas. I will say to the Senator, if he cares to have further information, our people think they will finish the Texas study. Of course, the amount of time to be taken will be determined by the amount of money allowed. They have asked for considerably more in this year's budget than the Bureau of the Budget felt should be allowed in this 1 year. Therefore they will plan the study over an additional 3 years. It could have been expedited had we received more money.

Last year, as I recall, the amount of money devoted to the study in Texas—and I assume there would not be too great a difference between a study in Texas and a study in Alaska—was $170,000 for the first year. This year I believe the House proposed to spend $720,000. The President asked for $800,000, and the Senate restored the House proposal to that figure. We expect to complete the study in an additional 3 years following this year's appropriation.

Mr. KEATING. If they do, they will have spent less than was spent in the New York study.

Mr. JOHNSON of Texas. Yes, we expect to do that because of the way we handle matters. I will quote the Chairman, and he said at the initial meeting that the Commissioners would direct their efforts toward completing their report at the end of 3 years. That includes both the Commissioners for the six Federal agencies and those nominated by the State.

Mr. KEATING. I know the distinguished Senator will see the study is terminated as soon as it can be practically completed.

Mr. CHAVEZ. May I say to my good friend from New York that when I mentioned the amount which was included in the study, it included seven States. New York for once joined the Union.

Mr. KEATING. New York was one of the original 13 States.

Mr. CHAVEZ. That is correct. It was part of the Union.

Mr. KEATING. It was part of the Union even before some of the other States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments, on page 5, line 13, after "(3)", to strike out "Eight" and insert "Seven"; in line 15, after the word "section", to strike out the comma and "two of which shall be a resident of each of the four Federal judicial divisions into which the Territory of Alaska was divided", and on page 12, line 4, after the word "within", to strike out "five" and insert "seven"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is—

(a) to provide for an integrated and cooperative investigation, study, and survey by a commission created pursuant to this Act and composed of representatives of certain departments and agencies of the United States, and of the State of Alaska, in connection with, and in promotion of, the conservation, utilization, and development of the land and water resources of the various rivers, ports, and drainage basins (and intervening areas) of the State of Alaska in order to formulate a comprehensive and coordinated plan for—

(1) flood control and prevention;

(2) domestic and municipal water supplies;

(3) the improvement and safeguarding of navigation;

(4) the reclamation and irrigation of land, including drainage;

(5) possibilities of hydroelectric power and industrial development and utilization;

(6) soil conservation and utilization;

(7) forest conservation and utilization;

(8) preservation, protection, and enhancement of fish and wildlife resources;

(9) the development of recreation;

(10) salinity and sediment control;

(11) pollution abatement and the protection of public health; and

(12) such other beneficial and useful purposes not herein enumerated; and

(b) to formulate, within the time provided for in section 9 of this Act, a basic, comprehensive, and integrated plan of development of the land and water resources within the area described in this section for submission to, and consideration by, the President and the Congress, and to make recommendations, after adequate study, for executing and keeping current such plan. It is not the purpose of this Act to create any continuing or permanent instrumentality of the Federal Government or to take from, or reassign, the duties and powers of any department or agency of the State of Alaska, or of the United States, represented on the Commission, except as herein provided in this Act.

SEC. 2. In carrying out the purposes of this Act it shall be the policy of Congress to—

(1) recognize and protect the rights and interests of the State of Alaska in determining the development of the watersheds of the rivers herein mentioned and its interests and rights in water utilization and control, as well as the preservation and protection of established uses;

(2) protect existing and authorized projects and projects under construction whether public or private;

(3) utilize the services, studies, surveys, and continuing investigational programs of the departments, bureaus, and agencies of the United States;

(4) recognize an important body of existing Federal law affecting the public lands, irrigation, reclamation, flood control, grazing, geological survey, national parks, mines, and minerals; and

(5) to recognize the primary responsibilities of the State of Alaska and local interests in such State in developing water supplies for domestic, municipal, industrial, and other purposes, and that the Federal Government should participate and cooperate with such State and local interests in developing such water supplies in connection with the construction, maintenance, and operation of Federal navigation, flood control, irrigation, or multiple-purpose projects.

SEC. 3. (a) In order to carry out the purposes of this Act, there is hereby established a commission to be known as the United States Study Commission on the Development of the Rivers, Drainage Basins, and Ports of the State of Alaska (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the President, as follows:

(1) One member, who shall serve as Chairman, and who shall be a resident of Alaska and who shall not, during the period of his service on the Commission, hold any other position as an officer or employee of the United States, except that a retired military officer or a retired Federal civilian officer or employee may be appointed under this Act without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $12,000 in any one calendar year;

(2) Six members, of whom one shall be from the Department of the Army, one from the Department of Commerce, one from the Department of Health, Education, and Welfare, one from the Department of Agriculture, one from the Department of Interior, and one from the Federal Power Commission; and

(3) Seven members, nominated by the Governor of Alaska subject to the provisions of subsection (c) of this section.

(c) In the event of the failure of the Governor of the State of Alaska to nominate a person or persons in accordancce with the provisions of paragraph (3) of subsection (b) of this section satisfactory to the President within sixty days after a request by the President for such nomination, the President shall then select and appoint a qualified resident from the State of Alaska.

(d) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(e) Within thirty days after the appointment of the member of the Commission by the President, and funds have been made available by the Congress as provided for in this Act, the Commission shall organize for the performance of its functions.

(f) The Commission shall elect a Vice Chairman from among its members.

(g) Eight members of the Commission, of whom at least four shall have been appointed pursuant to subsection (b)(3) or (c) of this section, shall constitute a quorum for the transaction of business.

(h) Members of the Commission shall report from time to time to their respective departments or agencies, or to the Governor of the State of Alaska if appointed pursuant to subsection (b)(3) or (c) of this section, on the work of the Commission and any comments and suggestions pertaining to such work from such departments, agencies, or governor shall be placed before the Commission for its consideration.

(i) The Commission shall cease to exist within three months from the date of its submission to the President of its final report as provided for in section 9 of this Act. All property, assets, and records of the Commission shall thereupon be turned over for liquidation and disposition to such agency or agencies in the executive branch as the President shall designate.

SEC. 4. The Commission may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, administer such oaths, and publish so much of its proceedings and the reports thereon as it may deem advisable; lease, furnish, and equip such office space in the District of Columbia and elsewhere as it may deem necessary; use the United States mails in the

same manner and upon the same conditions as departments and agencies of the United States Government; have printing and binding done in its discretion by establishments other than the Government Printing Office; employ and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended; purchase or hire, operate, maintain, and dispose of such vehicles as it may require; secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman, and employees of the departments or agencies from which persons have been appointed to the Commission pursuant to section 3(b)(2) of this Act may be assigned upon request by the Chairman of the Commission to temporary duty with the Commission without loss of seniority, pay, or other employee status; pay travel in accordance with standardized Government Travel Regulations and other necessary expenses incurred by it, or any of its officers or employees, in the performance of duties vested in such Commission; and exercise such other powers as are consistent with and reasonably required to perform the functions vested in such Commission under this Act.

SEC. 5. Responsibility shall be vested in the Chairman for (1) the appointment and supervision of personnel employed under the Commission, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds: *Provided*, That in carrying out his functions under the provisions of this section, the Chairman shall be governed by the general policies of the Commission.

SEC. 6. (a) Members of the Commission appointed pursuant to section 3(b)(2) of this Act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission. Such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members of the Comission other than those appointed pursuant to section 3(b)(2) of this Act, shall each receive compensation at the rate of $50 per day when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties, but the aggregate compensation received by the members of the Commission pursuant to this subsection shall not exceed $12,000 per annum in the case of the Chairman, and $7,500 per annum in the case of members of the Commission other than those members appointed pursuant to section 3(b)(2) of this Act.

SEC. 7. In the formulation of a comprehensive and coordinated plan or plans for (a) the control, conservation, and utilization of the waters of the various rivers, ports, and drainage basins of the State of Alaska (and intervening areas), (b) conservation and development of the land resources of such area; (c) flood control, navigation, reclamation, agriculture purposes, power, recreation, fish and wildlife, and (d) such other needs as are set forth in paragraph (a) of the first section of this Act, the Commission shall—

(1) seek to secure maximum public benefits for the State of Alaska and the Nation consistent with the specific directions contained in section 8 and elsewhere in this Act;

(2) utilize the services, studies, surveys, and reports of existing Government agencies and shall encourage the completion of such current and additional studies and investigations by such agencies as will further the purposes of this Act, and such agencies are authorized to cooperate within the limits of available funds and personnel to the end that the Commission may carry out its functions as expeditiously as possible.

(3) take into consideration the financial, physical, and economic benefits of existing and prospective Federal works constructed or to be constructed consistent with the purposes of this Act;

(4) include in its plan or plans estimated costs and benefits; recommendations relating to the establishment of payout schedules (areawide or otherwise) taking into account the Federal Government's present and prospective investment in the area; costs reimbursable and nonreimbursable; sources for reimbursement; returns heretofore made from existing projects and estimates of returns from recommended projects; repayment schedules for water, irrigation, industrial, and other uses; power rates and recommendations for the marketing thereof in such manner as to encourage its most widespread use at the lowest possible rates consistent with the return of capital investment and interest thereon; and

(5) offer in its plan or plans proposals for the construction and operation of the projects contained therein, and designate the functions and activities of the various Federal departments and agencies in connection therewith consistent with existing law, except that no such plan or plans shall include final project designs and estimates.

SEC. 8. In the formulation of its plan or plans and in the preparation of its report to the President, the Commission shall comply with the following directives:

(1) The report shall contain the basic comprehensive plan for the development of the water and land resources of the State of Alaska (and intervening areas) formulated by the Commission in accordance with the provisions of, and to accomplish the purposes of, this Act;

(2) The Commission and the participating Federal departments and agencies shall comply substantially with the intent, purposes, and procedure set forth in the first section of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control and other purposes", approved December 22, 1944 (58 Stat. 887).

SEC. 9. (a) The Commission is authorized and directed to prepare a final report, within seven years after the appointment of the members of the Commission by the President, for submission to the President. Before the Commission takes final action on the approval of such report for submission to the President, it shall transmit a copy of such report to each department and agency referred to in subsection (b) of section 3 of this Act, and to the Governor of the State of Alaska. Within ninety days from the date of receipt by each such department and agency, and by the Governor of the State of Alaska of such proposed report, the written views, comments, and recommendations of such department, agency, and Governor shall be submitted to the Commission. The Commission may adopt in its report to the President any views, comments, and recommendations so submitted and change its report accordingly. The Commission shall transmit to the President, with its final report, the submitted views, comments, and recommendations of each such department and agency, and of the Governor of the State of Alaska whether or not adopted by such Commission.

(c) The President shall, within ninety days after the receipt by him of the final report of the Commission, transmit it to Congress with his views, comments, and recommendations.

(d) The final report of the Commission and its attachments shall be printed as a House or Senate document.

SEC. 10. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BARTLETT subsequently said: Mr. President, by passing S. 2628 earlier in the day, the Senate took the first step in establishing in Alaska a commission which can, and I am sure will, make a very real contribution toward Alaska's development.

S. 2628 will create a U.S. Study Commission to inquire into the vast water resources of the 49th State, and to recommend a comprehensive plan for their use.

I was not on the Senate floor when S. 2628 was passed. Shortly before it came up for consideration, I was required to go to the Pentagon for a meeting long since arranged with Secretary of Defense McElroy and Chairman of the Joint Chiefs of Staff Twining on a matter of significance in regard to the defense situation in Alaska.

I express my warmest appreciation to the majority leader, the distinguished Senator from Texas [Mr. JOHNSON], and to the distinguished Senator from New Mexico [Mr. CHAVEZ], chairman of the Committee on Public Works, for their spirited, factual, and effective presentations made while the bill was being considered. I am most grateful to them, as I know the people of Alaska will be.

Mr. President, if the House also acts affirmatively, we shall be in a position to evaluate Alaska's water resources and its needs, and arrive at a plan for filling those needs. I think this could well result in a great overall saving of money, because a plan worked out in advance will be a better and a more efficient plan than to proceed by the trial and error method.

Mr. JOHNSON of Texas. Mr. President, I thank the distinguished Senator from Alaska for his generous comments. It is always a pleasure to cooperate with the Senator from Alaska, particularly because the Senator is associated with me on the Committee on Armed Services.

Mr. GRUENING. Mr. President, I join with my colleague in expressing great appreciation to the distinguished majority leader and to the distinguished chairman of the Committee on Public Works for their cooperation and assistance in having the Senate pass the splendid water conservation bill, which is for the benefit not only of Alaska, but for the resources of the entire Nation, as well.

Mr. BARTLETT. Mr. President, I ask unanimous consent that my statement and that of the distinguished junior

Senator from Alaska may appear immediately after the consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2654) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The message also announced that the House had passed the bill (S. 2208) to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House having proceeded to reconsider the bill (H.R. 9105) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was—

Resolved, That the bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 529. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; and

H.R. 8684. An act to provide transitional provisions for the income tax treatment of dealer reserve income.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8678) to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Finance:

H.R. 529. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; and

H.R. 8684. An act to provide transitional provisions for the income tax treatment of dealer reserve income.

TOLL BRIDGE ACROSS RIO GRANDE NEAR LOS INDIOS, TEX.

The bill (S. 2531) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I move that the bill be indefinitely postponed, since we will next take up the House bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The bill (H.R. 8582) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, this is a bill which was reported by the Committee on Foreign Relations of the Senate. The House has passed H.R. 8582.

We know of no way to effectively provide for transportation between our State and our neighboring Republic of Mexico other than these toll bridges. The population is very small in the area. State funds are not available for the construction of bridges. The Federal Government is unwilling to construct bridges.

Year after year we have received authority from the Congress, since it involves an international river, to construct the bridges. In many instances it has not been possible to finance the bridges, even though the authority has been provided.

In the case of the next bill on the calendar, Calendar No. 1010, I am informed that for almost 20 years the people of the little community of Rio Grande City in Texas, across the river from a Mexican community, have tried to find financiers who would take the gamble and build the bridge, but have been unable to do so.

Two years ago Congress passed an identical bill. I am informed there is considerable opposition to the bill in its present form. The Senator from Iowa [Mr. HICKENLOOPER] raised objection in the committee. My friend the Senator from Ohio raised rather serious objection.

I do not know that the bridge could be financed if the bill were passed in its original form, but since those Senators are very actively opposing the bill unless a termination date is provided, I have conferred with my colleague [Mr. YARBOROUGH], the author of Calendar No. 1008, S. 2531. I have attempted to reach the people who plan to try to finance the bridge contemplated in Calendar No. 1011, but I have been unable to do so.

I thought the better course of wisdom would be to agree to the amendments proposed by the opponents of the bill, to accept the amendments, and then attempt to say to the people who want to finance the bridges, "If you can get financing under these conditions, do so. If not, we will have to try to persuade our colleagues in the Senate that the situation requires further consideration."

We do have a competitive situation in regard to some of the bridges. Some people do not want to have any more bridges built, but would rather require people to drive 30 or 40 miles to use a bridge already in existence. There are some very influential people involved.

Mr. DOUGLAS. Mr. President, reserving the right to object, and I do not intend to object, I have a few comments to make regarding the four bills which deal with the authorization of two toll bridges.

I think these bills raise questions of general policy. I am not particularly interested in these two toll bridges, and I do not intend to offer any objection to the passage of these measures, but I think we need to go into the administration of all the toll bridges much more carefully than we have in the past.

Each year we authorize the construction of several toll bridges and the collection of tolls for varying periods of years. Over the course of time, therefore, we have accumulated a large number of toll bridges which in the aggregate have very large revenues. I am trying to get a cumulative list of the toll bridges which Congress has authorized.

I have checked into this matter, and I find there is very little supervision over the operation of these bridges. I notice that it is very hard ever to get a toll bridge discontinued. When the bonds are paid off the authorities generally wish to have the toll bridge rights continue, and want to use the continuing funds for other purposes.

We have had some experience in connection with the bridges over the Wabash River between Indiana and Illinois, which indicates there are frequently administrative irregularities and that sometimes the administrative costs are excessive. The very able State's attorney in Rock Island County, Mr. Bernard J. Moran, and the U.S. Department of Justice recently have been able to obtain indictments of some 15 toll collectors on the bridge between Rock Island and Davenport, Iowa. Confessions which have been published apparently indicate that this group has been taking from $75,000 to $100,000 a year in tolls for themselves, despite the fact that the bridge allegedly had an automatic toll system.

I do not wish to make any public charges about other bridges, but I can say that in my judgment this case to which I refer is not unique.

Mr. President, the Committee on Public Works should institute an investigation, in cooperation with the Department of Justice, of all these toll bridges to determine whether the administrative expenses are excessive and to determine whether the tolls are being collected properly or whether some of the tolls are being taken by officials or employees of various toll commissions.

My own judgment is that the minimum which is required is an act to provide for an annual audit of the accounts of these various toll bridge commissions.

Mr. President, I shall not raise any objection to the passage of the two specific bills, but I wish to impress upon the Senate and upon the country the need for a very thorough analysis and probing of this whole situation. I hope the Public Works Committee will take this matter under its wing. We in Congress have granted these rights, and then we have gone off and have not supervised the administration of the toll bridges which we have authorized.

I think the Department of Commerce and the executive branches of the Government have also been grossly derelict in their duties.

Mr. JOHNSON of Texas. Mr. President, I am not in a position to disagree with the Senator from Illinois. I rather concur in the viewpoint the Senator has expressed. I think Congress might well give additional consideration to the Bridge Act of 1906, and have a very thorough study of it.

I know nothing about the thievery, the corruption, and the excessive salaries which may be involved in the situation to which the Senator has referred.

There are 19 international bridges across the Rio Grande. They were approved as a result of acts of Congress since 1908.

I doubt that we will ever have a bridge built under the conditions set forth in the bill, which I am hopeful will pass today. We have passed an authorizing bill again and again and again for several years, but have never been able to get the bridge financed.

There are several reasons for that. First, the traffic in this area is not very heavy. Second, the tolls that are charged, according to the agreement with the Mexican Government are so low that the revenue is such that there is not very great incentive to any private investor to risk his investment. So we have been unable to get them financed.

The pedestrian toll over the Santa Fe Street Bridge is 2 cents per pedestrian. Over the Stanton Street Bridge it is 2 cents. Over the Del Rio-Villa Acuna Bridge it is 10 cents. Over the Eagle Pass-Peidras Negras Bridge it is 5 cents; and for car and driver over the Eagle Pass-Peidras Negras it is 15 cents, and so forth.

Mr. DOUGLAS. I am not making any reference to any bridges in Texas over the Rio Grande. I am not making any implications about any specific bridge. I merely wish to take these bills as an occasion to urge a very thorough investigation by the Public Works Committee on the whole matter of toll bridges. There are charges of the mishandling of funds and of excessive costs, and so forth, and I have seen enough outcroppings of evidence to convince me that this has been a neglected field, one which we have neglected in the past and one which we continue to neglect, and someday unless we act it will be coming back to haunt us.

Mr. MANSFIELD. Mr. President, may I say in the case of the Camargo Bridge, that has been before the Senate previously, I believe, 17 years, and it has passed the Senate three times. As to the specific question raised by the Senator from Illinois, and it is a good one, that request was raised in the committee by the distinguished Senator from Ohio [Mr. LAUSCHE] and the distinguished Senator from Iowa [Mr. HICKENLOOPER]. I notice the Senator from Ohio has introduced legislation covering that very point.

Mr. DOUGLAS. I am very glad to hear that, and I wish to commend both the Senators for their alertness in this matter. As one Member of the Senate I shall be very glad to join with them in any effort which they may make to see that this matter is gone into, and if abuses in the management of toll bridges become evident, that they may be rectified.

Mr. JOHNSON of Texas. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I filed minority views objecting to the passage of the bill, or the bills dealing with the two bridges. I did so because I believe that bridges operated by private enterprise across international rivers ought not to be burdened with perpetual tolls.

My position is that when the builders of a bridge have been completely reimbursed for their capital investment and have been reimbursed for their operating costs and have made a reasonable profit on the bridge, at that time it ought to become toll free except for the possibility that tolls would be charged for maintenance.

My dissenting opinion is contained in the report, and I ask unanimous consent that what I said in that minority report be transcribed into the RECORD as though I had read it on the floor at this time.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS OF MR. LAUSCHE

The Committee on Foreign Relations has reported S. 2531, S. 2590, and H.R. 3180 favorably to the Senate by a vote of 7 to 6, with four members not voting. I voted against reporting these bills to the Senate because, as a matter of principle, I strongly oppose S. 2531 and S. 2590, authorizing the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to build bridges across the Rio Grande and charge tolls in perpetuity. As a general proposition, I object to the practice of the U.S. Government granting a franchise to build a bridge to any authority and at the same time giving such authority the right to charge tolls forever. I see no reason why a bridge should not be toll free after the cost of the bridge has been amortized through the collection of tolls and a sinking fund has been established to provide for future maintenance and operating costs.

I want to make it clear, however, that I am not opposed to the enactment of H.R. 3180, authorizing the International Bridge Authority of Michigan to construct, maintain, and operate a toll bridge or series of bridges connecting the State of Michigan with the Dominion of Canada. The construction authorized by H.R. 3180 is to be undertaken by a governmental authority and the bill provides that, after the cost of construction has been amortized, the bridges or series of bridges shall be maintained and operated free of tolls. In addition, provision is made for the keeping of an accurate record of the cost of the bridges or series of bridges, the expenditures for maintaining, repairing, and operating them, and of the daily tolls collected. H.R. 3180, in my opinion, is a sound bill and I expect to vote for its passage when it is taken up in the Senate.

WHAT THE BILLS WILL DO

S. 2531 and S. 2590 authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co., respectively, to construct, maintain, and operate toll bridges across the Rio Grande River. The authority granted is to be carried out in accordance with the Bridge Act of 1906, subject to the approval of the International Boundary and Water Commission, United States and Mexico, and the proper authorities in Mexico. The companies are authorized to fix and charge tolls in accordance with the laws of the State of Texas and the United States, and they are given the right to sell, assign, transfer, and mortgage all their rights, powers, and privileges to any public agency, or to an international bridge authority or commission. Construction of the bridges must be commenced within 3 years and completed within 5 years from the date of enactment of the bills.

H.R. 3180 extends for an additional 3 years the time within which the State of Michigan, acting through the International Bridge Authority of Michigan, may commence the construction of a toll bridge or series of bridges, causeways, and approaches thereto across the St. Mary's River from Michigan to the Dominion of Canada. The International Bridge Authority of Michigan is authorized to fix and charge tolls for transit over such bridge, or series of bridges, causeways, and approaches thereto.

The major difference between H.R. 3180 and S. 2531 and S. 2590, however, is that H.R. 3180 (Michigan bridge) provides that the bridge, or series of bridges, shall be toll free after the costs of construction have been amortized and a sinking fund has been established for maintenance, repair, and operating costs. In addition, H.R. 3180 provides that this shall be accomplished as soon as possible, but within a period of not to exceed 40 years. No such provisions are contained in S. 2531 and S. 2590.

BASIS FOR OBJECTION

S. 2531 and S. 2590 authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to fix and charge tolls in perpetuity. This is the practice to which I object most strenuously. I am against the Government giving special privileges to anyone. I see no reason why a private bridge company, if it decides to build a bridge, should not be subject to the same limitations and restrictions which are imposed on public bridge authorities.

Senator YARBOROUGH, the sponsor of S. 2531, testified that the people of the San Benito and Harleton, Tex., are in dire need of a bridge and the argument is made that if restrictions are imposed on private companies they will not undertake to construct the bridges. The reason given for this argument is that money cannot be raised from private investors expecting to make a profit on the bridges when a limitation is placed on the return on their investment. The simple answer to this is—let the State of Texas or a public authority of the State of Texas construct, maintain, and operate the bridges.

On the other hand, however, it seems to me that if the traffic and economy of these areas in Texas justify the bridges, the private companies involved should expect no more than a reasonable return on their investment in a reasonable period of time, after which the bridges should become public property and be operated toll free. In this connection, Senator YARBOROUGH, without modifying his statement about private investors, stated with respect to a provision permitting the San Benito International Bridge Co. to get a reasonable return on its

investment and then have the bridge become public property:

"This is a kind of chamber of commerce project and we talked to the people by phone and they say they believe that the people of San Benito and Harleton would be willing to have this provision in the law. They are out to sell stock in the company. They are raising the money as kind of a public project anyway; their main objective is not to make money out of this; they do not expect it to be a money maker. They say all they want to do is to get the bridge."

If provisions that the bridges would become public property and be operated toll free after the costs had been amortized and the companies had received a reasonable return on their investment were included in S. 2531 and S. 2590, my objections to the enactment of these bills would be eliminated.

TREND TOWARD PUBLIC OWNERSHIP FREE OF TOLLS

The trend in the United States today is toward public ownership of any toll facilities. Additionally, the trend is toward making these facilities toll free after the costs of construction have been amortized. In this connection, the principle followed by the Federal Government under the Federal-aid-to-highways system is that wherever there is a toll bridge, tunnel, or approaches, Federal aid will be granted only on the condition that the toll charge be lifted after the construction cost and capital investment have been amortized. The Federal philosophy and principle with respect to toll bridges, tunnels, or approaches has been that tolls should not be charged in perpetuity but in good commonsense should come to an end when the original investment has been paid.

TOLL BRIDGES ACROSS THE RIO GRANDE

There are 19 international bridges across the Rio Grande, exclusive of the Mexican bridge between Ciudad Juarez and Cordova Island. Of these 19 bridges, 13 are highway bridges and 6 are railway bridges. Of the 13 highway bridges, 10 are privately or municipally owned and 3 are jointly owned by the United States and Mexican Governments. One of the railway bridges is also used as a highway. In spite of the fact that it has been the policy of the Federal Government to free highways and bridges of tolls, there are presently 11 bridges across the Rio Grande which are used for highway purposes and at which tolls are charged. Set forth below is a list of the bridges and the amount of tolls charged at each bridge.

Toll bridges on the Rio Grande

Bridge	Act approved	U.S. statute No.	Tolls		
			Car and driver	Each additional passenger	Pedestrian
1. Gateway Bridge (Brownsville, Tex.)	Feb. 26, 1926	44/132	$0.20	$0.05	$0.05
2. Missouri-Pacific Railway bridge	May 20, 1908	35/168	.20	.05	.05
3. Progresso-Las Flores	May 1, 1928	45/471	.25	.10	.10
4. Hidalgo-Reynosa	Feb. 7, 1925	43/815	.25	.10	.10
5. Roma-San Pedro	Mar. 2, 1927	44/1341	.40	.10	.10
6. International Highway Bridge, Laredo-Nuevo, Laredo.	May 29, 1884	23/30	.20	.05	.05
7. Eagle Pass-Piedras Negras	June 14, 1926	44/743	$0.15	$0.05	$0.05
8. Del Rio-Villa Acuna	Mar. 4, 1923	42/813, 1501	.25	.10	.10
9. Presidio-Ojinage	Feb. 16, 1928 Mar. 3, 1930	45/116 46/77	.60	.10	.10
10. Stanton Street Bridge (El Paso-Juarez, southbound only).	Feb. 1, 1924	43/4	.10	.02	.02
11. Santa Fe Street Bridge (El Paso-Juarez)	May 19, 1926	44/567	(1)	(1)	.02

[1] None southbound.

The owners of the bridges listed above have been collecting tolls in the range from 30 to 50 years, and under the acts of Congress which authorized the construction, maintenance, and operation of these bridges, the owners are permitted to continue to charge tolls in perpetuity. I was unable to determine from any of the witnesses before the committee whether the original investment on these bridges had been amortized through the collection of tolls over the years. It seems to me, however, that by this time the owners of these bridges must have obtained a reasonable return on their investments and that provision should have been made for these bridges to become public property to be operated toll free.

COMMITTEE ACTION

During the committee meetings when these bills were discussed, witnesses were most vague in supplying information on such questions as when these companies were formed, the names of the officers of the companies, the capitalization of the companies, how much stock had been subscribed, or other relevant information which I feel is important and necessary before a sound decision can be reached on the feasibility and practicability of enacting legislation of this nature.

I attempted to obtain information relating to the size and nature of the constructions contemplated. My efforts in this connection proved to be of no avail.

It has been argued that the committee passed similar legislation over the years with little or no difficulty. That argument begs the question. It takes for granted that the acts of governments in the past granting private companies the authority to build international and interstate bridges and then to collect tolls in perpetuity were just and sound. Investigation of the financial experiences of private companies granted the right to collect tolls in perpetuity from the public for the use of bridges, tunnels, and so forth, will show that the grant of authority by the Government was not right but an exploitation of the public. Frankly, I do not believe the Committee on Foreign Relations had sufficient facts and information available upon which to base an intelligent judgment in favor of these bills.

CONCLUSION

In conclusion I wish to make it abundantly clear that in submitting these views I have no personal motive in mind. I have approached this matter in a detached interest and for the benefit of the citizens not only of Ohio, but of the entire country. I must reiterate, however, that as a matter of principle I strongly oppose the enactment of any legislation which would authorize anyone to construct, maintain, and operate a bridge and charge tolls in perpetuity. If the bridges provided for in S. 2531 and S. 2590 have to be constructed by private companies, then I think those companies should be permitted to charge tolls only until they have fully recouped their capital investment and have received a reasonable return thereon, and thereafter the bridges should become public property and be operated toll free.

FRANK J. LAUSCHE.

Mr. LAUSCHE. Mr. President, the proof showed that it has been impossible to get these bridges built in these sparsely settled communities. I still felt that a bill should have contained a provision making the bridge toll free after there had been complete reimbursement to the builders of the bridge. That view was not accepted, the vote being 7 to 6.

These bills were sent to the floor with committee support. Since that time, however, in talks had with the proponents of the bridge and, if I might say, volunteered by the senior Senator from Texas, it has been suggested that the right to charge tolls be limited for a period.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. JOHNSON of Texas. I do not want to be considered the father of that idea. The idea was suggested to me, as I stated to the Senator from Ohio, by the Senator from Iowa [Mr. HICKENLOOPER]. I would not want my people to think that I had so little knowledge of this matter that I would think this would get the job done. I told the Senator from Iowa that I doubt that we could get the bridge built under the authority given them in the bill as introduced, but that if he felt, in order to satisfy his objections, that there should be a limitation—and we first discussed 99 years, and then he said that 66 years would be agreeable—if the Senator from Ohio found that agreeable to him that, while I opposed it and did not father it, I would try to have the bill passed with the 66-year limitation and then see what the people who have authority can do in the way of financing.

Mr. LAUSCHE. In the hearings it was developed that there are 19 bridges across the Rio Grande. One private toll bridge was built in 1920. For 39 years tolls have been collected. They are now being collected, and will be collected forever. I could not subscribe to that type of philosophy, granting a private builder the permanent right to collect tolls.

There were several other bridges built between 1920 and 1929, and the span is 39 years to 30 years, and tolls are still being collected. I do not intend to cast any reflection upon anyone, but I believe that those facts warrant a complete look at the situation.

I will state—and it is my understanding that the Senator from Iowa subscribes to this—that until the basic law is changed, a 66-year limitation would be acceptable.

Mr. HICKENLOOPER. Mr. President, I believe the situation has been correctly stated by the Senator from Texas and the Senator from Ohio. I was one of those who objected to one provision in these bills, and that is the granting of a Federal franchise in perpetuity.

It is my personal view that the builders of the bridge or bridges there would be better off if they accepted our original proposition, that those bridges could be operated until the investors get their money back and a substantial profit, whether it is 25 years, 50 years, 75 years, or any other period of time. I was perfectly willing to go along with that, but I am against the theory of the Federal

Government granting perpetual franchises on matters of this kind, toll bridges, highways, or anything else.

The Senator from Texas is very much interested in these bridges, and so far as I am concerned I can see the desirability of having the bridges constructed. I am not opposed to the bridges. I am not opposed to the toll bridge theory. I am not opposed to the toll road theory. It is only the matter of perpetuity that I object to.

The proposal has been made by the Senator from Ohio [Mr. LAUSCHE] to insert a clause establishing a period of time of 66 years. So far as I am concerned, it is perfectly all right with me. I wish to assure Senators that I am not against the bridges, if they can be built. I want to afford every opportunity to pay for the bridges. I want those communities to have sound, useful projects, but I object to granting franchises in perpetuity. I certainly will support the bill with the amendment proposed by the Senator from Ohio.

Mr. JOHNSON of Texas. Mr. President, H.R. 9694, which is an identical bill to S. 2590, introduced by me, would authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge at Rio Grande City, Tex.

The Starr-Camargo Bridge Co. consists of local citizens in the area concerned who hope to build a bridge across the Rio Grande in an effort to increase trade with Mexico through their community and thereby to stimulate its economy.

No governmental agency is willing or able to undertake the construction of this bridge because the operation of the bridge will involve such risks that no bond purchasers are willing to finance the project.

These local people are willing to risk their capital, and the possibility of a complete loss in order to help their community. It seems only fair that they also be permitted the chance to realize a reasonable profit.

In my opinion, the position advanced in the minority report on the Senate bill that Congress should require toll-free operation after construction costs have been recovered simply does not fit a situation as here where private enterprise builds a toll bridge.

In the first place, under the terms of the bill as introduced, the bridge owners are not entitled to recover their investment in the bridge from bridge tolls. They are only entitled to a fair return on that investment. If Congress goes further and provides that the investment itself is to be recovered out of tolls within a specified period, it seems apparent that higher tolls will be required than if the bridge operators may only require a fair return on their investment.

Tolls must be kept low on Rio Grande bridges, and higher tolls than those prevailing at the present time could easily spell the difference between economic life and death.

The principal reason that the limitation proposed in the minority views to Report No. 980 has no application here is that neither the United States, the State of Texas, nor any other governmental agency has agreed to undertake the responsibility of operating the bridge toll-free after the construction costs have been recovered. And this duty certainly cannot be imposed on a private person.

For these reasons, I could not under any circumstances agree to the type of limitation proposed in the minority views. I have reluctantly agreed to accept an amendment which would limit the authority granted under this bridge to a period of 66 years. I have done so not because I think such an amendment is necessary, but because I do not desire to engage the time of the Senate in an extended debate.

I believe that the reasons set forth in the committee report on S. 2531 and S. 2590 set out accurately and succinctly the principal reasons why the bill should be passed as reported by the committee.

I ask unanimous consent that appropriate portions of the committee report be printed in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The Committee on Foreign Relations, having had under consideration H.R. 3180, to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress, and S. 2531 and S. 2590, to authorize the San Benito International Bridge Co. and the Starr-Camargo Bridge Co. to construct, maintain, and operate toll bridges across the Rio Grande, reports them favorably and recommends that they be passed by the Senate.

S. 2531 AND S. 2590

S. 2531, to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande River near Los Indios, Tex., was introduced by Senator RALPH YARBOROUGH and referred to the Committee on Foreign Relations on August 12, 1959. A companion measure, H.R. 8582, was introduced in the House of Representatives by Congressman JOE M. KILGORE on August 10, 1959, and reported favorably by the House Committee on Foreign Affairs on August 31, 1959. H.R. 8582 was passed by the House on September 7, 1959.

S. 2590, to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex., was introduced by Senator LYNDON B. JOHNSON and referred to the Committee on Foreign Relations on August 24, 1959. H.R. 8694, a companion bill was introduced in the House of Representatives by Congressman JOE M. KILGORE on August 17, 1959, and reported favorably by the House Committee on Foreign Affairs on August 31, 1959. H.R. 8694 was passed by the House on September 7, 1959.

The bills provide that each bridge company is authorized to construct, maintain, and operate a toll bridge in accordance with the provisions of the Bridge Act of 1906, subject to the further approval of the International Boundary and Water Commission, United States and Mexico, and also subject to the approval of the proper authorities in the Republic of Mexico. Each company is also authorized to fix and charge tolls in accordance with any laws of the State of Texas or the United States applicable thereto. In addition, each bridge company is granted the right to sell, assign, transfer, and mortgage all its rights, powers, and privileges to any public agency, or to an international bridge authority or commission. The authority granted under S. 2531 and S. 2590 will be null and void unless the actual construction of the bridge is commenced within 3 years and completed within 5 years from the date of enactment of the bills.

COMMITTEE ACTION

Legislation dealing with the construction, maintenance, and operation of bridges across international boundaries was considered by the committee in executive session on August 24, and September 1 and 4, 1959. During these sessions the committee heard the testimony of Senator Ralph Yarborough; Senator Philip A. Hart; Congressman Victor A. Knox; Mr. Robert Kennedy, Office of Engineers of the Department of the Army; Mr. Melville Osborn of the Department of State, Mr. Sam R. Broadbent of the Bureau of the Budget, and Mr. Walter Kurylo, Bureau of Public Roads of the Department of Commerce.

Discussion of the bridge bills pending before the committee centered around the questions of whether adequate provision was made for auditing the accounts of the authorities engaged in the construction of the bridges and whether provision should be made for a terminal date by which time authorities constructing the bridges would be required to relinquish their right to collect tolls for maintenance and use of the bridges.

H.R. 3180 grants authority to construct the St. Marys River bridge to a public authority and provision is made for relinquishment of toll collections within a reasonable time, but not to exceed 40 years. The laws of the State of Michigan are applicable to auditing the bridge account.

S. 2531 and S. 2590 contain no provision for auditing and limiting the time when tolls might be collected for these two bridges across the Rio Grande River. The Bridge Act of 1906, however, provides that the tolls charged shall be reasonable.

When objection was received in the committee to granting authority for the collection of tolls in effect "in perpetuity," the following factors were considered and in the judgment of the majority of the committee justify the passage of these two bills:

(1) Acts of Congress authorizing the construction of other bridges across the Rio Grande River by private authority have not contained a limitation on the collection of tolls, except that provided in the Bridge Act of 1906, namely, that the tolls charged shall be reasonable.

(2) The committee felt that if provision is to be made limiting the period of time during which a private authority may collect tolls, that provision should be adopted in the form of an amendment to the Bridge Act of 1906, and should not be in the nature of an amendment to specific bridge bills.

(3) If the Congress is not to begin applying a new standard limiting the period of time when tolls may be collected on bridges along the Rio Grande River, it is not known what the effect might be on other privately operated bridges, since if a free bridge is operated within a short distance of a toll bridge, the value of the existing toll bridge would be destroyed.

(4) Testimony was received to the effect that unless the bridges authorized by S. 2531 and S. 2590 are constructed by private companies, they will not be built.

(5) The committee felt that the people of the State of Texas where these bridges are to be constructed will be able to protect their own interests should private toll bridges misuse the construction franchise which is in effect provided by the pending bills. In addition the power of expropriation with just compensation resides with the State. Furthermore, should the State or some public authority decide to construct tollfree bridges at points competitive with toll bridges, the effect would undoubtedly be to lower, or eliminate tolls on such bridges.

There is no expenditure of Federal funds involved in these bills, and the executive

branch is not opposed to the enactment of this legislation. Bearing in mind the reasons stated above, and since the bills conform to previous international bridge legislation, the committee, by a vote of 7 to 6, voted to report them favorably to the Senate.

The PRESIDING OFFICER. The House bill will be read by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 8582) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 8582?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Ohio will send his amendment to the desk, I ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 1, at the beginning of line 4, it is proposed to strike out "Benito, Texas, is authorized to construct, maintain, and operate a toll bridge, and approaches thereto, across the Rio Grande at or near Los Indios, Texas", and insert "Benito, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Los Indios, Texas, and for a period of 66 years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

Mr. YARBOROUGH. Mr. President, the amendment is offered to the bill which I introduced. While I will not object to the amendment at this time, at the same time, I do not agree to it.

The chamber of commerce is out selling stock to raise enough money to build the bridge. They say they cannot raise it. We can put that limitation in the bill, and see what can be done about financing.

I am opposed to toll bridges. My State is opposed to them. There is not a single toll bridge or toll road in Texas, except one between Fort Worth and Dallas, built under one of the authorities.

On the Rio Grande toll bridges cannot be avoided. The Federal Government has three toll bridges across the Rio Grande near El Paso.

I offered to withdraw the bills if we could obtain a Federal grant. We asked the Bureau of the Budget, and the Bureau of the Budget said it had a policy of no new starts. I shall be glad to withdraw the bills if the Federal Government will build the bridges.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. MANSFIELD. The Senator is acceding reluctantly because there is no other course.

Mr. YARBOROUGH. The Senator is correct.

When such a toll bridge is built the American interests must pay the entire cost of building the bridge, but when it is finished, inasmuch as Mexico owns the river from the center of the channel south, the only way to obtain a franchise to build over Mexico's half of the river is to give Mexico title to half of the bridge, although the entire cost of the bridge is paid by the government which builds it.

Also half of the tolls are paid to Mexico, as a condition for permitting the building of a bridge over Mexico's half of the river. That is why it is so difficult to finance the bridges.

The table on page 45 of the hearings shows the tolls charged to cross the Rio Grande. They run from 2 to 10 cents. For cars they average from 20 to 25 cents per car and driver. There is one toll as high as 60 cents, at El Paso. Where most of the bridges cross, the toll is a dime for the car and driver.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TOLL BRIDGE ACROSS RIO GRANDE NEAR RIO GRANDE CITY, TEX.

The bill (S. 2590) to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex., was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Calendar No. 1010, Senate bill 2590, be indefinitely postponed. When Calendar No. 1011, House bill 8694, is reached, I shall ask the Senator from Ohio to offer his amendment.

The PRESIDING OFFICER. Without objection, Senate bill 2590 is indefinitely postponed.

The Senate proceeded to consider the bill (H.R. 8694) to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex.

Mr. LAUSCHE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 1, line 5, it is proposed to strike out "construct, maintain, and operate a toll bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas", and insert "construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas, and for a period of 66 years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the votes by which House bill 8582, Calendar No. 1009, and House bill 8694, Calendar No. 1011, were passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMENCEMENT AND COMPLETION OF CERTAIN PROJECTS BY THE STATE OF MICHIGAN

The bill (H.R. 3180) to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by Congress was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada", approved December 16, 1940 (54 Stat. 1222; Public Law 889, Seventy-sixth Congress), is hereby revived and reenacted: *Provided,* That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in such Act of December 16, 1940, is commenced within three years, and completed within six years, from the date of enactment of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

BILL PASSED OVER

The bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HART. Mr. President, we do not have reports available on any further bills.

ADDITIONAL POWERS FOR THE BI-STATE DEVELOPMENT AGENCY BY MISSOURI AND ILLINOIS

Mr. HART. Mr. President, there was one bill placed at the foot of the calendar, namely, Calendar No. 953, House

Joint Resolution 465. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (H.J. Res. 465) approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HART. Some years ago the Congress authorized the States of Missouri and Illinois to organize and sponsor a Bi-State Development Agency. This was done. The joint resolution before us now proposes to approve additional authority which was granted by the two State legislatures to this agency. The additional powers involve general revenue, bond financing, and a clearer definition of the facilities which the agency may operate.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read a third time, and passed.

PUBLIC WORKS APPROPRIATION BILL, 1960—VETO MESSAGE

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, returning, without his approval, the bill (H.R. 9105) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, which was read.

(For President's message, see House proceedings of today.)

Mr. JOHNSON of Texas. Mr. President, I am about to suggest the absence of a quorum. I ask the aids on both sides of the aisle to notify Senators. I will withdraw the quorum call when the end of the list is reached, if I may do so, but I wish to notify the minority leader and other Senators.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. ELLENDER. Mr. President, not long ago the Senate had for consideration the President's veto messages on the housing bill. At that time, members of the committee on both sides of the aisle took the position that the President had been inaccurately advised as to the contents of that bill. I have no doubt that that was the situation.

Also, a few weeks ago I discussed the misinformation by which the President had been completely misled with respect to the farm situation.

I do not believe that these are isolated cases.

Earlier this week, I dissected the first veto message of the President on the public works appropriation bill, for the purpose of demonstrating that the President had been ill advised on the effect of the increases in this bill.

Mr. President, the new veto message contains two new points on which I should like to comment briefly: First, the President states that the reduction of 2.5 percent on going projects could have the effect of impeding orderly work on going projects and would result in an increase in cost instead of a saving. For the fiscal year 1959, the President's program contemplated an unobligated balance, under "Construction, general," of $45 million. The actual unobligated balance on June 30 was $62,411,000. The $45 million estimated unobligated balance represented about 6.7 percent of the funds available. The actual unobligated balance of $62.5 million is 9.3 percent. Therefore, Mr. President, the engineers overestimated their expenditures by 2.6 percent. I submit that the reduction of 2.5 percent in the public works bill will not adversely affect construction schedules. Furthermore, in my area in the lower Mississippi Valley the casting plants for the concrete mats have been shut down for 1 month as a result of the steel strike. I am informed that other projects will be delayed because of a steel shortage.

The last paragraph in the President's most recent veto message suggests that the Congress enact a continuing resolution effective until January 31, 1960, to allow for deliberate reconsideration. Such action not only would eliminate the new construction starts, but it would also eliminate all new planning starts, including those recommended by the President, himself, in his revision of the budget allocations for 1960.

Mr. President, I believe the Congress has given this program complete consideration. I believe that on the floor of the House and the Senate we have demonstrated that the President's veto was based on misinformation. The newspapers report that the President vetoed House bill 9105 30 minutes after it was presented to him. How much reconsideration did he give to the arguments which the Congress made on the floor?

I believe there is very little that needs to be said with respect to the first veto message. When the bill was originally up for discussion, the need for water-resource development in this country and the projects included in the bill to accomplish this purpose were fully presented to the Senate. When the conference report on the original bill was under consideration, full information as to the projects included in the bill was presented; and, on Tuesday, I discussed the inaccuracies of the President's veto message, as it related to the revised public works appropriation bill then before the Senate. Today I intend to touch briefly on the lack of logic in the President's position.

Mr. President, the public works appropriation bill has been vetoed by the President because there are allegedly 67 new starts which would be superimposed on the program that provides for work on 296 projects. I shall say parenthetically that work on some of these 296 projects will be carried on with presently available funds, and no new money is requested or provided for in the current bill. Every one of these projects has received the approval of the authorization committees of the House and Senate. Every project has a favorable benefit-to-cost ratio, with the exception of a few harbors of refuge, which are traditionally justified on considerations of safety, rather than of economics. Members will be asked today to sustain the President's veto because of these new starts and because of the future commitment entailed.

Later this week, the same Members will be asked to support the mutual security bill. Undoubtedly they will be asked to support amendments to increase various programs, including defense support and special assistance, which provide for various types of public works projects in other nations. On the floor of the House, the distinguished chairman of the subcommittee handling the foreign-aid bill pointed out that since the inception of the foreign aid program, 2,866 projects had been started, all over the world. Approximately 1,000 of these have already been abandoned. None of these projects has ever been examined by a committee, nor has the benefit-to-cost ratio been considered. Not only has the administration failed to submit economic justifications for the projects, but it cannot tell us how much they are going to cost, and, in many cases, cannot even tell us the countries in which they will be built. Certainly the administration is not worried about the future commitments under the foreign-aid program, and has no desire to raise that question in the minds of any of us.

But, Mr. President, I should like to bring these facts to the attention of Senators. Under the headings of "Defense Support" and "Special Assistance," which are two of the appropriation titles contained in the mutual security appropriation bill, are contained projects assistance which in the fiscal year 1956 aggregated to $282 million. The amount of foreign aid for these purposes has continued to rise since that fiscal year to the point where, in the current fiscal year 1960, if the Senate adopts the recommendations of the Senate Appropriations Committee on the mutual security bill, it will amount to approximately $800 million.

Let us think about this for a moment, Mr. President. In 1956 we were spending $282 million for public-works-type projects all over the world. In fiscal year 1960 alone the administration intends to obligate more than $800 million for foreign public works.

Now, it has been alleged by the President in his original veto message that

the new starts contained in this public works bill will result in commitments for future years of approximately $800 million. In my humble judgment it is absolutely absurd to hold that we can afford to spend in 1 year $800 million for foreign public works, but we are unable to spend a similar amount in our own country over a period of years.

The House, in considering the foreign aid bill, inserted a paragraph requiring the application of the same rigid requirements for project analysis on foreign public works projects as are required for domestic public works projects. The administration has suggested a substitute which does two important things: First, it eliminates specific reference to the budget circular which is controlling in the economic justification for projects in this country; and, second, it provides for including as one of the benefits "furthering the objectives of the Mutual Security Act of 1954 as amended," whatever that means. The Senate committee, in considering the alternate proposal, struck this phrase, and I am sure that it will have some effect on attempts to justify some of these projects abroad.

Mr. President, I have just one more comment. The basic philosophy of the administration is that these public works projects in foreign countries are needed to strengthen their economies. It is the American taxpayer's dollar that is paying for the projects, and still the administration says that we cannot initiate similar projects in this country because we do not have the resources. Even the press cries "tampering with our security" if we attempt to cut these public works projects in foreign countries, and then waves the banner of "pork barrel" when we try to build a similar project in this country.

If the Senate was right when it voted for the original public works bill, if the Senate was right when it voted for the conference bill, if the Senate was right when it approved the second public works bill, the Senate this afternoon will vote to override the President's second veto of this important measure.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, for the second time the civil functions appropriation bill has gone before the House of Representatives. The first time the position of the President and his disapproval of the bill was sustained. Today the veto was overridden, as I recall, by 13 votes. It now remains for the Senate to pass judgment on the veto message and whether or not, the disapproval of the President notwithstanding, the measure before us shall become law.

First, I think the President's attitude has been quite correct. I think it has been an indulgent attitude, with proper regard for the orderly development of all our resources, and for the spacing of our expenditures in the interest of the fiscal integrity of this country.

The President left us an alternative in the message he sent today. He said a continuing resolution could be passed so that construction work could continue and that the Congress could take a new look at this proposal when it returns here in January.

I think the document he sent us is a courageous document, because it is no easy thing for the President of the United States, knowing the diffusions of these projects in so many areas, to still say "No" in the national interest.

As I counted them up, the Engineer Corps projects are located in 26 States. The reclamation projects are located in nine States. But notwithstanding that fact, and sensible indeed of every political implication, I think the American people should applaud the President of the United States for his concern about the country and about its fiscal integrity in the years ahead.

It has been said the President should have no concern beyond January 20, 1961, when he lays aside the cares of office. What kind of a President would he be if he did not look down the road? He is at once a citizen, and he will be a private citizen. He is a father, and he is a grandfather, and he is thinking in terms of this country and its well-being for those of his issue who will be living in this country for many years to come.

I myself used to say, from many platforms, that one tastes immortality when he becomes a grandfather. Nothing else counts, for in a grandchild one sees blood of blood, and sinew of sinew, and issue of issue, and in a grandchild there reposes every hope, every aspiration, every unrequited ambition that a man may ever have had.

My grandchildren live down in the State of ALBERT GORE and ESTES KEFAUVER. I go there on occasion. I talk to my grandchild as if he were Earl Warren in a dignified robe and was on the Supreme Court. He does not understand a word I say, and it does not make a bit of difference. But I say on occasion, "Junior, may your grandpa hang his head in shame if he fails to do his duty, in his time and generation, to bequeath to you as good as your granddaddy got."

That is the attitude of the President of the United States. There is nothing sumptuary about it. He is thinking about the future.

In the remarks I made on the bill yesterday, I said the President was not opposed to this bill, even with the unbudgeted projects in it. He said, "Space the projects. Let me put 20 in the mill in fiscal 1960; let me put the other 20 in the mill, for construction purposes, prior to June 30, 1961, and let me, on the basis of need and priority, feed the remaining 27 unbudgeted projects into the mill."

That was the deal, but I could not sell it. I do not think it is excessive. I do not believe it is arbitrary. I believe it is conditioned upon orderly development of our resources. But, more than that, it is conditioned upon the fiscal impact upon the budget of this country; and that is a national budget. That becomes the President's concern.

How much is involved here? Thirteen million dollars has already been expended on these projects. Fifty-one million dollars more, according to the chairman of the House Appropriations Committee, would be the figure for 1960. But, Senators, I remind you that there are $804 million worth of commitments in this bill on the projects. It is in the RECORD. I take my figures from the chairman of the House Committee on Appropriations, because the table he had printed in the RECORD indicates the total is a little over $804 million.

Last night we considered an antipollution bill. The present law provides $50 million per annum for 10 years. Some Senators wanted to boost it to $80 million per annum for 10 years. That would be an $800 million charge.

I advise Senators, and I submit to the Senate, we cannot be indifferent to the fiscal affairs of this country in the future. It is our concern.

I may no longer be here. I could fall over this minute, I suppose, but that is not the problem. There are 46 million youngsters who went into the schools of America this month. They will be the trustees of this country in the future. They are the future custodians. If we mess up the fiscal picture now, what will happen to them? They will have to pay the bill for our mistakes, for our sins of omission and commission.

I simply advise Senators, we are talking about an $804 million commitment. It was a $800 million commitment last night. How long can we play "ducks and drakes" with the solidarity and integrity of this country before we reach something in the nature of a disaster? Then we will run for the storm cellars, and wonder how it happened.

I submit today the prudent thing and the sensible thing to do is to sustain the President of the United States.

The President said in his veto message that he was returning the bill quickly so that we could still deliberately consider it before the session concluded. Then he made a suggestion about a continuing resolution. The work will not stop. The work will go on.

Let us give heed to the man who has been elected not by the suffrage of one State, not by the people of one congressional district, not by one county's residents, but by all the people of the United States of America. It becomes, indeed, his solemn duty to let the country and the Congress know what is the situation with respect to the budget.

As we approach this vote, I can only say to Senators, from the very depths of my heart, to think about the vote earnestly. This is not a light matter. If there should be a tottering of values at some time because one too many straws have been put upon the back of the fiscal camel, let us not look for guilt and culpability elsewhere. Let us be a little introspective and say, "Perhaps we in the legislative branch were at fault."

Mr. President, I have finished. I yield the floor. I trust the veto will be sustained.

Mr. BUSH. Mr. President, I ask unanimous consent that the statement I have prepared in connection with this matter be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH

The failure of the Congress and the President to agree upon a bill appropriating funds for public works comes as a shock to the

people of Connecticut where the need of a comprehensive flood-prevention system was tragically demonstrated by the flood disasters of August and October 1955.

H.R. 9105, the second bill which President Eisenhower felt compelled to veto, contained funds for continued progress toward completion of that system—funds for the Thomaston Dam, key structure in the protective plan for the highly industrialized Naugatuck Valley, for dams protecting the Connecticut and Quinebaug River Valleys, for preconstruction planning of flood-control reservoirs above two communities which were among the hardest hit by the 1955 floods, Winsted and Torrington, for continuing the hurricane flood studies, and for projects to be constructed under Public Law 685, 84th Congress, the Bush-McCormack Act.

I share the disappointment felt by the people of my State because of the veto. But I believe that blame for the failure to provide funds for these urgently needed projects should be placed, not upon the President, but upon the procedures by which Congress legislates in this and other fields.

The practice by which projects of varying merit are lumped together in a single bill gives the President no opportunity to shift the wheat from the chaff. He must take the bill as a whole, or reject it. This omnibus bill technique make for bad legislation. The President should be given item veto power to deal with this kind of a situation, as has been proposed in bills sponsored by the distinguished senior Senator from Virginia [Mr. BYRD], myself, and other Senators.

I am confident that the Connecticut projects for which funds were included in the vetoed bill could meet all tests of urgency and merit if the President had been able to judge them by themselves.

Of especial urgency are the dams to complete the protective systems for Torrington and Winsted. I had requested funds to enable the Corps of Engineers to complete preconstruction planning of these projects in the current fiscal year. The House Appropriations Committee granted these funds, but, regrettably, added additional funds for construction which technically violated the President's policy of no new starts in the current fiscal year. The Senate committee acquiesced in the action taken by the House.

An unpleasant choice confronts me. A vote to sustain the veto would, on the surface, place me in a position of voting against urgently needed flood protection for the people of Connecticut, to which I have devoted much time and attention during the years of my service in the Senate. On the other hand, a vote to override the veto would be a betrayal of my support of President Eisenhower's determined efforts to achieve fiscal responsibility in the Government of the United States.

Faced with this choice, I have no alternative but to vote in support of the President. Should the veto be sustained, it will mean a temporary setback to the flood protection program which means so much to the people of my State, but in the long run their interests will best be served by insistence upon fiscal responsibility in government. Whatever the outcome, I shall continue to work in the next and future sessions of Congress for completion of our flood protective system.

The PRESIDING OFFICER. The question is, Shall the bill (H.R. 9105) pass, the objections of the President of the United States to the contrary notwithstanding? A yea-and-nay vote is required by the Constitution, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll, and Mr. ALLOTT voted in the affirmative when his name was called.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry, notwithstanding the beginning of the call of the roll, for clarification.

A vote "yea" is a vote to override the veto, and a vote "nay" is a vote to sustain the veto?

The PRESIDING OFFICER. The Senator is correct.

The Chief Clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Conference at Warsaw, Poland.

The Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

On this vote the Senator from Idaho [Mr. CHURCH] and the Senator from Indiana [Mr. HARTKE] are paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Idaho and the Senator from Indiana would vote "yea," and the Senator from New Hampshire would vote "nay."

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from New Hampshire [Mr. BRIDGES] is detained on official business.

On this vote, the Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from Indiana [Mr. HARTKE] and the Senator from Idaho [Mr. CHURCH]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Indiana and the Senator from Idaho would each vote "yea."

The result was announced—yeas 72, nays 23, as follows:

YEAS—72

Allott	Hart	Monroney
Anderson	Hayden	Morse
Bartlett	Hennings	Moss
Bible	Hickenlooper	Mundt
Byrd, W. Va.	Hill	Murray
Cannon	Holland	Muskie
Capehart	Humphrey	Neuberger
Carroll	Jackson	Pastore
Chavez	Johnson, Tex.	Proxmire
Clark	Johnston, S.C.	Randolph
Cooper	Jordan	Robertson
Dodd	Kefauver	Russell
Douglas	Kennedy	Schoeppel
Dworshak	Kerr	Scott
Eastland	Langer	Smathers
Ellender	Long, Hawaii	Sparkman
Engle	Long, La.	Stennis
Ervin	McCarthy	Symington
Fong	McClellan	Talmadge
Frear	McGee	Thurmond
Fulbright	McNamara	Williams, N.J.
Gore	Magnuson	Yarborough
Green	Mansfield	Young, N. Dak.
Gruening	Martin	Young, Ohio

NAYS—23

Aiken	Cotton	Lausche
Beall	Curtis	Morton
Bennett	Dirksen	Prouty
Bush	Goldwater	Saltonstall
Butler	Hruska	Smith
Byrd, Va.	Javits	Wiley
Carlson	Keating	Williams, Del.
Case, N.J.	Kuchel	

NOT VOTING—5

Bridges	Church	O'Mahoney
Case, S. Dak.	Hartke	

The PRESIDING OFFICER. On this vote the yeas are 72, and the nays are 23. More than two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding, and the bill will become a law.

[Manifestations of applause in the gallery.]

Mr. BIBLE subsequently said: Mr. President, I ask unanimous consent that a statement I have prepared relative to the action of the Senate in overriding the President's veto of the public works appropriation bill be printed in the RECORD, in full, at an appropriate place immediately after the vote.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIBLE

I was immensely pleased at the action taken by the Senate in overriding the President's second veto of the public works bill. It was a responsible action reflecting the considered views of reasonable men.

The bill that is now before us contains projects that are of vital importance to various sections of the country. Some have charged that this is pork-barrel legislation, which is a handy cliche to obscure its true merits. It is a known fact, Mr. President, that the money expended for reclamation projects is always repaid by the people who benefit from the projects. Public works is, as its name implies, designed for the benefit of the public.

The distinguished senior Senator from Washington [Mr. MAGNUSON] pointed out this week that the mutual security bill, now before the Senate, contains $739 million for defense support, which is actually public works in foreign countries with American dollars. If we can afford to spend almost $800 million for public works abroad, I can see no reason why we cannot spend an equal amount for public works projects at home.

In my own State there are reclamation and flood-control projects that will repay their cost many times over in terms of reduced damage from ravaging waters, additional irrigation, and power resources.

I am always mindful of the necessity for exercising prudence in the expenditure of public funds. There is a vast difference, however, between prudence and indifference. The Nevada projects contained in the bill before us now are not boondoggles; they are projects that have been determined by competent engineers as being vitally necessary to forestall the tragic consequences of floods that have caused millions of dollars of damage to the cities of Reno and Las Vegas since 1955.

The Senate has served clear notice that despite the action of the executive branch, we are not oblivious of our responsibilities in a matter which is of vital concern to everyone.

Mr. COOPER subsequently said: Mr. President, I regret very much to be in opposition to the President of the United States. Nevertheless I voted to override the President's veto of H.R. 9105, the public works appropriation bill, and for the following reasons:

I would be less than frank if I did not say that my chief reason for voting to override the veto is my concern that

necessary flood protection be provided for large areas of my State.

Only 1 project of the 67 projects added by the Congress, or 62 new projects as contended by the committee, is situated in the State of Kentucky. It is known as Barren No. 2, a reservoir and flood control project which would be constructed at a location in Allen and Barren Counties on the Barren River. One million dollars is appropriated in the pending bill to initiate its construction. This dam and reservoir would be another step in the development of the Green River, which began in 1953 under this administration. In 1953 we were able to secure authorization from the Secretary of Defense for the reconstruction of locks and dams Nos. 3 and 4, and in that year also secured, first in the Senate, appropriations for the reconstruction of locks and dams Nos. 1 and 2. Since that time there has been progressive development of the Green River, and for the first time in a hundred years it has brought economic recovery to that valley.

Another unbudgeted project which affects Kentucky is not in Kentucky, but is very close to my heart. It is the Pound Reservoir located in Virginia, for which $2½ million was recommended by the Senate Committee on Appropriations and then by the Senate, to begin construction. Its ultimate cost is estimated to be $17,700,000. The watershed of the Big Sandy River lies in Virginia, West Virginia and Kentucky, but its chief area is in Kentucky. Since 1863 scores of floods have swept and devastated the valleys of the Big Sandy and its tributaries. In 1957 one of the greatest floods in its history swept this valley. According to the estimate of the Corps of Engineers, the damage from this flood was $30,389,000. To this must be added the cost of restoration, the loss of business estimated at additional millions, and saddest of all, several of the people of this valley lost their lives.

Eastern Kentucky, by reason of the mechanization of mines and other causes, is a depressed area in the United States. One-fifth of Kentucky's people live in this great eastern section, a third of Kentucky's area. Three rivers water this section of Kentucky: The Big Sandy, the Cumberland, and the Kentucky. The future life of this part of Kentucky depends on the development of these three rivers, and particularly on provision for flood control. For years these three rivers and eastern Kentucky have been neglected. In 1957 a resolution which I offered ordered a survey of the upper Cumberland River to determine what reservoirs could be constructed to give flood protection to that area. Only in the last few days, two survey reports have been made—one on the Laurel River and one on the South Fork, which are tributaries of the upper Cumberland. Steady progress toward the completion of these projects is necessary if the area of the upper Cumberland is to have economic opportunity.

In 1954 I offered a resolution which authorized the determination of reservoir sites in the Big Sandy Valley and, as a result, Pound in Virginia and Fishtrap in Kentucky were selected as two reservoirs which will give substantial flood protection to the people living in the Big Sandy River Valley. Pound Reservoir in Virginia, included in this bill, is the first step in giving flood protection after the sweep of 100 years. The people of the valley from Kentucky and Virginia and West Virginia have pleaded before the committees of the Congress for flood protection, essential to their economic life, and to their very safety. The committees of the Congress have heard their pleas. I have stood with them, and for them, in their fight. And today I intend to stand with them.

Looking at the bill, it is correct to say that it will not have any impact on the budget this year. It is correct that over the construction life of the 67 unbudgeted projects, which average approximately 5 years, it will cost $600 to $800 million, or an average of $120 to $160 million a year over the construction of these projects. What is not taken into account is that in each of these 4 to 5 years ahead, budgeted projects now under way will be completed. The Corps of Engineers informs me that 40 of the projects in the 1960 budget will be completed in this fiscal year 1960, and their cost in 1960 is $61 million. We can assume that in the succeeding 4 years, the completion of over 100 projects would reduce the budget estimates for those years, if we have the chance for a reasonable number of starts each year.

There is another factor important to the future of this country. The population of the United States for 1975 is estimated at 225 millions of people. If the need for water control, for industry, navigation, flood protection and conservation are to be met, there must be, year after year, an orderly increase in the number of new projects added to the budget to meet these essential needs of this country. Water is the most essential need. If the Bureau of the Budget continues to refuse to authorize a reasonable number of new projects each year, the Congress, which is cognizant of the needs of the country, has the authority and the duty to add necessary projects, to keep pace with the economic growth of the country and the life of its people. If the Bureau of the Budget would place in the budget each year a reasonable number of new projects for construction starts, the Appropriations Committee of the Congress could better limit and control the number added by the Congress.

As I have said, I regret very much that I find myself in opposition to the President on this issue. During my service in the Congress since 1953, I have supported the President on many of the issues which he has declared to be essential for the security and progress of the country. Among them were defense reorganization, foreign aid programs, his recommendation to give continuity to the foreign aid program, his recommendation to authorize the Executive to enter into agreements with certain Iron Curtain countries, and reciprocal trade legislation.

In 1957 the President made a difficult decision when he urged the withdrawal of the troops of our allies and friends from Egypt. It was a difficult decision because Great Britain, France, and Israel are our friends. But it was the right decision because it was based upon the fundamental tenet of American foreign policy, that the disputes of the world must not be settled by force. I recall that I was one of three in the U.S. Senate who spoke in the Senate in support of the President's policy. And this year and last, I have supported him on many of his budgetary recommendations.

Perhaps these matters are not relevant, but I mention them to indicate that on these issues which the President stated to be of fundamental importance to the security of the Nation, I have supported the President because I believed he was right. But in this case, I come here as a representative of the people of Kentucky. If I believed that this bill would have an adverse effect upon the Treasury of the United States over the construction life of these added projects, I would not vote for it. But I do not believe it will; it will develop the wealth of our country.

I believe the people of Kentucky should know that the great programs of river development in Kentucky—on the Ohio River, the greatest river development program in the Nation and the world, on the Green River, on the upper Kentucky, on the Big Sandy, and now on the upper Cumberland looking ahead—have all commenced since 1953. And for this, great credit is due the President and this administration. I am glad to have had a part in securing the commencement of each of these river developments.

Flood control, navigation, and power projects in Kentucky are in the bill, on the Ohio, Cumberland, Green, Kentucky, and Big Sandy Rivers and their tributaries. Also appropriations for surveys, advance planning and engineering, all totaling over $66 million, are in the bill. Our Kentucky delegation in Congress, State authorities, and, most important, the people who live in these river valleys, have given their support to these programs.

Today it is my duty and my desire to support the people of Kentucky, the people whom I represent. Therefore I voted to override the veto.

AMENDMENT OF MINERAL LEASING ACT—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 18999, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, this is a unanimous report on the part of all the conferees. The managers on the part of the House and Senate have agreed on the differences between the bill as passed by the Senate and as amended by the House. The House made no change of substance, but it did add a new section, section 2, in which were set forth the purely transitory parts of the amendment to section 27 of the Mineral Leasing Act. The members of the Senate Interior Committee who had considered the bill, approved in general of the step taken by the House, but believed that the language could be still further improved. The conferees are convinced that the measure they agreed upon is in fact an improvement over the version approved by either House. There is, of course, no change whatever in substance or intent.

Mr. President, I move the adoption of the conferees' report on S. 2181.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SALE AT MARKET PRICES OF CERTAIN AGRICULTURAL COMMODITIES OWNED BY COMMODITY CREDIT CORPORATION

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2504) to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes, which were, on page 1, line 5, strike out "market" and insert "current support"; on page 2, line 1, after "may" insert ", after certification by the Governor of the State in which such area is situated of the need therefor,"; on page 2, lines 3 and 4, strike out "or other catastrophe," and insert "earthquake, or other catastrophe including disease or insect infestation,"; on page 2, line 19, after "purpose" insert ", and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $1,000 or imprisonment for not more than one year"; on page 2, strike out line 20 over through line 3, on page 3; and to amend the title so as to read: "An act to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes."

Mr. MUNDT. Mr. President, I believe the amendments added by the House are rather helpful to this proposed legislation. Rather than send this bill to conference in the closing days of this session, I move that the Senate concur in the amendments of the House. The House amendments preserve the original purpose and program of S. 2504.

Mr. MORSE. Mr. President, may we have an explanation?

Mr. MUNDT. I will be happy to explain it. May I say to the distinguished Senator from Oregon that this provides——

The PRESIDING OFFICER. The Senator will suspend. There are too many people walking about and conversing in the aisles. Senators wishing to converse will please retire to the cloakroom. Members will take their seats.

The Senator from South Dakota may continue.

Mr. MUNDT. Mr. President, the proposed legislation which I introduced on August 7 and which passed the Senate on August 26 deals with situations in rural areas where such areas are suffering from a shortage of feed supply caused by natural causes, such as presently appear in certain areas of the Midwest because of drought. However, the legislation is broad enough to include such things as flood, insect damage, or something of that kind. Under present law, in order for the farmers to be benefited under these emergency situations which develop, and are not of a sustained nature over a great many years, but occur in certain areas for a shorter period of time, farmers have had to be charged 105 percent of the price, plus carrying and handling charges.

Mr. HUMPHREY. May I ask the Senator from South Dakota, the bill as it came from the House had different language than the bill as passed by the Senate.

Mr. MUNDT. Yes; in some of its provisions.

Mr. HUMPHREY. What has been proposed?

Mr. MUNDT. I moved to concur in the House amendments.

Mr. HUMPHREY. The Senator has moved to concur in the House amendments so as to expedite action?

Mr. MUNDT. That is correct. This is a matter of an emergency nature and I would like to get it finalized before adjournment.

Mr. HUMPHREY. This bill covers some feed grain situations not only in South Dakota, but wherever there is a drought, including western Minnesota.

Mr. MUNDT. That is correct. In some areas changes made by the House would make feed grain a little bit cheaper; in some places it would make it cost a little more. The purpose is to expedite action at this time.

Dr. Harker Stanton of our Senate Agriculture Committee professional staff has supplied figures to show that in actual practice the prices paid by farmers for these emergency feeds would average out about the same whether we employ the language of the House or the Senate. In adding earthquakes and insect infestation to the disasters covered by my bill the House has helped the legislation by expanding its coverage. I urge concurrence and ask for immediate passage of S. 2504, as amended.

Mr. HUMPHREY. I think the change is very good, and I am pleased that the bill is being acted upon.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to.

PERMANENCY OF CERTAIN LOANS BY SECRETARY OF AGRICULTURE—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7629) to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 9, 1959, p. 18842, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND. Mr. President, this is a unanimous conference report. All conferees of the Senate and the House have signed the report, and have agreed wholeheartedly upon its provisions.

This bill relates to an amendment to that section of the Bankhead-Jones Farm Tenant Act which relates to the refinancing of mortgage loans on real estate.

There were very small differences between the Senate language and the House language. The Senate language would have continued the provision in question for only 2 years. The measure as passed by the House provided for permanent enactment of that section. The Senate prevailed as to that portion of the matters in conference. In other words, the bill as reported from the conference is an extension for 2 years only of the refinancing provision of the act.

With respect to the other provision which was in conference, it had to do with enlarging somewhat the list of property items which can be offered as security, so as to include with other items already covered by the existing law, growing or recently harvested crops, which were not clearly included in the Senate bill. The House measure did include such new properties, and the conference report adopts that provision from the House bill.

The differences were minor. They have been adjusted.

I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE PRIVILEGE IN CONNECTION WITH FOREIGN AID FUNDS

Mr. ROBERTSON. Mr. President, on behalf of the senior Senator from Louisiana [Mr. ELLENDER], the senior Senator from Minnesota [Mr. HUMPHREY], and myself, I send to the desk an amendment to the committee amendment to section 113 of H.R. 8385 and ask that it be printed.

Section 113 of the so-called foreign aid bill is substantially the same langauge that was incorporated in the authorization bill on the House side and known as the Porter-Hardy amendment. It requires the Administrator of ICA, upon request either of a congressional committee or the Comptroller General, to give detailed information concerning the handling of ICA funds. In approving the authorization bill the President challenged the constitutionality of the Hardy amendment and in view of the many historical precedents that have been cited in support of the President's position with respect to withholding information from the Congress, the Senate Appropriations Committee struck out section 113 of the foreign aid bill and inserted in lieu thereof a provision for formal reports to the Appropriations Committee, one to be made within 60 days following the enactment of the appropriation bill and the other within 30 days after the approval of any change in the program for the current fiscal year involving $1 million or more. While no valid objection could be raised against reports of that character, it could not be seriously argued that they are more than a nominal substitute for the type of information contemplated by the Porter-Hardy amendment.

The addition to section 113 which we are now proposing takes cognizance of the objections raised against the House amendment by the Administrator of ICA. Yet, it seeks to preserve the constitutional right of the Congress to obtain necessary and vital information from the executive branch of the Government concerning the manner in which the taxpayers' money has been spent.

Under the Constitution, the legislative branch of the Government has the exclusive power to appropriate money from the Treasury. That constitutional power, of necessity, includes the power to obtain all necessary information as to the expenditure of appropriated funds. The Constitution explicitly requires the President to give to the Congress from time to time information concerning the state of the Union, and that must embrace the fiscal condition of the Government and the disposition of its revenues. Under the Constitution, the power to execute foreign policy reposes in the President as Chief of the executive branch of the Government. In recent years, the conflict of constitutional rights between the legislative and executive branches of the Government over the handling of appropriated funds has occurred more frequently because funds appropriated by the Congress for foreign aid have been used by the President as an instrument of foreign policy.

In recognition of the President's assertion of right to withhold information from the Congress concerning his handling of foreign policy when he thinks disclosure would not be in the public interest, our revision of section 113 provides that the Administrator of ICA can be relieved of furnishing information requested thereunder if the President certifies that in his opinion the disclosure of the information requested would be contrary to the public interest. The revised amendment also provides that the request for information shall be in writing, directed to the Administrator; and the penalty for failure to furnish the information will be the impoundment of the appropriation for the specific country or the specific project involved.

In order that Members of the Senate, before H.R. 8385 is acted on next Saturday, may know the exact language we are proposing as a substitute for section 113, I ask unanimous consent that our amendment may be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the amendment may be printed in the RECORD.

The amendment is as follows:

On page 10, between lines 17 and 18, insert the following:

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the twenty-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such Committee or Subcommittee, as the case may be (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest, and has forbidden its being furnished pursuant to such request.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. The Senator has explained the adjustments made in the amendment with respect to the Mutual Security Authorization Act, which I thought was desirable, and which I was privileged to cosponsor. I am very happy that these modifications have been made. I believe that this amendment protects the executive privilege so far as foreign policy matters are concerned.

On the other hand, it gives the Congress, a coequal branch of the Government, the authority it needs in order properly to ascertain what is being done with authorized and appropriated funds.

Mr. ROBERTSON. The Senator is correct. Whenever the President believes that foreign policy, which is under his jurisdiction, is involved, he can merely say, "It is against the public interest to give you this information." I do not believe that the President has the constitutional right to deny the Congress information as to what he does with the money we appropriate. There has been no judicial decision to that effect, and I do not know of any President who has ever claimed such a right. The question has arisen only when our foreign aid money has become involved in foreign policy.

The amendment does not mean that Congress can get everything it requests. The executive branch can mark anything "Top Secret," and I believe everybody who receives such material under those terms will honor that classification.

Mr. HUMPHREY. Indeed, it will be even more honored if it is given in a spirit of cooperation, along the lines outlined in the amendment. I hope the amendment will be adopted.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. MORSE. I think the Senator from Virginia knows that I have taken a very active part in the Committee on Foreign Relations in pressing for the very same thing which the Senator from Virginia is standing for this afternoon. If he has no objection, I should like to join with him as a cosponsor of the amendment.

Mr. ROBERTSON. The Senator from Virginia would be glad to have the Senator from Oregon enlisted as a cosponsor of the amendment.

Mr. MORSE. The Senator from Virginia has made what I consider to be an unanswerably sound constitutional law argument with respect to the appropriation power of the U.S. Congress. I have always defended Presidents in their right, under the Executive powers doctrine, to Executive privilege. But Executive privilege does not mean that the President can estop Congress from following the funds it appropriates. Congress has the constitutional power to follow the funds it appropriates. The fact that Congress appropriates funds does not mean that Congress has lost control of the funds. It is possible to get two constitutional rights somewhat at loggerheads.

The Senator from Virginia has recognized that. He has placed in the amendment language which makes very clear that Congress will not trespass upon the Executive privilege power of the President of the United States. But we are saying, "If you refuse to give us the information we need as to what is happening to the funds we have appropriated, then we want you to know we are impounding those funds as of now." In other words, we are putting that condition on the appropriation.

In my judgment, it is completely compatible with our constitutional power, and it is something we should do, because the President is guilty of abusing the doctrine of Executive privilege. The doctrine of Executive privilege does not mean that the President must exercise such privilege under any and all conditions. As I said in a speech some weeks ago on this matter, even George Washington made perfectly clear, on the rare occasions when he exercised the Executive privilege, that ordinarily the President of the United States should grant Congress the information it needs.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Senator from Oregon will suspend until the Senate is in order. Senators who wish to converse will please, please, please retire to the cloakroom. The Senator will not proceed until the Senate is in order.

The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, it has been only in rare, extraordinary circumstances that Presidents in the past have denied to Congress the information which Congress has sought in regard to a program which has been followed in connection with the expenditure of funds appropriated by Congress.

I hope to have available for the Senate by Saturday a list of the precedents in respect to the exercise of executive privilege by the preceding Presidents, because I think it becomes very enlightening as to what this President has been doing in connection with doctrine in comparison with his predecessor.

ADVISORY COMMISSION ON INTER-GOVERNMENTAL RELATIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Inter-Governmental Relations.

INVITATION TO FRIENDLY AND DEMOCRATIC NATIONS TO CONSULT WITH INDIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 591, Senate Concurrent Resolution 11.

The PRESIDING OFFICER. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 11) to invite friendly and democratic nations to consult with India.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations with an amendment.

The PRESIDING OFFICER. The amendment of the Committee on Foreign Relations will be stated.

The LEGISLATIVE CLERK. On page 1, after the preamble, it is proposed to strike out all after the resolving clause, and insert:

That it is the sense of the Congress (a) that the President of the United States of America should explore with other free and democratic nations and appropriate international organizations the desirability and feasibility of establishing an international mission to consult with the Governments of countries in the area of South Asia on their needs in connection with the fulfillment of currently planned and anticipated development programs over the next five years and to consider and recommend ways and means of jointly assisting in the implementation of those plans in cooperation with the Governments of South Asia, and (b) that if the international mission is established, the President of the United States of America should report to the Congress on such recommendations as are made by the mission.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

The title was amended, so as to read: "Concurrent resolution to invite friendly and democratic nations to consult with countries of South Asia."

The preamble was amended, so as to read:

Whereas the continued vitality and success of the Governments of South Asia are matters of common interest to free nations, politically because of their five hundred and twenty-five million people and vast land area; strategically because of their vital geographic location; economically because of their resources and their national development efforts; and morally because of the great necessity that they continue to make progress and succeed in their earnest efforts to improve the lot of their peoples: Now, therefore, be it

TRIBUTES TO SENATOR BYRD OF WEST VIRGINIA

Mr. RANDOLPH. Mr. President, the present occupant of the Chair, the Senator from West Virginia [Mr. BYRD], has often had the facility for being in the right place at the right time.

Today he has added to his distinction in that category by being the Presiding Officer on the occasion when, for the first time, the Senate overrode a veto by the present occupant of the White House. My colleague from West Virginia was presiding, with his customary fairness and firmness, over this body during this historic event. President Eisenhower has sent 146 veto messages to the Congress but the perfect record no longer exists.

I congratulate my colleague, and I am sure that my sentiment is shared by our colleagues on both sides of the aisle.

Mr. JOHNSON of Texas. Mr. President, if the Senator from West Virginia will yield to me, let me state that I wish to associate myself with what he has said. I know of no Senator who has come to this body since I have been a Member of it who has made a more favorable impression than has the Senator from West Virginia [Mr. BYRD]; and I am always glad to see him in the chair, for that makes it possible for us to transact our business with efficiency and in a proper manner.

Mr. ERVIN. Mr. President, I should like to join in the remarks which have been made in regard to our distinguished Presiding Officer, the very able Senator from West Virginia [Mr. BYRD]. I wish to say that it is not surprising to me that he is such a wonderful Senator, because he was born in and is a native of the best place in the universe, namely, North Carolina.

ESTABLISHMENT OF RATES OF BASIC COMPENSATION FOR CERTAIN POSITIONS IN THE PATENT OFFICE

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 1845.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1845) to provide for the establishment of rates of basic compensation for certain positions in the Patent Office in the Department of Commerce, and for other purposes, which were, to strike out all after the enacting clause and insert:

POSITIONS OF EXAMINER-IN-CHIEF AND DESIGNATED EXAMINER-IN-CHIEF IN THE PATENT OFFICE

SECTION 1. (a) Section 3 of title 35 of the United States Code is amended by adding at the end thereof the following sentence: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 17 of the General Schedule of the Classification Act of 1949, as amended.".

(b) The last sentence of section 7 of title 35 of the United States Code is amended to read as follows: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each designated examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 16 of the General Schedule of the Classification Act of 1949, as amended. The per annum rate of basic compensation of each designated examiner-in-chief shall be adjusted, at the close of the period for which he was designated to act as examiner-in-chief, to the per annum rate of basic compensation which he would have been receiving at the close of such period if such designation had not been made.".

(c) The amendments made by this section shall not affect—

(1) any position of examiner-in-chief or designated examiner-in-chief existing immediately prior to the effective date of this section, or

(2) any incumbent of any such position, his appointment thereto, his rate of compensation, or his right to receive such compensation,

until appropriate action is taken under authority of such amendments.

POSITIONS IN GRADES 16, 17, AND 18 OF THE GENERAL SCHEDULE OF THE CLASSIFICATION ACT OF 1949

SEC. 2. (a) Section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105), is amended by adding at the end thereof the following:

"(k) The Secretary of the Treasury (or his designee for the purpose) is authorized, subject to the standards and procedures prescribed by this Act, to place a total of two

hundred and sixty positions in the Department of the Treasury in grades 16, 17, and 18 of the General Schedule, as follows:

"(1) not more than one hundred and eighty-four such positions shall be in such grades during the period beginning on the date of enactment of this subsection and ending on June 30, 1960;

"(2) not more than two hundred and twenty-two such positions shall be in such grades during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"(3) not more than two hundred and sixty such positions shall be in such grades on and after July 1, 1961."

(b) Section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended—

(1) by striking out "fourteen hundred and eighty-three" and inserting in lieu thereof "fourteen hundred and twenty-nine";

(2) by striking out "three hundred and ninety-seven" and inserting in lieu thereof "three hundred and seventy-one"; and

(3) by striking out "one hundred and fifty-seven" and inserting in lieu thereof "one hundred and fifty-three".

(c) Nothing contained in this section shall affect—

(1) any position existing under authority of section 505(b) of the Classification Act of 1949, as in effect immediately prior to the date of enactment of this Act, or

(2) the compensation attached to any such position and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (k) of section 505 of the Classification Act of 1949, as contained in the amendment made by subsection (a) of this section.

POSITIONS IN CERTAIN DEPARTMENTS AND AGENCIES SUBJECT TO THE FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 3. (a) Section 106(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(a)), which prescribes an annual rate of basic compensation of $20,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

"(46) Commissioner of Social Security.

"(47) Commissioner of Education.".

(b) Section 106(b) of such Act, as amended (5 U.S.C. 2205(b)), which prescribes an annual rate of basic compensation of $19,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

"(10) Deputy Commissioner of the Internal Revenue Service.

"(11) Chief Counsel of the Internal Revenue Service.

"(12) Administrative Assistant Attorney General.

"(13) Administrative Assistant Secretary of the Interior.

"(14) Administrative Assistant Secretary of Agriculture.

"(15) Administrative Assistant Secretary of Labor.

"(16) Administrative Assistant Secretary of the Treasury.".

(c) Section 107(a) of such Act, as amended (5 U.S.C. 2206(a)), is amended by striking out "(1) Administrator, Agricultural Research Service, Department of Agriculture.", "(18) Commissioner of Social Security.", and "(20) Deputy Commissioner of the Internal Revenue Service.".

ADDITIONAL SCIENTIFIC AND PROFESSIONAL POSITIONS FOR RESEARCH AND DEVELOPMENT PURPOSES

SEC. 4. (a) Subsection (e) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85–462), is amended to read as follows:

"(e) The Secretary of Agriculture is authorized to establish and fix the compensation for not more than fifteen scientific or professional positions in the Department of Agriculture, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.".

(b) Subsection (f) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85–462), is amended to read as follows:

"(f) The Secretary of Health, Education, and Welfare is authorized to establish and fix the compensation for not more than ten scientific or professional positions in the Department of Health, Education, and Welfare, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.".

REDESIGNATION OF THE POSITION OF ASSISTANT DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SEC. 5. (a)(1) Sections 601, 603, and 606 of title 28 of the United States Code are amended by striking out the words "Assistant Director" wherever they appear in such sections and inserting in lieu thereof the words "Deputy Director".

(2) The analysis at the beginning of chapter 41 of such title is amended by striking out the words "Assistant Director" in the items thereof relating to sections 601 and 606 and inserting in lieu thereof the words "Deputy Director".

(3) Section 107(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2206(a)), is amended by striking out "(6) Assistant Director of the Administrative Office of the United States Courts." and inserting in lieu thereof "(6) Deputy Director of the Administrative Office of the United States Courts.".

(4) Whenever the Assistant Director of the Administrative Office of the United States Courts is referred to in any other law, such reference shall be deemed to be to the Deputy Director of the Administrative Office of the United States Courts.

(b) The Director of the Administrative Office of the United States Courts, may, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), procure the temporary or intermittent services of experts or consultants at rates not in excess of $75 per diem.

MISCELLANEOUS

SEC. 6. (a) Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is amended—

(1) by changing to a semicolon the period at the end of paragraph (32) of such section 202, which paragraph (32) was added to such section 202 by the first section of the Act of May 29, 1959 (73 Stat. 63; Public Law 86–36);

(2) by redesignating, as paragraph (33) of such section 202, paragraph (32) thereof which was added by section 3 of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213; Public Law 86–91);

(3) by changing to a semicolon the period at the end of such paragraph (33), as redesignated by subparagraph (2) of this subsection; and

(4) by adding at the end of such section 202 the following paragraph:

"(34) examiners-in-chief and designated examiners-in-chief in the Patent Office in the Department of Commerce.".

(b) Section 5(b) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86–91) is amended—

(1) by striking out "paragraph (32) of section 202 of such Act, as added by section 3 of this Act," and inserting in lieu thereof "paragraph (33) of section 202 of such Act, added by section 3 of this Act,"; and

(2) by striking out "such paragraph (32)" and inserting in lieu thereof "such paragraph (33)".

EFFECTIVE DATES

SEC. 7. (a) This section, and sections 2, 4, and 5 of this Act, shall become effective on the date of enactment of this Act.

(b) Sections 1, 3, and 6 of this Act shall become effective on the first day of the first pay period which begins after the date of enactment of this Act.

Amend the title so as to read: "An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes."

Mr. JOHNSTON of South Carolina. Mr. President, this bill was passed by the House on Monday, at which time it added these amendments.

I have discussed with the chairman of the Civil Service Commission certain provisions included in the House amendments. I have been given the chairman's pledge that three GS–18 authorizations will be given to the Immigration and Naturalization Service and that one GS–17 and three GS–16's will be allocated to the Bureau of Prisons. With this assurance, I ask that the Senate agree to the House amendments to the bill.

Mr. CARLSON. Mr. President, this bill has the approval, first, of the Senate Committee on Post Office and Civil Service. I concur in the amendments which were added by the House of Representatives.

I had some questions about some of the supergrade positions, particularly as regards the Department of Labor.

I hope that when the Civil Service Commission is allocating the 50 supergrade positions it will keep in mind the Department of Labor, if it can justify a need for these positions.

Mr. JOHNSTON of South Carolina. Mr. President, I join with the Senator from Kansas in that statement, and in doing so I believe I speak for the committee as a whole.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendments of the House of Representatives?

Mr. JOHNSTON of South Carolina. Mr. President, I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

WARWICK DOWNING

Mr. CARROLL. Mr. President, this summer the University of Denver conferred an honorary doctor of laws degree on one of Colorado's outstanding and beloved citizens, a man who has served his State and country with skill, energy, and devotion for half a century, Mr. Warwick Downing.

Mr. Downing is a longtime and dear friend of the distinguished senior Senator from Wyoming [Mr. O'MAHONEY].

Senator O'MAHONEY had intended to compliment publicly Mr. Downing on his receipt of the Denver University honors. The Senator's illness has prevented him from doing so this session.

I am happy to join with Senator O'MAHONEY, one of the greatest Senators ever to represent the Western States, in saluting Mr. Downing as a westerner who has devoted his life to the conservation and development of our Western natural resources. The tribute paid to Mr. Downing by the University of Denver is one richly deserved and applauded by his thousands of friends in all walks of life in the Western States.

I wish to quote a portion of the citation accompanying the Denver University honors, Mr. President, and then I shall offer for inclusion in the RECORD the entire citation and a biographical sketch on Mr. Downing.

The Denver University citation reads in part:

Here is a man most truly representative of the American way of life, inalterably committed to the burdens of community responsibility others might shirk, answering each call to service with enterprise, enthusiasm and directness, with kindness, tolerance and understanding; accepting no recompense and seeking no reward other than that which is ever to be found in devotion to duty as one sees it.

Mr. President, I ask unanimous consent to have the citation to Warwick Downing by the University of Denver printed at this point in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

CITATION—UNIVERSITY OF DENVER

(Read by Chancellor Chester M. Alter on the occasion of the commencement exercises. University of Denver, June 10, 1959)

Warwick Miller Downing, born of Quaker ancestry and true to its ideals, now for six fruitful decades since graduation from the University of Michigan School of Law, creating an altogether unusual record of service to this community, this State and region; skilled in trial practice, authority without peer in oil and gas litigation, and pioneer in the stimulation of oil shale development; uniquely serving at one time as member of the executive committee of the Independent Petroleum Association of America, as director of the Rocky Mountain Oil and Gas Association, as a member of the Interstate Oil Compact Commission, as chairman of the Colorado Oil and Gas Conservation Commission and as director of the American Petroleum Institute; before and since, a leader in the affairs of these organizations, the vast industry they serve and the vital resources they represent; as a member of the Parks Commission of Denver, the Mountain Parks Committee, the Denver Playground Commission; rightfully coming to be called "the father of the mountain parks, boulevards, and playgrounds of Denver" by the late Mayor Robert Speer; here is a man most truly representative of the American way of life, inalterable committed to the burdens of community responsibility others might shirk, answering each call to service with enterprise, enthusiasm, and directness, with kindness, tolerance, and understanding; accepting no recompense and seeking no reward other than that which is ever to be found in devotion to duty as one sees it.

Mr. CARROLL. Mr. President, I also ask unanimous consent to have printed in the RECORD a biographical sketch of Warwick Downing.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BIOGRAPHICAL SKETCH OF WARWICK DOWNING

Warwick M. Downing was born in Macomb, Ill., January 14, 1875, of Quaker ancestry. His first immigrant ancestor arrived in Plymouth as far back as 1621.

As a young man, Mr. Downing determined to do his best toward accomplishing something notable and well worthwhile for the public welfare, and to devote as large an amount of his personal time to public service as possible. He felt as a minimum he should so devote 10 percent of his time.

He was graduated from East Denver High School in 1891. Shortly after his graduation from high school, he procured a job as a cub reporter on the Denver Times. He left this employment to attend the University of Michigan College of Law, and graduated from that institution in 1895. During his years in law school he was Ann Arbor correspondent for the Detroit Evening Journal, the Chicago Times, the Chicago Herald, the Chicago Inter-Ocean, the New York Sun, and the United Press.

Often referred to as the dean of oil and gas lawyers in the Rocky Mountain region, Mr. Downing has made a life career of service to the public and particularly in the field of oil and gas conservation. He has consistently refused to accept public office with pay, but has held many offices of an honorary nature, all without compensation, some of which are listed herein:

Park Commissioner of Denver under Mayor Speer and Arnold, 1904–13.

Chairman Mountain Parks Committee of the Civic Bodies and member of the Denver Mountain Parks Commission, 1911–20.

Member Denver Playground Commission, 1910–13.

Member Denver Good Roads Board, 1920–24.

Member Colorado State Highway Advisory Board, 1936–38.

Representative of the State of Colorado on the Oil States Advisory Committee, appointed by the Governors of 12 of the principal oil-producing States, 1931–34.

Representative of the State of Colorado on the Interstate Oil Compact Commission, created by the principal oil-producing States with congressional approval, 1935 to date.

Chairman of the Gas Conservation Commission of the State of Colorado and its successor body, the Oil and Gas Conservation Commission, 1932 to date. Recently appointed as a member of said Oil and Gas Conservation Commission for a term expiring in 1961.

Member of the National Petroleum Council, appointed by the Secretary of the Interior, 1951 to date.

Member of the National Conference of Petroleum Regulatory Authorities, appointed to serve and help the Secretary of the Interior during World War II from the State's standpoint.

Member of the Governors Advisory Council, with reference to oil and gas matters, during World War II.

He has served on the Interstate Oil Compact Commission under nine Colorado Governors, six Democrats (including Gov. Ed Johnson who was Governor twice with an 18-year interlude as U.S. Senator) and three Republicans. He has served many years as vice president for Colorado or as a member of the executive committee of the Independent Petroleum Association of America.

He has been one of the Nation's leaders to bring about laws, regulations, and practices which would encourage the development of oil and gas on public lands.

His chief accomplishment, however, was the development of the oil shales in Colorado. He cooperated with Senator JOSEPH O'MAHONEY, of Wyoming, in development of Government program for experimental work in developing a liquid fuel industry, in particular that feature of this program which included Colorado's oil shale as a source of synthetic or liquid fuel.

The late Mayor Robert Speer, of Denver, called Mr. Downing "father of the mountain parks and of the boulevards and playgrounds of Denver." As chairman of the Mountain Parks Committee of the Civic Bodies, he had the leading part in putting across the mountain parks idea. It must be remembered that this was at a time when autos were few, and many of the citizens of Denver organized to kill what they termed "a fool idea" of spending Denver money in the mountains, and to stop a "bunch of speculators" who wanted to unload worthless hillsides on Denver at a fancy price. Mr. Downing drew the mountain parks amendment to the Denver city charter, and pushed its adoption by the people. This also entailed the procuring of necessary legislation by the legislature of Colorado and procuring of an act of Congress, deeding some 10,000 acres to the Denver park system, and of being responsible for the expenditures of the public funds that made our Denver mountain park system what it is today.

Mr. Downing's work for the Denver playground system was no less notable. All the playgrounds now owned by Denver, with one principal exception, were acquired by him and were largely constructed under his administration as a member of the Denver Park Commission. Likewise, Denver's municipal parkway and boulevard system was largely his creation.

The Denver Good Roads Board, of which Mr. Downing was a member, prepared and passed the 1920 Highway Law, under which (and as amended) our State highway system has been built. He was also instrumental in all of the highway projects. He accepted appointment to the Highway Advisory Board by Governor Teller Ammons in 1936.

As a member of the Highway Advisory Board, Mr. Downing pushed a completion of the highway to Summit Lake on the Mount Evans road, and realinement of improvement of the road from Summit Lake to Mount Evans. His principal effort, however, was to give aid to the Western Slope in highway development so that the Western Slope would have an all-year-round highway to be completed from the north boundary to the south boundary of the State.

It thus appears that Mr. Downing has held public office for more than 84 years, as many years as he has lived, and during his entire time of public service he has never received a penny of compensation for his time.

Mr. Downing is married to the former Mabelle Jackson Bell of Dallas, Tex. He has two children, Richard Downing, Denver attorney, associated with him in the practice of law, and Dr. Virginia Downing of Boulder, Colo. engaged in research on the causes and control of cancer.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 596, Senate bill 1697.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1697) to amend the Mutual Defense Assistance Control Act of 1951.

Mr. KEATING. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. This measure is Calendar No. 596, Senate bill 1697, to amend the Mutual Defense Assistance Control Act of 1951.

Mr. KENNEDY. Mr. President, the bill provides for a change in the provisions of the so-called Battle Act, so as to provide—if the President determines it to be in the national interest—some degree of assistance to countries now under Soviet control, but trying to maintain some degree of independence.

I am thinking especially of Poland, which has been undergoing a very trying period in its relationships with the Soviet Union, but also—as the recent trip of Mr. NIXON indicates—has a strong and warm feeling toward the United States.

This measure provides that if the President finds it to be in the national interest, a country which might be under the domination of the Soviet Union could receive assistance from our country in the following way: If the President thought it to be in our interest, he could provide funds which might be obtained through Public Law 480 sales in local currencies, which funds could be loaned back to that country, as is done in the case of other countries; and, second, the Export-Import Bank would be permitted to make loans to a country which falls into this particular "gray" status.

Those are the particular provisions of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1697) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of title I of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611a) is amended to read as follows:

"SEC. 102. Responsibility for giving effect to the purposes of this Act shall be vested in the Secretary of State or such other officer as the President may designate, hereinafter referred to as the 'Administrator'."

SEC. 2. Section 303 of title II of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1613b) is amended to read as follows:

"SEC. 303. (a) This Act shall not be deemed to prohibit furnishing economic and financial assistance to any nation or area, except the Union of Soviet Socialist Republics and Communist-held areas of the Far East, whenever the President determines that such assistance is important to the security of the United States: *Provided,* That, after termination of assistance to any nation as provided in sections 103(b) and 203 of this Act, assistance shall be resumed to such nation only in accordance with section 104 of this Act. The President shall immediately report any determination made pursuant to this subsection with reasons therefor to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

"(b) The Administrator may, notwithstanding the requirements of the first proviso of section 103(b) of this Act, direct the continuance of assistance to a country which knowingly permits shipments of items other than arms, ammunition, implements of war, and atomic energy materials to any nation or area receiving economic or financial assistance pursuant to a determination made under section 303(a) of this Act.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate return to the consideration of Calendar No. 581, S. 2026.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from South Carolina [Mr. JOHNSTON].

FEDERAL EMPLOYEES HEALTH BENEFITS ACT OF 1959

Mr. JOHNSTON of South Carolina. Mr. President, at this time I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 2162.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill S. 2162 to provide a health benefits program for Government employees, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Employees Health Benefits Act of 1959".

DEFINITIONS

SEC. 2. As used in this Act—

(a) "Employee" means an appointive or elective officer or employee in or under the executive, judicial, or legislative branch of the United States Government, including a Government-owned or controlled corporation (but not including any corporation under the supervision of the Farm Credit Administration, of which corporation any member of the board of directors is elected or appointed by private interests), or of the municipal government of the District of Columbia, and includes an Official Reporter of Debates of the Senate and a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, and an employee of Gallaudet College, but does not include (1) a member of a "uniformed service" as such term is defined in section 1072 of title 10 of the United States Code, (2) a noncitizen employee whose permanent-duty station is located outside a State of the United States or the District of Columbia, or (3) an employee of the Tennessee Valley Authority.

(b) "Government" means the Government of the United States of America (including the municipal government of the District of Columbia).

(c) "Annuitant" means—

(1) an employee who on or after the effective date of the provisions referred to in section 15 retires on an immediate annuity, under the Civil Service Retirement Act or other retirement system for civilian employees of the Government, after twelve or more years of service or for disability,

(2) a member of a family who receives an immediate annuity as the survivor of a retired employee described in clause (1) or of an employee who dies after completing five or more years of service,

(3) an employee who receives monthly compensation under the Federal Employees' Compensation Act as a result of injury sustained or illness contracted on or after such date of enactment and who is determined by the Secretary of Labor to be unable to return to duty, and

(4) a member of a family who receives monthly compensation under the Federal Employees' Compensation Act as the surviving beneficiary of (A) an employee who, having completed five or more years of service, dies as a result of illness or injury compensable under such Act or (B) a former employee who is separated after having completed five or more years of service and who dies while receiving monthly compensation under such Act on account of injury sustained or illness contracted on or after such date of enactment and has been held by the Secretary of Labor to have been unable to return to duty.

For the purpose of this subsection, "service" means service which is creditable for the purposes of the Civil Service Retirement Act.

(d) "Member of family" means an employee's or annuitant's spouse and any unmarried child (1) under the age of nineteen years (including (A) an adopted child, and (B) a stepchild or recognized natural child who lives with the employee or annuitant in a regular parent-child relationship), or (2) regardless of age who is incapable of self-support because of mental or physical incapacity that existed prior to his reaching the age of nineteen years.

(e) "Dependent husband" means a husband who is incapable of self-support by reason of mental or physical disability which can be expected to continue for more than one year.

(f) "Health benefits plans" means a group insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar group arrangement provided by a carrier for the purpose of providing, paying for, or reimbursing expenses for health services.

(g) "Carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the cost of, health services under group insurance policies or contracts, medical or hospital service agreements, membership or subscription contracts, or similar group arrangements, in consideration of premiums or other periodic charges payable to the carrier, including a health benefits plan duly sponsored or underwritten by an employee organization.

(h) "Commission" means the United States Civil Service Commission.

(i) "Employee organization" means an association or other organization of employees which—

(1) is national in scope or

(2) in which membership is open to all employees of a Government department, agency, or independent establishment who are eligible to enroll in a health benefits plan under this Act,

and which on or before December 31, 1959, applies to the Commission for approval of a plan provided for by section 4(3) of this Act.

ELECTION OF COVERAGE

SEC. 3. (a) Any employee may, at such time, in such manner, and under such conditions of eligibility as the Commission may by regulation prescribe, enroll in an approved health benefits plan described in section 4 either as an individual or for self and family. Such regulations may provide for the exclusion of employees on the basis of the nature and type of their employment or conditions pertaining thereto, such as, but not limited to, short-term appointments, seasonal or intermittent employment, and

employment of like nature, but no employee or group of employees shall be excluded solely on the basis of the hazardous nature of their employment.

(b) Any annuitant who at the time he becomes an annuitant shall have been enrolled in a health benefits plan under this Act—

(1) for a period not less than (A) the five years of service immediately preceding retirement or (B) the full period or periods of service between the last day of the first period, as prescribed by regulations of the Commission, in which he is eligible to enroll in such a plan and the date on which he becomes an annuitant, whichever is shorter, or

(2) as a member of the family of an employee or annuitant—

may continue his enrollment under such conditions of eligibility as may be prescribed by regulations of the Commission.

(c) If an employee has a spouse who is an employee, either spouse (but not both) may enroll for self and family, or either spouse may enroll as an individual, but no person may be enrolled both as an employee or annuitant and as a member of the family.

(d) A change in the coverage of any employee or annuitant, or of any employee or annuitant and members of his family, enrolled in a health benefits plan under this Act may be made by the employee or annuitant upon application filed within sixty days after the occurrence of a change in family status or at such other times and under such conditions as may be prescribed by regulations of the Commission.

(e) A transfer of enrollment from one health benefits plan described in section 4 to another such plan may be made by an employee or annuitant at such times and under such conditions as may be prescribed by regulations of the Commission.

HEALTH BENEFITS PLANS

SEC. 4. The Commission may contract for or approve the following health benefits plans:

(1) SERVICE BENEFIT PLAN.—One Government-wide plan (offering two levels of benefits) under which payment is made by a carrier under contracts with physicians, hospitals, or other providers of health services for benefits of the types described in section 5(1) rendered to employees or annuitants, or members of their families, or, under certain conditions, payment is made by a carrier to the employee or annuitant or member of his family.

(2) INDEMNITY BENEFIT PLAN.—One Government-wide plan (offering two levels of benefits) under which a carrier agrees to pay certain sums of money, not in excess of the actual expenses incurred, for benefits of the types described in section 5(2).

(3) EMPLOYEE ORGANIZATION PLANS.—Employee organization plans which offer benefits of the types referred to in section 5(3), which are sponsored or underwritten, and are administered, in whole or substantial part, by employee organizations, which are available only to persons (and members of their families) who at the time of enrollment are members of the organization, and which on July 1, 1959, provided health benefits to members of the organization.

(4) COMPREHENSIVE MEDICAL PLANS.—

(A) GROUP-PRACTICE PREPAYMENT PLANS.—Group-practice prepayment plans which offer health benefits of the types referred to in section 5(4), in whole or in substantial part on a prepaid basis, with professional services thereunder provided by physicians practicing as a group in a common center or centers. Such a group shall include physicians representing at least three major medical specialties who receive all or a substantial part of their professional income from the prepaid funds.

(B) INDIVIDUAL-PRACTICE PREPAYMENT PLANS.—Individual-practice prepayment plans which offer health services in whole or substantial part on a prepaid basis, with professional services thereunder provided by individual physicians who agree, under certain conditions approved by the Commission, to accept the payments provided by the plans as full payment for covered services rendered by them including, in addition to in-hospital services, general care rendered in their offices and the patients' homes, out-of-hospital diagnostic procedures, and preventive care, and which plans are offered by organizations which have successfully operated such plans prior to approval by the Commission of the plan in which employees may enroll.

TYPES OF BENEFITS

SEC. 5. The benefits to be provided under plans described in section 4 may be of the following types:

(1) SERVICE BENEFIT PLAN.—
(A) Hospital benefits.
(B) Surgical benefits.
(C) In-hospital medical benefits.
(D) Ambulatory patient benefits.
(E) Supplemental benefits.
(F) Obstetrical benefits.

(2) INDEMNITY BENEFIT PLAN.—
(A) Hospital care.
(B) Surgical care and treatment.
(C) Medical care and treatment.
(D) Obstetrical benefits.
(E) Prescribed drugs, medicines, and prosthetic devices.
(F) Other medical supplies and services.

(3) EMPLOYEE ORGANIZATION PLANS.—Benefits of the types specified in this section under paragraph (1) or (2) or both.

(4) COMPREHENSIVE MEDICAL PLANS.—Benefits of the types specified in this section under paragraph (1) or (2) or both.

All plans contracted for under paragraphs (1) and (2) shall include benefits both for costs associated with care in a general hospital and for other health service costs of a catastrophic nature.

CONTRACTING AUTHORITY

SEC. 6. (a) The Commission is authorized, without regard to section 3709 of the Revised statutes or any other provision of law requiring competitive bidding, to enter into contracts with qualified carriers offering plans described in section 4. Each such contract shall be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party.

(b)(1) To be eligible as the carrier for the plan described in section 4(2), a company must be licensed to issue group health insurance in all the States of the United States and the District of Columbia.

(2) Each contract for a plan described in paragraph (1) or (2) of section 4 shall require the carrier—

(A) to reinsure with such other companies as may elect to participate, in accordance with an equitable formula based on the total amount of their group health insurance benefit payments in the United States during the latest year for which such information is available, to be determined by the carrier and approved by the Commission, or

(B) to allocate its rights and obligations under the contract among such of its affiliates as may elect to participate, in accordance with an equitable formula to be determined by the carrier and such affiliates and approved by the Commission.

(c) Each contract under this Act shall contain a detailed statement of benefits offered and shall include such maximums, limitations, exclusions, and other definitions of benefits as the Commission may deem necessary or desirable.

(d) The Commission is authorized to prescribe regulations fixing reasonable minimum standards for health benefits plans described in section 4 and for carriers offering such plans. Approval of such a plan shall not be withdrawn except after notice, and opportunity for hearing without regard to the Administrative Procedure Act, to the carrier or carriers concerned.

(e) No contract shall be made or plan approved which excludes any person because of race, sex, health status, or, at the time of the first opportunity to enroll, because of age.

(f) No contract shall be made or plan approved which does not offer to each employee and annuitant whose enrollment in the plan is terminated, other than by a cancellation of enrollment, a temporary extension of coverage during which he may exercise the option to convert, without evidence of good health, to a nongroup contract providing health benefits. An employee or annuitant who exercises this option shall pay the full periodic charges of the nongroup contract, on such terms or conditions as are prescribed by the carrier and approved by the Commission.

(g) The benefits and coverage made available pursuant to the provisions of subsection (f) shall, at the option of the employee or annuitant, be noncancelable by the carrier except for fraud, overinsurance, or nonpayment of periodic charges.

(h) Rates charged under health benefits plans described in section 4 shall reasonably and equitably reflect the cost of the benefits provided. Rates under health benefits plans described in section 4 (1) and (2) shall be determined on a basis which, in the judgment of the Commission, is consistent with the lowest schedule of basic rates generally charged for new group health benefit plans issued to large employers; rates determined for the first contract term shall be continued for subsequent contract terms, except that they may be readjusted for any subsequent term, based on past experience and benefit adjustments under the subsequent contract; any readjustment in rates shall be made in advance of the contract term in which they will apply and on a basis which, in the judgment of the Commission, is consistent with the general practice of carriers which issue group health benefit plans to large employers.

CONTRIBUTIONS

SEC. 7. (a)(1) Except as otherwise provided in this subsection, the contribution of the Government to the subscription charge of a plan for each enrolled employee or annuitant shall be such amounts as the Commission by regulation may from time to time prescribe. The amounts so prescribed shall not—

(A) be less than $1.25 or more than $1.75 biweekly for an employee or annuitant who is enrolled for self alone, or

(B) be less than $3 or more than $4.25 biweekly for an employee or annuitant who is enrolled for self and family, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the amount so presribed shall not be less than $1.75 or more than $2.50 biweekly.

For an employee or annuitant enrolled in a plan described under section 4 (3) or (4) whose biweekly subscription charge is less than $2.50 for an employee or annuitant enrolled for self alone or $6 for an employee or annuitant enrolled for self and family, the contribution of the Government shall be 50 per centum of such subscription charge, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the contribution of the Government shall be 30 per centum of such subscription charge.

(2) There shall be withheld from the salary of each enrolled employee or annuity of each enrolled annuitant so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee when both are enrolled in the same plan providing the same health benefits.

(3) The contributions of the Government as initially determined by the Commission and the contributions of the employees and annuitants may from time to time be readjusted, subject to the limitations on amounts contained in paragraph (1), on the basis of past experience and proposed benefit adjustments, such readjustment to be in the same ratio as the contributions of the Government bear to the contributions of the employees and annuitants at the time of the initial determination by the Commission.

(b) An employee enrolled in a health benefits plan under this Act who is placed in a leave-without-pay status may have his coverage and the coverage of members of his family continued under such plan for a period not to exceed one year in accordance with regulations prescribed by the Commission. Such regulations may provide for the waiving of contributions by the employee and the Government.

(c) The sums authorized to be contributed by the Government with respect to any employee shall be paid from—

(1) the appropriation or fund which is used for payment of the salary, wage, or other compensation of such employee,

(2) in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment,

(3) in the case of an employee in the legislative branch whose salary, wage, or other compensation is disbursed by the Clerk of the House of Representatives, from the contingent funds of the House, and

(4) in the case of an employee in a leave-without-pay status, from the appropriation or fund which would be used for the payment of the salary of such employee if he were in a pay status.

The sums authorized by subsection (a) (1) to be contributed by the Government with respect to any annuitant shall be paid from annual appropriations which are hereby authorized to be made for such purpose.

(d) The Commission shall provide for conversion of rates of contribution specified in this section in the cases of employees and annuitants paid on other than a biweekly basis, and for this purpose may provide for adjustment of any such rate to the nearest cent.

EMPLOYEES HEALTH BENEFITS FUND

SEC. 8. (a) There is hereby created an Employees Health Benefits Fund, hereinafter referred to as the "Fund", to be administered by the Commission, which is hereby made available without fiscal year limitation for all payments to approved health benefits plans. The contributions of employees, annuitants, and the Government described in section 7 shall be paid into the Fund.

(b) Portions of the contributions made by employees, annuitants, and the Government shall be regularly set aside in the Fund as follows: (1) a percentage, not to exceed 1 per centum of all such contributions, determined by the Commission as reasonably adequate to pay the administrative expenses made available by section 9; (2) for each health benefits plan, a percentage, not to exceed 3 per centum of the contributions toward such plan, determined by the Commission as reasonably adequate to provide a contingency reserve. The income derived from any dividends, rate adjustments, or other refunds made by a plan shall be credited to its contingency reserve. The contingency reserves may be used to defray increases in future rates, or may be applied to reduce the contributions of employees and the Government to, or to increase the benefits provided by, the plan from which such reserves are derived, as the Commission shall from time to time determine.

(c) The Secretary of the Treasury is authorized to invest and reinvest any of the moneys in the Fund in interest-bearing obligations of the United States and to sell such obligations of the United States for the purposes of the Fund. The interest on and the proceeds from the sale of any such obligations shall become a part of the Fund.

ADMINISTRATIVE EXPENSES

SEC. 9. (a) There are hereby authorized to be expended from the Employees' Life Insurance Fund, without regard to limitations on expenditures from that Fund, for the fiscal years 1960 and 1961, such sums as may be necessary to pay administrative expenses incurred by the Commission in carrying out the health benefits provisions of this Act. Reimbursements to the Employees' Life Insurance Fund for sums so expended, together with interest at a rate to be determined by the Secretary of the Treasury, shall be made from the Employees Health Benefits Fund.

(b) The Employees Health Benefits Fund is hereby made available (1) to reimburse the Employees' Life Insurance Fund for sums expended by the Commission in administering the provisions of this Act for the fiscal years 1960 and 1961 and (2), within such limitations as may be specified annually by the Congress, to pay such expenses for subsequent fiscal years.

ADMINISTRATION

SEC. 10. (a) The Commission is authorized to promulgate such regulations as may be necessary to carry out the provisions of this Act.

(b) Regulations of the Commission shall include regulations with respect to the beginning and ending dates of coverage of employees and annuitants and members of their families under health benefits plans, and for such purpose may permit such coverage to continue, exclusive of the temporary extension of coverage described in section 6(f), until the end of the pay period in which an employee is separated from service or until the end of the month in which an annuitant ceases to be entitled to annuity, and in case of the death of such employee or annuitant may permit a temporary extension of the coverage of the members of his family for a period not to exceed ninety days.

(c) Any employee enrolled in a plan under this Act who is removed or suspended without pay and later reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted shall not be deprived of coverage or benefits for the interim but shall have his coverage restored to the same extent and effect as though such removal or suspension had not taken place, and appropriate adjustments shall be made in premiums, subscription charges, contributions, and claims.

(d) The Commission shall make available to each employee eligible to enroll in a health benefits plan under this Act such information, in a form acceptable to the Commission after consultation with the carrier, as may be necessary to enable such employee to exercise an informed choice among the types of plans referred to in section 4. Each employee enrolled in such a health benefits plan shall be issued an appropriate document setting forth or summarizing the services or benefits (including maximums, limitations, and exclusions), to which the employee, or the employee and members of his family, are entitled thereunder, the procedure for obtaining benefits, and the principal provisions of the plan affecting the employee or members of his family.

STUDIES, REPORTS, AND AUDITS

SEC. 11. (a) The Commission shall make a continuing study of the operation and administration of this Act, including surveys and reports on health benefits plans available to employees and on the experience of such plans.

(b) The Commission shall include provisions in contracts with carriers which would require carriers to (1) furnish such reasonable reports as the Commission determines to be necessary to enable it to carry out its functions under this Act, and (2) permit the Commission and representatives of the General Accounting Office to examine records of the carriers as may be necessary to carry out the purposes of this Act.

(c) Each Government department, agency, and independent establishment shall keep such records, make such certifications, and furnish the Commission with such information and reports as may be necessary to enable the Commission to carry out its functions under this Act.

REPORTS TO CONGRESS

SEC. 12. The Commission shall transmit to the Congress annually a report concerning the operation of this Act.

ADVISORY COMMITTEE

SEC. 13. The Chairman of the Commission shall appoint a committee composed of five members who shall serve without compensation, to advise the Commission regarding matters of concern to employees under this Act. Each member of such committee shall be an employee enrolled under this Act or an elected officer of an employee organization.

JURISDICTION OF COURTS

SEC. 14. The district courts of the United States shall have original jurisdiction, concurrent with the Court of Claims, of any civil action or claim against the United States founded upon this Act.

EFFECTIVE DATE

SEC. 15. The provisions of this Act relating to the enrollment of employees and annuitants in health benefits plans and the withholding and payment of contributions shall take effect on the first day of the first pay period which begins on or after July 1, 1960.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk my motion that the Senate agree to the amendment of the House with two amendments of the Senate. These two amendments are amendments which the Senate, practically word for word, agreed to when we had the bill before us. I understand there is a possibility that the House will agree to them. If the House does agree to them, that will save the necessity of having a conference on the health bill.

The PRESIDING OFFICER. The motion of the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. Mr. JOHNSTON of South Carolina makes the following motion:

I move that the Senate agree to the House amendment to S. 2162, the Federal Employees Health Benefits Act of 1959 with the following amendments:

(1) In lieu of subsection (a) of section 7 of the House amendment insert the following:

"(a) (1) Except as provided in paragraph (2) of this subsection, the Government contribution for health benefits for employees or annuitants enrolled in health benefits

plans under this Act, in addition to the contributions required by paragraph (3), shall be 50 per centum of the lowest rates charged by a carrier for a level of benefits offered by a plan under paragraph (1) or paragraph (2) of section 4, but (A) not less than $1.25 or more than $1.75 biweekly for an employee or annuitant who is enrolled for self alone, (B) not less than $3 or more than $4.25 biweekly for an employee or annuitant who is enrolled for self and family (other than as provided in clause (C) of this paragraph), and (C) not less than $1.75 or more than $2.50 biweekly for a female employee or annuitant enrolled for self and family including a nondependent husband.

"(2) For an employee or annuitant enrolled in a plan described under section 4 (3) or (4) for which the biweekly subscription charge is less than $2.50 for an employee or annuitant enrolled for self alone or $6 for an employee or annuitant enrolled for self and family, the contribution of the Government shall be 50 per centum of such subscription charge, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the contribution of the Government shall be 30 per centum of such subscription charge.

"(3) There shall be withheld from the salary of each enrolled employee and the annuity of each enrolled annuitant, and there shall be contributed by the Government, amounts (in the same ratio as the contributions of such employee or annuitant and the Government under paragraphs (1) and (2)) which are necessary for the administrative costs and the reserves provided for by section 8(b).

"(4) There shall be withheld from the salary of each enrolled employee or annuity of each enrolled annuitant so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee when both are enrolled in the same plan providing the same health benefits."

(2) After section 13 of the House amendment insert a new section 14 as follows and renumber sections 14 and 15 as 15 and 16, respectively:

"SEC. 14. (a) The Chairman of the Commission is authorized to appoint in grade 18 of the General Schedule of the Classification Act of 1949, as amended, an officer who shall have such functions and duties with respect to retirement, life insurance, and health benefits programs as the Commission shall prescribe. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grade.

"(b) The rate of basic compensation of the Executive Director of the United States Civil Service Commission shall be $19,000 per annum."

Mr. JOHNSTON of South Carolina. Mr. President, on July 16, 1959, the Senate, by a vote of 81 to 4, passed S. 2162, the Federal Employees' Health Benefits Act. The bill, which passed the Senate on that date, was the product of over 10 years' legislative effort. The first bill to provide a health benefits program for Federal employees was introduced in 1947. Efforts to obtain legislation failed time after time because of deep-rooted disagreements between and among insurance companies, Blue Cross-Blue Shield, those providing medical services and hospital facilities, and even employee groups themselves.

In the light of this background, it gave me a great deal of satisfaction to be able to bring to the Senate a bill upon which there was general agreement by all concerned, with one exception.

The sole objector was the administration, which opposed the bill primarily on the basis of its cost. Certain self-appointed spokesmen for the administration raised a great smokescreen of opposition, but underneath it all was the matter of cost.

This widespread and general agreement on the Senate bill did not just happen. It was the result of long, hard, intelligent, and dedicated work.

The Subcommittee on Health Insurance of the Senate Committee on Post Office and Civil Service held many long days of hearings. The committee staff met day after day with representatives of industry and employee groups. Problem after problem was worked out and difference of views reconciled. Finally, out of all this effort, there emerged a bill which merited the support of all concerned.

I think it fair to say that except for this great effort in the Senate we would not today stand on the verge of seeing enacted a health benefits program for Federal employees. The administration tried and failed over a 5-year period to reconcile the many differences that existed. When the Senate took hold of the matter this year, the prospects of success did not seem bright. But today we are only hours away from seeing enacted into law a progressive health benefits bill for our Federal workers and their families.

When the Senate bill was received in the House, extensive hearings were held by that body. A great amount of favorable testimony was heard. Again the only opposition to the bill was that voiced by the administration. Again the opposition as based on cost.

The House bowed to the position of the administration and reduced benefits under the bill by some 30 to 35 percent. In other words, the cost of benefits to be provided by the bill was reduced from slightly over $300 million a year to some $214 million a year. Fortunately, however, the basic principles of the Senate bill were retained, and with adoption of the amendments I have offered, the bill will be a good one.

Mr. President, there are some things that have occurred in connection with this measure that I regret. First of all, there has been an unusual amount of lobbying by some persons within the administration. The unusual interest and the unusual steps taken by them have been of some concern to me.

For this reason I wish to make it known that I propose to watch the administration of this measure very, very carefully.

Secondly, I regret that when the bill was under consideration in the House, some Members of the House referred to the Senate measure in derogatory and slighting terms. It was referred to as being misleading, false, and confusing. For example, the ranking minority member on the committee stated:

> We have had ample evidence that Government employees and the general public were being completely misled as to the scope and nature of benefits to be provided under this bill. The proposed committee amendment now before the House removes any possibility of misinterpretation.

Frankly, I think this and similar statements were ill advised. I think it regrettable that measures of this kind be discussed in such terms.

Mr. President, the amendments I have offered are designed to clarify the bill in several respects and restore to the bill a previously approved Senate provision in a slightly different version in still another respect. The first amendment clarifies the bill to make clear that the price figures established in the bill by the House apply to the purchase of health benefits and do not include auxiliary costs such as those for reserves and administrative expenses.

The second amendment is designed to make clear that both Government and employees will share these auxiliary costs in addition to sharing the cost of the health benefits purchased.

The third amendment makes provision for a Director of Retirement and Insurance. The committee expressed the belief that there shall be consolidated organizationally all of the Commission's responsibilities in the related fields of retirement and life insurance, as well as health benefits, and we have been assured that the Commission contemplates taking such a step.

In order to insure that the Civil Service Commission will be able to obtain the necessary high caliber of person to administer these programs, the legislation makes provision for a grade 18 position which is earmarked for this function.

The committee is also of the belief that the salary of the Executive Director of the Commission should be changed adequately to reflect the nature of that position. The amendment sets this salary at $19,000 per annum.

Mr. President, the list of those who have contributed greatly to this measure is long. I would like to express my gratitude particularly to the distinguished junior Senator from Oregon [Mr. NEUBERGER], who served as chairman of the insurance subcommittee, and to the other members of that committee, Senators YARBOROUGH, JORDAN, CARLSON, and MORTON, all of whom devoted much time and thought to working out a satisfactory bill. In all my service in the Senate, I have never known a group to work harder and with greater dedication to duty than did this subcommittee. They deserve the commendation of every Federal employee for their fine work in connection with this bill.

The committee was fortunate indeed to receive a great deal of expert technical advice and assistance from outstanding leaders in the field of health programs. Particularly helpful was Mr. J. Douglas Colman, vice president of the Blue Cross Association. I do not know what the committee would have done without his able advice and assistance. I wish to express my personal appreciation to him and to all who contributed to the preparation and enactment of this fine measure. I am confident our over

2 million Federal employees and their families will always be grateful.

Mr. CARLSON. Mr. President, I wish to say that following the passage of this bill through the Senate, and the bill was passed by the House and amended by the House, I have been willing to accept the House amendments to the bill in the hope we would get early action, because this is a piece of legislation which is important to the Federal civil workers of this Nation.

Since that time our chairman has worked out two amendments, which I understand are at the desk, and which I hope we accept at the present time. I shall not oppose those amendments because I think, as they have been written, the Bureau of the Budget, the Chairman of the Civil Service Commission, and the House will accept them and that this bill will be enacted into law.

I had prepared a statement I expected to use urging action without sending the bill back for concurrence, because I realize at this late stage in a legislative session one objection can send the bill to the Rules Committee and, following past history, the Rules Committee may not act as hastily as we would like them to.

I am willing to take a chance today, and I support the amendments the Committee chairman has submitted, and urge the House to accept them.

I ask to insert in the RECORD as part of my remarks a statement I expected to make in respect to the bill as it came over to this body from the House.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CARLSON

On July 16, a little more than a month ago, the Senate passed S. 2162 which would provide health insurance for Federal employees with a landslide majority of 81 to 4. Since then the appropriate committee, of the other body has held extensive hearings, has modified the bill in certain respects, and on August 18 reported it unanimously to the House. Just a few days ago the bill, as modified, was passed by the other body with a majority comparable to that it received in the Senate.

I know of no legislative measure in this Congress of so much importance to so many people that has had the overwhelming approval this bill has received in both bodies. The legislation as referred to us now has the whole-hearted endorsement and enthusiastic support of all of the employee organizations and is acceptable to the Civil Service Commission and the administration generally. The organizations which would serve as carriers under the bill have expressed their belief that it provides the basis for a workable program and that they are in accord with it.

I have pointed out that the bill has been modified in certain respects since it passed the Senate. The most numerous changes have been language changes of a technical and clarifying nature; these have no effect on the substance of the bill but will serve to avoid inequities to employees and unnecessary complexity of administration.

A few changes have been made in the substance of S. 2162 as it passed the Senate, but with one exception these will merely serve to fix responsibility more clearly on the Civil Service Commission as the agency which will have responsibility for administration of the health benefits program. These changes will have no adverse effect on the benefits to be provided in the bill as they affect the vast body of Federal employees and their dependents. Commencing July 1, 1960, some 2 million employees and an additional 3 million dependents will be eligible to join in any of the several health benefits plans provided in the bill with the Government paying half the cost.

S. 2162 as it passed the other body, however, is notable for its similarity to S. 2162 as it passed the Senate rather than for its differences. The basic structure of the health benefits program it would provide is the same.

Both bills provided for recognition of and free choice among the three major kinds of health benefits plans which exist in America today: a "service" plan, of the Blue Cross-Blue Shield variety, an indemnity plan such as is provided by insurance companies, and group-practice prepayment plans in areas where these are available.

S. 2162 as it comes to us now provides also for individual-practice prepayment plans like that of Group Health Insurance in New York City, which was mentioned in the debate on July 16 by my distinguished colleague, the senior Senator from New York.

S. 2162 as it passed the Senate provided for participation in the program by certain existing employee organization group health insurance plans. As the measure comes to us now, this group of employee organizations has been somewhat expanded to take in certain other organizations which are either nationwide in scope or which take in all employees of a department or agency.

Most important of all, from the viewpoint of employees, the section of the bill having to do with contributions by employees and by the Government has been considerably strengthened since it left the Senate. As passed by the Senate, it provided certain maximum dollar contributions. It did not provide for minimums.

The bill, as passed by the other body, retains the same dollar maximums that are in the Senate-passed bill. However, the bill has been modified so that it also provides for minimums, set at about 70 percent of the maximums. Thus the Civil Service Commission, in making contracts or approving existing plans, can set the contribution rate of the Government at any figure in the 30-percent range between minimum and maximum, but cannot go below the minimum unless the total subscription charge of the particular plan is so low that a Government contribution of the minimum figure would amount to more then 50 percent. In such a case the Government would contribute such lesser amount as constituted exactly 50 percent of the subscription charge.

This change constitutes a substantial improvement from the viewpoint of employees, since, as the bill left the Senate, there were no minimum dollar figures and the Civil Service Commission could conceivably have written contracts providing for Government contributions of less than these minimums.

The bill before us now has an additional built-in protection for employees—as the cost of hospital and medical care rises and subscription rates also have to be increased, the bill provides that this increase will be shared by employees and the Government in the same proportion as they shared the contributions before the increase.

The very real and very difficult accomplishment of drawing all interested parties into agreement on the bill, which was achieved under the leadership of my distinguished colleagues the senior Senator from South Carolina and the junior Senator from Oregon, was recognized during debate in the other Chamber by Representative MORRISON. He said, in part:

"I must say that I sincerely admire the chairman and members of the Post Office and Civil Service Committee of the other body for their ability to formulate a legislative measure with which all parties are in accord."

One of the Members in his statement on the floor of the other Chamber had this to say:

"The bill, S. 2162, as it came to us from the other body is a tribute to the members of the committee which drafted it. The committee in the other body had only a few short weeks to cope with the problems I have mentioned. That committee solved practically all of the technical complexities which confronted it and reconciled the conflicting views of the different parties in interest.

"Aside from some perfecting changes which I am sure the committee in the other body would have made had time permitted, the bill now being considered here is substantially the same one as was enacted by the other body."

Mr. NEUBERGER. Mr. President, I likewise am going to place in the RECORD a statement which I had intended to make on the floor of the Senate. I do, however, wish to point out several facts very briefly.

I believe it is a historic moment when the Senate completes action on the first comprehensive program ever enacted by the Federal Government for the protection of the health of its employees, during the nearly two centuries that this country has been in existence. I think that this is a bill which will provide the lantern by which many segments of private industry can be guided in likewise setting up voluntary and effective programs in the field of health insurance for their own employees.

I am pleased that there are on the floor of the Senate now Members who have taken the lead in this respect. In my estimation this bill would not have become law without the cooperation and leadership of the Senator from South Carolina [Mr. JOHNSTON], who is the able chairman of our full Committee on Post Office and Civil Service, nor could the measure have been law without a humanitarian and kindly ranking minority member whom we have in the Senator from Kansas [Mr. CARLSON].

In addition, there are on the floor of the Senate two Senators who have always taken great pride in the legislation which they have helped to sponsor in the general field of health, and I refer to the Senator from Alabama [Mr. HILL] and the Senator from Washington [Mr. MAGNUSON]. I believe it is appropriate that they should be here at this time.

The Federal Government has lagged behind certain enlightened segments of private industry for many years in setting up a program whereby employees, voluntarily and of their own choosing, could somehow buttress themselves against the agonizing financial burden which every family faces when it confronts a major illness. And, let me say, no family knows when, tomorrow or this afternoon, it may encounter that terrible crisis.

Mr. President, I believe we have made a great start. This bill is not without imperfections, and it will be improved as time goes along. It is a bill which must be tested through trial and error, just as our own Federal Constitution was improved through trial and error

while it has been amended many times as this country has developed and progressed along the high road of history.

I believe, and I emphasize this, that every Federal employee and every family of a Federal employee, and every citizen whose life is touched by contacts with the Federal Government, will benefit by this bill. It is a beacon.

I ask unanimous consent that the statement which I prepared for delivery on the floor of the Senate be included in full in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RICHARD L. NEUBERGER

Mr. President, as chairman of the Health Insurance Subcommittee of the Senate Post Office and Civil Service Committee, I rise in support of the motion made by the distinguished chairman of our full committee, Mr. JOHNSTON. These amendments will partially restore S. 2162, the Federal Employees Health Benefits Act of 1959, to the way it passed the Senate on July 16.

Our Senate passed bill provides for a modest but complete package of health benefits with the cost to be shared on a 50–50 basis between the Government and the employee. The estimated cost for our plan was $305 million for the first year.

The bill, as amended and passed in the House, reduced the cost of the health benefits program by almost one-third to $215 million for the first year. This was done at the request and insistence of the administration, the U.S. Civil Service Commission, and the Bureau of the Budget. The House passed bill no longer continues the 50–50 sharing of costs for an adequate package of health benefits. A minimum, but inadequate, package of health benefits would be available on the 50–50 sharing basis with the employee expected to obtain additional benefits entirely at his own expense so that he might have adequate health coverate.

The House passed bill, which basically we accept, is a partial step in the right direction, but it is only a partial step and at some future date, the program must be enlarged, so that it will meet standards already provided by enlightened private industry.

Specifically, the amendments which we are presenting would insure that the 3-percent reserve fund and the 1-percent administrative cost would be shared on a 50–50 basis by the Government and the employee, rather than borne entirely by the employee. The specified minimum contribution of the Government and the employee would be used entirely for the payment of health benefits, and administrative and reserve costs would be in addition to the minimum specified in the House passed bill. Thus, health benefits could be increased 4 percent by the amendment. The second amendment would insure a guaranteed minimum contribution by the Federal Government. The House passed version is not clear with regard to this, even though I am sure that their intention was to guarantee such minimum contribution. The last amendment would direct the Civil Service Commission to set up a Bureau of Retirement and Insurance to handle the health and insurance programs of the Federal Government. This provision was contained in the bill when it passed the Senate. A provision is also made for a modest increase in the salary of the hard-working Executive Director of the Civil Service Commission.

Mr. President, the health benefits bill will soon be on its way to the White House. This legislation represents the culmination of many years of effort and a great deal of hard work by many persons. As chairman of the subcommittee, which developed this legislation, and held extended hearings, I would like to pay tribute to the distinguished chairman of the full committee, Mr. JOHNSTON, and to all the hard-working members of our subcommittee, the junior Senator from Texas, Mr. YARBOROUGH; the junior Senator from North Carolina, Mr. JORDAN; the junior Senator from Kansas, Mr. CARLSON; and the junior Senator from Kentucky, Mr. MORTON. I also wish to thank the diligent members of the committee staff, who spent many hours in conference and in drafting the many fine details of this legislation. We have had the able assistance and cooperation of Government employee leaders, representatives of health carriers, and staff members of the Civil Service Commission.

Mr. President, this bill does not provide coverage for the presently retired career Federal civil servant or those who retire prior to June 30, 1960. On August 21 I introduced legislation to cover these devoted career retirees. I am pleased to report that our subcommittee expects to report our bill to the full committee next week and I hope that Senate passage of this legislation might be possible this year, so that health coverage for the presently retired can start on July 1, 1960, the same date that coverage will start for active employees and those who retire after June 30, 1960.

Mr. MONRONEY subsequently said: Mr. President, I desire to pay tribute to the outstanding work which was done in perfecting the bill to provide health insurance for all Federal employees. The passage of the bill today is a great tribute to the careful consideration which was given to the bill by the Subcommittee on Civil Service of the Committee on Post Office and Civil Service, under the chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER]. He and his subcommittee devoted many months of work to this very complex problem before reporting the bill to the full Committee on Post Office and Civil Service. I believe the bill will furnish lasting benefits to all the hundreds of thousands of Federal employees.

I pay tribute not only to the distinguished Senator from Oregon, but also to the chairman of the full committee, the distinguished Senator from South Carolina [Mr. JOHNSTON] and to the ranking minority member, the distinguished senior Senator from Kansas [Mr. CARLSON].

The bill is indeed landmark legislation. I believe it will prove to be acceptable to the employees of the Federal Government, because it gives them as genuine a sense of security against ailments, diseases, and illnesses as anything which Congress has provided in a decade.

Mr. President, I ask unanimous consent that my remarks may be printed following the remarks of the distinguished Senator from Oregon [Mr. NEUBERGER] when he spoke on the passage of the bill earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

STUDIES OF THE EFFECTS OF CERTAIN INSECTICIDES UPON FISH AND WILDLIFE

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 1575.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1575) to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes, which was, to strike out all after the enacting clause and insert:

That section 2 of the Act of August 1, 1958, providing for continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources and for other purposes is amended to read as follows:

"SEC. 2. The sum of $2,565,000 per annum is hereby authorized to be appropriated to carry out the objectives of this Act."

Mr. MAGNUSON. Mr. President, the bill authorized the appropriation of such sums as might be necessary to carry out the purposes of the act, which authorized and directed the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources. The House amended the bill by placing a limit on the authorization.

Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

ELIGIBILITY OF ALASKA AND HAWAII FOR PARTICIPATION IN DISTRIBUTION OF DISCRETIONARY FUNDS UNDER FEDERAL AIRPORT ACT

Mr. MAGNUSON. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House on the bill, S. 2208, to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2208) to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act, which was, to strike out all after the enacting clause and insert:

That paragraph (2) of section 6(b) of the Federal Airport Act (49 U.S.C., sec. 1105(b)(2)) is amended to read as follows:

"(2) Such discretionary fund shall be available for such approved projects in the several States, Alaska, and Hawaii as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the location of such projects. The Administrator shall give consideration, in determining the projects for which such fund is to be so used, to the existing airport

facilities in the several States, Alaska, and Hawaii, and to the need for or lack of development of airport facilities in the several States, Alaska, and Hawaii."

Mr. MAGNUSON. Mr. President, the amendment of the House is a technical amendment and is proposed solely for the purpose of conforming the proposed legislation to the style of existing law. It makes no substantive change in the language of the bill as passed by the Senate.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

RAILROAD TRACK MOTORCAR SAFETY LEGISLATION

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding H.R. 2487 and S. 1425, the railroad track motorcar safety bills.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

There has come to my attention evidence of what seems to be an unusual campaign by railroad management to get railroad employees into signing management-prepared telegrams and other statements to their Senators and Representatives in Congress urging them to oppose H.R. 2487 and S. 1425, the railroad track motorcar safety bills sponsored by Chairman OREN HARRIS, of the House Interstate and Foreign Commerce Committee, and by myself and 18 other Senators of both parties.

This legislation would give the Interstate Commerce Commission authority which it now lacks to establish rules and regulations for the safe operation of railroad track motorcars or other self-propelled equipment used as vehicles for travel by railroad employees and also for transportation material used in the maintenance and installation of track signals. The death and injury rate to railroad workers using this kind of equipment has been rising steadily and, in my view, has reached serious proportions. I cannot agree with management's claim that such regulation of the use of these cars to prevent such accidents, with their mounting loss of property and losses to the railroads, as well as the needless deaths and maimings of railroad workers, would be an undue burden upon them because it would complicate their operations—we would not pass such a law. Hearings are now being held.

Nevertheless, I recognize railroad management's right to express such a view, which they have had every opportunity to do at the hearings before the Senate Surface Transportation Subcommittee. While I recognize and respect this right, however, I can only regard as a matter of grave concern to every Member of this Congress, the present effort by some to create the appearance that railroad workers themselves oppose this legislation by forcing them to send management-prepared communications to Congress in the manner it has been done. Let me cite to you some specific documented examples which reveal the nature of this campaign to defeat this legislation which I think is needed to protect the lives and well-being of railroad workers to some degree by giving the ICC authority to make reasonable safety regulations only—not new jobs.

First, I want to place in the RECORD at this time a copy of a message teletyped by E. L. Mullennix, the roadmaster who hires and fires the employees to whom his message is addressed. It reads as follows:

ATCHISON, *July 30, 1959.*

All Section Foremen Effingham to Concordia:

Each of you wire your U.S. Senator with the wire to read as follows: "Refer to Senate bill 1425: Missouri Pacific Railroad has progressively improved the safety and operation of motorcars until they now have adequate protection. Urge you to vote against this bill." Wire your Senator the message above in a.m. July 31, and send it Western Union. Pay for your Western Union and I will refund your money. Send Mr. C. L. Christy a copy of the Western Union message.

E. L. MULLENNIX.

This message speaks for itself. There is no request made here, nor no explanation of the issues involved. It seems to be simply an order to all the foremen under him to send a specific wire to their Senator, to pay for it out of their own pockets and then get a refund.

As my next example, I have in my possession a copy of a letter from an official of one of the railway brotherhoods. This letter, dated August 5, 1959, reads in part as follows:

"I am sorry to advise you of what happened yesterday. I went in my roadmaster's office as usual. He had received a stack of telegrams all filled out. He handed them to me, asked me to read and sign one. After reading one I gave them back and told him I could not sign it.

"It was in regard to Senator MAGNUSON'S bill, S. 1425, to amend the Interstate Commerce Act to provide protection for railroad employees by regulating the use of track motorcars and other self-propelled equipment.

My roadmaster went north on motorcar, his driver told me every man signed one of the telegrams. They were told that if the bill passed the company would have to put a conductor on every motorcar.

"Another roadmaster went south out of here. From what I can learn all of his foremans signed one. The message stated that we had sufficient motorcar protection."

This occurred on a railroad operating in the State of the cosponsor of this measure in the House. I am confident that Chairman HARRIS is not going to be intimidated or misled by this, but since many other of the Members of the Senate and House no doubt have received telegrams produced in this way, I want the Congress to be fully aware of the nature of their origin so that they may be appraised accordingly.

As my final exhibit at this time I include here the text of a letter signed by two roadmasters and one B. & B. supervisor and addressed to all foremen under their supervision on the Union Pacific Railroad. This letter, also couched in the form of an order, reads as follows:

HINKLE, *August 12, 1959.*

To All Foremen:

Received the following mailgram from Mr. R. E. Haacke:

"There is now pending in Congress, Senate bill S. 1425, which would require all track motorcars to be operated by train orders under the jurisdiction of and in accordance with rules established by the Interstate Commerce Commission.

"All of us who are familiar with motorcar operations can readily see the tremendous complications involved in attempting to operate motorcars under positive train orders. In effect, this would make it very impractical or almost impossible to get from one point to the other on a motorcar as all of our gangs would be spending more of their time getting train orders and getting to and from points of work under these train orders than they would in actual performance of their work.

"The practical effect would probably be that we would have to discontinue the operation of all or most section gangs as they now exist and perform our track maintenance work with roving extra gangs, such as some other railroads are already doing.

"If this Senate bill 1425 is passed, we should bear in mind that none of our motorcar operators are presently qualified to take train orders, as would be necessary for them to do at outlying points under the requirements of this legislation. It is doubtful whether very many of our motorcar operators could pass the necessary examination on operating rules to permit them to copy train orders. As a result many of them would no doubt be disqualified if they could not pass this examination on the operating rules."

I am sure that each of you realize just what effect passage of this legislation would have on your jobs. I feel, therefore, that this matter should be brought to the attention of the men under your supervision so they can write to their Senators and Congressmen expressing opposition to Senate bill S. 1425.

Want each of you to discuss this matter with your men and urge them to write letters opposing passage of this bill.

W. H. COSGROVE.
O. E. RAYBURN.
C. M. WISEMILLER.

(The bill does not contemplate "train orders" as such. It prescribes that the ICC make reasonable rules. If it does it can be changed after hearings to emphasize only the safety measures.)

The pocket list of railroad officials shows that Mr. R. E. Haacke is resident engineer of the Union Pacific Railroad at Portland, Oreg. Remembering that all of these officials have the power to hire and fire their subordinates, the reference to loss of jobs if S. 1425 should become law clearly has some overtones here and, I am informed, has caused real concern among railroad employees on this division.

The question may naturally arise in the minds of many of you after getting telegrams of this kind as to whether or not the railroad workers really want this legislation. While on the surface it should be apparent that they would favor any step to cut down the horrible and steadily increasing loss of life and injuries which they are sustaining because of the present lack of such protection, I want the record to be absolutely clear on this point. Here is the text of a statement I have been authorized to insert on behalf of all of the 23 standard railway labor organizations affiliated with the Railway Labor Executives' Association:

"Railroad labor is strongly supporting S. 1425 and H.R. 2487 to give the Interstate Commerce Commission authority to establish rules and regulations for the safe operation of track motorcars and other self-propelled equipment. This legislation is needed promptly to check the alarming rise in the death and injury rate to railroad workers using this type of equipment. We urge its immediate enactment."

A. E. LYON,
Executive Secretary,
Railway Labor Executives' Association.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The Senate resumed the consideration of the bill (S. 2026) to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, what is the pending business?

The PRESIDING OFFICER. The bill before the Senate is S. 2026, to establish an Advisory Commission on Intergovernmental Relations.

Mr. JOHNSON of Texas. Mr. President, I yield the floor, so that the Senator from Maine may make a statement.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, H.R. 6904 is on the calendar, as Calendar No. 733.

The bill is designed to establish an Advisory Commission on Intergovernmental Relations. This proposed legislation is the culmination of a long history of efforts to study, evaluate, and improve the relationships among the various levels of government in our system.

The basic concept of the bill is that the Government of the United States operates under one system, functioning on three levels, and that the interrelationships of these three levels are of such importance to the effective functioning of the system as to justify and to require continuing attention by an agency representative of all three levels of government.

Mr. President, I will briefly describe the purposes of the Commission and its organization. The Commission would have seven basic purposes:

First. To bring together representatives of the Federal, State, and local governments for the consideration of common problems.

Second. To provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation.

Third. To give critical attention to the conditions and controls involved in the administration of Federal grant programs.

Fourth. To make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system.

Fifth. To encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation.

Sixth. To recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

Seventh. To recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

The Commission which would be created by the proposed legislation would be intergovernmental in its makeup. It would consist of 27 members, to be appointed as follows:

Six to be appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government.

Three to be appointed by the President of the Senate, who shall be Members of the Senate.

Three to be appointed by the Speaker of the House of Representatives, who shall be Members of the House.

Four to be appointed by the President from a panel of at least eight Governors submitted by the Governors' conference.

Three to be appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments.

Four to be appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the U.S. Conference of Mayors.

Four to be appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

The Commission is the sort of agency which has been recommended several times over recent years. The first Hoover Commission recommended the creation of a permanent agency of this kind.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the recommendations of the first Hoover Commission on this matter.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

FIRST HOOVER COMMISSION RECOMMENDATIONS ON FEDERAL-STATE RELATIONS

Recommendation No. 1: We recommend that the functions and activities of government be appraised to determine which can be most advantageously operated by the various levels of government, and which require joint policymaking, financing, and administration.

Recommendation No. 2: We recommend that our tax system—National, State, and local—be generally revised and that, in this revision, every possible effort be made to leave to the localities and the States adequate resources from which to raise revenue to meet the duties and responsibilities of local and State governments.

Recommendation No. 5: We recommend, in order to accomplish all of these things in an adequate and orderly manner, that a continuing agency on Federal-State relations be created with primary responsibility for study, information, and guidance in the field of Federal-State relations. (First Hoover Commission Report on Federal-State Relations, pp. 35–36.)

Mr. MUSKIE. In addition, Mr. President, the so-called Kestnbaum Commission, whose chairman was Meyer Kestnbaum, who testified in the joint committee hearings on the bill, recommended the creation of such a joint advisory commission. I ask unanimous consent that excerpts from Mr. Kestnbaum's remarks be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXTRACTS FROM STATEMENT OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE, AT JOINT HEARINGS ON HOUSE AND SENATE BILLS TO ESTABLISH AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, ON JUNE 22, 1959

The bill which has been introduced addresses itself to what I regard as a most important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission, in making its report, had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted, I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

Mr. MUSKIE. In addition, Mr. President, the annual Governors' conference at San Juan, P.R., this year recommended unanimously the enactment of legislation for the establishment of an advisory commission on intergovernmental relations, and I ask unanimous consent that a copy of the resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED UNANIMOUSLY BY THE GOVERNORS' CONFERENCE AT SAN JUAN, P.R., AUGUST 5, 1959, FAVORING THE ENACTMENT OF LEGISLATION FOR THE ESTABLISHMENT OF AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Whereas during five decades, the annual Governors' conference has given frequent recognition to the need for more coordination and cooperation between the States and the Federal Government; and

Whereas in past conferences, the Governors have encouraged and supported efforts to improve Federal-State relations, and to strengthen State and local government, including the establishment of a temporary Commission on Intergovernmental Relations in 1953, and the Joint Federal-State Action Committee in 1957; and

Whereas the increasing complexity of modern life has intensified the need for mutual understanding and for the continuous cooperation and coordination of activities between the levels of government in our Federal system; and

Whereas it has come to the attention of the Governors' conference that there has been initiated in the Congress of the United States, in recognition of the urgent need for action, legislation to establish a permanent bipartisan Advisory Commission on Intergovernmental Relations designed to bring together representatives of all levels of government in a united effort to preserve and improve our Federal system: Now, therefore, be it

Resolved, That the 51st Governors' conference urge the Congress to establish a permanent Advisory Commission on Intergovernmental Relations for the purposes and objectives specified in the legislation now before the Congress; and be it further

Resolved, That the Governors' conference pledge its full cooperation and support, through its individual and collective membership, toward the successful operation of the said Advisory Commission on Intergovernmental Relations and for the achievement of its objectives.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend my friend from Maine for his zealous activity in supporting the establishment of the Advisory Commission which, as he has pointed out, is so long overdue, having first been recommended by the Hoover Commission in 1949, I believe.

Will the Senator advise me if I am correct in my understanding that the Commission would be predominantly an Executive Commission, with minority representation from the two Houses of Congress?

Mr. MUSKIE. There would also be representation, I should like to point out to the Senator, from State legislatures.

Mr. CLARK. Yes. But am I not correct in my understanding that of the 27 members of the Commission the President would appoint 21?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. There would be six Members from the Congress; three from the Senate and three from the House of Representatives?

Mr. MUSKIE. The Senator is correct.

Mr. CLARK. I believe the Senator is aware of my bill, S. 1431, which has also been favorably reported by the Committee on Government Operations.

Mr. MUSKIE. Yes; I am aware of the bill.

Mr. CLARK. Does the Senator not think that my bill and the bill under consideration cover quite different areas of investigation and study, and that there is no overlap between the two so far as the need for further inquiry is concerned?

Mr. MUSKIE. Yes. I think the Senator would be interested in a statement made by Mr. Meyer Kestnbaum in the hearings on the bill.

Mr. CLARK. Indeed I would be interested. Mr. Kestnbaum happens to be a good friend of mine.

Mr. MUSKIE. He is a very able gentleman.

Mr. CLARK. Indeed he is.

Mr. MUSKIE. I will quote from Mr. Kestnbaum's statement, as follows:

> If such a commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time.

Mr. CLARK. I thank my good friend for that citation from my friend Mr. Meyer Kestnbaum, who also is one of President Eisenhower's advisers in this area.

Mr. MUSKIE. I thank the Senator.

Mr. MAGNUSON and Mr. JAVITS addressed the Chair

Mr. MUSKIE. I yield first to the Senator from Washington.

Mr. MAGNUSON. I believe the Senator from Pennsylvania was speaking about the proposal advanced in the hearings on the bill by several mayors, as I recall, that all three levels of government participate in this matter.

I should like to ask the Senator from Maine, does his proposal anticipate or does it allow the kind of representation from the urban centers suggested in some of the testimony? I notice on page 119 of the hearings a statement by Gordon S. Clinton, the mayor of Seattle. Questions were asked by the distinguished Senator from Maine about participation by the three levels of government. I think Mayor Clinton testified on behalf of the American Municipal Association.

Does this bill includes the three levels?

Mr. MUSKIE. Yes. In a sense, the bill includes really four levels. It includes the Federal Government, State governments, municipal governments, and also county governments, and the provisions of the bill relative to membership on the committee meet with the approval of the American Municipal Association in the U.S. Conference of Mayors.

Mr. MAGNUSON. I was going to say something on this point, but I believe the mayor's testimony, which is fairly short, expresses my views as far as urban and municipal representation is concerned; and I ask unanimous consent that his statement be placed in the RECORD at the conclusion of the remarks of the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, I wish to associate myself with the views expressed by the Senator from Maine. I am honored to be a cosponsor of the bill, and I strongly support its passage. I have no doubt that the Senate will pass it today.

I wish to call to the attention of the Senate the possible achievement in this field. For example, yesterday we passed—and I voted for it—the so-called antipollution bill with respect to water. That is exactly one of the problems with which a commission like the one proposed would concern itself. How do we adequately and wisely concentrate the responsibility for preserving the water resources of the country? They are not only one of our indispensable resources, but also one of the most dangerously jeopardized resources of the United States.

Also, Mr. President, we have been wrestling in the Senate with the no-man's-land problem, in the field of jurisdiction as between the States and the Federal Government in respect of labor matters, which are also very knotty problems.

Again, we have been more or less talking in the dark, based upon our own information, but without the benefit of any authoritative findings and analyses.

These are two examples. I am sure there are a host of others. This fact only emphasizes why the leadership of the Senator from Maine is so important.

I should like also at this time to pay a tribute to Meyer Kestnbaum, of Chicago, who has served as chairman of the Commission on Intergovernmental Relations, and is now a Federal member of the Joint Federal-State Action Committee. He has led in this field in a most enterprising way, and shows every promise of continuing to cooperate in this field. I am sure he is very sympathetic to the objectives we are discussing.

Sometimes, we are inclined to permit things to go by in a sort of offhand way, in a quiet hour like this, when not much is going on, and we do not place enough emphasis on the real importance of the whole concept of the problem of this Government of ours based upon Federal-State relations. Although I have many times supported the concept of Federal responsibility in the most authoritative sense, I am nonetheless too much of a lawyer myself not to understand the importance of the maintenance of the strength of the Federal system wisely and, considering the progress of the country, in ever keeping abreast of progress. This is a very fine contribution to that end.

Mr. ERVIN. Mr. President, I wish to commend the able and distinguished Senator from Maine for the fine work which he has done in connection with the presentation of this bill to the Senate, and also in connection with the consideration of the bill by the Committee on Government Operations.

The bill fills a very deeply felt need in our national life in that it provides a commission to study our Federal system in all of its ramifications. I concur in what the able and distinguished Senator from Pennsylvania said a moment ago, about the relationship between his bill and this bill. I believe the Senator from Maine has correctly stated that the two bills do not conflict, but, on the contrary, supplement each other.

Mr. MUSKIE. I thank the Senator from North Carolina.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Is it the thought of the Senator from Maine that this Commission would deal with such problems as we are now confronted with in the division of authority between the legislative and the executive branches, as between the two parties, in that one is controlled by one party and the other by the other party?

Mr. MUSKIE. Is the Senator speaking of the Federal level?

Mr. FULBRIGHT. Yes. We now have one party controlling the executive and the other party controlling the legislative. That, in my opinion, is a very unsatisfactory way to run a government. Will this Commission consider such problems as that?

Mr. MUSKIE. I would not consider that to be within the scope of the purposes of the Commission.

Mr. FULBRIGHT. Why not?

Mr. MUSKIE. The Commission is intended to deal with the relationships between different levels of government and not the relations between various departments of the Federal Government, or various departments on State levels. Its purpose is intergovernmental relations rather than relationships on any particular level of government.

Mr. FULBRIGHT. Reforms within the Federal Government, then, are not contemplated?

Mr. MUSKIE. Within the Federal system.

Mr. FULBRIGHT. Within the Federal system.

Mr. MUSKIE. As among these four levels of Government. I have not studied the language relating to the purposes of the Commission with a view to determining whether or not the kind of problem posed by the Senator from Arkansas would properly come within its scope. That was not the intention of the drafters of the legislation.

Mr. FULBRIGHT. Does not the Senator from Maine consider that this is a very, very important matter that we now seem to be confronted with more or less permanently, that the executive branch is controlled by one party and the legislative by another party?

Mr. MUSKIE. I could not agree more Incidentally, I should like to say to the Senator from Arkansas that I listened with a great deal of interest to his comments yesterday, which lay within this general field which he is now discussing. I thought his remarks were very appropriate and very pertinent.

Mr. FULBRIGHT. The Commission on Intergovernmental Relations in a very broad sense I should think would include the governmental relations between the executive and legislative branches of the Federal Government, and I was hoping the Senator would say "yes," that this was one of the subjects which the Commission would consider and that it possibly might contemplate some reforms in our system which would at least minimize the condition I have mentioned.

Mr. MUSKIE. The bill provides for a bipartisan representation on the Commission.

Mr. FULBRIGHT. Yes.

Mr. MUSKIE. And I suspect that if the appropriate people are named to the Commission, they might be tempted to delve into this field.

Mr. FULBRIGHT. I was hoping we might make legislative history which would encourage the members of the Commission to listen to such a problem, and I am disappointed that the Senator from Maine did not have this point in mind. I believe the problems he is dealing with are much less important and much less of a threat to the continued vigor of this Government than the problem I mention.

Mr. MUSKIE. Perhaps I can reinstate myself in the good graces of the Senator from Arkansas if I suggest for the RECORD that if the Commission, when it is created and organized, should undertake to consider the problem which he has outlined, I certainly would not object to it.

Mr. ERVIN. Will the Senator yield?

Mr. MUSKIE. I am happy to.

Mr. ERVIN. On that point I do not like to disagree with my able and distinguished friend from Arkansas, but if the American people are wise enough to elect a Democratic Congress and at the same time indulge in enough foolishness to elect a Republican President, I would be willing for them to have that privilege.

Mr. FULBRIGHT. Indefinitely?

Mr. ERVIN. Yes; as long as the American people want it.

Mr. FULBRIGHT. Does the Senator believe that the way the Government is operating at present, and has operated for the past several years, is a satisfactory way to operate the Government of a great country?

Mr. ERVIN. It is not the most efficient way the Government could be operated, and it is not the wisest way. Undoubtedly the wisest way would be to have the Democratic Party in control of all the departments of the Federal Government; but I think we should extend to the people the liberty of acting foolishly in some respects, as the Constitution authorizes them to do.

Mr. FULBRIGHT. However, I think we should do all we reasonably can to encourage them to act wisely in the administration of their governmental affairs.

Mr. ERVIN. So long as we do not coerce them into doing so.

Mr. FULBRIGHT. I did not bring up the question of coercion. The proposed agency would be an advisory commission, to study and present problems for the people to understand. My opinion is that under this division of authority the people will be confused as to where responsibility lies for inefficiency of the Government. The executive takes one view, and the legislative another. Each says that the other is at fault, and the poor people who are trying to make a living out in the hinterland are unable to say who is to blame.

Mr. ERVIN. That is correct.

Mr. FULBRIGHT. They are unable to reach a decision which would be wise; and I am trying to help them a little.

Mr. ERVIN. The popular idea in many areas of the country is that the President is protecting the people against a spending Congress. The facts are that the Congress has appropriated more than $600 million less than the President has urged.

Mr. FULBRIGHT. It will be more than $1.5 billion according to the most recent calculation I saw on the majority leader's desk, if the measures on which action has not been completed go as we expect. The figure will be about $1.8 billion.

Mr. ERVIN. I am speaking about bills acted on thus far.

Mr. FULBRIGHT. I think there is a very great defect in our system. Such a situation could not occur in a parliamentary system. I know it is unrealistic to propose a parliamentary system to this body, but I think it is significant that all other really democratic countries of any significance that have lasted for any period have had a system under which this sort of situation could not occur.

Mr. MUSKIE. For the past 4 years I had the responsibility and experienced the frustrations of working under a similar division of authority between the executive and the legislative branches, when I was Governor of Maine, with a Republican legislature. The Government worked fairly smoothly; but on one point the Senator touched upon, namely, that the people are likely to be confused as to who is at fault when this kind of government does not produce the results they want, I must say that during those 4 years I found, much to my pleasure, that the people tended to blame the legislature, which speaks with many voices, rather than the chief executive, who speaks with one voice.

Mr. FULBRIGHT. The Senator is absolutely correct; and if that is true in a small community like Maine, how much more true it is in an enormous community of 50 States.

This was exactly what happened in the 80th Congress. The President was able to sell the country on the idea that everything wrong with the Government was attributable to the Congress. I foresee the same thing happening in the next election. Already, in spite of the facts, which are clear, many are under the impression that we are profligates, spendthrifts, throwing the people's money away, although the figures very clearly show that we shall be approximately $1½ billion under the President's requests.

This is only one of the results of the confusion. I come back to the main point. I think the country should realize what is involved, and what the situation is, with this division of authority. I think we should give attention to it. I believe that a Commission such as the one proposed would be the ideal body to focus attention on it and possibly make recommendations.

I foresee that it will be extremely difficult for the Democrats, no matter how good a program they may put through Congress, to get their message across to the people, with a Republican in the White House. We do not have much influence with any of the press or any of the national magazines. Only a few newspapers of local interest support us. No matter what we do, the situation is very difficult. For the long-term future of the country, I think it is well that we control the Congress for a short period, in order that the issue may be made clear.

I do not know how we shall get out of the miasma or confusion we are in with regard to governmental responsibility. We have been in it for a long time. This is a very serious matter.

Mr. MUSKIE. I agree with the Senator.

Mr. FULBRIGHT. Why can we not have a Commission study the problem and focus attention on it, and perhaps make some suggestions as to needed reforms in our political system?

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. THURMOND. I observe on page 10 a declaration of the purposes of the bill. To refer to only one—

It is intended that the Commission, in the performance of its duties, will—

* * * * *

(6) Recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government.

There are seven different points listed. I would presume, from the statement I have just quoted, that the Senator would conceive that the purpose of the Commission would not be to attempt to allocate fields of taxation to Federal, State, county, or municipal governments, other than in consonance with the Constitution.

Mr. MUSKIE. The Senator is correct. I emphasize the point that the Commission would merely be an advisory body, in this respect, advising the executive and legislative branches at all levels of government involved in a particular recommendation, as to the Commission's view of the particular problem.

Mr. THURMOND. Whatever the Commission did, of course, would be in an advisory capacity, or in the nature of recommendations to the Congress, in the event it felt that changes were needed.

Mr. MUSKIE. The Senator is absolutely correct.

Mr. THURMOND. I read an article recently in a magazine which raised several points which I wish to clear up with the Senator.

One objection to the proposed Commission that was raised was that it was alleged that the Commission would encourage direct subsidies to cities. Will the Senator comment on that?

Mr. MUSKIE. That is not the intention with respect to the Commission at all. I think the Senator would be interested in looking over the list of sponsors of the bill. I think he will see included in the list of sponsors Senators who are on different sides of this question, as to what the Federal Government should be doing or not doing with respect to particular services. I believe that the significance of this plan is that almost all the sponsors of the proposed legislation feel that once the facts are disclosed with respect to any particular program, new or old, or proposed, the facts may or may not support a particular philosophy as to what level of government should perform the service.

All the Commission is designed to do is to make studies, ascertain the facts, and make the evaluation. Its function would not be to support any particular philosophy as to what levels of government should be performing given services.

Mr. THURMOND. I am sure the Senator would not conceive the Commission to be any type of device which would attempt to short circuit State governments.

Mr. MUSKIE. I think the Senator might be interested in the following statement in the committee report, which bears on the point he is making:

The committee desires to stress, in this connection, that it does not intend this coverage to mean that representatives of the various levels will act as special pleaders for those levels, or that members of the Commission will regard themselves primarily as representatives of any particular group, level of government, or geographic area for the advancement of a special interest.

Mr. THURMOND. Another point that was made in the article was that the Commission would exert pressure for greater governmental spending at all levels.

Would the Senator comment on that?

Mr. MUSKIE. On the contrary, if the facts supported such a conclusion, the Commission may very well, in its judgment, recommend a reduction in the Federal levels. I think the Senator from South Carolina would be interested in the report of the Fountain Subcommittee of the House Committee on Government Operations. This report was the result of 3 years of study by the Fountain subcommittee of the grant-in-aid areas of cooperation between the Federal and State Governments.

If the Senator will read that report, I think perhaps it would constitute a better reassurance to him than anything I could say. In the opinion of the Fountain subcommittee, the grant-in-aid function has a very definite, useful purpose, for it is designed in many instances to stimulate particular programs. If, in many instances, when the results of that stimulus have been achieved, Congress and the States ought to give consideration to the withdrawal of the Federal Government from particular areas. So this proposal could be a two-way street.

It may result, in some instances, in the Commission advising Congress and the executive branch that the Federal Government ought to be doing more in some areas. It may result, in some instances, in the Commission recommending to Congress and the Chief Executive that the Federal Government do less in some areas. There is no fixed preconception as to what the Commission's recommendations would be, and no fixed preconception of the philosophy of government which the Commission would support.

Mr. THURMOND. Certainly in construing what the Senator from Maine says, it would not be the type of commission which would encourage big spending. On the other hand, it might possibly encourage a reduction in expenditures. It might bring about economy and eliminate duplication in Government, and therefore result in a more cheaply operated Government, if one wished to express it in that way.

Mr. MUSKIE. On that score, I think the testimony of Mr. Meyer Kestnbaum, a part of which I have already placed in the RECORD, should be placed at this point in the RECORD. I think it would answer more fully the questions raised by the Senator from South Carolina.

Mr. President, I ask unanimous consent that the testimony of Mr. Meyer Kestnbaum before the joint hearings be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. MEYER KESTNBAUM, FORMER CHAIRMAN, COMMISSION ON INTERGOVERNMENTAL RELATIONS, AND PRESENTLY A FEDERAL MEMBER OF THE JOINT FEDERAL-STATE ACTION COMMITTEE

Mr. KESTNBAUM. Thank you, Mr. Chairman. I appreciate very much the opportunity to appear before the committee and discuss the bills which have been introduced with a view to establishing an Advisory Committee on Intergovernmental Relations.

As you know, Mr. Chairman, my interest in this subject goes back to the time when I was appointed Chairman of the Commission on Intergovernmental Relations, and as you have been good enough to suggest, I am here in my capacity as a citizen and as a former Chairman of that Commission.

I hope that you will permit me, first to applaud the work that has been done by your subcommittee. To my mind this has been a most objective, painstaking, and thorough inquiry into a most complicated subject. You have developed testimony and reports that are going to be extremely valuable to all students of the subject, and I know of no inquiry of this kind that has been conducted on a more objective basis, in the spirit of ascertaining the true facts.

Representative FOUNTAIN. Thank you very much.

Mr. KESTNBAUM. The bill which has been introduced addresses itself to what I regard as a most important objective, to give the President and the Congress the benefit of a continuing study of one of the most perplexing problems that our country faces; namely, the proper coordination of the activities of the various levels of government in order to achieve our national objectives.

Our Federal system has withstood many strains in the course of our history. It probably faces a greater strain at the present time than at any previous time in our history, because of the rapid economic and social changes that have taken place and because of the impact of these changes on our communities and of our very natural desire to use the good offices of government for the improvement of our society at a time when our ideas of what is appropriate are expanding very rapidly.

I am sure I need not remind you that the Commission in making its report had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

If I may quote from a letter which I addressed to the President at the time the report was submitted I said:

"We are hopeful this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a properly balanced Federal system."

Now that the National Government has undertaken through this committee a very thorough study, I would hope that in due course other levels of government, particularly the States, would undertake similar studies of the problems which they face in their own jurisdictions and in their relationships with other levels of government.

I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function.

It seems to me appropriate also to point out some of the problems which such a Com-

mission may face, because its success, in my judgment, will depend on whether these problems are faced squarely and are taken into account in the very organization of the Commission itself.

We face problems in connection with the appropriate division of labor among levels of government, because of the very rapid changes that have taken place to which I have already alluded, and because the total weight of all government is increasing tremendously. And as one looks forward to the next decade, it seems inevitable that National, State, and local governments will all be asked to assume larger responsibilities, and that the limiting factor will be not a limitation on what our people think they ought to have in the way of services, but rather our capacity to pay for them. It has already been demonstrated that the American people have a voracious appetite for goods and services, and it may be said, I think properly, that the American people want more in the way of services than they are willing to pay for. Many people suffer from the illusion that somehow if these services are provided in Washington, they do not need to be paid for, or at least that they themselves will not have to pay for them, but that they will be paid for by someone else.

Ultimately all of these questions inevitably take on important fiscal implications, and it is in the area of fiscal responsibility that many of the problems make their greatest impact. Very often arguments that are advanced on grounds of equity and justice, when examined closely really relate to the question of where the burden is going to fall—on what level of government—and often there is a kind of naivete, as to how these things ultimately are paid for.

Therefore, Mr. Chairman, it would seem to me that it would be unfortunate if a Commission such as is proposed, which I believe could perform a most useful service, were to begin its work by encouraging the belief that it is a device to permit various levels of government to present claims to the National Government, and that in some way through this procedure the appropriate levels of State government can be bypassed. That is to say, if the proposed Commission were to encourage municipal and county officials to believe that the Commission is a clearinghouse or a forum through which the needs of the communities are to be explored, and pressures of various kinds are to be brought upon the Congress, on the theory that the State governments are neither ready nor willing to assume their proper responsibilities, the net effect could be most unfortunate.

It seems to me, therefore, that somewhere in the mandate of the Commission, itself, there ought to be a rather clear statement of the fact that the Commission is being organized for the purpose of facilitating discussion of the problems which beset it, of pointing up the responsibilities as they appear, of admonishing the proper level of government when it fails to meet these responsibilities. We seek to retain the values of our Federal system, not to change it into something that would be quite different and which would have the effect in the long run of doing violence to the balanced system that was established by our Founding Fathers and has stood us in good stead throughout our history.

To supplement these observations, I should like to add just a few comments on this matter of fiscal responsibility. There is no need for me to dwell on the problems of the National Government. These have been amply presented, and certainly a committee of the Congress needs no instruction from me on that point.

On the whole, as one looks at the national scene, it would appear that the National Government has serious problems, that it is currently operating at a deficit, that the local governments, particularly the metropolitan areas, are also faced with tremendous problems which are somewhat beyond their capacity in many instances, and that, on the whole, State governments have been rather slow in facing up to the problems of their citizens in the metropolitan areas and have been content to permit the short-circuiting of their responsibilities by programs under which the municipalities and metropolitan areas have brought their problems to Washington.

A great deal of this revolves around the fact that the States take the view that the National Government has largely preempted many sources of revenue by its high rate of taxation,that as a result the revenues available to the States have been greatly diminished.

We also have to deal with the view that certain types of taxation are undesirable from an economic or social point of view. I am now referring to taxes on consumption, for example, which in the opinion of many of our people are regressive and are therefore not the appropriate means for enlargement of tax revenues.

It would be inappropriate for me to attempt to discourse on the subject of taxation, on which I am not an expert, but I would offer the observation that there has been demonstrated in many parts of the world, notably in Canada, the revenue-producing power of forms of taxation that are related to consumption. When we consider the great needs which we face in many areas, we ought not dismiss lightly the necessity of broadening the tax base so that it includes the great mass of our people.

I believe many competent authorities have indicated that the amount of additional revenue that is available to us through increases in the rate of income tax, either individual or corporate tax, is now quite limited.

Therefore, it seems to me that the States must give consideration to developing sources of revenue which will provide them and their political subdivisions with the kind of income that is needed to meet the greatly enlarged responsibilities which they face. And it must be evident that in the next decade or two the responsibilities of State and local governments are likely to grow even more rapidly than those of the National Government. The role of the National Government is extremely important in terms of directing the attention of our people to the areas in which the national interest is paramount, and a Commission such as is proposed could render a very useful service in making available not only to the President and the Congress, but also to our citizens the relative importance of the objectives to which the various levels of government are striving.

Unless this is done with a willingness to examine these questions critically, and unless there is willingness to ask each level of government to assume its proper responsibilities, we could develop a situation which would hamper the effective relationships between the various levels of government rather than advance them.

Therefore, if I may sum up what I have to say, Mr. Chairman, it would be this: I applaud the work which has been done by this subcommittee. It has been very valuable and highly constructive. The proposal for a Commission follows logically from the work that has been done by the subcommittee. It seems to me to deserve wide support. It seems to me also that the effective functioning of such a Commission must be taken into account before it is actually enacted; its mandate must be clear so that there is no disposition on the part of the State or local governments to misunderstand the purposes for which the Commission is established.

If such a Commission is established properly, I should say that it could render a useful and important service; that its work need not conflict with other committees that are now under consideration, such as the one on metropolitan areas proposed by Senator CLARK, because the problems of metropolitan government will be with us for a long, long time. A Commission such as is proposed can perform a useful and important function if it is properly organized, properly manned, and if it has the kind of support from the Congress ond the people that will permit it to bring to its work a real spirit of inquiry. It should not become merely a platform for special pleading or for the assertion of special interests in our society.

Thank you very much.

Mr. THURMOND. Mr. President, I shall ask the Senator from Maine one more question. Does the Senator fear that the Commission would possibly be dominated from the Federal level? I ask that question knowing that only six members are to be appointed by the President; three are to be Senators; three are to be House Members; four are to be Governors; three from State legislative bodies; four are to be mayors; and four are to be county officers. So the majority of the 27 members of the Commission would come from the State, county, and municipal levels. In fact, only 12 would come from the Federal level—six to be named by the President, and three to be Senators and three to be House Members.

Mr. MUSKIE. Three of the twelve to be appointed by the President would not be representatives of any level of government, but would be members of the public at large.

Mr. THURMOND. Of the six appointed by the President, I believe three would be from the executive branch and three are private citizens.

Mr. MUSKIE. The Senator is correct.

Mr. THURMOND. Of course, 3 are from the Senate and 3 from the House, which makes a total of 12 from the Federal level.

Numerically, of course, there would appear to be no danger of any Federal domination. I am simply wondering whether the Senator believes that that would be the actual case in operation; that the Commission would not be dominated from the Federal level, but that the states, counties, and municipalities would have full representation or would be in such strength that their views could be placed before the Commission and before the country in the proper light.

Mr. MUSKIE. I think the answer to the Senator's question must be found not in the legislation which, through mathematics, the committee membership has undertaken to achieve the objective the Senate has in mind, but lies rather in the kind of persons who will be appointed to serve on the Commission.

I think it would be of interest to the Senator to know that the United States Conference of Mayors, the Governors' Conference, and the Association of County Officials, as well, all enthusiastically support the Commission and give every indication, by the kind and qual-

ity of their support, that they enthusiastically intend to participate vigorously in the work of the Commission. If they do, then I have no fear that there will be domination on the part of the Federal Government.

Mr. THURMOND. As the Senator from Maine knows, I am vitally interested in the separation of the rights between the Federal Government and the States. The Constitution has delegated to the Federal Government certain powers, and has reserved all other powers to the States. I am sure the Senator could give assurance that, in his opinion, the Commission will operate within the framework of the Constitution, and that there will not be efforts to go beyond the Constitution and bring about changes, even though apparently beneficial, which would tend to violate the Constitution.

Mr. MUSKIE. It is certainly the intent of the framers of the proposed legislation to undertake to achieve a balance within the limits of the Constitution and a balance and coordination among the various levels of Government.

Mr. THURMOND. I thank the distinguished Senator from Maine.

Mr. MUSKIE. I thank the distinguished Senator from South Carolina for his colloquy and his contribution to an understanding of the bill.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ERVIN. The Senator from Maine mentioned the work of the Fountain subcommittee of the House Committee on Government Operations. This committee is headed by Representative LAWRENCE H. FOUNTAIN, of the Second Congressional District of North Carolina. Representative FOUNTAIN did magnificent work in this field and has done outstanding work in advocating the proposed legislation which the Senate is now considering. I simply bear witness to the fact that Representative FOUNTAIN, and the able and distinguished Senator from Maine, both merit the thanks of the American people for the fine work they have done in connection with the bill.

Mr. MUSKIE. I thank the Senator from North Carolina. I should like at this time to pay my tribute to the outstanding efforts of Representative FOUNTAIN in behalf of the bill.

Mr. KEATING. Mr. President, will the distinguished Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. KEATING. There was so much mumbling going on on this side of the aisle that I had to follow the practice of the distinguished Senator from Oregon [Mr. MORSE] and come over to this side so that I could hear the Senator. The distinguished Senator from Arkansas [Mr. FULBRIGHT] indicated that there is some dire problem when Congress and the President are of different political parties. I remember well that he asked for the resignation of President Truman because a Republican Congress had been elected. I felt that that was unwise at the time; I think it is unwise today. I do not know how he feels about it today.

I hope the Commission, to be established for the purpose of studying intergovernmental relations, will not deteriorate into a body for the discussion or the consideration of extraneous matters such as those brought up by the distinguished Senator from Arkansas.

I support the bill. I myself introduced a bill to establish a joint committee for the same purpose. I happen to favor the joint committee approach. But I certainly support the proposal of the distinguished Senator from Maine.

Mr. MUSKIE. I thank the Senator from New York.

Mr. KEATING. Mr. President, I ask unanimous consent that a statement which I have prepared in support of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING ON ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

I wish to comment on the importance of devoting careful study at a high level to the problems which we face in the general area of intergovernmental relations. This is by no means the first time that I have spoken on this subject. In fact, my first speech as a Member of the Senate dealt with the need for measures to effectively remedy problems pertaining to economic relations between the Federal Government and the States. On that occasion, I urged that a Joint Committee of Congress on Federal-State Economic Relations be set up to formulate a comprehensive program of action to alleviate these difficulties. Several weeks ago, on August 11, I introduced Senate Concurrent Resolution 70 to accomplish this purpose.

The Federal Government has on many occasions dealt effectively and swiftly with problems in which the authority of the various governmental units have clashed. Students of American Government have studied these problems, and have produced many useful and illuminating proposals for dealing with them. Several official governmental bodies have been established with a mandate to further this research and to systematize and publicize that which has already been completed. A great wealth of literature has been developed on this subject.

The bill which is before us today envisions a further step in the treatment of problems in the field of Federal-State relations. It would establish a mechanism whereby information and research materials in this field would be collected and analyzed at the highest level of our Government. Briefly stated, an Advisory Commission on Intergovernmental Relations, as proposed in the bill before us today, would serve in a top-level capacity as a study and advisory unit dedicated to the betterment of governmental relations between the Federal Government and its various component units.

There are several alternative ways in which problems of Federal-State relations could be handled. It is my own feeling that this purpose would be best accomplished by a joint congressional committee rather than by an Advisory Commission. A congressional committee would, in my opinion, be more able to initiate direct action implementing specific proposals to improve intergovernmental relations. Perhaps this is the next step beyond the Commission which we contemplate today. Although I favor this particular approach, I certainly do not want to prevent Congress from taking the important step forward which the legislation before us would accomplish.

It is of great importance to me that every opportunity be taken to devise new and better ways to approach the overwhelming tasks with which our Federal Government is faced. I support this bill because I welcome action which will allow us to tap the ideas of both experts and practitioners in the field of government. It is my view that government, to be effective, must work with and place great reliance upon creative individuals who are seeking to meet new challenges with new ideas. The action which we are asked to take today in establishing an Advisory Commission on Intergovernmental Relations constitutes a significant step endorsing the spirit of political innovation which is so essential if we are to successfully meet the great domestic and international problems with which the United States is faced.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. McCARTHY. Before the Senator from New York goes back to his own side of the aisle—I assume he is returning—I may say that I asked the Senator from Maine to yield to me so that we could make clear that the visit by the Senator from New York is a temporary one.

Mr. KEATING. I assure the Senator from Minnesota that it is temporary. He need have no worry.

Mr. McCARTHY. It is only for today?

Mr. KEATING. It is simply in order to hear better. There is so much mumbling that goes on over here, that we cannot hear on our side of the aisle what is being said on this side of the aisle. I have simply moved over, as the Senator from Oregon did the other day. He was having the same difficulty then as I am having now. He could not hear the majority leader.

I simply came over to this side of the aisle to listen. I give my pledge to the distinguished Senator from Minnesota that I shall stay here only long enough to listen; then I shall return to the proper side of the aisle.

Mr. McCARTHY. So long as the Senator from New York is forewarned, it is all right. But he knows it is extremely dangerous to come close enough to hear what the Democrats have to say, for fear he might be converted.

Mr. KEATING. No. There is no danger of that, although I find among Senators on this side of the aisle some of my very best personal friends, including the distinguished majority leader, who I see has come to the floor after arduous work in other areas. I do not see how he handles his big job.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. JOHNSON of Texas. I thank the Senator from New York for his generosity. I have not just come to the floor. But I am delighted that the Senator has been so busy that he could not observe me. I have been transacting business toward the rear of the Chamber.

Mr. KEATING. I do not see how the distinguished Senator from Texas does all that he does.

Mr. JOHNSON of Texas. Sometimes I wonder myself.

Mr. KEATING. The Senator from Texas is on the floor more than any other Senator.

Perhaps the Senator from Texas did not hear the Senator from Arkansas speak. That was what I was commenting on, primarily.

Mr. McCARTHY. I could continue to raise questions, including one which was suggested by the remarks of the Senator from New York, in that he said he was unhappy about what happened in the last election, since at that time he was opposed to divided government.

In view of the fact that all the experts now forecast that, regardless of what happens in the election in 1960, the Congress will continue to be controlled by the Democratic Party, I wonder whether the Senator from New York will carry his preference so far as to be opposed to having a Republican President in 1960. Perhaps he will agree that there should be a Democratic President at that time, so as to be assured that we would not have a divided government.

Mr. KEATING. Mr. President, the Senator from Minnesota misunderstood me. A divided government works—although not as well as when the control of both the executive branch and the legislative branch is in the same party.

But the Senator from Arkansas objected. The Senator will remember how he wanted to have President Truman resign, in order that a Republican could be made President—although he did not specify just what Republican would be selected, or how that detail would be worked out. If I had known how he would have worked it out, I might have been more sympathetic to his proposal.

Mr. McCARTHY. I thought the Senator from New York subscribed to that idea—at least, back in 1958.

Mr. KEATING. No; I was referring to the statement by the Senator from Arkansas that dire results would come from divided control.

I think it preferable to have the control of both the executive branch and the legislative branch of the Government in one party—but not so preferable or so desirable as to warrant the drastic arrangement of having a Democratic President. [Laughter.]

Mr. McCARTHY. I appreciate the contribution the Senator from New York has made while he has been standing on this side of the aisle.

Mr. KEATING. Well, it has been a pleasure to me to stand on the Senator's side of the aisle for a time, and I have enjoyed myself while I have been here.

Mr. McCARTHY. We have been glad to have the Senator from New York here for even so short a period of time. [Laughter.]

Mr. President, let me say that in the last few weeks the Congress has taken action on 3 or 4 bills which have involved the question of State-Federal relationships, and with regard to which those relationships have constituted an important consideration. In that connection, for instance, let me refer to the bill, recently passed by the Senate, which provided for the taxes on interstate sales by certain corporations; also the highway bill, which involved the question of financing and the question of control of the rights-of-way; and also the labor bill, in connection with which one of the important points for consideration was the so-called no-man's land question. In short, almost any major issue which relates to or involves Federal-State Governmental control deserves attention of this sort.

So I am sure all my colleagues join me in commending the Senator from Maine [Mr. MUSKIE] for having taken the initiative in regard to the establishment of such a Commission. On the basis of his record as the Governor of Maine and his record here in the Senate, I am sure that we need have no concern as to whether the study will be an objective one. Certainly we are assured that it will be orderly, thorough, and objective.

Mr. BARTLETT. Mr. President, will the Senator from Maine yield to me?

Mr. MUSKIE. I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I wish to join the Senator from Minnesota in stating that certainly the Senator from Maine is to be commended for his presentation of the bill to the Senate.

I had some questions about the bill, but they have been completely answered by the lucid and thorough explanation the Senator from Maine has given. I am sure his guidance and leadership in connection with this important matter will assure the taking of this forward step in coordination between the various branches of government in our country.

Mr. MUSKIE. I thank the Senator from Alaska for his generous remarks.

Mr. President, before I conclude my remarks on the bill, I should like to complete paying my compliments to Represetative FOUNTAIN. Without the outstanding work he did, the bill would not have been prepared. He worked very hard for years, both on the hearings and on the Kestnbaum report; and those hearings and that thorough consideration resulted in the production of this bill. I was able to work with him because of my experience as Governor. Certainly it has been a real privilege to work with him on the bill.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the committee amendment, which will be stated.

The amendment of the Committee on Government Operations was to strike out all after the enacting clause and insert:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance it its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-seven members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) Four appointed by the President from a panel of at least eight elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6), and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place

as he may designate for the Commission's initial meeting.

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Fourteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil-service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil-service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary,

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate proceed to consideration of Calendar No. 733, House bill 6904, to establish an Advisory Commission on Intergovernmental Relations.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MUSKIE. Mr. President, I move that all after the enacting clause of House bill 6904 be stricken out, and that there be substituted therefor the text of Senate bill 2026, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6904) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2026 will be indefinitely postponed.

Mr. MUSKIE. Mr. President, I move that the vote by which House bill 6904 was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MUSKIE. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MUSKIE, Mr. HUMPHREY, and Mr. MUNDT the conferees on the part of the Senate.

EXHIBIT 1

STATEMENT OF HON. GORDON S. CLINTON, MAYOR OF THE CITY OF SEATTLE, WASH.

Mayor CLINTON. Thank you, Mr. Chairman.

Mr. Chairman, members of the joint committee, my name is Gordon S. Clinton. I am mayor of the city of Seattle, Wash., appearing here before you today both in my capacity as mayor of Seattle and on behalf of the American Municipal Association on whose executive committee I have the honor of serving.

The American Municipal Association is, as you know, the national representative of approximately 13,000 municipal governments throughout the United States and Puerto Rico. It is organized on the basis of affiliation with the State Leagues of Municipalities in 45 States plus 225 direct member cities.

Cities eligible for direct membership must have a population of 50,000 or more, or be a State capital or one of the 10 largest cities in the State.

The AMS's support for the creation of a permanent Commission on Intergovernmental Relations is of long standing.

I believe that the original resolution passed by our membership was introduced in 1954, and has been a part of our national municipal policy since that date.

We support the creation of a permanent commission for several very important reasons. The principal one of which is the fact that the existing state of intergovernmental relations is notably poor and that, so far, attempts to promote improvement have been distinguished by failure or inability to come to grips with the problem.

As I believe the members of this committee have heard at considerable length and with some repetition perhaps, the whole governments of this country are not on particularly good terms with the governments of the respective States. Part of our problems with the States stem primarily, I believe, from the fact that they, for one reason or another, are unaware of or not particularly interested in the nature and extent of the real problems being faced by the urban areas.

In fairness, it must be admitted that they, on the State level, are preoccupied with what they consider problems equally as pressing at the State level. And former Governor Muskie will certainly echo that, I am sure.

It is, I am afraid, also true that the States find urban problems complex, not amenable to easy or inexpensive solution, and therefore prefer to let the local governments go it alone.

As I think you well know, municipal governments generally prefer to deal with the Federal Government because they find it more sympathetic and responsive to urban needs. But even dealing with the Federal Government they encounter a general inability to completely comprehend the real scope of the total urban problem, and a somewhat disturbing lack of appreciation of their fiscal and administrative limitations.

We honestly believe that our problems are not fully understood nor fully appreciated at either the State or Federal levels and we certainly welcome any sort of organization which could make our problems real and compelling to the States and to our Federal Government.

Secondly, we support the creation of the Commission because by the enactment of this measure, we will have achieved on the part of Congress and the President formal recognition that good intergovernmental relations are essential to the competent conduct of government in general.

Thirdly, a Presidential Commission with the considerable prestige that attaches to such groups provides an open forum of the kind needed to objectively analyze and discuss the functions and responsibilities of the various levels of government in the solution of problems posed by continued and accelerating population growth and urban expansion.

Fourthly, because the Commission proposal recognizes the need for equitable, responsible, and knowledgeable representation on the part of all levels of government, and I believe that is the sense of the distinguished Representative Fountain and one of the sponsors of this bill—an awareness of that, we feel, that the conclusions reached as a result of its deliberations will enjoy considerable acceptance on the part of all levels of government. Much more I might add than has been possible through the action of any committee or other ad hoc group established to carry out functions of the kind assigned by the bill to the Advisory Commission.

Finally, we believe that all levels of government should studiously and conscientiously pursue all possible courses toward the development of better and more efficient government. For, after all, that is the task of all, whether it is on a local, State, or National basis.

We are convinced that one method of securing this objective is to develop more harmonious relationships between States and Federal Government and the municipalities.

We believe that under our Federal system the fullfledged and continuing cooperation of all levels of government is mandatory. We believe it to be essential to our future as a Nation.

We also very firmly believe that the problems and areas of interest to be discussed and analyzed by the Commission must be approached with a reasonably open mind and on the basis of the realization that never in the history of our Nation have we faced the kinds and types of problems that our urban growth and development pose for us today. When we realize that almost two-thirds of the people of the United States are living in some 18 or 20 of the large metropolitan areas and that they are part of the exploding metropolis that we are all keenly conscious of, particularly those who work most directly on the local level.

I am certain that we can effect better intergovernmental relationships, that we can encourage and promote realinement of functional responsibilities at various levels of government, that we can do some within the broad framework of government laid down by our Constitution. And in so doing, be secure in the knowledge that our democratic process and individual freedoms need never be violated in the course of our work.

Representative FOUNTAIN. Thank you very much, Mayor Clinton, for your very significant contribution to the work of our committee.

Senator MUSKIE?

Senator MUSKIE. I have just one question that I would like to ask Mayor Clinton. At the outset I join Congressman FOUNTAIN in expressing appreciation of your statement. There are other questions I would like to ask but time is fleeting.

One question I would like to ask is this: One of the objections which occurs from time to time in the course of these hearings on the bills is the size of the proposed Commission. It is suggested that it would be too cumbersome and because of the fact that it cannot meet on a continuing basis, that it might not give the positive and continuing direction that the work of the Commission should have.

Of course, one of the reasons why it is so large is in order to give broad representation.

Mayor CLINTON. Yes.

Senator MUSKIE. What would be your reaction to a suggestion that has been made that the Commission itself ought to be composed of three people representing each of the three levels of government and advised by the committee which is broadly representative in its makeup?

By asking the question I am not suggesting any personal reaction to it. I simply inquire as to yours.

Mayor CLINTON. As you have aptly stated, part of the sense of this proposed legislation, as I see it, is to provide adequate representation on all levels of the Government, and likewise as has been pointed out, the status and prestige involved of a commission, that is inescapable, I think we are led to that. The thing we would have to ask, in view of the problem you point up, which is a real one—because here you are calling on, for example, mayors and representatives of States, Governors, and county representatives, and there would be a need for continuing action—part of the problem is maybe a physical one. I am not satisfied just in my first reaction that a three-man Commission would have the breadth that I think we would want if we were to acquire commission status.

It just seems to me, that is my first reaction, that there is a need for the President to be in on this, there is a very definite need for Congress to be aware of it. The one without the other in my judgment is not satisfactory. There is a need, yes, for the State; and this goes to the point of another level of government, the county and the municipalities with the U.S. Conference of Mayors and American Municipal Association submitting a panel from which several would be appointed.

In specific answer to your question maybe 24 might be unwieldy, but I think it should be more than 3, otherwise I do not think we get the broad dissemination of support and understanding, perhaps, that we are seeking in such a permanent Commission as this. That is my best impression, Senator.

Senator MUSKIE. I would agree with you wholeheartedly that we must have a sense of participation by all three levels of government, that State and local governments should not be made to feel that this is simply another Federal agency.

Mayor CLINTON. That is right.

Senator MUSKIE. Which will give pious attention to their opinions and judgments and problems, but continue on its own. I agree with that wholeheartedly. I do not know how you can resolve this problem perfectly. I do appreciate your comments. Perhaps 6 or 12 might be better.

Thank you.

Representative FOUNTAIN. While taking testimony in our regional hearings, we did not have this particular legislation in mind. It is, rather, an outgrowth of the testimony which we received throughout the country. One of the things we frequently heard, particularly from city representatives, is that the point or points of view of local government are not always represented or adequately understood when public commissions study intergovernmental relations. And we found some differences of opinion as between the representatives of large metropolitan areas and those from smaller communities. And we noted the same thing with respect to the counties, where you have metropolitan counties as well as rural counties. The representation of these differing viewpoints at the local level alone makes a very small commission impractical.

Moreover, if the Advisory Commission is to function effectively, I can well envision the necessity for its working through subcommittees so that certain problems will be studied by a few members of that Commission on a continuing basis.

And that is another reason for a larger commission than we might normally prefer.

I would like to ask you one other question. Which procedure do you think is preferable: Appointment of members by the President from a panel submitted by the various levels of government through their organizations, or appointment by the President in consultation with and upon the advice of these various organizations?

Mayor CLINTON. I would concur with the statement made by Senator MCCARTHY. I do not think it makes too much difference. I would not labor the point, actually, but I do feel that the important part is to see to it that the executive branch and the legislative branch, together, are aware that there is not a hiatus that exists, that, for example, if Congress is aware of something that is not reflected in the executive branch and vice versa, there may be a void that exists, and something less than the complete rapport and understanding that we seek to accomplish by such a bill as you could sponsor.

Representative FOUNTAIN. One witness said this morning that he thought it possible that the various organizations might find it embarrassing to select the panel of members from which the President would make the appointments.

Mayor CLINTON. I think that could be resolved and worked out, actually.

Representative FOUNTAIN. Mrs. DWYER.

Representative DWYER. No questions.

Representative FOUNTAIN. Any other questions? (No response.)

Thank you very much. If you have any supplementary suggestions which you would like to submit to the committee for the record and for our study, we will be happy to receive them. I want to say that we are not wedded to any particular word or phrase or sentence of this bill; it is simply the best that we have been able to work out after very careful study and deliberation.

However, if it can be improved upon in the interest of accomplishing the purposes of the legislation, we certainly want to do so. I am sure that is the feeling of Senator MUSKIE and Mrs. DWYER and other members of this committee as well.

Thank you very much.

Mayor CLINTON. Thank you.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF CHEYENNE, WYO.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 840, Senate bill 857.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 857) to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, Senate bill 857 provides for the transfer of approximately 30 acres of surplus land, with improvements thereon, at the Veterans' Administration Cen-

ter, in Cheyenne, Wyo., to the city of Cheyenne, by quitclaim deed, without consideration. The deed (1) shall provide that the land shall be used by the city of Cheyenne for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designee interfere with the operation of the Veterans' Administration; (2) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation of any such terms, conditions, reservations, or restrictions.

Hearings were held on S. 857 before a special subcommittee of the Senate Committee on Government Operations on July 17, 1959. The property to which this proposed legislation relates was originally part of a 600-acre tract of land which the city of Cheyenne transferred to the Veterans' Administration for the construction of a hospital. Witnesses before the committee stated that the original cost of the 600 acres was $5,000, and that an additional $8,000 was spent to extend the water mains to the site. The city had to borrow the money to pay for the land and the improvements.

Pursuant to an act of Congress approved June 29, 1948 (62 Stat. 1104), the Administrator of Veterans' Affairs conveyed to the city of Cheyenne by quitclaim deed, without consideration, approximately 431 acres of the site no longer needed for hospital purposes as surplus property.

In July 1955, the Veterans' Administration reported an additional 90.2 acres of the site, including the 30 acres described in this legislation, as excess property. The city of Cheyenne applied for conveyance of the entire 90.2 acres for use as part of the Cheyenne Airport. In accordance with the recommendation of the Civil Aeronautics Administration, 60.2 acres of the surplus land were transferred to the city by the General Services Administration for the construction of an airport.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I am now familiar with the bill. I wanted an explanation long enough to check the bill. This bill, if I may have the attention of the Senator from Kentucky [Mr. COOPER], is the bill I discussed briefly on the floor of the Senate yesterday. It is in line with a whole series of veterans' hospital cases we have had over the years, such as the one the Senator from Kentucky [Mr. COOPER] offered a couple of years ago. It is in line with the Morse formula, and I have no objection.

The PRESIDING OFFICER (Mr. CANNON in the chair). The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 857) was ordered to be engrossed and to be read a third time.

The bill was read the third time and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of section 2(a) of this Act, the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the city of Cheyenne, Wyoming, all right, title, and interest of the United States in and to 30 acres of land, more or less, described as a portion of the southwest quarter of section 28 and the west 150 feet of the southeast quarter of section 28, township 14 north, range 66 west of the 6th principal meridian, in the county of Laramie, State of Wyoming, beginning at a point on the south line of section 28, 150 feet east of the southwest corner of the southeast quarter; thence west along the south line of section 28, a distance of 690 feet; thence north a distance of 1,700 feet; thence east a distance of 690 feet; thence south a distance of 1,700 feet to the point of beginning, together with any improvements thereon, which were formerly a part of the tract of land comprising the Veterans' Administration Center, Cheyenne, Wyoming, and declared surplus to the needs of the Veterans' Administration.

SEC. 2. The deed of conveyance (1) shall provide that the tract of land authorized to be conveyed shall be used by the city of Cheyenne, Wyoming, for such purposes as will not in the judgment of the Administrator of Veterans' Affairs or his designate interfere with the operation of the Veterans' Administration Center, Cheyenne, Wyoming; (2) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States; and (3) shall provide that title to such tract shall revert to the United States upon the violation by the grantee of any such term, condition, reservation, or restriction.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROBLEMS OF THE AGED AND AGING

Mr. McNAMARA. Mr. President, I take this opportunity to bring to the attention of the Senate a short progress report of the work of the Subcommittee on the Problems of the Aged and Aging.

Adequate income, decent housing, good health, and a dignified place in society for our 15½ million citizens over 65 and 20 million over 60 are among the most important problems currently facing the Congress and the Nation.

The Senate Subcommittee on Problems of the Aged and Aging was created under Senate Resolution 65, which authorized the Committee on Labor and Public Welfare to establish such a subcommittee.

I wish to thank the distinguished chairman of the Labor and Public Welfare Committee [Mr. HILL] for his very great cooperation and assistance in the creation of the subcommittee.

It was charged with conducting a comprehensive study of the problems of the elderly including their needs, programs of Federal agencies to meet these needs, and the extent to which additional Federal programs should be undertaken to help solve these problems.

I ask unanimous consent that the text of the resolution be printed in the RECORD at this point.

There being no objection, the resolution (S. Res. 65) was ordered to be printed in the RECORD, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to the problems of the aging including, but not limited to, (a) a study of the major problems of the aged, (b) a study of the existing programs of agencies, both public and private, dealing with problems of the aged, (c) a study of the present role of the Federal Government in dealing with problems of the aged, and (d) a study of any additional Federal programs which should be undertaken to help solve the problems of the aged.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1959, to January 31, 1960, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1960.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $85,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McNAMARA. Mr. President, in preparing for this study, some of the most informed people in the Nation were asked to meet with the members of the subcommittee to explore the broad range of problems and to suggest guides and standards for further investigation.

I have had many requests for a summary of the thoughts and ideas of these nationally known experts. I have, therefore, taken some of the interesting highlights from the storehouse of information we have developed as the basis for my presentation today.

One startling fact is that if medical progress continues, there is no basic reason why human beings cannot live to the age of 125.

If this dramatic trend continues, today's problems of aging will seem like

minor ripples as compared with the floods of tidal proportions to come.

The average life expectancy in the United States today is about 70. This compares with an average of about 48 a little over 50 years ago. Forty years from now the life span is expected to average 82 years.

In 1900 there were only 3 million Americans over the age of 65. Today there are nearly 16 million, and in 10 years there will be an estimated 20 million.

Not only does this constitute a soaring increase in total numbers, but the percentage of the total population in the over 65 bracket has more than doubled, jumping from 4 percent to 9 percent.

If we continue to relegate old people to the sidelines—financially, medically and socially—the financial burden to this country just in terms of institutions for the aging will be too fantastic to contemplate.

This population boom amounts to a national crisis because of the role we tend to assign to "older men and women."

We have made it possible for more people to live into the so-called "golden years," but without adequate incomes, health care, housing, and without a recognized role in the community life of the Nation.

The primary issue facing the aging today is that of maintaining a decent American standard of living on a heavily reduced income.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. MORSE. I most sincerely compliment the Senator from Michigan for the grand job he did in the Committee on Labor and Public Welfare.

Did the Senator go into any detail with regard to the problems which concern the elderly, such as the fear of medical costs after they are 65 years of age, and their fear that they will not have the funds, nor will their children have the funds, to pay the cost of serious illness in old age?

Mr. McNAMARA. I wish to assure the Senator from Oregon [Mr. MORSE] we have gone into the subject at great length, and I intend to make further reference to it in my remarks today.

Mr. MORSE. I shall not interrupt the Senator further, except, for the sake of the record, I wish to ask the Senator if he is aware of the great interest of the senior Senator from Oregon in the problem of medical care for the aged, as evidenced by the fact that I am the author of the Senate bill, as is Congressman FORAND on the House side—the so-called Forand-Morse bill—which seeks to provide medical insurance attached to social security for the aged, which would take care of their medical costs after the age of 65?

Mr. McNAMARA. The Senator from Michigan is well aware of the interest of the Senator from Oregon in this subject, and assures him that the subcommittee of the Committee on Labor and Public Welfare, and I personally, in my contact with people throughout the country in relation to this subject, have found a great deal of interest in the proposed legislation to which the Senator from Oregon refers.

Mr. MORSE. Am I correctly advised that at the next session of Congress, if we do not stay here long enough this fall, as we should, to handle the matter, the bill to which I referred will come before the committee of which the Senator from Michigan is a member for hearing?

Mr. McNAMARA. I do not think our committee is the appropriate committee to conduct hearings on that bill. However, I think that decision will be up to the distinguished chairman of the Committee on Labor and Public Welfare [Mr. HILL]. He will probably make that decision.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. HILL. I think that subject would fall within the jurisdiction of the Finance Committee. This is a Ways and Means Committee matter in the House of Representatives, but since the proposed legislation involves social security, and since social security involves a tax, the legislation from the beginning has been handled in the House by the Ways and Means Committee and in the Senate by the Finance Committee.

Mr. McNAMARA. I wish to make it plain to the Senator from Oregon that with respect to the jurisdiction of the Committee on Labor and Public Welfare I follow the leadership of the distinguished Senator from Alabama [Mr. HILL].

Mr. MORSE. If the Senator from Michigan will yield further, I wish to say I have followed with great interest the splendid work which the subcommittee on problems of the elderly has been doing, and I intend to make use of all the data and the evidence the committee has collected in its work in order to give support to the Forand-Morse bill when the hearings are held on it next January.

Mr. NcNAMARA. I wish to thank the Senator, and I assure him even though the proposed legislation is not before the subcommittee, we have already had considerable discussion on it, and we will encourage more discussion, even though the bill is not officially before the subcommittee, and I am sure the Senator understands we will be glad to hear from him.

Mr. MORSE. I think the Senator from Michigan will be surprised to learn, because I was surprised to receive the mail, that I have received letters since my discussion of that bill some little time ago on the Senate floor, from a surprisingly large number of doctors in this country, who have written me to the effect that they recognize the position I have taken is a position which is inevitably going to come to be accepted by the American people. It is their position that the medical profession might as well face up to the reality and cooperate with us in trying to work out an insurance program which will remove from the elderly people of this country the gnawing fear that in their declining years they may find all the savings which they have accumulated, and also a good deal of the savings of relatives near to them, dissipated as the result of high medical costs in those declining years.

If we are going to carry out our obligation of social justice to the elderly people of this country we must proceed to pass legislation which will not destroy the private practice of medicine but which will make clear the older people of our country will not have to live in fear that they will spend the last few years of their lives not only in great physical pain but also in great economic pain as well.

Mr. McNAMARA. I could not agree with the Senator more.

I continue, Mr. President. Estimates presented to us by representatives of the Department of Health, Education, and Welfare revealed that it costs at least $2,300 a year for a couple to live by themselves in an urban center in modest fashion.

Over half of the couples who live in this country have less than this amount of income. The average couple on social security receives about $1,440 a year if they are both retired.

On an individual basis, 60 percent of those over 65 have less than $1,000 a year in money income.

Mr. President, I want to repeat that sentence: On an individual basis, 60 percent of those over 65 have less than $1,000 a year in money income. Even more desperate is the income situation of the 1.3 million aging widows now receiving an average social security benefit of $56 per month because their benefits are fixed at 75 percent of the amount which had been paid to the husband, now deceased.

In addition to those receiving social security benefits about 2½ million people are forced to subsist on old age assistance payments, which average $65 a month, with a range among the States from less than $30 to $110.

In summary, the income of a large proportion of these 15½ million Americans ranges from mere subsistence to desperation and despair. While man does not live by bread alone, a decent and responsible economic base is essential for a creative American life.

Related to this problem of income are the difficulties faced by an older person in employment. The percentage of men 65 and over in the labor force has dropped steadily in the past two decades. Figures stood at 50 percent during the manpower shortage of World War II and dropped to 33 percent today, and continued decline is expected.

Depending on the nature of a man's work he can be old today at 30, at 45, or at 55. The evidence before our subcommittee indicated that if a man has the misfortune to lose his job at the age of 45 or over his chances of finding new

employment of an equal nature are slim. And the duration of unemployment is longer for the older worker.

Our subcommittee was urged to find ways to overcome the irrelevant reasons and the biases on which many employers base their refusal to employ the older worker.

The subcommittee was asked to study the question of an anti-age discrimination law, as well as such proposals as long-range compensation for older job seekers, special training and counseling, and the abolition of arbitrary retirement policies.

Mr. President, I ask my colleagues in the Senate to consider the magnitude of the crisis in the years ahead, caused by two forces alone: First, the rapid increase in the number and the proportion of Americans over the age of 65; and second, the gradual but definite decrease in the proportion of such people in the labor force.

This far-reaching development creates a new issue which cannot be ignored: What will be the basis for the adequate financial support of increasing millions of older Americans?

Today benefits from social security are apparently not intended to cover most of the living expenses of retired men and women. And we have only begun, in some areas of employment, to create adequate private pension arrangements.

In one way or another a price will have to be paid to meet this growing problem, and both the public and private sectors of America must begin now to explore the alternatives open to us.

And we must begin now to make the appropriate preparations for the alternatives we choose.

The report of the subcommittee, which will be ready by the end of January 1960, will discuss such alternatives. I hope that Congress will lead a nationwide discussion, and stimulate all Americans, young and old, to consider and discuss the implications of that report.

Some of the mental health experts testified that the importance of work is such in our society that its loss can be overwhelming with resulting increase of admissions to hospitals and mental institutions.

While our total population has multiplied about 2½ times, the number of first admissions to mental hospitals, age 65 and over, has soared by approximately 10 times.

If nothing is done to alter this trend we can look forward only to the expansion, at the cost of billions of dollars, of bricks and mortar for larger and larger mental hospitals.

Crucial to the enjoyment of later years is good health or, at the very least, the knowledge that basic medical costs can be financed.

The question of health in the later years should be considered a public health problem. As one of the physicians before our subcommittee stated:

> This is just as much a public health problem as strontium 90 in milk or polio in children.

We discovered that the field of medicine has begun to recognize the need for creating a more positive and realistic attitude toward the process of aging. Periodic health checkups for older persons were advocated for the best insurance against physical deterioration.

Five major points emerged from our discussions on the health needs of the elderly:

First. Medical care needs to be reorganized so as to prevent deterioration rather than to merely repair damage.

Second. Miracles have been wrought in so many cases in the rehabilitation of stroke victims, heart patients, and other sufferers of crippling diseases that an investment in rehabilitation will pay off many times over, not only in dollars, but in human welfare.

Third. Aged persons in this country require about 2½ times as much hospital care as the younger age groups.

Fourth. The large majority of older people in this country do not have adequate hospital and surgical insurance, although in recent years there has been an increase in the number who purchase some kind of voluntary health insurance. Too much of this is inadequate as to benefits, as well as too expensive.

Fifth. The biggest problem in the medical field for the elderly is the financing of medical care out of a reduced and often merely subsistence income. The subcommittee was urged to study carefully the proposed solutions in this critical field of financing medical costs.

Testimony by the Department of Health, Education, and Welfare indicated that if present trends in the purchase of private hospital insurance were projected about half of those over 65 will have some form of voluntary hospital insurance by 1965.

Even if accurate, this means that out of 17.8 million people over 65 at that time more than 8 million would be unable to purchase voluntary hospital insurance. About 2 to 2½ million will be forced to receive their medical care as indigents under old-age assistance.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. McNAMARA. I am happy to yield to my colleague.

Mr. MORSE. All this is fascinating data which the Senator is presenting to the Senate. The point he is making is that of those aged who do have some voluntary insurance, a very high percentage have voluntary insurance policies which are quite inadequate to meet their needs.

The opponents of the Forand bill have put out some propaganda as to the number of people who have voluntary health insurance policies. What they forget to tell the American people is that many, many of those people have what amounts to a nominal policy, one that does not provide them with adequate care.

As I have sat here listening to this very valuable material that the Senator has in his speech, I was wondering if his subcommittee has given any thought to seeking to have the report printed as a Senate document. It is much more than a committee report. It is a research study.

Mr. McNAMARA. No, I do not think we have given consideration to that. However, we had the several volumes of the hearings printed. All of this material is documented in great detail in the reports.

Mr. MORSE. What I had in mind was, as I listened to the synopsis of the hearings, I thought it would be very helpful in answering our mail. I do not think any Senator would deny the fact that he receives a great deal of mail on this general subject of the problems of the aged. It would be very helpful if we had this synopsis in a short Senate document which we could use in handling our mail.

Mr. McNAMARA. The subcommittee has prepared a summary. We have had authority from the committee for the printing of the summary, and it does contain all this information. We will see that the offices of the Senator from Oregon and other Senators are supplied with it. Some Senators have already received it. I thank the Senator for his suggestion.

In addition to what the Senator points out, that people over 65 have inadequate coverage, actually the cost is nearly twice as great as for people under 65. So they get less for twice as much money, and that is certainly a problem, one that we have already given a great deal of consideration to and one that we are going to pursue. Of that the Senator can be assured.

In other words, we can expect at least 6 million older Americans to be without any protection at all.

During the course of the hearings we devoted considerable attention to the problem of nursing homes in this country. The wretched living conditions, the isolation, and the quality of many of the nursing homes of our older Americans are a national disgrace.

One of the witnesses indicated he had visited between 235 and 250 nursing homes in the last 13 years and the level of medical care, he said, is at the most meager level.

As a result of these hearings it seemed clear that we need trained public health personnel—physicians, nurses and others who know how to deal with the elderly sick.

The subcommittee was urged to examine the nursing home situation in the Nation, to review the standards for them and the extent to which these standards are enforced.

Several witnesses stressed the need to develop a set of national standards which would insure that our nursing homes become centers of rehabilitation instead of centers for the abandonment of hope.

The housing needs of the elderly have been before the Congress and were emphasized in very strong testimony before the subcommittee.

Of greatest concern are those whose incomes are insufficient to enable them to obtain adequate housing. They either live alone in the unsanitary slums of our communities or overcrowd the homes of their children. As the years go by these arrangements become more and more unbearable, both for the aged and the young family with whom they live.

But even those with adequate incomes frequently have great problems in finding proper accommodations where they can enjoy their later years.

Independent housing now provided by nonprofit religious, labor, and fraternal organizations needs further stimulation and assistance. A direct partnership between voluntary agencies and government was suggested to provide such assistance.

The subcommittee was asked to study what kinds of housing arrangements are most suitable for older citizens.

It was pointed out at our hearings that much private and public expense could be saved if the necessary social services were provided for older persons in their own homes.

There are many people who can remain at home if they have a little help with the more strenuous activities that are involved with everyday living.

Day centers and activity centers enable older persons to spend productive days while the younger members of the household can be at work.

It was noted that in a number of States pioneer work is underway to discharge patients from mental hospitals and other institutions and to place them in foster homes or boarding homes. This is a movement that could be encouraged by training personnel and by providing funds for demonstration programs.

Mr. President, these comments summarize in very brief fashion some of the enlightening testimony before our subcommittee. We heard from a score of nationally known experts. We listened to representatives of Federal agencies, including Departments of Health, Education, and Welfare; Labor; Veterans' Administration; Civil Service Commission; the Housing and Home Finance Agency. We heard from representatives of 50 national organizations that work directly with the older citizens of the country.

We have written to and received responses from thousands of individuals and organizations throughout the Nation and enlisted the advice and counsel of public officials, Federal, State, and local.

In the next several months we plan to hold hearings in cities in several sections of the country, affording us the opportunity to review the problems first hand at the local level.

We expect to talk to the older people themselves. We expect to visit nursing homes and other institutions of the aged. We will be talking with mayors, welfare directors, representatives of local, public, and private agencies.

Over the past decade there has been a slow but steadily growing recognition of the aging challenge. We hope that the work of this subcommittee will lay the foundations for a systematic consideration by the Senate of the needs of our older citizens and the contributions they can continue to make to the Nation.

There is no panacea for these problems, but we do intend to deal with the human values and the proper public policies designed to add life to years, not merely years to life.

Mr. President, I ask unanimous consent to insert at this time data and tables revealing the extent of the problem.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Total population and population aged 65 and over in 1950 and 1957 by State and percent change, 1940–50 and 1950–57*

[Minus sign (−) denotes decrease]

State and Territory	Total (in thousands)		65 and over				Percent change			
			Number (in thousands)		Percent of total		1940–50		1950–57	
	1950	1957	1950	1957	1950	1957	Total	65 and over	Total	65 and over
Continental United States	150,697	168,368	12,270	14,750	8.1	8.8	14.5	36.0	12.5	21.0
Alabama	3,061	3,136	199	237	6.5	7.6	8.1	36.3	2.7	22.1
Arizona	750	1,053	44	72	5.9	6.8	50.3	83.3	42.0	63.3
Arkansas	1,910	1,757	149	185	7.8	10.5	−2.0	39.3	−7.9	26.0
California	10,586	13,551	895	1,152	8.5	8.5	53.3	61.3	30.1	29.2
Colorado	1,325	1,624	116	139	8.8	8.5	18.0	34.9	24.2	20.1
Connecticut	2,007	2,257	177	212	8.8	9.4	17.4	37.2	12.8	20.3
Delaware	318	426	26	31	8.2	7.3	19.1	23.8	34.0	19.6
District of Columbia	802	798	57	66	7.1	8.3	21.0	39.0	1.4	18.8
Florida	2,771	4,111	237	418	8.6	10.2	46.1	80.9	50.6	77.8
Georgia	3,445	3,691	220	264	6.4	7.1	10.3	38.4	8.5	22.6
Idaho	589	640	44	55	7.5	8.5	12.2	37.5	8.8	25.7
Illinois	8,712	9,647	754	904	8.7	9.4	10.3	32.7	11.2	20.3
Indiana	3,934	4,449	361	408	9.1	9.1	14.8	25.3	14.4	13.3
Iowa	2,621	2,781	273	312	10.4	11.2	3.3	18.7	6.1	14.2
Kansas	1,905	2,058	194	222	10.2	10.8	5.8	23.6	9.1	14.4
Kentucky	2,945	3,003	235	270	8.0	9.0	3.5	24.3	3.1	15.6
Louisiana	2,684	3,022	177	209	6.6	6.9	13.5	48.7	13.2	21.3
Maine	914	923	94	101	10.3	10.9	7.9	17.5	1.2	7.5
Maryland	2,343	2,830	164	194	7.0	6.9	28.7	32.3	23.0	20.2
Massachusetts	4,691	4,775	468	511	10.0	10.7	8.7	26.8	2.4	9.1
Michigan	6,372	7,691	462	570	7.3	7.4	21.2	39.6	20.9	23.9
Minnesota	2,982	3,312	269	327	9.0	9.9	6.8	26.3	11.1	21.6
Mississippi	2,179	2,150	153	175	7.0	8.1	−.2	33.0	−.7	17.6
Missouri	3,955	4,210	407	455	10.3	10.8	4.5	24.8	6.5	12.2
Montana	591	666	51	62	8.6	9.4	5.7	41.7	13.0	23.0
Nebraska	1,326	1,424	130	151	9.8	10.6	.8	22.6	7.7	16.2
Nevada	160	253	11	13	6.9	5.1	45.5	57.1	60.7	18.0
New Hampshire	533	566	58	63	10.9	11.0	8.3	18.4	6.5	8.2
New Jersey	4,835	5,572	394	479	8.1	8.6	16.2	41.2	16.0	22.1
New Mexico	681	789	33	47	4.8	6.0	28.0	43.5	18.1	44.2
New York	14,830	16,098	1,258	1,496	4.5	9.3	10.0	36.4	8.8	19.3
North Carolina	4,062	4,388	225	282	5.5	6.4	13.7	43.3	9.3	27.3
North Dakota	620	644	48	54	7.7	8.4	−3.4	23.1	4.0	12.3
Ohio	7,947	9,186	709	820	8.9	8.9	15.0	31.3	15.7	16.1
Oklahoma	2,233	2,221	194	230	8.7	10.3	−4.4	33.8	−.1	19.1
Oregon	1,521	1,739	133	163	8.7	9.4	39.5	43.0	14.5	22.9
Pennsylvania	10,498	10,990	887	1,025	8.4	9.3	6.0	31.0	4.9	16.0
Rhode Island	792	828	70	81	8.8	9.8	11.1	29.6	6.9	15.4
South Carolina	2,117	2,311	115	144	5.4	6.2	11.4	42.0	10.3	28.9
South Dakota	653	687	55	67	8.4	9.8	1.6	25.0	5.7	21.9
Tennessee	3,292	3,423	235	274	7.1	8.0	12.9	36.6	4.3	18.2
Texas	7,711	8,989	513	651	6.7	7.2	20.2	47.8	18.5	28.1
Utah	689	836	42	53	6.1	6.4	25.3	40.0	21.7	25.8
Vermont	378	368	40	43	10.6	11.6	5.3	17.6	−2.5	7.7
Virginia	3,319	3,664	215	255	6.5	7.0	23.9	38.7	14.2	21.0
Washington	2,379	2,653	211	250	8.9	9.4	37.0	46.5	14.5	18.5
West Virginia	2,006	1,962	139	164	6.9	8.3	5.5	37.6	−2.1	18.7
Wisconsin	3,435	3,855	310	372	9.0	9.6	9.5	28.1	12.3	20.0
Wyoming	291	310	18	24	6.2	7.7	15.9	33.5	9.9	31.9
Territories:										
Alaska	129	164	5	7	3.9	4.4	76.7	25.0	51.0	50.4
Hawaii	500	554	20	28	4.0	5.0	18.2	53.8	16.1	36.2
Puerto Rico	2,211	2,272	86	103	3.9	4.5	18.3	36.5	3.0	20.0

Source: Bureau of the Census, U.S. Census of Population: 1950, vol. II, Characteristics of the Population, pt. 1, U.S. Summary, table 63; pt. 51, table 7; pt. 52, table 11; pt. 53, table 13. Bureau of the Census Current Population Reports, Population Estimates, Series P–25, No. 194, February 1959, tables 1, 3, and 4.

TABLE 2.—*Number of persons aged 65 and over and aged 75 and over, in continental United States and Armed Forces overseas by sex: 1900 to 1958, with projections for 1960 and 1975*

Age and year	Total (in thousands)	Men (in thousands)	Women (in thousands)	Men per 100 women
65 years and over:				
1900	3,080	1,555	1,525	102.0
1910	3,950	1,986	1,964	101.1
1920	4,933	2,483	2,450	101.3
1930	6,634	3,325	3,309	100.5
1940	9,019	4,406	4,613	95.5
1950	12,270	5,797	6,473	89.6
1957 (July)	14,750	6,769	7,981	84.8
1958 (July)	15,041	6,854	8,187	83.7
Projections:				
1960	15,701	7,079	8,622	82.1
1975	20,689	8,701	11,988	72.6
75 years and over:				
1900	894	438	456	96.1
1910	1,156	560	596	94.0
1920	1,470	697	773	90.2
1930	1,913	916	997	91.9
1940	2,643	1,239	1,404	88.2
1950	3,855	1,744	2,111	82.6
1958 (July)	5,172	2,237	2,935	76.2
Projections:				
1960	5,478	2,342	3,136	74.7
1975	7,547	2,976	4,571	65.1

Source: Data for 1900–1940 from Bureau of the Census, U.S. Census of Population: 1950, vol. II, Characteristics of the Population, pt. 1, U.S. Summary, pp. 1-93, table 39. Data for 1950 and 1954 from Bureau of the Census, Current Population Reports, Population Estimates, Series P-25, No. 101, August 1954, p. 1, and p. 4, table 1. Data for 1957 and 1958 from Bureau of the Census, Current Population Reports, Population Estimates, Series P-25, No. 193, February 1959, p. 1, table A. Projections for 1960 and 1975 from Current Population Reports, Population Estimates, Series P-25, No. 78, August 1953, p. 5, table 1. Data for 1950 and thereafter include Armed Forces overseas.

TABLE 3.—*Expectation of life at selected ages, by color and sex; 1949–51 and 1900–1902*

Year, color, and sex	At birth	20 years	40 years	60 years	65 years	70 years	75 years
Total:							
1949–51	68.1	51.2	32.8	17.0	13.8	10.9	8.4
1900–1902 [1]	49.2	42.8	28.3	14.8	11.9	9.3	7.1
White:							
Male:							
1949–51	66.3	49.5	31.2	15.8	12.8	10.1	7.8
1900–1902 [1]	48.2	42.2	27.7	14.4	11.5	9.0	6.8
Female:							
1949–51	72.0	54.6	35.6	18.6	15.0	11.7	8.9
1900–1902 [1]	51.1	43.8	29.2	15.2	12.2	9.6	7.3
Nonwhite:							
Male:							
1949–51	58.9	43.7	27.3	14.9	12.8	10.7	8.8
1900–1902 [1]	32.5	35.1	23.1	12.6	10.4	8.3	6.6
Female:							
1949–51	62.7	46.8	29.8	17.0	14.5	12.3	10.2
1900–1902 [1]	35.0	36.9	24.4	13.6	11.4	9.6	7.9

[1] Based on data from original death registration States. Figures for nonwhites cover only Negroes who in 1900 comprised more than 95 percent of the total nonwhite population in the registration area.

Source: U.S. Bureau of the Census, U.S. Life Tables: 1890, 1901, and 1900–1910, by J. W. Glover, 1921; and National Office of Vital Statistics, "U.S. Life Tables, 1949–51," Vital Statistics—Special Reports, vol. 41, No. 1, Nov. 23, 1954.

TABLE 4.—*Life expectancy and work life for men*

	Life expectancy	Work life expectancy	Retirement life expectancy	Retirement life expectancy as a percent of life expectancy
At age 20:				
1900	42.2	39.4	2.8	7
1955	49.5	43.0	6.5	13
1975	51.7	43.7	8.0	15
At age 60:				
1900	14.3	11.5	2.8	20
1955	15.9	9.2	6.7	42
1975	17.2	9.0	8.2	48

Source: Wolfbein, Seymour L. "The Length of Working Life" in Population Studies, December 1949 (printed in Great Britain). A detailed exposition of the substance and techniques of this work was presented in "Tables of Working Life," Bulletin No. 1001 of the Bureau of Labor Statistics, U.S. Department of Labor (August 1950). Cf. also S. L. Wolfbein, "The Changing Length of Working Life" in "Proceedings of the Seventh Annual Meeting, Industrial Relations Research Association," December 1954 and "The Length of Working Life," a paper presented at the Fourth International Gerontological Congress at Merano, Italy, July 1957.

TABLE 5.—*Workers and nonworkers in the total population, 1900–50*

[Figures in thousands]

Year	Population	Labor force workers	Ratio of nonworkers to workers	Percentage distribution of nonworkers, by age—			
				0 to 19	20 to 44	45 to 64	65 and over
1900	75,995	28,416	167	61	25	10	4
1920	105,711	40,654	160	59	25	11	5
1940	131,669	53,299	147	52	24	15	9
1950	150,697	62,183	142	53	24	13	10
1957	170,000	70,000	145	60	18	11	11

Sources: "Historical Statistics of the United States, 1789–1945," Bureau of the Census, 1949, p. 25; ,1950 "Census of Population: Preliminary Reports," Series PC–7, No. 1, Feb. 25, 1951 p. 6; John D. Durand, "The Labor Force in the United States, 1890–1960," Social Science Research Council; New York, 1948, pp. 208–209; "Monthly Report on the Labor Force, April 1950," Current Population Reports, Labor Force (Series P–57), No. 94, Bureau of the Census, May 5, 1950, p. 9.

TABLE 6.—*Families by total money income in 1957, for the United States, urban and rural*

Total money income	Total	Families, age of head (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
U.S. total:							
Number (thousands)	43,714	2,219	9,134	10,448	9,466	6,629	5,818
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Under $500	3.0	2.9	2.0	2.3	3.3	3.9	4.7
$500 to $999	3.4	2.3	1.4	2.2	2.8	3.9	10.3
$1,000 to $1,499	4.0	4.7	2.2	2.0	2.8	4.1	12.7
$1,500 to $1,999	4.5	6.2	2.4	2.4	3.5	5.0	12.1
$2,000 to $2,499	5.2	8.1	3.8	3.3	4.4	5.9	10.4
$2,500 to $2,999	4.4	7.3	3.8	2.9	3.9	5.0	7.5
$3,000 to $3,499	5.7	10.7	6.1	5.1	4.8	5.6	5.9
$3,500 to $3,999	6.1	10.0	6.9	6.0	5.3	5.5	5.3
$4,000 to $4,499	7.3	10.8	9.6	7.1	5.6	7.5	4.7
$4,500 to $4,999	6.8	8.1	8.5	7.7	5.4	6.6	4.1
$5,000 to $5,999	14.5	14.2	19.4	16.2	14.3	11.7	6.7

TABLE 6.—*Families by total money income in 1957, for the United States, urban and rural*—Continued

Total money income	Total	Families, age of head (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
$6,000 to $6,999	10.3	8.1	12.3	12.2	10.6	9.6	4.6
$7,000 to $9,999	16.3	6.1	16.7	20.7	20.3	15.2	6.3
$10,000 to $14,999	6.5	.7	4.3	7.7	9.6	8.1	3.6
$15,000 to $24,999	1.4	----	.5	1.5	2.6	1.8	.7
$25,000 and over	.5	----	----	.7	.9	.6	.3
Median income	$4,971	$3,890	$5,170	$5,556	$5,573	$4,773	$2,490
Head year-round full-time worker:							
Percent of total	65.4	58.1	76.3	76.7	73.8	63.3	21.2
Median income	$4,718	$4,710	$5,537	$5,936	$6,179	$5,596	$4,199
Urban:							
Number (thousands)	27,486	1,510	5,544	6,406	6,049	4,373	3,604
Median income	$5,359	$4,030	$5,318	$5,843	$6,222	$5,433	$3,000
Rural nonfarm:							
Number (thousands)	11,418	572	2,956	3,031	2,210	1,327	1,322
Median income	$4,894	$3,735	$5,243	$5,535	$5,322	$4,192	$2,217
Rural farm:							
Number (thousands)	4,810	137	634	1,011	1,207	929	892
Median income	$2,490	(1)	$3,177	$3,306	$2,525	$2,387	$1,606

[1] Median not shown where there were fewer than 100 cases in the sample reporting on income.

Source: U.S. Bureau of the Census, Current Population Reports—Consumer Income, Series P-60, No. 30, December 1958.

TABLE 7.—*Unrelated individuals by total money income in 1957, for the United States, urban and rural*

Total money income	Total	Unrelated individuals, age (years)					
		14 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 and over
U.S. total number (thousands)	10,313	830	1,138	1,106	1,593	2,227	3,419
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Under $500	16.8	26.5	8.4	13.2	12.5	16.7	20.3
$500 to $999	20.6	15.8	10.6	9.6	12.5	16.2	35.5
$1,000 to $1,499	12.7	11.1	8.4	8.6	10.2	12.7	17.2
$1,500 to $1,999	8.5	8.4	6.3	6.8	9.0	8.8	9.6
$2,000 to $2,499	7.6	9.8	9.1	9.4	9.3	7.6	4.9
$2,500 to $2,999	5.5	9.2	5.7	8.0	4.6	6.8	3.1
$3,000 to $3,499	5.6	5.9	8.9	6.3	8.4	7.0	2.0
$3,500 to $3,999	5.0	7.0	9.0	6.7	6.2	5.0	2.0
$4,000 to $4,499	4.7	3.0	8.3	8.4	7.4	5.2	1.2
$4,500 to $4,999	3.1	1.2	6.7	5.3	4.8	2.8	1.1
$5,000 to $5,999	4.4	1.7	7.6	10.0	7.0	4.7	1.0
$6,000 to $6,999	2.1	.3	4.3	3.3	3.6	2.7	.5
$7,000 to $9,999	2.0	----	5.2	3.1	2.6	2.2	.8
$10,000 to $14,999	.9	----	1.0	.7	1.7	1.3	.6
$15,000 to $24,999	.2	----	.4	.5	.2	.2	.1
$25,000 and over	----	----	.2	----	----	.1	----
Median income	$1,496	$1,347	$3,084	$2,650	$2,312	$1,750	$918
Head year-round full-time worker:							
Percent of total	38.8	40.5	62.6	66.7	58.5	44.5	10.9
Median income	$3,214	$2,714	$3,701	$3,394	$3,352	$3,146	$2,455
Urban:							
Number (thousands)	7,885	625	975	897	1,239	1,689	2,460
Median income	$1,716	$1,492	$3,206	$2,735	$2,423	$2,065	$992
Rural nonfarm:							
Number (thousands)	1,784	133	112	142	289	389	719
Median income	$1,037	(1)	(1)	(1)	$2,261	$1,163	$786
Rural farm:							
Number (thousands)	644	72	51	67	65	149	240
Median income	$945	(1)	(1)	(1)	(1)	(1)	$711

[1] Median not shown where there were fewer than 100 cases in the sample reporting on income.

Source: U.S. Bureau of the Census, "Current Population Reports—Consumer Income," Series P-60, No. 30, December 1958.

TABLE 8.—*Number OASDI and OAA beneficiaries and average monthly benefits*

	February 1959
Old Age, survivors, and disability insurance:	
Beneficiaries (thousands)	12,675
Aged (62 and over)[1]	10,389
Young survivors and dependents [2]	2,031
Disabled workers (aged 50-64)	255
Monthly benefit payments [3] (millions)	$768.7
Aged (62 and over)[1]	653.8
Young survivors and dependents [2]	92.4
Disabled workers (aged 50-64)	22.4
Average old-age (retired worker) benefit	$71.62
Average old-age benefit awarded in month	$84.33
Assets in OASI trust fund (millions)	$21,412
Assets in disability trust fund (millions)	$1,440
Public assistance [4]:	
Total recipients (thousands)	7,189
Four federally aided programs	5,777
Old-age assistance	2,437
Aid to dependent children—children	2,225
Total recipients	2,901
Aid to the blind	109
Aid to the permanently and totally disabled	330
Public assistance—Continued	
Total recipients—Continued	
General assistance:	
Cases	480
Persons	1,412
Total payments (millions)	$308.0
4 federally aided programs	267.6
Old-age assistance	156.5
Aid to dependent children	82.7
Aid to the blind	7.5
Aid to the permanently and totally disabled	20.9
General assistance	32.6
Average monthly payments:	
Old-age assistance	$64.22
Aid to dependent children:	
Per recipient	28.50
Per family	107.50
Aid to the blind	68.22
Aid to the permanently and totally disabled	63.26
General assistance—per case	67.84

[1] Includes wife beneficiaries under age 65 with child beneficiaries in their care and other women age 62-64—about 107—and 789,000, respectively, as of the end of January 1959. There is still some duplication resulting from dual entitlements—persons receiving both an old-age benefit and a wife's or husband's benefit—as estimated 43,000 at the end of June 1958.

[2] In addition to widowed mothers under age 62, survivor children and children of retired and disabled workers, includes disabled children aged 18 or over with a total disability which began before age 18 (51,000 as of the end of January 1959).

[3] Current-payment status; excludes adjustments for over and under payments, etc.

[4] Except for general assistance, includes vendor payments for medical care and cases receiving only such payments. Recipient total not adjusted for persons receiving general assistance and other assistance. Payments total exceeds sums of items because of inclusion of vendor payments for medical care from general assistance and special medical funds; data for such expenditures partly estimated.

Source: U.S. Department of Health, Education, and Welfare, Social Security Administration, Division of Program Research, Apr. 13, 1959, report, "Current Social Security Program Operations, February 1959."

TABLE 9.—*Percentage distribution of sex and age groups in the population by health insurance coverage and scope of benefits, September 1956*

Sex and age group	July 1, 1956 population (in thousands)	Total	Percent insured, by scope of insurance				Percent not insured
			Total with insurance	Hospitalization only	Hospitalization plus surgical expense	Other [1]	
Both sexes, total	165,339	100.0	63.6	8.3	49 3	6.0	36.4
Under 14	47,915	100.0	64.1	7.1	50.3	6.7	35.9
14 and over	117,424	100.0	63.4	8.9	48.8	5.7	36.6
14 to 64	103,017	100.0	67.1	8.9	52 1	6.1	32.9
65 and over	14,407	100.0	36.5	8.5	25.1	2.9	63.5
65 to 69	5,440	100.0	47.6	10.5	33.1	4.0	52.4
70 to 74	4,139	100.0	36.3	7.8	25.8	2.7	63.7
75 and over	4,828	100.0	23.7	6.8	15.2	1.7	76.3

[1] Hospitalization and surgical expense insurance plus other benefits.

TABLE 9.—*Percentage distribution of sex and age groups in the population by health insurance coverage and scope of benefits, September 1956*—Continued

Sex and age group	July 1, 1956, population (in thousands)	Total	Percent insured, by scope of insurance				Percent not insured
			Total with insurance	Hospitalization only	Hospitalization plus surgical expense	Other	
Males, total	80,598	100.0	64.0	8.3	49.7	6.0	36.0
Under 14	24,437	100.0	64.0	7.3	50.2	6.5	36.0
14 and over	56,161	100.0	64.0	8.8	49.5	5.7	36.0
14 to 64	49,511	100.0	67.4	8.8	52.5	6.1	32.6
65 and over	6,650	100.0	39.2	8.8	27.1	3.3	60.8
65 to 69	2,612	100.0	49.8	10.6	34.7	4.5	50.2
70 to 74	1,916	100.0	39.5	8.6	27.4	3.5	60.5
75 and over	2,122	100.0	25.3	6.8	17.1	1.4	74.7
Females, total	84,741	100.0	63.2	8.3	48.8	6.1	36.8
Under 14	23,478	100.0	64.2	6.9	50.4	6.9	35.8
14 and over	61,263	100.0	62.8	8.9	48.2	5.7	37.2
14 to 64	53,506	100.0	66.9	9.0	51.7	6.2	33.1
65 and over	7,757	100.0	34.2	8.2	23.4	2.6	65.8
65 to 69	2,828	100.0	45.5	10.3	31.6	3.6	54.5
70 to 74	2,223	100.0	33.6	7.1	24.5	2.0	66.4
75 and over	2,706	100.0	22.5	6.8	13.7	2.0	77.5

Source: Research and Statistics Note No. 13, May 22, 1958, Division of Program Research, Social Security Administration.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. HALEY, Mr. SISK, Mr. LANGEN, and Mr. SIMPSON of Illinois were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS, Mr. RHODES of Pennsylvania, Mr. ROGERS of Florida, Mr. BENNETT of Michigan, Mr. SCHENCK, and Mr. DEVINE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 5896. An act to provide for the entry of certain relatives of United States citizens and lawfully resident aliens; and

H.R. 8305. An act to amend the Federal Credit Union Act.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4656) to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H.J. Res. 403) granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4251. An act to amend the Internal Revenue Code of 1954 with respect to the limitation on the deduction of exploration expenditures;

H.R. 5547. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States;

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port District the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes;

H.R. 5887. An act to amend the Tariff Act of 1930 to place ground, powdered, or granulated seaweeds on the free list;

H.R. 5920. An act to amend title II of the Social Security Act to provide that an individual who had maximum earnings for a year before 1951 shall be credited with four quarters of coverage for such year (with certain exceptions) in the same manner as is provided for years after 1950;

H.R. 6132. An act relating to the rate of tax on the issuance of shares or certificates of stock by regulated investment companies;

H.R. 6482. An act relating to the credits against the unemployment tax in the case of merged corporations;

H.R. 6785. An act to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound of certain laminated tires produced from used tires;

H.R. 7947. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association;

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the Bay of San Francisco;

H.R. 8229. An act to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for supplemental unemployment benefit trusts; and

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 4251. An act to amend the Internal Revenue Code of 1954 with respect to the limitation on the deduction of exploration expenditures;

H.R. 5547. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States;

H.R. 5887. An act to amend the Tariff Act of 1930 to place ground, powdered, or granulated seaweeds on the free list;

H.R. 5920. An act to amend title II of the Social Security Act to provide that an individual who had maximum earnings for a year before 1951 shall be credited with four quarters of coverage for such year (with certain exceptions) in the same manner as is provided for years after 1950;

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H.R. 7947. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association;

H.R. 8229. An act to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for supplemental unemployment benefit trusts; and

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes; to the Committee on Finance.

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port district the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes; to the Committee on Armed Services.

H.R. 8171. An act amending the act of February 20, 1931, as amended, with respect to a rail transit crossing across the bay of San Francisco; to the Committee on Public Works.

ALCOHOLIC BEVERAGES AND AIRLINE SAFETY

Mr. THURMOND. Mr. President, on July 2, 1959, the Federal Aviation Agency issued Civil Air Regulation Draft Release 59–7 entitled "Drinking and Serving of Alcoholic Beverages on Board Air Carrier Aircraft." At the time industry comments were requested.

The Air Line Pilots Association, under date of August 27, 1959, submitted to the FAA a letter presenting in detail the comments of the association on this proposed regulation. I have worked closely with the ALPA for the past several years in an effort to bring a halt to the service or consumption of alcoholic beverages aboard airplanes.

In 1956 the various air carriers banded together and adopted a code which provided in essence that no more than two drinks would be served to any passenger during a flight and also that no air carrier would advertise its service of alcoholic beverages to the public. I stated at that time that I felt the code was drawn up for the purpose of effectively heading off legislative action in this field by the Congress. At the time the code was put into effect by the airlines the House had passed a bill prohibiting the service or consumption of alcoholic beverages on aircraft, and the Senate Interstate and Foreign Commerce Committee was preparing to take some action either on that bill or on my bill. After the code was published, no action was taken by the Senate in the closing days of the 84th Congress.

Since that time ALPA, the Air Line Stewards and Stewardesses Association, I and others have continued our efforts to obtain legislation on this subject.

The Civil Air Regulation Draft Release 59–7 has now resulted in further stalling of legislative action, after it was reported in the press that House Speaker SAM RAYBURN was anxious to obtain legislative action in view of a bad experience he encountered with a drinker while on an air flight this year. The draft release is not practical nor realistic for two principal reasons: First, the draft release continues in effect the FAA sanction of permitting airlines to serve alcoholic beverages to their passengers. As long as the airlines provide drinks aloft—some of them even free—then those passengers who might become inebriated and thereby constitute a hazard to the flight certainly have no inducement to abstain from drinking either before or during the flight. Second, it places an undue burden on the crew of the aircraft. Under the proposed regulation an airline stewardness would be charged with the responsibility of judging whether a passenger had already had too much to drink before serving another drink. These young ladies should not be cast in the role of either barmaids or policewomen and subjected to the liability this proposed regulation places on them and the embarrassment and danger that continued service of alcoholic beverages poses for them.

I have today written a letter to the FAA expressing the view that the comments of the ALPA be given most serious consideration with a view toward completely prohibiting the service or consumption of alcoholic beverages aboard aircraft.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield.

Mr. MORSE. I commend the Senator from South Carolina for raising this question. There has been a little discussion of it on the floor, but it has not been pointed up as the Senator from South Carolina has just emphasized it. I not only agree with his point of view, but I am satisfied that many others agree with us.

For a number of years I have flown the airlines to the extent of 100,000 miles a year. I am one passenger who wishes to go on public record in protest against turning the cabin of an airplane into a public saloon. If people want to drink, that is their business, but we should not have to sit and be subjected to the serving of liquor in a public airplane, as is being done, to the point that sometimes very embarrassing situations are created.

Insofar as my own observation on this kind of embarrassment is concerned, as it affects the personnel of the plane from time to time, I think it is uncalled for. If the problem cannot be handled through voluntary control and restrictions on the part of the airlines themselves, we ought to make it perfectly clear to the Federal Aviation Agency that we want the matter looked into.

I have talked with pilots and stewardesses, who say that they are in a rather difficult position. They cannot say much publicly because they would get themselves in trouble with their employers.

In my judgment the serving of alcohol on airplanes the way it is being served at the present time is something that should not be tolerated. I do not happen to be one who takes an intolerant position with regard to alcohol merely because I myself am a teetotaler, but I do take the position that we have no right to permit airlines to impose such conditions upon people riding airplanes, and who have no way of escaping some of the incidents which occur.

I am not talking about the airline serving a beverage with a meal to a person who desires it. That is not what is happening. They are serving drink after drink in some instances. That practice is creating a problem.

I am not one who says that I have observed that the safety of the airplane was ever endangered, because I have not. But I have observed too many times that the stewardesses and other personnel of the airplane are subjected to embarrassments which I do not think they should be subjected to. Passengers have also been subjected to embarrassments as a result of the serving of liquor under those circumstances, which I do not think is justified. I believe it should be stopped.

Mr. THURMOND. Mr. President, I wish to congratulate the distinguished Senator from Oregon on his position and to say to him that not only are pilots and stewardesses being embarrassed, but the pilots and stewardesses have also gone on record officially condemning this practice. They say it is a hazard to safety.

The purpose of legislation or proper regulation in this field is to promote safety. Such regulation is not a prohibition measure. Anyone has a right to drink or not, as the distinguished Senator from Oregon has said. It is purely a matter of safety, and protection for passengers on the planes.

I express my appreciation to the distinguished Senator from Oregon for his position on this question.

Mr. President, at this point in my remarks I ask unanimous consent to have printed in the RECORD a copy of the Air Line Pilots Association letter to the Federal Aviation Agency.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AIR LINE PILOTS ASSOCIATION,
Chicago, Ill., August 27, 1959.

Re Regulation docket No. 49; draft release 59–7: Drinking and Serving of Alcoholic Beverages on Board Air Carrier Aircraft.

FEDERAL AVIATION AGENCY,
Washington, D.C.

GENTLEMEN: On July 2, 1959, Civil Air Regulation Draft Release 59–7, in connection with the above subject, was issued by the Administrator. We welcome this opportunity to submit our views on this proposed regulation, the subject of which has been of grave concern to our membership for many, many years. We are pleased that the Administrator recognizes that serious safety problems exist in this area and that the use of and consumption of such beverages "must be controlled to the extent necessary to provide adequately for safety in air commerce." This proposed regulation, we feel, is a step in the right direction. However, in our analysis of it, we have reached the conclusion that it is not workable for many reasons and that it cannot accomplish its intended purpose to solve the problem posed by the Administrator and this association "to provide adequately for safety in air commerce."

This proposal provides: "(a) No person shall drink any alcoholic beverage on board an air carrier aircraft unless such beverage has been served to him by the air carrier operating the aircraft. (b) No air carrier shall serve any alcoholic beverages to any person on board an air carrier aircraft if such person is, or appears to be intoxicated."

This proposal creates several difficult problems for the Administrator: (1) He must apprehend the offender. In addition, he must effectively apprehend the offender before he commits some act detrimental to air safety; (2) he must prosecute the offender.

The practical difficulties, which will be incurred in resolving these basic problems, we feel, will prevent effective enforcement of this regulation. To enforce this regulation to any degree of practicality, the Administrator, by necessity, will be required to have agents on board all commercial flights to police the conduct of passengers and that of

the cabin attendants. These agents, by necessity, must be endowed with all the powers of a law enforcement officer from the standpoint of making arrests and confiscating evidence. Economic considerations rule out this necessity.

In lieu of the representatives of the Administrator, the flight crew members, under the authority of the pilot in command, and as the agents of the carrier, will be expected to enforce the regulation. The flight crew members of the air carriers, on the other hand, are not in a position to accomplish this policing and reporting on behalf of the Administrator for many valid and practical reasons:

1. The evaluation of intoxication has always been a difficult undertaking, even for an experienced officer of the law. If enforcement of this regulation lies with the cabin attendants, they must assume responsibility which, we submit, they are neither qualified nor trained to accomplish.

2. Apprehending passenger violators, carrying and consuming contraband intoxicants, may result in altercations and disturbances hazardous to air safety. Pilots will continue to be distracted from their flight duties to enforce the regulations with subsequent unnecessary absences from the flight deck.

3. Flight crew members exposed to law suits, legal liability, and loss of employment in cases of passenger or carrier trial and acquittal of charges under part (a) or (b), would not be prone to report purported violations.

4. Flight crew members exposed to employer discipline resulting from questionable conduct and judgment in enforcing this regulation would not be prone to police and apprehend passengers.

5. Air carriers exposed to adverse publicity, fines, and damages resulting from prosecution and trial of their passengers and themselves would be hesitant to report violations to the Administrator.

6. Flight deck crew members, as a matter of current regulations, must assume such policing responsibility which adds to their normal workload and may distract them at critical moments of flight.

7. The general difficulties which will be incurred in prosecuting passenger and carrier violators render the proposal unworkable.

(a) Passengers from foreign countries could not be prosecuted after departing from the jurisdiction of our courts.

(b) U.S. prosecuting attorneys would find it impractical to file complaints and carry out a prosecution against an air carrier or passenger residing in one State in those cases where the flight crew witnesses are far removed and are based in other States.

(c) Flight crews exposed to pay losses resulting from required court appearances to testify against passenger violators or their employers, would be hesitant to cause the instigation of such proceedings.

This proposed regulation, as a practical matter, would not prevent passengers from consuming their own intoxicants or intoxicants of other passengers; it would not and cannot prevent passengers, already under the influence to an unknown degree, from being served or sold intoxicants by air carriers; it does not prevent passengers from becoming intoxicated, a flight hazard and social problem on board air carrier aircraft.

This proposed regulation, which sanctions the use of alcoholic beverages legally in flight, compromises safety on board all air carrier aircraft. Additional burdens, with sanction of law, are placed upon pilots which are unrelated and are completely foreign to their basic important functions in the flight deck.

The problems for the flight crew, which are associated with transporting passengers in present-day aircraft are too complex as matters now stand. The industry is now moving people at speeds in excess of 500 miles per hour and in aircraft which fly at altitudes up to 35,000 feet. This equipment costs over $5 million, weighs up to 300,000 pounds and transports as many as 112 passengers. Tomorrow's jet aircraft will be transporting as many as 179 passengers at greater speeds and at even higher altitudes. The problems of handling large numbers of people of diverse personalities in a relatively confined space have been greatly magnified, the dangers of emergency decompression at higher altitudes enhanced, and the risk in unscheduled landings to unload an inebriated, sick or emotional passenger have grown. The time and responsibilities of the crews in these high speed, complex aircraft are fully occupied with normal duties associated with flight and should not be spent solving problems which are unrelated and hazardous to safety in flight.

The public interest requires the elimination of all and any known potential factors which can be hazardous to air safety and commerce. Alcoholic beverages from time immemorial have never had a rightful place in this industry. We believe that it is a proper responsibility of this Agency to protect the public interest in this matter which is so closely connected with air safety, and are pleased that the Administrator has so recognized it. The time and place concerning the use and consumption of alcoholic beverages historically has always been a matter of legislation by the appropriate authority whenever a threat to public safety, welfare or a social problem is known to exist. For example, the consumption of alcoholic beverages has always been prohibited in schools or churches where it is socially or morally wrong or anywhere a safety problem is created. There is probably no one place more inappropriate, from a safety, moral, and social standpoint, for the sale or service of alcoholic beverages than on board an aircraft in flight where every precaution must be exercised in the interest of safety and where people confined in a sealed tube are deprived of any ability to move away from obnoxious social situations. The modern-day aircraft crosses many municipal, county, State, and international boundaries in a single flight, making regulations by the normal methods impractical. In our opinion, therefore, it falls to the Federal Government to protect the public interest in this matter.

The time has now come, we feel, when the public interest requires a legal sanction prohibiting the use and consumption of alcoholic beverages on board aircraft. This can be done quite simply by placing a period after "aircraft" in paragraph (a), and after "aircraft" in paragraph (b), in the proposed regulation. Unless this is done now, we fear that it will be done in the near future as the result of public clamor arising from a major air calamity caused by the irresponsible action of an inebriated passenger.

Sincerely yours,

CLARENCE N. SAYEN,
President,
Air Line Pilots Association.

MOTOR VEHICLE PARKING AREA IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 948, H.R. 8392.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor vehicle parking area, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with an amendment, on page 1, line 6, after the word "sentence", to strike out " 'The Board is authorized to provide for the construction of such stadium by such means as it determines will most effectively carry out this Act (including, but not limited to, a negotiated contract).' " and insert " 'In carrying out its authority to construct such stadium, the Board shall provide for such construction by contract entered into after advertising for competitive bids. Any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price and other factors being considered: *Provided,* That all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.' ".

Mr. JOHNSON of Texas. Mr. President, I ask permission to have a brief statement printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The 85th Congress, by the enactment of Public Law 85–300 (71 Stat. 619), the District of Columbia Stadium Act of 1957, authorized the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia.

This act was amended substantially by Public Law 85–561 (72 Stat. 421), in order to require the stadium to be constructed substantially in accordance with certain plans, to provide for a contract with the United States with respect to the site of such stadium and for other purposes.

The necessity for the enactment of this bill arises from opinions of the Comptroller General of the United States with respect to the interpretation of the District of Columbia Stadium Act of 1957, dealing with the authority of the Armory Board to negotiate contracts for the construction of the stadium, and with the authority of the Secretary of the Interior to provide for certain facilities in the vicinity of the stadium structure itself.

The letter of the Comptroller General to the chairman of the committee, dated August 19, 1959, reporting on the proposal, and in which the above referred to opinions are discussed, is made herewith a part of this report:

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, August 19, 1959.

B–85993
B–138834

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate.

DEAR MR. CHAIRMAN: Further reference is made to your letter of August 15, 1959, transmitting three copies of H.R. 8392, a bill to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes, now pending before the Committee on the District of Columbia. You state that the subcommittee has scheduled a hearing on this bill on Wednesday, August 19, 1959, at 10 a.m., and you request that we furnish the committee, prior to the hearing, with such suggestions as we may deem proper, touching the merits of the bill and propriety of its passage.

The bill proposes to amend section 2 of the District of Columbia Stadium Act of 1957 so as to authorize the Armory Board to provide for the construction of the stadium by such means as it determines will most effectively carry out the purposes of the act, including but not limited to, a negotiated contract. The remaining amendments to the District of Columbia Stadium Act of 1957, which are proposed by the bill, appear to be designed to insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and certain other facilities.

With respect to the amendments relating to the authority of the Secretary of the Interior to construct motor-vehicle parking areas, etc., we advised Hon. JOHN L. MCMILLAN, chairman, Committee on the District of Columbia, House of Representatives, by letter of June 4, 1959, submitting our comments on H.R. 6893, 86th Congress, that if it is deemed desirable that such authority be granted to the Secretary of the Interior, the enactment of specific legislation to do so would be necessary since, as stated in our decision of March 25, 1959, B-138834, such authority is not contained in existing legislation relative to the stadium. As we stated in the letter of June 4, 1959, the question as to whether the motor-vehicle parking areas, landscaping, etc., in connection with the stadium should be constructed, prepared, and maintained by the Secretary of the Interior with appropriated funds, as proposed by H.R. 8392, or by the Armory Board with funds obtained by the sale of bonds, as now provided by the Stadium Act, is a matter of policy for determination by the Congress. Under the circumstances, we make no recommendation concerning this portion of the pending bill.

With reference to the proposed amendment of section 2 of the act, it is stated in House Report No. 643 that the authority to negotiate contracts is one which the Congress has given to the heads of various departments and agencies many times in the past, an example being the authority granted with respect to property procurement generally in title III of the Federal Property and Administrative Services Act of 1949. We wish to point out that title III of the Federal Property and Administrative Services Act does not grant general authority to negotiate contracts for the procurement of property. Section 302(c) of that act provides that—

"(c) All purchases and contracts for property and services shall be made by advertising, as provided in section 303, except that such purchases and contracts may be negotiated by the agency head without advertising if * * *."

It is thus clear that the basic method of procurement contemplated by that act is the time-tested method of advertising for competitive bids. The same is true of procurement under the Armed Services Procurement Act of 1947, now 10 U.S.C. 2301 et seq.

The purposes sought to be achieved through advertised competitive bids have been stated as follows: "* * * to give all persons equal right to compete for Government contracts; to prevent unjust favoritism, of collusion or fraud in the letting of contracts for the purchase of supplies; and thus to secure for the Government the benefits which arise from competition."

United States v. *Brookridge Farm* (111 F. 2d 461, 463). We have not been advised of any reasons why the construction of the stadium, from the proceeds of bonds fully guaranteed by the United States, cannot be as well accomplished on an open-bid basis as by negotiation.

It is, of course, true that the Federal Property and Administrative Services Act and the Armed Services Procurement Act of 1947 do grant authority to negotiate contracts under certain specified conditions. However, these are exceptions to the general advertising requirement of the statutes, and the reasons for such exceptions do not appear to be present in the instant case. It may also be pointed out that it would appear somewhat incongruous to permit the Board to award a contract expected to amount to some $6 million by negotiation when its authority to acquire property of any kind necessary to carry out the purposes of the Stadium Act after the stadium is built must, by section 5(3) of that act, be exercised through competitive bidding in the case of all contracts exceeding $3,000.

For the foregoing reasons, we are opposed to that portion of H.R. 8392 which would grant the Board authority to contract for construction of the stadium on other than an advertised basis.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

After due consideration of all of these factors and reports submitted to the committee on this proposal, the bill as reported by the committee would accomplish the following:

(1) Provide that the Armory Board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids; that any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price, qualifications of the bidder, and other factors being considered; with a proviso that all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.

(2) Insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and related facilities at a total cost not to exceed $2,660,000.

Hearings were held on the proposal on August 19, 1959, at which representatives of the U.S. Department of the Interior, the District of Columbia Armory Board, and the District of Columbia Commissioners testified in favor of the enactment of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. This is a bill to amend the District of Columbia Stadium Act of 1957 with respect to motor vehicle parking areas, and for other purposes. The Committee on the District of Columbia has considered the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I will say for the benefit of the Senator from Delaware that the bill was reported from the Committee on the District of Columbia this week.

We had already authorized a stadium, and we thought it carried along with it the right to provide parking space, but the Comptroller General of the United States said he thought there was some legal doubt about it, and suggested this language in order to leave no room for doubt that some space would be provided for parking the cars of those who visit the stadium. I think the Senator will agree that that is a reasonable request.

The bill was reported unanimously from the committee.

Mr. JOHNSON of Texas. Mr. President, the committee report states:

After due consideration of all of these factors and reports submitted to the committee on this proposal, the bill as reported by the committee would accomplish the following:

(1) Provide that the Armory Board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids; that any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price, qualifications of the bidder, and other factors being considered; with a proviso that all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do.

(2) Insure that the Secretary of the Interior will have the necessary authority to construct motor-vehicle parking areas and related facilities at a total cost not to exceed $2,660,000.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF SMALL BUSINESS ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 849, Senate bill 2612.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2612) to amend the Small Business Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. PROXMIRE. Mr. President, the bill provides the additional funds necessary to operate the Small Business Administration's regular business loan program over the recess, into 1960, in the amount of $50,000.

It would also provide authority for appropriations to continue, beyond 1960, the programs of grants for studies, research, and counselling concerning the management, financing, and operation of small business enterprises.

The bill is essential because, as of June 30 of this year, the Small Business Administration had used up $424,807,000 of its authorization. It therefore had only about $75 million left.

They are using up the authorization at the rate of about $11 million a month.

If the bill is not passed, they would have to begin to cut back the regular SBA program probably beginning in November or December, before Congress could return. So it is essential, if this agency is to carry on, that the bill be passed.

The committee reported the bill unanimously, but the House has requested the Senate to increase the original $50 million authorization to $75 million. The committee was polled and unanimously agreed to that request by the House. If the Senate will follow the recommendation, it will mean that the bill can be passed without going to conference. It will mean that the House and Senate will not be "under the gun" in the next session to enact very quickly another SBA bill. That will have to be done in the next session, but it will not have to be done quite so rapidly as it would be if only $50 million were authorized.

For that reason, I offer an amendment, which, as I have said, has the unanimous approval of the Committee on Banking and Currency.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 1, line 6, after the word "thereof", it is proposed to strike out "$950,000,000" and, in lieu thereof, to insert "$975,000,000".

In line 8, after the word "thereof", to strike out "$550,000,000" and, in lieu thereof, to insert "$575,000,000".

In line 10, after the word "thereof", to strike out the period and insert a colon and the following: *"Provided,* however, that nothing in this section shall prevent the use of the funds made to remain available for grants for research and management counseling during the fiscal year ending June 30, 1960, by Title III of Public Law 86–88."

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. WILLIAMS of Delaware. What was the reason given by the Senator from Wisconsin as to why the extra amount was needed?

Mr. PROXMIRE. Because the House has asked the Senate committee, which originally reported a bill for $50 million additional, if we would agree to accept $75 million instead of $50 million. It was the feeling of the House that it would be well into next year before they could hold hearings and could act wisely on the basis of full consideration of the matter. They felt, therefore, that it would be desirable to provide $75 million instead of $50 million.

As I have said, the SBA is proceeding to use up the authorization at the rate of $11 million a month. Therefore, it would be impossible to carry through 1960 and into 1961 with only $50 million.

Mr. WILLIAMS of Delaware. How much do they have left now?

Mr. PROXMIRE. As of June 30, they had about $75 million left. They have been using it up at the rate of $11 million a month. Therefore, they would have now less than $50 million.

Mr. WILLIAMS of Delaware. If they had $75 million as of June 30, and they are using that money at the rate of $11 million a month, they have enough to hold them until the first of January, and the extra amount would enable them to continue until April.

Mr. PROXMIRE. That is correct. It would run until April or May, and Congress will meet again in January.

Mr. WILLIAMS of Delaware. How much do they have left now?

Mr. PROXMIRE. As of June 30, they had about $75 million left. If they use it up at the rate of $11 million a month, they would have now less than $50 million.

Mr. WILLIAMS of Delaware. If they had $75 million as of June 30, and they are using $11 million a month, they had enough to hold them until the first of January, and the extra amount would carry them until the first of January.

Mr. PROXMIRE. The extra amount would run them through until April.

Mr. WILLIAMS of Delaware. That is correct. It would run until April or May; and the Congress will be coming back in January; in fact, if we do not hurry up, we will not get out of here before January.

Mr. PROXMIRE. I agree with the Senator from Delaware, and the majority of the Committee on Banking and Currency agreed with him, too. But it was a problem to try to reconcile our views with the House. They said they perhaps would not be able to act properly on the matter until April or May, and they preferred to put it off until, perhaps, June.

Mr. WILLIAMS of Delaware. I think we could act just as intelligently in the first three months of the year as we can hurriedly this afternoon on something the committee says is not actually needed. I hope the Senator from Wisconsin will withdraw the amendment and take the matter to conference.

Mr. PROXMIRE. The Committee on Banking and Currency has been completely polled on this question and the members have agreed that it was proper to defer to the wishes of the House in this event, and that we accomplish our objective anyway, which is to make certain that there will be a full review of this agency next year. This would mean that we could act far more expeditiously.

Mr. WILLIAMS of Delaware. I do not gather the Senator's meaning. If the money is not needed, I do not see why we should provide it. Why not come back next year and consider the question?

Mr. PROXMIRE. The Senator from Delaware knows that the administration of the party the Senator represents asked initially for $200 million. That is the amount the SBA and the President asked for. We felt that was too much. We wanted to take a look at the matter, so we cut that amount down to $50 million. So to increase the amount to $75 million is a very modest and moderate compromise. It does not affect the principal purpose, which is to make certain that we have an opportunity to review the agency in 1960.

Mr. WILLIAMS of Delaware. I appreciate the enthusiastic endorsement of the principles of this administration by the Senator from Wisconsin. I wish he had felt that way earlier this afternoon and had voted to sustain the veto of the civil works appropriation bill.

Mr. PROXMIRE. I reply to the Senator from Delaware by saying that it was the position of the Senator from Wisconsin consistently that the $200 million asked for by the administration was too much; that we should not provide that much. I felt that we should have another look at this agency next year.

Mr. WILLIAMS of Delaware. I agree with the Senator completely. I agree that he was correct in cutting the amount down. Therefore, I hope the Senator will withdraw the amendment and let the bill pass as it is. Then the matter will be in conference.

Mr. PROXMIRE. I appreciate the suggestion of the Senator from Delaware, but I feel that I am not at liberty to withdraw the amendment, in view of the fact that the chairman and the other members of the Committee on Banking and Currency concurred in the suggestion that the amount be increased. If the Senator from Delaware presses his position, I shall have no alternative except to insist on the amendment and ask for a vote on it.

Mr. WILLIAMS of Delaware. Let us ask for a vote. Does the Senator want to have a yea-and-nay vote?

Mr. PROXMIRE. No.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 850, H.R. 8599, which is a similar House bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8599) to amend the Small Business Act, and for other purposes.

The PRESIDING OFFICER Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PROXMIRE. Mr. President, I move that all after the enacting clause of H.R. 8599 be stricken, and that the text of the Senate bill, as amended, be substituted therefor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill read a third time.

The bill (H.R. 8599) was read the third time, and passed.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which Senate bill 1697, Calendar No. 596, was passed earlier today.

The PRESIDING OFFICER. The motion will be entered.

TO AMEND THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 851, S. 2611.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2611) to amend the Small Business Investment Act of 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. PROXMIRE. Mr. President, the bill amends the Small Business Investment Act of 1958. It is the product of extremely exhaustive hearings. The committee held 8 full days of hearings, and the hearings, covering 690 pages, are available to Senators. The committee heard 11 witnesses from small business investment companies who had had practical experience, either actually with a small business investment company or in problems leading up to the formation of one. In addition, the committee heard 18 other witnesses testify. As a result of the hearings, three kinds of proposals were made.

Many Senators have expressed to the committee a desire that the small business investment company program be improved. There has been much disappointment expressed concerning the program. It was felt that this kind of legislation was most desirable.

There are three kinds of changes. One is a change in the tax laws, over which the Committee on Banking and Currency does not have jurisdiction. We incorporated none of these changes into the bill.

The second proposal was a change with respect to exemptions from the Investment Company Act of 1940. We felt that while the proposal had merit, more experience was needed before action of that kind could be taken. So we did not incorporate this into the bill.

The third proposal was to liberalize the kind of investments which small business investment companies may make in small business. This proposal was advocated by the administration and was overwhelmingly advocated by the witnesses.

It was approved—unanimously—by the committee. The act now provides that the only investments which can be made by small business investment companies are in convertible debentures. The testimony is overwhelming that this is too restrictive and is one of the principal reasons why small business investment companies have not been able to move ahead, why they have been so slow in the number formed. The heart of the bill is to eliminate the restrictions to convertible debentures and to provide, instead, that any kind of credit approved by small business investment companies—either common stock, preferred stock, or debentures of various kinds should be permissible.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. JOHNSON of Texas. I wish to congratulate the Senator from Wisconsin on the fine work he has done in this field. As one who originally was very much interested in this proposed legislation, I must say that at this point I am somewhat disappointed, when I find that only 27 small business investment companies have been formed.

I hope the action the Senator from Wisconsin has taken and the action the Senate is taking today will encourage the formation of more of these small business investment concerns.

Mr. PROXMIRE. I thank the Senator from Texas. Of course I understand his proper concern over the slowness of this program.

The Administrator told us that he expected that 200 of these companies would be formed by the end of the year. Unfortunately, although this bill is about to be passed by the Senate, it will not be possible for the bill to be passed by the House of Representatives until next year.

It is our feeling that once this legislation becomes law, it will be a great boon to small business. The greatest need of small business concerns in America is for greater amounts of long-term equity capital.

Mr. JOHNSON of Texas. I thank the Senator from Wisconsin; and again I congratulate him.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. MORSE. I am very much interested in the position the Senator from Wisconsin has taken on the small business bills which have been under consideration in the Senate during the last few minutes.

I remember that in 1958, it was my privilege to travel somewhat in Wisconsin and to speak in behalf of the candidacy of the Senator from Wisconsin; and I heard him say over and over again what his pledges were to the people of Wisconsin and to the small businessmen of Wisconsin and of the Nation; and I heard him say over and over again what his recommendations would be in the interests of the small businessmen.

I wish to state at this time to the small business firms in Wisconsin that the action the Senate is taking today on these measures constitutes one example of how the Senator from Wisconsin keeps his pledges to them.

Mr. PROXMIRE. I thank the Senator from Oregon. Certainly, Wisconsin is very proud of its native son, the Senator from Oregon [Mr. MORSE], who has had so distinguished a career and who, throughout his career, has been a true friend of small businesss.

Mr. SPARKMAN. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. SPARKMAN. First, I desire to thank the Senator from Wisconsin and commend him for the great amount of work he has done on this matter. I know something of the long hours and days of hearings that he conducted, and also of his efforts in connection with the consideration of various measures in this field.

I am delighted that during the consideration of today's calendar, he has been able to bring these measures to completion.

In regard to the statement made a few moments ago about the slowness of the formation of these small business investment companies and the majority leader's statement that the record shows that only 27 have been formed, I should like to say that, of course, we should keep in mind that not one of them was established until well after the first of the year, as I recall; in fact, I believe it was approximately February 1, before the first one was established.

They have been developed rather slowly, because of the great amount of care and caution that have been taken, in order to make certain that they were soundly based.

I have felt very much pleased with the slow and cautious manner in which the Small Business Administration has proceeded, under the leadership of Mr. Barnes, in setting up these groups, so as to make sure that they were good, sound financial institutions.

All of us recognize the restrictions under which they have labored; but I have felt that in the last several months they have been progressing quite satisfactorily. I hope that by the end of the year, these companies will be distributed quite well over the Nation, because it will mean a great deal to have these companies in all parts of the United States. In fact, I hope the time will come when there will be at least one of them in every State; and, of course, in many of the States there will be several of them.

I desire particularly to commend the Senator from Wisconsin for bringing this proposed legislation to the point of passage by the Senate.

Mr. PROXMIRE. I thank the Senator from Alabama, who, of course, is chairman of the Select Committee on Small Business, and for a long time has been a Senate leader on small business legislation, and has done a magnificent job.

Mr. President, before I conclude my remarks, I wish to state that it is extremely important that all of us realize why this change is so important. At the present time, there is little profit incentive to begin a Small Business Investment Company. This is because the small business investment company is very likely to find that the successful small businesses in which it invests can retire the investment without any increase in

value for the convertible debentures the small business can retire its own debentures on 3 months' notice; and for that reason, the opportunity for a small business investment company to make progress is very limited.

But that situation is improved and corrected by this bill; and, therefore, the opportunities for progress will be much greater.

Mr. SPARKMAN. Mr. President, I know that the Senator from Wisconsin realizes that earlier today I successfully proposed to a tax bill an amendment which will be very helpful to small business companies.

Mr. PROXMIRE. I realize that; and I heartily supported the amendment.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2611) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Investment Act Amendments of 1959".

SEC. 2. As used in this Act, unless otherwise indicated, references to "the Act" are to the Small Business Investment Act of 1958, as approved August 21, 1958 (72 Stat. 689).

SEC. 3. Section 103 of the Act is amended by deleting the paragraph numbered (4) and inserting, in lieu thereof, the following: "the term 'State' includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia."

SEC. 4. Subsection 301(d) of the Act is amended by deleting the paragraph thereof numbered (9); and by respectively redesignating the paragraphs thereof numbered (10) and (11) as (9) and (10).

SEC. 5. Subsection 302(b) of the Act is amended by deleting the first word and inserting in lieu thereof the following: "Notwithstanding the provisions of section 6(a)(1) of the Bank Holding Company Act of 1956, shares".

SEC. 6. Section 304 of the Act is amended to read as follows:

"SEC. 304. It shall be a function of each small business investment company to provide a source of equity capital for incorporated small business concerns, in such manner and under such terms as the small business investment company may fix with the approval, by regulation or otherwise, of the Administration."

SEC. 7. Title 26, chapter 6, section 26-610 of the District of Columbia Code, 1951 edition, is amended by inserting after the word "associations" the following: ", small business investment companies licensed and operating under the Small Business Investment Act of 1958".

Mr. PROXMIRE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

COMMISSION ON METROPOLITAN PROBLEMS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 908, Senate bill 1431.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1431) to provide for the establishment of a Commission on Metropolitan Problems.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, this bill will result in the creation of a Commission on Metropolitan Problems.

The bill has been favorably reported by the Committee on Government Operations. A majority of the committee recommends the establishment of the Commission, in order to have it make a thorough study of District problems. The bill provides for the establishment of a temporary bipartisan commission, composed of 18 members, to make a "full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's metropolitan areas," for the purpose of determining, first, the present and prospective needs of the Nation's metropolitan areas; second, the capabilities of the different levels of government to meet such needs; third, the extent to which the Federal Government is assisting metropolitan areas in meeting such needs; and fourth, means for improving the coordination of Federal, State, and local policies and programs.

Mr. KEATING. Mr. President, the Senate yesterday passed S. 1431, providing for the establishment of a Commission on Metropolitan Problems.

I wish to comment briefly on my support for S. 1431, a bill introduced by Senator CLARK which would establish a Commission on Metropolitan Problems.

This is a subject in which I am extremely interested. I have addressed the Senate several times during the past year on this subject in connection with S. 2397, a bill which I introduced to create a Department of Urbiculture. While I would prefer to see action taken along these lines, I certainly am not opposed to S. 1431. It may only be a half of a loaf, but it is still a very important step in the right direction.

Mr. President, I know that I echo the sentiments of many of my colleagues when I say that I am firmly convinced that we must be prepared to take bold and imaginative steps to resolve the many great and pressing problems which confront the urban areas of our Nation. All of us are familiar with these problems. Similarly, all of us are aware that these problems have increased in intensity in recent years in connection with the rapid expansion of American cities. Some of the major metropolitan problems which come immediately to mind are: Juvenile crime, education, housing and slum clearance, water and air pollution, highways and parking, public works, and financial management. Every one of us is faced with one or another of these problems every day.

It cannot be denied that our metropolitan problems are national problems, and that we must organize and coordinate our efforts to resolve them at the Federal level. I want to expand upon this point briefly. The rapidity of transportation and communication in the United States makes it possible for citizens to move great distances with relative ease. A delinquency problem, a neglected educational system, the lack of adequate relief facilities, polluted water, and many other urban problems can and do have a wide impact. Cities not only have a responsibility to their own citizens to deal effectively with their problems, but they have a responsibility to every other city in the Nation. For example, a neglected facility or service in one city may lead to the migration of many of its families to other cities and towns, which are not able to handle the influx. Similarly, the neglect of a problem of crime or delinquency or lack of relief in one city may lead to the migration of problem families to other areas, thereby taxing the ability of the new area to cope with its own problems.

It is my feeling that a Federal Department of Cabinet stature is the best way to deal with this dilemma. I have studied this matter at some length, and am impressed by the voluminous evidence to support this proposition, namely, that the problems of our cities should be considered and coordinated under a single Cabinet-level Department. I intend to continue in my efforts on this behalf.

I know that there are many in Congress who agree with this view. Nevertheless, I realize that Congress is not disposed to take action of this sort at the present time. The proposal of Senator CLARK for a Commission on Metropolitan Problems is based on an objective appraisal of the temper of Congress, which traditionally—and rightly so—is slow to take giant steps. I regard S. 1431 as an excellent and important step in the right direction. I personally consider it a preliminary step which will lay the groundwork for the eventual establishment of a Department to deal with the Nation's urban problems.

Mr. President, I strongly urge the acceptance of S. 1431. Such a Commission on Metropolitan Problems will indeed permit an intensive and comprehensive study on the national level directed at the needs and capabilities of our cities—and at the most feasible means for eventually improving and revising Federal, State, and local programs to deal with the great and urgent problems which now threaten the well-being of cities throughout the Nation.

Mr. President, I was necessarily absent from the floor at the time the measure was considered, and I ask unanimous consent that these remarks may appear in the permanent RECORD prior to the passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, I offer certain technical amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 1 in line 9 it is proposed to strike out "eighteen" and insert "twenty-one".

On page 2, line 6, after "(3)", strike out "Six" and insert "Nine".

On page 2, line 12, after the word "party", strike out "and".

On page 2, line 14, strike out the period and insert in lieu thereof a comma and the following:

and one city manager of a city in the United States; and

(D) Two from a panel of at least eight elected county officers submitted by the National Association of County Officials, not more than one from the same political party.

On page 3, line 16, after the word "schools", insert "library services,"

On page 5, beginning on line 8, strike out all through line 15 and insert in lieu thereof the following:

(b) Each department, agency, and instrumentality of the executive branch of the Government including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

On page 5, beginning on line 20, strike out all through line 23 and insert in lieu thereof the following:

(b) Members of the Commission shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the amendments, which are only technical, be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments submitted by the Senator from Texas.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1431) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF THE COMMISSION

SECTION 1. There is hereby established a Commission to be known as the Commission on Metropolitan Problems (hereinafter referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) The Commission shall be composed of twenty-one members as follows:

(1) Six appointed from the Senate by the President of the Senate, four from the majority party and two from the minority party;

(2) Six appointed from the House of Representatives by the Speaker of the House of Representatives, four from the majority party and two from the minority party; and

(3) Nine appointed by the President of the United States as follows:

(A) Two from among the heads of Federal departments and agencies;

(B) Two from among the Governors of States having major urbanization problems, not more than one from the same political party;

(C) Two from among the mayors of cities in the United States, not more than one from the same political party, and one city manager of a city in the United States; and

(D) Two from a panel of at least eight elected county officers submitted by the National Association of County Officials, not more than one from the same political party.

(b) The members of the Commission shall select a Chairman from among such members from the Congress, and a Vice Chairman from among such members from the House of Congress other than that of the Chairman.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) Ten members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(e) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall make a full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's metropolitan areas for the purpose of determining—

(1) the present and prospective needs of the Nation's metropolitan areas for public services, including but not limited to planning, highways, mass transit facilities, water resources, elimination of air and water pollution, health and welfare services, schools library services, recreation facilities, urban renewal and housing, ports, airports, and prevention of crime and delinquency;

(2) capabilities of different levels of government to meet such needs;

(3) the extent to which the Federal Government is assisting metropolitan areas in meeting such needs;

(4) means for improved coordination of Federal, State, and local policies and programs that affect metropolitan areas;

(5) such other matters as may be of assistance in solving the various problems of, and promoting the social and economic well-being of, the Nation's metropolitan areas.

(b) The Commission shall submit to the President and to the Congress on or before February 1, 1961, its findings and recommendations; and the Commission may also from time to time make to the President such interim reports as the President may request or as the Commission deems appropriate.

(c) The Commission shall cease to exist 6 months after submission to the President of its final report and recommendations.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission or, on the authorization of the Commission, any two or more members thereof, may, for the purposes of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

APPROPRIATIONS, EXPENSES, AND PERSONNEL

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

(b) Members of the Commission shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(c) The Commission may appoint and fix the compensation of such employees as it deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Commission may procure, by contract or otherwise, the services of public or private organizations or institutions.

EXEMPTION OF CERTAIN OFFICERS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT FROM THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 949, House bill 4283.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4283) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such act which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 23, to strike out "and"; after line 23, to insert:

(O) United Civil Service Commission.

After line 24, to insert:

(P) Indian Claims Commission.

At the top of page 3, to insert:

(Q) Board of Parole, and.

At the beginning of line 2, to strike out "(O)" and insert "(R)"; in line 4, after the word "taxable", to strike out "year." and insert "year,"; in line 12,

after the word "taxable", to strike out "year." and insert "year,"; after line 12, to insert:

(4) any of the following elected officials of the Senate:
(A) Secretary,
(B) Sergeant at Arms,
(C) Secretary for the Majority,
(D) Secretary for the Minority, and
(E) Chaplain,
unless such official is domiciled in the District on the last day of the taxable year.

After line 21, to insert:

(5) Any of the following elected officials of the House of Representatives:
(A) Clerk,
(B) Sergeant at Arms,
(C) Doorkeeper.
(D) Postmaster, and
(E) Chaplain,
unless such official is domiciled in the District on the last day of the taxable year, and.

On page 4, after line 5, to insert:

(6) Any of the following Federal officials:
(A) Director, Administrative Office of the United States Courts,
(B) Architect of the Capitol,
(C) Public Printer,
(D) Librarian of Congress,
(E) Comptroller General of the United States, and
(F) Assistant Comptroller General of the United States,
unless such official is domiciled in the District on the last day of the taxable year.

On page 5, line 21, after the word "Board", to strike out "and"; after line 21, to insert:

(O) United States Civil Service Commission.

After line 22, to insert:

(P) Indian Claims Commission.

At the top of page 6, to insert:

(Q) Board of Parole, and.

At the beginning of line 2, to strike out "(O)" and insert "(R)"; in line 4, after the word "taxable", to strike out "year." and insert "year,"; in line 12, after the word "taxable", to strike out "year." and insert "year,"; after line 12, to insert:

(4) Any of the following Federal officials:
(A) Director, Administrative Office of the United States Courts,
(B) Architect of the Capitol,
(C) Public Printer,
(D) Librarian of Congress,
(E) Comptroller General of the United States, and
(F) Assistant Comptroller General of the United States,
unless such official is domiciled in the District on the last day of the taxable year.

On page 7, at the beginning of line 8, to insert "or to any of the elected officials of the legislative branch of the Government of the United States referred to in paragraphs (4) or (5) of section 4(s) of title I of this Act, unless such official is domiciled in the District on the last day of the taxable year,"; at the beginning of line 24, to insert "United States Civil Service Commission, Indian Claims Commission, Board of Parole,", and on page 8, line 9, after the word "taxable", to strike out "year" and insert "year, or any of the following officers, unless such officer is domiciled in the District on the last day of the taxable year: (A) Director, Administrative Office of the United States Courts; (B) Architect of the Capitol; (C) Public Printer; (D) Librarian of Congress; (E) Comptroller General of the United States; or (F) Assistant Comptroller General of the United States."

Mr. JOHNSON of Texas. Mr. President, the purpose of H.R. 4283, as amended by the committee, is to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, so as to exempt from such act certain additional specified officers of the executive, legislative, and judicial branches of the Federal Government.

During the hearing on the proposal on June 15, 1959, it was pointed out that most of the persons affected by the bill and who reside in the District do so only because of their service to the Government. Most have retained their legal residence in the States from which they were appointed by maintaining bank accounts, owning professional licenses, such as lawyers, doctors, etc., by maintaining voting residence in their State of appointment, by having tax liabilities and local affiliations there, such as continuing membership in churches, fraternities, and various political and religious organizations, and by having never becoming domiciled in the District of Columbia. It was further pointed out that many of these persons still own their homes and have business interests in the States from which they were appointed, and intend to return to such States upon the conclusion of the appointive service.

It is felt that the enactment of the bill would provide equitable treatment to these Federal appointees whose domiciles remain in their respective home States during the period they are serving as Federal appointees within the District of Columbia.

Mr. President, I ask that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive, legislative, and judicial branches of the Federal Government shall be exempt from such Act."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, after we take up one or two more bills, I shall ask the Senate to take a brief recess.

EMERGENCY REPATRIATION ASSISTANCE ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 811, S. 2467.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2467) to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, in the event of international crisis or war, it is frequently necessary to evacuate American nationals from countries or areas where their lives are endangered. Large numbers of people may need simultaneously to leave foreign locations under pressing conditions. A mechanism should exist to provide emergency assistance to them when they reach the United States and to assure their prompt movement from crowded ports of entry.

The extent of the problem that could develop is found in the numbers of our citizens abroad. Today more than 600,000 Americans, not including members of the Armed Forces, are living and working in foreign countries. In addition, hundreds of thousands of American tourists each year are traveling abroad.

When these Americans abroad become destitute or ill, or their safety is threatened by war, threat of war, invasion, or similar crises, the Department of State has the responsibility for returning them to a port of entry. There is, however, no provision for the reception and further transportation of these repatriates after their arrival at the port of entry or for such financial assistance and other care as may be needed.

For many years the Department of Health, Education, and Welfare has been cooperating with the Department of State in arranging temporary assistance to repatriates. Although they are relatively few in peacetime, their need for assistance is often acute. Some are seriously ill, others have lost ties with relatives and friends in the United States, and many do not qualify for assistance from any State or community. The port-of-entry States, particularly those without residence requirements for public assistance, have borne the major burden of the repatriates in number and cost. There is no provision for reimbursement to State or local welfare departments or voluntary agencies who provide such aid.

Between June and December 1958, the Department of Health, Education, and

Welfare collaborated with State and local public welfare departments, travelers' aid societies, and the International Social Service in helping the Department of State to repatriate 32 persons in 22 families and, quite exceptionally, 72 stranded Americans returning from the Brussels Fair.

Of the 32 persons, 11 were children and 6 were over 65 years of age. They needed a variety of help—care in nursing homes and homes for the aged, hospitalization, financial assistance, and help with transportation.

Because of unsettled conditions in the world today, the bill reported out by the committee is regarded as necessary by the Government's national defense, foreign policy, and security agencies to safeguard the interest of individual Americans and the interest of the United States.

The Emergency Repatriation Assistance Act of 1959 would authorize the Secretary of Health, Education, and Welfare, after consultation with the Secretaries of State and Defense, to develop plans and make arrangements for providing temporary assistance to U.S. nationals and dependents of U.S. nationals identified by the Department of State as having returned or been brought here because of destitution or illness of the U.S. national or any of his dependents, or because of war, threat of war, invasion, or similar crisis. Such assistance would, however, be provided only if the national or dependent involved was without available resources. This assistance could consist of money payments, medical care, temporary billeting, transportation, or other goods or services needed for the health or welfare of the individual. It could also include guidance, counseling, and other welfare services.

The assistance could be provided during the period of 13 months after the return of the individual to this country.

The plans developed pursuant to this legislation would have to include provision for reimbursement to the United States by the recipient of the temporary assistance to cover the cost thereof. Such reimbursement would not, however, be required in any classes of cases, set forth in regulations, in which, in the judgment of the Secretary of Health, Education, and Welfare, the cost was not readily allocable to a particular individual or in which recovery would be uneconomical or otherwise impractical. All or part of such reimbursement could also be waived for good cause by the Secretary of Health, Education, and Welfare in individual cases.

The assistance provided by the Secretary to repatriated U.S. nationals and their dependents would, to the extent feasible, be provided in accordance with the plans developed as described above, as modified by him from time to time. He would be authorized to provide such assistance directly or, in accordance with agreements, through use of appropriate public or private agencies or organizations.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2467) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Repatriation Assistance Act of 1959".

DEVELOPMENT OF PLANS

SEC. 2. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of State and the Secretary of Defense, shall develop plans and make arrangements for providing temporary assistance within the United States to United States nationals and to dependents of United States nationals, if they (1) are identified by the Department of State as having returned, or been repatriated or otherwise brought, to the United States because of the destitution of the United States national or the illness of such national or any of his dependents or because of war, threat of war, invasion, or similar crisis, and (2) are without available resources.

(b) Such plans shall include provision for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof, except in any class or classes of cases, set forth in regulations of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary"), in which, in his judgment, such cost is not readily allocable to the individual recipient, such cost is so small as to make its recovery uneconomical, or recovery of such cost is for other reasons impractical, and except in cases in which the claim for such reimbursement is waived by the Secretary, in whole or in part, for good cause determined in accordance with regulations prescribed by him.

PROVISION OF ASSISTANCE

SEC. 3. (a) The Secretary is authorized to provide temporary assistance within the United States to individuals specified in section 2(a). To the extent feasible, such assistance shall be provided in accordance with the plans developed pursuant to section 2 as modified from time to time by the Secretary.

(b) The Secretary may provide such assistance directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements. Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to any such agreement. An agreement with any such agency or organization under this subsection shall provide for payment to it, in advance or by way of reimbursement, as may be determined by the Secretary, of an amount equal to the cost to such agency or organization of carrying out the agreement. Such amount shall be determined by such statistical, sampling, or other method as may be provided in the agreement.

DEFINITIONS

SEC. 4. For purposes of this Act, the term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within a period of not to exceed one year after the month following the month in which the recipient returns, or is repatriated or otherwise brought, as the case may be, to the United States.

APPROPRIATIONS

SEC. 5. There are authorized to be appropriated to the Department of Health, Education, and Welfare such sums as the Congress may determine for carrying out the purposes of this Act.

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO REPORT BILL AND FILE REPORT

Mr. CLARK. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare may have until midnight tonight to report a bill, which has been ordered reported by the committee, to amend the Coal Mine Safety Act, and to file a report in connection with the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 896, S. 2568.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy with amendments.

RECESS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate take a recess, subject to the call of the Chair.

The motion was agreed to; and (at 5 o'clock and 11 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 5 o'clock and 20 minutes, p.m., the Senate resumed its session, and was called to order by the Presiding Officer (Mr. THURMOND in the chair).

EXTENSION OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 710, S. 2449, to extend the International Wheat Agreement Act of 1949.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2449) to extend the International Wheat Agreement Act of 1949.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2449) to extend the International Wheat Agreement Act of 1949, which had been reported from the Committee on

Agriculture and Forestry, with an amendment on page 1, after line 4, to strike out:

(1) There is inserted before the parenthesis at the end of the first sentence the following: "and the agreement (International Wheat Agreement, 1959) further revising and renewing the International Wheat Agreement for a period ending July 31, 1962, signed by the United States and certain other countries:".

And, in lieu thereof, to insert:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the International Wheat Agreement Act of 1949, as amended, is amended as follows:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1959, shall include those with respect to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by importing member countries."

Mr. JOHNSON of Texas. Mr. President, the bill will extend the International Wheat Agreement Act of 1949 to cover the International Wheat Agreement of 1959.

Mr. MORSE. Mr. President, I have received communications from the Oregon Wheat League and other wheatgrowers in my State strongly supporting the bill. I am pleased to vote for the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and, without objection, the committee amendments are agreed to en bloc.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2449) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EMPLOYMENT OF SIX ADDITIONAL LABORERS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 225, Senate Resolution 113.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 113) authorizing the Sergeant at Arms of the Senate to employ not to exceed six additional laborers.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, I move that the resolution be indefinitely postponed. The matter has been taken care of, and I want to get the resolution off the calendar.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

SALARY INCREASES FOR POLICE OF NATIONAL ZOOLOGICAL PARK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 829, H.R. 8464.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8464) to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8464) to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park.

Mr. JOHNSON of Texas. Mr. President, the Committee on Rules and Administration, to which the bill (H.R. 8464) to provide salary increases for the police for the National Zoological Park, was referred, has considered the bill and recommends that the bill be passed.

Mr. MORSE. Mr. President, I spoke on behalf of this bill yesterday when it was reached on the call of the calendar. I think it is a bill which simply provides fair treatment for the police of the National Zoological Park, and it ought to be passed.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8464) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DONATIONS OF SURPLUS PROPERTY TO LIBRARIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 854, S. 155.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 155) to amend the Federal Property and Administrative Services Act of 1949, so as to permit donations of surplus property to libraries which are tax-supported or publicly owned and operated.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 155) to amend the Federal Property and Administrative Services Act of 1949, so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated, which had been reported from the Committee on Government Operations, with an amendment, to strike out all after the enacting clause and insert:

That clause (A) and clause (B) of paragraph (3) of section 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)) are amended by striking out the words "and universities," wherever they appear therein, and inserting in lieu thereof the words "universities and other educational institutions".

Mr. MORSE. Mr. President, I am in support of this bill because it is nondiscriminatory in form and applies uniformly across the country wherever surplus property is located. I think it is a fair bill.

Mr. KEATING. Mr. President, this is a fine and important bill which I support. Certainly, we should bend every effort to help our libraries, which form such a vital part of our Nation's educational effort. I therefore agree with the finding of the Department of Health, Education, and Welfare and the Senate Government Operations Committee that an extension of the Surplus Property Act to include "other educational institutions" may properly include public libraries.

I commend the committee and the Department for formulating this new language which helps clear up the anomaly which existed in the old law with regard to the eligibility of various kinds of libraries for Federal surplus goods.

It is my hope this legislation will do much to help our public libraries do an even better job than the splendid job they are already doing.

However, Mr. President, I am extremely disappointed that the Government Operations Committee has seen fit to report this laudable measure without reporting an equally important bill, S. 1365. That measure, which I originally sponsored as a Member of the House of Representatives, and which I introduced on March 10 of this year, would make certain welfare and recreation agencies eligible for Federal surplus property.

Hearings were held on a number of measures to broaden the scope of the Federal Property and Administrative Service Act of 1949, on July 30 of this year. Both S. 155 and S. 1365 were considered at that time, and I testified in behalf of the latter measure.

It was my feeling then and my conviction now that no groups, no agencies, no organizations are more worthy of receiving surplus Federal goods than our many fine welfare and recreation units. The work of these groups in helping our young people, our aged, and many of our needy citizens has been nothing short of magnificent. They are contributing significantly to the building of a happier, more secure, better America.

But our welfare and recreation agencies have been severely handicapped in carrying out their high aims by a lack of funds. I think we should leave no stone unturned in easing their paths. If, by proper legislation, we can help stretch their limited budgets, then we should do so without further delay.

S. 1365 represents a sound and progressive means for helping these fine agencies to help themselves. It grew out of the recommendations several years ago of the National Welfare Assembly Committee, which included members drawn from the American Foundation for the Blind, Child Welfare League of America, Council of Jewish Federations and Welfare Funds, Council on Social Work Education, National Council of Churches of Christ in America, National Federation of Settlements and Neighborhood Centers, National Jewish Welfare Board, National Recreation Association, Salvation Army, United Community Funds and Councils, Young Men's Christian Association, and Young Women's Christian Association. The following organizations also expressed their interest in this subject in connection with that committee's work: American Hearing Society, Board of Hospitals and Homes of the Methodist Church, National Catholic Community Service, and United HIAS Service. In addition, numerous fine organizations in related fields have since come forward in support of the bill.

Simply stated, S. 1365 would broaden the eligibility for Federal surplus property to include a limited number of welfare and recreation agencies. These groups would be in addition to the medical institutions, health centers, schools, colleges, civil defense, and certain other organizations which may now receive such goods.

The bill contains carefully drafted language to insure that only tax-supported or tax-exempt welfare or recreation agencies would be eligible for this property. In addition, a tax-exempt voluntary agency would have to hold a license from a State standard-setting agency, or receive funds through a State or local community fund, or be affiliated with or part of a national standard-setting organization.

Although I am not wedded to the specific language contained in S. 1365, I do feel it provides a substantial base for legislation in this field. It was evolved after careful study with highly reputable groups, including the National Federation of Settlements and Neighborhood Centers. The language is designed to prevent, as much as possible any abuse of the privileges to be granted by the legislation. It provides adequate safeguards against fly-by-night organizations which might not properly utilize surplus goods.

Mr. President, as I have stated, I shall not oppose S. 155. I simply feel that if we are going to open up Federal surplus goods for tax-supported or publicly owned and operated libraries, then we should do the same for the welfare and recreation agencies which play such an important part in our Nation's life today.

In my view, there are no groups more worthy of benefit than these agencies. They deserve special priorities under surplus disposal laws. In spite of the skepticism of the executive branch on this score, I believe sound administrative procedures can be evolved which would not be unduly costly and yet which would insure fair treatment of all eligible groups.

It is my hope that the continuing study of this whole field which is recommended by the Donable Property Subcommittee of the Senate Government Operations Committee on page 8 of the report on S. 155, will result in the formulation of a measure which will benefit those dealt with by S. 1365. It is my intention to continue to press for action in behalf of welfare and recreation agencies, to the end that they will be made eligible for the Federal surplus property they need so badly and can utilize so well in carrying on with their wonderful work.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 155) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions."

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 896, S. 2568.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

The PRESIDING OFFICER. The question is on agreeing to the motion from the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill.

THE SAGA OF A GREAT PUBLIC SERVANT—WILFRED JAMES McNEIL

Mr. BRIDGES. Mr. President, I rise to pay earnest tribute to a man who, in my opinion, is one of the most dedicated, one of the most outstanding public servants this country has ever had. It is with genuine sorrow that I must pay this tribute on the eve of his departure from Government service.

I refer to Wilfred James McNeil, who for 12 years has been in charge of fiscal affairs of the Department of Defense. Since the Unification Act of 1947, he has served under six successive Secretaries of Defense, both Democrat and Republican.

As Comptroller, Assistant Secretary of Defense McNeil is the only top Pentagon official who has stayed continuously on the same job since the services were unified.

He is leaving Government service to become president of the Grace Line. I think it is characteristic of Wilfred McNeil that of all the many offers he has had from private business, the only one he would accept is with a company that has no contractual involvements with the Department of Defense. I might point out, too, that he has been receiving such offers—at many times his Government salary—for years. But he has consistently elected to stay on the job.

Now, out of consideration for his family, he is leaving. I cannot do justice to the measure of his service to the Nation as a whole.

Wilfred McNeil literally has saved the taxpayers of America billions of dollars. And yet comparatively few people in this country have ever heard of him. This is understandable, for he has always shunned the limelight. I daresay he is one of the most modest—and remarkable—men I have ever met in Government.

Mr. President, as the chairman of the Committee on Appropriations, as the ranking member of the Committee on Appropriations of the Senate, as the ranking member of the Committee on Armed Services of the Senate, and as the ranking member of the Preparedness Subcommittee of the Senate, I have worked with Mr. McNeil. In those capacities I have had an opportunity to observe Mr. McNeil's work and the quality of that work.

BOSTON HERALD DEPLORES LOSS

I think it is appropriate at this point to quote from an article which was pub-

lished August 28 in the Boston Herald. It reads, in part:

Congress is concerning itself, as it should, with why the Navy and Air Force invested $243 million to develop some high-powered boron jet fuel and then closed down the work.

But Congress is not concerning itself with the waste of defense brains, a waste that can be far more costly.

The New York Herald Tribune says Wilfred J. McNeil, Assistant Secretary of Defense for Fiscal Affairs, is reported to be leaving to become president of the Grace Line. If Mr. McNeil does make this shift, the Nation had better inquire into something even more urgent than exotic fuels.

Since the establishment of the Department we have had six Secretaries of Defense. Whatever man has been entrusted with the enormous and complex operation and balance of our total defense structure has had 2 years on the average to get to know the business, the people in it, and the Senators and Representatives who parcel out the money.

The turnover is fantastic.

But through all those 12 years, McNeil has remained as Comptroller. His experience, his mastery of the great complex of defense has provided a priceless continuity. Secretaries would have limped without him, Presidents would have lacked an overall defense cost view, Budget Directors would have had to rely on less competent advice and congressional Appropriations Committees would have had none they could so well rely on.

No one today is so fully informed on the broad issues of defense.

And now that priceless ability appears about to be lost—lost, it should be noted, not only to the official defense staff of the United States, but to all defense, public or private.

CAREER FOLLOWS CLASSIC PATTERN

I think it is indeed sad that once our Government is able to attract men of Mr. McNeil's ability, it is seldom able to retain their service for any appreciable length of time. There are countless illustrations, from the Cabinet level on down.

The career of Wilfred McNeil follows the classic American tradition. He was born in Boone, Iowa, in 1901. He joined the Navy at 17 and served as a yeoman. Following World War I, he was a bank cashier in Searsboro, Iowa. Later he became president of the First State Bank in Brandon, Colo., and then in 1926 returned to Iowa, this time as an automobile distributor and later as a promotion official for the Des Moines Register and Tribune. He came east in 1934 and subsequently became circulation manager for the Washington Post.

Mr. McNeil returned to the Navy as a lieutenant commander when World War II began and at its conclusion was Fiscal Director of the Navy Department. Following his release from the Navy in 1945, he was promoted to rear admiral in the Naval Reserve. The then Secretary of the Navy, the late James V. Forrestal, had been highly impressed with his capabilities during the war and gave him general charge of all fiscal and management affairs of the Navy Department. In 1947, he became fiscal boss of the entire Defense Establishment—the biggest business in the world.

LAUNCHED NEW FISCAL SYSTEM

Once the Department of Defense was created, the task of instituting a financial system embracing all three services was an enormous one, to say the least. Starting virtually from scratch, Mr. McNeil guided the modernization of the long outmoded budgetary, fiscal, and accounting systems of the military services and introduced the concept of a single integrated and unified system of financial management in the Department of Defense.

His fiscal reorganization plans for the Defense Establishment were accepted by the Hoover Commission and later approved by Congress as amendments to the National Security Act. The amended laws, under which the Department now operates, included a number of technical innovations.

The most important was a system of corporate-type financing intended to do away with the multitude of separate, overlapping operations which formerly existed.

The Defense Department now provides working capital for a number of independent military businesses which furnish all three Armed Forces with common services, such as shipyards, arsenals, printing plants, and the like, thereby cutting duplication, waste, and, of course, cost. One of the largest is the Military Sea Transport Service, which combines all oceangoing transportation, both Army and Navy, into one business-like enterprise operating on a revolving fund basis. This operation alone has saved the taxpayers millions annually.

SAVINGS HAVE BEEN FANTASTIC

Thanks to the intelligent, streamlined systems instituted by Wilfred McNeil, cost consciousness pervades the entire Defense Establishment. The savings to our Treasury have been fantastic.

But Wilfred McNeil is more than just a brilliant administrator. He is a quiet, thoughtful man of immense scope, a statesman of the Forrestal school, a man who has never mistaken the trees for the forest. I think any member of the Appropriations Committee will bear out my statement that if there was one man who could be counted on for frank, honest, clear, forthright testimony, it was Wilfred McNeil.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRIDGES. I certainly will.

Mr. HICKENLOOPER. I congratulate the Senator on his thoughtfulness in giving this extremely well-deserved commendation to a very great public servant. Secretary McNeil has indeed had a distinguished public career and a distinguished private career. He is going into a more distinguished private career. We are proud of him as a native Iowan.

I have known Secretary McNeil for many years. I have known his wife and his family. He has enjoyed the highest degree of trust and confidence of Congress and of the committees before which he has appeared. I am sure that all of us are sorry that he is leaving Government, but without doubt he is leaving Government for his own betterment and for his own best interests.

He suffered a tremendous personal human loss in his own family in the loss of his son, a flier in the naval service, who was recently killed in the Mediterranean area.

Secretary McNeil has demonstrated tremendous fortitude and ability. We all wish him well in any new activity in which he may engage.

As an Iowan I thank the Senator for his consideration.

Mr. BRIDGES. I thank the distinguished Senator from Iowa for his tribute to Mr. McNeil. I am sure that the distinguished Senator, coming from Iowa and being proud of the State which he serves and the people whom he serves, can well be proud of the record one of those citizens has made.

Mr. HICKENLOOPER. I thank the Senator.

Mr. BRIDGES. Mr. President, I asked Mr. McNeil for a statement after all his experience in the armed services. After those years of service he probably knows as much about the Defense Department, the defense posture of this country, as anybody in America, and as much, certainly, as anybody in civilian life. He has prepared for me a statement as Assistant Secretary of Defense. It is entitled "Would We want To Change Places With the U.S.S.R.?" It has a wonderfully intriguing, truthful, interesting theme. I ask unanimous consent that it be made part of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. BRIDGES. Mr. President, I should also like to remind my colleagues of the national hysteria which was deliberately encouraged following the launching of the Russian sputnik in 1957: "America's Armed Forces are definitely inferior to Russia's. American scientists are dopes. American schoolteachers are dullards. The country is being led by fools." That sort of talk was encouraged by those who believed it—and who wanted others to believe it.

NO NEED TO LOSE CONFIDENCE

To a certain extent, they succeeded. For a brief period, the morale of the Nation was decidedly low. But there was one voice at that time which spoke calmly. It was that of Wilfred McNeil, who announced that American defense spending—despite sputnik—would be increased very little. And he said why. Subsequent American achievements bore him out.

At this critical juncture in American history, there is no room for complacency on the part of our people. Neither, as Mr. McNeil explains, should there be apprehension, or a lack of confidence in our military and economic strength. We are strong, tremendously strong. And in that strength lies the best hope for peace.

I urge Senators to read this paper. It is a brilliant presentation of our present posture and I think it will serve to hearten all true Americans. It represents one of the last great services to be performed while in Government by this splendid American, Wilfred James McNeil.

EXHIBIT 1

WOULD WE WANT TO CHANGE PLACES WITH THE U.S.S.R.?

(By Wilfred James McNeil, Assistant Secretary of Defense)

"Reverse the situation, give us the Russian capability and give the Russians our capability * * * and see how you would feel then." This evocative remark was made by Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff and principal military adviser to the Secretary of Defense and the President, in reply to a particularly searching series of questions by members of a congressional committee inquiring into the status of U.S. military strength compared with the Soviet Union.

The House Subcommittee on Department of Defense Appropriations had been cross-examining Secretary of Defense Neil H. McElroy and General Twining as to the adequacy of the defense program and budget proposed for fiscal year 1960. The committee members were seeking to set the record straight with regard to allegations that the United States was now or soon would become a second-class power; that "soon we will be the underdog in the struggle with the Soviet Union"; that "the whole retaliatory and deterrent capacity of SAC, both overseas and at home, can be wiped out by 1961 or 1962"; that "today we have to face the fact that if Russia launches a war against the United States first she would win"; and that the Soviet Union will outnumber the United States in intercontinental ballistic missiles. In the words of Chairman GEORGE H. MAHON, the committee wanted to find out just what our status is in this contest between the United States and the Soviet Union for military supremacy.

No doubt many Americans are also bothered by this nagging question; and well they should be. Certainly, in this nuclear age, every American is on the firing line and every American is involved in the grave decisions facing this Nation now and in the years ahead. But to understand the problem and to participate intelligently as citizens the people must have the facts and the perspective upon which to base a balanced judgment. General Twining's remark in this regard offers an interesting and useful approach in providing the American people with the essential facts for a balanced perspective.

Let us, then, follow through on General Twining's idea and reverse the situation—giving the Russians our military capabilities and taking their military capabilities in return. In other words, let us imagine that we have an Army, Navy, and Air Force of the same size and composition as that of the Soviet Union and they have the kind of Army, Navy, and Air Force we now have. Let us imagine further that these Soviet forces are deployed close to our borders instead of our forces being deployed close to their borders—as they actually are. What would we find?

First and foremost we would be faced with four to five times more intercontinental jet bombers than we would have and perhaps more medium bombers. We would be faced with these long-range medium and heavy jet bombers and their supporting tankers based at scores of widely dispersed installations with some nearby in such places as Venezuela, Newfoundland, Puerto Rico, Bermuda, Central America, Hawaii, and Alaska. Venezuela to Washington, D.C., for example, is just about the same distance as our bases in north Africa or England are to Russia. Our bases in Okinawa are about half the distance to mainland China as Bermuda is to the east coast of the United States.

How would the American people feel if they knew that this force, because of its large supporting fleet of refueling tanker aircraft and advance bases, could attack from many directions and altitudes. What would we think if we knew that the heavy bombers were being equipped with guided missiles, such as the Hound Dog, which could be launched hundreds of miles away from the target thus avoiding our air defenses which, Soviet fashion, would be concentrated around a few big cities. What would we think if the bomber force was manned by the most highly trained and experienced crews in the world—as is that of the United States—capable of delivering, at night or in bad weather and with pinpoint accuracy, bombs whose individual explosive power is greater than that of all the bombs dropped by all of the bombers, enemy as well as allied, during the whole course of World War II?

Is this awesome force, which the United States now possesses and which is capable of wreaking destruction on a scale virtually beyond human comprehension, an advantage that the American people would swap with the Russians for their much smaller, less effective, inexperienced manned bomber force operating without benefit of oversea bases? The answer, of course, is a resounding "No."

To make sure that the United States will continue to have a manned bomber force capable of striking a decisive blow, the President's 1960 budget provides funds for additional B–52 intercontinental jet bombers, B–58 supersonic jet bombers and their associated KC–135 jet tankers.

Furthermore, there is under development and in production a number of means of increasing the ability of the manned bombers to penetrate enemy defenses. First is the Hound Dog air-to-ground or standoff missile designed to be carried by the B–52's. This missile, armed with a nuclear warhead, can be launched at a target by the bomber while it is still several hundred miles away, thus eliminating the need to penetrate heavily defended areas. In addition, the manned bomber force will be provided with a decoy missile, called the Quail, and special electronic devices which will assist in confusing and saturating enemy radar defenses.

In order to protect this force and shorten its reaction time, the aircraft are being dispersed over a much larger number of bases and special alert facilities are being constructed for the crews in the immediate vicinity of the aircraft. To assure that the vital minutes of warning are available under any and all circumstances, even a ballistic missile attack, a new ballistic missile early warning system—consisting of very powerful radars which can "see" the incoming ballistic missiles while still far distant from their targets—is being constructed in the Far North.

But, to get back to our reversed situation, how secure would the people in Washington and New York and the people in San Francisco and Los Angeles feel if the Soviet Union were deploying, at will, large and powerful naval task forces only a few hundred miles off the coasts of the United States? How would they feel if there were a half dozen Soviet aircraft carriers in these task forces, each with half a hundred nuclear bomb-carrying aircraft standing ready for action? Perhaps the American people have become so accustomed to hearing about U.S. naval forces operating freely in all the oceans of the world that they have begun to take this unique form of military power for granted, losing sight of its great importance to our national security.

The Soviet Union, in fact, has no aircraft carriers and as far as is known they are not building any. The U.S. carrier force, in contrast, is big enough right now to maintain both in the Mediterranean and in the Far East powerful task forces 24 hours a day, 7 days a week, and 365 days a year—backed up by additional carriers in the U.S. Atlantic and Pacific Fleets. Four big new *Forrestal*-class carriers have already been commissioned, three more are under construction, including the first nuclear-powered carrier, and the eighth has been requested in the 1960 budget. These new carriers will assure the Navy's ability to handle the larger and faster aircraft that are now being delivered. As the Lebanon and Quemoy crises have demonstrated, the carrier task force is a principal means of maintaining a U.S. military presence in the critical areas of the world far from our own shores. They avoid the question of national sovereignty and the many problems associated with the physical presence of U.S. forces in foreign countries. For these reasons they are a most useful means of dealing with situations short of general war. Here, as in the Strategic Air Command, years of experience and hard-won skill add immeasurably to the strength measured just in quantitative terms.

There are some people who like to call attention to the estimate that the Soviet Union outnumbers the United States in submarines. The Russians, they say, have 400 to 500 submarines while we only have 110 or 120—the number of U.S. long-range boats now in active service. Aside from the fact that half of the Soviet submarines are not capable of operating in distant areas, these people miss the main point, namely, that the requirements of the two countries are entirely different. The free world has over 95 percent of the total ocean shipping, the principal target of a submarine force; the Communist bloc less than 5 percent. Obviously, the United States does not have as great a need for any large number of submarines for use against merchant shipping—the targets simply do not exist on the other side.

However, with more than 95 percent of the merchant shipping and in the face of the large number of Soviet submarines, the free world is presented with a very tough antisubmarine warfare problem and the U.S. Navy is devoting a great deal of effort to its solution. It should be noted that successful antisubmarine warfare operations require the closest cooperation and teamwork among forces in the air, on the surface of the sea and under the sea. In addition to the fact that virtually all naval vessels have antisubmarine warfare capabilities, the Navy now has three highly successful permanent task groups in operation which provide intensive training for all elements of the specialized forces—antisubmarine warfare carriers and their specialized aircraft, destroyers, and hunter-killer submarines.

Other recent developments to increase the effectiveness of our antisubmarine warfare forces include a high-speed hydrofoil vessel to cope with the faster submarines, better and longer-range detection devices, extension of both the attack range and lethal radius of antisubmarine warfare weapons—including new accoustic homing torpedoes and nuclear depth charges, and the application of advanced data computers to the complex fire control and maneuver problems involved. Much basic research is also being done in fields such as oceanography to provide a better understanding of the vast, largely unknown medium in which the submarine must operate. These new weapons, forces and techniques, together with the skill and experience of the naval forces developed over a long period of years, give the United States an unmatched capability in this area.

In contrast, the Soviet Union has no antisubmarine warfare aircraft carriers and only limited numbers of the specialized aircraft needed to detect and attack submarines; and, of course, no hunter-killer forces in our sense of the term. More important perhaps, the Soviet Union has nothing like the U.S. Navy's wartime experience and skill in antisubmarine warfare operations.

Again, with respect to submarines, how would the American people feel if they thought that the Soviet Union had 39 nuclear-powered submarines in operation with the fleet, under construction or soon to be started, and we had none. Actually, this is the figure for the United States, and to the best of our knowledge the Soviets have no nuclear-powered submarines in operation at the present time. They have an icebreaker, the *Lenin*, under construction, and even here they are apparently running into trouble with the nuclear reactor.

In addition to these 39 nuclear-powered submarines, the United States also has under construction a nuclear-powered guided missile cruiser, a nuclear-powered guided missile frigate, and a nuclear-powered attack aircraft carrier, the largest ship ever to be built. The United States is also building its first nuclear-powered merchant ship, the *Savannah*. On the basis of the known facts, the United States is clearly far ahead of the U.S.S.R. in the application of nuclear power to ship propulsion. Is this taking second place?

Again, reversing the situation, how would the citizens of Miami, Fort Worth, Seattle, Chicago, and Boston feel if at dozens of bases scattered throughout nearby Canada, Mexico, and the Caribbean Islands there were more than 2,000 Soviet modern fighters, bombers, and tactical missiles alert and ready—each capable of wreaking the destruction of Hiroshima on some American city? Suppose, too, the Soviet Union was beginning to deploy to bases in northern Canada, Central America, and Haiti intermediate-range ballistic missiles each capable of delivering a nuclear warhead with less warning and greater accuracy than an ICBM. Fortunately, this is not the case.

With respect to the ICBM race, about which there has been no much public discussion, as matters now stand the United States and the U.S.S.R. are about neck and neck, even though it was not until 1954 that the United States put as much as $2 million a year into the development of its ICBM. On the basis of the best information available to anybody outside of the Kremlin itself, both the United States and the Soviet Union will have a limited operational capability with these missiles by the end of the current year. The United States is pressing forward with the development and production of these missiles and it may be assumed that the Soviet Union is doing likewise. The Defense Department, of course, knows how many ICBM's the United States plans to produce over the next few years, but there is no way of knowing for certain how many the Soviet Union will actually decide to produce in this period. In order to be prepared for the worst it is customary in projecting the military strength of other nations to base the intelligence estimates on what they could do, considering the status of the weapon in the development and production cycle and the facilities, skills, and materials considered available to them. It is when the number of ICBM's the United States actually plans to produce is compared to the number it is estimated the Soviet Union could produce that the so-called missile gap arises.

There is no way of knowing whether the Soviet Union will in fact produce the number of missiles it is estimated that they could produce. There are many other considerations of both an economic and a military nature which must obviously enter into such a calculation on the part of the Soviet Union. In other words, it is estimated that the Soviet Union has the industrial and scientific capability to produce several times more intercontinental ballistic missiles than we actually plan to produce in the next 2 or 3 years—providing that they are ready and willing to divert to this purpose all the resources that could usefully be applied, at the expense of other programs.

From past experience it is known that the Soviet Union does not always do what it is estimated they could do with respect to each and every individual program. For example, about 3 years ago it was estimated the Soviet Union could have by now 600–700 Bison long-range jet bombers in operational units. The Bison was already in production and it was thought that the Soviet Union had the physical capacity and technical capability to build that number of heavy aircraft over the 3- or 4-year span. But it is now known that they built only a fraction of that number, even though our own military leaders consider the intercontinental jet bomber—particularly when armed with a standoff missile—such as the Hound Dog—as one of the most important strategic weapons available at this time.

Even though the United States will continue to maintain a manned bomber force far larger than the U.S.S.R., it is making a major effort to develop and produce ballistic missiles. Although the United States may not produce the same number of first generation missiles that it is thought the Soviet Union is capable of producing, a total of about $7 billion has already been programed for this purpose in the last 4 years. It is planned to put another $2.7 billion into these programs in fiscal year 1960, bringing the total in only 5 years to almost $10 billion.

The United States has three intercontinental ballistic missiles under active development or production. The Atlas is the more advanced in development and, to borrow a phrase from Mr. Khrushchev, "is in serial production." The first few missiles are expected to be in place and ready to fire by the end of this calendar year. The first units of a follow-on liquid fuel ICBM, the Titan, are expected to be in place a year and a half or 2 years after the Atlas. About 2 years after that we expect to have the solid fueled intercontinental ballistic missile, Minuteman, which will have many important advantages over the liquid fueled missiles. It is expected, for example, to be easier to disperse in hardened bases and to require much less time to fire as well as fewer men and facilities to handle it. For these reasons the Minuteman-type missile is planned to be the backbone of the intercontinental missile force in the future, although there may still be a place for liquid fuel missiles because of their greater load-carrying capacity.

In the same class with the land-based ICBM's is the submarine-based Polaris ballistic missile. Because these missiles can be launched from submarines deployed far forward into the waters surrounding the Soviet Union, they have essentially the same effective range as a land-based intercontinental ballistic missile. The Polaris-firing submarines, each carrying 16 missiles, are nuclear powered and hence can cruise beneath the surface of the ocean or under the polar icecap for weeks and months, hidden from enemy observation. The Polaris missiles themselves can be fired from below as well as above the surface. These unique capabilities provide a degree of mobility and concealment which make the Polaris submarine force virtually invulnerable to surprise attack. They confront the Soviet Union with the certainty of a retaliatory blow from the great unsearched ocean depths.

The United States now has under construction six Polaris submarines. Three more are being started this summer, and long lead time components for additional boats are already under contract. The first of these submarines, the *George Washington*, was launched on June 9 by the Electric Boat Co. at Groton, Conn., and is expected to be ready for sea next year.

Now, how would the American people feel if the Soviet Union had this capability? Would they feel more or less secure if they thought that next year it would be the Soviet Union that would send forth the first of a fleet of these submarines to lurk off our shores—quiet, invisible, deadly? Fortunately, the situation is quite the opposite. It is the United States and not the Soivet Union that will soon have this unique capability. As of now there is no firm evidence that the Soviet Union is building such submarines.

Also worthy of mention are the several squadrons of intermediate-range ballistic missiles, Thor and Jupiter, being deployed overseas, and the intercontinental aerodynamic missile, Snark, just entering operational status. Because of its late development the Snark is being bought in only limited quantities, but it does add another kind of weapon system to our retaliatory forces.

Commenting on the great variety of missiles being developed and produced by the United States, Duncan Sandys, the British Minister of Defense, told the House of Commons, "Since we cannot put money on all the horses in the race, like the Americans can, we have to pick our fancy. We have chosen the Blue Streak. * * * If we could afford to have an assortment of deterrents, to have other clubs in the bag, we would certainly like to have a proportion of Polaris and Minuteman in our quiver."

But to return once more to our reverse situation: How would we fare if we were to exchange our air defense system with the Soviet Union? How would we feel if we had to be prepared to defend ourselves from all directions rather than primarily from the north as at present? What if we had to do the job with day fighters and fewer true all-weather jet interceptors? What would the American people think if ground-to-air missile defenses were concentrated around two or three metropolitan centers and elsewhere we had to rely in large part on obsolete anti-aircraft guns?

In contrast the actual air defense system of the United States, now in being, is a vast complex composed of early warning radars stretching across the northern edge of the North American Continent, well above the Arctic Circle; seaward extensions of this system by planes, ships, and Texas towers; further radar barriers across Canada; and virtually complete coverage of the entire United States by aircraft control and warning radars; plus all of the necessary communications lines to tie this vast system together and synchronize its operations. There is also now coming into operation the semi-automatic ground environment (SAGE) system which through large electronic computers and automatic display devices will coordinate and evaluate information from the various radars, and from the active defense forces, and will enable the air defense commander to control the air battle with a speed and precision never before approached. The recent launching of a Bomarc pilotless supersonic interceptor missile from Cape Canaveral and its successful attack on a drone target many miles at sea was done by a SAGE center located in Kingston, N.Y. Such feats of remote control and guidance indicate the coming, unprecedented sophistication of our air defense system.

The Bomarc surface-to-air long-range interceptor missile—controlled and guided by SAGE—is only one of the three basic weapons now or soon to be available to the air defense forces. In addition to it there are the manned aircraft of the Air Force, including all-weather supersonic fighters armed with target-seeking air-to-air missiles and other high performance fighters capable of firing nuclear-armed rockets at enemy bombers. To these formidable area defense weapons must be added the Army's ground-to-air antiaircraft missile battalions for close-in defense of cities and SAC bases. In

this category the Nike-Ajax is rapidly being replaced by its much larger and much more effective big brother, the Nike-Hercules. This latter missile can cope with any known or planned Soviet aircraft and when armed with its nuclear warhead it can just about guarantee the destruction of any enemy bomber which comes within its range of 80 miles.

This vast system for defense against manned bombers and air-breathing missiles which includes both United States and Canadian forces has been described in recent congressional testimony by General Partridge, the commander of the North American Air Defense Command, as the best in the world. However, in anticipation of the oncoming Soviet ballistic missile threat, a new system is being devised. Work has already begun on the warning portion of this system. In the Far North gigantic radars capable of "seeing" ballistic missiles in flight more than a 1,000 miles distant are being constructed. As has been noted, this ballistic missile early warning system (BMEWS) is to help provide that critical margin of warning which will enable the alert forces of our Strategic Air Command to get off on their retaliatory mission no matter how sudden a surprise Soviet attack may be. Other, more advanced missile early warning systems are under active development. One of these systems is known as Midas—a space satellite equipped with infrared sensing devices. A number of such satellites circling the earth would be able to detect the great blast of heat emitted by a missile taking off right at the moment of launching. Detection of an enemy missile attack at that point would roughly double the amount of warning time available from the BMEWS radars. With this additional warning time a very large part of our strategic retaliatory forces would be certain of getting off to deliver their counterblow.

An antimissile missile system to defend our cities and bases, known as the Nike-Zeus, is also being developed at the fastest practicable rate with a top national priority. This weapons system has been described as the most complicated and difficult technological development ever undertaken. There are still very formidable technical difficulties to be overcome and the first objective is to press forward with the development phase as rapidly as possible in order to prove out the feasibility of the concept and the system.

Much has been said about the size and power of the Russian ground forces. But what would the American people think if there were a quarter of a million Russian troops—equipped with the latest weapons, including nuclear-capable missiles—in Canada or in Mexico facing the American border? What would the American people think if these Soviet forces were allied with large and powerful forces of other Western Hemisphere countries?

Clearly, if we were confronted with such a situation, which is essentially that faced by the U.S.S.R. and its satellites, we would need large standing armies to guard our borders. Furthermore, in a police state, such as the U.S.S.R., large forces would be required to maintain internal security. Even more significant would be the numbers of additional divisions that would be needed if, like Russia, we had to control a restless group of smaller nations which could be held in line only by military force. Hungary offers a good example of this problem.

In contrast to this imaginary situation U.S. ground forces do not have to divert a single soldier to guard our long peaceful borders with Canada and Mexico. No American military units are required to police our country. No American divisions are required to hold a captive empire. All of our ground forces are fully available to respond to the demands of a limited war or to carry out their part in general hostilities.

In view of these facts, would the American people feel more secure if the United States had the 2,500,000 ground force credited to the Soviet Union—together with their problems, instead of our own Army of 870,000 and Marine Corps of 175,000?

The U.S. Army, equipped with modern, mobile and tremendously powerful nuclear capable missiles, in addition to a complete arsenal of conventional weapons, can, today, support national objectives with forces ranging from a small detachment to a field army of several divisions. From a conventional patrol to the atomic battlefield, it is geared to fight effectively throughout the whole gamut of modern conflict.

Today, a substantial portion of our Army is deployed at advance positions around the edge of the Soviet bloc. Backing up the overseas deployments, the Strategic Army Corps, located in the continental United States, is ready at a moment's notice to move to any part of the world. A powerful, self-contained fighting force, Strac, can meet the initial requirements of limited war or provide the first reinforcement in general war. The Army Reserve and Army National Guard—at the highest level of readiness in their peacetime history—stand prepared to supplement the active forces in time of emergency.

The striking power of the Army is continually being improved by the delivery of modern weapons—the products of the Army's far-reaching research and development program. Soon to be placed in the hands of the soldier is a new family of individual arms and machineguns, all of which will fire the standard NATO 7.62 millimeter cartridge. The Redstone ballistic missile recently deployed overseas is already scheduled to be replaced by the solid propellant Pershing missile, now under development. Similarly, the solid propellant Sergeant will replace the Corporal guided missile. It is interesting to note that four battalions of the Corporal missile can deliver more firepower than all the artillery employed by the U.S. Army at the peak of World War II, discounting, of course, the problem of geographic coverage. Also slated for early delivery to troop units are the lightweight, air transportable Little John rocket and the highly accurate Lacrosse close support missile.

Work has been started on the new M–60 diesel-powered tank armed with a heavier gun. Additional quantities of helicopters and fixed-wing aircraft are being procured including new turboprop observation planes. As a matter of fact, the Army today operates over 5,000 aircraft—more than half the number operated by the Navy and about one-quarter the number operated by the Air Force.

The U.S. Marine Corps provides a highly trained force, always prepared to deploy anywhere in the world on the shortest notice. The quick response to the Lebanon situation is a good example of the high state of readiness maintained by this force. Consisting of three combat-ready divisions and three air wings, the corps is a balanced air, ground and sea team capable of highly specialized integrated operations. Since World War II, the Marine Corps has developed a new doctrine for amphibious operations, emphasizing vertical assault over the beachhead by helicopter-borne troops. More than 300 organized units of the Marine Corps Reserve provide backup and staying power for the regular forces.

In addition to the defensive and offensive striking power of U.S. forces, this Nation is allied in a system of collective security with other free world nations whose military strength complements and reinforces that of the United States. These nations provide to the United States some 250 strategically located bases. They contribute to the collective defense of the free world ground forces of more than 5 million men and air forces of about 30,000 aircraft of which nearly 14,000 are jet powered. They help insure our control of the sea with their 2,500 combat vessels of which some 1,700 are in active fleets or supporting activities. The total military power of these allies has grown continuously over the past several years and we may confidently expect it to continue to grow in the future.

Further, this free world alliance is a voluntary association of equals held together by mutual interests and a common ideal of freedom. The Communist bloc is a group of vassal states directed, controlled, and held together by force. When the chips are down could the U.S.S.R. depend upon its satellites as we can depend upon our allies?

In view of these facts concerning the relative military strength of the United States as compared with the Soviet Union it is inconceivable that any American would want to trade our position with theirs. But the allegation is often made that the Soviet Union is not only closing the gap with the United States in the military area but also in the economic area. There is no question that in the long run economic strength is the foundation of military power. So—let's take a look at this part of the balance sheet.

Suppose we traded our economy for that of the Soviet Union. This would be the picture. Almost all of our population would be concentrated east of the Mississippi River, and the West would be a sparsely settled frontier. As a matter of fact, the Government would be offering bonuses to people willing to settle these virgin lands. In this new and much more primitive economy, which we would have swapped for our own, only one railway line would have been pushed across the continent and much of the country could not be reached by road. Half of the labor force would be engaged in agriculture, barely meeting the needs of the rest of the population. This, of course, is a picture of America in the decades following the Civil War. But it is also a picture of the Soviet Union today.

If we traded places with the Soviet Union we would have to cope with a population consisting of 169 distinct ethnic groups, speaking over 80 languages. Fourteen of these languages would each be spoken by over a million people. As a result of the low birth rate experienced during World War II, when the country was partially overrun by the enemy, we would be entering a period of declining natural growth of our labor force. We would be facing a labor shortage that would seriously hamper our potential for economic expansion.

In contrast to the Soviet Union we are entering a period of accelerated natural growth with increasingly large additions to the labor force. Our labor force which grew slowly during the 1950's is now, owing to the high birth rate that began in World War II, beginning to expand rapidly. During the decade of the 1950's the U.S. population group aged 14 years and older increased by 13.5 million. But during the decade of the 1960's this age group is projected to increase by 24 million.

In the Soviet Union over half of the work force would be engaged in agriculture and chronic shortages would plague the economy. By contrast, in the United States of America, less than 10 percent of our labor force produces agricultural products in such quantities that surpluses constitute a major problem.

What would we have to do to our present industry to make it comparable to that of the U.S.S.R.? We could begin by getting rid of about three-fifths of our present steelmaking capacity. Russia's steel industry cannot produce as much steel today as we could have produced 40 years ago. As a matter of fact, we've added almost as much steelmaking capacity in the last 12 years

as Russia now has in total capacity—after 40 years of Communist effort. In our Soviet-type economy we would have to get along with less than one-third the amount of electricity, one-third the amount of petroleum products, and only about 10 percent the amount of natural gas that we now produce with our own economy. Even in the field of hydroelectric power where the Soviets are supposed to be so strong, we would have to lose over two-thirds of our present capacity. We would have only a small chemical industry rather than the giant we have come to depend on. For example, the U.S.S.R. is able to produce less than one-quarter the amount of chemical fibers (nylon, rayon, dacron, etc.) that we produce in our economy. Production of mineral fertilizer would be less than half what it is now and because it would be in such short supply its use would have to be banned for anything but a certain few basic crops. Our aluminum production would have to be cut to less than half of what it is now; our copper production reduced to only a third of its present size. We would be able to produce less than 5 percent of the electric motors and less than half the bulldozers. Comparable losses would be experienced in most other sectors of the economy.

What would we have to do to our transportation network to make it comparable to what the Soviets have today?

We could begin by tearing up perhaps 14 out of every 15 miles of paved highway. Although this would seem to have the makings of a terrible traffic congestion problem, we would actually have solved our traffic problem—Soviet fashion—since to get on a par with the Russians in this respect we would also have to get rid of 19 out of every 20 cars and trucks in use today. We could go on to the railroads and tear up more than 2 out of every 3 miles of main-line track. We'd also have to dispose of 60 percent of our present stock of freight cars. Even after doing all this we'd still have a better surface transportation system than the one we'd get in trade from the Soviets. In order to make our ocean merchant fleets comparable we'd have to sink eight out of every nine of our own ships and then deny ourselves the use of the free world's great fleet. Our civil aviation industry would have to be shrunk to a fraction of its present size.

What would we have to do to our present standard of living to make it comparable to that of the Russians? Let's begin with that much condemned symbol of modern mass communication, the television set. We would have to destroy over 40 million television sets and where we now have 1 set for every 4 people, we would then have only 1 set for about every 75 people. We would have to get rid of more than 9 out of every 10 radio sets and telephones that we have today. We would have to destroy more than 80 percent of all housing in America and then crowd into the 20 percent remaining. In the United States today we have over 140 times as many passenger automobiles as there are in the Soviet Union. After getting rid of enough passenger cars to achieve comparability we would have regressed to a pre-1915 level. We would have to cut out per capita meat consumption by over 60 percent and make our shoes last twice as long as we do now.

We would have to change the whole relationship between the value of a worker's paycheck and the price of goods offered for consumption. For instance, to buy a poor quality suit of clothes, a steelworker would have to work more than 16 times longer than he does at the present. He would have to work for 2½ hours to buy a 4-ounce chocolate bar. A pair of women's shoes would cost more than a week's paycheck—more than nine times as much in terms of working time than it does today in our present economy. Of course, the 40-hour week would be only a promise under our new economy. If such things were available, an automobile comparable to a stripped U.S. Ford or Chevrolet could be bought for about 2 years' pay—more than five times what it costs an American worker today.

No American would begrudge Russian workers an improvement in their harsh standard of living. Any economic expansion by the Soviet Union which would provide an equal improvement in the welfare of the average Soviet citizen would be welcomed by all of the peoples of the free world. Unfortunately, the Soviet Government has chosen to use its economic progress to further its own aggressive purposes. It is only because of this fact that Soviet economic growth—actual or planned—constitutes a challenge to the United States.

Now, what about our prospects for the future with an economy like Soviet Russia's?

Predictions about the future are always hazardous and much of the misplaced awe with which some people view the Soviet economy is based on nothing more than announced long-range Soviet plans. Since this is so, let's look first at this matter of future goals. The United States today boasts an economy that outproduces the U.S.S.R. by two and one-half or three times and we do this with a population that is 15 percent smaller than theirs. The Soviets have promised the world that by 1965 they will have matched our 1958 level in most areas of economic activity, and that by 7 years after that they will have surpassed us on a per capita basis. Such overall claims, obviously, are insupportable.

Even if the Soviet Union could achieve the goals set forth in their 7-year plan, their overall industrial capacity would fall far short of what we have today. For example, their goal for crude steel capacity in 1965 is 85 to 91 million metric tons. We had that much capacity before the Korean war and if our average rate of growth over the last few years were maintained we would have in 1965 a capacity of 174 million metric tons. The significance of this is that in actual tonnage our edge over the Soviet Union in steel productive capacity could be even greater in 1965 than it is today. Their goal of actually surpassing us in industrial production within 15 years appears to be based on the assumption that we will do practically nothing during the interim while they continue to expand at an extremely rapid rate. Neither of these assumptions seem likely to be borne out by events. Many experts believe that we stand on the threshold of another long economic boom. For example, a careful projection into the 1960's has just been prepared by the National Planning Association. According to its findings the average annual rate of increase of the U.S. gross national product may average 4 percent between 1956 and 1965, and 4.2 percent between 1956 and 1970. This compares with an average of about 3 percent experienced during the post-war period.

Discounting the effect of inflation, the National Planning Association study estimates that the gross national product of the United States by 1965 will total about $633 billion and by 1970 may reach $790 billion. The 1970 estimate represents an increase of 80 percent over our 1958 gross national product and well over twice as much as the estimated gross national product of the Soviet Union in 1970. While the U.S.S.R.'s gross national product as a percent of the United States will probably increase somewhat during this period, the real fact of the matter is that while we now have a lead of roughly $240 billion in gross national product, by 1970—when Khrushchev claims the Soviet Union will have overtaken us on a per capita basis—our lead in gross national product may well have increased to over $400 billion.

It is interesting to note that Fortune magazine in its April 1959 issue also made some projections of U.S. gross national product in the 1960's which are substantially the same as those of the National Planning Association.

Also noteworthy is the fact that the Soviets themselves in their latest planning estimates forecast a lower rate of economic growth over the next 7 years than they achieved in the 1950–57 period. While it is true that they did achieve very high economic growth rates in the 1950–57 period, the U.S.S.R. is not the only nation which has experienced these large percentage increases during the post-World War II period. Whereas the gross national product of the Soviet Union is estimated to have increased by about 6 to 7 percent a year in the period 1950–57, the Federal Republic of Germany increased its gross national product by 7.7 percent annually in the period 1953–57. With respect to industrial production, Japan achieved an average annual increase of 13.4 percent from 1953 to 1957 compared with 11 to 12 percent for the U.S.S.R. in the same period. In the important area of steel production the free economies of Western Europe constructed 50 percent more new capacity during the past decade than did the Soviet Union.

All three of these countries, Japan, Germany, and the U.S.S.R., found themselves in similar circumstances after World War II. All three suffered considerable damage during the war but were able to post large economic gains in a relatively short time as they rapidly replaced their war-damaged facilities.

Growth rates, of course, are a singularly deceptive economic statistic. A country with a steel capacity of only 1 ton can add capacity of an additional ton and achieve a percentage increase of 100 percent. Another more developed country with a steel capacity of 100 tons can add 2 tons of capacity—twice as much in actual physical production—but still achieve a percentage increase of only 2 percent.

As the Soviet economy reaches higher stages of development, large percentage gains become increasingly more difficult to maintain. For example, the Soviet fifth 5-year plan called for an annual increase of 10.3 percent in steel output, the uncompleted sixth 5-year plan called for an 8.6 percent increase and the new 7-year plan calls for an annual increase of only 6.5 to 7.5 percent. As a matter of fact, the U.S.S.R. will find itself increasingly hard pressed to maintain the momentum of its past economic growth as it no longer is able to raise production by massive inputs of labor, as it exhausts its highest grade natural resources, and as it faces for the first time the problem of replacing its outworn capital equipment.

Thus, with respect to both military power and economic strength the United States today is in a distinctly more favorable position than the U.S.S.R. Today, ours is the more powerful military force, the stronger alliance, the more advantageous strategic position and the more productive economy. There is no reason why we should not continue to lead the Soviet Union in the years ahead. Although advancing technology may diminish somewhat the advantage of our geographic position, this position should serve us well for many years to come. But perhaps most important, with the efficiency of our free enterprise system and a national willingness to support sound economic and fiscal policies, we can expect our economy to grow—to be an example for the world and the foundation of our national security.

Admittedly, the situation allows no room for complacency. But neither does it warrant apprehension. We have every reason to approach with confidence the grave problems which lie ahead. In the words of President Eisenhower, "Our security shield is the

productivity of our free economy, the power of our military forces and the enduring might of a great community of nations determined to defend their freedom."

THE JOURNAL

Mr. JOHNSON of Texas. I ask unanimous consent that the Journal for the day's proceedings be approved without being read.

Mr. MORSE. Mr. President, reserving the right to object, I shall not object. The Journal is very brief. If I wished to use up time I could suggest the absence of a quorum. I do not propose to object to approving the Journal.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMISSION RELATING TO METROPOLITAN PROBLEMS

Mr. HUMPHREY. Mr. President, earlier today the Senate took favorable action on a bill reported by the Committee on Government Operations to establish a special commission relating to metropolitan problems. The order number of that bill is 908, S. 1431, introduced by the senior Senator from Pennsylvania [Mr. CLARK].

I believe that this is a very constructive piece of legislation. I had hoped to be on the floor at the time to participate in the debate, but I am one of the Senate conferees on the agricultural trade development bill, involving Public Law 480. Therefore I was unable to be present at the time the bill was passed.

We all owe a debt of gratitude to the Senator from Pennsylvania for having initiated this legislation, and I thank the majority leader for his expeditious handling of the bill leading to its passage.

It seems to me that if there is any one area in our social structure which needs careful examination insofar as the relationship between the Federal and local government is concerned, it is the problem of metropolitan areas. These metropolitan areas are today the product of great change and therefore the victim of many problems. I am hopeful that the bill as it passed the Senate will become law and that the Commission will be established. I hope that the report which will be forthcoming will give us some guidance as to future activities relating to Federal and local government relationships.

This bill is a companion measure to another bill reported by the Committee on Government Operations, of which I am a member, the bill to establish an Intergovernmental Relations Commission. I served on the Intergovernmental Relations Committees of 1953 and 1954. That Commission was set up under authority of an act passed in the 83d Congress.

I am convinced that these two Commissions, if properly staffed after authorization, will be able to do a genuine service for the American people and for the institutions of Federal, State, and local government.

I look with favor upon their adoption, as I have indicated, and am pleased to have been one of the sponsors of these particular items.

THE SOYBEAN AND SWINE OUTLOOK

Mr. HUMPHREY. Mr. President, I have in my hands the magazine Feedstuffs for September 5, 1959, the weekly newspaper for the feed industry. The feature article on the front page is entitled "Soybean and Swine Outlook Analyzed."

This is a story by John Cipperly, Feedstuffs' Washington correspondent. In this article the author gives some insight, or I should say he gives some inside information—at least he would have us so believe—as to the attitudes of the Department of Agriculture relating to soybeans, hogs, and the products thereof.

Let me quote a few paragraphs, because I want this RECORD to be read by the Department of Agriculture officials and I want the Department of Agriculture officials to know that several Members of the Senate with whom I have talked are deeply concerned about the text of this article and hope that it is not true and trust that it will be repudiated.

The article states:

Political policy projections running into the 1960 campaign are now seen as the market-making factor for the prices of soybean meal and soybean oil later this year.

Wrapped up in the soybean picture, too, is the swine situation, as well as the poultry outlook. And the whole broad, complex situation is of importance to feed and related interests as they survey feed price and demand prospects.

The political projections referred to above may not act as a brake on prices of soybeans. No matter what size the soybean crop, the farmer has shown a great tendency to support the crop through his speculative holding of beans throughout the crop year. It must be remembered that he obtains from farm storage as much as 16 cents a bushel on new loans, as well as 16 cents bushel storage on his old-crop resealed beans which went under loan at the old higher loan rate of approximately $2.12 a bushel.

HOG PRICE EXPLANATION

Top policy officials tentatively explain swine price policies as follows—and the swine price problem may be the crux of the entire price structure of bean meal, oil, and such other collateral problems such as approval of an oil donation program.

I digress to point out that the conferees on the amendment to Public Law 480 today approved a provision authorizing the Secretary to make available animal fats and edible oils in an oversea donation program where voluntary charitable agencies engage in relief feeding. I hope that this particular provision, when it becomes law, will be used as it is intended to be used, to provide edible oils and animal fats—lard in particular; and I have the feeling that there will be plenty of lard available for donation feedings overseas—thereby removing from the American agricultural market the prospective surpluses of edible oils and animal fats.

If this is done, two things will follow. First, the needy will receive very nutritious food. Oils and fats are a basic part of a balanced diet. Second, the farm producers in the United States will find that their prices upon these particular commodities, or the basic products from whence the commodities are derived, will be better prices, and closer to the support level, and fair prices, to which farm producers are entitled.

I note that the Secretary had authority a year ago to donate substantial quantities of edible oils for the purpose of feeding the needy overseas, but he did no do so. I trust that when the new authority is given to him, he will understand that the only reason the provision was not made mandatory was that we recognize the problems which come to the Department of Agriculture when mandatory provisions are written into law so far as the management of Commodity Credit Corporation supplies is concerned, and the effect of such provisions on the market price.

I quote further from the article:

The U.S. Department of Agriculture now believes it can ride out a decline in hog prices this winter and subsequently evoke pork price supporting activities later this winter to put hogs back on an increasing price level going into the fall elections in 1960.

I digress again. I hope the Department of Agriculture will maintain hog prices and pork prices; and if it helps the administration in the elections of 1960, we are willing to have that happen too. I trust that hog prices will be good every day, every week, and every month, not only through 1960, but years to come. I for one do not want to see agricultural prices drop, and thereby become a political benefit to anyone. It seems to me that what we need is a fair price, a parity price, for these commodities; and the politicians will be able to take care of themselves on some other issues.

Back to the article:

This probably means that USDA, except for a mandatory instruction from Congress, will decline to put into effect any donation program for edible oils, notwithstanding the outlook that if the entire oilseed crop is crushed, there will be on hand as much as 500 million more pounds of edible fats on October 1, 1960, than is expected this year.

One must return basically to the USDA attitude to swine. They propose to sweat out a decline in hog prices this winter; specialists at USDA say that they now see hogs selling this winter between $12 and $13 a hundredweight. These same specialists say that this is not a disaster price, and that it will slow down expansion of the spring pig crop, which is now conservatively estimated at between 3 to 5 percent over the last spring crop.

Such an increase is indicative of anything but a debacle which this publication forecast last spring if the rate of acceleration of swine production was maintained into the spring of 1960. At that time USDA specialists said that if the accelerated pace of the fall crop were maintained into the the spring crop of 1960, there would be a debacle in hog prices.

On the basis of the reliable estimates of these specialists, it may now be discounted that any disaster in hog prices is in the making—

I hope and pray that this particular writer has prophetic vision. I hope, in this instance, that his prophetic vision is right so far as the price of hogs being a good price is concerned. I trust that there will not be any hog price debacle. I trust that there will be a good price for hogs and farm products. I have some doubts, however, that this will be the situation.

Coming back to the article:

But the hog intangible in this whole concept of swine-beans-oil and oilmeal is not fully resolved by a statement of the USDA attitude to swine prices this year.

EXPORTS FORECASTS

At Foreign Agricultural Service, top officials are now forecasting an export level of as much as 125 million bushels of beans for the new crop year. They also believe that edible oil exports will remain at about the same level as this year, perhaps hopeful in concept since the Mediterranean olive crop will be larger. Yet rumor has it that the Russian sunflower crop will be smaller, thereby opening up a European export market for soybean and cotton oil from western European sources.

But USDA officials are unwilling to adopt an oil donation program for edible oils for domestic and foreign donation through voluntary aid agencies. This is a proposition which prominent crushing interests desire since they fear that higher soybean prices or low meal prices may put the crushers into a nonprofit margin condition.

This equation finds the oilseed crushers in wide disagreement with top USDA officials; the latter are unwilling to institute an oil donation program, which is now discretionary with them under the present law, since they believe that the crushers would be able to maintain a relatively low price for oilseed meals which would encourage continued feeding of swine—

I digress from the article because I have gotten out the heart of it. I hope the Department of Agriculture will not look upon any permissive authority, which has been provided in the past, and more of which will be provided in the future, as any way to avoid its responsibilities in terms of providing edible oils and animal fats for overseas donation programs, thereby being of assistance to our producers of soybeans and pork in the United States—not only soybeans, but cottonseed, flaxseed, and other edible oil products.

Mr. President, I ask unanimous consent that the remainder of the article be printed in the RECORD at this point as a part of my remarks.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

Trade sources estimate that a 1-cent-a-pound decline in oil prices would mean a potential advance of soybean meal of between $4 and $6 a ton to maintain reasonable crushing margins.

SPRING HOG EXPANSION

These top USDA sources say that soybean meal will have a big influence on swine expansion next spring, and it is now evident that, barring some mandatory congressional action, USDA is not disposed to approve any decision which will encourage a swine expansion other than that which is now in the making because of past events.

In other quarters of USDA there is another aspect of opposition to an oil donation program. Top economic advisers to USDA officials say that any venture in an oil donation program through voluntary aid agencies for domestic and foreign relief purposes would strengthen the oil market—make meal prices lower—a condition which USDA does not generally wish to happen, and encourage farmers in their spring expansion plans for swine.

Other operating officials of USDA are not frightened by the prospect of a potential increase in carryout of oil crop supplies on October 1, 1960, by trade estimates of nearly 500 million pounds over this year. They say that the largest part of this increase will come from cotton oil, and that they are prepared to handle this problem as they did this past year when cotton oil tenders were put on the market by USDA on a bid basis. This comment from a top USDA official may probably be conceived as a horseback opinion, and may not hold water, but its major inference is that a CSO support program is certainly a potential.

PROBLEM OF LARD

A big major hitch in the USDA thinking is to be found in lard. Public Law 480 exports of lard are admittedly inconsequential. Top front office people at USDA are openly worried about lard. They say that with cheap corn at the country level, now seen as about $1 at the farm, farmers are not inclined to market hogs at a suggested 180 pound weight. They believe that further persuasion and educational efforts will encourage farmers to market at lower weights. They cite recent promotional efforts now in full swing by the volume supermarket merchandisers, with a drive to sell pork products, will aid them in holding swine prices at the rockbottom level of $12 or $13 this winter.

All of which adds up to a most bearish connotation on edible oil prices, or soybean prices late this winter.

Crop conditions now coming through from private trade sources appear to confirm a large soybean crop on an acreage reduced by 8 percent from last year.

POULTRY SITUATION

Such bearish connotations cannot be dismissed out of hand, as it now appears that the poultry industry is going through financial convolutions which may wash out outlet sources, or at least require a cutback in demand for feed and not, incidentally, soybean meal.

But one can only look at the relatively small size of the soybean crop—even another bumper crop—to realize that the farmer can, and has, and does hold soybeans. As much or more of the carryout this year, more than 10 million bushels, will represent reseal loans of old crop beans which will provide a 16 cent storage charge for another 12 months. It would not be likely that the bean farmer will let this supply go at less than his basic loan, which was $2.12 a bushel less the 16-cent storage payment.

What USDA fails to consider as it rejects the oil donation program and as it fixes its sights on higher meal prices, is that the farmer, through his tight holding of beans, may push distant future prices up considerably unless the crushers are willing to back away from a higher market.

From USDA sources it has been learned that some substantial integrated crushing interests have been actively selling forward contracts of meal and oil at about current price levels, and presumably are hedged at Chicago.

OIL DONATION OPPOSED

On balance, it now appears that the preponderance of official authority at USDA is adamantly opposed to an oil donation program. Unless Congress orders such a program, there is no reason to believe that USDA will undertake such a donation program through relief agencies, even for domestic purposes. Such amendments to extension of Public Law 480 as now offered by Senator JOHN SHERMAN COOPER, Republican, of Kentucky, which would make all surplus commodities available under title I of Public Law 480 first available for domestic donation, may be construed as purely for home consumption. As of this time there is no reason to believe that the Kentucky Republican had administration backing for his amendment.

But nonetheless, one may only feel that a combination of farm holding of beans, plus en expanded export demand for this crop, plus political apprehensions on the part of USDA officials may ultimately drive them into any expediency to boost bean prices even at the expense of soybean meal. They can do the price support job for swine through an aggressive procurement program for pork products later this crop year.

Lard proposes a most unhappy situation. No one at USDA is willing to forecast what may happen to this commodity, as farmers are reacting to cheap priced corn now and marketing hogs at heavier weights than USDA has recommended.

At swine specialist levels of USDA they say that they anticipate corn will sell at the farm level at 85 cents a bushel at harvest. Perhaps this may spell out a better view of what may be in the cards for beans, oil, and meal this winter. USDA may be attempting to hold price level for meal which cannot be sustained.

Further exasperation of this entire situation is that of timing of any USDA decision on pork buying. Unhappily at USDA, the views are short range, except that they sense a long-range political goal of the 1960 elections, but they may possibly not contemplate the basic problems of pork-product buying. More may be available next week on this basic and major problem.

Mr. HUMPHREY. I cite this particular article because I believe an ounce of prevention will save a great deal of confusion later. I am afraid that the Department of Agriculture—if this article is correct—is literally programing trouble for the American farm producers, and trouble for itself.

It would be better for the Secretary of Agriculture and the officials associated with him to contemplate an overseas donation program of animal fats and edible oils if the need for such donations is evident, and if there are surplus supplies on the American market.

I believe that such a program, restricted to overseas donations, would have a very good effect on the market, and would give some assurance to producers, and, indeed, to processors, that the price structure of soybeans, cottonseed oil, and pork products would be much more desirable and equitable than the forecast seems to indicate.

I hope some of my colleagues will address themselves to this subject later. I understand they will, because this particular article is very disturbing. If the article states the fact, if it relates the position of the Department of Agriculture, then I must say to the thousands and thousands of hog farmers and soybean producers in Minnesota that the Department of Agriculture would be guilty of deliberately lowering prices by the failure to utilize the law and authority which have been provided in the legislation. I cannot believe the Department will do that.

I appeal tonight to the Secretary and to those responsible for the price support policies for these programs of oversea relief. I appeal to them to use the

authority they have when it is needed, and thereby to perform a humanitarian service, on the one hand, and on the other, to perform an economic service for the producers of very vital and basic agricultural commodities. If this is done, we may very well avoid a price decline of substantial proportions in the coming months, between now and the fall of 1960.

Mr. President, I wish to go on record, in September 1959, as saying that unless the Secretary of Agriculture will use the authority Congress has given him, unless he will use the authority to purchase pork products, and unless he will use the authority to purchase for price support purposes, and thereby make available, for donation purposes, animal oils, and vegetable fats, there will be a sharp decline in the price structure of those products. That decline will affect literally hundreds of thousands of farm producers and will bring grave economic consequences to many parts of the Nation, particularly throughout the Middle West. If such a price decline does take place, there will be very serious consequences, economically and politically throughout the entire Nation, because of the failure of those responsible to act.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I give notice that we expect to have the Senate proceed, in the very near future, to the consideration of:

Calendar No. 398, House bill 6190, to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes.

Calendar No. 669, Senate bill 2282, to amend the act of July 17, 1952.

Calendar No. 815, Senate bill 2578, to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

Calendar No. 819, Senate bill 694, to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Calendar No. 820, House bill 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

Calendar No. 1013, House bill 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 921, Senate bill 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

And, in addition, any other bills which may have been reported to the calendar today.

LABOR'S CONTRIBUTION AND LABOR REFORM

Mr. KENNEDY. Mr. President, on Monday, September 7, Labor Day, the Congress of the United States very appropriately paid its respects to American labor, in a concurrent resolution. I was happy to join in sponsorship of that resolution.

Some people have received the false impression, as a result of some of the publicity and discussions which attended the enactment of the Labor-Management Reform Act of 1959, that it expressed a critical judgment directed at the labor movement. Nothing could be further from the truth. The American labor movement has consistently demonstrated its devotion to the public interest. It has been a bulwark of strength against narrow pressures. It is, and has been, good for all America.

We take altogether too little time to commend the faithful, to praise the noteworthy, and to applaud the devoted. But all too often we do not hesitate to criticize those who have strayed, those who have erred, those who have sinned.

I should like to take a few moments to express my personal pride, after 13 years on the Labor Committees of the House of Representatives and the Senate, in the achievements of the American labor movement. The manner in which it has improved the status of the worker has been well documented, and needs no elaboration. Less well known, but of an equal source of pride, is the manner in which it has served our entire Nation. Almost every community has a hospital which owes its existence to the efforts and funds supplied by labor organizations. The sorry condition of our Nation's schools would be more desperate but for the activities on a local, State, and national level of the labor unions. Our highways, our transportation system, our defense posture today have all been immeasurably aided by devoted and selfless service by representatives of American labor. Indeed, in every field where the public interest demands protection, we find a stalwart guardian enlisted by labor.

In the past 2½ years, no one could be sure what kind of labor legislation would be enacted. There were serious disagreements, sometimes harshly expressed. The one thing that perhaps was most gratifying to me throughout this period was the unswerving conviction of the great body of American labor, as reflected by the AFL-CIO and its president, George Meany, that corruption must be eliminated from labor's ranks. While undertaking to do this job basically on a voluntary basis, the labor movement recognized the need for, and supported, legislation which would help it do its own housecleaning.

I know of no parallel instances in American history when a major segment of society frankly recognized its own internal problems and set out so determinedly to correct them. They were not deterred by the fact that this must cause the expulsion of unions representing 10 percent of their membership. To see this action in perspective, it would be as though the NAM expelled hundreds of its largest members. I am glad to salute the AFL-CIO for its unselfish attitude.

In the legislation we enacted last week, we provided some assurance for democratic rights of union members in their internal affairs. Although most unions needed no laws to provide such guarantees, some did; and the Congress acted.

But we must never lose sight of what is perhaps the greatest contribution of all which unions have made. I refer to the democratic rights they have achieved for their members in industry, in their dealings with employers. Through their collective strength, they have acquired a voice in their economic life. They have enjoyed the right to speak up, and—yes—when necessary, to talk back. Through their unions, millions of working people have enjoyed a measure of equality with their powerful employers.

This basic meaning of trade unionism was recognized in 1937, by the Supreme Court, when it found the Wagner Act to be constitutional. It said:

> Long ago we stated the reason for labor organizations. We said that they were organized out of the necessities of the situation; that a single employee was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for the maintenance of himself and family; that if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and resist arbitrary and unfair treatment; that union was essential to give laborers opportunity to deal on an equality with their employer.

Mr. President, we are blessed in this country with a strong labor movement. Its strength is an important contribution to the public good. I know how it has been used to eliminate industrial terror, sweatshops, inhuman working conditions. I know, from 13 years of close personal association with the labor movement, as a member of the House and Senate Labor Committees, that it has used its strength for legislation that went far beyond its own vested interests. I know the constructive role it is playing

on the international scene, in resisting Communist expansion and in helping the underdeveloped nations of the world. I know of its dedication to the cause of equal rights for all, both in and out of the labor movement.

It is because I am aware of these things that I was very much pleased this morning to receive a brief statement on this theme by the president of the AFL–CIO, Mr. Meany. In this pamphlet, entitled "Power—For What?" Mr. Meany very justifiably says:

The record shows—beyond contradiction—that from its very inception the trade union movement has consistently used whatever power it had to raise the American standard of living, to promote the interests of all the American people and to enhance the power and prestige of the Nation as a whole.

Those of us who have had a responsibility to expose the wrongdoings of a few unconscionable labor leaders have a particular responsibility to make the record complete. The Hoffas and the Becks and the Dios should not cause us to modify our basic respect for, and appreciation of, our great, patriotic American labor movement.

In the words of Abraham Lincoln:

All that serves labor serves the Nation. All that harms labor is treason to America. No line can be drawn between these two.

If a man tells you he loves America, yet hates labor, he is a liar.

If a man tells you he trusts America, yet fears labor, he is a fool.

There is no America without labor, and to fleece the one is to rob the other.

Mr. President, I ask unanimous consent that the text of Mr. Meany's pamphlet be printed at this point in the RECORD.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

POWER—FOR WHAT?

(By George Meany)

There's a great deal of talk these days about the power of labor. Newspaper editorials and speeches by industrial tycoons emphasize the growing membership of unions, the increase in their financial resources and their developing political potential. The public is led to believe that the trade union movement has become too powerful.

Too powerful for whom? Too powerful for what?

Are they talking in terms of exploiting the many for the benefit and enrichment of a few? Certainly not. The truth is just the other way around.

Those who have enjoyed monopolistic power over the Nation's industrial life naturally fear and resent having to deal with labor on a basis of equality. And, by the same token, the politicians who serve business interests look with alarm at the political education programs conducted by the trade union movement. They are not happy about the political enlightenment of the voters. They know their control is jeopardized when the citizens of our country go to the polls in recordbreaking numbers on election day.

HUMAN VALUES

I see no harm in power, if it is power dedicated to human values, if it is power for good—and that is what the trade union movement seeks.

Obviously, concentration of power in the hands of a few can be dangerous to the general welfare. But when unions become more powerful, it means that the people of this country become more powerful. It is merely a practical application of the basic principle of democracy.

Our forefathers meant it to be that way. They believed that the enjoyment of freedom depended upon rule by the great masses of citizens. They were against monopoly of power by the wealthy. They were against monopoly of power by the military. They were against monopoly of power by the aristocracy. They were convinced that the free way of life could be safeguarded only when power over the economic, social, and political life of our country was shared by the many. That is exactly what the trade union movement has tried over the years to bring about.

Let us look back a bit to the time when the trade union movement had very little power but consistently used what power it possessed to advance causes of benefit to all the American people.

When Samuel Gompers and his associates lobbied in the State legislatures and the National Congress for an 8-hour day, was their purpose to degrade the worker? When they campaigned for universal free education, was their objective to exploit the worker? When they battled for workmen's compensation laws were they trying to injure the interests of the American people? When they fought for union recognition and free collective bargaining, were they trying to create new millionaires at the expense of those who worked for wages?

Or was it to make life better for the worker, to obtain for him a larger share of the wealth he helped to produce, to give him greater purchasing power so that American industry and American agriculture could find a ready market for their rapidly growing productive capacity?

The record shows—beyond contradiction—that from its very inception the trade union movement has consistently used whatever power it had to raise the American standard of living, to promote the interests of all the American people, and to enhance the power and prestige of the Nation as a whole.

Yes, the record is clear. It proves that the trade union movement has always been in the forefront of all action—whether in the shop, in the community or at national and international levels—to obtain a better break for the average citizen. It has been an agency not only for democracy, but for democratization. Because of union efforts the immigrants who came to our shores learned that America was really a haven for the oppressed of the world. They learned through their unions to speak the language and to appreciate the blessings of freedom. They discovered that here in America men and women could stand together and fight for justice and progress with reasonable hope of success.

CONCERN FOR OTHERS

America's emancipation from isolationism was won the hard way—and the trade unions made a significant contribution toward the development of a more mature international policy.

We did not shrug our shoulders, as some did, and say it was none of our business if dictators engaged in wholesale murder and the degradation of humanity in other parts of the world. We insisted it was our business. We saw the inherent danger to our free way of life, whenever freedom was destroyed in other lands.

There was a time when many Americans applauded Mussolini for getting the trains to run on time in Italy. But it took an American trade unionist of Italian descent like Luigi Antonini, to awaken our people to the outrages committed by the Fascists. In like manner, labor led the opposition in America to the atrocities of Hitler and the Japanese war lords. We recognized them as enemies of free trade unions and therefore as enemies of all freedom. No group in America, from the very beginning, has been more adamant in its opposition to communism and more active in resisting Soviet infiltration than the American labor movement.

Labor's influence in foreign affairs has not been merely negative. We have fought for justice and fair play for oppressed peoples everywhere. After the war, we helped the workers of Germany reestablish their free trade unions as a bulwark of democracy, social justice, and peace. We have played a vital role in rallying support for the Hungarian and Algerian peoples in their struggle for national freedom. We are proud of the fact that we have been able to extend a helping hand, through Histadrut, to the people of Israel.

Colonialism is now a dangerous anachronism. We of labor believe that target dates should be set for ending it in Africa, Asia, and wherever else it still exists. The perpetuation of colonialism by any segment of the free world merely plays into the hands of Communist imperialism.

Along with freedom, labor relies implicitly on the preservation of peace as the only sure road to human progress.

We say very simply, as we have said time and time again, that our country should meet with the other nations of the world, and directly with the Soviet Union, in a continual effort to reach real agreement which will be observed and adhered to by both parties.

But we must point out, with regard to the foreign ministers conference and to any summit conference that may follow, that our Government and the other nations of the free world should bear in mind that the Soviet Union has an unbroken record of making agreements for the purpose of breaking them. Its word is no good.

Let the diplomats of the free world, in their anxiety to obtain concessions, remember always that we cannot rely on words without deeds. Let us be realistic. The Soviet Union can afford to be very generous with promises for they mean nothing. We cannot relax until an enforceable agreement is made and kept, in spirit as well as in letter. That is the one hope of world peace. Meanwhile, we must shun appeasement. There is no future in it. History has taught us that, if nothing else.

In all dealings with the Soviet Union, we must lead from strength and we must always be prepared.

This advice is offered not in the spirit of saber-rattling, but as cold common sense, Labor regards war as a completely unnecessary evil. The trade unionists of America and their families paid heavily in sweat and blood for the two World Wars and the Korean war. We dread the thought of a third world war, which may mean annihilation of all mankind.

Thus far, the cold war has proved a heavy burden to all of us. But the price of our national defense program cannot be considered too high as long as a hot war can be avoided. Nor can we hesitate to provide the military and financial aid required to sustain our allies and to prevent underdeveloped nations from going down to oblivion behind the Iron Curtain. America has always extended a helping hand to those who wish to be free and are willing to defend their freedom, and American labor wholeheartedly supports this policy.

BUSINESS IN POLITICS

It is rather strange, in view of labor's constructive record, that in this day and age there are still people who cling to the notion that America would be better off without trade unions.

Those who keep insisting that unions are too powerful actually want to render unions

powerless—powerless to impede big business monopolies, or to seek further improvement in the American way of life.

In this effort to destroy the trade-union movement, our opponents have enlisted—for a fee, of course—a small army of professional promoters. They have organized a widespread campaign to enact State right-to-work laws which guarantee no rights to anyone but seek to wreck union security.

These "pitch men" have now come up with another "gimmick" to exploit. They say businessmen must get more active in politics, learn more about it, and do more about it. As if this were something new.

When I was a young boy, workers trying to earn a living encountered "pink slip" days which came around each year just before election time. The workers were told, by way of a pink slip inserted in their pay envelopes, that if a certain party or a particular candidate did not win, the factory would shut down the day after election. This form of intimidation, along with heavy campaign contributions, comprised the main expressions of business political activity. In fact, some businessmen made contributions to both parties, just to make certain they would be in good shape no matter who won.

Yet certain spokesmen now say business must enter the field of politics to meet the threat of big labor. Well, all I can say is: "Welcome. Come on in. The water is fine."

The more they get in with their financial resources, the greater interest will be stirred up among workers. Perhaps it will help us eventually to succeed in our efforts to encourage all workers to perform their duty as citizens by exercising their right to vote.

And when we get down to such a contest between workers and big business we will do all right, because there happen to be a few more of us than there are of them.

The big propaganda stick our opponents are using against us, of course, is the exposure of corruption in some segments of the labor and management field. They feel this is too good an opportunity to let pass. They are hungry for the kill. They propose to use the exposure of the sins of a very small minority as a means to bring about the punishment of all labor. They are going all out for the enactment of legislation, not to meet the corruption problem, but to hamstring the labor movement as a whole and render it powerless.

THE AFL–CIO POSITION

The trade union movement met this problem head-on at the meeting of the AFL–CIO general board in April 1958. We pointed out we had taken effective and rigorous steps to clean house. We said we would go further and cooperate with Congress in the drafting of legislation to make it more difficult for anyone to misuse union funds.

Yes, we volunteered to cooperate in writing such legislation. But, we also said in April 1958 that we will not accept punitive legislation designed to hurt the trade union movement under the guise of a law against corruption.

This was a truly significant action. Here was a group of private citizens saying to Government: "We will assist you in writing legislation to regulate and govern certain of our actions." Where else in American life is there a parallel? What business organization has ever done such a thing? And the record shows that business is not immune to sin nor free of racketeering elements.

What other group in American life, business or professional, would, in the interests of morality, ethics, and self-respect, cut off 10 percent of its membership and income as a self-enforcing action against those responsible for corruption?

The AFL–CIO did that very thing by expelling organizations whose leadership was found to be tainted.

Where is the business or banking association which has shown equal courage under similar circumstances? Show me any business organization which has set up a moral code for its membership which matches the ethical practices code adopted by the AFL–CIO.

Labor still stands on the position it took in April 1958. We are still willing to cooperate—and we have cooperated—in drafting anticorruption legislation, but we still make the reservation, and we will not withdraw from it, that we will not accept punitive or antilabor legislation as part of this package.

THE FUTURE

Now, as in the past, labor must continue to fight for its very existence as a free association of free men and women. We still have to fight for the right to conduct our own business in our own way, for the right to make our own mistakes and to correct those mistakes, for the right to make our maximum contributions as free citizens to our free society.

In America, we have a system of government which, while not perfect, has proved itself to be of greater benefit to its citizens than anything else yet devised by the mind of man. At a time when that system faces its greatest challenge, when its very existence is threatened by totalitarian aggression, you would think that the mutual interests of free labor and free management would draw them together. Yet we find American business mounting a furious attack upon the trade union movement which has proved a bulwark of defense to the free enterprise system.

This is typical of the shortsighted, bullheaded policy of big business through the years. Perhaps there are some aspects of life in the Soviet Union that appeal to them. Under the Red flag there are no strikes, no slowdowns, no absenteeisms, no labor problems at all. But our employer friends should realize that the Russians don't have any profit problems either.

Our road is clear. Our ideals are untarnished. Our record means something to us. We know where we are going, what our objective is. Ours is the very simple objective, in a democratic society, of securing for the workers a better and ever better share of the wealth of the Nation which they help to create. And we are going to pursue that objective with all the strength we possess.

When our opponents talk about the power of labor, their exaggerations carry little convictions. Our power is not the power of money. It is the right of free men and women in a free society to withhold their labor in the interests of justice.

Yes, the right to strike is labor's ultimate power—a power which we cannot be deprived of without fracturing the entire democratic structure of our Nation. In these modern days we don't like to use the strike weapon unless we are forced to do so. That doesn't mean we have forgotten how to use it. If employers refuse to bargain in good faith and think the time has come to get tough with labor, they will learn this truth in their sorrow.

We also have a basic political power—the power of numbers. The 17 million organized workers of America, together with their families and friends, constitute a significant number of votes in any election.

It is only since 1947 that labor has entered the political area in an organized way. We learned then, from a very simple demonstration by Congress in enacting the Taft-Hartley Act, that the gains and achievements we had won over the years could be taken away from us overnight by legislation. So the decision by labor to go seriously into the political action field was really made and not by the leaders of labor but by the architects of antilabor legislation.

We are determined to pursue our activity in this field with all earnestness. I will concede quite frankly that an effective political organization cannot be built in a day or a year. But we decided in 1947 that we had to get into this political business and stay in it until we succeeded in organizing a permanent, progressive and successful program and we are making steady progress toward that goal. In view of the increasing opposition from big business, I would predict even more rapid progress by labor's political arm in the years to come.

Using our economic strength, our political strength, and any other weapon that we have the right to use, we are going to continue labor's efforts to make America a better place for all its citizens—not merely union members. Yes, even to provide a better and more stable climate for constant prosperity for employers and management.

Labor wants America to become more than an idealistic symbol for all the people of the world who believe in human freedom. We want to prove to them and to ourselves that we can make democracy work.

It is our intention to continue the fight against racial and religious discrimination until this ugly blot on our good name is eliminated.

We are going to carry on our drive to wipe out poverty and human misery not only in America but everywhere in our world.

We will use all the power and influence we have to see to it that the great scientific discoveries and inventions of our time are used not for the purposes of destruction, but for the enrichment of human life.

Let no one mistake or distort our purpose. Labor has no desire to take over America or make over America. We are not out to push anyone else down or around. What we seek is a balance of power in the economic and political life of the Nation. Only thus can the proper atmosphere be created for the gradual but steady improvement in the standards of the American people.

In pursuit of our objectives, we may employ new methods from time to time, but we will never depart from the democratic principles laid down for us by the founders of the trade union movement 75 years ago.

Yes, labor has gained in power in America. We are proud of the way it has been used. We hope in the years to come that we will achieve greater power to work for the good of all America.

Mr. CARROLL. Mr. President, I have been delighted to hear the inspiring address delivered by the distinguished Senator from Massachusetts [Mr. KENNEDY]. Certainly he is a real friend of labor.

I found it particularly significant that, as the Senator from Massachusetts delivered his address, there was seated in the Vice President's chair, as the Presiding Officer of the Senate, the distinguished Senator from Michigan [Mr. MCNAMARA].

Let me say to the distinguished Senator from Massachusetts that I desire to associate myself with his remarks, because the working men and women of labor have been one of the most dynamic forces on the American political scene and one of the most dynamic forces of American democracy.

On almost every occasion—whether in connection with farm legislation or REA legislation or fiscal-management legislation or legislation to reduce interest rates——

Mr. KENNEDY. Or Federal-aid-to-education legislation.

Mr. CARROLL. Yes, and also legislation in connection with all the hous-

ing programs, everywhere I have found this great force moving in Washington, D.C., in the interest of good government.

I am especially pleased tonight to hear the distinguished Senator from Massachusetts. This subject is not new to him. He has been on the Committee on Labor and Public Welfare for many years. I listened to his debate on the original Kennedy-Ives bill. I have listened to his remarks in the conference relating to, in my opinion, the punitive and regressive Landrum-Griffin bill. It was in response to his intelligent leadership and his intelligent analysis that I finally voted for that bill. Tonight I am happy to associate myself with his remarks and the remarks of George Meany, who I think is a great leader in American labor in the interest of the working people and in the interest of good government. I desire to associate myself with the remarks of the distinguished Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator. I am sure I express also the appreciation of our friend from Michigan for the reference by the Senator from Colorado to him because he, as we know, has been not only closely associated with the labor movement, but he has been a source of strength in the Labor Committee and in the recent conference in which we both participated.

Mr. CARROLL. I see on the floor this evening the distinguished Senator from Alabama [Mr. HILL], who is the chairman of this important committee, and I say that no Democrat, no leader in American politics, has contributed more in 25 years to good Government, in the interest of the working people and of the health of the working people of this country, than has the distinguished Senator from Alabama, who is in the Chamber this evening.

Mr. KENNEDY. I second wholeheartedly the statement of the Senator from Colorado, who is a member of the committee, for what he has done in the particular field of health, and because of his leadership in the areas of general health and public service.

Mr. HILL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HILL. I wish to express my humble and deep thanks to the Senator from Massachusetts [Mr. KENNEDY] and also the Senator from Colorado [Mr. CARROLL].

Mr. KENNEDY. Mr. President, finally, I ask unanimous consent to place in the body of the RECORD an article by Mr. Bernard D. Nossiter, which appears in this morning's issue of the Washington Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABOR BILL LOBBY—MOOD MANIPULATION IS GIVEN CREDIT

(By Bernard D. Nossiter)

Sophisticated business lobbying, combined with conscious manipulation of a public mood, is being credited with a major role in the passage of the strong labor bill.

Details of the skilled operation began coming out this week.

The core of the technique, as spelled out by its practitioners, was to focus on uncommitted House Members, particularly those in marginal districts. There a deliberate effort was made to translate public anger at the disclosures of union corruption by the McClellan committee into a barrage of letters urging the Congressmen to vote for a tough bill.

The major organizations involved were the National Association of Manufacturers and the U.S. Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

These groups did not march in perfect lock-step any more than their opposite numbers in labor. But one participant has said that the degree of coordination exceeded that ever undertaken by business in the past.

The small-business group supplied many of the ideas and much of the intelligence; all of them generally avoided the ham-handed union tactics of descending on Congressmen in platoons and warning directly of retaliation at the polls.

The business group's first task was listing House Members in marginal districts—those won by 55 percent or less of the popular vote—who had never voted on a labor bill. About 120 were in this group.

The next step was to refine this list to those who favored a bill, but were not clearly committed to either a strict or a softer measure.

Left to their own devices, the Democrats in this group would have likely followed their leadership and backed a "moderate" bill; the Republicans, generally from industrial districts, also would have been in this camp. A few more Congressmen with similar viewpoints but from "safe" districts were added. A final list of 54 was selected for the major effort, which began in June.

The problem then became one of arousing constituents in these districts to flood their Congressmen with mail. One important tool was a television drama, "Sound of Violence."

This hour-long show portraying union hoodlums in the jukebox field had run in April on Armstrong Cork Co.'s Circle Theater to an audience estimated at 25 million. It ends with an appeal from Senator JOHN L. MCCLELLAN, Democrat of Arkansas, urging the American people to do something about the evils shown.

When Armstrong decided to run the drama on July 8 as a summer repeat, the business lobbyists latched on. Local NAM affiliates and other trade associations told their members when and where the show could be seen; they advised employer members to urge their workers to watch it; above all, they encouraged their members to get viewers to write their Congressmen on the labor bill.

The Texas Manufacturers Association, for example, advertised the viewing time and stations for Amarillo, Austin, Dallas, Houston, Galveston, Lubbock, Odessa, and El Paso. The Lumbermen's Industrial Relations Committee did the same for Spokane and Seattle, Wash., and Portland, Medford, and Klamath Falls, Oreg.

The strategists discovered that stations in 27 key congressional districts would not carry the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important districts, urging people to watch and write.

An estimated 4.5 million to 5 million mailings plugging both the show and letters to Congress were sent out. Between 15 and 20 million persons were said to have seen the rerun.

After the Griffin-Landrum bill, strongest of the measures proposed, was introduced in late July, the strategists continued to pour on the heat.

Brief tape recordings were made for radio and television, featuring Representatives PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan. Beginning in August, these were run frequently, again as public service features or under local sponsorship in 35 of the crucial districts.

In one swing area, an experiment was tried. A good-sized corporation sent its foremen out to ring neighbors' doorbells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

The crucial House vote came on August 13, when the Griffin-Landrum bill was approved 229 to 201. Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.

Business lobbyists, pleased with their efforts, expect to use these techniques with more success in the future.

Mr. KENNEDY. Mr. President, this article is extremely significant, and is one which Members of Congress should read. It describes the steps which were taken by business organizations of this country, according to Bill Nossiter, to get behind the kind of labor legislation which they desired.

Let me emphasize that these business organizations were acting within the great American tradition of stimulating petitions to the Congress, but I will say it has never been done so effectively as it was done in this case. In my office alone, over 10,000 letters arrived in 1 week.

At the conclusion of Mr. Nossiter's article, he said this was a new effort by business groups. They were going to attempt to use the same formula for applying the same pressure to Congress when other legislation is considered by Congress.

It is my hope that Congress will see enacted at the next session of Congress a minimum wage bill. I shall be interested to know whether the same kind of "heat" is going to be built up around the country so that 10,000 additional letters will arrive in my office some week during January or February when we are debating the minimum wage bill.

As I have said, these business groups are well within their rights when they take this action. I hope the Members of Congress will read Mr. Nossiter's article, because it will give them a clear idea of where exactly the mail originates which poured across all of our desks during the past month. It seems to me that the Congress will be able to make a better judgment as to whether they represent the vox populi or the voices of some of the people.

Mr. CARROLL. I am reminded of an article I read not long ago by Charles Taft, of Ohio. If my memory serves me correctly, I believe it appeared in last Sunday's issue of the New York Times. Taft warned that while he commended the business people of this Nation for getting into politics, irrespective of party

lines, he warned them not to be antilabor or to stop the progress of this country.

The members of both national parties encourage the participation of people in politics. The three most important words in politics are "sense of participation." We want people in politics, but we do not want them in politics to be antilabor or anti something else, but to be constructive.

I agree with the Senator from Massachusetts that the time will come in 1960, 1961, and 1962 when the people become aware—as they ought to become—with the issues which confront this Nation, and the issues are very serious.

If any Member of this body would examine the articles appearing in the Wall Street Journal today, which is not Democratic propaganda, he will observe that they are warning that a money panic may confront this Nation. That is why the Congress of the United States is considering interest rates on savings bonds and why it will in the future consider interest rates on long-term bonds. We are faced with a tight money condition, a squeeze on credit which can easily create a recession and money panic.

Where can anyone point to American labor as fighting against fiscal stability or against proper management of the debt of this Nation? The answer would be nowhere, because the working men and women of America stand for good and sound Government, and proper fiscal management.

I say to the Senator from Massachusetts [Mr. KENNEDY], he has rendered another great service this evening. This is what we all stand for in one form or another—good Government.

Mr. KENNEDY. I do not know whether he has had a chance to read the article, but in Mr. Nossiter's article we read:

> The major organizations involved were the National Association of Manufacturers and the United States Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

They made an analysis and figured out there were 120 Members of the House who received 55 percent or less of the popular vote in 1958. They then decided they would divide that number into those who were for what they called a strong bill and those who would call for a softer bill. Then they divided the Members of that group and picked 54 Members for a major effort in June.

Mr. Nossiter said there was a television drama, "Sound of Violence," which was a portrayal of Jimmy Hoffa, shown on Armstrong Cork Co.'s Circle Theater to an estimated audience of 25 million. Then they arranged for a rerun in the summer. Then they took advertisements in the papers all through those important districts to make sure the people would see this rerun during the summer in the districts of those Congressmen.

> Newspaper ads were taken in 20 of the important districts, urging people to watch and write. * * * In one swing area, an experiment was tried. A good sized corporation sent its foremen out to ring neighbor's door bells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

Then finally Mr. Nossiter writes:

> Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

He closes by saying:

> Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.
>
> Business lobbyists, pleased with their efforts, expect to use these techniques with more succeess in the future.

I will say that there is nothing at all wrong with what has been done here. I commend these people for their effort to secure legislation which they feel is in accordance with their economic interest. I think Mr. Nossiter has performed a public service. I think it is important that the Congress realize, when these letters pour across our desk at the rate of 10,000 letters in 1 week, which is no exaggeration, that it is not a spontaneous grassroot response. Never before in the 13 years of my service in the Congress have I gotten one-tenth of that number of letters on any issue in a single week.

We must realize this is not a spontaneous grassroots expression, but rather an effective effort by people who know their business, and who are in favor of a particular bill. That bill, in my opinion, was restrictive, punitive, and antilabor. The work of the McClellan committee was being used in order to secure passage of legislation not really directed at curbing hoodlums and racketeers but actually to effect a chance in the balance of power between honest unions and honest employers at the bargaining table. That is why I was opposed to it. I am glad the conference was able to make important and constructive changes in the bill.

I think this is a significant social article. I am interested in it. I was chairman of a Subcommittee on Reorganization which sponsored legislation dealing with lobbying.

I wish to emphasize, Mr. President, I am not criticizing this effort. I think these people are carrying out, in a much more organized way, an ancient American custom, but Members of the House and the Senate ought to know during the next session, when social legislation dealing with unemployment compensation, with the Denver case, with minimum wages, and with aid to education, is before Congress, that this technique is now being used by the business groups of the country, who are now interested in politics in a very sophisticated way.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. The Senator from Massachusetts is very correct. We on this side of the aisle have known for many years about the power of propaganda and the power of the press. Especially we who have been in a couple of world wars know the power of psychological military warfare. This is what has been happening to us.

In my own State not long ago—it was in 1958—I discovered forces from outside my State moving in to try to have adopted a right-to-work amendment. That movement did not originate in my State at all, but originated outside my State. It was part of a national pattern. It seemed to me the greatest service I could render to my State was to expose this propaganda effort and to expose the national pattern.

The people of my State responded in regard to the so-called right-to-work amendment, although we are not a great industrial State and we are not a manufacturing State. We have great rural areas. We are a jobbing and distributing area. We won that fight because the people of my State were not taken in by the propaganda.

It seems to me that every Representative in Congress and every Senator who is dedicated to the public service has to explain to his people the forces which are moving within.

I agree with the Senator from Massachusetts that these people have a perfect right to work the way they do, but we have a perfect right to expose what they are trying to accomplish.

This leads me to the question, What are they trying to accomplish? This is not a question of whether one group should be all powerful or whether another group should be all powerful. The Senator from Massachusetts has put his finger on the principal issue, which is the balance of power at work in a democracy for the good of the Nation. This is what I like to believe would have happened under the Kennedy bill. This is what I believe would not have happened under the Landrum-Griffin bill. That was a punitive measure. It sought to unbalance the power of which we speak.

We do not want to have any one group in power. We do not want the big corporations in power. We do not want big labor in power. We do not want anything other than a balance of power to serve the great public interest. I think this is a fair statement of democratic philosophy.

In what do we believe? We believe in the family life of America. I think this is manifest by what we do in regard to social security, what we do in regard to housing, what we do in regard to the Rural Electrification Administration, and what we do in regard to the farm program and many other fields. We believe in the family life in America. We do not oppose the corporate life of America, however. It is said, in law, that a corporation has no soul. The family lives of Americans are composed of many souls. We work for the people in the public interest.

That is what we sought to achieve by passage of the Kennedy bill, as opposed to the Landrum-Griffin bill. There is no quick solution to all of these problems. Why? Because each succeeding year, each succeeding session of Congress, we have new problems. Why is that? It is because our economy changes from term to term. Why does it change? There are 3 million Americans born every year.

There are school problems and classroom problems. This is why I disagreed with the President. I think the President was wrong in vetoing the housing bill because of the college classroom provision. I say this not because it is my own opinion. This is what I heard from my people. In all the colleges and universities classrooms are needed. Why did we in Colorado not provide them? We in Colorado did not provide them because the Federal Government has preempted the tax field. We simply do not have the money. Why do we not build dams in Colorado? We simply do not have the money.

The President himself, at another period of time, endorsed this concept. It was the President who initiated the upper Colorado program, which is a billion-dollar program. It was the President who on many occasions—although he seems to have forgotten it—initiated these programs. Why did he do so? He did so because the Federal Government is the repository of a great fund, the revenues which come from the people.

I wish to say that I associate myself entirely and completely with the remarks of the distinguished Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator from Colorado.

The PRESIDING OFFICER. Without objection, the request made earlier by the Senator from Massachusetts will be granted.

ECONOMIC DEVELOPMENT OF THE FREE NATIONS OF SOUTH ASIA

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial which was published in the Minneapolis Star of August 20, 1959, entitled "To Help South Asia," which deals with the resolution which the Senate passed earlier today in respect to sending a mission to South Asia in order to see what greater role the free world can play in assisting the economies of South Asian countries.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO HELP SOUTH ASIA

Congress has an excellent opportunity to express the American people's sympathy and support for the economic development of the free nations of south Asia through a resolution now pending in both Houses.

The resolution urges the President to explore with other friendly democratic countries the advisability of setting up an international mission to consult with these south Asian governments on their economic needs and anticipated development programs in the next 5 years.

If such a mission were established, it then would recommend ways and means by which the United States, West European nations and perhaps Colombo plan countries could jointly assist in carrying out the plans for these development programs. It is understood the World Bank would be asked to cooperate and perhaps the United Nations special projects fund as well.

This would not be the beginning of another foreign aid agency, but it would serve at least two useful purposes: (1) It would encourage the more advanced democratic nations to take a greater interest in and provide greater support for the free nations of south Asia, and (2) it would make much more effective use of existing U.S. agencies in the development field.

The resolution, under the bipartisan sponsorship of Senators KENNEDY and COOPER in the Senate and Representatives BOWLES and MERROW in the House, is aimed at helping an economically interconnected group of six south Asian countries—India, Pakistan, Burma, Afghanistan, Nepal, and Ceylon—in which more than 45 percent of the population of the so-called underdeveloped areas live.

It is in this area of the world that the new challenge of Communist China is the sharpest. If Communist China continues its economic growth at a pace faster than that of India's, China's influence may spread throughout the entire region and communism eventually might conquer all of south Asia. As the Senate Foreign Relations Committee said in recommending the resolution for passage:

"The area of south Asia clearly merits a review of its economic requirements because developments there in the next decade are likely to have a profound effect on the concept of individual freedom and hence they will be of vital concern to the United States. It is equally clear to the committee that this review should have the participation of not one, but many of the free world's industrially advanced nations."

We hope Congress agrees with those sentiments.

RECESS TO 10 A.M. TOMORROW

Mr. CARROLL. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and at 6 o'clock and 32 minutes p.m. the Senate, under the previous order, took a recess until tomorrow, Friday, September 11, 1959, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 10 (legislative day of September 5), 1959:

PROMOTIONS IN THE REGULAR ARMY

The following-named officer for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3299, subject to physical examination required by law:

To be major, Medical Service Corps

Holland, Donald B., O83842.

The following-named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law:

To be first lieutenants, Medical Service Corps

Cooper, James D., O85740.
Danielson, John J., O85742.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be majors

Chapman, Curtis W., O5004137.
Mumford, Elmer S., O423485.
Zacharias, George A., O1284975.

To be captains

Marcus, Gerald R., O2208610.
Marks, Patrick W., O957899.
Rovegno, Eugene S., O1186494.
Stuart, Dale F., O1885723.
Wooleyhan, Robert G., O993310.

To be first lieutenants

Asente, James, O4003785.
Burns, Charles W., O4030412.
Estep, Willis H., O4011753.
Kays, John M., O1933343.
Lowrey, Patrick R., O4009661.
Marks, Karl L., O1883296.
Ney, Leland E., O4070961.
Siner, Albert P., O2284888.
Steimle, Carl R., O2290255.
Wadsworth, Frederick J., O4052113.
Woodall, James R., Jr., O2207186.

To be second lieutenants

Acuff, Gerald R., O5200754.
Baillie, Donald A., O1925663.
Barrus, Rollin L., O5405333.
Beasley, William A., O5401805.
Bond, Bruce F., O4083309.
Broadus, James C., O4010694.
Brooks, Joseph H., O2296223.
Carter, William A., O2296631.
Cox, Luther O., Jr., O5401302.
Crump, Roger L., O5503623.
David, Ronald C., O5506503.
Davies, Jerry C., O5502435.
Deibel, Charles L., O5502759.
DeMetrovich, Frederic F., O5702466.
Dygert, George H., O5000228.
Fox, Morton, AO3012822.
Herrmann, Roger W., O5302089.
Holmes, Ernest L., O5204791.
Jacobson, Howard C., O4084919.
Kreulen, Ray H., O5302230.
LeBourdais, Carl J., O5200401.
Lightfoot, John W., O5302496.
Lopes, Francis J., O1924814.
McNamara, Andrew T., III, O4085192.
Mealey, John J., Jr., O4068358.
Murphy, Bernard M., O5701932.
Nance, Nelson T., O5205350.
Nathan, Walter E., O5504419.
O'Haver, Donald R., O2288854.
O'Malley, Joseph G., O5701863.
Pipes, Jack R., Jr., O4024801.
Pujol, Elwray, O5503180.
Reidy, William D., O5301908.
Schriver, Robert F., O5404980.
Sholtes, Lawrence E., O4047444.
Slusher, Billy J., O5402747.
Snow, Quentin E., O3015744.
Turner, Rex M., Jr., O5305889.
Villarreal, Julian, Jr., O5401107.
Vining, John F., III, O2289263.
West, James A., O5503716.
Wiles, Edward, Jr., O5203934.
Wolfe, James H., O4053509.
Zeleznik, Reivan, O4034036.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3291, 3292, and 3294:

To be captains

Anderson, Paul W., MC, O4050946.
Aseltine, Thomas H., MC, O4051100.
Ben-Asher, M. David, MC, O4064334.
Chappell, Harold R., MC, O5500508.
Demis, Dermot J., MC, O2288920.
deQuevedo, Augusto G., MC, O2282761.
Diggs, Gloria M., ANC, N762978.
Donahue, Joseph E., JAGC, O2201106.
Earll, Jerry M., MC, O997959.
Gvozden, Robert, MC, O1877386.
Hagan, Constance E., AMSC, M890.
Harvey, David M., MC, O4073532.
Himma, Einar, MC, O5500204.
Hojnoski, Waclaw, MC, O5202427.
Juden, Alexander G., Jr., MC, O2282894.
LaNeve, Ralph J., Jr., MC, O4069830.
Ligo, Robert N., MC, O4034799.
Limesand, Donovan E., MC, O2103414.
Marcure, Richard W., MC, O4043585.
Marshal, Anne F., ANC, N804619.
Matthews, Kenneth L., DC, O2298239.
McKlemurry, Cecil C., MC.

McKnight, Edwin H., MC, O5003174.
Mosley, Everett C., MC, O2284050.
Perry, Ronald H., MC, O2287644.
Rolph, Marion L., ANC, N777899.
Smith, John S., MC, O2275410.
Stafford, Helen R., AMSC, R2381.
Straley, Rose V., ANC, N723106.
Suckow, Earl E., MC, O4056297.
Weber, Dale L., DC, O4073312.
Wright, Madison C., II, JAGC, O799301.
Wynne, Garnet F., Jr., MC, O2279671.
Zullo, Joseph C., MC, O4064746.

To be first lieutenants

Babcock, Paul W., MC, O2290249.
Bailey, Bruce H., MC, O2289828.
Brickner, Theodore J., Jr., MC, O4040508.
Briggs, Leland S., MC, O2291316.
Burdick, Claude O., MC, O2289686.
Carlson, Vivienne C., ANC, N805724.
Clay, Ronald L., MC, O2289950.
Copas, Howard L., MC, O2289690.
Cresto, James E., MC, O4004918.
Cruciani, Dominick A., Jr., MC, O2289694.
Diversi, Henry L., Jr., DC, O4067469.
Dunn, James A., JAGC, O2296648.
Froker, Lowell D., MC, O2289700.
Gilmartin, Richard C., MC, O2291378.
Grace, Mary C., ANC, N2293707.
Graham, Arthur D., MC.
Hardman, John M., MC, O5500217.
Hayes, Thomas A., MC, O2295077.
Hennessy, William J., MC, O2289960.
Holloway, Harry C., MC, O2291349.
Kelley, John J., MC, O2289919.
Kelsh, James M., MC, O2289917.
Lillard, Callista J., ANC, N805734.
Lowell, Ronald J., MC, O2291558.
Mackey, Helen J., ANC, N900193.
Marasso, Fred J., MC.
Maroso, Delmo, DC.
Marshall, William R., MC, O2289705.
Marx, Ralph L., MC, O2295060.
Mayo, Robert W., MC, O2290158.
McKee, Donald C., MC.
Mershon, Frank A., MC, O2291340.
Morgan, Alan R., DC.
Murdock, Thomas E., JAGC, O2295831.
Myers, Charles R., MC, O2289706.
Nelson, Joseph H., MC, O4050299.
Nelson, Richard A., MC, O5209741.
Orthey, George F., Jr., VC, O4033785.
Parsons, Delmar L., MC, O2291436.
Phillips, Ran L., II, MC, O5301194.
Pollock, James A., MC, O2290032.
Reeder, Maurice M., MC, O2290033.
Rinderknecht, Norman K., MC, O2289923.
Rokous, Joseph R., MC, O4036701.
Ruback, Irwin H., MC, O2293141.
Sandness, Elizabeth A., ANC, N902086.
Sieber, Otto F., Jr., MC, O4004439.
Starr, Leonard B., MC, O2291674.
Stevenson, John R., MC, O4027161.
Tomlinson, Fred B., MC, O2289713.
Tweito, Robert B., MSC, O4030128.
Vennes, George J., Jr., MC, O4051250.
Verdon, Thomas A., Jr., MC, O4037780.
Wergeland, Floyd L, Jr., MC, O5301125.
Werner, Harold T., Jr., JAGC, O2296416.
Whaley, Robert A., MC, O2289715.
Williams, Brian H., MC, O2289857.
Wilson, Thomas E., MC, O4032468.
Yoder, Ann E., ANC, N805857.
Zabriskie, Jay R., MC, O2291310.

To be second lieutenants

Dimmitt, William A., MSC, O4062054.
Jacobs, Claude G., Jr., MSC, O2274647.
Lampe, Christian F., Jr., MSC, O2293589.
Sturges, Roberta M., ANC, N2290239.
Waller, Donald A., MSC, O1931747.

The following-named persons for appointment as chaplains in the Regular Army of the United States in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, and 3288:

Logan, Fred G., O4055386.
Nelson, Harold E., O4056034.

The following-named distinguished military student for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Mallory, Lloyd M.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Anderson, Carl E.
Anderson, Harold E.
Arflack, Kenneth B.
Austin, Robert E., Jr.
Ballenger, Kenneth D.
Barrack, John B.
Blasch, Larry W.
Braden, Richard P.
Broome, Donald F.
Burke, Joseph M.
Cahoon, John L.
Carden, David T.
Cook, Robert M.
Cotton, Charles A., III
DiGregorio, Anthony J.
Douthit, Robert A.
Emond, René J.
Erdelbrock, Dale H.
Fitzgerald, Joseph P.
Gibbs, Kay K.
Goetzmann, Harry E., Jr.
Gregory, George H., Jr.
Halus, Michael B.
Hatley, Gerald W.
Hawley, Rexford K.
Humphrey, Richard A.
Huntley, John H.
Hutchison, Joseph B.
Jones, Edward J.
Jordan, Raymond G.
Kaufman, Paul D.
Kinney, Linford N.
Kohn, Noel T.
Kosiba, Leo M.
Maguire, John P.
Malone, John H.
Martin, John G.
Matthias, Harold L.
Miller, Christian J., III
Montagne, Ernest R., Jr.
Murray, William B.
Nally, Michael J.
Noack, Richard R.
Pate, James A.
Patton, Joseph D., Jr.
Peppers, John S.
Pool, Russell F.
Post, Richard B.
Preetorius, Charles D.
Pugmire, Ronald J.
Quimby, Robert W.
Quintero, Paul V.
Race, Gary L.
Richards, Donald R.
Ryan, John G.
Scott, Warden M.
Stearns, Raymond L.
Storey, Arthur L., Jr.
Talbot, Peter B.
Terhune, Robert B.
Thompson, Benjamin W., Jr.
Vaglia, James E.
Ward, Jerido
Weand, David M., Jr.
Wharton, William T.
Whitton, George M.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 10, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 16: 33: *In the world ye shall have tribulations; but be of good cheer; I have overcome the world.*

Eternal God, whose resources of wisdom and understanding are always available, grant us a greater appreciation of Thy grace and goodness.

May we see more clearly that the measure of our faith and trust in Thee will determine the measure of our joy and courage as we face life's duties and demands.

Help us to pray fervently and labor faithfully for the coming of that blessed time when mankind shall feel the impact and inspiration of lofty ideals and principles.

Show us how we may stem the tides of materialism and seek to be loyal and obedient to those spiritual instincts and capacities with which all men have been created and endowed.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 173]

Anfuso	Glenn	Michel
Barden	Granahan	Minshall
Baumhart	Gubser	O'Brien, N.Y.
Bray	Hall	Poage
Broyhill	Hoffman, Mich.	Powell
Canfield	Holifield	St. George
Cooley	Jones, Mo.	Sikes
Derwinski	Kilburn	Siler
Diggs	Landrum	Taylor
Durham	McDonough	Tollefson
Evins	McSween	Van Pelt
Ford	Marshall	Westland

The SPEAKER. On this rollcall 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 29, 1959:

H.R. 7650. An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

On September 1, 1959:

H.R. 255. An act to amend section 358 of title 38, United States Code, to provide for apportionment of compensation of veterans who disappear;

H.R. 303. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H.R. 1579. An act for the relief of Basile Ignatios Mavridis;

H.R. 1595. An act for the relief of Victor Hoffer;

H.R. 2078. An act for the relief of Gannon Boggs;

H.R. 2296. An act for the relief of the estate of Seth E. Libby, Jr.;

H.R. 2317. An act to amend section 7 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended, so as to provide for the bonding of persons licensed to engage in a business, trade, profession, or calling involving the collection of money for others;

H.R. 2318. An act to provide for the regulation of closing-out and fire sales in the District of Columbia;

H.R. 2741. An act to amend section 2734 of title 10, United States Code, so as to authorize the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard;

H.R. 2979. An act to amend section 752 of title 28, United States Code;

H.R. 3240. An act for the relief of Mrs. Clare M. Ash;

H.R. 4111. An act for the relief of Eva Marie Lesher;

H.R. 4329. An act to provide for the conveyance to any public or private organization of the State of Virginia of certain dwellings acquired in connection with the Chantilly airport site, Virginia, and for other purposes;

H.R. 5911. An act for the relief of Omer W. Guay;

H.R. 6490. An act for the relief of Colbert Colgate Held and Charles W. Shellborn;

H.R. 7085. An act for the relief of John B. Sutter;

H.R. 7106. An act to amend title 38, United States Code, with respect to forfeiture of benefits under laws administered by the Veterans' Administration;

H.R. 7638. An act for the relief of the estate of Sakihara Koki;

H.R. 7948. An act to declare nonnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois, as hereinafter described;

H.R. 7978. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes; and

H.J. Res. 115. Joint resolution to reserve a site in the District of Columbia for the erection of a memorial to Franklin Delano Roosevelt, to provide for a competition for the design of such memorial, and to provide additional funds for holding the competition.

On September 3, 1959:

H.J. Res. 510. Joint resolution amending a joint resolution making temporary appropriations for the fiscal year 1960, and for other purposes.

On September 8, 1959:

H.R. 2725. An act to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes;

H.R. 2773. An act to amend section 1701 of title 38, United States Code, to provide the same educational benefits for children of Spanish-American War veterans who died of a service-connected disability as are provided for children of veterans of World War I, World War II, and the Korean conflict;

H.R. 2886. An act to suspend for 3 years the import duties on certain classifications of spun silk yarn;

H.R. 6000. An act to amend title 28 of the United States Code to increase the limit for administrative settlement of claims against the United States under the tort claims procedure to $2,500;

H.R. 7373. An act to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing to an additional group of severely disabled veterans;

H.R. 8159. An act to amend the national banking laws to clarify or eliminate ambiguities, to repeal certain laws which have become obsolete, and for other purposes;

H.R. 8284. An act to amend the National Science Foundation Act of 1950, as amended, and for other purposes; and

H.J. Res. 354. Joint resolution for the relief of certain aliens.

On September 9, 1959:

H.R. 968. An act to provide for the construction by the Secretary of the Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon;

H.R. 6939. An act to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes;

H.R. 7645. An act to provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes;

H.R. 8160. An act to amend the lending and borrowing limitations applicable to national banks, to authorize the appointment of an additional Deputy Comptroller of the Currency, and for other purposes;

H.R. 8374. An act to amend Public Law 85–880, and for other purposes;

H.J. Res. 406. Joint resolution to facilitate the admission into the United States of certain aliens;

H.J. Res. 444. Joint resolution for the relief of certain aliens; and

H.J. Res. 445. Joint resolution to facilitate the admission into the United States of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act;

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 2386. An act to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land;

H.R. 2978. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4134. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grade rehabilitation project, Texas, La Feria division;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 6128. An act to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe, and for other purposes;

H.R. 6269. An act to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component;

H.R. 6335. An act for the relief of Mrs. Lourene O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 6888. An act to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended;

H.R. 7125. To provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8199. An act for the relief of James J. Manning;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8593. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks);

H.J. Res. 513. Joint resolution designating the 17th day of December 1959 as "Wright Brothers Day";

H. Con. Res. 166. Concurrent resolution providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile;

H. Con. Res. 234. Concurrent resolution authorizing the printing of additional copies of the hearing entitled "Organization and Management of Missile Programs" and

H. Con. Res. 378. Concurrent resolution authorizing the printing of the 16th Report of the Commission of Fine Arts as a House document.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 4656. An act to amend section 401b of the Act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either one year from the date of acquisition or one year following the date of vacating the property;

H.R. 5896. An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7476. An act to extend for two additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control;

H.R. 8277. An act for the relief of Harold William Abbott and others;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend for an additional year the period when certain provisions of that Act will take effect; and

H.J. Res. 403. Joint resolution granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3610. An act to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 231. An act for the relief of Richard Peter Gustav Bredee;

S. 1018. An act to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work;

S. 1352. An act to authorize enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., to acquire tribal lands of the reservation, and for other purposes;

S. 1502. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system;

S. 1696. An act for the relief of Wong Sue Chee;

S. 1822. An act for the relief of Hirsh Marinski;

S. 1886. An act to amend the Communications Act of 1934 with respect to certain rebroadcasting activities;

S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims;

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States;

S. 2129. An act for the relief of Mileva Lovric;

S. 2286. An act to authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes;

S. 2321. An act for the relief of Barnardine Lovse (Nadica Lovse); and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml; and

S. 1837. An act for the relief of Marguerite Fueller.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4002) entitled "An act to authorize the use of Great Lakes vessels on the oceans".

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 60–6.

CIVIL FUNCTIONS APPROPRIATION BILL—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 226)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

On August 28, 1959, I returned to the Congress without my approval H.R. 7509, a bill making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes.

H.R. 9105, which is now before me, is identical to H.R. 7509 in all respects (including the 67 unbudgeted projects which will ultimately cost our taxpayers more than $800 million), except that each individual project and appropriation item has been reduced by 2½ percent. This only change not only fails to meet any of the objections I outlined in my message of August 28, 1959, accompanying H.R. 7509 but in addition could have the effect of impeding orderly work on going projects and result in an increase in cost instead of a saving.

Therefore, for the reasons outlined in such previous message, I am returning H.R. 9105 to the Congress without my approval.

Because the time before the probable adjournment of Congress may be too short to allow for deliberate reconsideration by the Congress of my objections, the Congress might well enact a continuing resolution, effective until January 31, 1960, so that work in progress may proceed in an orderly way.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 9, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal and without objection, the bill and message will be printed as a House document.

There was no objection.

The SPEAKER. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 280, nays 121, not voting 35, as follows:

[Roll No. 174]

YEAS—280

Abernethy	Gathings	Moss
Addonizio	Gavin	Moulder
Albert	George	Multer
Alexander	Giaimo	Murphy
Alford	Grant	Natcher
Anderson, Mont.	Gray	Nix
	Green, Oreg.	Norblad
Andrews	Green, Pa.	Norrell
Ashley	Griffiths	O'Brien, Ill.
Ashmore	Hagen	O'Hara, Ill.
Aspinall	Haley	O'Hara, Mich.
Bailey	Hardy	O'Konski
Baring	Hargis	O'Neill
Barr	Harmon	Oliver
Barrett	Harris	Passman
Bass, Tenn.	Harrison	Patman
Beckworth	Hays	Perkins
Bennett, Fla.	Healey	Pfost
Betts	Hébert	Philbin
Blatnik	Hechler	Pilcher
Blitch	Hemphill	Porter
Boggs	Henderson	Preston
Boland	Herlong	Price
Bolling	Hogan	Prokop
Bonner	Holland	Pucinski
Bowles	Holtzman	Quigley
Boykin	Horan	Rabaut
Boyle	Huddleston	Rains
Brademas	Hull	Randall
Breeding	Ikard	Reuss
Brewster	Inouye	Rhodes, Pa.
Brock	Irwin	Riley
Brooks, La.	Jarman	Rivers, Alaska
Brooks, Tex.	Jennings	Rivers, S.C.
Brown, Ga.	Jensen	Roberts
Brown, Mo.	Johnson, Calif.	Rodino
Buckley	Johnson, Colo.	Rogers, Colo.
Burdick	Johnson, Md.	Rogers, Fla.
Burke, Ky.	Johnson, Wis.	Rogers, Mass.
Burke, Mass.	Jones, Ala.	Rogers, Tex.
Burleson	Karsten	Rooney
Byrne, Pa.	Karth	Roosevelt
Cannon	Kasem	Rostenkowski
Carnahan	Kastenmeier	Roush
Carter	Kearns	Rutherford
Casey	Kee	Santangelo
Celler	Kelly	Saund
Chelf	Keogh	Scott
Chenoweth	Kilday	Selden
Clark	Kilgore	Shelley
Coad	King, Calif.	Sheppard
Coffin	King, Utah	Shipley
Cohelan	Kirwan	Simpson, Ill.
Colmer	Kitchin	Sisk
Cook	Kluczynski	Slack
Corbett	Knox	Smith, Iowa
Curtin	Kowalski	Smith, Kans.
Daddario	Lane	Smith, Miss.
Daniels	Lankford	Spence
Davis, Ga.	Lennon	Staggers
Davis, Tenn.	Lesinski	Steed
Dawson	Levering	Stratton
Delaney	Libonati	Stubblefield
Dent	Loser	Sullivan
Denton	McCormack	Teague, Tex.
Dingell	McDowell	Teller
Dollinger	McFall	Thomas
Donohue	McGinley	Thompson, La.
Dorn, S.C.	McGovern	Thompson, N.J.
Dowdy	McMillan	Thompson, Tex.
Downing	Macdonald	Thomson, Wyo.
Doyle	Machrowicz	Thornberry
Dulski	Mack, Ill.	Toll
Edmondson	Madden	Trimble
Elliott	Magnuson	Udall
Everett	Mahon	Ullman
Fallon	Matthews	Vanik
Farbstein	May	Vinson
Fascell	Merrow	Walter
Feighan	Metcalf	Wampler
Fenton	Meyer	Watts
Fisher	Miller, Clem	Weaver
Flood	Miller, George P.	Whitener
Flynn		Whitten
Fogarty	Mills	Wier
Foley	Mitchell	Williams
Forand	Moeller	Willis
Forrester	Monagan	Winstead
Fountain	Montoya	Wolf
Frazier	Moorhead	Wright
Friedel	Morgan	Yates
Gallagher	Morris, N. Mex.	Young
Garmatz	Morris, Okla.	Zablocki
Gary	Morrison	Zelenko

NAYS—121

Abbitt	Devine	Milliken
Adair	Dixon	Moore
Alger	Dooley	Mumma
Allen	Dorn, N.Y.	Murray
Andersen, Minn.	Dwyer	Nelsen
	Fino	Osmers
Arends	Flynt	Ostertag
Auchincloss	Frelinghuysen	Pelly
Avery	Fulton	Pillion
Ayres	Glenn	Pirnie
Baker	Goodell	Poff
Baldwin	Griffin	Quie
Barry	Gross	Ray
Bass, N.H.	Gubser	Reece, Tenn.
Bates	Halleck	Rees, Kans.
Becker	Halpern	Rhodes, Ariz.
Belcher	Hess	Riehlman
Bennett, Mich.	Hiestand	Robison
Bentley	Hoeven	Saylor
Berry	Hoffman, Ill.	Schenck
Bolton	Holt	Scherer
Bosch	Hosmer	Schwengel
Bow	Jackson	Short
Broomfield	Johansen	Simpson, Pa.
Brown, Ohio	Jonas	Smith, Calif.
Budge	Judd	Smith, Va.
Bush	Keith	Springer
Byrnes, Wis.	Lafore	Taber
Cahill	Laird	Teague, Calif.
Cederberg	Langen	Tuck
Chamberlain	Latta	Utt
Chiperfield	Lindsay	Van Zandt
Church	Lipscomb	Wainwright
Collier	McCulloch	Wallhauser
Conte	McIntire	Weis
Cramer	Mack, Wash.	Wharton
Cunningham	Mailliard	Widnall
Curtis, Mass.	Martin	Wilson
Curtis, Mo.	Mason	Withrow
Dague	Meader	Younger
Derounian	Miller, N Y.	

NOT VOTING—35

Anfuso	Granahan	O'Brien, N.Y.
Barden	Hall	Poage
Baumhart	Hoffman, Mich.	Powell
Bray	Holifield	St. George
Broyhill	Jones, Mo.	Sikes
Canfield	Kilburn	Siler
Cooley	Landrum	Taylor
Derwinski	McDonough	Tollefson
Diggs	McSween	Van Pelt
Durham	Marshall	Westland
Evins	Michel	
Ford	Minshall	

So (two-thirds having voted in favor thereof) the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On this vote:

Mr. Anfuso and Mr. Sikes for, with Mr. Kilburn against.

Mr. Cooley and Mr. Hall for, with Mr. Derwinski against.

Mr. Poage and Mr. Jones of Missouri for, with Mr. Ford against.

Mr. Barden and Mr. Durham for, with Mr. Minshall against.

Mr. Landrum and Mr. Baumhart for, with Mr. Michel against.

Mr. Evins and Mr. O'Brien of New York for, with Mr. Taylor against.

Mr. Holifield and Mr. Powell for, with Mr. Van Pelt against.

Mrs. Granahan and Mr. McSween for, with Mr. Westland against.

Until further notice:

Mr. Marshall with Mr. Bray.

Mr. Diggs with Mr. Hoffman of Michigan.

Mr. CANNON. Mr. Speaker, is the vote close enough to warrant a recapitulation?

The SPEAKER. The vote is not close enough for that.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

HOUSING ACT OF 1959

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2654) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That this Act may be cited as the "Housing Act of 1959".

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

SEC. 101. Section 2(a) of the National Housing Act is amended by striking out "September 30, 1959" and inserting in lieu thereof "October 1, 1960".

Section 203 residential housing insurance

SEC. 102. (a)(1) Section 203(b)(2) of the National Housing Act is amended by striking out all that precedes the first semicolon and inserting in lieu thereof the following:

"(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence (whether or not such one- or two-family residence may be intended to be rented temporarily for school purposes)".

(2) Section 203(b)(2) of such Act is further amended—

(A) by striking out "85 per centum" and inserting in lieu thereof "90 per centum"; and

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000".

(3) Section 203(b)(2) of such Act is further amended by inserting after "unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance" the following: "or the dwelling was approved for guaranty, insurance, or direct loan under chapter 37 of title 38, United States Code, prior to the beginning of construction".

(b) Section 203(b)(8) of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: *"Provided,* That such 85 per centum limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness."

Low-cost housing in outlaying areas

SEC. 103. Section 203(i) of the National Housing Act is amended—

(1) by striking out "$8,000" and inserting in lieu thereof "$9,000";

(2) by inserting after "97 per centum" the following: "(or, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance or the dwelling was approved for guaranty, insurance, or direct loan under chapter 37 of title 38, United States Code, prior to the beginning of construction, 90 per centum)";

(3) by striking out ", and which is approved for mortgage insurance prior to the beginning of construction" and "the construction of"; and

(4) by striking out the comma following the word "highway" and everything that follows and inserting a period in lieu thereof.

Section 207 rental housing insurance

SEC. 104. (a) Section 207(c)(1) of the National Housing Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(b) Section 207(c)(3) of such Act as amended by striking out—

(1) "$2,250" each place it appears and inserting in lieu thereof "$2,500";

(2) "$8,100" each place it appears and inserting in lieu thereof "$9,000";

(3) "$2,700" and inserting in lieu thereof "$3,000";

(4) "$8,400" and inserting in lieu thereof "$9,400";

(5) "$1,000 per room" and inserting in lieu thereof "$1,250 per room";

(6) "$1,000 per space" and inserting in lieu thereof "$1,500 per space"; and

(7) "$300,000" and inserting in lieu thereof "$500,000".

(c) The last paragraph of section 207(c) of such Act is amended by striking out "4½ per centum per annum" and inserting in lieu thereof "5¼ per centum per annum".

(d) Section 207 of such Act is further amended by adding at the end thereof the following new subsection:

"(r) Notwithstanding any other provision of this Act, the Commissioner is authorized to include in any mortgage insured under any title of this Act after the effective date of the Housing Act of 1959 a provision requiring the mortgagor to pay a service charge to the Commissioner in the event such mortgage is assigned to and held by the Commissioner. Such service charge shall not exceed the amount prescribed by the Commissioner for mortgage insurance premiums applicable to such mortgage."

(e) Section 207 of such Act is further amended—

(1) by striking out "(except provisions relating to housing for elderly persons)" and "(except with respect to housing designed for elderly persons, with occupancy preference therefor, as provided in the paragraph following paragraph (3) of subsection (c))" in subsection (b);

(2) by striking out in subsection (c) the unnumbered paragraph following paragraph (3); and

(3) by striking out "section 210 and section 213" in both places where it appears in subsection (f) and inserting in lieu thereof the following: "sections 210, 213, 231, and 232".

Cooperative housing insurance

SEC. 105. (a) Section 213(b)(1) of the National Housing Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(b) Section 213(b)(2) of such Act is amended to read as follows:

"(2) not to exceed, for such part of the property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 97 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *Provided*, That as to projects which consist of elevator-type structures the Commissioner may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000 per room and the dollar amount limitation of $9,000 per family unit to not to exceed $9,400 per family unit, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design: *Provided further*, That the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations by not to exceed $1,250 per room, without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require: *Provided further*, That in the case of a mortgagor of the character described in paragraph (3) of subsection (a) the mortgage shall involve a principal obligation in an amount not to exceed 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed physical improvements are completed: *And provided further*, That upon the sale of a property or project by a mortgagor of the character described in paragraph (3) of subsection (a) to a nonprofit cooperative ownership housing corporation or trust within two years after the completion of such property or project the mortgage given to finance such sale shall involve a principal obligation in an amount not to exceed the maximum amount computed in accordance with this subsection without regard to the preceding proviso."

(c) Section 213(d) of such Act is amended by adding at the end thereof a new sentence as follows: "Property held by a corporation or trust of the character described in paragraph numbered (2) of subsection (a) of this section which is covered by a mortgage insured under this section may include such community facilities, and property held by a mortgagor of the character described in paragraph numbered (3) of subsection (a) of this section which is covered by a mortgage insured under this section may include such commercial and community facilities, as the Commissioner deems adequate to serve the occupants."

(d) The first sentence of section 213(d) of such Act is amended (1) by striking out "4½ per centum" and inserting in lieu thereof "5¼ per centum", and (2) by striking out "5 per centum" and inserting in lieu thereof "5¾ per centum".

(e) Section 213 of such Act is further amended by adding at the end thereof the following new subsection:

"(i) Nothing in this Act shall be construed to prevent the insurance of a mortgage executed by a mortgagor of the character described in paragraph (1) of subsection (a) of this section covering property upon which dwelling units and related facilities have been constructed prior to the filing of the application for mortgage insurance hereunder: *Provided*, That the Commissioner determines that the consumer interest is protected and that the mortgagor will be a consumer cooperative. In the case of properties other than new construction, the limitations in this section upon the amount of the mortgage shall be based upon the appraised value of the property for continued use as a cooperative rather than upon the Commissioner's estimate of the replacement cost. As to any project on which construction was commenced after the effective date of this subsection, the mortgage on such project shall be eligible for insurance under this section only in those cases where the construction was subject to inspection by the Commissioner and where there was compliance with the provisions of section 212 of this title. As to any project on which construction was commenced prior to the effective date of this subsection, such inspection, and compliance with the provisions of section 212 of this title, shall not be a prerequisite."

Increased mortgage amounts in Alaska, Guam, and Hawaii

SEC. 106. The first sentence of section 214 of the National Housing Act is amended by inserting after "maximum or maxima otherwise applicable" the following: "(including increased mortgage amounts in geographical areas where cost levels so require)".

FHA mortgage insurance authorization

SEC. 107. (a) Section 217 of the National Housing Act is amended by striking out "$7,000,000,000" and inserting in lieu thereof "$15,000,000,000".

(b) Section 217 of such Act is further amended by adding at the end thereof a new paragraph as follows:

"It is further the intent and purpose of this section to limit by law the aggregate amount of the balances of insured mortgages and the principal amount of all commitments to insure which may be outstanding under this Act (except section 2 and section 803). In the administration of this Act the Commissioner shall not hereafter enter into any type of agreement or other undertaking to insure a mortgage if a commitment to insure such mortgage would be unlawful under the limit so established."

Repeal of obsolete provision

SEC. 108. Section 218 of the National Housing Act is repealed.

Section 220 mortgage insurance

SEC. 109. (a)(1) Clause (i) of subsection (d)(3)(A) of section 220 of the National Housing Act is amended by striking out all that precedes the second semicolon and inserting in lieu thereof the following:

"(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $22,500 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $25,000 in the case of a two-family residence; or $30,000 in the case of a three-family residence".

(2) Clause (i) of subsection (d)(3)(A) of section 220 of such Act is further amended—

(A) by striking out "85 per centum" and inserting in lieu thereof "90 per centum"; and

(B) by striking out "$16,000" each place it appears and inserting in lieu thereof "$18,000".

(3) Subsection (d)(3)(A)(ii) of section 220 of such Act is amended by inserting before the semicolon at the end thereof a colon and the following: "*Provided*, That such 85 per centum limitation shall not be applicable if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness".

(b) Subsection (d)(3)(B)(i) of section 220 of such Act is amended by striking out "$12,500,000" and inserting in lieu thereof "$20,000,000".

(c) Subsection (d)(3)(B)(iii) of section 220 of such Act is amended—

(1) by striking out "$2,250" each place it appears and inserting in lieu thereof "$2,500";

(2) by striking out "$8,100" each place it appears and inserting in lieu thereof "$9,000";

(3) by striking out "$2,700" and inserting in lieu thereof "$3,000";

(4) by striking out "$8,400" and inserting in lieu thereof "$9,400"; and

(5) by striking out "$1,000" and inserting in lieu thereof "$1,250".

(d) Subsection (d)(3)(B)(iii) of section 220 of such Act is further amended by inserting after "dwelling use" the following: "(ex-

cluding exterior land improvements as defined by the Commissioner)".

(e) Subsection (d)(3)(B) of section 220 of such Act is further amended by striking out "and" at the end of clause (ii), by striking out the period at the end of clause (iii) and inserting in lieu thereof "; and", and by adding at the end thereof the following new clause:

"(iv) include such nondwelling facilities as the Commissioner deems adequate to serve the needs of the occupants of the property and of other housing in the neighborhood."

Section 221 relocation housing mortgage insurance

SEC. 110. (a)(1) The first paragraph of section 221(a) of the National Housing Act is amended to read as follows:

"This section is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist (1) in relocating families from urban renewal areas, (2) in relocating families to be displaced as the result of governmental action in a community respecting which (A) the Housing and Home Finance Administrator has made the certification to the Commissioner provided for by subsection 101(c) of the Housing Act of 1949, as amended, or (B) there is being carried out a project covered by a Federal aid contract executed, or prior approval granted, by the Housing and Home Finance Administrator under title I of the Housing Act of 1949, as amended, before the effective date of the Housing Act of 1954, or (C) there is being carried out an urban renewal project assisted under section 111 of the Housing Act of 1949, as amended, and (3) in relocating families residing in the environs of a community described in clause (2) which are to be displaced as the result of governmental action."

(2) The second paragraph of section 221(a) of such Act is amended—

(A) by striking out all that precedes the first colon and inserting in lieu thereof the following: "Mortgage insurance under this section shall be available only in those localities, communities, or environs of communities, which shall have requested such mortgage insurance to be provided";

(B) by striking out "in any such community" in the second proviso and inserting in lieu thereof "in or near any such community";

(C) by striking out "(1)" in the third proviso and inserting in lieu thereof "(2)(A)"; and

(D) by striking out "(1)", "(2)", and "(3)", wherever they appear in the last proviso, and inserting in lieu thereof respectively "(2)(A)", "(2)(B)", and "(2)(C)".

(3) Section 101(c) of the Housing Act of 1949 is amended by striking out "if the mortgaged property is in a community referred to in clause (2) of section 221(a) of said Act", and inserting in lieu thereof "if the mortgaged property is in an area described in clause (3) of section 221(a) of said Act, or in a community referred to in clause (2)(B) of said section".

(4) Section 101(c) of the Housing Act of 1949 is further amended by striking out "in a community" in clause (iii) of the last proviso.

(b) Section 221(d)(2) of the National Housing Act is amended to read as follows:

"(2) be secured by property upon which there is located a dwelling conforming to applicable standards prescribed by the Commissioner under subsection (f) of this section, and meeting the requirements of all State laws, or local ordinances or regulations, relating to the public health or safety, zoning, or otherwise, which may be applicable thereto, and shall involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount (A) not to exceed (i) $9,000 in the case of a property upon which there is located a dwelling designed principally for a single-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $12,000 in any geographical area where he finds that cost levels so require, (ii) $18,000 in the case of a property upon which there is located a dwelling designed principally for a two-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $20,000 in any geographical area where he finds that cost levels so require, (iii) $25,000 in the case of a property upon which there is located a dwelling designed principally for a three-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $27,500 in any geographical area where he finds that cost levels so require, (iv) $32,000 in the case of a property upon which there is located a dwelling designed principally for a four-family residence, except that the Commissioner may by regulation increase this amount to not to exceed $35,000 in any geographical area where he finds that cost levels so require; and (B) not to exceed the appraised value (as of the date the mortgage is accepted for insurance) of any such property, less such amount, in the case of any mortgagor, as may be necessary to comply with the succeeding provisos: *Provided,* That if the mortgagor is the owner and an occupant of the property at the time of the insurance, he shall have paid on account of the property at least (i) $200 in the case of a single-family dwelling, (ii) $400 in the case of a two-family dwelling, (iii) $600 in the case of a three-family dwelling, and (iv) $800 in the case of a four-family dwelling, in cash or its equivalent, which amount may include amounts to cover settlement costs and initial payments for taxes, hazard insurance, mortgage insurance premium, and other prepaid expenses: *Provided further,* That nothing contained herein shall preclude the Commissioner from issuing a commitment to insure, and insuring a mortgage pursuant thereto, where the mortgagor is not the owner and an occupant of the property, if the property is to be built or acquired and repaired or rehabilitated for sale, and the insured mortgage financing is required to facilitate the construction, or the repair or rehabilitation, of the dwelling and to provide financing pending the subsequent sale thereof to a qualified owner who is also an occupant thereof, but in such instances the mortgage shall not exceed 85 per centum of the appraised value: *And provided further,* That the Commissioner shall prescribe such procedures as in his judgment are necessary to secure to families, referred to in subsection (a) above, priorities in occupancy of the remaining units of two-, three-, and four-family dwellings after occupancy of one unit by the owner; or".

(c) Section 221(d) of such Act is further amended—

(1) by striking out "$10,000" in paragraph (3) and inserting in lieu thereof "$12,000";

(2) by striking out of paragraph (3) "not in excess of the Commissioner's estimate of the value of the property or project when constructed, or repaired and rehabilitated, for use as rental accommodations for ten or more families eligible for occupancy as provided in this section; and", and inserting in lieu thereof "not in excess of (1) in the case of new construction, the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner), or (2) in the case of repair and rehabilitation, the Commissioner's estimate of the value of the property when the proposed repair and rehabilitation is completed: *Provided,* That such property or project, when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for ten or more families eligible for occupancy as provided in this section; or"; and

(3) by redesignating paragraph (4) as paragraph (5) and inserting after paragraph (3) the following new paragraph:

"(4) if executed by a mortgagor which is not a nonprofit organization, and which is approved by the Commissioner—

"(i) not exceed $12,500,000;

"(ii) not exceed $9,000 per family unit for such part of such property or project as may be attributable to dwelling use, except that the Commissioner may by regulation increase this amount to not to exceed $12,000 in any geographical area where he finds that cost levels so require;

"(iii) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items, except the land, unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage); and

"(iv) not exceed 90 per centum of the Commissioner's estimate of the value of the property or project when the proposed repair and rehabilitation is completed if the proceeds of the mortgage are to be used for the repair and rehabilitation of a property or project:

Provided, That such property or project when constructed, or repaired and rehabilitated, shall be for use as rental accommodations for ten or more families eligible for occupancy as provided in this section: *And provided further,* That the Commissioner may, in his discretion, require the mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation, and for such purpose the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations, with such stock or interest being paid for out of the Section 221 Housing Insurance Fund and being required to be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance; and".

(d) Section 221(f) of such Act is amended by inserting the following before the period at the end thereof: "and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants".

(e) Section 221(g)(2) of such Act is amended by striking out "paragraph (3)" and inserting in lieu thereof "paragraph (3) or (4)".

(f) Section 212(a) of such Act is amended by adding at the end thereof the following new sentence: "The provisions of this section shall apply to the insurance under section 221 of any mortgage described in subsection (d)(4) thereof."

Servicemen's housing mortgage insurance

SEC. 111. Section 222(b) of the National Housing Act is amended—

(1) by inserting "or 203(i)" after "203(b)" in paragraph (1); and

(2) by striking out "$17,100" in paragraph (2) and inserting in lieu thereof the following: "$20,000, except that in the case of a mortgage meeting the requirements of section 203(i) such principal obligation shall not exceed $9,000".

Builder's cost certification

SEC. 112. (a) Section 227(a) of the National Housing Act is amended by striking out clause (iv) and all that follows and inserting in lieu thereof the following: "(iv) under section 221 if the mortgage meets the requirements of paragraph (3) or paragraph (4) of subsection (d) thereof, (v) under section 231, or (vi) under section 810 if the mortgage meets the requirements of subsection (f)".

(b) The last two sentences of section 227 (c) of such Act are each amended by striking out "under section 220" and inserting in lieu thereof "under section 220, section 221 if the mortgage meets the requirements of paragraph (4) of subsection (d) thereof, or section 231,".

Voluntary termination of insurance

SEC. 113. Title II of the National Housing Act is further amended by adding at the end thereof the following new section:

"Voluntary termination of insurance

"SEC. 229. Notwithstanding any other provision of this Act and with respect to any mortgage covering a one-, two-, three-, or four-family residence heretofore or hereafter insured under this Act, the Commissioner is authorized to terminate any mortgage insurance contract upon request by the mortgagor and mortgagee and upon payment of such termination charge as the Commissioner determines to be equitable, taking into consideration the necessity of protecting the various insurance funds. Upon such termination mortgagors and mortgagees shall be entitled to the rights, if any, to which they would be entitled under this Act if the insurance contract were terminated by payment in full of the insured mortgage."

Avoidance of foreclosure

SEC. 114. (a) Title II of the National Housing Act is further amended by adding after section 229 (as added by section 113 of this Act) the following new section:

"Acquisition of mortgages to avoid foreclosure

"SEC. 230. Upon receiving notice of the default of any mortgage covering a one-, two-, three-, or four-family residence heretofore or hereafter insured under this Act, the Commissioner, in his discretion and for the purpose of avoiding foreclosure of the mortgage, may acquire the loan and the security therefor upon issuance to the mortgagee of debentures having a total face value equal to the unpaid principal balance of the loan plus any accrued interest and any proper advances theretofore made by the mortgagee under the provisions of the mortgage; and after the acquisition of such mortgage by the Commissioner such mortgagee shall have no further rights, liabilities, or obligations with respect thereto. The provisions of section 204 relating to the issuance of debentures incident to the acquisition of foreclosed properties shall apply with respect to debentures issued under this subsection, and the provisions of section 204 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this section, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner."

(b) Section 204(a) of the National Housing Act is amended by inserting immediately before the last proviso the following: " : *And provided further*, That with respect to any mortgage covering a one-, two-, three-, or four-family residence insured under this Act, if the Commissioner finds, after notice of default, that the default was due to circumstances beyond the control of the mortgagor and it is probable that the mortgage will be restored to good standing within a reasonable period of time, he may, under such regulations and conditions as he may prescribe, extend the time for curing default and enter into an agreement with the mortgagee providing that if the mortgage is subsequently foreclosed, any interest accruing after the date of the agreement which is not paid by the mortgagor may be included in the debentures".

Mortgage insurance for nursing homes

SEC. 115. Title II of the National Housing Act is amended by adding after section 231 (as added by section 201 of this Act) the following new section:

"Mortgage insurance for nursing homes

"SEC. 232. (a) The purpose of this section is to assist the provision of urgently needed nursing homes for the care and treatment of convalescents and other persons who are not acutely ill and do not need hospital care but who require skilled nursing care and related medical services.

"(b) For the purposes of this section—

"(1) the term 'nursing home' means a proprietary facility, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services, in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to provide such care or services in accordance with the laws of the State where the facility is located; and

"(2) the terms 'mortgage' and 'mortgagor' shall have the meanings respectively set forth in section 207(a) of this Act.

"(c) The Commissioner is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section the Commissioner is authorized to insure any mortgage which covers a new or rehabilitated nursing home, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Commissioner. The Commissioner may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem paid for out of the Section 207 Housing Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $12,500,000, and not to exceed 75 per centum of the estimated value of the property or project when the proposed improvements are completed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such terms as the Commissioner shall prescribe; and

(B) bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 6 per centum as the Commissioner finds necessary to meet the mortgage market.

"(4) The Commissioner shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 612(a)(1) of the Public Health Service Act for the State in which is located the nursing home covered by the mortgage, a certification that (1) there is a need for such nursing home, and (2) there are in force in such State or other political subdivision of the State in which the proposed nursing home would be located reasonable minimum standards of licensure and methods of operation for nursing homes. No such mortgage shall be insured under this section unless the Commissioner has received such assurance as he may deem satisfactory from the State agency that such standards will be applied and enforced with respect to any nursing home located in the State for which mortgage insurance is provided under this section.

"(e) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

Technical amendments

SEC. 116. (a) Section 8(g) of the National Housing Act is amended by striking out "and (h) of section 204" and inserting in lieu thereof "(h), (j), and (k) of section 204".

(b) Sections 213(e), 220(f)(1), 221(g)(1), 222(e), and 809(e) of such Act are each amended by striking out "and (j) of section 204" and inserting in lieu thereof "(j), and (k) of section 204".

Inclusion of conveyance costs in debentures

SEC. 117. Section 204(k) of the National Housing Act is amended to read as follows:

"(k) Nothwithstanding ony other provision of this section or of section 604 or 904 and with respect to any debentures issued in exchange for properties conveyed to and accepted by the Commissioner after the effective date of the Housing Act of 1959 in accordance with such sections, the Commissioner may (1) include in debentures reasonable payments made by the mortgagee with the approval of the Commissioner for the purpose of protecting, operating, or preserving the property, and taxes imposed upon any deed or any other instrument by which the property was acquired by the mortgagee and transferred or conveyed to the Commissioner; (2) include in debentures as a portion of foreclosure costs (to the extent that foreclosure costs may be included in such debentures by any other provision of this Act) payments made by the mortgagee for the cost of acquiring the property and conveying and evidencing title to the property to the Commissioner; and (3) terminate the mortgagee's obligation to pay mortgage insurance premiums upon receipt of an application for debentures filed by the mortgagee, or in the event

the contract of insurance is terminated pursuant to section 229."

Investment insurance

SEC. 118. Section 701 of the National Housing Act is amended by striking out the colon at the end of the first proviso and everything that follows and inserting a period in lieu thereof.

Legal notification

SEC. 119. Section 512 of the National Housing Act is amended by adding the following at the end thereof: "For the purposes of compliance with this section the Commissioner's notice of a proposed determination under this section shall be considered to have been received by the interested person or firm if the notice is properly mailed to the last known address of such person or firm."

TITLE II—HOUSING FOR THE ELDERLY

Mortgage insurance program

SEC. 201. (a) Title II of the National Housing Act is amended by adding after section 230 (as added by section 114) the following new section:

"Housing for elderly persons

"SEC. 231. (a) The purpose of this section is to assist in relieving the shortage of housing for elderly persons and to increase the supply of rental housing for elderly persons.

"For the purposes of this section—

"(1) the term 'housing' means eight or more new or rehabilitated living units, not less than 50 per centum of which are specially designed for the use and occupancy of elderly persons;

"(2) the term 'elderly person' means any person, married or single, who is sixty-two years of age or over; and

"(3) the terms 'mortgage', 'mortgagee', 'mortgagor', and 'maturity date' shall have the meanings respectively set forth in section 207 of this Act.

"(b) The Commissioner is authorized to insure any mortgage (including advances on mortgages during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(c) To be eligible for insurance under this section, a mortgage to provide housing for elderly persons shall—

"(1) involve a principal obligation in an amount not to exceed $12,500,000 or, if executed by Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or nonprofit development or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return, or methods of operation, not to exceed $50,000,000;

"(2) not exceed, for such part of such property or project as may be attributable to dwelling use, $9,000 per dwelling unit: *Provided*, That the Commissioner may, in his discretion, increase the dollar amount limitation of $9,000 per unit to not to exceed $9,400 per unit to compensate for the higher costs incident to the construction of elevator-type structures and may increase each of the foregoing dollar amount limitations by not to exceed $1,250 per room in any geographical area where he finds that cost levels so require;

"(3) if executed by a mortgagor which is a public instrumentality or a private nonprofit corporation or association or other acceptable private nonprofit organization regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as, in the opinion of the Commissioner, will effectuate the purpose of this section, involve a principal obligation not in excess of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner): *Provided*, That in the case of properties other than new construction, the principal obligation shall not exceed the appraised value rather than the Commissioner's estimate of the replacement cost;

"(4) if executed by a mortgagor which is approved by the Commissioner but is not a public instrumentality or a private nonprofit organization, involve a principal obligation not in excess (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) of 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items except the land unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage): *Provided*, That in the case of properties other than new construction the principal obligation shall not exceed 90 per centum of the Commissioner's estimate of the value of the property or project: *And provided further*, That the Commissioner may in his discretion require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation, and for such purpose the Commissioner may make contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations; such stock or interest shall be paid for out of the Section 207 Housing Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance;

"(5) provide for a complete amortization by periodic payments within such terms as the Commissioner shall prescribe;

"(6) bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 5½ per centum as the Commissioner finds necessary to meet the mortgage market; and

"(7) cover a property or project which is approved for mortgage insurance prior to the beginning of construction or rehabilitation, with 50 per centum or more of the units therein specially designed for the use and occupancy of elderly persons in accordance with standards established by the Commissioner, and which may include such commercial and special facilities as the Commissioner deems adequate to serve the occupants.

"(d) The Commissioner may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe, and shall prescribe such procedures as in his judgment are necessary to secure to elderly persons a preference or priority of opportunity to rent the dwellings included in such property or project.

"(e) The provisions of subsections (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (p) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section."

(b) Section 212(a) of such Act is amended by adding at the end thereof (after the sentence added by section 110(f) of this Act) the following: "The provisions of this section shall also apply to the insurance of any mortgage under section 231 or 232 except that compliance with such provisions may be waived by the Commissioner in cases or classes of cases where laborers or mechanics, not otherwise employed at any time on the project, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Commissioner determines that any amounts thereby saved are fully credited to the nonprofit corporation, association, or other organization undertaking the construction."

Loan program

SEC. 202. (a) (1) The purpose of this section is to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(2) In order to carry out the purpose of this section, the Administrator may make loans to any corporation (as defined in subsection (d)(2)) for the provision of rental housing and related facilities for elderly families and elderly persons, except that (A) no such loan shall be made unless the corporation shows that it is unable to secure the necessary funds from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this section, and (B) no such loan shall be made unless the Administrator finds that the construction will be undertaken in an economical manner, and that it will not be of elaborate or extravagant design or materials.

(3) A loan to a corporation under this section may be in an amount not exceeding 98 per centum of the total development cost (as defined in subsection (d)(3)), as determined by the Administrator; shall be secured in such manner and be repaid within such period, not exceeding fifty years, as may be determined by him; and shall bear interest at a rate determined by him which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-quarter of 1 per centum added to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date on which the loan is made and adjusted to the nearest one-eighth of 1 per centum.

(4) There is authorized to be appropriated not to exceed $50,000,000, which shall constitute a revolving fund to be used by the Administrator in carrying out this section. The amount outstanding from such fund at any one time for related facilities (as defined in subsection (d)(8)) shall not exceed $5,000,000.

(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this section the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsection (c)(2)) of the Housing Act of 1950.

(c) (1) Housing constructed with a loan made under this section shall not be used for transient or hotel purposes while such loan is outstanding.

(2) As used in paragraph (1), the term "transient or hotel purposes" shall have such meaning as may be prescribed by the Administrator, but rental for any period less than thirty days shall in any event constitute use for such purposes. The provisions of subsections (f) through (j) of section 513 of the National Housing Act (as added by section 132 of the Housing Act of 1954) shall apply in the case of violations of paragraph (1) as though the housing described in such subsection were multifamily housing (as defined in section 513(e)(2) of the National Housing Act) with respect to which a mortgage is insured under such Act, except that for purposes of this subsection the Administrator shall perform the functions vested in the Commissioner by such section 513.

(3) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors and subcontractors in the construction of housing assisted under this section shall be paid wages at rates not less than those prevailing in the locality involved for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (the Davis-Bacon Act); but the Administrator may waive the application of this paragraph in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of such housing, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Administrator determines that any amounts saved thereby are fully credited to the corporation undertaking the construction.

(d) As used in this section—

(1) The term "housing" means (A) new structures suitable for dwelling use by elderly families and new structures suitable for such use by one or more elderly persons, and (B) dwelling facilities provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for proposed dwelling use by such families and persons.

(2) The term "corporation" means any incorporated private institution or foundation no part of the net earnings of which inures to the benefit of any private shareholder, contributor, or individual, if such institution or foundation is approved by the Administrator as to financial responsibility.

(3) The term "development cost" means costs of construction of housing and of other related facilities, and of the land on which it is located, including necessary site improvement.

(4) The term "elderly families" means families the head of which (or his spouse) is sixty-two years of age or over; and the term "elderly persons" means persons who are sixty-two years of age or over. The Administrator shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing constructed with assistance under this section.

(5) The term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(6) The term "Administrator" means the Housing and Home Finance Administrator.

(7) The term "construction" means erection of new structures, or rehabilitation, alteration, conversion, or improvement of existing structures.

(8) The term "related facilities" means (A) new structures suitable for use as cafeterias or dining halls, community rooms or buildings, or infirmaries or other inpatient or outpatient health facilities, or for other essential service facilities, and (B) structures suitable for the above uses provided by rehabilitation, alteration, conversion, or improvement of existing structures which are otherwise inadequate for such uses.

TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

SEC. 301. Clause (3) of section 302(b) of the National Housing Act is amended to read as follows: "(3) the Association may not purchase any mortgage, except a mortgage insured under section 220 or 803, or a mortgage covering property located in Alaska, Guam, or Hawaii, if the original principal obligation thereof exceeds or exceeded $17,500 for each family residence or dwelling unit covered by the mortgage: *Provided*, That with respect to mortgages purchased under section 304 the principal obligation shall not exceed $20,000".

SEC. 302. The last sentence of section 304(a) of the National Housing Act is amended by striking out "advance planning of home construction" and inserting in lieu thereof "home financing".

SEC. 303. (a) Section 305(b) of the National Housing Act is amended by striking out everything following the first sentence and inserting in lieu thereof the following: "Subject to the provisions of this section, the prices to be paid by the Association for mortgages purchased in its operations under this section shall be established from time to time by the Association. The Association shall impose charges or fees for its services under this section with the objective that all costs and expenses of its operations under this section should be within its income derived from such operations and that such operations should be fully self-supporting."

(b) When the holder of a commitment contract entered into by the Federal National Mortgage Association prior to August 27, 1958, pursuant to section 305 of the National Housing Act, cannot deliver the mortgages covered thereby within the original commitment period, and establishes that hardship to such holder will result therefrom and that such inability to deliver the mortgages is a consequence of circumstances beyond the control of such holder, the Association shall reissue or extend such commitment for a reasonable additional period or periods, according to the circumstances, on terms not less favorable than were the terms of the original commitment.

SEC. 304. Section 305(e) of the National Housing Act is amended by adding at the end thereof the following new sentence: "On and after the date of enactment of the Housing Act of 1959, the Association is authorized to enter into advance commitment contracts and purchase transactions (in addition to those authorized by the preceding sentence) relating to mortgages with respect to which the Federal Housing Commissioner shall have issued pursuant to section 213 a commitment to insure or a statement of eligibility, without regard to any of the limitations contained in the preceding sentence; except that the total amount of the additional advance commitment contracts and purchase transactions authorized by this sentence which may be outstanding at any one time shall not exceed $25,000,000, of which the amount of $12,500,000 shall be available solely for commitments or purchases of mortgages where the management or sales-type cooperative involved is certified by the Federal Housing Commissioner as a consumer cooperative and the amount of $12,500,000 shall be available solely for commitments or purchases of mortgages where the cooperative involved is a builder-sponsor cooperative."

SEC. 305. (a) Sections 304(b) and 306(b) of the National Housing Act are amended by striking out "and bonds or other obligations of, or bonds or other obligations guaranteed as to principal and interest by, the United States" and inserting in lieu thereof "and obligations of the United States or guaranteed thereby, or obligations which are lawful investments for fiduciary, trust, or public funds".

(b) Section 310 of such Act is amended by striking out "in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States" and inserting in lieu thereof "in obligations of the United States or guaranteed thereby, or in obligations which are lawful investments for fiduciary, trust, or public funds".

SEC. 306. (a) Section 306 of the National Housing Act is amended by adding at the end thereof the following subsection:

"(e) Notwithstanding any of the provisions of this Act or of any other law, the Association is authorized, under the aforesaid separate accountability, to make commitments to purchase and to purchase, service, or sell any mortgages offered to it by the Housing and Home Finance Administrator or the Housing and Home Finance Agency, or by such Agency's constituent units or agencies or the heads thereof, after such Administrator has found the acquisition thereof by the Association to be in the interest of the efficient management and liquidation of the mortgages. There shall be excluded from the total amounts set forth in subsection (c) hereof the amounts of any mortgages purchased by the Association pursuant to this subsection."

(b) In connection with the sale of any mortgages to the Federal National Mortgage Association pursuant to section 306(e) of the Federal National Mortgage Association Charter Act, the Housing and Home Finance Administrator is authorized, and any other official, unit, or agency selling such mortgages thereunder is directed, to transfer to the Association from time to time, from authorizations, limitations, and funds available for administrative expenses of such official, unit, or agency in connection with the same mortgages, such amounts thereof as said Administrator determines to be required for administrative expenses of the Association in connection with the purchase, servicing, and sale of such mortgages: *Provided*, That no such transfer shall be made after a budget estimate of the Association with respect to the same mortgages has been submitted to and finally acted upon by the Congress.

TITLE IV—URBAN RENEWAL

Statewide planning

SEC. 401. Section 101(b) of the Housing Act of 1949 is amended by adding at the end thereof the following new sentence: "The Administrator shall particularly encourage the utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State which are undertaking or propose to undertake urban renewal programs whenever that arrangement facilitates the undertaking of an urban renewal program by any such community, or provides an effective solution to community development or redevelopment problems in such communities, and is approved by resolution or ordinance of the governing bodies of the affected communities."

Clarifying amendments

SEC. 402. (a) Section 102(a) of the Housing Act of 1949 is amended by striking out in the second sentence the words "as part of the gross project cost" and inserting in lieu thereof "for such purposes".

(b) Section 102(c) of such Act is amended by striking out "repayment of" and inserting in lieu thereof "repayment of the principal of and the interest on".

Early land acquisition

SEC. 403. Section 102(a) of the Housing Act of 1949 is amended by adding at the end thereof the following new sentence: "In any

case where, in connection with its undertaking and carrying out of an urban renewal project, a local public agency is authorized (under the circumstances in which the temporary loan herein provided is requested) to acquire real property in the urban renewal area, the Administrator, in addition to all other authority under this title and notwithstanding any other provisions of this title, regardless of the stage of development of the urban renewal plan and whether before or after the approval thereof, may make a temporary loan or loans to any such local public agency to finance the acquisition of such real property: *Provided,* That no loan for such purpose shall be made unless (1) the governing body of the locality involved shall have approved by resolution or ordinance the acquisition of real property in the urban renewal area, and (2) either (A) the Administrator shall have determined that such loan is reasonably secured by a first mortgage or other prior lien upon such real property or is otherwise reasonably secured, or (B) the governing body of the locality shall have assumed the responsibility to bear any loss that may arise as the result of such acquisition in the event that the property so acquired is not used for urban renewal purposes because the urban renewal plan for the project is not approved, or is amended to omit any of the acquired property, or is abandoned for any reason: *Provided further,* That the Administrator may, in his discretion and subject to such conditions as he may impose, permit any structure so acquired to be demolished and removed, and may include in any loan authorized by this section the cost of such demolition and removal if the approval of the local governing body extends to such demolition and removal: *And provided further,* That the loan contract shall provide that the local public agency shall not dispose of such real property (except in lieu of foreclosure) until the local governing body of the locality involved shall have either approved the urban renewal plan for the project or consented to the disposal of such real property."

Loans

SEC. 404. Section 102(e) of the Housing Act of 1949 is amended to read as follows:

"(e) The total amount of loan contracts outstanding at any one time under this title shall not exceed the aggregate of the estimated expenditures to be made by local public agencies as part of the gross project cost of the projects assisted by such contracts. To obtain funds for advance and loan disbursements under this title, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount which shall not, unless authorized by the President, exceed $1,000,000,000. For the purpose of establishing unpaid obligations as of a given date against the authorization contained in the preceding sentence, the Administrator shall estimate the maximum amount to be required to be borrowed from the Treasury and outstanding at any one time with respect to loan commitments in effect on such date."

Grants

SEC. 405. Section 103 of the Housing Act of 1949 is amended—

(1) by amending the first sentence of subsection (b) to read as follows: "The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make grants under this title aggregating not to exceed $1,350,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1959, and by $300,000,000 on July 1, 1960.";

(2) by striking out the period at the end of the second sentence of subsection (b) and inserting in lieu thereof a colon and the following: *"Provided,* That any amounts so appropriated shall also be available for repaying to the Secretary of the Treasury, for application to notes of the Administrator, the principal amounts of any funds advanced to local public agencies under this title which the Administrator determines to be uncollectible because of the termination of activities for which such advances were made, together with the interest paid or accrued to the Secretary (as determined by him) attributable to notes given by the Administrator in connection with such advances, but all such repayments shall constitute a charge against the authorization to make contracts for grants contained in this section: *Provided further,* That no such determination of the Administrator shall be construed to prejudice the rights of the United States with respect to any such advance."; and

(3) by adding at the end thereof the following new subsections:

"(c) Notwithstanding any other provision of this or any other Act, if financial assistance authorized by this title to be made available to a locality or local public agency may be made available to any locality or local public agency within the limitations provided in sections 102(e), 103(b), and 106(e), and the second paragraph following the paragraph numbered (6) of section 110(c), the amount of such financial assistance made available to any locality or local public agency upon submission and processing of proper application therefor shall not otherwise be restricted except on the basis of (1) urgency of need, and (2) feasibility, as determined by the Administrator.

"(d) The Administrator may contract to make grants for the preparation or completion of community renewal programs, which may include, without being limited to, (1) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (2) the measurement of the nature and degree of blight and blighting factors within such areas, (3) determination of the financial, relocation, and other resources needed and available to renew such areas, (4) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (5) scheduling or programing of urban renewal activities. Such programs shall conform in the determination of the governing body of the locality, to the general plan of the locality as a whole. The Administrator may establish reasonable requirements respecting the scope and content of such programs. No contract for a grant pursuant to this subsection shall be made unless the governing body of the locality involved has approved the preparation or completion of the community renewal program and the submission by the local public agency of an application for such a grant. Notwithstanding section 110(h) or the use in any other provision of this title of the term 'local public agency' or 'local public agencies', the Administrator may make grants pursuant to this subsection for the preparation or completion of a community renewal program to a single local public body authorized to perform the planning work necessary to such preparation or completion. No grant made pursuant to this subsection shall exceed two-thirds of the cost (as such cost is determined or estimated by the Administrator) of the preparation or completion of the community renewal program for which such grant is made."

Public improvements by Federal agencies in urban renewal areas

SEC. 406. Section 105(b) of the Housing Act of 1949 is amended by adding the following before the semicolon at the end thereof: ": *And provided further,* That, with respect to any improvements of a type which it is otherwise authorized to undertake, any Federal agency (as defined in section 3(b) of the Federal Property and Administrative Services Act of 1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection, except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been made available) to make the improvements involved".

Public disclosure by redevelopers

SEC. 407. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) No understanding with respect to, or contract for, the disposition of land within an urban renewal area shall be entered into by a local public agency unless the local public agency shall have first made public, in such form and manner as may be prescribed by the Administrator, (1) the name of the redeveloper, together with the names of its officers and principal members, shareholders and investors, and other interested parties, (2) the redeveloper's estimate of the cost of any residential redevelopment and rehabilitation, and (3) the redeveloper's estimate of rentals and sales prices of any proposed housing involved in such redevelopment and rehabilitation: *Provided,* That nothing in this subsection shall constitute a basis for contesting the conveyance of, or title to, such land.".

State loan ceiling

SEC. 408. Section 106(e) of the Housing Act of 1949 is amended by striking out all of the text before the proviso and inserting in lieu thereof the following: "Not more than 12½ per centum of the grant funds provided for in this title shall be expended in any one State".

Relocation payments

SEC. 409. (a)(1) The first sentence of section 106(f)(2) of the Housing Act of 1949 is amended to read as follows: "As used in this subsection, the term 'relocation payments' means payments by a local public agency to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area made necessary by (i) the acquisition of real property by a local public agency or by any other public body, (ii) code enforcement activities undertaken in connection with an urban renewal project, or (iii) a program of voluntary rehabilitation of buildings or other improvements in accordance with an urban renewal plan: *Provided,* That such payments shall not be made after completion of the project or if completion is deferred solely for the purpose of obtaining further relocation payments."

(2) No relocation payments under section 106(f) of the Housing Act of 1949 shall be made for expenses or losses incurred prior to the date of the enactment of the Housing Act of 1959, except to the extent that such payments were authorized by such section as it existed prior to such date.

(b) Section 106(f)(2) of such Act is further amended by striking out "$100" each place it appears and inserting in lieu thereof "$200", and by striking out "$2,500" and inserting in lieu thereof "$3,000".

Hotels and other transient housing

SEC. 410. Section 106 of the Housing Act of 1949 is further amended by adding at the end thereof the following new subsection:

"(g) No provision permitting the new construction of hotels or other housing for transient use in the redevelopment of any urban renewal area under this title shall be included in the urban renewal plan unless the community in which the project is

located, under regulations prescribed by the Administrator, has caused to be made a competent independent analysis of the local supply of transient housing and as a result thereof has determined that there exists in the area a need for additional units of such housing."

Low-rent housing in urban renewal areas

SEC. 411. Section 107 of the Housing Act of 1949 is amended to read as follows:

"Payment for land used for low-rent public housing

"SEC. 107. When it appears in the public interest that land to be acquired as part of an urban renewal project should be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, or under a State or local program found by the Administrator to have the same general purposes as the Federal program under such Act, the site shall be made available to the public housing agency undertaking the low-rent housing project at a price equal to the fair value of land to a private redeveloper who wants to buy a site in the community for private rental housing with physical characteristics similar to those of the proposed low-rent housing project, and such amount shall be included as part of the development cost of such low-rent housing project: *Provided,* That the local contribution in the form of tax exemption or tax remission required by section 10(h) of such Act, or by analagous provisions in legislation authorizing such State or local program, with respect to the low-rent housing project into which such land is incorporated shall (if covered by a contract which, in the determination of the Public Housing Commissioner, and without regard to the requirements of the first proviso of such section 10(h), will assure that such local contribution will be made during the entire period that the project is used as low-rent housing within the meaning of such Act, or by provisions found by the Administrator to give equivalent assurance in the case of State or local programs), be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of an urban renewal project on a three-fourths capital grant basis) of the difference between the cost of such site (including costs of land, clearance, site improvements, and a share, prorated on an area basis, of administrative, interest, and other project costs) and its sales price, and shall be considered a local grant-in-aid furnished in a form other than cash within the meaning of section 110(d) of this Act."

Requirements for urban renewal plan

SEC. 412. Section 110(b) of the Housing Act of 1949 is amended by inserting after "to indicate" in clause (2) the following: ", to the extent required by the Administrator for the making of loans and grants under this title,".

Nonresidential redevelopment

SEC. 413. Section 110(c) of the Housing Act of 1949 is amended by striking out the second paragraph following the paragraph numbered (6) and inserting in lieu thereof the following:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefor, is not to be redeveloped for predominantly residential uses: *Provided,* That, if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further,* That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects after the date of the enactment of the Housing Act of 1959 shall not exceed 20 per centum of the aggregate amount of grants authorized by this title to be contracted for after such date."

Local grants

SEC. 414. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of this subsection, no donation or provision of a public improvement or public facility of a type falling within the purview of this subsection shall be deemed to be ineligible as a local grant-in-aid for any project solely on the basis that the construction of such improvement or facility was commenced without notification to the Administrator or prior to Federal recognition of such project, if such construction was commenced not more than three years prior to the authorization by the Administrator of a contract for loan or capital grant for the project."

(b) The requirement in section 110(d) of the Housing Act of 1949 that the assistance provided by a State, municipality, or other public body under that section, in order to qualify as a local grant-in-aid, shall be in connection with a project on which a contract for capital grant has been made under title I of that Act, shall not apply to assistance provided during the period from July 1, 1957, through December 31, 1957, in connection with urban renewal activities which were extended Federal recognition within sixty days after the provision of such assistance was initiated.

Credit for loss of interest

SEC. 415. Section 110(e) of the Housing Act of 1949 is amended by striking out the first sentence and inserting in lieu thereof the following: "'Gross project cost' shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash. There may be included as part of the gross project cost, under any contract for loan or grant heretofore or hereafter executed under this title, with respect to moneys of the local public agency which are actually expended and outstanding for undertakings (other than in the form of local grants-in-aid) necessary to carry out the project, in the absence of carrying charges on such moneys, an amount in lieu of carrying charges which might otherwise have been payable thereon for the period such moneys are expended and outstanding but not beyond the point where the project is completed, computed for each six-month period or portion thereof, at an interest rate to be determined by the Administrator after taking into consideration for each preceding six-month period the average interest rate borne by any obligations of local public agencies for short-term funds obtained from sources other than the Federal Government in the manner provided in section 102(c): *Provided,* That such amount may be computed on the net total of all such moneys of the local public agency remaining expended and outstanding, less other moneys received from the project undertaken in excess of project expenditures, in all projects of the local public agency under this title, and allocated, as the Administrator may determine, to each of such projects. With respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103(a), gross project cost shall include, in lieu of the amount specified in clause (1) above, the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project:

"(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of subsection (c); and

"(ii) the payment of carrying charges related to the undertakings in clause (i) (including amounts in lieu of carrying charges as determined above), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project."

Uniform date for interest rate determination

SEC. 416. Section 110(g) of the Housing Act of 1949 is amended—

(1) by striking out of the first sentence "is approved" and inserting in lieu thereof "for any project under this title is authorized";

(2) by inserting in the second sentence after "Any" the word "such"; and

(3) by striking out of the second sentence "contract is revised or superseded by such later contract" and inserting in lieu thereof "later contract is authorized".

Conforming amendments

SEC. 417. The Housing Act of 1949 is amended—

(1) by striking out the word "capital" in section 100, in the second sentence of section 103(b), and in sections 106(a)(3), 106(b), 106(c)(6), 106(c)(8), and 106(e);

(2) by inserting in section 101(a) after the word "title" in the first place where it appears therein "or for grants pursuant to section 103(d)"; and

(3) by adding at the end of section 110 the following new subsection:

"(k) 'Federal recognition' means execution of any contract for financial assistance under this title or concurrence by the Administrator in the commencement, without such assistance, of surveys and plans."

Urban renewal areas involving colleges or universities

SEC. 418. Title I of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"Urban renewal areas involving colleges or universities

"SEC. 112. In any case where an educational institution is located in or near an urban renewal project area and the governing body of the locality determines that, in addition to the elimination of slums and blight from such area, the undertaking of an urban renewal project in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the urban renewal plan, to such educational institutions for redevelopment in accordance with the use or uses specified in the urban renewal plan, (2) by providing, through the redevelopment of the area in accordance with the urban renewal plan, a cohesive neighborhood environment compatible with the functions and needs of such educational blight from such area, the undertaking of the foregoing, the Administrator is authorized to extend financial assistance under this title for an urban renewal project in such

area without regard to the requirements in section 110 hereof with respect to the predominantly residential character or predominantly residential reuse of urban renewal areas: *Provided,* That the aggregate expenditures made by such institution (directly or through a private redevelopment corporation) for the acquisition (from others than the local public agency), within, adjacent to, or in the immediate vicinity of the project area, of land, buildings, and structures to be redeveloped or rehabilitated by such institution for educational uses in accordance with the urban renewal plan (or with a development plan proposed by such institution or corporation, found acceptable by the Administrator after considering the standards specified in section 110(b), and approved under State or local law after public hearing), and for the demolition of such buildings and structures (including expenditures to assist in relocating tenants therefrom), if pursuant to such urban renewal or development plan, the land is to be cleared and redeveloped, as certified by such institution to the local public agency and approved by the Administrator, shall be a local grant-in-aid in connection with such urban renewal project: *Provided further,* That no such expenditures shall be deemed ineligible as a local grant-in-aid in connection with any such project if made not more than five years prior to the authorization by the Administrator of a contract for a loan or capital grant for such urban renewal project: *And provided further,* That the term 'educational institution' as used herein shall mean any educational institution of higher learning, including any public educational institution or any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual."

Urban planning

SEC. 419. Section 701 of the Housing Act of 1954 is amended to read as follows:

"Urban planning

"SEC. 701. (a) In order to assist State and local governments in solving planning problems resulting from increasing concentration of population in metropolitan and other urban areas, including smaller communities, to facilitate comprehensive planning for urban development by State and local governments on a continuing basis, and to encourage State and local governments to establish and develop planning staffs, the Administrator is authorized to make planning grants to—

"(1) State planning agencies, or (in States where no such planning agency exists) to agencies or instrumentalities of State government designated by the Governor of the State and acceptable to the Administrator as capable of carrying out the planning functions contemplated by this section, for the provision of planning assistance to (A) cities, other municipalities, and counties having a population of less than 50,000 according to the latest decennial census, (B) any group of adjacent communities, either incorporated or unincorporated, having a total population of less than 50,000 according to the latest decennial census and having common or related urban planning problems resulting from rapid urbanization, and (C) cities, other municipalities, and counties referred to in paragraph (3) of this subsection and areas referred to in paragraph (4) of this subsection;

"(2) official State, metropolitan, and regional planning agencies empowered under State or local laws or interstate compact to perform metropolitan or regional planning;

"(3) cities, other municipalities, and counties which have suffered substantial damage as a result of a catastrophe which the President, pursuant to section 2(a) of 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', has determined to be a major disaster;

"(4) to official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from the establishment or rapid and substantial expansion of a Federal installation; and

"(5) State planning agencies for State and interstate comprehensive planning (as defined in subsection (d)) and for research and coordination activity related thereto.

Planning assisted under this section shall, to the maximum extent feasible, cover entire urban areas having common or related urban development problems.

"(b) A grant made under this section shall not exceed 50 per centum of the estimated cost of the work for which the grant is made. All grants made under this section shall be subject to terms and conditions prescribed by the Administrator. No portion of any grant made under this section shall be used for the preparation of plans for specific public works. The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advances or progress payments on account of any planning grant made under this section. There is hereby authorized to be appropriated not exceeding $20,000,000 to carry out the purposes of this section, and any amounts so appropriated shall remain available until expended.

"(c) The Administrator is authorized, in areas embracing several municipalities or other political subdivisions, to encourage planning on a unified metropolitan basis and to provide technical assistance for such planning and the solution of problems relating thereto.

"(d) It is the further intent of this section to encourage comprehensive planning for States, cities, counties, metropolitan areas, and urban regions and the establishment and development of the organizational units needed therefor. In extending financial assistance under this section, the Administrator may require such assurances as he deems adequate that the appropriate State and local agencies are making reasonable progress in the development of the elements of comprehensive planning. Comprehensive planning, as used in this section, includes the following, to the extent directly related to urban needs: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development; (2) programing of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program; (3) coordination of all related plans of the departments or subdivisions of the government concerned; (4) intergovernmental coordination of all related planned activities among the State and local governmental agencies concerned; and (5) preparation of regulatory and administrative measures in support of the foregoing.

"(e) In the exercise of his function of encouraging comprehensive planning by the States, the Administrator shall consult with those officials of the Federal Government responsible for the administration of programs of Federal assistance to the States and municipalities for various categories of public facilities."

Investment by banks in long-term obligations of local public agencies

SEC. 420. The next to the last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking out "prior to the maturity of such obligations (which obligations shall have a maturity of not more than eighteen months), monies in an amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such obligations at their maturity" the first place it appears and inserting in lieu thereof the following: "monies in an aggregate amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay, when due, the interest on and all installments (including the final installment) of the principal of such obligations, which monies under the terms of said agreement are required to be used for such payments".

TITLE V—LOW-RENT PUBLIC HOUSING

Declaration of policy

SEC. 501. Section 1 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new sentences: "In the development of low-rent housing it shall be the policy of the United States to make adequate provision for larger families and for families consisting of elderly persons. It is the policy of the United States to vest in the local public housing agencies the maximum amount of responsibility in the administration of the low-rent housing program, including responsibility for the establishment of rents and eligibility require (subject to the approval of the Authority), with due consideration to accomplishing the objectives of this Act while effecting economies."

Central administrative office facilities

SEC. 502. The last sentence of paragraph (5) of section 2 of the United States Housing Act of 1937 is amended—

(1) by inserting after "1949" the following: ", or in cases where the public housing agency and the local public agency for purposes of such title I operate under a combined central administrative office staff,"; and

(2) by striking out "its functions as such local public agency" each place it appears and inserting in lieu thereof "the functions of such local public agency".

Rents and income limits

SEC. 503. (a) Paragraph (1) of section 2 of the United States Housing Act of 1937 is amended to read as follows:

"(1) The term 'low-rent housing' means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing shall be available solely for families of low income. Income limits for occupancy and rents shall be fixed by the public housing agency and approved by the Authority after taking into consideration (A) the family size, composition, age, physical handicaps, and other factors which might affect the rent-paying ability of the family, and (B) the economic factors which affect the financial stability and solvency of the project."

(b) Paragraph (7)(b) of section 15 of such Act is amended by inserting after "a gap of at least 20 per centum" the following "(or 5 per centum in the case of any family entitled to a first preference as provided in section 10(g)".

Minimum age for admission of single persons and elderly families to low-rent projects

SEC. 504. The second and third sentences of paragraph (2) of section 2 of the United States Housing Act of 1937 are amended to read as follows: "The term 'families' means families consisting of two or more persons, a single person who has attained retirement age as defined in section 216(a) of the Social

Security Act or who has attained the age of fifty and is under a disability as defined in section 223 of that Act, or the remaining member of a tenant family. The term 'elderly families' means families the head of which (or his spouse) has attained retirement age as defined in section 216(a) of the Social Security Act or has attained the age of fifty and is under a disability as defined in section 223 of that Act."

Low-rent housing authorization

SEC. 505. (a) Section 10(i) of the United States Housing Act of 1937 is amended by striking out all that precedes the third proviso and inserting in lieu thereof the following:

"(i) Notwithstanding any other provision of law, the Authority may enter into new contracts for loans and annual contributions for (1) not more than such number of dwelling units as does not exceed the number of units which were covered by annual contribution contracts on the date of enactment of the Housing Act of 1959 and are not built, the contracts therefor being canceled; and (2) additional dwelling units which, together with the dwelling units covered by new contracts entered into under clause (1), do not exceed thirty-seven thousand units: *Provided,* That the Authority may enter into only such new contracts for preliminary loans as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into hereunder".

(b) The last proviso under the heading "Public Housing Administration, Annual Contributions" in title I of the First Independent Offices Appropriation Act, 1954 (67 Stat. 307), is repealed.

Extension of waiver in case of veterans and servicemen

SEC. 506. The proviso in section 15(8)(b) of the United States Housing Act of 1937 is amended by striking out "March 1, 1959" and inserting in lieu thereof "October 1, 1961".

Payment for services

SEC. 507. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new paragraph:

"(10) Notwithstanding any other provision of law or any contract or other arrangement made pursuant thereto, any public housing agency which utilizes public services and facilities of a municipality or other local governmental agency making charges therefor separate from real and personal property taxes shall be authorized by the Authority (without any amendment to the contract for annual contributions or deductions from payments in lieu of taxes otherwise payable) to pay to such municipality or other local governmental agency the amount that would be charged private persons or dwellings similarly situated for such facilities and services."

TITLE VI—COLLEGE HOUSING

SEC. 601. Section 401(d) of the Housing Act of 1950 is amended to read as follows:

"(d) To obtain funds for loans under subsection (a) of this section, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $1,175,000,000: *Provided,* That the amount outstanding for other educational facilities, as defined herein, shall not exceed $125,000,000: *Provided further,* That the amount outstanding for hospitals, referred to in clause (2) of section 404(b) of this title, shall not exceed $50,000,000."

SEC. 602. Section 402 of the Housing Act of 1950 is amended by adding the following new subsections at the end thereof:

"(e) The provisions of section 309 of the Independent Offices Appropriation Act, 1950 (63 Stat. 662), which are applicable to corporations or agencies subject to the Government Corporation Control Act, shall also be applicable to the activities of the Administrator under this title.

"(f) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on any project assisted under this title, the construction or rehabilitation of which was commenced after the date of enactment of the Housing Act of 1959, (1) shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (Davis-Bacon Act), as amended, and (2) shall be employed not more than forty hours in any one week unless the employee receives wages for his employment in excess of the hours specified above at a rate not less than one and one-half times the regular rate at which he is employed; but the Administrator may waive the application of this subsection in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of such project, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Administrator determines that any amounts saved thereby are fully credited to the educational institution undertaking the construction."

SEC. 603. (a) Section 404(b) of the Housing Act of 1950 is amended by striking out "and (4)" and inserting in lieu thereof "(4)" and by inserting before the period at the end thereof the following: ", and (5) any nonprofit student housing cooperative corporation established for the purpose of providing housing for students or students and faculty of any institution included in clause (1) of this subsection".

(b) Section 401 of such Act is amended by adding at the end thereof the following new subsection:

"(g) In the case of any loan made under this section to a nonprofit student housing cooperative corporation referred to in clause (5) of section 404(b), the Administrator shall require that the note securing such loan be co-signed by the educational institution (referred to in clause (1) of such section) at which such corporation is located; and in the event of the dissolution of such corporation, title to the housing constructed with such loan shall vest in such educational institution."

TITLE VII—ARMED SERVICES HOUSING

SEC. 701. (a) Section 803(a) of the National Housing Act is amended by striking out "September 30, 1960" and inserting in lieu thereof "October 1, 1961".

(b) The second sentence of section 803(b)(3) of such Act is amended by striking out "have a maturity not to exceed twenty-five years" and inserting in lieu thereof "but not to exceed thirty years from the beginning of amortization of the mortgage".

(c) Section 803(b)(3) of such Act is further amended by adding at the end thereof the following: "The property or project may include such nondwelling facilities as the Commissioner deems adequate to serve the occupants."

(d) Section 803(c) of such Act is amended by adding at the end thereof the following new sentence: "The Commissioner is further authorized to reduce the amount of the premium charge below one-half of 1 per centum per annum with respect to any mortgage on property acquired by the Secretary of Defense or his designee if the mortgage is insured pursuant to the provisions of this title as in effect prior to August 11, 1955."

(e) Section 803 of such Act is further amended by adding at the end thereof the following new subsection:

"(k) The Commissioner shall not insure any mortgage under this section unless the principal contractor or contractors engaged in the construction of the project involved file a certificate or certificates (at such times, in the course of construction or otherwise, as the Commissioner may prescribe) certifying that the laborers and mechanics employed in the construction of such project have been paid not less than one and one-half times the regular rate of pay for employment in excess of eight hours in any one day or in excess of forty hours in any one week."

SEC. 702. (a) The first sentence of section 404(a) of the Housing Amendments of 1955 is amended to read as follows: "Whenever the Secretary of Defense or his designee deems it necessary for the purpose of this title, he may acquire, by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) (1) any housing financed with mortgages insured under title VIII of the National Housing Act as in effect prior to August 11, 1955, or (2) any housing situated adjacent to a military installation which was (A) completed prior to July 1, 1952, (B) certified by the Department of Defense, prior to construction, as being necessary to meet an existing military family housing need and considered as military housing by the Federal Housing Commissioner, and (C) financed with mortgages insured under section 207 of the National Housing Act."

(b) Section 404(b) of the Housing Amendments of 1955 is amended to read as follows:

"(b) Notwithstanding any provision of subsection (a) to the contrary, the Secretary of Defense or his designee shall, in the manner provided in subsection (a), acquire by purchase, donation, or other means of transfer or, if the parties cannot agree upon terms for acquisition by such means, by condemnation, any housing described in clause (1) or (2) of subsection (a) of this section which is located at or near a military installation where the construction of housing under the Armed Services Housing Mortgage Insurance Program has been approved by the Secretary."

(c) Section 407(f) of the Act entitled "An Act to authorize certain construction at military installations, and for other purposes", approved August 30, 1957, is amended to read as follows:

"(f) This section shall have no application to any housing described in clause (1) or (2) of section 404(a) of the Housing Amendments of 1955, as amended."

SEC. 703. The third sentence of section 404(c)(2) of the Housing Amendments of 1955 is amended by striking out the matter preceding the first colon and inserting in lieu thereof the following: "The amount of such deposit in any case where the sponsor or owner has not certified the cost of the project to the Federal Housing Commissioner at the time of the enactment of the Military Construction Act of 1959 shall be determined by the Secretary of Defense, or his designee, in accordance with the Act of February 26, 1931 (46 Stat. 1421), with a view toward accurately estimating the equity of the sponsor or owner".

SEC. 704. (a) Title VIII of the National Housing Act is amended by adding at the end thereof the following new section:

"SEC. 810. (a) Notwithstanding any other provision of this title, the Commissioner may insure and make commitments to insure any mortgage under this section which meets the eligibility requirements hereinafter set forth.

"(b) No mortgage shall be insured under this section unless the Secretary of Defense or his designee shall have certified to the Commissioner that (1) the housing which is covered by the insured mortgage is necessary in the interest of national defense in order to provide adequate housing for military personnel and essential civilian personnel serv-

ing or employed in connection with an installation of one of the armed services of the United States, (2) there is no present intention to curtail substantially the number of such personnel assigned or to be assigned to the installation, (3) adequate housing is not available for such personnel at reasonable rentals within reasonable commuting distances of such installation, and (4) the mortgaged property will not so far as can be reasonably foreseen substantially curtail occupancy in any existing housing in the vicinity of the installation which is covered by mortgages insured under this Act. Any such certificate issued by the Secretary of Defense or his designee shall be conclusive evidence to the Commissioner of the eligibility of the mortgage for insurance in accordance with the requirements of this subsection.

"(c) The Commissioner may accept any mortgage for insurance under this section without regard to any requirement in any other section of this Act that the property or project be economically sound.

"(d) The Commissioner shall require each project covered by a mortgage insured under this section to be held for rental for a period of not less than five years after the project or dwelling is made available for initial occupancy or until advised by the Secretary of Defense or his designee that the housing may be released from such rental condition. The Commissioner shall prescribe such procedures as in his judgment are necessary to secure reasonable preference or priority in the sale or rental of dwellings covered by a mortgage insured under this section for military personnel and essential civilian employees of the armed services, and employees of contractors for the armed services, as evidenced by certification issued by the Secretary of Defense or his designee. Such certificate shall be conclusive evidence to the Commissioner of the employment status of the person requiring housing and of such person's need for the housing.

"(e) For the purpose of providing multifamily rental housing projects or housing projects consisting of individual single-family dwellings for sale, the Commissioner is authorized to insure mortgages (including advances on such mortgages during construction) which cover property held by a private corporation, association, cooperative society, or trust. Any such mortgagor shall possess powers necessary therefor and incidental thereto and shall until the termination of all obligations of the Commissioner under such insurance be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment. The Commissioner may make such contracts with, and acquire for not to exceed $100 such stock or interest in, any such corporation, association, cooperative society, or trust as he may deem necessary to render effective such restriction or regulation. Such stock or interest shall be paid for out of the Armed Services Housing Mortgage Insurance Fund, and shall be redeemed by the corporation, association, cooperative society, or trust at par upon the termination of all obligations of the Commissioner under the insurance.

"(f) To be eligible for insurance under this section, a mortgage on any multifamily rental property or project shall involve a principal obligation in an amount (1) not to exceed $5,000,000 or (2) not to exceed, for such part of such property or project as may be attributable to dwelling use, $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit), and not to exceed 90 per centum of the estimated value of the property or project when the proposed physical improvements are completed. The Commissioner may increase any of the foregoing dollar amount limitations per room contained in this paragraph by not to exceed $1,000 per room in any geographical area where he finds that cost levels so require.

"(g) To be eligible for insurance under this section a mortgage on any property or project constructed for eventual sale of single-family dwellings shall involve a principal obligation in an amount not to exceed $5,000,000 and not to exceed a sum computed on the basis of a separate mortgage for each single-family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 203(b)(2) of this Act if the mortgagor were the owner and occupant who had made the required payment on account of the property prescribed in such paragraph.

"(h) Any mortgage insured under this section shall provide for complete amortization by periodic payments within such terms as the Commissioner may prescribe but not to exceed the maximum term applicable to mortgages under section 207 of this Act and shall bear interest (exclusive of premium charges for insurance) at not to exceed the rate applicable to mortgages insured under section 207, except that individual mortgages of the character described in subsection (g) covering the individual dwellings in the project may have a term not in excess of the maximum term applicable to mortgages insured under section 203 of this Act or the unexpired term of the project mortgage at the time of the release of the mortgaged property from such project mortgage, whichever is the greater, and shall bear interest at not to exceed the rate applicable to mortgages insured under section 203. The Commissioner may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release, and a mortgage of the character described in subsection (g) of this section may provide that, at any time after the release of the project from the rental period prescribed by subsection (d), such mortgage may be replaced, in whole or in part, by individual mortgages covering each individual dwelling in the project in amounts not to exceed the unpaid balance of the blanket mortgage allocable to the individual property. Each such individual mortgage may be insured under this section. Property covered by a mortgage insured under this section may include eight or more family units and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants.

"(i) The aggregate number of dwelling units (including all units in multifamily projects or individual dwellings) covered by outstanding commitments to insure and mortgages insured under this section shall at no time exceed five thousand dwelling units.

"(j) The provisions of subsection (d), (e), (g), (h), (i), (j), (k), (l), (m), (n) and (p) of section 207 of this title shall be applicable to mortgages insured under this section except individual mortgages of the character described in subsection (g) of this section covering the individual dwelling in the project, and as to such individual mortgages the provisions of subsections (a), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204 shall be applicable: *Provided*, That wherever the words 'Fund' 'Mutual Mortgage Insurance Fund', or 'Housing Insurance Fund' appear in section 204 or 207, such reference shall refer to the Armed Services Housing Mortgage Insurance Fund with respect to mortgages insured under this section.

"(k) The provisions of section 801, 802(c) 803(i), 803(j), 804(a), 804(b), and 807 and the provisions of section 803(a) relating to the aggregate amount of all mortgages insured and the expiration date of the Commissioner's authority to insure under this title shall be applicable to mortgages insured under this section.

"(l) If the Commissioner determines that insurance of mortgages on any housing of the type described in this section is not an acceptable risk, he may require the Secretary of Defense to guarantee the Armed Services Housing Mortgage Insurance Fund from loss with respect to mortgages insured pursuant to this section. There are hereby authorized to be appropriated such sums as may be necessary to provide for payment to meet losses arising from such guaranty."

(b) Section 808 of such Act is amended by striking out "The" and inserting in lieu thereof the following: "Except in the case of mortgages on multifamily rental housing projects insured under section 810, the".

(c) Section 212(a) of such Act is amended by striking out "or under title VIII" and inserting in lieu thereof "or under section 803 or 810 of title VIII".

TITLE VIII—MISCELLANEOUS

Surveys of public works planning

SEC. 801. Section 702 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to use during any fiscal year not to exceed $50,000 of the moneys in the revolving fund (established under subsection (e)) to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated requirements for State and local public works: *Provided*, That the Administrator, in conducting any such survey, may utilize or act through any Federal department or agency with its consent."

Disposal of Passyunk and Newport war housing projects

SEC. 802. (a) The use of projects PA-36011 and PA-36012 (which were conveyed to the Housing Authority of Philadelphia, Pennsylvania, under section 406(c) of the Housing Act of 1956) for the housing of military personnel and civilians employed in defense activities without regard to their income and the giving of a preference in respect of 700 dwelling units in such projects for such military personnel as the Secretary of Defense or his designee prescribes, for a period of five years after the date of the conveyance of such projects, is hereby authorized; and such use and the giving of such preferences shall not deprive such projects of their status as "low-rent housing" as that term is used and defined in the United States Housing Act of 1937 and within the meaning of that term as used in section 606(b) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended. The Housing and Home Finance Administrator is authorized and directed to agree to any amendments to the instruments of conveyance which may be required to give effect to the purposes of this section.

(b) Section 406(c) of the Housing Act of 1956 is amended by striking out "three years" in the first proviso and inserting in lieu thereof "five years".

Farm housing research

SEC. 803. Section 603(c) of the Housing Act of 1957 is amended to read as follows:

"(c) The authority of the Housing and Home Finance Administrator to make grants under subsection (b) shall expire June 30, 1961. The total amount of such grants shall not exceed $300,000 during each of the fiscal

years ending June 30, 1958, and June 30, 1959, and shall not exceed $100,000 during the period beginning July 1, 1959, and ending June 30, 1961."

Hospital construction

SEC. 804. (a) Section 605(b) of the Housing Act of 1956 is amended by striking out "1958" and inserting in lieu thereof "1960".

(b) Section 605(c) of the Housing Act of 1956 is amended by inserting before the period at the end thereof the following: ", and the sum of $7,500,000 for the purposes of this section for each of the fiscal years ending June 30, 1960, and June 30, 1961".

Savings and loan associations

SEC. 805. (a) Section 5(c) of the Home Owners Loan Act of 1933 is amended by inserting before the colon at the end of the first proviso a comma and the following: "and additional sums not exceeding 20 per centum of the assets of an association may be used without regard to such area restriction for the making or purchase of participating interests in first liens on one- to four-family homes, except that the aggregate sums invested pursuant to the two exceptions in this proviso shall not exceed 30 per centum of the assets of such association".

(b) The second paragraph of section 5(c) of such Act is amended by adding at the end thereof the following new sentence: "Participating interests in loans secured by mortgages which have the benefit of insurance or guaranty (or a commitment therefor) under the National Housing Act, the Servicemen's Readjustment Act of 1944, or chapter 37 of title 38, United States Code, shall not be taken into account in determining the amount of loans which an association may make within any of the percentage limitations contained in the first proviso of this subsection."

(c) Section 5(c) of such Act is further amended by adding at the end thereof the following new paragraph:

"Without regard to any other provision of this subsection except the area restriction, any such association whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts is authorized to invest an amount not exceeding at any one time 5 per centum of such withdrawable accounts in loans to finance the acquisition and development of land for primarily residential usage, subject to such rules and regulations as the Board may prescribe."

Voluntary Home Mortgage Credit Program

SEC. 806. Section 610(a) of the Housing Act of 1954 is amended by striking out "September 30, 1959" and inserting in lieu thereof "October 1, 1961".

Defense housing projects

SEC. 807. Section 606 of the Act of October 14, 1940, as amended (42 U.S.C. 1586), is amended—

(1) by inserting the following sentence after the first sentence of subsection (b): "If any such project is consolidated under a single annual contributions contract with any low-rent project being assisted with annual contributions under the said Act, the payment of any annual contribution on account of any project so assisted shall not be deemed to be a capital grant or annual contribution with respect to any project conveyed hereunder."; and

(2) by inserting the following proviso before the semicolon at the end of subsection (c)(3): ": *Provided*, That the provisions of this paragraph shall not be applicable to any project which is consolidated under a single contract with one or more low-rent projects being assisted under the United States Housing Act of 1937, and all income from any such project conveyed under this section may be commingled with funds of the project or projects with which it is consolidated and applied in accordance with the requirements of the consolidated contract and the provisions of section 10(c) of the said Act".

Disposal of project

SEC. 808. Notwithstanding any other provision of law, the Housing and Home Finance Administrator may, whenever he deems it desirable, in the public interest, and in the fulfillment of the purposes of title VI of the Act of October 14, 1940, as amended (42 U.S.C. 1587), with respect to a housing project known as the Southmore Mutual Housing Corporation Project of South Bend, Indiana, consent to the modification, with respect to purchase price, repayment period, rate of interest, time of payment of any installment on principal or interest, security, or any other term, of any contract, sale, mortgage, or other agreement with respect to such project or any part thereof.

Real estate loans by national banks

SEC. 809. Section 203 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(j) Loans secured by mortgages insured under this section shall not be taken into account in determining the amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, both parties in their national platforms have promised the people housing legislation. Here it is. It is unncessary to discuss the the bill at length. The Members are familiar with the questions involved. I yield such time as he may desire to the gentleman from Alabama [Mr. RAINS].

Mr. RAINS. Mr. Speaker, I agree with my distinguished chairman that this bill needs no further debate. So far as I am concerned, I do not intend to give it any further debate. I could go back and recite the long and tortuous history of housing legislation this year. I could view with alarm and point the finger of blame, but none of that I intend to do today. Instead, I want to tell you, so that you may know, that this is the same bill as the bill which the President vetoed, with three exceptions. I want you to keep in mind that you are voting on the same bill with three changes.

My idea of a housing bill was the first one we passed. And, I want to compliment this House. This is the most comprehensive housing bill since the 1949 act. The second housing bill that came out of the conference with the House and the Senate was a good bill, and we passed it by an outstanding majority. This bill is a fair bill. It has many, many good things in it. I repeat, it is not an ideal bill, but it is an exceptionally good bill under the circumstances under which we worked.

Now as to the three changes in the bill:

First, since the second veto message made the cutoff date for FHA financing its primary bone of contention, the bill before us has removed any finite cutoff date. The bill would add $8 billion outright to the overall authority of the FHA to insure mortgages under its various mortgage insurance programs. The provision that any unused portion of this $8 billion would lapse on October 1, 1960, has been stricken.

I would point out, however, Mr. Speaker, that we have retained the provision which would prohibit future use of the so-called agreements to insure, a highly questionable device which the administration has used for many months in place of true commitments as a means of conserving its insurance authority. It is my understanding that there are presently nearly $5½ billion of these agreements to insure outstanding and a substantial portion of the new $8 billion additional insurance authority would go to honor these outstanding agreements. The remainder would be available for FHA underwriting activity in future months.

I would emphasize that once the $8 billion has been utilized, the agency will be limited in future insurance activity to its rollover, which comes about through principal repayments on outstanding mortgages and the termination or cancellation of outstanding commitments. While practically all of the expert predictions in the past as to when FHA insurance authority would run out have been remarkably inaccurate, it is safe to say that the provision as now written in the bill will inevitably require Congress to renew FHA's insurance authorization in next year's housing bill.

The second concession involves a stretchout of the additional authorizations for sum clearance grants contained in title IV of the bill. The vetoed bill would have provided a total of $650 million with $100 million of that total to be used if necessary to assure the availability of funds to smaller cities. There was no time limit to this authorization and the President's second veto message objected that the total was excessive. Accordingly, the bill before us would make $350 million in slum clearance grants available immediately upon enactment, and an additional $300 million on July 1 of next year.

Frankly, there is no question in my mind that this total falls far short of the totals needed to sustain an effective slum clearance program. Undoubtedly the immediate authorization of $350 million will be almost immediately committed by cities with pending projects, and I can only hope that it will help to meet the needs of most applicants. In view of the vast amount of evidence accumulated by our committees which have demonstrated beyond doubt that we need an annual total of at least $500 million in slum clearance grants, we can be virtually certain that the Congress will be asked next year to provide substantial funds beyond those contemplated in the bill before the House today.

The third and final change in the bill is the complete deletion of the section which would have provided $50 million in long-term low-interest loans to colleges to build classrooms and scientific laboratories. This provision, for reasons which I find incomprehensible, seemed to

arouse the greatest wrath on the part of the administration. My support for the program to extend the college housing loan program to include classrooms and scientific laboratories stems from recognition of the urgency of the need to help our institutions of higher learning in coping with the great educational challenge which very probably can prove to be the crucial factor in our struggle for national survival. I am deeply hopeful that the Congress next year through some medium, whether or not a housing bill, will provide this form of aid vitally needed by our Nation's colleges and universities.

Mr. Speaker, even with the compromises we have been forced to make, I am convinced that we have a well-rounded and much-needed bill before us. First, it will provide the necessary funds to keep our present housing programs in operation at least until next year—the FHA insurance program can continue to play its vital role in the home building industry—the slum clearance program can be kept underway at least at a minimum level—the desperate needs of our lowest income families are recognized at least by the 37,000 public housing units which the bill would authorize—and $250 million additional in loans for the college housing program will prove of great value to our institutions of higher learning in meeting their present serious housing shortages.

In addition, Mr. Speaker, the bill makes a number of improving and perfecting amendments to help stimulate the production of more rental housing and the production of more cooperative housing. It also contains a number of important amendments to improve the operation of both the slum clearance and low-rent housing programs.

Other important amendments would extend the voluntary home mortgage credit program which helps provide FHA and GI financing in rural communities, and would extend the FHA title I home improvement loan program which is of immeasurable benefit in enabling home owners to improve their properties.

I am pleased that the bill would provide additional funds to continue the farm housing research program. Too often we forget that the problem of inferior housing is by no means confined to cities, and I think the farm housing research program has great potential in improving our housing in rural areas.

On the pioneering side, the bill makes the first real step forward toward meeting the special housing problem facing our elderly citizens. By authorizing $50 million in loan funds on liberal terms to nonprofit corporations to build housing for the elderly, we will for the first time provide housing in the rent ranges which most of our elderly families on social security can afford. Mr. Speaker, for 3 long years I have fought to make this program a reality and the thought that it may soon be on the statute books is most gratifying and heart warming to me personally.

Another new feature of the bill which deserves special mention is the provision to provide an FHA insurance program to encourage the construction of nursing homes. One of the greatest unmet needs in the country is for decent nursing homes. And we all hope that the new program will help reduce the misery and dangers suffered by the many unfortunates, particularly older people, who now must live in old, poorly equipped nursing homes.

Another new feature of the bill is the "avoidance of foreclosure" provision designed to prevent FHA homeowners from losing their homes because of economic difficulties beyond their control. I am proud to have sponsored this long needed reform in the FHA program.

Mr. Speaker, these are the salient features of the bill before us. The long and protracted debate on this year's housing legislation is now drawing to a close. Certainly the Congress has bent over backward in an attempt to provide the housing legislation needed for our public welfare. We have finally arrived at a product which preserves the essential outlines of the legislation proposed by Congress during this session and yet which has been tailored to meet most of the President's objections. I believe that we can finally look forward to the date next month when the bill before us will be signed and become a public law. I now strongly urge the immediate passage of the Housing Act of 1959.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. The public housing features of the bill were left as they were before the President vetoed the bill; is that right?

Mr. RAINS. Unchanged. Exactly as they were in the bill that the President vetoed.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from California.

Mr. COHELAN. Would the gentleman be willing to comment on what changes have been made in that portion of the bill on elderly housing?

Mr. RAINS. None at all.

Mr. WIDNALL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the very able chairman of the Housing Subcommittee, the gentleman from Alabama [Mr. RAINS], has just told you that this is a fair bill. I myself believe that it is. I do think it should be pointed out, however, that the changes that have now been made are important and are substantially the ones that were incorporated in the motion to recommit offered by this side of the House. In that motion you will recall the effort was made to place the urban renewal program on a 2-year basis and it took out college classrooms. But, this has now been added, a very important feature, the elimination of the cutoff date of the FHA program. What has been accomplished by the legislative process and the workings of our Government's checks and balances and give and take compromise? There have been three stages in obtaining this housing program which I hope will pass the House today. It is easy to lose sight of the changes that have been made since the House first acted on a bill. The original bill called for $5.8 billion of Government expenditure. Today's bill calls for a total of $1.7 billion. In each case I have included the full cost of public housing, just as in the table appearing on the back page of the CONGRESSIONAL RECORD these past few days, the cost of the President's proposed 6-year housing program is compared with the last vetoed bill, and just as the President's 4-year airport program has been compared with the 2-year program passed by the Congress.

These are the major changes between the first housing bill and the one before us today.

First. Maximum maturity of FHA and VA mortgages have been retained at existing law limitation of 30 years.

Second. FHA insurance authority was retained on a revolving-fund basis without a cutoff or death sentence termination date.

Third. FNMA special assistance par purchase eliminated together with unwise restrictions on fees and charges.

Fourth. FNMA warehousing of FHA and VA loans has been eliminated.

Fifth. Urban renewal authorization has been approved for $50 million more than the 2-year program within the President's budget recommendations.

Sixth. The early acquisition of urban renewal sites has been put on a workable basis.

Seventh. Credit is given to the community for public improvements in an urban renewal project limited to those made within 3 years in place of 5 years.

Eighth. Public housing is cut from $3.7 billion Federal cost to $719 million.

Ninth. The new subsidized college classroom loan provision has been eliminated. Once started that could be a multi-billion dollar program.

Tenth. The mandatory acquisition of Wherry projects has been eliminated.

Eleventh. The migratory farmworkers rental housing program has been eliminated.

Twelfth. Planning scholarships to train people to spend Federal funds faster has been eliminated.

In closing, Mr. Speaker, I would like to pay my respects to the gentleman from Alabama, ALBERT RAINS, our Housing Subcommittee chairman, who has toiled so long to write this housing bill. All who have ever been privileged to serve with him on that committee know his dedication to the job, his complete and full knowledge of the subject, and his fairness as chairman. I am pleased that we have before us here today a bill on which I am sure there will be substantial agreement in the Congress.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2654?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just

passed, at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. TOLL. Mr. Speaker, I voted for the Housing Act of 1959 represented by S. 2654 because it is greatly needed at least insofar as the provisions which it contained and which are supported by the administration are concerned. I decry, however, the elimination of those provisions which apply to construction of classrooms for the education of American youth and to the training of American citizens. These eliminated provisions will restrict and delay the efforts which America must make to provide substantial aid to the educational program necessary to provide absolute superiority in American education and facilities over all competition. I hope that the Members of Congress and the administration will recognize the need for educational support and take favorable action before this Congress adjourns.

Mr. LINDSAY. Mr. Speaker, once again I wish to add my support to the bill S. 2654. From the very first, I have been urging this session of Congress to produce a housing bill which would not only keep alive the many fine aspects of the Federal housing program already in existence, but would also provide new legislative bases for dealing with the urgent housing needs of the Nation. It has become evident that such a bill can be attained only by cooperation between the President and the Congress. In my judgment, the present bill, our third attempt for adequate housing legislation, represents just such an approach. I urge my colleagues to give it their speedy approval.

I am particularly delighted to find that this bill contains, as did its two predecessors in the House, my public disclosure proposal. This measure, section 407 of the bill, would require prospective redevelopers to make public the details of their proposals before any commitment of any kind could be made to them by local authorities charged with responsibility for title I projects. This provision, which has the blessing of the administration and of the distinguished chairman of the Housing Subcommittee [Mr. RAINS], will do much to remedy the defects which have developed in the operation of title I of the Housing Act of 1949 in New York City and elsewhere.

ENTRY OF RELATIVES OF U.S. CITIZENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5896) to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "brothers or" and insert "brothers,".

Page 2, line 4, strike out "or the".

Page 2, line 13, strike out "the effective date of the said Act" and insert "December 31, 1953".

Page 2, lines 17, 18, and 19, strike out "the unmarried son or daughter under twenty-one years of age of the beneficiary of such petition" and insert "the children of such alien".

Page 2, line 19, strike out "a nonquota immigrant" and insert "nonquota immigrants".

Page 2, lines 21 and 22, strike out "a nonquota immigrant visa" and insert "nonquota immigrant visas".

Page 3, strike out lines 1 to 19, inclusive, and insert:

"SEC. 5. (a) Section 205(b) of the Immigration and Nationality Act (66 Stat. 180) is hereby amended to read:

"'(b) Any citizen of the United States claiming that any immigrant is his spouse or child and that such immigrant is entitled to a nonquota immigrant status under section 101(a)(27)(A), or any citizen of the United States claiming that any immigrant is his parent or unmarried son or unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(2), or any alien lawfully admitted for permanent residence claiming that any immigrant is his spouse or his unmarried son or his unmarried daughter and that such immigrant is entitled to a quota immigrant status under section 203(a)(3), or any citizen of the United States claiming that any immigrant is his brother or sister or his married son or his married daughter and that such immigrant is entitled to a preference under section 203(a)(4) may file a petition with the Attorney General. No petition for quota immigrant status or a preference in behalf of a son or daughter under paragraphs (2), (3), or (4) of section 203(a) of the Immigration and Nationality Act shall be approved by the Attorney General unless the petitioner establishes that he is a parent as defined in section 101(b)(2) of the Immigration and Nationality Act of the alien in respect to whom the petition is made. The petition shall be in such form and shall contain such information and be supported by such documentary evidence as the Attorney General made by regulations prescribe. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer.'"

Page 4, strike out lines 1 to 15, inclusive, and insert:

"(c) Aliens who have been granted a preference under paragraph (4) of section 203(a) of the Immigration and Nationality Act pursuant to petitions heretofore approved by the Attorney General on the ground that they are the adopted sons or adopted daughters of United States citizens shall remain in that status notwithstanding the provisions of section 1 of this Act, unless they acquire a different immigrant status pursuant to a petition hereafter approved by the Attorney General."

Page 5, line 2, after "amended" insert "*Provided further*, That, upon his application for an immigrant visa, and for his admission into the United States, the alien is found to have retained his relationship to the petitioner, and status, as established in the approved petition."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Pennsylvania this question, Are all the amendments to the bill germane to the bill?

Mr. WALTER. All amendments are germane to the bill. Actually, the only important amendment is a change of the date in section 4. It moves it up for a year and 7 or 8 days.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Rhode Island.

Mr. FORAND. Mr. Speaker, I believe this is the bill the gentleman has been working on so long to reunite families of people who were in this country who had part of their family overseas.

Mr. WALTER. That is correct. It is the bill that the gentleman from Rhode Island [Mr. FORAND] assisted me in preparing several years ago.

Mr. FORAND. It is a bill that any person who understands and who has any human feeling must be happy to see going through the Congress. I want to compliment the gentleman from Pennsylvania for the long and arduous work he has put in on this bill.

Mr. WALTER. I thank the gentleman. I think the enactment of this legislation into law will eliminate the need to consider a great many private bills, because the bill deals directly with the close relatives of American citizens and aliens lawfully in the United States.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Speaker, I am happy to support this bill, which is basically a bill to reunite families that we have been seeking to bring together. It is actually a breakthrough in some of the heartbreak which these divided families have been experiencing.

This bill will help people who have been waiting hopelessly, often for years, to join their mothers and fathers, brothers and sisters, here in the United States.

There is a huge backlog of these cases. Close relatives of Americans have been knocking on the doors of our consular offices throughout the world, without any chance of joining their families within a reasonable time, because the quotas of their respective countries have been filled. At long last, this bill offers some of these people the realization of their hopes.

Not only they, but all those American families which have been anxiously waiting and hoping for their arrival, will have their hearts lightened by this bill.

This measure firmly reasserts the principle that the reuniting of families shall be one of the basic and permanent cornerstones of our immigration policy. By passing this bill we show once again that America, even though she operates through the cold quotas and figures of the Immigration and Nationality Act, is willing to change those figures where human suffering is at stake. We demonstrate that, in the final analysis, our democratic feelings shape our decisions. In a limited way, this bill is a reaffirmation that America still believes in the words of Emma Lazarus.

I want to compliment the gentleman from Pennsylvania [Mr. WALTER], who

was the architect of the plan to provide for the reunification of families, and to whom we owe this bill. I would also like to call attention to the efforts of the gentleman from New York [Mr. CELLER], who cooperated in getting the bill out on the floor, and of Senator PASTORE, of Rhode Island, who assisted in the improving amendments added in the Senate.

I would like to insert into the RECORD at this point the following memorandum which explains exactly what this bill does:

BRIEF EXPLANATION OF H.R. 5896 AS PASSED BY THE HOUSE AND AMENDED BY THE SENATE

1. Alien unmarried sons and daughters (over 21 years of age) of citizens of the United States are moved up from the fourth to the second preference classification under the immigration quotas (now reserved for parents of United States citizens).

2. Alien unmarried sons and daughters (over 21 years of age) of immigrants admitted to the United States for permanent residence are placed in the third preference category under the immigration quotas, which is the same preference as that which minor children of such immigrants enjoy at the present time (the adult children of permanent residents have no preference status under existing law).

3. The spouses and minor children accompanying either brothers and sisters of U.S. citizens or alien adult married sons and daughters of U.S. citizens are being included into the fourth preference category under the immigration quotas. The inclusion of the immediate family of the preferential immigrant in the same category in which he is classified will permit the immigration of family units when the head of the family is reached for immigration under the quota system.

4. Preferential immigrants (parents, brothers, sisters, and adult children of U.S. citizens, and spouses and minor children of lawfully resident aliens) who are registered on consular waiting lists under dates preceding December 31, 1953, are made eligible for entry outside the quota, provided that the Attorney General has, prior to January 1, 1959, approved the petitions filed in their behalf by their relatives. The date of December 31, 1953, was inserted by the Senate as an amendment substituting it for the date of the enactment of the Immigration and Nationality Act which is December 24, 1952.

5. In order to prevent evasions of the immigration quota restrictions the bill voids a decision of the Board of Immigration Appeals under which children and even adult persons adopted by U.S. citizens were made eligible for fourth preference status under the quotas. (The matter of immigration of alien orphans under 14 years of age adopted by U.S. citizens is the subject of special legislation providing for the necessary safeguards.) The ruling of the Board of Immigration Appeals has not only misconstrued the law, but made it possible to evade quota restrictions by the obtaining of adoption decrees here or abroad, many of them based on rather doubtful good faith. Section 5(a) of the bill is designed to terminate this malpractice. In addition, the number of alien adopted children who may be brought without quota limitations by a U.S. citizen in whose custody they remained for over 2 years, is limited to 2 unless necessary to prevent the separation of brothers and sisters.

Spouses and minor children of persons admitted to the United States under the Refugee Relief Act of 1953 will be permitted to enter the United States outside of quota limitations if petitions in their behalf were filed by the eligible relative and approved by the Attorney General before January 1, 1959. This provision will permit the relatively small number of families separated by the arrival of the breadwinner prior to the coming of his dependents, to be reunited again.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am happy to support H.R. 5896.

The Senate amendments do not change the bill which we formerly passed in any important respect and it remains a vital piece of legislation.

The main effect of the bill is to remove restrictions against the entry into this country of close relatives of citizens and permanent residents.

This will not only have a helpful procedural effect in Congress in eliminating the need for special bills, but it will also permit us to take a great, humane step forward in hastening the reunion of families who have been separated for years due to the present legislation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENDING AUTHORITY OF SURGEON GENERAL OVER AIR POLLUTION CONTROL

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. HARRIS, ROBERTS, RHODES of Pennsylvania, ROGERS of Florida, BENNETT of Michigan, SCHENCK, and DEVINE.

AMENDING FEDERAL CREDIT UNION ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8305) to amend the Federal Credit Union Act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 15, line 8, strike out "$1,000" and insert "$750".

Page 15, line 9, strike out "$1,000" and insert "$750".

Page 30, strike out lines 3 to 6, inclusive, and insert:

"SEC. 3. The Director of the Bureau of Federal Credit Unions shall make a study of the desirability of providing for federally chartered central credit unions, and shall submit to the Secretary of Health, Education, and Welfare, for transmission to the Congress on or before April 15, 1960, a report of the results thereof and such recommendations for legislation thereon as the Director deems appropriate."

The SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from Kentucky?

Mr. WIDNALL. Mr. Speaker, reserving the right to object, and I will not object, will the gentleman from Kentucky [Mr. SPENCE] explain the changes incorporated in this bill by the other body?

Mr. SPENCE. The Federal credit union bill, H.R. 8305, as originally passed, authorized unsecured loans to its members to the extent of $1,000 each. The Senate amendment reduces those loans to $750.

The other amendment changes the wording of a request that the administration make a study of the questions involved and report as to whether or not the establishment of a Federal Central Credit Union was advisable. The bill, as originally passed, directed the administration to prepare legislation and submit it to the Congress. The bill, as amended, provides that the administration shall make a study of this question and report at the next session of Congress. These are the only changes in the bill. They are very inconsequential.

Mr. WIDNALL. Mr. Speaker, I thank the gentleman from Kentucky for explaining the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may have permission to extend his remarks at this point in the RECORD and to include a letter.

The SPEAKER pro tempore. Without objection, it is so odered.

There was no objection.

CREDIT UNION ACT EXPANDED

Mr. PATMAN. Mr. Speaker, the passage of H.R. 8305 today to modernize the Federal Credit Union Act is indeed a historic occasion. Few people realized 25 years ago how pervasive the effects of a Federal credit union law would prove to be.

Today we see more than 19,000 credit unions in the United States serving more than 10 million American citizens. Roughly half of these credit unions operate under Federal charter and supervision.

Remarkable as these achievements may be. I would suggest that the Federal credit union law has made possible other changes in our way of life which are equally significant. The most important achievements of credit unions are those which cannot be measured by numbers. Over these many years credit

unions have demonstrated and made it possible for millions of our citizens to manage their financial affairs in a responsible manner, and at minimum cost. This record of service in helping our citizens solve their financial problems is perhaps the most important single achievement of credit unions.

Moreover, it is not only the members of credit unions who have benefited by these years of fine service; credit unions have brought about a tremendous change in the consumer financing habits of our citizens and the practices of most of our financial institutions. Through the force of example credit unions have ably demonstrated to other institutions that they can profitably serve the financial needs of the American workingman through low cost credit and convenient thrift facilities.

Thus, in all modesty, we must recognize that credit unions have either directly or indirectly benefited all the citizens of our country.

Although I commend the thousands of credit union leaders on this memorable record of achievement, let us not forget that there are still millions of our citizens who have not been able to avail themselves fully of low cost credit and convenient thrift facilities.

I am sure that the new credit union law when enacted will provide the legal structure within which this humanitarian crusade will continue to grow and enrich the lives of our citizens.

WHY THE ADMINISTRATION CANNOT SELL GOVERNMENT BONDS—HOUSING PROGRAM GREATLY AFFECTED BY HIGH INTEREST

Mr. PATMAN. Mr. Speaker, why is it that this administration cannot sell long-term Government bonds at the present maximum of 4¼-percent interest rate, which has been the legal maximum for more than 40 years?

The answer is that the administration's high-interest policy has frightened investors away from these bonds. The administration, with the help and cooperation of the Federal Reserve System, presumably an agency of Congress, has successively raised interest rates and successively reduced the market value of Government bonds previously issued. By raising interest rates, the administration has, in effect, repudiated about 20 percent of the long-term Federal debt.

Under the previous Democratic administrations, conservative investors and managers of investment accounts were glad to invest in Government bonds—and at a low rate of interest—for the very good reason that they could be confident that, should they need their money to pay off claims, or for other contingencies, they would be able to sell the bonds at approximately the price they had paid for them. Today that is no longer true. Just the reverse is true. After almost 7 years of experience with the administration's high-interest policy, any investor in his right mind knows that if he puts $100 into a Government bond today, the likelihood is that next month or next year he can get back only $90 or $80, or even less, should he need his money.

At previous times I have called attention to statements by dealers and brokers in securities, explaining the reluctance of investors to buy Government bonds just on this basis.

Today I want to call attention to a letter I received on September 9 of this year from the manager of an investment fund which holds some $5.5 million of Government bonds issued at earlier times at interest rates running between 2¼ percent and 3 percent. This fund has suffered a loss of over a million dollars, or almost 20 percent on its investment in Government bonds. No wonder the administration cannot sell bonds. Government bonds are today selling at the greatest discount in history. Yet the administration has shown that it is determined to move heaven and earth, if necessary, to raise interest rates still higher. This letter was written to me personally and I have not consulted the writer about making the letter public, so I will withhold his name. The letter is as follows:

DEAR MR. PATMAN: I have your five-page letter of August 12 and I agree thoroughly with you on the four points or legislative proposals which you outlined.

Please use all the power God has given you not to repeal the interest rate ceiling on Treasury bonds. Let it stay as is. Pass H.R. 8302, H.R. 8301, and H.R. 8416. I and thousands of others are with you.

I am commissioner of a fund that has $5,500,000 of Governments from 2¼ to 3 percent that shows a loss of over $1 million at today's market price. Every cent we have are in these securities and if Congress repeals the ceiling rate and puts out 5 or 5¼ percent long-term bonds, the bonds we now have would sink to this yield and would mean another $500,000 loss. The only reason we put everything in Governments was that when we needed cash we could just cash in at par, but today if we wanted to sell off $1 million of the 2½ percent, we would be lucky if we could get 82, or a loss of 18 points. There must be thousands of concerns situated like us. If you read some of the bank statements with Government bonds of long terms, and take the statement at market prices for these bonds, you will find hundreds of banks bankrupt.

Take the Dreyfus Fund, who have over $3 million in Government bonds and see how much loss they have. Electric Bond and Share Fund has $13,400,000 par value, Fidelity Fund has over $11 million with terrific losses.

In our own case, years back we made it a policy to put all cash not needed in the course of claims, etc., that we put it in Government bonds as at that time the Federal Reserve would purchase all Governments at par, but they later decided to let Governments seek its own price. This was absolutely a mistake. Chairman Martin should be ousted. He thinks he owns the Federal Reserve and that he can do anything he wants. Why should Congress allow Martin to hold over $1 billion of cash not needed? Look at the interest that could be saved on this item alone.

I am glad to note you are opposed to repealing the interest ceiling, with or without the amendment. Get your colleagues to stick with you and get a bill passed requiring the Federal Reserve to buy in bonds at par, and the market will then adjust itself and all Government bonds will be selling at par.

Kind warm regards, and more power to you,

Sincerely.

THE ADMINISTRATION IS IMPOSING HIGH INTEREST ON THE WHOLE FREE WORLD; NOW HAS FOUR INTEREST-RATE RACES GOING: A RACE BETWEEN RATES ON GOVERNMENT SECURITIES AND PRIVATE LOANS, A RACE BETWEEN SHORT-TERM RATES AND LONG-TERM RATES, A RACE BETWEEN RATES ON SAVINGS BONDS AND RATES ON MARKETABLE BONDS, AND A RACE BETWEEN U.S. INTEREST RATES AND INTEREST RATES IN OTHER FREE WORLD COUNTRIES

Mr. PATMAN. Mr. Speaker, this administration has been imposing higher and higher interest rates not just on the American people. It is imposing higher interest rates on the people of all the countries of the free world. I doubt if this is actually making friends for the United States among the great masses of people of the free world who have to pay these high interest rates.

Last week the high-interest policy of this Government finally had its effect in West Germany, which has been the one country most immune to the effects of our high interest rates, and the one country most reluctant to choke off expansion of its local economy by high interest rates. The West German Federal Bank finally raised its discount rate by one-quarter of a point, from 2¾ percent up to a new high of 3 percent. This was the first increase in the discount rate in West Germany since 1955. It compares with a discount rate of 3½ percent in the United States and, of course, all the speculation in the financial journals is that the Federal Reserve is about to raise the discount rate in this country to 4 percent. The New York banks are so confident that this will happen that they have already raised their prime rate to 5 percent, which is in itself something of a record.

Furthermore, another rise in the discount rate charged by the Bank of England hinges almost directly on the interest-rate policy of the U.S. Government. When the administration raises interest rates here, the effect is to shift investment funds from the sterling countries, unless the Bank of England promptly raises interest rates; and when the Bank of England raises interest rates it brings about a shift in investment funds from West Germany, unless the West German Government also raises interest rates.

The Wall Street Journal on September 4 announced the increase in the German rate in this fashion:

Borrowing costs rose in West Germany amidst speculation that the Bank of England may raise its discount rate.

Further, the Wall Street Journal said:

Speculation in London was that a rise in the discount rate, now 4½ percent, might be necessary to hold down a flow of British funds into higher yielding U.S. securities, especially if U.S. rates should move higher.

Now is not that a wonderful commentary on the contradictions and muddleheadedness of this administration's

monetary policies? On the one hand the administration's policy is to encourage investment of American capital abroad. It has created at least three new agencies to lend Federal funds in foreign friendly countries. To help build up the capital equipment of those countries, it has created at least one new agency to encourage investment of U.S. private capital in foreign friendly countries and to subsidize and sweeten such investments for the Wall Street bankers. Altogether this Government now has at least six agencies engaged in exporting capital to foreign friendly countries. Yet at the same time the administration is indirectly encouraging all the cries of alarm we read in the newspapers and in the financial journals about the outflow of gold from this country. At least no administration spokesman to my knowledge, and no official of the Federal Reserve System to my knowledge, has spoken out against these cries of alarm. On the contrary, the administration is taking advantage of the fears being expressed by this outflow of gold to help propagandize for its high interest program. On all sides we hear that we must have higher interest rates in this country in order to attract foreign capital which is otherwise going abroad, which means, of course, taking the gold. What nonsense. Why should we spend billions of dollars of the taxpayers' money in a program to export American capital and at the same time raise interest rates in order to attract foreign capital to this country? And, of course, raising interest rates will not attract foreign capital to this country. It only causes countries outside of the Iron Curtain to raise their interest rates.

This is just one more of this administration's races among interest rates. It jacks up one rate and then comes back to Congress asking permission to jack up another rate, saying it is absolutely necessary to make the other rate "competitive." It has created a race between short-term interest rates and long-term interest rates in this country. It has created a race between interest rates on Government securities and interest rates on private securities. It has created a race between rates paid by different agencies and on different forms of debt obligations of the Federal Government. And it has created a race between the general level of interest rates in this country and the general level of interest rates in all other countries of the free world.

The purpose in all this obviously is not to make one rate competitive with another rate. You cannot raise any individual rate without raising all the other rates. And you cannot raise rates in this country without raising rates throughout the free world. The purpose in all this piecemeal and step-by-step process of jacking all interest rates higher and higher is simply to obtain higher interest rates. And the only purpose of raising interest rates higher and higher is to give a bigger and bigger share of the national income to the big-money groups at the expense of the great masses of people.

I wonder how long it will be before enough people demand a halt to these interest-rate races that they will be stopped.

MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1174)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, and 5, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows: In lieu of the language inserted by the House insert:

"SEC. 2. The rights granted by the second and third sentences of the amendment contained within section 1 of this Act shall apply with respect to any proceeding now pending or initiated after the date of enactment of this Act."

And the House agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

CLINTON P. ANDERSON,
FRANK E. MOSS,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) to amend the Mineral Leasing Act of February 25, 1920, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

The House adopted six amendments to S. 2181. All were intended to be perfecting amendments which would not disturb in any way the basic provisions of the bill as it came to the House. The committee of conference has agreed to recommend acceptance of five of these amendments and to recommend acceptance of the sixth with a further clarifying amendment.

The effect of the sixth amendment, as amended, is to assure to lessees under the Mineral Leasing Act and to holders of interests in such leases both a right to be dismissed from cancellation or forfeiture proceedings, now pending or hereafter initiated, upon showing that they acquired their leases or interests as bona fide purchasers and without violating any provisions of the basic act and a right to have their leases extended if rights thereunder to drill and to assign are suspended or waived during such proceedings and if it is ultimately determined that they are not in violation of any provisions of the act.

The conference committee received a suggestion, in connection with this latter amendment, that the bill be further amended to provide for suspension of rental payments during any period when drilling and assignment rights are suspended or waived. The suggestion was not accepted for two reasons: first, the parliamentary situation would not permit this to be done; second, the matter is controversial and would require careful consideration both in the two Interior and Insular Affairs Committees and in the two Houses. Retention of the rental language heretofore agreed to by both Houses requires continued payment of rent during any suspension period but provides for an equivalent rent-free period at a later date in the circumstances covered by the bill.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. GROSS. I simply wanted to ask the gentleman the same question that I addressed to the gentleman from Pennsylvania [Mr. WALTER] on another bill, if all the amendments to this bill on the part of the other body are germane to the substance of the bill.

Mr. ASPINALL. These amendments are all germane. May I advise my colleagues that the committee of conference accepted five amendments which the House put in the bill and accepted the sixth amendment with an amendment. So the House has won the conference.

Mr. GROSS. Mr. Speaker, I have asked this question because the gentleman well knows that the rule of germaneness does not apply on bills now pending in the other body, and they are being cluttered with amendments, some of which have no relation to the bill that the House sends to the other body.

Mr. Speaker, I intend to make the same inquiry on any other bills that are brought up.

I thank the gentleman for explaining the matter.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING RECLAMATION PROJECT ACT OF 1939

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1778) to amend section 17(b) of the Reclamation Project Act of 1939, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 18, after "such" insert "amendatory."

Page 2, line 24, strike out "arrangements." " and insert "arrangements. The Secretary shall report to the Congress all deferments granted under this subsection." "

Mr. HALLECK. Mr. Speaker, reserving the right to object, I understand the gentleman from Colorado conferred with the gentleman from Pennsylvania [Mr. SAYLOR] with respect to this matter.

Mr. ASPINALL. The gentleman from Colorado did confer with the gentleman from Pennsylvania and the gentleman from Pennsylvania said he would speak to the minority leadership.

Mr. HALLECK. I just wanted to be sure this was the same proposition about which he spoke.

Mr. ASPINALL. The gentleman is correct.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEASES OF INDIAN LANDS ON AGUA CALIENTE RESERVATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ASPINALL, HALEY, SISK, LANGEN, and Mrs. SIMPSON of Illinois.

COMPACT BETWEEN THE STATE OF NEW YORK AND THE STATE OF NEW JERSEY FOR THE CREATION OF THE NEW YORK-NEW JERSEY TRANSPORTATION AGENCY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 403 granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the House joint resolution.

The Clerk read the Senate amendment, as follows:

Page 19, strike out lines 11 to 16, inclusive, and insert:

"(b) Any long-range plan, when adopted by concurrent legislation of the compacting states, shall be submitted to Congress for its consent before such long-range plan becomes effective.

"(c) Any concurrent legislation enacted by the compacting states amending or supplementing this compact shall be submitted to Congress for its consent before such legislation becomes effective, except that this subsection shall not apply to article 4.6 of this compact."

The SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Speaker, reserving the right to object, may I inquire whether or not this has been cleared with the minority Members?

Mr. CELLER. Yes; it has been cleared.

Mr. HALLECK. I have no information about it myself.

Mr. CELLER. It has been cleared. I spoke to the gentleman from Ohio [Mr. MCCULLOCH], and the gentleman from Massachusetts [Mr. MCCORMACK].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GREAT LAKES VESSELS

Mr. BONNER. Mr. Speaker, I call up the conference report on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 990)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That, notwithstanding the provisions of the Merchant Ship Sales Act of 1946, as amended (60 Stat. 41, 50 U.S.C. 1735, as amended by Public Law 856, Eighty-first Congress), and contracts executed thereunder, vessels purchased from the United States for exclusive use on the Great Lakes, including the Saint Lawrence River and Gulf, and their connecting waterways, may be operated in any trades and in any manner permitted to other vessels documented under the laws of the United States."

And the Senate agree to the same.

GEORGE P. MILLER,
HERBERT C. BONNER,
THOMAS LUDLOW ASHLEY,
THOR C. TOLLEFSON,
W. S. MAILLIARD,
Managers on the Part of the House.

CLAIR ENGLE,
E. L. BARTLETT,
JOHN M. BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

AMENDMENT OF THE SENATE TO THE BILL H.R. 4002

The House bill permitted vessels purchased from the United States for exclusive use on the Great Lakes (including the St. Lawrence River and gulf) and their connecting waterways to be operated in any trades and any manner permitted other vessels documented under the laws of the United States notwithstanding the Merchant Ship Sales Act of 1946.

The Senate amendment which struck all after the enacting clause adopted provisions substantially the same as the House bill as title I and added as title II a prohibition against the issuance of any ticket or pass for free or reduced rate of transportation to any official or employee of the U.S. Government or any member of their family traveling on a ship sailing under the American flag in foreign commerce or in commerce between the United States and its Territories or possessions, with certain exceptions. The Senate amendment provided a penalty for violation of title II.

The managers on the part of the House disagreed with title II of the Senate amendment on the grounds that it is not germane to the bill. Moreover, the proposed provision is both extremely broad and complicated in its scope. Its effect on existing law and existing procedures and practices within the various Government departments which would be affected is unknown. A bill (S. 1114) is presently pending before the Senate Interstate and Foreign Commerce Committee which is intended to cover the objectives of the amendment. A similar bill (H.R. 4945) is pending before the Committee on Merchant Marine and Fisheries in the House. Departmental reports on the House bill point to numerous difficulties which would arise if the bill were enacted as proposed by this Senate amendment. If the objectives of the amendment are desirable, they should be appropriately considered after full hearings to determine the need for corrective legislation.

The conference agreement retains the provisions of the House bill without change and does not contain any provisions comparable to title II as added by the Senate amendment.

GEORGE P. MILLER,
HERBERT C. BONNER,
THOMAS LUDLOW ASHLEY,
THOR C. TOLLEFSON,
W. S. MAILLIARD,
Managers on the Part of the House.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

PRESIDENT'S VETO OF PUBLIC WORKS BILL

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, many Members of Congress, Republicans and Democrats alike, are dismayed with the President's second veto of the public works appropriation bill.

It would almost appear that the White House is trying to take over the legislative process.

The measure vetoed by the President actually calls for $97,000 less than originally requested for public works by the administration.

Included in this bill are funds for South Dakota's Big Bend, Oahe, and Fort Randall Dams, and the Sioux Falls flood control project.

The amazing thing about the Presitiondent's refusal to OK this measure is the fact that he has insisted on legislation that calls for the granting of American tax funds for 1,450 public work projects in foreign countries.

Many of these foreign-aid projects are not nearly as sound economically as the home projects in the bill objected to by the White House.

I personally believe that after an experienced congressional committee has carefully studied the feasibility of a water project here in the United States and has made every reasonable effort to stay within the budget, the President should exercise great restraint in vetoing the overwhelming action of the legislative branch.

A dollar invested in developing America's God-given resources will be returned several times over to the American people.

I trust that the Congress will override this unfortunate veto.

CRIME AND THE JUDICIAL PROCEDURES FOLLOWED IN THE PROSECUTION OF JUSTICE

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include editorials.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, on July 13, 1959, I introduced H.R. 8180, a bill to require the collection of various statistics related to crime and the judicial procedures followed in the prosecution of justice. The bill was drafted along the lines suggested in an article by former President Herbert Hoover in This Week magazine dated June 7, 1959.

The urgent need for such a study and the soundness of President Hoover's proposal is confirmed by the strongly favorable editorial comment from all across the Nation. Under unanimous consent, I include a number of these editorials herewith:

[From the Oakland (Calif.) Tribune, June 9, 1959]

HOOVER'S CRIME CENSUS OFFERS INTELLIGENT APPROACH TO PROBLEM

Herbert Hoover's newspaper article this week urging a crime census as a new weapon is an important contribution to the subject and deserves favorable consideration in the highest places.

The FBI of course reports on crimes committed. This covers about 85 percent of the population. The figures show that from 1947 to 1957 major crimes have increased three times faster than the rise in population.

What concerns Mr. Hoover is not only that this is an appalling figure but that there is a vast area of information about crime that we don't know. He says:

"What we do not know is what happens after those crimes are committed. In other words, how efficient are our procedures and methods of justice in stemming this rising flood of crime? That is the major question in determining any plans for better protection of our people."

On this phase the FBI has only data that is sent to it and this report covers only about 25 percent of the total population. Mr. Hoover himself compiled some figures, a few of which follow:

Murder and nonnegligent manslaughter: There were 6,920 known offenses and only 48 executed.

Murder by negligence: There were 5,740 known offenses and about 1,400 found guilty.

Burglary: There were 590,020 known offenses and 72,000 found guilty, which is 12 percent.

And so on down the list of crimes.

In order to determine where our governmental machinery fails to support our constitutional right to be secure in our persons, Mr. Hoover proposes that the Census Bureau be instructed by Congress to conduct a special and separate census by examining the police and prison records.

This information, which is not available now, would indicate whether our courts are being lax or effective. It would give invaluable insights into juvenile delinquency, its relation to family situations, etc.; and provide the basis for judging the parole and probation systems. Such a report would help every local, State, and Federal agency concerned with crime prevention. It would contribute to a more intelligent and constructive approach to a problem about which we know too little.

[From the Santa Barbara (Calif.) News-Press, June 15, 1959]

HERBERT HOOVER PUTS SPOTLIGHT ON CRIME

Freedom in the United States is in more jeopardy from crime than from all the Communist conspiracies within our borders.

That startling statement came from former President Herbert Hoover. He added that something has to be done about it, and made a few specific suggestions.

To bolster his statement, Hoover cited a set of shocking statistics. He said FBI reports show that major known crimes have grown from 1,685,000 in 1946 to approximately 2,800,000 in 1957, or three times as fast as the increase in population. Other FBI reports indicate increases in the number of major offenses in 1958 alone all the way from 2 percent to 14 percent. Rape offenses alone increased 10 percent.

The most heartbreaking increase is among teenagers under 18 years of age. During 1957, there were 740,000 of these youngsters arrested. Since 1952, the population group under 18 years of age has increased 22 percent while arrests of persons under 18 have increased 55 percent.

Are police and the courts keeping up with the rising tide of crime? Hoover points to these percentages of people found guilty in 1 year, compared with the number of offenses: Manslaughter by negligence, 24 percent; rape, 37 percent; robbery, 26 percent; aggravated assault, 27 percent; larceny, 10 percent; auto thefts, 14 percent, and burglary, 12 percent.

Before much of a constructive nature can be done, we need more facts, Hoover contends. So he proposes that the Census Bureau be instructed by Congress to conduct a special and separate census by canvassing police and prison records. The purpose would be to get a clearer picture of crime and punishment—in what crime categories detection and enforcement are inadequate. The survey would tell us in a broad way what happens to men and women convicted of specific types of crime, how long they are imprisoned, how many repeat their crimes, and the like. From such data, Hoover says, we could judge whether the courts are being lax or effective.

The teenage results would show the family situations of teenagers who are arrested—how many have lost one or both parents, how many have parents who are divorced, how many have had religious training.

There can be no question of the seriousness of the crime situation. The figure of 2,800,000 major crimes a year is staggering. Let us hope that the spotlighting of the tragedy by the former President will start others thinking and acting on solutions.

[From the Pueblo (Colo.) Star Journal, June 21, 1959]

HOOVER'S CRIME CENSUS PLAN IS SOUND

Crime has grown to the point in the United States where it threatens to destroy one of our rights in the Bill of Rights—the right which guarantees all Americans "to be secure in their persons." That's the warning sounded by Herbert Hoover, former President.

The Nation, according to Mr. Hoover, possesses much information pertaining to crimes, but "there remains a vast area of things about crime which we don't know." Among the things we don't know, he writes, is what happens after crimes are committed. How efficient are our procedures and methods of justice in stemming the rise of crime?

Mr. Hoover recommends that Congress instruct the Census Bureau to take a special census of crime by examining police records in order to help find the answers. Names of every person arrested in a 2-year period would be listed, but held confidential, and every pertinent fact about the crime and disposal of the case reported.

It is recalled that Mr. Hoover is an experienced engineer and he is adopting the engineer's procedure of learning the full dimensions of the job to be done before tackling ways to do the job. In this case, the task is to reduce the amount of crime.

It strikes us that he is on the right track, and his suggestion is commanding support. His interest in the youthful criminal is typical of his humanitarian understanding. He wants the complete family background of each young offender analyzed, an examination that will help to fix the blame when young people go bad.

It is the belief of Mr. Hoover that if a crime census is taken, publication of the facts will convince Americans that crime menaces their freedom and security more than the Reds. It also will convince Americans, as the former President says, that it surely is time to get tough.

[From the Meriden (Conn.) Journal, June 8, 1959]

CRIME CENSUS PROPOSED

Ex-President Herbert Hoover has proposed that the United States conduct a crime census, through the Census Bureau as a means of showing how "our freedoms are eaten away by criminals."

The crime census, taken separately by canvassing police and prison records, would list the name of every person who had been arrested for a crime during the last 2 years, but the names would be kept confidential so

as not to reflect on persons who had reformed. It would give the date of the crime and its nature, the date of arrest, amount of bail set, number of instances when bail was jumped, crimes committed by persons out on bail, whether tried or not, the date of the trial, whether convicted or not, date of the sentences and the sentence imposed. Facts would be recorded about fine and imprisonment, appeals, modification of sentences, time served in prison, paroles granted, persons placed on probation and suspended sentences. All of this information should be placed on cards, Mr. Hoover states. The cards would be punched according to a code, and could then be sorted to give the complete national crime picture.

From the data, it could be determined whether our courts are lax or effective. The crime census would point out facts which might be of great assistance in reducing crime. The teenage cards would show the extent to which unhappy family situations influence crime. Flaws in governmental machinery for protecting our fundamental constitutional rights would stand out under such an analysis.

Mr. Hoover makes no estimate of the cost of conducting such a census, but the Census Bureau machinery, as it is set up, should be adequate for the purpose. Whatever the cost, it would be justified if the information obtained pointed the way toward reform.

There is good reason to suspect that criminals are multiplying too fast for our present law enforcement agencies to cope with them effectively. The underworld is getting out of control, and actually threatens to take over parts of our Government. We should know exactly where we stand, and Mr. Hoover's crime census would be one way of accomplishing this. Like most of his ideas it is sound and practical.

Legislation should be introduced in Congress to authorize a crime census to be gathered along the lines proposed.

[From the New Orleans (La.) States and Item, June 13, 1959]

CRIME CENSUS URGED

Herbert Hoover, who has gained added prestige for his dedication to economy in government, turns his critical eye on the matter of crime in America.

Writing in last Sunday's This Week magazine, the former President was appalled over the fact that major known crimes have grown in the United States from 1,685,000 in 1946 to 2,800,000 in 1957, "or three times as fast as the increase in population."

These major crimes include murder, manslaughter, rape, robbery, aggravated assault, larceny, automobile theft and burglary.

Even more alarming is Mr. Hoover's disclosure that during 1957 a total of 740,000 teenagers under 18 were arrested.

"Since 1952," he pointed out, "the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent."

Mr. Hoover wonders: How adequate are our files on crimes and criminals and how efficient is our legal system in stemming the rising flood of lawlessness?

Toward satisfying this curiosity, he makes a recommendation:

"My proposal is that the Census Bureau be instructed by Congress to conduct a separate and special census by canvassing the police and prison records."

This survey, as envisioned by Mr. Hoover, would not only provide a complete, central file on the lawless component of our population, but would also point up deficiencies in our court system.

His recommendation is certainly worthy of study as a possible means of stamping out the mounting blight of crime.

[From the Detroit (Mich.) News, June 17, 1959]

CRIMINAL NOSE COUNT

Herbert Hoover has proposed a massive, nationwide count of criminal noses by the Census Bureau. The idea is not to have the census takers go skulking through the shadier saloons and gambling joints in search of uncounted thugs, but to canvass police and prison records.

The need for such an accounting is clearly demonstrated by the startling discrepancy between the number of known crimes and the number of criminals caught. The depredations of organized crime, its outrageous success in outsmarting existing devices to control it, are familiar to anyone who reads the newspapers.

But what happens to these outlaws when they do get nabbed? How many jump bail and head for greener pastures where the wolves are asleep, or on the take? What happens to those who are convicted? How efficient are the police in keeping track of all these criminals, and how effective are prosecutors in obtaining convictions?

The answers now lie a-mouldering in police stations and courthouses throughout the country. The FBI manages to sweep up mountains of information about crime and criminals, but much of the dirt remains in nooks and crannies beyond its reach. This was tolerable when most crime was by local option. Lately, it's become a national affair.

Hoover's census could fill in the blanks on the American criminal form. We have only one reservation: There should be no file of dossiers on the innocent. A central file on convicted criminals could reduce their ranks. One which included the innocent—the suspect who is arrested and released—could reduce our liberty.

[From the Jackson (Mich.) Citizen Patriot, June 8, 1959]

HERBERT HOOVER ON CRIME

An extremely thought-provoking comment on one of the Nation's most pressing problems—its rapidly growing crime rate—comes from Herbert Hoover who calls attention to the "vast area of things about crime which we don't know."

Quoting the statistics supplied by another famous Hoover, J. Edgar of the FBI, the former President shows that major known crimes have jumped from 1,685,000 in 1947 to 2,800,00 in 1957, or three times as fast as the increase in population.

This upswing in the crime rate, with its concentration in the younger age groups, has been the subject of many studies and has brought forth numerous recommendations for action.

Mr. Hoover—Herbert, that is—suggests that the one great gap in crime statistics is a survey of "what happens after those crimes are committed."

"In other words," he writes, "how efficient are our procedures and methods of justice in stemming this rising flood of crime? That is the major question in determining any plans for the better protection of our people."

He gives point to his question by using fragmentary statistics based on samplings taken by the FBI.

His estimates indicate, for example, that in 1 year there were 21,080 known cases of rape and that only about 7,900 persons, or or 37 percent were found guilty. In the aggravated assault category, there were 100,-110 offenses and 27,000 found guilty, or 27 percent. There were 1,721,170 larceny offenses known to the FBI and an estimated 171,000, or 10 percent, found guilty.

On the face of these figures, which are admittedly estimates based on limited samplings, it is possible to reach the conclusion that something is wrong with the enforcement and prosecution processes. It might be said that the rights of criminals are being protected to such a degree that the right of the public to protection from wrongdoers is being shamefully abused.

The problem isn't that simple, however, in the view of Mr. Herbert Hoover. More must be known, as he says, about what happens after the crimes are committed.

His recommendation is for a nationwide survey, conducted by the Census Bureau, to fill in the gaps in the knowledge of crime. This, he believes, should include such details as the nature of each crime, the date of arrest, if any, the amount of bail set, how many jumped bail or committed other crimes while free under bond, the nature of the charge brought, the date of the trial, the outcome, the date and nature of the sentence; appeals, if any, and the time served in prison.

With that statistical matter at hand, it would be possible to reach definte conclusions about the procedures and methods of justice rather than sweeping conclusions which may be drawn from the broader figures.

This certainly should be done. At the present rate of increase, the flood of crime literally is threatening to engulf the American people. This is a disease which feeds on itself. Each unpunished crime only encourages more wrong-doing.

The former President again has made another significant contribution to the Nation he has served so well. He has provided the blueprint for getting to the root of the crime problem. It will be a shame if his suggestion is ignored.

[From the Mankato (Minn.) Free Press, June 8, 1959]

CENSUS OF CRIME

Former President Herbert Hoover has proposed a "census of crime" to aid the battle against what he calls the "eating away of our freedoms by criminals."

At first glance the suggestion doesn't appear important, but when the full scope of Mr. Hoover's proposal is taken into consideration, it is evident that such a census might well be beneficial. In itself it would do nothing to deter criminals, but it would give the American people as a whole, and law enforcement agencies in particular, valuable data from which to map an effective campaign against the lawbreakers.

As Mr. Hoover pointed out, major crimes grew three times as fast as the population during the years between 1946 and 1957. There were 2,800,000 instances of major lawbreaking in the latter year.

It is evident that, with this kind of increase, not a very good job is being done in combating major law violations. With the facts and figures collected under Mr. Hoover's plan, a wide variety of information would be available. And if it were used right, it could provide an insight into the problem which might bring better crime prevention.

The increase in major criminal acts since World War II has been shocking, but even more than that. It is threatening the life and welfare of every American citizen.

[From the Winona (Minn.) News, June 8, 1959]

WE MUST KNOW MORE ABOUT CRIME

They say crime doesn't pay, but former President Herbert Hoover has grave doubts about that.

In an article released Sunday on the rise of crime, Hoover deplores the lack of statistical information on how the police, courts, and prisons handle crime. Hoover wonders "whether we have elevated crime into a

pastime with occasional free board and lodging."

Major known crimes have increased from 1,685,000 in 1946 to 2,800,000 in 1957—rising three times faster than the increase in population. These figures are based on reports that local law enforcement officials around the Nation send to the FBI. Although Hoover commends the FBI for rounding up this information, he says these statistics cover only perhaps 85 percent of the Nation. Hoover would like to see the whole Nation covered and he'd like the statistical study to go into more detail.

Hoover proposes that the U.S. Bureau of the Census do the job. This bureau, which counts noses throughout the Nation every 10 years, is of course well equipped to handle such an assignment.

It would be easy for us in the Winona area to dismiss Hoover's concern about crime as being of little local interest. After all, major crime is practically nonexistent here. Most of the major crime news this newspaper reports originates in distant big cities. But let's remember that the Nation's crime problem could become our problem too. It would take only one major crime of violence to give Winona a black eye.

Now, getting back to Herbert Hoover. He asks, "How can we fight crime if we know so little about it statistically?" And what we do know seems to indicate to Hoover that many criminals go uncaught or receive mild treatment at the hands of the law. He finds available statistics on teen-age crime cause for alarm.

"During 1957 there were 740,000 of these youngsters (under 18) arrested," Hoover says. "Since 1952 the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent."

Hoover estimates that of 1,721,170 known larceny cases (year not given), only about 171,000 persons were convicted—about 10 percent of the total cases. Maybe crime does pay after all!

Here's the kind of information about crime Hoover would like to see the Census Bureau collect—from police and prison records, not from persons.

Names of persons arrested on criminal charges during the past 2 years.

Nature of crime, date of the crime, and date of arrest.

Amount of bail, how many defendants jumped bail, and how many committed crimes while on bail.

Date of trial and disposition of the case.

Details about fine or imprisonment, time actually served in jail, whether paroled, and whether the exconvict committed a crime during his parole.

Hoover says the FBI could continue to collect crime figures and that these could be turned over to the Census Bureau, making the Census Bureau's crime survey much easier than would be expected.

If the Census Bureau's crime information were transferred to punched cards and run through machines, here's what Hoover says we'd learn:

"The machines would tell us how many of the known offenses resulted in arrests, how long it took from the discovery of the crime until a perpetrator was tried, how long it took from conviction to prison, and how long was the average length of time in prison for each category of crime.

"From such data we could judge whether the courts were being lax or effective.

"A report of the type I suggest would help every local, State, and Federal agency concerned with the prevention of crime to do a better job.

"And such a census would take a load of blame from our generally courageous and efficient police forces and would help relieve their too-frequent frustration."

[From the St. Louis (Mo.) Globe-Democrat, June 9, 1959]

NEED FOR HOOVER CRIME CENSUS

Last May 5 St. Louisans were murdered; 17 St. Louis women were raped and 240 St. Louisans were set upon and badly beaten. Each crime meant a personal tragedy to some family.

Some victims of assault may have to spend weeks or months in a hospital or under a doctor's care. Some children may have lost a father or mother at the murderer's hand. Some women may have suffered mental or emotional scars that will mark them for life.

When crime is translated from the cold impersonal figures of the FBI statistics to the lives of those it touches, we realize vividly that it is "heartbreaking." This is the word that former President Herbert Hoover used when he called Sunday for a national crime census.

Most police departments report the number of major crimes committed within their jurisdiction to the FBI. As Mr. Hoover pointed out in This Week magazine:

"These reports show that major known crimes have grown from approximately 1,685,000 in 1946 to approximately 2,800,000 in 1957, of three times as fast as the increase in population."

The reports also reflect the alarming rise in juvenile crime. Since 1952 the number of boys and girls 18 and under has increased 22 percent, but the number of them arrested has increased 55 percent.

While the FBI figures do tell us how many major crimes are committed, they leave us in the dark about many other important details. So do all our other sources of information.

We do not know, for example, how many sex crimes are committed by repeaters.

We do not know how long criminals are out on bail awaiting trial, nor how many crimes they commit while in this status.

Most important of all, we do not know if the total effort of our police, our prosecutors, our courts and our prisons is adequate to curb our crime rate which is climbing like a skyrocket.

Mr. Hoover suggests that Congress order the Census Bureau to "conduct" a special and separate crime census by canvassing the police and the prison records in every city and hamlet in the United States to collect complete data.

Minor offenses could be omitted and the records on juvenile delinquents would be kept separately.

If the data from such a census were recorded on punch cards, electronic sorting machines could quickly run through them to provide a detailed, accurate report on every aspect of our crime problem.

The Hoover suggestion was warmly applauded by St. Louis Circuit Attorney Eagleton. He said:

"Despite the best efforts of police and prosecutors, crime has steadily increased and, unfortunately, will continue to do so unless the public becomes aroused.

"If a National Crime Census Bureau were to publicize the true facts of the crime situation, I believe the public would drop its attitude of complacent smugness."

Mr. Hoover warns that we have reached a time when decent Americans have an "imperative duty to mobilize all our resources of knowledge and power to check the inner blight of crime."

No one ever can hope to win a war unless he understands the enemy.

A national crime census would give Americans the information they need to be kept "secure the persons," safe from the shocking assaults that the criminal population now makes on their property, their safety, their lives.

[From the Towanda (Pa.) Review, June 18, 1959]

WE'VE HELPED SET THIS RECORD

In a recent article Herbert Hoover pointed up something which has been causing great concern of late, even in rural communities like those in which we live. He showed by cold statistics how crime increases as those who violate the law escape punishment by one means or another.

In 1957 alone the Federal Bureau of Investigation compiled a list of 2,800,000 known major crimes yet on January 1, 1958, only 195,414 persons were in Federal and State prisons and only 80,408 were received from the courts the previous years.

The Bureau of Prisons also reports that in the previous year 43,357 prisoners were paroled * * * crimes committed when on parole or other reasons.

There were 6,920 known cases of murder and non-negligent manslaughter but only 48 persons were executed.

Of 61,410 known cases of robbery, about 16,000 were found guilty—only 26 percent.

There were 100,110 known cases of assault and battery but only 27,000 were found guilty.

About 171,000 out of 1,721,170 brought into court for larceny were convicted—only about 10 percent.

There were 289,950 caught for auto thefts but only 41,000 were found guilty. The record for burglary cases was even worse—72,000 offenders convicted out of 590,020.

Those figures are quite an indictment of our jury system. All too often weak-kneed men and women are chosen for jury duty. They are swayed by their personal likes and dislikes, by the persuasiveness of an attorney, by the thought that they themselves might some day be the one sitting as a defendant. This last is often the reason for acquittal of defendants in drunken driving cases. Another reason, jurors have told us, is failure of the Commonwealth to present the case in a manner blocking loopholes which a keen attorney can discover and use to good advantage. Jurors have said they wish to uphold the law but feel, and justifiably, that if a guilty verdict is to be returned, the case against the defendant must be proved beyond a reasonable doubt.

Nevertheless, no matter how hard the officers of the law try to make it safe for motorists, their labor is to no avail when juries make a mockery of the law prohibiting drunks from getting behind the wheel and starting down the road. Just so long as juries fail to do their sworn duty in such cases, this menace on the highway will increase.

The Bill of Rights guarantees to all Americans the right to be secure in their persons.

As the former President pointed out, that surely must include the right of our people to walk the streets free from holdups, muggers, murderers, hoodlums, and teen-age gangs, and to drive on the highways free from intoxicated persons unable to properly operate their machines.

Hoover says freedom in the United States is in more jeopardy from crime than from all the Communist conspiracies within our borders. He fears we are elevating crime into a pastime with occasional free board and lodging.

The ex-President is right. Remember that the enemies of our civilization numbered over 2,800,000 in 1957 alone.

It's time to get tough. It's time for all decent Americans to demand that law enforcement officers be upheld to the fullest measure. More than that, it's an imperative duty for each of us to stand unflinchingly for the right whenever we ourselves are called upon to sit in the jury box. No innocent person should ever be convicted but by the same token, those who break the law should not be coddled or permitted to go

scot-free. It's that which breaks down the morale of those commissioned to protect us and which encourages others to break the laws with impugnity.

We must check this inner blight of crime. There's no better place to start than with ourselves.

[From the Wilkes-Barre (Pa.) Record, June 10, 1959]

FOR CRIME CENSUS

A new kind of national crime census has been proposed by Herbert Hoover. It implies no lapse on the part of the FBI. The former President of the United States credits J. Edgar Hoover, head of the FBI, as being a magnificent voice crying in a wilderness of multiplying criminals.

In Herbert Hoover's mind is not a proposal to reform criminals, but a proposal to publicly illuminate some of the spots where our governmental machinery fails to provide our constitutional rights of protection. He would have the Census Bureau instructed by Congress to conduct a special and separate census by canvassing the police and the prison records.

Both as a sidelight and as a persuasive reason for having the Census Bureau do the job, Mr. Hoover remarks that, when it collects such massive information it punches holes in a card. "Each hole indicates an item collected. Then when they pass these cards through batteries of machines the total can be obtained on any item wanted."

As to detail, we quote Mr. Hoover: "Such a census should include the following: The name of each person who has been arrested for a crime during the past 2 years (these names should be held confidential so as not to reflect on reformed persons); a record of the nature of the crime; the date of the crime; the date of arrest; the amount of bail set; how many jumped bail; how many committed crime when out on bail; whether tried or not; the date of the trial; whether convicted or not; the date of the sentence; the sentence imposed."

Like a host of other suggestions from our tireless elder statesman, this latest proposal has a background—in this case rising crime—that makes the suggestion timely. Its promise of usefulness is self-evident.

[From the Maryville (Tenn.) Times, June 26, 1959]

CRIME AND PUNISHMENT

For some reason that a psychiatrist could probably understand but which we are unable to realize, there seems to have been more prison riots and bank robberies during the past several months than we have known to have occurred in recent years.

A bank robbery took place in Mountain City, Tenn. Wednesday's and Tuesday's newspapers carried stories of a bank robbery in Virginia not far from the border of Tennessee. Just 2 weeks ago there was another bank robbery between Cleveland and Athens at the Hiwassee Bank in Charleston, Tenn. This is getting somewhat too close for it not to have some local significance.

Several months ago there were two prison riots in rapid succession and Monday night another group of prisoners seized their guards to take over a wing of the prison at Springfield, Mo.

Perhaps it is a sign of the times when, in the middle of the land of plenty of money and luxury, there are those who are denied these things and they rebel.

The other day we read of a novel prison where a brandnew theory of punishment was meted out. The prison was more of a barracks than anything else where an inmate could set up housekeeping with his wife. He worked at hard labor but for a price that could keep his home together while he served out his sentence.

Reports have shown that major crimes have grown from 1½ million a year in 1946 to over 2½ million a year in 1957, some three times the increase in population. There were some 61,400 cases of robbery of which some 26 percent were found guilty.

A recent proposal by Herbert Hoover would have a National Crime Census set up to gather the number and analyze the various reasons for crime in the United States. Hoover has stated that we do not know enough about crime to punish it adequately. This is indicated by the increasing number of repeated offenders.

It seems an excellent idea, for, before a problem can be licked, it must be recognized. The total number of crimes in each category must be obtained and the nature of each described.

Facts obtained from the study of reports, of the punishment meted out and the rehabilitation of the offender would give some key to the exact characteristics of crime and help in finding a way to treat this disorder of society.

[From the Cuero (Tex.) Record, June 16, 1959]

TOWN TALK

Shocking indeed were the Crime versus Punishment statistics compiled by Herbert Hoover and released to the press on Sunday, June 7.

Hoover wrote, "The Bill of Rights guarantees to all Americans the right to be secure in their persons."

But in actual fact, how secure are we? What do we know about the crimes being committed in our country? What happens to these criminals? And, what do we do about it?

Hoover continues—the most heartbreaking increase of crime is among the teenagers under 18 years. During 1957 there were 740,000 of these youngsters arrested. Since 1952 the population group under 18 years of age has increased 22 percent while arrests of persons under 18 years have increased 55 percent.

With the help of data from the FBI, Mr. Hoover released the following figures on crimes classified in eight categories.

Murder and nonnegligent manslaughter—there were 6,920 known offenses. Only 48 persons were executed. (No records can be found on how many were serving life sentences.)

Manslaughter by negligence—There were 5,740 offenses known. About 1,400 defendants were found guilty, or 24 percent.

Rape—Of the 21,080 offenses known, there were about 7,900 found guilty or approximately 37 percent.

Robbery—Of the 61,410 offenses known there were about 16,000 found guilty, or 26 percent.

Aggravated assault—There were 100,110 offenses known and of these 27,000 were found guilty, which is 27 percent.

Larceny—There were 1,721,170 offenses known to the FBI. Only about 171,000 of these offenders were found guilty. This is approximately 10 percent of the total.

Automobile thefts—There were 289,950 offenses known with about 41,000 of the offenders found guilty, or 14 percent.

Burglary—There were 590,020 offenses known and 72,000 offenders found guilty, or 12 percent.

Are not those statistics enough to jar even the most complacent of us into just how bad the situation has really become? Where does the fault lie? Are parents delinquent? Are law-enforcement agencies falling down on their jobs? Are the courts too lenient?

We would like to know the answer.

[From the Elkins (W. Va.) Inter-Mountain, June 18, 1959]

NEW CRIME WEAPON

Ex-President Herbert Hoover, with his usual capacity for going to the heart of a problem, has proposed a new census to expose the facts behind the crime statistics in periodic FBI reports.

Gathering their figures from local law enforcement agencies, FBI statisticians have been reporting a steady and disheartening increase in the American crime rate. Their records reveal that major known crimes have increased from 1,685,000 in 1946 to 2,800,000 in 1957, a rate of growth three times that of the population.

The ex-President points out, however, in an article in This Week magazine, that the bare figures of the crime record are about all we know. "What we do not know," he says, "is what happens after those crimes are committed. In other words, how efficient are our procedures and methods of justice in stemming this rising flood of crime?" His own research indicates that relatively few of the persons responsible for these offenses are apprehended and that fewer still are punished. So he proposes that the Census Bureau assume the task of scrutinizing all local records to ascertain, among other things, "how many of the known offenses resulted in arrests, how long it took from the discovery of the crime until a perpetrator was tried, how long it took from conviction to prison, and how long was the average length of time in prison for each category of crime."

It is an ambitious operation Mr. Hoover has in mind. But if it would expose the weak spots in our system of crime prevention, if it would provide information which would help the fight of society against an ever-mounting crime rate, the effort and expense would be well worthwhile.

[From the Sheboygan (Wis.) Press, June 15, 1959]

URGES CRIME CENSUS

Former President Herbert Hoover suggests that a thorough crime census might bring realization to the American people that freedom in the United States is more in jeopardy from crime than from all the Communist conspiracies.

If true, it will come as no surprise, since Federal Bureau of Investigation figures on crime already indicate that.

To know exactly where we stand, Mr. Hoover has suggested that the Census Bureau be instructed by Congress to conduct a special and separate crime census by canvassing the police and prison records. It would include almost everything from the nature of the crime to the religious training and family situations of those arrested.

Mr. Hoover says such a census would point up many of the weaknesses in the Nation's fight against crime. His idea is that the information gained through the census would point the way to greater effectiveness in combating crime.

Mr. Hoover's suggestion deserves public support so that the Nation can be freed from the menace of a growing criminal element.

INVITATION TO KHRUSHCHEV—FORCED BY MISSILE BLACKMAIL?

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr Speaker, the sudden switch in White House strategy, gam-

bling on the invitation to Khrushchev, has surprised and stunned the Nation.

Consider the vague statements that have been issued to justify this strange move:

"What harm will it do?"

"Maybe it will do some good."

"Khrushchev might be impressed."

Do these ring true as solid and substantial reasons? Or do they sound like confused, spur-of-the-moment improvisations?

If the granite confidence of the Soviet Union at Geneva was a bluff, it has succeeded so far. Khrushchev has induced the White House to give in, and invite him to visit the United States.

If it is not a bluff, then the activity at the White House is a secret admission of the shift in the balance of power that has finally aroused official concern.

What is the key to the mystery surrounding the invitation to Khrushchev?

It is a diplomatic holding action because we are not prepared, in our minds or in our missiles, to take a firm stand for freedom.

Remember sputnik?

How many officials of our Government actually saw it?

It will be 2 years on October 4 since the Soviet Union led the world into the space age.

The American Government had been caught napping.

There was a hue and cry from all quarters of our land demanding that our Government get going.

How long did that awakening, that sense of urgency and new purpose, last?

The new programs so necessary for the space age—accelerated missile development, genuine aid to education, and the expansion of our economy to meet our growing needs—all these were seriously discussed for about 3 months. Under the impact of the threat to our survival there was some quickening in our missile and space programs, but proposals to help education and the economy were pigeonholed.

The White House, supported by those who cling to yesterday, went back to business as usual.

The Soviet Union did not.

Obsessed by the tyranny of the budget, but ignoring assistance for economic growth; believing that a little unemployment is good in order to keep people in their places; praising education but pennypinching it at the same time; the administration relaxed into the comfortable but outmoded procedures of a distant yesterday.

Khrushchev was advised of this sleepwalking complacency and pushed on ahead.

He calculated, from reports on the whole American scene, that we were becoming flabby of will and too indifferent to pioneer.

After all, did we not have the nuclear-powered, missile-firing submarines? A few of them would do, if the budget permitted. And there was no indication that the Soviets had developed a reliable intercontinental ballistic missile. Our scientists warned the Government, but the budgeteers silenced them.

The power balance, once in our favor, was shifting against us.

If you read between the lines of the Geneva Conference, you will note the advantage we have dissipated.

Then came the invitation to Khruschev.

And the secret, but long-deferred admission within the White House that holding the line on the budget has diminished our strength.

The cheers of hopeful people abroad are good, as an expression of faith in American ideals and as an incentive to courage. But, unaided they will not compensate for our deficiencies in the nuclear-missile space age.

More and more the invitation to Khrushchev looks like a disguised payment to the missile blackmailer.

Only the American people, by mental and physical effort and moral backbone, can reverse this shameful turn of events.

"THE AMERICAN FLAG"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized.

Mr. CURTIN. Mr. Speaker, the name of the fine community of Fairless Hills, Bucks County, in the Pennsylvania district which I have the honor and privilege to represent, has come in for some unfortunate publicity and headlining these past few weeks. It would be most unfair to permit any impression to be created that would impugn upon the patriotism and the loyalty of the good people who live in Fairless Hills.

Specifically, the incident arose in connection with an interpretation over alleged restrictions concerning the erection of a flagpole at the Fairless Hills Post Office, the Fairless Hills Shopping Center, and the community generally. I was rather startled, to say the least, to note the speech inserted in the CONGRESSIONAL RECORD of August 20 by my respected colleague, the gentleman from Pennsylvania [Mr. FLOOD], under the heading "The American Flag."

The CONGRESSIONAL RECORD insertion to which I just referred makes the statement that—and I quote:

> In Fairless Hills * * * the inhabitants are not permitted to erect flagpoles. Thus, without flagpoles the flag may not be flown on patriotic holidays or any other day. * * * This restriction is carried to the extent that there is no flag even above the U.S. post office.

This, if true, would be a grave state of affairs, indeed. Such is not the case, however. To place things in their proper perspective, Mr. Speaker, I immediately contacted Vice President Gordon K. Bolon, an officer of the Danherst Corp., whose firm and whose own name is mentioned in the aforesaid CONGRESSIONAL RECORD insertion. I take this time to quote from the letter I have received in reply to my inquiry:

DANHERST CORP.,
Fairless Hills, Pa., August 20, 1959.

Hon. WILLARD S. CURTIN,
Congress of the United States,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: In reply to your letter of August 18, 1959, regarding the fanfare which has developed over the flag-pole situation in the shopping center, I am pleased to report it has been settled to the satisfaction of all parties concerned.

Actually, the shopping center area never has had a restriction on the use of flagpoles or flags on any of the buildings or in the entire shopping center area. The lease between Danherst Corp. and the U.S. Government covering the post office contains no restriction on displaying the American flag. In fact, the lease specifically provides that a flagstaff may be erected on the site of the demised building. However, the Post Office Department has at no time requested that a flagstaff be erected. The only possible restriction against the erection of a flagpole would be on the basis that a proposed flagpole would be a hazard to the structural strength of the building. In other words, the pole would, of necessity, have to be located in such a place and constructed in such a manner as to not constitute a hazard to the building or any occupants.

Danherst Corp. has at no time indicated that its position would be any different from the above. In fact, several weeks ago we contacted our architect regarding the location of a suitable site for a flagpole to be erected in the shopping center which would complement the entire community as well as the shopping center. We also intend to install a flagpole on the post office building for the use of the post office.

I have talked with the Honorable Michael A. Musmanno and advised him of our intentions so I assume that the incident is closed.

Very truly yours,

DANHERST CORP.,
GORDON K. BOLON.

Mr. Speaker, I also asked the Post Office Department to furnish me a report on this matter, and I have received from the Philadelphia Regional Office a copy of a letter written by that office to Justice Musmanno. This letter is as follows:

POST OFFICE DEPARTMENT,
PHILADELPHIA REGIONAL OFFICE,
Philadelphia, Pa., August 28, 1959.

Hon. MICHAEL A. MUSMANNO,
Justice of the Pennsylvania Supreme Court,
Supreme Court Chambers, Pittsburgh, Pa.

DEAR JUSTICE: The Honorable Arthur E. Summerfield, Postmaster General of the United States, has referred to me your telegram for immediate attention and reply.

At the direction of the Postmaster General I have caused to be made a complete investigation of the display of the flag of the United States at the U.S. Post Office, located at Fairless Hills, Pa., which comes under the jurisdiction of this region.

The facts are as follows:

1. The U.S. Post Office Department, in opening up a new post office for the new community of Fairless Hills, determined that the most satisfactory location, from a service point of view, was in the Fairless Hills Shopping Center and, accordingly, entered into a lease with the owners thereof, the Danherst Corp., on March 23, 1954.

2. The lease entered into between the Post Office Department and the Danherst Corp. did not and does not prevent or restrict the display of the flag of the United States, either on staff or pole, inside or outside of this leased property.

3. The field negotiations on this lease were conducted by the Postal Inspection Service, U.S. Post Office Department, and the annual inspections of this facility have been conducted by the Postal Inspection Service.

4. Mrs. Catharine B. Wright has been postmaster since the office was opened at Fairless Hills.

5. During the period of Postmaster Wright's incumbency, she has displayed the

flag of the United States, with great reverence and respect, at her Post Office in accordance with the Flag Code of the United States, and the provisions of the Postal Manual.

6. The patriotism of Postmaster Wright has been unquestioned. She has been active throughout her lifetime in patriotic organizations. Her brother has been a patient in a veterans' hospital since World War II. Her nephew was shot down and killed by the enemy at Iwo Jima.

7. The patriotism of the Assistant Postmaster, Henry T. Shelley, has been unquestioned. He is a Commander, U.S. Navy Reserve, and is an active Reservist as of now. He recently completed his annual tour of active duty with the U.S. Navy.

The Post Office Department is reverently dedicated to the display of the flag of the United States. Under the present management, we have gone far beyond the past customs of previous management in display of the flag of the United States in order to more prominently pay tribute to this sacred emblem of our Nation. For the past several years we have caused to be erected separate outside flagpoles, unattached to the buildings, at all new postal installations, both owned and leased. We are also erecting such flagpoles at many old establishments.

Two flags are now being reverently displayed at the U.S. Post Office, Fairless Hills, Pa. One flag is being displayed in the lobby and the other flag is being displayed from the top of this leased property.

I believe it goes without saying that the U.S. Post Office Department, the traditional custodian in civilian life of the flag of the United States, has and will always proudly cherish its responsibility in displaying our flag.

The present Postmaster General has given this subject the highest of all priorities.

Sincerely yours,

LEROY V. GREENE.

All of us, I am sure, certainly feel that there should be no restrictions on the right to fly the American flag any place in these United States, its territories, or possessions. The flag flies high in Fairless Hills, Mr. Speaker.

THE LATE EDMUND P. RADWAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 1 hour.

Mr. DULSKI. Mr. Speaker, all of us who have had the privilege of knowing the late Honorable Edmund P. Radwan were immeasurably saddened when we heard of his untimely passing. He served four terms in Congress as a Representative from the old 43d and present 41 Districts of New York, and completed his final term last December. Because of ill health, he did not seek reelection in 1958 and retired from active service at the end of his congressional term.

When he announced his decision not to seek reelection, he stated: "When I can no longer give 100 percent service to those I represent, I no longer wish to serve." This is the kind of a man Ed Radwan was, as many of you came to know personally. He insisted on giving his all to a job and nothing less.

Mr. Radwan won his first elective office in 1945 when he was a corporal in the Army, and became recognized as one of the Republican Party's most consistent vote-getters.

He was born in Buffalo on September 22, 1911, where he attended East High School. He was an outstanding athlete and served as captain of the hockey team. He was also a cross-country runner and all-star track man. He used to recall how his mother had forbidden him to play football because it was too rough. Fortunately, he added, she never saw him in action as a hockey player.

While attending Canisius College, he did summer work as a playground instructor at School 74. He was also coach of East High's hockey and tennis teams, producing championship teams in both sports.

Mr. Radwan was graduated from the University of Buffalo Law School in 1934, and admitted to the bar the following year. He and his brother, Ralph, now a Cheektowaga justice of the peace, established a law office at 906 Broadway.

Mr. Radwan entered public life in 1938 when he was appointed village attorney of Sloan, serving through 1940.

In 1940 he attended courses in military science and tactics in Plattsburgh, N.Y., at his own expense. In November 1943 he entered the Army and was stationed for a year at Camp Wolters, Tex. Later he was attached to the Army War College as a social service worker and was placed on temporary duty at Battey General Hospital in Rome, Ga. While he was there, friends entered his name, without his knowledge, in the Republican primary as a candidate for State senator in the 54th District of New York. Without making a campaign speech or statement, he won in the primary and was subsequently elected to the New York State Senate. He was reelected State senator in 1946 and 1948, serving on the finance committee and as chairman of the public relief and welfare committee.

Mr. Radwan was elected to Congress in 1950 and served four terms, where he compiled an admirable record. Reviewing his own record in Congress, he once said:

> As I look back, I am satisfied that I have never forsaken the public when it came to choosing between the wishes of the public and those of any political leader. * * * I do not think I was elected a Member of Congress to be a rubberstamp.

In his first term, he had the distinction of being named to two important committees—the Foreign Affairs Committee and the Veterans' Affairs Committee, serving the latter as chairman of the Subcommittee on Pensions and Claims. He sponsored numerous bills personally and conducted a series of hearings on proposals to improve veterans' benefits.

Mr. Radwan devoted much of his time to work with young people. At one time, he served as counselor in civics to the Buffalo Boy Scout Council and was associated with Troop 75 as troop committeeman. But his two chief interests were his family and politics. He liked to take his family to the beach or to skating rinks.

Ed Radwan was indeed a good man, a sincere, earnest, able, and hard-working legislator, who served his people and his Nation well. His death is a great loss to all of us and I join with his friends in expressing the deepest regrets to his family. May we take comfort in the fact that his accomplishments during his lifetime and his fine spirit will be remembered as an example for others to follow.

THE LATE EDMUND P. RADWAN

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was deeply grieved at the passing of the late Congressman Radwan of the State of New York. He was a member of the Committee on Veterans' Affairs of the House when I was chairman. He was chairman of a subcommittee of that committee.

Mr. Speaker, I shall never forget how hard Mr. Radwan worked, I shall always remember his loyalty to the veterans, his helpfulness to everyone who went to him with a problem.

I went with him to several Government departments, including the White House, in connection with legislation. I was very much struck with his forcefulness and his gentleness and his courtesy. He made friends everywhere he went. I do not believe that the Members of the House know how much he helped the veterans and how he handled one very difficult bill for a Member. I think he was the only member on the committee that would have succeeded with the passage of that bill. He worked tirelessly and unselfishly and patriotically. He later became a very fine member of the Committee on Foreign Affairs, and I regretted very deeply that he was no longer a member of my committee. I do not know of anyone who ever worked more unselfishly and more quietly or who was a finer gentleman.

Mr. ADAIR. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Indiana.

Mr. ADAIR. I would like to join the gentlewoman in expressing deep regret at the death of Congressman Radwan. As the gentlewoman has said, he served on the Committee on Veterans' Affairs, and then I later served with him also on the Committee on Foreign Affairs. We came to the Congress in the same class, and I formed a very strong attachment for him and a very high regard for his ability and his zeal. I am sure that all Members who knew him will join with us in expressing our sympathy at his passing.

Mrs. ROGERS of Massachusetts. His death is a great loss to the Congress and to the Nation. It has been said that people, politicians, cannot be elected to the Congress without being rough and discourteous. Certainly, our late colleague, Mr. Radwan, proved that that was not true. I mourn with his family, his friends, and his State at his passing. I mourn with the Congress, because we can ill spare men of his type, men of his stature, men of his dedication.

MOVING COSTS

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4656) to amend section 401b of the act of July

14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 21, insert:

"SEC. 2. The amendment made by this Act shall take effect as of January 1, 1959."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. ROBISON. Mr. Speaker, reserving the right to object, would the gentleman tell me if this matter has been cleared with the minority leadership?

Mr. VINSON. It has. It has been cleared with the gentleman from Indiana and the gentleman from Ohio.

Mr. ROBISON. I thank the gentleman.

Mr. VINSON. Mr. Speaker, several years ago Congress enacted the so-called Abernethy amendment which permits the owners of property acquired by the Government to be paid for their moving costs.

The amount which a landowner may receive may not exceed 25 percent of the value of the property acquired.

Under that law the property owner is required to file an application for his moving costs within 1 year of the date of acquisition.

Frequently it is the desire of the military departments that individuals remain on the property for some period after the land is acquired in order to protect the property from fire, vandalism, and other things of this kind. If the landowner does this, however, he may be unable to file his application for moving costs within the 1-year period, and this will cause him to lose his moving costs.

Because of some inequities which arose from this situation the gentleman from Kentucky [Mr. STUBBLEFIELD] introduced H.R. 4656. This bill, as it passed the House, authorized the period within which the application for moving costs could be made to 1 year from the date of acquisition or 1 year from the date of vacating the property.

I might say that the bill has the full approval of the executive branch and the Bureau of the Budget.

The bill was reported out of the Senate committee with exactly the same language as appeared in the House version. However, on the floor an amendment was offered to make the bill effective as of January 1, 1959, rather than the date of enactment of the law.

I am advised that this amendment will encompass some eight or nine very deserving cases which would otherwise not be covered by the bill.

The author of the bill, the gentleman from Kentucky [Mr. STUBBLEFIELD], has no objection to the amendment, the Department of Defense has no objection, and the Armed Services Committee has no objection to the amendment.

The cost of the bill cannot be estimated with any accuracy, but it involved in the first instance some 10 or 12 cases and, as amended, would involve only some 9 or 10 more. The cost, I can assure you, is very small, and the circumstances make it a particularly equitable measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FANTASIES IN THE TABLES OF FABLES ON THE BACK OF THE CONGRESSIONAL RECORD

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes, to revise and extend my remarks, and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, on September 7—page 18455 of CONGRESSIONAL RECORD—I pointed out the fantasies in the tables of fables on the back of the CONGRESSIONAL RECORD. These tables, I repeat, are an apparent attempt to bamboozle the public into believing that the Congress has cut the President's budget.

It is highly regrettable that the Daily Digest portion of the RECORD which is intended to be a brief and factual summary has been converted into a political device filled with inaccuracies.

To document further my remarks of last Monday, I include in the RECORD three sets of corrections for table I on appropriations, a revised table II which compares like periods of time in the President's request with corresponding actions of the Congress, and lastly, a table III which includes $1,683,900,000 in spending increases not requested by the President and blithely skipped over by the other two tables:

[Correction A in table I as of Sept. 8, 1959]

Amounts for other than the fiscal year 1960 included in table I

	President's budget estimate	Amount agreed to by conferees	Increase or decrease
1959 second supplemental	$2,900,799,370	$2,764,500,380	−$136,298,990
Included in 1960 appropriation bills:			
Labor-HEW		384,000	+384,000
Mutual Security:			
Development Loan Fund	500,000,000	590,000,000	+90,000,000
Supplemental	341,627,072	117,342,000	−224,285,072

[Correction B in table I as of Sept. 8, 1959]

Authorizations to expend from public debt receipts in appropriation bills that are not included in table I

	President's budget estimate	Amount agreed to by conferees	Increase or decrease
Department of Agriculture:			
Rural Electrification Administration	$215,000,000	$215,000,000	
Farmers Home Administration	173,000,000	206,000,000	+$33,000,000
Total	388,000,000	421,000,000	+33,000,000

[Correction C in table I as of Sept. 8, 1959]

Reported reductions in 1960 annual appropriation acts which will probably have to be restored in future sessions

Department of Agriculture and Farm Credit Administration Appropriation Act: Commodity Credit Corporation: Restoration of capital impairment	$100,000,000
Department of Commerce and Related Agencies Appropriation Act: Maritime activities, operating-differential subsidies	1,250,000
Independent Offices Appropriation Act:	
Civil Aeronautics Board, payments to air carriers	$4,118,000
Federal Aviation Agency: Grants-in-aid for airports (liquidation of contract authorization)	2,500,000
Housing and Home Finance Agency: Annual contributions, Public Housing Administration	4,000,000
Veterans' Administration: Compensation and pensions	7,000,000
Department of the Interior and Related Agencies Appropriation Act: Bureau of Land Management, construction	5,000,000
Department of State: Rama Road	3,500,000
Foreign currency	24,635,875

CORRECTED TABLE II.—*New obligational authority provided outside the appropriation process*

Bill No.	Title	President's request	Amount agreed to by conferees	Increase or decrease made by the Congress
H.R. 4452 S. 1094	Bretton Woods Agreement.	$4,550,000,000	$4,500,000,000	
S. 57	Housing Act of 1959:			
	1959–61	800,000,000	1,300,000,000	+$500,000,000
	1962–65	(850,000,000)	0	
S. 2539	Housing Act of 1959:			
	1959–60	550,000,000	(825,000,000)	(+275,000,000)
S. 1 H.R. 1011	Aid to Airports:			
	1960–61	120,000,000	126,000,000	+6,000,000
	1962–63	(80,000,000)	0	
H.R. 2256	Veterans' Housing Loan Act.		$100,000,000	+$100,000,000
	Total, 1959–61	$5,470,000,000	6,076,000,000	+606,000,000

TABLE III.—*Other measures affecting spending in 1960 and future years, as of Sept. 8, 1959*

Bill No.	Title	President's requests	Amount agreed to by conferees	Increases or decreases made by the Congress	Remarks
	ENACTED BY CONGRESS				
H.R. 7650	Veterans pension bill	$100,000,000	$308,000,000	+$208,000,000	Estimated 1961 costs only.
S. 57	Public Housing Act of 1959:				
	Public Housing—Annual contributions	0	874,500,000	+874,500,000	Estimated future appropriation requirements on 45,000 units of public housing.
	All other authorizations for appropriations	10,000,000	75,400,000	+65,400,000	
H.R. 7175	Agriculture appropriation bill—Agriculture conservation program.	100,000,000	250,000,000	+150,000,000	Authorization for 1960 crop year, requiring appropriations in fiscal year 1961.
	FAILURE TO ENACT				
	Postal rate increases	−350,000,000		+350,000,000	Proposed increase in postal rates.
	Forest and public lands highways	−36,000,000		+36,000,000	President's request contemplated financing rom the highway trust fund.
	Total (net)	−176,000,000	1,507,900,000	+1,683,900,000	

Mr. Speaker, I would like to make this statement, that tomorrow, if I have the opportunity, I am going to document some of the skulduggery that went on in misusing the CONGRESSIONAL RECORD for this political purpose. That has me very greatly disturbed because it involves some of the employees of the House.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from California.

Mr. HIESTAND. Mr. Speaker, I am in hearty agreement with the remarks of the gentleman from Missouri.

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include tables.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Speaker, I have been astonished by the ridiculous attempt of the phony tables on the back of the CONGRESSIONAL RECORD to trick the public into thinking that the actions of this Congress have cut rather than increased the President's budgetary requests.

The gentleman from Missouri [Mr. CURTIS] has thoroughly exposed this sidedoor mathematics and I praise him for submitting the corrections for those tables of fables. I also deplore the use of the Daily Digest section of the RECORD for partisan political propaganda.

What especially worries me is that some of the gentlemen from the other side of the aisle seem to have "bamboozled" themselves into thinking this Congress has saved money.

I have two tables to sober their thoughts.

The first table reveals the effect of congressional spending actions on the President's 1960 budget. House actions on the President's budget have turned the proposed $70 million surplus into a $790 million deficit. Senate action would create a deficit of $1,174 million.

The second table considers the effect of spending actions on the President's budgets for 1959 and thereafter. It shows that this body has increased the President's requests by $742 million and the Senate action has increased the President's requests by $1,249 million.

Mr. Speaker, under unanimous consent, I include in the RECORD these two tables.

Effect of congressional action on President's 1960 budget as of Sept. 8, 1959

[In millions]

	Inaction	Action
House of Representatives:		
H.R. 8678: Motor fuel taxes		$160
S. 1923: Increase in postal rates	$350	
H.R. 10: Voluntary pension plan for self-employed persons		320
Public Law 86-73: Veterans' housing loans		100
Public Law 86-72: Aid to airports		−5
H.R. 3610: Federal Water Pollution Control Act		5
Public Law 86-163: School milk extension		6
Subtotal	350	586
Appropriation bills:		
Public Law 86-104: District of Columbia, 1960		−7
Public Law 86-39: Treasury-Post Office, 1960		−44
Public Law 86-60: Interior and related agencies, 1960		−6
Public Law 86-30: Second supplemental, 1959		13
Public Law 86-158: Labor and Health, Education, and Welfare, 1960		103
H.R. 7040: Independent offices, 1960		−63
Public Law 86-76: Agriculture and Farm Credit Administration		30
Public Law 86-84: State, Justice, Judiciary, and related agencies, 1960		−21
Public Law 86-88: Commerce and related agencies, 1960		38
Public Law 86-176: Legislative branch, 1960		−$5
Public Law 86-166: Defense, 1960		50
Public Law 86-213: The supplemental, 1960		−52
Public Law 86-164: Atomic Energy Commission, 1960		−18
H.R. 8385: Mutual security, 1960		−100
H.R. 8575: Military construction, 1960		0
Total, appropriation bills		−76
Grand total	$350	510
Summary effect of action by House of Representatives on 1960 budget:		
Surplus proposed by President's budget		+70
Effect of inaction		−350
Effect of action		−510
Deficit resulting from House action		790

Effect of congressional action on President's 1960 budget as of Sept. 8, 1959—Continued

[In millions]

	Inaction	Action
Senate:		
H.R. 8678: Motor fuel taxes	490	
S. 1923: Increase in postal rates	350	
Public Law 86-72: Aid to airports		−5
S. 722: Area redevelopment		35
S. 12: Grants to States for educational TV		45
Public Law 86-163: School milk extension		5
S.J. Res. 41: International medical research		50
Public Law 86-73: Veterans' housing loans		100
S. 1138: Peacetime ex-servicemen's readjustment benefits		100
S. 812: Youth Conservation Corps		50
Subtotal	840	380
Appropriation bills:		
Public Law 86-104: District of Columbia, 1960		−7
Public Law 86-39: Treasury Post Office, 1960		−44
Public Law 86-60: Interior and related agencies, 1960		−6
Public Law 86-30: Second supplemental, 1959		13
Public Law 86-158: Labor and Health, Education, and Welfare, 1960		103
H.R. 7040: Independent offices, 1960		−63
Public Law 86-76: Agriculture and Farm Credit Administration, 1960		36
Public Law 86-84: State, justice, judiciary, and related agencies, 1960		−21
Public Law 86-88: Commerce and related agencies, 1960		38
Public Law 86-176: Legislative branch, 1960		−5
Public Law 86-166: Defense, 1960		50
Public Law 86-213: The supplemental, 1960		−52
Public Law 86-164: Atomic Energy Commission, 1960		−18
H.R. 8575: Military construction, 1960		0
Total, appropriation bills		24
Grand total	840	404
Summary effect of action by Senate on 1960 budget:		
Surplus proposed by President's budget		+70
Effect of inaction		−840
Effect of action		−404
Deficit resulting from Senate action		1,174

The following presents the effect of congressional action on the President's budgets for 1959 and subsequent years (as of Sept. 6, 1959):

HOUSE OF REPRESENTATIVES

The President proposed that Congress enact legislation to increase postal rates. Congress has taken no action and the Democratic leadership indicates none is planned.	Denies $350 million in needed revenues.
Passed gasoline tax of 1 cent a gallon instead of 1½ cents as proposed by the President. (Status: Reported by Senate Finance Committee.)	$160 million loss in revenue.
The House has passed a voluntary pension plan for self-employed persons which would reduce receipts by $365-million.	Reduces Government's revenues by $365 million.

On the other hand, the House has taken the following spending action:

Passed veterans housing loan act for $100 million. (Status: Law.)	$100 million more than President's budget.
Passed $126 million aid-to-airports bill. (Status: Law.)	$6 million more than President's budget.
Extended temporary unemployment compensation for fiscal year 1959, adding $75 million to 1959 expenditures. (Status: Law.)	$75 million more than President's budget.
Passed Federal Water Pollution Control Act. (Status: Reported by Senate Public Works Committee.)	$840 million more than President's budget.
Passed veterans' pension bill. (Status: Law.)	$208 million more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: Law.)	$11 million more than President's budget.
Appropriation actions have reduced new obligational authority by $1,373 million.	$1,373 million less than requested.

SENATE

Failure to act on President's proposed postal rate increase and certain tax increases.	Denies $840 million in needed revenues.
Passed aid-to-airports bill. (Status: Law.)	$6 million more than President's budget.
Passed veterans' pension bill. (Status: Law.)	$208 million more than President's budget.
Area Redevelopment Act. (Status: House Banking and Currency Committee.)	$337 million more than President's budget.
Extended temporary unemployment compensation for fiscal year 1959, adding $75 million to 1959 expenditures. (Status: Law.)	$75 million more than President's budget.
Passed grants to States for education TV. (Status: House Interstate and Foreign Commerce Committee.)	$50 million more than President's budget.
Passed extension of school milk program for fiscal years 1960 and 1961. (Status: Law.)	$11 million more than President's budget.
International medical research: $50 million annually. (Status: House Interstate and Foreign Commerce Committee.)	$50 million more than President's budget.
Passed Veterans' Housing Loan Act. (Status: Law.)	$100 million more than President's budget.
Passed Youth Conservation Corps measure. (Status: House Education and Labor Committee.)	$100 million more than President's budget. (Estimate for first year.)
Passed peacetime ex-servicemen's readjustment benefits, $100 million first year; $500 million by fourth year. (Status: House Veterans' Affairs Committee.)	$100 million more than President's budget. (First year only.)
Appropriation action has decreased new obligational authority by $628 million.	$628 million less than requested.

Note.—Excludes second housing bill, vetoed by President, which was $959 million more than President's budget.

SUMMARY

After more than 8 months of this session of Congress, the House of Representatives has taken actions that increased the President's requests by $742 million.	+$742 million.
All Senate action to date has increased the President's requests by $1,249 million.	+$1,249 million.

SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. ALBERT. Mr. Speaker, I desire to announce that on tomorrow it is possible that the bill (H.R. 8121) to amend the Subversive Activities Control Act of 1950 so as to authorize the Secretary of Defense to provide for a security program with respect to defense contractors and their employees may be brought up under suspension of the rules.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. GRANAHAN (at the request of Mr. WALTER), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 30 minutes, tomorrow.

Mr. FLYNN, for 15 minutes, tomorrow.

Mrs. ROGERS of Massachusetts, for 10 minutes, today, and 10 minutes, tomorrow.

Mr. PORTER (at the request of Mr. ALBERT), for 30 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HECHLER and to include extraneous matter.

Mr. CAHILL.

Mr. GARY and to include an article by Hon. PORTER HARDY, of Virginia.

Mr. BOWLES.

(At the request of Mr. ROBISON, and to include extraneous matter, the following:)

Mr. CONTE.

Mr. RHODES of Arizona.

Mr. LAFORE.

Mr. SAYLOR.

(At the request of Mr. ALBERT, and to include extraneous matter, the following:)

Mr. CASEY.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8678. An act to amend the Federal-Aid Highways Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p.m.) the House adjourned until tomorrow, Friday, September 11, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1366. A letter from the Comptroller of the Currency, transmitting a copy of the annual report of the Comptroller of the Currency for the year 1958, pursuant to section 333 of the U.S. Revised Statutes; to the Committee on Banking and Currency.

1367. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "a bill to amend section 1114 of title 18 of the United States Code by including certain employees of the Federal Communications Commission"; to the Committee on the Judiciary.

1368. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 3, 1959, submitting a report, together

with accompanying papers and an illustration on a review of reports on St. Marks River, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 9, 1957 (H. Doc. No. 224); to the Committee on Public Works and ordered to be printed with illustrations.

1369. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, U.S. Department of the Army, dated July 28, 1959, submitting a report, together with accompanying papers and illustrations, on a review of report on Village Creek, White River, and Mayberry Levee Districts, Arkansas, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted July 23, 1946 (H. Doc. No. 225); to the Committee on Public Works and ordered to be printed with six illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1175. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. House Resolution 384. Resolution opposing the granting of permanent residence in the United States to Fu Sheng Cheng and Fu-Mei Lin; without amendment (Rept. No. 1176). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BONNER (by request):

H.R. 9172. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. BRADEMAS:

H.R. 9173. A bill to make permanent certain temporary increases in rates of compensation of employees of the Postal Field Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 9174. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a personal exemption for a foreign student who resides in his home while in the United States under an international student exchange program; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9175. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 9176. A bill to authorize the National Labor Relations Board to assert jurisdiction over all labor disputes arising under the National Labor Relations Act and for other purposes; to the Committee on Education and Labor.

H.R. 9177. A bill to amend section 204(a) of the Interstate Commerce Act so as to authorize the Interstate Commerce Commission to encourage the adoption by the several States of laws in conformance with the Uniform Vehicle Code, published by the National Committee on Uniform Traffic Laws and Ordinances, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.R. 9178. A bill to amend sections 2322 of title 28, United States Code, relating to the defense of Interstate Commerce Commission orders in the Federal courts; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 9179. A bill to amend title 23, United States Code, to provide for participation of Federal-aid highway funds in the construction of approach roads to ferry facilities on the Federal-aid systems; to the Committee on Public Works.

By Mr. JONAS:

H.R. 9180. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 9181. A bill to amend section 3731 of title 18 of the United States Code relating to appeals by the United States; to the Committee on the Judiciary.

By Mr. McGOVERN:

H.R. 9182. A bill to provide for stabilization and orderly marketing in the poultry industry; to the Committee on Agriculture.

By Mr. MAILLIARD:

H.R. 9183. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. MULTER:

H.R. 9184. A bill to amend section 9 of the Federal Reserve Act, as amended, section 18(d) of the Federal Deposit Insurance Act, and section 5155 of the Revised Statutes, as amended; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.R. 9185. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

H.R. 9186. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

By Mr. TEAGUE of California:

H.R. 9187. A bill to permit the Department of Agriculture to cooperate with the meat inspection services of the various States; to the Committee on Agriculture.

By Mr. TOLLEFSON (by request):

H.R. 9188. A bill to amend section 502(d) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. WILSON:

H.R. 9189. A bill to authorize and direct the Secretary of the Navy to convey certain property to the city of San Diego, Calif.; to the Committee on Armed Services.

H.R. 9190. A bill to clarify the authority of the Commissioner of Patents to compile, publish, and disseminate certain information relating to patents; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 9191. A bill to establish a commission to conduct an impartial and scientific study and investigation to determine the effects on the public health of the practice of adding various chemicals to water supplies and food products; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H.J. Res. 524. Joint resolution to establish a free and universal franchise throughout the United States; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 525. Joint resolution authorizing the President to invite foreign countries to participate in a world's fair, New York, 1964; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H.J. Res. 526. Joint resolution to help make available to those children in our country who are handicapped by deafness the specially trained teachers of the deaf needed to develop their abilities and to help make available to individuals suffering speech and hearing impairments those specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. PATMAN:

H.J. Res. 527. Joint resolution amending the act of March 3, 1933, to remove the authority of heads of departments and establishments in the executive branch of the Government to make exceptions under that act, and for other purposes; to the Committee on Public Works.

By Mr. WOLF:

H.J. Res. 528. Joint Resolution to prohibit officers and employees of the United States from treating communal water supplies with fluoride compounds, until a report from the Commission on Food and Water Contamination shall have been submitted to the Congress of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. JONAS:

H. Con. Res. 437. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. AVERY:

H. Res. 385. Resolution to express the sense of the House with respect to the issuance by the Secretary of Labor of regulations relating to the interstate recruitment of agricultural workers and placement policy; to the Committee on Education and Labor.

By Mr. KASEM:

H. Res. 386. Resolution creating a select committee to conduct an investigation and study of the feasibility of establishing a floating university with surplus warships owned by the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 9192. A bill for the relief of Robert L. Garvey; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9193. A bill for the relief of Vincenzo Di Raco; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 9194. A bill for the relief of Feliciano Fajardo Miravite; to the Committee on the Judiciary.

H.R. 9195. A bill for the relief of the Jefferson Loan Co., Inc., and Jefferson Mortgage Co., Inc.; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9196. A bill for the relief of Enid (Ballantine) Dennis; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 9197. A bill for the relief of Sergiusz Rudczenko; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 9198. A bill for the relief of Sait D. Ermete; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 9199. A bill for the relief of Sirvart Kasabian; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 9200. A bill to provide for the conveyance of certain real property of the United States situated in the State of Louisiana to Robert Sibley and his heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

By Mr. SAUND:

H.R. 9201. A bill to validate certain mining claims in California; to the Committee on the Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

277. The SPEAKER presented a petition of the president, Free World Committee, Chicago, Ill., petitioning consideration of their resolution with reference to House Resolution 337, and requesting that a number of the thousands of former prisoners of Soviet slave-labor camps be called as witnesses, etc.; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The Bluebonnet Bowl

EXTENSION OF REMARKS

OF

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CASEY. Mr. Speaker, in a few short days, the great American collegiate football season will open throughout our Nation .

Millions of football fans will support their favorite teams as they begin the long, grueling contest which is climaxed by the annual classics, the postseason bowl games.

I am extremely proud and happy that Houston, Tex., has added another to the great list of such postseason bowl games, one that will rank high with the sports-minded in our Nation.

Scores of civic and business leaders in Houston have formed the Greater Houston Bowl Association, which will sponsor these annual classics.

The official flower of our fair State was chosen as the name for this great contest: the Bluebonnet Bowl. And on December 19, and on each succeeding year, two of the Nation's outstanding college football teams will gather on the gridiron of the 70,000-seat Rice Institute stadium to play in this great bowl game I know that through the years, you will hear much of the Bluebonnet Bowl, and that it will stand in your mind with such favorities as the Cotton Bowl, the Sugar Bowl, the Orange and the Rose Bowls.

I want to invite all of you not only to see this great football game, but to take the opportunity to share in the warm hospitality and view the industrial assets of this great Queen City of the South.

While I urge you not to miss this initial game, I am also happy to tell you that CBS television network has completed arrangements to telecast the game over a nationwide hookup.

To the great sports-minded and public-spirited citizens who formed the Greater Houston Bowl Association goes the credit for this wonderful achievement. It is fitting that the net proceeds of this game—and I assure you it will be a sell-out—will go to charitable and educational purposes within the Greater Houston area.

The formation of the Greater Houston Bowl Association, and sponsorship of the Bluebonnet Bowl, exemplifies the type of public spirit which has made Houston the largest, greatest, and most progressive city in the South. Residents of our area—and I am sure that football fans throughout our country—are especially grateful to the 99 directors and the officers of the association, Elvin M. Smith, president; J. K. Butler, executive vice president; Charles Fleetwood, Dan M. Moody, and Corbin J. Robertson, vice presidents; John B. Holmes, treasurer; and A. Frank Smith, Jr., secretary.

How We Should Greet Mr. Khrushchev

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CAHILL. Mr. Speaker, while some people are questioning the advisability of Khrushchev's visit to the United States, all of us are concerned with the way he should be greeted in the cities and towns he will visit. All Americans want to be courteous, yet do not by their good conduct wish to give approval of Khrushchev's past actions and the philosophies for which he stands. How then should we greet him? By cheers and applause, by boos and jeers? May I suggest that we as Americans should view Khrushchev's visit as an opportunity to show him and the world the unity, strength, and patriotism of the American people regardless of their ancestry, be it Polish, Hungarian, German, Italian, or Czech. Regardless of their religion, be it Protestant, Catholic, or Jew. And how do we do this and still carry the American tradition of fair-play, of courtesy toward visiting heads of States? By the simple method of displaying and waving the American flag. Hands that wave a flag need not applaud. This gesture would indicate welcome without approval; friendship without surrendering our own faith and beliefs—but above all, it would forcefully demonstrate the strength and unity of all Americans. It would also show to the world as a result of the photographs, television, and movies that are taken of Mr. Khrushchev, through the medium of a backdrop of red, white, and blue, that the American people, while holding the hand of friendship, also possess the fists of determination, unity, and strength.

I hope, therefore, that every factory and business, home and office, native and foreign-born citizen will display the Stars and Stripes in the cities and towns in America that are to be visited by Mr. Khrushchev. Let the steel companies and the pickets, the farmers and the factory workers, the corporations and the labor unions demonstrate by the symbolic display of the American flag the lesson that all of us want Khrushchev to learn, namely: that while we want friendship and peace, we are united behind the President of the United States and the Congress of the United States in their firm stand for justice to all people throughout the world.

West Virginia Is Getting Shortchanged

EXTENSION OF REMARKS

OF

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. HECHLER. Mr. Speaker, for the third time in as many days I wish to protest the fact that the State of West Virginia has the scales weighted against it in an unfair way.

I have previously pointed out that West Virginia, on a per capita basis, ranks 50th among the 50 States in employment of Commerce Department personnel. I have further explained how this actually can inhibit industrial expansion, in a State which needs such growth badly, by denying valuable Federal assistance and advice and by making helpful Federal officials inaccessible.

The expression "the rich get richer and the poor get poorer" is best remembered as a phrase characteristic of the cynical atmosphere that pervaded this Nation during the depths of depression. Yet, it would appear that this is the very policy that governs placement of Department of Commerce facilities.

Previously I presented figures to show that West Virginia had but 37 employees

of the Commerce Department in the entire State, and these included only employees of the Weather Bureau and Bureau of Public Roads.

Coastal States and other strategic areas have natural advantages for certain Commerce activities, but two inland States, Idaho and Colorado, have geographical characteristics similar to West Virginia's; yet one (Idaho) has 5 times as many Commerce employees, while the other (Colorado) has exactly 10 times as many.

I am puzzled as to why Idaho needs 42 Weather Bureau employees to serve 588,637 population while West Virginia has only 10 to serve 2,005,553. Or why the Weather Bureau has 73 employees in Colorado, with 1,325,089 population.

I also marvel that West Virginia can get along with only 27 employees in the Bureau of Public Roads, while 166 persons are employed at Boise, Idaho, and 297 at Denver, Colo.

I must admit that the figures I have presented on Tuesday are subject to change. In fact, I have a graphic illustration of that—but it only serves to accentuate the Commerce Department's discrimination against West Virginia.

For example, my Monday figures list Indiana as having a total of only 504 Commerce employees. But today, on Thursday, I received statistics from the Commerce Department itself indicating that a Census Bureau installation suddenly has started to employ a whopping total of 1,256 persons at Jeffersonville, Ind.

On further inquiry, I learned that this installation is handling the processing of data gathered in the 1958 Business, Manufacturing, and Mining Census on a national basis, supplanting the Washington office to some extent in that field. I also found that this same office will be a central point for processing information gathered in the big 1960 population census, and will probably employ many times its present personnel figures again on a national basis.

Now, I ask you, Mr. Speaker, does this not appear to be discrimination of the rankest sort to locate such a facility in a State where unemployment is relatively low, below the national average, and overlook a State which has the highest level of unemployment in the entire Nation?

I should like to submit statistics to show that the State which has been most neglected by the Department of Defense—I have dwelt at length on this Department in previous statements—and the Department of Commerce, has the highest unemployment percentage in the country?

Does there not seem to be a correlation here? Is there not some way in which West Virginia can be assured a fair break, so that the rich no longer get richer while the poor get poorer?

The following State-by-State unemployment figures cover the number of insured unemployed. Leading statisticians estimate that the insured unemployed figure represents only about 60 percent of the total unemployed, which would mean that West Virginia's total unemployment remains, as it has for months, more than 13 percent of the total work force, or one out of every eight of our citizens.

State	Total insured unemployed (except railroad), week Aug 22, 1959	Percentage which insured unemployed relates to insured total work force (based on average of 12-month period ending December 1958)
West Virginia	26,959	7.9
Michigan	107,399	6.4
Pennsylvania	165,718	5.7
Maine	9,000	4.9
Alabama	24,599	4.8
Alaska	1,309	4.7
Kentucky	20,059	4.7
New Jersey	58,818	4.0
Louisiana	21,386	3.9
Mississippi	9,812	3.9
Rhode Island	8,919	3.9
Washington	23,081	3.9
Arizona	7,775	3.8
Delaware	4,705	3.8
Maryland	24,707	3.8
Tennessee	23,346	3.8
New York	179,721	3.7
Connecticut	25,667	3.6
Florida	29,081	3.5
Arkansas	8,551	3.4
Georgia	23,345	3.3
Oklahoma	11,175	3.1
Massachusetts	43,427	3.0
North Carolina	24,531	3.0
Utah	4,736	3.0
California	100,760	2.9
Nevada	1,891	2.9
New Hampshire	4,155	2.9
New Mexico	4,046	2.7
Missouri	24,076	2.6
South Carolina	10,247	2.6
Wisconsin	21,572	2.5
Indiana	24,251	2.4
Illinois	58,911	2.3
Texas	39,020	2.3
Kansas	7,456	2.2
Ohio	52,011	2.2
Vermont	1,466	2.2
Idaho	2,218	2.1
Montana	2,281	2.1
Hawaii	2,331	2.0
Oregon	7,372	2.0
Virginia	13,331	2.0
Minnesota	12,865	1.9
Colorado	4,754	1.6
District of Columbia	3,747	1.5
Iowa	4,184	1.0
North Dakota	647	1.0
Wyoming	544	.9
Nebraska	1,649	.8
South Dakota	456	.6
National totals and average	1,294,068	3.4

Mr. Speaker, we see from the foregoing figures that West Virginia ranks far and away the first in the Nation in the percentage of unemployed, yet ranks last in the nation in Department of Commerce employees within West Virginia. And not a single one of the paltry 37 Commerce Department employees in the State is assigned to work on those phases of Commerce Department activities designed to reduce unemployment through industrial development and services to business.

One Hundred and Seventy-fifth Anniversary of Montgomery County, Pa.

EXTENSION OF REMARKS

OF

HON. JOHN A. LAFORE, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. LAFORE. Mr. Speaker, today, September 10, 1959, Montgomery County, Pa., which is also the 13th Congressional District, celebrates the 175th anniversary of its founding.

On the occasion of this anniversary, it is with great pleasure that I join with my friends and neighbors, in extending birthday greetings.

This milestone in the county's history clearly demonstrates the ability and dynamic purposefulness of our citizens to work together for a cause that is beneficial to all. We are very proud of our county and its development over the 175 years of its existence, and I am sure that with high enthusiasm and will, bent on continued success, we can look forward with confidence to even greater things in the future.

Under leave to extend my remarks in the RECORD, I include a proclamation for Montgomery County Day, Thursday, September 10, 1959. Congratulatory communications from President Eisenhower, Vice President Nixon, and the Senators from Pennsylvania, Hon. Hugh Scott, and Hon. Joseph S. Clark as follows:

PROCLAMATION FOR MONTGOMERY COUNTY DAY, THURSDAY, SEPTEMBER 10, 1959

Whereas Montgomery County has reflected dynamic advancements in industry, government, health, commerce, transportation and communications during the development of our Nation; and

Whereas Montgomery County has ever encouraged self-reliance and fostered freedom of opportunity for its men and women; and

Whereas our citizens can take pride in Montgomery County's vast resources, her versatility and manifold attainments in industry, health, and her amazing diversity of products; and

Whereas it was on Montgomery County soil that the forces of Gen. George Washington withstood their most severe test in the Nation's successful fight for freedom; and

Whereas Montgomery County must look to the future, ever searching for new endeavors which will mean continued growth and prosperity; and

Whereas the occasion arises to appropriately observe our heritage and impress upon the world that it will be preserved in enriched form for generations to come: Now, therefore,

We, J. Walter Hammonds, Warren M. Cornell, Jr., and Forrest J. Henry, the Commissioners of Montgomery County, do hereby designate and proclaim Thursday, September 10, 1959, as Montgomery County Day to commemorate the 175th anniversary of the founding of Montgomery County.

We call upon our citizens to seize upon this opportunity to acquaint themselves more fully with the resources, development, history and potentialities of their county, and ask that the occasion be marked by appropriate exercises in the schools and by business, civic, religious, patriotic and fraternal organizations within Montgomery County.

THE WHITE HOUSE,
Washington.

HON. J. WALTER HAMMONDS,
HON. M. CORNELL, JR.,
HON. FORREST J. HENRY,
Commissioners of Montgomery County, Courthouse,
Norristown, Pa.:

Through Congressman JOHN A. LAFORE, JR., I have learned of the 175th anniversary of the founding of Montgomery County, and it is a pleasure to send greetings to all joined in the observance of this event.

Montgomery County, including the hallowed land of Valley Forge, enjoys a proud history. Its people, strengthened by a tradition of enterprising and responsible citizenship, can face the future with confidence.

Congratulations and best wishes.

DWIGHT D. EISENHOWER.

OFFICE OF THE VICE PRESIDENT,
Washington.

COUNTY COMMISSIONERS,
Montgomery County,
Norristown, Pa.:

It is a pleasure to extend greetings to the citizens of Montgomery County, Pa., on the 175th anniversary of the founding of their county. The United States has expanded enormously since 1784 and in these 175 years Montgomery County has contributed much to the cultural, political, and industrial development of the Nation. I also know of the excellent reputation Montgomery County has for providing efficient and progressive government as well as a low tax rate. Your county could well be considered a model for all of us. With best wishes for the next 175 years.

Sincerely,

RICHARD NIXON.

Congratulations to Montgomery County on the 175th anniversary of its founding.

These days when our society devotes so much emphasis to those things which are changing, it is heartening to have people call attention to the things which have not changed—our heritage, and the principles which guided our forebears and continues to guide us today.

People who are interested in their own past, almost always are those who are also planning for the future. They live a fuller life and conduct their civic affairs in a manner which will make their children proud to inherit the community.

This has contributed to making Montgomery County so vigorous an area and one which is a credit to the whole Commonwealth.

U.S. Senator HUGH SCOTT.

Messers J. WALTER HAMMONDS,
WARREN M. CORNELL, JR.,
FORREST J. HENRY,
Commissioners of Montgomery County,
Norristown, Pa.

GENTLEMEN: It is a pleasure to salute Montgomery County on its 175th birthday. I have many special reasons for particularly warm feelings for Montgomery—one being that my daughter attends Bryn Mawr; another than a key member of my Senate staff is from Conshohocken.

Your continuing prosperity and growth, your rich history, your diversity of resources and industrial development—all these make Montgomery a cornerstone on which the welfare of Pennsylvania is built.

Best wishes for 175 more years of steady progress.

Sincerely yours,

JOSEPH S. CLARK.

Import-Export Trade Policy

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. SAYLOR. Mr. Speaker, the August 17 issue of the Washington Post and Times-Herald contained a news story on imports and exports that merits the diligent attention of every Member of Congress. I therefore ask that it be inserted in the RECORD at this point.

[From the Washington Post and Times Herald, Aug. 17, 1959]

NINETEEN HUNDRED AND FIFTY-NINE IMPORTS OF EUROPE GOODS SOAR

(By Harry W. Frantz)

U.S. imports from Europe in the first half of 1959 were sharply higher than in the same period of 1958, while exports declined. As a result, the international merchandise trade balance turned favorable to Europe.

The United Kingdom ranked first and West Germany second in both the imports and exports of the United States.

According to unpublished Commerce Department statistics obtained by United Press International, U.S. imports from Europe in January–June 1959 were valued at $2,192,813,000 compared with $1,544,119,000 in the same period of 1958.

U.S. exports to Europe in January–June 1959 were valued at $2,075,214,000 compared with $2,293,258,000 in the same period of 1958.

The Department classifies "Europe" as comprising continental countries including the Communist bloc, and also the United Kingdom, Ireland, and Iceland.

Mr. Speaker, here is another chapter in the accounting on an international trade program that subordinates the welfare of American industry and labor to the market desires of nations specializing in low wage scales. For years supporters of this program have defended their position with charts and tables aimed at convincing Congress that a favorable dollar balance was proof enough of the advisability of their scheme. They chose to ignore the fact that U.S. foreign handouts and other gratuities provided buying power for much of the business enjoyed by the Nation's exporting industries. They contended that the thousands of workers shoved out of jobs by products entering our shores from abroad had to accept this fate as a contribution to the overall benefits of free exchange of goods.

Now even this argument has been dissipated. Despite all the billions of dollars that continue to pour out of the U.S. Treasury to foreign indigents, we are buying more than we are selling in European trade. Last year America's gold deficit amounted to $2.3 billion, and the unfavorable trend is continuing. Meanwhile the invasion of our markets threatens an ever-increasing number of jobs in this country.

One of the most vicious consequences of the current foreign trade program is that more and more American capital is being shipped abroad to build plants that will provide further competition in domestic markets. Unable to compete with products of cheap foreign labor, American manufacturers are investing overseas for the purpose of, first, capturing foreign markets that would normally be supplied, at least in part, by U.S. exports, and second, taking advantage of America's easy entry to crowd out the production of this country's labor force.

I submit, Mr. Speaker, that the economic difficulties that are responsible for so many surplus labor areas in this country are never going to be solved by taking mills and factories out of the United States and setting them up in Europe, Asia, Africa, and South America. The distressed areas of Pennsylvania could quickly become prosperous regions if only a small percentage of the capital going overseas were invested in our State. Under present conditions, many of our communities are unable to meet obligations because families without incomes cannot pay taxes or make normal voluntary contributions to civic activities. The loss is also felt at the State and national levels.

For a decade the State of Pennsylvania has been plagued with considerable unemployment occasioned by foreign competition. One coal mine after another has closed because foreign residual oil was allowed to flow into east coast fuel markets without respect to its impact on the domestic economy. The President wisely placed a limit on residual oil imports when it became evident that the national defense structure was being eroded. But Congress is going to have to meet the issue of economic damage caused by imports, and I hope that the shocking data on the developing unfavorable picture on imports and exports will stimulate action in this regard.

While I am not unmindful of the other States whose working men have been deprived of jobs because of the surging volumes of imports deluging our markets, Pennsylvania has without doubt been a principal victim. We have lost heavily to foreign glassware, pottery and ceramics, clothing, machine tools, turbines and generators, and many other products. Now steel—another of our major industries—is threatened. Steel Facts for August reports that foreign competition has been more intense this year than ever before. For the first 5 months of 1959, the United States imported 1,501,792 net tons of steel as compared to an export total of only 850,747 net tons. Steel mill product exports are also pointing downward, and of course we lose in our domestic markets every time a foreign car or other steel product enters the country. Our disadvantage extends to barbed wire, nails, reinforcing bars, and other items.

Recently the Sporting Arms and Ammunition Manufacturers' Institute filed a petition with the Office of Civil and Defense Mobilization for relief from imports of surplus military firearms. The premise for this petition is that the American firearms industry is vital to national defense, a position which can hardly be contested. The fact remains, however, that defense considerations alone should not dictate the Nation's foreign trade policies. Congress has a responsibility to all citizens regardless of whether they belong to so-called defense industries. To permit unnecessary deterioration of domestic industry constitutes grave dereliction of duty on the part of Congress, which is going to have to face up to its responsibility on the foreign trade fiasco if economic catastrophe is to be averted.

There is an important lesson in the latest import-export data. It should be studied conscientiously in the coming months with a view to taking corrective action when the next session convenes in

January. I personally would prefer to withhold adjournment until legislation is enacted to protect domestic industry and labor, and to discourage further exodus of industry to foreign fields, yet I am practical enough to realize that—for the time being—our only hope of relief is through the national defense amendment to the Trade Agreements Act. If import-export statistics continue to follow the pattern established through the first 6 months of this year, then surely the opposition to a sane foreign trade program will admit to the folly and futility of its position. In any case, Congress has a moral and constitutional obligation to stop this cruel and needless exportation of American jobs.

Congressman Wolf Says United States Has Much To Show Khrushchev

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. BOWLES. Mr. Speaker, the newspapers have been full of various comments on Mr. Khrushchev's pending visit to the United States. One of the most intelligent comments I have seen on this subject appeared in the Waterloo (Iowa) Courier for September 3. In a guest editorial in that paper, our vigorous, young, and effective colleague, LEONARD WOLF, discusses the prospects for the Khrushchev visit and the opportunity that is facing us.

Under leave to extend my remarks, I include his editorial as follows:

WOLF SAYS UNITED STATES HAS MUCH TO SHOW RUSSIA'S KHRUSHCHEV

(By Representative LEONARD G. WOLF, Second Iowa District)

The contemplated exchange of visits between Khrushchev and Eisenhower this fall has raised the hopes of the American people and the peoples of the world. This optimism has not decreased although many people after a second look question the good that can come from such an exchange of visits.

It is, of course, unreasonable to expect too much from such an exchange of visits. For even powerful leaders such as Eisenhower and Khrushchev do not have it within their power to turn back the tide of the cold war which has been raging for at least 12 years. The philosophic differences are great between the two nations. Much misunderstanding and mistrust on both sides have resulted in great ill feeling. Each country is committed to great armaments and military spending. These drawbacks cannot be expected to be overcome by two men who will visit each other's country for, at most, 2 weeks.

This does not mean that such visits are wrong or cannot accomplish any good end. Winston Churchill once pointed out that it is "better to jaw-jaw than to war-war." And he is right. The costs of war today are prohibitive. All rational men know this. The world would possibly be destroyed or at least civilization would be turned back to the darkest cave man days.

Consequently, discussion and negotiation are welcomed so that the chances of fighting an atomic war are lessened.

Many people in the United States will not take kindly to the coming of Khrushchev. This is quite understandable. The record of Khrushchev is, to say the least, not spotless. He has on his hands the blood bath of Hungary and the cruel and unexplainable murder of two heroes of Hungarian freedom, Pal Maleter and Imre Nagy. This is not something that can be forgotten and should not be forgotten. The Russian advance in science by putting sputnik in the air does not wipe out the cruelty of the Soviets in Hungary.

We should not forget the threats of Khrushchev and his saber-rattling, nor his reckless playing with destruction over the question of Berlin.

On the other hand, the President of the United States has invited Khrushchev in an effort to lessen tensions in the world and the Russian leaders at least seem more amenable to reason and negotiation. And the Vice President has shown us that the Soviet people themselves want peace and are very friendly to the United States. Thus, it is the duty of the American people to do all in their power to impress on the Soviet leader two ideas: That the American people want peace, and that the American people love freedom and are willing to fight for it and have the capability of fighting for it.

We must not try to cover up the shortcomings that we have. But we can show great and hitherto unparalleled progress in such areas as human relations in which people of different backgrounds live together in harmony. We can show Khrushchev our great economic wealth in which, because of our free enterprise system governed by societal responsibility, the people have reached economic heights that are unparalleled in the history of man. We can show Khrushchev our great strides in culture in which our artists are free to paint and write what they please without fear of Government interference as was the case, for example, with the great Russian writer, Boris Pasternak.

I do not fear a visit from Khrushchev. We have a great civilization. Certainly the greatest since the Athenian civilization over 2,400 years ago. We have much to be proud of. And we must rid Khrushchev of his appalling conceptions of American life and the great misrepresentations of our policies which the Soviet Government feeds the Russian people. These misunderstandings and misconceptions must be corrected lest Khrushchev make a serious mistake and plunge the entire world into an atomic holocaust which the Russian people and the American people surely do not want.

The Real Democrat Spending Record

EXTENSION OF REMARKS
OF
HON. JOHN J. RHODES
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. RHODES of Arizona. Mr. Speaker, it is a matter of common knowledge that the Republican administration since 1953 has been far more concerned with controlling spending and inflation than the preceding Democrat administrations. The record of the two parties in Congress is equally evident, and recent efforts to create confusion by publishing misleading tables on the last page of the CONGRESSIONAL RECORD should fool no one.

Clear evidence of the Democrat spending record and the real record of Republican responsibility is unmistakable when we use "constant dollar" figures for comparison instead of fluctuating, inflated dollars. To do this we select some particular year as an anchor, and express expenditures for all other years in terms of that year's dollars. For example, let us use 1954 dollars and see how much the budget has actually gone up or down each year.

Table No. 1 which I am inserting in the RECORD shows that from 1933 to 1953 Federal spending in constant dollars rose 524 percent.

Let us subdivide this 20-year period of the New Deal-Fair Deal and look more closely at the runaway spending trend.

In the first 6 years to 1939, spending rose 57 percent. In the next 10 years to 1949, it rose 137 percent. In the final 4 years to 1953, it rose another 68 percent.

But, a dramatic reversal occurred under the Republican administration. By fiscal year 1959, Federal spending in these real terms, had been cut a sharp 10 percent.

Another basis of comparison would take into considearation the annual increase in population. In other words we should look at the number of citizens for whom the Federal Government must provide services, and who are available to share the burden of the expenses involved. Table No. 2, which I am inserting in the RECORD, shows that under Democrat administrations the Federal budget outlays per capita rose nearly 400 percent. Under the present Republican administration nearly one-fifth of that rise has been cut back. This is a remarkable and immediate reversal of the preceding trend.

Now, what is the outlook for fiscal year 1960? The President's budget proposes expenditures of $77,030 million. If this Congress has not exceeded that budget, Federal spending per capita this year will be cut by nearly one-fourth of what it was in 1953.

Mr. Speaker, the Republicans have a program of fiscal responsibility. If the spenders will not cooperate in keeping the Federal budget and the national economy on a sound basis, they should at least agree to the validity of the changing dollar value as an element to be considered when comparing spending records.

The validity of the comparison I am making here should be clearly evident when we remember that we are living on an inflationary plateau built by the Democrats. The administration now responsible for Federal budgets has no choice but to construct its program on that plateau. I am simply stating that the only way to make accurate and reliable comparisons of Democrat and Republican spending is by including the vast inflationary accumulations in the

economy put there during and by Democrat administrations, with which this Republican administration must live.

TABLE 1

Time period	Change in total Federal budget expenditures in dollars of constant purchasing power	Change in per capita Federal budget expenditures in dollars of constant purchasing power
1933–39	Up 57 percent in 6 years	Up 50 percent.
1939–49	Up 137 percent in 10 years	Up 109 percent.
1949–53	Up 68 percent in 4 years	Up 58 percent.
1953–58	Down 19 percent in 5 years	Down 26 percent.
1953–59	Down 10 percent in 6 years	Down 19 percent.
1953–60 [1]	Down 14 percent in 7 years	Down 24 percent.

[1] Based on budget estimate.

TABLE 2

Fiscal year	Total Federal budget expenditures in millions of current dollars	Total Federal budget expenditures in millions of 1954 dollars	Federal budget expenditures per capita in 1954 dollars	Total population residing in the United States (thousands)
1929	$3,127	$7,027	$57.71	121,770
1930	3,320	7,943	64.54	123,077
1931	3,577	8,578	69.16	124,040
1932	4,659	12,196	97.69	124,840
1933	4,623	12,070	96.11	125,579
1934	6,694	15,495	122.61	126,374
1935	6,521	14,922	117.27	127,250
1936	8,493	18,109	141.42	128,053
1937	7,756	16,397	127.28	128,825
1938	6,792	14,733	113.48	129,825
1939	8,858	18,927	144.61	130,880
1940	9,062	19,281	146.12	131,954
1941	13,262	24,069	180.81	133,121
1942	34,046	55,450	414.05	133,920
1943	79,407	121,047	901.68	134,245
1944	95,059	147,836	1,112.51	132,885
1945	98,416	154,016	1,162.55	132,481
1946	60,448	82,805	591.24	140,054
1947	39,032	48,307	336.76	143,446
1948	33,069	39,181	268.19	146,093
1949	39,507	44,894	301.98	148,665
1950	39,617	44,215	292.36	151,234
1951	44,058	44,638	291.02	153,384
1952	65,408	65,935	423.31	155,761
1953	74,274	75,329	475.82	158,313
1954	67,772	67,772	420.45	161,191
1955	64,570	62,027	377.52	164,303
1956	66,540	61,158	365.80	167,191
1957	69,433	60,063	352.70	170,293
1958	71,936	61,014	352.15	173,260
1959	80,699	[1] 68,100	[2] 385.99	[2] 176,428
1960	[3] 77,030	[1] 64,677	[2] 360.12	[2] 179,600

[1] Projected on assumed price rise of 0.5 percent per year.
[2] Projected.
[3] Estimated in fiscal year 1960 Budget document.

Explanation of tables: The second column, "Total Federal budget expenditures millions of 1954 dollars," is obtained by dividing the first column by the implicit deflator or Federal purchases of goods and services for the corresponding calendar year. The expenditures and the deflators are obtainable from the economic report except for the latest years. There, the expenditures can be obtained from the budget document, but the deflators have to be projected.

The final column is the population residing in the United States. It is obtainable from the statistical abstract of the United States, except for the most recent years, which can be obtained from the census. The last 2 years have to be projected.

The third column is the second divided by the fourth.

The smaller table of percentages is computed from the larger table.

Our Lady of Czestochowa Parish Celebrates 50th Anniversary

EXTENSION OF REMARKS
OF
HON. SILVIO O. CONTE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 10, 1959

Mr. CONTE. Mr. Speaker, on Sunday the 30th of August I had the great privilege of being present as a speaker at the Golden Jubilee Banquet of Our Lady of Czestochowa Church in Turners Falls, Mass.

Under leave to extend my remarks, I wish to include the text of my remarks in the RECORD:

I want you to know how greatly honored I am to have been asked to participate with you in the 50th anniversary of Our Lady of Czestochowa. How proud all of you must be to see how wonderfully this parish has flourished, and the fine group of men and women who today call it their own. For half a century now, your church has served the people of this wonderful community as a house of worship and a spiritual home. In times of trouble and sorrow it has been a source of strength and a beacon of hope; in times of happiness it has been the center of rejoicing for family and friends; and throughout each year, it has added understanding to life and provided a guideline for true Catholic living.

As you know, I come from another heritage than yours. My family came from Italy and your families from Poland. But in many ways, I feel a real brotherhood with each and every one of you. My parents, like yours, came to America and lived in great hardship during their first years in a new country. Both my parents and yours learned what a wonderful blessing it is to enjoy the fruits of American liberty. Both my parents and yours brought with them a fervent religious tradition which enabled them to go through the hardest years and finally vanquish the difficulties in their paths.

Let me say to you today that the 50 years of service and growth of this church are a tribute to the religious devotion of you, its members and clergy, and to the deep faith of the Polish people and Americans of Polish descent. Wherever the Polish people have settled in America they have brought their great faith with them, building new churches with priests of Polish descent and following their time-honored customs. This deep-rooted religious faith and conscientious fulfillment of religious obligations, together with your love of family and willingness to work long and hard, are the chief among the reasons that you have become such a vital and beloved part of America.

It is the same deep faith demonstrated by the 50th anniversary of this church which has sustained the Polish people in the old country through the many wars and partitions to which their land has fallen victim. For many centuries there have been many invasions, occupations and partitions, but no matter how determined the aggressors, they have not been able to suppress the freedom-loving spirit of the people of Poland. Never has this been more vividly illustrated than in the Poland of today, and never has religion played a more important role in the defense of Polish freedom than it does now.

Today Poland suffers under perhaps the cruelest tyranny of the many which have afflicted her over the centuries. But the Communist government imposed upon the Polish nation by Russia has had a difficult job in stamping out the liberties of the Polish people. In many other parts of the Communist world, all freedom of speech, all freedom of religion have been stamped out. But not in Poland. The Polish love of freedom, strengthened by religious convictions and guided by the clergy, is simply too strong to deal with so quickly and easily.

A few weeks ago we saw a wonderful demonstration of the true will and feeling of the Polish people. Admiral Rickover, who was along on the trip made by Vice President NIXON, told our committee in Congress that the people of Warsaw lined the streets, tears in their eyes, to welcome the American party. The welcome given Khrushchev a few weeks before was meager in comparison. The Nixon visit gave the people of Poland an opportunity to demonstrate once more their great and unquenchable love of freedom.

The people of Poland are in a difficult position today. To the east stands Soviet Russia, with the mightiest land army in the world, ready to crush the Polish nation once more if a dangerous rebellion begins. To the west is the Soviet puppet regime in East Germany, where almost 400,000 Soviet troops are stationed. The people of Poland must steer a careful course, or Russian tanks will once more rumble through their streets and they will suffer the cruel fate of the people of Hungary.

One of the most important factors aiding the Polish people to maintain their spirit and resist communism is the church. In their worship the Polish people continually assert their support of a cause greater and finer than that of the Communist empire.

A key figure in this great struggle is Cardinal Wyszynski. He symbolizes the important role of the church in the fight to keep liberty alive. A priest since 1924, Cardinal Wyszynski's first work was among the labor unions. I am sure that his close association with the working people and economic problems gave him special insight which would later help him to see through the Communist myth and fight it effectively.

In 1948, at the very time that Communists were making intense efforts to remake Poland in the image of the Soviet Union, this man became Archbishop and Primate of Poland, and 4 years later, he received the red hat. No sooner had he become Primate, however, than the Communist government in Poland moved to take all economic and political rights away from the church, seizing much of its property and creating no end of hardships for the church. For years the Cardinal fought against these violations of the rights of the church. The government never lived up to its agreements. Instead, Catholic papers were closed down. Priests were arrested. The church's great charitable organization was taken over. And the Communists even tried to set up an organization known as PAX, a practical competitor to the church, trying to divert the faithful from the fold.

This train of events culminated in September 1953 when the state secret police appeared in the courtyard of the Cardinal's residence, and for the next 3 years held him virtually as a prisoner.

But the Communists miscalculated. They did not understand the real spirit of the Polish people. Unrest began to mount throughout the land. It was clear that the old regime was fighting a losing battle to keep control of the people. In the famous month of October 1956, Gomulka returned to power and Cardinal Wyszynski was released. The Communists realized that in order to prevent a great uprising they must grant liberties, particularly to the church.

No one can say that the people of Poland are enjoying full and real liberties today. But they are enjoying a few more liberties than the people of most of the other satellite nations. The reason is that they have frightened the Communist powers that be into letting them have those liberties and religious freedom.

Cardinal Wyszynski is not deceived about the basic struggle between catholicism and communism. He has said that because communism, like an evil cancer, is dangerous to all parts of man's life, it must be combated by the united efforts of the whole society. He believes, that someday there must be a decision between Christianity and communism, and that the whole Polish nation and the whole world must prepare for that final decision.

Nevertheless, this brave cardinal also wishes to keep Russia from using turmoil in Poland as an excuse for intervention. He wishes to keep the church alive. In this difficult task I know he has the prayers of peoples of all religions throughout the free world, and especially of those, like yourselves, who have Polish ancestry and love the land of Poland so much.

As for the Communist leaders in Poland, they realize that the teachings of the Catholic Church contradict all that they claim, and that Cardinal Wyszynski is their mortal enemy. In the past year they have made repeated efforts to suppress the church, but with limited success. In fact, there is much evidence that the Communists are fighting a losing battle, especially in the town of Czestochowa for which this church is named.

For more than 300 years a picture of the blessed virgin, believed to have been painted by St. Luke, has hung in the monastery of Yasna Gora at Czestochowa. As you know, this is the holiest shrine of Polish catholicism. Every year in August there is a great pilgrimage to this monastery to celebrate the assumption of the virgin. These pilgrimages have continued throughout the Communist reign. The city of Czestochowa has become a symbol of the great and lasting influence of the church in Poland and a great spiritual center.

Last year, just before the time of the annual pilgrimage, the sanctuary of Yasna Gora was searched by police for the first time in its history, supposedly to halt the printing of what were called illegal publications in the Pauline Brothers Monastery. Following the Yasna Gora raid the smoldering conflict between church and state flared into the open. The government barred nuns, monks and priests who belonged to religious orders from teaching religion in the schools.

Nevertheless, the pilgrimage took place as always. On August 15, from every part of Poland, pilgrims journeyed to Czestochowa on foot, on bicycles, by bus and by train. This, my friends, is the deep and lasting type of devotion which the Communists cannot suppress as long as the Polish people have life and strength to express their deep will.

It is the same type of deep and lasting faith which has made this parish here in America so successful during its first half century. I am confident that this same abiding religious faith will be a source of rebirth for the Polish people even in times of deepest despair. It will continue to bind the faithful in Poland with the faithful here in America and other nations, in eternal dedication to common ideals and the great common belief. It will be the inspiration for wisdom and courage until the shackles of Communist tyranny are thrown off—not only in Poland, but wherever they may exist in our world.

Once more, my friends, my warmest congratulations to you on this great anniversary. May the good Lord continue to bless your wonderful undertaking in the years ahead, just as he has during the first glorious half century of our lady of Czestochowa here on American soil.

A Congressman's View of Technical Cooperation

EXTENSION OF REMARKS
OF
HON. J. VAUGHAN GARY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 10, 1959

Mr. GARY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include an article published in the May issue of the Annals of the American Academy of Political and Social Science, entitled "A Congressman's View of Technical Cooperation."

The title of the article really does not do it justice, because it does not convey the important fact that the author is a Congressman who is uniquely qualified to write on technical cooperation. The author is the Honorable PORTER HARDY JR., the distinguished and exceedingly able Member of this House from the Second Congressional District of Virginia. He is the energetic and capable chairman of the Subcommittee on International Operations of the House Committee on Operations. This subcommittee has done outstanding work in investigating our Government's operations abroad, and the disclosures which his subcommittee has developed have been most helpful to the Congress in evaluating our foreign aid program. Representative HARDY'S article points out that the technical cooperation program has been a wonderful success in many places, and he makes clear that it is out of a sincere belief in our technical cooperation programs, and his concern for their success, that he has found himself in the role of a critic. I add, however, that in my view he is a most constructive critic.

The article follows:

A CONGRESSMAN'S VIEW OF TECHNICAL COOPERATION

(BY PORTER HARDY, JR.)

Advocates of particular points of view commonly characterize as opponents those who are not enthusiastic supporters. For example, if a Congressman makes a speech or writes an article criticizing the conduct of a particular Government program, he is forthwith considered as against it. When, as is often the case, he couples with his criticisms a pledge of support for the program he is apt to be accused, as politicians sometimes are, of talking out of both sides of his mouth at once, doubtless with an eye on the next election.

More careful observers recognize constructive criticism. They know that the adverse comments which Congressmen make about given activities of Government do not always have ulterior motives. Instead, critical observations by Congressmen may often arise out of a sincere belief in and a profound concern for the very things being criticized. It is out of a concern for the success of our technical cooperation programs that I find myself in the role of critic.

We in the Congress have listened carefully year after year to the reports of performance and claims of accomplishment for these programs which are sent up by the International Cooperation Administration and the Department of State. Along with most of my colleagues from both sides of the aisle I have consistently voted funds for their continuance. But, as chairman of a House subcommittee charged with the duty of studying U.S. international operations, I have also had some special opportunities to observe their day-to-day conduct, and I have not always been gratified by what I saw. It is out of the experience of the past 4 years, in which I have studied at close hand technical cooperation programs from Iran to Uruguay, and from Cambodia to Mexico, that my judgments have been formed.

AIMS AND PHILOSOPHY OF PROGRAM

The objectives of this program are most inspiring and unselfish, particularly for an activity undertaken by one government on behalf of another. The technical cooperation program is founded in hope and optimism. It envisions a future in which, through the sharing of technical knowledge and skills, a better life can be created for millions of people in other lands—people for whom over the centuries tomorrow has always been bleak.

It is by no means accidental that the United States has led the way in this bold and imaginative undertaking. The stoic acceptance of life as it is has never been an American characteristic. We have always considered ourselves masters of our fate. Coupled with this confidence is a deep humanitarian urge which impels Americans into action whenever they see human misery caused by poverty, starvation, disease, and ignorance.

Moreover, when such conditions exist in lands with untapped resources, to an American it appears that what is needed is the application of American know-how to make the stubborn earth yield its stored abundance, to push back the ancient enemy of disease, to feed and clothe and house the people and give them the hope for tomorrow which seems so tragically lacking.

This is the central objective of the technical cooperation program. This is the valid element which finds a response in the heart of every American. This is why Congress so consistently supports this effort.

A praiseworthy objective, however, does not by itself assure success. Good intentions must be matched by wise actions. It is from this standpoint that it becomes the duty of even the most ardent supporters of technical cooperation programs carefully and coolly to examine the nature of these activities and the way they are carried out.

Section 418(a) of the Act for International Development of 1950 defines technical cooperation programs as "programs for the international interchange of technical knowledge and skills designed to contribute to the balanced and integrated development of the economic resources and productive capacities of economically underdeveloped areas."

The United States contributes to this effort in three ways; by sending U.S. technicians to work in the host countries, by bringing host country personnel to the United States for training, and by contributing to the support of special joint bureaus set up within the host governments to carry out technical assistance programs. The emphasis throughout is intended to be upon the transfer of skills and know-how. Any expenditure for capital equipment is sup-

posed to be limited to that needed for demonstration purposes only. It is, in other words, intended to be a program of education, not of economic aid.

The implications of this form of foreign aid are worth noting. One of the presuppositions of technical cooperation programs is that there are human and physical resources in the host country which will be employed as soon as the necessary know-how is made available. Another presupposition is that the host country can and will initiate, or take over and continue on its own, a given activity once the method of doing it has been adequately demonstrated. Finally, the concept presupposes that technical cooperation funds will not be employed to continue a given activity after know-how has been acquired by the host country. If additional U.S. dollars are necessary, they should either be provided through private sources or through other categories of the mutual security program.

Out of a total of nearly $4 billion of the President's budget request for the fiscal year 1959 mutual security program, $164 million—about 4 percent—was for technical cooperation. Thus the technical cooperation programs do not involve large sums of money when compared to the billions which we spend each year on other foreign aid activities. A portion of this amount represented U.S. contributions to technical cooperation programs carried out through international organizations like the United Nations and the Organization of American States. Of the total, however, $142 million was for bilateral programs set up by agreement between the United States and individual host countries. The following comments relate principally to the bilateral programs.

I have already expressed myself as being impressed with the inspirational aspects of technical cooperation. It provides people-to-people contact—an element which should be supplied but is generally lacking in other aspects of our foreign aid program. Military assistance programs all over the world serve to protect the freedom of countries and their citizens—but the impact of such programs is not felt directly by the people. Military hardware does not fill empty stomachs. Economic assistance dollars too often are used for monumental projects such as dams and roads—projects which are primarily dedications to national pride. Although over a long period of time they contribute to an improved economy, they have little or no significance in the here and now for the ordinary man. The only programs that immediately encourage and directly help the individual are those embraced under the point 4 concept—that is, technical cooperation. Through these programs, individuals are helped to better health, to useful and enlightening education, to a more adequate diet, and to improved sanitation and housing.

In the current year over 3,000 American technicians are working abroad in some 50 countries. Most of these technicians are working with their counterparts overseas in the fields of food production, public health, and education. These are basic areas for the improvement of living standards. Some programs have been broadened, in response to changing needs, to help solve problems of transportation, housing, industrial management, public administration, and community development.

AGRICULTURE

In many countries technical cooperation programs have shown the way to better methods of cultivation, improved plant varieties and breeds of farm animals. Through these and the application of fertilizer to crops, improved tools and implements, control of plant diseases and insect pests, the production of food for hungry and growing populations has been vastly increased.

Even slightly improved tools or better methods of cultivation often make immediate and striking improvement. In Iran, a demonstration of the advantages of using a moldboard plow instead of a pointed stick in sugar beet cultivation resulted in three times the yield. In Ethiopia, a simple change to row planting of corn instead of broadcast planting increased production from 18 bushels an acre to 30 bushels.

Agricultural vocational schools and colleges have been opened in a dozen countries as a result of technical cooperation. Through agricultural extension activities, additional channels have been opened through which a continuous supply of scientific information flows to the farmers themselves in a form which they can understand and apply.

HEALTH AND EDUCATION

The original activity of technical cooperation in Venezuela was in malaria control. In 3 years, malaria dropped from third place to sixth among causes of death. In the Philippines, malaria incidence fell 68 percent as a result of DDT spraying. The malaria control program, in addition to its striking accomplishments toward better health, had the important side effect of tremendous expansion in food production—particularly in Indonesia and Iran. Mosquito control restored to cultivation much highly productive land which previously had been abandoned because of malaria.

The surge of interest in education in all newly developing countries is a phenomenon of the present era. In 1946–47 in Cambodia there were 38,000 children in primary schools; in 1955–56 attendance was 241,000. In Iran, since the U.S. technical cooperation program began in that country, school enrollment has increased from 20,000 in 1948 to 45,000 in 1955. The great need everywhere is for trained teachers, and technical cooperation projects in education have concentrated on filling this need, helping to give preservice training to more than 17,000 teachers and in-service training to more than 46,000.

I have given only a few examples to illustrate the operation of this program and the benefits it has produced.

Let us consider in more detail another example of accomplishment, in order to discuss the criteria applicable to a technical cooperation activity. In Chile, the Government had sought over many years to establish a satisfactory program of preventive medicine. As part of the U.S. technical cooperation program in the field of health, during the period from 1943 to 1953, five health centers were established and operated in strategic locations. These centers have since been turned over to the Chilean Government, which continues to operate them today. More important, using these original centers as a pattern, the Chilean Government has constructed ten additional health centers in Santiago Province alone and has made such centers the basic field unit in a reorganization of the Chilean National Health Service.

All the elements of a successful technical cooperation project were present in this case: (1) The project dealt with a problem which had been of concern to the host government; (2) it involved a demonstration of a method of solving the problem; (3) it resulted not only in an activity which could be and was turned over to the host government, but it stimulated expanded and continuing action by the host government in this particular field.

We have, as a matter of U.S. policy, sought to insure the presence of these elements by stipulating three conditions to be met in carrying out a technical cooperation activity. First, the host country must request it. Second, the host country must pay a fair share of its cost. Third, it must be related to efforts being made by the host country itself.

HOST COUNTRY REQUEST

These are wise provisions which, if adhered to with reasonable consistency, would guarantee that every program and project was a truly cooperative undertaking. If we conduct only those programs which the host country requests we can be sure that we are responding to a genuinely felt need; by the contribution of host country funds, local interest in a program's success can be both measured and sustained; and by establishing a relationship with other activities and plans of the host country not only can we contribute to balanced progress and development but the encouraging effect of our help can spread beyond the individual programs.

Unfortunately, in altogether too many instances, these sensible rules have been broken. Investigations by our subcommittee disclosed that some projects were being implemented where host country approval had been obtained through insistence by U.S. representatives rather than as a result of a bona fide interest on the part of the host government. To be sure, a formal request by the host government was on file, but it was little more than a piece of paper drawn up to meet technical requirements. Sometimes these projects originated simply because particular U.S. specialists were available and wanted to undertake them. In other instances, pressure from Washington was put upon U.S. field personnel to get certain types of projects underway. Almost invariably, as might be expected, such projects ultimately were financed almost entirely with U.S. funds. The interest of the host countries was as small as their contributions.

HOST COUNTRY CONTRIBUTION

The second requirement, that the host country contribute a fair share to the support of projects, has also been applied very unevenly. In one country we found that the United States has been paying over $1 million a year to support an agricultural program on the basis, not that the host country could not support it, but that it would not. In another, our technical cooperation funds were being used not to supply know-how but to underwrite a routine Government activity, which is not in the spirit of the technical cooperation legislation. In a third country; a major agricultural project was of such little interest to the host country that when the time came to put in its contribution it refused to do so, even though we had allocated more than three-quarters of a million U.S. dollars to it.

The proportion of local support for individual programs and projects varies widely even within a single country. What appears to emerge is that host country contributions have been made to some projects and not to others, depending on the extent of host country interest in them. This, of course, is why the fair share requirement was instituted in the first place, but it has not been fully or adequately adhered to by U.S. administrators.

The importance of the level of host country contributions cannot be overemphasized. It is not a matter of specific amounts of money, for these might vary considerably from country to country and even from time to time within a given country, depending on the local financial situation. What is crucial is that the most reliable index of a host country's interest in a program or project is not how much it is willing to have the United States invest in it, but how much the country itself is willing to contribute.

The heart of technical cooperation is the idea of self-help. There is little to be gained by imposing on others plans and ideas in which they have no interest. These programs are intended to be cooperative efforts. Unless the recipient country wants and believes in a project or program, enough to put its own funds into it at whatever level it can afford, the cooperation aspect is lost.

In this connection, reports given to the Congress on the extent of host country contributions have been more than a little misleading. These are usually expressed for comparative purposes in terms of equivalent dollars. Yet, by the use of par-value exchange rates which have no current significance, the contributions of some countries have been greatly exaggerated. We found, for example, one country where local contributions as presented to Congress had been magnified in this way by a factor of 20. In other instances, under a category called contributions in kind, a dollar value had been placed on a number of intangibles and everything conceivable has been counted as a host country contribution, including duties they had waived collecting on imports for the program. Most ridiculous of all was reporting, as a host country cash contribution, the local currency obtained by the sale of U.S. commodities we had given them.

As I have pointed out earlier, local contributions, when account is taken of the general financial situation of the host country, can be most revealing about local acceptance of programs and projects. I therefore believe that more effort must be made to adhere to the "fair share" rule than is now the case. I make this observation out of a conviction that the planning of programs, their day-to-day conduct, and their chance of achieving their ultimate goals will be improved thereby.

PROJECT PLANNING

The third requirement, that programs be related to efforts being made by the host country itself, brings up the question of planning. What seems to be absent in most cases is a realistic estimate of the situation. Projects are often initiated with only the most hazy idea of how extensive a problem is involved, without determining in advance the availability of the technical personnel who will be needed, and without fixing a goal by which progress toward completion can be measured. Few projects are based on the kind of preliminary survey and analysis which would determine how much of what kind of technical knowledge or skill needs to be and can be supplied over what period of time. In place of careful planning, the tendency is simply to initiate and to expand programs, in the words of one oversea U.S. program officer, "to provide facilities which haven't been provided heretofore."

It is this approach which leads to pressures from Washington and even from officials in the field to get projects underway, not so much because they are relevant to local needs, but because a similar activity is underway in some adjacent country. This is hardly a sound basis for relating programs to activities of the host country, and it has accounted for a number of notable failures. Fits and starts in other cases have occurred because the problem of recruiting technical personnel to carry out the work was not adequately considered. In Uruguay, for example, a program in health was delayed for more than a year after the chief of the program arrived because four or five technicians could not be supplied.

CONCLUSION

Reviewing these observations, it is clear that most of the faults in technical cooperation programs are matters of administration. Yet, paradoxically, some of them are at the same time tributes to the good intentions and zeal of the administrators who have been activated by a strong desire to obtain tangible results and impatient in their haste to reach ultimate goals. One can applaud enthusiasm—but not when it initiates action with inadequate planning and results in wasteful errors caused by hasty judgments.

A basic trouble, I am coming to believe, lies in a failure to appreciate the fact that there are significant limits to the rate at which technical knowledge and skill can be absorbed by an underdeveloped economy. As Americans we are attuned to a dynamic and open society in which technological change is rapidly assimilated. We must keep in mind the fact that the differing societies of many underdeveloped lands cannot now make use of all the skills we can offer them. First, some far-reaching changes must take place in the nature of the societies themselves. What I am referring to, of course, is the problem generally called cultural lag. For example, it may be possible in a given country to suggest improved methods of agriculture and yet have few of them adopted because to do so may require a revision of age-old traditions of land tenure and ownership and perhaps even of family relationships. Similarly, technical improvements in tax administration may require a totally different view of the role of government within a given culture. Such changes do not come about quickly nor do they result from the availability of technical knowledge. The need for improved skills may be apparent now, but the demand for them may require cultural changes which time alone can bring.

No one is better fitted to take such considerations into account than host country officials who, of necessity, are representative of their own culture. This is why the participation of the host government in planning and carrying out technical cooperation programs is of such paramount importance. This is why unilateral judgments by U.S. officials of what projects are to be undertaken should be discouraged.

It can, of course, be argued that adhering strictly to the rules might result in a reduction in the number and scope of activities now underway. This, indeed, might prove to be the case and in some instances it might be wise. It is also possible that sounder programs might result. In addition, there is a real possibility that when full account is taken of the limits imposed by cultural lag, to say nothing of administrative matters like the recruitment of adequate numbers and kinds of U.S. technical personnel, the seemingly modest level at which these activities are operating may turn out to be very nearly the maximum which is currently feasible.

I have not commented on the relationship of these programs to our more costly undertakings in the fields of outright economic assistance and military aid. Obviously they are related, since improved economies and greater military strength require added technical knowledge and skills. Conversely, the full use of such knowledge and skills may depend upon the addition of considerable amounts of physical capital.

Technical cooperation is basically education, and it is as an educational activity that it must be assessed. In my view, its fundamental concept is sound. The broad policy guides which have been set up for its conduct are inherently wise. If to the good intentions of the U.S. officials administering these programs there can be added sounder judgment, and a greater degree of common sense, I believe we will more fully accomplish our purpose.

For its part, Congress, I am sure, will continue to give this activity its strong support. It is to be expected, however, that a careful congressional eye will be kept on technical cooperation operations, and that the sharpest criticisms will still come from those Members of Congress who most devoutly want these programs to succeed.

SENATE

FRIDAY, SEPTEMBER 11, 1959

(Legislative day of Saturday, September 5, 1959)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our fathers' God and ours, our help in ages past, our hope for years to come: In the whelming waters of tribulations and abominations which this day flood the earth, Thou art as a shelter from the storm, a covert from the wind, and the shadow of a great rock in a weary land.

Give us to realize that Thou art our challenge, as well as our shelter and refuge; and that in the crises of these days, Thy voice to us is calling, in all the want and woe, in all the hunger and misery, of our fellows under all skies.

May our hearts be moved with a compassion that will fit us to be the dedicated heralds of Thy healing.

Teach us to toil and to serve, that we may so play our part in this age on ages telling that we may face with clear conscience the gaze of our contemporaries and the judgment of posterity, and may, at last, hear Thy "Well done. Thou hast been faithful."

We ask it in the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 10, 1959, the President had approved and signed the act (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 2 years, which nominating messages were referred to the appropriate committees.

(For nominations this day received see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the introduction of bills and the transaction of other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 7452. An act for the relief of William B. Jackson (Rept. No. 1006).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes (Rept. No. 1007).

By Mr. HILL, from the Committee on Labor and Public Welfare, with an amendment:

S. 2105. A bill to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes (Rept. No. 1008).

REPORT ENTITLED "CANCER: A WORLDWIDE MENACE"—REPORT OF A COMMITTEE (S. REPT. NO. 1009)

Mr. HUMPHREY. Mr. President, from the Committee on Government Operations, pursuant to Senate Resolution 347, 85th Congress, and Senate Resolution 42, 86th Congress, I submit a report entitled "Cancer: A Worldwide Menace." I ask unanimous consent that the report be printed, with illustrations.

The VICE PRESIDENT. Without objection, the report will be received, and printed, as requested by the Senator from Minnesota.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 1010)

Mr. ERVIN. Mr. President, on behalf of the Senate Committee on Armed Services, I submit a report of the Subcommittee on the Operation of Article VII of the Status of Forces Agreement, which report of the subcommittee has been approved by the full committee. I ask unanimous consent that the report be printed, with illustrations.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from North Carolina.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Walter E. Alessandroni, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania;

Herbert Magil, of the District of Columbia, to be an Examiner in Chief, U.S. Patent Office;

Richard A. Chappell, of Georgia, to be a member of the Board of Parole; and

Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts.

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Fifty postmaster nominations.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, as in executive session, I report favorably the nomination of Col. Robert F. McDermott for appointment as dean of the faculty, U.S. Air Force Academy, with the rank of brigadier general, and the nomination of Verne J. McCaul and Robert E. Hogaboom to be placed on the retired list of the Marine Corps with the grade of lieutenant general. I ask that these names be placed on the Executive Calendar.

The VICE PRESIDENT. The nominations will be placed on the Executive Calendar, as requested by the Senator from Massachusetts.

The nominations placed on the Executive Calendar are as follows:

Col. Robert F. McDermott, Regular Air Force, for appointment as dean of the faculty, U.S. Air Force Academy, with rank of brigadier general; and

Verne J. McCaul and Robert E. Hogaboom, officers of the Marine Corps, to be placed on the retired list with the grade of lieutenant general.

Mr. SALTONSTALL. I also report favorably 3,232 promotions to captain in the Regular Air Force and 234 promotions in the Regular Army in the grades of captain, major, first lieutenant, and second lieutenant.

All of these nominations have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that the nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, the nominations will lie on the desk, as requested by the Senator from Massachusetts.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YARBOROUGH:

S. 2681. A bill for the relief of Yi Young An; to the Committee on the Judiciary.

S. 2682. A bill to amend the Veterans' Benefits Code with respect to the payment of compensation and pension to widows of veterans; to the Committee on Finance.

(See the remarks of Mr. YARBOROUGH when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. GREEN:

S. 2683. A bill for the relief of Melvin O. Miller; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2684. A bill to assure that citizens of the United States will not be denied the right to vote in Federal elections because of their race, religion, color, or national origin; to the Committee on Rules and Administration.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 2685. A bill to amend titles I, IV, X, and XIV of the Social Security Act to increase Federal financial participation in the State public assistance programs established pursuant to such titles, and for other purposes; to the Committee on Finance.

By Mr. GOLDWATER (for himself and Mr. DIRKSEN):

S. 2686. A bill to amend the National Labor Relations Act, as amended, to provide for the appointment of Regional Directors of the National Labor Relations Board by the President by and with the advice and consent of the Senate; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2687. A bill to provide for a highway bridge across the Missouri River in Emmons County, N. Dak.; to the Committee on Public Works.

S. 2688. A bill for the relief of Helene Leutz; to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

S. 2689. A bill for the relief of Hwachii Lien; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2690. A bill to promote greater diversification of U.S. agricultural production; to shift U.S. farm production to those commodities in relatively greatest demand, taking into account both domestic and export markets; to provide larger supplies of protein meals for balanced rations for the dairy, livestock and poultry industries; and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 2691. A bill for the relief of Ratko (Felix) Herskovic; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. SMATHERS, Mr. SCHOEPPEL, Mr. BARTLETT, Mr. YARBOROUGH, Mr. CASE of New Jersey, Mr. ENGLE, Mr. SCOTT, Mr. MCGEE, Mr. BUTLER, and Mr. HART):

S. 2692. A bill to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys; to promote commerce and navigation, to secure the national defense; to expand ocean resources; to authorize the construction of research and survey ships and facilities; to assure systematic studies of effects of radioactive materials in marine environments; to enhance the general welfare and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relating to the adjournment of Congress; to the Committee on the Judiciary.

(See the remarks of Mr. ANDERSON when he introduced the above joint resolution, which appear under a separate heading.)

ONE-YEAR PERIOD DURING WHICH CERTAIN VETERANS MAY BE GRANTED NATIONAL SERVICE LIFE INSURANCE

Mr. LONG of Louisiana. Mr. President, yesterday, I introduced, for appropriate reference, a modified version of my bill, S. 1113, to give veterans of World War II, the Korean war, and the period between those two conflicts, a 1-year period to reinstate the national service life insurance to which they were once entitled.

My colleagues will recall that S. 1113 was approved by the Senate as an amendment to the recently passed Veterans' Pension Act of 1959. However, the House of Representatives, although it accepted every other Senate amendment to that bill, refused to accept this amendment which had the overwhelming support of the Senate. In order not to delay the passage of the Veterans' Pension Act, I did not offer a motion to send the bill with this amendment back to the House for its further consideration. As Senators will recall, I stated on the floor that the distinguished chairman of the House Veterans' Affairs Committee assured me that if this proposed legislation comes back to the House as an amendment to any other veterans bill he will use his best efforts to see to it that the House has an opportunity to vote for the measure on the floor.

The Senate has passed this amendment in basically the same form in the last three Congresses. The next time that we pass the amendment, I am confident the House of Representatives will also give it its approval since the bill merely enables us to help millions of veterans at almost no cost at all to the Federal Government.

The Veterans' Administration suggested several technical modifications to S. 1113. The bill which I am introducing today on behalf of myself and 55 other Senators incorporates the technical suggestions made by the VA, but it does not modify in any way the basic provisions of the bill. It simply states in somewhat more precise terms the intent of the sponsors of this legislation.

I ask unanimous consent that the memorandum prepared by the Veterans' Administration on S. 1113 be printed at this point in the RECORD, and following it a copy of the bill which I introduced on yesterday, Senate bill 2675.

There being no objection, the memorandum and bill were ordered to be printed in the RECORD, as follows:

ANALYSIS, COMMENTS, AND COST DATA, REGARDING S. 1113, 86TH CONGRESS

INSURANCE PROPOSED FOR NONDISABLED VETERANS

Section 38 U.S.C. 725(a), as proposed by S. 1113, limits eligibility to insurance thereunder to persons who served on active service, as that term was defined in the NSLI Act[1] prior to its repeal. Although the service of certain groups was not considered active service as defined by that act, they were brought within its purview by later statutes. Attendance of cadets and midshipmen at the academies during World War II was deemed active service for insurance purposes by section 10 of Public Law 144, 78th Congress. Commissioned officers of the Coast and Geodetic Survey assigned to duty under certain conditions were brought within its scope by Public Law 786, 78th Congress. Commissioned officers of the Public Health Service entitled to full military benefits under section 212 of Public Law 410, 78th Congress, and Executive Order 9575, were eligible for national service life insurance. If the bill is considered further it should be clarified as to whether it is intended to reopen national service life insurance to such persons.

The bill provides that the insurance to be issued under the proposed 38 U.S.C. 725(a) would be subject to "the conditions and limitations" of section 602(c)(2) of the NSLI Act. Among other things, this is apparently intended to exclude from its purview persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941. By virtue of a statute referred to in the mentioned section 602(c)(2), which statute is now restated in 38 U.S.C. 107(a), the rights of such persons to insurance coverage are limited to contracts of insurance entered into before February 18, 1946. A question may arise, however, concerning persons who served in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945. Section 107(b) of title 38 limits the rights of such persons to insurance contracts entered into before May 27, 1946, or insurances issued under section 620 or 621 of the NSLI Act, or under 38 U.S.C. 722. However, there is no provision in section 602(c)(2) with respect to their rights to insurance. If the bill receives favorable consideration it should be clarified as to whether these Philippine Scouts are to be eligible for insurance under the proposed section 725(a).

The maximum amount of insurance for which a veteran who has cash-surrendered a permanent-plan policy would be eligible under the proposed section 725(a) would be decreased by the principal amount of the insuance surrendered. This would result from a limitation in section 602(c)(2) of the NSLI Act which would be made applicable to insurance granted under the bill. Since veterans whose term policies have expired or whose permanent-plan policies have lapsed would be eligible for insurance under the bill, there appears no sound reason to exclude from the full benefits of the bill persons who cash-surrendered their insurance, possibly for impelling financial reasons at the time.

The proposed subsection 725(b) of title 38 provides for the issuance of insurance in accordance with the provisions of section 621 of the NSLI Act, with certain exceptions. One of these exceptions is that the insurance shall be limited convertible term or permanent-plan insurance with premiums based on table X–18 and interest at the rate of 2½ percent with an additional amount for administrative costs. It may be intended that this insurance be the same (with the exception of loading for administrative costs) as that authorized under 38 U.S.C. 123(b), the only limited convertible term insurance presently issued. However, in its present form the bill is ambiguous.

The "limiting" factor in the convertible term insurance now issued under section 723(b) is that after September 1, 1960, such insurance may not be issued or renewed on the term plan after the insured's 50th birthday. Unless this provision is to apply to the limited convertible term insurance authorized under the bill such insurance would be limited in name only. It could be issued at any age and would be renewable indefinitely throughout the lifetime of the insured.

If the age limitation of section 723(b) is to apply and the bill becomes effective after September 1, 1959, persons over age 50 will not be afforded 1 year within which to apply for limited convertible term insurance. On the other hand, if such limitation does not apply, the bill would create a group of term policyholders who would be paying a lower premium than policyholders of term insurance issued under section 621 of the NSLI Act, but who would have the same right of renewing their term insurance without age limitation. Further, the bill does not specify what mortality table will be used to calculate the guaranteed values of permanent plan insurance or the rate of interest for settlement of annuities. Annuity settlements under section 621 are based on the annuity table for 1949 with interest at 2¼ percent per annum whereas annuity settlements under section 723(b) are based on the same table with interest at 2½ percent per annum. The bill should be clarified as to the intent regarding each of the above aspects.

INSURANCE PROPOSED FOR THE SERVICE-DISABLED VETERANS

The insurance to be issued under the bill to the service-disabled veterans would be granted in accordance with the provisions of section 620 of the NSLI Act. Section 620 of that act has been repealed and restated, with certain amendments, as 38 U.S.C. 722(a). The amendments extended the time during which application may be filed on behalf of persons who are mentally incompetent and made some liberalization in the group of persons eligible for such insurance. If the right to purchase service disabled veterans' insurance is to be reopened at this time it should be made available to persons previously eligible to apply therefor under either the mentioned section 620 or 38 U.S.C. 722(a), and the insurance should be granted in accordance with the latter section.

ADMINISTRATIVE PROVISIONS AND COST

The bill provides that the premiums on insurance issued in accordance with section 621 of the NSLI Act shall be based on table X–18 and interest at the rate of 2½ percent "with an additional amount for administrative costs as determined by the Administrator." The latter is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury. It is assumed that for this purpose it is intended that in addition to the administrative costs incurred by the Veterans' Administration there is to be included as well the costs which may be incurred by other Government agencies, such as the Departments of Defense, Treasury, Justice, etc.

From the standpoint of the veteran, as well as administrative feasibility, the so-called section 621 insurance should be offered at a fixed premium rate so that he will know what the cost will be in the future. We construe the bill as extending discretion to the Administrator under which the annual administrative costs per policy year could be determined at the time of issue, with such costs remaining constant with the life of the policy. In the case of participating insurance authorized under the bill, the same reasoning does not apply since claim costs are not fixed. Under the authority vested in the Administrator, the administrative expenses on that insurance would be transferred from any surplus otherwise available for dividends. It is noted that the transfer would be from the national service life in-

[1] For brevity, the National Service Life Insurance Act of 1940, as amended, is referred to as the "NSLI Act."

surance fund to the national service life insurance appropriation. Since that appropriation is used for the payment of benefits rather than administrative expenses it would appear logical such administrative costs also should be transferred to the general fund receipts in the Treasury.

Persons applying for insurance under the bill would be required to submit evidence satisfactory to the Administrator of their qualifying condition of health. While the nondisabled veterans issued insurance under the bill are expected to pay for the year-to-year administrative costs of their insurance there is no provision in the bill specifically requiring them to pay for their initial qualifying physical examination. Under VA Regulation 3464 an applicant for national service life insurance may be examined by a medical officer of the Army, Navy, of Public Health Service, or he may be examined free of charge by a full-time or part-time salaried physician of the Veterans' Administration, or at his own expense by a duly licensed physician.

If the bill is enacted in its present form it is estimated that the Veterans' Administration would be requested to furnish free medical examinations to approximately 665,000 of the expected 1,330,000 applicants for insurance. It is obvious that these examinations cannot be timely accomplished by the 94 clinics of our Department of Medicine and Surgery in addition to the other work required of them. The costs of accomplishing these 665,000 examinations under the fee basis medical care program would be about $9 million. Under the circumstances, and since the nondisabled policyholders are going to pay the administrative cost of the insurance issued to them, it is recommended if the bill is favorably considered that it be amended to provide that applicants for insurance thereunder (other than the service disabled) will be required to be examined at their own expense by a duly licensed physician.

The bill in its present form would be effective on the date of its enactment. If favorably considered it should be amended to become effective no earlier than July 1, 1960. The Veterans' Administration would need about 1 year in which to prepare for the workload which the bill would create. This time would be needed to recruit and train additional personnel; prepare and print applications, forms, and policies; obtain additional mechanical equipment; reprogram our electronic computer; prepare and print procedures; and make a new study of the current administrative costs in order to establish premium rates on the nonparticipating policies issued to nondisabled veterans.

There are approximately 16 million veterans who would be eligible to apply for insurance under the bill. It is not possible to estimate with any accuracy the number of applications which would be received or the number of policies that would be issued thereunder. However, the administrative cost to the Veterans' Administration that is set forth in the basic report is predicated on an estimate that 1,330,000 applications for insurance will be received and that 1 million policies will ultimately be issued, together with the additional assumptions that (1) the bill will be amended to become effective about July 1, 1960; (2) applicants (other than the service disabled) will be examined at their own expense; and (3) one-half the applications will be processed the first year and one-half the second year. If the bill retains its present effective date our administrative costs will be increased.

Experience to date indicates that insurance issued to nondisabled veterans under section 621 of the NSLI Act is self-supporting but that insurance issued to service-disabled veterans under section 620 of that act is not. The loss on the latter insurance has averaged about $90 per policy per year. Hence, the Government will be required to bear the excess cost of claims above income from premiums on the service disabled veterans' insurance issued under S. 1113. Based on the assumption that 2,000 policies of that insurance will be issued and that the loss will average $90 each per year, it is estimated that the excess claim cost on that insurance would be about $90,000 for the first year following enactment and about $180,000 for each of the next 4 years.

On participating insurance issued under the bill the Government will also bear the excess mortality cost, the cost of waiver of premiums, and the cost of the total disability income benefits arising from death or total disability traceable to the extra hazard of military or naval service. Based on the assumptions that (1) of the assumed 1 million policies issued, 950,000 will be participating insurance; (2) the average face amount of such policies will be $6,500; and (3) 2 percent of future claims on such insurance will be traceable to the extra hazards of service, it is estimated that such extra hazard cost to the Government will be $125,000 for the first year following enactment and $250,000 for each of the next 4 years. Proportionate adjustments would have to be made to the extent that the actual insurance issued differs from the 950,000 figure.

S. 2675

A bill to amend title 38 of the United States Code in order to provide a one-year period during which certain veterans may be granted national service life insurance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 725. Limited period for acquiring insurance

"(a)(1) Any person heretofore eligible to apply for participating national service life insurance between October 8, 1940, and April 24, 1951, both dates inclusive, shall, upon application made in writing within one year after July 1, 1960, submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application, and payment of the required premiums, be granted insurance under the same terms and conditions as are contained in standard participating policies of national service life insurance.

"(2) All premiums paid and other income received on account of National Service Life Insurance granted under the authority contained in this subsection and on any total disability income provision which may be attached thereto shall be segregated in the National Service Life Insurance Fund and, together with interest earned thereon, shall be available for the payment of liabilities under such life and disability insurance.

"(3) Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such life and disability insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such life and disability insurance from the National Service Life Insurance Fund to the general fund receipts in the Treasury.

"(b) Any person heretofore eligible to apply for insurance under section 620 of the National Service Life Insurance Act of 1940, as amended, or subsection (a) of section 722 of this title, shall, notwithstanding any time limitation for filing application for insurance contained in such sections, upon application made in writing within one year after July 1, 1960, be granted insurance under subsection (a) of section 722 of this title, subject to the other limitations and conditions applicable to such insurance.

"(c) Any person heretofore eligible to apply for insurance under section 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application in writing made within one year after July 1, 1960, and submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application and payment of the required premiums, be granted insurance under subsection (b) of section 723 of this title subject to the limitations and conditions applicable to such insurance, except that (1) until July 1, 1961, limited convertible term insurance may be issued but not renewed after the applicant's fiftieth birthday, and (2) the premiums charged for such insurance and for any total disability income provision which may be attached thereto shall include an additional amount for administrative costs as determined and fixed by the Administrator at the time of issue. The Administrator is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury.

"(d) Notwithstanding the provisions of section 782 of this title, a medical examination when required of an applicant for issuance of insurance under subsection (a) or (c) of this section shall be at his own expense by a duly licensed physician.

"(e) No insurance shall be granted under this section to any person referred to in section 107 of this title."

SEC. 2. The analysis of subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following:

"725. Limited period for acquiring insurance."

DEFINITION OF "WIDOW" UNDER THE VETERANS' COMPENSATION AND PENSION LAWS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend the veterans' pension code with respect to the payment of compensation and pensions to widows of veterans.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2682) to amend the Veterans' Benefits Code with respect to the payment of compensation and pension to widows of veterans, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Finance.

Mr. YARBOROUGH. Mr. President, this bill will amend the language of 38 U.S.C., section 101(3) defining the term widow for the purpose of the veterans' compensation and pension laws, to make uniform that definition as applied in the various States. As a result of the codification of these laws in the 85th Congress, a definition of the term "widow" was adopted which is unfortunately subject to varying interpretations in our several jurisdictions as to the effect on the widow's eligibility for a veteran's pension or compensation after a remarriage by a void or voidable marriage.

The definition sought to be amended now reads as follows:

The term "widow" means (except for purposes of ch. 19 of this title) a woman who was the wife of a veteran at the time of his death, and who lived with him continuously from the date of marriage to the date of his death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the wife) and who has not remarried (unless the purported remarriage is void).

Under the last clause, the Veterans' Administration must now look to the local law to determine whether an annulled remarriage is named as void, or only voidable. The distinction is minute, and different States will describe similar circumstances by different names. Thus, a widow who innocently enters into a bigamous marriage in Massachusetts or California may be restored to the rolls because the marriage is technically void, but in Arizona and West Virginia a widow who enters into a bigamous marriage may not be restored because the marriage is technically only voidable. In fact, no widow can be restored in West Virginia because all marriages are technically voidable until set aside by a decree of annulment. In Georgia, Indiana, Texas, and several other States, a marriage to an insane person is void and the remarried widow may be restored, but in California, South Carolina, Mississippi, and Florida, the marriage of an insane person is voidable and the remarried widow may not be restored. In Georgia a marriage entered into with a person who is so intoxicated as not to understand what they are doing is void and the remarried widow may be restored but in most States such marriages are voidable and the remarried widow may not be restored. In Massachusetts, Missouri, and California a marriage is void for fraud in concealment of impotency whereas in Ohio, Nevada, and Arizona it is technically voidable. Many more examples can be given which reveals that under the law as now written and construed a rule of technicality differing from State to State has been substituted for a rule of common sense applicable uniformly to all States in regard to the restoration of remarried widows to the VA rolls.

Of course, different States may have different grounds for such an annulment, but such grounds are generally similar across the country. This amendment does not seek to change the local law and public policy establishing grounds for annulling a void or voidable marriage, only to make the treatment of such a marriage under the veterans' compensation and pension laws uniform across the country.

Before the enactment of Public Law 85–56, the claim of a widow for the resumption of pension or compensation after annulment of her remarriage was governed by section 3 of Public Law 514, 75th Congress, as amended—formerly 38 U.S.C. 505(a), and paragraph IV(a), part I, Veterans Regulation No. 2(a)—formerly 38 U.S.C. 12A. The language of these laws was very different from that contained in present 38 U.S.C. 101(3).

Paragraph IV(a) of part I of Veterans Regulation No. 2(a) read:

Pension payable to a widow shall continue until death or remarriage, provided, however, that where pension is properly discontinued by reason of remarriage, it shall not thereafter be recommenced.

Section 3 of Public Law 514, as amended, read in part as follows:

Compensation or pension shall not be allowed a widow who has remarried either once or more than once, and where compensation or pension is properly discontinued by reason of remarriage it shall not thereafter be recommenced.

When a court of competent jurisdiction having jurisdiction of the subject matter and the parties enter a decree of annulment of a marriage, there is a formal judicial determination that the purported marriage was void. Therefore, insofar as the parties to the case are concerned, there never was a marriage. However, as the VA was not a party to any said case, it did not consider it to be bound. Consequently, the VA adopted a regulation known as Veterans' Administration Regulation 5402 (D) to provide the rule under which the VA would consider that there was no remarriage and would restore the widow to the rolls. This regulation was in force for many years, and read as follows:

An award of compensation or pension will not be deemed properly discontinued because of marriage or remarriage if (1) the purported marriage or remarriage was void, or (2) the purported marriage or remarriage was voidable * * * (a) at the option of the claimant, (b) on a ground relating to the essential of the marriage relationship not known or reasonably ascertainable by the claimant at the time of marriage or remarriage, if claimant (1) shall have disavowed such marriage by timely and proper action, and (2) submits to the Veterans' Administration a valid decree annulling the purported marriage.

Recognizing that the laws of the various States are different in respect to which marriages are void and voidable, the above regulation established a rule of common sense in all States in which the courts were authorized to enter decrees of annulment rather than a rules of senseless technicality. Thus, if the ground for the annulment was one which related to the essentials of the marriage relationship, restoration was authorized regardless of whether the marriage in the particular State under State laws was deemed void or voidable.

It is to be noted that the statutes involved did not use the words void and voidable. Consequently, there was no legal requirement that the word marriage be construed in a technical legal sense.

Under this regulation, after annulment, hundreds of widows over a period of years were restored to the pension rolls, despite State laws which would render the marriage voidable only, on such grounds as, first, one of the parties thereto was insane; second, the husband had a preexisting wife; third, the marriage was the result of duress; fourth, the husband was unable to consummate the marriage as a result of being impotent, a homosexual, or a drug addict; or fifth, one or both of the parties was so intoxicated as to have no understanding of what they were doing.

The foregoing was the situation at the time of the adoption of the Servicemens' and Veterans' Survivor Benefit Act—Public Law 881, 84th Congress—which contained a new provision in respect to widows; namely:

Payment of dependency and indemnity compensation shall not be made by reason of the death of her husband to any woman as his widow for any period after she has remarried, unless the purported remarriage is void.

The underscored language injected a new provision in veterans laws as a result of which a widow might not be restored after obtaining an annulment on ground going to the essentials of the marriage relationship if the remarriage, under any particular applicable State law, was merely voidable rather than void.

This definition was carried forward into section 101(a) of Public Law 85–56 and thus into section 101(3) of Public Law 85–857 which is section 101(3) of title 38, United States Code, effective January 1, 1959.

After the enactment of section 101(3) of title 38, United States Code, it was construed by the Veterans' Administration in Administrator's Decision No. 962 dated March 16, 1959, to preclude the restoration of benefits to a widow who remarries unless her remarriage is void, as distinguished from voidable, as controlled by the application of the local law of the State of residence of the widow. The Administrator's decision was followed by a change of VA Regulation 5402 on August 7, 1959, so that a widow no longer may be restored if under local law her remarriage was technically voidable, despite the fact that she has obtained an annulment on a ground going to the essentials of the marriage relationship.

The American Legion in its annual convention in Minneapolis, Minn., in August 1959 adopted a resolution, No. 275, calling for the repeal of this phrase.

CONSTITUTIONAL PROTECTION FOR UNIVERSAL SUFFRAGE

Mr. HUMPHREY. Mr. President, yesterday I presented to the Senate a proposed amendment to the Constitution, to carry out one of the recommendations or suggestions of the President's Commission on Civil Rights. One of the suggestions by the Commission in its report was to the effect that there should be constitutional protection for universal suffrage. I quote from the report:

In its investigations, hearings, and studies the Commission has seen that complex voter qualification laws, including tests of literacy, education and interpretation, have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.

Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the

literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.

Therefore, as the best ultimate solution of the problem of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

On page 18879 of the CONGRESSIONAL RECORD for yesterday, I submitted such an amendment. This particular amendment would read as follows:

ARTICLE—

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress.

A second recommendation of the Civil Rights Commission was recommendation No. 5, for temporary Federal registrars, to be designated by the President of the United States.

I asked the Legislative Counsel to aid me in preparing such a bill; and I introduce today a bill "to assure that citizens of the United States would not be denied the right to vote in Federal elections because of their race, religion, color, or national origin."

This particular bill would carry out the recommendations subscribed to by five of the six members of the President's Commission on Civil Rights, namely, the establishment of what we call Federal registrars, so that there may be no denial of the right to register, which is a prerequisite, in most areas, for the privilege and right to vote. I send the bill to the desk, and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2684) to assure that citizens of the United States will not be denied the right to vote in Federal elections because of their race, religion, color, or national origin, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT OF NATIONAL LABOR RELATIONS ACT, RELATING TO APPOINTMENT OF REGIONAL DIRECTORS OF NATIONAL LABOR RELATIONS BOARD

Mr. GOLDWATER. Mr. President, in the recently passed labor reform legislation, the Congress gave additional powers to the National Labor Relations Board. Heretofore, under the Taft-Hartley Act, the Regional Directors were appointed by the consent of the members of the National Labor Relations Board. However, it is my understanding that the Board has now transferred that responsibility to the General Counsel.

Mr. President, regardless of whether that responsibility has been transferred, inasmuch as they now have assumed more importance than they have had in the past, and will have a decided impact upon the revision of the law, as it pertains to labor-management relations, I believe the Regional Directors should be appointed by the President, by and with the advice and consent of the Senate.

Therefore, Mr. President, I introduce a bill to amend the National Labor Relations Act, as amended, so as to provide for the appointment of the Regional Directors of the National Labor Relations Board by the President, by and with the advice and consent of the Senate. I ask that the bill be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2686) to amend the National Labor Relations Act, as amended, to provide for the appointment of Regional Directors of the National Labor Relations Board by the President by and with the advice and consent of the Senate, introduced by Mr. GOLDWATER (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ACREAGE DIVERSION ACT OF 1959

Mr. MUNDT. Mr. President, I introduce, for reference to the appropriate committee, a bill designed to promote greater diversification in agricultural production by encouraging a shift in production from corn, barley, and other grains to soybeans, flaxseed, and other oilseeds.

I need not elaborate on the desirability of reducing production of corn, wheat, barley, and other grains, which are in such abundant surplus, for the salutary effects resulting from such reduced production are manifestly self-evident. However, it is important that this desired cutback in the carbohydrate feed grain crop be accomplished without wasting the agriculture resources of the United States and without creating unemployment among agricultural workers. We must also find means for reducing surplus production of certain crops without injuring or reducing the income of farmers who normally raise these crops.

The American farmer today is required to make heavy capital outlays for machinery and equipment which he uses in his planting, cultivating, and harvesting operations. To make such a capital investment economically feasible there must be a maximum utilization of this equipment. We in Congress are doing the American farmer no favor when we devise farm programs which take farm acres completely out of agricultural production, thus denying the farmer full utilization of his capital equipment and causing this equipment to deteriorate through idleness. Many small businessmen in the rural communities across America also suffer when our Federal farm programs take farm acres completely out of production. These are the businessmen who supply the farmer with his operating needs, such as farm machinery, insecticides, pesticides, soil nutrients, and seed.

My representation in Congress of the midwestern farmer has covered a period of two decades; my active interest in his problems extends over a period of three decades. I know from long experience that it is normally not possible to reduce production of a farm commodity which is in great surplus without totally deactivating the producing acres from harvestable production. However, occasions do arise when surplus crop reduction can be accomplished without a corresponding diminishment in farm operation, farm employment, and farm-supplier business activity. When circumstances are present which make available a partial solution to a farm surplus problem and at the same time allow normal utilization of our agricultural resources, Congress should, in my opinion, hasten to accept such a solution.

Such a partial solution to the massive surpluses of carbohydrate grains is, in my opinion, currently attainable if Congress will enact legislation that encourages increased diversion of acres to the production of crops, which have greater domestic and foreign marketability. Due to the fact that acres currently being utilized for wheat, corn, barley, and other feed grain production are equally adaptable to the production of soybeans and other oilseed crops, which are not in appreciable surplus, Congress can, through a program encouraging acreage diversion, reduce the supply of certain heavy-surplus grains and still not reduce the Nation's overall agricultural operations.

Our experience last year should demonstrate beyond doubt the futility of attempting to solve our surplus feed grain problems through the approach of acreage cutbacks. My colleagues will recall that last year American farmers planted the fewest acres in 40 years to feed grains—yet feed grain production set an alltime record. Modern technology, soil nutrients, and scientifically developed conservation techniques have provided the farmer with the tools to produce bigger and bigger yields per acre of cultivated land. When we force the farmer to cut back his acreage, we then force him to concentrate his efforts on bigger per-acre yields to obtain a fair return on his capital investment; and in the final analysis we have accomplished little or nothing toward reducing the surplus. We simply encourage producers to "mine the soil" in an effort to maintain their income.

We all know that there is no sure-fire solution to the surplus problem. We all know that agricultural production in the United States is going to continue for some time to exceed domestic demand. Let us, therefore, learn from experience. Let us establish enlightened farm programs and evolve new answers and solutions that encourage the production of commodities for which there is the most active market. This bill which I introduce today proposes such a program. It is designed to divert farm acres from

heavy-surplus crops, like corn, to soybeans and other oilseed crops, for which there are active foreign and domestic markets.

Mr. President, the expansion of the production of oilseeds, vegetable oils, and fats is one of the most dramatic chapters in the long and productive history of American agriculture.

In the years before World War II, the United States was a large net importer of vegetable oils and fats, dependent upon imported supplies for a large part of its needs for both nutritional and industrial uses. Production has since expanded so that the United States has been for some years the world's largest net exporter. Soybeans have attained the position of the fourth largest cash crop in income to American farmers. The total value of all oilseed, vegetable oil, and fat production is near the top in value of any farm commodity grouping, and it is all a commercial production which moves into and through the channels of trade.

Despite the tremendous expansion already accomplished, the oilseed meal production is still far short of meeting the needs of the expanding livestock and poultry industries. An adequate supply of protein meal is needed to forestall the substitution of synthetic nonfarm substitutes, which once established will constitute a continuing threat to farmers' protein meal markets. There is a continuing demand for vegetable oils abroad, and such exports implement the foreign policy of the United States, whereas export sales of grains often cause discord in our relations with other grain exporting countries.

Diversion of acres from feed grains to oilseeds is certain to bring about immediate economies in our farm program, at the same time buoying up farm income. For example, the shifting of 5 million acres of corn to soybeans would reduce the annual corn surplus by 250 million bushels or more with resultant savings of $300 million in loan and acquisition costs plus annual savings of nearly $50 million in storage and handling costs.

A domestic demand exists for the protein meal from an additional 5 million acres of soybeans. There is an active foreign market for the oil extracted from the bean. Should this oil be temporarily in surplus for any year, the cost of acquiring all the oil produced from 5 million acres would not exceed $120 million, and storage costs would be substantially less than for corn. It is obvious, therefore, that a program diverting acres from corn to soybeans would save the taxpayer in the neighborhood of $150 million annually; and also such a program should enhance the market value of the annual corn crop.

The program envisaged in the legislation, which I am offering today, is workable and realistic; and it can be implemented by the Department of Agriculture without dislocating existing price-support programs. The following brief description of this proposal demonstrates its feasibility and simplicity.

Section 1 is a purely clerical provision, entitling the bill as the "Acreage Diversion Act of 1959."

Section 2 directs the Secretary of Agriculture to provide price supports for oilseeds at a level, which he determines will result in diverting to oilseed production, acres which would otherwise be devoted to crops in great surplus. The Secretary is specifically directed to fix price supports for soybeans, corn, flaxseed, barley, and other grains, so as to divert corn acres to soybeans and barley and other grains to flaxseed.

Section 3 authorizes and directs the Secretary of Agriculture to purchase or agree to purchase soybean, linseed, cottonseed, tung, and other oilseed oils, so as to assure a maximum domestic supply of protein meals and full price support for farmers in the marketplace. The purchase price for these oils will be the equivalent of the respective price support, taking into account the prevailing or estimated price for protein meal, with sufficient allowance for normal processing margins.

Section 4 provides that vegetable oils purchased under this program shall not be sold domestically at prices lower than 120 percent of the initial cost plus carrying charges from the previous October 1. This provision assures that domestic consumers will buy their vegetable oil supplies in the open market and will not rely on the Government to maintain inventories. Additionally, this section provides that any oils determined to be surplus to domestic needs, dollar export demands or the export needs of Public Law 480 shall be used for the national school lunch program or for charitable relief feeding in foreign countries through approved private agencies.

Mr. President, I sincerely feel that this legislative proposal will increase the annual income of the American grain farmer and at the same time save the American taxpayer approximately $150 million. I sincerely hope that the Senate Committee on Agriculture and Forestry will give early consideration to the proposal, following the commencement of the 2d session of the 86th Congress. I ask unanimous consent that the text of my bill be prnited at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2690) to promote greater diversification of U.S. agricultural production; to shift U.S. farm production to those commodities in relatively greatest demand, taking into account both domestic and export markets; to provide larger supplies of protein meals for balanced rations for the dairy, livestock, and poultry industries; and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Acreage Diversion Act of 1959".

SEC. 2. In the administration of price support programs, the Secretary of Agriculture (hereinafter referred to as the "Secretary") is directed to provide price supports for oilseeds at a level which he determines will result in diverting to oilseed production acres which otherwise would be devoted to crops determined by him to be in great surplus. In making such determination, the Secretary shall, notwithstanding any other provision of law, fix price supports for soybeans, corn, flaxseed, and barley and other grains so that acreage will be shifted from corn to soybeans and from barley and other grains to flaxseed. The Secretary shall, to the extent practicable, set the level of price support pursuant to the provisions of this section so as to obtain annually a diversion of not less than 5 million acres from the production of surplus grain crops to the production of oilseed crops.

SEC. 3. To assure maximum supplies of protein meals for livestock and poultry, and to assure full price support for farmers in the marketplace, the Secretary is authorized and directed to purchase or to agree to purchase soybean, linseed, cottonseed, and tung oils and any other vegetable oils from other oilseeds to which price support may be extended. The purchase price for such vegetable oils shall be the equivalent of the respective price support, taking into account the prevailing, or estimated, price for the protein meal and with due allowance for normal processing margins.

SEC. 4. (a) Any vegetable oils acquired by the Secretary under section 3 of this Act may be sold for domestic use at not less than the cost thereof plus 20 percent plus carrying charges from the previous October 1. Any vegetable oil so acquired which the Secretary determines to be surplus to domestic needs, dollar export demand, and export needs supplied under Public Law 480 of the Eighty-third Congress shall be (1) used for the National School Lunch Program (carried out under the National School Lunch Act) and (2) donated, upon such terms and conditions as the Secretary deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government, or international organizations, for use in the assistance of needy persons outside of the United States.

(b) The Commodity Credit Corporation may incur such additional costs with respect to vegetable oils to be donated pursuant to clause (2) of subsection (a) as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO ADJOURNMENT OF CONGRESS

Mr. ANDERSON. Mr. President, I introduce, for proper reference, and subsequent consideration, a joint resolution proposing an amendment to the Constitution of the United States, relating to the adjournment of Congress.

In the first place, I propose this as a constitutional amendment rather than as a law because experience teaches us that it is almost impossible to get the Congress to adjourn unless there is strong compulsion about adjournment. The Legislative Reorganization Act theoretically fixes the limit on each congressional session at July 31, except in time of war or during a national emergency proclaimed by the President. We

are not in a shooting war at the present time, but we have been in a national emergency since the passage of the National Reorganization Act in 1946 and, presumably, will continue in that state permanently. I think it would be well to consider that cold war is the normal—not the abnormal—condition of the country, and that we need not label it a national emergency.

My proposal is that the first Saturday after the first Tuesday in July shall be the required adjournment date, unless the Congress finishes sooner or a law for a later date is passed by an affirmative vote of three-quarters of the Members of each House present and voting.

That provision is designed to insure that the Congress will have its business in shape so that its sessions could terminate about June 30 and Members could go home for the usual Fourth of July celebrations. A skeleton crew might stay on hand to complete the signing of bills and resolutions, but the majority of the Members of Congress would be out and away by the first day in July and the balance by the first Saturday of that month.

The Members would return to Washington on the second Monday of November each year. This would permit Members to stay in their home districts until after the usual November elections, but return to the Capital for hearings on appropriation bills and other legislative matters. With that early start, adjournment by July would not be difficult.

There may be many reasons why the dates for the opening of congressional sessions have varied in the past. Once the date had a relationship to the harvesting of crops and the need for Members to return to agricultural duties. Few Members now do farm labor.

Today many persons advocate seriously that the Congress have year-round sessions. However, others feel that every Member of Congress should spend a substantial portion of the year in his home district to learn the feelings and desires of the people he represents. We lose something when the Member gets too far away from the people who sent him here.

The school problem is a most difficult one. Many Members desire to have their families go home for vacation in the summer and return at the beginning of the school term in Washington. We have had a sample of that this year. The wives of many Members took the children to their home districts late in June or early in July. They are now coming back to Washington about in time to cross paths with the Members who will be starting out to their States when this session of the Congress adjourns sine die. This is not good either for the Member or his family, and the Congress should revise its schedule to correct this.

I have hesitated to introduce this joint resolution for fear someone might consider it critical of the leadership in the Senate and House. Nothing could be farther from my wish. The leadership in both Senate and House, majority and minority, is forced to work with the tools it has, and those tools have tended to extend and not restrict the summer session of the Congress. The cutoff date of July 31 in the Reorganization Act is ineffective and needs to be bolstered by a constitutional amendment.

The use of a constitutional amendment gives the people of this Nation a chance to say what they think Congress should do about this problem of adjournment. If the people through their State legislatures instruct their congressional representatives to be in adjournment at least 4 months of the year and devote that time for visits at home or to hearings, or conferences in foreign lands, that mandate will be effective.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 142) proposing an amendment to the Constitution of the United States relating to the adjournment of Congress, introduced by Mr. ANDERSON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE ——

"SECTION 1. In each year in which the two Houses of Congress have not adjourned sine die prior to the first Saturday after the first Tuesday in July, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on the second Monday in November in that year, unless they shall otherwise provide by law, passed by the affirmative vote of three-fourths of the Members of each House present and voting.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

Mr. MAGNUSON. Will the Senator yield?

Mr. ANDERSON. If I have the time available, I will be happy to yield to the able Senator from Washington, who is a pioneer on this subject.

Mr. MAGNUSON. Mr. President, I ask that I may be allowed 2 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. I do not know to which committee the measure which the distinguished Senator has introduced will be referred. As the Senator knows, there are three or four proposals on this same subject in the Senate. The measures I have been introducing at other sessions have been referred to different committees. The last one was referred to the Committee on the Judiciary. The other day I had a call from counsel for the Committee on Government Operations, suggesting that it should be referred to that committee.

Then, of course, the Committee on Rules and Administration would have jurisdiction. I am hopeful that by January all the bills will be before one committee, so that we may have some substantial hearings on the entire question.

Mr. ANDERSON. Mr. President, the able Senator from Washington has made what I think is an extremely interesting proposal. He would change the fiscal accounting system of the Government, and bring about financial auditing early in the year. I think the proposal is extremely important, in view of the current responsibilities of the Government.

My only effort was to present a different version, in the hope that some committee of the Senate would hold substantial hearings, to the end that we might be permitted to get away earlier.

This resolution is not designed to be critical of the leadership. The leadership must work with what it has. It is unfortunate that we have not had a stronger rule with respect to early adjournment.

Mr. MANSFIELD. Mr. President, I feel that great credit is due the Senator from Washington, who, while he was a Member of the House, as well as during the time he has served in the Senate, introduced proposed legislation with the idea of two sessions of the Congress each year, one to attend to purely legislative matters, to be followed by a hiatus between sessions, and then a second session to attend to purely appropriation matters. I think the Senator from Washington should be given credit for his original idea.

Mr. ANDERSON. I am very strong in my praise for the Senator from Washington. This joint resolution is an intermediate step. It might not change the entire budgeting program of the Government, but it is an important step. I sincerely thank the Senator from Washington for the leadership he has displayed in this field.

MUTUAL SECURITY APPROPRIATION BILL, 1960—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF S. 2518, TO INCORPORATE THE NATIONAL DISTRICT ATTORNEYS' ASSOCIATION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that——

The VICE PRESIDENT. The Chair is unable to hear the Senator. The Senate will be in order.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the senior Senator from California [Mr. KUCHEL] and the senior Senator from Minnesota [Mr. HUMPHREY] be added as additional cosponsors to the bill which I

introduced on August 11, S. 2518, to incorporate the National District Attorneys' Association, at the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. MORSE. I did not hear the unanimous consent request.

Mr. JOHNSON of Texas. The Senator from Louisiana asked that two additional cosponsors be added to a bill he introduced.

RELIEF OF AMERICAN MANUFACTURERS SERIOUSLY THREATENED BY FOREIGN COMPETITION—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of September 8, 1959, the name of Mr. BRIDGES was added as an additional cosponsor of the bill (S. 2663) to provide for equalizing the conditions of competition between domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States, introduced by Mr. KEATING (for himself and other Senators) on September 8, 1959.

AMENDMENT TO CONSTITUTION RELATING TO REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND ELECTORAL COLLEGE TO DISTRICT OF COLUMBIA—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. KEATING. Mr. President, I ask unanimous consent that the names of Senators BIBLE and RANDOLPH be added as additional cosponsors of the joint resolution (S.J. Res. 138) proposing an amendment to the Constitution of the United States granting representation in the House of Representatives and in the electoral college to the District of Columbia, introduced by me, for myself and other Senators, on September 3, 1959.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO SUBMIT REPORTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Committee on Government Operations, on its own behalf or on behalf of its subcommittees and the Select Committee on Improper Activities in the Labor or Management Field, be authorized to file reports with the Secretary of the Senate during the adjournment sine die of the Senate, 86th Congress, 1st session, and that they be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SCOTT:

Statement by him, relating to the reduction of tensions between the United States and the Soviet Union.

By Mr. MANSFIELD:

Article entitled "Nuclear Disarmament and Testing—A Capital Interview with Senator CLINTON P. ANDERSON," written by Courtney Sheldon, and published in the Christian Science Monitor of September 9, 1959.

Article entitled "The Advice and Consent of J. WILLIAM FULBRIGHT," written by Sidney Hyman, and published in the Reporter for September 17, 1959.

MR. KHRUSHCHEV'S VISIT

Mr. WILEY. Mr. President, last night, as I was privileged to listen on the television to the address by the President of the United States, a number of questions came to my mind. As a result, I have prepared a brief statement which, during the morning hour, might be worth our consideration. I have prepared a statement under the headline "Khrushchev Could Visit the Senate Without a Special Invitation."

As we know, Mr. Khrushchev is scheduled to arrive in this city on Tuesday, to exchange talks with the President on matters of very great significance. This interchange is a new experiment in international diplomacy, by means of which the heads of opposing ideological systems—freedom versus communism—agree to exchange ideas. As someone has said, "Beware of a man with an idea; he may turn the flank of history."

Ordinarily, Mr. President, on September 15, when Mr. Khrushchev will arrive, Congress would not be in session. We have heard that it is likely that Congress will take a recess on Monday night. Of course, I do not know whether that will prove to be the case. But if we are not in recess at that time, suppose Mr. Khrushchev would like to come to the Senate, not to speak, but simply because any person who is a member of a national legislative body has a right to the floor of the Senate, as provided by rule XXXIII of the Senate rules. Without having a special invitation, could he not come to the floor of this body? Then the question would be, what would occur?

I think the President gave us the cue. Of course, when Mr. Khrushchev comes to our country, he will be a guest of our Nation. In his television address, the President called attention to the way the Russian people treated you, Mr. President, and he suggested that the people of the United States should recognize that when Mr. Khrushchev is in our country, he will be here as a guest—and I emphasize the word "guest"—of our country.

If the Soviet Premier did choose to visit the Senate, and if by a quirk of fate he were recognized while on the floor of the Senate—although I do not know whether he would be; I think that would be largely in your hands, Mr. President, and in the hands of the majority leader—there might arise the question of whether we might then experience a real filibuster. I have heard that term lately applied to myself in the Chicago water diversion.

Once recognized, the likelihood would be that he would not yield to anyone, especially since, according to his words, we are "misled freedom lovers" who have the audacity to believe in, and act as the representatives of, a democratic process in which we speak for the citizens of the country.

By contrast, rarely in history has a political philosophy paid so much lipservice to the masses, but so little heed to their real needs.

Of course, I hope that if the Senate were then in session, a major portion of the bills now pending would by then have been considered. However, in the event the calendar had not been cleared by that time, let us anticipate for a moment the comments which Mr. Khrushchev might make in regard to such bills as, for example, the civil rights bill, the mutual security bill, or the public works bill.

Mr. President, I wish to say that all the things I am saying at this time are the products of a sort of perambulation of the mind, after listening to the President of the United States speak on the television last evening.

For instance, let us consider the situation as regards civil rights proposed legislation. According to the reports of the procedures in the Communist-dominated countries, I am confident that Mr. Khrushchev would find our debates on civil-rights matters or individual rights matters somewhat superficial, if not entirely useless and completely out of keeping with the way such matters are handled in the Soviet Union, particularly as compared to the extent to which the Government of the Soviet Union finds any opportunities at all to consider the rights, interests, and views of the individuals, particularly when they may be contradictory to the dictatorial rule of the Soviet Union.

Is the Government of Soviet Russia civil? Is it always right? These are questions about which we may wish to think. In Russia the state is all, the people are but tools of the state or serfs of the state. We hope Khrushchev's visit will result in more freedom for the masses.

Now, what of mutual security? With the symbolic "dove of peace" unfurled above his head, the Soviet Premier might examine the legislation and then loudly proclaim to the world that the United States of America was attempting to increase—not ease—tensions in the cold war by not looking out for the security of Comrade Russia, in effect, leaving her out in the cold, without including some aid for the U.S.S.R. Let us hope he will thank us for the help we gave Russia during the last war.

Now, are there public works projects in Russia? Certainly.

But do they have big discussions at their Supreme Soviet on what projects get approved? And how much money will be spent? Definitely not. If they need public works, such as is now being considered before the Congress, Comrade Ivan, and possibly his family help with the job. When? In all probability on Sunday, since they do not have a thing to occupy their time, minds, and energies on this day—with religion, in Communist's eyes, an opiate of the masses. So, they joyfully turn out, in whatever spare time they may have between working—incidentally, much longer weeks than exist under the capitalistic system—and attending Communist indoctrination sessions; and in other ways working for programs in a classless society, dominated over, and dictated to, by the Communist ruling class of only 4 to 6 percent of the population. Is it classless, Mr. President? Then we have "rulers and ruled."

For this work, do they ask wages? Or compensation? Or recognition? Definitely not. In the Soviet Union, these services are done voluntarily—or else.

Now, Mr. President, I am aware that there are feelings—pro and con—on whether or not, if Congress is still in session when Mr. Khrushchev arrives, he should be invited to address a session.

Considering what he—as an avowed and dedicated Communist—thinks of the workings of our Republic, his appearance would appear questionable.

In these remarks, I merely wanted to point out that, under Senate rule XXXIII, Mr. Khrushchev—as a member of a foreign legislature—could well consider that he has an "open invitation" to attend sessions. My crystal ball, however, is somewhat hazy about whether or not this would occur.

So, Mr. President, in the closing days of the session, some of us have an opportunity and an inclination to look around the corner of tomorrow. We who do not take ourselves too seriously, but try to take our responsibilities as Senators seriously, have an inclination to wonder what is coming up in the next few days when Khrushchev arrives. We have no fear, we have hope, yes faith that good will come out of this interchange.

RULE XXXIII

Mr. MORSE. Mr. President, I have listened with a great deal of interest to my good friend from Wisconsin [Mr. WILEY] in regard to his interpretation of rule XXXIII. I would not want the RECORD to close today without a comment on rule XXXIII, because I do not hold to the interpretation of the Senator from Wisconsin on rule XXXIII at all.

Mr. President, rule XXXIII states that—

> No person shall be admitted to the floor of the Senate while in session, except as follows—

In the course of the listing of those who are eligible for admission to the Senate floor, we find this language—

> Members of national legislatures of foreign countries.

Mr. President, I think it would be a very strained and stretched interpretation of rule XXXIII to take the position that a member of the legislature of any foreign country could just walk onto the floor of the United States Senate, of his own will, without any admission through an appropriate committee of the Senate, or through an appropriate official of the Senate, such as the Presiding Officer, the Vice President of the United States, or the President pro tempore.

Furthermore, I think such an interpretation is just such an extreme interpretation of the language of the rule that it falls of its own dead weight.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WILEY. Is Khrushchev a member of a legislature?

Mr. MORSE. Let us assume he is. Let us assume they have a legislature in Russia, which is, of course, a debatable matter. But I give the Senator the benefit of every assumption, that Khrushchev is a member of a legislature. Let us assume he is a member of a legislature that would have a speaker. This rule does not mean such visitors could come to the corridor outside the Senate Chamber and automatically walk onto the floor of the Senate.

Mr. WILEY. Will the Senator read the first sentence of rule XXXIII?

Mr. MORSE [reading]:

> No person shall be admitted——

Mr. WILEY. Go ahead.

Mr. MORSE [reading]:

> No person shall be admitted to the floor of the Senate while in session, except as follows—

The sequence of the language clearly implies that they are not eligible to come on to the floor of the Senate unless they meet one of the qualifications herein stated.

I just think it stands to reason that if any representative of the national legislature of any foreign country came to Washington, D.C., he would understand that this language means he would have to seek admission to the floor of the Senate of the United States; that he would be eligible for admission to the floor of the Senate of the United States if he met the qualifications set forth, and then he would be eligible for admission through the regular procedure of coming on to the floor by way of consent of an official of the Senate or of an appropriate committee. That is the way we do it. That is the long-standing custom. Such visitors get on the floor of the Senate either as guests of the Vice President, of the President pro tempore, of one of the leaders of the Senate, or of one of the committees of the Senate. And we bring on to the floor of the Senate, through the Foreign Relations Committee, representatives of foreign legislatures time and time again.

I do not mean to let the language of the Senator's remarks stand in the RECORD unchallenged. This is not any time to get into any contest about it, but I want to register a contrary view. I would not care to have this language stand even for 1 hour as a possible basis for such a precedent.

I take the position that no member of any foreign legislature can automatically walk through the doors of the Senate without a clearance of the Senate, whether he might be Khrushchev or X, Y, or Z.

Any reasonable interpretation of this language would have to lead to the conclusion, in my judgment, that all the rule does is set up what qualifications a person should have before he could be admitted to the floor of the Senate, and that the rule clearly implies he could be admitted only by appropriate action of the Senate of the United States, through a committee or through an official of the Senate; that he cannot come to the United States and say, "Well, I am going to go to the floor of the U.S. Senate of my own volition, because I find in the Senate rule book that I have those qualifications which entitle me to admission."

I think the rule clearly implies that he has to be invited for admission.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield the floor. The Senator can have the floor in his own right.

Mr. WILEY. I am happy to have the Senator's interpretation. I am sure we are not very far apart in our interpretation of the rule. The rule book states the proper way to admit such a visitor. If there is written into the rule the language "on invitation of a Member of the Senate," that is one thing. If that is implied, that is another thing. But in thinking and dreaming about this matter, after hearing the President talk, I put down on paper the ideas I have expressed. I am sure the Parliamentarian might very well interpret the matter, if at this time it would be proper to ask for a ruling as to what the rule means.

Mr. MORSE. I am perfectly willing to have the Senator ask for it by way of a parliamentary inquiry.

Mr. WILEY. Mr. President, I request a ruling on what the rule means.

The VICE PRESIDENT. The procedure which the Senate has followed pursuant to this rule is that members of foreign legislatures are brought on the floor by Members of the Senate. There has been no instance in which a member of a foreign legislature has, on his own initiative, come on the floor. The opinion of the Chair would be that the procedure which has been followed through the years would indicate the sense of the Senate interpreting this rule to mean that when a member of a foreign legislature desired to visit the Senate, he would be required to come on the floor as the guest of a Member of the Senate; the chairman of the Committee on Foreign Relations, the President pro tempore, or some other Senator in a capacity to issue such an invitation.

Mr. WILEY. Mr. President, I think that the interpretation of the President of the Senate is correct. I think, however, that the rule itself states a right. The interpretation of the rule implies, and courtesy implies, that one who is a

member of some other legislative body who desires to come on the floor would necessarily approach some Senator who is on the floor, or some officer of the Senate. So I think possibly we might say we are both correct in our interpretation. There is a right fixed by the rule. There is a procedure which has been applied through the years showing how the right is made available.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MORSE. Mr. President, may I proceed on another matter?

The VICE PRESIDENT. Does the Senator desire to be recognized on another matter?

Mr. MORSE. Yes.

The VICE PRESIDENT. The Senator from Oregon is recognized.

VISIT BY KHRUSHCHEV

Mr. MORSE. Mr. President, I ask unanimous consent that the editorial published in the Washington Post and Times Herald this morning regarding the President's address of last night and the forthcoming Khrushchev visit be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRESIDENTIAL REASSURANCE

Mr. Eisenhower's address last night contained very little that alert newspaper and broadcast audiences did not already know. Nevertheless, it was no doubt useful to have the President's confirmation of the essential agreement, unity of purpose and even liking for Americans that he found in Bonn, London, and Paris. Mr. Eisenhower went out of his way to praise the De Gaulle government for its successful relationship with the independent countries that make up the French Community, although he carefully avoided mention of Algeria. He was earnest in his discussion of NATO and of cooperative efforts to assist the underdeveloped countries. This combination of maintenance of defensive strength and attention to economic needs remains one of the free world's most challenging tasks—and one which Congress, now that it has vented its ire over vetoes, could help better to meet by restoring military and economic aid funds cut from the mutual security appropriation.

Beyond this review, Mr. Eisenhower's talk was basically an appeal to Mr. Khrushchev to come to the United States prepared to talk seriously. The appeal was most notable for its conciliatory tone. Interestingly enough, the President reported conviction among all the Allied leaders that the effort to talk to the Soviet Prime Minister had to be made. Mr. Eisenhower properly restated the purpose of the visit—to enable Mr. Khrushchev to see the United States as it is, and to impress upon him basic American views about Berlin and other matters. The President held out the prospect of actual negotiation on arms control and the German problem in a subsequent summit meeting provided that the Soviet Union removes the Berlin threat and shows evidence of real desire to reduce the cause of tension.

If most of this has been said before, a reaffirmation on the eve of the Khrushchev visit helps to set an atmosphere of courteous realism and prudent hope. Certainly it was good to reiterate the invitation for Mr. Khrushchev to offer constructive ideas and suggestions. We trust that the United States, through President Eisenhower, also will have some constructive ideas and suggestions to present.

Mr. MORSE. Mr. President, under the 3 minutes permitted to me for that insertion in the RECORD, I wish to say I think the Vice President's ruling is completely correct. The rule states, "No person shall be admitted." The word "admitted" clearly implies an affirmative act on the part of the Senate, or of an official of the Senate, or of a Member of the Senate, in having a member of any foreign legislature come on the floor of the Senate. That statement is supported by our historic practice. I think the word "admitted" in the rule must be interpreted in the light of the practice of the Senate over many years. The practice invariably has been that no one from a foreign legislature has ever come on the floor of the Senate, so far as I know, except with a Member of the Senate, an officer of the Senate, or a committee of the Senate. I think the word "admitted" in the rule clearly implies it would require affirmative action on the part of someone connected with the Senate in an official capacity to bring any person onto the floor of the Senate. The rule implies that no Member of the Senate can bring anybody onto the floor of the Senate unless such person has the qualifications set out in the rule.

Mr. HOLLAND. Mr. President, I think the position taken by the distinguished Presiding Officer of the Senate, the Vice President, and by the Senator from Oregon is completely correct. My own experience has been devoted very largely to the admission of Governors of States, who are in the same grouping mentioned by the Senator from Wisconsin and are covered by the same rule. I know that no Governor of a State of the Union, other than a former Senator, would think of walking into the Chamber of the Senate of the United States except in company with a Senator, and preferably a Senator from his own State. His host would have to be some Senator who could identify the Governor to those who are charged with the duty of excluding from the Senate those who are not entitled to admission. My own experience has been that the Governors of our States never come upon the floor of the Senate unless invited by and accompanied by a Senator from their own States.

It seems to me, having been through the experience from both points of view, of welcoming Governors and of being welcomed by a Senator, we would certainly not interpret the rule as having a broader application for someone whose identification would be even more difficult than that of Governors of our States than we would interpret the rule for the Governors of our States.

I thoroughly approve of the ruling of the distinguished Vice President and of the remarks advanced by the Senator from Oregon. I am not out of accord entirely with the remarks of the Senator from Wisconsin, except that I see no point in raising this issue at this particular time. I think the ruling of the Vice President is completely appropriate under the conditions.

EISENHOWER SPEECH ON EUROPEAN TRIP

Mr. DIRKSEN. Mr. President, I thought the President of the United States made a very impressive and convincing report to the people of the country last night. I ask unanimous consent that the text of the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEXT OF EISENHOWER SPEECH ON HIS EUROPEAN TRIP

My friends, in these next few minutes, I should like mainly to talk to you about my recent European trip.

To give you first my most memorable impression—it is that the people of Europe deeply like the people of America. In the villages, towns, and in the big cities, I could feel this message rushing across the Atlantic in a great roar. Along the lanes and country roads the message was always the same. Even during a long automobile trip to make a courtesy visit to the Queen and her family, there was scarcely a hundred-yard stretch that did not have its little knot of people to send back this same greeting and sentiment to America.

During the past 2 weeks I have conferred, as you know, with Chancellor Adenauer, of Germany; Prime Minister Macmillan, of Britain; and President de Gaulle, of France, all old friends of mine. I talked with Prime Minister Segni and Foreign Minister Pella, of Italy, also with Mr. Luns, of Holland, and Mr. Spaak, of Belgium, who are, respectively, the President and the Secretary General of the NATO Council.

These men are statesmen. Like us, they are dedicated to preserving the security of free nations and to upholding the values we place above all others—freedom, equality of opportunity, human dignity, and peace with justice.

UNITY AND AIMS REAFFIRMED

With them we reaffirmed our unity on fundamental issues and in support of the North Atlantic Treaty Organization.

We are resolved that there will be no retreat from the fundamental objectives to which we are collectively pledged. We agreed that the defensive strength required for our common security must continue to be maintained.

For the face-to-face reaffirmation of this faith and purpose, I am grateful and deeply gratified. I had the same feeling during my entire journey, in talking to President Heuss, of Germany, and a great number of other men and women in and out of government.

To our friends in Bonn, London, and Paris, I expressed American concern over the aggressive action of the Communists in Asia. Each believed that the United Nations should take official notice of the Laos situation and that we should support that body in seeking a satisfactory solution. Mr. Macmillan was especially emphatic on this point. I am happy that the United Nations has already designated a fact-finding commission of neutral observers. I hope that this prompt United Nations action will serve to halt the aggression that has threatened the freedom of Laos.

Quite naturally, much of our discussion centered about our defensive alliance, NATO. All expressed approval of its growing capability to secure cooperation among member nations in political, economic, and scientific areas, as a supplement to its work in the security field. The Common Market and similar developments tending to knit more closely together the nations of Europe also engaged our attention.

NEED FOR AID DISCUSSED

One subject involved in our discussions was that of the growing problems faced by the underdeveloped or newly formed nations of the world. More than one billion needy people require real advances in education, health facilities and living standards. There is an understandable ferment among them—an intense dissatisfaction with their present lot and an increasing determination to improve that lot. They must have greater technical asistance in all fields, large amounts of investment capital, and wider opportunity for trade.

Since all of us outside the Iron Curtain want such progress to be achieved in freedom, the highly industrialized free nations must, cooperatively, find effective means to provide the needed help. Each of us has undertaken to study this vast problem which could eventually become a menace to our own freedom. Since no one nation alone should or can bear the burdens involved, we see again the need for greater cooperation and unity among ourselves so that, through equitable sharing, success can perhaps gradually but surely be achieved.

AFRICAN LEADERS PRAISED

In connection with this worldwide issue, I had in Paris a unique and most interesting opportunity to learn many things about political developments in all parts of French Africa. To that city had been invited the Prime Ministers of the countries making up the French community. Eleven came.

Incidentally, they are so anxious to express in some way their respect and admiration for the American people that they are now shipping to this country a baby elephant. I hope to arrange for its home in one of our zoos.

The people of these regions, who are, in local affairs, largely self-governing, are being helped by France in their economic, cultural, and political progress. They have been assured of the right to make their own final decisions as to their own political destiny.

The morale of all these men is high. They repudiate the false teachings of communism. They have a vision of progress and future greatness in freedom. They emphatically expressed to me their gratitude to France and General de Gaulle for the opportunities opening up before them.

It was in this kind of atmosphere and with knowledge of friendly cooperation that I talked with our Western allies about the impending visit of Chairman Khrushchev to the United States.

INVITATION EXPLAINED

I outlined to them the reasons for my invitation to him, which are simply:

First, to give him the opportunity to see what America and Americans are like; to let him see and feel a great thriving nation living in real freedom.

Second, to give him, face to face, the basic convictions of our people in the major issues of the day, including West Berlin, and to hear from him directly his own views of those issues.

We have recently had visits from two high officials of the Soviet Government—Mr. Mikoyan and Mr. Koslov. It is appropriate that the head of the Soviet state and the dominant figure in the Soviet Government now be given the same opportunity to form his own impressions of America, at first hand.

I assured our allies in private conversations, as I have on other occasions publicly, that my invitation to Mr. Khrushchev does not contemplate merely a ceremonial visit—just as it does not suggest any purpose of definitive negotiation. But it does imply the hope that serious exploratory efforts may reveal new opportunities for practical progress toward removal of some of the causes of world tensions.

Conversations with Chairman Khrushchev will not include any negotiation concerning subjects that directly relate to the interests of our allies or to any other part of the free world.

UNPRINCIPALED DEALS BARRED

In this connection, I know that neither America nor her allies will mistake good manners and candor for weakness; no principle or fundamental interest will be placed upon an auction block.

This is well understood here and abroad.

Allied leaders expressed their understanding of the reasons that prompted the invitation to Mr. Khrushchev to visit America. While their hopes for progress revealed varying degrees of optimism, each was convinced that the effort was clearly one that had to be made.

Incidentally, I have every confidence that our people will greet Mr. Khrushchev and his wife and family with traditional American courtesy and dignity. We cannot fail to accord him the same consideration which the Soviet public gave to Vice President and Mrs. Nixon.

Having just returned from France, it might be appropriate to recall a comment made about our Nation over a century ago by the remarkable observer, Tocqueville. "The great sustaining force of America," he said, "is not simply to be found in its laws or institutions—but in the manners of her people, her habits of heart."

Each of the leaders with whom I talked is fully aware of America's conviction that any agreement to hold a summit meeting must be based upon the certainly that our status and rights in Berlin be respected. In addition, we believe there must be some clear Soviet indication, no matter how given, that serious negotiation will bring about real promise of reducing the causes of world tensions.

READY TO NEGOTIATE

Should a summit meeting on such a basis ensue:

We are prepared to make a real beginning toward solving the problems of a divided Germany.

We are hopeful of arranging for wider contacts in ideas, publications, persons, and information.

We are, in short, ready to negotiate on any subject within the limits dictated by the dedication of our Government and our people to the cause of a just peace, and our loyalty to the United Nations and its basic concept. That concept is that international disputes should be settled by peaceful means, in conformity with the principles of justice and international law.

We shall not retreat from these ideals or principles or weaken in our resolution to remain strong in their defense. This means that we must be as concerned about the freedom of 2 million West Berliners as we are about the freedom of any part of our coalition.

We must be concerned about the threats to freedom, no matter where they may occur.

Though specific problems may at times present such difficulties as to prevent immediate, practicable solution, yet we must all understand that wherever freedom is denied or lost—whether in Asia, Africa, the Americas, or in Eastern Europe—by that much is our own Nation's freedom endangered. Firmness in support of fundamentals, with flexibility in tactics and method, is the key to any hope of progress in negotiation.

CHANCE OF SUCCESS WEIGHED

The choice before world leaders is momentous.

In the past, conferences have too often been characterized by suspicion, threat, or stubborn prejudice, and results have been barren and bleak.

But, could we create an improved atmosphere of mutual understanding and serious purpose, it would be possible to attack, with renewed hope, the problems that divide us. If the Chairman of the Council of Ministers of the U.S.S.R. has constructive ideas and suggestions that could provide the basis for responsible negotiations on the issue that divide us, we would welcome the opportunity to study them with our allies.

It is my profound hope that some real progress will be forthcoming, even though no one would be so bold as to predict such an outcome.

Fellow Americans, we venerate more widely than any other document, except only the Bible, the American Declaration of Independence.

That declaration was more than a call to national action.

It is a voice of conscience establishing clear, enduring values applicable to the lives of all men.

It stands enshrined today as a charter of human liberty and dignity. Until these belong to every living person their pursuit is an unfinished business to occupy our children and generations to follow them.

In this spirit we stand firmly in defense of freedom.

In this spirit we cooperate with our friends, and negotiate with those who oppose us.

If the forthcoming visit of Mr. Khrushchev to this Nation should bring to him some real appreciation of this spirit and this conscience, then indeed the venture would be a thousandfold worthwhile.

I know that all America prays to the Almighty that this might come to pass.

Thank you, and good night.

RECOMMITTAL OF NOMINATION OF JOSEPH J. FOURNACE, JR., TO BE A POSTMASTER AT BELLAIRE, TEX., TO THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that Executive Calendar No. 1202, the nomination of Joseph J. Fournace, Jr., of Bellaire, Tex., to be postmaster for the city of Bellaire, Tex., be returned to the Committee on Post Office and Civil Service for further study, because of a clerical error which caused it to be prematurely reported.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

GOVERNMENT AND LOBBYING BY FEAR AND PANIC

Mr. YARBOROUGH. Mr. President, the ultimate success or failure of our democratic form of government depends upon having an informed public. With this in mind, recent events in Washington cause one to wonder whether new media for communication of ideas have brought us to a dangerous period of history for government by consent of the governed.

The danger to democracy is the growing trend to employ public relations scare techniques to pass the laws of our land. It is my very firm belief that nothing can be more dangerous to freedom than the efforts to pass laws by shock programs of mass fear aroused by a series of television, radio and news commercializations. Such programs can result in a substantial portion of the American people being brainwashed through a distortion of issues.

The usual means of passing such bills is for public relations experts to sell the claimed need for such a law to the public the same way they wage a national soap sales campaign. The usual first step is to create a public whipping boy so that the campaign will have plenty of emotional appeal. In this way, public demand based principally on misinformation and half-truths can unquestionably lead to great pressures for the passage of slanted legislation which will benefit some selfish interest or pressure group. Obviously, the special interest with the most money to huckster its own legislation will be able over a period of years to become increasingly powerful, generally at public expense.

In the same manner and with the same danger, Mr. President, paid hate peddlers are being used more and more to defeat honest and qualified candidates for public office.

It is becoming more and more apparent that when we in the Congress are considering a legislative proposal, and when the American people are considering the merits or demerits of a candidate, we must all decide whether communications received on the issue involved reflects the heartbeat of the mass of the American people or is merely the clacking of some paid public relations agent's typewriter.

An article ably written by Mr. Bernard D. Nossiter touching on this general subject was recently published in the Washington Post and Times Herald.

The technique Mr. Nossiter describes as having been used recently on a national scale is no new thing. Such fear and smear techniques have been used for years in Texas by the special and powerful interests, and against the people.

Mr. H. M. Baggarly, the nationally known, award-winning editor of the Tulia Herald, recently described such a campaign in Texas in 1954, warning the people in Texas that plans were being made to do even worse in future campaigns.

Mr. President, I ask unanimous consent to have printed in the RECORD the column "Labor Bill Lobby," by Bernard D. Nossiter from the September 10, Washington Post; and, the column, "The Country Editor," by H. M. Baggarly from the September 3, 1959, Tulia, Tex., Herald.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 10, 1959]

LABOR BILL LOBBY

(By Bernard D. Nossiter)

MOOD MANIPULATION IS GIVEN CREDIT

Sophisticated business lobbying, combined with conscious manipulation of a public mood, is being credited with a major role in the passage of the strong labor bill.

Details of the skilled operation began coming out this week.

The core of the technique, as spelled out by its practitioners, was to focus on uncommitted House members, particularly those in marginal districts. There a deliberate effort was made to translate public anger at the disclosures of union corruption by the McClellan committee into a barrage of letters urging the Congressmen to vote for a tough bill.

The major organizations involved were the National Association of Manufacturers and the U.S. Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

These groups did not march in perfect lockstep any more than their opposite numbers in labor. But one participant has said that the degree of coordination exceeded that ever undertaken by business in the past.

The small-business group supplied many of the ideas and much of the intelligence; all of them generally avoided the hamhanded union tactics of descending on Congressmen in platoons and warning directly of retaliation at the polls.

The business group's first task was listing House Members in marginal districts—those won by 55 percent or less of the popular vote—who had never voted on a labor bill. About 120 were in this group.

The next step was to refine this list to those who favored a bill, but were not clearly committed to either a strict or a softer measure.

Left to their own devices, the Democrats in this group would have likely followed their leadership and backed a moderate bill; the Republicans, generally from industrial districts, also would have been in this camp. A few more Congressmen with similar viewpoints but from safe districts were added. A final list of 54 was selected for the major effort, which began in June.

The problem then became one of arousing constituents in these districts to flood their Congressmen with mail. One important tool was a television drama, "Sound of Violence."

This hour-long show portraying union hoodlums in the jukebox field had run in April on Armstrong Cork Co.'s "Circle Theater" to an audience estimated at 25 million. It ends with an appeal from Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, urging the American people to do something about the evils shown.

When Armstrong decided to run the drama on July 8 as a summer repeat, the business lobbyists latched on. Local NAM affiliates and other trade associations told their members when and where the show could be seen; they advised employer members to urge their workers to watch it; above all, they encouraged their members to get viewers to write their Congressmen on the labor bill.

The Texas Manufacturers Association, for example, advertised the viewing time and stations for Amarillo, Austin, Dallas, Houston, Galveston, Lubbock, Odessa, and El Paso. The Lumbermen's Industrial Relations Committee did the same for Spokane and Seattle, Wash., and Portland, Medford, and Klamath Falls, Oreg.

The strategists discovered that stations in 27 key congressional districts would not carry the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important districts, urging people to watch and write.

An estimated 4.5 to 5 million mailings plugging both the show and letters to Congress were sent out. Between 15 and 20 million persons were said to have seen the rerun.

After the Griffin-Landrum bill, strongest of the measures proposed, was introduced in late July, the strategists continued to pour on the heat.

Brief tape recordings were made for radio and television, featuring Representatives PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan. Beginning in August, these were run frequently, again as public-service features or under local sponsorship in 35 of the crucial districts.

In one swing area, an experiment was tried. A good-sized corporation sent its foremen out to ring neighbors' doorbells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

The crucial House vote came on August 13, when the Griffin-Landrum bill was approved 229 to 201. Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.

Business lobbyists, pleased with their efforts, expect to use these techniques with more success in the future.

THE COUNTRY EDITOR

(By H. M. Baggarly)

When almost daily we read of terrible crimes committed against human beings by other human beings, we are made to wonder what motivates these monsters. It usually develops that they are abnormal personalities suffering from one of many mental disorders. Often they show little if any remorse. They are almost like creatures from another world.

But despite their heinous crimes, these persons perhaps are less to be censured than perfectly sane individuals whose crimes against humanity are no less cruel and damaging.

It has been 5 years since men, trained in the art of influencing public opinion, perpetrated one of the most diabolical hoaxes on the people of Texas the State had ever seen—up to that time.

We refer to the Port Arthur story which has been covered by this and other newspapers on numerous occasions.

This hoax was motivated by the conservative political leadership of Texas who believed, along with Hitler and Stalin, that the end justifies the means. They believed in 1954 that it was so vital that RALPH YARBOROUGH be defeated for Governor that even smear, slander and the worst kind of dishonesty were not only justifiable but righteous. Even the hierarchy of some of the major religious denominations became a party to this unholy fraud.

The Port Arthur story will long be one of the blackest pages in the history of Texas politics.

But today, there are subtle and silent forces at work in Texas politics which make the Port Arthur story look like a leaflet from some of our Sunday school literature.

The perpetrators of the Port Arthur story hoped, successfully, to smother Texans with their fantastic lie just 2 days before the Democratic primary. They knew their story was false, that intelligent people would not believe it after they recovered from the initial shock, but they gambled (and won) on the proposition that the initial scare would sway enough voters before the masses would have time to awaken to what had happened.

The success of the Port Arthur story, which one of its authors later admitted "was created for morons," is a matter of history—but it was one of those things which is effective only once.

We talked recently to a person from downstate whose business is to keep up to date on the backstage maneuvering in Texas politics. He told of some of the techniques being planned, and in some cases already being executed, to defeat every candidate for public office who is not of the political school of Allan Shivers, the FIA, and allied ultraconservatives.

This political school well knows that its former techniques are obsolete. It well knows that it can no longer defeat a patriotic and loyal Democrat by yelling "labor support" and "leftist." It well knows that another Port Arthur story would fall flat on its face.

Any fifth grader knows that in any game designed to deceive, no trick is good for more than once.

But the highly paid public relations men whose assignment is the winning of elections are not deterred by the inadequacy of a former ace card played by their predecessors. They never expected to pull another Port Arthur story. They knew they would have to come up with something new and fresh, something which an unsuspecting public and the moron vote would never recognize as the same old bill of goods in a brand new wrapping.

Some of the professional election winners have come up with some schemes which dwarf all previous smear, slander and slay techniques ever dreamed up in the plush offices of experts.

The effects of the Port Arthur story were heartbreaking—but they did no permanent damage. The perpetrators knew better than to attack the character of their marked victim. RALPH YARBOROUGH wasn't even hurt politically except for the immediate election. After the people found out the truth, he gained support.

But a man might live a lifetime and never fully recover from the effects of a slandered character.

PROPOSAL TO CHANGE THE NAME OF THE DALLES DAM ON THE COLUMBIA RIVER

Mr. NEUBERGER. Mr. President, I desire to include in the pages of the CONGRESSIONAL RECORD certain correspondence which relates to a proposal sent to me by the Multnomah County Central Labor Council of Portland, Oreg. This correspondence bears on a resolution by the Multnomah County Central Labor Council that the name of the Dalles Dam, on the Columbia River, be changed to the Franklin D. Roosevelt Dam.

I shall await with interest any replies which are forthcoming from the telegrams which I have sent to various civic and governmental leaders in The Dalles and Wasco County.

Mr. President, I ask unanimous consent that this material from the Multnomah County Central Labor Council be printed in the RECORD at this point following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MULTNOMAH COUNTY LABOR COUNCIL, AFL–CIO,
Portland, Oreg., September 8, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR NEUBERGER: I must apologize for the delay in forwarding this letter to you requesting your aid in renaming the Dalles Dam, the Franklin D. Roosevelt Dam.

A motion was made and passed unanimously at our regular council meeting held August 31, 1959, that because of foresight and leadership demonstrated by the then President, Franklin D. Roosevelt, the development of the Columbia River became a reality.

It is our feeling that would be a fitting tribute to that great President.

Sincerely,

EDWARD J. WHELAN,
Secretary.

U.S. SENATE,
Washington, D.C., September 10, 1959.

Hon. EDWARD J. WHELAN,
Secretary-Treasurer, Multnomah County Labor Council, AFL–CIO, Portland, Oreg.

DEAR ED: Thank you for your letter of September 8, which suggests that I sponsor legislation to rename the Dalles Dam in honor of President Franklin Delano Roosevelt.

I believe that I should obtain the views of local citizens and public officials of The Dalles before undertaking any action on this, because the Dalles Dam is not only named in honor of their city, and this dam would have to be renamed, but the dam is located directly east of the city of The Dalles.

Therefore, I have sent telegrams to such persons at The Dalles as the Wasco County judge, the chamber of commerce, the local Central Labor Council, the mayor of The Dalles, The Dalles Industrial Club, the Wasco County Democratic and Republican chairmen, and so forth. These collective views will have a direct bearing on any action which I take.

This is somewhat different from the Green Peter situation, where one did not have to remove a name of the leading local community in that area. The mayor of Sweet Home, the adjacent community, has favored the change in the name from Green Peter.

Further, Ed, I do believe that you and your associates at Multomah County Labor Council could have chosen a more appropriate dam to name in honor of Franklin D. Roosevelt than the Dalles Dam. The Dalles Dam was authorized and built during the Presidential tenure of Harry S. Truman. I wonder how the Truman family would feel about this? If a Columbia River dam is to be renamed in honor of Franklin D. Roosevelt, it would more appropriately be Bonneville Dam or Grand Coulee Dam, both of which were constructed during his service in the White House. Do you not believe that this is correct?

As you know, I am one of the four Senate Members of the Franklin Delano Roosevelt Memorial Commission. I recently sponsored in the Senate—and successfully defended against Republican attack—a resolution authorizing land and funds for a great memorial edifice in Washington, D.C., commemorating Franklin D. Roosevelt. I wonder if a project to rename a dam in honor of Franklin Roosevelt at the same time as the whole nation is joining together to construct a marble memorial to him in the Nation's Capital may not be regarded as detracting from the national endeavor?

I think it is only proper that I should raise some of these issues before the Multnomah County Labor Council goes too far on this undertaking. I think you know my great admiration for Franklin Roosevelt and my close and intimate friendship with the Roosevelt family. I am one of only three Members of the U.S. Senate whom Mrs. Roosevelt has ever invited to deliver the annual Memorial Day address in honor of Franklin D. Roosevelt. For this reason, I desire to be extremely appropriate and careful in anything which I undertake that is associated with the illustrious memory of Franklin Roosevelt.

In addition, we must bear in mind the fact that there already is a Franklin D. Roosevelt Lake back of Grand Coulee Dam, which is one of the largest man-made lakes in the world. Will Congress name two entities on the same Columbia River system in tribute to the same man? I doubt if this ever has been done before.

I greatly appreciate your advising me of the action of the Multnomah Labor Council and I look forward to receiving your comments, as well as those of others whom I have contacted in connection with this suggestion.

With every good wish, I am,

Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JAMES H. HUNT,
Wasco County Judge,
Wasco County Courthouse,
The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in Wasco County commission on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JOHN J. HOWE,
Mayor,
The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in The Dalles city council on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. JOHN W. SISCHO,
Secretary, Mid-Columbia Labor Council, AFL–CIO, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates on the labor council on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

HON. VERNON BURDA,
Wasco County Democratic Central Committee, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates on Democratic Central Committee on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JOSEPH D. KELLEY,
Chairman, Wasco County Republican Committee, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates

on Wasco County Republican Committee on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. ALF WERNMARK,
President, The Dalles Industrial Club, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in the Dalles Industrial Club on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. W. S. NELSON,
Manager, Chamber of Commerce, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in the Dalles Chamber of Commerce on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

STRONG FOREIGN SERVICE

Mr. SCOTT. Mr. President, the maintenance of a strong Foreign Service is essential to our national welfare. It is particularly important that we have a strong staff in charge of our consular activities. The officers at our consulates bear a heavy responsibility in the performance of their complex tasks. They are the only American officials ever seen by billions of people abroad. It is vital in these times that the officers of our Foreign Service, who are selected for assignment in consular offices, be highly competent men and women in whom our country can take pride. It is especially heartening to note in this connection the assignment of an experienced Foreign Service officer in the Department, Mrs. Alice Curran, to the important post of principal officer at the consulate at Manchester, England.

PROBLEMS OF SMALL FARM-OWNERS

Mr. LANGER. Mr. President, in January, February, and March of every year on Wednesday mornings, the North Dakota congressional delegation individually are visited by members of the Farmers Union who annually come to Washington.

During the course of those conferences these fine people from North Dakota present many views on the issues that affect them, the State, and the country. One among the great problems that affect them is the trend in this country to fewer and fewer family-size farms and greater concentration in large farms. Their questions relate to how can this problem be solved.

Yesterday from the Evening Star there is an article entitled "Small Canadian Farmer Is Big Business Victim," which I ask to have printed at this point in the RECORD. It points out the many difficulties the small farmer is having.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SMALL CANADIAN FARMER IS BIG BUSINESS VICTIM

SASKATOON, SASKATCHEWAN, September 9.—Stretching ripe and reassuring over the edge of the prairie horizons the vast Canadian wheatfields, dotted by tall grain elevators, are now at harvest eve a perfect picture of serene stability. But behind this idyllic landscape today is a major revolution in Canada's agriculture.

The small family farm, traditionally a symbol of sturdy independence and pioneering, is being rapidly eliminated as a mainstay of this country's rural economy.

It was the family farmer, the homesteader, the penniless immigrant with land hunger, fanning out from the railroad, who conquered the Canadian west, tamed the harsh prairies, and did as much as anyone to set Canada upon the road to nationhood. Now the somber realities of costs, prices, marketing, technical efficiency, and competition are killing off the one-family farm at a fast clip.

ENTER BIG BUSINESS

Big business is entering the barn, the poultry yard, and the vegetable garden. An unbucolic, functional-sounding term is stalking the farmlands—"vertical integration." It embraces various patterns of contract farming in which the farmer is essentially an employee of large commercial interests.

This change is taking place within a wider mutation, the comparatively rapid decline of agriculture's place in the Canadian economy as the country develops its mineral resources and industries. Today there are about 530,000 Canadian farms, compared with 625,000 7 years ago. The average farm size in Canada has increased 25 percent in the last 20 years.

About 40 percent of the nation's farmers produce over 80 percent of the agricultural output. The other 60 percent—including most of the one-family farmers—operate subsistence or marginal farms whose contribution to the economy is, in the opinion of many experts, dubious.

FLEXIBILITY NEEDED

The tremendous international glut of wheat and other grains, the crops that were the traditional backbone of Canadian agriculture, shows every sign of remaining a long time. This is compelling farmers to show more flexibility and efficiency. To survive, more small farmers must turn from wheat and grains to livestock and fruit production.

Costs are being pushed up by increasing mechanization. According to farmers, the rising production costs are offsetting the inflationary prices the consumer must pay for farm products, especially meat. Capital needed in an economically successful farm grows year by year. However, far more money is earmarked for farm loans and credits in Canada than is being used by farmers, so capital itself does not seem to be the answer. Management and production techniques are apparently among root causes of the small farm's death.

That growing symbol of North American material prosperity, the supermarket, has a direct impact on farming. Behind the supermarket is a highly organized food industry with specialized competitive needs. Individual small farmers are often reluctant to comply with the food industry's requirements and timing. So the food industry, especially meat, poultry, and vegetable interests, are going directly into agriculture and creating large farm units, or cooperative groups, heavy on both capital and organization.

VERTICAL INTEGRATION

Increasingly farmers are being absorbed into such organizations, often corporations with nonagricultural backing. They handle the financing and management. The farmer becomes someone akin to the corner gas-station operator—an interesting individual, perhaps, but not an independent economic unit. He contracts to deliver certain quantities of specified products. This is vertical integration.

As such contract farm units—frequently supervised in the background by city businessmen who hardly know one end of a cow from the other—multiply across the country it becomes progressively harder for the small family farmer, even if efficient, to meet competition. The inefficient small farmer gets squeezed out.

The Canadian Federation of Agriculture admits the small farmer, or undercapitalized farm, needs special aid to survive. The federation suggests that at the taxpayers' expense there should be not only a generous credit program, but an organization to give advice and help.

This, it is admitted, would entail some supervisory features. Presumably this means that Government officials instead of private interests would tell the small farmer what to produce.

A contract farm executive says: "Canadian farm management is going through a phase of modernization to bring it into line with agriculture's technical development. Horse-and-buggy-mentality management cannot survive. And far too many of the small subsistence farms are horse-and-buggy in their management methods."

Mr. LANGER. Mr. President, what is so distressing about this problem is the fact that some of the experts on American economy take such a dim view on the future existence of the small farmer with the prediction that in 10 years only 4 percent of the Nation's population will derive their income from farming whereas just before the turn of the century approximately half of the people earned their income from farming. It would be well at this point to refer to some of the testimony of Dr. Fritz Machlup, professor of political economy, Johns Hopkins University, who appeared as a witness before the U.S. Senate Antitrust and Monopoly Subcommittee on the subject of concentration industry and administered prices. Portions of Dr. Machlup's testimony and colloquies dealing with the farm problems are as follows:

Mr. MACHLUP. The American standard of living has increased so tremendously as it has by the huge increase in industrialization and the enormous increase in efficiency in farming. The increased efficiency in farming makes it possible that now 8 percent of the labor force, or perhaps 9, I don't know now—a very small percentage of the labor force—is sufficient to feed the rest of us. There was a time when 70 percent of the labor force was needed in agriculture to feed the people of the United States. This was in 1830. In 1880 the percentage was down to 50. In 1930, 20 percent was enough. This is real progress.

The increase in efficiency has permitted us to reduce the portion of our population working on the farms, and now it is estimated by good experts—I think it is Pro-

fessor Black of Harvard who made the estimate—that within 10 years only 4 percent of the population will derive their income from farming; only 4 percent.

Now, imagine the American people had held the view now so widely advocated, that we should preserve all the people in their present occupations, imagine they had insisted on that notion 50 years ago, where would we be? We wouldn't have the present living standard—we would have the standard of living we had 50 years ago.

Mr. CHUMBRIS. Doctor, Senator LANGER has received many letters and he also has heard from farmers' unions that come here periodically to visit. They are concerned with the fact that today a one-section farm or a two-section farm is beginning to become a thing of the past in some of the farmland of the country. You refer, for instance, to the stagecoach; if we tried to protect the stagecoach, we wouldn't have automobiles and so forth. But the people who built stagecoaches are now building automobiles and the people who drove stagecoaches are driving automobiles, so they were taken up into the improvement of our way of life.

The man who had a small corner grocery sold it to a chain and he became manager of the chain, or a butcher in the chain. He was taken in on this.

Mr. MACHLUP. Right.

Mr. CHUMBRIS. But you take the farmer. If we are going to have in 10 years, you say, only 4 percent of the people earning income from agriculture, that means that the small family farmer today with one section or 160 acres, or whatever the case may be, depending on what he produces, will have to go completely out. You will have these big giant farms which will in effect become a monopoly and you will have a concentration of farms just as you say you have concentration of industry.

Now, you say, that is progress, but if that is progress, what is going to happen to the farm family? We have had complaints during the automobile hearings that too many farmers are going into the cities, into Detroit and Pontiac, and forcing themselves on the unemployment market that, at that time was close to 7 million, when the testimony was taken.

How, from your expert point of view are these small farmers going to be taken into our American way of life and be able to take care of their families and earn a suitable income?

Mr. MACHLUP. I do not pretend to be a student of agriculture or an expert in agricultural economics, but I do not believe that many economists even in agriculture consider this a very serious problem. I think the absorption of the people who leave the farms, their absorption into industry is by and large not a difficult problem. It is a problem of which you will hear relatively little except in the worst months of a recession. Normally the transfer goes on without much commotion, the older son or the next son wanting to go into the city and as they go, there will remain fewer and fewer of these small farmers.

I think it is a development that cannot be held back at all and sentimentalism wouldn't help us in the least. We shall have to face the fact that certain methods of doing things are outmoded. This doesn't mean that all small farming will die out. Indeed, there might be a great deal of pleasure farming going on.

But, again, I am not an expert and would not care to expand on these problems.

Mr. CHUMBRIS. Yes, but you have placed something into the record here this morning and one of the things was dealing with the farm problem. I don't know who has been making these statements that these farmers are being absorbed. I know that the people who are forced to sell their farms are highly aggravated. If you would contact any of the congressional or senatorial offices from the farm States, they would disagree emphatically with whoever is passing out these releases that these people are being absorbed into the American way of life and besides, that these people don't want to leave the farm.

Mr. MACHLUP. Sir, this is very true. I am sure the stagecoach driver didn't want to leave this stagecoach either.

Mr. CHUMBRIS. Yes, but you had maybe a handful of stagecoaches but today you have 11 million or 12 million people.

Mr. MACHLUP. Whole industries have disappeared, and what you are now decrying has been going on for many years. We have already seen the decline of the farm population from, let us say, 70 percent to 8 percent. We have seen it and it has taken place, and no amount of crying would have helped, or would have retarded it.

Mr. President, now that this session is coming to an end, I hope that the Agriculture Department and the Agriculture Committees of the Senate and the House will do some very serious thinking as to the solving of the problem of preventing the family farm from disappearing from the American scene and be able to report to the next session of Congress some constructive measures.

PROGRAMING BY RADIO AND TELEVISION STATIONS—GOLDEN MIKE AWARDS OF AMERICAN LEGION AUXILIARY

Mr. LANGER. Mr. President, the Golden Mike awards of the American Legion Auxiliary were presented to six network television programs—two each on ABC–TV, NBC–TV, and CBS–TV. These presentations were made during the 39th Annual Convention of the American Legion Auxiliary in Minneapolis. The selection was conducted by a poll of 1 million auxiliary members.

The reason that I am bringing this matter to the attention of the Senate is the fact that as a member of the Senate Juvenile Delinquency Subcommittee, we have conducted many hearings to determine the impact of vulgarity and viciousness on TV programs on the youth of our Nation. Recently the National Congress of Parent-Teacher Associations pointed out the fact that vulgarity and viciousness on TV had a harmful effect on children and youth. Our subcommittee was advised by the National Association of Radio-Television Broadcasters that they would do everything that they could to make the individual radio and TV stations live up to their code of practices. It is incumbent upon the radio and TV industry to continuously watch the type of programing that goes over the air, especially during the hours of 4 to 8, which are the most popular hours of viewing television by children and youth.

It is, therefore, significant that an outstanding organization, such as the American Legion Auxiliary, would give awards to outstanding programs that show good taste, and I refer specifically to my fellow North Dakotan "Lawrence Welk's Dodge Dancing Party"—best musical show—and "Father Knows Best," a program that vividly portrays good family life and pointing out to the children good manners and behavior. Another program is the "Junior Olympics" program, conducted by WJW–TV Cleveland, described as "the Nation's finest program in the interest of youth."

With the headlines of our Nation's newspapers and commentary on radio and TV of gang wars in our major cities and juvenile delinquency rate increasing at a greater rate than the increase of our population, it is nice to note that television, which is and can be a great force for the good of our children, is bringing forth programs that can have an excellent impact on the youth of our Nation in contrast to the programs of vulgarity and viciousness which can do so much harm.

TENTH ANNIVERSARY OF THE ELECTION OF CHANCELLOR ADENAUER—VISIT OF PREMIER KHRUSHCHEV TO THE UNITED STATES

Mr. BRIDGES. Mr. President, the 15th of September will be a significant date for all the world to remember. That day marks the 10th anniversary of the election of Chancellor Konrad Adenauer to the leadership of the free republic of West Germany. It also happens to mark the arrival in our National Capitol of Nikita Khrushchev, the boss of Soviet communism and the generally recognized boss of world communism.

To my mind, it is especially significant to turn our thoughts to the great courage and wisdom of Chancellor Adenauer in his fight against what initially appeared to be the overwhelming odds in favor of communism in Germany. His magnificent victory has won the confidence of all the people who cherish freedom. This is particularly so because his Government was born out of a nation that had lived for years under the totalitarian philosophy of Hitler and today it stands as one of the foremost nations living under the free principles of democracy.

On that day, when our people celebrate Chancellor Adenauer's ascendancy to office, and on which we extend our courtesy to the Soviet Premier, we should certainly reflect on the pact between Hitler and Stalin and the notorious Ribbentrop-Molotov treaty. The intervening years have proved much. They have proved, in the case of Germany, that a free people can regain their freedom, that the wheel of history may turn slowly, but it turns. I can only hope that the wheel of freedom can start turning on September 15 for the freedom of the Russian people.

In closing, Mr. President, we should not forget also to give credit to President Eisenhower and our late Secretary of State, John Foster Dulles, for their part in helping Germany return to the ranks of free nations. They cooperated, assisted and helped Chancellor Adenauer over the past decade and over a sometimes rocky and possibly perilous road. During those 10 years, there were scores of meetings between the respective officials of our country and West Germany.

Never once did the German Chancellor look through rose-colored glasses at the threat of international communism. He stood firm with us; in turn, we gave our assistance and in this cooperative venture, Mr. Eisenhower was highly successful. Among men of honor, success and freedom are always sure to come. It is likely that Mr. Adenauer recalled to mind from time to time, words of one of our forefathers, Thomas Jefferson: "Opposition to tyrants is obedience to God."

MESSAGE SENT BY SENATOR NEUBERGER TO GOVERNOR HATFIELD, OF OREGON, REGARDING FOREIGN AID APPROPRIATIONS BILL

Mr. NEUBERGER. Mr. President, on September 10, 1959, I sent a telegram to the Honorable Mark O. Hatfield, Governor of Oregon. This telegram has a direct relationship to the way in which I expect to vote on the foreign aid appropriations bill when it comes before the Senate during the next day or so. Even though I would attain a certain political reputation as an exponent of governmental economy by voting against the requests of the President of the United States in this field of foreign aid, I expect to place my country first and political considerations second. I believe that the text of my telegram to Governor Hatfield, of Oregon, may interest my colleagues of the Senate and therefore I ask unanimous consent, Mr. President, that the telegram may appear in the CONGRESSIONAL RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, *September 10, 1959.*

HON. MARK O. HATFIELD,
Governor of Oregon,
Salem, Oregon:

Reports in press have quoted Republican State Chairman Peter Gunnar as labeling me as "the king of congressional spendthrifts." Press also has described Mr. Gunnar as your personal choice for chairman of your party. By far the largest spending items I have voted for during 5 years in Senate have been requests of President Eisenhower in field of military appropriations and foreign aid. Congressional Quarterly survey shows me as among leading supporters of Eisenhower foreign policy because of these positions I have taken as a responsible Member of the Senate. Extremely disturbing now to be labeled as "king of congressional spendthrifts" by your Republican Party chairman in view of fact that biggest spending items I have voted for have been your own President's military and foreign aid requests. Only today, in connection with foreign aid matters, I told the Senate I thought the President was sincerely interested in world peace. Senate is soon to debate foreign aid budget for fiscal 1960. Appropriations Committee has recommended $3.3 billion. President objects to any further reduction, is urging appropriation of larger sum. I intend to support President's position. Will your handpicked State chairman denounce me as a spendthrift for such action? Would appreciate your comments.

DICK NEUBERGER,
U.S. Senator.

EMPLOYMENT OPPORTUNITIES FOR NEGRO ALCOHOLIC BEVERAGE SALESMEN IN NEW YORK CITY

Mr. KEATING. Mr. President, on July 29 the senior Senator from South Carolina [Mr. JOHNSTON] inserted in the CONGRESSIONAL RECORD an editorial published in the Columbia, S.C. State with respect to efforts of the New York branch of the NAACP to enlarge employment opportunities for Negro alcoholic beverage salesmen in New York City. I have since been requested by the president of the New York branch of the NAACP to have printed in the RECORD a statement which sets forth the position of the NAACP on this subject. Since I believe that it is only fair that the RECORD contain both sides of this controversy, I ask unanimous consent that this statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY ROY WILKINS, EXECUTIVE SECRETARY, NAACP AND L. JOSEPH OVERTON, PRESIDENT, NEW YORK NAACP BRANCH

The national office of the National Association for the Advancement of Colored People and the New York City branch of the organization, in line with established association policy, are united in efforts to expand employment opportunities for Negroes in all fields. Accordingly, the national office supports the project of the New York branch for elimination of the color bar which now deprives Negro alcoholic beverage salesmen of the opportunity to sell their products outside of the predominantly Negro areas while permitting white salesmen free access to Harlem and other Negro markets. The New York branch merely seeks to get rid of this inequity.

This effort has been distorted and made to appear as a campaign to rope off Harlem as an exclusive sales territory, solely on the basis of race. This is not true. The Negro alcoholic beverage salesmen have been the victims of a racial policy which has limited their income and, in addition, has humiliated them in the home community of their own people. There are instances in Harlem where Negro salesmen may sell to one store in a block (usually Negro owned) but are barred from selling to a nearby store which is held exclusively for white salesmen. If the racial issue is present, it has been placed there by the selling policies of the industry, from distillers on down to retailers. To picture this effort to break out of a racial straitjacket as a "black" campaign is to ignore the "white" policy heretofore in effect.

The objective of the present effort is to abolish racial sales territories and to give all salesmen an opportunity to sell in all markets.

Negro salesmen are not only confined to Negro areas but do not get a fair share of the business, whereas white sales personnel enjoys a virtual monopoly in predominantly white areas. For years, these salesmen have vainly sought to break through the color barrier. They have tried to enlist the support of their union. They have appealed to the wholesalers seeking to negotiate a new pattern of assignment. They have presented their case to the State commission against discrimination and to the State liquor authority. In 1956, they enlisted the support of the New York NAACP branch, which thereafter, on their behalf, sought to get distillers, wholesalers and retailers to take steps to end the discriminatory assignment pattern. It was not until after these efforts proved unproductive that the present project was launched by the branch in an effort to enlist the support of the consumers in the restricted areas.

The national office and the New York branch seek to reopen negotiations with the liquor industry for a prompt development and early implementation of an equitable system which totally disregards race in the assignment of sales personnel. We feel sure that all fairminded New Yorkers will want to support this effort to establish fair employment practices in the liquor industry.

DISARMAMENT STUDIES

Mr. HUMPHREY. Mr. President, in this morning's Washington Post and Times Herald there appears an editorial entitled "Disarmament Studies." This particular editorial refers to an amendment which the Senator from Minnesota submitted for himself and several other Senators—in fact, 12 Senators—to provide $400,000 in the Foreign Aid Appropriation Act for technical studies in the field of disarmament.

This amendment is the result of the recommendations in the Berkner report, encouraging a greater knowledge of some of the problems relating to detection and inspection, particularly in the field of nuclear weapons control, as well as the general disarmament field. I am hopeful that there will be enough support in the Senate to have this amendment adopted.

I say this now particularly because the United States and the Soviet Union have agreed to reopen disarmament discussions; and when those discussions become serious, as they undoubtedly will, with the 10-nation commission undertaking the responsibility for disarmament negotiations, we should be prepared in terms of the technical aspects of the control and inspection features of disarmament.

Other factors are involved—for example, the implications of a reduction in arms on the American economy, a subject matter which needs the most careful study. I have no doubt that such a reduction would result in a greatly expanded economy. But we should have a clear idea of what the future may hold.

ABANDONMENT OF AMERICAN PAVILION IN STOCKHOLM TRADE SHOW

Mr. HUMPHREY. Mr. President, I have before me a clipping from the New York Times of Sunday, August 30, 1959, headed "United States Shuns a Fair; Sweden Puzzled."

The article relates to the inability or apparent unwillingness of the United States to participate in the St. Erik's International Trade Fair in Stockholm, Sweden. I mention this because the government has already expended a substantial sum of money in Stockholm for the purpose of the fair. Having built the pavilion about a year or two ago, it has now decided that it does not need to use it, and therefore it does not wish to participate in the fair.

I feel that the Department of Commerce should be asked as to why this is the situation, and why this particular trade fair did not merit participation by the Government of the United States.

I ask unanimous consent that the article be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES SHUNS A FAIR; SWEDEN PUZZLED—WASHINGTON AGAIN DECLINES USE OF AMERICAN PAVILION IN STOCKHOLM TRADE SHOW

(By Werner Wiskaril)

STOCKHOLM, SWEDEN, August 29.—The U.S. pavilion at the St. Erik's International Trade Fair here will be used throughout the exhibition beginning Tuesday by a group of Swedish furniture concerns.

For the second year the U.S. Government has declined to make use of the building constructed for it in 1956 after it had exhibited here in a tent in 1955. Washington holds title to the pavilion until October 1, when the fair takes possession under a contract signed 4 years ago.

"We simply cannot understand the American position," Folke Claeson, director of the fair, said.

"Nearly everything would have been free here—the building, the electricity, the water, even the tidying-up—in accordance with the terms of the contract.

"The only cost would have been for the exhibit and $60,000 to $100,000 would have put one up," Mr. Claeson went on.

"The fact that the United States, the only country to own a pavilion here, will not occupy it for the second year in a row does not look very good to Swedish public opinion."

According to American officials here, Washington decided against using the pavilion as a matter of economy in view of the reduced budget for trade fairs that the Commerce Department has had in the last 2 years.

The major effort for 1959, it was noted, was the American National Exhibition, now nearing its close in Moscow.

As for 1960, Mr. Claeson said he had already received unofficial word that the United States would not exercise its option to rent the pavilion. However, one of the six countries belonging to the European Common Market has already spoken up for it.

Even without a U.S. exhibition—which in 1955, 1956, and 1957 proved to be the fair's top attraction—1960 apparently will be a big year for St. Erik's. The reason, Mr. Claeson said, is the quickening competition between the Common Market countries and the seven nations outside it that are about to form a free trade area.

TWO TRADE GROUPS IN RIVALRY

The Common Market countries are France, West Germany, Italy, Belgium, the Netherlands and Luxembourg. The so-called outer seven are Britain, Austria, Switzerland, Portugal, Sweden, Denmark, and Norway.

Britain, which had a small exhibition here last year, is expected to return to the fair in 1960 with at least one pavilion. West Germany, the Netherlands and Austria are said to be planning to enlarge their 1959 exhibits greatly.

Besides these three countries, Canada, Israel, Indonesia, Yugoslavia, and East Germany will have pavilions at the fair next week. The exhibition, which will run from Tuesday to September 13, is expected to attract 300,000 visitors.

Although the U.S. Government will not officially be represented, many American concerns will be among the 1,500 showing products here.

PROCLAMATION DAY FOR HAWAIIAN STATEHOOD

Mr. FONG. Mr. President, August 21, 1959, was a historic day in the history of Hawaii. On that day Hawaii was proclaimed the 50th State in the Union. In his radio program Mr. Bob Roberts, director of the radio station KGMB of the Hawaiian Broadcasting Co., described the scene in Hawaii on that day.

I ask unanimous consent to have printed in the body of the RECORD the remarks of Mr. Roberts.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

TODAY, AUGUST 21, 1959, HAWAII IS A STATE

(By Bob Roberts)

This is proclamation day, the day the President of the United States signed the Executive order that closed the book forever on the oceanic Territory of Hawaii.

Today, Hawaii became officially, the 50th State of the United States of America, a commission guaranteeing the Hawaiian people full sovereign rights for the first time as equal participants in the Government of their country.

Immediately following the formal signing of admission, the President affixed his signature to another Executive order—this one transferring Sand Island in Honolulu Harbor to the new State. Both actions were momentous for Hawaii's people, and for her first elected administrative and legislative officials; Gov. William Francis Quinn; Lt. Gov. James K. Kealoha; U.S. Senator Hiram L. Fong; U.S. Senator Oren E. Long; and Congressman Daniel K. Inouye.

The message that President Eisenhower had signed the statehood proclamation came by telephone from Hawaii's last Territorial Secretary, Edward E. Johnston, and was received by Governor Quinn, surrounded by his family, the press, and upward of one hundred friends and well-wishers gathered in the executive offices at Iolani Palace.

At precisely 10:14, Hawaiian time, this morning, Friday, the 21st day of August, 1959, Iolani Palace trembled in the climax of her drama-packed 77-year history.

Other notable actors and other historic moments had shaped the destinies of Hawaii beneath those six venerable spires.

But this morning, in the brilliant sunlight of a perfect Hawaiian day, the last and greatest episode took place. Young William Francis Quinn, still the Governor of the Territory of Hawaii, tried unsuccessfully to be casual as he picked up the telephone, whose buzz was barely audible in the restless gubernatorial office, the Governor's office.

What history this very room had known. What great hopes and terrible frustrations still haunted it when all was quiet at the day's end, and the ghosts of the past materialized in the strangeness of it all.

This had been the bedchamber of the royal suite, occupied by the flamboyant David Kalakaua, last of Hawaii's kings, by whose order Iolani Palace began abuilding in 1879—and by his sister, Liliuokalani, Queen, the last reigning monarch, who spent a year under house arrest in this, her royal residence when the monarchy was toppled in 1893.

Iolani Palace, the sacred name given to the home of Hawaii's rulers since 1845. The first palace stood on this very site, and five kings reigned there. It was razed in 1878, the year before the cornerstone of the present structure was laid.

On that memorable occasion, the Honorable John M. Kapena, Minister of Foreign Relations of the Kingdom of Hawaii, spoke prophetically of the destiny of the palace, and of the Government of which she was to become the symbol. "It will," he said, "require all the skill, the watchful care, the patience, the caution, and the industry that can be bestowed in the future, in order to secure the well-being of the people and the prosperity of the Government."

The Government of which the Honorable Mr. Kapena spoke did not last, but neither did it die; for like Phoenix soaring out of the ashes of the holocaust, another and better Government rose to take its place; and the role of Iolani Palace as the sacred repository of that Government has been played without interruption ever since.

Its name—loosely translated—means "Bird of Heaven"; it was given to Kings Kamehameha the Second and Kamehameha the Fourth, but notably to the former by his father Kamehameha the Great, who dared to break the great tabu of bestowing the sacred word "Io" upon a mere mortal.

The palace was completed and occupied in 1882 by the merry monarch, King Kalakaua. Its architecture has been variously called American composite, American Florentine, and French rococo.

But to the Hawaiian and the Hawaiian at heart it is none of these. It is unique, like the beautiful people upon whose island it stands. It is Hawaiian, as it was meant to be, and regal as those stately inhabitants who once lived and governed behind its ornate cornices; it is the only true house of royalty under the star-gloried emblem that snaps from its highest peak.

Iolani Palace—scene of coronations, revolution, humiliation, abdication, annexation, and democratization. Iolani Palace—home of kings, queens, a president and a long succession of appointed governors, rounded out her manifest destiny when young Bill Quinn reached for his telephone.

They started to wander in at about 20 minutes to 10 this morning. Days earlier the newspapers had headlined the President's decision to sign the Executive order on August 21.

They walked up the heel-indented steps to the second floor; "they" were the press, the radio, and television people, retiring officers of the Territorial government and the eager officers-elect of the State about to be proclaimed; the families of Bill Quinn and Jimmie Kealoha, friends of each, the well-wishes of both, and just plain citizens who felt the electric excitement of the moment about to begin; and a bit of the wistfulness, too.

In the foyer of the Governor's office, Webley Edwards, long associated with radio broadcasting in Hawaii, was communicating directly with stations on the U.S. mainland. Station KGMB was preparing to broadcast the event throughout the island chain.

The Governor's secretary and administrative assistants were briefing the press, right down to the detail of the leis to be presented officially to the principals in the drama: Vanda orchids for Governor-elect Quinn and Lieutenant Governor-elect Kealoha; pikake for Mrs. Quinn, and the sweet pakalana for Mrs. Kealoha. At 10 minutes to 10 the gathering moved quietly into the Governor's office. The brandnew seal of the State of Hawaii gleamed from the wall between the national emblem standing to the left of the viewer and the ensign of the monarchy, now the State flag, to the right. Behind the Governor's desk, and beneath the great seal, a cabinet bedecked with maile exuded a gentle fragance.

Governor Quinn—radiating his boyish smile, and trying not to reveal his nervousness, and failing—greeted by name the hundred or so persons who were standing and seated around his semicircular mahogany desk which was neatly secured for the business about to begin.

"How do you dial the time on this thing?" he asked, indicating the telephone, which like a bomb about to explode, was the cynosure of all eyes.

"Dial 500." Senator Ward Russell, assistant to the President of the Hawaiian Telephone Co. and State Senator-elect, gave the answer.

"At the tone the time will be 9:56 and 20 seconds," said the efficient voice at the other end of the line.

"Four minutes," the Governor winked nervously at his wife.

The Quinn boys were in charge of the Quinn girls, and little Mary Kaiulani thought it a fine occasion to sing "Yankee Doodle Dandy," which she did.

As the time crept up to 10 o'clock—the hour designated for the call from Secretary Johnston in Washington—the room became tense.

Some good-natured wisecracking failed to break the tension.

"How is this call coming in," the Governor asked.

"We think it's coming through the switchboard," replied Robert Ellis, the Governor's administrative assistant.

"Is somebody out there?" the Governor wanted to know.

"'I hope so," said Ellis.

Someone else thought it would be a a real joke if the line were busy when the call from Washington came. Nervous laughter.

Ten o'clock. State Senator-elect Hebden Porteus told a very funny joke. Relieved laughter this time, then mounting tension again.

Two minutes past 10. And from the street a cacophony of automobile horns blared about the impudent sputtering of firecrackers set off in a string. The radio had apparently jumped the gun, prematurely exulting to its audience that the great moment had arrived—Hawaii had been officially proclaimed the 50th State of the Union.

More jokes, and someone suggested turning on the radio to find out what was going on.

Then, the noise stopped; there were no more jokes, and Mary Kaiulani and her "Yankee Doodle Dandy" ran out of wind.

The telephone at Governor Quinn's left hand hummed softly. Every eye was on it as the Governor picked it up. "Hello—well, that's wonderful news, Ed," he said softly, then cupped his hand over the mouthpiece and turned to those gathered in the room. "Ladies and gentlemen, Hawaii is now a State."

Immediately the tension of the past 20 minutes exploded in a tumult of applause. Governor Quinn continued his conversation with the voice in Washington which had identified itself as belonging to "former Secretary Johnston."

"Bless you, former Secretary," he said, "and please express my gratitude and appreciation and the thanks—and the thanks and appreciation of the people of Hawaii to the President for all he has done to bring this about."

Then Governor Quinn spoke briefly to Secretary of the Interior Fred A. Seaton, thanking him for his efforts in behalf of Hawaiian statehood. The long-awaited call was in and its message recorded. Governor Quinn hung up the phone, turned in his chair and said, "Mr. Justice Marumoto, I guess the time is here."

Supreme Court Justice Masaji Marumoto asked the Governor to raise his right hand and repeat after him.

Following, and in like manner, Lt. Gov. Jimmie Kealoha took the oath of office. Justice Marumoto picked up another instrument that had been lying on the Governor's desk, and for the first time notarized a document with the Seal of the State of Hawaii.

Governor Quinn announced that his first official act would be to sign the document certifying that HIRAM L. FONG, who was present, had been duly elected by the people of Hawaii to the U.S. Senate.

Senator FONG made gracious acknowledgment. He crossed the room and presented a pikake lei to Mrs. Quinn.

Mrs. Quinn in turn walked to the desk where her beaming husband was fighting back emotion and placed a garland of vanda orchids upon his shoulders. She walked hesitantly through a haze of tears as she returned to her seat. And she was not alone.

And so went the morning of destiny. For Iolani Palace, scene of other great events beginning with the glitter and pomp of monarchy; for William Francis Quinn, who more than anything else wanted to be Hawaii's first elected Governor, and saw his wish fulfilled in the culmination of a brilliantly energetic campaign; for James K. Kealoha, immensely popular, warmly human, and until this morning the talented and perennial executive officer of Hawaii Island; for HIRAM L. FONG, the son of immigrant Chinese, who rose Horatio-Alger-like to wealth and prominence in his community; to OREN E. LONG, transplanted Kansan, respected and revered in the Islands for nearly 40 years; for DANIEL K. INOUYE, holder of an astounding record in wartime, dedicated in peace to the further service of the country his ancestors adopted; and for the friends and loved ones of these men who worked, worried, and prayed for them in the struggle for today's achievement.

This was the background of the brief announcement that flashed through the trans-Pacific telephone cable at 14 minutes past 10 this morning.

The skill called for so long ago by John Kapena had been practiced; the watchful care exercised; the caution and industry applied; to the end that the future he spoke of, which is now and the days to come, has secured and will further insure the well-being of the people and the prosperity of the government.

MILK PRICE PROBLEMS IN WISCONSIN

Mr. PROXMIRE. Mr. President, last Tuesday evening farmers from the southern part of Wisconsin—in Evansville, Orfordville, Oregon, Paoli, Mount Horeb, and Brooklyn areas—met in the Evansville High School and voted to back a milk strike, if necessary, to enforce an adequate price for milk. These are responsible farmers who are suffering from severe economic injustice. The meeting was attended by 250 representatives of locals of the Pure Milk Association of district 19.

Mr. President, the position of these farmers has been supported by one of the thoughtful and conservative newspapers in Wisconsin, the Janesville Gazette. The Janesville Gazette has been a supporter of Secretary of Agriculture Benson. It opposes artificial restrictions on farm production, and the excessive cost of the price support program. But the Janesville paper understands the plight of these southern Wisconsin farmers and recognizes that this is a situation that simply must be corrected.

I would like to read a brief paragraph from the editorial from the Janesville Gazette.

Not since the dark days of the 1930's have feelings been running so high with milk producers. The men who feed and milk the cows feel that they are undergoing economic discrimination, and have come to the point where they are talking about a milk strike.

The bare figures show that there is a good deal of justification for their dissatisfaction. In 1952, farmers in the Chicago area were paid an average of $4.51 for 100 pounds. Last year the price was down to $3.40 for 100 pounds, and the best guess for 1959 will be 3 to 5 cents lower than last year. During this time, there has been a substantial advance in the retail price to consumers.

I am not talking about the farmers whose dairy prices are the lowest in Wisconsin. Those farmers are up in the central and northern part of the State. I am speaking of the southern Wisconsin farmers whose prices and incomes have been the best over the years in our State, and are still higher than they are in the rest of the State.

I know that all citizens of Wisconsin, particularly the farmers, urgently want to avoid a milk strike. That is a terrible price for farmers, as well as consumers, to pay. The situation is desperate. I call it to the attention of the Senate and the Department of Agriculture, because this is a situation which can be averted by the proper use of the legal opportunities which are available at the present time. As the Janesville paper properly points out that the Chicago marketing order can and should be adjusted in recognition of the economic facts of life.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the editorial to which I have referred, entitled "Discontent in Dairyland," published in the Janesville, Wis., Gazette of September 9, 1959, and an article entitled "Strike Threat Heard at Dairy Farmer Meeting," also published in the Janesville Gazette.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Janesville (Wis.) Gazette, Sept. 9, 1959]

STRIKE THREAT HEARD AT DAIRY FARMER MEETING—BOOST OF $1.50 PER HUNDREDWEIGHT ON MILK ASKED AT EVANSVILLE RALLY

Dairy farmers representing the Evansville, Orfordville, Oregon, Paoli, Mt. Horeb, and Brooklyn areas, meeting in Evansville High School Tuesday evening, voted to back a milk strike if necessary to enforce a drive for higher milk prices.

The meeting, attended by about 250 representatives of locals of the Pure Milk Association of District 19 supported a resolution offered by Frank Bender, Route 2, Evansville, calling for higher milk prices. The vote requesting the PMA, Chicago marketing cooperative representing farmers to negotiate for a higher price was 123–18.

Dairymen at the meeting indicated that they would be satisfied with a raise of $1.50 per 100 pounds in the price of milk, which would give them $4.75 and thus enable them to meet high production costs.

Roy Strauss, Madison, who has a dairy farm at Utica, was the principal spokesman for those talking most strongly for a milk strike if the price demands are not realized.

Art Gafke, Fort Atkinson, spoke for the moderates and urged that before any strike action is taken that every producer and milk plant be organized to take part. He expressed the hope of agreement among all dairy organizations "so that we won't have a strike every year."

ORFORDVILLE ACTIVE

The district meeting in Evansville was held at the request of a meeting of the Orfordville local last Friday night when there was a discussion of prices and of strike action if necessary. Similar local meetings have been held in North Leeds, Elkhorn, and other areas in the State.

Another district meeting is scheduled Sept. 20, when the plea for higher prices will be given to PMA delegates who will meet October 13 in Chicago.

The movement for higher prices has not yet hit the Janesville area, but Arnie Agnew, Milton Junction, PMA director for this district, said that nobody is happy with the current prices. He said that there has been substantial reduction in prices of milk to farmers from 1952 until now, while retail prices have gone up. He estimated that the average paid to farmers when all the figures for 1959 are in will be 3 to 5 cents per 100 below the average for 1958.

Agnew said that the possibility of a milk strike cannot be discounted, but indicated that any such move should be a last resort and would require detailed planning to make it effective. Some of those urging fast action, he said, "have not been through a milk strike" and may not realize how serious such a move can be.

ASK CHANGED FORMULA

PMA directors have talked about strike possibilities if other avenues to improved milk prices fail, he confirmed. District 19, where the strike plans are chiefly talked, is represented on the board by Don Brace, Lone Rock.

Much of the dissatisfaction with present prices results from the pricing formula now used by the Department of Agriculture under the Chicago Federal milk order, it was explained. The price to farmers for fluid milk sold on the Chicago city market is based upon quotations for canned milk, butter, cheese, and dry milk as paid by milk processors, plus a fixed premium per 100 pounds.

The PMA, Agnew said, had petitioned the Department of Agriculture for a hearing on its plea for a different type of pricing formula which would take into consideration production and feed costs and the general level of consumer prices. Washington officials have refused to hold such a hearing, let alone put any revised pricing formula into effect, he said.

[From the Janesville (Wis.) Gazette, Sept. 9, 1959]

DISCONTENT IN DAIRYLAND

Southern Wisconsin's dairy cattle may be contented, but their owners are not. Not since the dark days of the 1930's have feelings been running so high with milk producers. The men who feed and milk the cows feel that they are undergoing economic discrimination, and have come to the point where they are talking about a milk strike.

The bare figures show that there is a good deal of justification for their dissatisfaction. In 1952 farmers in the Chicago area were paid an average of $4.51 per 100 pounds. Last year the price was down to $3.40 per 100, and the best guess for 1959 will be 3 to 5 cents lower than last year. During this time, there has been a substantial advance in the retail price to consumers.

In addition, the U.S. Department of Agriculture has in effect in many eastern areas of the Nation a pricing formula which takes into consideration the costs of feed and milk production, and the general level of consumer purchasing power. In the Chicago area, the Federal market order pricing is based upon prices of canned milk, dry milk, butter and cheese, plus a fixed premium for fluid milk of a quality suitable for city distribution. The Department of Agriculture has decided repeatedly that it will not provide an official hearing on pleas of dairymen of this area for a change in the pricing formula.

The Department, with some logic, has taken the view that as long as ample milk is being produced for the markets of the Chicago area, there is no need to change. This would be more convincing if the Government never had entered the dairy pricing field, and would permit free flow of milk across the Nation. A good deal of Midwest milk certainly would go to protected eastern markets where it would bring a better price. Dairymen there would lose some of the profits, and those in this area might gain. In any event, the blame for low prices could be placed entirely upon economic conditions, which is not the case now.

The situation in this area now appears to be approaching some sort of climax. Various things could happen. For one thing, the number of farmers in the dairy business has been declining year by year. When the point is reached where milk output is insufficient, is the Government then likely to change its pricing formula?

Of more immediate concern is the threat of a milk strike. Because of the perishable nature of the product, this is a last desperate gamble by producers who stand to lose heavily. It is a situation to be avoided by any means possible.

The importance of the dairy industry to southern Wisconsin makes the current difficulties a matter of concern to all business and industrial interests here as well as to the general public.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent that the very brief statement I am about to make may be printed in the RECORD immediately following the comments of the Senator from Wisconsin in regard to the serious plight in which the dairy farmers of Wisconsin find themselves.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it so ordered.

Mr. MORSE. Mr. President, the plight of the farmers referred to is not limited to Wisconsin. The dairy industry across this Nation is in a very serious economic condition as far as dairy farmers are concerned. In the State of Maryland, for example, there has not been a single week during the past 6 weeks in which there has not been an auction of at least one large dairy farm. This past week within a 50-mile radius of Washington, D.C., there were two such large auctions, and several more are scheduled.

Mr. President, there is no doubt about the fact that the so-called family dairy farmer is on his way out unless something can be done along the lines of the suggestions made by the Senator from Wisconsin to make the family farmer on a dairy farm have a profitable dairy business.

PERSONAL STATEMENT BY SENATOR FULBRIGHT

Mr. FULBRIGHT. Mr. President, I did not realize that Mr. George Dixon had said that every Member of the Senate who voted for the so-called McClellan bill of rights later received a $50 check from someone in Florida.

Ordinarily, I do not bother to deny the absurd allegations which appear in the daily press; but inasmuch as this article was replied to by many of my colleagues, I suppose it is appropriate that I should take note of it.

No such check was sent to me; or, to be more accurate, no check was received in my office or by me. Consequently, I did not have to return it; neither was I able to recommend that it be given to my favorite charity or even to the Democratic National Committee, as I understand some of my colleagues have done.

DIVIDED SYSTEM OF GOVERNMENT AND THE RULES OF SENATE

Mr. FULBRIGHT. Mr. President, a matter which has interested me for a long time and which is, I believe, of paramount importance to the continued strength and vitality of our self-governing society pertains to the effectiveness of our divided system of Government, upon which there is now imposed the further fragmentation of governmental power as a consequence of the Republican Party's controlling the executive branch of the Government and the Democratic Party's controlling the legislative.

This unfortunate circumstance will, in the long run, bring about a paralysis of government, or perhaps it is more accurate to say that it has resulted and will result in an unimaginative, uninspired, pedestrian government, catering primarily to the lowest common denominator of a large body of self-centered voters intent upon their special local interests.

There may not be a dramatic collapse of the structure of government, but rather a slow erosion of the spirit and devotion to the national welfare, upon which a self-governing system is dependent. A hopeless sense of frustration will inevitably destroy the spirit of the sensitive souls among us; an irresistible compulsion to take advantage of the opportunities for personal advancement will dominate those with more primitive instincts. In a word, from the confusion and irresponsibility which flow from the division of governmental power, orderly and effective government cannot be expected.

One rather interesting, albeit minor, facet of the current political drama is the situation we find in the Senate, where the Democratic Party has a large majority of 65 Senators out of 100. Nevertheless, the majority leader, although he is one of the most forceful and able men ever to occupy that position, finds it all but impossible to control and direct the affairs of the Senate. Our rules are liberal. They were developed in a more leisurely period of our history, when the volume of business in the Senate was small and the urgency of any action was much less.

These rules are based upon a minimum of give and take; upon the assumption that all Members are reasonable persons having due respect for the

opinions and the rights of their colleagues. The rules are not self-enforcing, and they may be abused. It is quite possible for a determined person to so use the rules as to effectively paralyze the work of the Senate or, in the alternative, to dominate its deliberations by a threat of paralysis.

Mr. President, this situation has reminded me of the condition which developed in Poland in the 17th century. When we consider the sad state of Poland today, and with profound sympathy and helplessness observe her complete subjection to an alien philosophy and system of society, we should recall that only three centuries ago Poland was a powerful, independent country, having a highly developed parliamentary system.

Poland was unable to develop her system of self-government in an orderly and effective manner, and before long lost her independence and, in truth, was divided up among her neighbors.

One of the causes of her failure was the "liberum veto," a principle not unlike the principle upon which the U.S. Senate operates.

I only hope, Mr. President, that we can find a way to avoid the fate of Poland. I hope the Senate does not finally degenerate into a pettifogging circus, preoccupied with rules, which, when enforced, finally result in complete frustration and futility.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a short statement entitled "The Liberum Veto in Poland's History," which was prepared for me by the Library of Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE LIBERUM VETO IN POLAND'S HISTORY

The term "liberum veto" means literally free voting, or balloting. Actually, however, from the middle of the 17th century for more than 100 years it was one of the most odious expressions in Poland's constitutional and legislative history. As a matter of fact Poland's legislative history is marred by the abuse of liberum veto.

For centuries the consent of provincial assemblies was necessary in the enactment of parliamentary resolutions. Since it was difficult to have the assent of all provincial assemblies on all desirable and necessary legislative proposals, often a minority made impossible the debating and passing of bills by parliament. In the year 1505 the king bound himself by a statute not to make any decision affecting the state without the consent of the Senate (composed of higher officials, magnates, and bishops of the churches), and of a Diet (composed of delegates from provincial assemblies). The calamitous feature of this statute was the principle of unanimity, which led straight in the following century to the liberum veto. Its first effective use is traced to the year 1652.

In the parliamentary debates of that year factional groups were intriguing, and bitter animosity prevailed among them. As the session was drawing to the end of its prescribed period of 6 weeks, with numerous important matters unsettled, the king demanded prolongation. Thereupon a certain Ladislas Sicinski declared his veto, and left the hall. In consequence the Parliament was declared "broken." "Such was the beginning of the notorious practice of liberum veto, a custom which allowed one member of Parliament to check the debates of the whole body."[1] In the words of one writer it meant "the tyranny of individual caprice over the will of the majority."[2] In later years the liberum veto became the chief instrument of foreign ambassadors for dissolving inconvenient diets in Poland, since a deputy could always be found to exercise it in return for a sum of money.

It is difficult to say what was the lot of those who either through ignorance, or malevolence, used the liberum veto. No doubt they were unpopular, and perhaps at times were regarded as traitors to the Polish cause. But there is no evidence indicating that they were legally or otherwise punished. In other words, there was no political ostracism, such as was practiced in Greece in the fifth century, B.C., where any person who threatened the harmony and tranquility of the body politic was considered dangerous and was ostracized for 10 years. It seems that in Athens ostracism was regarded as a constitutional safeguard, whereas in 17th-18th century Poland, the liberum veto acted as a dangerous check to the working of constitutional and democratic processes.

Mr. FULBRIGHT. Mr. President, I wish to emphasize one paragraph of the statement:

For centuries, the consent of provincial assemblies was necessary in the enactment of parliamentary resolutions. Since it was difficult to have the assent of all provincial assemblies on all desirable and necessary legislative proposals, often a minority made impossible the debating and passing of bills by Parliament. * * * The calamitous feature of this statute was the principle of unanimity, which led straight in the following century to the liberum veto. Its first effective use is traced to the year 1652.

[1] "Cambridge History of Poland," vol. I, p. 514.

[2] W. J. Rose, "Poland Old and New," p. 48.

FORTHCOMING VISIT OF PREMIER NIKITA S. KHRUSHCHEV; COMMENTS ON SENATOR JOHNSON'S ADDRESS TO AMERICAN LEGION CONVENTION

Mr. MORSE. Mr. President, on August 27, the Majority Leader delivered a very notable address to the American Legion Convention in Minneapolis, Minn. In the course of his speech, he made some very pertinent remarks about the impending Khrushchev visit to the United States. I completely agree with the views expressed by the Senator from Texas relative to the Khrushchev visit. In view of the plea last night by the President of the United States that the American people extend to the Russian Premier our traditional courtesy and politeness, the majority leader's views, expressed many days ago, should be particularly emphasized in the RECORD today. Therefore, I ask unanimous consent that excerpts from Senator JOHNSON's address to the American Legion be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE BEST INTERESTS

There have been strong expressions of concern and doubt about the wisdom of this invitation. There are those who feel that Mr. Khrushchev's visit is simply an elaborate facade for a two-man summit conference—which has been his publicly expressed goal since he attained power. Mr. Khrushchev's planned itinerary certainly does nothing to dispel this feeling.

But at this point, the wisdom of the invitation is academic. Khrushchev will be here. The issue remaining is whether we conduct ourselves in such a way as to serve the best interests of America.

On this, we must—and shall—stand behind our President.

Personally, I have no fears that Mr. Khrushchev can contaminate the American people. We can take in stride the best brainwashing he can offer, Marxist propaganda, threats of economic competition, limited war in the Far East, subversion in Latin America, submarines in Hudson Bay—or any other fine points of Soviet diplomacy.

In our lifetime, we have been through three wars, depression and the ravages of cold war. Americans have been hardened to the realities of this world.

Our problem is how to see to it that Khrushchev will have a true picture of our country, a true picture of our people—and a true picture of our purpose.

PRISONERS OF HOPE

I hope that can happen. Because if it does happen that way, Nikita Khrushchev will return to the Soviet Union with his eyes wide open—and we will gain. We will gain because this Nation has no fear of the truth.

There are, of course, dangers in this visit to which we must be alert. But I believe our country can withstand exposure to those dangers. Americans are kindhearted; but they are not softheaded.

THE MARKED DECK

It would be tragic if we fell into the illusion that Mr. Khrushchev is coming here with a "deal" that would mean "peace with honor" or "peace in our time." Because another man—a kindly, good man—once suffered that illusion, you and I had to spend many years in uniform defending our country and millions of people died.

Of course, Khrushchev would like to make a deal. Every dictator would like to make a deal—with a marked deck.

He would probably like to divide the world into two spheres of influence—with a nice, big slice marked out for the Soviet Union.

But the American people are not going to make such a deal. We do not believe in a world divided into spheres of influence. We believe in a world in which the people have freedom of choice.

And so long as there is a Soviet sphere of influence which includes Hungary, Poland, East Germany and other satellites, no one can say that this is a world of free choice.

It would be tragic if we suffered from the delusion that Mr. Khrushchev can be charmed into changing his course. I do not know whether he would be amused or insulted by such a suggestion.

I do know that any Soviet official who has survived the Communist blood purges of the past 25 years is not to be beguiled like a school child.

THE GREATEST TRAGEDY

But the greatest tragedy would follow if we came to the conclusion that this visit meant a thaw in the cold war. This is the delusion that could lead us into letting down our guard.

I believe in visits between the American and the Soviet peoples. I am a firm advocate of talking instead of fighting—where possible.

But I think the advice given to our ancestors to "keep your powder dry" was good advice—and applies with especial force today.

We should meet Khrushchev or any other Soviet official in good faith. We should listen to any proposals that are made. We should not permit Communist bad faith or

Communist bad temper to tempt us into bad faith or bad temper.

But we should, we must, remember that a few kind words will not release Berlin. A few kind words will not free Hungary. A few kind words will not unite Germany. And smiles and quips—however pleasant—will not bring us the peace we desire nor change Khrushchev's determination to bury us.

The day of true peace can and must arrive. We have devised weapons of such fantastic destructive power that we must either live together or perish together.

That realization will come eventually to the Communists—as it has come to our people already.

Mr. MORSE. Mr. President, the Senator from Texas, in the course of his remarks, said:

There have been strong expressions of concern about the wisdom of this invitation. * * * But at this point, the wisdom of the invitation is academic. Khrushchev will be here. The issue remaining is whether we conduct ourselves in such a way as to serve the best interests of America.

The majority leader was so right when, on August 27, he made that plea in his speech to the American Legion. He said:

On this, we must—and shall—stand behind our President.

My statements in the Senate, in past speeches, have pointed out that I completely share that point of view.

Mr. President, I turn now to a letter which the majority leader mailed to his constituents under date of September 6, 1959. What he pointed out with respect to the attitude on the part of some people in Texas is typical of the attitude which exists across the Nation:

Back in Texas, a lot of folks were asking if I thought Congress will go home before Soviet Premier Khrushchev arrives. I told them that in my opinion, whether Congress goes or stays has nothing to do with when Mr. Khrushchev arrives or departs.

If Mr. Khrushchev's visit is safe for the United States, it certainly should not harm Congress. And I don't think we have to run out of town just because the President has invited a guest from another country—Russia or anywhere else. My own view is that the American people pay the Congress to work—and I believe in continuing working until the job gets finished.

Mr. President, I know that has been the attitude of the majority leader from the beginning of our discussions in regard to the Khrushchev visit; and I want the RECORD to show that I highly commend the majority leader for the statements he made in his newsletter to his constituents.

AUTHORIZATION FOR LONGER TERM LEASES OF INDIAN LANDS ON THE AGUA CALIENTE (PALM SPRINGS) RESERVATION

Mr. ANDERSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to the amendment of the Senate to House bill 6672.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ANDERSON. I move that the Senate insist upon its amendment, agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. NEUBERGER, Mr. ANDERSON, Mr. GRUENING, Mr. GOLDWATER, and Mr. ALLOTT conferees on the part of the Senate.

Mr. DIRKSEN. Mr. President, I understand that this matter has been cleared with the minority Members.

Mr. ANDERSON. That is correct; it has been cleared with both the minority and the majority.

Mr. DIRKSEN. And it has their concurrence, does it?

Mr. ANDERSON. That is correct.

CALL OF THE ROLL

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allott	Hayden	Neuberger
Anderson	Holland	Proxmire
Bible	Humphrey	Saltonstall
Butler	Johnson, Tex.	Thurmond
Byrd, W. Va.	Johnston, S.C.	Wiley
Chavez	Keating	Williams, Del.
Dirksen	Magnuson	Yarborough
Fulbright	Mansfield	
Green	Morse	

Mr. MANSFIELD. I announce that the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from West Virginia [Mr. RANDOLPH] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BUSH, Mr. BYRD of Virginia, Mr. CANNON, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DODD, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ENGLE, Mr. ERVIN, Mr. FONG, Mr. FREAR, Mr. GOLDWATER, Mr. HART, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HRUSKA, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LAUSCHE, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. MUSKIE, Mr. PASTORE, Mr. PROUTY, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILLIAMS of New Jersey, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present.

Mr. JOHNSON of Texas. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Morning business has not been concluded.

NEGRO PROINTEGRATIONIST SORRY

Mr. JOHNSTON of South Carolina. Mr. President, the Wednesday, September 9 issue of the Daily Mail, of Anderson, S.C., carried a newspaper article relating how former Prof. Clennon King, a Negro, said Tuesday in Greenville, Miss., he regretted that he had attempted to integrate the University of Mississippi. In a letter to Hodding Carter, publisher of the Greenville Delta Democrat-Times, Professor King said he had moved to California in hopes of "finding a new and better place in which to live." Professor King further said "but what I found makes me sorry, in a way, that I deliberately antagonized Mississippians as I did, for Negro Mississippians' racial concerns are much more basic than school integration."

Mr. President, the regret expressed by this Negro professor is, I am sure, a regret felt by many Negroes who left the South for the promised land of the integrated North. I doubt if they have found a better place in which to live and, to the contrary, I believe they have found unhappiness, poverty, slums, deteriorating morals, and the other problems that accompany forced integration. The revelation to Mississippians by Professor King that a great integrated State is worse by far than segregated Mississippi probably comes as news to outsiders, but is no news to those who live in the segregated, peaceful South.

Mr. President, I hope this, and other warnings which have been making the news recently on the question of race relations, will be heeded with extreme care by those who seek to pass civil rights legislation designed to force integration upon unwilling people.

Mr. President, I ask that the article from the Daily Mail, to which I have referred, be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGRO PROINTEGRATIONIST SORRY RILED MISSISSIPPIANS

GREENVILLE, Miss.—Former Prof. Clennon King, a Negro, said Tuesday racial conditions in California made him regret that "I deliberately antagonized Mississippians" by trying to integrate the University of Mississippi.

In a letter to Publisher Hodding Carter, of the Greenville Delta Democrat-Times, King said he had moved to California with his family in hopes of finding a new and better place to live.

"But what I found makes me sorry, in a way, that I deliberately antagonized Mississippians as I did, for Negro Mississippians racial concerns are much more basic than school integration."

King, who once taught at Alcorn A. & M. College in Mississippi, moved to Los Angeles from Gulfport, Miss., last year.

King said Los Angeles has the highest per capita major crime rate in the country. He added most of it is committed by Negroes.

But "unfavorable racial matters and disliked racial thinking are made hush-hush" in California, King wrote, while "soiled reports from the South get predominant top billing."

NEED FOR AN AREA REDEVELOPMENT BILL

Mr. DOUGLAS. Mr. President, I rise to again call the attention of the Congress to the ever-present, pressing need for an Area Redevelopment Act to establish an adequate domestic point 4 program for our country.

In view of the fact that tomorrow we will be called upon to enact a point 4 program for foreign countries, I think it is appropriate to emphasize the need for a point 4 program for the United States.

The Senate passed this bill (S. 722) on March 23, 1959, and the House Committee on Banking and Currency has favorably reported a similar bill which now languishes in the House Rules Committee. House action, however, is hoped for early in the second session. Mr. President, I ask unanimous consent that a statement about the need for the Area Redevelopment Act be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE EVER-PRESENT PRESSING NEED FOR AN AREA REDEVELOPMENT BILL

Despite the economic boom now being enjoyed by our country, the problem of chronic economic blight with high unemployment and the attendant social distress continues to plague many of our communities. The continuing plight of the depressed areas, both industrial and rural, is shown dramatically by the statistics on unemployment as developed by the U.S. Department of Labor. The number of surplus labor market areas in the United States is increasing, not decreasing. In May 1959 (the latest month for which figures are available), there were 50 percent more distressed labor market areas, i.e., areas having 6 percent or more of the labor force unemployed, than in January 1959 and almost three times as many as in August 1957. High unemployment continues to be concentrated in these areas in a very serious manner. In May 1959, the 179 distressed labor markets had almost one-third of the Nation's unemployed although they contained only 14.5 percent of the Nation's working population.

Our bill is also designed to help farm areas with especially low incomes and with high unemployment. There are approximately 1 million farm families with an annual income of less than $1,000. The small farmer is, perhaps, being squeezed worse than ever before. The parity ratio went down from 85 in 1958 to 81 in June of 1959, the lowest level since World War II. From 1952 to 1958, the farm population fell by 3½ million and this decline continues.

To develop the best economic thought possible on the problems of these areas and how it should be met, a number of eminent economists of the leading universities and colleges of our country were supplied with a statement dealing with the problem by the area employment expansion committee and were asked their position concerning the need for area redevelopment legislation. Eighty professors of economics from 41 universities endorsed the statement, some with comments such as, "We cannot afford not to have a point 4 program for our own people."

The statement follows:

"STATEMENT BY PROFESSORS OF ECONOMICS IN SUPPORT OF AREA REDEVELOPMENT LEGISLATION

"At least 267 labor markets in the United States have substantial labor surpluses at the present time. In 121 major and smaller labor markets, unemployment has been continuous for such long periods of time as to make them chronically distressed communities. The prolongation of substantial unemployment has had unfortunate effects upon the people, the communities and the wealth of these areas and the Nation. The human suffering and the waste of private and public resources demand prompt attention; they must be stopped.

"Unfortunately, the economies of many of these distressed areas have been built on industries which are now declining. Newer growth activities have not been developed in sufficient volume to offset the effect of contraction in older industries. Even if the current expansion in business substantially reduces the national level of unemployment, large-scale unemployment will continue to plague the chronically distressed areas. Economic expansion will bypass them now just as it failed to benefit many distressed labor markets in previous boom periods such as 1956–57.

"The economic reverses suffered by these communities are largely the byproduct of our national economic growth. Older industries have been adversely affected and the areas dependent upon them have suffered as a consequence. The introduction of new industries and activities using new materials and processes and producing new products, or satisfying new governmental, industrial and consumer desires have stimulated many new employments, leaving the older ones by the wayside. Many operations have shifted from one location to another seeking better sites or closer proximity to markets. In some cases, governmental decisions such as the substitution of missiles for airplanes and the consequent elimination of many existing governmental facilities have left communities stranded.

"Whatever the specific cause may have been, these labor markets have seen their economic base removed and the billions of dollars of personal investment in the form of housing, small businesses and a variety of economic activities has been impaired. Alternative employments have been lacking in many areas since they had been largely dependent on a single industry or plant. Out-migration has been continuous from most of these areas. Despite the great mobility of the American people, it has not been sufficient to solve the problems of labor surpluses in these communities. Moreover, in times of economic recessions, as the recent one, many persons laid off from their new jobs in other communities and returned to their older homes, adding to the distress of these areas.

"In a period when there are such great calls upon America's resources, it would be unfortunate indeed to waste these human resources and to neglect the social and private capital in these areas where they can be effectively employed. Many of these communities have substantial, sound economic sectors and can be redeveloped into prosperous areas. Both political parties and their leaders have endorsed the principle that waste of these people and the local facilities and resources is inexcusable. The President of the United States has repeatedly endorsed the principle of assistance to chronically distressed areas. Both Houses of Congress have passed legislation to promote the redevelopment of these communities.

"We who have studied the problems of many chronically distressed communities heartily endorse legislation designed to aid these communities and people through a system based upon sound research and analysis, technical assistance, grants, and loans for the construction of public facilities, loans for the construction of commercial and industrial structures, and grants for the retraining of workers. We believe that under careful direction, many of these communities can be rebuilt into thriving economic centers. Some of them have already made valiant efforts toward this end but have found that their own resources were too limited and those of their States too circumscribed. Unfortunately, these distressed communities tend to cluster in particular areas which depresses and exhausts the financial and other resources of entire regions.

"We believe that the Federal Government has as much a responsibility for providing guidance and financial assistance for the redevelopment of these areas as it has to extend similar aid to the underdeveloped areas in foreign countries. A point 4 program is as constructive for American distressed and underdeveloped areas as for foreign ones.

"This is one piece of legislation designed to help relieve our unemployment situation on the need of which all groups are agreed. Legislative action is urgently needed.

"We therefore urge that the leaders of Congress and the executive branch of our Government undertake promptly to reconcile their differences as to the immediate terms of legislation to help redevelop distressed areas. We hope that this program can be adopted and approved by the President at this session of Congress."

A list of the universities and the professors endorsing the statement follows:

Arkansas: University of Arkansas, Fayetteville, Ark., Lee R. Martin.

California: University of California, Berkeley, Calif., Carl Landauer, Gordon Tyndall; University of California, College of Agriculture, Davis, Calif., Warren S. Gramm, Adam A. Pepelasis; University of California, Los Angeles, Calif., G. H. Hildebrand; Stanford University, Stanford, Calif., Irma Adelman, John P. Troxell, Robert K. Arnold, C. G. Norman, Bruce F. Johnston.

Colorado: University of Colorado, Boulder, Colo., M. E. Garnsey.

Connecticut: Trinity College, Hartford, Conn., Richard Scheuch; Yale University, New Haven, Conn., Mark W. Leiserson.

Illinois: University of Chicago, T. W. Schultz, Albert Rees, Jerome Rothenberg, A. C. Harberger; University of Illinois, Urbana, Ill., W. Ellison Chalmers; Northwestern University, Evanston, Ill., Karl de Schweinitz, Jr.; Roosevelt University, Chicago, Ill., Adolf Sturmthal.

Indiana: Perdue University, West Lafayette, Ind., Vernon Wesly Ruttan.

Iowa: Iowa State College, Iowa City, Iowa, Goeffrey S. Shepherd.

Maine: Bowdoin College, Brunswick, Maine, Albert Abrahamson.

Massachusetts: Amherst College, Amherst, Mass., Willard L. Thorp; Harvard University, Cambridge, Mass., Seymour E. Harris, Samuel H. Beer, Wassily Leontief, Alvin H. Hansen; Mount Holyoke College, South Hadley, Mass., Virginia L. Galbraith; Northeastern University, Boston, Mass., William H. Miernyk, Sidney Hennan, S. M. Rosen, M. Spencer, Benjamin M. Peale, Miss Ivory Lyons; Williams College, Williamstown, Mass., James M. Burns.

Michigan: Michigan State University, East Lansing, Mich., James D. Shaffer, Charles C. Killingsworth.

Minnesota: University of Minnesota, St. Paul, Minn., P. M. Raup, Harlan M. Smith, Darrell F. Sienup; University of Minnesota, Minneapolis, Minn., Walter W. Heller, George O. Selzer, Francis M. Boddy, Peter Gregory.

Missouri: University of Missouri, Columbia, Mo., James V. Rhodes.

Nebraska: University of Nebraska, Lincoln, Nebr., C. J. Miller, Bert M. Evans, E. Feder, Alfred Eckert, Don Kanel, Howard W. Ottoson.

New Hampshire: Dartmouth College, Hanover, N.H., Clyde E. Dankert, Lawrence G. Hines, Martin Siegal, William L. Baldwin, Joseph F. Marsh, Thomas J. Finn, Jr., John A. Menge; University of New Hampshire, Durham, N.H., John A. Hogan.

New Jersey: Princeton University, Princeton, N.J., Frederick H. Harbison, Richard A. Lester.

New York: Columbia University, New York, N.Y., Emile Benoit; Cornell University, Ithaca, N.Y., Donald E. Cullen, Robert L. Aronson; New York University, New York, N.Y., Alexander Melamid; Vassar College, Poughkeepsie, N.Y., Mabel Newcomer.

North Carolina: Duke University, Durham, N.C., Frank T. de Vyver; North Carolina State, Raleigh, N.C., Quentin W. Lindsey.

Ohio: Ohio State University, Columbus, Ohio, Glen H. Mitchell.

Pennsylvania: University of Pennsylvania, Philadelphia, Pa., Jacob J. Kaufman.

Rhode Island: University of Rhode Island, Kingston, R.I., A. Domike, E. B. Hogan.

South Dakota: South Dakota State, Brookings, S. Dak., Travis Manning, Gerald Marousch, Ralph Nelson, R. L. Kristjanson.

Wisconsin: University of Wisconsin, Madison, Wis., Peter O. Steiner.

My colleagues are all agreed that without passage of an adequate area redevelopment bill, high unemployment will continue to fester in these areas, for they will not share in the economic upturn, as their industries have closed or have lost out competitively. Too, it should be considered that there are many communities presently prosperous which, because of shifting markets, automation, changes in ordnance and aircraft designs, may join the growing groups of depressed areas.

The problem of our distressed areas is of long duration. It is an economic problem which can only be met effectively through Federal participation on a self-help basis. Our human resources are our most valuable resources. Congress and the President should recognize and enact a domestic point 4 program—the pending area redevelopment bill.

HOW THE BILL WOULD WORK

The bill would help create new jobs in (1) industrial areas which continue for an extended time to have excessively high rates of employment, (2) rural areas where farm resources are most inadequate to enable families to make a decent living from farming.

The bill would operate by giving assistance to local efforts to establish in such areas new business enterprises which would provide employment. Where the local people in an area eligible for assistance under the bill undertook a program for establishing new industries, the Federal agency could assist by providing (1) information, such as market research and other information or advice available from various Government agencies, (2) technical assistance, such as evaluating and helping to develop potentialities for economic growth, (3) financial assistance in the form of (a) loans for the development of land and facilities for use by new businesses and for rural areas, and (b) loans or grants for public facilities needed to serve new businesses, (4) vocational training to enable unemployed individuals to qualify for new employment in the redevelopment area and subsistence payments for persons receiving such training.

Mr. DOUGLAS. Mr. President, I further ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement entitled "The Area Redevelopment Bill: The Case for a Federal Program," which has been prepared by Prof. Seymour E. Harris, chairman of the Department of Economics of Harvard University.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE AREA REDEVELOPMENT BILL: THE CASE FOR A FEDERAL PROGRAM

(Condensation of a paper for the New England Council, Hartford, Conn., March 19, 1959, by Seymour E. Harris, chairman, department of economics, Harvard University)

AREA REDEVELOPMENT AND MONETARY POLICY

For several years now we have had proposals for an area redevelopment program; that is, a program to deal with areas of substantial amounts of unemployment. Unfortunately, no legislation has been forthcoming because of differences of views between the President and the Congress on this matter. In fact, in 1958 an area redevelopment bill was repealed by the President.

But in 1959 the case for an area redevelopment program is greater than ever. It is now clear that, though the economy seems reasonably healthy in that we are climbing, there are important areas of large and sustained unemployment.

Fearful of inflation, the Federal Reserve has cut the total supply of money and, therefore, contributed to the rise of unemployment. But even if the Federal Reserve pursued a more realistic policy and expanded the supply of money substantially this would not solve the problem of islands of unemployment in a sea of prosperity. It would require a really inflationary and monetary policy to have a very large effect on this situation.

I do not mean to imply that prosperity does not in general improve the situation even in these depressed areas. But all general policies operate too slowly and not sufficiently to correct this situation. In my testimony before the Senate Committee on Banking and Currency on Area Redevelopment in 1957, I pointed out that in the recession year of 1954 average unemployment in five textile towns in New England was 8, 24, 10, 11, and 12 percent. But in 1955, a prosperous year, unemployment had fallen to 6, 18, 9, 9, and 9 percent, respectively. But there is no doubt about it that the acceleration of the rate of technological advances and rising productivity tends to bring about a severe amount of unemployment in certain places. We need to accelerate the adjustment to these technological advances, which on the whole bring great gains to the Nation though they may cause severe difficulties to special groups.

A SOUND AREA REDEVELOPMENT PROGRAM

What are the features of a sound area redevelopment program?

(1) It should provide sufficient resources to alleviate unemployment in the distressed areas.

(2) It should provide resources to enable the displaced workers to obtain training for new positions.

(3) It should provide the facilities and capital that will make possible the entry of new industries and employments in the distressed areas.

(4) It should require a contribution by the local and State authorities to the total funds made available. But this contribution should not be so large as to make the cooperation of State and local governments most unlikely. We should recall that in the last 10 years the expenditures and the debt of State and local governments have risen by 300 percent, a rise that is substantially greater than the Federal record and a record that suggests that the financial problems of State and local governments are much more serious than those of the Federal Government. It is, therefore, important that such a program should take into account the weakened financial condition of State and local governments.

(5) Such legislation should also stress aid that will provide more than temporary improvement in the situation.

(6) An adequate bill should also provide for effective administration. On this score, it is most desirable that the administration of the area redevelopment program should be in the hands of an independent agency with the help and advice of members of Cabinet rank. There should also be cooperation with private and local interests. The program should be integrated with other Federal programs that provide aid for local government. For example, adjustments in the urban renewal program are required so that urban renewal may be available to these areas even though the renewal program does not provide residential gains.

On all these grounds, the Douglas bill (S. 722), which has bipartisan support of 39 Senators and was strongly supported by Senators Payne and Purtell in 1958 (in a slightly modified form), is much to be preferred to the administration bill, S. 1064.

EXTENT OF UNEMPLOYMENT

We now have approximately 5 million unemployed, or roughly 6 to 7 percent of our total population, and this in the midst of a year of prosperity in which the administration expects an improvement of gross national product of about $40 billion.

In such States as Pennsylvania, West Virginia, Michigan, and even in some of the New England States, the situation is serious. In some of these States, unemployment is up to 10 to 15 percent, a situation remindful of the great depression. A hard core of unemployment seems increasingly to affect a number of areas.

NEW ENGLAND'S SPECIAL INTERESTS

What is New England's special interest in this particular program? We should recall that New England suffers especially from having old industries that are either losing business or are not moving up with the economy. For this reason alone, New England should be greatly interested in this program.

We have a special interest in programs of this type. On the whole, New England, and this is true of the large industrial areas in the Northeast and Middle West generally, tends to put into the Federal coffers much more than is taken out. This is to be expected, for the richer areas are and should, to some extent, help the poorer areas. But there are some questions whether, on particular programs, the industrial areas do not

need help. Fortunately the area redevelopment program does not concentrate only on urban underemployment and unemployment but also on rural areas, where incomes are very low. This is as it should be.

In this connection, I would present some figures which I worked out for the Senate Banking and Currency Committee in 1956 in their hearings on flood insurance. At that time, I pointed out that an examination of the Federal taxes borne, that is, not merely paid but borne, by New England were roughly 7.8 percent of the Nation's as compared to receipts from the Federal Government of 4.8 percent over a recent period of 5 years. In 1957, with 6.6 percent of the income of the Nation and a much larger percentage of Federal taxes borne, New England received back 4.2 percent of the expenditures on highways, less than 1 percent of the payments on soil banks.

Where the large cities especially need help from the Federal Government is with such urban problems as housing, redevelopment, airports, and unemployment; and these needs continue to mount at a terrific rate. Therefore, there should be a great interest on the part of a region that has a large urban population in area redevelopment.

For this reason, this region ought to get behind the Douglas-Cooper-Clark-Beall bill. In contrast to the administration (Dirksen) bill, which proposes $50 million for loans in all to deal with a heavy concentration of unemployment in the distressed areas, the Douglas bill provides $300 million for loans and $75 million for grants. Besides the Douglas bill offers adequate administration and also provides a retraining program.

In January 1959, there were 76 major areas and 183 smaller areas with a substantial labor surplus, that is, with 6 percent or more unemployment. And areas eligible for assistance, that is, areas eligible for assistance under the proposed bill are those which have 6 percent or more unemployment in 18 out of 24 months. They number 23 major areas and 59 smaller areas.

In January 1959, in Connecticut, Bridgeport, Ansonia, and Danbury were areas with substantial labor surplus. In Maine, Biddeford, Sanford, and Portland were areas with surplus labor; and Biddeford and Sanford were eligible to receive aid under the Douglas bill at that time as distressed areas.

In Massachusetts, eligible for aid in January 1959 were Lawrence, Fall River, Lowell, and North Adams. In addition, cities with surplus labor, as defined previously, were Newburyport, Haverhill, Brockton, Milford, Taunton, Pittsfield, Greenfield, Springfield, Holyoke, New Bedford, Ware, Worcester, Fitchburg, Marlboro, Southbridge, and Webster. In Rhode Island, Providence and Newport early in 1959 were both distressed areas eligible for aid. In Vermont, areas with surplus labor were Springfield and Burlington.

Should substantial labor surpluses continue, then under S. 722 the following cities in Connecticut would be eligible for aid under the Douglas bill at the following times: in February 1959, Norwich; in March 1959, Ansonia, Torrington, and Meriden; in April 1959, New Britain, Waterbury, Thompsonville; in May 1959, Willimantic and Middletown; in June 1959, Danbury; in July 1959, New Haven.

Curtailments in the machinery, aircraft, and electrical equipment industries affected Bridgeport; the decline of silverware and flatware industry, New Britain; the textile decline, Norwich, Thompsonville, and Willimantic; the hat industry, Danbury.

In Bristol, for example, average unemployment in 1957 was 7½ percent; in 1958, 19 percent; and in the first month of 1959, 17 percent. In Danielson, the respective figures were 8.4, 13, and 12.3 percent; in Norwich, 6, 11.1, and 11.9 percent.

In Rhode Island, to take another example, a similar situation exists. Unemployment in 1955, 1956, 1957, and 1958 was 8.5, 8, 10, and 13 percent.

Under S. 722 at present, that is, early in 1959, Lawrence, Lowell, New Bedford, Providence, and Fall River would be eligible for help immediately.

SUMMARY REMARKS

In summary, New England should strongly support the area redevelopment program. Indeed, $375 million may provide jobs for no more than 200,000 workers, and this allows for the secondary effects. But this is only an estimate of the effects of the provision of capital. In addition, the planning, the integration with other programs, the retraining of workers, the emphasis on getting industry into the area rather than sending the worker out—all these should further improve the situation. A reduction of unemployment in areas where unemployment is large is likely to have a greater effect than a similar improvement elsewhere. For in many of these places there may be two workers in each family out of jobs.

Surely, with a $450 billion income and with an average annual rise of $15 or $20 billion, this Nation can afford to invest $375 million in taking care of the distressed areas, especially since they are the victims of policies that raise the general average so much. The cost should be more than made up in the increased income and tax capacity that results from this program. And surely a $50 million program is going to have virtually no effect at all.

In addition to all that has already been said, it is important to emphasize the point that other measures can also be taken. So far the Government has been most remiss in not diverting contracts to the distressed areas. Here opposition from other groups has had a considerable effect. Also, the program for accelerated amortization has not profited these regions to any substantial degree. A special tax amortization program, I noted some time ago, encouraged an investment of $217 million in new plants in labor-surplus areas in 2½ years; but the effect was only 11,000 new permanent jobs.

One might also investigate the extent to which accelerated tax amortization made possible the expansion of industries in some regions, with losses of plants induced elsewhere. From this viewpoint, it may be well to study the distribution of these tax favors; for example, how much did New England, Pennsylvania, West Virginia, and Illinois receive, States especially vulnerable to the growth of new industries elsewhere? New England received only 19 percent as much of Federal loans in a recent year of the $6.2 billion as might have been expected from her relative income.

Once a job is lost, it is not easy to find another one. This is partly the result of the fact that industries and employment to some extent are largely tied to the particular place where they are. After all, manufacturing accounts for only about 30 percent of all income, and the major adjustments in the competitive position of a region have to be concentrated to a considerable extent on the part of this economy. But, here again, a large part of the manufacturing industries is determined by locational factors. In the important service employments, which account for 60 percent of income, I have estimated only about 10 percent of employments included here are largely subject to interregional competition. All the more reason for aggressive measures to improve the situation in labor-surplus areas.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER FOR CALLING THE CALENDAR LATER IN THE DAY

Mr. JOHNSON of Texas. Mr. President. I ask unanimous consent that it be in order later in the day to call the calendar from the beginning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954 WITH RESPECT TO COOPERATION WITH STATES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, S. 2568.

The Senate resumed the consideration of the bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

Mr. ANDERSON. Mr. President, S. 2568, as amended, is recommended unanimously by the Joint Committee on Atomic Energy, and is a bill to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

This bill was originally requested by the AEC, and the Joint Committee then held extensive public hearings from May 19 through 22, 1959, and received testimony from representatives of Federal agencies, State agencies, scientific and health experts, and other interested groups. This bill is supported by all of the major State organizations, including the Council of State Governments, the Governors' Conference, the National Association of Attorneys General, and the Southern Regional Advisory Council on Nuclear Energy, and representatives of various individual States. After the hearings, the Joint Committee made certain proposed revisions to the bill and then received comments from the AEC on this bill, S. 2568, on August 15, 1959. The hearings have now been published and are available to Members of Congress and the public under the title of "Federal-State Relationships in the Atomic Energy Field," consisting of 504 pages.

I believe it is important that Congress enact this amendment to the Atomic Energy Act this year in order to clarify the respective responsibilities of the Federal Government, on one hand, and the State and local governments, on the other, with respect to regulation of the radioactive materials defined in the Atomic Energy Act. At the present time, the Federal Government has exclusive responsibility for the licensing and basic regulation of these materials, although States may require registration and inspection. The Atomic Energy Act of 1954 is silent as to the regulatory role of the States; and if this silence is allowed to continue, I believe that there will be confusion and possible conflict between Federal and State regulations and uncertainty on the part of industry and possible jeopardy to the public health and safety. In order to clarify this situation and indicate clearly which materials and activities should be the responsibility of the Federal Government and which materials—less dan-

gerous and hazardous—might be gradually turned over to the States, this bill would be helpful this year. In addition, since it will take the AEC a matter of 6 months or more to promulgate regulations under this legislation and to enter into discussions with certain States, it would be advisable to pass this bill now rather than postpone it until the next session of Congress.

The bill authorizes the Commission to enter into agreements with State Governors providing for discontinuance of certain of the Commission's regulatory authority, after proper certification by the Governor and findings by the Commission that the State program is adequate. The withdrawal by the Commission and the corresponding assumption of responsibility by States, will be on a State-by-State basis, beginning with those States most advanced in the atomic energy field and eager to assume their responsibilities.

The Joint Committee believed that this State-by-State approach was wise and appropriate, and it stated as follows on page 8 of the committee report:

> A few States have indicated they will be ready in the near future to begin discussions leading to an agreement to assume regulatory responsibility for such materials. Others will not be ready without more effort, more assistance, and more experience for several, or perhaps many, years. The bill does not authorize a wholesale relinquishment or abdication by the Commission of its regulatory responsibilities but only a gradual, carefully considered turnover, on a State-by-State basis, as individual States may become qualified.

This bill draws a line between the types of materials where continued exclusive Federal regulation and licensing is deemed necessary—such as in licensing of reactors, and disposal of radioactive wastes into the ocean—and those other materials and activities which are considered less hazardous and capable of State regulation, such as radioisotopes. Here again the committee report states at page 8, as follows:

> Thus a line is drawn between types of activities deemed appropriate for regulation by individual States at this time, and other activities where continued AEC regulation is necessary.

This bill provides and is intended to encourage additional programs of assistance and encouragement to State and local governments in order that they may assume and carry out these responsibilities. Such assistance should be available not only to State officials, but also to local and municipal officials. The public health will thus be better protected because, in the words of the Joint Committee report, "most citizens look to their local health officers for advice and protection against hazardous materials used in the community."

The Joint Committee amended this bill in certain respects to emphasize the importance of uniformity of standards at all levels of government and to establish by statute a Federal Radiation Council. The Director of the Bureau of the Budget and the Secretary of the Department of Health, Education, and Welfare originally objected to the provisions concerning this Council. However, after further revisions, the Joint Committee was informed that the present provisions in the bill meet with no objections from the Director of the Bureau of the Budget or the Secretary of the Department of Health, Education, and Welfare.

The bill as amended has several advantages over the present Executive order with respect to the Council. First it adds the Secretary of Labor to the Council, because of the active interest of that Department in employee radiation problems. Second, it authorizes the members of the Council to designate officials to act in their stead, thereby permitting busy Cabinet members to make qualified technical officials responsible members of the Council. Third, it authorizes the President to appoint additional members of the Council and the committee report points out that such members could represent the public and State and local agencies. I believe it is of great importance that some qualified representatives of the lay public actively participate on this Council.

There are three minor matters in connection with the printing of this bill and report which I would like to draw to the attention of the Senate. First, on page 3, line 25, the last sentence beginning with the word "Notwithstanding" should be printed flush with the margin rather than as a part of clause (4). Without objection, it is requested that if this bill be passed, this printing correction be made at the time of the printing of the public law. Second, there are two errors in the committee report which I would like to mention to all Senators. On page 4, in the fifth full paragraph, second sentence, the word "not" should be inserted so that the sentence reads as follows:

> It does not modify the basic functions of the Council, but increases its membership from four to five members, including the Secretary of Labor, and provides that the Council shall consult qualified scientists and experts in radiation matters.

Also, on page 11 in the last paragraph on the page, the first two sentences should be modified and consolidated into one sentence to read as follows:

> Subsection (h) establishes a Federal Radiation Council consisting of five members, and such other members as shall be appointed by the President.

These errors in the committee report are being corrected by an errata sheet, and have been corrected in the corresponding House report, but I wanted to mention them to all Senators at this time.

Mr. President, in summary, this bill has been requested by the AEC, is supported by the administration, has been recommended unanimously by the Joint Committee after full and complete public hearings, and will serve a useful purpose in clarifying the act and encouraging assumption of responsibility by States in this field. I hope the Senate will pass this bill, in the form recommended by the Joint Committee on Atomic Energy.

Mr. President, I ask unanimous consent that the amendments, six in number, may be approved en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 6, after the word "regulate", to strike out "and license"; in line 17, after the word "production", to strike out "of" and insert "or"; on page 5, line 1, after the word "for", to strike out "three" and insert "four"; after line 5, to strike out:

"(2) Before the Commission enters into any proposed agreement or amendment thereto under subsection b., the proposed agreement or amendment shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee after having received the proposed agreement or amendment may by resolution in writing waive the conditions of or all or any portion of such forty-five days period."

At the beginning of line 18, to strike out "(3)" and insert "(2)"; on page 6, line 10, after "'h.", to strike out "There is hereby established a Federal Radiation Council, consisting of the Surgeon General, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, the Chairman of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection, or their designees, and two members appointed by the President. One such appointed member shall be a qualified expert in the field of biology and medicine and one in the field of health physics, and either may be an employee of a private, State, or local agency concerned with radiation hazards and standards." and, in lieu thereof, to insert "There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics", and on page 8, line 17, after "'k.", to strike out "It is the intention of this Act that State laws and regulations concerning the control of radiation hazards from byproduct, source, and special nuclear materials shall not be applicable except pursuant to an agreement entered into with the Commission pursuant to subsection b.: *Provided, however,* That States may adopt registration requirements for such materials and may inspect the use of such materials within the State to assure compliance with the Commission's regulations,"; so as to make the bill read:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following section be added to the Atomic Energy Act of 1954, as amended:

"'SEC. 274. COOPERATION WITH STATES.—

"'a. It is the purpose of this section—

"'(1) to recognize the interests of the States in the peaceful uses of atomic energy, and to clarify the respective responsibilities under this Act of the States and the Commission with respect to the regulation of byproduct, source, and special nuclear materials;

"'(2) to recognize the need, and establish programs for, cooperation between the States and the Commission with respect to

control of radiation hazards associated with use of such materials;

"'(3) to promote an orderly regulatory pattern between the Commission and State governments with respect to nuclear development and use and regulation of byproduct, source, and special nuclear materials;

"'(4) to establish procedures and criteria for discontinuance of certain of the Commission's regulatory responsibilities with respect to byproduct, source, and special nuclear materials, and the assumption thereof by the States;

"'(5) to provide for coordination of the development of radiation standards for the guidance of Federal agencies and cooperation with the States; and

"'(6) to recognize that, as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable.

"'b. Except as provided in subsection c., the Commission is authorized to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission under chapters 6, 7, and 8, and section 161 of this Act, with respect to any one or more of the following materials within the State—

"'(1) byproduct materials;

"'(2) source materials;

"'(3) special nuclear materials in quantities not sufficient to form a critical mass. During the duration of such an agreement it is recognized that the State shall have authority to regulate the materials covered by the agreement for the protection of the public health and safety from radiation hazards.

"'c. No agreement entered into pursuant to subsection b. shall provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of—

"'(1) the construction and operation of any production or utilization facility;

"'(2) the export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

"'(3) the disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

"'(4) the disposal of such other byproduct, source, or special nuclear material as the Commission determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission. Notwithstanding any agreement between the Commission and any State pursuant to subsection b., the Commission is authorized by rule, regulation, or order to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

"'d. The Commission shall enter into an agreement under subsection b. of this section with any State if—

"'(1) The Governor of that State certifies that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State desires to assume regulatory responsibility for such materials; and

"'(2) the Commission finds that the State program is compatible with the Commission's program for the regulation of such materials, and that the State program is adequate to protect the public health and safety with respect to the materials covered by the proposed agreement.

"'e. (1) Before any agreement under subsection b. is signed by the Commission, the terms of the proposed agreement and of proposed exemptions pursuant to subsection f. shall be published once each week for four consecutive weeks in the Federal Register; and such opportunity for comment by interested persons on the proposed agreement and exemptions shall be allowed as the Commission determines by regulation or order to be appropriate.

"'(2) Each proposed agreement shall include the proposed effective date of such proposed agreement or exemptions. The agreement and exemptions shall be published in the Federal Register within thirty days after signature by the Commission and the Governor.

"'f. The Commission is authorized and directed, by regulation or order, to grant such exemptions from the licensing requirements contained in chapters 6, 7, and 8, and from its regulations applicable to licensees as the Commission finds necessary or appropriate to carry out any agreement entered into pursuant to subsection b. of this section.

"'g. The Commission is authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

"'h. There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics. The Special Assistant to the President for Science and Technology, or his designee, is authorized to attend meetings, participate in the deliberations of, and to advise the Council. The Chairman of the Council shall be designated by the President, from time to time, from among the members of the Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States. The Council shall also perform such other functions as the President may assign to it by Executive order.

"'i. The Commission in carrying out its licensing and regulatory responsibilities under this Act is authorized to enter into agreements with any State, or group of States, to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. The Commission is also authorized to provide training, with or without charge, to employees of, and such other assistance to, any State or political subdivision thereof or group of States as the Commission deems appropriate. Any such provision or assistance by the Commission shall take into account the additional expenses that may be incurred by a State as a consequence of the State's entering into an agreement with the Commission pursuant to subsection b.

"'j. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State with which an agreement under subsection b, has become effective, or upon request of the Governor of such State, may terminate or suspend its agreement with the State and reassert the licensing and regulatory authority vested in it under this Act, if the Commission finds that such termination or suspension is required to protect the public health and safety.

"'k. Nothing in this section shall be construed to affect the authority of any State or local agency to regulate activities for purposes other than protection against radiation hazards.

"'l. With respect to each application for Commission license authorizing an activity as to which the Commission's authority is continued pursuant to subsection c., the Commission shall give prompt notice to the State or States in which the activity will be conducted of the filing of the license application; and shall afford reasonable opportunity for State representatives to offer evidence, interrogate witnesses, and advise the Commission as to the application without requiring such representatives to take a position for or against the granting of the application.

"'m. No agreement entered into under subsection b., and no exemption granted pursuant to subsection f., shall affect the authority of the Commission under subsection 161 b. or i. to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material. For purposes of subsection 161i., activities covered by exemptions granted pursuant to subsection f. shall be deemed to constitute activities authorized pursuant to this Act; and special nuclear material acquired by any person pursuant to such an exemption shall be deemed to have been acquired pursuant to section 53.

"'n. As used in this section, the term "State" means any State, Territory, or possession of the United States, the Canal Zone, Puerto Rico, and the District of Columbia.'

"SEC. 2. Section 108 of the Atomic Energy Act of 1954, is amended by deleting the phrase 'distributed under the provisions of subsection 53a.,' from the second sentence."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I have discussed certain aspects of this very important proposed legislation with the distinguished Senator from New Mexico, the chairman of the Joint Committee on Atomic Energy. There are some questions which I have prepared, questions, by the way, which I have discussed in part with the chairman of the committee, and I should like to ask for his indulgence and cooperation while I propound these questions and seek his answers.

As I understand, first, there is apparently nothing in the bill which vests authority in any specific agency for the establishment of radiation standards. There is likewise nothing in the President's Executive order which determines who is the responsible agent or which is the responsible agency in the matter of the establishment of radiation standards. At the present time the standards are recommended by a private nongovernmental group known as the National Committee on Radiation Protection and Measurement.

The pending bill, or the bill introduced by the Senator from Alabama [Mr. HILL], or some bill should vest responsibility in some agency for the establishment of standards.

During the past week at the first meeting of the Federal Radiation Council, it decided to continue to rely for standards on the private nongovernmental group known as the National Committee on Radiation Protection and Measurement.

My questions of the chairman of the Joint Committee are as follows:

Under the Executive order and the bill, in what ways are the responsibilities of the Atomic Energy Commission changed and in what ways are the responsibilities of the Department of Health, Education and Welfare changed?

Mr. ANDERSON. The responsibilities of the AEC are not changed under this bill until such time as the Commission may enter into an agreement with the Governor of a State, and at that time certain responsibilities now exercised by the Commission would be turned over from the Commission to qualified State governments, on a State by State basis.

Responsibilities of the Department of Health, Education, and Welfare are not changed by this bill except that the Secretary of that Department is designated as a member of the Federal Radiation Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance by the President for all Federal agencies in the formulation of radiation standards and the establishment and execution of programs for cooperation with States. Therefore, the Department of Health, Education, and Welfare will have an active role in the formulation of standards and policies by the Council and in coordinating responsibilities at the Federal level and at the State level.

Mr. HUMPHREY. While the Council, then, will not establish Federal radiation standards immediately, the Council will advise the President on these matters and will, through the cooperation of the Atomic Energy Commission and the Department of Health, Education, and Welfare, lay the groundwork for the establishment of such standards. Is that correct?

Mr. ANDERSON. The Senator is correct. The President will establish policies, but the situation laid down by the Senator is correct.

Mr. HUMPHREY. Does the Executive order or the bill deal with the question as to what agency, group, or person is responsible for setting radiation standards?

Mr. ANDERSON. The bill provides that the Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance by the President for all Federal agencies in the formulation of radiation standards. Under the bill, as well as under the Executive order, the President shall have the final responsibility for establishing policies with respect to radiation standards. The President will receive his recommendations from the Council, which in turn, will receive advice from qualified technical experts.

Mr. HUMPHREY. May I preface my third question by a comment which should have been made prior to question No. 1. It is a fact, is it not, that the bill as now reported and as amended in no way appears to conflict with the Executive order of the President, which also establishes a Radiation Council?

Mr. ANDERSON. Yes. It is in somewhat different language. It permits the addition of people from the outside, but it does not conflict with the original establishment of the Council by the President, and has been carefully cleared with the Bureau of the Budget and with the various agencies involved.

Mr. HUMPHREY. I thought it was important to get that clarified since there has been a recent Executive order on the matter.

Question No. 3: Under the bill or the Executive order is there any way in which the public will be guaranteed continuous and objective information on levels of fallout and other potential radiation hazards?

Mr. ANDERSON. I say to the able Senator that this is an extremely important question because it is essential that the public get the information. As chairman of the Joint Committee on Atomic Energy, I received a letter dated August 21, 1959, from Maurice H. Stans, Director of the Bureau of the Budget, concerning the functions of the Council. This letter states that the President has approved certain recommendations, including No. 3, as follows:

> The Department of Health, Education, and Welfare shall intensify its radiological health efforts and have primary responsibility within the executive branch for the collation, analysis, and interpretation of data on environmental radiation levels such as * * * fallout, so that the Secretary of Health, Education, and Welfare may advise the President and the general public.

Thus it would appear that under the Executive order the Department of Health, Education, and Welfare—which is separate, of course, from AEC—will have primary responsibility for advising the general public as to the radiation levels of the fallout.

I might add, in line with the question of the able Senator from Minnesota, that the Joint Committee has just published a summary analysis of its hearings on "Fallout From Nuclear Weapons Tests," in which it pledges also that the Joint Committee will follow this matter as vigorously as it can in order to see that this material gets into the hands of the general public.

The hearings, which lasted several days, coupled with the exhibits and the comments which were supplied, and other hearings by the Joint Committee on radiation matters, involved thousands of pages of text. Along with reports such as this, these hearings are all being released in an effort to keep the general public informed to the greatest extent possible.

Mr. HUMPHREY. I am sure the Senator will agree with me that it is important there be a continuous and objective flow of information on this important subject of the effects of radiation and the degree of fallout. I know that the Joint Committee has emphasized these effects at its recent hearings; and, as I understand, not only will the Joint Committee continue its activities, and not only will the AEC continue to study the problem, but the responsibility concerning the technical and scientific aspects of health, education, and welfare will be that of the Department of Health, Education, and Welfare, which will also have the responsibility of advising the President and the general public on the radiation levels of fallout.

Mr. ANDERSON. The Senator is completely correct. That feature is what I think is the best part about it. Someone may say the AEC would not do the work completely, and that the Joint Committee will not fully inform the Congress as it is supposed to do, but here is a third agency which is supposed to report to the public, and I can assure the Senator through the work of these three agencies I am confident the public will receive all proper information on it.

Mr. HUMPHREY. I imagine when we say, "H.E.W.," the Department of Health, Education, and Welfare, we are referring in fact to the U.S. Public Health Service office of the Department, which would have primary responsibility in this field.

Mr. ANDERSON. Yes; but I would not want to limit it, because there has been a great deal of work by the Food and Drug Administration, which has a responsibility with reference to foods, particularly. There is also statistical work which must constantly be done. It may be done outside the Public Health Service. The overall responsibility of the Department is well established, and I think it will render a very complete service.

Mr. HUMPHREY. The Senator knows that the whole problem of radiation hazards affects the food supply, and therefore is of interest to agriculture as a whole. As I understand, there is nothing exclusive, under the Executive order, which, for example, would prevent information on the radiation problem from reaching the agricultural areas through the established services of the land-grant colleges and the agricultural schools.

Mr. ANDERSON. That is correct. In addition, it should be pointed out that the bill permits the President to add to the Council he now has such persons as he may deem important. He could, if he wished, appoint the Secretary of Agriculture as a member for the particular purpose of having him survey the situation with respect to food. We have had some problems in connection with milk. We have had some problems in connection with radioactive grain. Any time the President wishes to dip into another department and select a particular person, or his nominee from that department, the bill permits him to do so.

Mr. HUMPHREY. The Senator speaks of a representative of the department "or his nominee." I am sure the Senator contemplates someone of professional stature who could make a genuine contribution in this very important technical field.

Mr. ANDERSON. Yes. For example, the Secretary of Agriculture might not have special knowledge of the workings of the various departments under him in a particular field. He might have a specialist in that particular field. At one time I had a problem in connection with sugar, and I found in the Department of Agriculture a specialist who had devoted his entire lifetime to a study of

certain plant diseases with reference to sugar. He would have been a more valuable member of the council than the then Secretary, and he would have been the nominee for that purpose.

If, on the other hand, the problem related to a particular type of grain, he might wish to reach over to the Grain Branch for an expert in that area, or he might wish to turn to the Plant Pathology Section and find an expert, who would be his nominee for a specific time, to consider a specific question.

Mr. HUMPHREY. My fourth question is: Who is responsible for doing research and determining standards on the total ingestion of radioactive material into the human body?

Mr. ANDERSON. Both the AEC and the Public Health Service will continue their research efforts into the nature of fallout and other radiation hazards and its effect on man. To date, the AEC has been doing most of this research work, and last year the Division of Biology and Medicine of the AEC spent $18,500,000 supporting research work in this field. The Public Health Service is building up its capacity and the recent Executive order provides that the Public Health Service should "intensify its efforts."

As for the determination of standards, the President will have final responsibility for providing guidance to the agencies for the formulation of standards. The agencies would then establish operating standards under their respective statutory authorities following the guidance given by the President.

Mr. HUMPHREY. By the way, I hope the emphasis in the Executive order on the intensification of efforts by the Public Health Service will be followed. I hope this is not mere oratory, but is an actual directive and a policy statement, which will be followed by requests in the budget, as well as emphasis on the research establishments of the Public Health Service.

Mr. ANDERSON. I reassure the Senator from Minnesota by pointing out that additional money has already been appropriated for this very special work, and that there is every evidence on the part of the Public Health Service that it intends to go ahead; and I am very confident that it will go ahead.

Mr. HUMPHREY. I thank the Senator. This information should be reassuring to the American people. There is great concern on the part of the public as to what is done. We are bringing out today the things that have been done, and the things that are contemplated.

My next question is: Since the Executive order designates the Secretary of the Department of Health, Education, and Welfare as Chairman of the Radiation Council to advise the President, does this mean that the President will designate the standards?

Mr. ANDERSON. As I stated earlier, the President could designate the standards, or more probably the policies for the formulation of standards. Presumably, the Council will, with the best possible technical advice, adopt basic standards, and the various agencies will then adopt operating standards consistent with the basic standards.

Mr. HUMPHREY. My next question is: Does the bill in any way lessen the need for legislation along the lines stated in the bill introduced by the Senator from Alabama [Mr. HILL], S. 1228?

Mr. ANDERSON. I am very happy to say to the Senator from Minnesota that it does not. This bill has been redrafted, as stated in the committee report, to make certain that it applies only to materials now regulated by the AEC. It is not intended to prejudice in any way the bill introduced by the Senator from Alabama [Mr. HILL], S. 1228; and if at a later date Congress should decide to enact the policies or provisions of Senator HILL's bill, that would be within the power of Congress at that time.

Mr. HUMPHREY. In other words, the bill introduced by the Senator from Alabama [Mr. HILL], if acted upon, would be a corollary or a supplementary bill; it would not in any way be contradictory?

Mr. ANDERSON. It would be a corollary, but it would also more clearly define where authority is and probably might set aside portions of existing law as those functions are taken over.

Mr. HUMPHREY. I thank the Chairman for his cooperation, and my final question is: What is the role of the Department of Health, Education, and Welfare and the Atomic Energy Commission in terms of controlling radiation hazards in the States?

Mr. ANDERSON. It is intended that the Department of Health, Education, and Welfare, including the Public Health Service, intensify its radiological health efforts, including the training of State health officers. The Commission now regulates certain radiation hazards in the States, but as the States become qualified, it is intended that the control of hazards from certain materials will be turned over to State officers. The White House press release accompanying the Executive order stated that upon the enactment of this legislation, the Atomic Energy Commission would have the principal Federal responsibility for preparing the States for the proposed transfer of certain regulatory responsibilities from the Commission to the States. Therefore, the Public Health Service should continue to train State and local health officers, and the Atomic Energy Commission will be gradually turning over certain responsibilities to those State health and other officers as they become qualified.

Mr. HUMPHREY. I thank the Senator from New Mexico. I hope the colloquy has been helpful in terms of developing a more comprehensive and detailed legislative history of the bill. I believe it has. I feel that the new legislation in itself is a very constructive, forward step. I congratulate the Senator from New Mexico.

Mr. ANDERSON. The members of the Joint Committee on Atomic Energy who attended the hearings made substantial contributions, too. The work of trying to draft a bill inside the committee was particularly difficult, because this is a whole new field. We very much appreciate the support we had from the ranking minority members of the committee and the House members.

Representative DURHAM and Representative VAN ZANDT were especially helpful. I desire to compliment, particularly, the able senior Senator from Iowa [Mr. HICKENLOOPER] for his contributions in drafting this bill to take the needed first step in this direction.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HICKENLOOPER. Mr. President, I think the bill has resolved itself into a very excellent bill on the very difficult question of Federal-State relationship in connection with nuclear activities. A very delicate ground exists between the jurisdiction of the Federal Government and the sovereign jurisdiction of the States in many fields. This one is no exception.

This matter was considered and discussed by the Joint Committee on Atomic Energy at considerable length, and I believe the problem has been resolved in the most satisfactory way which is open to us at present. I think the bill clarifies the responsibilities. I think it is an essential bill.

Certainly the Senator from New Mexico [Mr. ANDERSON], while he was very complimentary to me just a moment ago about my contribution, has himself been the very active and moving force in the development and prosecution of the legislation to this point. He has devoted a great deal of time and thought toward bringing this situation to the point of cooperation in a statute which I think is a substantial step forward in the development and handling of atomic energy in the United States.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2568) was passed.

EXTENSION OF AUTHORITY OF SURGEON GENERAL WITH RESPECT TO AIR POLLUTION CONTROL

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAVEZ. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN, and Mr. COOPER conferees on the part of the Senate.

EXTENSION OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949

Mr. JOHNSON of Texas. Mr. President, on September 10 the Senate passed S. 2449, a bill to extend the International Wheat Agreement Act of 1949.

House bill 8409, which is identical to Senate bill 2449, as passed by the Senate, is pending before the Committee on Agriculture and Forestry.

I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of H.R. 8409, and the bill passed without amendment sent to the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

MRS. ANNA LOFTIS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 962, H.R. 3781. The bill was objected to yesterday on the call of the calendar. There is no objection to it now.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3781) for the relief of Mrs. Anna Loftis.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to afford relief to Mrs. Anna Loftis, whose husband, Ben A. Loftis, lost his life by drowning owing to an accident on the Cumberland River on August 7, 1954, due to the negligent operation of a river inspection boat of the U.S. Corps of Engineers. The bill provide for the payment of a sum of $10,000 to the widow.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3781) was ordered to a third reading, read the third time, and passed.

ESTATE OF WILLARD PHILLIPS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 963, H.R. 3782.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3782) for the relief of the estate of Willard Phillips.

Mr. MORSE. Mr. President, was this bill objected to on the call of the calendar on yesterday?

Mr. JOHNSON of Texas. Yes. The objection has now been withdrawn. The Republican calendar committee stated this morning that they wished to withdraw the objection.

Mr. MORSE. Mr. President, I think it would be helpful to have a brief statement about the bill.

Mr. JOHNSON of Texas. The purpose of the bill is to afford relief to the estate of Willard Phillips, who on August 7, 1954, lost his life by drowning owing to an accident on the Cumberland River, due to the negligent operation of a river inspection boat of the U.S. Corps of Engineers.

Mr. CARLSON. Mr. President, there was objection to the bill yesterday, but the objection has been withdrawn.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3782) was ordered to a third reading, read the third time, and passed.

CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1002, H.R. 5747.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy.

The PRESIDING OFFICER. The Senate will resume the consideration of the bill.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The clerk will read the engrossed bill.

The LEGISLATIVE CLERK. That paragraph 6 of section 152, title 18, United States Code, is amended to read as follows:

Whoever, either individually or as an agent or officer of any person or corporation, in contemplation of a bankruptcy proceeding by or against him or any other person or corporation, or with intent to defeat the bankruptcy law, knowingly and fraudulently transfers or conceals any of his property or the property of such other person or corporation; or".

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H.R. 5747) was passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the vote by which the bill was passed be reconsidered. I have an amendment I wish to offer.

The PRESIDING OFFICER. Without objection, the vote by which the bill was passed will be reconsidered.

Mr. JOHNSON of Texas. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 2. (a) The first paragraph of section 3654 of title 18, United States Code, is amended by adding at the end thereof the following new sentence: "The Judicial Conference of the United States shall promulgate minimum standards of qualifications for probation officers and no salaried probation officer shall be appointed who does not fulfill such standards."

(b) The amendment made by this section shall not be applicable to probation officers appointed before the date of enactment of this Act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter sent to me by the Director of the Administrative Office of the U.S. Courts.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 2, 1959.

Hon. LYNDON B. JOHNSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JOHNSON: This is in further reference to our request, on behalf of the Judicial Conference of the United States, that you propose an amendment to the bill, H.R. 163, which would authorize the Judicial Conference to promulgate mimimum standards of qualifications for U.S. probation officers appointed under section 3654 of title 18, United States Code. As it now stands, H.R. 163 relates only to the retirement provisions accorded U.S. commissioners.

The proposed amendment is identical in substance to the language which was inserted in H.R. 7343 by the Committee on Appropriations, and was approved by the Senate, but was subsequently deleted in the House-Senate conference as involving substantive legislation. The Judicial Conference favors the enactment of this legislation and, you will recall, all of the circuit and district judges appearing before the Senate Appropriations Committee testified as to the desirability of establishing minimum qualifications for probation officers.

The Senate Committee on the Judiciary proposed, as far back as March 14, 1955, the adoption of similar legislation (Rept. No. 61, 84th Cong., filed March 15, 1955) in these terms:

"Overworked, and in some cases unqualified, probation officers cannot be expected to perform their essential and multiple tasks. Essential qualifications in terms of training and experience for Federal probation officers have been formulated by the Judicial Conference of the United States. The standards are well observed in the appointments made in the majority of judicial districts. However, these standards are not binding upon the respective appointing judges and they are ignored upon occasion for various reasons. Some exceptions in the application of these standards were doubtless justified when the system first came into being because of several factors including the more limited supply of trained personnel. Such justifications, however, are no longer valid. The subcommittee, therefore, recommends that appropriate action be taken to make it mandatory that these standards be observed relative to all future appointments of Federal probation officers."

It is important to recognize that the standards which would be promulgated by this legislation would apply to probation officers appointed in the future, and they would not apply to or affect probation officers now on duty.

Your cooperation and assistance in this matter would be very greatly appreciated.

Sincerely yours,

WARREN OLNEY III,
Director.

Mr. MORSE. Mr. President, I shall support the amendment; but so that no one in the future will raise any question as to the position of the Senator from Oregon in regard to legislation by riders, I think we all understand that

this particular amendment is not germane to this particular bill. It does not need to be germane, of course, under the rules. However, the Senate passed a bill the other day in regard to other Federal officials. The probation officers should have been included in that bill, so far as relevancy is concerned. It was subsequent to the passage of the bill that the Administrative Office of the U.S. Courts called our attention to the fact that the probation officers had been excluded.

Certainly the only fair and decent thing—which is what the majority leader is trying to do—is, in behalf of these probation officers, to pass this bill.

Inasmuch as the other bill has been passed, and is on its way to the White House, if we are to take care of these probation officers, the matter must be handled in this way. So I am agreeable to proceeding in this way, although it involves making an exception to the position I normally take, which is that we should not legislate by means of such a practice, namely, by way of a rider. However, in this instance I am willing to have this method followed, in order to do justice to these probation officers before the Congress adjourns.

I know something of the work of these probation officers. Certainly they are very much needed, and they are a very fine group of public servants.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H.R. 5747) was passed.

The title was amended so as to read: "An act to amend section 152, title 18, United States Code, with respect to concealment of assets, and for other purposes."

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill passed be reconsidered.

Mr. CARLSON. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

STATUE OF GEORGE WASHINGTON FOR THE PEOPLE OF URUGUAY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1016, House bill 8911.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8911), to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement explaining the purpose of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill authorizes the Secretary of State to procure a bronze statue of Gen. George Washington and present it, on behalf of the people of the United States, to the people of Uruguay as an expression of appreciation for the gift by the people of Uruguay of a bronze statute of Gen. Jose Gervasio Artigas to the United States. The statue shall be prepared only after the designs and specifications have been approved by the National Commission of Fine Arts. Such sums as may be necessary are authorized to be appropriated for the cost of the statue, the design and construction of a pedestal, transportation (including insurance), and traveling expenses of persons delegated by the Secretary to make the presentation.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8911) was ordered to a third reading, read the third time, and passed.

FIFTH INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY, 1960

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1017, Senate Concurrent Resolution 75.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution (S. Con. Res. 75) favoring active participation by Federal agencies in the Fifth International Congress on High-Speed Photography to be held in Washington, D.C., in 1960.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on agreeing to the concurrent resolution.

The concurrent resolution was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that all interested agencies of the Federal Government should participate actively to the greatest practicable extent in the Fifth International Congress on High-Speed Photography to be held in Washington, District of Columbia, in October 1960 under the sponsorship of the Society of Motion Picture and Television Engineers.

IMPROVEMENT OF OYSTER INDUSTRY ON THE EAST COAST

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consideration of Calendar No. 1018, Senate bill 2632.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2632) to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which threaten the oyster industry on the east coast.

Mr. MORSE. Mr. President, as one who has always taken a great deal of interest in the development of and protection of the fishing industry of our Nation, I wish to state that I believe it would be well to have an explanation of the bill presented by the Senator from Delaware. I am in hearty accord with the purpose of the bill; but I think a legislative history of it should be made at this time on the floor of the Senate.

I wish to commend the two Senators from Delaware and the Senator from New Jersey [Mr. WILLIAMS] for introducing the bill and for their support of it.

Mr. MAGNUSON. Mr. President, the bill received the approval of the Committee on Interstate and Foreign Commerce.

The bill is of an emergency nature, because the Delaware Bay oyster industry has, for some reason, lost 90 percent of its oysters, due to an unknown killing agency. The situation has developed to such an extent that, so I understand from the Fish and Wildlife Service, the only way to save the remnant of the oyster industry in that area is to enact this bill, and thus enable the Secretary of the Interior to purchase not more than 50,000 bushels of oyster brood stock from beds in Delaware and not more than 100,000 bushels of oyster brood stock from beds in New Jersey, and then, in effect, to fumigate the beds, and thereafter begin the industry all over again. Otherwise, the oyster industry will be gone.

Mr. MORSE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. MORSE. As the Senator from Washington knows, there are oysters on the west coast, too; and the research work which will be done in connection with this measure will be of benefit to the entire oyster industry, wherever oyster beds are located.

Although this bill would seem to be of benefit only to the States of Delaware and New Jersey, as a matter of fact, it will be of economic benefit wherever oyster beds are located.

Mr. MAGNUSON. Yes. Of course, this disease could spread very quickly to Chesapeake Bay, Long Island Sound, and the harbor waters of Washington and Oregon. That is why we wish to deal with this matter as quickly as possible.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2632) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which have inflicted excessive mortality upon the oyster beds of such States and which threaten the entire oyster industry of the east coast, the Secretary of the Interior is authorized, subject to the provisions of section 2 of this Act, to purchase not more than one hundred thousand bushels of oyster brood stock from beds in the State of New Jersey and not more than fifty thousand bushels of oyster brood stock from beds in the State of Delaware at a price not to exceed 75 per centum of market value as determined by the Secretary of the Interior. The Secretary shall arrange to have such oyster brook stock planted in spawning sanctuaries in the State in which it was acquired for supervision by such State and in order that such State may distribute the resulting oyster seedlings in accordance with its established procedures.

SEC. 2. The Secretary of the Interior's authority under this Act to purchase oyster brood stock in the State of New Jersey or the State of Delaware shall be conditional upon such State paying one-third of the cost of such stock purchased in such State.

SEC. 3. There is authorized to be appropriated such amount as may be necessary to carry out the provisions of this Act.

RESEARCH IN MIGRATORY MARINE SPECIES OF GAME FISH

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1020, House bill 5004.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 5004) authorizing and directing the Secretary of the Interior to undertake continuing research on the biology, fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a staff analysis of the bill be printed at this point in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

STAFF ANALYSIS OF H.R. 5004

H.R. 5004 authorizes and directs the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

The Assistant Secretary of the Interior made the following report on H.R. 5004:

"We are in general agreement with the objectives of this proposal because of the fact that salt-water fishing has had a phenomenal growth in recent years and because of the problems involved in the maintenance and management of this resource. However, because of the broad research powers that have been given to this Department pursuant to the Fish and Wildlife Act of 1956, there is little, if anything, to be gained from a further enactment of this kind providing additional research authority. Accordingly, we do not recommend enactment of this proposed legislation.

"The rapid growth in salt-water fishing from a relatively unimportant sport has imposed many problems in management and its relation to commercial fishing. These problems are being taken into account in the development of our plans for future research activities. The fund needs for such research activities, in the light of overall fiscal considerations, will be submitted to the Congress from tme to time in accordance with established budgetary procedures."

The House of Representatives passed, with no opposing votes, H.R. 5004 on September 2, 1959.

Hearings were held in the House and an amendment was added to the bill which would require that in studying environmental influences on the various species of fish, attention should be directed to artificial as well as natural environmental factors. It is becoming increasingly clear that too little attention has been given to the effect that dumping or the disposal of chemical and other artifically produced substances have on the habitat or on the life cycle of marine life. This has been highlighted by recent reports concerning the introduction of radioactive wastes into coastal waters. The problem is no less important where other toxic materials pollute the fishery environment. By the same token the influences of manmade structures should also receive proper attention.

The Fish and Wildlife Service have not allocated or earmarked any funds for a study as proposed by H.R. 5004.

The annual cost of the legislation will not be over $2,700,000 per year.

This bill would make no changes in existing law.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5004) was ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, may we have an explanation from the Senator from Washington of House bill 5004?

Mr. MAGNUSON. Certainly.

The bill authorizes and directs the Secretary of the Interior to undertake continuing research on the biology, fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

We hope enactment of the bill not only will be of benefit to the commercial fisheries in salt waters, but also will enable more emphasis to be placed on research in regard to the effects on game fish in salt waters—for instance, on the stamina of fish in waters beyond the mouths of the rivers.

Most of the interested organizations—for instance, the Wildlife Institute and the various game fish organizations, and the directors of all the organizations of those types—have strongly endorsed the bill.

We had quite lengthy hearings on this matter.

The purpose I have stated is the sole purpose of the bill.

There is a ceiling on the amount of money which may be appropriated; but the funds required would come under the normal research appropriation for the Department of the Interior, in connection with research into all forms of marine life.

INCREASE IN RETIRED PAY OF CERTAIN MEMBERS OF THE FORMER LIGHTHOUSE SERVICE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1021, H.R. 5431.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5431) to provide a further increase in the retired pay of certain members of the former Lighthouse Service.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, may we have an explanation of the bill? I should like to have included in the explanation a discussion of the same point that was raised in connection with the increase in retirement benefits for policemen in the District of Columbia. We took the position that those increases should be in line with the civil service retirement system. I would be interested in knowing whether or not the proposed increase for these particular Federal employees would give them preferential treatment in relation to other civil service employees.

Mr. MAGNUSON. Mr. President, what the bill does, generally, is grant an increase of $150 every year, or 10 per cent, whichever is greater, in the retired pay of certain members of this Service. The reason for it is that we have raised the pay of lighthouse keepers to the level of the Coast Guard. Raising the pay puts us in a situation where we have to bring the retirement pay up to date.

Whether it complies with what the Senator from Oregon suggests should be a uniform rate, I cannot tell, but it does comply with the uniform rate set up under the Lighthouse Service Retirement Act. This bill involves only 84 persons. The annual cost would be less than $160,000. There are some specific cases which might not come quite under a uniform rate. For instance, some of the retired personnel receive less than $1,500, some receive $950, and one person receives $600; 126 already are taken care of with $1,500 to $2,000; 445 have the regular retired pay.

I stated previously that the bill involves only 84 persons. That was in error. I used the number 84 as referring to those primarily involved.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Maine.

Mr. MUSKIE. As of June 1 there were 690 on the roll. Since that time there have been 35 deaths. The overall number has been reduced to 655. This number will continue to decrease, because this is a disappearing classification.

Mr. MORSE. Mr. President, will the Senator from Washington yield for a request?

Mr. MAGNUSON. Yes.

Mr. MORSE. I think it is important to make a legislative history, because the Senator knows what happens if we start following a line of legislation that discriminates against one group and is favorable to another group.

Will the Senator consider merely these two hypothetical cases? We have A, a lighthouse employee now in service. He has the benefit of a retirement program that has higher benefits when he retires than are presently available to B, a lighthouse employee who has already retired and who receives only the retirement benefits that were provided on the books at the time he retired.

Is it my understanding that what this bill proposes to do is to give the some 600, more or less, retired lighthouse employees the same benefits that they would receive on retirement if they were presently active employees of the Lighthouse Service?

Mr. MAGNUSON. That is correct.

Mr. MORSE. I think that is fair and equitable, and I am pleased to support the bill.

Mr. MAGNUSON. Both Senators from Maine have been very interested in this

bill, and have done a great deal of work on it, because so many of these people were employed on the New England coast, the rocky coast, guarding the lives of sailors on ships.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5431) was ordered to a third reading, read the third time, and passed.

ADMISSION OF VESSEL "JOHN F. DREWS" TO AMERICAN REGISTRY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1019, H.R. 3792.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3792) to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp., of New York.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of this bill is to authorize the readmission of the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York.

The Department of Commerce advised there was no objection to the bill, if there is no objection on the part of the Treasury Departent.

The Treasury Department advised that the enactment of the bill was a matter of legislative policy.

Letters from both Departments are included in the report on the bill.

This vessel was built in the United States, was continuously owned in the United States under the American flag for 64 years and was transferred to a Canadian subsidiary for the special purpose of working briefly on an international project in which the interests of the United States are involved. The vessel, under the legislation, would be returned to ownership of the parent company, Merritt-Chapman & Scott Corp. of New York, and the privileges or readmission to the coastwise trade are only for so long as the vessel is continuously owned by said corporation.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. This is a desirable bill. Representative DELANEY handled the bill in the other body. I hope the bill will be passed.

Mr. MAGNUSON. They merely transferred the ship to be used for dredging operations on the St. Lawrence.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3792) was ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONAL CULTURAL CENTER ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1024, S. 2230.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2230) to amend the National Cultural Center Act.

Mr. MORSE. Mr. President, I should like to have a discussion of this bill.

Mr. JOHNSON of Texas. Mr. President, the National Cultural Center Act, Public Law 874, 85th Congress, authorizes the Trustees of the National Cultural Center to solicit and accept gifts and bequests for the benefit of the Center. It also provides that if the office of the Trustees of the National Cultural Center terminates at the end of 5 years because sufficient funds have not been collected to carry out the purposes of the act, all funds and property accepted by the Trustees, and income therefrom, shall be vested in the Board of Regents of the Smithsonian Institution and be used by the Board for purposes specified in the act.

S. 2230 proposes to amend the act with regard to the disposition of funds or property accepted by the Trustees in case their office terminates. In lieu of the funds being vested in the Board of Regents of the Smithsonian Institution, the funds or property may be vested in an organization designated by the donor at the time of making the donation, if at such time, such organization is described in the Internal Revenue Code and is tax exempt and contributions thereto are tax deductible under the code.

The Trustees of the National Cultural Center feel that enactment of S. 2230 will encourage donations from persons who otherwise might be unwilling to make donations under the provisions of existing law, and will permit them to honor requests by donors that their gifts, bequests, or devises go to some recipient other than the Smithsonian Institution, in case sufficient funds are not received within the 5-year period for the Cultural Center.

The committee is in accord with the provisions contained in S. 2230 in regard to the disposition of funds in the event that insufficient funds were donated for the National Cultural Center and the project abandoned. It feels that enactment of this legislation will encourage donations from persons who otherwise might be unwilling to make such a donation. The committee therefore recommends favorable action on S. 2230.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I thank the Senator for his explanation. I had asked for an explanation because I had been advised, obviously incorrectly, that this bill had something to do with getting congressional approval for the location of a National Cultural Center at a certain specific spot in Washington. The fact is, the bill has nothing to do with that at all.

Mr. JOHNSON of Texas. Nothing whatsoever.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2230) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 7 of the National Cultural Center Act (72 Stat. 1698) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "; except that such funds or property, and the income therefrom, shall vest in an organization designated by the donor of such funds or property at the time of the making of the donation thereof, if, at such time, such organization is described in section 501(c)(3) of the Internal Revenue Code of 1954 and is exempt under section 501(a) of such Code, and if, at such time, a contribution, bequest, legacy, devise, or transfer to such organization is deductible under section 170, 2055, or 2106 of such Code."

AMENDMENT OF SECTION 4544 OF REVISED STATUTES AFFECTING HEIRS OF DECEASED SEAMEN

Mr. JOHNSON of Texas. Mr. President, there is one more bill which comes from the committee so ably presided over by the very talented and lovable Senator from Washington [Mr. MAGNUSON]. If we can pass this bill I know the Senator will be happy.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1022.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, this is a very desirable bill. At present, under the law, if a seaman dies at sea his effects are turned over to the Coast Guard. If the effects are valued at over $300 the Coast Guard must deliver the effects to the Federal court or to the Federal jurisdiction of the seaman's legal residence. That means if the effects are worth $301 or $302 there must be a probate proceeding.

I am not against lawyers doing business, but they receive a fee whenever it is necessary to probate an estate. There have been so many cases where the seamen have had effects worth more than

$300 that we conferred with the Administrator of the Federal court about the matter. He inquired various places in the Federal jurisdiction as to what would be a reasonable amount, and the recommendation is the figure of $1,500. If the value of the effects were less than $1,500 the effects would be delivered to the Coast Guard to be delivered to the widow, representative, or next of kin. The seaman might have a will. This could be done without going to the Federal court.

Mr. MORSE. Mr. President, I should like to ask a question or two about the bill.

Let us suppose that seaman X dies at sea. The Coast Guard finds on this seaman a ring of some value, and some other personal property which is valued, let us say, at $350. That property is delivered to the Coast Guard?

Mr. MAGNUSON. Yes.

Mr. MORSE. Under the existing law the Coast Guard is only the custodian of the property?

Mr. MAGNUSON. That is correct.

Mr. MORSE. Under the present law the Coast Guard must deliver the property to the Federal district court where the seaman had a residence?

Mr. MAGNUSON. That is correct.

Mr. MORSE. The Federal district court would be the custodian of the property under the existing law until the estate was probated?

Mr. MAGNUSON. That is correct. Even if there were nothing else to probate, some lawyer would have to go to court and make a motion, as the Senator from Oregon knows, and go through certain legal procedures to get the property.

The bill would change the provision as to value. The Coast Guard in any event would take over the effects.

Mr. MORSE. That is the point I desire to raise.

Mr. MAGNUSON. Yes.

Mr. MORSE. The Coast Guard gets the personal property valued at $350, including a ring and a camera and certain clothes and so on?

Mr. MAGNUSON. Yes.

Mr. MORSE. Then the Coast Guard renders a judgment as to who shall get the property. Suppose that a sister comes in and wants the property, and the next day a brother comes in to say, "Why did you give it to my sister? Why did you not give it to me?"

What procedure is the Coast Guard going to follow which will give some protection to the next of kin, so that not the first next of kin who gets to the scene will get the property?

Mr. MAGNUSON. The Coast Guard will have to use discretion. When a man dies at sea the ship's master lists not only the death in the log but a certification that seaman A died on such and such a voyage, and that among his effects was found a will, or a directive directing that certain things be done, and his property was this and that. I suppose that the master would add in certain cases a rough appraisal of the value of what might have been found on the seaman. Then the Coast Guard would have to use its judgment.

I do not believe we have any problem at all in this field. Of course, if there were two relatives who wanted to argue about the matter, they could immediately go to the Federal court and enjoin the Coast Guard from delivering any property to anyone, pending the judgment of the court or pending the determination of the matter.

Mr. MORSE. Frankly, I have been so busy I have not had time to read the details of the bill.

Is there any time requirement in the bill which would require the Coast Guard to keep the personal property for some definite period of time before a decision was rendered? Frankly, although materially what is involved is rather inconsequential, the Senator from Washington and I both know that from a sentimental standpoint and from the standpoint of family problems it could become a very important thing. What I am trying to do is to make certain that there is a protection to the next of kin, so that the Coast Guard will be required to keep the property for a reasonable period of time and that notice will be given to known next of kin that the property is being held so that they can make such representations as they wish.

In the case of a will, of course it is obvious that the procedure would be automatic. The Coast Guard would follow the terms of the will, unless the will were challenged.

Even a controversy in regard to a picture or a ring or some other little personal sentimental item can be of great concern to members of a family. I simply want to know what protection is provided in the bill.

Mr. MAGNUSON. The present statute was passed almost 50 years ago. Under that statute the Coast Guard has to keep the effects for at least 1 week. That is the provision under the old statute. Then, if the value of the effects is over $300 the money and effects are turned over to the district court. Otherwise, there is no limitation as to how long they would keep them.

Under existing practice the Coast Guard has kept the effects a reasonable time. In those cases when delivery is not made to the district court the Coast Guard would keep the effects until someone came in and proved he was the next of kin. If two or three relatives came in I suppose the Coast Guard would have to exercise discretion. It has done so on some occasions. I know of one or two cases where there has been a dispute over a sentimental item of some kind. Then the Coast Guard has turned the matter over to the district court. There is no restriction about turning the matter over to the court now, even if it is only a small ring involved in controversy. The Coast Guard can do that.

Mr. MORSE. I do not want to delay this matter, but I should like to point out that $1,500 is quite a bit of money for the family of a seaman. I can foresee a lot of problems which may be raised.

Suppose the Coast Guard did not know that the seaman had a wife, and 30 days later discovered that the seaman did have a wife, although $1,250 worth of property in the meantime had been turned over to a brother.

Mr. MAGNUSON. Mr. President, of course all of those things could happen. Naturally problems arise when anyone dies, even if the man is not a seaman.

The bill simply provides a way to start the procedure. The Coast Guard has some discretion. The Attorney General recommended that the amount be $2,500. We talked to the administrator of the courts and he told us he thought $1,500 would be reasonable.

As was pointed out, sometimes the wages of the seamen are kept for 2 or 3 months and they amount to over $300 in cash.

There are a lot of instances in which there may be disputes. There are disputes now. I do not know how we are ever going to be able to pass a law so that there will not be disputes between relatives who may fight over some effects of a deceased seaman, or of a deceased Senator.

Mr. MORSE. We know that is almost inescapable, but we also want to have some reasonable protection provided.

Mr. MAGNUSON. Mr. President, let the bill go over.

Mr. MORSE. I think we can take care of this very quickly. I am only suggesting that there be an amendment to provide that the Coast Guard will keep the effects 30 days. The Senator says the law requires them to keep the effects one week. If we are going to raise the amount to $1,500, it would not be unreasonable to ask the Coast Guard to keep the effects 30 days.

Mr. MAGNUSON. No. I would be willing to accept that. Let us say 60 days.

Mr. MORSE. Very well, 60 days. The Senator from Washington will not have trouble working this out with me reasonably.

Mr. MAGNUSON. Mr. President, I move that at the proper place in the bill there be inserted "60 days".

Mr. MORSE. I accept that amendment.

Mr. MAGNUSON. "Not less than 60 days."

Mr. HICKENLOOPER. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I wonder if we can proceed to the consideration of another bill while the Senators get the amendment in order.

Mr. HICKENLOOPER. Mr. President, I want to ask a question.

Mr. JOHNSON of Texas. I beg the Senator's pardon.

Mr. HICKENLOOPER. I should like to ask, What provision is made in the bill for debtors? What provision is there in the bill for repayment of debts?

Mr. MAGNUSON. Well, the debtors will have to come in in any case and file their claims in court.

Mr. HICKENLOOPER. Suppose the Coast Guard turns the money over to the relatives and somebody comes along in a couple of months and says, "I did not know he was dead. I have a note that he owes me for $400."

Mr. MAGNUSON. I guess he would have to appeal to the Federal court. As it is now, the Coast Guard uses its discretion. They can turn anything over, but if they kept it for 60 days, that would be all right.

Mr. JOHNSON of Texas. I suggest that this go over until the Senators can straighten out their differences.

Mr. MAGNUSON. It is all right with me if it goes over. The bill passed the House after long hearings on the matter. Under the situation as it is now, it just clutters up the Federal court calendars, because pretty nearly every seaman who dies has over $300 and some lawyer takes about 20 percent of it when it gets into court.

Mr. JOHNSON of Texas. I do not mean that the bill should go over to the next session of Congress. I suggest that it go over until later in the day so that the Senators can get their amendment prepared.

Mr. MORSE. When we get up to $1,500, we get into quite a little bit of money as far as the families are concerned. The Senator from Ohio [Mr. LAUSCHE], I believe, shares my view that we should get a time requirement into the bill of 60 days.

Mr. JOHNSON of Texas. If the Senators will draft an amendment, we can probably dispose of the bill later. I should like to call up another measure in the meantime.

Mr. MAGNUSON. Very well. I am willing to let the bill go over.

REVIEW OF BOOK ENTITLED "THE GREAT DECISION"

Mr. HICKENLOOPER. Mr. President, in the CONGRESSIONAL RECORD of August 26, 1959, there was inserted by a Member of the other body a review by Prof. E. U. Condon of a book entitled "The Great Decision," which is subtitled "The Secret History of the Atomic Bomb." The book was written by Michael Amrine, and was published by Putnam's, of New York, this year.

I have read the book review by Dr. Condon, and I feel it is not a fair presentation of the situation by any means. It contains many controversial statements, to say the least. Especially, it has some rather caustic things to say about Gen. Leslie R. Groves, which, I believe, are utterly unwarranted and utterly unfounded.

I have before me a copy of a letter written by General Groves to the editor of Science magazine in which the review was published. His letter is dated September 4, 1959, and in it he points out some of the fallacies and misstatements in the book review by Dr. Condon.

I ask unanimous consent that the copy of General Groves' letter be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DARIEN, CONN., *September 4, 1959.*

The EDITOR, SCIENCE MAGAZINE,
New York, N.Y.

DEAR SIR: I am writing to you about Dr. Condon's review of Michael Amrine's book, "The Great Decision." This appeared in your issue of July 3, 1959.

I would like to correct some of the erroneous impressions a reader would gain from Doctor Condon's review of the book.

This review goes far afield from the content of the book and this despite a confession of little firsthand knowledge. While such frankness may be refreshing, equal frankness would have added the statement that he was not particularly fond of me.

I would not bother to answer Dr. Condon, except that a publication like yours has seen fit to print his review without checking his alleged facts. Many are so preposterous as to be obviously incorrect. The conclusions supposedly drawn therefrom present me in an entirely false position.

Doctor Condon's charge that I worked "to hobble and frustrate cooperation" with the British simply is not true. Because neither I nor anyone else could even guess at that time how the atomic future might unfold; because I felt that I had no right to give away information developed with U.S. funds; and because I believed that orderly procedures were essential in such a large and widespread effort, I did not want the previous highly informal communications to continue. These had not been unreasonable before the United States entered upon its major atomic effort. I felt that now specific Presidential approval was required for any significant passing of information. I was not alone in this opinion. An executive agreement between President Roosevelt and Mr. Churchill, defining British-American relationships in this area was the first essential to the formalization of the interchange of information.

Yet, it was not until the Quebec Conference of August 1943 that the necessary basic agreement was reached. I was not responsible for the fact that this agreement was not made sooner. As soon as it was signed, proper arrangements were promptly made and the furnishing of information was controlled in accordance with the terms of the Quebec agreement.

As to Chalk River, Dr. Condon ignores the fact that its parent organization was already being established at Montreal before I was placed in charge of the Manhattan project. This laboratory was never a part of the American project. A number of its key personnel were Free French and France was still under German control. This added to our difficulties. In spite of these complications, the Canadian-British effort always receive essential information from us to the extent necessary for the work it was carrying on. The Canadian Government always seemed satisfied with this cooperation. The Royal Commission appointed to investigate Russian espionage in Canada in its report of June 27, 1946, said:

"From the beginning there was the closest cooperation in scientific research between Canada, the United Kingdom and, later, the United States. While some secrets were not fully shared, as in the case of some details concerning the atomic bomb, the results of continuing research work by scientists in one country was in almost all cases at once communicated to their opposite numbers in the other two" (p. 617).

All available essential data and estimates respecting the bomb were made known to our policymakers when decisions were being made on the use of the bomb. General Marshall, Secretary Stimson, and the President (Mr. Roosevelt and later Mr. Truman), were kept informed as to the probable effect of the bomb on the conduct of the war. It was my responsibility to keep General Marshall and Secretary Stimson fully informed as to the changes in scientific thinking, including my own, on the probable power of the bomb. And I fulfilled that responsibility.

It is true that I did not know enough physics to insure the accuracy of any estimate but, I might add, neither did anyone else. We simply did not have in the Manhattan organization a scryer of sufficient ability to do this. The estimates included in my December 30, 1944, memorandum were based on my latest discussions with, and information from, Dr. Oppenheimer and his associates at Los Alamos. I might add that as late as the middle of May 1945 the responsible heads at Los Alamos felt that the explosive force of the first implosion-type bombs would fall somewhere between 700 and 1,500 tons.

Actually my memorandum of December 30, 1944, to General Marshall, of which Dr. Condon makes such a point, has been completely misrepresented—and this is not the first time, although, with a few omissions (all nonessential for the present discussion) it was published in full with the Yalta papers and is thus readily available to any responsible writer.

The first part of this memorandum read as follows (the remainder dealt with informing Admiral Nimitz and the air commander in the Guam area as to the atomic possibilities):

"It is now reasonably certain that our operation plans should be based on the gun-type bomb, which, it is estimated, will produce the equivalent of a 10,000-ton TNT explosion. The first bomb, without previous full-scale test which we do not believe will be necessary, should be ready about August 1, 1945. The second one should be ready by the end of the year, and succeeding one at * * * intervals thereafter.

"Our previous hopes that an implosion (compression) type of bomb might be developed in the late spring have now been dissipated by scientific difficulties which we have not as yet been able to solve. The present effects of these difficulties are that more material will be required and that the material will be less efficiently used. We should have sufficient material for the first implosion-type bomb sometime in the latter part of July. This bomb would have an effect which would be equivalent to about 500 tons of TNT. During the remainder of 1945 it is estimated that we can produce * * * additional bombs. The effectiveness of these should increase toward 1,000 tons each as development proceeds and, if some of our problems are solved, to as much as 2,500 tons.

"The plan of operations while based on the more certain more powerful gun-type bomb also provides for the use of the implosion-type bombs when they become available. * * * The time schedule must not be adversely affected by anything other than the difficulties of solving our scientific problems."

For a considerable period prior to this we had fully expected to use the gun-type bomb first and, as we did at Hiroshima, to do so without previous test. Actually the reading of this memorandum by President Roosevelt was only a minor portion of the conference and further information was given to him later, the next day, I believe, by Secretary Stimson. That the President was fully informed is well illustrated by the statement of Secretary of State Stettinius, who, in his book, "Roosevelt and the Russians," mentioned his meeting with President Roosevelt shortly after this date when the latter told him that if a bomb were dropped on New York City at 42d Street and Broadway, the resulting explosion would lay New York low.

President Truman was fully aware of the potential power of the bomb from the time that he had his first conference on it with Secretary Stimson and me on April 25, 1945. At this meeting the President was not shown the December 30 memo. He did see, among other papers, Secretary Stimson's memo of

April 25, the first paragraph of which read as follows:

"Within 4 months we shall in all probability have completed the most terrible weapon ever known to human history, one bomb of which could destroy a whole city." (P. 635, vol. II, "On Active Service in Peace and War," Stimson & Bundy.) Could anything have been clearer as to the import of the bomb?

From the very first, the messages to Potsdam were definite and clear as to the magnitude of the Alamogordo explosion. It was described in one of the cables as being visible for over 200 miles and audible for more than 50. Nothing could be further from the truth than the charge that there was any design to minimize the bomb.

I trust that because of the scientific reputation and value of your publication, because unanswered statements, no matter how unfounded, tend to become history, and because of the palpable injustice to me contained in Dr. Condon's review you will publish this letter in full and in equal space to the review.

Sincerely yours,

LESLIE R. GROVES,
Lieutenant General, U.S. Army, Retired.

STUDY AND INVESTIGATION OF PRESENT PRICES OF DRUGS

Mr. SMATHERS. Mr. President, I submit for appropriate reference a resolution which would authorize the Select Committee on Small Business to conduct an investigation of the present-day consumer prices of drugs and other medicines.

Much comment has been made recently on the growing cost of medical and hospitalization insurance. Considerable attention has been devoted to the reasonableness of the fees charged by the medical profession for their services. But scant notice has been taken, in my judgment, to the extremely high cost of antibiotics and other medicines and drugs which must be borne by every American family. The partial tax-deduction that families can apply against their Federal income tax bears little resemblance to the amount of the financial burden suffered because of the prevailing high costs of drugs.

To get some idea of the proportion of these costs to American families, it is essential to ascertain the extent to which pharmaceutical houses are ballooning drug costs in the first years of their discovery and a comparison of the costs of certain drugs in this country with the costs of similar drugs in foreign nations.

It is a matter of common knowledge that when a drug is first discovered, its cost to the consumer is extremely high and only after several years does its price begin to drop to within reasonable proportions, where the average and low income families can afford it. Why pharmaceutical houses maintain this practice is not quite clear unless it be to recoup every cent of research as costs as quickly as possible, at the expense of those needing the new drugs at once.

Such practices have the inevitable effect of almost putting outside the reach of the average American family, without a substantial financial setback, the very latest and best medicines and drugs available for the cure of physical ills. Without the benefit of modern developments in antibiotic drugs, common diseases such as pneumonia and influenza would again become the killers they were in earlier years.

As an example of what I am saying a medicine called progynon micropellets cost $18.10 for 10 cubic centimeters when it was first introduced on the market and today the average price runs about $7. Vitamin B_{12}, in the 10-cubic-centimeter size ran as high as $18 when it was first put on the market. After a few years the price began to drop and today it averages about $2.85. The first couple years that the antibiotic known as chloromycin was available, its cost was $1.10 per capsule. Today that drug, along with most other antibiotic capsules, average in price between 40 cents and 60 cents per capsule, still a very high cost to those unfortunate persons who contract illnesses requiring extended dosages of these medicines.

Mr. President, not only does the American family have to bear the burden of inordinately high cost of new drugs, but an investigation of the matter will disclose that consumer costs of drugs in this country are, on the average, far in excess of the cost to the consumer for similar drugs in other nations of the world. Sometimes this is the case even though the same manufacturer is involved. For example, the cost to the consumer of a bottle of 100 tablets of vitamin B_{12} is $2.63 in Venezuela. In this country the same medicine produced by the same manufacturer runs $4.88. In France the antibiotic known as erithromycin is about $4 for 25 capsules. In this country it is closer to $6, yet it is produced by the same American manufacturer which distributes the antibiotic in France. In Argentina, the cost of 50 tablets of the tranquilizer known as Miltown is 46 cents. In the United States people who need this drug must pay from $3.85 to $4.25, even though it is made by the same American firm that supplies the drug to Argentina. A certain migraine headache tablet is $14 per hundred in this country. The same tablet is $7 per hundred in England. In Russia one pays only 45 cents for an antibiotic that costs $3.50 in this country. In England a dozen aspirin are 12 cents compared to 25 cents in the United States.

I think it is readily apparent, Mr. President, that the American people, who are fortunate in having the most advanced medicines and drugs in the world, share alike the doubtful distinction of paying the world's highest premium for these basic human necessities. The middle and low income families of this country, together with the aged and our retired citizens, all of whom go to make up the great majority of our population are the greatest consumers of these items and at the same time those who can least afford the present-day high costs of medicine and drugs. I think the Congress should undertake to discover whether the naked law of supply and demand has forced upon the needy group of Americans who are ill, especially the aged and chronically infirm, an unreasonable financial strain for an inseparable human need.

It has come to my knowledge, in the preparation of this resolution, that the Senate Committee on the Judiciary, or a subcommittee of the Senate Committee on the Judiciary, headed by the very able senior Senator from Tennessee [Mr. KEFAUVER] has already begun, at least at the staff level, a study into the high cost of drugs. I can assure the able Senator from Tennessee that I have no pride of authorship in this resolution. I congratulate him and his subcommittee on beginning to look into the high cost of medicines and drugs. I hope, however, that if that subcommittee finds that it is too busy to go forward with a realistic study of the high cost of drugs and medicines to the American people, he will be willing—and I am sure he will—to sit down and talk with me about it. Perhaps the Small Business Committee could undertake the study. Obviously something must be done in order to protect the American people.

Mr. MAGNUSON. Mr. President, I am sure the Senator from Florida knows that 2½ or 3 years ago this subject was brought up at some length in our committee at a time when we had under consideration the nomination for reappointment of one of the members of the Federal Trade Commission. He was repeatedly questioned on this subject. The result was that the Senate Committee on Interstate and Foreign Commerce recommended to the chairman of the Appropriations Committee an appropriation to the Federal Trade Commission for the purpose of making a study of the cost of drugs.

That was done. We provided an extra amount of money for that purpose. The result was that the Commission filed a quite lengthy report, of which we have copies. A further result was that some eight drug companies were cited into court for price fixing. They are still under indictment.

The Federal Trade Commission has informed the committee and myself that it is continuing its study. I think there is no doubt that, unless something is done, or some changes are made in this field, there will be further indictments in connection with price fixing. The indictments to which I refer were civil indictments. Whether or not they go into other phases of price fixing under the antitrust laws, I do not know.

The Federal Trade Commission has done a great deal of work in this field. I believe that the committee in charge of this subject might well go further. One of the purposes of the Senator's resolution would be to ask the Federal Trade Commission to bring us up to date. That might lead to further discussions of this very important subject. As will be seen from a further report, prices have not gone down. The result has been that, for example, in my own State of Washington, we found some cases in which recipients of old age assistance were having to spend as much as 20 or 25 percent of their assistance money to buy the kind of drugs they thought they needed for their illnesses.

Anything that is done, whether it be done from the Federal Trade Commission level or from the level of Congress, is well worth while, because prices have not gone down, even after the indictments to which I have referred. New drugs are constantly coming on the market. It is true that manufacturers of drugs have a large initial cost. They should be commended for the research work they do. But everyone knows that the greatest markup in the retail field is on drugs and medicines. I think the facts prove that.

Secondly, in the past 4 years there have been more mergers of chemical and drug manufacturers, in a business that can properly be termed "big business," than in any other industry in the United States.

I commend the Senator from Florida. The Federal Trade Commission needs a great deal of help to do the job which needs to be done. It must be directed to do it.

Mr. JOHNSON of Texas. Mr. President, I associate myself with the statement of the Senator from Washington in commending the junior Senator from Florida.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. I wish to associate myself with the words spoken by the junior Senator from Florida and the Senator from Washington [Mr. MAGNUSON] with regard to the need for making a study of the high prices of drugs.

I believe the drug industry is the beneficiary of the highest profits of any business in the country. A report which was filed at a hearing which we conducted on the plight of the transportation industry showed that the drug industry has a profit of 22 percent. Something should be done. I wish to join, with all my might, with the Senator from Florida in bringing about some action.

Mr. SMATHERS. I thank the able Senator from Ohio and also the Senator from Washington for their kind words. I believe both of them have demonstrated what I have tried to make clear, namely, that there is a pressing need to do something about the high cost of drugs and medicine, as that cost particularly penalizes the people least able to pay—the needy and the aged.

The resolution (S. Res. 191) was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by Senate Resolution 58, Eighty-first Congress, agreed to February 20, 1950 (as amended and supplemented), is authorized and directed to conduct a full and complete study and investigation of the prevailing prices of drugs for the purpose of ascertaining whether or not such prices are fair and reasonable.

SEC. 2. For the purposes of this resolution the committee, from the date that this resolution is agreed to until January 31, 1960, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. On or before January 31, 1960, the committee shall report to the Senate the results of its study and investigation, together with such recommendations for legislative or other measures as it may determine to be advisable.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

CONSTRUCTION DIFFERENTIALS FOR FISHING VESSELS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 815, Senate bill 2578.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2578) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I understand that a yea-and-nay vote is desired on the passage of the bill.

Mr. LAUSCHE. The Senator is correct.

Mr. JOHNSON of Texas. Has the chairman of the committee, the Senator from Washington, any idea when we might anticipate a vote?

Mr. MAGNUSON. Mr. President, I shall not take much time in explanation of the bill—perhaps 15 minutes. The Senator from Ohio wishes to be heard, as do the senior Senator from California [Mr. KUCHEL], who wishes to speak for 5 or 10 minutes, the senior Senator from Massachusetts [Mr. SALTONSTALL], 15 minutes or so, and the junior Senator from Massachusetts [Mr. KENNEDY].

Mr. JOHNSON of Texas. The Senator from Massachusetts had to leave.

Mr. MAGNUSON. The junior Senator from California [Mr. ENGLE] wishes to speak.

Five or six proponents of the bill wish to speak. I do not know how long the Senator from Ohio wishes to speak.

Mr. LAUSCHE. As I understand, there will be five proponents who will desire to speak.

Mr. MAGNUSON. Five have told me that they would like to speak, but they will be very brief.

Mr. LAUSCHE. I think I should like 25 minutes—not necessarily at one time.

Mr. JOHNSON of Texas. Then I notify employees of the Senate that it is hoped to reach a vote on this measure in the neighborhood of 2 o'clock. We shall try, with the cooperation of the chairman of the committee, to adjust ourselves to that approximate schedule. While we cannot obtain a unanimous-consent agreement, if the chairman would take 30 minutes, and ask the proponents to try to confine their remarks to 30 minutes, and the opponents were to take 30 minutes, we could reach a vote, and suit the convenience of certain Senators who desire to be registered, but who must leave the Chamber.

Mr. LAUSCHE. Mr. President, I recognize that the senior Senator from Oregon will remain steadfast to his resolution that there shall be no unanimous-consent agreements with respect to time.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. But if the Senator from Ohio makes the statement that he will use 10 minutes only, and respectfully requests the Senator from Washington to use only 10 minutes, without a binding agreement, but letting those statements operate as an impact on those who listen, to persuade them not to protract the discussion beyond the 10 minutes, or whatever time is announced, we could act expeditiously.

Mr. JOHNSON of Texas. That may very well be, but a number of Senators may wander in with speeches, which may upset the schedule.

Mr. MAGNUSON. Mr. President, I will agree to the suggested arrangement. I do not need to take any time.

Mr. THURMOND. Mr. President, I am interested in the bill. I filed minority views.

Mr. MORSE. Mr. President, I should like to comment further on what the Senator from Ohio [Mr. LAUSCHE] said. He referred to my position with regard to parliamentary matters. I wish to say that, of course, he is free to enter into any persuasive agreement with the Senator from Washington that he cares to. I am sure that they will demonstrate that we can do business expeditiously in the Senate without unanimous-consent agreements. They have been demonstrating it here today. I merely wish to be sure that any Senator who wishes to speak on the bill will not be bound by a formal agreement.

Mr. JOHNSON of Texas. Then I hope, in the light of the assurance of the chairman [Mr. MAGNUSON], the Senator from Ohio [Mr. LAUSCHE], and the Senator from South Carolina [Mr. THURMOND], that we may vote at, say, 15 minutes after 1. That would allow a full 30 minutes of debate, instead of the 20 minutes I suggested. I hope that may be done.

Mr. THURMOND. If I may have 10 minutes on the bill, that will be enough for me.

Mr. JOHNSON of Texas. That will be satisfactory. The Senator from Washington [Mr. MAGNUSON] wants 10 minutes, the Senator from Ohio [Mr. LAUSCHE] wants 10 minutes, the Senator from South Carolina [Mr. THURMOND] wants 10 minutes. All Senators should be on notice that a vote is expected at about 20 minutes after 1.

Mr. MORSE. The Senator from South Carolina is not seeking to limit himself, is he?

Mr. LAUSCHE. I would like to speak when more Senators are on the floor. I do not want to talk chiefly to newspapermen.

Mr. JOHNSON of Texas. There are some Senators here. Does the Senator wish to suggest the absence of a quorum?

Mr. DIRKSEN. The Senator from Texas is not trying to fix a time for a vote, is he?

Mr. LAUSCHE. Let us start now.

Mr. JOHNSON of Texas. I suggest that the Senator from Washington make his explanation of the bill.

Mr. MAGNUSON. The House has passed a bill on this subject.

Mr. JOHNSON of Texas. Mr. President, before the Senator proceeds, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. MAGNUSON. The House has passed H.R. 5421. The House bill contains no defense features. I think such features are desirable. The House bill is limited to sections of the industry which have been denied tariff relief.

The House bill provides an expenditure of $1 million annually for a period of 3 years.

The Senate bill, which is directed to the same problem, requires that all plans and specifications shall be submitted to the Department of Defense. The Department testified concerning the need for these ships in time of war or for standby purposes for use by the Department of Defense.

The Senate bill provides, further, that applicants must employ American crews or legally domiciled aliens.

It provides also that the full catch must be delivered to an American port.

Fourth. The vessel must be documented under the laws of the United States.

Fifth. The defense features incorporated in vessel construction are not included in the subsidy grant.

Sixth. The Senate bill provides not more than $5 million annually for a period of 3 years.

The commercial fishing industry of the United States is a vital and important part of our national economy. No one will deny that. It has given employment to thousands in its own sphere of activity and has provided jobs for additional thousands in allied fields that depend either in whole or in part upon the industry for their livelihood. It has paid into the treasuries of local, State, and Federal Government agencies millions upon millions of dollars in taxes, permits, and license fees. The U.S. Department of the Interior has identified it as one of the $14 billion industries that have contributed so much in making the United States of America the most powerful nation in the world.

Today, this vast empire of commercial activity is in serious trouble and is most assuredly facing complete extinction. I do not say this simply to be talking. It is in serious trouble. An economic blight that is not confined to any one section of the fisheries has taken root in all geographic fishing areas. It is comparable to a disease that ultimately spreads to all extremities unless preventive measures are adopted at once to halt its progress. The blight was first discernible in the New England groundfish industry as far back as 1947. It spread to the tuna industry of California, about the same time it attacked the extensive fishery of the Northwest. The sprawling shrimp industries of Texas, Louisiana, Mississippi, Florida, and Georgia have become its latest victims. However, they recognized the symptoms and, having taken warning from the woeful plight of other sections of the fishery, are trying to protect themselves from a similar fate.

This unhealthy situation cannot be blamed on the industry. It was not caused by internal conditions such as industrial shortsightedness or plant mismanagement. It stems from a combination of restrictions, technicalities, and legal inequities over which no section of the industry was able to exercise any control. One of the major causes of depression is the antiquated and outdated trade agreement pact between the United States and some 35 foreign countries. It was written almost 30 years ago with hardly any provisions for alteration or adjustment to meet modern conditions or modern economic standards of living. Another cause is the existence of a law written in 1792 to protect the commercial fisheries of that era. The law prohibits the use of a foreign-built vessel in the American fishery. It has long outlived its usefulness but has nevertheless exerted undue influence on the economy of the Nation's fishery especially in the light of present ship construction costs in the United States.

The plight of the New England industry has been worsened drastically by the President's refusal on two occasions to invoke relief measures recommended by the U.S. Tariff Commission. Although the President recognized the status of the New England fishery and suggested other possible solutions to its problem, none of the suggested solutions were ever implemented. The New England group appealed to every Federal agency that was empowered to help them but no help was forthcoming. They appealed to the White House asking that the promises of assistance voiced by Presidential assistants during appearances before congressional committees be fulfilled. The group, becoming desperately apprehensive, prepared its own rehabilitation program and submitted it to the Government for analysis only to have it ignored and summarily rejected.

They now appeal to Congress to grant at least one basic and vitally essential phase of the program, the right to build fishing vessels under fair and equitable conditions. They are joined in this appeal by all the major commercial fishing centers throughout the United States. It has nationwide support. They do not ask for repeal of the law which prohibits using foreign-built vessels in the commercial fishery of the United States, because we want such ships constructed in the United States. The exercise of such a repeal would inflict untold hardship on our American shipbuilders, on our shipyard workers and create a depression of major proportion in our domestic ship construction industry. It may solve one problem but it would create another of the first magnitude. In this bill, they petition instead for the right to build vessels under the same terms and conditions that are offered to the other segments of our maritime industries.

This request cannot be dismissed as just another subsidy program. It involves a vital part of our national defense and security structure. We are currently engaged in an economic cold war with the Soviet bloc. Our intelligence sources tell us, that as part of the strategy employed by the Russians in this cold war, they have developed and are presently implementing a long-range commercial fishery program designed to make Russia the leading fish-producing nation in the world by 1965.

Mr. President, I have seen pictures of such vessels. I have been aboard them. I have listened to reports of how the Russian fishing fleet is even greater than the Japanese fishing fleet, or greater than other fleets which compete with ours. The Russian fishing fleet makes ours look almost shameful. Theirs will be a new, highly modernized fleet which will be able to go out, as they are now doing, to all sections of the high seas, to all the historic fishing grounds in the world, and our fleet will have no chance to compete while using the old ships which are now in service.

The Russians are well on their way toward accomplishing that objective. A huge fleet of deep-sea trawlers and factory ships to comb the high seas of the world is being built in European shipyards. There is factual evidence of this that cannot be ignored.

Mr. President, I ask unanimous consent to place in the RECORD at this point a further statement concerning the Russian fleet and its costs, and also to the effect that the bill seeks to correct a very unjust situation. It is only fair and equitable treatment for our domestic fisheries.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN REGARD TO S. 2578

The commercial fishing industry of the United States is a vital and important part of our national economy. It has given employment to thousands in its own sphere of activity and has provided jobs for additional thousands in allied fields that depend either in whole or in part upon the industry for their livelihood. It has paid into the treasuries of local, State, and Federal Government agencies millions upon millions of dollars in taxes, permits, and license fees. The U.S. Department of Interior has identified it as one of the $14 billion industries that have contributed so much in making the United States of America the most powerful Nation in the world.

Today, this vast empire of commercial activity is in serious trouble and is most assuredly facing complete extinction. An economic blight that is not confined to any one section of the fisheries has taken root in all geographic fishing areas. It is comparable to a disease that ultimately spreads to all extremities unless preventive measures are adopted at once to halt its progress. The blight was first discernible in the New England groundfish industry as far back as 1947. It spread to the tuna industry of California, about the same time it attacked the great bottom fishery of the Northwest. The sprawling shrimp industries of Texas, Louisiana, Mississippi, Florida, and Georgia have become its latest victims. However, they recognized the symptoms and, having taken

warning from the woeful plight of other sections of the fishery, are trying to protect themselves from a similar fate.

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The plight of the New England industry has been worsened drastically by the President's refusal on two occasions to invoke relief measures recommended by the U.S. Tariff Commission. Although the President recognized the status of the New England fishery and suggested other possible solutions to its problem none of the suggested solutions were ever implemented. The New England group appealed to every Federal agency that was empowered to help them but no help was forthcoming. They appealed to the White House asking that the promises of assistance voiced by Presidential assistants during appearances before congressional committees be fulfilled. The group, becoming desperately apprehensive, prepared its own rehabilitation program and submitted it to the Government for analysis only to have it ignored and summarily rejected.

They now appeal to Congress to grant at least one basic and vitally essential phase of the program, the right to build fishing vessels under fair and equitable conditions. They are joined in this appeal by all the major commercial fishing centers throughout the United States. It has nationwide support. They do not ask for repeal of the law which prohibits using foreign-built vessels in the commercial fishery of the United States. The exercise of such a repeal would inflict untold hardship on our American shipbuilders, on our shipyard workers, and create a depression of major proportion in our domestic ship construction industry. It may solve one problem but it would create another of the first magnitude. In this bill, they petition instead for the right to build vessels under the same terms and conditions that are offered to the other segments of our maritime industries.

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A large flotilla of modern Russian trawlers are currently active in the fishery of the Bering Sea. Three supersized factory ships are now operating in the North Atlantic. A fleet of 100 such vessels are in the process of construction for later use in that area. These vessels are equipped with modern scientific and electronic devices, to conduct hydrographic studies, oceanographic research, act as weather stations, and have instruments to chart, plot and analyze the contour and conditions of the oceans bottom.

All such information is vital in conducting military and naval operations on the high seas in time of need. Several Members of Congress had an opportunity to view a film of one of the modern Soviet factory ships currently operating in the North Atlantic. It was indeed an impressive and awe inspiring sight. The reaction of one west coast Congressman typified the reaction of all who saw it. He said, "That's a factory ship? It looks like the *Maniposa*." We have nothing in this country to match such a program. Our fishing fleets in all areas are declining in numbers because of age and the economic blight previously referred to. Our deep sea trawler fleets that saw active duty on the high seas during World War II and which were so invaluable as bulwarks in our defense perimeter are old and worn out.

In order to meet the active competition of foreign fishery interests on the oceans of the world, the domestic industry must first have vessels as modern and efficient as those of their competitors. Domestic fishing vessels must, by law, be built in the United States. However, the costs of constructing a vessel in an American shipyard are from 38 percent to 50 percent higher than the cost of constructing the same type of vessel in a foreign yard. This places an insurmountable burden on a domestic industry that is already severely handicapped by the pressure of foreign imports.

This bill seeks to correct an unjust situation. It seeks only fair and equitable treatment for our domestic fisheries. Its enactment would enable our American fishing vessels to compete on a more equal basis against the vessels of foreign countries and render our industry more self-sustaining. It is vitally needed legislation not only for the purpose of improving the status of our commercial fisheries but also for the purpose of implementing our complex national defense effort.

Mr. MAGNUSON. Mr. President, the bill also affects the tuna situation. I observe the Senator from California [Mr. ENGLE] present. He has done yeoman work in an attempt to alleviate the serious condition in which the tuna fleet finds itself. At San Pedro and San Diego numerous vessels of the fishing fleet are tied to the piers.

As a matter of fact, I have an indirect interest in this bill, Mr. President. Most of the great tuna clippers have been built in the Puget Sound area, in yards established and run by fathers and sons. But in the last 7 years, not one tuna clipper has been built on the entire west coast—because of the importations of fresh and frozen tuna from Japan, without any tariff or duty or quota at all.

Mr. President, either we shall keep our commercial tuna fisheries alive or we shall not. If this measure is a drastic one, at least the situation requires drastic measures.

Mr. ENGLE. Mr. President, the nominal purpose of Senate bill 2578 is stated in part as a bill "to enable the fishing industry of the United States to regain a favorable economic status." But the passage of this measure will also contribute to the achievement of several far greater objectives. This bill without question is of solid significance to the security of the United States. It is important in helping to feed the country's expanding population; and it will be of inestimable future significance in the longer term, when the nations of the world are dividing up the resources of the sea, to make up for shortages in land-produced proteins.

As I say, the basic purpose of the bill is to help our distressed high-seas fishing fleets to survive.

I concur in the statement which has been made by the distinguished chairman of the Senate Committee on Interstate and Foreign Commerce—namely, that at the present time our fishing fleets are tied up at the docks, and are not getting anywhere.

Mr. MAGNUSON. And despite the fact that the domestic consumption of fish and seafood has increased almost four times since 1945.

Mr. ENGLE. Yes; that is a most significant development. Despite that fact, as the chairman of the committee has said, our fishing fleets are tied up; they are wholly inadequate to meet the competition of the fishing fleets of either Japan or the Soviet Union.

Mr. President, no one will claim that the small sum here authorized will completely cure any or all of the ills of our fishing fleets. This is admitted by all. Nevertheless, passage of this bill will do these things for our fleets:

First. It will tell our sorely distressed fisheries industries that the Congress is really interested in their survival.

Second. It will enable a start to be made on the construtcion of new, modern, well-designed fishing vessels capable, we believe, of competing with any fishing vessels of any nation—Russia, Japan, Iceland, or Norway.

Third. This encouragement, when provided by the Congress, plus the obvious advantages of the few boats that will be built with the help of these funds, will lure private capital back into the construction of an adequate fishing fleet—capital that in recent years has fled to less risky investments ashore.

The fact is, Mr. President, that at the present time, no one with any sense would invest any money in an attempt to build up the American fishing fleets.

It is natural that my primary interest in this proposed legislation stems from my desire to help the important tuna industry of my own State. I know from personal observation the desperate condition of the southern California tuna clipper fleet, once one of the largest, most valuable, and most magnificent of the fishing fleets of the world, but now reduced—through lack of financial resources—to a ghost fleet, tied to docks and unable to sail, because it cannot compete profitably with the fleets of other nations.

On the other hand, I have heard the testimony of the New England fishery people; and I sympathize with their needs. I agree that we must do something to help the great New England industry.

With regard to the tuna industry, however, I consider the proposed construction differential assistance but one facet of a larger program that will in the not-too-distant future put that industry back on its feet and enable it to assume its rightful role of feeding our people with wholesome, nutritious, protein food, assisting in the Nation's security program, and harvesting the renewable riches of the sea for the greater prosperity of the State of California, the Nation, and the world.

The other facets of our attack on the tuna problem include a government-to-government conference between the United States and Japan, to examine the overall problems of the tuna industries of both countries. Such a conference has been arranged. It is hoped that this mutual examination will lead to greater understanding by both industries and ultimate elimination of some of the problems of duplication and competition. The government-to-government conference will begin in Tokyo, in late September. Industry advisers with practical knowledge of the problems will be included in the delegations.

I may say that the tuna industry has been active and vigorous in looking after its own problems and in trying to help get the tuna fleets away from the docks and back at sea.

The third line of attack on the tuna problem is a concerted research effort participated in by Federal, State, and international agencies, with industry support, to help our tuna fishing and processing industries harvest this resource in the most efficient and economical way consistent with sound conservation practices. Some of these programs are already going forward. Others are just now beginning. Others will be started in the near future. The long-term outlook is hopeful—provided there is still in being a fleet—and I stress this point—to utilize advantageously the information gained. Senate bill 2578 is one of the devices to assure that there will be a tuna fleet when that day arrives.

Mr. President, I summarize my statement by saying that, first, we wish to reconstruct the fleet, so it can compete. At the present time its ancient hulls are unable to compete with the modern fleets put to sea by Japan, the Soviets, and others.

Second, we want to talk with the Japanese tuna industry, because that industry could voluntarily flood the American market, if it wanted to, with low-priced tuna. We want to get an understanding that that will not occur, and that there will be an equitable division of the existing markets, not only in the United States, but throughout the world.

Third, we want to have the research program go forward, so as to discover the means of making it possible to find more efficient ways to harvest the fish crop and the other food crops of the oceans.

I have referred to the significance of this bill to the Nation's security. This is no mere matter of putting machinegun mounts and radar equipment on some trawlers or tuna clippers.

I may say that every time we have had a program to help the American merchant marine, the Federal Government's help to the American merchant marine has been based on the proposition that it is sound for America to have an American merchant marine, and not be dependent upon foreign shipping, either in times of peace or in times of war. That was the basis of the first Merchant Marine Act written in 1936; and it has been the basis of every Merchant Marine Act since that time.

In amending the bill, as we have done, as was pointed out by our distinguished chairman—we had precisely that point in mind.

Report No. 803 of the Senate Interstate and Foreign Commerce Committee quotes in full a letter from the Chief of Naval Operations, Adm. Arleigh Burke, who makes the flat statement that the existence of U.S. deep-sea fishing units provides a reservoir of ships to carry out certain peacetime, as well as wartime, naval functions.

I may state that the Soviet fishing fleets, not only in the Antarctic, but also in the Atlantic Ocean, are, in our opinion, not altogether engaged in the business of taking fish. Those fishing fleets are doing some other things. They are making some observations for the benefit of the Soviet Union. I have suspicion that they are taking a good look at our picket ships on the Early Warning Line; that they are trying to ascertain if they can, and they probably have the facilities to do it, what we are doing at Cape Canaveral, hundreds and hundreds of miles away, in the ballistic missiles field, and some other activities. So these fishing fleets, spread throughout the world, have the peacetime function of bringing intelligence to the military.

Understandably, Admiral Burke did not elaborate on what those functions are. As far as I am concerned, he does not need to. However, as an indication of just what some of those functions might be, it is useful to note that our high seas fishing fleets cover continuously large areas of ocean not normally traversed by other vessels. They are able to take all kinds of observations in those areas, ranging from weather records to the scouting and spotting of unidentified undersea craft.

Our tuna clippers also, with their large refrigeration capacity and shallow draft, are able to provide logistic support where other vessels cannot go. They did so repeatedly in World War II, when practically every tuna clipper capable of putting to sea was taken over by the Navy shortly after Pearl Harbor. These high-seas fishing fleets provide pools of skilled seamen, navigators, and skippers for small naval auxiliary craft in time of hostility.

The distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. MAGNUSON], during the Second World War, was sent into Alaskan waters to try to find some people who knew enough about those waters in order to enable our ships to go into that area with safety. We did not have people who were familiar with those waters. These fishing fleets provide that service regularly, and without any cost to the Federal Government.

The last, but far from least, aspect of national security that I wish to touch upon, Mr. President, is this: This bill would not be before us today if our fishermen were able to buy their fishing vessels from foreign shipyards, where they could be built at a cost comparable to that of competing foreign vessels. However, we have on the statute books, and rightfully so, a prohibition against documenting, under the laws of the United States, any fishing vessels constructed in foreign countries. We all know the lengths to which we go to keep our domestic shipyards in existence. We all know how important it is to our country, as the leader of the free world, to be able to construct ships in time of need to maintain our contact with our allies, most of whom are separated from us by vast stretches of ocean. The construction of fishing vessels in domestic yards helps in no small way to keep those essential shipbuilding facilities in existence.

Mr. President, in view of these points just enumerated, can anyone successfully challenge the importance to national security of a healthy high-seas fishing fleet?

It is my view that this bill, while by no means the complete answer to all of our fisheries problems, does represent a good first step. Taken in conjunction with other activities—legislative, administrative, and voluntary programs of our fishing industry—we may be said to be embarking on a course that will meet our national requirement for a sound and prosperous industry capable of carrying out its responsibility to feed the people, aid the national defense, and provide jobs and wealth for the Nation.

Let me say that, so far as the fishing industry of America is concerned, we are at the crossroads. We will either take the action now proposed, or we will not have a fishing fleet for America any more.

AMERICA NEEDS A MODERN FISHING FLEET

Mr. KUCHEL. Mr. President, while it is not my good fortune to serve on the Committee on Interstate and Foreign Commerce, I am gratified that this committee has once again undertaken to assist our Nation's harrassed fishing industry by reporting favorably the bill S. 2578 to enable this industry to regain a more healthy economic condition.

I desire to commend this bill for favorable consideration of my colleagues because it appears sorely needed to equip the fishermen of America with modern equipment.

This bill will provide a construction differential which is decidedly in the national interest. Only with up-to-date vessels and gear can American fishermen hold their own against ever-increasing competition from abroad which has the very considerable advantage of a marked differential in operating costs, construction costs, and wages.

This legislation alone will not cure the ills from which our domestic fishing industry is suffering, but I daresay it will strengthen this industry and enable it to function more efficiently, and probably more economically.

Legislation of this type, which recognizes the collateral national defense value of a well-maintained fishing fleet, is merely one step in a long program to protect the various branches of the fishing industry. It will carry on the actions of the past few years, in which I was happy to participate, which include mortgage loans to boat owners for modernization of their present vessels and reorganization of the Fish and Wild Life Service so it can better assist those whose livelihood is derived from harvesting the sea.

The continuing plight of the fishing industry has caused me much concern, as I know it has my colleagues from the Pacific coast and from New England. Details of our problems may differ, but we have one common interest: to make certain that the traditional occupation of thousands of our fellow citizens is not wiped out by overwhelming competition from fishermen of other nations.

Enactment of the bill S. 2578 is desired by the hard-pressed southern California tuna fishing industry, which has been brought to the brink of financial disaster through the invasion of their American market by Japanese projects in ever-mounting volume. While our fleet has shrunk dangerously, there remain fishermen and fleet owners resolutely striving to keep operating. They from time to time must replace their vessels, due to obsolescence and to occasional tragic losses at sea or from other causes.

I am hopeful that a renascence of this southern California industry may be in the offing because of efforts now in progress to neutralize the Japanese competition.

Within a few days, a delegation of American Government officials and industry representatives will have departed for Tokyo to engage in conversations which I was happy to be instrumental in arranging. The Department of State, with the concurrence of and at the urging of the Interior Department and the Navy, finally has obtained an opportunity to sit around a table with our Japanese allies in discussion of the problem of economic survival.

As I told our Under Secretary of State, Mr. Douglas Dillon, it is imperative that we take up with Japan such matters as better conservation practices and more productive research. The agenda for this conference is being perfected, and I earnestly hope that spokesmen for the two nations will reach understandings beneficial to citizens of each country.

If cutthroat competition can be curbed, the American industry then will enter a stage favorable for a vigorous comeback. Enactment of legislation providing assistance by our Government in constructing new vessels would be a major ingredient of economic recovery for the southern California tuna industry. This bill also would be equally helpful to those engaging in sardine and mackerel fishing, to our salmon fisheries in the great new 49th State of Alaska, and to many other American operators in the Northern Hemisphere.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator desire a quorum call before the third reading of the bill?

Mr. MORSE. Yes. Some Senator may desire to offer an amendment; I do not know.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Ervin	Monroney
Allott	Frear	Morse
Anderson	Fulbright	Moss
Bartlett	Green	Mundt
Beall	Hart	Murray
Bennett	Hayden	Muskie
Bible	Hennings	Neuberger
Bridges	Hickenlooper	Pastore
Bush	Hill	Prouty
Butler	Holland	Proxmire
Byrd, Va.	Hruska	Robertson
Byrd, W. Va.	Jackson	Russell
Cannon	Javits	Saltonstall
Capehart	Johnson, Tex.	Schoeppel
Carlson	Johnston, S.C.	Scott
Carroll	Jordan	Smathers
Case, N.J.	Kerr	Smith
Chavez	Kuchel	Sparkman
Clark	Langer	Stennis
Cooper	Lausche	Symington
Cotton	Long, Hawaii	Talmadge
Curtis	Long, La.	Thurmond
Dirksen	McCarthy	Wiley
Dodd	McClellan	Williams, N.J.
Douglas	McGee	Yarborough
Dworshak	McNamara	Young, N. Dak.
Eastland	Magnuson	Young, Ohio
Ellender	Mansfield	
Engle	Martin	

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present. The bill is open to amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and was read the third time.

Mr. SALTONSTALL. Mr. President, I hope the bill will pass. We in Massachusetts are very much interested in the fishing industry. It is one of the oldest industries of our Nation. Certainly on the Atlantic coast today it is still a very important industry. It employs many people in the city of Gloucester, in the city of New Bedford, and in the city of Boston; and in the other sections of New England, in Maine particularly, there are many people who make their living in the fishing industry.

On the Atlantic coast we must compete with 19 other nations off the Grand Banks. Some of their vessels have a much shorter distance to travel than do our fishing vessels, and consequently have lower costs of operation.

To compete with the other nations, Mr. President, we must have good ships, we must have modern ships, and we must have ships which can handle the fish in the best possible manner as they are brought aboard. Today many of our fishing ships are out of date as compared with the ships from the other 19 nations with which they must compete. Under present law the fishing vessels in the United States must be built in our country. They cannot be built in foreign countries.

At the same time they receive no subsidy or help from the Federal Government in connection with the cost of construction. The Merchant Marine Act, passed, I believe, in 1936, provided a Federal subsidy for the construction of merchant ships and for their operating costs. We are not asking for an operating cost subsidy. We are asking for a construction subsidy, which is now obtained by the merchant ships. That construction subsidy today is approximately 50 percent of the construction costs.

I ask the question, which I believe is a fair one to be addressed to those who oppose the bill: Why should merchant vessels, which carry freight, be given a construction cost subsidy, whereas fishing vessels, which serve one of our great industries, with the people engaged in it providing food for all of us, working hard and earning their livelihood by the sweat of their brows, be deprived of a construction subsidy?

Originally the act, before it was passed, was called the Merchant Marine and Fisheries Act. In other words, fishing ships were included, along with merchant ships. In the final drafting of the new law it became the Merchant Marine Act, pertaining to merchant ships alone, and fishing vessels were left out.

For the past 2 or 3 years, with the cooperation of the Senator from Washington [Mr. MAGNUSON] and other Senators from the west coast and the east coast, we have been trying to get a construction subsidy applied to fishing vessels.

From the standpoint of national security we must have modern ships which can help us in time of war. One of the reasons for the subsidy originally on merchant ships was that we wished the ship-construction industry to be kept going.

We are not asking for subsidy so much from the ship construction industry angle as we are asking for it to modernize our fishing fleet, and to make it possible for our fishing fleet to compete with other nations through modern equipment.

In addition to the cost of modern equipment we have the problem of cost of living. Our salaries and wages in this country are higher than the wages in other countries. If we are going to be able to compete with the present reciprocal trade laws as they are, and with our higher wages, we must have modern ships with which to do it. We cannot send our men out with old ships, but under present conditions new ones cannot be built because they will cost 50 percent more than the cost of ships built in other countries. Our ships travel longer distances to compete with foreign ships with modern equipment.

So I hope that the pending bill will become law. It was a recommendation of the committee last year. It passed the Senate, as I remember, but it died because Congress adjourned before the

House could act on it. I hope this year, the House having passed its bill, the Senate will pass it also. If the bill is passed, we will be taking one step forward to help revive and stabilize our fishing industry and to make it possible for the men who go out and make their living by fishing to continue to compete with fishermen from other countries.

I hope the bill will become law.

Mr. LAUSCHE. Mr. President, I rise to speak in opposition to the bill. The bill contemplates providing for the fishing industry a subsidy in the construction of the ships which they use in their business. The fishing industry in effect declares, "We cannot compete with Russia in the buying of ships which are constructed with costly American labor, and since we cannot compete with Russia, we ask that the Government subsidize us in an amount not to exceed 33⅓ percent of the difference in building a ship in the United States and building it in a foreign nation."

I submit to my colleagues that that is a very unsound argument. If the argument is sound that we should subsidize because we cannot compete with Russia, then every industry in the country in the end would be justified in coming to Congress and saying, "We cannot continue in existence unless the general taxpayers of our country will give us a subsidy."

Mr. ENGLE. Will the Senator yield?

Mr. LAUSCHE. No; not at this time. Where does that lead us? It leads us to the adoption of the Communist philosophy of government.

In the committee, the question was asked, "Is the Russian fishing industry subsidized?"

The answer given was that it was. Therefore, the argument is that if Russia subsidizes the fishing industry, the United States should also do so. In Russian there is no private enterprise. It is all governmental; and if the argument which has been advanced for the passage of this bill is generally applied, we must give up our democratic form of government and accept the Communist form.

In the committee, the Senator from Rhode Island [Mr. PASTORE] said, in effect, "If we are to subsidize the building of ships used in fishing, what about the watch industry, the ceramic industry, the machine tool industry, the violin manufacturing industry, the bicycle industry, and the garment and textile industry?"

It was said, "If a subsidy is established in some special field, and is justified by a special reason for a subsidy, we may go along with it."

Then came the great legerdemain. It was decided to tie it into the national defense. The argument is that the fishing fleet is indispensable to the maintenance of the safety and security of the U.S. Government.

I notice that the Senator from Michigan [Mr. HART] is looking longingly at me, and possibly approving my argument. If we subsidize the shipbuilding industry for fishing, then I say let us subsidize the automobile manufacturing industry.

Mr. HART. At least let us reduce the automobile excise taxes.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield for a question.

Mr. ENGLE. Would the Senator advocate the repeal of all legislation which authorizes subsidies for the American merchant marine?

Mr. LAUSCHE. I would not; but I emphatically state that we had better put a stop to the expansion of subsidies. In connection with the merchant marine subsidy, 1 month ago we passed a bill including in it the drydock industry. Today it is proposed to include the fishing industry. Tomorrow we shall include the fish catching equipment, and so on down the line. In principle I am opposed to our Government expanding its participation in subsidies.

Mr. ENGLE. Mr. President, will the Senator yield for another question?

Mr. LAUSCHE. I yield.

Mr. ENGLE. If the distinguished Senator has the choice between seeing an industry vital to America's security—and I ask him to assume that for the purpose of the question—would he prefer to see the industry die or would he prefer to subsidize it to keep it in existence?

Mr. LAUSCHE. I am glad the Senator from California asked that question. It enables me to tell my colleagues that the Department of the Interior said that inasmuch as these ships are of 5 tons capacity, or words to that effect, we should allow them to be documented, even though they are built by foreign shipbuilders. The proponents, however, do not want that. It seems to me that there is a dual purpose—first, in a measure to protect the fishing industry; and second, to protect the shipbuilding industry.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Does the Senator know of any other industry which has to compete with 19 other nations, and in which construction costs—before any operating costs are reached—are 50 percent less in foreign countries than they are in the United States?

Mr. LAUSCHE. I would have to answer the Senator from Massachusetts by saying that in practically every day's mail I receive letters telling of the difficulty of continuing in business because of the frightening competition which Russia, Japan, Germany, and other nations are giving us. If what we are trying to do is right in principle, it should be expanded to cover every industry that is in danger of extinction because of competition.

Mr. SALTONSTALL. Mr. President, will the Senator further yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. In connection with many of the other industries with respect to which the Senator is receiving mail, and I am receiving mail—and we have the same problems in Massachusetts that exist in the Senator's State—there is a question of operating expenses. The important question is one of the cost of doing the work. We are not asking in this bill for any subsidy for operations. We are merely asking for capital assistance from the Government, when the same assistance is being given in the building of other ships for the United States.

Mr. LAUSCHE. I am obliged to point out again what the Department of the Interior said. The Department of the Interior and every other branch of the administrative side of the Government oppose this bill. They say, "Let us allow the fishing industry to purchase foreign ships. They are small in capacity. They will not affect the shipbuilding industry of our country. Let those ships, purchased abroad, be registered." At present they cannot be registered. But the proponents of the bill will not accept that amendment recommended by the Department of the Interior.

The Department of the Interior also says, "Let us set up a direct loan fund to help the fishing industry." But the industry does not want that.

Mr. SALTONSTALL. We are not asking for that.

Mr. LAUSCHE. The fishing industry is asking for a direct subsidy.

Mr. SALTONSTALL. On construction costs alone, the same as applies to every merchant ship of the United States Lines and all the other lines that are operating merchant ships. As stated in the few remarks I made, originally the 1936 bill included in the title the fishing industry, but that was stricken out when final action was taken. We believe it should not have been stricken out, and should be there now.

Mr. LAUSCHE. I feel that if the Senator from Masssachusetts lived in any other State but Massachusetts, knowing of his fine thinking, and of his recognition of the financial problems of our country, I believe that he would not be supporting this bill today.

Mr. SALTONSTALL. Mr. President, will the Senator yield for an observation?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. One of the best meals I have ever had anywhere was in Columbus, Ohio, at the Governors' conference. The Senator spent many years there as Governor. At that conference fish and lobsters and other delicacies were imported from Massachusetts and other east coast States to provide the citizens of Ohio with a good meal. That is what we want to do with this bill.

Mr. LAUSCHE. I understand that. I love eating the seafood of Massachusetts. I once played baseball in Lawrence, Mass., in the old Eastern League. Aside from getting base hits, there was no greater delight than that of eating Boston seafood.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. ENGLE. The Senator said he would not support striking down all the legislation at present on the books, under which the Federal Government helps to maintain an American merchant marine. If I correctly understand the Senator's position, he is for the act of 1936, under which the Federal Government subsidizes and supports the American merchant marine, both with respect to construction costs and operation costs, involving the expenditure of many millions

of dollars. The Senator will note from page 7 of the bill that it carries an appropriation of $1 million annually for 3 years. Is not the Senator gagging at a gnat and swallowing a camel when he is willing to support subsidies for the American merchant marine, but refuses to support legislation which would cost only $1 million a year?

I beg the Senator's pardon. My attention has been called to the fact that the Senate bill calls for $5 million, which is, nevertheless, a gnat, when compared with a camel, with respect to the general program of sustaining the American merchant marine. So I ask the Senator; Is he not straining at a gnat and swallowing a camel when he protests this situation?

Mr. LAUSCHE. The answer is very simple. We must approach the problem from the standpoint of a universal principle. It cannot be decided merely because it involves only $1 million or $5 million a year.

Mr. ENGLE. It is the same principle. That is what I am driving at.

Mr. LAUSCHE. The question is whether the principle is sound. It is not the same principle. The bill deals with subsidizing coastal shipping. It deals with subsidizing an industry which does not carry passengers or cargoes from one part of the Nation to another.

Furthermore, I believe we have subsidized the merchant marine beyond the point where it ought to be subsidized. In the last 20 years Congress has provided $1 billion for the merchant marine. Every year, the representatives of the merchant marine come before our committee, headed by the distinguished Senator from Washington [Mr. MAGNUSON], asking for more and more money from the taxpayers.

Mr. ENGLE. Mr. President, will the Senator yield for a further observation?

Mr. LAUSCHE. I yield.

Mr. ENGLE. Now the Senator has me thoroughly confused. He has stated in answer to my question that he would not advocate the repeal of the Federal subsidy legislation to sustain the merchant marine, although he says it has cost a billion dollars to do so. That is what he said. If the record is not clear on that point, then I will withdraw my statement. But I think that is what the Senator said.

Now he says that is going too far, but that the matter ought to be decided on a matter of principle. The principle is, of course, that there is an American interest in maintaining an American merchant marine. That is the basis of the 1936 act. That is the basis on which the Federal Government has spent $1 billion on the American merchant marine. Now we talk about $5 million to subsidize the fishing fleet. But the distinguished Senator from Ohio says that that does not fall within the same principle, because these ships are not oceangoing ships; they do not go out very far. Well, they get out to a distance of 400 or 500 miles, and people get drowned, and we never hear about them. But apparently the Senator did not hear the statement I made, in which I quoted the Chief of Naval Operations, Adm. Arleigh Burke, who said that the coastal fishing fleet was an essential part of the American merchant marine and contributed to the national defense. In other words, the man who knows best is not willing to advocate the repeal of the law under which the American merchant marine is subsidized.

Mr. LAUSCHE. Mr. President, the proponents of the bill have had their time. There are many subsidies to which I would be opposed if I had been initially here. But they are so deeply rooted that they cannot be repealed. My approach to the problem is that we had better put a stop to subsidies of this kind, unless we want to convert our basic form of government completely.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I should like to ask one other question. Perhaps the Senator from California would help me to get the answer. Is there any other industry which the Senator from Ohio or the Senator from California knows of in which the capital construction—in other words, in this case, the ship—has to be built in the United States, and cannot be imported from England or Japan? That is one of the problems connected with the bill.

Mr. LAUSCHE. The Department of the Interior recommended what should be done in this bill. The bill permits the fishing industry to buy ships from foreign manufacturers if the ships have a capacity of 5 tons or less, and lets them be documented. That is the answer of the administrative side of the Government.

I close with this statement: The President of the United States has vetoed many money spending bills. In my opinion, he vetoed them because he realizes that the fiscal credit of the United States has to be restored in the faith of the people of the world and the people of our own country.

I disagreed with Senators on this side of the aisle the other evening when the Senate voted on the question whether to override the veto of the President. The United States is suffering a flight of gold from our Nation. The gold reserves at present are $19 billion. Within the last half decade, at one time, the reserves were $23 billion.

The United States is suffering from a cheapening of the dollar. The Canadian dollar is worth 6 cents more than the American dollar. The German mark is worth more than the American dollar. The Swiss franc is worth more. American dollars are buying Canadian bonds. The American people do not want to buy the bonds of our own country.

There is no graver problem before the people of the Nation and of Congress than to demonstrate that we do not contemplate moving more and more in the subsidizing of industries and businesses. No greater service can be rendered by us than to declare that we shall put our fiscal house in order.

Five million dollars means nothing of itself; but it is simply one new business which is being taken over by the purpose of subsidization. I have within myself an intuitive feeling that before we realize it calamity will break loose on account of the fiscal operations of our Government. If our country should be hit by a panic and with a run on the gold in our Treasury, this Nation will awaken. I will not be a party to anything which will aggravate the problem confronting us and which is likely to create a panic, further lower the value of our dollar, and endanger our gold reserves.

Mr. ENGLE. Mr. President, in order to get the proposed legislation in a proper parliamentary posture before the vote—and I know some other Senators wish to speak on the bill—I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of H.R. 5421, a companion bill; that the Senate proceed to the consideration of, and that the yea-and-nay vote be held on, H.R. 5421, instead of on S. 2578, on which the yeas and nays were ordered.

The reason why I make this request is that the House has sent its bill to the Senate, and it is now in our committee. The House bill is worded in slightly different terms. I desire to call up the House bill, substitute the Senate language for the House language, and proceed to a vote on the House bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

The House bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5421) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill.

Mr. ENGLE. Mr. President, I move to strike out all after the enacting clause of H.R. 5421 and to substitute in lieu thereof the language of S. 2578.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill as amended was read the third time.

Mr. THURMOND. Mr. President, I rise in opposition to H.R. 5421. The bill provides for the payment of construction differential subsidies for fishing vessels up to 33⅓ percent of the cost of construction. It provides for an appropriation not to exceed $5 million a year for a period of 3 years.

The cure of the ills of the domestic fishing industry does not lie in a program of Federal subsidy to that industry. On the contrary, it has been shown in the past that such an approach leads only to

ever-increasing dependence on the Federal Government. That is demonstrated in this instance by the increased subsidy payments which have been necessitated for the merchant marine industry generally. The amount which has been paid to the merchant marine industry under the several programs of subsidization from 1947 until June 1959, is about $1 billion.

Mr. President, these amounts have increased each year. They began in 1947, with $3,314,906. In 1958, the amount reached $108,077,442.

Passage of the pending bill will be the first step in the extension of this type of program to another industry.

I predict that the cost of the program will increase in a manner similar to the increase in the cost of the subsidy program for the merchant marine.

Mr. President, the proponents of this measure urge that it is vital that our domestic fishing fleets be capable of competing with the foreign fishing industry. I do not take issue with that position. However, the proposed step should not be taken at the cost of expanding the present Federal program of subsidization to private industry, with the resultant dependency on the Federal Government and increased expenditures by our Government, which recently has registered the largest peacetime deficit in its history, and discrimination against other segments of the economy whose plight is similar, and whose pleas of assistance would soon be heard if this proposed legislation were to be enacted into law.

I realize that we want to have our ships built at home; and they should be built at home. But if we reach the point where we have to choose between having our fishing vessels built abroad or injecting the Federal Government into the business of building them, I believe it would be preferable to repeal the ban against foreign-built fishing vessels, because our Government is already in business to too great an extent.

I am convinced that if this bill were to be enacted into law, other pieces of proposed legislation would soon be submitted here, in an attempt to inject the Federal Government into the textile industry, the plywood industry, the mineral mining industry, the ceramics industry, the automobile industry, and various other types of business.

Someone raised the question that if the merchant marine is now receiving Federal benefits, why should not the fishing industry receive them? I think that question is easily answered. In the first place, the merchant marine is essential in time of war; it is certainly a strong arm of the national defense program, and is used to transport our defense forces and equipment across the waters, in the event of emergency. But the fishing vessels would be used only along the shores of our country. Although the availability of fish might be considered an aid to the national defense, it certainly would be such only to a minor extent.

Furthermore, Mr. President, in view of the fact that the purpose of the pending bill is to render Federal Government assistance to the fishing industry, I believe enactment of the bill would establish a dangerous precedent by singling out one industry or business and providing Federal Government assistance to it. If that were done, other industries would soon request like treatment.

Mr. SALTONSTALL. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from South Carolina for yielding to me.

Let me say that I know how he feels in regard to the pending bill. I wish to ask him the same question I asked the Senator from Ohio: Does he know of any other industry in our country that competes with similar industries of 19 other nations in which the construction costs or the capital costs under which those foreign industries do business are 50 percent less than the costs of that business in the United States?

Mr. THURMOND. I may reply by stating that the Japanese are now manufacturing textiles and are exporting them to the United States, and are selling them in our country at prices lower than those at which our manufacturers can even place on the market the textiles they produce.

I may also say that Japan and other countries are importing plywood into the United States, and are selling it in our country for less than the price at which the plywood manufacturers of the United States can even offer plywood on the American market. I know about those situations, because my State is vitally affected both as regards textiles and regards plywood.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from California.

Mr. ENGLE. Let me ask my distinguished friend the same question I asked the Senator from Ohio: Is he now willing to support proposed legislation to repeal the almost 25-year-old act under which the Federal Government subsidizes the American merchant marine?

Mr. THURMOND. I have not advocated repeal of the Merchant Marine Act, and I do not advocate it now. But I do not believe we should broaden this question by bringing into the discussion of the Merchant Marine Act fishing vessels which affect one specific industry. I take that position because if the Congress were once to provide for Federal Government aid to that specific industry, certainly demands would soon be made to render similar assistance to other industries—as I stated only a moment ago, in answering a question which was asked by the distinguished Senator from Massachusetts.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I am pleased to yield again to the Senator from California.

Mr. ENGLE. Let us assume that there were little or no uranium in our country, and that uranium were basic or essential to the security of our Nation, with the result that we had to purchase uranium from other countries. Would the Senator from South Carolina then be willing to subsidize uranium production, in order to aid the national security of our country?

Mr. THURMOND. I do not believe there is any parallel between that question and the pending question in regard to fishing vessels. I believe the Senator from California well knows of my interest in the national defense, as I know of his great interest in this important subject; and I am sure that both of us would be willing to pursue any course in order to protect the national defense.

But I do not consider the pending bill absolutely essential to the national defense.

I read the letter from Admiral Burke, in which he said the program proposed by means of the pending bill might be of some assistance to the national defense. But certainly it is not essential.

Furthermore, I am not too certain but that Admiral Burke might have strained his conscience a little, at least, in answering the letter from the able and distinguished Senator from Washington [Mr. MAGUSON], the chairman of our committee.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield further to me?

Mr. THURMOND. I am pleased to yield again to the senior Senator from California.

Mr. ENGLE. I should like to call attention to what Admiral Burke said.

Mr. THURMOND. I am familiar with his letter.

Mr. ENGLE. However, inasmuch as the Senator from South Carolina has mentioned the letter, I should like to read it into the RECORD, because this matter boils down to a question of who is right in regard to this proposed program.

I know that the distinguished Senator from South Carolina takes a great interest in matters of national defense. The Merchant Marine Act of 1936 was passed because we felt that the national security required the existence of an American merchant marine, in the interest of the national security.

Admiral Burke had the following to say about the proposed program:

> The recent trend of economic events relative to our U.S. deep-sea fishing fleets is indicative of possible future reduction in the availability of deep-sea fishing ships. This is of concern to the Navy because U.S. deep-sea fishing units provide a reservoir of ships to carry out certain peacetime as well as wartime naval functions. In essence, they constitute an asset to the Navy. It follows then that if there is a substantial decrease—

Let me interpolate here, to say that not only has there been a substantial decrease; but, in fact, if we do not do something about the fishing fleet, it will go out of existence.

I continue to read from the letter which was written by Admiral Burke:

> It follows then that if there is a substantial decrease in the availability of U.S. fishing units, it could operate to the detriment of our overall national defense effort.

So says Adm. Arleigh Burke.

Mr. THURMOND. I might remind the distinguished Senator the Defense Department has said that textiles are second only to steel in the matter of the defense of this Nation, and yet our textile industry has been terribly hit.

I might say again, as I stated a few moments ago to, I believe, the distinguished Senator from Massachusetts, that Japan manufactures and sends textiles to this country and can sell them cheaper than our own country can make them. But are we going to subsidize the textile industry? Are we going to subsidize the plywood industry? Are we going to subsidize the automobile industry, which is in such trouble today? How many industries are we going to subsidize by the passage of this bill today? Are not we going to set a precedent that will be a dangerous precedent for all legislation coming up in the future with respect to all industries that get in trouble?

I would remind the Senator that the Secretary of Commerce has studied this matter very carefully, and he is opposing this bill. Not only does the Secretary of Commerce oppose the bill, but the Secretary of the Interior opposes the bill.

Mr. President, I would like to say, in summary, I think there are four main points why this bill should not pass.

First, the answer to this industry in trouble does not lie in subsidies. I am convinced that every time an industry or business gets into trouble financially our Government cannot afford to inject itself in order to save that industry, unless it is something of such importance to our national defense that it is essential it do so.

Second, this bill sets a precedent for industries that, I believe, will haunt the Senate and will haunt this country in the future.

Third, this bill will get the Government further into business, which I think is very objectionable, and which I do not believe is advisable, certainly under the circumstances shown here.

Fourth, this bill will increase Government debt. We may say it is only $5 million a year, or, for a 3-year period, only $15 million. But, Mr. President, it is a little adding here, and a little adding there, and a little adding yonder that has run our debt up to the largest debt this country has ever known. We owe more money than all the nations put together do. Our debt today is about $289 billion.

We cannot afford to be adding new programs. We cannot afford to continue taking on more obligations and jeopardizing the fiscal sanity of this Nation. I am convinced that it would be a mistake to pass this bill. I believe it is a type of bill that we can well forego, and certainly we should not go into this matter and plunge our Government into another obligation that is nonessential.

Mr. HART. Mr. President, I wonder if the distinguished Senator from California [Mr. ENGLE] may help me clarify in my own mind the reasoning which he advances in support of the pending bill. I wonder if basically his approach is this, that if an industry in this country is essential to the national defense, and if it cannot compete successfully with foreign imports of its product, whatever it may be, the Federal Government then shall undertake to make up the difference? I think if I had an answer to what I hope is a simple question, I could better understand the position I should take upon this bill, and I would appreciate the Senator from California responding.

Mr. ENGLE. I will say to my distinguished friend that if we had the choice between letting any industry that is important to our national defense die or survive, we would have to make the choice, and we should choose to let it survive. I cannot believe that the automobile industry of Detroit, which is building bigger fins, and which spends more money for research on fins every year than is involved in this legislation, is in the kind of fix where it has to be subsidized by the Federal Treasury. But let me say this. I have said it time and time again. I said it in the House of Representatives. We need some types of industry. For instance, I have advocated that the mining of copper, lead, manganese, and a great many other minerals be sustained, in the face of foreign competition, by subsidy programs of one character or another, because they are absolutely essential to our national survival in the event of war. The basis of the American Merchant Marine Act was the fact that we felt the existence of an American merchant marine was essential to the national security and to the national defense.

The Senator from South Carolina has asked, "Well, what about textiles?" I can see a situation develop in which this country would not be able to manufacture enough uniforms for our soldiers or blankets for their use. If we got into that kind of a situation, we would have to find a way to help that industry out. We sustain the wool industry, and the Wool Act was passed by the Congress of the United States because we need to have that kind of production here in America.

That is my answer to the question of the Senator from Michigan. It is only a matter of degree. It is a question of how far we should go. It is a question of whether there is a real and imminent danger to the security of the United States in the imminent extinction of a particular portion of American industry in consideration of its requirement for the national defense.

Mr. HART. The distinguished Senator from California—and I appreciate his rather detailed answer—misunderstood the industry I had in mind. It never occurred to me I should ever come to the Federal Congress and ask that the automobile industry be subsidized. That happened not to be the industry I had in mind. Parenthetically, I would repeat that I hope very soon Congress will take off a burden that has been imposed on that industry in competition with the nonfinned small cars turned out with low-cost labor. Twice we have had an opportunity to take off the excise tax imposed on that industry. I would welcome the help of the Senator from California in that direction.

However, that was not the industry I had in mind. The distinguished Senator from California, when he went through the litany of other industries, happened to mention one I had in mind, as reflected in Senate bill 295, which the senior Senator from Michigan [Mr. MCNAMARA] and I have introduced, and as to which I would welcome the sponsorship of the Senator from California, in light of what he has told me.

We have proposed that we do exactly what he is asking in the case of copper mines of this country. The Senator is seated next to the junior Senator from Minnesota [Mr. MCCARTHY], who can describe the situation on the Minnesota range, which is precisely why we introduced the bill relating to the Michigan range. I think the Senator from California has given support to our effort to do something about copper mines.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. HART. Yes.

Mr. ENGLE. Let me say that when I was a Member of the House of Representatives, I introduced so many mining bills that they called me the one-man mine bloc.

Mr. HART. S. 295 has a two-man team on it. We would be glad to have the more experienced cooperation of the one-man miner.

If there is no objection, Mr. President, I ask unanimous consent that an additional cosponsor of Senate bill 295 be permitted.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll——

Mr. HOLLAND. Mr. President, will the Senator from California yield for a question?

Mr. ENGLE. I do not have the floor.

Mr. HART. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER The Senator will state it.

Mr. HART. Was consent granted to my request that S. 295 be open for additional cosponsors?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, the Senator from California does not have the floor, but I ask if the Senator will be courteous enough to reply to a question or two which I wish to ask in my time.

Mr. ENGLE. I should be delighted to try to respond to the distinguished Senator from Florida.

Mr. HOLLAND. I heard either the distinguished Senator from California or one of the other Senators who spoke in favor of the bill state that one of the objectives was to supply ships which would be needed and useful to the Navy in time of war for the defense of our Nation. I also heard mention made of the name of Admiral Burke in connection with the matter. I have read the letter written by Admiral Burke to the chairman of the committee, which is a part of the report of the committee. I

fail to find any reference in that letter to any defense implication of this program. I wondered if the distinguished Senator knew of some statement elsewhere by Admiral Burke which would justify the conclusion stated in the argument that this was a measure of importance to the defense of our country directly, in that the Navy needed to take over these ships and use them in case of war.

Mr. ENGLE. Of course, we provided in the bill that the ships must meet defense requirements. If the Senator finds nothing in Admiral Burke's letter of August 17, 1959, relating to national defense, he does not read it as I do, because the last sentence in the first paragraph says:

> It follows then that if there is a substantial decrease in the availability of U.S. fishing units, it could operate to the detriment of our overall national defense effort.

In the letter Admiral Burke also states that these ships "carry out certain peacetime as well as wartime naval functions."

Mr. HOLLAND. From what page of the report is the Senator reading?

Mr. ENGLE. From page 9 of the report. Admiral Burke's letter is shown on pages 9 and 10.

I wish to say to my distinguished friend from Florida, during the Second World War, as everyone knows, there was not a fishing boat left on either coast. The Navy grabbed them all. The distinguished chairman of the Senate Committee on Interstate and Foreign Commerce got on one of those boats and went clear to Alaska, trying to find people who knew enough about the waters around Alaska and that general area, in which we had operations, to enable the combat ships to go in and not run across rocks or run aground.

The history is that this kind of boat has been used. All of the boats we had were used. If we get into another war these boats will not be in private hands 30 days.

Mr. HOLLAND. Mr. President, I appreciate the reply of the Senator from California, but I am highly conscious of the fact that there are many shipyards in our Nation, of which we have several in my own State, which are manufacturing trawlers which are, I believe, somewhat smaller than those involved in this particular proposed legislation.

I had the privilege of attending the dedication of the 700th trawler produced by one plant alone, at St. Augustine, Fla., not long ago. I know that a great many such trawlers are being produced. There are a very large number of them in the gulf and in the South Atlantic.

I am of the feeling that the proposed legislation should not be passed unless it does directly relate to the defense of the Nation, as demonstrated by the need of the Navy for ships of the type to be subsidized by the proposed legislation, which would not be available except for the passage of the bill. I fail to find anything in the testimony which indicates that is a fact. If the Senator knows of any such testimony I wish he would indicate where it may be found.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I should like to make a statement to the Senator from Florida.

Mr. HOLLAND. If the Senator will permit, I will yield first to the Senator from Ohio.

Mr. LAUSCHE. I should like to restate what occurred in the committee.

There was general opposition to the bill. The fear was that if the bill were passed it would set a precedent for other industries to ask for subsidies. Then it was suggested that if we could put the bill on the basis of national defense perhaps we could isolate it and prevent other industries from making such requests. It was an artificial concoction.

The Secretary of Defense, as the Senator will find in the report, does not urge passage of the bill. He remains indifferent to it. This was an artificial creation in an attempt to make it appear that passage of the bill was important to national defense.

In summary, Admiral Burke does not recommend passage of the bill. The Senator can search and search what the admiral said, and he will find the admiral does not recommend it.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I will yield to the Senator from Washington in just a moment.

Mr. President, I have been trying to find something specific on this matter relating to the defense necessity of this effort, and I have not been able to find it, up to now.

My reluctance to approve the measure unless it does involve such a value comes from the fact that I know there are numerous shipyards producing small trawlers, most of which are wooden trawlers. We have several such shipyards in my own State. The Gulf of Mexico and the South Atlantic Ocean are full of those trawlers, which are operating there.

I would not want to do anything which would invite the subsidization of that industry, which has been a very profitable one and which has been operating since the colonial days of my State.

Incidentally, many of the men who are such skilled workers in wood who are building these wooden trawlers are men of Spanish descent. I was very interested to go to the shipyard to see their operations.

I do not want to have us plunge into a new field of subsidization unless it is necessary to do so to protect our Nation in a field where defense calls out loudly for some action.

I yield now to the Senator from Washington.

Mr. MAGNUSON. I think the Senator from Florida ought to understand the situation. The trawlers about which the Senator from Florida is speaking could qualify under the terms of the bill. However, those trawlers would not want to qualify for the simple reason that there is a different type of trawler involved. The ones we are talking about are the large trawlers, for use where it is necessary to compete in the Grand Banks, in the high seas of the world, in the Bering Sea, in the Tuna Banks, in the South Atlantic, and in both the South Pacific and the North Pacific. These are ships of that type. During any war they are immediately grabbed by the Navy.

As a matter of fact, no one thought it was necessary to have testimony to that effect, because we thought it was common knowledge that when a war emergency occurs the Navy takes all fishing fleets. The fishing fleets of the smaller type, such as the trawlers the Senator from Florida speaks about, are used for patrol of the coast. The large trawlers go out further into the oceans, and sometimes join with the fleet in different places. They are not used in actual combat, but they are used to transport supplies. I have known of trawlers which would meet the fleet in the South Pacific. They can transport certain supplies, and they are all useful.

The fishermen were not allowed to fish with this size and type of trawler for that reason. I imagine Admiral Burke assumed that everyone knew when something happens the Navy takes over all the fishing fleets.

The Senator from Washington himself at one time acted as the temporary JAG of the 14th Naval District, Pearl Harbor.

Mr. HOLLAND. They had an excellent "JAG" at that time.

Mr. MAGNUSON. Our first duty was to grab everything that floated. We did. The vessels were used by the Navy. Some were turned back to the Coast Guard, which was part of the military unit during the war, and these would be ships of that type. That is why there is a limitation of only $5 million in the bill. It is merely to find out what we can do with a modern trawler, whether we can compete with the Russian threat. The Russians now have 60 modern big trawlers, and 60 more are to be built. The Japanese are building them in every Japanese shipyard.

It would not necessarily affect the shipyards which build the trawlers the Senator from Florida speaks about, although conceivably they could make application, but I do not think there would be any grant of application under the bill to anyone except to an applicant who could comply.

I have no doubt that the Defense Department will probably suggest that some defense features be put on these larger ships, which they do on all ships. They have the authority to do that. The bill provides for a 3-year period.

I know the argument will be made that perhaps this subsidy situation will continue. We may have to continue it; I do not know. We have to find out first.

There is no way to build these ships under the present system. No bank will lend the money. I cannot subscribe to the argument that the subsidies paid to the merchant marine for ships which were used during the war have not been worth while. I do not have the exact figures, but the Senator from Ohio may be correct in saying that over a 20-year period we have spent a billion dollars for ship subsidies in the merchant marine.

If that is true, it will be worthwhile if something happens. We did not do anything about shipping between World War I and World War II, and we had to spend $27 billion to build merchant marine fleets which now are laid up, because we needed them at that time. That amount would subsidize the merchant marine for the next 150 years, but the ships would be available in time of war and in time of emergency.

I do not think the Senator from California, the Senator from Massachusetts [Mr. SALTONSTALL] or the Senators from any of the seaboard States want subsidies. Surely no one wants subsidies less than the Senator from Massachusetts. However, these people are desperate. Their ships are tied up at the docks. We just have to see if we can compete. The bill provides a shot in the arm that we will be giving them, and that is all it amounts to, and these trawlers alone would be worth any such amount in the defense appropriation bill.

Mr. HOLLAND. Mr. President, I appreciate the very helpful comments of the Senator from Washington. I repeat my statement that when he served as Judge Advocate General in the Pearl Harbor naval district I am sure that the district had available to it the best legal services that could be obtained anywhere.

Mr. MAGNUSON. I thank the Senator.

Mr. HOLLAND. I also wish to call the Senator's attention to the fact that the Senator from Florida has served for a good many years as chairman of the subcommittee which has attempted to supply the funds to meet the needs of the merchant marine, including its building needs. The Senator from Washington has been one of the most helpful members of the subcommittee, and the Senator from Florida wishes to pay tribute to him now. Neither of us has ever hesitated in any way to go all out for the continuation and support of a merchant marine able to serve the needs of our country under any condition, whether in peace or in war.

What causes me concern in connection with the pending bill is not only the fact that Admiral Burke, speaking specifically for the Navy, seems not to be concerned about any defense implications, but that the general counsel of the Department of Defense, in a letter to the chairman of the committee, states:

> The Department of Defense does not have available information which would enable it to form a judgment on the desirability, as a national policy, of providing special financial aid to the segments of the fishing industry. It therefore neither supports nor opposes the enactment of S. 1374.

That statement is found at page 10 of the committee report.

Mr. President, in view of that statement, the Senator from Florida does not wish to see us committed to another program of subsidy in an industry which we are supporting very generously, and which I believe we should support as generously as may be necessary to fully supply our defense needs, but no further.

I certainly do not wish to see ships which are constructed in direct competition with many trawlers which are now constructed in my own State and in other States on the Atlantic seaboard and the gulf—and I am sure there are such shipyards also on the Pacific coast—given a subsidy in such a way as to put them in unfair competition with the shipyards constructing large numbers of wooden ships which do not ask for a subsidy. Those ships involve the employment of many people, including many in my own State and in other States.

Unless a better case can be made—and I am groping for a good case on the pending bill—than I have heard in the discussion or read in the RECORD, I shall have to oppose the proposed legislation.

The PRESIDING OFFICER. On the question of the passage of the bill, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

Mr. MAGNUSON. I am sure Senators have been notified. I would suggest that we proceed with the yea-and-nay vote. I do not believe a quorum call will be necessary.

Mr. JOHNSON of Texas. If that is the Senator's judgment, I will withhold my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from West Virginia [Mr. RANDOLPH] is necessarily absent in West Virginia.

On this vote the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Delaware would vote "nay."

The Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from New York [Mr. KEATING]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from New York would vote "nay."

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Hawaii [Mr. FONG] the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. KEATING], the Senator from Kentucky [Mr. MORTON], and the Senator from Delaware [Mr. WILLIAMS] are detained on official business.

On this vote, the Senator from Delaware [Mr. WILLIAMS] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from New York [Mr. KEATING] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New York would vote "nay," and the Senator from Minnesota would vote "yea."

If present and voting, the Senator from Hawaii [Mr. FONG] would vote "yea."

The result was announced—yeas 55, nays 30, as follows:

YEAS—55

Aiken	Hart	Morse
Anderson	Hayden	Moss
Bartlett	Hennings	Murray
Beall	Hill	Muskie
Bible	Jackson	Neuberger
Bridges	Javits	Pastore
Butler	Johnson, Tex.	Prouty
Byrd, W. Va.	Johnston, S.C.	Saltonstall
Cannon	Kerr	Scott
Carroll	Kuchel	Smathers
Chavez	Langer	Smith
Clark	Long, Hawaii	Sparkman
Cooper	Long, La.	Symington
Cotton	McCarthy	Wiley
Dodd	McGee	Williams, N.J.
Eastland	McNamara	Yarborough
Engle	Magnuson	Young, N. Dak.
Frear	Mansfield	
Green	Monroney	

NAYS—30

Allott	Dworshak	Martin
Bennett	Ellender	Mundt
Bush	Ervin	Proxmire
Byrd, Va.	Fulbright	Robertson
Capehart	Hickenlooper	Russell
Carlson	Holland	Schoeppel
Case, N.J.	Hruska	Stennis
Curtis	Jordan	Talmadge
Dirksen	Lausche	Thurmond
Douglas	McClellan	Young, Ohio

NOT VOTING—15

Case, S. Dak.	Gruening	Kennedy
Church	Hartke	Morton
Fong	Humphrey	O'Mahoney
Goldwater	Keating	Randolph
Gore	Kefauver	Williams, Del.

So the bill (H.R. 5421) was passed.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States; and

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869).

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOUNTAIN, Mr. BROOKS of Louisiana, and Mrs. DWYER were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 7225. An act for the relief of Sylvester L. Gardiner;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 8277. An act for the relief of Harold William Abott and others; and

H.R. 8599. An act to amend the Small Business Act, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash; and

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend for an additional year the period when certain provisions of that act will take effect.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes;

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes;

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 6269. An act to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component;

H.R. 6335. An act for the relief of Mrs. Lourene O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache tribes of Indians of Oklahoma, and for other purposes;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7629. An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years, and for other purposes;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active-duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the Act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8593. An act to amend the Act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); and

H.J. Res. 513. Joint resolution designating the 17th day of December as "Wright Brothers Day".

WITHHOLDING FROM SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAX PURPOSES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 669, S. 2282.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2282) to amend the act of July 17, 1952.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That the Act entitled "An Act relating to withholding, for State income tax purposes, on the compensation of Federal employees", approved July 17, 1952 (66 Stat. 765; 5 U.S.C. 84b–84c), is amended to read as follows:

"That where—

"(1) the law of any State or Territory provides for the collection of a tax by imposing upon employers generally the duty of withholding sums from the compensation of employees and making returns of such sums to the authorities of such State or Territory, and

"(2) such duty to withhold is imposed generally with respect to the compensation of employees who are residents of such State or Territory, then the Secretary of the Treasury, pursuant to regulations promulgated by the President, is authorized and directed to enter into an agreement with such State or Territory within one hundred and twenty days of the request for agreement from the proper officials of such State or Territory.

Such agreement shall provide that the head of each department or agency of the United States shall comply with the requirements of such law in the case of employees of such agency or department who are subject to such tax and who are residents of such State or Territory and whose regular place of Federal employment is within the State or Territory with which such agreement is entered into. A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement. No such agreement shall apply with respect to compensation for service as a member of the Armed Forces of the United States.

"SEC. 2. Nothing in this Act shall be deemed to consent to the application of any provision of law which has the effect of imposing more burdensome requirements upon the United States than it imposes upon other employers, or which has the effect of subjecting the United States or any of its officers or employees to any penalty or liability by reason of the provisions of this Act. However, no department or agency of the United States shall, after March 31, 1959, accept compensation from any State or Territory for services rendered in withholding State or Territorial income taxes from the salaries of employees of such department or agencies."

AMENDMENT OF SECTION 1 OF ACT OF JUNE 14, 1926—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869). I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CANNON in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MOSS. Mr. President, the report is signed by all the conferees of both the Senate and House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MOSS. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 9 o'clock in the morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION AND AMENDMENT OF PUBLIC LAW 480—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CANNON in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, all members of the conference, from both the Senate and the House, signed the report. It was a unanimous report.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of the conference report.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON AGRICULTURE AND FORESTRY—EXPLANATION OF CONFERENCE REPORT ON H.R. 8609

Two-year extension of titles I and II: The House bill provided for a 1-year extension of titles I and II of Public Law 480, 83d Congress. The Senate amendment provided for a 3-year extension. The conferees agreed on a 2-year extension.

Titles I and II authorizations: The conference substitute provides $1.5 billion for title I for each of the 2 years and $300 million for title II for each of the 2 years. In each case unexpended amounts may be carried forward from the preceding year. This is the same annual rate that was provided in the House bill and the Senate amendment.

Agricultural market development: The House bill contained a provision requiring an amount equal to 5 percent of total sales made under title I in the future to be used for agricultural market development. The Senate had no similar provision. The conference substitute adopts the House provision with clarifying amendments.

Acquisition of nonstrategic materials for stockpile: The House bill contained a provision enlarging section 104(b) of Public Law 480 to permit the use of foreign currencies generated under title I for the acquisition of nonstrategic materials for the supplemental stockpile. The conference substitute includes this provision. (No similar provision in Senate amendment.)

Additional foreign-currency uses: The Senate bill contained amendments to section 104 of Public Law 480 providing for the use of foreign currencies for scientific activities, workshops and chairs in American studies, nonfood emergency relief requirements, audiovisual educational materials, and third-country technicians. The provisions relating to scientific activities and workshops and chairs in American studies are included in the conference report without change in substance. The provision for third-country technicians has been omitted from the conference substitute. The Senate provision with respect to emergency nonfood purposes provided that not more than $2 million could be made available for that purpose during any fiscal year in total. The House bill provided that $2 million could be made available for this purpose in each country in each fiscal year, so that the total amount provided by the House bill could be greatly in excess of that provided by the Senate amendment. The conference substitute provides for not more than $5 million being used for this purpose in any fiscal year. This would be the total for all countries. With respect to audiovisual materials, the Senate amendment provided that not more than $5 million could be made available for this purpose during any fiscal year. The House bill contained no similar provision. The conference substitute limits the use of foreign currencies for this purpose to $2,500,000 in any fiscal year, but states that nothing in this provision shall limit or affect the use of foreign currencies for such purpose in connection with trade fairs and other market-development activities under section 104(a) of the act.

Under the Senate amendment and existing law, foreign currencies would be available for the uses just mentioned, except that of nonfood emergency relief, only in such amounts as may be specified from time to time in appropriation acts. The Department of Agriculture advised that it could carry out these activities under other provisions of the law, and that it would not interpret the new language as being intended to limit or alter existing authority unless Congress indicated a clear intent to the contrary. In order to make the intent of Congress clear, the conference substitute provides that foreign currencies may not be allocated for these purposes after June 30, 1960, under any provision of the law, except in such amounts as may be specified from time to time in appropriation acts. This, of course, does not apply to the nonfood emergency relief provision which provides for the use of $5 million annually for that purpose without appropriation.

Local language labeling: The House bill provided that the language of the locality should be used insofar as practical in identifying Commodity Credit Corporation stocks donated abroad under title II of the act and section 416 of the Agricultural Act of 1949 as being furnished by the people of the United States. The law already requires identification of such donations as being so furnished, and this provision simply adds the requirement that the identification be in the language of the locality where the stocks are being distributed, insofar as practical. (No similar Senate provision.) The conference substitute contains the House provision.

Food stamp plan: Both the House bill and the Senate amendment contained provisions for food stamp plans. The Senate amendment provided for a mandatory program in not less than three or more than six demonstration areas during the period ending January 1, 1962. The House bill provided for a permissive permanent program on a nationwide basis, extending into any State or political subdivision requesting such a program. The House bill was restricted to surplus agricultural commodities, while the Senate amendment was not. The conference substitute generally follows the provisions of the House bill, but makes it clear that needy Indians receiving welfare assistance will be eligible as needy persons for the benefits of the program; limits the program to the period February 1, 1960, through January 31, 1962; limits the cost of the program, including the cost of the commodities, to $250 million per year; and includes the Senate pro-

vision that the receipt by any person of benefits under the program shall not be deemed to be income under the Social Security Act or other Federal legislation, and the benefits of the section will be denied States or local subdivisions decreasing assistance to any person as a consequence of the assistance made available under the program.

Domestic relief: The Senate amendment requires the Secretary of Agriculture to make any surplus food commodity available for distribution to needy persons in the United States in such quantities as he determines are reasonably necessary before making such commodity available for sale under title I of Public Law 480. The conference substitute retains this section, but directs the Secretary to make such commodities available domestically "insofar as practicable."

Fats and oils: The Senate amendment contained a provision authorizing the disposition of Commodity Credit Corporation stocks of animal fats and edible oils by donation to relief agencies to assist needy persons outside the United States and authorizing the purchase of such fats and oils for such donation in such quantities as would maintain the support level for cottonseed and soybeans. The conference substitute contains this provision with one modification. The quantity authorized to be purchased by the substitute are such quantities as will "tend to" maintain the support level for cottonseed and soybeans. (No similar provision in House bill.)

Long-term supply contracts: The House bill contained a provision for long-term supply contracts under which the President would be authorized to enter into agreements with friendly nations providing for delivery annually of agricultural commodities which, at the time of delivery, are in surplus over periods of up to 10 years. Payment would be made in dollars with interest over periods up to 20 years from the date of the last delivery of commodities in each calendar year. The conference substitute contains this provision with a clarifying amendment. (No similar provision in Senate amendment.)

Enrichment and sanitary packaging: The Senate amendment contained a provision requiring the enrichment and sanitary packaging of certain cereal products when made available for certain donation programs. The conference substitute contains this provision, but omits white rice from the cereal products covered by it. (No similar provision in House bill.)

Conservation reserve payments: The Senate amendment contained a provision providing the same limitation on annual rental payments for conservation reserve contracts entered into in 1960 as applied in 1959. This limitation would replace the limitation prescribed for 1960 contracts by the 1960 Appropriation Act, which has been found to be very difficult to administer. The conference substitute contains this provision. (No similar provision in House bill.)

Extra long staple cotton: Both the House bill and the Senate amendment provided that the 1960 extra long staple cotton marketing quota could not be less than 90 percent of the 1959 quota and the conference substitute contains this provision.

Barter for strategic or critical materials to meet requirements of Government agencies: The House bill contained an amendment to section 206(a) of the Agricultural Act of 1956 to permit the Commodity Credit Corporation to barter agricultural commodities for strategic or critical materials to meet requirements of Government agencies. This provision, with a clarifying amendment, is contained in the conference substitute. There was no similar provision in the Senate amendment.

PROVISIONS OF SENATE AMENDMENT NOT CONTAINED IN CONFERENCE SUBSTITUTE

The only provisions of the Senate amendment omitted from the conference substitute are the provisions providing for the use of foreign currencies under title I of Public Law 480 for third country technicians and binational foundations.

PROVISIONS OF HOUSE BILL OMITTED FROM CONFERENCE SUBSTITUTE

The House bill contained provisions for an Export-Import Bank revolving fund for loans under section 104(e) of Public Law 480; maintenance of the value of foreign currencies loaned under section 104(g) of such Act; national food reserves; the use of agricultural commodities to fund economic development projects in underdeveloped areas; the payment of general average contributions arising out of the ocean transport of commodities transferred under title II of Public Law 480; the encouragement of barter for materials processed in the United States; and a short title. These provisions have all been omitted from the conference substitute.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HOLLAND. Mr. President, the distinguished Senator from Louisiana, who was chairman of the committee of conference, has correctly reported that all members of the conference signed the report. There were so many matters involved in the bill, however, that, as a matter of course, there is no single member of the committee of conference who is satisfied, I feel certain, with every provision in the bill.

So far as I am concerned, there are several provisions in the bill with which I am not satisfied. However, I thought the general tenor of the bill was such, and the necessity of continuing this major program for the disposal of our agricultural surpluses was so great, that I was glad to sign the report.

There is one provision only of the bill to which I wish to refer, for fear the record might indicate that all the conferees were in favor of this particularly potentially very large new program; that is, the provision having to do with the food stamp plan. Of course, the food stamp plan really had no place in a bill having to do with the distribution of surpluses in the offshore, foreign effort which has proved to be of very great importance to our Nation.

I see present, among other Members who always have been interested in the bill, the one who, I think, first introduced it; I refer to the Senator from Kansas [Mr. SCHOEPPEL]. This bill has amply justified, over and over and over again, the efforts which have been made in connection with it.

But, Mr. President, this food stamp plan, as it is provided in the bill, met with the opposition of a substantial minority of the conferees.

I merely wish to call attention to that fact, and also to the reason why some of us felt we should object—as we did strongly for as long as we could—to the inclusion of the provisions for this program.

In the first place, we believe it is too big. It calls for expenditures annually of up to $250 million. That amount would more than double the present program, which already is a large one, and is participated in by 43 States, which, in June of this year, fed 4,715,349 people; and last year the program required the expenditure of well in excess of $200 million. That program operates entirely through the State governments or local governments, in the areas in which unemployment or other serious conditions requiring the distribution of surplus food justify the operation of the program.

Not only did a sizable minority of the conferees think that the program was too big, but the Senate will remember that it voted down a proposed $20 million a year program, and finally approved only a $15 million a year program. We went to conference with the Senate's provision for the $15 million a year program, as contrasted with the $1 billion a year program which, on the floor of the House, was voted into the House version of the bill.

I know that I speak for a substantial minority of the conferees of both the Senate and the House, when I say that we oppose the size of the program.

In the second place, we are opposed to the program because the proposed legislation—and, in general, we adopted a program for 2 years, and on a permissive basis only and limited to surplus foods, alone—does not spell out in any way many of the details which we believe are of such concern that they should be spelled out in any adequate measure.

In fact, the more we examined the program, the more apparent it became that it had been drawn on the spur of the moment, without carefully bringing together all of the details, or a considerable number of them, which should have been covered in making any careful approach to this problem.

So, Mr. President, without seeking to amplify this discussion at all, I merely wish the RECORD to show that several of those of us who participated in the conference were skeptical about the program; and I wish to state, for myself, alone, that I hope the Secretary of Agriculture will be just as skeptical as I am before he seeks to apply this program—lacking, as it is, in almost all the fundamental machinery which should have been provided by the act itself.

Mr. HART. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Michigan.

Mr. HART. Let me ask whether the conference committee's recommendation in regard to the food stamp program makes it mandatory that there be the three to six experiments; or will that be merely optional, so far as the Secretary is concerned?

Mr. HOLLAND. It will be only permissive or optional.

But I know the Senator from Michigan is concerned with the point that before any program may be instituted, it must be worked out in cooperation with the State or local authorities who are operating the present program—which, in his own State, is a quite sizable one.

Mr. HART. As the Senator from Florida and the distinguished chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] know, I regret that the conference report does not provide that this food stamp program shall be mandatory.

Mr. HOLLAND. Mr. President, the comment made by the distinguished Senator from Michigan is quite illustrative of what occurred in the conference. Hardly any detail of the entire program was agreed to by all the conferees. We simply agreed that since each House had provided for a program dealing with a food stamp plan, the conference report should contain some provision on it. But I am sorry to say that the program is not spelled out with the certainty that the seriousness of the subject in my judgment requires.

Mr. SCHOEPPEL. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. DODD in the chair). Does the Senator from Florida yield to the Senator from Kansas?

Mr. HOLLAND. I yield.

Mr. SCHOEPPEL. I thank the Senator from Florida for yielding to me.

Let me say that I appreciate very much his generous remarks relating to the Senator from Kansas with reference to this measure.

I wish to say that I appreciate what the Senator from Florida has had to say in regard to the conference report and some of the amendments of this measure.

I am sure he knows that the Senator from Kansas has certain misgivings about certain of the amendments which were included in this measure.

I appreciate the fact that in the conference committee sessions it became necessary to give, as well as to take. But I fear that some of the amendments which are not being spelled out in detail will rise to haunt us with reference to legislation of this type.

But I do appreciate the efforts which were made by the conferees—including the distinguished Senator from Florida [Mr. HOLLAND], as well as the chairman of the full committee [Mr. ELLENDER]—in connection with this matter.

Mr. HOLLAND. Mr. President, I appreciate very much the comments of the Senator from Kansas.

I may say that I conferred with the distinguished Senator from Louisiana [Mr. ELLENDER], prior to his submitting the conference report, and advised him that I would make this statement in regard to the food stamp plan. It is my definite feeling that the Senator from Louisiana also has his very grave misgivings about this program. However, on that point I prefer to speak with certainty only for myself.

Mr. President, I yield the floor.

Mr. AIKEN. Mr. President, I wish to agree with the Senator from Florida [Mr. HOLLAND] to the extent that he has expressed disappointment in regard to the language of the so-called food stamp amendment which was included in this measure by the conferees. However, I am afraid that at that point our agreement in regard to the desirability of a program of this nature ends.

I am disappointed about the language adopted by the conferees, because I am afraid it will not be effective.

I am not one of those who believe implicitly in the survival of the fittest. I do not believe that people grow old simply because they wish to grow old. I do not believe that people become crippled simply because they wish to become crippled. I do not believe that children become orphans because they wish to be orphans. Neither do I believe that married women become widows—at least, I do not believe that most of them do—because they wish to be widows. Similarly, I do not believe that people become sick with chronic illnesses because they wish to become sick. And neither do I believe that in our land of plenty we should tolerate a situation in which 25 million people are unable to have diets which will keep them in good health and make them reasonably happy.

I am disappointed about the provisions which were included by the conferees, because I believe those provisions certainly will not be effective, unless they are wholeheartedly applied by the Department of Agriculture; and in that connection I have in mind the fact that the Secretary of Agriculture has expressed very sharp disapproval of any program of this nature.

I think we have to work from here on. The language that is in this conference report does express the sentiment of the two Houses of the Congress, to the effect that we should not tolerate hungry people in a land of plenty; and we shall have to go on from here. We have the expression of the two Houses now, and must continue our efforts in this respect.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. AIKEN. Mr. President, it is perfectly possible to enact legislation which will accomplish this end, which will not cost any more than we are spending now, and which will take the Government out of competition with private industry, to a very large extent.

I certainly hope, having once expressed its opinion, that the Congress will proceed to go on until we have an effective program so that unfortunate people—some of them, Mr. President, trying to live on $50 or $60 a month, and spending $40 a month of it for rent—will be aided. They have a right to live. They have a right to eat. They have a right to be as happy as we can make them, if they are not destitute through their own fault.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HOLLAND. I think the record has clearly shown this fact before, but in case it has not I want to make it perfectly clear now, that the Senator from Vermont has assiduously supported the setting up of a food stamp program for many years, and he certainly has been animated by the highest motives, which the Senator from Florida respects, and the Senator from Florida honors him for the remarks which he has made. The Senator from Florida knows him to be a warm advocate of a food stamp program. The contrast between his comments and those just made by the Senator from Florida show that, though we are not on the same side on the question of the kind of approach which should be made, both of us are dissatisfied with the provisions of the conference report because we know that no workable framework is proposed; and it was for the purpose of stating that fact that the Senator from Florida rose.

I think the Senator from Vermont would be the first to admit that the Senator from Florida, as much as any other Senator, had much to do with the setting up of the present program under which some 4¾ millions of our people are being fed. The question of the adequacy and the definiteness and the workability of this duplicate food stamp program was one that gave equal concern to those who wanted a food stamp program and those who did not want it, because we feared it would not dovetail with the existing program.

Mr. AIKEN. I know the Senator from Florida has an objective similar to mine, but may perhaps differ as to the road which should be taken to reach it. I think we should continue to work on this problem until we come to a satisfactory solution which can be approved by the majorities of both Houses.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, the Senate has approved the conference report on Public Law 480. As a member of the conference committee, I signed the report; I believe it represents substantial progress in the field of agricultural policy and the relationship of such policy to our international goals.

Mr. President, the conference report embraced a 2-year extension of Public Law 480 under title I and title II. It provided for long-term credits for the sale of agricultural commodities that are in surplus supply. I believe it will be an effective tool in economic competition on the international front. It also provided new uses for the currencies that are being accumulated.

Mr. MORSE. Mr. President, may the Senate be in order so that I can hear the Senator?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. The Senator is speaking on a matter which I have been waiting all afternoon to hear discussed.

The PRESIDING OFFICER. The Senate will be in order.

Mr. HUMPHREY. The conference report also provides for new uses of the foreign currencies which are accumulated as a result of the sales of our surplus commodities under the provisions of title I of Public Law 480. Some of those new uses relate to the needs of the Office of Civil and Defense Mobilization. Some of the new uses relate to providing materials for the Atomic Energy Commission and the Department of Defense, materials which can be purchased by soft currencies or obtained through barter

arrangements. This is a desirable and constructive change which I support.

The conference report also includes specific authorization for the use of our foreign currencies in such activities as sanitation, nutrition, education, health and medical research, scientific activities, the establishment of chairs of American studies and American workshops in universities overseas, along with the distribution, preparation, use, and translation of audio-visual aids as a part of our technical assistance and education program overseas. This is new authority and should be quickly implemented.

I have not mentioned all of the new uses for foreign currency, but I have emphasized some of the new uses that have been authorized by the conference agreement between the House and the Senate relating to Public Law 480 activities.

I believe that this is constructive and good legislation. It represents progress and gains.

I wish to make it quite clear that there are many activities already provided for under existing law, Public Law 480, which were not affected in any way by the amendments to the Extension Act, S. 1748, as passed in the Senate. In other words, certain provisions under section 104 are maintained without change or interference, and we have added new uses which will, to my mind, enhance our foreign policy, strengthen it, and give our representatives abroad an opportunity to do a much better job in terms of economic development and community improvement in some of the underdeveloped areas of the world. Furthermore, it should be understood that the use of foreign currencies is supplemental to, in addition to, regular appropriations.

Mr. President, there were other provisions which I believe to be very helpful and constructive. One provision gives authority to the Secretary of Agriculture to utilize animal fats and edible oils in overseas programs of relief and charity programs on a donation basis; also that the Secretary may purchase animal fats and oils under the price support operations of the Commodity Credit Corporation and make these products available for overseas distribution. These purchases are to be made in order to help maintain price support levels for soybeans and cottonseed.

I addressed myself to this subject matter yesterday in referring to an article from a magazine relating to the feed industry. Those comments are to be found in the CONGRESSIONAL RECORD of Thursday, September 10, on pages 18972 and 18973. The article to which I referred was entitled "Soybean and Swine Outlook Analyzed," from Feedstuffs magazine of September 5, 1959.

Mr. President, I mention this again because I am fearful that while the authority is provided in Public Law 480 conference report for the donation of animal fats and edible oils in an overseas feeding program, the Secretary may be reluctant to use that authority. I want the record clear that the authority was put there to be used if there are surpluses of either animal fats or edible oils. The authority is there for the Secretary to act and not merely to look at it. He is authorized to buy and to donate animal fats and edible oils both as a humanitarian program and in accordance with price support operations.

A year ago there was enacted authority of a less comprehensive nature. Regrettably the Secretary did not use the authority and did not act; as a result, producers of cottonseed, soybeans, and other products which can be converted or processed into edible oils found a very serious price decline, costing the producers millions of dollars. Had the authority been used at the proper time prices could have been maintained at a reasonable level and those persons who were in need could have been fed, and the many voluntary agencies representing our great religions in this country as well as nonsectarian groups could have performed a very valuable humanitarian service overseas.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I have been trying all afternoon to get a copy of the conference report. I was told it was not available. Unfortunately, I could not be in the Senate when the conference report was brought up.

Will the Senator advise me whether, in the conference report which was adopted, the substance of the Cooper amendment, which many of us cosponsored, calling for a priority for food for the needy ahead of purchases by foreign currency abroad, was continued in the bill?

Mr. HUMPHREY. It was.

Mr. CLARK. I thank the Senator.

Mr. HUMPHREY. The Cooper amendment was modified so that it would not jeopardize the Secretary's power to conduct normal operations of the Commodity Credit Corporation. The language states that he shall make available surplus foods, insofar as practicable, but this is a much stronger provision than we had in existing law. Actually the existing law was the result of administrative interpretation and regulation.

Mr. CLARK. Was there any authorization for an appropriation to make it possible?

Mr. HUMPHREY. No, there was not. However, the distribution does take place. There are commodity distribution programs presently in operation.

Mr. CLARK. I am aware it is now taking place, but the objection has been raised that if we gave this priority for the domestic needy, we would be incurring huge additional expense. I wonder if that question was considered in the conference report at all.

Mr. HUMPHREY. The question was not dealt with directly. It was recognized by the conferees—and I must say that one of the conferees who stood very firmly for the Cooper amendment was the Senator from Florida [Mr. HOLLAND]—that this was an obligation that we should assume, and that the Government should be prepared to assume, whatever costs were involved in the donation program for needy persons within the United States, from our surplus commodities. Of course, the program would be directly limited by the availability of surplus commodities.

I will say to the Senator from Pennsylvania, however, that the Cooper amendment should not be interpreted as interfering with title I, dealing with sales under Public Law 480, nor should it be interpreted as interfering with the normal operations of a cash sale program. Where the commodities can be sold for cash, such a transaction is within the charter of the Commodity Credit Corporation; and I am sure that Members of Congress would expect the Government to be able to sell its commodities, if it could sell them for cash and also under the authority of title I of Public Law 480.

Mr. CLARK. When the Senator says cash, he does not mean to include local currencies, does he?

Mr. HUMPHREY. I said under title I of Public Law 480, which means local currencies.

Mr. CLARK. Then am I to understand that sales for rupees, or the currency of Cambodia or Laos, would still take priority over the utilization of these products for the needy at home?

Mr. HUMPHREY. We said insofar as practicable. If there are large amounts, they should be available for domestic use and title I. If there are small amounts which could not be distributed equitably, the Secretary would have discretion as to how best to use them.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. I was hoping that we could dispose of the pending measure, in which several Senators are interested.

Mr. HUMPHREY. I shall not be long. I have waited quite awhile for this opportunity, and the conference report is of keen interest to me.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. The Senator from Pennsylvania [Mr. CLARK] had asked me about this subject prior to his questions on the floor. I could not at that time remember everything that occurred; but what the Senator from Minnesota has said is exactly what occurred. We inserted the words "insofar as practicable."

I thought the point made by the House was valid, that when commodities bought under section 32 are highly perishable or are not in sufficient quantity to make for national distribution, or when commodities are acquired which are necessary to be used in connection with the rebuilding of a destroyed export business in those same commodities, under a different provision of Public Law 480, the conferees of the House wanted it understood that neither of these situations would be interfered with. I believe that the decision of the full conference was in accord with that position. If that is not so, I should like to have the Senator correct me.

Mr. HUMPHREY. That is my understanding of the report.

I conclude by pointing out that certain features were not adopted, which I regret. Among them was the national Food Reserves provision, suggested by the administration, which I think was a sound provision, both from the point of view of the national defense and security, and from the point of view of having available supplies of food and fiber in food devastated areas, when they are needed. I hope that next year we shall be able to amend the Act to include the National Food Reserves, or, as the Representative from Connecticut, CHESTER BOWLES, has called them, Food Banks—National or International Food Banks.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. The Senator will recall that the Senate had refused to adopt that objective, and that it was the duty of the Senate conferees to object to the inclusion of that provision in the conference report, which we did.

Mr. HUMPHREY. Yes.

Finally, we dropped from the conference report a provision which the Senate had adopted, with respect to binational foundations. I regret very much that this happend, because I believe that binational foundations have a distinct role in this program.

My suggestion is that, as we review in the next year the uses of foreign currency, we will find a place for the implementation of binational foundations and the broader use of grants and loans for economic and social development projects.

The bill as it came from conference, however, to my mind represents a very constructive effort, including the provisions of the food stamp plan, which I hope the Secretary will consider in connection with a trial run, at least. I know that the Secretary has expressed opposition to food stamp plans. We have now authorized a broad food stamp program, and I hope the Secretary will look upon the language adopted by the Senate as a guideline to a trial run or pilot experimental project in the first year, to get an opportunity to see how it could operate. The authority exists for a much broader program but the least the Secretary should do is to look upon the language of the act as permitting him to undertake, as a minimum, a pilot or experimental program, and then enter into a much more significant program. I understand the Secretary personally opposes such a program. He looks upon it as a depression measure. However, the Congress expects action, not delay and excuses.

LEGISLATIVE PROGRAM

Mr. COTTON obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator.

Mr. DIRKSEN. Mr. President, inasmuch as the Senator from New Hampshire [Mr. COTTON] has been so courteous to yield to me at this time, for this purpose, I now wish to ask the majority leader about the program.

Mr. JOHNSON of Texas. Later in the evening we shall have a calendar call, I believe.

We shall also bring up, by motion, several bills which have recently been reported, and are now on the calendar. I have previously made announcements in regard to some of them.

We plan to have the Senate convene tomorrow at 9 a.m.

We shall take up the mutual security bill. A motion to suspend the rule will be made in connection with that bill; and there will be several hours of debate on that motion. We hope to have the vote on the motion taken as early as possible. As the Senators are aware, a two-thirds vote will be required in order to suspend the rule.

Then several amendments will be proposed to the mutual security bill.

I hope the Senate will be able to conclude its action on that bill tomorrow night but I am informed that that may not be possible, in view of the number of Senators who will desire to speak on that measure tomorrow. If not, we shall convene early on Monday, and then shall continue with the calendar call, and then shall consider several of the bills about which I have previously made announcements, in addition to completing our action on the mutual security bill.

Mr. DIRKSEN. Let me ask about the plans for the remainder of today, and also in regard to the consideration of any other bills.

Mr. JOHNSON of Texas. I have given notice about any measures on the calendar which are not passed during the call of the calendar.

After we complete the action on the pending bill, we shall have a calendar call.

Then we shall consider Calendar No. 820, House bill 7244, to protect savings and loan associations from encroachment by holding companies, I believe.

AWARD OF PHILIPPINE LEGION OF HONOR TO MAJ. GEN. BERNARD W. KEARNEY

Mr. JOHNSON of Texas. Mr. President, in the meantime, I ask that the Foreign Relations Committee be discharged from the further consideration of House bill 5477, and that the bill now be considered by the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Chair lays the bill before the Senate.

The Senate proceeded to consider the bill (H.R. 5477) to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines.

Mr. JOHNSON of Texas. Mr. President, I have discussed this matter with the distinguished minority leader and with the interested committee members.

This measure is to be passed as a courtesy to a distinguished former Member of the House of Representatives, who was respected on both sides of the aisle. The House has already passed the bill; and I hope the Senate will do likewise.

The bill authorizes the acceptance by Major General Kearney of a medal which was awarded him in 1957 by the Philippine Government, in recognition of his services to the veterans of the Philippine wars.

Mr. KEATING. Mr. President, I wish to say that I have long known of the distinguished services of my former colleague in the House of Representatives, "Pat" Kearney. He rendered outstanding services while he was a Member of the House of Representatives. In view of those services and in view of my knowledge of the facts which gave rise to the conferring of this award upon him, I feel sure that it is richly deserved.

"Pat" Kearney is a great American citizen; and all of us who served with him are very proud of him. I am happy that the majority leader has brought up this measure.

Mr. DIRKSEN. Mr. President, a great many Senators who formerly served in the House of Representatives know "Pat" Kearney intimately. He rendered outstanding service in the House of Representatives, and he had a distinguished military career. As I recall, he served several terms as national commander of the Veterans of Foreign Wars.

I remember him very well, and I esteem him very highly. I believe the honor which has been bestowed upon him by the Philippine Government is richly deserved, and was awarded in recognition of his outstanding services and his great ability as a military man.

So I am delighted that the Senate is to act in accord with the action already taken by the House of Representatives so as to make it possible for him to receive this reward.

Mr. JAVITS. Mr. President, I served in the House of Representatives with General Kearney; and I wish to add to the remarks already made by my colleagues who have spoken so eloquently about him. Let me point out that he was a great leader in the House of Representatives, in connection with veterans' affairs; and some of the most constructive work done by the Veterans' Affairs Committee of the House of Representatives was done under the stimulus and the initiative and, I believe, almost the inspiration of Bernard Kearney.

He is a very distinguished citizen of New York; and I believe we can say with great pride that the award is only a certification of what we in New York already know—namely, that "Pat" Kearney richly deserves any honors which our Government or any other government may see fit to bestow upon him.

So, Mr. President, it is with great gratification that I join in the tributes which have been paid to him by my colleagues.

Mr. BEALL. Mr. President, I join my colleagues in the tributes they have paid to "Pat" Kearney. I, too, served with him in the House of Representatives. He is a very close personal friend of mine; and I am indeed happy that he is being honored in this way.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H.R. 5477) was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, let me ask the majority leader whether an order has been entered to have the Senate convene at 9 a.m. tomorrow.

Mr. JOHNSON of Texas. Yes.

The PRESIDING OFFICER. The order has been entered.

Mr. JOHNSON of Texas. Mr. President, let me announce that all the measures on the calendar will be called, from the beginning of the calendar, during the calendar call.

We also expect to bring up by motion a number of bills. There will be objections to some of them, and perhaps there will be lengthy debate. If so, we shall have to move to take up other bills.

Some of the bills we have in mind are the following:

Calendar No. 669, Senate bill 2282, to amend the act of July 17, 1952.

Calendar No. 819, Senate bill 694, to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Calendar No. 820, House bill 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 921, Senate bill 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

We expect Calendar No. 819, S. 694; Calendar No. 828, Senate Resolution 169; and Calendar No. 921, S. 2168, probably will go over until Monday.

Order No. 398, H.R. 6190, we hope may be taken up a little later today.

We also have a motion to reconsider entered on behalf of the Senator from New Hampshire [Mr. BRIDGES] yesterday on an amendment to the Battle Act. We expect to discuss that later in the day.

In addition, we will consider any bills that may be called on the calendar call, and announce some of those that may be called up by motion today or early tomorrow morning or Monday.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Yes.

Mr. PROUTY. Did I understand the distinguished majority leader to say the vegetarian bill will be taken up tomorrow?

Mr. JOHNSON of Texas. What number is that?

Mr. PROUTY. Calendar No. 921, S. 2168.

Mr. JOHNSON of Texas. That would be for Monday.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry, if it is a parliamentary inquiry. I am not quite sure I am familiar with any vegetarian bill.

Mr. KEATING. That is Calendar No. 921, the one that is an attack on the dairy industry.

Mr. PROUTY. That bill would require members of the Navy to become vegetarians.

Mr. FULBRIGHT. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I know the Senator from New York has expressed opposition to Calendar No. 828, Senate Resolution 169. I talked to the senior Senator from New York [Mr. JAVITS]. At one point I thought we had agreed to have an amendment made, but the position of the Senator now is that he would rather have no resolution than to amend it.

I may say the Committee on Foreign Relations considered the proposal of the Senator from New York, and reported the resolution unanimously. It is my conviction that the overwhelming majority of this body wishes to enact Senate Resolution 169. As I stated before, the resolution was endorsed by the administration. The Department of State is in favor of the resolution. I think it is in the public interest. It is not a matter of any local interest to my State. It is not a matter about which I am greatly excited, but in view of the obligation of the chairman of the committee, and having brought the resolution to the floor with the unanimous approval of the committee, I think it should be submitted to the Senate for a vote.

I think the Senator from New York should not prevent the Senate from considering it at all. If the Senator from New York can convince the Senate of his views, I have no objection to his doing so, but I do not think it is fair to bury the resolution. If it is to have any effect at all, it must be agreed to now, because the exposition to take place will occur in November. It is not one of those measures that can go over until January for action. If it is not acted on now, it will be dead.

I think the administration has a good case, and is entitled to action by the Senate, in spite of the objection of the Senator from New York.

Mr. JAVITS. Mr. President, will the Senator yield to me so I may comment on the resolution concerning a World's Fair?

Mr. JOHNSON of Texas. Yes.

Mr. JAVITS. I think the Senator from Arkansas has properly raised the point, because perhaps we can do something constructive at this time. I submitted an amendment in an effort to redeem a measure which, under the circumstances of world's fairs and how they work, cannot work. In an effort to do something, after investigation by New York State and New York City authorities, I find the measure cannot be saved. Therefore, that accounts for my effort to bring about a meeting of the minds with respect to the committee's resolution, which I did out of deference to them, and not out of any expectation that it could be done. It cannot work, and for the reason I shall state, and I shall not be long:

New York does not wish to shut out any other city, and the best proof of that is that in 1939 there were two world's fairs, one in New York and one in San Francisco. Resolutions went through Congress giving both the opportunity to have world's fairs. New York does not want a resolution to be agreed to which will shut everybody out, because the mechanics of appointing a commission to pick a site, which in itself is a very different procedure from what it was before, and because of the political turmoil into which it is bound to throw the whole operation, will result in the United States being deprived of an opportunity to have a world's fair at all, because, in the final analysis, the choice as to where in the world a world's fair shall be held is decided by an agency in Paris.

I submit to the chairman of the Foreign Relations Committee, notwithstanding the excellent intentions which I am sure went into this matter, that, in the light of the history of world fairs and the way they are run, the enactment of this bill would throw the matter into greater difficulty, instead of helping.

I am informed that the State Department is in a position to do everything that needs to be done with respect to any American city to enable it to qualify to have a world's fair in the eyes of the foreign organization to which I referred, without any resolution. Therefore, if it is unsatisfactory, and I do not see why it should be, to have resolutions for New York City and Washington, D.C., so far as New York is concerned, we shall be glad to have another resolution for Washington if they are able to carry on a fair, because that is exactly what happened in 1939, but if we cannot have that, in view of the fact that the State Department can proceed anyhow, I think we are better off without a resolution, and the people in New York think so.

Mr. DIRKSEN. Mr. President, I think our friend from New Hampshire yielded to me. I do not want to take advantage of him, because he was in the middle of a very powerful, persuasive, and devastating argument.

Mr. COTTON. Mr. President, I am perfectly willing to wait patiently while my friends make these very able speeches, but I ask unanimous consent, if this is going on, that all of this colloquy should appear at the end of my remarks, with the understanding that I am perfectly willing to wait until tomorrow, if necessary.

The PRESIDING OFFICER. Without objection, the colloquy will appear at the end of the remarks of the Senator from New Hampshire.

Mr. DIRKSEN. Mr. President, I wanted to ask the majority leader whether he could indicate to us how late the Senate might stay in session this evening.

Mr. JOHNSON of Texas. I have no idea. If we are going to talk about what we ought to do instead of doing it, we shall be here until midnight. We have a number of bills to call up by motion. Some of them have been on the calendar for a good length of time.

I will say to the Senator from Arkansas [Mr. FULBRIGHT], I am not trying to delay the world's fair resolution, and I do not know of anyone else who is. I have agreed to bring up several measures on the calendar. For example, one affects the State of Arkansas. I agreed earlier today that after 4 o'clock this afternoon I would proceed to the transfer to Arkansas bill, Order No. 398, H.R. 6190, but we have not finished Order No. 669, S. 2282. So we cannot get to that. I also mentioned Order No. 820, H.R. 7244.

All of those bills have been on the calendar longer than the world's fair resolution. I do not know why the world's fair measure ought to come in and displace the mutual security appropriation bill and everything else.

I agreed that we would be here Monday. We will come in very early Monday. I am going to make a motion to consider the resolution Monday. I hope no one will filibuster the resolution. I will do all I can to give each Senator an opportunity to amend the resolution in any way he can, and then I will ask for a vote on passage of the resolution. I cannot do that on Saturday because of the mutual security bill. That bill must go to conference. I do not feel that I should set aside the bills which were reported and cleared by the policy committee some weeks ago, when this resolution was reported only a few days ago.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I simply want the record to be very clear that the committee did what it was asked to do. I did what I was asked to do. I think the resolution is in order. It would give everybody a fair chance. The responsibility for inaction ought to be very clearly at the feet of the Senators from New York, because they must take full reponsibility for obstructing action on this proposed legislation. It was requested by the administration, which believes the resolution would be useful in order to promote an orderly world's fair.

Mr. JOHNSON of Texas. If I could get an agreement, I would agree, if the Senate is disposed to do so, that upon the completion of action in regard to the bill before the Senate we proceed to consider Calendar No. 828, with a limitation of 1 hour of debate, the time to be equally divided between the proponents and the opponents.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from New Hampshire.

Mr. COTTON. Would it not be even better, I will ask the distinguished majority leader, to set aside consideration of the bill before the Senate until next January, and proceed with consideration of the resolution now?

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from New York.

Mr. KEATING. There is no disposition on the part of this Senator from New York, and I believe there is none on the part of my colleague, to prevent debate on the resolution. We are ready to debate the resolution. It has been stated that the resolution will be on the calendar, for consideration next Monday.

Either the Committee on Foreign Relations or the administration, and I do not know which—our friend says both—has concocted this completely new method or device as to the holding of the world's fair. It is something entirely different from anything we have been confronted with before. We have ample precedent for doing this in another way. Whether this procedure was concocted by the Committee on Foreign Relations or by the administration, if it is against the interests of New York the Senator cannot blame me for opposing it.

Mr. FULBRIGHT. I have made it clear that the text of the resolution was handed to me by people speaking for the Department of State. I did not concoct it, nor did the committee.

Mr. KEATING. Very well.

Mr. FULBRIGHT. However, I say it is a very reasonable resolution. The committee considered it, along with the resolution of the Senator from New York, and unanimously reported the resolution. I will take full responsibility for our judgment as to which resolution is in the public interest.

Mr. KEATING. All I say to my dear friend from Arkansas is that when the State Department, or the administration, is acting against the interests of New York I am just as much opposed to them as I would be opposed to the Senator from Arkansas if he should be acting against the interests of New York.

This resolution involves a completely new method of approaching the whole proposition of the world's fair.

Mr. FULBRIGHT. It is new. I do not deny that. There is no doubt about the fact that the resolution is worded to give the rest of the country an opportunity to participate, and not to have all the world's fairs monopolized by the city of New York. That is exactly the purpose.

Mr. KEATING. That is exactly what we should do—give every city an equal opportunity—but the resolution would not do so.

Mr. SCOTT. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from Pennsylvania.

Mr. SCOTT. I should like to make a suggestion to the distinguished Senator from Arkansas: Why not hold the world's fair in Philadelphia, the cradle of liberty?

Mr. FULBRIGHT. That would suit me fine. The resolution would give Philadelphia an opportunity.

Mr. JAVITS rose.

Mr. JOHNSON of Texas. Mr. President, I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, the approach of New York is not an exclusivist approach. We will welcome similar resolutions to that which we have proposed, for every city in the country which feels it can hold the fair. This is all entirely consistent. We simply do not want to have the matter tied up in redtape and commissions until nobody gets anything. That is all the resolution looks as if it would accomplish.

I believe we can prove that to the Senate. I will say to the Senator from Texas we will be unable to accept his time limitation under those circumstances. From what the Senator from Arkansas has already told us, we will have to prove our case. We are fully prepared to do so, but if we are going to do that we will need a little opportunity to do it.

Mr. KEATING. Ample opportunity.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. In just a moment.

Mr. MORSE. I should like to ask the Senator from New York a question.

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Do I correctly understand that the Senator from New York is suggesting he would not accept a time limitation on this matter?

Mr. JAVITS. If the Senator from Texas will yield, the Senator from New York will not accept an hour's time limitation on this matter, nor will the Senator from New York accept its being put on this afternoon.

Mr. KEATING. Nor, I believe, will the Senator from Oregon accept the limitation.

Mr. MORSE. I simply wondered if I heard the Senator correctly.

Mr. KEATING. There are occasions when this Senator from New York will object to a limitation of time. I feel certain that if I did not object there might be an objection from the Senator from Oregon.

Mr. MORSE. If there is any doubt about that, I remove it.

Mr. JAVITS. Mr. President, if the Senator will yield, there is no desire whatever to forestall action. I think we have an excellent case and we can prove our case to the Senate.

Our case is not that the fair should be given to the city of New York, but that it should be available to the United States. I think we can prove the case. At the proper time we will undertake to do so.

DESIGNATION OF THE DAM ACROSS THE LAMPASAS RIVER IN TEXAS AS STILLHOUSE HOLLOW DAM

Mr. JOHNSON of Texas. Mr. President, a responsible government is a responsive government—responsive to the needs and desires of its people. In that light, I compliment the Senate for having passed Calendar No. 1026, H.R. 616, a bill which was introduced in the House by Mr. POAGE, the able and distinguished representative of the 11th District of Texas.

This bill is responsive to the desires of the people. It would, Mr. President, change the name of the dam to be con-

structed on the Lampasas River in Texas from Lampasas Dam to Stillhouse Hollow Dam.

This dam will be located on the Lampasas River in Bell County, Tex., about 3 miles southwest of Belton, Tex., but approximately 40 miles east of the town of Lampasas. The original plan was to name the dam for the river on which it will be built.

However, local groups in the area have expressed belief that confusion would result from using the same name as that of a town located many miles away.

Instead, these local groups have proposed a name steeped in local tradition, a name that recalls both the cool, clear water of the Lampasas River and the fertile fields of the valley in which the dam will be located. Local chambers of commerce in the area and others have proposed, Mr. President, that this structure be officially designated as Stillhouse Hollow Dam—a name on which one may conjure, but never be confused.

Mr. President, I believe that the Senate should honor the customs and traditions of the fine people who live in the Stillhouse Hollow area, and I am gratified that it has been responsive to their desires in this instance.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

NATIONAL SHORELINE AREA ON PADRE ISLAND

Mr. JOHNSON of Texas. Mr. President, the able and beloved chairman of the Senate's Interior and Insular Affairs Committee the distinguished senior Senator from Montana [Mr. MURRAY] has announced his intention of holding public hearings this fall in Texas on the question of establishing a national shoreline area on Padre Island. I was delighted to learn this news.

I am now further gratified to learn that a tentative decision has been made by the committee to hold this public hearing December 11, 1959, probably at Corpus Christi.

For my distinguished colleagues in the Texas delegation and for the people of Texas, I know I can say that those who participate in this hearing will receive a true, warm Texas welcome. I also voice with every confidence the belief that these visitors to Texas will return to Washington lastingly convinced of the tremendous potential for a public recreation area at Padre Island.

Mr. President, I wish to express my deep appreciation to the able and beloved chairman of the Senate Committee on Interior and Insular Affairs [Mr. MURRAY], the members of the committee, and the committee staff for their cooperation in furthering this most important proposal.

As I am sure my colleagues know, Padre Island, located on the Texas gulf coast, is the longest natural shoreline area remaining in the United States. It presents the one last opportunity to our Nation to save a substantial area of shoreline in a natural state. I believe that with this decision of the Committee on Interior and Insular Affairs we are one step further toward the preservation for future generations of a wonderful wilderness area on Padre Island.

NOTICE IN REGARD TO CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask the aids of the Senate to notify Senators we shall try to have a call of the calendar as soon as we have completed action on the bill before the Senate.

RELEASE OF COMMITTEE INFORMATION ABOUT LOCAL 107 OF THE TEAMSTERS UNION IN PHILADELPHIA

Mr. JOHNSON of Texas. Mr. President, I should like to yield to the Senator from Arkansas [Mr. MCCLELLAN], who desires to have action on a resolution, in order that some papers may be given to the court in Pennsylvania.

Mr. MCCLELLAN. Mr. President, I offer a resolution as chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field and ask for its immediate consideration. This resolution has been considered and adopted by the members of the Senate select committee.

In hearings held before the committee into the activities of the officers of local 107 of the Teamsters Union in Philadelphia, there is ample evidence of misuse of union funds, forgery, and other criminal activities by officials of the Teamsters Union.

The district attorney, the Honorable Victor H. Blanc, of the city of Philadelphia, Pa., has expressed his desire to obtain copies and present the records of local 107 of the Teamsters Union to a grand jury investigating certain criminal violations of the law in the State of Pennsylvania.

I feel it important that such records obtained by the Senate select committee in the course of 'ts activities should be made available to local law enforcement agencies to enable them to enforce the laws of the local government.

I deem it my duty, as chairman of the committee, to do everything possible to aid and assist local law enforcement agencies in the performance of their duty, and if the committee has any evidence of wrongdoing on a local level, I believe it should cooperate with such local officials and permit them to utilize such evidence to enforce their laws and to eliminate labor racketeering.

Mr. President, I submit for the RECORD a telegram which I have received from the district attorney of the State of Pennsylvania, making this request of the committee.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PHILADELPHIA, PA., *September 11, 1959.*

Senator JOHN MCCLELLAN,
Chairman, U.S. Senate Select Committee on Improper Activities in Labor or Management Field, Senate Office Building, Washington, D.C.:

Desire permission to present records, and where necessary, obtain copies thereof, of local 107 of International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, presently in your possession, to grand jury. Original records will remain in your custody.

VICTOR H. BLANC,
District Attorney.

Mr. MCCLELLAN. Mr. President, I send the resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution (S. Res. 192), as follows:

Whereas the Senate Select Committee on Improper Activities in the Labor or Management Field has in its possession under subpena certain books and records of Local 107, Highway Truck Drivers and Helpers Union, International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America; and

Whereas the committee has received a request from the district attorney of the city of Philadelphia, Pa., requesting permission to obtain copies and to present records of local 107 to a grand jury in pending investigation into criminal activities of certain officials of this union; and

Whereas under rule 14 of the Select Committee on Improper Activities in the Labor or Management Field and rule 30 of the Standing Rules of the Senate such documents in the hands of the committee are the property of the Senate and may not be released without a resolution of the Senate: Therefore be it

Resolved, That the committee is granted leave to permit properly designated staff members to appear as witnesses before the State courts of the State of Pennsylvania, and to permit the copying and presentation of such records for examination of the grand jury and courts and thereupon to be returned to the possession of the committee; and be it further

Resolved, That a copy of this resolution be submitted to the said State courts of Pennsylvania.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCLELLAN. Mr. President, I may state further that it is my understanding that this is the proper procedure if the Senate is to cooperate with local law enforcement officials in making available to them for use in investigating crime within their jurisdiction such information as the committee may have in the form of documents and material.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MCCLELLAN. I yield.

Mr. MORSE. I am sure that I will find myself in support of the resolution, but this is a request that is a little out of the ordinary. We do not have such problems presented to us very often.

Mr. MCCLELLAN. Occasionally we do. It might be that under the rules of the select committee we could proceed to release this by a unanimous vote, as we have voted, but I really think the proper course, when we have something which may be of considerable value, when we have material in a matter like this, is to come to the Senate to get the authority.

Mr. MORSE. That was one of the questions I was going to ask. I should

like to ask some other questions first and close with that, if I may. I think we ought to make very clear legislative history as to what we are doing, because I certainly agree with the Senator from Arkansas that if the local Teamsters Union in Philadelphia is guilty of violating the laws of Pennsylvania or of the city of Philadelphia, it should be thoroughly prosecuted.

My first question is: Are the information, the papers, the documents, and the files which the State district attorney of Pennsylvania is seeking to get from the select committee a body of material that he could get under State process if the select committee did not have possession of it at the present time?

Mr. McCLELLAN. Yes. If the committee did not have possession of it by process of the committee, I would think that a subpena duces tecum would produce the same documents in the State courts. I would think so. I know of no reason why it would not.

Mr. MORSE. Would the Senator from Arkansas explain to the Senate by what legal process the select committee obtained possession of these documents in the first instance?

Mr. McCLELLAN. By authority of the resolution establishing the committee, vesting it with subpena powers. We subpenaed the records of the union and thus those are the records the district attorney now wishes to use before the grand jury, as I understand.

Mr. MORSE. Even though it is repetitive, I am going to state it again, so that it may be perfectly clear. The documents which the State district attorney of Pennsylvania is seeking to obtain from the select committee consist of material the select committee obtained through the exercise of its subpena power. Is that correct?

Mr. McCLELLAN. That is correct.

Mr. MORSE. So long as these documents stay within the file of the select committee, is it the law that the district attorney of Pennsylvania cannot subpena them from the select committee?

Mr. McCLELLAN. That is correct. That has been the holding of the courts. That is my understanding.

Mr. MORSE. That is my understanding, too.

Mr. McCLELLAN. Yes; that is correct.

Mr. MORSE. So we have a body of evidentiary material here which was obtained by the select committee through the exercise of the subpena process. The State law enforcement officer now believes that that material would be very helpful to him in prosecuting a case in Pennsylvana, and to do so he needs to present the material first to a Pennsylvania grand jury. To obtain it he has requested the select committee to turn it over to him because it has been taken out of the jurisdiction of the State of Pennsylvania for the time being and he does not have access to it, and he is of the opinion that it is essential to the enforcement of the criminal law of the State of Pennsylvania. Is that correct?

Mr. McCLELLAN. Obviously he thinks so; and, may I say to the distinguished Senator, it has been taken out of and away from his jurisdiction by Federal process.

Mr. MORSE. Yes.

Mr. McCLELLAN. If the committee should release it, our release of it, I think, would carry it back to the local officers, possibly under charge, if we could release it at all.

Mr. MORSE. That is the next point I wanted to make.

Mr. McCLELLAN. Then in the meantime, if they disposed of it or destroyed it, there would be no protection on the side of law enforcement.

Mr. MORSE. That is the next point I wanted to make. The Senator said he thought perhaps the committee by its own committee action could turn this material over to the district attorney of the State of Pennsylvania. I think that might raise some legal questions.

Mr. McCLELLAN. Before the Senator proceeds, may I say I am just reminded that the Federal district attorney has enjoined us from returning these documents to the union. As I understand, the State district attorney primarily wishes to examine these documents and obtain copies of them, and then they will be returned to the committee.

Mr. MORSE. The fact that the Federal district attorney has enjoined the committee from returning them to the local Teamsters' Union does not in any way change the fact that for the State district attorney of Pennsylvania to get possession of these documents, he would have to do it by means of this resolution, because he could not get them by subpena against the committee.

Mr. McCLELLAN. That is right.

Mr. MORSE. The Federal district attorney can enjoin the committee, but the State district attorney cannot exercise subpena powers against the committee.

Mr. McCLELLAN. That is correct.

Mr. MORSE. I wanted to make this record because I think it is important to have this legislative history. I think the Senate under these circumstances has a clear duty to see to it that these documents are made available to the law enforcement officers of Pennsylvania for the consideration of a grand jury.

As the Senator from Arkansas has pointed out, if the select committee has further use of them, it does not mean that after the grand jury gets through with them they automatically go back to the files of the Teamsters' Union. They are being released, in fact, under this resolution for the use of the district attorney and for consideration by the grand jury, and for no other purpose.

Mr. McCLELLAN. That is right.

Mr. MORSE. When the Pennsylvania authorities get through with the documents before the grand jury, their receptacle then will be the files of the select committee until the members of the committee get through with the papers.

Mr. McCLELLAN. That is correct. That is my understanding. I wish to thank the distinguished Senator.

It is my belief, Mr. President, that in a matter of this importance, the Senate should give its approval, and that is why we deal with it by resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution. Without objection, the resolution is agreed to.

WITHHOLDING FROM SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAXES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate return to the consideration of S. 2282.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2282) to amend the act of July 17, 1952.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Is the business now before the Senate the consideration of S. 2282?

The PRESIDING OFFICER. The Senator is correct.

Mr. SALTONSTALL. I call up my amendments to that bill, which I offer for myself, my colleague [Mr. KENNEDY], and a number of other Senators, identified "9–2–59—D," and ask the clerk to state them.

The PRESIDING OFFICER. The amendments offered by the Senator from Massachusetts for himself and other Senators will be stated.

The CHIEF CLERK. It is proposed on page 3, lines 9 and 10, to strike out "and who are residents of such State or Territory".

On page 3, line 12, beginning with "A statement" to strike out all through the period in line 16.

Mr. SALTONSTALL. Mr. President, the bill reported by the Finance Committee, which is a new draft of a bill submitted by my colleague [Mr. KENNEDY], and myself, has for its purpose a very simple one. At the present time, Massachusetts has in its law a withholding of State income tax provision. As a part of that withholding tax provision, the employer who collects the tax is entitled to retain a certain amount of the tax withheld as compensation for the withholding service ranging from a half of 1 percent to 3 percent. The Federal Government does not want compensation for withholding the tax levied upon its employees.

There are a substantial number of employees of the Federal Government in Massachusetts, and it is estimated the Federal Government would be entitled to collect approximately $30,000 for withholding the tax of these employees. It does not want to receive that money.

This bill is for the purpose of allowing the Federal Government to enter into an agreement with the State to withhold the tax and yet not receive any payment for doing so.

The purpose of the Federal Government in this relationship is perfectly clear. If the Federal Government receives compensation for withholding State income taxes, then why should not every employer like General Motors, General Electric, and every other large corporation, receive compensation for

withholding the income taxes they collect that are owed the Federal Government? The Federal Government says it does not want to receive any compensation for this purpose.

The bill as reported by the Finance Committee contains a provision which would prevent the Federal Government from withholding any State's income taxes from its employees who are nonresidents of the State even though their regular place of Federal employment is within the State and it is one with which such an agreement is entered into.

In other words, if a man works for the Federal Government in Massachusetts and lives in New Hampshire, Vermont, Maine, or Rhode Island, then, under the bill reported by the Finance Committee, the agreement of the Federal Government with Massachusetts to withhold income taxes could not apply to such a person. That, of course, would make it almost impossible for the State to collect the income taxes of an employee of the Federal Government within the State who was a resident of another State.

I submit that the question of tax liability is one to be decided between the States, for example between New Hampshire and Massachusetts, or any of the other neighboring States, whether the citizen of another State who works in Massachusetts should have to pay an income tax to Massachusetts.

So far as collection by withholding of a State income tax which is properly levied, I submit that no exception should be made. Either the Federal Government keeps such an agreement and it applies to all the employees of the Federal Government within the jurisdiction of Massachusetts, whether residents or nonresidents of Massachusetts, or it should not exist at all.

The Treasury is very much opposed to the Finance Committee bill as it was reported. I will read two passages from a letter of Mr. Scribner, Acting Secretary of the Treasury, which appears in my remarks in the CONGRESSIONAL RECORD for September 1, 1959, at page 17499. That letter is addressed to the Senator from Virginia [Mr BYRD], chairman of the Finance Committee, and is dated July 28, 1959.

I will read just two short passages from that letter:

> The purpose of S. 2282 is to provide that agencies of the Federal Government shall not accept compensation for services performed in withholding State income taxes pursuant to agreements entered into between individual States and the Secretary of the Treasury in accordance with the provisions of Public Law 587, 82d Congress.

Now, another short passage:

> The proposal to prohibit Federal agencies to withhold State income taxes from the compensation of their employees who do not live in the State in which they are employed, even though they are liable for such taxes by virtue of their earnings within the State, embodies a policy to which this Department is opposed.

In other words, the Treasury Department takes the position that any employee of the Federal Government who is within a State where, under the law, the Federal Government withholds a part of his income for income tax, should be under a uniform provision which applies to all its employees, rather than a provision which tries to distinguish between who is a resident of Massachusetts and who is a resident of New Hampshire. If New Hampshire and Massachusetts want to come to some agreement between themselves, that is an interstate matter, but it certainly is not a problem we should consider in trying to determine whether the Federal Government should enter into an agreement whereby it may not take compensation from a State for withholding income taxes which the State levies.

I hope that my amendment, which is supported by many of the Senators from various States, will be agreed to.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Maryland.

Mr. BEALL. Mr. President, on June 29, 1959, S. 2282 was introduced by the Senators from Massachusetts [Mr. SALTONSTALL and Mr. KENNEDY]. The sole purpose of the bill was to prevent any department or agency of the United States from accepting compensation from any State or Territory for withholding State or Territorial income taxes after March 31, 1959.

In its original form, this measure could be easily classified as noncontroversial. The Finance Committee, however, amended the bill in such a way as to effect a major change in policy. The committee amendment would require departments and agencies to withhold taxes only from employees who are residents of the State or Territory imposing the tax.

I understand that some 18 or 20 States and Territories are now operating under agreements whereby the Federal Government withholds taxes imposed by those States and Territories.

It would be unwise to alter this policy which heretofore has existed without serious objection. The Acting Secretary of the Treasury, Mr. Scribner, has opposed the committee amendment on two counts.

First, it would place Federal employees in a preferential status as compared with the employees of private employers and

Second, it would constitute a reversal of established congressional policy to cooperate with the States in the enforcement of their tax laws.

Undoubtedly, we would be providing some individuals with an effective means of evading State taxes.

Mr. President, in the interest of continuing the harmonious relationship between the Federal Government and the States with regard to taxation and in the interest of assisting the States to collect those revenues to which they are entitled, I urge the adoption of the amendment introduced by the senior Senator from Massachusetts, which I was pleased to cosponsor.

Mr. SALTONSTALL. I thank the Senator from Maryland.

Mr. BARTLETT. Mr. President, will the Senator yield to me?

Mr. SALTONSTALL. I yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I dislike very much taking a position which is perhaps exactly contrary to that of my delightful friend from New Hampshire, but that is the situation in which I find myself.

I ask the Senator from Massachusetts if it is not true that most radical surgery was committed upon the bill originally introducted by him and his colleague from Massachusetts, before the version now before the Senate was reported.

Mr. SALTONSTALL. The bill as reported by the Committee on Finance changed the original purpose of the Senators from Massachusetts. The committee action puts another complexion to the bill entirely, because it leaves out of the agreement between the Federal Government and the States those employees who state in writing that they live in another State.

Mr. BARTLETT. Mr. President, I note the language of the bill reported—

> A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement.

It seems to me that this does not afford the kind of protection which ought to be afforded. A mere statement, without the furnishing of proof in any case, ought not to be sufficient.

Does the Senator agree?

Mr. SALTONSTALL. I agree with the Senator from Alaska. In addition, let us assume that two citizens ride to the Federal Building at Boston each day from New Hampshire, one a Federal Government employee and another an employee of a business corporation. The employee who is a member of a business corporation would have his tax withheld; but if the bill as it was reported by the Finance Committee is enacted, the employee of the Federal Government would not have income tax deducted from his pay so long as he stated in writing he was a resident of another State.

Mr. BARTLETT. A statement made by him without any furnishing of proof would suffice?

Mr. SALTONSTALL. That is correct, as I understand the situation.

Mr. BARTLETT. The sentence which I read from the bill says, in part, "He is not a resident of the State or Territory."

The courts have defined "resident" in a good many different ways. Does the Senator from Massachusetts observe an exact definition of "resident" in the bill? Is there not an area of doubt as to what "resident" might mean?

Mr. SALTONSTALL. I assume that is the case. I am not an authority on income-tax law, but it does seem to me there is a question as to whether a man is a resident or not. The word "resident" may include the question of domicile and a number of other things.

Mr. BARTLETT. We have a good many Federal employees in Alaska. Every State has Federal employees. Many of our Federal employees were recruited from other States. They do not become residents of Alaska because,

so long as they maintain as their legal residences the places from which they were recruited, they get what is called home leave.

If the bill were to pass without the Senator's amendment, such a person could live in Alaska for 20 years and the Federal Government would have no right to withhold the income tax from his salary, although a man working right alongside of him, who was a resident of Alaska, would have such tax withheld; is that correct?

Mr. SALTONSTALL. That is correct.

Mr. BARTLETT. I am sure the Senator agrees that would not be a fair administration of the law.

Mr. SALTONSTALL. It would not be a fair administration of the law.

Mr. BARTLETT. We have Federal employees who come to Alaska for 1 month, 2 months, or 6 months, and then leave. Without a withholding tax arrangement those employees might return to the places from whence they came, and the State of Alaska might never be able to collect the taxes to which it is entitled, although it has a withholding tax system. Does the Senator not agree that this would be most unfair to many States?

Mr. SALTONSTALL. I believe the Senator is correct.

Mr. BARTLETT. I merely wish to express the hope, Mr. President, that the amendment offered by the senior Senator from Massachusetts will be agreed to, because I think it is of real importance.

Mr. SALTONSTALL.. I thank the Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I should like to read this list into the RECORD first, and then I will yield the floor.

Mr. President, the Treasury Department has informed me that the bill in its present form would upset the agreements which the Federal Government has for withholding of income taxes of Federal employees in the following 18 income tax jurisdictions: Oregon, Vermont, Delaware, Arizona, Kentucky, Colorado, Maryland, Idaho, Montana, Alabama, Indiana, Massachusetts, New York, Utah, Oklahoma, Hawaii, Alaska, and the District of Columbia.

Agreements are in the process of consummation with North Carolina and South Carolina.

Mr. BUTLER. Mr. President, I ask unanimous consent that the Senator may yield to me for the purpose of my making a brief statement in support of his amendment.

Mr. SALTONSTALL. I yield the floor, Mr. President.

Mr. COTTON and Mr. BUTLER addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, it is the purpose of the Senator from New Hampshire to offer a substitute amendment, if it is in order, to the amendment of the Senator from Massachusetts. I am perfectly willing—and I ask unanimous consent—to yield to my friend from Maryland so that he may make a statement, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

Mr. BUTLER. I thank the Senator from New Hampshire.

The committee amendment to S. 2282 would permit a Federal employee to file a statement with his agency that he is not a resident of the State where employed, and the agency would withhold no income tax from his compensation for State purposes.

The committee amendment does not take into consideration that the employee could be subject to tax as a nonresident, by the State where employed.

The right of any State to impose its income tax on nonresidents has been upheld time and time again by the courts. See *Shaffer* v. *Carter*, 252 U.S. 37, 57; *Lawrence* v. *State Tax Commissioner*, 286 U.S. 276; *New York ex rel. Cohn* v. *Graves*, 300 U.S. 308, 313 and many other cases.

Maryland, like most States, imposes its income tax on both residents and nonresidents. Nonresidents are subject to tax on compensation received for services performed within the State.

The Maryland law is a reciprocal law in that it contains provisions designed to eliminate dual taxation. In fact, Maryland, like Virginia and New York, goes a step farther by completely exempting the compensation of a nonresident if he resides in a State having a reciprocal income tax law.

The Federal act providing for withholding of income taxes for State purposes, from the compensation of Federal employees—66 Stat. 76; 5 U.S.C. 84c—brings the United States within the category of an "employer." The only restriction being that the State would impose no more burdensome requirements upon the United States than it imposes upon other employers. Amending the Federal law to nullify withholding with respect to a large segment of Federal employees, changes the rules "in the middle of the game" so to speak.

Pursuant to a provision of the Federal Withholding Act and regulations promulgated by the President, the State of Maryland entered into an agreement with the Treasury Department of the United States for the withholding of income taxes from the compensation of Federal employees whose regular place of employment is within Maryland. In entering into the agreement, we granted certain concessions which actually reduced the Federal withholding burden.

My State has a very satisfactory arrangement, as I have outlined, and my State very strongly opposes the committee amendment and urges the Senate to reject it. At this point in my remarks, I ask unanimous consent to insert in the body of the RECORD a letter which I have received from the Governor of my State, the Honorable J. Millard Tawes under date of August 24, 1959, commenting on the controversy before the Senate at this time; and a letter from Louis L. Goldstein, comptroller of the treasury of the State of Maryland.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXECUTIVE DEPARTMENT,
Annapolis, Md., August 24, 1959.

Senator JOHN MARSHALL BUTLER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BUTLER: My attention has been called to S. 2282, Calendar No. 669, 86th Congress, which was introduced by Senator SALTONSTALL to provide that the State of Massachusetts would not be required to pay to the U.S. Government any compensation for services rendered that State in the withholding of Massachusetts income from the salaries of Federal employees.

This bill, as introduced, was of no importance to our State. However, an amendment has been added by the Committee on Finance which is of great concern to Maryland, and is strongly opposed by us.

The amendment provides that the U.S. Government would no longer withhold State income taxes from their employees when the employee provides the Government agency where employed, a statement in writing that he is not a resident of the State wherein he is employed.

Under the Maryland income tax law, a nonresident is subject to the tax on salaries received for services performed within our State. There are certain exemptions and reciprocal tax credits which eliminate dual taxation and generally the tax is paid only by an individual who resides in a State imposing no income tax.

In Maryland, in view of the many Federal installations here, a large number of nonresidents are employed, and many of these commute from States having no income tax imposition. Prior to the passage of Federal legislation providing for the withholding of State income taxes by agencies of the Federal Government, considerable difficulty was experienced with these nonresidents. The amendment proposed to S. 2282 will immediately create this former difficulty.

Employers in private industry withhold Maryland income taxes from their employees under the rules promulgated pursuant to our income tax law. We feel that employees of the Federal Government should be subject to the same rules and that no special legislation should be enacted in their behalf.

S. 2282, prior to the amendment, is certainly agreeable to us. The amendment is, however, most objectionable.

We hope that you will support us in our opposition to the amendment and that you will do what you can to defeat it.

With kindest personal regards, I am

Sincerely yours,

J. MILLARD TAWES,
Governor.

STATE OF MARYLAND,
COMPTROLLER OF THE TREASURY,
Annapolis, Md., August 21, 1959.

Hon. JOHN MARSHALL BUTLER,
U.S. Senator, Washington, D.C.

DEAR SENATOR BUTLER: We wish to call your attention to S. 2282, Calendar No. 669, 86th Congress, which was introduced by Senator SALTONSTALL to provide that the State of Massachusetts would not be required to pay to the U.S. Government any compensation for services rendered in the withholding of income taxes for the benefit of the State of Massachusetts.

This bill, as introduced, was a simple harmless bill, but it was amended by the committee to make it a bill of real importance to many States, including Maryland. We are most definitely opposed to the committee amendment.

This amendment provides that the U.S. Government would no longer withhold State income taxes from their employees, when the employee provides the governmental agency

a statement in writing that he is not a resident of the State in which he is employed. This procedure will greatly nullify our withholding program, insofar as the income-tax liability of a nonresident is concerned as it will leave it entirely in the hands of the nonresident whether or not he is to declare himself a resident or nonresident of Maryland.

It is our understanding that this amendment was adopted without any hearing. Certainly, no States that we know of would be in favor of this amendment and it seems to us that it was no doubt instigated by Federal employees who escaped their income tax liability to many States before withholding.

We have just learned of this action on the part of the committee and we write this letter to you rather hurriedly so that you may have our views on the matter. We shall be glad to furnish further details as to our reasons for opposing the measure, as we shall most certainly do to our Members in Congress.

We hope that you will see your way clear to support us in our efforts to have the amendment taken from S. 2282.

Very truly yours,

LOUIS L. GOLDSTEIN,
Comptroller.
By BENJ. F. MARSH,
Chief, Income Tax Division.

Mr. COTTON. Mr. President——

The PRESIDING OFFICER (Mr. DODD in the chair). The Senator will suspend until the Senate is in order.

The Senator may proceed.

Mr. COTTON. Mr. President, before offering my substitute amendment, I cannot refrain from commenting on the statement of my beloved friend, the Senator from Maryland, as well as on the letter from the Governor of the State of Maryland.

It would seem clear to me that the day will come, if we proceed along the pathway of the Senators who are sponsoring the amendment offered by the distinguished Senator from Massachusetts, when the statement of the Senator from Maryland, the statements by the Governor of Maryland and Governors of other States will rise to haunt them.

In the case of Maryland, it is extremely significant, because if the Senate in its wisdom should enact an income tax to be paid by the people earning their income in the District of Columbia, and have it collected from them regardless of where they sleep at night, there will be untold thousands of people who actually sleep and vote and live in the State of Maryland and earn their money in the District who would find themselves taxed. Their taxes would be paid to the District and not to the State of Maryland. The financial loss would be enormous. I am amazed that the Governor of Maryland should take the position he takes, because I believe he is thus opening himself to a disaster which would be almost catastrophic to the State of Maryland.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. COTTON. I must yield to my friend from Maryland.

Mr. BUTLER. As I pointed out, under the reciprocal income tax law a resident of Maryland would not be penalized. So I can see no great calamity which would befall the people of Maryland under the circumstances suggested.

Mr. COTTON. It would be no calamity except a loss of a great deal of money; and in my little State money talks.

Mr. BUTLER. We may now be losing more than we gain by reason of the reciprocity provisions of our statute, but we feel it is a just provision, and we are willing to live by it.

Mr. CASE of New Jersey. Will the Senator yield ?

Mr. COTTON. I yield to the distinguished Senator from New Jersey, provided I do not lose the floor.

Mr. President, I ask unanimous consent to yield to the Senator from New Jersey without losing the floor, because I wish to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of New Jersey. Mr. President, it may be better, after all, for the Senator to proceed now, and I will speak later.

Mr. COTTON. Mr. President, I have an amendment at the desk, which is designated "9–9–59—A." A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. Is it in order to offer an amendment at this point as a substitute for the amendment offered by the distinguished Senator from Massachusetts [Mr. SALTONSTALL]?

The PRESIDING OFFICER. The Senator's amendment is not a substitute, but perfects the amendment offered by the Senator from Massachusetts, and it is therefore in order to offer it at this time as a perfecting amendment.

Mr. COTTON. Mr. President, I call up my amendment for consideration at this time.

Mr. SPARKMAN. May I ask what the ruling was?

The PRESIDING OFFICER. The ruling of the Chair, in answer to the parliamentary inquiry of the Senator from New Hampshire, was that his amendment is not a substitute for the amendment offered by the Senator from Massachusetts, but that his amendment is a perfecting amendment to the language proposed to be stricken out by the Senator from Massachusetts, and is in order.

Mr. SPARKMAN. It is in order at this time?

The PRESIDING OFFICER. Yes.

Mr. SPARKMAN. Do I understand correctly that the Senator from New Hampshire is offering his amendment?

Mr. COTTON. I am offering it now, and I ask that the clerk report it.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, lines 9 and 10, it is proposed to strike out the words "Who are residents of" and insert in lieu thereof the following: "Whose place of abode is in".

On page 3, line 12, strike out all after the period in line 12, down to and including the period in line 16.

Mr. SALTONSTALL. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. The amendment the clerk has just read, as offered by the Senator from New Hampshire, is an amendment to the bill and is not a perfecting amendment to the amendment of the Senator from Massachusetts. Therefore it cannot be offered as an amendment to my amendment. It may be offered as a substitute for my amendment, but not as an amendment to my amendment.

Mr. COTTON. The Senator from New Hampshire offered it as a substitute, and understood that the ruling was that it could not be so offered. There certainly must be some way under the rules by which this amendment may be brought up at this time for consideration.

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire is a perfecting amendment of the language which the motion of the Senator from Massachusetts proposes to strike out and therefore is in order at this time and has precedence over the motion to strike out. The amendment of the Senator from New Hampshire proposes to strike out the words "who are residents of" and to insert in lieu thereof the words "whose place of abode is in."

Mr. COTTON. Mr. President, I should like to say a word in explanation of my amendment and the difference between it and the amendment offered by the Senator from Massachusetts. Mr. President, the bill in its original form, as introduced by the able Senator from Massachusetts, has been clearly explained by him. It had a perfectly legitimate and praiseworthy object. It was to enable agencies of the Federal Government to enter into agreements with the States, under which the Federal Government would withhold State income taxes from employees of the Federal Government. However, it was the opinion of the Committee on Finance—and I say frankly that the junior Senator from New Hampshire, for reasons which will be set forth shortly raised the question—that if we were to adopt or enact this perfectly legitimate and innocuous piece of legislation, we should be very careful that we did it in such a manner as to keep the Federal Government in a completely neutral position. We did not want to make the Federal Government the arbiter between States as to the collection of State income taxes from Federal employees or inject the Federal Government into a controversy between a State and the citizens or residents of another State.

I say that because if I live in one State and another State claims it is entitled to tax my income, and I am employed by the Federal Government, and the Federal Government decides to withhold the State tax, there are nearly two strikes on me from the start. I am sure I speak for the chairman and my colleagues on the Committee on Finance when I say the sole purpose of the amendment was to exercise great care that the hallmark of approval of the Federal Government not be placed on any particular practices as between the residents of one State and the taxes of another, or put the Federal Government into the position of reaching its strong arm into this matter and

prejudicing the rights of individuals, which are, after all, fundamentally the most precious rights we have in this country.

Mr. SALTONSTALL. Will the Senator yield?

Mr. COTTON. I will yield to the Senator from Massachusetts very shortly, if the Senator will let me finish this brief statement on the amendment.

The Committee on Finance amended the bill therefore by providing that agreements entered into between the Federal Government and the States would not permit the Federal Government to collect or withhold State taxes as against residents of another State.

Then to make the administration of the act easier, a new sentence was added to the effect that the written statement of the taxpayer as to where his residence was should be taken as final by the Federal Government in connection with the withholding of State taxes. That action was I think at the request of the Treasury Department and certainly not with my approval. I want to be fair. I do not blame the Senator from Massachusetts and other Members for feeling that the added, new sentence might prove a gimmick whereby taxpayers could evade the withholding of their taxes by simply filing a statement that they are residents of some place other than where they are living and sleeping and where their apparent residence is.

So, in order to try to accomplish what the committee wished to accomplish, and to keep the Federal Government in a neutral position, my amendment would do two things. The second part of it is exactly the same as the amendment of the Senator from Massachusetts. It strikes out on page 3, line 12, this sentence:

> A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement.

Then, in order further to simplify the matter and make this bill reasonable and fair, my amendment would substitute, in place of the words "who are residents of" in lines 9 and 10 on page 3, the term "whose place of abode is". So it does not involve the question of whether a person is a legal resident of this State or another State. If his place of abode, where he sleeps, where his children go to school, is in a certain State, and he is an employee of the Federal Government, it will be perfectly legitimate and proper, if my amendment is adopted, for the Federal Government to withhold State taxes from his compensation. I feel that this amendment should clear away the reasonable objections which many have to the bill as amended by the committee.

The committee report well expresses the basic justification of my amendment. I remind the Senate of the language of that report. The Committee on Finance said:

> Your committee is concerned over the multiplicity of income taxes which is developing as many States (and now several cities, as well) turn to this source of revenue. As a result it often occurs that an individual finds two or more States asserting the right to tax his income. Thus, he may be faced with the possibility of paying several local income taxes and may have to go to the effort of filing several returns and explaining his financial affairs several times.

I interpolate that the language in the report of the Committee on Finance is amazingly and strikingly similar to the language used by that committee in favorably reporting Senate bill 2624, of which my friend the distinguished Senator from Massachusetts, whom I honor greatly, and who is here fighting for his State, was a sponsor, when that bill was reported to the Senate by the Committee on Finance.

The purpose of that bill was to protect nonresident corporations engaged in interstate commerce from a multiplicity of taxation by the various States.

If a corporation engaged in interstate commerce is entitled to be protected from a multiplicity of taxation from this State, that State, and the next State, wherever it does business—and I agree that it was entitled to receive protection—will someone, and particularly the distinguished Senator from Massachusetts, tell me why the same kind of protection should not be extended to the individual income taxpayer in this country?

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. BRIDGES. I wish to compliment my distinguished colleague for the very able presentation he is making of this case.

The first responsibility of a U.S. Senator, as I see it, is to promote the best interests and the welfare of the country as a whole. That is his primary duty. His secondary responsibility, I believe, is to protect the interests of the State and section he serves against unfair and discriminatory action. I think the distinguished junior Senator from New Hampshire is performing that service ably in his presentation of the facts justifying the necessity of the bill as reported by the Senate Finance Committee.

Mr. COTTON. I thank my colleague.

Mr. BRIDGES. New Hampshire does not have a sales tax nor an income tax on the earned income of its residents. Irrespective of this fact, I support S. 2282 as amended by the Senate Finance Committee.

The Federal Government should not be reimbursed for its expenses in withholding State income taxes when it imposes the same withholding duty on millions of employers as well as State and municipal governments without reimbursement for their expenses.

I do not believe that there is any Member of this body who believes that the Federal Government should become an accomplice with any State in enforcing and wrongfully withholding income of a Federal employee who is a nonresident of the collecting State. Approval of this bill without the committee amendment would in an effect give congressional sanction and encouragement to a collecting State to continue in its indiscriminate withholding of wages to which it is not lawfully entitled. I, therefore, urge my colleagues to support this bill as reported and with the perfecting amendment of the junior Senator from New Hampshire in an effort to correct this inequitable situation.

At this time, I also would like to pay tribute to my distinguished colleague from New Hampshire and his associates on the committee for their comprehension and efforts in reporting a sound, practical, and necessary bill which will be fair to the residents of all States.

Mr. COTTON. I thank my senior colleague.

Mr. CASE of New Jersey. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield to the Senator from New Jersey, provided I do not lose the floor.

Mr. CASE of New Jersey. I join with the senior Senator from New Hampshire in complimenting the junior Senator from New Hampshire on the excellent statement he has made and upon the very sound position he has taken. It seems to me to be very clear that the junior Senator from New Hampshire, in the words of his senior colleague, is not only representing the interests of his own State well, but also the national interest.

I ask the junior Senator from New Hampshire how anyone can claim that it is in the national interest for the Federal Government to be a party to imposing upon a State a kind of taxation it does not want.

Mr. COTTON. I agree with the distinguished Senator from New Jersey. His question aptly expresses the principle involved in the whole controversy. The original bill was an innocuous bill, and served a perfectly praiseworthy purpose. But if the amendment of the Senator from Massachusetts is agreed to, the problem can become extremely vexatious and will make more acute the situation as between the rights of States and the rights of individuals.

Mr. CASE of New Jersey. I agree fully with the statement of the Senator and with the report of the committee, to which he referred earlier in his remarks.

When I said that the proposal of the Senator from Massachusetts would force a State to adopt a form of taxation it did not want, I meant exactly that. I mention, for example, my own State. New Jersey does not have an income tax or a sales tax, except for a certain specific purpose. The money for the upkeep of the New Jersey government is raised in other ways.

Our adjoining State of New York has an income tax. New York State chooses to raise a large part of its income for government operations by taxing the incomes of persons and corporations who work and live in that State.

Is there any reason why the residents of New Jersey who work in New York should have to pay twice for government functions, once in New York and again in New Jersey, because they live in New Jersey and have to pay their

share of the upkeep of New Jersey's government?

There is a basic unfairness in one State taxing the income of a person who lives in another State. I am not speaking about the constitutional power. When it is said that a State has the right to do this, it is not stated whether it is proper for it to do so. Particularly, it is not stated whether the Federal Government should be a party to an unjust, unsound kind of taxation, which it spreading elsewhere throughout the country, until we are so enmeshed in intricacies that we are bogged down with taxes.

I commend the junior Senator from New Hampshire for the sound position he is taking, and also the sound position of the Committee on Finance, which reported the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. MORSE. I desire to propound a few hypothetical questions to the Senator from New Hampshire. Suppose A lives in New Hampshire, sends his children to school in New Hampshire, and works for an agency of the Federal Government in Massachusetts. Under the bill as it comes from the committee, could the State of Massachusetts ask the Federal Government to deduct from the person's Federal check, which is paid to him every month at the seat of the agency in Massachusetts, an amount to cover the tax which Massachusetts wishes to impose on that individual?

Mr. COTTON. Under my understanding of the bill as it came from the committee, in the hypothetical case stated by the Senator from Oregon, the Federal Government could not withhold for the State of Massachusetts a tax on the wages of a person employed in Massachusetts by the Federal Government, if that person was a resident of the State of New Hampshire.

Mr. MORSE. Suppose B lives in Massachusetts, works for a Federal agency located in New Hampshire, and the State of Massachusetts asks the Federal Government to deduct from his wages, paid in New Hampshire, an amount equal to the payment of the Massachusetts income tax. Under the bill as it came from the committee, could the Federal Government do that?

Mr. COTTON. Did the Senator assume that the person lived in Massachusetts?

Mr. MORSE. Assume that he lives in Massachusetts and works for a Federal agency in New Hampshire.

Mr. COTTON. On page 3 of the bill, lines 9, 10, 11, and 12, are the words:

who are subject to such tax and who are residents of such State or Territory and whose regular place of Federal employment is within the State or Territory with which such agreement is entered into.

So the Federal Government, under the terms of the bill as it came from the committee, could not withhold the tax of the State of Massachusetts on a Massachusetts resident whose regular place of Federal employment was in New Hampshire.

Mr. MORSE. Would the Senator from New Hampshire give me a set of hypothetical facts which raises the problem he is objecting to?

Mr. COTTON. I shall be very happy to do that. First, I think the Senator from Oregon will be amazed at some of the things that are already taking place in the matter of State taxation.

Even though I respect so much and love my friend, the senior Senator from Massachusetts [Mr. SALTONSTALL] so dearly, I feel I am standing or struggling to prevent the passage of a bill which by inference and by fact would be an entering wedge for very unjust taxation.

The Senator from Oregon has asked for a hypothetical case. I will read a letter I received from a resident or a citizen of the town of Newmarket, in New Hampshire, Newmarket being near the Massachusetts border. The writer says:

NEWMARKET, N.H., *February 14, 1959.*

Hon. NORRIS COTTON,
U.S. Senator, Washington, D.C.

DEAR SENATOR: I have been a resident and voter in the State of New Hampshire for 40 years excepting the years of 1943 to 1946 during which time I was a resident of Boston, Mass.

I am employed by the Boston & Maine R.R. as an engineman, and at present have a passenger run, Portsmouth to Boston and return.

As you doubtless know, Massachusetts has within the past few years enacted a nonresident income tax law that I and my fellow workers consider most unfair to us as citizens of New Hampshire. February 15 this tax is to be withheld from our pay each week and is retroactive to Jan. 1.

We live, vote and pay taxes in New Hampshire. Our runs start in New Hampshire and we are paid in New Hampshire, yet Massachusetts taxes us for the miles run in that State.

Inasmuch as I have no legal representation in that State—probably nothing would be gained if I had—I am writing to you. Can anything be done about it?

Very truly yours,

WILLIAM HOLT.

Mr. President, the Senate has before it three measures which attempt to deal with this overall situation. One of them is Senate Joint Resolution 29, introduced by my distinguished senior colleague [Mr. BRIDGES] and myself. The second is Senate Joint Resolution 67, introduced by the distinguished Senator from New Jersey [Mr. CASE] and the distinguished Senator from Connecticut [Mr. DODD]. The third is Senate Joint Resolution 140, which recently was introduced by the Senator from Connecticut.

Those measures provide for the submission of a constitutional amendment to clarify the matter of overlapping taxation as between States, as such taxation affects the citizens of other States.

The measure before us would have no effect on the employee of the Boston & Maine Railroad who wrote the letter I have read to the Senate; but I wish to call the attention of the Senator from Oregon to the fact that I inquired of the Treasury Department about the situation under the existing regulations and, in particular, about an employee of the postal service who is employed as a railway mail clerk and, although he may live in Newmarket, N.H., travels between New Hampshire and Boston, sorting mail in the mail car. Is the Federal Government going to agree to withhold from his paycheck a proportionate amount, for State income taxes, on the basis of the number of miles he travels on the train in the State of Massachusetts? Under the measure as originally introduced, that could be done.

I wish to be perfectly fair and frank. I state that I was informed by the Assistant Secretary of the Treasury that the Treasury has not taken any action of that sort, and that it would not be the purpose of the Treasury Department to do so, and I have complete confidence in the sincerity of those officials.

I state to the Senator from Oregon and to the other Senators who are sincerely interested in this matter that I have not the slightest desire to include in this measure any "gimmick." I also state frankly and sincerely that any provision included by means of the committee amendment was included in a sincere effort to take proper action in this situation, and was included on the advice of the Treasury Department experts.

If the amendment will allow a taxpayer to avoid any of the taxes which, in justice, he should pay, certainly I do not want that to happen. That is why I have included an amendment which I think will result in fair treatment.

But if Congress passes a measure by means of which Uncle Sam, as an employer, will be able to withhold income taxes for the State of Massachusetts, from the salary of a resident of New Hampshire who travels on a railway between those two States, similar action could be taken in the case of an airplane pilot who flies over a State in which he does not live.

Mr. KEATING. That is now being done.

Mr. COTTON. I do not know whether Uncle Sam does that; but I understand that it is now done by some States.

This measure, unless properly amended, would seem to put the seal of Federal approval on a situation which admittedly is improper. Certainly such a practice should be stopped. At this point I should like to touch on the question raised by the distinguished Senator from Alaska during the previous colloquy, upon which other Senators have naturally and properly expressed their deep concern.

I am sure that other members of the Committee on Finance will agree with me when I say that we did not wish to report any bill or have any measure passed which would result in making it difficult for the States of Alaska or Hawaii or any others to secure the cooperation of the Federal Government in withholding their taxes on the wages of Federal employees who are stationed in, living in, and working in the State.

As one member of the Committee on Finance, and I am sure the other members will agree with me, I can say we discussed this matter and inquired from the staff and from the Treasury members about the use of the term "residents of" in this bill, and we were informed

that the term "resident" did not mean citizen or voter. It meant a person residing there. But because of the fact that this very proper concern was voiced by the distinguished Senator from Alaska and others, my perfecting amendment, which is now before the Senate, changes the words "residents of" to "whose place of abode is." I am advised by Mr. Stam and others on our staff and by representatives of the Treasury that there can be no shadow of doubt that if this perfecting amendment is adopted, those people who are stationed in, live in, work in, and draw their pay in a State will be subject to having the State tax withheld from their Federal pay.

So I would suggest to my friend from Alaska and to my friend from Hawaii [Mr. LONG], who has in conversation discussed this with me and expressed concern, if this perfecting amendment is adopted, all question is decided about the application of withholding to Federal employees who really live within the State.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to state the Senator from New Hampshire [Mr. COTTON] has expressed the purpose very well. This was not a light matter in the committee. We discussed it at great length and tried in every way we could to define the residence of these people, and finally we came up with the language the Senator has offered. While we did not adopt that language in the committee, we discussed it, and I am confident it would take care of the situation he just mentioned.

Mr. COTTON. Mr. President, in the very few moments left, I would like to include in the RECORD in my remarks two or three important points.

In the first place, I would like to direct the attention of the Senate to the committee report of the Commitee on Finance, of which I read a few sentences earlier in my remarks. The committee report goes on to say—and this is important for the legislative history of this bill—

> Your committee is concerned over the multiplicity of income taxes which is developing as many States (and now several cities, as well) turn to this source of revenue. As a result it often occurs that an individual finds two or more States asserting the right to tax his income. Thus, he may be faced with the possibility of paying several local income taxes and may have to go to the effort of filing several returns and explaining his financial affairs several times. Your committee is aware that an individual regularly employed by an agency of the United States in a particular State may, nevertheless, not be a resident of that State. In such a case there might well be an issue between him and the State as to whether he is liable for the State income tax. However, if the U.S. agency which employs him has withheld from his salary the State will have the advantage, in any discussion or litigation, of having part or all of the claimed tax in its hands. Withholding as to such an individual might well have the effect of helping a State assert and collect an income tax from a nonresident. Your committee believes that in any issue involving a State income tax between a State and resident of another State, the position of the United States and of all its agencies and departments should be a neutral one. It therefore believes that there should be no withholding by the United States on the salary of a Federal employee who is not a resident of the State in which he is employed so that if this State asserts the right to collect income tax from him, it will not have the advantage of having the money in its hands in advance. For these reasons, your committee believes it desirable to provide that no U.S. department or agency shall withhold from the salary of an employee who states in writing that he is not a resident of the State in which he is employed.

Mr. President, I wish to emphasize two additional points, one of which I have mentioned briefly. Two recent enactments of this Congress provide a very strong precedent for the adoption of the bill in its committee form as perfected by my amendment. I mention first the bill I referred to earlier.

The Congress has approved legislation dealing with State taxation of income derived from interstate commerce. The bill, S. 2524, passed the Senate August 20, and the conference report was adopted September 3. It is no oversimplification to say that the whole purpose of this bill is to prevent the States from taxing the incomes of certain nonresident corporations. If the protective hand of the Federal Government can be extended to nonresident businesses, what is wrong with asking that it remain neutral when it comes to nonresident individuals?

There is another precedent.

On September 1, Congress completed action on, and sent to the President, a bill to prohibit the withholding of seamen's wages under State tax laws, S. 1958. The bill, which had the support of the U.S. Department of Commerce, and the maritime interests, would prohibit shipowners and operators from withholding State income taxes from the wages of persons who serve on the crew of any vessel engaged in the foreign, coastwise, intercoastal, interstate, or noncontiguous trade.

This Congress is willing to prohibit steamship companies from withholding State income taxes from their employees, regardless of their State of residence.

Why then should we insist that the Federal Government put itself in the position of withholding State income taxes from those whose place of abode is not in the State?

I merely wish to reemphasize my own amendment and then I shall conclude. The amendment which I have offered, and which will be voted on first, prior to the amendment of the distinguished Senator from Massachusetts [Mr. SALTONSTALL], is justly and correctly called a perfecting amendment. The second part of that amendment is identical with that of the Senator from Massachusetts. It strikes out completely the sentence in the bill as it came from the committee which provided that the taxpayer could determine legally, as far as the Federal Government as an employer is concerned, his place of residence or abode by simply stating in writing where he considered he lived.

That is out under my amendment. It is out under the amendment of the Senator from Massachusetts.

The first part of the amendment, however, changes the words "residents of" to "whose place of abode is," which, as I think I have explained, ought to remove all of the apprehensions of those who fear that the enactment of this bill would be a roadblock thrown in the way of the States collecting from employees of the Government who are stationed there, who live there, and who work there.

It seems to me that with the perfecting amendment the bill is safe. The bill will not work injustice on anybody.

More than that—and this is what makes the Senator from New Hampshire feel very strongly on this point—it will not be taken as another wedge and a moral victory for those who advocate that States and cities reach out further, and further, and further, to tax people in other States.

Mr. President, this process is going to catch up with us very soon. The conflicts over tax jurisdictions grow wider and wider all the time. Cities and municipalities are even beginning to levy what they call payroll taxes. Soon citizens of this country will find themselves reporting to one State and then another State and to the cities and counties, and will find themselves taxed by States in which they do not live, taxed by States in which they do not work, and taxed by cities in addition, so that tax after tax after tax will be imposed and superimposed upon their wages.

That is a problem which Congress will have to face in the near future. In fairness, I appeal to the Senate not to prejudice its approach by the kind of bill which places a hallmark of approval by the Federal Government as an employer upon a practice which Congress will soon be compelled to stop or control, or at least define and clarify, if there is to be any piece of mind on the part of our citizens. That is the appeal I wish to make. I base my appeal on that fact.

I know there are Senators who have received messages from their Governors, their State tax commissioners, and other officials back home. I can understand that. I happen to be situated in a State which has been frugal, and therefore has no State income tax. I should like to take this opportunity to invite Senators, when they retire, to come to New Hampshire, because it is one State where an income tax is not imposed on its citizens. The reason is that we have tried to live frugally and keep the cost of our Government within bounds.

But we are completely surrounded, as are certain other States, by States which try to reach over into the pockets of our citizens. If this practice continues, every State in the Union may be whipped into imposing needless taxes, taxes they have so far refrained from levying. A State which does not now have an income tax may be forced in self-defense to levy one so that it can collect from the citizens of the adjoining States. When taxes are collected needlessly, the income is used for needless spending—

and we have heard all about that in the Senate.

I am concerned about the principle. This bill will not have immediate far reaching effect. It will not cure the situation we complain of in my State. But there is a principle involved, and all I ask is that the bill be passed in such form that it keeps the Federal Government neutral and does not put it on one side or the other in this contest.

I know that the Governors and State tax commissioners are perfectly sincere. They are apprehensive. They are fighting for the penny that is close to their eyes today, rather than the dollar that is far away tomorrow. But I predict that the day will come when this principle will rise up to haunt them, and they will rue the day bitterly when even an entering wedge was approved. I predict that the time will come when they will see that there are two sides to the coin, and when citizens who are working will not be able to count the number of places where they must pay income taxes. It will be pretty difficult to collect all the taxes which will be imposed, and the various governments will not have the cooperation and confidence of the taxpayer. When that time comes, the situation will be grave indeed.

Mr. KEATING. Mr. President, will the distinguished Senator from New Hampshire yield, provided he does not lose the floor?

Mr. COTTON. I yield.

Mr. KEATING. I have been a Member of the Senate for but a few months, but I have never heard a more vigorous argument made for the people whom a Senator represents than has been made today by the Senator from New Hampshire. I think his argument is wrong; but certainly a wrong argument was never advanced with more vigor, more sincerity, or a greater ability than was done by the distinguished Senator from New Hampshire.

Mr. COTTON. I simply want to thank the Senator from New York.

Mr. KEATING. Do not thank me yet. There is a "but."

Mr. COTTON. I know there is a "but"; but before the Senator gets to that, I wish to thank him for his generous and almost extravagant praise. Still, if he will analyze his words, he will find that they indicate that the Senator from New Hampshire was loud but not logical. Would the Senator just as soon say "vigorous and logical"?

Mr. KEATING. Logic refers in a way to the rightness of one's cause, and I do not want to imply that I agree with the Senator's position on this matter. I simply want to say that we all are aware of the fine work which the Senator from New Hampshire has been doing in this field. Certainly I would be the last one to say that any blame should be attached to him for this. But it is the very ability of the distinguished junior Senator from New Hampshire which makes his statement dangerous, because he has made it so complex that there is a danger that his fine oratory may possibly overcome our logic when we vote on this question.

It is a very simple question, as the Senator from Massachusetts [Mr. SALTONSTALL], of whose amendment I am a cosponsor, will agree. The people of New Hampshire happen to want to live there. Perhaps they want to live there because there is no income tax in that State. It is a fine and beautiful State. Perhaps the people of New Hampshire want to work in Massachusetts. Similarly, there are many people who live in New Jersey and work in New York. Both Massachusetts and New York impose income taxes on the earnings of persons who work in the State but who live in adjoining States.

There are a number of good reasons for the imposition of nonresident State income taxes. For example, persons from outside of New York who work in New York are protected by the New York police departments; they ride on New York highways; they rely upon the fire departments in New York State. In a word, they use all the facilities which are afforded by the State for the protection and comfort of citizens of the State. If they want to bring their own police force with them; if they want to bring their own fire departments with them; if they want to bring facilities for the handling of sewage with them; if they want to bring all the many facilities which are afforded by the State in which they work; then perhaps negotiations can be entered into so that they can be relieved of paying the income tax in that State. But if they are going to use these facilities, they must pay their fair share of the cost of these facilities. If they use these facilities, they must be treated in the same way as the fellow who works at the next desk and who happens to live in Manhattan or in one of the suburbs of New York City. All the employees of a given firm should be taxed on the same basis. This principle is accepted by every State which has an income tax. I believe it is a fair and just principle. That is all there is to this argument.

Having simplified the argument, Mr. President, I hope that I have made a contribution to the defeat of the proposal of the distinguished Senator from New Hampshire, no matter how vigorous or eloquent he may hereafter be.

Mr. COTTON. I am compelled to make this brief comment on the words of the distinguished junior Senator from New York. I served with him in the House of Representatives, and it is an honor to serve with him in the Senate. But when, with that sweet, dulcet manner of his, and with that genuine smile, and with those well chosen words, he starts to simplify something, beware.

Can there be anything more plain than this bill, with the perfecting amendment the Senator from New Hampshire has offered, which simply says, in effect, "Yes; it is all right for the Federal Government to enter into agreements with the States to withhold State income taxes from Federal employees, provided, first, that the employees' post of business shall be in the State, and, second, that his place of abode is within the State"? If the Internal Revenue Service sends an agent from New York to go out into Missouri or Wisconsin or somewhere else and stations him there to collect taxes and to do the work of the Department, his place of duty is there and his abode is there, and the Federal Government will withhold the State income tax. But the Federal Government should not make itself an agent or an arbiter to collect in advance a State tax on a Federal employee who does not live in the State, is not a resident of the State, or a voter in the State. That is perfectly simple. I am astounded at the claim that whenever I stop at La Guardia Airport, I use the New York sewers, and should pay for using them. Am I supposed to pay a portion of my taxes to New York? [Laughter.] How ridiculous can my friend, the Senator from New York, get?

Certainly a person who spends a few days at a New York hotel does not have to pay taxes in order to pay part of the expenses of the New York Fire Department, the New York Sewer Department, and so forth.

Mr. KEATING. But if such a person lives there day after day——

Mr. COTTON. If he lives there day after day, and stays there indefinitely, his taxes will be withheld. The Senator from New York should not make such a claim, and then criticize the logic—or, as he alleges, the lack of logic—of what I have stated.

Mr. KEATING. Mr. President, I am afraid that the Senator from New Hampshire and I do not see eye to eye in regard to this matter.

Mr. PROUTY. Mr. President, will the Senator from New Hampshire yield to me?

Mr. COTTON. I yield.

Mr. PROUTY. First, I wish to commend the distinguished junior Senator from New Hampshire for the very valiant and able fight he is making in behalf of his State. His State has every reason to be proud of his efforts in this respect and his efforts in other respects.

However, I am forced to disagree with his conclusions.

He has pointed to the fact that New Hampshire does not have a State income tax. However, as a result of the fact that New Hampshire has legalized gambling, a substantial proportion of the revenues of New Hampshire are paid by residents of Vermont and Massachusetts.

I believe the Senator from New Hampshire realizes that Vermont is perhaps more responsible than is any other State for the fact that the Federal Government is now withholding taxes for various States, from salaries earned by Federal employees within the respective States. He will remember that in 1952, I believe, Vermont refused to turn over to the Federal Government approximately $2 million worth of Federal taxes which Vermont had collected from State employees; Vermont took that position in order to persuade the Federal Government that it would be only just to have a reciprocal relationship entered into.

As I understand the amendment of the Senator from New Hampshire, if a Federal employee rents a home in New Hampshire, but earns all of his income

in Vermont, under the provisions of this amendment his salary would not be subject to withholding for taxes. Is that correct?

Mr. COTTON. Mr. President, in the very rare instances—and they are rare—in which a Federal employee resides, has his place of abode, has his home, on one side of the State line but is employed on the other side of that line, this bill provides that the Federal Government will not pass judgment on that matter in advance and withhold for the State in which he works.

Mr. PROUTY. The Senator from New Hampshire has clarified his amendment; and I am grateful to him for doing so.

Mr. BARTLETT. Mr. President, if the Senator from New Hampshire will yield to me, I merely wish to say—and in doing so I desire to join with my friend, the Senator from New York—that the eloquence and the persuasive abilities of our friend, the Senator from New Hampshire, have caused me, as a cosponsor of the Saltonstall amendment, to retire, from time to time, to the cloakroom, so I would not be overcome by the force of the Senator's arguments and be completely persuaded by them. It is with difficulty that I have come through unyielding and still a firm advocate of the Saltonstall amendment; but I have come through.

Mr. COTTON. I thank the Senator from Alaska for his statement.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I wish to be heard briefly on the pending motion.

I served as attorney general of my State. Although I appreciate the pleasant nature of the debate which has occurred in regard to this matter, I believe the problem involved is far more fundamental. I believe that the fundamental legal question involved is of such character that the Senate would make a great mistake if it failed to adopt the amendment of the Senator from Massachusetts [Mr. SALTONSTALL], which I have had the honor to cosponsor, and if it failed to reject the amendment of the Senator from New Hampshire [Mr. COTTON].

My reason for taking that position is that it is one thing to try to change the ground rules under which relations between nonresidents and the States in which they work shall be handled.

I wish to call the attention of the Senate to the fact that only recently the Senate did exactly that, in the case of businesses which operate interstate, but engage in some intrastate activities. A bill to that effect was recently passed by the Senate.

It is one thing to do that, and I think in that respect the Congress is proceeding on perfectly sound ground; but it is quite another thing to provide that, notwithstanding a lawful State tax law, the Federal Government shall not be a party to helping enforce that State law. If we were to take such a position, I believe we would get into many contradictions and many difficulties. Yet that is the fundamental purport of this proposal.

The Federal Government is seeking, by means of a withholding statute which relates to cooperation between the Federal Government and the State governments, to change the rules in regard to what a State will be allowed to do by way of taxation.

It will be argued that the fact that the Federal Government does not withhold, does not necessarily mean that the tax will not be collected. However, I think we know well enough, from the experience in connection with the collection of taxes, that if taxes are not withheld, to a great extent they will not be paid, somehow or other, to the taxing authority.

Therefore, I believe agreements should be made with respect to such compacts—which, incidentally, do not affect a great many States.

Of course New York has a very material problem on this score.

In a moment, I shall submit details in regard to how New York, New Jersey, and Connecticut are trying to attack this problem.

Another way to attack it would be for the Congress to pass a bill of the kind it passed the other day for the benefit of business firms which felt that under a Supreme Court decision, they were being unjustly penalized. Because of that situation, the Senate passed a bill which I believe could properly be described as a bracket bill; in other words, it provided for both a minimum and a maximum, so there would be some assurance that an interstate concern could proceed to do some intrastate business, without being subject to the tax. That arrangement would be perfectly legal; and I have no reason to say that Congress should not act in such a manner in such a situation, if it feels that it wishes to help solve that difficulty.

But I believe the approach made by means of this bill would inhibit the collection of the tax, without resulting in adjudication as to any of the equities as between the State government and the Federal Government. The necessity for taking action in that situation has been made clear by my colleague [Mr. KEATING].

Of course, one who earns his living in a certain State, receives various governmental services from that State, even though in a legal sense he does not actually live there, if he maintains his residence in another State.

I do not believe the Senator from New Hampshire is even satisfied with the definition of "resident" which is contained in the bill. He wishes to include an even tighter definition with respect to the abode or the actual place of residence of the person involved.

If the proposed statute were enacted, I believe we would be avoiding the assumption of our proper responsibility, which is to arrive at an adjudication in regard to how much a State is permitted to tax a nonresident. But at the same time we would be failing to exert our proper authority in regard to the question of withholding; and our failure to take that action would immediately mean that a State involved in such a situation would lose much of the taxes which it should receive.

Mr. COTTON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. COTTON. I should like to ask a question of the Senator from New York, who has had a great deal of legal experience, and has great legal ability: Under existing law, the Federal Government does withhold for taxes, does it?

Mr. JAVITS. That is correct.

Mr. COTTON. If the proponents of this bill did not desire in any way, shape, or manner to change the ground rules, and if the sole purpose of the bill were to make sure that the Federal Government did not receive a commission in connection with this situation, why not simply say that in the bill? I could not understand, and so stated in the committee, why the bill had to set up a procedure for entering into compacts that is already perfectly clear. Why could we not say the Federal Government shall not accept the commission, and leave it where it is, and then we would not be changing the ground rules?

Mr. JAVITS. That is satisfactory to me. I hope the Senator from Massachusetts, who has examined into that phase of the question, will speak to that particular phase. If that is so, we shall not run across what it will be if it is left this way or if it is amended the way the Senator from New Hampshire wishes to change it, and change the substantive ground rules. The fact is that we are faced with a fact, and not a theory. We are faced with two amendments which seek to change the ground rules. Of the two amendments, I think the Saltonstall amendment leaves the matter in status quo, which I think is proper, more than does the amendment of the distinguished Senator from New Hampshire.

My home State of New York is making a great effort to agree with the States of Connecticut and New Jersey upon a formula which will be fair to the nonresident and at the same time be fair to the State of New York. For the aid of my colleagues, I would like to mention what that formula is. The formula proposes that every nonresident taxpayer shall get the same treatment as every resident taxpayer in terms of deduction, except both in terms of income on which he is taxed and the deduction to which he is entitled, it shall be prorated against total income. There shall be a rule of thumb that where a great deal of the income is derived from interest and dividends—the proposal is, for New York, when $1,000 is derived from dividends or interest on which he owes a tax only to his State of residence—he should get only 90 percent of the deduction, in order to give him some credit for the fact that he is not paying on a pro rata share of his whole income.

I mention that only by way of asserting that, in mutual self-interest, the States can and will get together. The three States of New York, Connecticut, and New Jersey are certainly trying to act on that score. I believe they will get together. I think that is the best way in which to settle these questions.

I hope the Senate—and I beg all Senators to listen to this—will not involve itself in a cul-de-sac of trying to determine any arrangement between the two parties by depriving one of the parties

of a remedy, rather than proceeding the way Congress should proceed, which is to adjudicate the equities between them.

Unless the amendment of the Senator from Massachusetts is adopted, we will be denying the State a tax which it justly and properly levies in the only way it can collect it, while Congress, at the same time, will not be taking the responsibility of deciding that State is not entitled to the tax. This is something we cannot do, because it is an example and a precedent which can go into other areas and hurt quite seriously the very people who are advocating it.

I hope the Senate will not put itself in that position, and will, therefore, vote for the Saltonstall amendment and against the Cotton amendment.

SIXTY-THIRD BIRTHDAY OF SENATOR KERR, OF OKLAHOMA

Mr. ANDERSON. Mr. President, we have been discussing a financial matter, but, for a moment, I should like to get out of a discussion of financial matters to remind the Senate that today is the birthday of Senator ROBERT KERR, ranking Democratic member of the Finance Committee.

I have been trying to get all four Members of the Senate who sit in this row, on which the Senator from Oklahoma is anchor man, to be present. We have finally gotten them here. We wanted to express the gratification to Senator KERR of all four of us who sit in this front segment.

Senator KERR was born in Ada, Okla., at the time it was Indian territory, but the State joined the sisterhood of the rest of the States, and he has been an active leader in that State. The people of that State know not only of his political record, but of his financial record, and recognize that he was certainly equipped with tremendous financial acumen and great ability, which he has translated into the welfare of the people of his State and the fine things that represent the dignity of that State.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield to an interloper who has moved into this front row. The Senator from Florida sits next to the Senator from Oklahoma on the Finance Committee.

Mr. SMATHERS. I hope the Senator from New Mexico will not limit the expressions of gratitude and appreciation of the able Senator from Oklahoma to those who sit in the front row, but let others outside the front row express their congratulations to the Senator, and their appreciation of the contributions he has made not only to the Finance Committee, but to the Nation.

Mr. ANDERSON. It is all right. I only say those of us who have to live with him have a little deeper feeling than the rest of the Senators.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Minnesota. We allowed him to sit in this front row after three tie votes. Finally we agreed to let him sit in our particular segment.

Mr. HUMPHREY. I thank the Senator from New Mexico. Sitting in the front row here is an honor of which I am proud.

I merely wish to say that the Senator from Oklahoma is not only a great Senator and a fine gentleman, as shown by the record the Senator from New Mexico has recited, but he is a man of unusually good judgment. When he seeks rest and meditation, when he wants to refresh his spirit, his body, and again enrich his mind, he comes to the great State of Minnesota, where he has his summer home. It is only fair to say this in itself would have qualified him for any office in the land.

The first time I heard the Senator from Oklahoma give forth with his brilliant oratory, the kind of oratory that not only inspires those that are already with him, but devastates those who are foolish enough to stand against him, was in 1944, at the Democratic National Convention, when we listened to one of the truly great keynote speeches, by a great man and a great speaker.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Delaware.

Mr. FREAR. This is an unusual experience today, to be privileged to be in the Senate when the birthday of my colleague from Oklahoma comes around.

The remarks of the Senator from Minnesota reminded me of an occasion about 5 years ago, when my delightful colleague came to the State of Delaware to inspire a group of Democrats as to how to cast their votes in an election. The result was due to the vigor he put behind his speech, which may have been somewhat exaggerated, but which nevertheless proved most effective. I am sure that had he not come to Delaware on that occasion, he would have been without one of the four in this segment of the front row. So his arc of influence is not limited to any one place in the United States, but has extended to the State of Delaware.

I surely hope that he will not only live another 50 years, but that he will be a Senator another 50 years, if that is what he desires. He might even help to take along the Senator from Delaware for an additional time.

Mr. TALMADGE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I am happy to yield to the able Senator from Georgia.

Mr. TALMADGE. I desire, as a very junior member of the Senate Committee on Finance, to associate myself with the congratulatory remarks which have been made by my colleagues on the Committee on Finance regarding the distinguished Senator from Oklahoma. I have been a member of the Senate Committee on Finance since the beginning of this year. I was well acquainted with the distinguished Senator's marvelous capacity for oratory prior to that time.

Since I have been a member of the Committee on Finance I have never ceased to marvel at the quickness of the mind of the distinguished Senator from Oklahoma. No matter how complicated the proposed legislation before the Finance Committee may be, he seems to grasp it in its entirety in a minimum of time. When witnesses appear before the committee, if there is any evasion, any subterfuge, or any desire on the part of any witness to fail to tell all the truth, to tell the facts fully and completely, the devastating cross-examination of the distinguished senior Senator from Oklahoma is brought to bear and the full facts go into the record.

I congratulate the Senator. I hope he will be in the Senate for many years to come to continue his outstanding and useful service to our country.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield to the able Senator from Oregon.

Mr. MORSE. I do not quite understand why my good friend from New Mexico discriminates so much in favor of the front bench, because I do not know what the Senators on the front bench would do if they did not have the back benchers to back them up time and time again.

I wish to say, as one of the back benchers, that one of the treasures I pride is my friendship with the Senator from Oklahoma, which has developed over the years of our service in the Senate. I am sure the Senator will not be the slightest embarrassed if I say that one of the great services he has rendered to many of us in the Senate has been his great moral leadership as we have met with him on many occasions at the breakfasts which he attends with us on Wednesday mornings, in which we seek to at least discuss the need for application of great moral principles and values to our work in the Senate. I doubt if all my colleagues in the Senate know the scholarship of the Senator from Oklahoma in the field of Biblical literature. I doubt if there is anyone else in the Senate who is as well versed on the history of the Bible or who can quote verbatim at such length from the Bible as the Senator from Oklahoma.

I wish to extend my birthday greetings to the Senator, and to thank him very much for the inspiration he has been time and time again as we have met on Wednesday mornings and tried to evaluate ourselves and our work in the Senate from the standpoint of the Good Book.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Wisconsin.

Mr. WILEY. Would the Senator permit a Republican Senator to get into this conversation? Are the Senators running BOB for office? If so, let me in on it. He would make a good President.

Mr. ANDERSON. No, indeed, I am happy to yield to the able Senator from Wisconsin.

The Biblical reference has been mad The old hymn says:

> And while the lamp holds out to burn,
> The vilest sinner may return.

I welcome the Senator from Wisconsin to this company.

Mr. WILEY. I am very happy to join in all the good things that have been

said about BOB. But to make it plain I am not joining up, I am only praising a friend.

I remember when he came to the Senate. He has had many experiences since then. I remember that last year he pretty nearly took the hide off me when he was presiding in the committee. This year he has mellowed. He was very sweet, so much so, I got suspicous. He was very much the proper presiding officer.

It has been said that he has barrels of what the Germans call 'das geld." A great many people who have simply accumulated money have not accumulated ideas, but BOB has ideas. I have heard him give some of the finest spiritual philosophy. He has a fine, reaching mind.

There were days when he was reaching for the oil, now he is reaching for understanding, and he has a lot of it. That is probably due in large measure to his wonderful wife. I am sure he has felt the influence of that fine woman.

Anyway, I wish to say it has been a privilege for me to know this distinguished Senator. He has added much to my understanding. We have a little breakfast meeting over which he presides at times. He never misses the mark. He shoots straight. He shoots high. He shoots nobly.

I join in saying, "May you have 63 more years of service on this globe and then, after that, I know you will be flying."

Mr. ANDERSON. Mr. President, in closing, I wish to say I think I understand one of the reasons for the success of the able Senator from Oklahoma. He came in once, as Governor of his State, to deal with the then Secretary of Agriculture. He wanted a lake which was then in the ownership of the Department of Agriculture devoted to the use of the people of Oklahoma. He discussed the matter with the then Secretary of Agriculture, and all the reasons were given to him why this could not be done. They were valid reasons. They had been worked up carefully by the General Counsel of the Department of Agriculture. The able then Governor of the State of Oklahoma listened to the reasons attentively and said, "That is fine. Those are all the reasons why you cannot do it. Now I want to tell you the reasons why you can do it." And the Department of Agriculture found it possible to do what the then Governor of Oklahoma wanted.

I salute the Senator on his 63d birthday.

Mr. KERR. Mr. President, there have been few times in my life I did not want to say something. Rarely have I ever been where I did not know what I wanted to say. Most usually, when I did not know what to say I did not try.

I find myself unable to resist the temptation to express not only my gratitude but also that of my State of Oklahoma, not only to the gentlemen who have spoken, but also to the many in this body whose wonderful friendship to me and to the State of Oklahoma has been of such great value.

As I sit here and look at this distinguished group of men who have been so kind to me—as I realize their significance, their standing, their ability, their prestige, and their influence—it warms my heart to know they have a feeling for me of which not only I am the beneficiary, but also Oklahoma is the beneficiary. To each and every one of them I am grateful beyond my ability to express.

And to that noble gentleman from the other side of the aisle, whose hand we clasp often at the meetings to which he referred, I am happy to say publicly, as I have said privately, we regard him as one of our leaders in that field. Not only to him, but to each of the gentlemen who have been so kind, I say, as did the poet:

And I would that my tongue could utter
The thoughts that arise in me.

In gratitude.

WITHHOLDING ON SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAX PURPOSES

The Senate resumed consideration of the bill, S. 2282, to amend the act of July 17, 1952.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. COTTON] to perfect the language proposed to be stricken out by the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Were the yeas and nays ordered on the Cotton amendment?

The PRESIDING OFFICER. They were not.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays sufficiently seconded?

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. COTTON] to perfect language proposed to be stricken out by the Senator from Massachusetts [Mr. SALTONSTALL].

The amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Massachusetts to strike out certain language.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2282) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. SPARKMAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. SALTONSTALL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SECRETARY OF THE TREASURY ROBERT B. ANDERSON

Mr. BRIDGES. Mr. President, the high regard which I hold for Robert B. Anderson, the Secretary of the Treasury, is fairly well known. He is a dedicated, competent servant of our Government and a valuable asset to the President's Cabinet.

This view is obviously shared by columnist William S. White whose glowing tribute to Secretary Anderson is outlined in a column entitled "Treasury Secretary Rating High," which appeared in the August 31 edition of the Washington Evening Star. This is a well-deserved testimonial to our able Treasury Secretary, and I ask unanimous consent that it be printed in the body of the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TREASURY SECRETARY RATING HIGH—ASSOCIATES CONSIDER ANDERSON KEYMAN IN OPINION OF PRESIDENT

(By William S. White)

Secretary of the Treasury Robert B. Anderson has become top boss of the home front and incomparably the most powerful man in the Cabinet.

President Eisenhower's increasing preoccupation with high foreign policy, as he prepares for historic meetings with Nikita Khrushchev of the Soviet Union, has left Anderson in all but sole charge of the administration's domestic tone.

The Secretary's conservative fiscal views have long since wholly captured the President's mind. The Anderson budget-balancing philosophy has dominated the administration's relations with the Democratic Congress. And this Anderson philosophy is, in the end, perhaps more responsible than any other factor for the President's newly tough line with the Capitol—including his vetoes of unwanted bills.

This, however, for all his enormous force in American affairs, is one of the least known of all the Eisenhower Cabinet ministers. Who, really, is this man of such large and little-appreciated power?

He is, first of all, an ex-Texas "Eisenhower Democrat" from 1952 who has gone the whole way in personal transformation. He has moved his official residence to Connecticut and is now a registered Republican. (Very few native Texans ever, in any circumstances, become officially ex-Texans.) He is tall, rangy, faintly stooped, quiet almost to the point of inaudibility except when he wishes it otherwise. His thin, academic face reflects a studious and sensitive private nature.

The ironical fact is that the most orthodox Republican now in the Cabinet was born and brought up in a Southern Democratic State.

Anderson's predecessor as Secretary of the Treasury, George M. Humphrey, is a member of that wing of the GOP which historically is the most teetotally old-fashioned Republican, the Ohio Republicans, as they have been called for two generations.

That Humphrey would to a large extent dominate the Cabinet was thus more or less inevitable from the day he entered it. For the Treasury post traditionally has lain close to the heart of nearly all GOP administrations, as the Secretaryship of State has done in nearly all Democratic administrations.

The fact that Anderson is likewise in a position of dominance is quite another thing. Indeed it is an improbable thing, for he is of a different breed altogether. He has not reached this point, according to fellow Cabinet members with whom this correspondent has talked, simply as Humphrey's heir. He has come forward on his own peculiar steam.

His qualities, as his Cabinet colleagues see them, are two: A special dedication to his work, and an ability to throw off a calm but strong impression of extraordinary competence. His strictly personal, social relations with the President are not so close as were Humphrey's, perhaps because Anderson at 49 is a generation younger than Mr. Eisenhower. But the ex-Texan actually takes a more decisive hand in all phases of the administration's work than even Humphrey ever did.

Humphrey, as one Cabinet informant puts it, would speak forcefully on the general fiscal issues closely touching the Treasury, but usually left matters there.

Anderson does not simply speak broadly for the Treasury. He also gets into the discussion—sometimes with a veto of his own—on every issue before the Cabinet that involves either major spending or major policy. This, of course, is another way of saying that he interests himself in everything of any consequence, no matter whose Cabinet department is especially involved.

This normally would be a good way to lose friends fast. The fact that Anderson has instead the respect and affection of the entire Cabinet thus must say a good deal about the kind of man he is. So does the fact that he retains the respect and friendship of the Democratic leaders of Congress—not excluding Speaker SAM RAYBURN, of Texas, who ordinarily speaks in smoky language of Democratic Party bolters.

Then there is this final point. Asked "what does the President really think of Anderson," another Cabinet officer told me: "Put it this way: If the President were a dictator, and wanted to act as one, he would surely make Anderson his successor as President."

REVIEW BY CONSTANTINE BROWN OF THE BOOK "STRATEGIC SURRENDER"

Mr. BRIDGES. Mr. President, last summer there was a book purported to be published at the request of the U.S. armed services called "Strategic Surrender." Unfortunately I have never had time to read this book. Recently there appeared in the press an article by Constantine Brown in which he quoted from this book with its rather un-American-like title. He also delves further into this new concept of our policy, that is, strategic surrender.

This column has been brought to my attention, and after having read it, I am profoundly shocked, if indeed anyone connected with our armed services is accepting the policy—as is written in the book—that there is a substitute for victory, and that, and I quote:

we shall have to revise some of our deeply rooted traditional attitudes, such as our rejection of compromise and our faith in extreme, ideal solutions.

I continue to quote:

In the future, they can only render us impotent to deal with political reality, and thus jeopardize our very survival.

I recommend this article of Constantine Brown's to every thinking American who is anxious about our present state of affairs, and ask unanimous consent to have it printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follow:

(By Constantine Brown)

"It has been regarded as not respectable to suggest that one's own country should not go to war if its dignity is affronted or its prestige is hurt or its honor questioned, or if somebody tries to grab some of its territory. It is only recently that we have been able to question the desirability of war without being called a traitor or subversive."

The above quotation is not taken from the pages of the Sunday Worker. On the contrary, it is a passage from a book written by a man holding responsible world positions. The book, published in 1957, is "Prescription for Survival," and its author is Brock Chisholm, president of the World Federation of Mental Health, vice president of the World Association of World Federalists, and until recently head of the United Nations World Health Organization.

Recently Soviet Premier Khrushchev has also been making absolute statements concerning our internal affairs. He has said that President Eisenhower's children will live in a Communist United States (and this was repeated by Deputy Premier Frol Koslov on his visit to this country). Khrushchev, on his recent visit to Poland, told the slaves of communism that we don't need war because the capitalist world is growing wiser.

What Moscow's headman has been saying to the enslaved peoples as well as to the still free peoples of the world who look to the United States for salvation, is that the old-fashioned, red-blooded, nationalistic pride of the American people finally has been cracked, and that a Communist version of state socialism will be sweeping soon over an anesthetized American public. Bearing in mind Dr. Chisholm's pronouncement above, Khrushchev had reason to be optimistic.

The last few years reveal the method used for this anesthetization of the majority of Americans—the actual change in everday morals, their un-American-like fear of the enemy, and their present difficulty in telling right from wrong. (It is accepting world responsibility to send billions of dollars to "backwards peoples" but it is "war mongering" to defend or rescue those being murdered and enslaved.)

Last summer a book written and published at the request of the U.S. Air Force caused a short-lived stir. Its startling title was "Strategic Surrender," a phrase never before considered by any American. Its some 250 pages were merely a conveyance for three important sentences. On page 20, author Paul Kecskemeti says quite simply, "One may safely say that the maxim that 'in war there is no substitute for victory' is totally erroneous." On the last page he declares: "We shall have to revise some of our deeply rooted traditional attitudes, such as our rejection of compromise and our faith in extreme, ideal solutions. In the future, they can only render us impotent to deal with political reality, and thus jeopardize our very survival."

This new concept for American thinking and morals was fomented during World War II by postwar planners, and in 1945 was presented by Dr. Chisholm to an interested and receptive group of psychiatrists and politicians (among them Henry Wallace).

The speech was delivered before the William Alanson White Memorial Lectures on "Psychiatry of Enduring Peace and Social Progress" in New York. Then Dr. Chisholm expressed the view that the cause of all wars is prejudice, isolationism, and believing in unreasonable things. These, he said, "are all well known and recognized as neurotic symptoms." He went on to say that the only "force capable of producing these perversions is morality. We have swallowed all manner of poisonous certainties fed us by our parents, our Sunday School teachers, our politicians, our priests." The only way to prevent war, he added is "to root out and destroy the oldest and most flourishing parasitical growth in the world, the tree of knowledge of good and evil."

Eleven years later, in his book previously mentioned, he wrote what is apparently the mother of the idea given the Air Force: "In the past, it was possible to win a war, as it isn't now, and never will be again." It is interesting to note, parenthetically, that this new "certainty" already had been expressed at the Dunbarton Oaks Conference in 1944.

In the light of these passages by Mr. Kecskemeti and Dr. Chisholm, it is more understandable why Americans languish in Communist prisons year after year; why only a "sharp note" is sent to Moscow whenever one of our unarmed planes is ruthlessly shot down; why we only express "shock and dismay" when enslaved peoples are being slaughtered by Soviet hordes; why we rush diplomatic recognition of murdering brigands who have massacred governments friendly to America in countries who have always looked to us for selfless assistance; why we cower in fear of Russian nuclear weapons; why we rush to sub-summit and summit meetings whenever Moscow threatens us with dire consequences if we do not "negotiate."

Dr. Chisholm says, "we are now under the necessity, the absolute necessity, of functioning as world citizens." Are we being conditioned to accept "strategic surrender" and eventually to share world citizenship with Comrade Khrushchev? If so, it is only fair, and an act of humanity, that we so inform our allies as well as the slaves behind the Iron Curtain so they will no longer live in false hope.

AMERICAN POLITICAL SCIENCE ASSOCIATION AWARDS FOR DISTINGUISHED CONGRESSIONAL SERVICE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed as a part of my remarks a statement issued by the American Political Science Association relating to the fact that two Senators and two Representatives have been chosen for the American Political Science Association congressional distinguished service awards.

Those selected are my distinguished colleague from New York [Mr. KEATING] the distinguished senior Senator from Minnesota [Mr. HUMPHREY] and the distinguished senior Senator from Delaware [Mr. WILLIAMS]; and from the other body, the well known Representative CARL VINSON.

I think it is a matter of great pride for all of us when colleagues from our States earn high awards by a body noted for its understanding of the American political scene, the American Political Science Association, which made these awards in the name of a former Member of this body, Senator William Benton, who first suggested them in 1955, and who now sponsors them.

It gives me great pleasure to compliment my colleague, the distinguished junior Senator from New York [Mr. KEATING], and the other Senators who are complimented in this way.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TWO SENATORS AND TWO CONGRESSMEN CHOSEN FOR AMERICAN POLITICAL SCIENCE ASSOCIATION "CONGRESSIONAL DISTINGUISHED SERVICE AWARDS"

WASHINGTON, D.C.—Senators HUBERT H. HUMPHREY, Democrat of Minnesota, and JOHN J. WILLIAMS, Republican of Delaware, and former Congressman and now Senator KENNETH B. KEATING, Republican of New York, and Congressman CARL VINSON, Democrat of Georgia, were chosen today by the American Political Science Association to receive the first Congressional Distinguished Service Awards. The Awards were made to the legislators at luncheon ceremonies in the Mayflower Hotel in Washington, D.C.

The two Republicans and two Democrats who were honored were given the awards by Dr. Pendleton Herring, president of the Social Science Research Council, and a member of the nominating committee. The awards were designed by Dr. Herring, and executed by Ralph Menconi, the sculptor. Dr. Herring said, "In making the awards, factors that weighed heavily were: (1) devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker; (2) high competence measured in terms of effectiveness and concrete accomplishment; (3) constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home, and finally (4) the respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

"Both Houses of Congress have many members who meet these qualifications. It is hoped that the awards presented today will call attention to the important and dedicated service rendered not only by those to whom these awards are given but also the many Members of Congress who share the qualities for which the awards are made."

Former Senator William Benton, of Connecticut, who first suggested these awards in an article in 1955 and whose William Benton Foundation has underwritten the program, also addressed the members of the American Political Science Association and distinguished Washington officials. Senator Benton said: "Einstein once remarked that the world was more likely to die of bad politics than bad physics. It would seem to follow that good politics should be duly honored if we can find a way to do it.

"The Members of Congress are the most remarkable group that I have ever met anywhere. In integrity, intelligence, and hard work they rank above any other group with which I have ever worked. Yet many of the greatest congressional heroes are relatively unsung and unappreciated. Legislators who are willing to raise phony or futile issues simply for the sake of publicity, and who hunt headlines cynically, all too often receive disproportionate news attention—while those who perform the nonglamorous drudgery which is the heart of effective work by Congress too often remain virtually unknown. Indeed, since the founding of the Republic, disparaging Congress has been a popular American sport. Yet Congress is the very center of our democratic way of life. I am hopeful that these awards will enhance the prestige of Congress—and of those Members such as our winners today who contribute most to making it the great and effective body it is."

Presiding at the luncheon was John A. Vieg, of Pomona College, Calif., vice president of the American Political Science Association. Principal speaker was Hugh Elsbree, director of the Legislative Reference Service for the Library of Congress. Speaking of political science research on Congress, Dr. Elsbree said that while this research had shed much new light on the role of Congress in the governmental process, "It is to be hoped that political scientists will in the future pay more attention than they so far have to the substantive aspects of the hundreds of important issues of public policy with which the Congress must deal."

Dr. Evron Kirkpatrick, executive director of the American Political Science Association, stated that the committee of judges consisted of: Grayson Kirk, president, Columbia University, New York, chairman; A. Hollis Edens, president, Duke University, Durham, N.C.; Ernest S. Griffith, dean, School of International Service, American University, Washington, D.C.; Pendleton Herring, president, Social Science Research Council, New York; Harold D. Lasswell, professor of law and political science, Yale University, New Haven, Conn.; Edward H. Litchfield, chancellor, University of Pittsburgh, Pittsburgh, Pa.; John D. Millett, president, Miami University, Oxford, Ohio; Harold W. Stoke, president, Queens College, New York.

Dr. Kirkpatrick announced that the awards will be granted every 2 years, for each biennial session of the Congress. Nominations for the next set of awards should be submitted to the association members by May 30, 1960.

THE GROWING MENACE OF FILTH AND OBSCENITY

Mr. SCHOEPPEL. Mr. President, to save the time of the Senate, I ask unanimous consent to have printed in the RECORD, a statement I have prepared on the subject "The Growing Menace of Filth and Obscenity."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL

REPORT TO THE SENATE ON THE GROWING MENACE OF FILTH AND OBSCENITY

I am shocked, as every decent-minded American should be, by the flagrant use of the U.S. mails to put obscene materials into the homes of America.

Much of this dirt is addressed to teenagers or to children even younger. Much of it is unordered, unsolicited, and unwanted.

The extent of this racket is unbelievable. Its operation insults every American parent who has an interest in how his children grow up or what they will become.

I am astonished to learn from Postmaster General Arthur E. Summerfield, who is leading the campaign against this filth, that the merchants of muck are reaping a flourishing and profitable harvest of more than half a billion dollars a year from mail-order operations alone.

Unless we stop this blight by creating a united public concern and militant action, it may become a billion-dollar business in the next 4 years.

The Postmaster General believes that this traffic in obscenity, with all its profitable ramifications, is being eyed greedily by organized crime in this country. There are many very real indications that organized criminals plan to "move in" on such a well-paying operation. If that happens, we will see a cunning, well-organized promotion of the filth racket such as we have not known even in its present development.

Naturally, the easiest victims—the biggest market—at which all this will be aimed are our children. In them, the czars of corruption will seek young and immature minds to pollute. And these same minds and morals must be the basis for America's strength in only another 10 to 15 years.

Recently, at the invitation of the Postmaster General, I stopped by the Post Office Department to see some samples of obscene materials, all of it carried by the U.S. mails. There is a room filled with a collection of pornography so repugnant it is beyond description. I do not consider myself an unworldly man, but I was first shocked and then embarrassed, even in the company of other grown men.

This exhibit must be seen to be believed.

I therefore urge every member of this Senate to take the time to go to the Post Office Department to see it. I want each of you to study the filth on display there, and to feel the surge of shame and anger.

Even more important, as you look at it, try to conceive of this material in the hands of your children or grandchildren, and imagine its effect upon them.

The examples of immorality and perversion which I saw could have but one purpose—the desecration and debilitation of the immature citizens into whose hands they were meant to fall. The primitive character of the words and pictures I saw in that exhibit can produce nothing but more sex violations, more perversion, and more crime among our children.

There are inescapable consequences of this traffic in degradation, and if they go unchecked they will inevitably lead to the breakdown of public morals and the degeneration of the keystone of civilized society, the family unit.

The Postmaster General, I know, will welcome your interest in learning firsthand the evil of this traffic. And I am sure that, after you see this exhibit, he will win your wholehearted support in his fight to stop the passage of such trash through the U.S. mails.

This is such a menace that I feel called upon to make a formal statement of the situation to my colleagues in the Senate and to the American public.

After pointing out the dangers and offering proof of my charges, I shall presume to suggest means whereby concerned parents, conscientious lawmakers, and patriotic citizens everywhere can help their Government in its determination to stamp out this racket.

Because I firmly believe that an informed public will be a concerned public, and that a concerned public will act in the best interests of the Nation, I offer this report:

First, of course, we must know the extent of this vile racket. We must ask how it has grown big enough to be a menace to the welfare of this Nation. And we must ask why it has sprung up and where it found fertile ground in which to flourish.

Pornography has become big business for three reasons: First, unheard-of profits; second, its printers and distributors have found protection in legal technicalities and lax law enforcement; and, three, our people have been too much occupied with other problems to take notice of this situation, or to suspect its size and seriousness.

Profits of 1,000 percent are nominal. Clever operators have been known to make a 5,000-percent return on their investment. One small basement, or a back-alley shack, can house enough printing machinery to turn out hundreds of thousands of pieces

of obscenity. That done, they attach a postage stamp and they are in business.

Last year, 1958, the Postal Inspection Service investigated 14,000 complaints from American citizens about obscene material received through the mails. Nearly two-thirds of these complaints were from outraged parents objecting to the receipt through the mails of lewd publications addressed to adolescents.

Think of it. More than 14,000 formal complaints made and investigated—can you imagine how many cases were never reported?

After the mailing of just one shipment by a single profiteer, the Post Office Department received more than 5,000 complaints, most of them from parents whose children had received obscene material.

In the fiscal year 1959, the Department received more than 70,000 complaints. No wonder our Postmaster General is up in arms about this dangerous traffic. Arthur Summerfield would be distressed and disturbed were he a private citizen. As the Postmaster General he is ready to do battle, and it is up to this Congress to arm him with the authority to wage that battle to the finish.

Nature itself works against the forces of good in this matter. The furtive curiosity of even a perfectly normal youngster is pandered to by men whose own moral fiber may have been eroded in their youth.

This evil may affect us all. Who can estimate the damage one piece of smut can do? One pornographic picture, article, or film in the hands of an immature or a maladjusted addressee, and the possibilities for tragedy are numberless.

If any of you are saying it could not happen to your family, or your friends' families, do not deceive yourself. Your child, your grandchild, or your niece or god-child could be on somebody's filth list today.

The mailing lists grow daily—as fast as the merchants of muck can add to them. No victim or possible victim is ignored. Obscene mail finds its way into all neighborhoods, to both sexes and to every age group. It has been received in orphanages and in the finest homes. It has been addressed to boys and girls as young and malleable as 8 years of age.

Unlike a scraped knee or a cut finger, the scars of this filth can last forever. Some things once seen, we can never wipe from our consciences. We are permitting smut to tempt our children beyond their youthful strength to resist—to make them old before their time and wise beyond their years.

Although Americans talk a great deal about our growing juvenile delinquency problem, I fear we have done little more about it than to try to place blame, and occasionally fine a negligent parent. It is most significant that the rise in juvenile delinquency percentages is in direct ratio to the increase in the volume mailing of obscene material.

If you have not read up on the delinquency figures lately, here are a few that make one's blood run cold.

One out of every five boys in this country between 10 and 17 has a court record.

Armed robbery, extortion, and sex crimes involving the very young have been carefully investigated and over and over, like a pitiful broken record, we find the offenders have been addicted to obscene and pornographic materials.

Children who are not in this class are still not safe.

You cannot put healthy American children in a vacuum and leave them there until they are mature enough to resist temptation. They must live in this world, in our country, in their State, town, and neighborhood, and these places are only what we, their parents and guardians, make them. Just because a piece of pornographic literature or an obscene picture did not come to your mail box, does not mean it did not come to your neighbor's box.

I know the Senate has been aware of this dangerous business, and I point with sincere admiration to the interim report of the Subcommittee on Juvenile Delinquency of the Senate Judiciary Committee, completed in March 1955. I commend the work done by the senior Senator from Tennessee and his committee.

They unanimously reported to the Senate that the damage done by pornography was incalculable. If it was incalculable in 1955, and this traffic has doubled since then, I do not think we are concerning ourselves a whit too soon with this problem.

Another problem, which I referred to earlier, is the laxity and looseness of our laws, and some of our law enforcement procedures, in dealing with these vicious criminals.

The trials of too many offenders had been removed from home town jurisdiction, to the so-called sophisticated atmosphere of larger cities. Light penalties or fines, which were mere slaps on the wrist, were handed down. Considering the staggering profits which are possible from this ugly operation, it is quite conceivable that offenders laughed at the fines, paid them and speeded up their printing presses to make it all back before noon of the same day.

With the vast profits that these racketeers could reap from their operations, they were able to hire shrewd, unscrupulous lawyers to plead their cases, and to wriggle through every hole that the antiquated laws permitted to exist.

We all know the high standards of ethics which prevail among the overwhelming majority of those who are members of the American bar. I am proud to be one of them myself.

But we must hold those spokesmen, who sell their professional skills to protect the merchants of filth from punishment, equally guilty with those whose vile interests they defend.

The courts of law in certain jurisdictions, too, must face their share of blame. Far too often we have seen the ultra-liberal views of a Los Angeles or New York judge give the peddler of obscenity a green light, or let him off with nothing more than token punishment.

This encourages the civil liberties smokescreen that every one of these racketeers tries to throw up to disguise his vicious operations. No sooner is there a mention of possible legislation to wipe out this traffic that corrupts our children than is heard anguished screams about alleged "civil rights" and "individual freedom."

This subject has no more to do with civil rights than does the smuggling of narcotics. This is not a problem that can be left solely to control by the parents in the home, or by the school. Too often material is addressed directly to the children, or is dispensed surreptitiously on the street corner, passing from childish hand to hand, and inflicting a scar in every mind it touches.

Those who profess to be overly concerned with freedom from censorship may not have heard that "freedom is fire on the hearth, but license is fire on the floor."

The fire on our floor has gotten quite a start, but unless we permit a lot of smoke to confuse us, we can stamp it out.

Last year we took a major step forward, and passed an excellent piece of legislation which overturned earlier decisions by some of our liberal courts, and made it possible to prosecute the mailers of obscenity at the point where the filth is received. Thanks to this legislation we can now send a proven offender to prison for as much as 10 years.

I am proud of this beginning and of my support of last year's bill, but we need more corrective legislation. Present laws are rife with legal loopholes, and the racketeers we are dealing with can inch through the smallest crack in a law designed to stop their profits.

On July 31 of this year, members of the Post Office Department testified before the Granahan subcommittee of the House Post Office and Civil Service Committee in support of House Resolution 7379. This measure would strengthen the Administrative Procedure Act, making it illegal and punishable to use the U.S. mails for fraudulent schemes and the trafficking in obscenity.

House Resolution 7379 was reported by the committee and was passed by the House on September 2, 1959.

Hearings on similar legislation are now being held by the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee. It is most important legislation, and should be the concern of every Member of this body.

Postmaster General Summerfield has addressed himself squarely to this problem, and I would like to quote a statement he made recently, taking a position to which we all can subscribe:

"We recognize that there is urgent need for positive action now. We are therefore, in effect, declaring war on these purveyors of filth, big and little, high and low.

"We are launching an intense and unrelenting effort to stop this monstrous assault on the Nation's children in every way possible."

We need the help and aid of all persons in this fight.

I do not have all the answers to this threat, but I have interested myself, and armed myself, with some suggestions and examples which I hope will serve as a point of beginning for every Kansan and every American who is sick at the stench of obscenity hanging over every home in America today.

Owners of local drugstores, soda and ice cream hangouts, and public place where young people gather—and especially any institution with a newsstand from which this dirt can be bought—must increase their vigilance.

They must know what the youth of America is hearing and reading, and they must take the profit out of this whole operation by refusing to stock their shelves with filth. Once the hot-dollar incentive is removed, organized crime groups and individual criminals will lose interest.

Indiana has blazed a commendable trail which should help us. Reports from that State show that on June 17, 1959, deputies from the office of the Marion County sheriff arrested 19 retailers on charges of violating Indiana's laws against the displaying or selling of obscene literature. The arrests were made after the Indianapolis Citizens Committee for Decent Literature had made a list of 72 magazines which they unanimously agreed were obscene and objectionable.

In Anderson, Ind., police authorities served notice on news dealers and distributors, who handled 108 obscene publications, that unless these publications were removed from public display the dealers were liable to arrest.

Indiana's Governor, Harold Handley, has launched a campaign to drive obscene publications off Indiana's newsstands. He had asked a local youth council to organize drives in each of Indiana's 92 counties to stop the distribution of such material. He knows pornography is a prime contributor to juvenile delinquency.

I take hope that this public awareness is but the beginning of a militant public attitude which will demand the clean-up we have put off much too long.

And I repeat that we must make it profitless and dangerous to traffic in trash. We must brand by public exposure and severe penalty all men or women whose evil is so

great they would touch a dollar or a dime sucked from the moral vitality of a child.

This is not a matter we can set aside. We need not ponder the remedy, or defeat it by delay or disinterest. Every hour, even while I have been speaking to you, thousands of young people have looked upon pictures, read words or been exposed to the evil influence of pornographic material.

We need some organization in this crusade. I can assure you that those who profit from the continuance of this vile flood are organized, and hard at work.

I suggest:

We must mobilize our resources: Parents, teachers, law-enforcement officers, ministers, Scout leaders, choir directors, school athletic sponsors, and all those whose daily life touches that of a child should take an active part in alerting every civic group to which they belong to the menace of this racket. If existing groups are not prepared to meet the threat, these decent-minded citizens must join hands to form new ones ready to take action.

We must publicize the problem:

The press of America, which has been of inestimable aid at every step so far, must be encouraged to continue and to expand the exposure of this racket and all who profit from it.

Radio and television outlets must be enlisted. Local civic clubs, fraternal organizations, P.T.A.'s and other civic groups must work together.

Public discussions must be encouraged. Speakers, with facts and figures, must be given audience.

We must fix responsibility where it belongs:

I regret to say that too much of it belongs to the parents who have been too busy to know what their children get in the daily mail, or who, in apathy, cannot believe that such evil is so widespread.

Parents must shoulder the responsibility for checking mail received by their youngsters and they must accept the necessity for reporting every violation of the laws against mailing obscene materials.

We must inform all parents of the means of bringing these racketeers to justice:

The procedure any parent can follow to bring these criminals to account is a simple one.

Every decent-minded citizen should become familiar with it:

Save all the material, including the envelope.

Put it in the hands of your local postmaster, either personally or by mail.

He will take appropriate action.

We have been warned, Mr. President.

If we reap more tragedy from the circulation of pornography we cannot say that "we did not know" or "we were not told." I hope I have emphasized to you and the Members of this House the need for immediate action.

I appeal to each Member of the Senate, and to every decent-minded citizen, to continue to press for stronger legislation which will drive those vicious racketeers out of business. We must provide the legal basis for our Government to use in its relentless crusade against these criminals.

This is not a minor disease we are attacking, but a social cancer that can destroy our society. Only the most drastic surgery will eliminate it.

We must give our country the laws needed to deal with this problem.

We must help in the campaign to alert our citizenry and to develop public cooperation to drive these criminals out of business.

We must each of us demand the most rigorous and merciless prosecution of these criminals by the law enforcement officials and by the courts.

Only through such concerted action can we thoroughly cleanse our Nation of this malicious cancer, and leave no seed of it to grow again.

PROTECTION OF SAVINGS AND LOAN ASSOCIATIONS FROM ENCROACHMENT BY HOLDING COMPANIES

Mr. SPARKMAN. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 820, H.R. 7244.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 7244) to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment on page 6, after line 16, to insert:

(g)(1) This section shall terminate 2 years after the date of its enactment.

(2) The Federal Home Loan Bank Board shall make a full and complete survey of all aspects of savings and loan holding companies, and shall submit a report to the Committees on Banking and Currency of the Senate and the House of Representatives not later than one year after the date of enactment of this section. This survey shall include studies of the nature, growth, effects and future prospects of savings and loan holding companies, including particularly the extent to which they may have become, or may in the future become, injurious or detrimental to free competition in the field of mortgage lending or in any related field. The report on this survey shall contain a full statement on these matters, together with recommendations for further legislation on this subject. In particular, the report shall review and make recommendations on the legislative proposals submitted at the hearings of the Committees on Banking and Currency on H.R. 7244, 86th Congress, including particularly the need for and feasibility of requiring divestment of part or all of the savings and loan associations already acquired or part or all of the other interests of such holding companies, the need for and feasibility of requiring such holding companies to limit their activities or their future acquisitions to a specified distance from their principal offices, and the desirability and feasibility of regulating and controlling further acquisitions of such holding companies, as compared with prohibiting further acquisitions by such holding companies.

Mr. SPARKMAN. Mr. President, the bill under consideration, H.R. 7244, relates to savings and loan holding companies. As it was passed by the House, it would prohibit any future acquisitions of savings and loan associations by savings and loan holding companies. It would not require that existing savings and loan holding companies divest themselves either of their savings and loan associations or their other subsidiaries.

Hearings were held by the Committee on Banking and Currency on this measure. It was the judgment of the committee that this is a matter which should not be completed finally at this time, so the committee reported the bill with an amendment, which, in effect, provides that a study of the matter be made, and that the proposed legislation have a life of 2 years. Substantially, that is the measure which is before the Senate now.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR SPARKMAN

H.R. 7244, as it was passed by the House, would prohibit any future acquisitions of savings and loan associations by savings and loan holding companies. It would not require that existing savings and loan holding companies divest themselves either of their savings and loan institutions or their other subsidiaries. The bill would prohibit certain upstream and cross stream financial transactions between savings and loan institutions on the one hand, and the savings and loan holding companies which control them and the other affiliates of such savings and loan companies on the other hand.

At the committee hearings on this bill, 12 witnesses were heard and letters and other statements were received from 11 other organizations and agencies.

Considerable disagreement was expressed by these witnesses. Many different and conflicting amendments were proposed, and a number of witnesses testified in opposition to any legislation.

The committee was deeply impressed by the changes which have taken place in this field, and by the rapid acceleration of those changes, since hearings were held on similar legislation 2 years ago which did not become law. In 1957 only two savings and loan holding companies were known, one controlling four associations in California, the other controlling one association in Utah and one in Idaho. At the hearing on August 18, the Federal Home Loan Bank Board stated that, according to the latest information available to it, there were at least a dozen holding companies in existence or definitely projected which controlled or expected to control some 40 associations located in at least 6 States. The Savings and Loan Commissioner of California filed a statement in support of the bill. He listed as of June 1959, 11 savings and loan holding companies having 96 offices and total assets of over $1.7 billion. He added that by August 17, there were three additional savings and loan holding companies with assets of approximately $180 million. The committee also noted the increasing rate at which public offerings of savings and loan holding company securities are being filed with SEC.

This development has continued since the hearings. According to an article in the Wall Street Journal for August 27, one savings and loan holding company acquired an additional association, with assets of more than $83 million, boosting the total assets of the holding company to more than $600 million. This article also reported that another holding company had bought all of the stock of a Kansas association and "something less than 100 percent" of the stock of another California association. The holding company was reported to have said that it now holds controlling interest in 12 savings and loan associations in 4 States, with total assets of over $300 million. Two months before, this holding company was reported by the California commissioner as controlling 6 associations with $129 million of assets; now it claims control of 12 associations with $300 million of assets.

The committee was aware of the problems which this wave of holding companies might create. Holding company control is difficult to reconcile with the local management and local activities which have been so important in the sound growth of the savings and loan industry. Holding company control in some fields, notably in public utilities, has in the past led to financial manipulation and unsound practices. It has also led in some fields to monopolies and restraints on competition.

The evidence presented to the committee with respect to these problems did not make it clear that any of them has yet seriously affected the savings and loan industry. In other words, there was no evidence that there has been financial manipulation or bad fiscal practices, no evidence of monopoly or restraints on competition, and no evidence that the loss of local ownership and control had interfered with the sound management of the savings and loan institutions in holding company systems.

The committee felt that it should not wait until the harm had been done. The savings and loan industry is too important to savers, to homeowners, to the building industry, and to the economy of the Nation, for us to sit by while this fast spreading wave of holding company acquisitions goes on and on. If we wait until financial manipulators have taken over most of the assets of the stock savings and loan companies, if we wait until most of these companies are no longer under local control and management, if we wait until many of these associations have been badly weakened or wrecked, if we wait until monopoly is firmly established, we may be forced to take drastic action, such as divestment, which will be costly to all concerned.

The committee was convinced that immediate action is necessary. At the same time the committee felt that, in the light of the many amendments proposed, it would not be desirable to enact H.R. 7244 in its present form as permanent legislation. Accordingly, the committee amended the bill so it will terminate in 2 years, and so the Federal Home Loan Bank Board will make a full report within 1 year, giving its considered recommendations for permanent legislation.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. Is it not true that unless action is taken at this session to check the growing concentration some of the big holding companies in California, which have already taken over the controlling shares of stock savings and loan companies, will take over additional companies, and that, therefore, time is of the essence in this matter. Should we not prevent more mischief from being done while the matter is being studied, and is not that the purpose of the present bill?

Mr. SPARKMAN. I agree with the Senator from Illinois. That was the feeling of the membership of the committee. That is the reason why we reported the bill, even though we felt we should have the benefit of further study.

Mr. ENGLE. Mr. President, will the Senator from Alabama yield, so that I may offer an amendment?

Mr. SPARKMAN. I yield for that purpose.

Mr. ENGLE. Mr. President, I offer an amendment which I ask to have reported.

Mr. SPARKMAN. Mr. President, I call attention to the fact that there are committee amendments which should be adopted.

The PRESIDING OFFICER. The amendment of the Senator from California will be stated for the information of the Senate.

The CHIEF CLERK. On page 6, line 17, it is proposed to strike out "2 years" and insert in lieu thereof "1 year."

On page 6, line 26, strike out "1 year," and insert in lieu thereof "4 months."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENGLE. Mr. President, I desire to speak on the amendment.

Mr. SPARKMAN. Mr. President, the distinguished junior Senator from California has been most diligent with respect to this matter. It is a matter which probably pertains more to the State of California than it does to any other area of the country.

As a matter of fact, I believe the testimony before the committee was that the great majority of the stock companies and the holding companies which have been set up are to be found in California and Texas. I believe they are the two leading States, if I remember correctly.

I observe the distinguished senior Senator from California [Mr. KUCHEL] on the floor now. Both Senators from California have shown great interest in the bill. The junior Senator from California [Mr. ENGLE], after many consultations and considerable discussion, agreed, because of the time element mentioned by the Senator from Illinois [Mr. DOUGLAS], to go along with the bill if the period were limited to 1 year.

It may be recalled that when the bill was before the committee, it was actually my motion to set the time for 1 year. However, the Senator from Illinois pointed out that it would be pushing things rather hard to expect a study to be made and to have legislation enacted within a year's time. That was the reason why we set the period at 2 years.

I am in sympathy with the objective of the junior Senator from California. I suggest a change to provide that the legislation run until May 31, 1961, but to require the study to be completed by May 31, 1960. That would enable the committee to hold hearings next year and, at the same time, would give us until May 31, 1961, to complete final action on the proposed legislation.

The chairman of the committee, the distinguished Senator from Virginia [Mr. ROBERTSON], had intended to be here, but he had to leave the floor just before the bill was called up. He asked me if I would handle the bill on the floor and to state to the Senate that he, as chairman of the committee, would assure us that he would hold hearings next year as soon as the study was completed.

It is entirely possible that we may complete the legislation next year. But we thought it better to provide this longer period of time.

Mr. DOUGLAS. I appreciate this assurance by the chairman of the committee. But if we waited to hold hearings until after the preliminary study had been completed, we would have, in effect, only June, because—in view of the fact that next year is a presidential election year—we hope Congress will end its session before the nominating conventions; in other words, we hope the session next year will end around the 1st of July.

Therefore, I wonder whether the hearings could be held prior to May 31, and thus take the testimony of the witnesses before that time. Then, when the report comes in, I hope we will obtain action.

Mr. SPARKMAN. I agree with the Senator from Illinois about that. I see no reason why we should not hold most of the hearings before the report, and then let the report finalize the matter.

Mr. ENGLE. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Alabama yield to the Senator from California?

Mr. SPARKMAN. I yield.

Mr. ENGLE. With reference to the hearing or the study by the Home Loan Bank Board, I should like to say, as the junior Senator from the State most concerned with this proposed legislation, that I am not very anxious about having the study made by the Home Loan Bank Board; that would be like having a grand jury that had indicted a man make a study of his case. So far as I am concerned, I am not very much interested in whether the Home Loan Bank Board makes the study of this matter or not. I am interested in having the Senate committee study this situation.

The report clearly shows that this matter relates to a complicated field, and that prohibition against having holding companies go into the savings and loan field is not necessarily the answer.

Personally, I believe it would be possible to arrive at a fair holding company regulation act, rather than an out-and-out prohibition.

I understand that it is the purpose of the Senator from Alabama to submit an amendment in the nature of a substitute for the amendment I have submitted. My amendment reduces the period from 2 years to 1 year. I understand that the Senator from Alabama proposes to split the difference, and to provide for a year and one-half. From my point of view, there is not much difference between one year and one year and a half. I understand there would be some complications in connection with allowing only one year, because the next session of Congress will certainly end by July 1, and thus there might not be sufficient time to assemble the material. On the other hand, if one year and a half is allowed, sufficient time for that purpose will be provided. One year and a half will end approximately on May 31, 1961. As I understand the position of the Senator from Alabama and the position of the distinguished chairman of the Senate Committee on Banking and Currency [Mr. ROBERTSON], it is the intention of the committee to commence the hearings on this matter early in the next session of the Congress, so as to determine whether it will be possible to arrive at

fair holding company regulatory legislation, rather than a complete, across-the-board prohibition, as now provided in the bill, which is a stopgap provision to prevent what is feared would be an acceleration of holding company activity that would be detrimental to the public interest.

I am also impressed by the fact that the Senator from Alabama and the Senator from Illinois have made plain that if the study can be completed and if the proposed legislation can be formulated and passed prior to the time when this complete prohibition will expire, then the new legislation will take the place of the proposed legislation presently before the Senate.

With those considerations in mind, and having confidence in the statements made here on the floor by the Senator from Alabama, and in the assurances given to me personally—which have been repeated here on the floor by the Senator from Alabama—with reference to the intention of the Banking and Currency Committee of the Senate to give prompt consideration to the matter at the next session, and to study the problem, and to determine whether fair regulatory legislation is possible, I shall not object to the amendment in the nature of a substitute when it is submitted—as I understand the Senator from Alabama proposes to do—to the amendment which I have sent to the desk, and which has been reported.

Mr. SPARKMAN. Mr. President, I now send to the desk an amendment in the nature of a substitute for the pending amendment; and I ask that my substitute amendment be stated.

The PRESIDING OFFICER. The substituted amendment will be stated.

The CHIEF CLERK. In the amendment on page 6, in line 17, it is proposed to strike out "two years after the date of its enactment" and insert in lieu thereof "May 31, 1961."

On page 6, in lines 23 and 24, it is proposed to strike out "one year after the date of enactment of this section" and insert in lieu thereof "May 31, 1960."

Mr. SALTONSTALL. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I yield.

Mr. SALTONSTALL. In Massachusetts there are a great number of State mutually owned savings banks. Would this bill affect them in any way?

Mr. SPARKMAN. Not at all; the bill relates only to savings and loan associations.

Mr. SALTONSTALL. Those chartered by the Federal Government?

Mr. ENGLE. No; by the State government.

Mr. SALTONSTALL. Those chartered by the State government?

Mr. ENGLE. That is correct.

Mr. SALTONSTALL. How do they differ from the others?

Mr. SPARKMAN. They are stock companies, whereas we are talking about mutual companies.

Mr. KUCHEL. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. KUCHEL. The amendment offered by the able Senator from Alabama would suspend the right of acquisition for a year and one-half from the date of enactment of the measure, which presumably will be in this month of September. Is that correct?

Mr. SPARKMAN. Under my amendment, the date is to be May 31, 1961.

Mr. KUCHEL. I see. I did not entirely understand the substitute amendment which the Senator from Alabama submitted, and which was read by the clerk.

Mr. SPARKMAN. It provides that the study shall be completed by May 31, 1960.

Mr. KUCHEL. That is to say, toward the end of the next session of Congress?

Mr. SPARKMAN. Yes; and that is the final date. The study might be completed by April 1; I do not know. If the bill is passed, certainly there will be an obligation to start the study; and we shall expect the study to start at once, and we shall hope to have something ready by the time we return in January.

Mr. Kuchel. So the Senator from Alabama would be hopeful, would he——

Mr. SPARKMAN. It is my hope that the legislation itself would be finalized next year.

Mr. KUCHEL. Before we adjourn sine die next year?

Mr. SPARKMAN. Yes; that is my hope.

Mr. KUCHEL. I thank the Senator from Alabama.

Mr. DOUGLAS. Mr. President, in order to make the issue completely clear, let me ask whether it is true that until either this law expires or until contrary action is taken, there will be a complete freeze in regard to the further extension of holding companies among stock savings and loan associations. Is that correct?

Mr. SPARKMAN. That is correct; and I thought that was the purpose of the question asked by the Senator from California.

Mr. DOUGLAS. So during this time, the holding companies are not to buy up other stock building and loan companies; is that correct? I hope it is. If it is not, I would favor a law dissolving the existing holding companies. But am I correct in my understanding?

Mr. SPARKMAN. That is correct.

Mr. ALLOTT. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. ALLOTT. I thank the Senator from Alabama very much for yielding to me.

In preface to some questions which I wish to ask, I desire to say that I have found that the people of my State are very much confused about this situation. As a matter of fact, until the last few days, all of the mutual associations have adopted a sort of hands-off attitude in regard to this matter, whereas the stock associations feel that such action should not be taken.

Let me ask—because I cannot seem to fit the Senator's amendment into the copy I have of House bill 7244—what the amendment would do.

Mr. SPARKMAN. This amendment would set the termination date of this legislation at May 31, 1961; and it would require completion of the study not later than May 31, 1960. In other words, this is temporary legislation; it provides for a freeze for about 1½ years.

Mr. ALLOTT. But not longer than that?

Mr. SPARKMAN. Not longer than that. In other words, at the end of that time, either we must let the legislation die or we must take other action to finalize it, or we must arrive at some other solution.

Mr. ALLOTT. The measure now before us would not conclude the matter, then, would it?

Mr. SPARKMAN. Not at all.

Mr. ALLOTT. Is there any reason or any definite abuse which the committee found which is the basis for applying such a piece of legislation to private stock companies, and not to mutual associations? For example, last month, I believe, or a very short time ago, two very large mutuals formed in California one of the largest mutual associations in the world. Why differentiate between the two?

Mr. SPARKMAN. The principal difference is that most mutuals are controlled by the Federal Home Loan Bank Board. The stock companies in each instance, I believe, are State companies. Over the last few years there has been a decided trend toward forming holding companies, which we feel is not helpful to the savings and loan business.

Mr. ALLOTT. I am perfectly aware of the difference between those companies. As a lawyer, I have participated in the activities of both kinds. Yet it cannot be said there is less danger in the combination of mutual companies than there is in a combination of private companies, in my opinion.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. ALLOTT. May I finish with one or two more questions?

What is the differentiation between the dangers resulting from a combination of mutual companies and that of private companies?

Mr. SPARKMAN. Most mutuals are under Federal control and cannot go into these combinations; nor can they make any change without getting permission from the Home Loan Bank Board.

Mr. ALLOTT. These mutual companies are formed into savings and loan companies under the Federal Home Loan Bank of 1933. Is that not correct?

Mr. SPARKMAN. That is correct.

Mr. ALLOTT. There is not much actual difference. Let me point out that if a private company wants to qualify for Government insurance of its loans, it must, so far as the way it makes its loans is concerned, conform in almost every respect to certain standards which the Federal Government provides in its insurance program. Why should there be a difference simply because a few people wish to put their money together to form a company, and a group of people——

Mr. SPARKMAN. It is not the individual company; it is the holding com-

pany, the superstructure they go into, that is of concern. May I say to the Senator from Colorado that one of the very able witnesses before our committee was Mr. Frank J. Mackin, savings and loan commissioner for the State of California. He gave a very clear statement on this matter. I shall not read all of the statement, but just part of it:

Recent activities of holding companies in California have assumed enormous proportions. The size and scope of these operations have reached such a point as to constitute a major change in the character of savings and loan business. The alleged benefits of such holding companies are meager and are far outweighed by the underlying fact that holding companies destroy the basic concept of the savings and loan business as a local thrift and home-financing operation.

He goes further, but, to my way of thinking, that is the gist of the whole question.

Mr. President, I ask unanimous consent to have printed in the RECORD the excerpt from the statement of the savings and loan commissioner of the State of California, from which I read.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM THE STATEMENT OF FRANK J. MACKIN, SAVINGS AND LOAN COMMISSIONER, STATE OF CALIFORNIA

In the main, California has one of the best and most comprehensive State laws governing savings and loan associations. Many of these provisions can be successfully evaded by the use of the holding company device. This is the area of our major concern.

Recent activities of holding companies in California have assumed enormous proportions. The size and scope of these operations have reached such a point as to constitute a major change in the character of the savings and loan business. The alleged benefits of such holding companies are meager and are far outweighed by the underlying fact that holding companies destroy the basic concept of the savings and loan business as a local thrift and home financing operation.

At present many of these holding companies are being organized in the State of Delaware. It is impossible for the State of California, either through the office for which I have statutory responsibility or the office of the corporations commissioner of the State, to stop or even impede the rapid spread of holding companies over State associations. As the savings and loan commissioner of the State of California, I therefore earnestly request the Congress of the United States to enact legislation embodying provisions of this bill, for the problem is beyond the jurisdiction of the State, national in its scope, and can result only in a basic revision in both the public's conception of and the operations of the savings and loan business.

Mr. SPARKMAN. In my conception, a savings and loan association is an organization operated at the grassroots. First of all, it is limited as to those with whom it may do business. Ordinarily it is established for the benefit of neighbors in an area. I presume a stock company would be formed in the same way. There is no objection to individual stock companies, but the movement that has developed in the last few years has changed the organization and has destroyed the basic concept of it as a community affair operating in a relatively small area.

Mr. ALLOTT. Were there any specific abuses developed at the hearings?

Mr. SPARKMAN. No; there were not. I said in my opening statement, a few minutes ago, that instead of passing permanent legislation, we decided the matter was something that needed attention. What we said in effect was, "Stop where you are. Do not go any further until we can study the subject and reach a determination as to whether or not the threat a good many of the people feel exists is real."

If I remember correctly, the representatives of two major savings and loan leagues testified before our committee. The Home Loan Bank Board representative testified. The California Savings and Loan League, a majority of which is made up of Federalized institutions, testified as to their needs. We worked with them. There was a group of California stock company representatives present, who gave their story. We listened to them. We said to them, in effect, "We are impressed with what you have said. Therefore, we are not willing to accept wholeheartedly the story that has been told to us. We do not say we ought to propose that you give up what you have already acquired, but what we do say is that you should stop for the time being, until we can look into this."

Mr. ALLOTT. A report is called for by what date?

Mr. SPARKMAN. A study is called for by May 31, 1960, next spring.

Mr. ALLOTT. I desire only to point to this situation in my own State, and I presume it may be true in others. For a while the mutual organizations took a completely hands-off attitude. In the last few days they have reversed themselves and have said they were fearful what this proposal might bring forth.

I should like to point out that since there have been no actual abuses shown, as the Senator has said, it is a rather unusual thing to legislate against something we fear might happen in the future. The fact that the savings and loan institutions themselves, and even some mutual associations are so confused as to whether they want it done or not, convinces me we should go very slowly.

Mr. SPARKMAN. I contend that we are going slowly, carefully and cautiously.

Mr. ALLOTT. I hope we will do so. I thank the Senator for his courtesy.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CANNON. I note that on page 5 of the committee report it is stated:

The problem of monopoly and restraint of competition must be considered in this connection. However, this does not appear to have occurred as yet, according to the testimony presented to the committee.

In other words, the committee will attempt to develop by the hearings what the situation may be?

Mr. SPARKMAN. The Senator is correct. As I said to the Senator from Colorado, I feel that we have taken a conservative, cautious attitude. We have thrown up the signals, but we have said, in effect, "This is only a signal to hold where you are."

Mr. CANNON. I believe the committee states elsewhere in the report that the committee does not feel there has been sufficient experience with the holding companies in the field at this time.

Mr. SPARKMAN. Certainly there was not a sufficient volume of information before us.

Mr. CANNON. It is possible, is it not, in connection with what the distinguished Senator from Colorado has said, that the hearings may develop the fact that legislation is needed relating to the stock companies as well as to the mutual companies? This could be developed by the hearings which will be held by the committee?

Mr. SPARKMAN. That is entirely possible. Of course, I invite attention to the fact that our committee has jurisdiction over the Home Loan Bank Board and the various regional banks and savings and loan institutions throughout the country. Hardly a year goes by that we do not come up with some proposed legislation affecting some of them. I think we could say that this will be a study which will be specialized and especially directed toward the complaints which have come in and the fear, as I said, that the Savings and Loan Commissioner of California pointed out to us.

Mr. CANNON. Am I correct in my understanding that the study will relate to stock companies as well as mutual companies in this particular field?

Mr. SPARKMAN. There is nothing in the bill which specifically calls for that, but, on the other hand, there is nothing to exclude it. Our jurisdiction covers the whole field. Certainly we would receive testimony offered to us covering either field.

Mr. CANNON. My inquiry in that regard was prompted by the question of the distinguished Senator from Colorado.

Mr. SPARKMAN. I will say that this deals primarily with holding companies, and there are no holding companies with mutuals.

Mr. CANNON. I understand. My inquiry is prompted by the question of the Senator from Colorado, who pointed out to the distinguished Senator from Alabama that the mutuals in his State had merged in a number of instances.

According to the committee report, it would appear that in many instances mutuals are much greater in size than the stock companies. Perhaps there may be some tendency directed toward a monopoly in restraint of competition in the mutuals themselves.

Mr. SPARKMAN. I am certain when we receive the testimony from the Home Loan Bank Board we are going to ask for all the information regarding the whole field of savings and loan associations.

Mr. CANNON. If the Senator will yield further, I should like to ask whether the committee determined that the experience in connection with bank holding companies would not apply to this particular field and that it would be necessary to hold hearings to develop

and draw up a legislative formula to fit that particular situation?

Mr. SPARKMAN. First, I will say we have not had a great deal of experience under the Bank Holding Act. Secondly, this does not follow the same pattern. It would not be applicable. There is a considerable difference between studying banks and studying savings and loan associations. We feel that much good will come from the projected study.

Mr. CANNON. I understand that the committee is going to hold the hearings as expeditiously as possible.

Mr. SPARKMAN. The chairman asked that I reassure the Senate to that effect.

Mr. CANNON. I thank the distinguished Senator from Alabama.

Mr. SPARKMAN. I thank the Senator.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Colorado.

Mr. CARROLL. I want to commend the Senator from Alabama for offering the amendment, and I want to commend the Senator from California for accepting it. I understand the Senator is going to accept it. I have had several conferences on this bill with the Senator from California.

Mr. ENGLE. Mr. President, will the Senator yield? I should like to correct the record. I am not going to accept the amendment. I am simply not going to oppose the amendment.

Mr. SPARKMAN. I offered the amendment as a substitute.

Mr. ENGLE. If the Senator will yield further, I would be more happy with my amendment. What I object to is the suspending of this operation in midair longer than is necessary.

Mr. SPARKMAN. This really amounts to a compromise between the two views.

Mr. ENGLE. The Senator has said that the committee will proceed as fast as it can and that if any new legislation is enacted prior to the expiration date of the act, it will take the place of this bill, even if the approximately 1 year and 6 months, or whatever the external limit is, has not been terminated.

Mr. SPARKMAN. That is correct.

Mr. ENGLE. That will be of help in the situation. I do not have any objection to saying to everybody, "Let us stop and look at this matter." However, I do not think we ought to stop too long, because it will upset and suspend the whole industry. Not only that, but we may put the situation out of balance, as the Senator from Colorado [Mr. ALLOTT] pointed out. I do not know whether there is a "knifing job" going on between the mutuals and the stock companies. I am not saying there is, but I am suspicious about it. I think we ought to move expeditiously and get this matter settled once and for all.

I would prefer the 1-year provision, but, with the assurances which have been given by the chairman, we can do as well with the substitute amendment, because we have been promised prompt hearings and early action. I prefer this to 1 year and no assurance of hearings at all.

Mr. SPARKMAN. I understand the position of the Senator from California.

I yield to the Senator from Colorado.

Mr. CARROLL. Mr. President, I want to commend the Senator from California for his vision and statesmanship in giving us a chance to conduct hearings in this very important field.

I observe the statement on page 4 of the report:

> Evidence was presented at the hearing that some of these holding companies have acquired control of associations in Texas, Colorado, and Ohio.

I had some interest in what was happening in Colorado, so I checked a bit and I found the statement to be true. One big Colorado savings and loan stock company was purchased by a holding company in California. That would not necessarily mean much to me, because I am not an expert in this field, but when the Colorado Federal Savings and Loan League is on record as supporting this bill with its 2-year provision, I know that something is wrong in the picture. I had a message only a few hours ago from the Colorado Federal Savings and Loan League telling me that they wholeheartedly endorsed the objectives of this bill.

I commend the Senator from Alabama and I commend the Senator from California. We should have a chance to find out what are the facts surrounding the recent wave of acquisitions of savings and loan associations by holding companies. We should know what is going on. We should determine why our associations at home are so alarmed.

I have one further question to ask the Senator from Alabama. When there is a merger of mutuals, is approval required?

Mr. SPARKMAN. Of course, this would apply to most of the mutuals. If the company involved is a Federal association, approval would be required by the Home Loan Bank Board.

Mr. CARROLL. That is my understanding. In other words, they are already regulated.

Mr. SPARKMAN. I think the Senator will find that the holding company operations have all been with stock companies.

Mr. CARROLL. I understand that is true.

Mr. SPARKMAN. They are subject to the provision.

Mr. CARROLL. The holding company acquisitions pose a threat to local associations, to local investors, to the local people. If it is true that a California holding company has moved in and acquired one of the big savings and loan stock companies in Colorado, then that is a matter which deserves to be investigated. We should determine the effect of such acquisition on the smaller Colorado locally owned companies and decide whether we need such operations controlled by Federal law with Federal approval. It would seem to me this would be a proper subject of the hearings and a proper aspect of the hearings.

Mr. SPARKMAN. I will say that my idea of hearings would be that we would cover the field.

Mr. CARROLL. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Chair is compelled to rule the amendment offered by the Senator is not in order.

Mr. SPARKMAN. Mr. President, I understand that because the amendment which the Senator from California offered was to the committee amendment, my amendment would become an amendment in the third degree.

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. And therefore the amendment is not in order. I withdraw the amendment for the time being.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Has the Senator thought of following the course we frequently follow, of having the committee amendments agreed to and the bill considered as an original text for the purpose of amendment, in which case the amendment would be in order?

Mr. SPARKMAN. That would be fine, but it happens that the Senator from California has already offered his amendment. If the Senator from California will withdraw his amendment, we can proceed in that way.

Mr. ENGLE. Mr. President, I ask unanimous consent that the committee amendment be considered as adopted and the text of the bill considered as a new bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENGLE. Mr. President, I reoffer my amendment.

Mr. SPARKMAN. Mr. President, I reoffer my substitute and ask for a vote.

The PRESIDING OFFICER. The second part of the Sparkman amendment, the Chair is advised by the Parliamentarian, contains more language than is contained in the Engle amendment, and therefore is out of order.

Mr. MANSFIELD. Did anyone raise a point of order?

Mr. SPARKMAN. It contains more language? Would the Chair repeat the ruling please?

The PRESIDING OFFICER. The Chair is advised that the substitute amendment is not in order because the latter part strikes out more language than is contained in the Engle amendment.

Mr. SPARKMAN. May I see it?

Mr. ALLOTT. May I be recognized while the Senator is looking at this? I should just like to make one or two observations about this matter.

I have had an interest all my life, not too much financially but as a lawyer, in both types of these organizations. I helped to form a mutual organization back in 1934. I have been connected with them for many years.

I believe we ought to go very slowly in this matter, and the solution offered by the Senator from Alabama seems to me to be the most acceptable one which we can arrive at at this time. Since we do not have a clear case of abuse, it seems

very dangerous to me to upset an entire industry, by legislating in this area, particularly since the bill does not provide any restrictions against the combinations of mutual companies which, as we have seen in the case of two California companies, can be just as large as the others.

I should like to ask the Senator from Alabama if the investigation will also go to the effect of mergers of mutual companies.

Mr. SPARKMAN. Undoubtedly that question will be raised, and we certainly will be seeking information along that line. There is this difference, though. When it comes to mergers of mutual companies which are already controlled by the Home Loan Bank, they will have the pertinent information in their files. They do not have the information on stock companies. They do not know that themselves.

Mr. ALLOTT. May I differ with the Senator and point out that they do have this information? I recall specifically one private organization which pretty well went through the wringer back in the depression, and when it reorganized as a private organization, a private stock company under State law, and secured Federal insurance——

Mr. SPARKMAN. Oh, yes; if it came in and got Federal insurance.

Mr. ALLOTT. Very, very few of them do not have the insurance.

Mr. SPARKMAN. I do not understand that to be true. I understand that a great many of them have their own insurance plans.

Mr. ALLOTT. But as to those which do have Federal insurance——

Mr. SPARKMAN. That information would be available.

Mr. ALLOTT. That information would be available?

Mr. SPARKMAN. The Senate committee has it.

Mr. President, I withdraw the amendment I offered, and I send forward an amendment to the Engle amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 17, it is proposed to strike out the words "two years after the date of its enactment", and insert, in lieu thereof, "May 31, 1961."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. SPARKMAN. Mr. President, I offer a second amendment to the Engle amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, lines 23 and 24, it is proposed to strike out "one year after the date of enactment of this section", and insert, in lieu thereof, "May 31, 1960."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment, as amended, offered by the Senator from California [Mr. ENGLE].

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7244) was read the third time and passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADDITIONAL CIVILIAN EMPLOYEES FOR DEPARTMENT OF DEFENSE

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 909, H.R. 6059.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6059) to provide additional civilian employees for the Department of Defense for purposes of scientific research and development, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 10, after the word "Schedule", to strike out the comma and "as follows:

"'(1) Not more than three hundred twenty-six such positions shall be in such grades during the period beginning on the date of enactment of this subsection and ending on June 30, 1960;

"'(2) Not more than three hundred forty-nine such positions shall be in such grades during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"'(3) Not more than three hundred seventy-two such positions shall be in such grades on and after July 1, 1961.'"; on page 3, line 20, after the word "personnel", to strike out the comma and "except that—

"'(1) Not more than three hundred forty-six such positions shall be established during the period beginning on the date of enactment of the Act by which this amendment is made and ending on June 30, 1960;

"'(2) Not more than four hundred such positions shall be established during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"'(3) Not more than four hundred fifty such positions shall be established on and after July 1, 1961'" and on page 4, after line 11, to insert a new section, as follows:

SEC. 4. (a) Section 3(d) of the Federal Employees' Group Life Insurance Act of 1954 is repealed.

(b) Section 5(a) of such Act is amended by striking out the words "under age "sixty-five".

(c) Section 6 of such Act is amended to read as follows:

"SEC. 6. (a) Each policy purchased under this Act shall contain a provision, in terms approved by the Commission, to the effect that any insurance thereunder on any employee shall cease upon his separation from the service or twelve months after discontinuance of his salary payments, whichever first occurs, subject to a provision which shall be contained in the policy for temporary extension of coverage and for conversion to an individual policy of life insurance under conditions approved by the Commission.

"(b) If upon such date as the insurance otherwise cease the employee retires on an immediate annuity and (1) his retirement is for disability or (2) he has completed twelve years of creditable service as determined by the Commission, his life insurance only may, under conditions determined by the Commission, be continued without cost to him, but the amount of such insurance shall be reduced by 1 per centum thereof at the end of each full calendar month following the date the employee attains age sixty-five or retires, whichever is later, subject to minimum amounts prescribed by the Commission, but not less than 50 per centum of the insurance in force preceding the first such reduction. Periods of honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States shall be credited toward the required twelve years provided the employee has completed at least five years of civilian service.

"(c) If upon such date as the insurance would otherwise cease the employee is receiving benefits under the Federal Employees' Compensation Act because of disease or injury to himself, his life insurance may, as provided in subsection (b), be continued during the period he is in receipt of such benefits and held by the United States Department of Labor to be unable to return to duty."

(d) Section 5(a) of such Act is amended by striking out "25 cents" and inserting in lieu thereof "32 cents".

(e) (1) The amendments made by subsections (a), (b), and (c) shall take effect as of August 17, 1954, except that (1) they shall not be applicable in any case in which the employee's death or retirement occurred prior to the date of enactment of this Act, and (2) nothing therein shall be construed to require salary withholdings for any period prior to the first day of the first pay period which begins after the date of enactment of this Act.

(2) The amendments made by subsection (d) shall take effect as of the first day of the first pay period which begins after the date of enactment of this Act.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of H.R. 6059 is twofold. First, it authorizes the establishment of certain additional supergrade and scientific positions in the Department of Defense; and, second, liberalizes the Federal Employees Group Life Insurance Act.

Mr. President, presently, the Department of Defense has 303 supergrade positions. This measure would authorize 372 such positions or an increase of 69.

Currently, the Department has 292 so-called Public Law 313 scientific positions. This measure authorizes the establishment of 450 such positions or an increase of 158.

Public hearings on this portion of the bill were held July 23, 1959. The Department of Defense and the Civil Service Commission testified concerning the

need for these additional positions. No adverse testimony was received from any source. The committee was unanimous in approving this portion of the bill.

Mr. President, the Federal Employees Group Life Insurance Act provides that the amount of group life insurance in force at age 65 be reduced by 2 percent per month until the policy has been reduced to 25 percent of its original face value. The bill as reported would have changed this reduction formula in two respects. First, the reduction would not necessarily start at age 65 but would begin at age 65 or on retirement whichever might occur later. In other words, if an employee retired on or before reaching age 65, the reduction would start when he reached age 65, but if he continued in the service no reduction would take place so long as he remained in the service.

Secondly, the reported bill cut the rate of reduction from 2 percent to 1 percent per month and provided that it would continue only until the policy had been cut in half instead of by three-fourths as provided under present law.

Mr. President, the amendments I now send to the desk have the effect of doing away with the second change proposed in the reported bill. In other words under these amendments the reduction formula will continue in the future as it has in the past. However, no reduction will occur so long as the employee continues in the service. In other words, the first objective of the reported bill will remain intact.

These amendments are offered quite reluctantly on my part in order to assure approval of the bill by the administration.

The reported bill called for an increase in premiums. Due to the curtailment in the liberalization of benefits under the amendments I have offered, the increase in premiums is taken out of the bill.

I believe that all Senators on this side of the aisle, as well as on the other side of the aisle, are in agreement. We have sufficient funds. We believe that with the amendments proposed, the situation can be taken care of with the money that is paid in at the present time.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. We have had 4 years' experience with government life insurance. We have made several proposals, and after working out the problem with the Civil Service Commission and others, I sincerely hope the Senate will approve the amendments which the Senator from South Carolina is offering, and that the Senate will approve the bill.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 5, line 7, after the word "by", to strike out "1" and insert "2".

On page 5, line 11, after the word "than", to strike out "50" and insert "25".

On page 5, after line 23, to strike out:

(d) Section 5(a) of such Act is amended by striking out "25 cents" and inserting in lieu thereof "32 cents".

On page 6, line 1, after "(e)", to strike out "(1)".

On page 6, after line 8, to strike out:

(2) The amendments made by subsection (d) shall take effect as of the first day of the first pay period which begins after the date of enactment of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from South Carolina [Mr. JOHNSTON].

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6059) was read the third time and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. CARLSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

OCEANOGRAPHIC STUDIES

Mr. MAGNUSON. Mr. President, on behalf of the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Florida [Mr. SMATHERS], the Senator from California [Mr. ENGLE], the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. HART], the Senator from New Jersey [Mr. CASE], the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BUTLER], and myself, I send to the desk a bill and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2692) to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys; to promote commerce and navigation; to secure the national defense; to expand ocean resources; to authorize the construction of research and survey ships and facilities; to assure systematic studies of effects of radioactive materials in marine environments; to enhance the general welfare and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

Mr. MAGNUSON. Mr. President, I have today introduced a bill to suggest a 10-year program of intensive ocean research and to authorize the ships and facilities required to conduct this scientific effort which I consider vital to our commerce, economy, and security.

The purpose of this bill is to carry out the objectives expressed in Senate Resolution 136, adopted by the Senate without dissent on July 15.

Previous to Senate action the resolution had been unanimously approved by the Senate Committee on Interstate and Foreign Commerce and cosponsored by each of its members and my colleague from the State of Washington, Senator JACKSON.

The bill I am introducing today is designed to forward the plans and program endorsed in that resolution. It is titled "The Marine Sciences and Research Act of 1959."

When the bill is considered in committee early in the coming session I anticipate that the date will be changed from 1959 to 1960, but this program must be launched in 1960 at the very latest if we are to keep pace with Soviet Russia in the marine sciences.

We are not keeping pace with Soviet Russia now—in ships for deep-sea scientific studies, in marine laboratories, in oceanwide hydrographic surveys, in fisheries research and utilization of our ocean resources, in studies of the relationship of the seas to our changing climate, and, of very great importance, in the training of young and enthusiastic oceanographers.

We have lagged, and we are lagging, principally I think because we have been remiss in providing facilities for such research. And we have been remiss, I believe, because we have taken the oceans for granted and have grown accustomed to looking on them as a protective barrier against aggression.

They are that no longer.

The Committee on Oceanography of the National Academy of Sciences recently reported:

> The submarine armed with long range missiles is probably the most potent weapon system threatening our security today.

And Rear Adm. John T. Hayward has told Congress:

> It goes without saying that a complete understanding of oceans and ocean bottoms and the atmosphere above must be obtained if the Navy is to wage modern war successfully.

The Russians are attempting to gain that complete understanding and are providing the ships, facilities, and manpower to obtain it.

We can and must match this Soviet effort.

That is what the bill we have introduced today proposes to do.

We cannot afford to yield either the freedom or the secrets of the seas to Soviet Russia by default. To do so would menace our peace and security.

Nor am I prepared to yield adjacent fisheries to the Russians as we are presently doing. To do so would jeopardize

the economy of tens of thousands of our industrious coastal citizens. We must match the Russians also in our fisheries research and exploration.

This also the bill introduced today proposes to accomplish.

One of the reasons that the bill is being introduced at this late hour in the present session is to give all Members of the 86th Congress, officials of departments and agencies which would direct the program, and scientists, educators, and others throughout the country who would participate in or benefit from the proposed research, opportunity to give it thorough study and to express their views and offer their comments, criticism, or suggestions when Congress assembles.

It is also timely that we introduce this bill now because this is the closing week of the first International Oceanographic Congress, which is being held in New York City, and in which scientists of 38 nations are participating.

As the host nation it is natural that the United States should have the largest number of delegates to this conference.

Most of our oceanographic scientists are participating, five from the University of Washington.

But of the 37 foreign countries represented, Soviet Russia has by far the greatest number of delegates.

A total of 87 Russian scientists are listed on the program as presenting lectures or papers. That is more than twice as many scientists as there are in the second largest foreign delegation, that of Japan; three times as many as came over from the United Kindom, and more than the combined representation from continental European countries this side of the Iron Curtain.

Many if not all of these Russian scientists arrived in the United States on the *Mikhail Lomonosov*, the largest and most modern of all ships constructed for ocean research, and completed only 2 years ago.

This 6,000-ton vessel is berthed in New York, at the same pier as America's two largest and most recent research ships, the 2,700-ton *Gibbs* and 2,100-ton *Chain*, both reconverted small seaplane tenders, and three other American research ships, the 298-ton *Atlantis*, the 280-ton *Crawford*, and the 34-ton *Maury*. The *Gibbs* is a brand new addition to our research fleet and the *Chain* was added about a year ago, and represents an urgent effort by our Navy to catch up with the Russians in this field.

Most of the oceanographers from all countries attending the New York sessions, I am told, have been visiting these research ships and also the 300-ton French ship *Calypso*.

It has been a bit discouraging to some of these oceanographers to learn that not only does the Russian ship displace more tonnage than the five American ships there, combined, but that also it has more laboratories, more equipment, and accommodations for more scientists than all five of the American ships.

But the *Lomonosov* is only slightly larger than the Soviet scientific vessel *Vitiaz* which last December visited San Francisco.

The *Lomonosov* sails for Dakar on the West African coast following the New York conference, making studies of the mid-Atlantic en route. The *Vitiaz*, Moscow reports, is being transferred to another and undesignated ocean, and is being replaced in the Pacific by two new research ships of which we have no details.

This is only a small segment of the Soviet research fleet. At the conclusion of my remarks I shall ask unanimous consent to have printed in the RECORD an account of Russian oceanographic research ships and studies published in the August issue of Naval Research Reviews, an official publication of the Navy Department.

Mr. President, to match this Soviet effort requires a big program, a long-range, progressive program designed to give us at the end of 10 years unchallenged supremacy in the marine sciences, an eminence we cannot claim now.

It is such a program that the bill introduced today will, when enacted, provide.

A Navy report approved and recommended by our Chief of Naval Operations, Adm. Arleigh Burke, states tersely that "there has been no effort to improve research ships in this country for the last 15 years."

For that reason, in proposing a 10-year program of research ship construction, we actually have 25 years of shipbuilding to accomplish within the limited period of 10 years.

That is one reason that the program proposed in this bill may seem large; we are making up for many years of lost time.

It is not a cheap program, but I do not know any way we can obtain security from attack by enemy missile-bearing submarines in the event of war more cheaply, or more economically reap the benefits of the vast resources of the oceans.

Costs of the combined programs of all Government departments and agencies in this field would average about $67 million a year.

Four departments and eight agencies would actively participate.

The Departments designated are Commerce, Interior, Health, Education, and Welfare, and the Navy.

Agencies which would have administrative or operating functions are the Coast and Geodetic Survey, Maritime Administration, Weather Bureau, Bureau of Commercial Fisheries. Bureau of Mines, Office of Education, the National Science Foundation, and the Atomic Energy Commission.

This bill provides for not only an aggressive program but a coordinated program, which must be pursued with equal vigilance by all of the agencies and departments, and with the full backing of both Congress and the administration.

In my opinion, it is an imperative program.

Russia has taken a lead in oceanographic research activity, as I have already indicated, and this activity is worldwide, ranging from polar region to polar region and covering the world ocean to our very shores.

Russia is operating more larger and newer research ships.

Several other nations also are operating larger and newer research ships than ours, but not as large or numerous as those of the Russians.

Russia has more trained oceanographic scientists than we have, and she has more of her trained scientists probing the deep seas.

She is combining meteorology with her oceanography, and one of her research ships has successfully launched more than a score of rockets into the upper layers of the atmosphere in a space of less than 5 months.

Russia is operating the first submarine converted for deep-sea scientific studies and fisheries exploration below the surface, the first nonmagnetic research ship, and the first oceanographic ship with helicopter space.

She has two 12,000-ton icebreakers specially equipped for scientific research, and it is one of these ships, I may add, that has varied its deep-ocean and polar studies by launching rockets into space.

Mr. President, I am not willing to let this massive Soviet effort go unchallenged.

We have been told in an official Navy publication that "because of the threat of the Russian submarine, the possession of a suitable research fleet by the United States is of burning importance."

The bill introduced today would provide us with such a fleet.

We also have been told by the Navy that it has a vital need for more oceanographic information in antisubmarine warfare, mine warfare, and amphibious warfare.

The bill introduced today would provide us with facilities for obtaining this needed information.

We have been told that we need more oceanographic scientists.

This bill would provide means for encouraging more of our young men and women to pursue studies and advanced studies in this vital field.

We have been told that we are lagging behind many other countries, including Russia, in research enabling our fishermen to locate large schools of commercialy valuable fish.

This bill would provide the ships and laboratory facilities for such research.

We have been told that much more scientific data is required on the effect of artificial radiation on the oceans and on life within the oceans.

This bill contemplates such expanded research.

We have been told that much more knowledge is necessary about the interchange of energy between the oceans and the atmosphere, a phenomena that has a vital bearing on weather and climate.

This is a field that the Russians are pursuing with great vigor. At a session on this subject in New York four of the seven lectures were given by Russians, one by Americans.

This bill provides for active and extensive research in this particular field.

We are living in a scientific age.

We have pioneered to our great gain in the electronic and the nuclear sciences.

We are making great strides now in the space sciences.

We must make equal advances in the marine sciences, the last frontier in the physical science field.

I now ask unanimous consent, Mr. President, to have printed in the RECORD an article titled "Soviet Oceanographic Studies Under the IGY," by Victor P. Petrov, published in the August 1959, issue of Naval Research Reviews.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET OCEANOGRAPHIC STUDIES UNDER THE IGY

(By Victor P. Petrov, professor, Language Division, U.S. Naval Postgraduate System)

A very interesting report was issued last February by the Special Committee on Oceanography of the National Academy of Sciences. It included, in addition to recommendations for a program of research in oceanography for the next 10 years, a survey of what has been done in this field in the past. The report says that facilities for ocean research are to "the oceanographer what cyclotrons or reactors are to the nuclear physicist. He simply cannot undertake adequate research without them." Furthermore, the report states that "our oceanographic research ships are inadequate for the job which must be done. Most of the ships are old and outdated. Many are obsolete and should be replaced by ships of modern design." ("Oceanography 1960 to 1970: A Report of the Committee on Oceanography of the National Academy of Sciences," Feb. 1959, p. 7.)

The above statement is especially important in the light of what the Soviet Union is and has been doing in oceanographic research. If we do not step up our own efforts in this field, the Soviet Union may soon become the world leader in oceanographic research, judging by the amount of money and manpower that country is putting into the field. Not long ago, it was reported in Research Reviews that at least seven Soviet oceanographic ships ranging in size from 1,500 to 6,000 tons are in operation. In addition to these ships are two 12,000-ton icebreakers, which are conducting oceanographic research on the side. Our own oceanographic fleet, on the other hand, consists of ships that are small by comparison. (Research Reviews, January 1959, p. 3.)

What has actually been done and what facilities have been used by the Soviet Government in oceanography under the IGY program? For the answer to this question, let us turn to Soviet literature, which gives a clear picture of Russian activities in this field.

The Soviet Union undertook, under the IGY program, to conduct a vast range of oceanographic studies. For this purpose it assigned more than 30 special vessels to roam the oceans and seas and certain of the inland seas, lakes, and rivers. Of particular interest to American oceanographers is the role of 14 large oceangoing vessels—virtual floating oceanographic laboratories—which were given the task of studying the Atlantic, Pacific, Arctic, and Antarctic Oceans, together with all the seas adjacent to them. Furthermore, at the close of the IGY, the Soviet Navy transferred one of its submarines to a scientific institution, which has the impressive name All-Union Scientific Research Institute of Sea Fishing and Oceanography. This submarine is to be used principally for the study of regions in which Soviet fishing fleets are operating. (Izvestia, August 14, 1958.) Among these large Soviet oceanographic vessels three are of more than 2,000 tons water displacement, and three of more than 5,000 tons. (Sovetsky Flot, Dec. 9, 1958.)

The Pacific Ocean was assigned to the *Vitiaz*, the flagship of the Soviet oceanographic vessels, and the *Okean*. The *Vitiaz* was to cover most of the western Pacific from north to south, and the *Okean* was to study the northwestern part of the Pacific. Three large oceanographic ships—the *Sevastopol, Ekvator* (Equator), and the brand-new *Mikhail Lomonosov* were given the task of studying the Atlantic Ocean. The *Ob* was to explore the Antarctic; in addition to investigating its waters, scientists aboard the *Ob* were to launch rockets from the ship's deck to study the upper layers of the atmosphere. Several smaller ships were assigned to other waters. For example, the *Professor Mesiatzev* and the *Poliarnik* were assigned to the Norwegian and Greenland Seas, and the *Prevenetz* was sent to the Bering Sea. (The USSR Academy of Sciences IGY Information Bulletin, No. 2, 1957, p. 41.) Other Russian ships that took part in the IGY were the *Akademik Kovalevsky* and the *Professor Deriugin*. The former, a vessel of the USSR Academy of Sciences Sevastopol Biological Station, was utilized in a study of the Rumanian and Bulgarian coastlines of the Black Sea, and the latter, of the Murmansk Biological Station, was used in an investigation of the fish resources of the Barents Sea. (Izvestia, May 1, 1958.)

STUDY OF THE PACIFIC

The *Vitiaz* is a formidable vessel of 5,500-ton displacement. Originally a cargo dieselship with passenger cabins for 12 people, it was completely overhauled and now can accommodate 137 people, that is, a crew of 64 men and a scientific staff of 73. The cabins are for one, two, or four persons. The ship has been formally a part of the oceanographic fleet since 1949.

This specially reconstructed vessel has a number of unusual technical features. It has a fuel capacity sufficient for 18,000 nautical miles or 66 days at full speed. Fuel is conserved while many oceanographic studies are being conducted, because during these periods the ship usually rides at anchor. This allows the vessel to spend from 120 to 130 days at sea without entering a port. The *Vitiaz* has 13 scientific laboratories, such as hydrological, meteorological, microbiological, plankton, hydrochemical, and others. (Morskoy Flot, No. 5, May 1955, p. 20.) Of its many other special features, the following should be mentioned: a deepwater anchor, which allows the ship to anchor at maximum depths of 32,810 feet; a special trawling installation with a 52,496-foot steel cable, permitting trawling at any depth; and eight hydrological deck winches, of which five can be used for studies at depths as great as 32,810 feet. (Morskoy Flot, No. 5, May 1955, p. 21.)

Before the IGY started, the *Vitiaz* was conducting its regular oceanographic studies, most of which have been made in the northwestern part of the Pacific. One of the discoveries made by its scientists was that the maximum depth of the Kurilo-Kamchatka Deep is 34,057 feet instead of 27,928 feet as previously reported. (Ogonyok, No. 22, May 30, 1954.) Another was that the southwestern section of the Bering Sea is divided into two parts by an underwater range, which was given the name "Academician Shirshov Range." (Vodnyi Transport, No. 108, Sept. 9 1955). During one of its regular trips in 1955, the *Vitiaz* scientists discovered that the Hawaiian underwater range continues much farther north than was reported previously. In fact, this range joins the Obruchev underwater elevation at the spot where the Aleutian and Kurilo-Kamchatka Deeps meet. (Vodnyi Transport, No. 123, Oct, 13, 1955.)

Oceanographic studies have been greatly spurred by the international agreements which concentrated them as a joint effort under the IGY. The IGY officially started on July 1, 1957, and was terminated on December 31, 1958, thus lasting 18 months. According to the IGY program, the *Vitiaz* was to make five trips in the Pacific, each lasting from 3 to 4 months. The purpose of the first trip was to study the area between New Guinea, the Philippines, and Japan. The next assignment was a study of the latitudinal zones of the Pacific (approximately between the 40th parallels). This was to be followed by an investigation of the western part of the ocean to determine the seasonal changes in hydrological conditions. The two last trips were to cover the northwestern part of the Pacific Ocean. (Sovetsky Flot, No. 246, Oct. 17, 1957.)

Even the *Vitiaz*' first voyage in 1957 brought some new significant discoveries. For example, an undersea mountain peak, about 16,405 feet high, was found to the north of Marcus Island. It was given the name "Makarov Peak." Some very rare cephalopod mollusks of the genus nautilus were trawled in the region of the Molucca Islands. For the first time, according to Soviet scientists, samples of diatomic soil were obtained in southern waters at a depth of 19,686 feet. Previously, these soils were believed to occur only in the Arctic zones. (Sovetsky Flot, No. 246, Oct. 17, 1957.)

The second voyage of the *Vitiaz*, covering a distance of over 10,000 miles, took the ship from Vladivostock south along the 174th meridian west longitude and back north from New Zealand along the 172d meridian east longitude. Many specimens of fishes and mollusks were obtained, the ocean bottom at depths of 29,529 feet was photographed, and a new trough was discovered north of the New Hebrides Islands. The trough, which is 20,342 feet deep, was named "Vitiaz." (Pravda, Feb. 28, 1958.) Soviet hydrographers aboard the *Vitiaz* also discovered that the warm Kuroshio Current in the Pacific has shifted 185 to 250 miles northward. In addition, a new record ocean depth of 35,960 feet was discovered in the region of the Mariana Islands. (Izvestia, Apr. 2, 1958.) The deepest point of the Tonga Deep was corrected by the *Vitiaz*' scientists. They found the correct depth to be 35,568 feet. Furthermore, they found a number of strong currents at a depth of 3,280 feet. Up to the present time these depths were considered to be very quiet. (Sovetsky Flot, No. 152, July 1, 1958.)

In addition to discovering another deep in the Pacific (the Vitiaz, mentioned above), the ship's scientists made corrective measurements of some of the other 17 known deeps in this ocean. As pointed out above, three of these corrections were made before the IGY began—of the Kurilo-Kamchatka, Tonga, and Marianna Deeps. During the IGY they determined the correct depths of two others: the Philippine Deep, 33,680 feet; and the Kermadek, 32,908 feet. (Pravda, Aug. 3, 1958). Another *Vitiaz* discovery was a submarine mountain peak in the Carolines, 797 feet under the surface. This peak rises 13,124 feet above the ocean floor. Apparently it is of atoll origin. The *Vitiaz* expedition gave this peak the name "Miklukho-Maklay" for a Russian explorer of the area in the last century. (Izvestia, Aug. 3, 1958.) All in all, the *Vitiaz* covered more than 62,000 miles of ocean expanse during the 18 months of the IGY. In addition, it visited many foreign ports in the basin, stopping in Japan, Canada, the United States, New Zealand, New Guinea, New Britain, Fiji, New Caledonia, and in other lands. (Izvestia, Jan. 6, 1959.)

Scientists aboard other ships of the Soviet oceanographic fleet working in the Pacific were concerned with the waters adjacent to Russian shores. The *Okean* was given the northwestern part of the Pacific to explore. In addition, several smaller vessels of the Soviet Coast Guard and fishing fleet had scientists aboard. Work conducted on these ships was devoted to the Bering Sea, Chukchee Sea, and other bodies of water in the region.

STUDY OF THE ATLANTIC

Several oceanographic ships were assigned to the study of the Atlantic Ocean. They included the *Mikhail Lomonosov*, newest of the Soviet oceanographic vessels; the *Ekvator* and the *Sevastopol*, assigned to the North Atlantic; the *Professor Mesiatzev*, the *Poliarnik*, and several fishing vessels, which were sent to the Norwegian and Greenland Sea; and the *Lena* (of Antarctic fame), assigned to study the water and ice exchange in the strait between Greenland and Spitzbergen. (The U.S.S.R. Illustrated magazine, No. 8, 1958, p. 49.)

Perhaps most of our attention should be given to the *Mikhail Lomonosov*, for of all the ships in the world constructed specially for research, it is the most modern. The vessel was built in the Neptun shipyard at Rostok in East Germany according to specifications supplied by the U.S.S.R. Academy of Sciences, and upon completion in August 1957, was transferred to the Marine Geophysical Institute. The ship has 16 scientific laboratories and accommodations for 65 scientists. Its complicated equipment includes nine deep-sea oceanographic winches; trawling equipment suitable for use at any depth in the Atlantic basin, an anchor system which permits the vessel to stand at anchor in any depth, and a sounding device that can measure depths up to 40,000 feet. The *Mikhail Lomonosov* has been conducting studies of the North Atlantic between England, the Azores, North America, and Iceland. (Morskoy Flot, No. 10, 1958, pp. 20–21.)

More information on the technical details of the vessel is given in the Annals of the U.S.S.R. Academy of Sciences. Its displacement is about 6,000 tons. The boat deck has space for one helicopter. One of its depth-sounding devices can be used both for vertical and horizontal soundings, a combination which is useful for locating schools of fish. The range of the ship is 11,000 nautical miles at an average speed of 13 knots. (Vestnik of the U.S.S.R. Academy of Sciences, Nov. 4, 1958.) Another source has stated that, in addition to its helicopter, the vessel has a motorboat suitable for several days of independent sailing in the ocean. (Novoye Vremia, No. 12, Mar. 21, 1957.) The *Mikhail Lomonosov*, which is more than 335 feet long and has a beam of 47 feet, was given the task of studying the relief of the Atlantic Ocean floor and the geological structure of its sediments. Furthermore, it has been studying the currents at various depths and their characteristics, the magnetic fields, the salinity of waters, the distribution of zoo- and phyto-plankton, and other features. (Priroda, No. 19, October 1957.)

Two other large oceanographic vessels have been assisting the *Mikhail Lomonosov* in the study of hydrological cross sections of the North Atlantic. They are the *Ekvator* and the *Sevastopol* (Sovetsky Flot, No. 283, Dec. 3, 1957). During a month and a half cruise in the stormy Atlantic, the *Ekvator* completed 49 drifting station studies and anchored 13 times in the open ocean. (Sovetsky Flot, No. 121, May 25, 1958.)

OCEANOGRAPHIC STUDIES BY SAILING SHIPS

Besides the modern dieselships mentioned above, Soviet scientists have two specially constructed sailing vessels (with auxiliary engines) which have been conducting extensive oceanographic studies during the IGY. They are the *Sedov* and the more famous, nonmagnetic vessel *Zaria*.

The *Sedov* left the Kronstadt base in the Baltic Sea on September 25, 1957, and after a 3-month voyage across the Baltic and North Seas, the Atlantic Ocean, the Mediterranean, and the Black Sea, berthed at the Soviet Black Sea naval base at Sevastopol. (Sovetsky Flot, No. 9, January 11, 1958.) The oceanographic sailing vessel started on its return trip from Sevastopol to Kronstadt on February 27, 1958, with plans to conduct oceanographic studies for a period of 5 months on the way. The program provided for the vessel to pass through the Straits of Gibraltar and set its course for Madeira, the Canary Islands, and the Cape Verde Islands. The ship visited Dakar, crossed the Atlantic to Recife in Brazil, sailed north to the English Channel, and then back to Kronstadt. (Sovetsky Flot, No. 50, February 28, 1958.) The scientists made oceanographic observations at selected stations in the Atlantic every 60 or 70 miles. Extensive scientific material was collected during this trip, such as data on the distribution of temperatures and salinity of water at various depths and the speeds and directions of currents; also, samples of soils were collected from various floor depths, and more than 400 plankton specimens were taken. (Izvestia, March 2, 1958.) The ship returned to Kronstadt on June 9, 1958, having covered a distance of 8,700 miles (Sovetsky Flot, No. 135, July 11, 1958).

More interesting and exciting was the voyage of the *Zaria*, which, according to Soviet claims, is the only nonmagnetic vessel in the world. This three-masted schooner of 580-ton displacement was built with a minimum amount of metal. It was constructed mainly of wood and such nonmagnetic metals as bronze and copper. The main purpose of the ship has been to facilitate the study of the magnetic field of the oceans. The *Zaria* started its voyage on August 3, 1957, and since that time has sailed more than 40,000 nautical miles. It visited ports in England, Canada, the Azores, Spain, Albania, the Union of South Africa, Puerto Rico, Brazil, Argentina, Uruguay, Australia, Indonesia, Ceylon, and many others. During the IGY, it crossed the Atlantic six times. The scientific value of the work of the *Zaria* is very significant, for its scientists discovered a considerable number of magnetic anomalies in the Atlantic. (Vechernaia Moskva, Sept. 25, 1958.)

In addition to its sails, which cover an area of more than 830 square yards, the *Zaria* has a 300-horsepower auxiliary engine. It can attain a speed of 6.5 knots under sails, and 9 knots with its engine. The ship is 131 feet long and has a beam of 32.5 feet. With its supply of water and fuel it can sail 3,500 miles without entering a port. The vessel is virtually nonmagnetic because she carries only about 2 tons of iron and steel, an amount which, compared with the 200 tons of other metals with which she was constructed, can have little, if any, influence on the performance of the scientific instruments. (Sovetsky Flot, No. 178, Aug. 3, 1956.) The submerged part of the vessel is sheathed in brass. Its anchor and anchor chains are made of brass and bronze. The propeller shaft is made of nonmagnetic steel, while the propeller itself and the rudder are made of bronze. (Zoanie-Sila, No. 6, June 1957, p. 15.)

The *Zaria* is supposed to conduct a study of ocean magnetism and then complete its voyage in Vladivostok (Priroda, No. 8, 1958, p. 55). The precise measurements made on the *Zaria* will be used to correct magnetic charts (U.S.S.R. Illustrated Magazine, No. 8, 1958, p. 48).

STUDIES IN THE ANTARCTIC AND ARCTIC

Russian oceanographic studies in the Antarctic have been conducted chiefly by scientists abroad the *Ob*, a ship that regularly sails to the Soviet Antarctic bases, and also by investigators aboard vessels of the Slava sailing fleet. At the same time, oceanographic observations have been made in the Arctic from two drifting-ice stations—the North Pole–6 and the North Pole–7. Scientists on these two ice islands have been aided in their work by several oceanographic vessels, such as the *Toros* and *Poliarnik*. Some sources indicated that the *Lomonosov* (not the *Mikhail Lomonosov*, but a smaller, older Russian vessel) was to join these two vessels for a study of the hydrological and ice regimens of the Chukchee Sea, East Siberian Sea, Laptev Sea, Kara Sea, and Barents Sea. (Priroda, No. 8, 1958.)

The *Ob* has been especially active in oceanographic work, having spent 757 days in the oceans, and having made one trip around the world. It has studied, in addition to the Antarctic regions, the Atlantic and Indian Oceans. It has also made investigations of the upper layers of the atmosphere. For example, from December 31, 1957, to May 7, 1958, 22 meteorological rockets were launched from the ship in the southern latitudes. (Sovetsky Flot, No. 286, Dec. 8, 1958.) On February 9, 1959, the *Ob* approached the forbidding shores of Queen Maud Land and landed parties there entrusted with the task of establishing a new Soviet Antarctic base, named the "Lazarev." The Lazarev base was to consist of two buildings, which were to be occupied by six members of the expedition this winter. (Pravda, Feb. 16, 1959.) Recent reports indicate that the Lazarev base (Sovetsky Flot, No. 59, Mar. 12, 1959) was officially opened on March 10, 1959.

SUBMARINE FOR OCEANOGRAPHIC STUDIES

According to the Sovetsky Flot, an official newspaper of the Soviet Defense Ministry, the Soviet Navy transferred one of its submarines to the All-Union Research Institute for the Study of Fisheries and Oceanography. This navy submarine, named the *Severianka* (*Northern Maiden*), has been completely overhauled and specially rebuilt to suit the needs of oceanographic studies. The submarine is equipped mainly for the study of fish movements in the oceans for the purpose of assisting fishing fleets in locating schools of fish. However, the ship will be used for making other oceanographic observations as well. Portholes with thick glass panes, able to withstand high pressures, were placed in the hull; searchlights were mounted in such a way that scientists sitting in chairs in front of the windows could switch them on and observe underwater life; and movie and still cameras were installed by each porthole to enable observers to take pictures at will. Schools of fish are first located by the sounding devices, then observed through the portholes. The sounding devices operate both downward and upward to locate schools of fish either below or above the submarine. In addition, scientists are able to obtain soil samples from the sea floors while the submarine is at anchor or while it is lying at depth. (Sovetsky Flot, No. 19, Jan. 23, 1958.)

A TV camera was installed in the bow of the *Severianka* to give the observers a view of marine life ahead, the picture being projected onto a screen inside the ship. The reequipment of the submarine was completed in 1958, and it joined the active fishing and oceanographic fleets at the end of that year. (Izvestia, Aug. 14, 1958.) The submarine has already made three experimental voyages, the first in the Barents Sea and the other two in the Atlantic. During these three trial trips all scientific instruments were tested, such as those used to measure temperatures at various depths, salinity, radioactivity of water, and speed of underwater currents. (Ogonyok, No. 5, Jan. 25, 1959.)

The second trip of the *Severianka* was much longer than the first one. It started on New Year's Eve and lasted 24 days, 22 of which were exceptionally stormy. The results apparently were satisfactory. According to the Soviet press, the scientific material already gathered is very valuable. It was observed that at night the fish were very passive, almost lethargic, and were not frightened by the submarine. In the morning, however, they became much livelier and quickly disappeared from the field of observation of scientists aboard the undersea

laboratory. (Pravda, Jan. 26, 1959; Izvestia, Jan. 27, 1959.)

What, briefly, does this summary of Soviet oceanographic activity during the IGY tell us? For one thing, it leaves little doubt that Russia has a first-rate research fleet, and for another, it makes clear that she is rapidly increasing her knowledge of the seas.

This intensive activity by Russia should spur U.S. efforts to build up its own ocean research forces. The report by the Committee on Oceanography of the National Academy of Sciences, mentioned at the beginning of this article, recommends that our present survey fleet of 45 ships, which are mostly of smaller size than the Russian ships, be increased in number to 85 ships by 1970. To achieve this goal it will be necessary for the United States to construct 70 new ships, since 30 ships of the present fleet will no longer be serviceable by 1970 and will thus have to be replaced.

With the expanded ocean-research facilities which the United States is expected to have in the years to come, and with Russia's research fleet, which will undoubtedly expand also, and with the oceanographic forces of other nations vitally interested in the oceans—Great Britain and Japan, for example—we can look forward to a period of intensive exploration of the vast ocean frontier. It is to be hoped, of course, that the acquired knowledge will be used by the participants in the same spirit as was that gathered during the IGY—for the benefit of all mankind.

Mr. MAGNUSON. I add, in conclusion, that we know more about the moon than we know about three-fourths of the earth. I hope the Congress, come January, will hold extensive hearings on this subject.

I wish also to place in the RECORD a notice that the representatives of 34 countries are now meeting in New York City in a National Oceanographic Congress, in which papers are to be read on all the many problems being studied, and on much of the unknown three-fourths of the surface of the earth.

There being no objection, the notice was ordered to be printed in the RECORD, as follows:

NATIONAL OCEANOGRAPHIC CONGRESS—THIRTY-FOUR COUNTRIES OR DEPENDENCIES REPRESENTED

Of the 29 major morning lectures to be presented, U.S. scientists will present 7, Britain 4, U.S.S.R. 3, Scotland 3, Germany, Denmark and Sweden 2 each, and Italy, Norway, Belgium, Canada, and Holland 1 each.

Of the papers to be read and discussed the national breakdown is: United States, 202; U.S.S.R., 82; Japan, 35; France, 16; United Kingdom, 12; Germany, 12; India, 12; Sweden, 11; Italy, 10; Canada, 9; Scotland, 6 (they have separate oceanographic institution); Holland, 7; Brazil, 6; Argentina, 5; Formosa, 5; Norway, 5; Poland, 4; Denmark, 4; Egypt, 3; Switzerland, 3; Finland, 3; Mexico, 2; Australia, 2; South Korea, 2; Hong Kong, 2; Union of South Africa, 2; Yugoslavia, 1; Nigeria, 1; Chile, 1; Panama, 1; Belgium, 1; and Ireland, 1.

Mr. MAGNUSON. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "Soviet Science Vessel Wins Praise in New York," written by William Hines, Star scientific writer, and published in a recent issue of the Washington Evening Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET SCIENCE VESSEL WINS PRAISE IN NEW YORK

(By William Hines)

NEW YORK, September 9.—"We'd be swamped with students of the marine sciences if we had a vessel like this one."

"This one" was the Soviet oceanographic ship *Mikhail Lomonosov*, and the man who made the comment was an American oceanographer who had just toured the vessel. The *Lomonosov* is tied up at a Hudson River pier during a 2-week meeting of marine scientists at the United Nations.

The *Mikhail Lomonosov* is the biggest and probably the most lavishly equipped scientific ship in the world. The 6,000-ton vessel, as long as a football field, cannot be compared with anything in the American oceanographic fleet. It is only 2 years old and, according to its first officer, Konstantin Bannov, was built from the keel up for the purpose for which it is now being used.

Mr. Bannov said the ship's complement normally numbers 132, with scientists slightly outnumbering mariners, 67 to 65. Its chief scientists, Prof. Arkady Kolesnikov, is an expert on ocean currents, while others among the scientists specialize in one or another of a total of 16 disciplines. Each scientific specialty has it own laboratory.

ACCURACY QUESTIONED

One American scientist said the instruments displayed aboard the Soviet vessel "certainly indicate that these people know what they are doing." But he questioned the accuracies the Russians claimed for some of their instruments, for example, an electrical thermometer that supposedly can take the temperature of sea water to an accuracy of one one-thousandth of a degree. Similar American instruments are good to one one-hundredth.

First Officer Bannov claimed, and American scientists agreed, that the ship had great stability and is an excellent "platform" for precise measurements even in heavy seas.

However, one scientist who termed the ship "beautifully equipped," said he did not believe the Russians got the maximum out of their instruments. "There are some engineering limitations," he explained, citing a procedure under which a highly accurate temperature-recorder is lowered over the side so close to the hull that the ship's temperature can affect the reading.

American scientists who had talked with their opposite numbers on the *Lomonosov* were unanimous in the opinion that the Russian scientists "look very competent," as one American put it. Whether these competent people were getting an opportunity to do much creative work was a big question, however. From the way the ship and its laboratories are organized, the vessel is in business principally to accumulate vast masses of data, in the opinion of one oceanographer.

VACUUM CLEANER PROCESS

Nevertheless, another scientist said, the Russians "are getting some good measurements we aren't getting" simply because they approach the data-gathering problem in this vacuum-cleaner fashion. However, he noted, even with its size and equipment, the *Lomonosov* is not geared to do geophysical work.

The *Lomonosov* is one of two large oceanographic ships operated by the Soviet Union, according to Mr. Bannov. The other, a remodeled cargo ship named *Vityas*, operates in the Pacific and the *Lomonosov* plies the Atlantic, he said. The first officer professed to know nothing about arctic oceanography, although it is known generally the Russians are extremely active scientifically in the polar regions.

Physically the ship is an impressive sight. Its hull is white and its superstructure is topped by a single streamlined funnel. A red and blue sputnik-round-the-world design is painted on its bow, and from the foremast flies a white flag bearing the words "Akademia Nauk" in blue. These are the Russian words for "Academy of Sciences," to which both the *Lomonosov* and the *Vityas* are assigned.

The *Lomonosov* gave evidence of thorough and frequent sweepdowns, and traces of unshipshape conditions reported by visitors to some Soviet ships were completely lacking. One scientist suggested that "they may have made a special effort to police it up while it was in port," but it was this writer's opinion that conditions aboard the vessel reflected constant maintenance rather than an occasional spring cleaning.

ON THE BRIDGE

The bridge, which is normally locked, was opened to this writer, who was shown the navigation and control equipment. The *Lomonosov* has good radar equipment of apparently advanced design, elaborate radio communications facilities and the sort of depth, speed, and navigational instruments common to middle-sized ships. It also has a British-built loran (long-range navigation) aboard, the only piece of equipment that appeared to have been built outside the Soviet bloc.

Living quarters were comfortable in appearance and no more crowded than in American ships. Because oceanographic vessels go out for long periods, roominess is considered essential.

The officers' wardroom, like the rest of officers' country, is carpeted in red and reflects the decorative style admired by Russians, which usually strikes Americans as slightly outdated.

Although the scientific complement of the *Lomonosov* changes from voyage to voyage according to what missions are to be performed, it apparently is usual for about a dozen of the scientists to be women. A number of women have participated in the oceanographic meeting here.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the comprehensive bill on oceanographic studies which I have just introduced lie on the desk for 4 days, to permit additional cosponsors to attach their names.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL APPROPRIATION FOR SENATE SELECT COMMITTEE ON SMALL BUSINESS

Mr. SPARKMAN. Mr. President, in order that there may be no ambiguity about the purposes of Senate Resolution 177, 86th Congress, 1st session, I wish to state for the record that it is the intent of the resolution and of the Senate Select Committee on Small Business that the $10,000 provided therein be added to the $100,000 authorized by Senate Resolution 16, 86th Congress, 1st session, agreed to February 2, 1959. The additional $10,000 is to be used for the same purposes. It is expected that the additional funds will be commingled with the moneys provided by Senate Resolution 16.

PREVENTION OF MONOPOLISTIC AND UNFAIR TRADE PRACTICES

Mr. SPARKMAN. Mr. President, in 1914 the Congress established the Fed-

eral Trade Commission as an instrument to prevent monopolistic and unfair trade practices. It was intended at the time that the Commission should act promptly to prevent these monopolistic, illegal trade practices. Through the years, the Commission has halted many flagrantly monopolistic activities, but its enforcement procedures often have been found so slow and cumbersome that it has frequently been able to stop those practices only after their small business victims were destroyed or severely injured.

For years it has been apparent to the Commission and to many Members of Congress that the Federal Trade Act must be amended to enable the Commission to act with more dispatch in these matters.

For that reason, Mr. President, I am delighted to introduce a bill that will give the FTC power to issue temporary cease-and-desist orders when the Commission finds they are needed. This is proposed legislation of significance to every small business in this country.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2693) to strengthen the antitrust laws by amending the Clayton Act and related acts to provide for the issuance of temporary cease and desist orders to prevent certain acts and practices pending completion of proceedings, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. SPARKMAN. I also ask unanimous consent that a letter from the National Association of Independent Dairies in support of this legislation be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL INDEPENDENT
DAIRIES ASSOCIATION,
Washington, D.C., September 3, 1959.

HON. JOHN SPARKMAN,
Chairman, Senate Small Business Committee,
Old Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: We are delighted to learn that you are going to introduce a bill which would give the Federal Trade Commission power to issue temporary cease and desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings.

The power which this bill would afford is a vital necessity if the FTC work is to be fully effective. Under the present laws adversary proceedings before the FTC often are in progress for many years before any relief can be afforded the victims of the offenders. During that time many of these victims are destroyed. The small businessmen in the dairy business prefer the services of the doctor to those of the undertaker.

We are sure that the Alabama independent dairymen, as well as the independent dairymen throughout the nation and all other small businessmen, will strongly applaud your action in introducing this important bill.

As a former trial attorney, Secretary and Executive Director of the FTC I can truly appreciate the urgent need for such legislation.

Again we salute you for championing the cause of small business.

With all good wishes, I am,
Sincerely,

D. C. DANIEL.

THE CALENDAR

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the first measure on the calendar.

BILLS PASSED OVER

The bill (S. 1075) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior was announced as first in order.

Mr. HART. Mr. President, I ask that the items beginning with Calendar No. 95 and extending through Calendar No. 331, inclusive, be passed over.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills passed over are as follows:

S. 1075, a bill to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior, $5,197.56.

S. 91, a bill to amend the act of Sept. 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and employees of the United States, to clarify the operations of such act, and for other purposes.

H.R. 4601, a bill to amend the act of Sept. 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes.

S. 1474, a bill to make permanent the provision of the Reorganization Act of 1949.

Senate Joint Resolution 69, a Joint resolution proposing an amendment to the Constitution of the United States relative to the equal rights for men and women.

H.R. 4012, a bill to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes.

H.R. 5140, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1961.

RESOLUTION PASSED OVER

The resolution (S. Res. 131) referring S. 882, a bill for the relief of the heirs of J. B. White, to the Court of Claims, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry: What bill is under consideration?

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

Mr. HART. Mr. President, I ask unanimous consent that all bills beginning with Calendar No. 397, S. 1617, on page 8 of the calendar, and extending through Calendar No. 720, H.R. 5888, at the bottom of page 9, go over.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, reserving the right to object, was that a unanimous-consent request?

Mr. HART. Yes. We are proceeding with a call of the calendar of bills to which there is no objection. All the bills to which I have referred have been objected to.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

The bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 883) to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law, was announced as next in order.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2402) to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail, and for other purposes, was announced as next in order.

Mr. HART. Mr. President, I ask that this bill go over; and additionally, I ask that Calendar No. 819, S. 694; and Calendar No. 825, Senate Resolution 174, go over.

The PRESIDING OFFICER. Without objection, the bill and resolution will be passed over.

The resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States was announced as next in order.

Mr. KEATING. Mr. President, emphatically, over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CECIL E. FINLEY

The bill (H.R. 2946) for the relief of Cecil E. Finley was considered, ordered to a third reading, read the third time, and passed.

REFERENCE OF SENATE BILL 2496 TO THE COURT OF CLAIMS

The resolution (S. Res. 182) referring S. 2496 to the Court of Claims, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the resolution?

Mr. HART. The resolution provides that the resolution which was submitted for the direct relief of a mill be referred to the Court of Claims for a report to Congress. The resolution authorizes the disbursement of no money.

Mr. MORSE. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 182) was considered and agreed to, as follows:

Resolved, That the bill (S. 2496) entitled "A bill for the relief of Kraemer Mills, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimant.

BILLS PASSED OVER

The bill (S. 910) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2168) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEASING A PORTION OF TWIN CITIES ARSENAL, MINN.—BILL PASSED OVER

The bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota, was announced as next in order.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from New York. The two Senators from Minnesota have agreed to accept an amendment, which is at the desk, to the bill. If the amendment is accepted, the Senator from Oregon will have no objection to the bill. I think I am the one who objected to the bill the last time it was called on the calendar, although a Senator on the other side of the aisle may also have objected; I do not know.

Mr. KEATING. I do have an objection from the distinguished Senator from Vermont [Mr. PROUTY], at least temporarily.

Mr. MORSE. I simply want the RECORD to show that the House Members who were interested in the bill have been to see me, as have also the two Senators from Minnesota. Both Senators have agreed to accept the amendment I offered, which would provide for the payment by the school district of 50 percent of the fair market value of the lease. That is acceptable to me. So far as I am concerned, if the amendment is adopted, my objection to the bill will be withdrawn.

Mr. KEATING. I ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, was announced as next in order.

Mr. HART. Over.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H.R. 8437) to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500 was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER (Mr. MCGEE in the chair). The bill will be passed over.

The bill (S. 793) to amend title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams was announced as next in order.

Mr. KEATING. Over.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2653) to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems was announced as next in order.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, was announced as next in order.

Mr. KEATING. Over.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 3254) for the relief of Thomas Foreman Screven, Julia Screven Daniels, and Mary Bond Screven Rhodes was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 5733) for the relief of Park National Bank was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

EFFECTS OF DECEASED SEAMEN—BILL PLACED AT FOOT OF CALENDAR

The bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman, was announced as next in order.

Mr. MORSE. Mr. President, I should like to inquire what bill we have now reached on the calendar.

The PRESIDING OFFICER. Calendar No. 1022, House bill 6067.

Mr. HOLLAND. Mr. President, what happened to the measures which immediately precede this one on the calendar?

The PRESIDING OFFICER. They were passed earlier in the day.

Mr. HOLLAND. I thank the Chair.

Mr. MORSE. Mr. President, reserving the right to object to Calendar No. 1022, House bill 6067, let me state that the counsel of the committee is working out an amendment which we discussed earlier in the day. I have not seen the amendment. When it is offered, I shall have no objection to consideration of the bill. But until the amendment is offered, the bill must go over.

I suggest that the bill be placed at the foot of the calendar, until we get in touch with the counsel.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

INTER-AMERICAN CHILDREN'S INSTITUTE FOR THE PROTECTION OF CHILDHOOD

The Senate proceeded to consider the bill (S. 2231) to amend the joint resolution providing for membership and participating by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 2, after the word "appropriated", to strike out "annually"; in line 3, after the word "State", to insert "for the fiscal years 1961 and 1962, and in line 4, after the word "sums", to insert "not to exceed $50,000 per fiscal year"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Resolution 31, approved May 3, 1928 (45 Stat. 487), as revised by section 1(a) of Public Law 806, approved September 21, 1950 (64 Stat. 902), as amended by Public Law 816, approved July 27, 1956 (70 Stat. 696), is hereby amended to read as follows:

"That in order to meet the obligations of the United States as a member of the Inter-American Children's Institute, there is hereby authorized to be appropriated to the Department of State for the fiscal years 1961 and 1962 such sums not to exceed $50,000 per fiscal year, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEN. EDGAR JADWIN DAM AND RESERVOIR

The bill (H.R. 8035) to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pennsylvania, as the Gen. Edgar Jadwin Dam and Reservoir was considered, ordered to a third reading, read the third time, and passed.

STILLHOUSE HOLLOW DAM

The bill (H.R. 616) to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam was considered, ordered to a third reading, read the third time, and passed.

MEMORIAL TABLET IN HONOR OF DR. SAMUEL ALEXANDER MUDD

The Senate proceeded to consider the joint resolution (H.J. Res. 80) providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd.

Mr. HART. Mr. President, I ask unanimous consent that a statement on the joint resolution be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HART SEPTEMBER 11, 1959

It gives me great pleasure to speak in behalf of House Joint Resolution 80, which would authorize a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel A. Mudd.

Most schoolboys know that Dr. Mudd was the man who set John Wilkes Booth's broken leg as he escaped down Maryland's western shore toward Virginia. To me this was a clear example of a physician doing his duty and fulfilling his physician's oath, particularly since in those preradio days there is every reason to believe he had not heard of the assassination of the President. Almost every schoolboy knows that Dr. Mudd was sentenced to life imprisonment on an island off the Florida coast for this "crime." But very few schoolboys know that in 1867, during the great yellow fever epidemic, Dr. Mudd performed an act of heroism in taking charge of the prison hospital after the death of the prison doctor and saving the lives of many of the island garrison and prison inmates. It is for this act that the proposed legislation would honor him.

I ask for passage of this bill as an act of simple justice to the memory of Dr. Mudd and to his living descendents. One of them, Richard Mudd, of Saginaw, Mich., is also a doctor and has performed outstanding service in the field of industrial medicine.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 80) was ordered to a third reading, read the third time, and passed.

PRINTING OF PROCEEDINGS OF THE 39TH BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

The resolution (S. Res. 190) for printing of the proceedings of the 39th biennial meeting of the Convention of American Instructors of the Deaf with illustrations as a Senate document was considered and agreed to, as follows:

Resolved, That the report of the proceedings of the thirty-ninth biennial meeting of the Convention of American Instructors of the Deaf, held at Colorado Springs, Colorado, June 28, to July 3, 1959, be printed with illustrations as a Senate document, and that one thousand additional copies be printed for the use of the Joint Committee on Printing.

PRINTING OF STUDY "TENSIONS IN COMMUNIST CHINA"

The resolution (S. Res. 186) to print the study, "Tensions in Communist China," as a Senate document was considered and agreed to, as follows:

Resolved, That "Tensions in Communist China", prepared at the request of Senator ALEXANDER WILEY by the Legislative Reference Service of the Library of Congress, be printed as a Senate document, and that one thousand additional copies be printed for the use of the Committee on Foreign Relations.

PRINTING OF ADDITIONAL COPIES OF PART 4 OF THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The resolution (S. Res. 184) authorizing the printing of additional copies of part 4 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three thousand three hundred additional copies of part 4 of the second interim report made by that committee pursuant to S. Res. 44.

PRINTING OF ADDITIONAL COPIES OF PART 3 OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The resolution (S. Res. 183) authorizing the printing of additional copies of part 3 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was announced as next in order.

RETIREMENT OF ROBERT F. KENNEDY AS COUNSEL OF THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. MORSE. Mr. President, reserving the right to object to the consideration of Senate Resolution 183—although I shall not object—I believe it fitting, in view of the news of today that the counsel of the select committee has announced his resignation from the committee, to say a few words.

Mr. President, I have not always agreed with every course of action which the committee counsel, Mr. Robert F. Kennedy, has taken. But I want the RECORD to show that I believe he has given not only the committee but also the United States a very fine example of dedicated public service. If anyone had a difficult role to perform as a servant of a Senate committee, it was the role which Robert F. Kennedy performed as counsel for the Select Committee headed by the senior Senator from Arkansas [Mr. MCCLELLAN].

I am sure Mr. Kennedy will be perfectly willing to let his record of distinguished legal service for the committee be judged by time and by future events.

I wish to say that I would that I could be sure that we would always have in the public service men of such outstanding competence, great courage, dedication of purpose, and refusal to yield to any pressure at any time in connection with the performance of his work.

Mr. President, in spite of those who have criticized some of the positions Mr. Kennedy has taken as counsel for the committee, I salute him for his legal competence; I salute him for his courage; I salute him for his wonderful character; and I salute him for his record of service to that committee.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate Resolution 183?

There being no objection, the resolution (S. Res. 183) authorizing the printing of additional copies of part 3 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three

thousand three hundred additional copies of part 3 of the second interim report made by that committee pursuant to S. Res. 44.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "HOSPITAL, NURSING HOME, AND SURGICAL BENEFITS OF OASI BENEFICIARIES"

The concurrent resolution (H. Con. Res. 405) providing for printing additional copies of the hearings entitled "Hospital, Nursing Home, and Surgical Benefits of OASI Beneficiaries" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF PAPERS ENTITLED "COMPENDIUM OF PAPERS SUBMITTED ON REVISION OF THE FEDERAL INCOME TAX LAWS

The concurrent resolution (H. Con. Res. 404) providing for printing additional copies of the compendium of papers entitled "Compendium of Papers Submitted on Revision of the Federal Income Tax Laws" was considered and agreed to.

MEMORIAL IN HONOR OF REAR ADM. RICHARD E. BYRD

The joint resolution (S. J. Res. 103) authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Geographic Society is authorized to erect a memorial on public grounds along Memorial Avenue, Arlington County, Virginia (such grounds being now owned by the United States), the purpose of which will be to honor Rear Adm. Richard E. Byrd.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission on Fine Arts and the National Capital Planning Commission, a suitable site on public grounds along Memorial Avenue, Arlington County, Virginia, upon which may be erected the memorial authorized in the first section.

(b) The design and materials for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission. Such memorial shall be erected without expense to the United States.

SEC. 3. The authority granted in the first section of this joint resolution shall cease to exist unless (1) the erection of the memorial authorized by such section is commenced within five years from the date of the enactment of this joint resolution, and (2) the Secretary of the Interior finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

BILL PASSED OVER

The bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

COMMENDATION OF NATIONAL JAYCEE COMMUNITY PROGRAM

The resolution (S. Res. 173) commending the National Jaycee Community Program was considered and agreed to, as follows:

Resolved, That the Senate hereby recognizes as a fitting and patriotic endeavor the national Jaycee community development program, a program established for the purpose of providing leadership training through community improvement; and the Senate hereby commends and encourages the efforts of those joining in the undertaking of such program.

NATIONAL OLYMPIC WEEK

The joint resolution (H.J. Res. 310) to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

HOWARD F. KNIPP

The bill (H.R. 2068) for the relief of Howard F. Knipp was considered, ordered to a third reading, read the third time, and passed.

FATHER KENNETH M. RIZER

The bill (H.R. 7935) for the relief of Father Kenneth M. Rizer was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 609) for the relief of the estate of Gregory J. Kessenich was announced as next in order.

Mr. HART. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

JAMES F. CONROY

The bill (H.R. 7640) for the relief of James F. Conroy was considered, ordered to a third reading, read the third time, and passed.

LT. (JG.) JAMES W. LITTLE

The bill (H.R. 6809) for the relief of Lt. (jg.) James W. Little was considered, ordered to a third reading, read the third time, and passed.

OFFICIAL STATION OF RETIRED JUDGES ASSIGNED TO ACTIVE DUTY

The bill (H.R. 2982) to fix the official station of retired judges assigned to active duty was considered, ordered to a third reading, read the third time, and passed.

CHANGE THE DESIGNATION OF CHILD HEALTH DAY

The joint resolution (H.J. Res. 317) to change the designation of Child Health Day from May 1 to the first Monday in October in each year was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, was announced as next in order.

Mr. HART. Mr. President, for the reason that this measure is not proper calendar business, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

EFFECTS OF DECEASED SEAMEN BILL PASSED OVER

The PRESIDING OFFICER. Calendar No. 1022, House bill 6067, has been ordered to be placed at the foot of the calendar.

The bill will be read by title.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the dead seaman.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I am sure we can handle this bill at the next call of the calendar. As the record shows, all we are seeking to do is include language which will insure that the Federal district court will have to hold the property of the deceased seamen for at least 60 days, if the property amounts to more than $1,500, without a probate.

As I stated earlier today, under present circumstances the property would be disposed of within a week, if someone represented himself to be the brother of the deceased seaman. If the authorities thought he was the brother, and therefore let the property go, they might discover, a few days later, that the deceased seaman had a widow and child living in Hong Kong, even though until that time no one in this country had known of their existence. One thousand five hundred dollars would mean a great deal to them. If the property has been dissipated in the meantime, there is nothing we shall be able to do about it. We ought to get language in the bill to take care of the situation. I am going to object to the bill until that language is put in. It was agreed the committee counsel would draft the amendment. The difficulty was, they said, they would have to rewrite the bill. I am sure it has been done, but it has not been supplied me. In the absence of the necessary language, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

CONVEYANCE OF ARMY AND NAVY GENERAL HOSPITAL, HOT SPRINGS NATIONAL PARK, TO THE STATE OF ARKANSAS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 398, H.R. 6190.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6190) to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, this is a House bill conveying some 21 acres of land now in the National Park Service jurisdiction to the State of Arkansas. On this property is situated what is known as the Army and Navy Hospital. The hospital and all of the facilities are owned by the Army. The land is owned by the Department of the Interior.

Mr. MORSE. Mr. President, will the Senator from Arkansas permit me to ask that the Senator from New Jersey [Mr. CASE] be requested by someone on the Republican side to come on the floor, because he asked me to be notified when this bill comes up so he can be present on the floor?

Mr. MANSFIELD. Mr. President, if the Senator will yield, I may inform him that the Senator from New Jersey has been notified, he is on his way over, and will arrive in plenty of time.

Mr. McCLELLAN. Mr. President, this hospital was originally constructed under an authorization enacted in 1882. I note that about $100,000 was appropriated at that time. Later, in 1929, the hospital was expanded into a 500-bed institution, at a cost of about one million and a half dollars.

In 1949, some $750,000 was expended on it for renovation and for the construction of certain quarters.

Mr. President, this hospital has serviced approximately 100,000 patients during its existence. It reached its peak in about 1945, I believe, when it had a total of 1,777 patients.

In 1953, without warning, without previous notice, the Army announced it was going to deactivate the hospital. However, we prevailed on the Army at that time not to do so. But in 1955 it again announced that the patient load did not warrant or justify the hospital, and that it was not economic to keep it.

Since that time, 1955, Mr. President, the hospital has been operated by direction of the Congress, by rider being placed on an appropriation bill each year, directing the Army to continue to operate it.

At the time it was closed this year, it had a patient load of only 34 patients a day. The Army has declared it has no further use for it. I may state that during the period from 1953 down to the present time, my distinguished colleague [Mr. FULBRIGHT] and our distinguished colleagues in the House of Representatives have undertaken to prevail upon every Government agency we could think of to find some use for this institution. We have gone to the Veterans' Administration, we have gone to the Air Force, we have gone to the Public Health Service, we have gone to every agency of Government, undertaking to find some governmental service that it would be suitable for, and find some agency that had a need for it and could use it.

I am confident, Mr. President, that a diligent effort has been made. We have not found any agency that can use it or that is willing to use it. So we have these physical facilities, estimated now to be worth $3 million. I may say, by way of parenthesis, that if the building were to be constructed today anew, I am sure it would cost far in excess of that sum.

The facilities are being declared surplus to the needs of the services. The land does not belong to the Army. The land on which the facilities are located belongs to the National Park Service or to the Department of the Interior.

Therefore this bill has been introduced to deed the property to the State of Arkansas. Why? As I pointed out, we tried to find a use for these facilities. If it is declared surplus and sold, it will bring nothing. There is no prospect, so far as we can see, that private enterprise would pay anything like the value of it. It would be very hard to find private interests that would have a need for it or could make use of it.

In our efforts to find some service it could render, instead of being closed and being a loss to the taxpayers of this country, we have interested the State of Arkansas in providing at this place a rehabilitation center which would be in the nature of a regional service for that area in that section of our Nation.

Arkansas has been interested in this. This was not done upon the spur of the moment. A commission or a board was selected to make a survey to ascertain whether the property would be suitable for the purpose to be used. At the head of that board or commission which made the survey and which made recommendations was a prominent physician connected with the Mayo Institute. The hospital has been recommended as suitable for the purpose.

The Legislature of the State of Arkansas in good faith, having the desire to establish a regional rehabilitation center, at its last meeting, passed an act authorizing acceptance of the facility and appropriating $200,000 to get the work started.

I believe there is one such facility in the country now, somewhere in Virginia.

Mr. President, I can see no good reason for opposition to the bill. Arkansas, it seems, has made a rather exceptional record in this particular field. Today I believe we are expending, according to the information I have, about $1 or $1.10 per capita for the rehabilitation program, whereas the national average is about 50 cents per capita.

Judging from the reports of the agencies under the Department of Health, Education, and Welfare, Arkansas has an outstanding record.

We have a choice, Mr. President. This facility can be closed. We have opposed that in the Congress. The Senate particularly has gone along with my colleague and me in our urging to keep it open, in the hope that it would never be closed but that some good use and good service could be found to which it could be applied. We have now found the use.

Mr. President, according to the information given to us, if the hospital is closed, if no use is found for it, and if it is simply declared to be surplus to the needs of the Government, then it will cost a minimum of $130,000 a year to maintain it in some kind of condition. Of course, we all know that, while the hospital is being so maintained, if it is not occupied it will deteriorate in spite of maintenance.

The alternative, if we do not want to do that, is to declare the hospital surplus under the regular surplus program. When it is so declared it will be available for sale or donation. We spent 5 years of searching, trying to find some Government agency which could use it. We know there are none which will take it, none which say they can use it or need it. The hospital then would be subject to sale or subject to donation to a State or for some governmental purpose.

That is the situation. I hope the bill will be passed.

If the hospital is not operated as a rehabilitation center, for public health or educational services, Mr. President, ownership will revert to the Federal Government. In the bill which was reported by the committee and in the bill which passed the House, there is a 20-year reversionary period. In other words, after 20 years the hospital would not revert to the Government if the use for which conveyed were not continued. I will say that this provision was inserted in the bill not by the author of the bill either in the House or in the Senate, when the bill was originally introduced, but by the agencies of Government. The Bureau of the Budget says that is the policy. That is our policy with reference to the regular surplus disposal program. So that provision has been inserted in the bill.

I think it could be safely assumed, without any apprehension of disappointment, that if the hospital is operated by the State for 20 years as a rehabilitation center, if the project survives that long, we will have no doubt it will be firmly established. If it does not survive that long, before that time ownership will have reverted to the Federal Government.

That is the situation. I sincerely hope, Mr. President, that the bill will be passed.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement I have prepared on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FULBRIGHT

The purpose of this bill is very simple. It would authorize the conveyance of the Army-Navy Hospital, and related personal property, to the State of Arkansas for operation as a regional rehabilitation center. Many Members of this body are familiar with this institution and the controversy surrounding it during the last few years. For those who are not, I wish to review the situation briefly. A thorough understanding of the background of this legislation is necessary to proper consideration of the bill.

The Army-Navy Hospital has been in existence for over 75 years. This installation has served the Nation long and well. The hospital today consists of 36 buildings on approximately 25 acres of land, although only about 21 acres would be conveyed under this bill. The principal building is a nine-story brick, fire resistant structure. The bed capacity is approximately 500 but during World War II the patient load increased to as high as 1,777 persons. I understand that about $8 million has been spent by the Army on modernization of the facility since construction of the main building in 1929.

Unfortunately, the Army has tried for several years to close the hospital. The Army contends that reduction in strength of the armed services and the off-post location of the hospital has made continued operation of the facility uneconomical. The members of the Arkansas congressional delegation have contested the Army's position, and for the past 4 years specific language has been included in the Department of Defense appropriation bill requiring the Army to continue operation of the hospital. We had hoped that the Army would accept the congressional mandate in good faith but the patient load has been kept at such a low level that it became apparent that further operation in such a manner was hopeless.

Since the Army announced its intention to close the hospital, the Arkansas delegation has explored every possibility for putting the hospital to good use. We have on many occasions approached other Government agencies such as the Veterans' Administration, the Public Health Service and the Air Force in hopes that the hospital could somehow be properly utilized. All of our efforts have been fruitless and it is apparent that no agency in the Government has any desire to assume operation of the facility for hospital or for other purposes. And I might add that during this time some of these same agencies have continued to construct new hospitals throughout the country.

About 2 years ago it was suggested that the hospital might be suitable for conversion to a comprehensive regional rehabilitation center designed to serve the disabled of the South and the Southwest. In order to explore this possibility fully, the Office of Vocational Rehabilitation provided a grant to finance a study to determine its suitability for that purpose. A committee of eminent specialists in the field of rehabilitation conducted an on-the-spot survey of the hospital, in addition to study of background data, and late last year issued a report of their findings. The committee was favorably impressed with the plant and equipment at the hospital and strongly recommended that the facility be conveyed to the State of Arkansas for operation as a rehabilitation center. Following this recommendation the General Assembly of Arkansas passed legislation enabling the State to assume operation of such a center. The general assembly also appropriated $200,000 of additional State funds to match Federal funds for the establishment and operation of the proposed facility. I want to point out that the assembly took this action before there was any assurance that the property would be conveyed to the State by the Federal Government. This indicates the State's good-faith efforts to find a way to make proper use of the hospital.

The pending bill will enable Arkansas to implement the already formulated plans to convert the hospital to a much needed rehabilitation center. Arkansas has one of the best rehabilitation programs in the Nation. The State ranks at, or near, the top in the country in per capita expenditures for rehabilitation. The center, which would be operated pursuant to this bill, would fill a vital need in our section of the Nation. At the present time there is no comprehensive center in the south-central part of the United States which provides all rehabilitation services, including vocational training. I might mention that the proposed project has the full support of rehabilitation officials from all of the States bordering Arkansas. The proposed center at the Army-Navy Hospital would have a normal operating capacity of 550 to 600 disabled persons. In addition, as many as 100 more would be regularly employed in the workshops, earning a wage and living outside the center. The estimated length of stay of 6 months would result in serving approximately 1,300 persons annually. I emphasize that the center would be available to disabled persons throughout the Nation, not just those from Arkansas.

The question will be raised as to the application of the Morse formula to this conveyance. It is conceded that the transfer of the real and personal property at the hospital is to be made without cost to the State. If the State of Arkansas were required to pay 50 percent of the fair value, as required by the Morse formula, I doubt very seriously that it would be interested in taking over the facility. Our State is faced with the same financial difficulties confronting practically all States today and the operation of the rehabilitation center on the basis proposed will add to the State's fiscal burden. The simple fact is that the Government is confronted with the choice of deeding the property to the State for this worthy project gratuitously or having the property stand idle with no benefit to anyone. It now costs the taxpayers about $1,500,000 to operate the hospital with an average patient load of less than 50 per day. The estimated total annual costs of operating a rehabilitation center at capacity would be less than this amount.

As the committee report points out, more than 25 Federal departments and agencies have said they had no use for the hospital for any purpose. If the Morse formula is imposed the Government will be saddled with a facility which nobody wants—and the rehabilitation needs of the South will continue to go unmet. This is a situation where there is no alternative for the Government. This is clearly shown by the unanimously favorable reports on the bill from the Bureau of the Budget and the other agencies concerned. I sincerely hope that an exception will be made in this unusual situation in application of the Morse formula.

I urge all Senators to consider carefully the alternative to passage of this bill. Passage of this legislation will result in saving the million and a half dollars now required to keep the hospital open and it will go far toward filling the need for additional rehabilitation services in the South and Southwest. The hospital is surplus to the needs of the Government and is not susceptible to sale for commercial purposes. If this bill is not approved and the hospital is eventually closed the taxpayers will be burdened with a $100,000 maintenance bill on a facility which is of no possible use to the Government. The simple economics of the situation require that the property be conveyed to the State of Arkansas in accordance with the provisions of the pending bill.

Mr. FULBRIGHT. I shall not read the statement, Mr. President, because it contains much the same information the senior Senator has already given. I do not want to take the time of the Senate at this late hour to discuss the same items further.

I wish to associate myself with the remarks of the senior Senator from Arkansas about this project. I have visited the hospital on several occasions. I have not been a patient in it, but I do know it thoroughly. It is so situated that I think it would be very difficult to put it to commercial use, since it is on top of a hill. I am confident that it would be difficult to find a commercial use for the institution.

There is one point which I do not believe the senior Senator mentioned. The hospital will be operated under the Federal vocational rehabilitation program which provides matching funds. I do not think the State of Arkansas either could or would undertake the program without the assistance of the Federal Government. In that respect, the hospital would receive no assistance unless it abided by the regulations issued by the Department of Health, Education, and Welfare, which are quite complete and detailed.

I have no doubt that such a situation will prevail and that there will be no difficulty in the administration of the program in a manner satisfactory to all concerned. The reputation of the administration of the rehabilitation program in Arkansas is very good. There has never been any difficulty or any complaint on the part of the Department of Health, Education, and Welfare with regard to the program.

The present director of the program, Mr. Russell, has been directing the program, I believe, for some 15 or 17 years and is extremely well qualified with an excellent reputation in this field.

I join my senior colleague in urging the Senate to pass the bill, so that this long controversy, which has gone on since 1953, can be concluded. The Army has wished to close the institution, and the local citizens have felt that some use could surely be made of it. Now a good use has been found.

I point out that during the period of the controversy some $1 million or $1¼ million per year has been spent in keeping the hospital in operation. It has not been a very economical operation. I think that to continue the institution on a standby basis would likewise be a waste of public funds.

I hope the Senate will pass the proposed legislation.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CASE of New Jersey. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all of section 3 and insert a new section 3 as follows:

SEC. 3. The conveyance of the property authorized by this Act shall be upon condition that such property shall be used by the State of Arkansas as a vocational re-

habilitation center, or for other public health or educational purposes, and upon the further condition that the State of Arkansas shall not, in such use, segregate, discriminate against or otherwise treat unequally any person because of race, color, religion or national origin, and if the property so conveyed shall cease to be used for such purposes or upon such conditions, title thereto shall immediately revert to the United States, and in addition all improvements made by the State of Arkansas during its occupancy shall vest in the United States without payment of compensation therefor.

Mr. CASE of New Jersey. Mr. President, the amendment, I believe, is self-explanatory. I favor the bill, its purposes, and the result which would be accomplished by it. I think that in two respects, however, it should be changed. Both are embodied in this amendment.

The amendment would strike out the provision for a 20-year requirement or condition as to the use of the property. It would require that the property be used by the State of Arkansas as a vocational rehabilitation center or for other public health or other educational purpose without time limit, and provides for a reverter in the event that that condition is breached. The other part of the amendment, a breach of which also would result in reverter, is to require the State of Arkansas to operate the facility without discrimination, segregation, or unequal treatment to any person because of race, color, religion, or national origin.

I do not intend to wave the flag about this or to attempt to be oratorical at all. I think the facts, the history, and all the rest of the surrounding circumstances are clear evidence without any more words by me that the amendment is necessary if we intend to achieve our desired result; and I have no doubt whatever that all the Members of the Senate would want to have this result reached.

So I urge that the amendment which I have offered be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CASE of New Jersey. Before I yield the floor, I understand the Senator from Michigan wishes me to yield to him briefly, and I request that I may do so.

Mr. HART. Mr. President, I believe that one of the distinguished Senators from Arkansas mentioned that the operation of this activity would be subject to the regulations governing the vocational rehabilitation program of the Federal Department of Health, Education, and Welfare.

Mr. FULBRIGHT. That is correct. I do not think that as a practical matter they could undertake this program without participation in the program of the Department of Health, Education, and Welfare, which is on a matching basis. I am confident they would not. I do not believe the State could afford such a program, and of course if they participate, those regulations which the Senator holds in his hands control.

Mr. HART. It was this point which I wished to develop. I wonder whether the Senator from New Jersey is familiar with the regulations entitled "Regulations Governing the Vocational Rehabilitation Program" dated May 1958, issued by the Department of Health, Education, and Welfare.

Mr. CASE of New Jersey. I am not familiar with them in detail. I would be glad to yield the floor if the Senator wishes to discuss them.

Mr. HART. That would be satisfactory. However, I should like to get the reaction of the Senator from New Jersey, in view of the amendment which he has offered and which is now pending, and to inquire whether this particular section, in view of the explanation offered by the junior Senator from Arkansas [Mr. FULBRIGHT], resolves the problem which the Senator from New Jersey, I, and others have on this matter. On page 10 of the regulations which I have just identified, in section 401-14 (a) (2), I find the following language:

> The State plan shall provide that eligibility requirements for vocational rehabilitation will be applied by a State agency or local rehabilitation agency without regard to sex, race, creed, color, or national origin of the individual.

In the view of the Senator from New Jersey, would this regulation, and explicitly the language which I have read, insure against a situation which he and I fear and to which we have aimed the amendment the Senator has offered?

Mr. CASE of New Jersey. Without greater familiarity with the regulations, I would not wish to make any final judgment. It does seem to me quite clear, however, at first blush, that the regulation would have application for not longer than the 20-year period for which the bill provides that the property shall be operated as a rehabilitation center. Even during that 20-year period I believe it would be necessary to rely on the implication that the authority of the Federal agency, including the details of the regulation, would be applicable to the property. I see no reason, if it is intended that this be done, why we should not say so in specific terms as an express condition of the grant. I believe the condition should be not for 20 years, but forever.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I am glad to yield to the Senator from New York.

Mr. KEATING. Would the Senator from Michigan point out where in the bill the reference is contained to the rules and regulations of HEW?

Mr. HART. Is the question addressed to me?

Mr. KEATING. Yes.

Mr. FULBRIGHT. If the Senator will yield for a moment I should like to say there is nothing in the bill on that point. The program cannot presently—and I do not see how it can in the foreseeable future—be carried on without the participation and aid of the Federal Government. It is not possible to get the participation of the Federal Government without abiding by the regulations which the Senator from Michigan has read. There is nothing in the bill on that point. However, it would be impossible to operate the center on $200,000. We must get some assistance from the Federal Government. That is a part of the understanding.

Mr. KEATING. Then I certainly share the view of the Senator from New Jersey that, except for the provision about the 20-year period, the amendment should be accepted.

Mr. CASE of New Jersey. If no Senator wishes me to yield to him, I shall yield the floor.

Mr. HART. Mr. President, may I respond to the Senator from New Jersey?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Michigan, or does the Senator yield the floor?

Mr. CASE of New Jersey. I am glad to yield to the Senator from Michigan.

Mr. HART. In view of the response made by the Senator from New Jersey, I indicate my intention to support his amendment, because I believe he, the junior Senator from New York, I and others share this concern.

Perhaps on this I should speak for myself. Without this provision in the bill, which would achieve a desirable end, there are those who fear that uncertainty would attach to the question whether this property, which at the moment is owned by all Americans and which we propose to give away for an otherwise worthy purpose, will not thereafter continue to be available to all those Americans who reside in the area. Unless that can be assured, there are those of us who feel under obligation to protest.

I did not desire that this matter reach the floor, as I am sure the Senator from New Jersey did not, but on August 7, 1959, I addressed a letter to the Secretary of the Army raising the question whether it might not be possible to include in the deed conveying the property, a condition upon the use, which would have achieved the purpose the Senator from New Jersey proposes be now achieved by legislative amendment of the bill. I submit a copy of the letter for the record. To date there has been no response on the part of the Army, although on several occasions my office has inquired of them whether we may have an answer.

I ask unanimous consent that the letter may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 7, 1959.

Hon. WILBER M. BRUCKER,
Secretary of the Army,
Department of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: There is presently pending in the Senate H.R. 6190 which would authorize the transfer from the Army to the State of Arkansas of the Army and Navy General Hospital at Hot Springs National Park. Under the provisions of section (5) of the pending measure, it is stated that "the Secretary of the Army shall include such other reservations and conditions as he and the Secretary of the Interior shall determine to be required in the public interest."

A question has now been raised as to the guarantees that should be provided once the property has been transferred to the State of Arkansas that the facilities be operated in a manner that would preclude the possibility of discrimination against any person because

of his race. It has occurred to me that such a clause might be quite properly included in the deed as a matter of public interest, if authorization for the transfer is enacted into law. It is my understanding that similar action is followed by the Department of the Army in placing a nondiscriminatory clause in leases and licenses entered into under provisions of 16 U.S.C. 460(d).

An assurance from you that such a reservation would be included in any such conveyance of this property under the proposed authorization of H.R. 6190, if you are granted this authority to proceed with the transfer, would seem to me to be particularly important in expediting favorable action on this legislation. This would have important bearing on my own action on the bill.

Thank you for your assistance in this matter.

Sincerely,

PHILIP A. HART.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. CASE of New Jersey. For a question?

Mr. LAUSCHE. For a question, yes.

Mr. CASE of New Jersey. I yield.

Mr. LAUSCHE. I am reading section 3 on page 3. Am I correct in my understanding that under this section the property mandatorily must be used for a rehabilitation center, and that if at any time during the period of 20 years the Secretary of the Army determines, upon advice received from the Secretary of the Department of Health, Education, and Welfare, that the property so conveyed is not used for such purpose—that is, as a rehabilitation center—then the title thereto shall immediately revert to the United States?

Mr. CASE of New Jersey. I think the Senator has stated only a part of the objections. It must be used either as a rehabilitation center or for other purposes, such as health or educational purposes. If the objection were that it should be used only as a vocational center, and if that meant a vocational center of the kind that could only be operated with the assistance of the Federal Government, I think there would be considerable point in the suggestion that has been made that the regulations of the Department of Health, Education, and Welfare might govern and avoid any problem of segregation, but it need not even be operated as a rehabilitation center. Any public health or recreational service is sufficient to avoid a revester during the 20-year period; and after the 20 years there is no condition whatsoever.

Mr. LAUSCHE. There is not only the condition with respect to the operation of the property to be conveyed as a vocational center, but there is also the condition that it may be used for public health or educational purposes.

Mr. CASE of New Jersey. The Senator is correct.

Mr. LAUSCHE. Is that the point?

Mr. CASE of New Jersey. That is exactly the point.

Mr. LAUSCHE. Is the Senator able to state whether the condition which has been proposed by him has at any time in the past been included in a conveyance of this type?

Mr. CASE of New Jersey. No specific condition to that effect is in my mind at the moment, but I am not prepared to state that one has not been made.

Mr. HART. I think a note should be made of the fact that the Army Engineers, beginning in January 1958, with respect to all leases and licenses entered into by the Corps of Army Engineers under the water recreation program, included language as follows:

The lessee shall not discriminate against any person or persons because of race, religion, color or national origin in the conduct of its operations hereunder.

In my inquiry of the Secretary of the Army I cited this practice of the Corps of Engineers, and expressed the hope that the practice adopted in the case of the reclamation program would be applied in the deed to be issued pursuant to the legislative grant of hospital we are discussing. To this inquiry I have received no reply.

Mr. CASE of New Jersey. I thank the Senator from Michigan [Mr. HART] and I agree that the case he cites is in the nature of a precedent. I am sorry the suggestion has not been adopted by the Department of the Army.

I yield the floor.

Mr. McCLELLAN. Mr. President, I can understand the great concern of some regarding this matter, and can appreciate that this is a good opportunity to make a record for all the foes of discrimination. But I also think it is significant that Senators have singled out this bill and have sought to place it in language or conditions applying to only one State. If we want to apply the principle to all States and to all buildings in which rehabilitation is undertaken, if we are not trying to discriminate against one State in the Union, then why not introduce a bill to amend the original act?

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CASE of New Jersey. I assume, of course, it is a serious question which the Senator asks.

Mr. McCLELLAN. Does not the Senator from New Jersey think it is serious?

Mr. CASE of New Jersey. I think it is very important. As did the Senator from Michigan, so did I, endeavor to have the desired objective accomplished without the enactment of a law and without any public fuss about it. This was apparently not possible for reasons I do not yet understand. I see no reason why we should not approach this problem on both fronts, the general and the specific. But when a facility has been used by the Federal Government under conditions which require nonsegregation, to put the same facility to the same use by many of the same people, where it may be used with segregation and under discriminating practices seems to me absolutely intolerable. That is my answer.

Mr. McCLELLAN. Of course, it is intolerable to the Senator, but I suggest to the Senator that Arkansas has a better record in this program than has the State which the Senator represents. Does the Senator dispute that?

Mr. CASE of New Jersey. Yes, I dispute that, of course; but it is not my purpose to indulge in any name calling with respect to States.

Mr. McCLELLAN. The Senator is calling the name of a State. He is singling out one State and putting into this program a condition applicable to it which is not applied to all the other States in the Union.

Mr. CASE of New Jersey. If the same kind of conveyance for the same purpose were to come before us involving another State, I would be the first to insist that such conditions should go into all deeds of conveyance to any State or public agency in the Union. I would be happy to have it done.

Mr. McCLELLAN. Mr. President, I call for the record. I just want to put in the RECORD at this point the record of Arkansas with respect to this program.

In 1947 and 1948, as I recall, the ratio of white to colored population in the State of Arkansas was about 22 percent colored. This is the ratio of Negro patients who have been treated in Arkansas since 1948 down to the present year. The percentage of Negro patients in the beginning of the program in 1948 was 14.88 percent as against 85.12 percent white. In 1957 and 1958 the percentage or ratio of Negro patients who were treated and taken into the rehabilitation program was 23 percent Negro and 77 percent white.

It hardly appears that there has been any discrimination. There has never been any complaint about this program. We have had to operate it under rules and regulations. It has been operated that way, and now we come to a situation in which we have a choice of either making a bat roost out of it, spending $130,000 to $150,000 a year for maintenance and getting no benefit from it, or selling it at a giveaway price to private industry. If that is the objective of the Senator, his real purpose, then I suggest that the basic law be amended. That is the way to do it.

Mr. HART. Mr. President, will the Senator yield?

Mr. McCLELLAN. When it is done that way, then there can be no question about discrimination. But when it is sought to do it this way, then there is a singling out of one State in the Nation by saying, "We will discriminate against a State which has the best record in this field"—a record which I think is not exceeded by any State in the Union. If that is what is desired to be done, I do not think the cause which is sought to be helped is served.

Mr. FULBRIGHT. Mr. President, I, too, regret that the director of the Washington office of the National Association for the Advancement of Colored People raised the question of discrimination with respect to H.R. 6190. The basis for the objection is completely without foundation. This could have been demonstrated clearly if the NAACP had presented its views either to the Senate or the House committee, both of which held open hearings, and invited all who were interested in the subject to come before

the committee, rather than to raise the question after the proposed legislation had passed the House and had been reported to the Senate. I am sure the question could have been cleared up in either the House or the Senate committee.

Following the letter which was written on July 1 to the majority leader by Clarence Mitchell, of the Washington office of the NAACP, Mr. Don W. Russell, director of the Arkansas Rehabilitation Service, submitted to the policy committee complete information regarding the policies and procedures of the rehabilitation program in Arkansas. Because Mr. Russell's letter and memorandum answered the objections raised by Mr. Mitchell, I ask unanimous consent that they be printed at this point in the RECORD, to make very clear what the situation is.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

STATE OF ARKANSAS REHABILITATION SERVICE,
Little Rock, Ark., July 24, 1959.

Hon. LYNDON JOHNSON,
Democrat Policy Committee,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JOHNSON: On June 18, 1959, the Senate Government Operations Committee reported favorably on H.R. 6190 which authorizes the transfer of the Army-Navy Hospital, Hot Springs, Ark., to the State of Arkansas for use as a vocational rehabilitation center, or for other public health and educational purposes. H.R. 6190 had previously been passed on the Consent Calendar by the House of Representatives on June 15, 1959.

I understand that Mr. Clarence Mitchell, director, Washington bureau of the National Association for the Advancement of Colored People, wrote you a letter on July 1, 1959, objecting to the bill on the basis that it would make possible enforcement of Arkansas segregation laws and policies, including its recently enacted blood labeling law, and that they were not given an opportunity to present their views at a hearing.

It seems evident that Mr. Mitchell is not familiar with the purpose and intent of H.R. 6190 (and its identical Senate bill S. 1616) nor with the law, purpose, scope, policy, and procedures of the rehabilitation program—either at the State or Federal level. I am taking this opportunity to give you information relative to the objections raised by Mr. Mitchell and a brief interpretation of the State-Federal rehabilitation program.

I regret that H.R. 6190 was not permitted to remain on the Consent Calendar of the Senate. The objections raised by Mr. Mitchell are not applicable to this legislation or the Arkansas Rehabilitation Service—or, for that matter, the rehabilitation program of any State. Rehabilitation is interested in and involved only in assisting a disabled individual achieve his maximum potential and the services needed are obtained where it is most advantageous to the disabled person and within the financial resources of the agency—a group, a class, or a race, does not become involved.

It has been my privilege to be an employee of the Arkansas Rehabilitation Service for 17 years. I do not know of a single instance in which the Arkansas agency has discriminated against an eligible disabled individual. We have failed to serve many disabled persons due to lack of funds, staff, and facilities, but we have served the disabled as they were referred and as long as funds were available for each year. The entire purpose of converting an unused hospital facility into a rehabilitation center is to enable us to serve more disabled of Arkansas, the reigon, and the Nation, than have ever been served before.

It is unfortunate for it to be presumed that the State has or will discriminate against a single disabled individual when the record of the Arkansas Rehabilitation Service speaks so clearly for itself. There is no State in the Union which can match the record of achievement of Arkansas in the development of an adequate rehabilitation program during the past 4 years.

I sincerely hope that the objection interposed will amount to no more than a temporary delay in the enactment of the bill.

Very sincerely yours,

DON W. RUSSELL,
Director.

STATEMENT BY DON W. RUSSELL, DIRECTOR, ARKANSAS REHABILITATION SERVICE, RELATIVE TO S. 1616 AND H.R. 6190, JULY 24, 1959

S. 1616, by Senator JOHN L. MCCLELLAN, Arkansas, and H.R. 6190, by Congressman W. F. NORRELL, Arkansas, are identical bills providing for the transfer of the Army-Navy Hospital, Hot Springs, Ark., to the State of Arkansas, for use as a vocational rehabilitation center or for other public health or educational purposes.

Mr. Clarence Mitchell, director, Washington bureau of the National Association for the Advancement of Colored People, has objected to the passage of the bills on the basis that they were not given an opportunity to present their views at a hearing and that the bills would make possible the enforcement of Arkansas' segregation laws and policies, including its recently enacted Blood Labeling Act. The information given below will clearly show that these objections are not applicable to the proposed legislation or to the Arkansas Rehabilitation Service—or, for that matter, the rehabilitation program in any State.

I. COMMITTEE HEARINGS

A. S. 1616: The Senate Committee on Government Operations held hearings on May 21, 1959. Ten individuals presented oral testimony and statements, and 11 persons submitted letters or statements which were made a part of the record. The chairman closed the hearing by stating: "These hearings are not closed as of today. * * * Should someone want to be heard or if, after publicity by the Associated Press, anyone should want to be heard, I will give them an opportunity to testify." The bill was not reported out by the full committee until several weeks later.

B. H.R. 6190: A House of Representatives subcommittee of the Armed Services Committee held hearings on May 22, 1959, with three persons offering testimony. The bill was later reported favorably and passed by the House of Representatives on June 15, 1959, on the Consent Calendar.

It would seem that anyone interested in presenting testimony before either of the committees had ample opportunity to do so. Actually, we are the ones who have been penalized since we have had no opportunity to respond to the objection given by Mr. Mitchell and to point out the fact that his objection is not valid.

II. REHABILITATION LAWS, REGULATIONS AND POLICIES

A. Federal laws: Public Law 565 of 1954 is the basic Federal law under which the Arkansas Rehabilitation Service and the rehabilitation program in each State are operated. The act implies a philosophy which is fundamental to our democracy—the equality of opportunity to capitalize all disabled citizens who meet eligibility requirements.

B. Federal regulations: These are established by the Office of Vocational Rehabilitation of the Department of Health, Education, and Welfare, and set forth mandatory requirements which must be followed by a State which desires to use Federal funds. A State plan is required which "constitutes a description of the State's vocational rehabilitation program." Arkansas has a State plan which has been approved by the Office of Vocational Rehabilitation and which meets all the requirements of Federal law and regulations. This State plan does not include provisions for discrimination against any eligible disabled individual.

C. State laws: Arkansas has two State laws directly concerned with the program of vocational rehabilitation—act 43 of 1955, and act 34 of 1959. These laws state: "It is hereby declared to be the policy of the State of Arkansas to provide rehabilitation services to the extent needed and possible to eligible disabled and handicapped individuals throughout the State." These laws are in conformity with, and similar to, the Federal laws and have been considered as a model for the Nation. All disabled individuals who meet the eligibility requirements are assisted in receiving the services needed wherever the services can best be secured and within the financial limitations of the agency.

The Blood Labeling Act mentioned by Mr. Mitchell is not applicable to the Rehabilitation Service. The agency purchases all medical and surgical treatment from licensed physicians of the client's choice and purchases hospitalization from local hospitals. The agency does not propose to render services at the rehabilitation center which will include surgical treatment or blood transfusions, but will continue to purchase such services from private physicians and local hospitals as is presently being done. The problem of blood transfusions, therefore, is of no concern except to the individual, the doctor, and the hospital.

D. State policy and procedure: The Arkansas Rehabilitation Service has developed a "Manual of Policies and Procedures" which is in accordance with Federal law and regulations and with State law. These policies and procedures simply give in more minute detail the description of the State's rehabilitation program and how it is to serve each physically and mentally disabled person who meets eligibility requirements. The State board for vocational education has never discriminated against an eligible disabled individual and I am sure that the State board will continue to follow the letter, intent, and spirit of the laws and regulations relating to the program of vocational rehabilitation.

I might point out that Arkansas has been a leader in expanding the philosophy and concept of the vocational rehabilitation program. The record of the Arkansas Rehabilitation Service has been outstanding during recent years and far outstrips efforts of most States. During the past 4 years in particular, the State has made almost unbelievable progress. During this time the State has:

(a) Enacted legislation which provides a comprehensive basis for operating an adequate rehabilitation program;

(b) Increased the State financial support from $193,090.20 in fiscal 1954, to approximately $850,000 for each year of the 1960–61 biennium. This latter figure includes direct appropriations made by the general assembly and other State funds spent for rehabilitation purposes. From State and Federal funds the Arkansas Rehabilitation Service has, for rehabilitation purposes, a per capita expenditure of approximately $1.10, while the average for the Nation is less than 50 cents per capita;

(c) Increased the number of disabled persons returned to employment from 1,111 in fiscal 1954 to 2,169 in fiscal 1959, and will rehabilitate 2,400 during the present fiscal year. If all the States were producing at

the same rate, the total number of persons returned to employment would be in excess of 200,000 annually, instead of approximately 80,000 annually; and

(d) Established small facilities for serving disability groups such as the blind, the deaf, the tuberculous, and the mentally ill, as well as operating special projects in the rehabilitation of the alcoholic, the inmates of training schools, and the severely disabled in sheltered workshops and in home industry programs.

Number of disabled rehabilitated

Fiscal year	Total	White	Percent	Nonwhite	Percent	Fiscal year	Total	White	Percent	Nonwhite	Percent
1958–59	2,169	1,717	79.17	452	20.83	1950–51	1,018	854	83.89	164	16.11
1957–58	1,900	1,463	77.00	437	23.00	1949–50	828	684	92.61	144	17.39
1956–57	1,501	1,158	77.14	343	22.86	1948–49	756	658	85.71	98	14.29
1955–56	1,350	1,098	81.33	252	18.67	1947–48	645	549	85.12	96	14.88
1954–55	1,111	916	82.45	195	17.55	Referrals on July 1, 1959, awaiting investigation	1,590	1,202	75.59	388	24.41
1953–54	1,113	918	82.47	195	17.53	Active cases on July 1, 1959, in process of receiving service	2,512	2,014	80.17	498	19.83
1952–53	1,137	948	83.37	189	16.63						
1951–52	1,066	901	84.52	165	15.48						

Nonwhite employees on Arkansas Rehabilitation Service staff: one counselor, one caseworker for the blind, three instructors, and one stenographer. These employees receive compensation at the same rate as all other employees in the same job classifications.

Mr. FULBRIGHT. Mr. President, the information which the senior Senator from Arkansas gave about experience is contained in the letter and memorandum, together with much more information to prove without any doubt whatever that the Arkansas rehabilitation program has been administered for some 17 years without a single complaint ever having been raised.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Illinois.

Mr. DOUGLAS. Does the distinguished Senator from Arkansas believe the opinion of the director of the Arkansas Vocational Rehabilitation Service would necessarily be binding upon his superior, the Governor of Arkansas?

Mr. FULBRIGHT. It is not a question of opinion. These are the facts about what has actually happened. I know that the Senator from Illinois and all his colleagues take great pleasure in belaboring the State of Arkansas.

Mr. DOUGLAS. Mr. President——

Mr. FULBRIGHT. I do not yield now. I know that any scapegoat to attract attention is most popular. It is characteristic not only in this country, but in all other countries. But I submit that it does not contribute to the public welfare to pick out a program which was instituted long before the present Governor of Arkansas took office, a program which has been operating for many years with a record which no one has been able to challenge. No one has cited a single instance of discrimination of any kind in the administration of this program. I submit that it is utterly irrelevant to try to inject into this discussion particular issues which have grown out of other events in my State.

This program has been conducted in accordance with the provisions of the vocational rehabilitation program of the U.S. Department of Health, Education, and Welfare. As a matter of fact, representatives of that Department went to Arkansas to appraise the situation and were instrumental in recommending this project.

I can assure Senators that the State of Arkansas can survive without this rehabilitation center. Not only will it serve the citizens of Arkansas; it will serve the whole surrounding area. Every surrounding State has given its approval and would like to see the facility converted into a rehabilitation center. There is no other comparable institution in the South and Southwest.

It will serve the neighboring States of Oklahoma, Texas, Missouri, and others. Its capacity is much larger than Arkansas alone would need. But the Arkansas program has been growing very rapidly, as the statistics which I put in the RECORD will show. There is doubt that Arkansas needs additional rehabilitation facilities. But it is not a matter for the enrichment of Arkansas alone by any means. As has already been stated, Arkansas has already appropriated its initial share to initiate the project and the Congress has also appropriated funds to help get the center going.

I do not wish to get into an argument about all the general issues which could be raised in a matter of this kind. I think it is wholly inappropriate to raise such issues.

Mr. MORSE. Mr. President, before the Senate votes on the Case of New Jersey amendment, I think I will discuss the bill in general, together with suggestions I have for trying to work out, if we can do so, what I believe is a needed understanding with respect to the bill.

I am inclined to share the view of the senior Senator from Arkansas [Mr. MCCLELLAN] in regard to the discrimination issue. If we believe the existing rules and regulations of the Department of Health, Education, and Welfare are not sufficient, then we ought to amend the basic law and not seem to single out Arkansas and to attach an antidiscrimination amendment to this one bill. Congress has made grants heretofore in other States and has not seen fit to attach such an amendment. Perhaps we should have. Perhaps we still should do that. But I should think the better way to do it would be by way of a uniform nondiscrimination prohibition to amend the law as to the disposal of property under circumstances similar to this one.

I am openminded about it and will listen to further debate. But that is my present inclination.

I have certain objections to the bill in its present form. I still hope we may be able to work out some understanding in the course of the discussion with the two Senators from Arkansas which will resolve our differences. They can take it from me that I have only one desire, and that is to gain, with them, the objective which I think the three of us have in mind, without doing violence to what I think are some policies which we ought to protect in the Senate, and which, I respectfully submit, we have broken rather consistently for some years in the Senate.

The senior Senator from Arkansas referred to the Virginia clinic, which is the Anderson Clinic for Rehabilitation Treatment. Its program extends to those needing rehabilitation, including employees of the Federal Government. I happen to be the author of the original language which was put into the law in regard to the Anderson Clinic. The Government does make some appropriations, or has made them in the past few years, to the Anderson Clinic because a Federal interest is involved. The Anderson Clinic provides facilities for Federal civil service employees who are injured, not injured necessarily on a Federal job, but while in the employment of the Federal Government, and are so incapacitated with respect to future employment that they need rehabilitation. The Anderson Clinic has been used by the Federal Government as what has been called a pilot plant for rehabilitation work. It has made a great, thrilling record.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Chair would like to ask a question: Where is the Anderson Clinic?

Mr. MORSE. The Anderson Clinic is located in Arlington, Va. The Government did not build it; the Government did not donate it. The Government has only contributed a relatively small amount of money to pay a part of the cost of the operation of the Anderson Clinic because of the service which has been rendered to the Federal Government and because the Department of Health, Education, and Welfare is interested in the clinic's being conducted as a rehabilitation center, where a part of its program would carry on the work devoted to a Federal interest.

So, Mr. President, I say most respectfully that the Anderson Clinic is a far cry from what is involved in this Arkansas hospital bill, because the bill involves making the entire facility available, in the first instance, to the State of Arkansas. Yet, as the junior Senator from Arkansas [Mr. FULBRIGHT] has pointed out, it is contemplated that the Federal Government will continue to put money into the project, after it is taken

over by the State. I have no objection to that, either, if certain policies which I shall shortly discuss are followed.

I point out that I do not find in the bill any provision for such a program. Instead, it is discussed in the committee report and in the statements by the Department. From those two sources, we learn that that is the planned program. But it could be stopped next week, by action either by Arkansas or by the Federal Government.

So, Mr. President, if the Senate were tonight to pass the bill in its present form, I respectfully submit that nothing in the bill would make it a certainty that there would be any continuation of any State or regional program, on the one hand, and a cooperative Federal program, on the other.

I favor these programs, and I believe we should write such a provision into the bill, both for the protection of Arkansas and for the protection of the Federal Government's interest. But such a provision does not now appear in the bill. I say it should be written into it.

It is very persuasive for the two Senators from Arkansas to argue that this program should be begun, that it is not even limited to Arkansas, and that other States will be invited to participate in it. But that might or might not be done. Nothing in the bill provides for it. In the committee report there is some interesting language which I would call come-on language or lure language, in order to seem to provide—without actually providing for it in the bill—that this plan will call for a program which will provide for matching funds on the part of both the State of Arkansas and the Federal Government. But nowhere in the bill is that called for.

If that is what the two Senators from Arkansas are offering to the Senate, they should include such a provision in the bill; and I am all in favor of it.

But the bill as it now stands would authorize the Secretary of the Army to convey to the State or Arkansas by quitclaim deed, without consideration, the Army-Navy General Hospital buildings and approximately 21 acres of land upon which the buildings are located.

But the bill would not pass the title to the buildings and the land to a regional organization; the bill does not provide that title to the land and to the buildings shall go to a regional group established for that purpose, and that the buildings and the land will be used by a regional center which will serve both the State of Arkansas and several other States.

The report contains a number of statements to the effect that a regional program is planned by Arkansas. But no provision of the bill requires it.

It is true that the conveyance would be subject to certain conditions and limitations which are outlined in the bill. At this time, I wish to discuss those conditions and limitations.

One of the conditions appears in section 3. It provides that the property shall be used by Arkansas for a period of 20 years after the date of conveyance, as a vocational rehabilitation center or for other public health or educational purposes.

The distinguished present Presiding Officer [Mr. LAUSCHE] pointed out, by means of a question he asked, that the bill does not limit the use of the property to use as a rehabilitation center for the 20-year period. If the title to the property were to be given to Arkansas this week, then, the day after the title was vested in Arkansas, the property could be turned into an institution for the training of kindergarten teachers. Of course, when I refer to its use as an institution for the training of kindergarten teachers, I am citing a hypothetical case, and I think I am reducing the illustration to the point of absurdity, or, at least, I hope so. However, if the property were then used as an institution for the training of kindergarten teachers, that would be a use for an educational purpose, and, thus, such a use would meet this requirement of the bill. Or the State of Arkansas could turn the institution into an apprentice training school.

I say most respectfully that I believe the bill is poorly drafted, if its purpose—and I am sure this is the purpose of the two Senators from Arkansas—is to seek to establish in Arkansas what we certainly know is needed, namely, a rehabilitation center which will offer such medical attention and training and service to our very unfortunate fellow citizens who are suffering from illnesses or handicaps which we, at least, as we now stand in the Senate, have not—by the grace of God—suffered, and thus we have been spared the tragedy which the people who need such rehabilitation have suffered.

I favor acting in accordance with that humane purpose. That is why it is always difficult for me to seek to follow the purpose of the Morse formula, to which I have stubbornly and persistently held since 1946, and to become involved in connection with a bill which provides for the sort of transfer for which this bill provides.

I am just as desirous as are the two Senators from Arkansas to have the humane thing done—namely, to provide the services and facilities for medical care which the unfortunate people of this country need. But that does not mean that we should proceed to take steps to do so without perfecting the language of the bill in such a way that we will be sure to follow a fair and consistent policy of seeing to it that the interests of all the taxpayers of the country are protected by means of a reasonable rule of compensation in connection with the making of such transfers. That is what I am pleading for.

So I point out that if, during the 20-year period, it should be determined that the property was not being used for such purposes, title would revert to the United States. Some doubt as to the nature of this condition arises, because of a statement which appears in Senate Report No. 406 which accompanies the bill. The report states:

> This bill authorizes and directs the Secretary of the Army to convey (the property) * * * to the State of Arkansas for use as a vocational rehabilitation center, or for public health or educational purposes for a period of 20 years.

Some might regard this as a mere 20-year conveyance; but the bill itself makes clear that an outright conveyance is authorized, subject to a condition subsequent—namely, nonuse of the property for vocational rehabilitation or public health or educational purposes. If a violation of the condition were to occur within 20 years, the title to the property would revert.

It is clear, however, from the language of the bill itself, that if the nonuse should occur in the 25th year, or the 21st year, or 1 day after the 20th year had expired, the property would not revert. It would then belong to the State of Arkansas, with no condition whatsoever attached. All it would have to do would be to take the property.

Mr. President, this property is not without value. My office has spent hours of investigation on this case, because I wanted to arrive at a solution of this case; but I do not want to reach a solution which does violence to the position I have taken for many years, with regard to the transfer of surplus property. I will not do it, so far as my position is concerned. I think we can work the problem out and attain the objectives of the two Senators from Arkansas, and not do violence to what I consider to be equitable treatment of the financial interests of the taxpayers of the country as a whole.

Unless the situation can be clarified, it appears that the proposed conveyance violates the Morse formula in that it fails to include a provision for payment of 50 cents on the dollar of fair appraised market value for property to be used for public purposes, together with the usual reverter clause.

The report leaves a good many questions concerning this legislative proposal unanswered.

First. There is no indication in the report as to the present value of the property. It has been suggested to me by the Corps of Engineers that it had an estimated approximate value of $3 million, as of 1956.

The best estimate I can get, as of now, is that it has not depreciated in substantial amount since 1956, because of what has been put back into the property.

Second. The record is not clear as to the exact nature of the benefits, if any, that would accrue to the United States by reason of such a conveyance. The report at page 2 indicates that the property would become an Arkansas Vocational Rehabilitation Service center where disabled clients would be accepted on a nationwide basis. However, whether this would benefit the United States as such, or would merely benefit the various States, is not disclosed.

The two Senators from Arkansas have definitely in mind, as I understand the discussion, and I think the Department of Health, Education, and Welfare has in mind, that the facility will be conducted as a vocational rehabilitation center on a regional basis, taking care also of a Federal interest.

All that has to be shown is that there is a substantial Federal interest in this facility and we shall have no difficulty about the Federal Government's taking that into account in any appraisal, or in eliminating the cost entirely to Arkansas, or to the regional group of States which would use the center, as long as the Federal Government continues to have an interest in the property.

The junior Senator from Arkansas has stated—and I am sure I paraphrase him accurately—that this program will require match money from the Federal Government. He left me with the impression—and the RECORD will speak for itself—that this program is to be contemplated as a continuing program which will require continuing match money from the Federal Government, because apparently it is to be operated in conjunction with the Department of Health, Education, and Welfare and the rehabilitation groups from other States in the area, as well as Arkansas.

I think that is a fine project. I am all for it. But, Mr. President, I do not think it is fair for the Senators from Arkansas to seek to get title to this property on the basis only of the committee report language or speeches made on the floor of the Senate as to what is contemplated, what is planned, without putting in the bill a legal requirement carrying out such plans.

The Department of the Army has declared the property covered by the bill to be excess to its needs. The Department several years ago announced its intention to close the hospital, but the action was postponed because of the fact the Senate Appropriations Committee included a provision in the annual appropriations act requiring the Army to continue operating the hospital for the military and naval forces in the area.

I think that was a good idea, but Mr. President, let us take a look at what happened. Many of us have been in a somewhat similar position when the Army or some other phase of the Defense Establishment has started to close a project in our State. How well the Senator from Oregon knows what confronted the Senators from Arkansas. Some years ago the Army Medical Center at Medford, Oreg., known as Camp White, was to be closed by the Army. We in the Oregon delegation did not sit still and *remain silent*. We began a series of conferences such as any Senator would start if he proposed to protect the best interests of his State and of his Nation. We took it up with the Veterans' Administration. We gave all the reasons we could as to why the project should be maintained as a medical center. We finally arrived at this settlement: The Army Medical Center at Medford, Oreg., would be changed from a hospital to a domiciliary center, and that is what it is now.

We did exactly what the Senators from Arkansas have been doing in regard to the Army hospital in Arkansas. They have been able each year—and I congratulate them—to persuade the Appropriations Committee, and through the Appropriations Committee the Senate, to appropriate funds to keep it going as an Army hospital. The two distinguished Senators from Arkansas are powerful men. They wield great influence. They have been very successful. I respect them for their ability. The Army, all this time, has wanted to close the hospital. But when the Army gets a direction from the Congress, through the Appropriations Committee, to keep it open and is told "Here are the appropriations to run it," we know the procedure, and we know why it has been kept up. But let the RECORD show that it has not been kept open because the Army has wanted to keep it open. The Army has wanted to close it each year.

Mr. President, I think we can reach a reasonable solution of this problem, because the two Senators from Arkansas point out that it is planned to operate this facility as a rehabilitation center, with a Federal interest to be continued. In view of the interesting legislative history on the bill being made tonight by the junior Senator from Arkansas, which he has placed in the RECORD, it is contemplated to seek match money from year to year from the Federal Government to carry out a Federal interest in this program. I would vote for it. I think they ought to have it. I am for it.

In view of that, Mr. President, I think some changes in the bill ought to be agreed to by the two Senators from Arkansas, because there is another method under which this case could be handled satisfactorily, in my opinion. This would be through the enactment of an amendment whereby the property transferred could be brought within the provisions of that portion of the surplus property disposal laws relating to disposals of Federal property for public health purposes. The section to which I refer is title 40, United States Code, section 484 (k) (1) (B) and (C).

Were it not for two technicalities the Hot Springs Army-Navy Hospital could be transferred to the State of Arkansas through procedures available to the Federal Security Administrator under the above-mentioned sections. The reason the last-mentioned section is inapplicable is explained in a GSA letter appearing at page 11 of Senate Report No. 406. This letter states:

> However, inasmuch as section 3(d) of the act cited excludes from the application of the act lands dedicated for national park purposes, and because the act of June 16, 1880, specifically reserves these lands from sale and dedicates them for public park purposes, the objective of (the bill) cannot be accomplished within the framework of the existing law.

The removal of these technicalities would place the Hot Springs hospital disposal within the provisions of a law of general applicability in the field of Federal surplus property disposals for public health purposes.

An amendment designed to accomplish the objective of bringing the case within the existing law was prepared by legislative counsel for the Government Operations Committee.

I shall discuss that point in a moment. There have been two drafts of the proposed substitute. The last one I have had handed to me in the past 20 minutes.

I believe the substitute offers a proper solution to the problem. In essence it provides that the Administrator of General Services shall first attempt to dispose of the property under section 203(k) of the Federal Property and Administrative Services Act of 1949—title 40, United States Code, section 484(k). If the property is not transferred under that section it can be disposed of under applicable provisions of law such as the general provisions set forth in title 40, United States Code, section 484(a) (B) and (C) whereby the property could be sold at public auction to the highest bidder.

The good thing about the amendment to bring the transfer under section 203(k) is that the property is sold to the State and in fixing the sale value of the property the Administrator "shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution."

By bringing the transfer within the provisions of title 40 above cited, we provide for a uniform procedure for handling the disposal under an arrangement which requires payment of value by the transferee.

Mr. President, there has been discussion by the senior Senator from Arkansas to the effect that he did not ask for this reverter clause covering a limited 20-year period. That was suggested by the department.

By what department, Mr. President? If we look at the committee report on the bill we find that department after department which filed a report did not say anything about any reverter clause for 20 years. All through the report there are comments about a general reverter, not for 20 years but for any time. The Bureau of the Budget makes reference to regulations and procedures of 20 years, but that is all.

Mr. President, I know of no reason why we should follow the regulations of some administrative branch of Government, because we have the responsibility of writing into the law as a legal requirement what the protection to the taxpayers of this country should be. Surely if we are to transfer this property to the State of Arkansas for little or no compensation—and if the State could show a joint venture which would justify transferring it to the State without compensation the transfer would be without compensation—then certainly we ought to include a requirement that the property shall revert to the Federal Government if, as, and when the property ceases to be used for this great purpose, which we all recognize as a public purpose.

Certainly we should not be voting in the Senate to give to the State of Arkansas a piece of property worth a considerable sum of money—somewhere between $2 million and $3 million—which can be used for a rehabilitation center or for educational purposes for the next 20 years, and which then can cease to be used for any of those purposes and can be sold for whatever it is worth. It may be worth a great sum of money in 20 years for other purposes.

I think it is only fair and reasonable, Mr. President, that we add an amendment—and I shall offer the amendment shortly—to provide that if at any time the property ceases to be used for the purposes for which it is transferred, it shall revert to the Federal Government.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McCLELLAN. The Senator referred to a hospital in Virginia a while ago.

Mr. MORSE. Yes.

Mr. McCLELLAN. So as to keep the RECORD straight, since the Senator may wish to comment upon the case, I was not referring to the hospital the Senator referred to. I was referring to the hospital at Waynesboro, which was given to the State of Virginia as surplus property. The hospital is operated as the same kind of center we propose to operate.

I wonder if the same conditions should apply to other cases as apply to this. I thought the Senator was talking about a different institution.

Mr. MORSE. I do not know anything about the Waynesboro hospital, or when it was obtained.

Mr. McCLELLAN. It was surplus property, since World War II.

Mr. MORSE. I do not know when it was obtained.

Mr. McCLELLAN. That is the other center which is being operated, to which I referred a while ago.

Mr. MORSE. I am not familiar with it. I shall certainly be glad to look into it, to see in what way it compares or does not compare with this proposed transfer.

I do know about the Anderson hospital, but I know that the Anderson hospital is one which provides rehabilitation service to Federal employees who are injured and who need rehabilitation.

There has been some discussion based, I think, upon a misunderstanding of existing law with regard to the 20-year reverter. I should like to discuss the code in regard to these donation transfers.

The law reads as follows:

(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate for educational purposes or public health purposes, including research, in the States, territories, and possessions without cost (except for costs of care and handling) such equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined under paragraph (2) or (3) of this subsection to be usable and necessary for educational purposes or public health purposes, including research.

(2) Determination whether such surplus property (except surplus property donated in conformity with paragraph (3) of this subsection) is usable and necessary for educational purposes or public health purposes, including research, shall be made by the Federal Security Administrator, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities, and to other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges, and universities which have been held exempt from taxation under section 101(6) of title 26, or to State departments of education or health for distribution to such tax-supported and nonprofit medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities; except that in any State where another agency is designated by State law for such purpose such transfer shall be made to said agency for such distribution within the State.

Later the code provides:

(B) Subject to the disapproval of the Administrator within thirty days after notice to him by the Federal Security Administrator of a proposed transfer of property for public-health use, the Federal Security Administrator, through such officers or employees of the Federal Security Agency as he may designate, may sell or lease such real property for public-health purposes, including research, to the States and their political subdivisions and instrumentalities, and to tax-supported medical institutions, and to hospitals or other similar institutions not operated for profit which have been held exempt from taxation under section 101(6) of title 26.

(C) In fixing the sale or lease value of property to be disposed of under subparagraphs (A) and (B) of this paragraph, the Federal Security Administrator shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution.

Mr. President, I wish to stress that point, because I think we ought to try to get this case clear with the amendment which I am about to propose, and then the Administrator can take into account what the two Senators from Arkansas have been pointing out as to their plans to operate this facility as a sort of joint venture, with title in the State of Arkansas but with the Federal Government participating in the rehabilitation program by appropriating money from time to time to help defray the cost of the program and including in that program, apparently, a regional plan whereby several States will be invited to come in and make their contributions to maintain the cost of the institution.

What I wish to point out is that in the code in respect to transfers there is nothing about a 20-year reverter, and I am of the opinion that apparently there is some confusion in regard to the so-called 20-year reverter condition as far as the statute is concerned.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MORSE. In just one moment. I will come to the regulations of the Department in a moment. I think there has been some confusion. The code provision which deals with historic monuments contains a 20-year reverter provision which I shall read in a moment, but that 20-year reverter provision is not in the law in respect to the transfer of facilities for hospitals and educational purposes.

I yield to the Senator from Arkansas.

Mr. McCLELLAN. Again I invite the attention of the Senator to my previous statement, that when introducing the bill I suggested no limit.

Mr. MORSE. I understand that. I said so.

Mr. McCLELLAN. I have no particular interest in it. We can make it 10,000 years so far as the bill is concerned.

Mr. MORSE. I know that.

Mr. McCLELLAN. But I point out to the Senator that under the surplus property program Mr. Lund, who is in the office of the Secretary, testified that this 20-year provision was borrowed from the surplus property program, under which, when an institution has made application, there is a 20-year provision, and it is assumed that in that period of time the public benefit has been derived for the purpose for which it was intended, either for a hospital or for education, and that the cost thereafter has, as he puts it, run itself out.

If the 20-year reversionary period is not to be applied in this case, I think we should make a uniform rule to apply to everything. Why single out this one case?

Mr. MORSE. There is no such provision in the law.

Mr. McCLELLAN. Such a rule is applied in the programs now being conducted. It is not being prohibited.

Mr. MORSE. It is applied by way of regulation; but the law does not provide for the 20-year reverter. In some of the bills the Senate has passed in Federal property transfer cases we have provided for no 20-year reverter, but we have provided that in case the property ceases to be used for the purposes for which it was transferred, it shall revert; and that has been the policy of the Senate.

Mr. McCLELLAN. I thought that was the policy when I introduced my bill.

Mr. MORSE. What the Senator is saying is that we ought to pass a law saying to the departments that any regulation that they have which permits of a 20-year reverter ought to be rescinded by them. What the Senator is asking us to do tonight is to vote for a bill that seeks to transfer to the State of Arkansas a very valuable piece of property with no reverter clause effective after 20 years.

Mr. McCLELLAN. I did not ask for that. The Department asked for it.

Mr. MORSE. We have applied the general reverter clause in bill after bill in the Senate. Why should we make an exception? As I point out, and as I shall read from the statute in a moment, this rule applies in regard to monuments and parks, with respect to which a reverter has not been imposed for longer than 20 years.

Mr. President, what the code says on this point is that—

(3) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

It should not be forgotten that this is a subsection which deals with public parks, recreation areas, and historic monumental sites—

(A) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed for a period of not less than 20 years, and that in the event that such property ceases to be used

or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

(B) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator of General Services to be necessary to safeguard the interests of the United States.

That is where I think the idea of a 20-year reverter originated, but that section of the code does not apply to the type of property with which we are dealing in the bill. We have handled the type of property that we are dealing with in the bill in an entirely different way in many of the other bills that we have passed.

I have done my best to do my research in all the cases in which this problem has been raised in the years since 1946. I have never knowingly concealed any information from the Senate which I thought the Senate ought to have so that Senators could judge all the facts as I knew them to be.

The nearest case to the situation we are discussing is a case which arose in Maine in 1957, in which, at the request of the Navy, certain Navy surplus property was transferred to the State of Maine for the purpose of a vocational training school, because the Navy had testified that it was having great difficulty getting the necessary skilled mechanics to take care of the mechanical needs of the Navy.

This is a very close case. I have always tried to be exceedingly reasonable about these cases when I was satisfied that the facts showed that there was a Federal need which was being served jointly with a State need. So on August 12, 1957, S. 359 of that session of Congress, providing for the conveyance to the State of Maine of certain land located in such State, and which had been reported from the Committee on Armed Services with amendments, was considered by the Senate.

In that bill it was provided:

The deed effecting the conveyance authorized by the first section of this Act shall provide that in the event such land ceases to be used for vocational or other school purposes, the right, title, and interest therein shall immediately revert to and revest in the United States.

Mr. President, in my judgment that is the closest case the two Senators from Arkansas can find in the record of the Senate since we first started to apply the Morse formula in 1946. It comes the nearest to the case they are presenting to the Senate tonight. I know of no exception to this principle in any Morse formula case in any of the intervening years, in which there was any 20-year reverter clause. This has been standard language; and I wish to read it again:

In the event such lands cease to be used for vocational or other school purposes, all right, title, and interest therein shall immediately revert to and revest in the United States.

Mr. President, what are the two Senators from Arkansas saying? The senior Senator says, in the first place, that he did not put this language in the bill. It never made any difference to him. I believe his language was he did not care whether the period was for a thousand years, because he, like his junior colleague, is satisfied that this property will continue to be used for hospital and rehabilitation purposes.

I think so, too; and if that is so, I do not know why the two Senators from Arkansas are not willing to go along with the Senator from Oregon in applying the same reverter clause which other Senators have been willing to accept on their bills over the years. The two Senators from Maine in 1957, for example, accepted such a reverter clause in respect to the transfer of surplus property from the Navy to the State of Maine for vocational training in that State.

What I am trying to do—and I try to be fair—is not to let myself be maneuvered into a position in which I support a 20-year reverter in the case of the two Senators from Arkansas but insist upon a general reverter clause in respect to Senators from Maine and other Senators in respect to transfers involving their States.

That part of the code which deals with historic monuments has nothing to do with the section of the code that deals with the transfer of property for educational, medical, research, and health purposes, and there is not a word in that section of the code which supports any contention that a 20-year reverter clause is provided for.

I suppose less than 1 percent of surplus property cases which come to the floor of the Senate involve conflict and a controversy. Apparently the Administrator of the General Services Administration has been putting in a reverter clause with respect to a good many transfers, unbeknown to me and other Senators. That is only an assumption. I have not seen the regulation; and I have not seen a list of transfers in which that reverter clause has been inserted under the regulation.

In discussing this matter, we can use the term "State X" as well as the State of Arkansas, so far as I am concerned, although we are talking about the Arkansas bill. Lest anyone may think I am applying anything I say to what Arkansas alone may contemplate doing, I point out a hypothetical problem. A very valuable piece of property is involved in my hypothetical example. It is worth several million dollars, and a State acquires it under a bill passed through Congress with a 20-year reverter clause. When the 20 years have expired, perhaps by design, the State carries out a plan to cease that program, because after 20 years the State owns the property.

After 20 years, when the State owns it, it has accumulated an increment of value and may be worth twice what it was worth at the time it was acquired. I say that State becomes unduly enriched at the expense of all the taxpayers in the United States merely because when the bill was passed in the first place, a general reverter clause was not written into the bill. If there is no intention on the part of anyone in Arkansas to do what I have described, if it is the plan in Arkansas to use the property in perpetuity for medical and rehabilitation center purposes, then why object to my amendment? Why not accept my amendment and apply the general reverter clause which has been applied rather consistently in this type of transfer?

I hope that after the amendment of the Senator from New Jersey, which is pending, is disposed of and I offer my amendment, the two Senators from Arkansas will say to me that, in view of the consistent precedent which has existed in the Senate in regard to these transfers, they will accept my amendment.

Let me deal again in the hypothetical. Apparently there is not much danger of what I have in mind in regard to this piece of property, because it is located on a hill.

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HART. Is the Senator from Oregon suggesting that the grant not have a 20-year condition attached, and that the sole purpose be one of vocational rehabilitation?

Mr. MORSE. No; whatever is provided in the bill.

Mr. HART. All purposes. Let me explain why I object.

Mr. MORSE. Rehabilitation or education purposes, public health and education.

Mr. HART. It occurred to me if it were narrowed solely to vocational rehabilitation there might be those of us, in the light of existing regulations of the Department of Health, Education, and Welfare with respect to restrictions on the use of any properties for vocational rehabilitation, who would feel that that would provide adequate protection in terms of segregation problems.

Mr. MORSE. No; the bill provides——

Mr. HART. I am aware that it provides more than that.

Mr. MORSE. I do not want to change the bill; and in regard to the point the Senator raises, I think the Senator knows that some years ago I objected to a rider to what I think we called the Bricker-Cain rider to a housing bill which sought to put an antidiscrimination amendment in the bill. I said, as I said to the Senator from Arkansas tonight, as the RECORD will show, that that is not the way to do it. I do not believe in singling out any State for special legislation in regard to some specific application in connection with the discrimination problem. I quite agree that we ought to adopt an amendment to the basic law.

Mr. HART. The Senator feels that in the absence of such a basic amendment the proper thing to do is to make the grant without respect to the use to which it may later be put?

Mr. MORSE. I think so. But in this case I ask for the reverter clause that we have applied in other cases, such as the case in the State of Maine. I use that example only as one of many I can give the Senator. The language reads:

In the event such land ceases to be used for vocational or other school purposes, all

right, title, and interest therein shall immediately revert to and revest in the United States.

What is wrong with that?

It is fair and it is long term, but I was talking about a hypothetical example before I yielded to the Senator from Michigan. I understand that from a technical standpoint it would probably be most improbable in this case, because I understand that the facility is located on a hill. Generally speaking, the type of mineral about which I am talking might not be found there, but other minerals might be found. What happens to the reservation of mineral rights after 20 years?

One of the reasons we call for the general reverter clause or permanent reverter clause is that we want to protect the rights of the taxpayers to mineral rights. Of course, that lowers the appraised fair market value of the property. We have always been willing to put that condition in such a bill. But speaking of a hypothetical, if we should establish this kind of precedent tonight, there might be a situation at some time in the future in which, after 20 years, the particular State which obtained the property ceased to use it for the original purposes, and obtained fee simple title. It might strike oil or some other valuable mineral deposit. Is that fair?

I think we need to be absolutely certain that under section 2 of the bill, as we see it on page 3, the full title to all mineral rights is reserved in perpetuity. I am inclined to think, as I look at the language, that it is so reserved, but I mention this in order to make it doubly sure.

I know there are those who would like either to nibble away or to delimit the application of the Morse formula to the transfer of Federal property. I have opposed that policy. I think my position has been in the public interest. But I certainly think it would be most unfortunate if, tonight, we passed a bill which, so far as I know, would be the first one to have been passed since I have been trying to protect the financial interests of the public which had only a 20-year reverter clause in it. I think it puts us in the position of being unfair to other Senators who have acceded, time and time again, to the general reverter clause, although I will continue to fight for the general reverter clause even though I lose tonight. I do not think it is fair to proceed in that way in respect to other Senators who have said that if they are going to get property for the lower price they get under these bills anyway, there certainly should be a reverter clause in the bill which provides that the Federal Government will get the property back if it ceases to be used for that purpose, particularly in this case, when both Senators from Arkansas say in effect that there is no anticipation that the property will ever be used for anything else, and they fall back only on statements from someone in an administrative office to the effect that there has been an administrative policy by way of regulation, when surplus property is disposed of, to justify the 20-year reverter.

I shall offer an amendment, when the amendment of the Senator from New Jersey [Mr. CASE] has been disposed of. If I am successful in having that language adopted, I will then support the bill on the basis of a donation to the State of Arkansas, so far as the relieving of the State of Arkansas from paying anything is concerned, because then I think the bill will have been brought within the purpose and the intent of the language of the code, which deals with donations to the States and Territories for educational, research, hospital, health, and medical purposes.

I certainly do not wish to discriminate against the State of Arkansas merely because of the technicality I discussed earlier in my speech, namely, that the only reason this section of the law does not apply in the first place is that the public domain is involved, and therefore the property is not surplus in that sense.

In order to convey the property to the State of Arkansas, it is necessary to have special legislation.

Let me say that if it were not public domain, and if Arkansas were getting the property under the Surplus Property Act, this section of the code does not provide for a 20-year reverter. I do not see why Arkansas should be allowed to get property under any exception to the requirements set forth in the code for the transfer of property for medical research, hospital, and educational purposes.

I shall yield the floor for the time being and offer my amendments later.

Mr. JAVITS. Mr. President, I was not in the Chamber when the Senator from New Jersey [Mr. CASE] offered his amendment, but I wish to identify myself with it and to explain why I think it refers to a point which it is necessary to explain.

I have not been given to offering amendments to bills on general legislation which would provide against discrimination or segregation on racial grounds. It is very well known that my views upon this subject are clear and very strong. I have contended for many years for the position that all Americans must be treated the same under our Constitution. But I do feel, as I believe many other Senators do, that this is a generic question which has obtained throughout our national life, and therefore, under normal circumstances, is not to be attached as a rider to any particular bill. So I have rather sedulously and, so far as I know, consistently refrained from doing so, notwithstanding the convictions which I entertain very deeply and quite apart from whether I am or am not a Senator of the United States, but as an American citizen as well as a Senator and a lawyer. I have always tried to carry out those convictions in terms of general legislation in various fields, such as education, housing, and transportation.

Therefore, why the Case amendment to this bill? What is its justification? I think it has two bases. First, the United States is conveying property which is now operated in a way free from any consideration of racial distinction. It is conveying property to a State where we have every reason to believe that its operation will raise a problem. Therefore, I think the United States, not only has discretion in the matter, but is in duty bound and in good conscience bound to safeguard for its citizens, after the ownership and jurisdiction of the property have passed to another sovereignty, the same rights and privileges of enjoyment which those citizens have in respect of the present sovereignty. I think Congress would be remiss in its duty if it did not, in the case of an outright transfer under these circumstances, preserve the present character of the enjoyment by the citizens of the United States of this property.

The second point is that there is a precedent for this action. I say that, and refer to the precedent, because I cannot reiterate often enough the great feeling I have—and I know it is shared by many other Senators—of the sincerity which animates those of our colleagues who feel that the social order in their own communities, which has obtained for so long, must continue, and who look with great concern upon any effort to change that order by legislation.

It is always necessary, therefore, to be perfectly clear that there is no imputation of a lack of sincerity or a lack of good faith in these matters, but that the situation is one which affords all the equity I have referred to; that is, that the property being turned over, and now being enjoyed in a nonsegregated way by the people of the United States, whether they are citizens of Arkansas or of some other State, will continue to be enjoyed in the same way, notwithstanding the change in sovereignty.

Argument No. 2—that there is a precedent—is very important, because we do not want any of our colleagues to feel that we are passing special legislation for them, trying to do something special about a particular place, because of a feeling that one has to be protected against that special sovereign.

I believe we would prefer to feel that we have a right to say that, after having once been enjoyed in a completely open status, in terms of the relationships between the races, it is only fair that the property continue to be enjoyed in that way, and that such a provision does not represent what we currently refer to as a rider, on a legislative bill, in regard to discrimination or segregation, which often is regarded as an attempt to kill the bill or in other ways to take adverse action on it.

In this case, people have been enjoying a certain facility in a certain way. Without any suspicion as to what may ensue when the jurisdiction is transferred to another sovereignty, but knowing the social custom and the social order and the way in which institutions of that character may be conducted in that sovereignty, in order to protect the citizens of the United States against any change in its fundamental approach and in its fundamental hospitality to them, I believe that the amendment of the Senator from New Jersey cannot be classed as an antidiscrimination rider, but, on the contrary, that the amendment is an inherent and an essential element of this proposed legislation, and in all dignity

and in all propriety should be attached to the bill.

So, Mr. President, I hope very much that the Senate will support this fine amendment, which is before the Senate at this time as a result of the initiative which the distinguished senior Senator from New Jersey [Mr. CASE] has taken.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, is is so ordered.

The question is on agreeing to the amendment of the Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. President, on this question, I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I wish to have the RECORD show that I voted in favor of the amendment of the Senator from New Jersey.

Mr. MORSE. Mr. President, I wish to have the RECORD show that I voted against the amendment of the Senator from New Jersey, only because I have always followed the consistent policy of not voting for so-called antidiscrimination amendments to measures of this type when the antidiscrimination amendments did not apply uniformly in every State in the Nation.

Mr. ALLOTT. Mr. President, I wish to have the RECORD show that among the Members of the Senate who voted in favor of the amendment of the Senator from New Jersey [Mr. CASE] was the senior Senator from Colorado.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask that it be stated. I understand that the two Senators from Arkansas will accept the amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 3, in lines 16 and 17, it is proposed to strike out "for a period of 20 years after the date of such conveyance."

And on page 3, in lines 19 and 20, it is proposed to strike out "during that period."

Mr. MCCLELLAN. Mr. President, I believe I made clear, earlier in the debate on the bill, that when the bill was introduced no 20-year period was specified. Instead, the purpose was to have the conveyance be a permanent one. I should say that this 20-year provision was inserted in the bill at the request of this administration, or the departments of this administration.

There was no purpose on the part of the Senators from Arkansas or anyone else interested in the proposed legislation to try to obtain any favor or any advantage or any special consideration or any special dispensation in any way whatsoever. It was on the basis of testimony before the committee and the report of the Bureau of the Budget that this was the policy in the matter of disposal of surplus property. We have a clarification, with the amendment, that we did not have at the beginning and have not now. I think if we are to apply it in this instance, then I think the question of what ought to be the policy of the Government with respect to the disposal of property should be looked into, and Congress should make up its mind and establish a policy that there shall be no such limitation of time or that there may be a limitation of time, in the discretion of the agency of Government. In other words, there ought not to be discrimination. It ought to be uniform. It ought to be definite, positive, and uniformly applied to all alike.

Mr. MORSE. I understand the position of the Senator. The practice has been uniform in this connection in all the bills we have passed. I think it is about time that the administrators of government take note. If they do not, I agree with the Senator that we ought, in the next session of Congress, to pass a bill that would direct them to follow the policy. We are consistent tonight, when we adopt the amendment, with respect to the bills we have taken action on.

Mr. MCCLELLAN. Is this the only amendment the Senator intends to propose?

Mr. MORSE. It is the only amendment, because, as soon as the amendment is acted on, I shall make a statement on this bill, of not more than 2 minutes, in relation to the statute.

Mr. MCCLELLAN. If this amendment would settle the issue between us, I shall be very happy, if my colleague will join me, to accept the amendment.

Mr. FULBRIGHT. Yes; I am very pleased to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I offer no other amendment to the bill because, in my judgment, the legislative history that has been made on this bill by the two Senators from Arkansas tonight makes it very clear that the purpose of the bill is to work out with the Federal authorities, particularly in the Department of Health, Education, and Welfare, a program for rehabilitation at this hospital in which the Federal Government will also retain an interest in the program and a participation in the program. As the junior Senator from Arkansas has said, it will undoubtedly require, from time to time, some Federal match money to carry it out.

I am for the program. I commend the two Senators from Arkansas for their announced plan, as they have made the legislative history on this bill, that they plan to make this program a regional plan in which other States in the area will be asked to come into the plan and contribute funds, assistance, personnel, and the like, to make it a regional rehabilitation program, in which the Federal Government also has a Federal interest.

Therefore, it is not inconsistent with the Morse formula.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6190) was read the third time and passed.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT and Mr. MORSE moved to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate insofar as I know, there are three noncontroversial bills—at least, I think they are—to be called up; and after they are acted upon we shall lay before the Senate one of the bills on the calendar—not the Mutual Aid Appropriation bill—make it the pending business, and recess until 9 o'clock tomorrow morning.

REPEAL OF SECTION 217 OF THE MERCHANT MARINE ACT, 1936

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 761, H.R. 5067.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act of 1936, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, this bill has been cleared with the minority leadership.

At the beginning of World War II American goods were shipped to Great Britain in large quantities under the Lend Lease Act. These shipments were documented direct to the British and consequently the British had complete control of transportation from inland points of origin to oversea destination. British agencies were established at American ports of export. American forwarders and brokers received a minimum of the work which otherwise would have passed through them. The Bland Forwarding Act was designed to keep the American forwarders in business during the war.

It is clear that the Bland Forwarding Act has served its purpose and should be repealed, especially in view of the fact that it has been misunderstood and misinterpreted not only by the forwarders

but by others. Some forwarders construe the act as a bill of rights to assure forwarders of participation in Government shipments, whereas the Maritime Administration does not believe that Government agencies should be required to use forwarders where they are not otherwise needed. We believe that each Government agency should be permitted to determine whether or not a forwarder should be employed on any particular shipment.

The report of the Comptroller General, included in the hearings, declared:

We believe that the conditions justifying the enactment of section 217 no longer exists.

The position of the General Services Administration with regard to H.R. 474 was stated in the report of Franklin Floete, Administrator:

In its capacity as a shipper, GSA has found the present Bland Freight Fowarding Act (56 Stat. 171; 46 U.S.C. 1127) to be ineffective in view of the difficulties of interpretation and application of that act to Government shipping problems.

The report of the Department of the Navy on H.R. 474 stated:

Inasmuch as the purposes of this section seem to have been largely accomplished, continuation of this authority in the law appears to be unnecessary.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5067) was ordered to a third reading, read the third time, and passed.

APPLICATION OF MERCHANT MARINE ACT TO CERTAIN FUNCTIONS OF FISHING VESSELS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 852, S. 2481, and proceed to the consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I understand the minority leadership has been consulted on this bill. It is my understanding that there is no opposition to it.

The Fish and Wildlife Act of 1956 (70 Stat. 1122; 16 U.S.C., 1952 ed., sec. 742(c)) transferred to the Secretary of the Interior the functions relating to the issuance of Federal ship mortgage insurance on fishing vessels formerly exercised by the Secretary of Commerce.

This bill would supplement that transfer of authority by continuing the application of the Merchant Marine Act of 1936, as amended, with respect to authority provided to the Secretary of Commerce in Public Law 85–520 (72 Stat. 358), enacted July 15, 1958, to issue to the Secretary of the Treasury notes or other obligations, at rates and on conditions mutually agreeable, in order to procure funds for prompt payment of mortgage balance and interest due where sufficient funds for such payment are not available to the Seeretary of the Interior from insurance fees, inspection charges, et cetera.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and to be read a third time.

The bill (S. 2481) was read the third time, and passed, as follows:

Be it enacted, That in order to permit the efficient execution of functions relating to the issuance of Federal ship mortgage insurance on fishing vessels, pursuant to the Merchant Marine Act of June 29, 1936, as amended (49 Stat. 1985; 46 U.S.C., 1952 edition, sec. 1271 and the following), which functions relating to fishing vessels have been transferred to the Secretary of the Interior pursuant to the Fish and Wildlife Act of 1956, the Secretary of the Interior hereafter may exercise authority comparable to the authority of the Secretary of Commerce under the said Merchant Marine Act of 1936, including, but not limited to, the authority contained in the amendment to such Act of July 15, 1958 (72 Stat. 358).

LEASING OF PORTION OF TWIN CITIES ARSENAL, MINN.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 922, H.R. 2449, and to proceed to its consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, on page 1, line 4, after the word "a", to strike out "five-year" and insert "two-year".

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, the Senator from Oregon [Mr. MORSE] has an interest in this bill, and he has received certain assurances from the Senators from Minnesota.

Mr. MORSE. An amendment will be offered, which I understand is acceptable to the Senators from Minnesota. Also a Representative from the House side came over and spoke with me and said he would accept the amendment.

Of course, the House can do what it wishes about the amendment, and then I shall have to exercise my rights if necessary. I have entered into the understanding that this amendment will be accepted in the Senate, and that it will be accepted in the House. If the bill comes back without the amendment, that conference report will be most unacceptable.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I call up my amendments, which are at the desk.

The PRESIDING OFFICER. The amendments of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 1, line 9, after the word "in", to strike out "section 2" and insert "sections 2, 4, and 5."

On page 2, at the beginning of line 1, to strike out "without monetary consideration therefor, except for" and insert "upon condition that the lessee pay."

On page 2, line 3, after the word "Government", to strike out "but" and insert "and."

At the end of the bill it is proposed to add the following new section:

SEC. 5. The lease authorized by this Act shall be conditional upon the Independent School District Numbered 16 paying to the Secretary of the Army as consideration for such lease an amount equal to 50 per centum of its fair market value as determined by the Secretary after appraisal of such lease.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Oregon.

The amendments were agreed to.

Mr. MANSFIELD. Mr. President, the purpose of this bill is to authorize and direct the Secretary of the Army to lease, without monetary consideration, a part of the Twin Cities Arsenal, Minneapolis, Minn., to Independent School District No. 16 (Spring Lake Park School District), for a period of 2 years.

The school district which would be the beneficiary of this measure lies in Anoka County about 18 miles north of the center of Minneapolis, Minn., and about 18 miles northeast of the city of St. Paul, Minn. The problem of finding adequate space for the schooling of children in this area began with the construction of the Twin Cities Ordnance Plant in the early days of World War II. In the process of establishing this plant the Army acquired a large area of land. This reduced the tax base of the school district while at the same time the construction of the plant caused a large influx of defense workers which created the need for much more classroom space.

At the peak of its production during World War II the Twin Cities Ordnance Plant employed 12,000 persons. At this time the school district had 2 schoolhouses which accommodated about 50 pupils each.

From the 50 students in each school there was soon found a need to accommodate 500 children, and later this 500 figure climbed to 1,800 pupils which the school district was called upon to educate.

The school district managed to obtain some Federal funds for school construction and build a concrete-block one-story building that did provide some additional schoolroom space. It did not, however, cure the problem of part-time education.

At the end of World War II the Twin Cities Ordnance Plant was cut from a peak of 12,000 employees to about 4,000. At this time the Army permitted the school district to use the administration building for about 2 years, or until the Korean conflict began. At that time the Army took back the building.

Following the Korean action the plant was completely deactivated. The only employees at the plant since that time are those engaged in maintenance, which number about 1,000 persons according to the testimony received.

Since the installation was now inactive, the Army advertised the availability of the structures for lease. The Army was successful in leasing many of the structures at Twin Cities Ordnance, but even though assiduous in their efforts to lease the administration building no private interest in this structure was found. For this reason the building was unoccupied and unused until the school district leased it for school purposes.

The committee understands that the fair market rental for this building is $12,000 per annum. On May 20, 1950, a lease was executed providing for rental at this appraised market value less $1,000 estimated for maintenance that would normally be performed by a landlord but which the Government would not accomplish.

The lease, now existing, is for a term of 5 years beginning July 1, 1958, is revocable at will by the Secretary of the Army and reserves to the United States certain portions of the building, including the entire hospital wing. The school district also agreed to install additional fencing and to maintain the property and restore it to its original condition. The Govermnent under the lease is not under any obligation to furnish utilities or services, which the school district has been obtaining separately.

The building space and the land area involved are not for the time being required for any military purpose. However, there is a mobilization requirement for the productive capacity of the arsenal, which is in Ramsey County, 10 miles from central Minneapolis, and was developed at a cost of over $50 million for the manufacture of small arms and artillery ammunition. While it is therefore necessary to retain the right to use all the facilities on short notice in the event of need therefor during an emergency, the entire plant has been made available for interim use by the civilian economy.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 2449) was read the third time and passed.

DISPOSAL OF PROPERTY OF CERTAIN DECEASED SEAMEN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 1022, H.R. 6067, be brought before the Senate and be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, so far as I know, that is all the business for tonight. The bill which has just been laid before the Senate will be the business pending when the Senate convenes tomorrow morning at 9 o'clock a.m.

NEED FOR ADDITIONAL JUDGESHIPS

Mr. ALLOTT. Mr. President, the Washington Post and Times Herald on August 10, 1959, editorialized:

> On the whole the record is one of shocking neglect of the judiciary. It is compounded by the pigeonholing of the bill to create 30 additional judgeships that are urgently needed to prevent court delays from sapping the substance of justice.

As I have frequently made clear on the floor of the Senate and before the Senate Judiciary Committee, I concur in the importance of creating these much-needed judgeships. I am enormously pleased that the Senate Committee on the Judiciary has cleared the record which the Washington Post and Times Herald referred to as "shocking." I earnestly urge my colleagues to approve this bill, and hope that the other body will not again indulge petty politics by killing this legislation which is so clearly in the public interest.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CRIPPLING THE COURTS

The withdrawal of the nomination of John G. Tucker to a Federal judgeship in Texas is a stinging indictment of the Senate Judiciary Committee's delay in confirming judicial appointments. Mr. Tucker had been nominated on February 12. In nearly 6 months no move was made even to hold a hearing on his nomination. Meanwhile he was obviously embarrassed in trying to continue a law practice. No wonder he became disgusted and asked the President to withdraw his name.

If there was any objection of substance to Mr. Tucker's nomination, it should have been brought into the open. The qualifications of every nominee to a lifetime position on the bench need to be examined closely. But mere stalling is utterly inexcusable.

In all, 30 nominations to the Federal District Courts, the Circuit Court of Appeals and the Supreme Court have been made since January, and only eight of this number have been confirmed. A few of the nominations have gone up in the last week, but some have been pending since January, February, and March without action.

On the whole the record is one of shocking neglect of the judiciary. It is compounded by the pigeonholing of the bill to create 30 additional judgeships that are urgently needed to prevent court delays from sapping the substance of justice.

RACIAL VIOLENCE AND RACIAL TENSION RESULTING FROM FORCED INTEGRATION

Mr. JOHNSTON of South Carolina. Mr. President, I wish to bring to the attention of the Senate three stories which came over the United Press International Wire Service this morning from New York and Detroit regarding crime and violence occurring between gangs of teenagers of different races.

In the first story it is reported that a group of Negro teenagers raped a white woman in a gang-ridden neighborhood of Brooklyn today shortly after a band of Puerto Rican youths threatened to shoot up a firehouse. The story relates that hard-pressed New York City officials were seeking aid from Albany and Washington for their seemingly hopeless battle against juvenile terrorism.

While some of the liberal newspapers of the country are pressing for civil rights legislation and are contending that juvenile crime has no relation to racial tension, it is peculiar, indeed, that in nearly all of these reports from Detroit, New York, and elsewhere, the violence involves juvenile gangs of different races.

Mr. President, the second story I wish to bring to the attention of the Senate is datelined Detroit, where five youths were arrested following a street battle between a teenage gang and police when the police attempted to break up a race riot between a group of white youths and a mob of Negro youths. This is further evidence that juvenile delinquency is linked strongly to racial tension resulting from forced integration.

Mr. President, the third story is one emanating from New York City where it is reported that 250 Negro students from Harlem will attempt to register next Monday in an exclusive Bronx high school in protest to the transfer of 100 white students to the school. The story says that the move to integrate the school in predominantly white Riverdale will be made by an association of Harlem parents who have contended for several years that Harlem schools are segregated and inferior. Their protests have had the support of the National Association for the Advancement of Colored People. Mr. President, I fear that this move to integrate these schools

in New York will result in more violence. It is regretful that the NAACP has seen fit to force its wishes upon innocent schoolchildren. It would seem that the NAACP and those promoting integration in schools and in housing would have learned the lesson by now that with forced integration comes deteriorating respect for law and order. It is in areas which have been integrated that we find juvenile gangs and even adults engaged in racial gang wars and other activities springing from racial prejudice and hatreds.

Mr. President, I ask that these three United Press International News items be printed in the RECORD together with my remarks.

There being no objection, the news items were ordered to be printed in the RECORD, as follows:

ARTICLES FROM THE UNITED PRESS INTERNATIONAL TELETYPE WIRE

DETROIT.—Five youths arrested following a street battle between a teenage gang and police charged today that they were beaten by the officers.

Four patrolmen were injured in the battle, which erupted last night when police tried to break up a mob of Negro youths which had gathered for an expected fight with a group of white youths.

The battle erupted when a four-man police cruiser crew, investigating a reported large gang gathering, came upon between 8 and 10 youths crammed into an old car parked on 16th Street.

An officer asked one of the youths, Larry Nolan, 17, whose house the car was parked in front of, for his identification.

Police said Nolan refused and said: "What right have you to question me?"

The officer grabbed Nolan by the arm and the youth knocked him down.

At this point, the rest of the gang clambered out of the car and attacked the four officers.

Two squad cars with reinforcements arrived and after a brief battle, most of the gang fled. Four youths were arrested at the scene and one was taken later to his home.

All four of the patrolmen in the cruiser crew were injured.

NEW YORK.—Approximately 250 Negro students from Harlem will attempt to register at a junior high school in the exclusive Riverdale section of the Bronx next Monday in protest to the transfer of 100 white students to the school.

The move to "integrate" the school in predominantly white Riverdale will be made by an association of Harlem parents who have contended for several years that Harlem schools are "segregated and inferior." Their protests have had the support of the National Association for the Advancement of Colored People.

Paul B. Zuber, attorney for eight families involved in a boycott of Harlem schools last year, said the new protest resulted from resentment over the transfer to Riverdale of 100 white students from an overcrowded school in a section of Manhattan adjoining Harlem. Zuber said Harlem parents feel that their children have just as much right to be transferred.

NEW YORK.—A group of Negro teenagers raped a white woman in a gang-ridden neighborhood of Brooklyn today shortly after a band of Puerto Rican youths threatened to shoot up a firehouse there, police reported.

The latest outbursts of violence occurred in the Fort Greene section, a predominantly Negro and Puerto Rican slum area. They came as hard-pressed city officials sought aid in Albany and Washington for their seemingly hopeless battle against juvenile terrorism.

Police said three or four Negro youths accosted a white woman early today as she emerged from a Brooklyn subway station (at Washington and Lafayette Streets) and dragged her into a car. They said she was taken to a vacant house where she was beaten, raped and robbed of $30.

Police arrested three Negro teenagers for questioning about the attack shortly after the woman reported it to police. Officers said they believed she had wandered the streets for several hours in a daze after she was freed by the youths.

Shortly before, police arrested six Puerto Rican youths in the same precinct in connection with a daring invasion of a firehouse. They were reported to have chased an intended victim, a 13-year-old boy, into the firehouse but were frustrated in their attack by several firemen.

The gang, known as the Mau Maus, threatened the firemen with clubs and promised to come back later with a gun.

UNEMPLOYMENT

Mr. DOUGLAS. Mr. President, yesterday the U.S. Department of Labor published its report on the employment situation for August 1959. It is estimated that the total number of completely unemployed persons in the country amounted to 3,426,000. On the basis of seasonally adjusted figures this number represents 5½ percent of the total working force of the country. This is an increase of four-tenths of 1 percent over the seasonally adjusted figure for July. In addition to those, of course, we have the partially unemployed, who normally work fulltime but who are not afforded the opportunity to work fulltime because of the lack of work. We also have those who generally work part time but who in the particular period studied worked less than the part time which they usually work.

I wish to emphasize, concerning these persons who are partially unemployed, that the unemployment figure does not include absences, nor does it include the time lost because of illnesses. I refer to involuntary unemployment within employment.

For some years I have had computations made as to the full-time unemployment equivalent of the partially unemployed workers. A continuation of these figures for the month of August would increase the unemployment total by an additional 1,182,000 workers, making a revised full-time equivalent of unemployment of 4,608,000, or nearly 7 percent of the working force. I think this is a truer picture. I ask unanimous consent that a table which I have prepared for the 5 months from April through August, 1957, 1958, and 1959, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD as follows:

The following table brings up to date the tabulation of full-time equivalent unemployment to August 1959. For comparison the figures for April through July 1959, for April through August 1958, and for April through August 1957 are given.

[In thousands]

Date	Unemployed persons	Persons who worked part-time because of economic factors			Full-time equivalent unemployment	
		Total	Usually work full time	Usually work part time	Of part-time workers	Total
1957—April	2,690	2,083	1,242	841	844	3,534
May	2,715	2,133	1,215	918	831	3,546
June	3,337	2,501	1,312	1,189	1,089	4,426
July	3,007	2,363	1,091	1,272	1,061	4,068
August	2,609	2,323	1,076	1,247	1,016	3,625
1958—April	5,120	3,423	2,131	1,292	1,339	6,459
May	4,904	3,301	1,973	1,328	1,301	6,205
June	5,437	3,432	1,784	1,648	1,445	6,882
July	5,294	2,978	1,324	1,654	1,360	6,654
August	4,699	3,074	1,400	1,674	1,391	6,090
1959—April	3,627	2,302	975	1,327	1,021	4,648
May	3,389	2,085	914	1,171	903	4,292
June	3,982	2,544	982	1,562	1,185	5,167
July	3,744	2,589	863	1,726	1,250	4,994
August	3,426	2,547	1,003	1,544	1,182	4,608

Mr. DOUGLAS. Mr. President, if we compare the figures for August 1959, with August 1957, we find an increase of 800,000 in the completely unemployed and an increase of approximately 1 million in the full-time equivalent unemployed.

We all hope that conditions will improve in the fall, but there is a too common tendency to sweep the figures on the extent of unemployment in the country under the rug and to forget the condition of the unemployed because of improvements in the profit status of American business and, until the last few days, because of increases in the prices of stocks on the stock market.

It is very easy to forget the unemployed. Sometimes those of us who try to focus the attention of the country on them are treated as though we were disturbers of the peace and as though we were raising an improper issue. There is a general tendency on the part of mankind to consider only favorable news and to close its eyes to less favorable situations.

I remember that in the 1920's, when the stock market was rising, when it was also apparent that the number of unemployed persons was increasing, even prior to October 1929, that any attempt which some of us made to have the Nation think about the very serious problem of unemployment which was being created was greeted at best with indifference and at worst with positive hostility and opposition.

I am glad that the present distinguished occupant of the chair, the Sen-

ator from West Virginia [Mr. BYRD] has emphasized the serious situation in the coal mines and mountain counties of his State and of the adjoining State of Kentucky.

In the industrial sections of the Nation not everything is happy. Although I believe the temper of the country is obviously one which does not favor any definite action to deal with this problem, I myself feel that is a great mistake. We need to pass a depressed areas bill. We need to pass many remedial measures, including one to improve our unemployment insurance laws.

I am taking this occasion to put my conclusions into the CONGRESSIONAL RECORD, so that possibly readers all over the country may ponder over this question, and, if matters do not improve, when we reconvene next January we may be ready for more basic action.

THE STEEL STRIKE

Mr. MOSS. Mr. President, I am deeply troubled by the apparent stalemate in negotiations to end the steel strike. The daily no-progress report in this longest steel strike since the end of World War II is most disheartening.

Observers have said many times that it would be difficult to reach agreement until the steel inventories, built up by the steel companies in anticipation of the strike, had been materially reduced. These stocks are being reduced, Mr. President, at a rate that is beginning to seriously slow other industries.

The Christian Science Monitor of September 9 carries two news items which illustrate this fact all too well. They are very short and I would like to read them:

"Major steel users are starting to fight a rearguard action against shutdowns threatened by fast-developing steel shortages," Iron Age magazine said. "Probably the most critical shortage today is in the tightening of cold-rolled sheets in the Midwest," it said. "While this shortage is most acute in Chicago and the Mississippi Valley, it is spreading into other metalworking centers."

The first 2 weeks of the steel strike sharply curtailed growth of business inventories and put a damper on factory sales, the Commerce Department reported. During July, the Department said, inventories increased by $500 million after adjustment for seasonal factors. This compared with an average of about $900 million in each of the 3 preceding months. Manufacturers added only $100 million to inventories in July, compared with $500 million in June.

In the recent debate on the labor reform bill, we were constantly told that in all labor-management tests it was the public interest that should come first.

As the distinguished Senator from Missouri [Mr. SYMINGTON] pointed out yesterday, we have already lost the output of more than 17 million tons of steel and 15 million tons of coal. The Government has been deprived of hundreds of millions in tax revenues, and American families have forfeited several billion dollars in purchasing power.

In my State of Utah, where the Geneva steel plant employs about 5,000 people, the strikers have had to ask for surplus foods and other public assistance. The coalfields of Carbon County have been further hurt, and the usual depressed state of retail and service businesses that accompany a strike is becoming worse very rapidly.

And, equally important, Mr. President, is the effect on national security of a long period of lost production. Just last year, half our steel capacity, an amount equal to the production of the U.S.S.R., was idle. The leaders of the Communist world have declared economic war on us, and we simply cannot afford repeated production losses of that magnitude.

To sum up, the public interest is taking a beating right now in this situation—the lost wages, the lost business, the increasing slowdown in industries dependent on steel, the lost production.

The people of Utah are also deeply concerned about the apparent lack of progress in settling the copper strike. Some 3,000 workers in my State are directly affected by this strike, and the economy of the area is also feeling its impact.

Some time ago, I was pleased to cosponsor a resolution offered by the Senator from Missouri [Mr. SYMINGTON] urging the President to set a deadline after which he would appoint a fact-finding board to specifically recommend a steel strike settlement. Other Senators are supporting this point of view.

I am aware that Mr. Eisenhower has spoken a little more sharply to the negotiators since returning from Europe. I feel, however, that this is not the strong leadership that the situation calls for in the public interest. I again urge the President to take definite steps. If he does not like the suggestion of the Senator from Missouri [Mr. SYMINGTON], myself and others, let him choose another course, but, by all means, take some action.

America cannot afford this continued deadlock in steel.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor.

TV BOOSTER STATIONS

Mr. MOSS. Mr. President, on Wednesday of this week the Senate passed legislation to legalize TV-booster operations. This action will be warmly welcomed by residents of small communities, and of areas remote from centers of population, since it will assure them of satisfactory television reception at a cost they can afford to pay.

Members of the Senate Interstate and Foreign Commerce Committee put a great deal of time and study on the TV-booster problem, and I want to commend and thank them for their efforts.

By a unanimous vote the committee ordered reported both the TV-booster bill (S. 1886) and a second bill (S. 2653) which gives the Federal Communications Commission jurisdiction over community antenna television systems. It was understood at the time the bills were reported that they were companion bills, and would be considered at the same time by the Senate.

This did not happen. The TV-booster bill was brought up separately and passed. The CATV bill is being held up by various Senators. It now appears that it will not be considered this session.

Mr. President, some control must be exercised over community antenna television systems or there will be chaos in the broadcasting industry. I, therefore, urge that during the congressional recess members and staff of the Interstate and Foreign Commerce Committee give some serious thought and study to proposed legislation which can be brought before the Senate next session which will subject the CATV's to the same regulations which are applicable to common carriers and public utilities. I believe that such action could be justified on the basis that these systems charge the public for their service, and that there is therefore a ratemaking problem. The public interest and protection for the public must be given first consideration.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state that at any time beginning tomorrow, the following measures on the calendar can be brought up:

Calendar No. 1013, H.R. 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 819, S. 694, to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Calendar No. 1045, S. 2673, to provide for the appointment of additional circuit and district judges, and for other purposes.

I wish to state further that the Senate can anticipate a very late session tomorrow.

REPORT OF CIVIL RIGHTS COMMISSION

Mr. HART. Mr. President, the report which the Civil Rights Commission made to the Congress this week should be commended by all who seek the enlargement of equal opportunity in America. The fact that so many constructive recommendations could be made—some of them unanimously—by a Commission composed of men drawn from such diverse backgrounds and roots is a tribute to their integrity and their profound onfidence in the American concept of democratic government under law. This report has now charted for us new steps forward that must be taken, without further delay, in the fields of voting, education, and housing.

One of the most important recommendations of the Commission, Mr. President, that dealing with voting rights—would be implemented by the adoption of a voting bill which along with 14 colleagues I introduced earlier in this session. This Congressional Elections Commission bill, numbered S. 2535, would

establish a three-member Commission with authority to register voters from congressional elections and to conduct those elections where denials or discrimination may occur. The Commission, which would be to voting what the Government Accounting Office is to public spending, would be directed to cooperate fully with local authorities in working out satisfactory procedures to insure that voting rights for all are fully protected. I am hopeful, Mr. President, that this bill will now receive, in the light of the Commission's 2-year study, early consideration by the Senate Judiciary Committee and by the Congress.

In addition, Mr. President, it should be emphasized that many of the recommendations in the Civil Rights Commission's report can be implemented immediately by action within the executive branch. The President and the several agencies working in the fields of education and housing, I trust, will study this report with a view toward early action on the recommendations.

Throughout the country, Mr. President, those who were inspired by the magnificent report of President Truman's Committee on Civil Rights in 1947 are now heartened by this new report. I only hope that it will stimulate as much discussion, study, and constructive action at the local, State, and Federal level as its predecessor did 12 years ago.

INTERNATIONAL CERAMIC SHOW

Mr. HART. Mr. President, note already has been made that the U.S. exhibit at the International Congress of Contemporary Ceramics in Belgium won the grand prize. I would not want the occasion to pass without bringing the attention of the Nation to the fact that contributing to this American exhibit were some distinguished artists from the State of Michigan, and for permanent RECORD purposes we should note their names.

They are: J. T. Abernathy, of Ann Arbor; Marie Woo, of Ann Arbor; Maija Grotell, of Bloomfield Hills; Marc Hansen, of Kalamazoo; William E. Pitney, of Detroit.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. SPARKMAN, by unanimous consent, introduced a bill (S. 2693) to strengthen the antitrust laws by amending the Clayton Act and related acts to provide for the issuance of temporary cease and desist orders to prevent certain acts and practices pending completion of proceedings; which was read twice by its title, and referred to the Committee on the Judiciary.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

PROGRAM TO ENCOURAGE OPERATION OF MARGINAL COPPER MINES—ADDITIONAL COSPONSOR OF BILL

Mr. HART. Mr. President, I ask unanimous consent that the name of the junior Senator from California [Mr. ENGLE] may be added as a cosponsor to the bill (S. 295) to direct the Secretary of the Interior to establish a program to encourage the operation of marginal copper mines necessary to the national defense, introduced on January 14, 1959, by my colleague, the senior Senator from Michigan [Mr. MCNAMARA] and me.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 11, 1959, he presented to the President of the United States the following enrolled bills:

S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes; and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

RECESS UNTIL 9 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 9 o'clock a.m. tomorrow.

The motion was agreed to; and (at 9 o'clock and 35 minutes p.m.) the Senate, under the order previously entered, took a recess until tomorrow, Saturday, September 12, 1959, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 11 (legislative day of September 5), 1959:

IN THE MARINE CORPS

Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the 1st day of January 1960.

The following-named officers of the Marine Corps to be placed on the retired list with the grade of lieutenant general pursuant to the provisions of title 10, United States Code, section 5233:

Verne J. McCaul
Robert E. Hogaboom

PUBLIC HEALTH SERVICE

Dr. Warner Lee Wells, of North Carolina, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for the remainder of a term expiring August 3, 1963.

Dr. Maynard Kiplinger Hine, of Indiana, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for the remainder of a term expiring August 3, 1963.

U.S. ATTORNEY

Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice Anthony Julian.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 11 (legislative day of September 5), 1959:

IN THE MARINE CORPS

The nomination of Maj. Gen. Monroe Shoup, Marine Corps, to be Commandant of the Marine Corps, received by the Senate August 17, 1959.

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 11, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Luke 22: 42: *Not my will, but thine be done.*

Almighty God, as we turn to Thee in prayer, the burdens of life become easier to bear, and our loneliness is dispelled by a great peace which the world can neither give nor take away.

We penitently acknowledge that we are frequently unready and unwilling to receive from Thy hand of love those blessings which Thou art so eager to bestow upon us and which we so sorely need.

Emancipate us from sullen and complacent tempers of mind lest we become too indifferent to care and too willful to learn.

Grant that in all the perplexing problems and hard decisions we may seek to make Thy wiser will our own, for our wills are ours to make them Thine. Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPROVED WORK PLANS—WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read the communication, as follows:

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., September 9, 1959.

HON. SAM RAYBURN,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as

amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State	Watershed	Exec. Com. No.	Committee approval
Arkansas	Flat Creek	1247	Sept. 1, 1959
Mississippi	Second Creek	1247	Do.
Texas	Tehuacana Creek	1247	Do.
California	Marsh-Kellogg Creeks.	1247	Do.
Oklahoma	Upper Clear Boggy Creek.	1247	Do.
Virginia	Roanoke Creek	1247	Do.
Oklahoma	Caney-Coon Creek	1332	Do.

Sincerely yours,
CHARLES A. BUCKLEY,
Member of Congress, Chairman, Committee on Public Works.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 2090. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2390. An act for the relief of the city of Madeira Beach, Fla.;

H.R. 2631. An act for the relief of the estate of Nathaniel H. Woods, deceased;

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 3096. An act for the relief of Peony Park, Inc., and others;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3180. An act to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress;

H.R. 3410. An act for the relief of Mrs. Leonard O. Erickson;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster;

H.R. 4839. An act for the relief of Peter F. de Ullmann;

H.R. 4894. An act for the relief of the Georgia Kaolin Co.;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartanouche Kalfayan;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.J. Res. 446. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens;

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois;

H.J. Res. 477. Joint resolution relating to the exclusion of certain aliens; and

H. Con. Res. 177. Concurrent resolution declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and joint resolutions of the House of the following titles:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption;

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash;

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes;

H.R. 3735. An act to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children;

H.R. 4283. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such Act;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations.

The message also announced that the Senate insists on its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUSKIE, Mr. HUMPHREY, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 155. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions;

S. 857. An act to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.;

S. 1193. An act for the relief of Eleanor Constan;

S. 1537. An act to establish a national mining and minerals policy;

S. 1605. An act granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States;

S. 1703. An act for the relief of Raul Jorge Jose Hermitte;

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles";

S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes;

S. 1892. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, and for other purposes;

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States;

S. 2309. An act for the relief of Gim Bong Wong;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project;

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho;

S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas;

S. 2439. An act to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes;

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2449. An act to extend the International Wheat Agreement Act of 1949;

S. 2454. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the Pony Express;

S. 2466. An act to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes;

S. 2467. An act to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended;

S. 2568. An act to amend the Atomic Energy Act, as amended, with respect to cooperation with the States;

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended;

S. 2611. An act to amend the Small Business Investment Act of 1958, and for other purposes; and

S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1845. An act to provide for the establishment of rates of basic compensation for certain positions in the Patent Office in the Department of Commerce, and for other purposes;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act; and

S. 2504. An act to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2162) entitled "An act to provide a health benefits program for Government employees," with amendments in which the concurrence of the House is requested.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7629) entitled "An act to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2181) entitled "An act to amend the Mineral Leasing Act of February 25, 1920."

The message also announced that the Senate, having proceeded to reconsider the bill (H.R. 9105) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies in the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

APPOINTMENTS TO NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. The Chair lays before the House the following announcement of appointments to the North Atlantic Treaty Parliamentary Conference.

The Clerk read as follows:

Pursuant to the provisions of Public Law 689, 84th Congress, the Chair appoints as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference the following Members on the part of the House: Mr. HAYS, Ohio, Chairman; Mr. SMITH, Mississippi; Mr. SELDEN, Alabama; Mr. ANFUSO, New York, Mr. MCGOVERN, North Dakota, Mr. CANFIELD, New Jersey; Mr. CORBETT, Pennsylvania, Mrs. CHURCH, Illinois, and Mr. FRELINGHUYSEN, New Jersey.

NORTH CAROLINA MINIMUM WAGE LAW AND COMPULSORY COMPENSATION LAW

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on Monday, September 8, at page 17662 of the RECORD, the remarks of my dear friend and distinguished colleague, the gentleman from New York [Mr. SANTANGELO] under the heading of "Labor Fights for Justice," contains an inaccurate statement which I would like to call to his attention.

I note that he states the following: "The Southern States which have no minimum wages are Alabama" and others and he named the State of North Carolina. I would say to my friend in the spirit of correcting him, because I know he would like to be accurate, that he could not be more inaccurate than he was when he made the statement that my State of North Carolina does not have a minimum wage law.

He was equally in error when he made the statement in the next paragraph that North Carolina does not have a compulsory compensation law.

Reference to the General Statutes of North Carolina will indicate clearly to my good friend that he has made an error; and I am sure it was lapsus linguae instead of intentional.

AMENDING FEDERAL BOATING ACT OF 1958

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8728) to amend the Federal Boating Act of 1958 to extend for an additional year the period when certain provisions of that act will take effect, with Senate amendments thereto, and concur in the Senate amendments:

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: "That (a) paragraph (8) of subsection (c) of section 3 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960,' and inserting in lieu thereof 'April 1, 1961,'.

"(b) Subsection (b) of section 11 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960.' and inserting in lieu thereof 'April 1, 1961.'.

"(c) Section 12 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960.' and inserting in lieu thereof 'April 1, 1961.'."

Amend the title so as to read: "A bill to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that Act will take effect."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, with Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, what happened in the other body in connection with the establishment of this new Commission?

Mr. FOUNTAIN. I will say to the gentleman from Iowa that the only material change made by the Senate is that of increasing the membership of the Commission from 25 to 27 by the addition of 2 county representatives.

Mr. GROSS. Of course, that tends to make it somewhat more expensive?

Mr. FOUNTAIN. Naturally, it would increase the cost to some extent.

Mr. GROSS. Were any increases made in connection with the staff that will be established in connection with the Commission?

Mr. FOUNTAIN. That is the only material change made in the bill.

Mr. GROSS. The addition of two members to the Commission. That is the only substantial change in the bill?

Mr. FOUNTAIN. That is right.

Mr. GROSS. Mr. Speaker, I opposed this bill when it was before the House. It is another waste of the taxpayers' money. I am not going to try to force a vote on the passage of the bill because the RECORD already shows my position, but I want the RECORD to show I am still opposed to this measure and the creation of another unnecessary and expensive Commission.

Mr. FOUNTAIN. The gentleman from Iowa so expressed himself very clearly during debate on this bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Mr. FOUNTAIN, Mr. BROOKS of Louisiana, and Mrs. DWYER.

MRS. BARBARA MAY BOSWELL

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6884) for the relief of Mrs. Barbara May Boswell, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out all after "Act" down to and including "impose" in line 11.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CHENG, FU SHENG, AND LIN, FU-MEI

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 384.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the House of Representatives does not approve the granting of permanent residence in the United States to the aliens hereinafter named in which cases the Attorney General has submitted reports to the Congress pursuant to section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-10491862, Cheng, Fu Sheng.
A-8922627, Lin, Fu-Mei.

The House resolution was agreed to and a motion to reconsider was laid on the table.

AMENDING THE ORGANIC ACT OF GUAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4603) to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8, strike out "sued." and insert "sued upon contract entered into with respect to, or any tort committed incident to, the exercise by the government of Guam of any of its lawful power." "

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in and a motion to reconsider was laid on the table.

AMENDING SECTION 1 OF THE ACT OF JUNE 14, 1926, AS AMENDED BY THE ACT OF JUNE 4, 1954 (68 STAT. 173; 43 U.S.C. 869)

Mr. ASPINALL submitted the following conference report and statement on the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869):

CONFERENCE REPORT (H. REPT. No. 1177)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill, and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment insert the following: "That subsection (b) of section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C. 869), is further amended to read as follows:

"'(b) Conveyances made in any one calendar year shall be limited as follows:

"'(i) For recreational purposes:

"'(A) To any State, for not more than three sites, six thousand four hundred acres in all, except that during each of the calendar years 1960, 1961 and 1962, conveyances may be made for not more than six sites, comprising a total of not more than twelve thousand eight hundred acres and, in addition thereto, such acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

"'(B) To any political subdivision of a State, six hundred and forty acres.

"'(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.

"'(ii) For public purposes other than recreation:

"'(A) To any State or agency or instrumentality thereof, for any one program, six hundred and forty acres.

"'(B) To any political subdivision of a State, six hundred and forty acres.

"'(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.'

"SEC. 2. The last sentence of section 3 of the Act of June 14, 1926, as amended, is repealed."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WAYNE N. ASPINALL,
GRACIE PFOST,
J. T. RUTHERFORD,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

FRANK E. MOSS,
GORDON ALLOTT,
ERNEST GRUENING,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) to amend section I of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. sec. 869), submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

There were three substantial differences between the bill as it passed the Senate and as it passed the House:

(1) The number of sites and the acreage that could be conveyed to any one State in any one year for recreational purposes were unlimited in the Senate version. In the House version, the number of sites was limited to three and the overall area to 6,400 acres.

(2) The acreage that could be conveyed in any one calendar year to any nonprofit corporation or nonprofit association for public purposes other than recreation was not covered in the House version; it was limited to 640 acres in the Senate language.

(3) The House version repealed a portion of the basic law limiting to 25 years the effectiveness of its reverter provisions. The Senate version did not do so.

The language recommended by the committee of conference disposes of these differences thus:

(1) It retains the three-site, 6,400-acre limitations of the House as a general proposition but permits a doubling of these figures for the calendar years 1960, 1961, and 1962. It also permits the conveyance, during these same years, of such additional acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

(2) It limits the acreage that may be conveyed in any one calendar year to a nonprofit corporation or nonprofit association for public purposes other than recreation to 640 acres as in the Senate version of the bill.

(3) It repeals, as proposed in the House version, the 25-year limitation on reverters and thus makes effective in perpetuity other provisions of the basic law which forbid unauthorized transfers of the conveyed property or its conversion to unauthorized uses.

The language recommended by the committee of conference also omits the reference to Territories contained in the House-passed language, in view of the fact that, since

Alaska has become a State, there is no Territory of the United States to which the basic Act, which deals only with public domain and certain lands reserved therefrom is applicable.

WAYNE N. ASPINALL,
GRACIE PFOST,
J. T. RUTHERFORD,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869), and I ask that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. If these objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report was agreed to and a motion to reconsider was laid on the table.

SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8599) to amend the Small Business Act, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That subsection 4(c) of the Small Business Act is amended—

"(1) by striking out '$900,000,000' in two places and inserting in lieu thereof '$975,000,000'; and

"(2) by striking out '$500,000,000' and inserting in lieu thereof '$575,000,000'.

"SEC. 2. Subsection 7(d) of the Small Business Act is amended by striking out the last sentence thereof: *Provided, however,* That nothing in this section shall prevent the use of the funds made to remain available for grants for research and management counseling during the fiscal year ending June 30, 1960, by title III of Public Law 86-88."

The SPEAKER. Is there objection to the request of gentleman from Kentucky?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELATING TO SECURITY PROGRAM WITH RESPECT TO DEFENSE CONTRACTORS AND THEIR EMPLOYEES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, there has been scheduled under suspension of the rules H.R. 8121. I have just been informed that the matter involved in this bill will be treated with administratively, and therefore I wish to announce that there will be no motion to suspend the rules and pass the bill.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. GRANT submitted the following conference report and statement on the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes.

CONFERENCE REPORT (H. REPT. NO. 1178)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—AMENDMENTS TO THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

"SEC. 1. Sections 109 and 204 of the Agricultural Trade Development and Assistance Act of 1954, as amended, are amended by striking out '1959' and substituting in lieu thereof '1961'.

"SEC. 2. Section 103(b) of such Act is amended, effective January 1, 1960, to read as follows:

"'(b) Agreements shall not be entered into under this title in any calendar year during the period beginning January 1, 1960, and ending December 31, 1961, which will call for appropriations to reimburse the Commodity Credit Corporation, pursuant to subsection (a) of this section, in amounts in excess of $1,500,000,000, plus any amount by which agreements entered into in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such preceding year by this Act as in effect during such preceding year.'

"SEC. 3. Section 203 of such Act is amended, effective January 1, 1960, by striking out the first sentence and inserting in lieu thereof:

"'Not more than $300,000,000 (including the Corporation's investment in such commodities) plus any amount by which transfers made in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than could have been expended during such preceding year under this title as in effect during such preceding year shall be expended in any calendar year during the period January 1, 1960, and ending December 31, 1961, for all such transfers and for other costs authorized by this title.'

"SEC. 4. Subsection (a) of section 104 of such Act is amended by inserting a period in lieu of the semicolon at the end thereof, and adding the following:

"'From sale proceeds and loan repayments under this title not less than the equivalent of 5 per centum of the total sales made under this title after the date of this amendment shall be made available in advance for use as provided by this subsection over such period of years as the Secretary of Agriculture determines will most effectively carry out the purpose of this subsection: *Provided,* That no such funds shall be allocated under this subsection after June 30, 1960, except as may be specified, from time to time, in appropriation acts. Particular regard shall be given to provide in sale and loan agreements for the convertibility of such amount of the proceeds thereof as may be needed to carry out the purpose of this subsection in those countries which are or offer reasonable potential of becoming dollar markets for United States agricultural commodities. Notwithstanding any other provision of law, if sufficient foreign currencies for carrying out the purpose of this subsection in such countries are not otherwise available, agreements may be entered into with such countries for the sale of surplus agricultural commodities in such amounts as the Secretary of Agriculture determines to be adequate and for the use of the proceeds to carry out the purpose of this subsection;'

"SEC. 5. Subsection (b) of section 104 of such Act is amended to read as follows:

"'(b) To purchase or contract to purchase, in such amounts as may be specified from time to time in appropriation acts, strategic or other materials for a supplemental United States stockpile of such materials as the President may determine from time to time. Such strategic or other materials acquired under this subsection shall be placed in the above named supplemental stockpile and shall be released therefrom only under the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act;'

"SEC. 6. Section 104(k) of such Act is amended by striking out the colon and inserting in lieu thereof a comma and the following: 'and to promote and support programs of medical and scientific research, cultural and educational development, health, nutrition, and sanitation;'.

"SEC. 7. Section 104(o) of such Act is amended by striking out so much thereof as follows the semicolon.

"SEC. 8. Section 104 of such Act is further amended by inserting after paragraph (o) the following new paragraphs:

"'(p) For supporting workshops in American studies or American educational techniques, and supporting chairs in American studies;

"'(q) For assistance to meet emergency or extraordinary relief requirements other than requirements for surplus food commodities: *Provided,* That not more than a total amount equivalent to $5,000,000 may be made available for this purpose during any fiscal year;

"'(r) For financing the preparation, distribution, and exhibiting of audio-visual informational and educational materials, including Government materials, abroad: *Provided,* That not more than a total amount equivalent to $2,500,000 may be made available for this purpose during any fiscal year, but nothing in this subsection shall limit or affect the use of foreign currencies to finance the preparation, distribution, or exhibition of such materials in connection with trade fairs and other market development activities under subsection (a);'.

"SEC. 9. Section 104 of such Act is further amended by inserting before the period at the end thereof a colon and the following: *'Provided, however,* That no foreign currencies shall be available for the purpose of subsection (p), except in such amounts as may be specified from time to time in appropriation Acts, and no foreign currencies shall be allocated under any provision of this Act after June 30, 1960, for the purposes

specified in subsections (k), (p), and (r), except in such amounts as may be specified from time to time in appropriation Acts'.

"SEC. 10. Section 305 of such Act is amended to read as follows:

"'SEC. 305. All Commodity Credit Corporation stocks donated abroad under title II of this Act and section 416 of the Agricultural Act of 1949, as amended, shall be clearly identified by appropriate marking on each package or container and insofar as practical in the language of the locality where such stocks are distributed as being furnished by the people of the United States of America and where available funds accruing under title I shall be used for this purpose.'

"SEC. 11. Title III of such Act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) In order to promote the general welfare, raise the levels of health and of nourishment for persons whose incomes prevent them from enjoying adequate diets, and dispose in a beneficial manner of food commodities acquired by the Commodity Credit Corporation or the Department of Agriculture in carrying out price support operations or diverted from the normal channels of trade and commerce under section 32 of the Act of August 24, 1935, as amended, the Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized to promulgate and put into operation a program to distribute to needy persons in the United States, including needy Indians, through a food stamp system such surplus food commodities. Such program shall provide for the distribution of such surplus food commodities only during the period beginning February 1, 1960, and ending January 31, 1962. The cost of such program, including the cost to the Federal Government of acquiring, storing, and handling such surplus food commodities, shall not exceed $250,000,000 in any twelve-month period beginning February 1 and ending January 31.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to subsection (c), food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in commercially packaged form, preferably through normal channels of trade;

"'(4) establish standards under which, pursuant to subsection (c), the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in subsection (a) of this section; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this section.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under subsection (b)(1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under subsection (b)(3).

"'(d) Receipt by any person of benefits under this section shall not be deemed to be income or resources under the provisions of the Social Security Act or any other Federal legislation pertaining to the security of the aged, blind, disabled, dependent children, unemployed, or other similar groups. Any State or local subdivision thereof which decreases the cash or other assistance extended to any person or group as a consequence of the assistance made available under this section shall be ineligible for further participation under this section.

"'(e) Surplus foods to be distributed under this section shall be limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from the normal channels of trade under section 32 of Public Law 320, 74th Congress.

"'(f) For the purposes of this section, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(g) The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within six months after the date of enactment of this section, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this section to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this section.

"'(h) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this section.'

"SEC. 12. Title III of such Act is further amended by adding at the end thereof a new section as follows:

"'SEC. 307. Whenever the Secretary of Agriculture determines under section 106 of this Act that any food commodity is a surplus agricultural commodity, insofar as practicable he shall make such commodity available for distribution to needy families and persons in the United States in such quantities as he determines are reasonably necessary before such commodity is made available for sale for foreign currencies under title I of this Act.'

"SEC. 13. Title III of such Act is further amended by adding at the end thereof a new section as follows:

"'SEC. 308. Notwithstanding any other provision of law, the Commodity Credit Corporation is hereby authorized—

"'(1) to dispose of its stocks of animal fats and edible oils or products thereof by donation, upon such terms and conditions as the Secretary of Agriculture deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government or international organizations, for use in the assistance of needy persons outside the United States;

"'(2) to purchase for donation as provided above such quantities of animal fats and edible oils and the products thereof as the Secretary determines will tend to maintain the support level for cottonseed and soybeans without requiring the acquisition of such commodities under the price support program.

Commodity Credit Corporation may incur such additional costs with respect to commodities to be donated hereunder as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad.'

"SEC. 14. Such Act is further amended by adding thereto the following new title:

"'TITLE IV—LONG-TERM SUPPLY CONTRACTS

"'SEC. 401. The purpose of this title is to utilize surplus agricultural commodities and the products thereof produced in the United States to assist the economic development of friendly nations by providing long-term credit for purchases of surplus agricultural commodities for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively for industrial and other domestic economic development without jeopardizing meanwhile adequate supplies of agricultural commodities for domestic use.

"'SEC. 402. In furtherance of this purpose, the President is authorized to enter into agreements with friendly nations under which the United States shall undertake to provide for delivery annually of certain quantities of such surplus agricultural commodities for periods of not to exceed ten years, pursuant to the terms and conditions set out in this title, providing such commodities are in surplus at the time delivery is to be made.

"'SEC. 403. Payment for such commodities shall be in dollars with interest at such rate as the Secretary may determine but not more than the cost of the funds to the United States Treasury as determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having maturity comparable to the maturities of loans made by the President under this section. Payment may be made in approximately equal annual amounts over periods of not to exceed twenty years from the date of the last delivery of commodities in each calendar year under the agreement and interest shall be computed from the date of such last delivery.

"'SEC. 404. In carrying out the provisions of this title, the Secretary of Agriculture shall endeavor to maximize the sale of United States agricultural commodities taking such reasonable precautions as he determines necessary to avoid replacing any sales which the Secretary finds and determines would otherwise be made for cash dollars.

"'SEC. 405. In entering into such agreements, the Secretary shall endeavor to reach agreement with other exporting nations of such commodities for their participation in the supply and assistance program herein authorized on a proportionate and equitable basis.

"'SEC. 406. In carrying out this title, the provisions of sections 102, 103(a), 106, 107, and 108 of this Act shall be applicable to the extent not inconsistent with this title.'

"TITLE II—MISCELLANEOUS

"SEC. 201. (a) In order to insure the nutritional value of cornmeal, grits, and white flour when such foods are made available for distribution under section 416(3) of the Agricultural Act of 1949 or for distribution to schools under the National School Lunch Act or any other Act, such foods shall be enriched so as to meet the standards for enriched cornmeal, enriched corn grits, or enriched flour, as the case may be, prescribed in regulations promulgated under the Federal Food, Drug, and Cosmetic Act; and in order to protect the nutritional value and sanitary quality of such enriched foods during transportation and storage such foods shall be packaged in sanitary

containers. For convenience and ease in handling, the weight of any sanitary container when filled shall not exceed fifty pounds.

"(b) The term 'sanitary container' means any container of such material and construction as (1) will not permit the infiltration of foreign matter into the contents of such container under ordinary conditions of shipping and handling, and (2) will not, for a period of at least one year, disintegrate so as to contaminate the contents of the container, necessitating the washing of the contents prior to use.

"SEC. 202. In lieu of the limitation on annual payment rates for 1960 conservation reserve contracts prescribed in clause (2) of the sixth proviso under the head 'Conservation Reserve' in Public Law 86-80, no such annual payment rate shall be established in excess of 20 per centum of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographical location thereof; but in no event shall such annual payment rate be established in excess of the maximum rate which the county committee determines would have been established for such land under the 1959 Conservation Reserve Program, except that the county committee in making such determination shall not be required to obtain the landowner's or operator's estimate as to value or his certificate as to production history and productivity.

"SEC. 203. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end thereof and inserting a colon and the following: *'Provided, however,* That the national marketing quota for the 1960 crop of such cotton shall be not less than 90 per centum of the 1959 marketing quota for such cotton.'

"SEC. 204. Section 206(a) of the Agricultural Act of 1956 is amended by inserting before the period at the end thereof a comma and the following: 'or to meet requirements of Government agencies'."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

GEORGE M. GRANT,
E. C. GATHINGS,
CARL ALBERT,
CLARK W. THOMPSON,
CHARLES B. HOEVEN,
PAGE BELCHER,
CLIFFORD G. MCINTIRE,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposal through barter, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The Senate amendment struck out all after the enacting clause of H.R. 8609 and substituted new language. The House bill contained numerous provisions not included in the Senate amendment and the Senate amendment contained numerous provisions new to the House bill. In lieu of the Senate amendment, the conferees have agreed upon an amendment combining many of the provisions of both bills. Following are the substantive differences between the conference bill herewith reported and H.R. 8609 as it passed the House.

EXTENSION OF PUBLIC LAW 480

The House bill extended titles I and II of the act for 1 year (from December 31, 1959) with an additional authorization of $1.5 billion for title I and $300 million for title II. The Senate amendment extended both titles for 3 years with additional authorizations at the same rate per year as provided in the House bill. The conferees have compromised on a 2-year extension of titles I and II with increased authorizations at the rate provided in both the House bill and the Senate amendment—$1.5 billion per year for title I and $300 million per year for title II.

FOOD STAMP PLAN

The provisions relating to distribution of surplus foods in the United States through a food stamp plan follow generally the language of the House bill, with the following substantive changes:

(1) Duration of the authority is limited to 2 years starting February 1, 1960; (2) foods to be distributed are clearly limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from normal channels of trade under section 32 of Public Law 320, 74th Congress; (3) the maximum which may be spent in any 12-month period is placed at $250 million, based on the cost to the Federal Government of acquiring, storing, and handling such food; (4) adopted Senate language providing that receipt by any person of benefits under the program should not be deemed income or resources under the provisions of the Social Security Act or related Federal legislation and providing that any State or local subdivision thereof which decreases the cash or other assistance extended to any person because of assistance under the food stamp program should not be eligible for further participation in such program.

The conferees note that although the language of the amendment agreed upon is permissive, as in the House bill, legislation authorizing and directing food stamp programs was passed by the Senate. It is the expectation of the conferees that the Secretary, at his discretion, will undertake such a program along the lines laid down in the conference report.

In making regulations the Secretary should include the Bureau of Indian Affairs and/or tribal councils designated by the Bureau of Indian Affairs as "welfare agencies" as he has done in the past with respect to the Department of Agriculture's program of donation of food commodities for relief purposes.

USE OF FOREIGN CURRENCIES FOR RELIEF PURPOSES

Section 7 of the House bill provided that not to exceed $2 million in local currencies might be used each year in each country for emergency relief requirements. The Senate amendment contained a similar provision but limited the total amount to $2 million of foreign currencies per year. The conference substitute has amended this provision to permit up to $5 million of foreign currencies to be spent each year for this purpose.

LONG TERM SUPPLY CONTRACTS

The conference substitute retains the House provision authorizing long term supply contracts to be entered into on dollar credit. It adopted a clarifying amendment to make it clear that the supply contracts are to relate only to surplus commodities. In agreeing to retain this provision, the conferees note that it is not the intent of section 405 of this new title to require continuing consultation with other countries on the program, but merely to give other interested countries an opportunity to enter into a participating agreement, if they so desire. For example, the conferees are aware that negotiations are now going on with other countries under the Food for Peace Program and assume that this new program will be discussed with them at an early date as part of these negotiations.

HOUSE PROVISIONS RETAINED

The following provisions of the House bill are retained in the conference substitute without any change other than perfecting or clarifying amendment:

Section 3 requiring the earmarking of 5 percent of foreign currencies accuring under title I for market development purposes.

Section 4 authorizing purchase with foreign currency of materials other than those required for the national stockpile.

Section 13 requiring that insofar as practical surplus commodities donated abroad shall be marked in the language of the locality where they are distributed as being furnished by the people of the United States.

Section 16 providing that materials currently required by the Department of Defense, the Atomic Energy Commission, and other Government agencies may be acquired through barter.

Section 17 providing that the national marketing quota for the 1960 crop of long staple cotton shall not be less than 90 percent of the 1959 marketing quota.

ELIMINATED FROM HOUSE BILL

The substitute amendment herewith reported does not contain the following provisions which were in the bill as passed by the House:

Section 5 providing that payments received from loans made under the Cooley amendment would be retained by the Export-Import Bank for the making of additional such loans.

Section 6 requiring that loans of foreign currencies made to foreign countries for economic development should have a "maintenance of value" provision requiring repayment in foreign currencies equivalent to the dollar value of the payment at the time each payment is made.

Section 8 authorizing the establishment in foreign countries of food reserves under the authority of title I of Public Law 480.

Section 9 authorizing the donation of surplus agricultural commodities under title II of the act "in order to promote economic development" in underdeveloped areas.

Section 10 authorizing the payment of "charges for general average contributions" out of foreign currencies accruing under title I.

Section 12, providing that the Secretary should permit and encourage barter for materials processed in the United States if the agricultural commodities to be bartered for such materials are exported to friendly foreign countries.

Section 18 providing that this act might be cited as the "Food for Peace Act of 1959."

PROVISIONS ADDED TO HOUSE BILL

The following substantive provisions of the conference substitute did not appear in the bill as passed by the House:

Specifically provides for the use of foreign currencies for (a) programs of medical and scientific research and development, (b) workshops in American studies or American educational techniques and supporting chairs in American studies (these two are not new uses but are specific restatement of authority existing in the act) and (c) for the preparation, distribution, and exhibiting of audiovisual informational and educational material up to $2.5 million per year; and provides that the appropriating process shall apply to all of the local currency uses so designated.

A provision that whenever the Secretary of Agriculture determines that any food commodity is a surplus commodity for purposes of sale under title I of the act, he shall, insofar as practicable, make such commodity available for domestic relief distribution. The phrase "insofar as practicable" would give the Secretary latitude to sell for foreign currencies without making commodities available for relief distribution in the United States in certain circumstances. For example, where the quantity involved is insufficient for effective distribution to needy families in the United States, where the perishable nature of the commodity makes such distribution impractical, or where it is desirable to sell a limited quantity for market development purposes.

A provision authorizing disposition of CCC stocks of animal fats and edible oils (or products) for use in assistance of needy persons outside the United States. The section also authorizes such purchase of such fats, oils, and products as will tend to maintain the support level for cottonseed and soybeans.

A section which requires that cornmeal, grits, and white flour distributed under section 416(3) of the Agricultural Act of 1949, or to schools, be enriched and packaged in sanitary containers not exceeding 50 pounds each.

A section providing, in essence, for the same limitation on rental payments for contracts entered into in the 1960 conservation reserve program as applied in 1959, i.e., 20 percent of the value of the land without regard to improvements or location. This would replace the limitation prescribed for 1960 contracts by the 1960 Agriculture Appropriation Act, i.e., the fair rental value based on past 5-year crop production. The section also provides that the 1960 payment rate cannot exceed what would have been established for 1959.

GEORGE M. GRANT,
E. C. GATHINGS,
CARL ALBERT,
CLARK W. THOMPSON,
CHARLES B. HOEVEN,
PAGE BELCHER,
CLIFFORD G. MCINTIRE,
Managers on the Part of the House.

Mr. GRANT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 8609) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRANT. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement.

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, the House and Senate conferees have agreed on H.R. 8609 which extends Public Law 480. This is a very complex and lengthy bill which I will briefly review at this time and make a few appropriate comments.

The first major provision is the time of extension. The conferees have agreed on a 2-year extension of both titles I and II. Title I calls for an authorized expenditure of $1.5 billion per year whereas title II calls for an increased authorization of $300 million per year. The Senate bill called for a 3-year extension and the House bill a 1-year extension, therefore, the conferees compromised on 2 years. The conferees have also agreed on a permissive 2-year food stamp plan and I emphasize at this point that the plan authorized by the bill is strictly permissive. There is no requirement whatsoever that it be put into operation. The food-stamp program is limited to surplus commodities actually acquired by the Commodity Credit Corporation through its price support operations or commodities acquired by direct purchases through section 32 of the act of August 24, 1935. The overall maximum money authorization for $250 million which covers the cost of surplus food, all administrative expenses and all distribution costs. The plan is only temporary in nature and can extend for a 2-year period commencing February 1, 1960, and expiring January 31, 1962.

One of the more important features of the House bill was retained when section 104(a) of the act was amended to place increased emphasis on the development of markets for U.S. agricultural commodities abroad. This section of the bill earmarks at least 5 percent of the foreign currencies accumulated under Public Law 480 for this worthwhile purpose, subject to subsequent appropriation acts beginning June 30, 1960.

A new use for the title I foreign currencies is provided by allowing up to $5 million per year of foreign currencies to meet emergency nonfood relief requirements in foreign nations for such things as blankets, shoes, or general relief.

Another new use allows the purchase of nonstrategic and noncritical materials for the supplemental stockpile. This provision is the so-called gas mask amendment which would authorize OCDM to purchase such defense items as necessary.

Another new use allows up to $2½ million per year of foreign currencies to be spent for audio informational materials. This would be subject to subsequent appropriation acts but would not be included in the limitation pertaining to such materials for market development under section 104(a).

The bill also provides a new sentence in section 104(k) which authorizes the use of foreign currencies for research, cultural and educational development, health, nutrition, and sanitation. This use is already authorized under section 104(e), but the conference provision would make it subject to subsequent appropriation acts under section 104(k).

The conferees have adopted a provision which authorizes on a permissive basis the President to enter into long-term commitments—up to 10 years—for the sale of U.S. surplus agricultural commodities in dollars to foreign nations. The law authorizes loans over a period of 20 years in accepting the long-term credit program. The conferees again refrained from adopting language that could possibly be construed to require the Secretary of Agriculture to institute such a program.

Other provisions included in the conference bill are as follows:

First. A requirement that, insofar as practicable, agricultural commodities which are donated overseas under Public Law 480 be labeled in the language of the locality to which they are sent.

Second. A requirement that cornmeal, grits, and white flour distributed to schools be enriched and packaged in sanitary containers which weigh less than 50 pounds.

Third. Permission for the Commodity Credit Corporation to barter for strategic or critical materials to meet the requirements of Government agencies. This is not a change in the barter provisions of Public Law 430 but merely a very minor change to the 1956 Agricultural Act.

Fourth. A provision authorizing the disposition of CCC stocks of animal fats, edible oils for use in assistance of needy persons outside the United States, and the authorization to purchase such fats, oils, and production as will help to maintain the support level for cottonseed and soybeans.

Fifth. A provision to give priority to needy people in the United States over foreign sales and donations under Public Law 480, insofar as practicable.

Sixth. A provision to clarify language in this year's appropriation act dealing with the conservation reserve of the soil bank.

Seventh. A provision to prevent the 1960 national marketing quota for extra long staple cotton from going below 90 percent of what that quota was in 1959.

BRIEF SUMMARY OF CONFERENCE BILL ON EXTENSION OF PUBLIC LAW 480

On September 10, 1959, the House and Senate conferees agreed on H.R. 8609 by Mr. COOLEY, "To amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes." The main provisions of the conference bill are as follows:

First. Extends title I for 2 years to December 31, 1961, with an increased authorization of $1.5 billion per year.

Second. Extends title II for 2 years to December 31, 1961, with an increased authorization of $300 million per year.

Third. Places increased emphasis on developing markets for U.S. agricultural products by earmarking, subject to subsequent appropriations, at least 5 percent of the foreign currencies for this purpose.

Fourth. Requires that, as far as practicable agricultural commodities donated abroad under the act be labeled in the language of the locality to which they are sent.

Fifth. Provides up to $5 million per year of foreign currencies to meet emergency nonfood relief requirements—

other than requirements for surplus foods—in foreign nations.

Sixth. Authorizes the President to enter into long-term commitments—up to 10 years—for the sale of U.S. surpluses in dollars to foreign nations. Loans will be repaid over a period of 20 years at an interest rate not more than the current cost of money to the U.S. Treasury.

Seventh. Authorizes the establishment of a permissive 2-year food stamp plan for the distribution of $250 million worth of surplus food per year to needy people in the United States.

Eighth. Authorizes the use of title I foreign currencies to purchase nonstrategic and noncritical materials for the supplemental stockpile.

Ninth. Permits Commodity Credit Corporation to barter for strategic or critical materials to meet requirements of Government agencies.

Tenth. Provides that 1960 extra long staple cotton marketing quota cannot be less than 90 percent of 1959 quota.

Eleventh. Enrichment and sanitary packaging of donated cereals: Requires cornmeal, grits, and white flour distributed under section 416(3) of the Agricultural Act of 1949, or to schools, to be enriched and packaged in sanitary containers not exceeding 50 pounds.

Twelfth. For the conservation reserve of the soil bank the bill provides for the same limitation on rental payments for contracts entered into in 1960 as applied in 1959, that is, 20 percent of the value of the land determined without regard to improvements or location. This would replace the limitation prescribed for 1960 contracts by the 1960 appropriation act, that is, the fair rental value based on past 5-year crop production. The bill also provides that the 1960 payment rate cannot exceed what would have been established for 1959.

Thirteenth. Domestic relief: Insofar as practical the bill gives use of surplus food for reasonable necessary domestic relief priority over title I sales.

Fourteenth. Provides for use of title I foreign currencies for research, cultural and educational development, health, nutrition, and sanitation, subject to subsequent appropriation acts.

Fifteenth. Provides a new section 104(p) to carry material formerly included in section 104(o) and provides for use of title I foreign currencies for audio-informational materials up to $2½ million per year subject to subsequent appropriation acts.

Sixteenth. Authorizes disposition of CCC stocks of animal fats and edible oils—or products—for use in assistance of needy persons outside the United States. Authorizes such purchase of such fats, oils, and products as will help to maintain the support level for cottonseed and soybeans.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I wish to congratulate the members of the conference committee on their splendid work done in connection with the amendments to the bill extending the 1954 Agricultural Trade Development and Assistance Act.

Those of us who are interested in relieving the constant pressure on our immigration quotas by directing certain categories if immigrants to Latin America for agricultural settlement are particularly gratified by the fact that this legislation will permit the use of certain local currencies, pursuant to section 104(g), for the development of agricultural colonies which have been established in several countries of Latin America. The availability of such funds has been ascertained through an exchange of correspondence which I had with the then Acting Secretary of State, Mr. C. Douglas Dillon. I have included this correspondence in the CONGRESSIONAL RECORD of July 22, 1959, and it appears on page 14008 of that RECORD.

The enactment of this legislation will certainly be noted by those governments of Latin American countries which may benefit from the use of counterpart funds, and I sincerely hope that the governments affected will work out the necessary projects in such form as to permit the assignment of priorities to the financing of land settlements for foreign and native migrants. There is no doubt in my mind that in so doing the governments will serve their own best interests and that the letter and the spirit of this proposed law will be carried out through the cooperation of our own Government with the recipients of the benefits.

The Intergovernmental Committee for European Migration stands ready to assist the governments of Latin America in the preparation of the appropriate plans and projects. One of them, the agricultural colony established by Dutch immigrants in Brazil, the settlement known as Holambra, deserves immediate and most careful consideration.

Mr. GRANT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 8609.

WILL THE SECRETARY OF AGRICULTURE NOW CARRY OUT THE WILL OF CONGRESS AND START A FOOD STAMP PROGRAM?

Mrs. SULLIVAN. Mr. Speaker, the conference report on H.R. 8609 makes several changes in the wording of the food stamp plan adopted by the House, but as the author of the amendment which has now added such a program to the Agricultural Trade Development and Assistance Act of 1954, I am by no means too unhappy about the changes, that is, if they merely mean what I have been informed they mean. I personally think that with the exception of the dollar limitation in the bill, reduced from $1 billion a year to $250 million a year, there is no change of any real substance. Of course, if a careful reading of the language of the bill should show otherwise, I will have to take that back, but since the bill is not yet printed and copies are not available for careful study, I am accepting the committee reassurances on that score.

Now the question is: will the Secretary of Agriculture make use of the machinery provided in the bill to institute a food stamp plan as a more effective means of distributing surplus food to the provably needy in this country? I am well aware of Mr. Benson's antipathy to the whole idea, on the grounds that it will cost the Department of Agriculture—but not the American people as taxpayers—a little more money, perhaps, to use the regular stores as a means of distribution rather than the "dump" method now in operation. At present, the program consists of unloading carloads of flour, rice, cornmeal, and dried skim milk onto those localities willing to undertake the difficult and expensive task of setting up warehouse depots and storing and then distributing the few surplus commodities now included.

GROUPS WHICH SHOULD DEMAND ACTION

As originally introduced in 1954 and in every Congress since then, my food stamp bill not only authorized, but also directed, the Secretary of Agriculture to institute a food stamp plan for the distribution of surplus food to America's needy. The bill now before us in final form merely authorizes, but does not direct. I am sorry that such a concession had to be made in order to have the program enacted. But I am not at all willing to concede that by merely authorizing rather than directing, we are making a futile gesture in view of the Secretary's well-known opposition to the whole idea.

My reason for saying so is this: every city in the Nation now participating in the present limited food distribution program to the needy has had so much agonizing experience under this program—so much unnecessary redtape and expense and so much disappointment over the limited variety of foods available for distribution—that I am sure the citizens of our metropolitan areas, and the newspapers in those areas, will insist in every way they can make their views heard that the Secretary now proceed to set up a food stamp plan.

And the hard-pressed farmers experiencing periodic overabundance of perishable commodities which are not included under price support operations, will now have every right to insist that the Secretary use his existing section 32 authority, and the customs receipts he receives from the Treasury for that purpose, to buy up and divert from the market more fresh foods, since he will have a ready-made outlet for such items under the food stamp plan. At present, he is grudgingly using only a part of his section 32 money to buy up only those perishable surplus items which can be disposed of through the school lunch program. As a result, the broiler industry, the egg producers, the truck farmers and others have not really been helped as they should be during recent crisis in overproduction by

the huge section 32 fund the Secretary of Agriculture controls. That fund now totals over $500 million available for this year. If he continues to use it as he has in the past, hundreds of millions of this money, diverted from customs receipts to help both the farmer and our needy, would again revert to the Treasury each year, rather than be used for the purposes Congress has always intended ever since the section 32 program was enacted in 1934.

NOW UP TO PUBLIC OPINION

Mr. Speaker, I am not going to take up the RECORD with a reiteration of all of the arguments in favor of use of a food stamp plan to enlist the cooperation of the Nation's grocery stores to help distribute surplus foods of all kinds to the needy. But I do think it important to point out that all of the people and groups and interests directly involved—the cities now attempting to distribute surplus food, the grocery stores now being bypassed in surplus food distribution, the needy now receiving such a distressingly inadequate variety of surplus foods in a distressingly cumbersome once-a-month distribution program, the farmers not now deriving full benefits from section 32 funds and authority, the taxpayers of this country who see us spending billions to give away Government-owned food overseas while doing so little to help our own needy with adequate supplies and varieties of surplus food—all of these people have a right and a duty to insist that the Secretary of Agriculture, despite his prejudices in the matter, use the authority in this bill to institute a food stamp plan.

If the public is not going to press for intelligent use of Government-owned food in a way which will help our needy most effectively, then passing this law would indeed be a futile gesture. But I am sure that now that Congress has provided the useful and intelligent machinery needed, the public will insist it be used by the bureaucrats in charge, regardless of their own preconceived ideas and past obstructionism.

THE LATE JUDGE THOMAS H. DOWD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, one of the truly great Americans for many years, and one of the outstanding sons of the Commonwealth of Massachusetts for decades, is the late Judge Thomas H. Dowd, who died on September 5, 1959. For 44 years he served as a judge of the superior court of the Commonwealth of Massachusetts, longest period of continuous service in the history of Massachusetts.

Judge Dowd was a man of boundless energies. As he said a year or so ago, "I have never been idle." He retired from the superior court last October and he had not missed a day in over 40 years. Born in Worcester, Mass., Judge Dowd worked his way through Holy Cross College by acting as a principal of a night school. He graduated cum laude in 1897. He was one of the most eloquent talkers of the country. He was called "the wild Irish orator" when he stumped the country in his younger days to win freedom for Ireland. After graduating from Holy Cross College, Judge Dowd entered Boston University law school and completed the 3-year course in 1 year, graduating with honors in 1896. He was admitted to practice law in Massachusetts in 1897. Prior to his appointment to the superior court, and in 1901 in a strong Republican district, he was the Democratic candidate for State senate, and won. That was his first vote in Boston, and as he said, "The first vote I ever cast in the Boston election was for myself, and I won." Judge Dowd later served as a member of the Boston Board of Aldermen before returning to his law practice in Boston.

In 1914 he was appointed justice of the Boston municipal court by the late Senator David I. Walsh, who was then Governor of Massachusetts. He served on the municipal bench from 1914 to 1934, when he was appointed to the superior court bench by the late Governor James Michael Curley.

Judge Dowd was a tower of strength to the Massachusetts judiciary. His years of service on the municipal court bench and the superior court bench, and his judicious manner, will be long remembered among the judges and the lawyers of Massachusetts. A man of strong convictions, he was possessed of a very fine differentiating judicial mind. He was also a man of deep religious faith. Judge Dowd was a great American.

I extend to his son my deep sympathy in his great loss and sorrow.

CERTAIN PROCEDURE FOR THE BALANCE OF THIS SESSION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it shall be in order during the remainder of this session of Congress to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII; that reports from the Committee on Rules may be considered at any time, notwithstanding the provisions of clause 22 of rule XI; for the Speaker to declare recesses subject to the call of the Chair; and for the Speaker to recognize Members to move to suspend the rules, notwithstanding the provisions of clause 1, rule XXVII.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—these matters were all cleared with me. They are the customary procedures that are adopted when we come up to the close of the session. It is understood, of course, that any suspensions of the rules would be agreed to by me as the minority leader before they are put on. Again may I say that I shall consult with the other leaders on my side and with the members of the committee involved before any suspensions are agreed to.

Mr. Speaker, as far as I am concerned I sincerely hope we can wind up this session of Congress tomorrow night. Possibly that cannot be done. But certainly it should be done not later than Monday of next week. So, as far as I am concerned, I shall go along with these requests because, if I were the majority leader, under similar circumstances I would make the same requests, and I am quite sure that the gentleman from Massachusetts [Mr. McCORMACK], if he were the minority leader, would agree to such requests as I shall agree to these.

Mr. Speaker, I withdraw by reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, that was a rather involved and extensive request that the distinguished Majority Leader made. I listened carefully but I do not know exactly what it all means.

Mr. McCORMACK. Not involved, but comprehensive.

Mr. GROSS. I still say rather involved. I, for one in the House, do not know what, specifically, is contained in the request. It is not my disposition to prolong this session of Congress one minute longer than is necessary to properly dispose of necessary legislation. I do want to know what is going on and how these things are being done.

Mr. Speaker, I would like to look at the request the gentleman has made in the House and therefore I suggest at this time that the gentleman withhold his request for unanimous consent and renew it, perhaps a little later this afternoon. I would like to know specifically what is involved.

Mr. McCORMACK. Suppose we take them up one-by-one.

Mr. GROSS. Very well.

Mr. McCORMACK. The first one is to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII. Does the gentleman have any objection to that?

Mr. GROSS. I might, but under the circumstances I could go along with that.

Mr. McCORMACK. The next is that reports from the Committee on Rules may be considered at any time, notwithstanding the rule which I mentioned earlier. That is the substance of that request; that is, that reports from the Committee on Rules may be considered at any time instead of having to lie over 24 hours.

Mr. GROSS. Does the gentleman anticipate that the Committee on Rules will be asked to report out additional rules?

Mr. McCORMACK. I know of none, but this is just a precautionary action.

Mr. GROSS. And that is all?

Mr. McCORMACK. No; I am taking them up one at a time. The next request is for the Speaker to have authority to declare recesses subject to the call of the Chair, and for the Speaker to recognize Members to move to suspend the rules.

Mr. GROSS. That would be for next week. There is already that authority now, but the gentleman wants to extend it to next week?

Mr. McCORMACK. This would be for next week, if Congress is in session. I hope we will adjourn tomorrow night. We have finished our business.

Mr. GROSS. Does the gentleman anticipate, if the session goes into next week, that he will have further bills under suspension of the rules?

Mr. McCORMACK. There might be, but I know of none.

Mr. GROSS. But the gentleman has no program, no bills in mind now?

Mr. McCORMACK. I have no program. As the gentleman knows, on any legislation initiated in the House, I have given my word that it will be announced the day before. I have nothing now of that nature to announce for next week. The purpose of this is, in the event some House bill came from the Senate with an amendment, and a request was made to take it from the Speaker's desk and concur, that would be by unanimous consent. If there were objection then it would be proper at that time to move to suspend the rules. Or, if they wanted to send a bill to conference, have a quick conference, and someone objected, then they could move to suspend the rules.

Mr. GROSS. These are all the unanimous consent requests you have propounded?

Mr. McCORMACK. That is everything.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

HAROLD WILLIAM ABBOTT

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8277) for the relief of Harold William Abbott and others, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, strike out "Smith" and insert "Smirch".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SYLVESTER L. GARDNER

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7225) for the relief of Sylvester L. Gardner, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "in excess of 10 per centum thereof".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

STATE OF OKLAHOMA

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7605) for the relief of the State of Oklahoma, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "1951" and insert "1941".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MRS. ELBA HAVERSTICK CASH

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$21,700" and insert "$5,000".

Page 2, strike out lines 14 to 17, inclusive, and insert:

"SEC. 2. The enactment of this Act shall not in any way terminate or affect the pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a)."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. MARY D'AGOSTINO

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1387) for the relief of Mrs. Mary D'Agostino, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "The Administrator of Veterans' Affairs is authorized and directed to consider the claim heretofore filed by Mrs. Mary D'Agostino, mother of Michael R. D'Agostino, XC-2943574, under section 602(d)(2) of the National Service Life Insurance Act of 1940, to have been filed within the time specified in section 602(d)(5) of that Act, and to adjudicate such claim under that Act, notwithstanding its repeal.

"SEC. 2. In considering such claim, the line-of-duty status of the death of Michael R. D'Agostino shall be determined under the criteria set forth in section 105, title 38, United States Code."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MINING AND MINERALS INDUSTRY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, under leave to extend my remarks at this point, I wish to express my sincere appreciation at yesterday's concurrence of the other body in House Concurrent Resolution 177, of which I am the author. House Concurrent Resolution 177 is a result of studies made in the Committee on Interior and Insular Affairs, and it is identical to measures sponsored by seven other members of the committee. It expresses the sense of Congress that it is in the national interest to foster and encourage the maintenance of a sound and stable domestic mining and minerals industry, without critical dependence on foreign sources. It requests the President to have reviews made at once of existing agency programs so as to use them more effectively to increase production of metals and minerals and increase employment in critically depressed mining and mineral industries of the country.

I am confident that the President will speedily initiate the reviews and studies that will be necessary, and that readjustments of programs and policies will be forthcoming in line with the expressed policy of Congress.

Any legislative proposals or reorganization plans that may be needed should be timed to coincide with the beginning of the 2d session of the 86th Congress. It is my hope that at that time the various mining and mineral relief measures pending before several committees will receive prompt and thorough consideration.

The lead, zinc, and fluorspar industries of the country have welcomed the announcement of the Tariff Commission that public hearings will be held on a general study of the status of those important industries. The reports, as requested by Senate Resolutions 162 and 163, will include specific findings with regard to the condition of the lead, zinc, and fluorspar mining industries, and as to what additional import restrictions need to be imposed. The extensive hearings held by the Subcommittee on Mines and Mining, and the comprehensive report issued on House Concurrent Resolution 177 by the Committee on Interior and Insular Affairs, undoubtedly played an important part in causing the initiation of the Tariff Commission studies.

I am sure that the Members of Congress are aware of the precarious state

of important segments of our domestic mining and mineral industries. As a result of foreign policies, over which the Congress has been able to exercise little control, our once great mining industries in certain regions and areas have gone from bad to worse. In the industries and communities, and among the workers and their families affected, a real emergency exists.

The existence of an emergency in some mining and mineral industries is not overcome by the fact that there is a prosperous condition in other industries.

The present quota restrictions on imports of lead and zinc have been severely criticized by the domestic lead and zinc mining industries for some time. The quotas have now been denounced by six major lead and zinc smelter companies. They contend that in the 11 months since the quotas were imposed by the President, the effect has been to cause a major dislocation of lead and zinc raw material supplies. They recommend that the quotas be replaced as soon as possible by increases in the appropriate custom duties, without inhibiting the long-range growth in consumption of these metals, and without shutting out needed supplementary foreign supplies.

It is unfortunate that the Department of the Interior, in its recent report to the Senate Committee on Interior and Insular Affairs on House Concurrent Resolution 177 and a similar measure in the other body, misinterpreted the purpose of the resolution as being one of making this country 100 percent self-sufficient in metals and minerals. This is clearly not the case.

The resolution states, on this point, that the maintenance and development of a sound and stable domestic mining and minerals industry, without critical dependence upon foreign sources, is essential to national security and the welfare of the consuming public. The resolution does not seek total self-sufficiency of raw materials but seeks the avoidance of critical dependence upon foreign sources.

During the consideration of this resolution, there has been some discussion of the extent to which Government might reasonably go in assisting in the increased production and employment in the mining industry. The resolution establishes as a goal that the programs of executive agencies be used more effectively, under existing authorizations, to provide for increased production and employment in the critically depressed domestic industries. None of the requested reviews or studies would be aimed at exceeding any authorization now held by a department or agency of the executive branch. None of the requested reviews or studies would be aimed at increasing production or employment beyond a prudent economic limit, in consideration of the public interest.

It is noteworthy that the report of the Department of the Interior on House Concurrent Resolution 177 expressed a willingness to comply with any request made by the Congress for the submission of reports with respect to the Department's plans in the minerals field, in response to such a resolution. I am confident that the Department, in cooperation with other departments and agencies, will quickly respond and make the reviews and studies necessary to carry out the objectives of this resolution.

Mr. Speaker, I commend my colleagues in both Houses of Congress, and all of those in the mining and mineral industries, in labor, in Government, and elsewhere, who have participated with me in the presentation and the adoption of this resolution. I trust the reviews and studies to be made by the departments and agencies concerned will produce constructive results and will make the situation clearly understandable to the Congress and to the American people.

A word of recognition is due to the American Mining Congress, the National Coal Policy Conference, the State mining associations, the labor organizations, the community organizations, and the other individuals and organizations who gave so freely of their time and efforts in developing the background material for this resolution. The report developed by the Committee on Interior and Insular Affairs from these materials, issued as House Report No. 708, has been described by the editor of Pay Dirt, a publication devoted to the interests of Arizona small mine operators, as one of the best and most compact rundowns on the domestic mining industry presented in recent years.

It is fortunate that the Western Governor's Conference, through its Minerals Advisory Council, has developed recommendations on mining policy to be considered by the Governors this month. The American Mining Congress is to be congratulated in arranging a fine agenda for its annual metal mining convention at Denver, September 14–17, at which problems of the mining industry including national minerals policies and public land policies will be considered. The results of these deliberations will be most helpful when Congress again faces problems of mines and mining during the next session.

LET US GIVE THE CONSUMER AN EVEN BREAK BY LABELING SHOES

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, on January 7, 1959, I introduced legislation which if enacted would be known as the Shoe Labeling Act. The number of that bill is H.R. 1320. It has caused quite a stir in the shoe industry. I am bringing H.R. 1320 to the attention of this House today because I believe the American consumer has quite an interest in his dollar or her dollar.

We like to buy dependable goods. We do not like shoddy workmanship. We do not like to be fooled. Sometimes we are. Sometimes a little bit of fooling can be defended. I do not think it is defensible when it interferes with our economy, our health and well being and our hard-earned bank accounts.

Let no one believe that this sort of legislation has only one or two supporters as opposed to thousands of opponents. This simply is a fabrication built on the last of a shoe manufacturer for reasons unknown to millions of consumers.

Why not label shoes? Too costly? Too much trouble? Unnecessary?

Nonsense. We have passed legislation in previous Congresses which label wool products, fur products, and textile fiber products. In fact, Mr. Speaker, my bill is modeled after these acts, particularly the Fur Products Labeling Act. Many of the provisions common to such legislation are found in this bill.

EXAMPLES OF POORLY MADE SHOES

I have in my office storeroom samples of shoes which have paper fiber insoles and heels; shoes which cost the American consumer hard-earned dollars; shoes which wore poorly and not only were a bad pocketbook buy but a bad foot buy. We have only two feet. They get lots of use.

I introduced my shoe labeling bill after a lot of study. It was no fly-by-night sort of thing. I had many discussions with consumers and with one consumer who also is a well-known shoe repairman, my constituent Mr. Wilbur Gardner, of Medford, Oreg.

AN HONEST, HARD-WORKING, GENTLE AMERICAN

His store, Gardner's Shoe Service, is the national headquarters for labeling shoes. Wilbur Gardner is an honest, hard-working, gentle American. But he does not like fraud or deception no matter how unwitting either may be.

I want to pay tribute today to Wilbur. I want to thank him publicly for calling to my attention and to the attention of other members of the Oregon delegation in Congress the problem which I am discussing.

CONSUMER SUPPORT CITED

Wilbur has waged an intensive campaign to insure that shoes purchased by the American consumer are sturdy and properly made. And there is consumer support, known support, which exceeds 1 million men and women.

Who are they?

More than 25,000 of them are citizens who have taken the time to sign a national petition for the labeling of shoes. The heading of this petition reads:

> For my own protection, I desire legislation which will compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper fiber or imitations of leather.
>
> I believe I could buy and would buy better shoes if they were labeled.
>
> I believe if I could choose better shoes by label, better foot health would result.
>
> I believe great savings in money would result, if I could buy good shoes by label.

These petitions come from many parts of the United States. Wilbur has sent me several.

Who are they?

They are the more than 800,000 members of the National Grange.

Let me read the resolution passed by the National Grange in annual session at Grand Rapids, Mich., November 1958.

Whereas there is much inferior material being used in the shoes of women, men, and children; and

Whereas shoes should be labeled specifically as to the composition of the material used in them: Therefore be it

Resolved, That the National Grange ask the Congress to pass legislation requiring the labeling of all shoes as to materials used.

Prior to the national approval the Oregon State Grange passed the following resolution:

Whereas there is much inferior material being used in the shoes of women, men, and children; and

Whereas most clothing is required to have a label specifying the composition of the materials used in it: Therefore be it

Resolved, That we approve a resolution asking Congress to pass legislation requiring the labeling of all shoes as to materials used; and be it

Resolved further, That copies of this resolution be sent to our Congressmen and Senators.

Who are they?

They are the 200,000 members of the American National Cattlemen's Association.

Wilbur Gardner believes that public opinion is as strong as ever for proper labeling. He points out that as shoe prices go up the consumer should know, more than ever, what goes into the shoes he buys. I agree.

Now some of us have been told there is a shortage of leather. If this is true what has caused it? It is reasonable to assume that the shoe manufacturers may have helped, wittingly or unwittingly. For example, manufacturers of low- and medium-price shoes, I am told, for the past 2 years have mistreated the leather market by turning to the use of paper fiber in the manufacture of shoes. This starts a chain reaction.

First the tanneries have to cut down on production. I understand some may have had to close. Then the market for hides decreases until hides sell for only 4 to 6 cents per pound for top hides. Some hides had to be ground into fertilizer or destroyed. Some were sent out of the country and made into shoes overseas.

Then, when the leather surplus is low cattlemen find it necessary to build up their herds of cattle, cutting the sale of hides, both veal and beef. Tanneries find no hides to tan, or at most a few. And the shortage of leather necessarily boosts the price of the shoe to consumer.

HOW TO HAVE A SURPLUS

Wilbur Gardner tells me that the use of leather, even at a slight raise in the price of shoes, coupled with the added length of the life of such a shoe, would have found that segment of the economy with a sufficient surplus of leather at a time when supply was low. He says:

It stands to reason that if the millions of pairs of shoes that have been made each year that used paper fiber insoles, heels, etc., would have used even a low grade of leather, there would have been better shoes and a lot more leather tanned, and the backlog of leather would not have gotten so low that the present shortage would have sent the prices of shoes on a spiral of high prices, and the admitted downgrading of shoes by the manufacturer.

WOULD LABELING BE WORTH IT?

Would labeling be expensive?

I do not think this question can be answered before hearings on H.R. 1320 are held and the fine points of the proposal discussed and the type of labeling best suited to the problem determined.

I think it is normal and natural for the shoe manufacturer to say that a label will add to the cost of the shoes. He might go further and say the public would not stand for a price increase to cover this plus the increased cost of leather. I would answer: Let the public make its own decision.

A label would cost a few pennies. Would this be more than a grain of sand to existing cost of shoes as compared to the expenditure of money on shoes not now labeled and too often poorly made? I think not.

The difference between the cost of a label and the cost of a pair of shoes which cannot be repaired is considerable to the consumer. To compare the two is to attempt to fit a square peg into a round hole.

I think it is important to all of us to look into the subject, to explore the possibilities and to give full consideration to the proposal, both pro and con, before we start setting up false targets.

No one wants to injure grievously a great and vital national industry. I have visited two shoemaking factories and I hope to visit more.

No one wants to put men and women out of work.

Let us not toss these strawmen around before we know the true facts.

No one would say that it is not possible for the industry to correct its ills. I would like to have the industry do it.

"MAN WITH A SOLE"

Before I discuss the shoe labeling bill further and the governmental agency reports, I want to say a bit more about Wilbur Gardner, known to his friends as the man with a sole.

As the Medford, Oreg., Mail Tribune noted in a December 29, 1957, feature story about Wilbur, he "is not by nature a troublemaker. For 27 years he has been content to work in his little shop, hammering and sewing away at the job of repairing shoes for Medford's citizens."

Then, as writer Bob Vroman pointed out in his story:

While he [Gardner] has known for sometime that people were not always getting their money's worth when they bought a pair of shoes, he never figured he could do anything about it—at least not until one day about 6 months ago (midyear of 1957) when he suddenly got fed up and decided to take matters in his own hands.

Pair after pair of children's shoes that were being brought into his shop didn't have enough solid leather anywhere to make a repair. They were paper from one end to the other, which was all covered up with a veneer of leather and probably cost the buyer from $8 to $10.

Gardner reasoned that if clothing, bedding, foodstuffs and other commodities had to be labeled as to their contents or construction, why not shoes? He figured that the public is being duped by not having laws to compel manufacturers to label shoes as to what materials are used in their construction.

Mr. Vroman's story about Wilbur follows:

REPAIRMAN STARTS MOVE FOR LABELS IN SHOES—GARDNER RECEIVES SUPPORT OF MANY OFFICIALS IN MOVE

(By Bob Vroman)

Wilbur Gardner, who operates Gardner's Repair Shop at 612 East Main Street, Medford, is not by nature a troublemaker. For 27 years he has been content to work in his little shop, hammering, sewing away at the job of repairing shoes for Medford's citizens.

While he has known for some time that people were not always getting their money's worth when they bought a pair of shoes, he never figured he could do anything about it—at least not until one day about 6 months ago when he suddenly got "fed up" and decided to take matters in his own hands.

Pair after pair of children's shoes that were being brought into his shop didn't have enough solid leather anywhere to make a repair. They were paper from one end to the other, which was all covered up with a veneer of leather and probably cost the buyer from $8 to $10.

PUBLIC DUPED

Gardner reasoned that if clothing, bedding, foodstuffs and other commodities had to be labeled as to their content or construction, why not shoes? He figured that the public is being "duped" by not having laws to compel manufacturers to label shoes as to what materials are used in their construction.

The first thing Gardner did was to correspond with Congressmen in Washington, D.C., to stir up interest in getting shoe label laws and to find out what he could do to help get them. Gardner has written to government heads of other countries to find out what laws are in existence on the labeling of shoes and he has had several articles published in trade journals on the subject.

He recently received a reply from Prime Minister Robert G. Menzies of Australia, along with a copy of the laws that control shoe labeling in that country. Although the laws are not as comprehensive as Gardner would have them, Australia's regulations are the best of any country in the world, and may serve as a pattern for setting up such laws here.

MORE EXPENSIVE

Not only are they more expensive in the long run, but cheaply made shoes do not give proper support to the wearer's feet, Gardner said, and that after they have been wet once they are apt to loose their shape completely. He said this is particularly harmful to children's feet and he added that foot doctors claim that 65 percent of the shoes on the market today cannot be rebuilt for foot-correction purposes because of the cheap materials used in their manufacture. He also said that one-third of the children's shoes today are not even repairable.

Paper is the most common of the cheap materials used in shoe construction, and lately it is being found in even the better grades of shoes. Gardner said that 75 percent of the children's shoes made today have wooden shanks instead of steel, or else no shanks at all.

In some women's shoes, he said, a manufacturer will import expensive leather and do a fine job of styling to make a handsome shoe, but inside there will be found paper insoles, heel counters, and toe caps. The customer pays a high price for the shoes, which may actually fall apart if they get wet. This is particularly true of summer shoes, Gardner said.

Gardner's complaint is not so much the fact that paper fiber is used in shoe manufacture, but that if it is used the shoe buyer

should know what he is getting for his money.

SENDS PETITIONS

Right now Gardner is in the process of sending out hundreds of petitions to cities all over the United States to aid in getting legislation passed. This was suggested by Senator WAYNE MORSE, along with other information, in a three-page reply to Gardner's inquiry. Gardner has picked 12 cities in each State to send the petitions, which he is doing entirely on his own.

On the petition in his own shop Gardner has about 200 signatures, a good many of which are Medford doctors and shoe retailers, who recognize the trouble caused from poorly made footwear.

The petitions read:

"NATIONAL PETITION TO LABEL SHOES

"To state on a label what shoes are made of for my protection, due to the use of paper fiber and imitation leather in their manufacture. I believe I could buy better shoes if they were labeled. I believe I could buy better shoes by label and better foot health would result. I believe a great saving in money would result if I could buy shoes by label."

Also, at the suggestion of Senator MORSE, Gardner is collecting specific evidence of the use of paper fiber in particular brands of shoes, and on his counter for the public to see are cut-away samples of shoes made with paper that could not be repaired.

ATTACHED TO SHOES

He believes that the label should be attached to the shoes themselves and if they contain paper fiber, wood, or plastics, or any other product besides genuine leather, the label should say so in plain language and not call the material by some high-sounding name.

In this way Gardner feels that buyers will be able to judge better for themselves whether or not a particular shoe is worth the price.

Shoe retailers seem to be in accord with Gardner's ideas too, because they often get kickbacks from customers who find that a pair of expensive shoes is cheaply made.

Almost every shoe repairman in the Nation is aware of the problem, Gardner said, and it is about time something was done about it.

RECEIVES COMMENDATION

Gardner has already received commendation from Parents' magazine for his investigations and he has received endorsement from various organizations locally. He also received a letter from Gino Prato, the Brooklyn shoe repairman who became known nationally after his appearance on the $64,000 Question, commending him on what he has done. Prato said he would visit Gardner in Medford soon to see if he can do anything to help get a shoe label law passed.

Gardner now has the ball rolling on a nationwide scale and the time may not be far off when a person can go into a store and buy a pair of shoes and at least get what he pays for, putting an end to what Gardner calls the deceptive practice of our shoe industries.

Wilbur Gardner's fight is not local. It is nationwide. The Stockman magazine in its April 1958 issue devoted a good deal of space to the plucky shoe repairman:

MEDFORD, OREG., SHOE COBBLER LAUNCHES ONE-MAN CAMPAIGN AGAINST INFERIOR QUALITY SHOES—WANTS SHOES LABELED

Wilbur Gardner has operated Gardner's Shoe Repair Shop in Medford, Oreg., for the past 27 years.

Until some 8 months ago he was just an ordinary shoe repairman in just an ordinary American community, doing the very best job he could to help keep the people of his hometown of Medford well shod. Year by year this task has become more difficult; shoes, for the most part, are just not being built to last; workmanship was there, in most cases, but the material many times found to be inferior.

Pair after pair of shoes, particularly children's shoes, brought into Gardner's shop for repair do not have enough solid leather in them to be repaired. They are scarcely more than paper covered with a thin veneer of leather; yet they perhaps cost the buyer from $8 to $10 a pair. What is even worse they give little or no support or protection to a growing foot.

Gardner was getting fed up with the whole situation, but what could he as an individual do about it? It wasn't good business for him to tell his old customers, or new, that they had a pair of old cheap shoes that couldn't be repaired; nor could he tell them they had been duped into buying shoes of an inferior quality. No one likes to be told that they got stung on a purchase of any kind. But it was true, and he knew it. People were buying style—shoes that looked good but practically fell apart when subjected to excessive dampness or rough usage.

Perhaps there was something that could be done about the situation; at least it was worth a try. Gardner, on his own initiative, has launched a one-man campaign to get Federal laws passed to require manufacturers to label shoes as to the type of material used in construction.

Gardner felt that if it was essential to label clothing, bedding, foodstuffs, and other such commodities in order to protect the purchaser, then the same should be true with shoes. A label attached to the shoes themselves showing in plain language the type of material used in the construction of the shoe, whether it be paper, wood, plastic, fiber, or any material other than genuine leather, Gardner feels, might be the answer. It would, at least, give the buyer an opportunity to know what he is buying and to judge for himself as to the value of the item.

Slowly, but surely, Gardner has got his campaign in motion. He wrote to his Congressman. He contacted Government officials in other countries. He got a lot of encouragement. He received offers of assistance.

Right now Gardner is in the process of circulating petitions throughout the United States; petitions calling for legislation to require the labeling of shoes. Surprising as it may seem many of the petitions bear the signature of retail shoe dealers who, themselves, recognize the trouble resulting from poorly made footwear.

Gardner has no gripe in the fact that someone wishes to make shoes out of paper fiber, imitation leather, or any other type of material, but he does feel that the purchaser has the right to know what he is buying.

The petition which is gaining widespread circulation reads:

"NATIONAL PETITION FOR THE LABELING OF SHOES

"For my own protection, I desire legislation which will compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper, fiber, or imitations of leather. I believe I could buy and would buy better shoes, if they were labeled. I believe I could choose better shoes by label; better foot health would result. I believe great savings in money would result if I could buy good shoes by label."

Thousands have signed the petitions in 32 States and that number is increasing daily.

WORK IN ALABAMA

Throughout the United States shoe repairmen are working with Wilbur. In Alabama, for example, the following story and ad appeared in the Florence Times early in 1958. The drive by shoe repairmen in the Muscle Shoals area drew fine response according to the news story.

Mr. Howard Darby, secretary of the Muscle Shoals Repair Association in Florence, wrote to Wilbur Gardner April 11, 1958. He said in part:

We all feel that we have helped to bring to the public's attention this worthwhile matter. We pledge our continued support in your efforts and if we can be of service later let us know. * * * We wish you much success in the future.

National support? The answer is pretty obvious. The items I have mentioned follow:

LOCAL AID TO PUT UNITED STATES ON SOUND FOOTING

The Tri-Cities area was one of only a dozen spots in the Nation picked by Wilbur Gardner, of Medford, Oreg., to help him put the Nation on a sounder footing.

Fed up with seeing pair after pair of children's shoes that didn't have enough solid leather anywhere to make a repair, Gardner, described by the Medford Mail Tribune as "not by nature a troublemaker" decided to do something about it.

His peculiar signature, the G being drawn out to form the bottom of a shoe, went on letters to Congressmen in Washington, Governor Holmes, of Oregon, and a dozen shoe repairmen's associations. The latter included the Muscle Shoals Shoe Rebuilder Association.

From almost every quarter he received offers of support.

"I never saw a fire burn so fast as paper in shoes," he wrote Howard Darby, member of a special committee of the local association.

He has been swamped with requests for petitions like those sent to Muscle Shoals for the shopowners to get signed. Congressmen and Senators are offering their support. He has been commended by Parents Magazine and has received endorsement from various organizations.

In Muscle Shoals the crusade is snowballing. The Muscle Shoals Shoe Rebuilders Association let no grass grow under their own shoes after they received Gardner's appeal for help.

More than 1,500 signatures have been obtained from the area. This is exclusive of Athens and Russellville, yet to report.

The local association has also contacted Senator JOHN SPARKMAN and Congressman BOB JONES and received favorable replies.

Information is being sent regularly back to Gardner who is arming himself: "I want to have a big gun loaded when I hit Congress," he said in his last letter.

And what do the shoe repairmen get out of the deal? No more, no less than the average citizen, a better deal for their feet and their pocketbook, says owner of a local shop, J. W. Odom, speaking for the group.

HAVE YOU SIGNED THE PETITION REQUIRING MANUFACTURERS TO LABEL SHOES?

In last Sunday's paper we made an appeal to the citizens of north Alabama to go to the nearest shoe repairman's shop and sign a petition requiring manufacturers to label shoes. Stating that for your own protection you desired legislative action which would compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper fiber, or imitations of leather, and by this label you believed you could and would buy better shoes, and you also believed you could choose better shoes by labels and better foot health would result, and you furthermore believed great savings in money would result if you could buy good shoes by labels.

The general response to this appeal has been very good, but we believe, that before our allotted time is up, there are a great number of people in the area who would like to sign the petition. We invite all who haven't signed to visit a repairman's shop tomorrow.

We think you have the right to know what you are paying for in a pair of shoes. There are labels as to the contents or construction of clothing, bedding, foodstuff, and other commodities enabling you to buy properly and pay moderately.

When you sign the petition you will help us get the fire started, the fire that will burn the paper right out of shoes. Consider the facts: Some high-priced shoes will not give proper support after they have once been wet. Sixty-five percent of the shoes on the market today cannot be rebuilt for foot correction purposes because of the cheap materials used in their manufacture. One-third of the children's shoes today are not repairable. Seventy-five percent of children's shoes have wooden shanks instead of steel or else no shanks at all. In some women's expensive leather shoes there will be paper insole, heel counter, and toe caps. You pay a high price for shoes which may actually fall apart if they get wet. There's nothing wrong with manufacturers using paper in shoes if you know they are made of paper when you buy them, knowing that 95 percent of them cannot be rebuilt.

If you will visit a shoe repairman's shop and sign the petition, and urge your family and friends to do the same, then we will devote our time and money in an honest effort to secure passage of this bill. A bill which will save you money.

MUSCLE SHOALS DISTRICT

SHOE REBUILDING ASSOCIATION.

(Florence: City Shoe Shop, Halter's Shoe Shop, Smith's Shoe Shop, Young's Shoe Shop, Roberts' Shoe Fixery; Sheffield: McCaig's Shoe Shop, Green's Shoe Shop, Steele's Shoe Shop; Tuscumbia: Creasy's Shoe Shop, Roy Green's Shoe Shop; Athens: Dobb's Shoe Shop; Russellville: City Shoe Shop.)

The American Cattle Producer in its March 1958 edition had warm words of praise for Wilbur Gardner's valiant fight. The article, "The Public and You," by Lyle Liggett, follows:

THE PUBLIC AND YOU

(By Lyle Liggett)

The American National is currently teamed with major farm and meat processing groups to save meat inspection funds. For years it has worked to maintain voluntary Federal beef grading.

In these and in many other ways the American National and other cattle groups have labored to insure that its product is of high standards of quality and wholesomeness.

That is why cattlemen can take sympathetic interest in the campaign of a dedicated shoe repairman to see that shoes are properly and truthfully labeled as to the materials used in their construction.

He is Wilbur L. Gardner of Medford, Oreg. He is a man with a cause—a cause developed through years of seeing thousands of shoes in various stages of deterioration, many after only weeks of wear.

Mr. Gardner recently launched his one-man campaign to secure Federal laws requiring the labeling of shoes because, as he says, "too many paper shoes fall apart when they get wet."

He points out that foot doctors say that 65 percent of the shoes on today's market cannot be rebuilt for foot correction purposes because of the cheap paper fiber materials used in their manufacture.

"Why, at least one-third of the children's shoes made today are not even repairable—and any parent knows what replacements cost," Mr. Gardner comments.

His complaint isn't so much that paper is used in shoe manufacture. He just thinks the shoe buyer should know what he is getting for his money. And, from the wording of the petitions he has prepared for national circulation, he is convinced that the public will buy better shoes, ultimately working himself out of the job of trying to patch up those unrepairable clodhoppers.

The petition, which has received favorable attention from legislators, shoe repairmen, foot-care specialists, and parent groups, reads:

"For my own protection, I desire legislation which will compel the attachment of a label to shoes indicating what materials were used in the construction of said shoes, either real leather, paper fiber, or imitations of leather. I believe I could buy and would buy better shoes if they were labeled. I believe that, if I could choose shoes by label, better foot health would result. I believe great savings in money would result if I could buy good shoes by label."

In a letter to the American National describing his effort, Mr. Gardner said: "As you cattlemen have a large interest in the leather market through the sale of hides, I felt you had an iron in the fire that I have started."

Mr. Gardner, you are so right.

WHAT IS WILBUR'S PURPOSE?

What is the drive behind Wilbur Gardner? I think this answer, in his own words, gives the short but full story:

All of this I do that if only one little child will have better foot health in this country, that shall be my reward.

This patient man believes, and I agree, that parents should have a better gage with which to buy than just a name brand or the price of the shoes or the word of a clerk who can be under pressure to make a sale. Gardner believes, and I agree, that too much ill will is developing between the customer and the stores because shoes are not labeled. He points out that today it is possible to imitate all kinds of material; he notes that paper heel bases "squash out" when wet, thereby tipping the shoe to one side.

This is bad for a child's ankle—

Wilbur says.

His experience as a repairman has brought to his attention the ways in which cheap materials can cost the consumer dollars and impair health as well as making repair difficult or impossible. Later I will cite specific instances of imperfect shoe construction, my purpose today is simply to call this grave problem to the attention of this House and to bring my colleagues and the consumers of this Nation up to date on the status of H.R. 1320.

REPORTS ON THE SHOE LABELING BILL

Reports on the bill were requested by my friend and very able colleague, the Honorable OREN HARRIS, chairman of the House Committee on Interstate and Foreign Commerce. They have been prepared and sent to the committee. I should like to discuss the reports briefly at this time and include them in the RECORD.

First. Department of Agriculture: This report can be considered favorable, I believe. Acting Secretary True D. Morse wrote Chairman HARRIS on July 9, 1959:

H.R. 1320 would require a label to be affixed to leather shoes. Labeling as proposed in the bill, would reveal the presence of cardboard or other substitutes when used in leather shoes. Legislation requiring a label to show the presence of cheap substitutes would naturally discourage the practice. It could be assumed, therefore, that this would result in the use of more leather. We, in the Department, are interested in encouraging the use of more leather. However, the Federal Trade Commission would be in a better position to submit a definite recommendation.

The Department of Agriculture report follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, July 9, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives.

DEAR CONGRESSMAN HARRIS: We acknowledge receipt of your letter dated February 3, 1959, transmitting House bill 1320. It requests a report with respect to the bill which was introduced by Mr. PORTER. The bill is entitled "To protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

H.R. 1320 would require a label to be affixed to leather shoes. Labeling as proposed in the bill, would reveal the presence of cardboard or other substitutes when used in leather shoes. Legislation requiring a label to show the presence of cheap substitutes would naturally discourage the practice. It could be assumed, therefore, that this would result in the use of more leather. We, in the Department, are interested in encouraging the use of more leather. However, the Federal Trade Commission would be in a better position to submit a definite recommendation.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Second. The Department of Commerce: This report was signed by then Acting Secretary Mueller July 16, 1959. Secretary Mueller noted that the Department had no knowledge of any particular need for the proposed enactment and he felt the identification of materials used by generic name without indicating the grade or quality would not make it clear to us how that purpose would be served—the purpose of protecting the consumer—by the proposed enactment.

He added:

In the absence of any clear need, or any public service commensurate with its inherent problems and costs of compliance, the Department of Commerce does not favor enactment of H.R. 1320.

I consider his comments helpful. Constructive criticisms, pointing up possible deficiencies are useful. Deficiencies can be corrected when they are known. Perhaps it would be better to make labeling more specific.

LAWS ARE FLEXIBLE

Mr. Speaker, the purpose of any bill is to make sure the people in our Nation have the best possible laws. Laws, then, are flexible. Proposed laws can be changed for the better. This happens

nearly every day the Congress is in session.

The Department of Commerce's remarks in full follow:

THE SECRETARY OF COMMERCE,
Washington, July 16, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in reply to your request dated February 3, 1959, for the views of this department with respect to H.R. 1320, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

If enacted, this bill would require the labeling of shoes manufactured in or imported into the United States, to indentify the materials of which various parts of the shoes are made, and the name of the manufacturer or distributor of the shoes.

In the years since a similar proposal was considered, but not enacted, by the 74th Congress, difficulties in compliance with such a proposal as this have multiplied considerably.

Most shoe factories now produce from 10 to 100 different styles of shoes at approximately the same time or during the same season, and each of these styles has different components. With technological developments, many new products have found useful applications as raw materials for shoe manufacture, both leading to and resulting from development of modern shoemaking processes, and wide diversification of fashions.

As a result of those and other developments, the cost of compliance with the requirements of the bill could be expected to add many millions of dollars to the annual shoe bill of this country.

We have no knowledge of any particular need for the proposed enactment. The bill purports to protect consumers. Since it would merely identify the materials used by generic name without indicating the grade or quality of each, it is not clear to us how that purpose would be served by the proposed enactment.

In the absence of any clear need, or any public service commensurate with its inherent problems and costs of compliance, the Department of Commerce does not favor enactment of H.R. 1320.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your Committee.

Sincerely yours,
FREDERICK H. MUELLER,
Acting Secretary of Commerce.

Third. The Department of Justice: Deputy Attorney General Lawrence E. Walsh in his reply to Chairman HARRIS writes:

The subject of this bill is not a matter for which the Department of Justice has primary responsibility, and accordingly we make no recommendation as to the enactment of legislation of this kind. However, there are a number of considerations to which committee attention is invited.

He then lists them and ends with this suggestion:

The committee may also wish to consider whether the time has not arrived for products labeling acts (for example, wool products, fur products, and flammable fabrics) to be combined in one enactment rather than to continue with piecemeal legislation as heretofore.

I consider this response by the Department of Justice to be helpful and creative. Perhaps it is time that the Congress enact legislation covering the broad field rather than a part of it. Certainly the suggestion of the deputy attorney general warrants consideration.

The departmental comments on H.R. 1320 follow:

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., July 8, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H.R. 1320) to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes.

The bill would make unlawful and an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act to introduce, or manufacture for introduction, into commerce, or sell, advertise, or offer for sale in commerce or transport, etc., any shoes misbranded within the meaning of the proposal or applicable rules and regulations. The measure would be enforced by the Federal Trade Commission and the Commission would be empowered to bring suits to enjoin violations and to secure temporary injunctions or restraining orders. Willful violation of the measure would be a misdemeanor, punishable by a fine of not more than $5,000, or imprisonment for not more than 1 year, or both.

The subject of this bill is not a matter for which the Department of Justice has primary responsibility, and accordingly we make no recommendation as to the enactment of legislation of this kind. However, there are a number of considerations to which committee attention is invited.

The Department of Justice is unable to support that provision of the bill which would place the litigative function with respect to injunction suits in another agency of the Government. Such a provision violates the general policy that the Department of Justice is the litigating arm of the Government. Also, in view of the Department's experience under other regulatory statutes, as, for example, the Food, Drug, and Cosmetic Act, such a provision is objectionable.

The committee may also wish to consider whether the time has not arrived for products labeling acts (for example, wool products, fur products, and flammable fabrics) to be combined in one enactment rather than to continue with piecemeal legislation as heretofore.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,
LAWRENCE E. WALSH,
Deputy Attorney General.

Fourth. The Bureau of the Budget. The July 2 report by the Assistant Director for Legislative Reference is negative and follows in full:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., July 2, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate Commerce, House of Representatives, Washington, D.C.

MY DEAR MR. CHAIRMAN: This will acknowledge your request of February 3, 1959, for the views of the Bureau of the Budget on H.R. 1320, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

The Department of Commerce, in its report to your Committee, states that it has no knowledge of any particular need for the bill. The Federal Trade Commission also states that it has no information as to its need. In the absence of any convincing evidence that the labeling of shoes is needed in the public interest, the Bureau of the Budget recommends against the enactment of H.R. 1320.

Sincerely yours,
PHILIP S. HUGHES,
Assistant Director for Legislative References.

Fifth. Federal Trade Commission: The agency report which explores the subject of shoe labeling most thoroughly comes from the Federal Trade Commission. On July 7, 1959, Chairman Earl W. Kintner discussed the suggested legislation in detail. Chairman Kintner concludes:

Adapted as it is from other recently enacted labeling legislation, it would appear that the bill is in appropriate form to afford a framework for congressional consideration of the desirability of requiring labeling of shoes. Such consideration, of course, must take into account the extent to which deception or misrepresentation as to the composition of shoes is prevalent in the industry. Cost of enforcement of the Shoe Labeling Act is difficult to predict at this early stage.

STUDY BEING FINISHED

It should be noted here that the Federal Trade Commission is at this time completing a study in the field under discussion and the results of that study should be made public soon.

Chairman Kintner's letter which includes a good discussion of the points of the proposed legislation follows:

FEDERAL TRADE COMMISSION,
Washington, July 7, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your communication of February 3, 1959, requesting comment upon H.R. 1320, 86th Congress, 1st session, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

The measure, to be designated as the Shoe Labeling Act, provides for shoes a type of content disclosure similar to the existing requirements for content labeling under the Wool Products Labeling Act of 1939, the Fur Products Labeling Act, 1951, and the recently enacted Textile Fiber Products Identification Act, approved September 2, 1958. The bill is modeled after these acts, particularly the Fur Products Labeling Act. Many of the provisions common to such legislation are found in this bill.

The central inhibition of the bill runs against misbranding which under section 4 shall include not only false or deceptive labeling, but also the failure to disclose by label or mark the substantive materials used in manufacture of the shoes. If split leather [defined in section 2(f)], secondhand materials, paper, wood, woodpulp, nonleather materials in imitation of leather, or synthetic, reconstituted or artificially formed materials have been used in the shoes, the label is to reveal these facts. The label is also to carry the manufacturer's identification by name or symbol, except that the distributor may substitute his own name or other identification when replacing the manufacturer's mark.

Incidental items, including decorative materials not exceeding 5 percent, are not required to be disclosed in the absence of representations with respect to their content or composition. This exemption, it may be observed, seems indicative of what appears to be a purpose of not requiring the labeling of parts of the product that are of no substantial significance, thereby simplifying the labeling requirement and limiting the disclosure to that which is of substance.

The Federal Trade Commission is designated the administering and enforcing agency. For such purposes it is authorized to utilize the powers and procedures conferred upon it by the Federal Trade Commission Act.

The jurisdictional word "commerce" is defined in section 2(g) and essentially means interstate commerce. The introduction or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, and the sale, advertising, offering for sale, transportation of distribution after receipt in commerce, of shoes which are misbranded within the meaning of the proposed legislation is prohibited as unlawful and as constituting an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act. Exemption is provided for operation of common carriers, contract carriers, and freight forwarders in the ordinary course of their business.

Imports are subject to the same labeling requirements as are shoes of domestic manufacture. Further, the falsification of or failure to set forth the required information on invoices covering imported shoes or the falsification or perjury of the necessary consignee's declaration, insofar as it relates to such information, would be an unfair method of competition and an unfair and deceptive act or practice under the Federal Trade Commission Act and the Commission could prohibit any person who thus violated the act from importing shoes into the United States, except upon filing bond to insure against further violation.

The Federal Trade Commission would act against instances of misbranding through the familiar cease-and-desist order procedure. As in the case of the other labeling acts, the bill also makes available to the enforcing agency the authority to seek in the district courts ancillary remedies of preliminary injunction pendente lite, and in rem proceedings to remove from the market misbranded shoes where in the exigencies of the case the public interest requires resort to such ancillary procedures. In cases of willful violation the bill also contains the usual authority for reporting the facts to the Attorney General for institution of misdemeanor action in the district courts.

The terms "shoe" or "shoes" are defined in section 2(b) to include all types and kinds of footwear for human beings except hosiery made wholly of knitted or woven textile fiber. Footwear subject to the Wool Products Labeling Act are not required to be labeled under this bill (section 4(b)). It would be appropriate to add footwear subject to the new Textile Fiber Products Identification Act which becomes effective in March 1960, at this part of the bill.

The required labeling may be in the form of a stamp, tag, label or mark of identification, and the administrative agency is authorized to make rules and regulations governing the manner and form of disclosing the required information, and may also issue such further rules and regulations "as may be necessary and proper for purposes of administration and enforcement." The agency may cause inspections, tests and analyses to be made of the product and is authorized to cooperate with others including the departments of the Federal Government and of State and local governments.

Manufacturers who are required to perform the labeling in the first instance, are to keep records of the content information for a period of 3 years. Distributors or dealers who substitute their own for the manufacturer's label are similarly required to maintain records of the substitution. The usual penalties up to $100 per day to be assessed by the district courts for failure to keep the records are prescribed.

Guarantees of the accuracy of the label may be issued by the manufacturer or by the distributor or merchant who has received the goods in commerce. Those who have received such guarantee in good faith are protected against charges of misbranding. The guarantee may be placed on the invoice or sales document, or it may be of a continuing nature filed with the Commission.

The measure contains the usual separability clause, and is to be construed as being in addition to and not in substitution or limitation of other acts of Congress. The act is to become effective 1 year from date of approval.

Members of the public who buy shoes for themselves and their families should not be misled as to whether the shoes offered them contain inferior imitative or substitute materials that tend to depreciate quality and serviceability. Articles of commerce, especially those of such essential character as shoes, should pass through the channels of trade to ultimate purchasers under conditions that are free from substantial taint of misunderstanding or deceptive concealment as to the presence of substitute or imitation materials.

The Commission has authority under its organic act to proceed against individual manufacturers or distributors who are found to be applying false or deceptive labels or are using actionable misrepresentations regarding their shoes sold in interstate commerce. This authority presently residing in the Commission, however, does not enable it to require generally the labeling of shoes to disclose the substantive materials from which these products are made.

The Commission maintains a continuing interest in the marketing of shoes to the extent of its present authority. Our docket of formal complaint cases shows that there have been 66 shoe cases, and 144 stipulation proceedings. These case matters are reported in the volumes of Federal Trade Commission Decisions.

The Commission does not at the present time have information as to the need or desirability of the proposed legislation. However, the Commission is currently conducting a number of preliminary investigations which involve alleged use of deceptive practices in connection with the sale of footwear, including one directed at determining whether the wearability and reparability of shoes have been impaired to such an extent through the use of so-called substitute materials that it is deceptive not to disclose to purchasers that these materials are being used.

Adapted as it is from other recently enacted labeling legislation, it would appear that the bill is in appropriate form to afford a framework for congressional consideration of the desirability of requiring labeling of shoes. Such consideration, of course, must take into account the extent to which deception or misrepresentation as to the composition of shoes is prevalent in the industry. Cost of enforcement of the Shoe Labeling Act is difficult to predict at this early stage.

We appreciate the oportunity afforded to comment upon H.R. 1320, and shall be glad to render whatever assistance may be desired in the matter.

By direction of the Commission.

EARL W. KINTNER,
Chairman.

N.B.—Pursuant to regulations, this report was submitted to the Bureau of the Budget on June 19, 1959, and on July 6, 1959, the Commission was advised by letter of July 2, 1959, that there would be no objection to the submission of the report to the Committee.

ROBERT M. PARRISH,
Secretary.

Before I make a few suggested recommendations I want to include samples of some of the letters I have received on H.R. 1320:

PASSAIC, N.J.

Your bill H.R. 1320 should be passed, even if the shoemen disapprove. No doubt they would rather make shoes out of Jello than leather. Since World War II there has been less and less shoe for higher prices. I didn't think anyone in Congress cared. Thank you for your interest.

Yours,

CELIA SALKIN.

HAVERHILL, MASS.

We are an independent family shoestore, We are 100 percent against your shoe labeling bill. Such a bill would hurt the shoe industry and will not help the consumer.

B. C. JUDKINS,
Pawtucket Shoe Store.

P.S.—It would be of no value to us either.

OAK PARK, MICH.

I have read an account of a bill you intend to introduce namely H.R. 1320. As a small businessman in the childrens' shoe business, I, who represent a part of your bill, wish to commend you for your efforts and want to wish you luck as well as a few suggestions.

ED MAZER,
Ed Mazer's Shoes, Detroit, Mich.

WORCESTER, MASS.

It is with much interest that we are following the progress of your proposed shoe labeling bill. Certainly such a bill passed into law has been long needed for the protection of the buying public. You are to be congratulated for realizing the need for such a bill and for your efforts to sponsor it. If there is any way in which we may be of assistance, please do not hesitate to call upon us.

JOHN E. WEYAND,
L. Farber Welting Co.

MENASHA, WIS., *August 20, 1959.*

Hon. CHAS. O. PORTER,
House of Representatives,
Washington, D.C.

DEAR SIR: Even though you may have suffered a temporary setback in your efforts to enact a shoe labeling law, I hope that you will continue in your efforts to effect such legislation.

I imagine that the big chains offer powerful opposition to this measure. They would be embarrassed if they had to disclose the composition of some of their shoes.

I've seen enough of the chain store shoes after they had been worn for a few weeks. Then you can see the cracks in the plastic quarter linings they use and the paper insoles also show up.

I believe that the shoe industry should have a shoe labeling law in order that the consuming public can read what materials were used in the shoes it buys.

To correct abuses a wool labeling law was enacted and the fur dealers also were forced to explain just what fur was masked under its fake pseudonym.

I feel confident that every ethical independent shoe merchant will be in favor of

your labeling law. I wish you success in your endeavor to have this law passed.

Yours very truly,

DORN'S BOOT SHOP,
O. J. DORN.

WOODSIDE, N.Y.

Let me preface my thoughts by saying that at the moment my attitude is one of watchful waiting, to see whether I shall favor your bill or not. * * * I wish you good luck, if this bill is above the level of playing political patsy with the consumer. While good intent is what we want, as it now stands there seems to be much desired effort in research before your bill is voted one.

SOL COHEN,
Dason's Tru-Walk Shoes.

WATERLOO, IOWA.

Regarding the shoe labeling bill I would say that there is a need for a law to protect the consumer as well as the retailer from substitutions in footwear which are made to look like leather. Furthermore, there are sole substitutes which are not good for the foot health. These sole substitutes are colored in oak or krome to look like the real thing (leather).

I also note that the only comments regarding the shoe label law are in the trade magazine but not in any newspaper which would make the consumer cognizant of the hearing. There should be a survey of consumer experience in shoe buying, and I'm sure this would be revealing. Yours for the truth about footwear and good luck in the label law.

JAMES LEUNA,
Jim's Family Store.

BOTHELL, WASH.

My good friend JACK WESTLAND of our district in Washington State sent me a copy of your bill H.R. 1320 and I must say it's a dandy and want to congratulate you on your untiring efforts on behalf of the poor old shoe repairmen of the West and others in general. * * * I have been a shoe repairman since 1900 when I was a mere lad; the older I get the more poor made shoes I see. Some shoes (especially children's) that come into the shop just can't be repaired. * * * I tell you Mr. Porter it's a scandal to the jaybirds the way people get gypped on their footwear and lots of shoes have a piece of wood for the arch.

I sent Mr. WESTLAND some shoe parts so he can show it to the committee and I do hope and pray that this committee will see their way clear to pass this bill * * * You probably will run into a lot of opposition. * * *

GORDON C. ASKINS,
Cliff's Shoe Service.

INTEREST IS NATIONWIDE

It is interesting, and I think indicative of the interest in good shoes, that letters discussing my shoe labeling bill have come from all parts of the United States. This is not a bill for the West or any other special part of our country. This is a bill designed to help the consumer get what he pays for—no more, no less.

I think it up to Congress to see that this is a fact. I know there are millions of shoe owners who agree.

WHAT CAN BE DONE?

What can be done? What should be done?

Now that the reports are in it seems to me that the next step is to hold hearings on H.R. 1320 and similar legislation. Let the pros and cons come out before us. Let us know what the shoe wearer and the shoe maker and the shoe repairer think. It is at least a three-way discussion.

I hope the Committee on Interstate and Foreign Commerce Subcommittee on Commerce and Finance will be able to schedule hearings on this legislation early next session.

I hope, too, that the consumer will make his or her thoughts known. Individual expressions of opinion help us determine the need or lack of need for a new law. Of course there are pros and cons. No discussion should be limited to one side alone. We must have facts and we must have opinions.

I am hopeful that the FTC report will have in it information which will be of benefit to the Congress.

Under leave to extend my remarks in the RECORD, I include copies of two of my weekly reports which concern shoe labeling, a newspaper article for the St. Petersburg Times in Florida for April 22, 1959, an article which appeared in the August 20, 1959, issue of the Machinist, and a copy of H.R. 1320:

PORTER'S WEEKLY REPORT, DECEMBER 5, 1958

(By Representative CHARLES O. PORTER)

WASHINGTON, D.C.—I wonder how many of us know what materials our shoes are made of? I'm not always sure and neither is Priscilla when she buys footwear for our children. It is important that shoes do not deform the wearer's foot, and that they give value in service for the purchase price.

The need for shoe labeling has been pointed up by many people. In Oregon, Mr. Wilbur L. Gardner, of Medford, has led the fight for shoe labeling legislation. To his many friends, Mr. Gardner is known as "the man with a sole." His campaign to make sure shoes are properly labeled has won support throughout the country. Wilbur operates his own shoe repair service and knows his shoes.

At my request earlier this year the Federal Trade Commission drafted legislation providing for fully informative labeling of all footwear, imported as well as domestically produced. I believe this will enable the consumer to buy more intelligently. The drafting of this proposed legislation by the FTC does not constitute its endorsement, although I am told informally that the Commission, generally speaking, doesn't oppose legislation which protects the public "against deception and confusion about composition of products."

National interest in my proposed bill is growing. Shoe industry newspapers and magazines have told their readers about it.

The proposed bill will be introduced in both the House and the Senate. Before it comes before either body, full study will be made in committee. Hearings will be held to give persons favoring the legislation or opposing it a chance to present their views. I'll let you know how this matter develops.

I am interested in learning how you feel about this legislation, particularly since it was born in the Fourth District of Oregon.

PORTER'S WEEKLY REPORT, MARCH 5, 1959

(By Representative CHARLES O. PORTER)

Shoes make news, at least my proposed legislation for informative labeling of all footwear has.

I dropped H.R. 1320 in the hopper on the opening day of Congress, January 7. Since that time my telephone has hummed daily as other Members and their staffs call to learn more about "this shoe labeling bill."

Most offices are merely curious. They've received some letters which look too much alike—appear to be pressure mail from shoe manufacturers. They want to know what "dynamite" is packed in H.R. 1320 to cause this influx of mail.

When we tell them about the bill, they realize the dragon is really no more than good horsesense. As I told you several weeks ago, the Federal Trade Commission drafted the legislation. It provides for labeling of all imported and domestically produced footwear. There are no hidden daggers. The same labeling regulation applies to all.

It's much too early in the session to tell anyone what is happening to the bill. I have asked Interstate and Foreign Commerce Committee Chairman OREN HARRIS to request reports and comments from the Government agencies which would be concerned. OREN has sent inquiries to the Federal Trade Commission, Department of Commerce, Department of Agriculture, Justice Department, and the Bureau of the Budget. It will take from 3 to 6 months to get the reports back. Sometimes they come earlier but generally not.

The legislation will go to the Commerce and Finance Subcommittee headed by Representative PETER MACK of Illinois, a good legislator who will see that it gets full and honest consideration.

Right now the big news seems to be that shoe manufacturers who haven't looked into all aspects of the bill oppose it while shoe repairmen and consumers favor it. It's my hope that these differences will be resolved after hearings are held.

As I tell people who talk to me about this legislation which was born in the Fourth Congressional District of Oregon: "It's taken years to get proper labeling for wool and cotton. Shoe labeling won't come overnight. Wilbur Gardner, the Medford shoe repairman who believes in the merits of shoe labeling, knows what I mean.

I have visited two shoe factories. More than ever what I saw there convinces me of the need for shoe labeling. The men who ran the plants I visited agreed that shoe labeling done intelligently was feasible. Let me know how you, the consumers, feel.

[From the St. Petersburg Times, Apr. 22, 1959]

YOU CAN HELP MAN WITH A SOLE GET FOOT IN CONGRESSIONAL DOOR

(By Gloria Biggs)

Do you remember some time ago my telling you about the spunky shoe repair man in Medford, Oreg., who got himself so worked up about the inferior material used in children's shoes that he set out to do something about it?

His name is Wilbur L. Gardner and he signs himself "the man with a sole." And what he has accomplished is an awesome example of what one lone individual can do when he (or she) makes up his (or her) mind to do it.

From what I've learned about Mr. Gardner, he had no funds or powerful organizations behind him. He was just a nice guy who had been quietly working for 27 years in his nice repair shop in a nice Oregon town. But his gorge rose when women brought in their children's shoes for resoling and he saw what inferior materials were used in their making. Pair after pair were paper from end to another, with a veneer of leather, not even enough to make repairs possible.

He had no urge to tell the shoe manufacturers how to go about making their product. But what he did feel was essential was a law requiring them to label their footwear so Mrs. Average Consumer would know exactly what she was buying.

It was just about 2 years ago that "the man with a sole" got mad enough to take matters into his own hands. Since then, he's corresponded with his Congressman in Washington, sent out hundreds of petitions and letters, had articles published in trade journals and generally worked up such a storm that it looks as though Congress might

pass the labeling law he fought for so valiantly.

A note from Mr. G. which I just received says in part, "Firing a final gun in the battle for better shoes for our schoolchildren—I ask all parents in the Nation to send a child's shoe to Congress, that is full of paper fiber. Address it to—Better Shoes for a Child Support Bill, H.R. 1320, care the Honorable RICHARD L. NEUBERGER, U.S. Senate, Washington, D.C."

Want to help Gardner win his fight? Send along a worn child's shoe to Senator NEUBERGER. Or if not that, a letter or postcard would probably help some.

[From the Machinist, Aug. 20, 1959]

REPAIRMEN PRESS CONGRESS FOR SHOE LABELING LAW

(By Sidney Margolius)

If you've been buying low-priced shoes for your children or yourself, as many working families tend to do in this period of rising shoe prices, there's a strong possibility such shoes have paper insides or contain other short-lived materials.

You can expect such shoes to wear out quickly, especially if they get soaked, as often happens with children's shoes, and also almost impossible to repair.

Wilbur Gardner, a Medford, Oreg., shoe repairman, has been conducting a one-man campaign against shoes sold without notice to consumers that they are made with substitute materials. His campaign has won national attention. Now a bill has been introduced into Congress by Representative CHARLES O. PORTER, Democrat of Oregon, which would require manufacturers to put labels on shoes stating what materials they contain.

Already, close to a million people have signed petitions distributed by Gardner and other shoe repairmen, urging Congress to enact a shoe-label law, just as wool and rayon fabrics, and soon all fabrics, must be labeled to show their exact fiber content.

Gardner says he has found as much as 40 percent of children's and women's shoes are made with short-lived fillers such as pressed paper. Men's shoes are generally better made and are little or no problem. But in womens' shoes, quality is often sacrificed for the sake of style at a low price, and inexpensively made children's shoes are a particular headache. Mothers often are told the shoes can't be repaired because of excessive use of fillers. Heels made with pressed paper filler even may fall apart from heavy wear, especially when wet.

Shoes made with wood shanks sometimes are a problem, too. The shank is that section of the sole between the heel and the ball. Gardner's experience is that active children often crack shanks when jumping or running. In general, repair experts consider steel shanks preferable.

The dilemma is that under present conditions, you can't always tell what's under the leather surface. If paper filler is used, it is generally underneath the outer sole, in the heel counter, or under the heel, where it can't be detected, or in the inside lining where it can be detected only if examined closely. Sometimes plastic insoles are used in inexpensively made shoes. Repairmen say these don't wear as well as leather, but are better than paper.

Nor is price always a reliable clue to conconstruction, Gardner says. He has found some low-priced shoes better made than higher priced ones. He argues that the only accurate guide to consumers would be labels specifying the materials used.

Shoe manufacturers are opposing the proposed labels and argue that they could be misleading because two shoes both labeled all leather might be quite different in quality. Admittedly there is poor and good quality leather. But the labels would at least reveal the use of substitute fillers inside the shoe, and leave the choice up to you as to whether such a shoe is suitable enough.

Until there is some labeling protection for consumers, here are a few shoe-buying tips:

Look for a slightly flexible toe box and heel counter (stiffening material used at the toe and the back of the shoe to support the outer leather). The toe box and counter should give a little when you press them but immediately resume their shape.

Calfskin is the preferred outer leather. Cheaper shoes sometimes use "side leather," which is cowhide split and finished to imitate calfskin. By close examination of the grain of the leather, you can tell calfskin by its fine grain, cowhide by its coarser grain. In children's shoes, sharkskin toes help avoid scuffing.

The Goodyear welt is the preferred construction in shoes you expect to use heavily and have repaired. In this construction, both upper and lower are attached to a thin strip of leather called a welt. The inside of a welted shoe is smooth.

Look for a sock lining of genuine leather, not merely paper dyed and finished to look like leather. Also, look for a leather lining in the back of the shoe. The rest of the lining should be closely woven cotton drill.

It doesn't pay to have children's shoes repaired if they are about to be outgrown. Run your fingers inside the toe box to see if the child's toes are pressing against the shoe. But don't pass shoes on to the younger children. Each child's foot is different.

H.R. 1320

A bill to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Shoe Labeling Act".

SEC. 2. As used in this Act—

(a) The term "person" means an individual, partnership, corporation, association, business trust, any other form of business enterprise, or organized group of the foregoing.

(b) The term "shoes", plural or singular, means and includes any and all types and kinds of footwear for human beings, except hosiery made wholly of knitted or woven textile fiber.

(c) The term "label" or "labeling" shall mean and include any stamp, tag, label, or mark of identification affixed to any shoes in conformity with this Act and the rules and regulations prescribed thereunder.

(d) The term "Commission" means the Federal Trade Commission.

(e) The term "Federal Trade Commission Act" means the Act of Congress entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended, and the Federal Trade Commission Act, approved March 21, 1938, as amended.

(f) The term "split leather" means the the resulting under ply or plies of leather after the top ply or top grain has been removed or split from the animal hide from which the leather was produced.

(g) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(h) The term "United States" includes the several States, the District of Columbia, and the Territories and possessions of the United States.

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering, for sale in commerce, or the transportation or distribution in commerce, of any shoes which are misbranded within the meaning of this Act or the rules and regulations prescribed thereunder is unlawful and shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(b) The sale, advertising, offering for sale, transportation or distribution of any shoes which have been shipped and received in commerce or which are made in whole or in part of materials which have been shipped and received in commerce, and are misbranded within the meaning of this Act or the rules and regulations prescribed thereunder, is unlawful and shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(c) Except as provided in subsection (d) of this section it shall be unlawful to remove or mutilate or cause or participate in the removal or mutilation, prior to the time any shoes are sold and delivered to the ultimate consumer, of any label required by this Act to be affixed to such shoes, and any person violating this subsection is guilty of an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(d) Any person introducing, selling, advertising or offering for sale in commerce, or manufacturing or processing for commerce, any shoes, or any person selling, advertising, offering for sale or processing any shoes which have been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this Act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification pursuant to section 4(2)(e) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such shoes were received, and shall preserve such records for at least three years. Neglect or refusal so to maintain and preserve such records is unlawful, and any person who shall fail so to maintain such records shall forfeit to the United States the sum of $100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to keep and preserve such records or who shall by such substitution cause any shoes to be misbranded within the meaning of this Act or the rules or regulations prescribed thereunder, shall be guilty of an unfair method of competition in commerce and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(e) Subsections (a), (b), (c), and (d) of this section shall not apply to any common carrier, contract carrier, or freight forwarder in respect of any shoes shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

MISBRANDING

SEC. 4. (a) For the purposes of this Act, any shoes shall be considered to be misbranded—

(1) if such shoes are falsely or deceptively labeled or are otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such product or products; or

(2) if there is not affixed to the shoes a label showing in words and figures plainly legible—

(A) the common generic name of the material or materials of which such shoes are made, except such parts or materials within the exemption provided in subsection (b) of this section 4;

(B) that such shoes, in designated parts, contain or is composed of used or secondhand materials, or split leather, or is composed, wholly or partially, of nonleather materials which are in imitation or simulation of leather when such is the fact;

(C) that such shoes, in designated parts, contain or is composed of paper, wood, or woodpulp, or synthetic, reconstituted, or artificially formed material when such is the fact;

(D) the name or other identification issued and registered by the Commission of one or more of the persons who manufactured such shoes, or who introduce, sell, offer for sale, or distribute such shoes in commerce.

(b) Parts of shoes comprising sewing thread, staples, pegs, nails, eyelets, fastening hooks, buttons, laces, or elastic gussets, or exposed metal toe guards, or decorations not exceeding 5 per centum by weight of each shoe, need not be disclosed on the label when no representation in respect to the content or composition of such parts is made in the labeling, advertising, or sales promotion of such shoes. The content of parts of any shoes required to be labeled as to fiber content under the Wool Products Labeling Act of 1939 need not be disclosed on the label required by this Act.

EXCLUSION OF MISBRANDED SHOES

SEC. 5. (a) Any shoes imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act and the rules and regulations issued thereunder; and all invoices of shoes required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 4, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any shoes into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said shoes, and any duty thereon, conditioned upon compliance with the provisions of this section.

(c) A verified statement from the manufacturer, producer of, or dealer in, imported shoes showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

ENFORCEMENT OF THE ACT

SEC. 6. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 5, and 8(b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 5, and 8(b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of sections 3, 5, or 8(b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.

(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any shoes subject to this Act, and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

(d) (1) Every manufacturer of shoes subject to this Act shall maintain proper records showing the information required by this Act with respect to all such shoes manufactured by him, and shall preserve such records for at least three years.

(2) The neglect or refusal so to maintain and preserve such records is unlawful, and any such manufacturer or person who neglects or refuses so to maintain and preserve such records shall forfeit to the United States the sum of $100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 7. (a) (1) Any shoes shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such shoes are being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such shoes are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

(2) If such shoes are condemned by the court, they shall be disposed of, in the discretion of the court, by destruction, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such shoes will not be disposed of until properly labeled as required under the provisions of this Act, or by such charitable disposition as the court may deem proper. If such shoes are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

(b) Whenever the Commission has reason to believe that—

(1) any person is violating, or is about to violate sections 3, 5, or 8(b) of this Act; and

(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 8. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the shoes guaranteed were manufactured or from whom they were received in commerce, that said shoes are not misbranded under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the shoes guaranteed, in which case it may be on the invoice or other sales document relating to such shoes; or (2) a continuing guaranty filed with the Commission applicable to any shoes handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any shoes, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the shoes guaranteed were manufactured or from whom they were received) with reason to believe the shoes falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 9. (a) Any person who willfully violates sections 3, 5, or 8(b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than $5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 10. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 12. This Act shall take effect one year after the date of its enactment.

RACIAL LISTINGS IN REAL ESTATE ADVERTISEMENT SHOULD BE ENDED

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I want to call the attention of the House of Representatives to the fact that during the past year six States—California, Colorado, Connecticut, Massachusetts, Oregon, and Washington—and two of the great cities of this country—New York City and Pittsburgh—have enacted laws to combat racial discrimination in housing. This is significant progress in helping to make decent housing available to all people in our country.

In my opinion, the problem of discrimination in housing is a national problem because of the tremendous role that the Federal Government has in the housing field. I think that the Congress should carefully study the laws enacted by these six States and begin to take a much more vigorous part in combatting the evil of discrimination in housing than it has done heretofore. I shall vigorously support legislative measures to deal with this basic problem.

Secondly, I think we have paid too little attention to the conditions that create the need for the programs of urban renewal. I realize that the origins of urban decay are many and complex. It will take great ingenuity and insight to deal with them. But I believe that wherever we recognize a situation that is harming our cities, we must take immediate steps to correct it. One of these harmful conditions is the way real estate is advertised in newspapers.

Many newspapers still list real estate for sale by race. This practice contributes directly to the breakup of balanced neighborhoods and artificially stimulates the flight to the suburbs. The harm this practice does has already been widely recognized. New York, Chicago, Philadelphia, Cleveland, Detroit, Pittsburgh, are some of the cities in which the newspapers have already voluntarily given up this practice. In addition, the State of Colorado in its Fair Housing Act of April 10, 1959, and the State of Oregon, in its legislation of May 25, 1959, have already enacted laws prohibiting this practice by law.

But there are still areas under Federal jurisdiction where this practice is even now being carried on. I am, therefore, today, presenting H.R. 9209, a bill that would prohibit newspapers in Federal areas under the exclusive jurisdiction of the United States from using racial designations in listing houses for sale or lease.

Some people may cry that this is an attempt to withhold information. It is nothing of the sort. It is an attempt to curb deceptive advertising. An examination of houses designated as "colored" in these ads will show that very often they are in neighborhoods still predominantly white. The ads falsely suggest to homeseekers who do not know the city that the houses are in a Negro neighborhood. Such designations act as a traffic signal, diverting white homebuyers to one section of the city and colored homebuyers to another. As a result, they are an obstacle to any attempt to stabilize these changing neighborhoods as integrated neighborhoods. Worse than that, the designations are used by some unscrupulous real estate dealers to "break" blocks, stir panic selling, and perpetuate and extend segregated neighborhoods. Deceptive advertising and racial zoning is not the proper business of newspapers.

I regret to say that an example of a Federal area that continues this harmful practice is our Nation's Capital. The three major newspapers of the District of Columbia continue to list real estate by race, and show no disposition to examine the social and economic consequences of the practice. They have been listing houses by race for years and, though it is evident that the practice is a powerful force in creating racial ghettoes, the papers seem bent upon keeping things the way they are. This is the result, I believe, of inertia, not of any careful consideration of what their advertising practices do. Because the welfare of this city and other Federal districts is entrusted to Congress, I believe we must take action in this matter.

The need for action to achieve the national goal of equal opportunity in housing was emphasized in the report of the U.S. Commission on Civil Rights, which we received this week. My bill will materially aid this objective. I hope it will be promptly enacted.

PUBLIC COMMENT ON THE INTEREST CEILING FOR LONG-TERM FEDERAL BONDS

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to address the house for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I think it is important for the Members of Congress to realize the seriousness of the failure of this Congress to act upon the President's request for the removal of the interest ceiling on long-term bonds. The failure to remove this ceiling is going to result in increased interest rates, not decreased interest rates, as some Members foolishly believe. The reason is quite obvious. There is no interest ceiling on bonds of 5 years or under. The Federal Government will have to go to the short-term bond market to find buyers for its securities and these buyers will and already are demanding more than 4¼ percent before they will lend their money. The Government does not make the market on interest, though it may influence it some. Anyone who believes in the private enterprise system knows that the interest rate is the result of the free market for money which is composed of the demand for, and the supply of, investment capital. Those foolish people who do not believe this, advocate a variety of governmental actions which they think will repeal this natural law. If they were permitted their way, they would be as foolish and unsuccessful as King Canute who ordered the sea to cease its motion.

The economists throughout the country and economic writers have, almost without exception, supported the President's request for the removal of interest ceilings on long-term bonds. From time to time I have been placing in the CONGRESSIONAL RECORD various articles and editorials from magazines, newspapers, and other publications, all pointing to this. Why do the Democratic leaders of the Congress persist in their stiff-necked folly?

I am inserting today in the CONGRESSIONAL RECORD, 13 additional editorial comments on the subject of the interest ceiling for long-term Federal bonds:

First. Life magazine, September 7, 1959, "How Bond Rates Affect You."

Second. Journal of Commerce, September 3, 1959, "Who's Being Hurt?"

Third. Hartford (Conn.) Courant, August 23, 1959, "Blow Against Thrift."

Fourth. Philadelphia Bulletin, September 3, 1959, "Interest Rate Boomerang."

Fifth. Wall Street Journal, September 9, 1959, "An Empty Triumph."

Sixth. Baltimore Sun, September 4, 1959, "A Partial Response."

Seventh. Washington News, September 5, 1959, "Savings Bond Interest."

Eighth. Washington Post and Times Herald, September 7, 1959, Economic View by Harold B. Dorsey, "Legislators Hurt Those They Profess To Protect."

Ninth. Miami (Fla.) Herald, August 27, 1959, "And Eisenhower at Home."

Tenth. Burlington (Vt.) Free Press, August 27, 1959, "Rising Interest Rates No Boon to Banks."

Eleventh. Denver (Colo.) Post, August 26, 1959, "The Dollar Needs More Muscles."

Twelfth. New York Times, September 8, 1959, "The E and H Bonds."

Thirteenth. Indianapolis (Ind.) Star, August 29, 1959, "Sure Way To Save Money."

FINANCIAL CRISIS REQUIRES PRESIDENTIAL SPENDING VETOES

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, it was with reluctance that I voted to sustain the President's veto of the revised public works appropriation bill, because I am a strong believer in reclamation. There are, however, among the 67 unbudgeted projects in the public works bill, a number with a low-cost benefit ratio and at least one project, the Burns Creek, costing approximately $48 million that has not even received the approval of the House Committee on Interior and Insular Affairs.

A second major reason why I voted to sustain the President's veto is that the bill commits the Government to future expenditures of $800 million on these unbudgeted projects. I have also associated myself with this effort to prevent heavy new spending commitments by

the Federal Government because the Congress, by its negligence, has permitted the Federal Government to be involved in a prospective financial crisis of serious magnitude. Yesterday's Wall Street Journal, following numerous interviews with administration, Federal Reserve Board, and congressional leaders, dramatically portrays the significance of this financial crisis. It says the spending picnic is now over because the money is running out. Other facts emphasized in the article are as follows:

First. The national debt is now $290 billion, the highest ever, including World War II.

Second. Within the next 12 months the U.S. Government must try to borrow $78 billion merely to pay off old debts that are coming due in that space of time. Actually the figure is larger because some money will be borrowed on short-term notes and bills which must be paid off by second borrowings within the 12 months.

Third. In addition to this heavy borrowing the Treasury must raise $7 billion before Christmas to meet the current spending bills which are building up. Thus the U.S. Government in 1 year must borrow more than this year's entire budget, a whopping $85 billion.

Fourth. This money will be difficult to raise because the money market is squeezed by the heavy demands of other borrowers—State governments, local governments, school districts, other public authorities, plus record demands from private industrial borrowers. This sharp increase in the demands for available funds is displayed by the fact that in 1958 the Treasury paid 1¼ percent for 1-year money, whereas today it must pay more than 4¾ percent. This makes it simply out of the question for the Government to borrow money on long-term bonds at 4¼ percent, the present legal ceiling.

Fifth. By failing to raise the legal ceiling on long-term interest rates Congress will force the Treasury to squeeze the short-term money market, very possibly causing it to rise to at least 5 percent. This will not only be expensive for the Federal Government in attempting to refinance its debt on a short-term basis, but it will also be chaotic for the economy in general since interest rates might skyrocket and seriously restrict normal short-term business borrowing to stock inventories, purchase raw materials and sell products.

Why is Congress responsible for this financial crisis? First, because it has been unwilling to raise the long-term bond interest rate which would enable the Treasury to refinance the debt on a stable basis. Second, because Congress shirks its duty in raising the money to pay for the expenditures it insists on making. For example, in the past decade the Government has operated in the black only 3 years, and then the margin was very slight. On the other hand, during this same period annual Government revenue versus spending has shown a parade of deficits. The last of these deficits tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion.

Congress can only blame itself for forcing the President to act like a stern father and veto its childish demands for ever more spending without equal willingness to raise money to cover the spending. There are no "profiles of courage" involved in this type of approach to fiscal responsibility.

A striking and dramatic solution which I would urge the Congress to adopt promptly in my bill, H.R. 8913, for a compulsory balanced budget and debt retirement program. This bill has the real teeth of automatically raising corporate and personal income taxes any time that Congress fails to balance the budget and retire $2½ billion in the national debt. Enactment of this bill would so restore confidence in the fiscal integrity of the Federal Government that it would again make Government bonds the prime investment that they were once considered to be. This renewed confidence in the credit of the Government plan plus the fact that the Government would be releasing $2½ billion a year into the money market rather than being a net borrower, would strikingly lower the interest rates on Government bonds and would probably relieve Congress of the need to raise the long-term interest ceiling on Federal bonds. However, one way or another Congress must reckon with the realities of the fiscal crisis. Either it must raise the interest rate or balance the budget and start repaying the national debt.

MISTREATMENT OF U.S. ARMY PERSONNEL IN IZMIR, TURKEY

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, under leave to extend and revise my remarks, I wish to include the text of an article from the August 24 issue of Time magazine concerning the arrest and alleged mistreatment of certain U.S. Army personnel in Izmir, Turkey. The article also commented unfavorably on the conduct of Consul Donald B. Eddy at Izmir at that time.

In viewing of these statements that were made concerning one of our Foreign Service Officers, I wrote to Deputy Under Secretary Loy Henderson of the State Department under date of August 26 and received his reply under date of September 10. In my belief that it will contribute substantially to a better understanding of this unfortunate incident, I wish to include the texts of both my letter and of Mr. Henderson's reply.

It should be pointed out, Mr. Speaker, that the charges both against the American military personnel as well as the Turkish police authorities for their alleged brutality are presently under investigation in the Turkish courts. I have no doubt that further clarifying statements will be issued at the conclusion of the judicial investigation.

AUGUST 26, 1959.

Hon. LOY W. HENDERSON,
Deputy Under Secretary for Administration, Department of State, Washington, D.C.

DEAR MR. HENDERSON: I was distressed to read in the August 24 issue of Time magazine the account of the arrest and subsequent mistreatment of two American sergeants by local police in Izmir, Turkey. What was particularly distressing in the account of these arrests was the strong inference that the American consul in Izmir, Donald B. Eddy, had attempted to minimize and even to conceal evidence regarding the mistreatment of these two American servicemen.

As ranking minority member on the State Department Subcommittee of the House Foreign Affairs Committee, I feel that the Department should come forth with an explanation of Mr. Eddy's conduct during these developments in Izmir. I am further requesting the Department to forward a detailed accounting of Mr. Eddy's actions to me at the earliest possible moment. This letter is not being released to the press but I shall at liberty do so once I have received the Department's report in the premises. I must also reserve the right to request Chairman HAYS of my subcommittee to hold a hearing on this question if the information received should, in my opinion, justify it.

Sincerely yours,

ALVIN M. BENTLEY,
Member of Congress.

TURKEY—TORTURED AMERICAN SERGEANTS

Shortly before 1 o'clock one morning in early August, U.S. Army Sgt. Dale McCuistion, 27, driving through the streets of Izmir, Turkey, headquarters of NATO land forces in southeastern Europe, was crowded over to the curb. Men in plain clothes poured out of an unmarked civilian car and a jeep, yanked McCuistion out of his station wagon. Convinced that he was about to be robbed, McCuistion put up a fight, but was soon overpowered and hustled off to a dungeonlike room underneath an old stable.

According to the story McCuistion later told his superiors, an English-speaking Turk, later identified as an agent of the Turkish Finance Ministry, charged McCuistion with black-market purchases of Turkish lire. When McCuistion denied the charge, five Turks began to work him over. For 18 hours he went without water, food or sleep while his captors questioned and "beat me unmercifully. They rabbit-punched me from behind and kicked me. I was afraid they would kill me."

AN OLD TURKISH CUSTOM

Early the following morning, while McCuistion was still being held incommunicado, Turkish police picked up U.S. Air Force Sgt. Giacomo Recevuto of Brooklyn. And that afternoon Izmir Police Chief Nevzat Emrealp informed NATO authorities that he wanted to have a little talk about currency black-marketing with two other U.S. sergeants, James D. King of Ruth, Miss., and Joseph Proietti of Mount Kisco, N.Y. Emrealp did not mention that his men had already extracted from the Turkish manager of the NATO noncoms' club in Izmir a confession implicating King—a confession subsequently repudiated by the club manager, who, as a result of his questioning, was still in the hospital. Assured that King and Proietti would not be arrested, NATO officers turned them over to Emrealp—and Emrealp promptly arrested them.

While Turkish cops without a search warrant ransacked Sergeant King's house under the terrified eyes of his wife and children, King himself was taken not to jail but to the stable dungeon. There, says King, he was introduced to an old Turkish custom: the bastinado. As he hung head down from a

rafter, two Turks took turns beating the soles of his bare feet with a rubber or leather stick.

STOLEN PAPERS

It was 2 days after McCuistion's disappearance before NATO headquarters got interested. When Brig. Gen. Paul Hollister, NATO chief of staff in Izmir, protested to Turkish authorities, tough cop Emrealp at first denied knowledge of McCuistion's arrest. Finally the Turks agreed to show McCuistion and King to a U.S. colonel—who reported that both men were in bad shape. It took 10 more days for NATO to learn of the charges against the four sergeants, and by this time NATO officers also discovered that someone had stolen McCuistion's finance records from a safe in NATO headquarters.

According to the Turkish police, the four sergeants among them had bought about $15,000 worth of lire at black-market rates, i.e., at 11 or 12 to the dollar instead of at the official 9 to the dollar. For this, Izmir's public prosecutor last week demanded up to 25 years for McCuistion and lesser prison sentences for the other three.

PRIVATE BUSINESS

Under a status-of-forces treaty with the United States, Turkish courts have jurisdiction over crimes committed by U.S. servicemen outside the line of duty. But U.S. officers at NATO could and did start assembling affidavits on the sergeants' complaints of brutality. (Wrote Lt. Gen. Paul D. Harkins in a report to the Pentagon: "There seems little doubt that Sergeants McCuistion and King were mistreated.)

But then diplomacy raised its familiar head. After all, Turkey is a stout ally and determinedly anti-Communist. The United States has given it approximately $2 billion in economic and military aid, and tries to avert its gaze from the increasingly dictatorial tendencies shown in a lively democratic country by Premier Adnan Menderes. After first word got out last week about the sergeants' case, Donald B. Eddy, U.S. consul in Izmir, spent nearly an hour trying to persuade NATO's Hollister to withdraw the report to the Pentagon. When Hollister refused Eddy issued a statement to the Turkish press declaring that U.S. doctors had examined McCuistion and King and had found no injuries save a bruise on McCuistion's shoulder, "which he might have received while resisting arrest." When Eddy was reminded that NATO sources had given newsmen a detailed account of the tortures inflicted on McCuistion and King, he starchily replied: "In my opinion, it is impossible for a responsible American officer to give out such a story."

But the case of the tortured sergeants had gone beyond the stage where it could be papered over by press releases and morning-coat pronouncements. The Izmir public prosecutor's office took a belated interest in the brutality charges. (In a parade of suspects in Izmir jail, both McCuistion and King identified three Turkish Ministry of Finance agents as their torturers.) And at week's end U.S. Ambassador to Turkey Fletcher Warren came flying back to the United States on what the State Department insisted was private business. Along with Warren, by pure coincidence, came a colonel from the Air Force judge advocate's office in Ankara.

DEPUTY UNDER SECRETARY
OF STATE
FOR ADMINISTRATION,
Washington, September 10, 1959.

Hon. ALVIN M. BENTLEY,
House of Representatives.

DEAR MR. BENTLEY: Thank you very much for your letter of August 26, 1959, about the account in a national news magazine of the actions of the American consul in Izmir at the time of the arrest by the Turkish authorities of the American sergeants charged with illegal currency transactions. Since we feel there were distortions and inaccuracies in that account, I welcome the opportunity to give you this fuller report and particularly to report on the actions taken by the American consul in Izmir, Mr. Donald B. Eddy.

At the outset, let me say that all aspects of this affair, including the allegations of mistreatment made by the men who were arrested, are under careful investigation both by Turkish authorities and by United States military authorities, who are acting in close collaboration with the Embassy in Ankara and the consulate in Izmir. Senior officials of the Departments of State and Defense are consulting closely about this matter and are not only studying the implications of the specific case but also are working together on courses of action designed to prevent recurrence of incidents of this nature.

The facts of the case as they relate to Consul Eddy's actions are as follows:

The detention and questioning of the four American servicemen who were charged with illegal currency transactions was first reported by Consul Eddy to the Embassy at Ankara and to the Department of State on the same day the men were apprehended, August 4, 1959.

In view of statements that had been made by the men who had been arrested that they had been mistreated, an officer of the Izmir consulate visited them in jail on August 5 accompanied by the detachment commander and U.S. Air Force physicians. The detachment commander's report of the examination by the doctors (sent to his headquarters and to the consulate on August 6) stated that the two doctors had thoroughly examined the two men about 5 p.m. on August 5 and that neither McCuistion or King showed definite evidence of having been beaten. It was commented that regarding King, nothing was proved either way, since if he had been beaten on the heels, no marks would probably have remained in any case. As for McCuistion, minor body bruises had been observed, which he could have received while being arrested (by his own statement, he had resisted arrest, claiming that since he was taken by plainclothes detectives at 3 a.m. and had on his person a large sum of money, he thought the detectives might be robbers).

On August 5, Colonel Wilkinson issued a statement to the press promising full cooperation with the Turkish authorities in the case.

On August 6, accompanied by a senior officer of the American Embassy and one of his assistants, Consul Eddy interviewed the senior U.S. Air Force doctor who had examined the men. Based on this interview, the senior Embassy officer reported to the Ambassador that (1) examination by U.S. military doctors within 24 hours after their arrest had not confirmed the allegations of beating, (2) one of the men had a bruise on his chest and a bruise on his shoulder which could have been caused by his resisting arrest, and (3) the basis for the story of mistreatment was the accounts given by the men themselves.

Consul Eddy did not make a statement to the press about the findings of the doctors until after the magazine story had been circulated in the United States. When the representative of the magazine who had filed the story queried him about the case on August 20, Mr. Eddy mentioned the doctors' report, but the magazine story (unknown to him) had appeared on American newsstands on August 18.

On August 13, Consul Eddy acting upon instructions from the American Embassy called at NATO headquarters in order to discuss certain aspects of this case. The purpose of Mr. Eddy's visit was to do all that was possible in order to make sure that the information which was going to the American and NATO officials with regard to these events was accurate and complete and that the whole matter should be handled in such a manner as not unnecessarily to disturb the relations between Turkey and the United States.

On August 14, a Turkish newspaper, Sabah Postasi, carried a story reporting that, according to New York and Athens newspapers, the American detachment commander mentioned previously, Colonel Wilkinson, had stated:

"The Americans were detained in a place like a stable, without food, water, without beds. Sergeants McCuistion and King are in a terrible state. There is cause for anxiety for the life of McCuistion, whose body is covered with bruises. The feet of Sergeant King were crushed through beating by the Turkish police until they bled."

Queried by another Izmir newspaper, Yeni Asir, for comment on the Sabah Postasi story, Consul Eddy stated:

"I cannot believe that Colonel Wilkinson made the statement attributed to him in the New York and Athens newspapers. I find it incredible that a responsible American officer could have said such things. Surely he has been misquoted. I know Wilkinson well. I am certain that, in his heart, he is a friend of Turkey. If not, then he would not have extended his tour of duty for an extra term. I believe that, if you will ask Colonel Wilkinson himself, he will set the record straight."

On August 21, Colonel Wilkinson issued the following denial of the Sabah Postasi story:

"I made one and only one statement to the press on August 5. I have made no other statements to either the Izmir press or to foreign press agencies whatsoever. I have nothing to do with the alleged statement that has been given to the foreign news agencies."

In spite of reports which appeared in various newspapers and magazines, I would like to state categorically that our officers in the Embassy in Ankara and the Consulate in Izmir were deeply concerned about this case from the beginning and that they acted properly and with good judgment to safeguard the rights of the accused. At no time did they attempt to prevent all the facts from becoming known to the American Government. They have continued to take an interest in the welfare of the arrested Americans and have kept in constant touch with the Turkish authorities.

The charges against the arrested men and those against the Turkish police who are accused of mistreating them are at present being considered by the Turkish courts.

In my opinion, our Embassy in Ankara and our Consulate in Izmir have lived up to the best traditions of the Foreign Service in all respects and have attempted properly to protect American citizens and at the same time to prevent impulsive or ill-considered actions from undermining the good relations between the United States and Turkey which are so vital to the security of the Middle East.

Sincerely yours,

LOY W. HENDERSON.

PUBLIC WORKS APPROPRIATION BILL

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a table.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, supplementing what I said in the House on September 8, on the public works appropriation bill, which was then before the

House, I insert the following table in the RECORD. There are in all, 25 projects which have either no benefit-cost ratio, or if they have one its actual picture is so poor that all of the 25 should not be built. Each benefit-cost ratio is figured on an interest rate of 2½ percent on Government bonds when the actual rate is at least 4 percent.

The table attached shows the new starts which an honest figuring of benefit-cost ratio would rule out:

Project	Benefit-cost ratio	Total estimated cost	Appropriation to date	Amount in H.R. 7509
Arkansas: Beaver	1.1	$56,100,000	$1,291,000	$1,500,000
Actual	.5			
Alaska: Dillingham	1.3	412,000	6,000	406,000
Actual	.6			
Mad River Reservoir	1.2	5,970,000	18,000	----------
Actual	.7			
Florida:				
Channel at East Point	(1)	39,100	----------	39,100
George Island	(1)	43,000	----------	43,000
Intracoastal Waterway	(1)	6,860,000	370,000	600,000
Iowa: Red Rock Reservoir	1.5	71,000,000	1,717,000	1,113,300
Actual	.9			
Kansas: Wilson Reservoir	1.2	18,100,000	259,000	500,000
Actual	.8			
Louisiana: Algiers Cut-off	(1)	1,420,000	0	1,420,000
Massachusetts: Westville Reservoir	1.1	2,450,000	328,000	----------
Actual	.7			
Michigan: Grand Marais Harbor	(2)	1,020,000	5,000	300,000
Actual	?			
New Mexico:				
Two Rivers Reservoir	1.2	6,900,000	390,000	75,000
Actual	.8			
Rio Grande Floodway, Cochiti to Rio Puerco	(1)	4,400,000	50,000	800,000
Actual	?			
New York:				
Buttermilk Channel [3]	(1)	1,551,000	----------	1,500,000
New York-New Jersey pierhead line [3]	1.4	1,311,000	----------	500,000
Actual	.9			
Ohio Street Bridge, Buffalo River	(2)	4,520,000	----------	2,000,000
Actual	?			
North Carolina: Wilkesboro Reservoir	1.2	8,350,000	387,000	1,000,000
Actual	.8			
Ohio:				
Muskingum River Reservoir [3]	(2)	615,000	----------	500,000
Actual	?			
West Branch Mahoning River Reservoir	1.3	6,940,000	261,000	525,000
Pennsylvania: Allegheny River Reservoir [3]	1.3	113,000,000	2,733,000	1,400,000
Actual	.8			
Texas:				
Colorado River Channel	1.5	1,310,000	54,000	400,000
Actual	1.0			
Gulf Intracoastal Waterway, channel to Port Mansfield	1.1	3,446,000	15,000	150,000
Actual	.7			
Proctor Reservoir	1.4	17,100,000	325,000	300,000
Actual	.9			
Virginia: Pound Reservoir	1.2	17,700,000	331,000	2,500,000
Actual	.8			
Flood control, Mississippi River and tributaries, Wolf River and tributaries	1.3	2,025,000	43,000	300,000
Actual	.8			
Reclamation:				
Wyoming: Seedskadee project	1.5	37,885,000	----------	1,354,000
Actual	1.0			
Upper Colorado River: Colorado Smith Fork	1.2	4,420,000	----------	500,000
Actual	.8			

[1] Not available.
[2] Nonestablished.
[3] Resumption of construction.

EXPLANATION OF FARM BILL JUST INTRODUCED

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. FLYNN] is recognized for 15 minutes.

Mr. FLYNN. Mr. Speaker, it is accepted as a fact by all thinking Americans that a new approach must be made to the farm problem. This country cannot continue spending from $7 to $10 billion per year of the taxpayers' money in an attempt to alleviate the problems of the farmer. The American farmer represents the last vestige of true American independence. He does not want a dole. He does not want to be socialized. He does not want a bureau of bureaucrats calling at his farm to tell him how to run it or what to plant.

The urban dweller, including the white-collar worker, the factory worker and all city residents, cannot afford to pay the taxes necessary to support a $10-billion-a-year farm subsidy. They are paying a double tax because they are paying taxes to subsidize the farmer to keep prices high and then, as a result, they are paying a higher price in the marketplace when they buy groceries. All fairminded people, however, are willing to pay some sort of subsidy or incentive payment to the farmer for a limited period in order to bring farm standards of living and farm income to a par with the income of other segments of society. They ask in return, however, that there be a foreseeable end to these payments and that the money be paid into a program that will bring results and alleviate the farm problem.

A review of recent history shows that the money expended to help the farmer and improve the farm economy has done little good. The records show that we have approximately $9 billion of farm commodities in storage and that the rental alone is running over a million dollars a day. The surplus continues ever to mount even though we find new and speedier ways of giving away the surplus or of spreading it among larger numbers of people. It would do no good, therefore, to continue a program that applies more of the same medicine or a similar type of medicine to the same sick patient for the same ailment. In my congressional district I discussed a plan to remove 80 million acres of productive farmland from production. This land will, in a sense, be put in the bank and will constitute a true soil bank. This amount of land is approximately 22 percent of the producing land in this country. If this amount of land is set up in a reserve, it can be protected and held for future use to feed an eventually larger population or to serve us in time of war or famine. This land is being reserved to produce food and fiber at such time as this Nation needs it.

It is cheaper to control the surplus before it is produced than it is to produce it through the addition of labor, feed, fertilizer, and so forth, and then try to control the crop which has a larger value than rent of the land which the crop was produced on. The only cost in controlling the production through nonuse of the land is the rental value of the land itself. This rental value should be based on the value of the land for farm purposes and not on the basis of what the land would produce if planted.

I present a threefold plan. First, I would permit each farmer to reduce his farm operation by renting to the Government, to be placed in this soil bank, an amount of land capable of producing 25 percent of what his farm normally produces. I would pay the farmer the average rental value of said acreage for farm purposes and I would pay him an incentive payment in kind as long as agricultural surplus commodities exist, of an amount of commodities equal to the number of acres taken out of production multiplied by $10.

Second, if this program does not result within 2 years in an acreage reduction of 80 million acres, I would then engage in a program of renting whole farms, under the terms set forth in the plan. A recent test has shown that farmers like the idea of renting their farms on a whole-farm basis to the Government, for a longer period, of approximately 20 to 30 years.

In the event these two approaches do not result in reducing production by 80 million acres, I would then engage in a purchase program, subject to the terms and protection set forth in the bill, which is set forth in full in this RECORD. The purchase of this land would cost far less than a continuation of the subsidy payments which we are paying to control farm surplus. I am proposing a plan which I have discussed at great length in my home district. As a matter of fact, if we were forced to purchase the entire 80 million acres, it would be done at a cost of approximately $24 billion. It would be cheaper to invest this $24 billion in the farmland of this country than it would be to continue paying $10 billion a year to control the farm problem. I believe, however, that most of the land would be taken out through rental of one type or another, and that there would be only a small amount, if any, left to purchase.

In order that Members of Congress may be familiar with this plan before

returning to their home districts, I am taking the liberty of asking that my bill be printed herewith, as introduced at length, at this point in the RECORD.

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. Speaker, under unanimous consent, I include the bill which I have introduced today at this point in the RECORD.

H.R. 9204

A bill to balance domestic supplies of, and domestic demand for, agricultural commodities, by providing for the withdrawal of 80 million acres from agricultural production

TITLE I—GENERAL PROVISIONS

SEC. 101. This Act may be cited as the "Agricultural Production Stabilization Act".

SEC. 102. It is hereby declared to be the policy of the Congress to eliminate the recurrence in the future of burdensome surpluses of agricultural production by reducing the acreage in production to the extent necessary to bring into balance the domestic supply of, and the domestic demand for, agricultural products. It is intended that existing surpluses be disposed of through such other programs as the Congress may by law authorize or direct, including the food stamp plan and the food-for-peace program.

SEC. 103. It is the intention of the Congress that the programs authorized by this Act be carried out in the various sections of the country as nearly as may be practicable in proportion to the agricultural activity thereof, insofar as this objective may be accomplished without delaying the execution of the Act.

SEC. 104. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "Corporation" means the Commodity Credit Corporation.

(c) The term "county committee" means a county committee established under section 8 of the Soil Conservation and Domestic Allotment Act (7 U.S.C. 1831(d)).

(d) The term "acreage allotment" means an acreage allotment made pursuant to the agriculture laws of the United States.

(e) The term "farm" means the land constituting a farming unit as determined by the Secretary, taking into consideration the use of common-work stock, equipment, labor, management, and other pertinent factors.

SEC. 105. With respect to any segregated acreage under a contract pursuant to title II, or any farmland leased pursuant to title III, or any farmland owned pursuant to title IV, the Corporation may by contract or otherwise provide for the control of noxious weeds and for the performance of such other services as may be necessary or appropriate for the conservation of soil, water, forestation, and wildlife, at a cost to the Corporation not exceeding $3 per acre per annum.

SEC. 106. In the execution of the programs authorized by this Act, the Secretary and the Corporation shall have due regard for the interests of tenant farmers and sharecroppers.

TITLE II—CONTRACTS

SEC. 201. The Corporation shall enter into contracts pursuant to the provisions of this title to the maximum extent possible until such time as there have been withdrawn from agricultural production pursuant to the provisions of this Act not less than eighty million acres of tillable land.

SEC. 202. Any such contract shall be of a duration of not less than twenty and not more than thirty years, and shall be with the person or persons (hereinafter referred to as the contractor) who own or control the farm which is the subject of the contract. Any such contract may contain such provisions relating to transfer of the property which is the subject thereof, assignment, and termination, and such other provisions, as may in the opinion of the Corporation be necessary or appropriate in the public interest and to assure equitable treatment of contractors.

SEC. 203. (a) Any such contract shall provide that the contractor shall—

(1) segregate and withdraw from production certain acreage (referred to in this Act as "segregated acreage") which, prior to such segregation and withdrawal, accounted for 25 per centum of the total production of the farm;

(2) permit the Corporation to establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on the segregated acreage, or to summer fallow such acreage;

(3) devote to conserving crops or uses, or allow to remain idle, throughout the contract period, acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage;

(4) not harvest any crop from the segregated acreage, except timber and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals; and

(5) not graze any of the segregated acreage unless the Secretary after certification by the Governor of the State in which such acreage is situated of the need for grazing on such acreage, determines that it is necessary to permit grazing thereon in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, and consents to such grazing.

(b) Any such contract shall describe the boundaries of the segregated acreage, and such boundaries may not be changed without the consent of the Corporation.

(c) Any such contract may contain such other provisions as the Secretary may deem necessary or appropriate to effectuate the purposes of this title.

SEC. 204. (a)(1) In consideration of the obligations which any such contract shall impose on a contractor pursuant to section 203, any such contract shall provide that the Corporation shall make payments to the contractor, in cash and in kind, as provided in this section.

(2) For each of the first five years the contract is in effect, the Corporation shall pay to the contractor in cash an amount equal to the fair annual rental value of the segregated acreage for farm use only as of the effective date of the contract, as determined by the Secretary acting through the county committee for the county in which the farm is located. Such amount shall be specified in the contract prior to execution.

(3) Upon the expiration of each five-year period after the effective date of the contract, the amount of the annual rental payment shall be adjusted by multiplying the amount determined pursuant to paragraph (1) by the ratio of the Bureau of Labor Statistics Consumer Price Index as of the date of such adjustment to such index as of the effective date of the contract.

(b) (1) In addition to the payments specified in subsection (a), the Corporation shall make an annual payment to the contractor as specified in this subsection.

(2) Whenever the Corporation holds stocks of any commodity which it deems surplus stocks, the Corporation shall deliver to the producer each year a negotiable certificate or certificates for such amounts of one or more of such commodities as will, at their average price for the preceding twelve-month period, be equal in value to $10 multiplied by the number of acres under contract.

(3) Whenever the Corporation has insufficient stocks of commodities to issue certificates as provided in paragraph (2), the Corporation shall pay to the contractor $10 in cash for each acre under contract.

TITLE III—FARM LEASES

SEC. 301. In the event that at the end of two years after the date of enactment of this Act, the total acreage withdrawn from production pursuant to the program authorized by title II is less than 80 million acres, or in the event that the Secretary determines at an earlier date that a greater likelihood exists that less than 80 million acres will be so withdrawn within two years than that 80 million acres will be so withdrawn, then upon the happening of the earlier event, the Corporation shall begin to enter into leases as provided in this title, and shall continue to do so until the total amount of land withdrawn from agricultural production pursuant to this Act is 80 million acres.

SEC. 302. (a) The Corporation shall enter into leases of farm as lessee. Any such lease shall be of an entire farm, for a term of not less than twenty nor more than thirty years.

(b) Farm buildings (including dwellings), not exceeding five acres of land surrounding such buildings, and access roads, may be excluded from any leasehold interest acquired by the Corporation, but in such event the lessor shall covenant and agree that any land so excluded will not be used for agricultural production for the duration of the lease, except that not more than one-half acre of such land may be used as a vegetable garden by any persons living on the premises.

(c)(1) For each of the first five years of any such lease, the Corporation shall pay to the lessor an annual rent equal to the fair annual rental value of the land for farm use only as of the effective date of the lease, as determined by the Secretary acting through the county committee for the county in which the farm is located. Such amount shall be specified in the lease prior to execution.

(2) Upon the expiration of each five-year period after the effective date of the contract, the amount of the annual rental payment shall be adjusted by multiplying the amount determined pursuant to paragraph (1) by the ratio of the Bureau of Labor Statistics Consumer Price Index as of the date of such adjustment to such Index as of the effective date of the lease.

SEC. 303. The Corporation, by subleases or otherwise, may make any appropriate and lawful use of property held by it under leases pursuant to this title, except that no such property shall be used for agricultural production other than timber and cover crops which do not increase supplies of feed for domestic animals.

TITLE IV—FARM PURCHASES

SEC. 401. In the event that at the end of four years after the date of enactment of this Act, the total acreage withdrawn from production pursuant to the programs authorized by titles II and III is less than 80 million acres, or in the event that the Secretary determines at an earlier date that a greater likelihood exists that less than 80 million acres will be so withdrawn within four years than that 80 million acres will be so withdrawn, then upon the happening of the earlier event, the Corporation shall make purchases of farms as directed in this title.

SEC. 402. The Corporation shall purchase farms, under the conditions and limitations

set forth in this title, until the aggregate amount of farmland withdrawn from production pursuant to titles II and III and this title is 80 million acres.

SEC. 403. The Corporation shall purchase only entire farms, except that the seller of any farm may retain one or more of the farm buildings (including dwellings), not exceeding 5 acres of land surrounding such buildings, and access roads, but in such event the seller shall covenant and agree that any land so excluded will not be used for agricultural production until after December 31, 1984, or such earlier date as may be authorized by Act of Congress, except that not more than one-half acre of such land may be used for a vegetable garden by any persons living on the premises.

SEC. 404. Any purchase made by the Corporation shall be for a consideration equal to the fair market value of the land for farm use only, as determined by the Secretary acting through the county committee in the county in which the farm is located.

SEC. 405. The Corporation, by sale, lease, or otherwise, may make any appropriate and lawful disposition or use of any property acquired by it pursuant to this title, except that no such property may be used for agricultural production, other than timber and cover crops which do not increase supplies of feed for domestic animals, until after December 31, 1984, or such earlier date as may be authorized by Act of Congress.

SEC. 406. In order to provide funds for the purchase of farmland as directed in this title, the Corporation is authorized to issue bonds in an aggregate face amount not exceeding $24,000,000,000. The indebtedness evidenced by such bonds shall be an obligation of the United States as to both principal and interest, but shall not be subject to the limitation contained in the Public Debt Act of 1946 (31 U.S.C. 757b).

SEC. 407. The Corporation shall make payments in lieu of taxes to the appropriate local taxing authority with respect to any property held by it pursuant to this title. Such payments shall be in such amounts as reasonably to approximate the taxes which would be imposed on such property if privately owned, taking into consideration any loss of value by reason of the prohibition against agricultural production on such property.

SEC. 408. The proviso of the first sentence of subsection (i) of section 4 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(i)) is amended by striking out "$14,500,000,000" and inserting in lieu thereof "$38,500,000,000".

ANTHONY JULIAN, U.S. DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the people of Massachusetts are very pleased and proud of the recent confirmation by the U.S. Senate of the nomination of Anthony Julian of Watertown, Mass., to be U.S. District Judge for the District of Massachusetts.

I have known Anthony Julian for many years. In addition to his broad legal knowledge, he possesses many qualities which I believe are very necessary for a judge of a U.S. district court. Among these nonlegal qualities are an understanding of human nature, wide experience in human affairs, a comprehension of the tensions and stresses involved in our life of today, a devotion to truth and a champion of the right, a love of people and a genuine desire to serve his fellowmen courageously and honorably.

The career of Anthony Julian, from the time he first came to the United States until now, is an inspiration to every young man with determination. He worked himself onward and upward in the respect and responsibilities of his community and Commonwealth. In accomplishing all that he has, however, he has never taken advantage of any of his fellowmen, but on the contrary has extended help to them as he came in contact with them. In every relationship he has had with his fellowmen, he has been considerate, courteous, and helpful.

The selection of Anthony Julian to be U.S. District Judge for the District of Massachusetts has received universal approval from the bar and the general public alike. Mr. Julian has lived in my congressional district for many years. I am familiar with the outstanding reputation he has made as a lawyer, public official, and civic leader. I am greatly pleased with the President's action in nominating him and with the Senate's confirmation of the choice.

Anthony Julian's career is a glowing example of something that is fundamental in the strength of our country. He emigrated to this country at the age of 11. He had to learn a new language, make new acquaintances, expose himself to new attitudes. He distinguished himself as a student in high school and at Boston College, from which he graduated in 1925. He devoted 1 year on earning money that enabled him to enter Harvard Law School. Upon his graduation from there he entered the legal profession. With the exception of the war years his main energies since his admission to the bar until his appointment to the office of U.S. attorney in 1953 were devoted to a successful law practice. He came to be regarded by his professional colleagues and by the community in general as a learned and skillful lawyer of exceptional ability adhering to the highest standards of professional conduct.

His preoccupation with the law did not remove him from the field of civic activity. He served as counsel for his municipality for several years. During his tenure as a representative in the Massachusetts Legislature he attained high repute for the work he did as a member of the legislative committee on legal affairs and as a member of the Commission that investigated communism and other subversive activities in the Commonwealth.

In addition to his general practice he served as a member of the faculty of Boston College and Boston College Law School for several years as a lecturer on legal subjects.

In World War II he entered military service as a private in the infantry; was subsequently commissioned at the Officer Candidate School of the Judge Advocate General Department; later, with the rank of major he became a member of the board of review in the branch office of the Judge Advocate General in the European Theater of Operations. Toward the conclusion of his service he received a citation which in part read as follows:

As a member of the highest legal appellate tribunal available to persons convicted by general courts-martial in this theater he reviewed and prepared opinions in hundreds of records of trials involving death sentences * * * life imprisonment, dismissals of officers, and penitentiary confinement. His thorough legal competence and calm judicial attitude gave practical legal solutions to many opinions of the Board of Review of which he was a member. His exceptional aptitude for legal research combined with unusual ability to recognize the essence of legal questions contributed heavily to the preparation of precedent-establishing legal principles in the administration of military justice in this theater. Major Julian's devotion to duty and display of ability in the discharge of his responsibilities were in the highest traditions of the military service.

In the field of general civic activity he has been a director of a bank in his community; a trustee of a large community hospital; a member of the advisory board of the Don Orione Home for the Aged; a director of the Massachusetts Higher Education Assistance Corporation; and a member of the board of directors of the American National Red Cross, Boston Metropolitan Chapter.

In recognition of the charitable activities that were conducted under his leadership during the postwar period for the reconstruction of Italy and to provide assistance for war orphans he was awarded knighthood in the Order of the Holy Sepulchre of Jerusalem by the Holy See and the "Star of Solidarity" by the Republic of Italy.

The caliber of the work done by Mr. Julian as U.S. attorney for the district of Massachusetts is attested to by editorial comments in leading Massachusetts newspapers. These are some of them:

Boston Herald, March 7, 1959:

Anthony Julian * * * has been a strong U.S. attorney, and in his rapid rise from immigrant youth to civic leader he has shown unusual devotion to the public weal. It is hard to think of a candidate more apt to rise to what Judge Wyzanski calls the zest of the judicial task than Anthony Julian.

Boston News Tribune, November 19, 1956:

The record he [Anthony Julian] has carved out in his present capacity is outstanding and one which is winning nationwide respect for him.

Boston Traveler, October 29, 1956:

Anthony Julian, U.S. attorney for the district of Massachusetts, deserves high praise for his outstanding performance in office. * * * After reading Julian's report for the fiscal year we readily agree with Attorney General Brownell's words. Here is what he says, in part, with respect to Julian's record: "Your work as U.S. attorney has been characterized by unstinting hard work and devotion to duty. The outstanding record you have established is in the highest tradition of the Federal public service." * * * We're in hearty accord with Brownell's opinion. Well done, Anthony Julian.

The Boston Daily Globe, December 26, 1957, in a leading editorial entitled "Mr. District Attorney," had some very nice things to say about Mr. Julian's conduct of his office.

Senator SALTONSTALL issued the following statement on the occasion of Mr. Julians' reappointment to the office of U.S. attorney in 1957:

The reappointment of Anthony Julian as U.S. attorney for Massachusetts is most gratifying to me, and I know that it will be pleasing to the citizens of Massachusetts. As U.S. attorney Mr. Julian has performed an outstanding public service. He has shown himself to be able, efficient, and just.

All of us who know Mr. Julian and his past performance are confident that he will discharge the duties of his judicial office with exceptional ability and wisdom.

TRUJILLO, CASTRO, AND THE DECLARATION OF SANTIAGO

The SPEAKER. Under the previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 30 minutes.

Mr. PORTER. Mr. Speaker, Generalissimo Trujillo's incredible machinations are again being exposed. Thanks to the diligent efforts of the Department of Justice, three former officials of the Mutual Broadcasting System have been indicted for failing to register as agents of the Dominican dictator. They are accused of agreeing to broadcast the dictator's propaganda—disguised as genuine news—over their network. The payoff—a cool three-quarters of a million dollars.

Trujillo now claims that he was merely trying to counteract a bad press in the United States. At the time the deal was being consummated, Vision's correspondent in Ciudad Trujillo was strangled. Later this year, Tad Szulc, the New York Times correspondent, was kicked out of Trujillo's fief for reporting the facts.

In fairness to the generalissimo, we must allow that perhaps he really does not see the evil in paying a radio network to broadcast his party line. After 30 years of controlling every word in print, on the air, in the street, and even in the privacy of homes, the old man must by now regard state censorship as a way of life.

THE IMPLICATIONS ARE APPALLING

Nevertheless, for us, the implications of the case are appalling. The American people have come to take for granted the courage and integrity of our reporters and journalists. We rely upon them to be our eyes and ears, to present us with the facts on domestic and foreign events upon which we can base our opinions and policies. The idea that some foreign tyrant could prostitute the news media of the United States to his own nefarious purposes is chilling to contemplate.

The fact that Trujillo had the gall to try to undermine one of our basic freedoms is true to form. In the past, the Generalissimo has not felt constrained to confine his cynical activities to within the boundaries of his island paradise. The Dominican regime has yet to give the Department of State a satisfactory explanation for the disappearance of Professor Galindez from New York and the death of my constituent, Gerry Murphy.

Trujillo's machinations in the United States, while reprehensible, are but petty annoyances in the total of our foreign relations. For some of his Caribbean neighbors, however, Trujillo's intrigues constitute a major threat to their security.

TYRANNICAL GOVERNMENTS ARE THREATS TO THE PEACE

By their very nature, tyrannical governments are threats to the peace of the hemisphere. Where there are oppressors, courageous men will rise in protest. Some of those who are able to escape assassination and take refuge on more friendly shores are going to keep up the fight against the degradation of human spirit in their homelands. Dictators, in self-protection, have traditionally sought to surround themselves with similar governments with whom they can work out an understanding.

With Pérez Jiménez out of Venezuela, Rojas Pinilla out of Colombia, and Batista out of Cuba, Trujillo must indeed feel isolated and threatened. None of the new governments can feel safe knowing that he will spare no effort or expense to wipe them out.

BLOOD MONEY FOR BLOODY PURPOSES

The magnitude of the sum involved in the Mutual Broadcasting deal gives some idea of the assets Trujillo has at his disposal to invest in his unscrupulous activites. Three-quarters of a million for an abortive attempt to buy public opinion in the United States.

How many millions for similar efforts to confuse public opinion regarding Castro of Cuba and Betancourt of Venezuela? How many millions more to instigate and arm plots to overthrow other Latin American governments which are struggling to establish representative government?

THE HISTORIC SANTIAGO DECLARATION

The American Republics meeting at Santiago last month took resounding recognition of the fact that it is the dictators that endanger America's peace, not those in revolt against oppression. The pertinent part of the historic declaration of Santiago reads:

That harmony among the American Republics can be effective only insofar as human rights and fundamental freedoms and the exercise of representative democracy are a reality within every one of them, since experience has demonstrated that failure to adhere to such principles is a source of widespread disturbance and gives rise to emigration that causes frequent and grave political tensions between the state the emigrees leave and the states that receive them;

That the existence of antidemocratic regimes constitutes a violation of the principles on which the Organization of American States is founded and endangers the peace, solidarity and good relations of the hemisphere.

The Ministers of Foreign Relations then went a long step further. For the first time the American Republics set up standards to appraise a nation's right to call itself a democratic republic and to associate with its neighbors in the OAS as a nation worthy of respect. Does a government hold free elections? Is there freedom of the press, of radio and television? Are fundamental human rights respected, and protected by an effective judicial system?

The Declaration of Santiago sets forth the principal attributes of the democratic system in this hemisphere, as the Declaration itself says, "to permit national and international public opinion to gage the degree to which political regimes and governments conform to that system, thus helping eradicate forms of dictatorship, despotism or tyranny."

MEASURING RODS FOR DEMOCRATIC GOVERNMENTS

The measuring rods defined by the Declaration of Santiago are:

First. The principle of the rule of law should be assured by the separation of powers, and by the control of the legality of governmental acts by competent organs of the state.

Second. The governments of the American Republics should be derived from free elections.

Third. Perpetuation in power, or the exercise of power without fixed term and with the manifest intent of perpetuation, is incompatible with the effective exercise of democracy.

Fourth. The governments of the American states should insure a system of freedom for the individual and social justice based on respect for fundemental human rights.

Fifth. The human rights incorporated into the legislation of the various American states should be protected by effective judicial procedures.

Sixth. The systematic use of political proscription is contrary to American democratic order.

Seventh. Freedom of the press, of radio and television, and, in general, freedom of information and expression, are essential conditions for the existence of a democratic regime.

Trujillo, of course, flunks on all seven counts. Applications of these standards to the regimes of Somoza in Nicaragua and Stroessner in Paraguay lead to equally grim conclusions.

CUBA'S CASTRO SHOULD USE THESE CRITERIA

The measurements outlined in the Declaration of Santiago should give Fidel Castro pause. Now he has before him the criteria by which his fellow Americans are going to judge his revolution.

I have never doubted Castro's good faith in his struggle to overthrow the despotic Batista regime. Along with millions of others in the Western Hemisphere, I cheered Dr. Castro for providing Cuba with an opportunity to establish a government of law and justice.

Shortly after Castro's January 1 victory in battle, I noted in remarks in the House on January 26 that "whether Cuba's new climate of freedom lasts depends largely on Fidel Castro." I said then:

Many who loathed Batista are sickened by the thought that Fidel Castro, perhaps in spite of himself, may end up just another Latin American strong man ruling for an interval by terror and tribute. This is by no means impossible. * * *

Castro needs rest. He needs time to ruminate, time for contemplation and study, then consultation with others and travels in Cuba and elsewhere. If he does not withdraw, he will inevitably diminish, then destroy, the authority of the new government. This will make the transition period difficult and perhaps impossible.

Many Cubans will protest his withdrawal into the wings at this time. They will cry, with understandable concern, that Cuba needs him. More than Castro, Cuba needs a functioning government, honest and mindful of human freedoms. Castro has no desk, no organization for government, and no time or ability to decide the many and often complex issues brought to him. Most important of all, he has no business trying to do what the provisional government was established to do. As a thoughtful lawyer Castro can recall Coke's famous proposition, "Not under man, but under God and the law." This proposition, in addition to being right and just, is the only feasible way to run a government today and to maintain human freedom.

Over 6 months have passed since I made that statement. Unfortunately, Fidel did not take time to rest. He still has no desk. His disorganized approach to government means that his ministers cannot reach him, yet they cannot function unless they consult him.

Since Dr. Castro assumed power, I have been obliged on a number of occasions to be critical of some of his decisions.

WAR CRIMES TRIALS

From the first, I urged Castro and his ministers to improve the procedures for the trials of persons accused of crimes during the Batista regime. On January 12, 1959, I sent the following cable to President Urrutia of Cuba:

Dear Mr. President: For your private information and I hope action let me suggest that Cody Fowler, president of the Inter-American Bar Association, Miami, an able man and good friend of mine, would favorably entertain invitation from you to set up advisory committee from that association to help reconstitute the judicial system of Cuba. Please don't think me presumptuous. The trials of your war criminals and the revival of confidence in Cuba's administration of justice are certainly vital problems on which men of good will could be of tremendous and sympathetic assistance. All I ask now is that you ask Fowler for the help of the Inter-American Bar Association in the delicate and formidable task of fairly judging the accused criminals among the prisoners.

Three days later I said in the House of Representatives:

No one should be executed without a fair trial. It is my hope that the Inter-American Bar Association will be asked to consult with the Cuban Government. Leading lawyers from the Western Hemisphere could be of timely assistance in reestablishing the Cuban court system and in assuring everyone, including Cubans, that the new government is not embarking on the bloody road of Batista.

Unfortunately, Castro did not see fit to accept the help of the Inter-American Bar Association. I think this was an error.

When I visited Cuba in January and sat next to Fidel Castro at an informal dinner, I told him that I thought it was wrong to hold war crimes trials in the Sports Palace and to allow unrestrained press, radio, and TV coverage. The following day he radioed from Caracas to stop the trials in the Sports Palace and take away the TV and radio coverage. Upon my return from Cuba, I reported regarding the trials to the House of Representatives, on January 26:

The trials should be slowed down. Cuba is at peace, and civil judges, not military judges, should sit on the bench. * * * I urged these changes in policy in writing before I went to Cuba and personally when I was there to Preisdent Urrutia, Castro, and Secretary of Justice Angel Fernandez.

Subsequently, I continued to urge that the military trials be halted and further trials be held in civil courts. I pressed Castro himself to do this in a letter dated April 1, 1959. On April 29 and again on May 5, I repeated the recommendation in remarks in the House.

The retrial of the 43 airmen in Santiago at Castro's orders was a flagrant violation of judicial process. Again, I criticized Castro, openly in the CONGRESSIONAL RECORD, and privately to Castro himself. In the CONGRESSIONAL RECORD of April 7, I stated:

We can insist that verdicts of acquittal by duly authorized tribunals not be reversed by executive decision.

To Castro, I wrote on April 1:

The 43 airmen whose acquittal you overthrew ought to have their original verdict reinstated. They should be released.

COMMUNIST INFILTRATION

The question of Communist infiltration into the Cuban revolutionary administration has caused concern among Cuba's real friends. The smokescreen of accusations of communism which the dictatorships have been accustomed to blow at their democratic enemies has complicated sincere and intelligent efforts to deal with the problem.

There can be little doubt that dedicated Communists are trying to take advantage of the postrevolutionary confusion to gain positions of strength. As I have said before, I do not believe that Fidel Castro is a Communist. But I do think that he can lose his revolution to them if he is not careful.

Nor have I been hesitant in saying this to Cubans. In a speech in Santiago, Cuba, attended by some 250 businessmen, on February 9, I said:

Finally, and this injunction is not needed by most of you, beware of Communists who would try to make you believe they speak as Cubans, Cubans devoted to Cuba and speedy social and economic changes. Communists, of course, thrive on disorganization and are trained to take advantage of it. Their social-justice anti-U.S.A. and pro-Cuba themes should fool no one, certainly not any Cuban who hated Batista and would fight against the resurgence of his counterpart in Cuban politics.

In a letter to a high Cuban Government official, a friend of mine, on May 30, I wrote:

It is good to see the Communists smarting under criticism by Fidel and continuing to lose in union elections. I'm sure that the "unity" did them far more good than it ever did the 26th of July. I still would like to see Fidel take steps to bar them from holding any governmental or union offices.

To Fidel Castro himself I wrote on April 1:

You should not allow Communists or their tools to use you and your Government for their purposes. Communists are not working for Cuba except as it may serve their plan to seize power for the Soviet Union.

Finally, on April 29, in open suggestions in the House of Representatives, I urged Fidel to "bar Communists from holding executive or judicial offices in the Cuban Government or in labor unions."

Prior to Castro's visit in April, I wrote to him as follows:

Your visit can be a tremendous success and a real shot in the arm for freedom everywhere, provided your policies are consistent with the ideals for which you risked your life many times and for which many of your movement suffered and died.

Please, by actions as well as words, reassure me and others like me who want to see Cuba thrive under your leadership.

FREE ELECTIONS

Those ideals for which Castro and many fellow Cubans risked their lives are summed up in the seven points of the declaration of Santiago mentioned earlier. How does Castro measure up to the declaration?

The application of these standards to Cuba at this time would find Castro's government lacking in points 1, 2, and 3. Under the one-man rule in Cuba today, there is no separation of power. Nor has the government been derived from free elections. And it would seem, since elections have not been scheduled, that Castro can with some plausibility be accused by his enemies of "the exercise of power without fixed term and with the manifest intent of perpetuation."

Castro, in an interview with Look's foreign editor, William Attwood, published on September 15, 1959, stated:

We will have elections when the revolution has advanced enough, when the social reforms are carried out, when everyone has a decent standard of living, when we have eliminated unemployment and lifted up the country. When will this be? It depends on circumstances. Our job could be interrupted. So I do not want to set an exact date for elections. But I can tell you it will be inside of 4 years. You must remember that the Cubans are a passionate peeople who are now in a revolutionary process. Our first duty is for all to work. Elections would be distracting just now. Of course, if public opinion turns against me, I will not try to hold the power 1 minute more.

This in indeed an ominous perspective. As I stated in remarks in the House of Representatives on May 5, 1959:

No nation can put off elections pending the elimination of corruption, illiteracy, and misery.

It is true that Castro sees his revolution, not purely as an end to political corruption, but as a social and economic revolution. Nevertheless, he cannot hope to achieve permanent reforms without a legitimate and organized opposition based on free elections.

For months now I have been urging that elections be scheduled before 1961. In a letter to Mr. José Sanchez, president

of the 26th of July movement in New York, I wrote on July 22:

Your movement thrived on military opposition. Now it must as a democratic group arrange forthwith for political opposition. This means free elections should be scheduled before the end of 1960. Nothing is more important for the realization of the great dreams of your historic movement. Nothing less will honor the thousands who died as victims of Batista and fighters against Batista.

NEED FOR FREE ELECTIONS

In letters to one of Castro's ministers, I have repeatedly pressed for elections. On May 11 I wrote:

I hope there will be an official announcement soon setting a date for the elections and that that date will be sometime before January 1, 1961. I think this is highly important.

Again on May 30 I stressed the importance of elections, as follows:

I look everyday in the New York Times hoping that I will see a story announcing the date for elections sometime in 1960. I cannot over-emphasize the importance of this step. This is the only practicable way to consolidate the great support the 26th of July has among the people of Cuba to insure popular support for the many important reforms which are necessary.

In July, to the same high official, I again reiterated the theme:

I have no doubt that Castro and his government has almost unanimous support among the Cuban people but I do believe that it is important that the opposition be given a formalized platform by having the election of a Congress.

On the House floor on a number of occasions I have also raised the subject of elections in Cuba. In remarks commemorating the anniversary of the 26th of July movement, I said:

It is also an occasion for friends of freedom to remind Castro and the 26th of July that every democracy must have an active and legitimate internal opposition. The only way such an opposition can arise is through free elections. The date for these elections should be held before the end of 1960.

A week later, in the House, I repeated my position:

Castro needs to understand the necessity for a legitimate, organized opposition, a development that can only come through setting a date for elections in the reasonable future, that is, an immediate announcement of an election date sometime before the end of 1960.

Castro's Cuba has come a long way from the Batista days. People are no longer tortured and assassinated. Reporters are free to roam the island and to report their findings.

But the fundamental freedoms which Castro and his men rescued from tyranny will be secured only when a constitutionally elected government, responsible to the people, is instituted.

I hope Castro will ponder the first seven points of the Declaration of Santiago. He must realize that he will be judged throughout the Americas by the very standards he fought to establish.

Not only do Castro's fate and Cuba's fate hang in the balance, but the wistful hopes of millions in Latin America who look to Castro as more than the hero who led his fellow citizens victoriously against a cruel and greedy dictator. They are depending on his social and economic revolution to provide them with an example of a nation emerging from misery and ignorance to happiness and dignity for everyone.

This is a tremendous burden for any man and any nation. The effort deserves our sympathy, our understanding, and our assistance. What is going on in Cuba is going on in many underdeveloped nations in Asia and Africa as well as in Latin America. With patience and the perspective of the "revolution of rising expectations," we can help Cuba, and Cuba can help us win new and ever stronger friends, allies, and customers throughout the world and assure the victory of the free nations in the cold war.

STEEL STRIKE INVESTIGATION

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, as the steel strike drags on with its far-reaching impact on the economy and on the public, the need for a full scale congressional investigation becomes more evident.

I realize that there is no chance at this time for the naming of a select bipartisan committee of the House of Representatives for this purpose. Nevertheless, in the public interest, a searching study is needed to bring to public attention facts about this dispute which the people have every right to know. Whether the strike ends today or 6 months from now, I believe that a thorough probe should be conducted.

We must consider the far-reaching effects which threaten our national economy and the welfare of all citizens.

Much more is involved in this dispute than the economic conflict between the United Steelworkers of America and the steel industry. We are witnessing a dramatic exhibition of the monopoly power of one industry and its interdependent relationship to the rest of our economy. The chain reaction to a shutdown of a major portion of the steel industry is felt over a period of months in vast numbers of other industries throughout the country.

Many statements have been made by the United Steelworkers Union and conflicting statements have been issued by the steel companies. The public, as well as the Congress, cannot be certain which of the statements are important and relevant and true.

If there is no impartial tribunal to find the facts, there can be no such thing as an "enlightened public opinion" and strikers become a test of power in a whirl of propaganda and prejudice.

The national interest in these great conflicts between workers and management must be represented and asserted by the Federal Government. The invocation of the Taft-Hartley law will bring no final or fair solution to these problems. The George Humphrey influence in the executive department of the Government naturally arouses fear among steelworkers that there will be no fair and just decision.

The half million striking steelworkers are seeking a better share of what they charge are fantastically high profits of steel companies. The companies object to a wage increase claiming it would be inflationary.

I hope and believe this dispute will be settled before Congress reconvenes. A congressional investigation is needed now. But if not now, the need for a probe will be with us even after the strike ends.

A bipartisan probe committee should study the basic problems and let the public have an inside look at administered pricing practices, wage policies, inflationary effects, stock options, stock splits, and salary and pension policies of both management and labor. It should study tax loopholes and cost-plus defense contracts.

There is a growing public feeling that corporate salaries of $100,000 to $500,000 a year and gigantic pensions and other fringe benefits for executives in the steel industry and other giant corporations are immoral and in conflict with the public interest, particularly when not approved in a secret vote of stockholders.

It raises the question of public interest because it is the people who must finally pay the bill through Federal taxes and prices of manufactured goods.

WHO MADE THE CONSTITUTION?

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 30 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, on Thursday, September 17, the Nation in observing Constitution Day will take stock of the blessings that have come to us and to the world from the labor, the dedication, and the inspired wisdom of the men who met in convention, deliberated long and prayerfully, and came forth with a Constitution that is universally recognized as the greatest of all political documents, a Constitution that embodies as no other similar document ever conceived in any period of the world's history the deepest sentiments of mankind and the governmental instrumentalities by which they could be implanted and preserved in an organized society.

Who were these men who wrote our Constitution? For the reading on Constitution Day by my colleagues who may be interested I am including in my remarks today excerpts from a book of some years ago, "Who Made the Constitution?" written by me in collaboration with Marie Crowe, at present my administrative assistant.

I would call special attention to the sketches by Maj. William Pierce which preface the biographies of the members of the Constitutional Convention. The

sketches by Major Pierce were penned while he was working side by side in the Convention with his fellow delegates of whom he wrote.

Here are the sketches of all the men who participated in the Constitutional Convention as given in "Who Made the Constitution?":

GEORGE WASHINGTON, VIRGINIA, PRESIDENT OF THE CONVENTION THAT FRAMED THE CONSTITUTION

"General Washington is well known as the Commander of the late American Army. Having conducted these States to independence and peace, he now appears to assist in framing a Government to make the people happy. Like Gustavus Vasa, he may be said to be the deliverer of his country; like Peter the Cincinnatus he returned to his farm perfectly contented with being only a plain citizen, after enjoying the highest honor of the Confederacy, and now only seeks for the approbation of his countrymen by being virtuous and useful. The general was conducted to the chair as President of the Convention by the unanimous voice of its members. He is in the 52d year of his age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Washington—"First in peace, first in war, first in the hearts of his countrymen"—was first in the Convention. He was its presiding officer, and in the chair, presiding over the deliberations, he was same stern disciplinarian, the efficient leader, that he had proved on the battlefields of his country. His authority the delegates accepted without question. It is related that one day, during the proceedings, someone handed to the President some notes which a careless member had lost. In a tone which said better than words that in the Washington code of a soldier carelessness had no excuse, he announced that the owner might claim the notes at the close of the session. But no one ever had the courage to confess his carelessness by asking for them.

ABRAHAM BALDWIN, GEORGIA, YALE GRADUATE, MINISTER OF GOSPEL, WAR CHAPLAIN, LAWYER, U.S. SENATOR

Mr. Baldwin is a gentleman of superior abilities, and joins in a public debate with great art and eloquence. Having laid the foundation of a complete classical education at Harvard College, he pursues every other study with ease. He is well acquainted with books and characters, and has an accommodating turn of mind, which enables him to gain the confidence of men, and to understand them. He is a practicing attorney in Georgia, and has been twice a Member of Congress. Mr. Baldwin is about 38 years of age." (Maj. William Pierce, (Georgia) a fellow delegate.)

Delegate Baldwin, at 17, was graduated from Yale, and at 24 was licensed as a minister of the Gospel. He served in the war as a chaplain. Elected professor of divinity at Yale, he declined and took up the profession of law. At 30 he went as representative to the Georgia Legislature, where he was responsible for the adoption of a measure creating a complete educational system. The organization of Franklin College, around which centers the University of Georgia, is also credited to him.

He was 32 when he came to the Convention at Philadelphia. Of the three delegates from Georgia, he was generally esteemed the ablest. He was a Member of the House of Representatives of the First Congress under the new Constitution, and in 1799 entered the U.S. Senate as a stout and consistent supporter of Jefferson. His vote was cast for the conviction of Mr. Justice Chase of the U.S. Supreme Court on the charge of unfitting himself for his high judicial office by participating in politics as a stump speaker. He died March 4, 1807, in his 53d year.

RICHARD BASSETT, DELAWARE, OFFICER OF THE REVOLUTION, U.S. SENATOR, GOVERNOR, FEDERAL JUDGE

"Mr. Bassett is a religious enthusiast, lately turned Methodist, and serves his country because it is the will of the people that he should do so. He is a man of plain sense, and has modesty enough to hold his tongue. He is a gentlemanly man, and is in high estimation among the Methodists. Mr. Bassett is about 36 years old." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Basset was born in April of 1745 in Maryland. During the Revolutionary War he was captain of a troop of Dover Light Horse. He was a member of the council of safety, of the State constitutional convention, and of both houses of the Delaware State Legislature. He was a member of the U.S. Senate from 1789 to 1793, and from 1793 to 1799 was chief justice of the Delaware court of common pleas. In 1790 he was elected Governor of Delaware, and in 1801 was appointed by President Adams as one of the "midnight judges." He died in 1815 in his 70th year.

GUNNING BEDFORD, JR., DELAWARE, THE FAT DELEGATE—PRINCETON GRADUATE— 23 YEARS OF SERVICE AS U.S. JUDGE

"Mr. Bedford was educated for the bar, and in his profession I am told, has merit. He is a bold and nervous speaker, and has a very commanding and striking manner, but he is warm and impetuous in his temper, and precipitate in his judgment. Mr. Bedford is about 32 years old, and very corpulent." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Bedford was the fat member of the Convention; to such an extent that Major Pierce, sitting with him in the Philadelphia hall, was much impressed and left to history the record that "Mr. Bedford was very corpulent." He was born in Philadelphia, 1747, was graduated from Princeton, served in the Federal Congress, and was several years attorney general of Delaware. At 42, by appointment of Washington, be became U.S. judge for the Delaware district. In this capacity he served for 13 years until his death in 1812 in his 65th year.

JOHN BLAIR, VIRGINIA, LAWYER AND JURIST—MEMBER OF THE FIRST SUPREME COURT OF THE UNITED STATES

"Mr. Blair is one of the most respectable men in Virginia, both on account of his family as well as fortune. He is one of the judges of the Supreme Court in Virginia and acknowledged to have a very extensive knowledge of the laws. Mr. Blair is, however, no orator, but his good sense, and most excellent principles compensate for other deficiencies. He is about 50 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Blair for 18 years was a judge, first on the bench of his native Virginia and then as an Associate Justice of the Supreme Court of the United States, of which he was made a member by President Washington in the establishment of the first Court. He was born in 1732, attended William and Mary College, studied law in London, was a member of the Virginia House of Burgesses, and at 46 started on his judicial career as judge of the General Court of Virginia. As a member of the Constitutional Convention, he held himself aloof and maintained a dignified silence throughout. He resigned from the Federal Supreme Court in 1796. Four years later, 1800, he died, in his 68th year.

WILLIAM BLOUNT, NORTH CAROLINA, PAYMASTER OF TROOPS DURING REVOLUTIONARY WAR, TERRITORIAL GOVERNOR, EXPELLED FROM U.S. SENATE FOR PLOT TO TURN SPANISH FLORIDA AND LOUISIANA TO BRITISH

"Mr. Blount is a character strongly marked for integrity and honor. He has been twice a Member of Congress, and in that office discharged his duty with ability and faithfulness. He is no speaker, nor does he possess any of those talents that make men shine; he is plain, honest, and sincere. Mr. Blount is about 36 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Blount was 38 years of age (he was born March 26, 1749) when these words in praise of his "integrity and honor" were written by Major Pierce. A decade later, while a Member of the U.S. Senate, he was charged with complicity in a conspiracy to transfer Spanish Florida and Louisiana to the British, and was expelled from the Senate by a vote of 25 to 1. Despite this charge and the attendant disgrace, he retained the confidence of Tennessee, was elected to the State senate and at the time of his death in 1800 was speaker of the Tennessee house.

During the Revolutionary War, Blount was paymaster for North Carolina troops. He was four times a member and once speaker of the North Carolina House of Commons, twice State senator, twice a delegate to the Congress of the Confederation. As a member of the Constitutional Convention he took no part in debate, signed the Constitution, and later was a member of the North Carolina ratifying convention.

Blount ran for the U.S. Senate under the new Constitution, was defeated, then turned his footsteps and interest beyond the Alleghenies. He was appointed territorial Governor in 1790. Six years later he was president of the convention which made the former Territory into the State of Tennessee. The first State legislature elected him to represent the State in the U.S. Senate, from which he was expelled a short time later. Impeachment proceedings were begun in the House, but dismissed by the Senate for lack of jurisdiction. Blount then returned to Tennessee.

DAVID BREARLY, NEW JERSEY, ARRESTED BY ENGLAND FOR HIGH TREASON, FREED BY MOB OF AMERICAN PATRIOTS, LIEUTENANT COLONEL AT 21, CHIEF JUSTICE STATE SUPREME COURT, U.S. DISTRICT JUDGE

"Mr. Brearly is a man of good rather than of brilliant parts. He is a judge of the Supreme Court of New Jersey, and is very much in the esteem of the people. As an orator he has little to boast of, but as a man he has every virtue to recommend him. Mr. Brearly is about 40 years of age." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Brearly (born 1745) was so outspoken in his sentiments during the pre-Revolutionary days that he was arrested for high treason. He never went to trial, however, for a mob of fellow Revolutionists freed him. He entered the Continental Army with the rank of lieutenant colonel in November 1776 and resigned August 4, 1779, after having accepted an appointment as chief justice of the supreme court of the State.

The next year, at the age of 35, he established a precedent in New Jersey by holding unconstitutional a law which allowed a jury of six men. In view of his record, it is surprising that Judge Brearly took no part in the debate in the Federal Convention on the subject of the power of the court. As a matter of fact, he was far more concerned about the status of small States.

With the establishment of the new Government under the Constitution, Brearly was appointed judge of the U.S. district court,

where he served until his death, August 16, 1790, in his 45th year.

JACOB BROOM, DELAWARE, THE QUIET DELEGATE THAT HISTORY HAS ALMOST FORGOTTEN, "A PLAIN GOOD MAN"

"Mr. Broom is a plain good man, with some abilities, but nothing to render him conspicuous. He is silent in public, but cheerful and conversable in private. He is about 35 years old." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Broom was a quiet man, but he spoke eight times in the debates of the Convention. He was born in 1752, and the first notice of him as a participant in public affairs was his appointment as a Delegate to the Annapolis Convention. The National Cyclopaedia of American Biography briefly states that "he held many positions of trust in Delaware." The Dictionary of American Biography makes no mention of him. He died in Philadelphia on April 25, 1810, in his 58th year.

PIERCE BUTLER, SOUTH CAROLINA—BORN IN IRELAND, OFFICER IN BRITISH ARMY, RESIGNED AND MARRIED AMERICAN GIRL, CHAMPION OF "BACKWOODS DEMOCRACY"—U.S. SENATOR

"Mr. Butler is a character much respected for the many excellent virtues he possesses. But as a politician or an orator, he has no pretentions to either. He is a gentleman of fortune, and takes rank among the first in South Carolina. He has been appointed to Congress, and is now a member of the legislature of South Carolina. Mr. Butler is about 40 years of age; an Irishman by birth." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Butler was born in Ireland, 1744, was a major in His Majesty's 29th regiment, but resigned his commission in 1773 and married Mary Middleton, of South Carolina. He was elected several times to the Legislature of South Carolina and won popular applause by fighting for the "cause of backwoods democracy." In 1786 he was named as a member on a commission to fix State boundaries and the following year went as a delegate to the Constitutional Convention.

He was elected to the U.S. Senate as a Federalist, but broke from partisan lines in opposing the judiciary act and the Jay treaty. He returned to the Senate for an unexpired term, 1802 to 1804, and died in Philadelphia on February 15, 1822, in his 78th year.

DANIEL CARROLL, MARYLAND, BROTHER OF THE ARCHBISHOP OF BALTIMORE, LANDED PROPRIETOR, U.S. SENATOR

"Mr. Carroll is a man of large fortune and influence in his State. He possesses plain good sense, and is in the full confidence of his countrymen. This gentleman is about — years of age." (Maj. William Pierce (Georgia), a fellow delegate.) [It is apparent from the omission that Major Pierce was in doubt as to Mr. Carroll's age.]

Delegate Carroll was the brother of the Catholic bishop of Balitimore. He was born on July 22, 1730, and was educated at St. Omer, in Flanders, which was then a popular school with the young men of well-to-do Maryland families. Except that he married Elizabeth Carroll, of the family of the Charles Carroll who signed the Declaration of Independence, little is known of his later life until at 51 he signed the Articles of Confederation. He was at that time a landed proprietor living on an estate which he had inherited from his father.

He took his seat in the Constitutional Convention on Monday, July 9, just 13 days before his 52d birthday. He signed the Constitution and worked for its ratification, opposing on that score, Samuel Chase, who urged delay.

Chosen Senator from Maryland in the First Congress, Carroll ardently supported the first amendment to the Constitution, providing for religious toleration. He also advocated the location of the District of Columbia on the Potomac. In 1791 Washington appointed him Commissioner to survey the land. In this capacity, he served 4 years. Then ill health forced his resignation. The following year he died at his home at Rock Creek, in his 66th year.

GEORGE CLYMER, PENNSYLVANIA, MERCHANT, A FIGHTING REVOLUTIONIST, CAPTAIN OF VOLUNTEERS, SIGNER OF THE DECLARATION OF INDEPENDENCE, CONGRESSMAN, CHAMPION OF PENAL REFORMS

"Mr. Clymer is a lawyer of some abilities; he is a respectable man and much esteemed. Mr. Clymer is about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Clymer was 48 when he entered the deliberations of the convention. He had prospered as a merchant in Philadelphia. In his patriotism he was ardent and zealous. He had thrown himself into the cause of the colonies, attended prohibited revolutionary meetings, and accepted the chairmanship of the Philadelphia tea party that compelled the resignation of merchants designated by the British to sell tea.

As a Member of the Continental Congress appointed with others to replace those who had refused to sign the Declaration of Independence, he attached his name to this historic document. During the war he served as a captain of volunteers in General Cadwalder's brigade. As a Member of the First Congress, he supported Washington but leaned toward the policies of Jefferson. While in the Congress, he worked to mitigate the penal code. He was responsible for the reduction in the number of capital crimes and the betterment of the conditions of convict servitude. He retired from public life in 1796 and died on January 24, 1813, in his 73d year.

JONATHAN DAYTON, NEW JERSEY, BOY SOLDIER OF THE REVOLUTION—YOUNGEST OF THE CONSTITUTION MAKERS—LAWYER, SPEAKER OF THE FIFTH CONGRESS, U.S. SENATOR—INDICTED WITH AARON BURR FOR HIGH TREASON

"Captain Dayton is a young gentleman of talents, with ambition to exert them. He possesses a good education with some reading; he speaks well, and seems desirous of improving himself in oratory. There is an impetuosity in his temper that is injurious to him; but there is an honest rectitude about him that makes him a valuable member of society, and assures to him the esteem of all good men. He is about 30 years old, served with me as a brother aid to General Sullivan in the western expedition of 1779." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Dayton was the youngest member of the Convention. Indeed, he did not celebrate his 27th birthday until after he had signed his name to the Constitution of the United States. He was only 15 when, with his father, he enlisted in the Army under Washington. He served throughout hostilities, advanced to the rank of captain, and 3 days after his 21st birthday was present at Yorktown on the surrender of Cornwallis.

After the war Dayton, who had been graduated from Princeton, studied law. He was a Member of the Congress for several successive terms, was Speaker of the House of the Fifth Congress, and from 1799 to 1805 was a Member of the U.S. Senate. His public career in the national arena, which began at 15 as a soldier, ended at 45. With Aaron Burr, he was indicted for high treason on June 25, 1807. Later the case against him was dropped, but Dayton did not return to national prominence. That his constituents did not lose faith in him, however, is evidenced by the fact that he held local offices and was twice a member of the New Jersey Assembly. He died in 1824, a few days after Lafayette had visited him, in his 63d year. The city of Dayton, Ohio, was named in his honor.

JOHN DICKINSON, DELAWARE, RICH LAWYER BETTER KNOWN AS THE "PENNSYLVANIA FARMER"—VOTED AGAINST THE DECLARATION OF INDEPENDENCE—A PRIVATE AT BRANDYWINE—OPPOSED JUDICIARY VOIDING ACTS OF CONGRESS

"Mr. Dickinson has been famed throughout all America for his 'Farmers Letters'; he is a scholar, and said to be a man of very extensive information. When I saw him in the convention I was induced to pay the greatest attention to him whenever he spoke. I had often heard that he was a great orator, but I found him an indifferent speaker. With an affected air of wisdom he labors to produce a trifle, his language is irregular and incorrect; his flourishes (for he sometimes attempts them) are like expiring flames, they just shew themselves and go out; no traces of them are left on the mind to cheer or animate it. He is, however, a good writer and will be ever considered one of the most important characters in the United States. He is about 55 years old, and was bred a Quaker." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Dickinson was a lawyer of distinction and of wealth, but he delighted in designating himself as "the Pennsylvania Farmer," under which name his letters were widely circulated throughout the Nation and made him famous. He was born, 1732, in Maryland, spent his boyhood on the large family estates near Dover, Del., and was educated by private tutors until he was 18 and went to Philadelphia to study law. But the best in America did not seem enough and at 21 he enrolled in the Middle Temple in London. He began law practice in Philadelphia at 25. James Wilson, also later to be a member of the Constitutional Convention, was a student in his office.

Always the student, Dickinson was a moderate during the pre-Revolutionary period. As a delegate to the Stamp Act Congress, a member of the legislature, chairman of the Philadelphia Committee of Correspondence, his influence remained on the side of reconciliation. As late as 1776, still clinging to a forlorn hope, he cast his vote in the Continental Congress against the Declaration of Independence. When war broke out, however, he enlisted and served as a private at the Battle of the Brandywine.

Evidently, Dickinson was a man of standing in Delaware as well as in Philadelphia, for during the last year of the war he served on the Supreme Executive Council in both places. It was his home State that chose him as delegate to the Constitutional Convention. There his utterances were always marked by moderation. When John Francis Mercer remarked that judges would void laws repugnant to the Constitution, Mr. Dickinson seems almost to be thinking out loud as he said: "He thought no such power ought to exist. He was at the same time, at a loss what expedient to substitute. The Judiciary of Arragon * * * became by degrees the law-giver." (Madison Journal, 543.)

Evidently, this doubt remained, for writing under the name "Fabius" while the Constitution was under discussion, he said:

"Constitutional properties are only, as has been observed at the beginning of this letter, parts in the organization of contributed rights. As long as those parts preserve the orders assigned to them respectively by the Constitution, they may be so far said to be balanced; but, when one part, without being sufficiently checked by the rest, abuses

its power to the manifest danger of public happiness. * * * The people must restore things to that order from which their functionaries have departed." (Ford, P.L. Pamphlets, 183.)

Having seen the Nation through the war, and after helping to launch the new Government, Dickinson retired to the seclusion of his historical and political studies. He died at Wilmington in his 76th year.

WILLIAM FEW, GEORGIA, OFFICER OF THE REVOLUTION, U.S. SENATOR, FEDERAL DISTRICT JUDGE, BANK PRESIDENT

"Mr. Few possesses a strong natural genius, and from application has acquired some knowledge of legal matters; he practices at the bar of Georgia, and speaks tolerably well in the legislature. He has been twice a Member of Congress, and served in that capacity with fidelity to his State and honor to himself. Mr. Few is about 35 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Few was a forerunner of a numerous procession of men who came from the South and the Middle West to the headship of the financial institutions of New York City. As a boy in North Carolina, he had witnessed the destruction of his father's farm by the British. This was 4 years before Bunker Hill, but from that moment the boy Few was a revolutionist. The family moved to Georgia, and when war broke the three sons at once enlisted and were commissioned. William rose to the rank of lieutenant colonel.

Twice elected to the Georgia Assembly and twice a delegate to the Continental Congress, he later represented Georgia at the Congress of the Confederation and at the Constitutional Convention. He and Baldwin were the only two of the six Georgia delegates who remained to sign the Constitution.

Under the new Constitution, he was a Member of the U.S. Senate for one term. From 1796 until 1799 he was U.S. district judge for Georgia. This position he resigned at the age of 52 to seek his fortune anew in the metropolis of New York. After 4 years in the New York General Assembly, he became inspector of State prisons, alderman, director of the Manhattan Bank, and finally president of the City Bank of New York. He died in 1828 in his 80th year.

THOMAS FITZSIMONS, PENNSYLVANIA—BORN IN IRELAND—MAKES FORTUNE AS MERCHANT—COMPANY COMMANDER IN REVOLUTION—CONGRESSMAN

"Mr. Fitzsimons is a merchant of considerable talents, and speaks very well I am told, in the legislature of Pennsylvania. He is about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Fitzsimons, born in Ireland, 1741, emigrated to Philadelphia as a youth and had established himself as a merchant by the time he was 20. When the war broke out he had a prosperous business, especially with the West Indies. He recruited and commanded a company of volunteers, and was of great service to the American cause in supplying fire ships and equipment. At one crucial time during the war he and his brother-in-law made a contribution of $25,000 for the use of the army.

As a member of the Congress of the Confederation, he championed the cause of the veteran soldiers under Washington, insisting that the Government pay them in full their back wages and before demobilization.

He was a Member of the House of Representatives of the First Congress, and retained his membership in that body until 1795, when he retired to private life. He died in 1811 in his 70th year.

BENJAMIN FRANKLIN, PENNSYLVANIA—OLDEST MEMBER OF THE CONVENTION—PUBLISHER, WRITER, SCIENTIST, DIPLOMAT

"Dr. Franklin is well known to be the greatest philosopher of the present age—all the operations of nature he seems to understand—and the very heavens obey him, and the clouds yield up the lightning to be imprisoned in his rod. But what claim he has to the politician, posterity must determine. It is certain that he does not shine much in public council; he is no speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary man, and tells a story in a style more engaging than anything I ever heard. Let his biographer finish his character. He is 82 years old, and possesses an activity of mind equal to a youth of 25 years of age." (Maj. William Pierce, of Georgia, a fellow delegate.)

Delegate Franklin was the oldest member of the Convention. Born in 1706, he was 81. His career had been most distinguished. As almanac publisher, writer, scientist, diplomat, he had won world renown. As a philosopher and a personality he stood alone among the Americans of his time. St. Andrews and Oxford had delighted to bestow honorary degrees on him.

To the Convention he gave a prestige not second to that of Washington's. He permitted the younger men to do most of the talking. It was a young land, a new government that was being molded, and Franklin evidently wished it to have the virility and dash of youth rather than the conservatism of the years. Only occasionally did he interpose a few words, chiefly in the interest of harmony. His longer speeches he scratched out on paper, which he handed to his colleague, James Wilson, to read. He mingled much among the delegates in the off hours, telling stories and relating reminiscences, in general keeping up the good spirits of the men who were engaged in a very serious undertaking and not overly certain how their work would be regarded by the people at home.

In the ripeness of his years, Franklin was determined on one point. He did not believe in giving the judges the right to negative the acts of the Congress. Even Prof. Charles A. Beard concedes that Franklin was opposed to any such grant or exercise of power by the judiciary. It was probably Franklin's influence that twice carried the Pennsylvania delegation against the revisionary power by the judges and once divided the vote. At any rate, during the discussion Franklin said, in reply to King's remark that the judges would stop the operation of such laws as would appear repugnant to the Constitution that "* * * it would appear improper to put it in the power of any man to negative a law passed by the legislature, because it would give him control of the legislature." (William Pierce on the Federal Constitution, American Historical Review, III, 322.)

Franklin died less than 3 years after the close of the Convention, in his 84th year.

NICHOLAS GILMAN, NEW HAMPSHIRE—AT 20 A SOLDIER OF THE REVOLUTION, U.S. SENATOR—DESERTS FEDERALISTS FOR JEFFERSON

"Mr. Gilman is modest, genteel, and sensible. There is nothing brilliant or striking in his character, but there is something respectable and worthy in the man. About 30 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gilman, a native son of New Hampshire (born, 1755) and educated in the common schools, was 20 years old when Lexington and Concord ushered in the war of the Colonies to break from the grasp of England. He answered the call to arms immediately. He, therefore, went to the Convention as a young veteran soldier of the Revolutionary War. In 1786–88 he represented his State in the Congress of the Confederation, and, after the adoption of the Constitution, continued to represent New Hampshire in the new Congress from 1789 to 1797. In 1804 he was elected as a Jeffersonian to the U.S. Senate, in which body he served until his death in 1814 in his 59th year. Originally a Federalist, he gradually lost faith in the Conservative Party.

NATHANIEL GORHAM, MASSACHUSETTS—SUCCESSFUL BUSINESSMAN WHO STAKED HIS FORTUNE AND CREDIT ON REAL ESTATE AND LOST

"Mr. Gorham is a merchant of Boston, high in reputation and much in the esteem of his countrymen. He is a man of very good sense, but not much improved in his education. He is eloquent and easy in public debates, but has nothing fashionable or elegant in his style—all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no man is more perspicuous and full. He has been president of Congress, and 3 years a Member of that body. Mr. Gorham is about 46 years of age, rather lusty, and has an agreeable and pleasing manner." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gorham (born 1738) was a businessman, established at the head of his own business at 21. He represented his town, Charlestown, in the Colonial Legislature during the stormy years from 1771 until the outbreak of the Revolution. During the war, he was a member of the War Board, a delegate to the State Constitutional Convention, and a State senator. During the last year of the war, he was elected to the State house of representatives, where he remained until 1787, serving as speaker for three terms. At the same time, he sat in the Federal Congress, 1782–83–85–87, and served 1 year as judge of Middlesex Court of Common Pleas.

Gorham's experience and ability won for him the position of chairman of the Committee of the Whole at the Constitutional Convention and he acted as presiding officer for several weeks. In the Convention he opposed the motion to grant the judges power of review over legislation, maintaining that judges possessed no peculiar knowledge of public policy.

His life was shortened by worry. He had been a land enthusiast. In a sense, a real estate promoter of the type of which there have been many since in America. Heavily he speculated in public lands. It had been said at the time the ratification of the Constitution was under discussion that the establishment of the new Government would increase the price of land 20 percent (Ford's Pamphlets.) Gorham remained fixed in his conviction that price of land under the new Government would continue to soar. Into his land speculations he threw his own fortune, and as well his credit—contracting for annual payments in installments. Then the crash. The price of Massachusetts scrip advanced faster than the price of land; Gorham found himself unable to meet his installments. His resources, both financial and physical, proved unequal to the strain. In 1796, at 58, he died of apoplexy.

ALEXANDER HAMILTON, NEW YORK, LAWYER—A GENERAL AT 24, FIRST SECRETARY OF THE TREASURY AT 32, KILLED IN A DUEL AT 47

"Colonel Hamilton is deservedly celebrated for his talents. He is a practitioner of the law and reputed to be a finished scholar. To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the heart and head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory. It is my opinion that he is rather a convincing speaker, that (than) a blazing orator, Colonel Hamilton requires time to think—

and inquires into every part of his subject with the searchings of philosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Hamilton was born in the Leeward Islands, West Indies, in 1757, came to America at 15 and the following year entered King's College (Columbia). At 19 he was commissioned an officer of artillery, saw active service, and, coming into the favor of Washington, was promoted to the rank of lieutenant colonel and assigned as secretary to the commanding general. He longed for duty in the field, became dissatisfied, resigned, indulged in heated remarks reflecting upon Washington's ability. Overlooking this, or attributing it to the hot headedness of youth, Washington appointed him as a commander under Lafayette. Thus, at 24 Hamilton was with the triumphant American Army at the surrender of Cornwallis at Yorktown. He was there in no mean capacity. He commanded a division.

Hamilton then studied law. He became the champion of the merchants and the capitalists. He was a Member of the Congress of the Confederation, the Annapolis convention, and the New York Legislature. At 30 he went to the Constitutional Convention, but, not enjoying the confidence of the other delegates from New York, his part in the deliberations was not extensive and his influence negligible. His fellow delegate, Dr. Johnson, described him as "a gentleman from New York with boldness and decision * * * and though he has been praised by everyone, he has been supported by none." (Yates Minutes, Elliott's Debates, I, 431.) He remained, however, to the close of the convention, and was the only delegate from New York to sign the Constitution, Lansing and Yates having taken their leave on July 10. In the campaign for ratification Hamilton rose to the heights of leadership. The Federalist, in which he advanced his arguments for ratification, was extensively read and a powerful factor.

When he was 32 Washington appointed him the first Secretary of the Treasury of the United States. He resigned in 1793 when wide speculation in Federal and State securities led to a panic. In his 47th year, on July 12, 1804, he was killed in a duel with Aaron Burr.

JARED INGERSOL, PENNSYLVANIA, SON OF A LOYALIST—SENT TO ENGLAND TO ESCAPE REVOLUTION—LAWYER, ATTORNEY GENERAL OF PENNSYLVANIA, JUDGE

"Mr. Ingersol is a very able attorney, and possesses a clear legal understanding. He is well educated in the classics and is a man of very extensive reading. Mr. Ingersol speaks well, and comprehends his subject fully. There is a modesty in his character that keeps him back. He is about 36 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Ingersol—born in Connecticut, 1749, and graduated from Yale, 1766—was the son of a Loyalist. With the revolutionary clouds gathering, his father dispatched him to England. Here in 1773 he was admitted to the Middle Temple, where he studied law for 3 years. The war clouds in America had then burst. Lexington had been fought. American youth at home was flocking to the banners of independence. Ingersol left England and went to France. Two years passed there. France entered into the treaty of alliance with the American Revolutionists. The cause of American independence was looking up. In 1778 Ingersol—the son of the Loyalist—returned to his native land. He opened a law office in Philadelphia and quickly won standing of distinction in his profession. In 1780—2 years after his return from Europe—he was appointed to membership in the Continental Congress. This was the extent of his public service until 1787, when with Franklin, Clymer, and Mifflin he joined the Pennsylvania delegation to the Constitutional Convention. He spoke in debate on but one occasion. Pierce explains this reticence by saying that "there is a modesty in his character that keeps him back." It is possible that there may have been another reason. Many in that convention were veterans of Washington's army. Washington himself sat as chairman. Quite natural if this son of a Loyalist, who because of his father's support of England's cause had been kept abroad in the early years of America's struggle, should have felt some reticence in speaking in such a gathering.

He was Attorney General of Pennsylvania from 1790 to 1799 and from 1811 to 1817. Appointed in March of 1821 the presiding judge of the district court for Philadelphia, he lived but 7 months to occupy the judicial office, dying on October 31, 1822, in his 73d year.

DANIEL OF ST. THOMAS JENIFER, MARYLAND, PERENNIAL BACHELOR, RICH, MOTHER SWEDISH, JUDGE—CLOSE FRIENDSHIP WITH WASHINGTON

"Mr. Jenifer is a gentleman of fortune in Maryland; he is always in good humor, and never fails to make his company pleased with him. He sits silent in the Senate, and seems to be conscious that he is no politician. From his long continuance in single life, no doubt but he has made the vow of celibacy. He speaks warmly of the ladies notwithstanding. Mr. Jenifer is about 55 years of age, and once served as an aide de camp to Major General Lee." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Jenifer was the perennial bachelor of the convention. Major Pierce has given him that place in history. He was jolly and always companionable. Good nature must have kept him looking young for Pierce remarks that he was about 55, underestimating his years by nine, for he was born in Maryland in 1723. Jenifer deserves also to be remembered especially by Americans of Scandinavian descent. While English on his father's side, his mother was Swedish. His father is described as a man of unusual wealth for the time.

He was a justice of the peace, later judge of the western circuit and at 43 was a member of the provincial court. At 50 he served on the governor's council, hoping for reconciliation with England; but when the warclouds deepened he took his place as president of the council of safety and later as delegate to the Second Continental Congress. His friendship with Washington was close. Although he was a general favorite, he spoke only three times in the Constitutional Convention. In 1790, 3 years after the convention, he died, in his 67th year.

WM. SAM. JOHNSON, CONNECTICUT, LAWYER, JUDGE, U.S. SENATOR—FIRST PRESIDENT OF COLUMBIA UNIVERSITY

"Dr. Johnson is a character much celebrated for his legal knowledge; he is said to be one of the first classics in America, and certainly possesses a very strong and enlightened understanding.

As an orator, in my opinion, there is nothing in him that warrants the high reputation which he has for public speaking. There is something in the tone of his voice not pleasing to the ear—but he is eloquent and clear—always abounding with information and instruction. He was once employed as an agent for the State of Connecticut to state her claims to certain landed territory before the British House of Commons; this Office he discharged with so much dignity, and made such an ingenious display of his powers, that he laid the foundation of a reputation which will probably last much longer than his own life. Dr. Johnson is about sixty years of age, possesses the manners of a gentleman, and engages the hearts of men by the sweetness of his temper, and that affectionate style of address with which he accosts his acquaintance." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Johnson (born, 1727) was indeed "one of the first classics in America" at the time the delegates gathered for the Convention. The son of the first president of King's College, New York, he was graduated from Yale at the age of 17 and 3 years later received his M.A. degree from Harvard. Oxford University, in England, bestowed upon him the honorary degree of doctor of laws. The same year he attended as a delegate to the Convention, he was named the first president of Columbia University, serving until 1800 and establishing a college of law over which James Kent presided.

For years he was a leader at the bar, one of the outstanding lawyers of his period. He was a member of the Connecticut legislature, colonial agent in London, judge of the superior court, and a member of the U.S. Senate. He retired from the senatorial office when the capital was moved from New York to Philadelphia, and died in 1819 in his 92d year.

Dr. Johnson was a conservative during his entire public life. His marriage to the daughter of a loyalist strengthened his connections in England, and 4 years before the signing of the Declaration of Independence he was a candidate for a crown appointment. In 1774 he was elected a delegate to the First Continental Congress, but declined. During the war he appears to have maintained the position of a conservative rather than that of a loyalist. In 1784 he attended the Confederation Congress as a delegate.

RUFUS KING, MASSACHUSETTS, SOLDIER IN THE REVOLUTION, LAWYER—MARRIED TO WEALTH—U.S. SENATOR, BANK DIRECTOR, DIPLOMAT

"Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for 3 years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his countrymen. This gentleman is about 33 years of age, about 5 feet 10 inches high, well formed, a handsome face, with an expressive eye, and a sweet, high-toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him toutensemble, he may with propriety be ranked among the luminaries of the present age."—Maj. William Pierce (Georgia), a fellow delegate.)

Delegate King was born in Massachusetts in 1755, was educated at Harvard, and in 1786, when 31, married and moved to New York. A strange thing happened. In 1787, 1 year after his removal to New York, he sat in the Philadelphia Convention, accredited to his native State. In 1789, 2 years

later and within 3 years after his removal to New York, he was elected to the U.S. Senate to represent the latter State. His rapid rise in the State of his adoption was aided by the wealth of his wife and the connections he made with the representatives of the large interests of the times.

His political and financial connections made natural his election as director of the Bank of the United States. He served three terms in the U.S. Senate, where in his later years he advocated the abolition of slavery with the same zeal shown in that subject by him when a young Member of the Congress of the Confederation. By profession he was a lawyer, and had served in the Revolutionary War as an aide to General Glover in the Rhode Island campaign. Twice he was appointed to the diplomatic service, once by Washington as Minister to England, and once by John Quincy Adams to the same post. He died in 1827, in his 72d year.

JOHN LANGDON, NEW HAMPSHIRE—RUGGED INDIVIDUAL OF THE PERIOD—SAILOR, BUSINESSMAN, SOLDIER, GOVERNOR, U.S. SENATOR

"Mr. Langdon is a man of considerable fortune, possesses a liberal mind, and a good, plain understanding—about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Langdon celebrated his 46th birthday during the period of the Convention. He was born on June 26, 1741. His death occurred in his 78th year, on September 18, 1819.

He was a native son of New Hampshire, educated in the local grammar school, and as a boy went to sea. He made the most of his opportunities, and at 34, when the Revolution swept the colonies, he had considerable property. He was a typical rugged individual of the period.

He plunged into the Revolution from the outset. He was dashing and fearless. The seizure of Portsmouth Fort, and the removal of its munitions to serve the cause of the colonists, was one of the adventures of war in which early he participated. He organized and financed Stark's expedition against Burgoyne; he commanded a body of the militia; he was present at the surrender of the British at Saratoga. A good war record. Yet he apparently found time in the midst of his soldiering to care for his private business. We are informed that he came through the war with his private fortune unimpaired.

With the same fervor he threw himself into politics and the field of peacetime public service. He was Speaker of the State Legislature of New Hampshire. He was State senator. He was a delegate to the Federal Congress. He was Governor of his State. Under the new Constitution, which he aided in framing, he served two terms in the Senate of the United States, and during his second term was the President pro tempore.

Major Pierce's designation of Delegate Langdon as a man "of liberal mind and good plain understanding"—the impression made on Pierce during his association with Langdon in the Convention—was justified by Langdon's course in the U.S. Senate. He began his political career as a moderate Federalist. More and more, however, he swung from the conservative to the liberal viewpoint, finally breaking completely from the ultra-conservative policies of President Adams against which there was a rising revolt which later swept Jefferson into the Presidency on a wave of democracy. The pro-British features of the Jay treaty incensed him, and his opposition to this treaty was as stubborn and as relentless as his attacks on the British soldiery during the Revolution.

He retired from the Senate in 1801. But every year from 1805 to 1811 he was elected Governor of New Hampshire. He had then lived his "three score ten"—an active life marked with success in every field he entered—and announced his retirement. In 1812 he declined the nomination for Vice President of the United States.

WILLIAM LIVINGSTON, NEW JERSEY—"DON QUIXOTE OF THE JERSEYS"—FOURTEEN YEARS GOVERNOR OF NEW JERSEY—CHAMPION OF HOME RULE

"Governor Livingston is confessingly a man of the first rate talents, but he appears to me rather to indulge a sportedness of wit, than a strength of thinking. He is equal to anything, from the extensiveness of his education and genius. His writings teem with satire and a neatness of style. But he is no orator, and seems little acquainted with the guiles of policy. He is about 60 years old, and remarkably healthy." (Maj. William Pierce of Georgia, a fellow delegate.)

Delegate Livingston was born in Albany, N.Y. (1723), but it was in New Jersey that he came to prominence and fame. Graduated from Yale at the age of 18, he studied law in the office of James Alexander, an outstanding champion of the freedom of the press. He was New Jersey's first delegate to the Continental Congress, commanded New Jersey's militia during the war, and was New Jersey's first Governor under the new government, serving for 14 years. He was popular, what is termed a "hale fellow well met," and bore the appellation, affectionately bestowed, of the "Don Quixote of the Jerseys." He was especially active in opposition to all attempts to curb the power of home rule in local affairs. He died on July 25, 1790, less than 3 years after he had signed the draft of the Constitution.

JAMES MADISON, VIRGINIA, CHRONICLER OF DEBATES OF THE CONVENTION, CONGRESSMAN, SECRETARY OF STATE, WARTIME PRESIDENT OF THE UNITED STATES

"Mr. Madison is a character who has long been in public life; and what is very remarkable every person seems to acknowledge his greatness. He blends together the profound politician, with the scholar. In the management of every great question he evidently took the lead in the Convention, and though he cannot be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that council. Mr. Madison is about 37 years of age, a gentleman of great modesty—with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreeable style of conversation." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Madison, fourth President of the United States, was the historian of the Constitutional Convention. His notes of the debates, kept in long-hand, have come down as the only complete record of what transpired. He was but 37 at the time. Born in Virginia in 1750, he was educated at Princeton, at 26 was a member of the Virginia Convention which framed the State constitution, and at 30 was a Member of Congress. He also was a member of the Virginia House of Delegates, and found time to study law. After the adoption of the Constitution, in the framing of which he had been so prominent, he was elected to the First Congress as a Representative, was Jefferson's Secretary of State, and succeeded Jefferson as President. It was during his administration that the War of 1812 was fought. He died in 1836, in his 86th year, his last years having been spent in preparing his notes of the Federal Convention for publication.

Madison foresaw the Constitution as "possibly the cause of liberty throughout the world." He explained the manner of his reporting of the Convention proceedings:

"I chose a seat in front of the presiding member, with the other members on my right and left hands. In this favorable position for hearing all that passed, I noted in terms legible and in abbreviations intelligible to myself, what was read from the chair or spoken by the members; and, losing not a moment unnecessarily between the adjournment and reassembling of the Convention, was enabled to write out my daily notes during the session, or within a few finishing days after its close. It happened also that I was not absent a single day, nor more than a casual fraction of an hour in any day, so that I could not have lost a single speech, unless a very short one." (Madison's Introduction to the Journal of the Federal Convention.)

JAMES M'HENRY, MARYLAND—IRISH IMMIGRANT WHO BECAME WASHINGTON'S SENIOR SURGEON AT VALLEY FORGE, LATER HIS SECRETARY OF WAR, AND WHOSE SON INSPIRED WRITING OF NATIONAL ANTHEM

"Mr. McHenry was bred a physician, but he afterward turned soldier and acted as aid to General Washington and the Marquis de la Fayette. He is a man of specious talents, with nothing of genius to improve them. As a politician there is nothing remarkable in him, nor has he any of the graces of the orator. He is, however, a very respectable young gentleman, and deserves the honor which his country has bestowed on him. Mr. McHenry is about 32 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate McHenry was Irish. He was born in County Antrim, educated in the classics in Dublin, and was 18 when he landed in America. In Philadelphia, under Dr. Benjamin Rush, he studied medicine, and it was to hospital duty that he was assigned when, at the outbreak of hostilities, he hurried to Cambridge to offer his services to Washington. Facilities for hospitalization were crude, experienced workers were few, and McHenry's service so impressed the Continental Congress that it gave him public recognition.

But he longed for active service in the field. The Irish blood within was crying for the combat. He was transferred to field service with a Pennsylvania battalion, and during the retreat of the American Army across New Jersey fell into the hands of the British, a prisoner of war. He managed, somehow, to secure a parole; for he served as senior surgeon at Valley Forge, although his exchange was not completed until March 1778. He was then just past 25 years old. Appointed to LaFayette's staff, he remained with the French Army until the close of the war.

Dr. McHenry's political career began with his election to the Maryland senate when he was 28. He also served as secretary and member of the Federal Congress. Eleven years of legislative experience fitted him for the Constitutional Convention, in which he was one of but three medical members. Nine years later Washington made him Secretary of War to succeed Pickering. The senior surgeon amid the suffering of Valley Forge had become the head of the Nation's War Department. He retained his Cabinet position under Adams, but relations were strained between the two men. Finally the President demanded the Secretary's resignation. This ended his public career.

During the War of 1812, however, the name McHenry was again identified with the cause of patriotism. Because of the gallant defense of Fort McHenry by the doctor's son, John, the fort bears the family name.

It was in the morning, after a night of anxiety, that the sight of the Stars and Stripes still floating over the fort, inspired Francis Scott Key to write "The Star-Spangled Banner."

THOMAS MIFFLIN, PENNSYLVANIA, SON OF QUAKER PARENTS WHO BECAME A MAJOR GENERAL UNDER WASHINGTON—MERCHANT, GOVERNOR—"A VERY HANDSOME MAN"

"General Mifflin is well known for the activity of his mind, and the brilliancy of his parts. He is well informed and a graceful speaker. The general is about 40 years of age, and a very handsome man." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Mifflin was born in Philadelphia, 1744, and his parents were Quakers. Educated at the College of Philadelphia, he toured Europe and on his return became a merchant. Had legislative experience as a member of the Pennsylvania Legislature and of the First Continental Congress. He left for the war, as major aide-de-camp, with one of the first regiments raised in Philadelphia, and later was commissioned by Washington as major general, assigned to duty as quartermaster general and member of the War Board. He was president of the Congress of the Confederation, 1782, member of the Supreme Executive Council of Pennsylvania, 1788–90, and president of the Pennsylvania Constitutional Convention, 1790. He was elected Governor of Pennsylvania in 1791 and served in the Office of Chief Executive until his death in 1800 in his 56th year.

GOUVERNEUR MORRIS, PENNSYLVANIA—THE ARISTOCRAT WHO WANTED A PRESIDENT FOR LIFE AND THE CONGRESS UNDER THE THUMB OF THE JUDGES—LAWYER, MERCHANT, DIPLOMAT, UNITED STATES SENATOR

"Mr. Gouverneur Morris is one of those geniuses in whom every species of talents combine to render him conspicuous and flourishing in public debate. He winds through all the mazes of rhetoric, and throws around him such a glare that he charms, captivates, and leads away the senses of all who hear him. With an infinite stretch of fancy he brings to view things when he is engaged in deep argumentation, that renders all the labor of reasoning easy and pleasing. But with all these powers he is fickle and inconstant—never pursuing one train of thinking—nor ever regular. He has gone through a very extensive course of reading, and is acquainted with all the sciences. No man has more wit—nor can anyone engage the attention more than Mr. Morris. He was bred in the law, but I am told he disliked the profession, and turned merchant. He is engaged in some great mercantile matters with his namesake Mr. Robt. Morris. This gentleman is about 38 years old, he has been unfortunate in losing one of his legs, and getting all the flesh taken off his right arm by a scald, when a youth." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Morris was born, 1752, in Morrisania on the extensive estates of his family in New York. He was of the landed aristocracy. At 16 he was graduated from King's College (Columbia) and at 19 became a lawyer. He was at first opposed to a breaking away from the established order through the bringing on of the Revolution, but in 1776 sat as a member of the State constitutional convention and helped in the establishment of a government for New York. He also served in the Continental Congress.

He was 35 when he entered the Federal Constitutional Convention. He remained unshaken in the aristocratic principles to which he was born. He distrusted legislative bodies. He thought that the President should be elected for life, the right to vote should be limited to the propertied classes, only aristocrats should sit in the Senate. He was fearful that "emissions of paper money, largesses to the people, a remission of debts and similar measures" would at some time be popular and "coincide with the interests of the legislatures themselves" (Madison's Journal, 401–402). He spoke of the "instability of legislative assemblies," and regretted that the Convention had not seen fit to check it by giving power to the judges. (Madison's Journal, 534.) He placed emphasis on "the importance of the public credit," and seemed to fear that if the people had much to do with it, or their elected representatives, it would suffer. A typical and consistent aristocrat. An ultraconservative standing out against the rising tide of democracy. Disappointed that he could not get the Convention to place the judiciary as a barrier to the tide.

At 40, Morris was named Minister to France. He was recalled 2 years later at the request of France. At 47, he entered the U.S. Senate to fill an unexpired term as a Federalist. The proposal for the Erie Canal had his support, but so bitterly was he opposed to the War of 1812 that he advocated the repudiation of the war debt. He died on November 6, 1816, in his 64th year.

ROBERT MORRIS, PENNSYLVANIA—BORN IN ENGLAND—FINANCIER OF THE REVOLUTION, OUTSTANDING AMERICAN BANKER OF HIS TIME, U.S. SENATOR, RUINED BY SPECULATION, 3 YEARS IN A DEBTOR'S PRISON

"Robert Morris is a merchant of great eminence and wealth; an able financier, and a worthy patriot. He has an understanding equal to any public object, and possesses an energy of mind that few men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not speaking in the Convention I know not, but he never once spoke on any point. This gentleman is about 50 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Morris was the financer of the Revolution. His career is interesting. It carried him to the heights and left him in the depths. He was born in England, 1734, and came to America at 13. Seven years later he was "a member of the firm." His business and social standing in Philadelphia was established. Not bad for an emigrant boy of 20.

He was active in the cause of independence, but never failed to take his profit on contracts for arms and ammunition that he executed for the secret committee of the Continental Congress. The Dictionary of American Biography (XIII 220) states that this profit-taking, while known to his colleagues, did not shake their confidence in him.

As the war progressed Morris was busy buying supplies and borrowing money. It was not always an easy job. Toward the end there was neither money nor credit, Morris was made financial dictator, $200,000 was borrowed from France, and the Bank of North America established. Some of the money was loaned to the merchants, and there was some complaint among the soldiers that it was not used to better their condition. Morris could have written a book on the trials and tribulations of a banker that would have many understanding and sympathetic readers among the financiers of this period. He was typically the banker. His Bank of North America was not popular, and he sought and won a seat in the State assembly to be in position to defend the bank.

At the Constitutional Convention he was a silent spectator. Major Pierce remarks: "What could have been his reason for not speaking, I know not, but he never spoke on any point." Washington wished to appoint him to his Cabinet as Secretary of the Treasury, but Morris declined. He did go to the U.S. Senate as one of the first two Senators from Pennsylvania. His term expired in 1795. He was then 61. Land speculation had ruined him. The man who had financed the revolution, the outstanding American banker of his period, like many American financiers in recent years, sunk in a sea of speculation. He could pay neither interest nor taxes. Less than 3 years after his retirement from the U.S. Senate, and little more than a decade after he had signed the Constitution of the United States, he was unceremoniously thrown into a debtor's prison. For 3 years he languished in jail. Then came the bankruptcy law, and he was released. But his spirit was broken, his health gone. He died in 1806 in his 72d year.

WILLIAM PATTERSON, NEW JERSEY—BORN IN IRELAND, PRINCETON GRADUATE, LAWYER, U.S. SENATOR, GOVERNOR, JUSTICE OF THE FEDERAL SUPREME COURT

"Mr. Patterson is one of those kind of men whose powers break in upon you, and create wonder and astonishment. He is a man of great modesty, with looks that bespeak talents of no great extent, but he is a classic, a lawyer, and an orator; and of a disposition so favorable to his advancement that everyone seemed ready to exalt him with their praises. He is very happy in the choice of time and manner of engaging a debate, and never speaks but what he understands his subject well. This gentleman is about 34 years of age, of a very low stature." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Patterson was born in Ireland, County Antrim, and on the day before Christmas, 1745. At the age of 2 he was brought to Delaware and at 14 entered the College of New Jersey (Princeton). He was graduated at 17, and at 22 was admitted to the bar. As a member of the New Jersey Congress, he assisted in framing the State constitution. He served as attorney general of New Jersey and during the war was an officer in the Somerset County Battalion of Minute Men.

As a member of the Constitutional Convention he advocated the New Jersey plan, but, overruled, accepted the judgment of the majority and worked for the adoption of the Constitution in New Jersey.

He was elected to the U.S. Senate as one of the two first Senators from his State. The Judiciary Act of 1789 was drawn by him in collaboration with Oliver Ellsworth. In 1790 he became Governor of New Jersey and in 1793 accepted appointment as Justice of the Supreme Court of the United States. He died on September 9, 1806, in his 61st year. The city of Paterson, N.J., is named in his honor.

CHARLES PINCKNEY, SOUTH CAROLINA—SON OF A RICH FATHER, LAWYER, DIPLOMAT, FOUR TIMES GOVERNOR, UNITED STATES SENATOR, JEFFERSONIAN—INFLUENTIAL FIGURE IN CONVENTION

"Mr. Charles Pinckney is a young gentleman of the most promising talents. He is, although only 24 years of age, in possession of a very great variety of knowledge. Government, law, history, and philosophy are his favorite studies, but he is intimately acquainted with every species of polite learning, and has a spirit of application and industry beyond most men. He speaks with great neatness and perspicuity, and treats every subject as fully, without running into prolixity, as it requires. He has been a Member of Congress, and served in that body with ability and eclat." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Pinckney, a cousin of delegate Charles Cotesworth Pinckney, was born at Charleston in 1757. His father was a planter and a lawyer, and rich. Most of his education he received in Charleston, although for a time he was a student of law in the Middle Temple in England.

During the Revolution he served with troops from his hometown, his rank being

that of lieutenant, and was taken prisoner of war at the seige of Savannah. The efforts of his captors to seduce him to the cause of Britain he indignantly repulsed. After the war he was a Member of Congress of the Confederation for several years, then to the Constitutional Convention, where he was an outstanding figure and presented the "Pinckney Plan of a Federal Constitution," of which James M. Beck in his book, "The Constitution of the United States," says (p. 77): "Indeed, Pinckney's plan was the future Constitution of the United States in embryo."

He was four times Governor of South Carolina, served one term as U.S. Senator, was 5 years in Spain as the American Ambassador, and during the presidential campaign of 1800 was Jefferson's campaign manager in South Carolina. He died on October 29, 1824, in his 67th year.

CHARLES C. PINCKNEY, SOUTH CAROLINA—EDUCATED AT OXFORD, STUDIED LAW UNDER BLACKSTONE, ACTIVE CAMPAIGNING AS A SOLDIER, FOUNDER OF A COLLEGE, FEDERALIST CANDIDATE FOR THE PRESIDENCY

"Mr. Charles Cotesworth Pinckney is a gentleman of family and fortune in his own State. He has received the advantage of a liberal education, and possesses a very extensive degree of legal knowledge. When warm in a debate he sometimes speaks well—but he is generally considered an indifferent orator. Mr. Pinckney was an officer of high rank in the American Army, and served with great reputation through the war. He is now about 40 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Pinckney was born in Charleston, N.C., 1746, and as a boy of 7 went to England with his father, who had been appointed agent in London for the Colonies. At 18 he entered Oxford, continuing his studies in the law in the Middle Temple, and attending the lectures of Blackstone. At 23 he was admitted to the English bar and rode the circuit; then for a tour of the Continent; then home to South Carolina and the beginning of his professional and public career.

He was elected to the Provincial Assembly. With the opening of hostilities with England, he threw himself into the fray. His first active military service was with the defenders of Fort Sullivan. He was with Washington, as an aide, at the battles of Brandywine and Germantown. He was a regimental commander in the Florida campaign, participated in the siege of Savannah and was the commanding officer of Fort Moultrie during the attack on Charleston. When he was captured by the British, he was treated with great consideration in the hope that, educated as an English schoolboy, he might be wooed from the cause of his native land and his loyalty to the motherland restored. Pinckney, however, was of the stuff of which patriots are made. He remained steadfast in his devotion to the Colonies. His exchange was effected in 1782, and he was made brevet brigadier general.

Prior to going to the Constitutional Convention he served in the South Carolina Legislature. He was an active and influential member of the Philadelphia gathering of Constitution makers. He was for religious toleration, the complete separation of church and state, and introduced the measure prohibiting any religious test as qualification for officeholding in America. An outstanding member of the bar, he nevertheless opposed giving the judges any control in the legislative domain, and three times in the Convention the South Carolina delegation voted "No" on the question of giving the Supreme National Judiciary revisionary powers over the enactments of the Congress.

After the convention, Pinckney devoted his public service largely to his native State, although he found time in 1796 to undertake a mission to France by appointment of Washington, and in 1804–8 was a candidate for the Presidency as a Federalist. He was responsible for the establishment of the College of South Carolina in 1801. He died August 16, 1825, in his 79th year.

GEORGE READ, DELAWARE—SIGNER OF THE DECLARATION OF INDEPENDENCE, LAWYER, JUDGE, U.S. SENATOR

"Mr. Read is a lawyer and a judge; his legal abilities are said to be very great, but his powers of oratory are fatiguing and tiresome to the last degree; his voice is feeble, and his articulation so bad that few can have patience to attend to him. He is a very good man, and bears an amiable character with those who know him. Mr. Read is about 50, of a low stature, and a weak constitution." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Read was born in Maryland, 1733, of an Irish father and a Welsh mother. He was educated in Pennsylvania, and admitted to the bar when he was 20. He practiced his profession for 10 years in Delaware, when he received a political appointment as attorney general for the lower counties of Delaware. He served in the State assembly and also as a delegate to the First and Second Continental Congresses. He was among the signers of the Declaration of Independence. He was, by appointment of the Congress of the Confederation, a judge of the Court of Appeals in Admiralty cases, later a delegate to the Constitutional Convention, and a Member of the U.S. Senate, from which he resigned in 1793 to accept appointment as chief justice of Delaware. He died, 1798, in his 65th year.

JOHN RUTLEDGE, SOUTH CAROLINA—SON OF A MINISTER, LAWYER, GOVERNOR, ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT—CONFIRMATION AS CHIEF JUSTICE DENIED—DIED INSANE

"Mr. Rutledge is one of those characters who was highly mounted at the commencement of the late revolution; his reputation in the First Congress gave him a distinguished rank among the American worthies. He was bred to the law, and now acts as one of the chancellors of South Carolina. This gentleman is much famed in his own State as an orator, but in my opinion he is too rapid in his public speaking to be denominated an agreeable orator. He is undoubtedly a man of abilities and a gentleman of distinction and fortune. Mr. Rutledge was once Governor of South Carolina. He is about 48 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Rutledge was the son of an Episcopalian clergyman. He was born in Charleston, S.C., in 1739, and early was sent to England to study law in the Middle Temple. At 21 he was called to the English bar, returned to America and soon was a leader in his profession.

At 22 he was elected to the South Carolina House of Commons, and later was a delegate to the First Continental Congress. He was a member of the committee that wrote the constitution for South Carolina, and was the first president of that State. The original constitution, which Rutledge had assisted in framing, established the Episcopal Church as the church of South Carolina. But the spirit of religious tolerance was growing in the land. The popular demand was for the separation of church and state. Two years after the adoption of South Carolina's constitution it was revised to disestablish the Anglican church. President Rutledge—the son of a clergyman of the favored church was brought up to believe in the English system of the union of the church and the state—at once vetoed the revised constitution and resigned. A year later, with the British armies menacing South Carolina with invasion, he was recalled to the presidential office.

He was an active member of the Constitutional Convention. President Washington appoined him a Justice of the first Supreme Court of the United States, and on the resignation of Jay nominated him to succeed as Chief Justice of the Court. But he had previously denounced the Jay treaty, and for this reason the Senate refrained from voting confirmation. His mind became unbalanced—probably from the intensity with which he had applied himself to a lifetime of study, although by some it is attributed to his keen disappointment in failing, by the action of the Senate, in reaching the judicial pinnacle as Chief Justice; he retired to South Carolina, and died in 1800 in his 61st year.

ROGER SHERMAN, CONNECTICUT—SIGNER OF THE DECLARATION OF INDEPENDENCE, COBBLER, SURVEYOR, LANDOWNER, MERCHANT, PUBLISHER, BOOKSELLER, LAWYER, JUDGE, CONGRESSMAN, U.S. SENATOR

"Mr Sherman exhibits the odest character I ever remember to have met with. He is awkward, unmeetning, and unaccountably strange in his manner. But in his train of thinking there is something regular, deep, and comprehensive; yet the oddity of his address, the vulgarisms that accompany his public speaking, and that strange New England cant which runs through his public as well as his private speaking make everything that is connected with him grotesque and laughable; and yet he deserves infinite praise;—no man has a better heart or a clearer head. If he cannot embellish he can furnish thoughts that are wise and useful. He is an able politician, and extremely artful in accomplishing any particular object; it is remarked that he seldom fails. I am told he sits on the bench in Connecticut, and is very correct in the discharge of his judicial functions. In the early part of his life he was a shoemaker; but despising the lowness of his condition, he turned almanac maker, and so progressed upwards to a judge. He has been several years a Member of Congress, and discharged the duties of his office with honor and credit to himself, and advantage to the State he represented. He is about 60." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Sherman came from an old American family that settled in Watertown, Mass., in 1636. He was born on April 19, 1721, received a common school education, and learned the trade of shoemaker under his father. On the death of his father, he moved to New Milford, Conn., walking the distance with his cobbler's tools on his back. He became active in village affairs, was appointed surveyor, and acquired a considerable wealth in land. He established the first store of Milford, wrote and circulated a treatise on the "Evil Consequence of a Fluctuating Medium of Exchange," and published a series of almanacs filled with classical quotations as well as his own writings in prose and poetry.

At 33 he was admitted to the bar, the following year went to the State legislature, and later was a justice in the county court. At 40 he abandoned his law practice to go into business as an importer and merchant in the book line. He catered especially to the trade of the students of Yale. At 51, however, he retired from business to give his attention to public affairs.

He was a member of the Continental Congress, serving on the committee to draft the Declaration of Independence, and was among signatories of that document. He was also a member of the Congress of the Confederation, where he stood in opposition to fiat currency and large loans and championed high taxes both by the Congress and the States. In 1783 he revised the laws of Connecticut, in 1784–86 was judge of the superior court, and in 1787 was major of

New Haven. As a member of the Constitutional Convention, he advocated the dominion of the executive by the legislative, the election of both representatives and Senators by the State legislature, and putting into effect of the Constitution without ratification by the people.

He was elected to the new Congress in 1789, opposed amendments to the Constitution, favored the sale of western lands to settlers (not speculators) to pay up the national debt, and was against the location of the capital on the Potomac. In 1791—he was then 70—he was chosen to fill a vacancy in the U.S. Senate. He served in that position until his death on July 23, 1793. He was married twice and the father of fifteen children. A painting of him hangs in the Yale gallery of fine arts. Of him John Adams had once said: "An old Puritan, as honest as an angel and as firm in the cause of American independence as Mount Atlas."

RICHARD D. SPAIGHT, NORTH CAROLINA—EDUCATED IN IRELAND AND SCOTLAND, SOLDIER, THRICE GOVERNOR, CONGRESSMAN—KILLED IN DUEL

"Mr. Spaight is a worthy man, of some abilities and fortune. Without possessing a genius to render him brilliant, he is able to discharge any public trust that his country may repose in him. He is about 31 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Spaight was born in North Carolina, 1758, his father being a native of Ireland, and on the death of his mother when he was 8 he was sent to Ireland to be educated. He continued his studies at the University of Glasgow and returned to America when he was 21. He was elected to the North Carolina House of Commons and, being named an aide-de-camp to General Caswell, was present at the Battle of Camden. At 32 he was speaker of the North Carolina House, and 2 years later was chairman of a legislative committee that made a sweeping investigation of State judges and alleged corruption in public office. He was pronounced in his opposition to the courts of North Carolina passing upon the validity of the acts of the legislature, and asked who, if the judges passed upon the acts of the legislature, would control the judges?

He was a Member of the Continental Congress, 1783–85, and chosen as delegate to the Constitutional Convention. The year following the Convention he was defeated for Governor of North Carolina, and a year later ran for U.S. Senator as an anti-Federalist and was again defeated. His health broke, and for a while he withdrew from public affairs, but in 1792 was back. He was then only 34. He was elected Governor three times, then to the National House of Representatives, where he advocated the repeal of the alien and sedition laws and voted for Jefferson for President, then back to the Legislature of North Carolina as a State senator.

Spaight was decidedly of the Irish character. While Governor he issued a proclamation of North Carolina's neutrality in European affairs, and when he learned that three French privateers were being fitted out in Wilmington Harbor had them seized. In 1802, in his 44th year, he was killed in a duel.

HUGH WILLIAMSON, NORTH CAROLINA—ONE OF THE TWO PHYSICIAN SIGNERS OF THE CONSTITUTION, TEACHER, MERCHANT, SURGEON, SCIENTIST, WRITER

"Mr. Williamson is a gentleman of education and talents. He enters freely into public debate from his close attention to most subjects, but he is no orator. There is a great degree of good humor and pleasantry in his character; and in his manners there is a strong trait of the gentleman. He is about 48 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Williamson studied for the ministry, but because of ill health turned to medicine. He was a teacher of mathematics, a merchant, an army surgeon, and a scientist at different periods in his life, and at 58 moved to New York City and gave the remainder of his life to writing.

He was born in Pennsylvania in 1735, was graduated from the College of Philadelphia, in which for 3 years he taught mathematics, studied medicine at Edinburgh and Utrecht, in 1776 traveled abroad as a scientist and the following year set up his business as a merchant in Edenton, N.C. During the war he was an army surgeon.

He was a Member of the Congress of the Confederation and of the Constitutional Convention from his adopted State of North Carolina. Six years after the Convention he left North Carolina, after a residence there of 16 years, and went to New York. He died in 1819 in his 84th year.

JAMES WILSON, PENNSYLVANIA—SCOTCHMAN AND A PHILADELPHIA LAWYER, JUSTICE OF THE SUPREME COURT—DIED IMPOVERISHED

"Mr. Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show to advantage. He is well acquainted with man, and understands all the passions that influence him. Government seems to have been his peculiar study, all the political institutions of the world he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Grecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr. Wilson, yet he is no great orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. He is about 45 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Wilson was born in Scotland, 1742, was educated in Glasgow and Edinburgh, and was 23 years old when he came to America. He settled in Philadelphia and gave himself to the study of law in the office of John Dickinson. He was 34, and but a decade in his adopted land, when he attached his name to the Declaration of Independence.

For a number of years he had legislative experience in the Continental Congress, during the war was a member of the Board of War and advocate general for France, and as an attorney for Pennsylvania won his spurs by defeating Connecticut's claims to some of the lands of Pennsylvania.

At the Constitutional Convention, he fought persistently for enlarged powers for the judges. Twice he introduced motions for joining the judiciary in the revision of laws. On August 15 he seconded Madison's motion to give to the judiciary the power of a suspensive veto. All three motions lost, never mustering more than three States; while Wilson's own State voted against him twice and was divided once. His best efforts to give to the Supreme Court some power, or control, over legislation failing, Wilson, "after viewing the subject with all coolness" (Madison's Notes 536), still insisted that he was right, despite the fact that the Convention, and even his own delegation, did not agree with him. He was most apprehensive that the Government would end by the legislature swallowing up the executive and judiciary, which, he thought, had been left without sufficient self-defensive power because the judges had been excluded from participation in or control over legislation.

When the Supreme Court was organized, Washington named Wilson as one of the first Justices. He wrote and delivered the widely discussed opinion in *Chisholm v. Georgia*, upholding the right of an individual citizen to hale a sovereign State into court, in a private litigation. The idea of an individual dragging a proud State to court, like any ordinary individual, did not appeal; and the 11th amendment of the Constitution was rushed through to protect the sovereignty of the States from this indignity.

He died, while a Justice of the High Court, in 1798 in his 56th year. At the time he was a poor man, even in adversity, embarrassed by the pressure of his creditors. Having speculated his private fortune in bank scrip and Federal securities, the panic that ruined the fortunes of Alexander Hamilton likewise ruined his. He was pinioned under a load of debt, and did not long survive.

(Delegates to Convention who participated in debates, but did not sign the Constitution (16) and names of those who were appointed but did not serve—the list of those who muffed a great opportunity (10).)

WILLIAM R. DAVIE, NORTH CAROLINA—BORN IN ENGLAND, ADOPTED SON OF CLERGYMAN, WOUNDED IN BATTLE, LAWYER, HELPED FOUND A UNIVERSITY

"Mr. Davie is a lawyer of some eminence in his State. He is said to have a good classical education, and is a gentleman of considerable literary talents. He was silent in the Convention, but his opinion was always respected. Mr. Davie is about 30 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Davie was born in England, 1756, taken to South Carolina at 7, adopted by an uncle, a Presbyterian clergyman. At 20 he was graduated from Princeton with first honors; at 21 was a soldier in Pulaski's regiment, and on his 22d birthday was wounded in action. At 23 he was licensed as a lawyer, used the money left him by his uncle to equip a company of volunteers and kept biting at Cornwall's army until its retreat into South Carolina. He was renowned as a lawyer, and was keenly interested and active in the establishment of the University of North Carolina, for which he selected the instructors and mapped the course of study. In the Constitutional Convention he joined on four or five occasions in the debates. He died in 1820 in his 64th year.

OLIVER ELSWORTH, CONNECTICUT—THE CONGRESSMAN WHO WANTED GUNS TURNED ON WASHINGTON'S VETERANS BECOMES U.S. SENATOR AND CHIEF JUSTICE OF THE SUPREME COURT

"Mr. Elsworth is a judge of the Supreme Court in Connecticut; he is a gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate; and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adversary's arguments as he finds make the strongest impressions, in order to take off the force of them, so as to admit the power of his own. Mr. Elsworth is about 37 years of age, a man much respected for his integrity, and venerated for his abilities." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Elsworth is remembered as one of the three members of the Congress of the Confederation who demanded that the guns of the State militia of Pennsylvania be turned on Washington's veteran soldiers who surrounded Congress to demand the payment of arrearages for services during the Revolutionary War. His own part in the war had been as a member of a committee of five supervising expenditures. His interest was more in "balancing the budget," to use a modern phrase, than in caring for the veteran soldiers who had made the Republic possible.

He was born in 1745, entered Yale, switched to Princeton, studied for the ministry, switched to law, and became a leader of the Connecticut bar. He served as a State's attorney and delegate to the Continental Congress, was judge of the Connecticut Supreme

Court of Errors, Judge of the Superior Court of that State, and one of Connecticut's two first U.S. Senators. He resigned from the Senate in 1796 to accept the appointment as Chief Justice of the Supreme Court of the United States. He died 11 years later (1807) in his 62d year.

As a member of the Constitutional Convention he had fought doggedly for the vesting of more power in the judges, who, he said, "alone will have competent judgment." He wanted power "given to the few to save them from being destroyed by the many" (Madison's Journal, 274). Despite the decisive defeat in the Convention of all proposals to give the judges control over legislation, Elsworth continued to proclaim that he was right and carried his contentions, the following year, into the Connecticut convention. The abolition of the foreign slave trade he opposed.

ELBRIDGE GERRY, MASSACHUSETTS—MADE FORTUNE IN CODFISH, SIGNER OF DECLARATION OF INDEPENDENCE, OPPOSED RATIFICATION OF CONSTITUTION, CONGRESSMAN, GOVERNOR, VICE PRESIDENT OF THE UNITED STATES

"Mr. Gerry's character is marked for integrity and perseverance. He is a hesitating and laborious speaker—possesses a great degree of confidence and goes extensively into all subjects that he speaks on, without respect to elegance or flower of diction. He is connected and sometimes clear in his arguments, conceives well, and cherishes as his first virtue, a love for his country. Mr. Gerry is very much of a gentleman in his principles and manners; he has been engaged in the mercantile line and is a man of property. He is about 37 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gerry has the unique distinction of having his name preserved in a coined word that has come into general usage—gerrymander. His was a fiery career. He was never without a scrap on his hands. He was born in Massachusetts in 1744, was graduated from Harvard, made a fortune in the dried codfish business. He served in the Continental Congress, signed the Declaration of Independence, demanded the recall of Franklin, whom he thought corrupted by the French, and was so bitterly opposed to profiteering that he quarreled with and left the Congress. As a member of the Constitutional Convention, although he was militant in his advocacy of a strong central government, he left the Convention, refused to sign the Constitution and campaigned against its ratification. He was nevertheless elected as a Representative to the First Congress, and in 1810 was chosen Governor of Massachusetts. His administration was colorful. There was constant and bitter fighting with the Federalists, climaxed by the saving of the Governor's party by the famous gerrymandering bill. He was Vice President of the United States, with Madison, and died in office in 1814 in his 70th year.

WILLIAM HOUSTOUN, GEORGIA—FAT AND AMIABLE, LAWYER, REFUSED TO SIGN CONSTITUTION, ALMOST FORGOTTEN

"Mr. Houstoun is an attorney at law, and has been Member of Congress for the State of Georgia. He is a gentleman of family, and was educated in England. As to his legal or political knowledge he has very little to boast of. Nature seems to have done more for his corporeal than mental powers. His person is striking, but his mind but little improved with useful or elegant knowledge. He has none of the talents requisite for the orator, but in public debate is confused and irregular. Mr. Houstoun is about 30 years of age, of an amiable and sweet temper, and of good and honorable principles." (Maj. William Pierce (Georgia), a fellow delegate.)

Fat, amiable, sweet-tempered William Houstoun was evidently popular among his fellow Georgians for he held such positions as member of the Congress of the Confederation, agent in a boundary dispute between Georgia and South Carolina, and trustee of the State college. He was a member of the Georgia bar. He spoke only once in the Convention, and refused to sign the Constitution. A very brief mention is made of him in Appleton's Cyclopaedia of American Biography (III, 275). That is about the extent of the place given him in recorded history.

WILLIAM C. HOUSTON, NEW JERSEY, ONLY DELEGATE WHO HAD WORKED HIS WAY THROUGH COLLEGE, CAPTAIN IN REVOLUTION, LAWYER, VICTIM OF TUBERCULOSIS

Major Pierce makes no mention of Houston. Doubtless Houston's illness, then rapidly reaching the final stages, kept him, for the most part, inactive.

Delegate Houston was the only member of the Convention who had worked his way through college. He taught in grammar school to support himself while going through Princeton. He was born in 1746, saw active service in the Revolution as a captain of infantry, served in the Continental Congress and the New Jersey Legislature, and practiced at the New Jersey bar. Illness hastened his departure from the Convention before he had signed the Constitution. He was suffering from tuberculosis, and died shortly afterward, in 1788, in his 42d year.

JOHN LANSING, NEW YORK—DUTCH DESCENT, WAR SERVICE, LAWYER, JUDGE, OPPOSED RATIFICATION OF CONSTITUTION, DISAPPEARED, BELIEVED MURDERED

"Mr. Lansing is a practicing attorney at Albany, and mayor of that corporation. He has a hesitation in his speech, that will prevent his being an orator of any eminence; his legal knowledge I am told is not extensive, nor his education a good one. He is however a man of good sense, plain in his manners, and sincere in his friendships. He is about 32 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Lansing was of Dutch descent. He was born in Albany, N.Y., in 1754, during the war was military secretary to Gen. Philip Schuyler, was a member and Speaker of the New York Assembly, and served in the Congress of the Confederation. With Hamilton and Yates, he went to the Constitutional Convention as a member of the New York delegation. On July 10, however, he, with Yates, quit the Convention, and later he opposed the ratification of the Constitution. He was many years a justice of the New York Supreme Court and chancellor of state. His standing as a lawyer was high. In 1829—a week or two before Christmas—he suddenly dropped out of sight. Search was made everywhere. No trace of him—he then was 75, but robust—was ever found. It was the great mystery of the time. The general belief was that he had been murdered.

ALEXANDER MARTIN, NORTH CAROLINA—COURT-MARTIALED FOR COWARDICE IN BATTLE, BUT ACQUITTED—JUDGE, GOVERNOR, U.S. SENATOR

"Mr. Martin was lately Governor of North Carolina, which office he filled with credit. He is a man of sense, and undoubtedly is a good politician, but he is not formed to shine in public debate, being no speaker. Mr. Martin was once a colonel in the American Army, but proved unfit for the field. He is about 40 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Martin, at 47, came to the Convention to help in framing the government of the young nation. It had been but 10 years since he had faced a military court-martial for cowardice at the Battle of Germantown. Happily, he was acquitted. Had it been otherwise—but that is merely one of the "ifs" of history. He was born in 1740, at 34 was a judge, served as lieutenant colonel with North Carolina troops and later with Washington, and was Governor of his State and Member of the Federal Congress, from which he resigned to go to the Constitutional Convention. In late August, however, he quit the Convention without signing the Constitution. He was again elected Governor and later U.S. Senator, but was defeated for reelection to the Senate, after supporting the alien and sedition laws. Six years later he returned to public office as a State senator. He died in 1807, in his 67th year.

LUTHER MARTIN, MARYLAND—SCHOOL TEACHER, LAWYER, DEFENDER OF AARON BURR AND JUSTICE CHASE, JUDGE, OPPOSED RATIFICATION OF CONSTITUTION.

"Mr. Martin was educated for the bar, and is attorney general for the State of Maryland. This gentleman possesses a good deal of information, but he has a very bad delivery, and so extremely prolix, that he never speaks without tiring the patience of all who hear him. He is about 34 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Martin was what you would call a fighting lawyer. As attorney general of Maryland he was a bull-dog prosecutor against the loyalists. As defense counsel he stood with Mr. Justice Chase in the famous impeachment trial in the United States Senate and with Aaron Burr when, close to the presidency, the latter's queer twist of fortune had brought him to trial for high treason. His battle with Webster in the celebrated case of *McCullough* v. *Maryland*, in which the question of state's rights was involved, was near the close of his spectacular career, which carried him to the leadership of the American bar. He was born in New Jersey, 1758, was graduated from Princeton, taught school for a number of years, was admitted to practice law in Virginia, and finally located in Baltimore. He was a delegate to the Congress of the Confederation and to the Constitutional Convention, which he quit in protest and turned his oratorical guns against it in an atttempt to defeat the ratification of the Constitution. For three years he was judge of the Court of Oyer and Terminer for Baltimore. He was a Federalist and strongly opposed to Jefferson. He died in 1826, in his 78th year.

GEORGE MASON, VIRGINIA—ABLE BUT RETIRING, AN UNLICENSED LAWYER, CAMPAIGNS AGAINST CONSTITUTION, TRIUMPHS OVER MARSHALL

"Mr. Mason is a gentleman of remarkable strong powers, and possesses a clear and copious understanding. He is able and convincing in debate, steady and firm in his principles, and undoubtedly one of the best politicians in America. Mr. Mason is about 60 years old, with a fine strong constitution." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Mason was a back seat driver from preference. He was an exceptionally able lawyer, but he never took the trouble to be licensed as an attorney. He disliked public life, kept from the limelight, but his counsel was constantly sought by Washington and others. He did take an active part in the Philadelphia convention, but he disapproved of the Constitution as drawn, refused to sign it and campaigned against its ratification. He triumphed in debate over John Marshall, later to become Chief Justice of the Supreme Court and the author of the opinion giving the courts the right to declare laws unconstitutional. Marshall, then a lawyer, ridiculed Mason's contention that under the Constitution sovereign States would be haled into court by citizens; yet *Chisholm* v. *Georgia* and the 11th amendment to the Constitution prove that Mason

knew whereof he spoke. Mason was born in 1725 and died in 1792.

JOHN FRANCIS MERCER, MARYLAND—SOLDIER AT 16, HELPED FRAME THE CONSTITUTION AT 28, LAWYER, TWICE GOVERNOR OF MARYLAND

Major Pierce makes no mention of Mercer in his biographical sketches.

Delegate Mercer was just 16, when in 1776 he enlisted in the 3d Virginia Regiment. A graduate of William and Mary College, and the son of a wealthy lawyer—who had been an Irish immigrant—the young man was naturally commissioned a lieutenant. Later he was promoted to a captaincy and made an aide to General Lee. When his superior was court martialed, Captain Mercer resigned. Later, however, he returned to the army and was present at Yorktown.

While he was a civilian, Mercer studied law with Thomas Jefferson. He preferred politics to law, however. Although he was only 28 at the time of the Federal Convention, he took an active part in debate. He left without signing the Constitution. He was a Republican until the trouble with England, when he broke away from his party and joined the Federalists. Mercer was twice Governor of Maryland. He died in 1821, in his 63d year.

JAMES M'CLURG, VIRGINIA—EDUCATED IN MEDICINE IN SCOTLAND, ARMY SURGEON IN REVOLUTION, RENOWNED AS PHYSICIAN

"Mr. McClurg is a learned physician, but having never appeared before in public life, his character as a politician is not sufficiently known. He attempted once or twice to speak, but with no great success. It is certain that he has a foundation of learning, on which, if he pleases, he may erect a character of high renown. The doctor is about 38 years of age, a gentleman of great respectability, and of a fair and unblemished character." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate McClurg was one of three physicians in the Philadelphia convention. He was born in Virginia, 1746, educated at William and Mary College, received his M.D. at the University of Edinburgh, was an army surgeon during the war, became one of the outstanding physicians in Virginia and at one time was president of the State Medical Society. His selection as a delegate to the Constitutional Convention followed the refusal to serve of Patrick Henry and Richard Henry Lee. He did not sign the Constitution.

WILLIAM PIERCE, GEORGIA—PAINTER OF HUMAN SIDE OF THE CONVENTION, BRILLIANT MILITARY RECORD, BRAVERY EXTOLLED BY CONGRESS, EARLY DEATH

"My own character I shall not attempt to draw, but leave those who may choose to speculate on it, to consider it in any light that their fancy or imagination may depict. I am conscious of having discharged my duty as a soldier through the course of the late Revolution with honor and propriety; and my services in Congress and the Convention were bestowed with the best intention toward the interest of Georgia and toward the general welfare of the Confederacy. I possess ambition, and it was that, and the flattering opinion which some of my friends had of me, that gave me a seat in the wisest council in the world, and furnished me with an opportunity of giving these short sketches of the characters who composed it." Maj. William Pierce (Georgia), speaking of himself.

Delegate Pierce humanized for all time "the wisest council in the world." To him America must ever be indebted for the sketches, reproduced in this volume, which preserve the memory of his fellow members of the Convention, not as "fathers" etched in bronze, but as human beings seen through the eyes of one who mingled with them, on the floor of the Convention, and in the sportive and the somber off-hours. It was a stirring time. A great work was in the making. This gathering of the young and the aged, men of varied experiences and of varying temperaments, was building the framework of a new representative government that should supplant the tottering structure of government of monarchy. Madison faithfully reported their deliberations. It remained for Pierce to add the human touch. He makes of the delegates not automatons that move on the stage of history, far, far away from the audience of the present; but living, breathing human beings that, at his introduction, become as close to us as our next door neighbors. The reading of these intimate pen pictures by Major Pierce enhances the understanding of the Constitution. Yet they are practically unknown to Americans of this generation. The writers of this volume inquired of a dozen ordinarily well-informed persons if they had even heard of Pierce's sketches, and the answer in each instance was "No." It is hoped that the revival of the sketches in this volume will aid in restoring them to their proper place in the imperishable literature of the great Convention. The human side is the side least of all to be lost.

Pierce's life was comparatively brief. He did not long survive the Convention. He was born in 1740, served brilliantly in the Revolution, was publicly commended by Congress for his bravery at Eutau Springs, and was breveted a major. His legislative experience consisted of a few months in the Congress of the Confederation prior to his resignation to take his seat in the Constitutional Convention. A failure of his business interests compelled him to leave before the work was completed, and he did not return to sign the Constitution. He died, 2 years later, in 1789, in his 49th year.

EDMUND RANDOLPH, VIRGINIA—WASHINGTON'S AIDE-DE-CAMP, GOVERNOR AT 33, ATTORNEY GENERAL AND SECRETARY OF STATE IN WASHINGTON'S CABINET

"Mr. Randolph is Governor of Virginia, a young gentleman in whom unite all the accomplishments of the scholar and the statesman. He came forward with the postulata, or first principles, on which the convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. He has a most harmonious voice, a fine person and striking manners." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Randolph came from a long line of noted Virginians. His was a proud name. He was born in 1753, educated at William and Mary, studied law with his father, then King's attorney, was an aide-de-camp for Washington, and at 23 the youngest member of the Virginia Convention. He served as attorney general of Virginia and as a Member of the Second Continental Congress. At 33, he was Governor of Virginia, and the following year went to the Constitutional Convention. It was his persuasion that induced Washington to accept appointment as a delegate. But he refused to sign the Constitution. He did not believe it as liberal as he thought proper. Still, he did not stand in the way of its adoption and worked for its ratification. He served in Washington's Cabinet as Attorney General and as Secretary of State, resigning as a protest against the meddling of Hamilton. He died in 1813, in his 60th year.

CALEB STRONG, MASSACHUSETTS—GOVERNOR DURING WAR OF 1812, HE REFUSED TO PERMIT MILITIA TO FIGHT FOR UNITED STATES, LAWYER, SENATOR

"Mr. Strong is a lawyer of some eminence, he has received a liberal education, and has good connections to recommend him. As a speaker he is feeble, and without confidence. This gentleman is about 35 years of age, and greatly in the esteem of his colleagues." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Strong was Governor of Massachusetts during the War of 1812. He refused to permit the militia to enter the Federal service, and to fight for the United States. When the invasion of Massachusetts was threatened, however, he called out the militia on his own—to fight for Massachusetts and its defense. He was born in 1745, educated at Harvard, and at 27 was admitted to the bar. He was a member of the Massachusetts State Senate at the same time he held membership in the Constitutional Convention. He was called home before the adjournment, and did not sign the Constitution. He served in the First U.S. Senate as well as Governor of his State. He was a strong Federalist. He died in 1819, in his 74th year.

GEORGE WYTHE, VIRGIANA—EDUCATOR—THOMAS JEFFERSON AMONG HIS PUPILS, SIGNER OF DECLARATION OF INDEPENDENCE, A SELF-MADE AND SELF-EDUCATED MAN

"Mr. Wythe is the famous professor of law at the University of William and Mary. He is confessedly one of the most learned legal characters of the present age. From his close attention to the study of general learning he has acquired a complete knowledge of the dead languages and all the sciences. He is remarked for his exemplary life, and universally esteemed for his good principles. No man it is said understands the history of government better than Mr. Wythe, nor anyone who understands the fluctuating condition to which all societies are liable better than he does, yet from his too favorable opinion of men, he is not a great politician. He is a neat and pleasing speaker, and a most correct and able writer. Mr. Wythe is about 55 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Wythe was one of the noted educators of Virginia, Thomas Jefferson being among his pupils. He was born in 1726, was self-made and self-educated, was a signer of the Declaration of Independence, and a member of the committee which revised the laws of Virginia. His prestige among the delegates to the Philadelphia convention was great, but he took small part in the debates, seemed only mildly interested, and did not sign the Constitution. He died in 1806, in his 80th year.

ROBERT YATES, NEW YORK—AN HONEST LAWYER—A JUDGE WHO SERVED "WITH A HALTER AROUND HIS NECK"—YEARS ON THE BENCH, BUT SO POOR HE HAD NOTHING FOR HIS OLD AGE

"Mr. Yates is said to be an able judge. He is a man of great legal abilities, but not distinguished as an orator. Some of his enemies say he is an anti-Federal man, but I discovered no such disposition in him. He is about 45 years old, and enjoys a great share of health." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Yates was known as the honest lawyer and fairminded judge. An easy advocate of the cause of liberty, his essays in defense of the rights and liberties of his country won him a reputation as a Whig, and as a writer. With the outbreak of the Revolution, he became a member of the Committee of Public Safety, a body invested with almost inquisitorial powers. Although Yates hated Tories, he insisted upon fair treatment for them, with the result that patriotic zeal was confined within just and moderate limits. An active member of the convention which framed his State constitution, in 1777, Yates was offered the position of judge of the Supreme Court of New York, during the same year. Accepting such a position at that time was a daring act, for the Revolutionary cause hung in the balance,

and Yates sat on the bench "with a halter about his neck." Nevertheless, he accepted, giving up a lucrative law practice to do so, although his year's salary, paid in Continental currency, was, as he said, "just sufficient to purchase a pound of green tea for his wife."

Yates was 49 at the time of the Philadelphia Convention. He opposed the strong Central Government planned by his colleagues. Believing that the delegates were exceeding their authority, yet unwilling to remain as a disrupting influence, Yates, with Lansing, left the Convention July 10. Yates' ability as a writer was called into play in opposition to the Constitution. With almost prophetic vision, he pointed out that the courts would become superior to the legislature, because of lack of checks upon them. Once the Constitution was adopted, however, he believed it his duty to support it. Named chief justice of his State in 1790, he held that position until his 60th year when the law required his retirement. Always indifferent to his private interest, Yates retired from the bench, a poor man. To make provision for him the legislature appointed him commissioner to settle land titles, a position which he held almost to his death, September 9, 1801, at 63.

The absent 10

Ten delegates were appointed, but neither attended the Convention nor signed the Constitution. As far as the history of the Constitution is concerned, they are interesting only as furnishing the list of those who muffed a great opportunity. The 10 were:

John Pickering, New Hampshire.
Benjamin West, New Hampshire.
Francis Dana, Massachusetts.
John Neilson, New Jersey.
Abraham Clark, New Jersey.
Patrick Henry (declined), Virginia.
Richard Caswell (resigned), North Carolina.
Willie Jones (declined), North Carolina.
George Walton, Georgia.
Nathaniel Pendleton, Georgia.
Rhode Island made no appointments.

THE CONGRESSIONAL RECORD DAILY DIGEST

The SPEAKER. Under the previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, twice this week I have taken the floor of the House to call to the membership's attention a serious abuse of the Daily Digest section of the CONGRESSIONAL RECORD.

The Daily Digest has been a regular part of the CONGRESSIONAL RECORD since 1947. Its purpose has been to inform.

Authority for printing the Daily Digest in each day's CONGRESSIONAL RECORD comes from the Legislative Reorganization Act of 1946, section 221.

IMPROVEMENT OF CONGRESSIONAL RECORD

SEC. 221. The Joint Committee on Printing is authorized and directed to provide for printing in the daily RECORD the legislative program for the day, together with a list of congressional committee meetings and hearings, and the place of meeting and subject matter; and to cause a brief résumé of congressional activities for the previous day to be incorporated in the RECORD, together with an index of its contents. Such data shall be prepared under the supervision of the Secretary of the Senate and the Clerk of the House of Representatives, respectively.

The table of appropriation bills has appeared in the Daily Digest on a monthly basis since the beginning, as part of the monthly "Résumé of Congressional Activity," appearing on the first day of each month during the session. It had been provided by the Senate Daily Digest employees who received the data from the Senate Appropriations Committee. It had been factual and fair.

However, the situation was changed on July 7, 1959, without any authority from either the House or the Senate or the Joint Committee on Printing. Instead of being printed at the beginning of each month the Table of Appropriations was published daily. At the same time the daily table was no longer provided by the Senate Daily Digest employees, but by the House Daily Digest employees who I presume received their data from the House Appropriations Committee.

On August 21, 1959, without notice to the minority I am informed, the Democratic leaders of the Senate obtained unanimous consent on the floor of the Senate to have a table II added to table I. No similar permission has ever been obtained in the House. In the unanimous-consent request, nothing was said about table II, or table I for that matter, being part of the Daily Digest. Reference was made to the fact that table I was being printed every day but there was no reference to the fact that this was a deviation begun on July 6 without authority or without notification to either the House or the Senate or the Joint Committee on Printing. After this action by the Senate a table II was added to table I. This is the most controversial of the two tables and as I shall develop is unquestionably the result of political partisanship and is designed to be political propaganda. The title of table II is "New Obligational Authority Provided Outside the Appropriation Process (So-Called Backdoor Financing)." I leave it up to any fair observer as to what the phrase "so-called backdoor financing" means and whether it is an objective title. After the August 21 unanimous consent request in the Senate, the column heads in table I were changed without authority. The column heads which, until August 21, read thus:

Budget estimates to House.
Budget estimates to Senate.
Increase or decrease compared to budget estimates to date.
Date approved.

Now reads:

President's budget estimates to House.
President's budget estimates to Senate.
Increase or decrease compared to President's budget estimates to date.
Date approved by President.

None of this manipulation of the Daily Digest was done with the knowledge or approval of the Joint Committee on Printing. Up until these shenanigans started on July 6, 1959, even minor changes made in the format of the Daily Digest were cleared with the Joint Committee on Printing. The employees of the Daily Digest, both House and Senate, let it be said to their credit, have generally resisted suggestions that extraneous materials be added to the Daily Digest on the grounds that the body of the RECORD is available to individual Senators and Congressmen for matters of special interest to them.

In checking into this matter, I have been told that some of these changes that I have referred to were cleared with the staff of the Joint Committee on Printing. If this is so the staff of the Joint Committee on Printing has something to answer to to the committee members and to both the House and Senate. I have checked with the minority member of the Joint Committee on Printing of the House, Congressman PAUL SCHENCK, of Ohio, as to whether any of these changes have been brought to the attention of the Joint Committee on Printing or authorized by them. His answer was an unequivocal "No." He further stated the Joint Committee on Printing had not even met for the past couple of months.

I pointed out that table I has been provided by the Senate Appropriations Committee employees to the Senate Daily Digest employees until July 6, when the first switch was made. However, it is quite interesting to see who is preparing table II. It is not being prepared by a professional staff of either the Senate or House Appropriation Committees. Table II apparently is being prepared by an employee of the Senate Space and Aeronautics Committee, a Mr. Max Lehrer. Judging by the bunkum that is in table II, I can well believe that it comes from outer space. It certainly has no relationship to reality.

Mr. Speaker, there is no question that the Democratic leaders in the Congress and members of the Democrat Party are smarting under the charge that they are the "spenders" and that it is they who through unfinanced Federal spending programs have caused the Federal debt ceiling to have to be raised and the Federal Government to have to go into the money market to borrow more and more money and so cause interest rates to rise. Certainly the Democrat Party wants to avoid having the responsibility for inflation and for high interest rates pinned on it. But let them argue their case fairly on the floor of the House and on the floor of the Senate in honest debate, not through destroying the reputation for fairness and impartiality the Daily Digest and CONGRESSIONAL RECORD have established over a period of years. This is a type of political chicanery which all of us have experienced from time to time in our political careers but it is a kind of chicanery that as soon as it is called to the attention of responsible politicians is stopped and certainly not condoned. I took the floor of the House Monday to call attention to the errors in both table I and table II and to further point out that table I and table II did not give a fair and complete picture of Federal appropriations, expenditures and budgeting. I called the Members attention on the floor of the House to the "rigging" of the Daily Digest and stated I would put in the RECORD correct tables. On Thursday, September 10, I again took the floor of the House to call attention of the Members of the leadership to the violation of the Daily Digest and at this time I put the corrections to tables I, II and a new table III in the RECORD. I had

hoped that my actions on Monday would have been sufficient to have put a stop to the continued violation of the Daily Digest. I was wrong. I had hoped after my remarks yesterday that I would have received a call from some responsible Member of the leadership of the Congress suggesting that the matter would be corrected. This has not been the result and the matter is still uncorrected.

If the violation of correct congressional procedures as I have outlined them in this instance is not stopped and if the Daily Digest is continued to be used improperly as a piece of partisan political propaganda after the notice that the leadership of the Congress has now received, there is no alternative other than to say to the people of the country that this is in accordance with the considered political morality of the Democrat Party at the highest level.

Mr. Speaker, I believe that the preservation of the Congress as an effective and independent legislative body transcends any issues of partisan politics. Indeed, an independent legislative body is the cornerstone of a free society. It is important to maintain impartial and fair rules of procedure in the Congress if we are to attain these goals. The CONGRESSIONAL RECORD, the Library of Congress and the committee staffs must all be protected if we are to do an effective job. I would request that this matter that I have presented be looked into immediately, be immediately corrected, and those who are responsible for it be put in a position where they cannot cause such a thing to happen again.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I want to compliment the gentleman for bringing this matter to the attention of the House. It is, indeed, a serious thing when official records are used in a manner which attempts to mislead and to draw false conclusions from. I call the gentleman's attention—maybe he has mentioned it in prior remarks that he has made to the House—that it seems to me perfectly clear that an effort is now being made to use this table, which was intended basically for informational purposes, for the purpose of trying to prove that the Congress has reduced the President's budget. Yet, I call the gentleman's attention to one particular item which shows the phoniness of that kind of a proposition. Under "Appropriations" there is the legislative appropriation bill. Now, we all know that under the law the President has to submit to the Congress a budget for the legislative branch that the Congress itself asks for. It is not the President that determines those figures. The Congress determines that. And, yet, if you look at the table, you will find that they now take credit for reducing the President's request by about $5 million in the area of appropriations for the operation of the Congress, when it is the Congress itself that makes the original estimate in the first place.

Mr. CURTIS of Missouri. I thank the gentleman for his comment.

I want to say this, that this is a perfectly fair subject for debate on the floor of the House and the Senate. I think these tables that have been put back there are phony. I have tried to show the phoniness of them. But, if people believe those figures are accurate, let them take the floor of the House and let them take the floor of the Senate and argue their case, but let us not violate the CONGRESSIONAL RECORD and the Daily Digest by putting in political propaganda.

I want to say this further. I am going to take this speech that I just delivered out of the RECORD, and I am going to mail it to every newspaper and magazine in the country, because I think it is the kind of information that they need to know about, because the CONGRESSIONAL RECORD has been for the past month and a half sent out in the fashion I have described. They all subscribe to it, and they have been misled by this kind of chicanery. I only hope that the responsible leadership of the House and the Senate will correct this immediately so that there will be an end to it and this kind of thing will not occur again.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Have you a table that you think is accurate?

Mr. CURTIS of Missouri. Yes. I put it in the RECORD yesterday.

Mr. SMITH of Iowa. In yesterday's RECORD?

Mr. CURTIS of Missouri. Yes. But, the point is, if the gentleman has followed my speech, that even if that were to be put in, there are correct procedures to follow in getting the CONGRESSIONAL RECORD changed or the Daily Digest changed.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. MEADER. I first want to commend the gentleman for calling this matter to the attention of the House. I would like to inquire whether the gentleman ascertained the source of the figures which appeared in the tables to which he has referred. Do they come from the Committee on Appropriations?

Mr. CURTIS of Missouri. I believe one used to come from the Senate Appropriations Committee. Since the switch on July 6, when those who had been handling this since 1947 no longer handled it and it came over to the House side, I do not know where those figures come from. But, I will say that they are in error in many instances, and I pointed this out in detail. Table 2 comes from outer space, a committee employee; at least, as near as I can gather, he is the one that has been gathering it and furnishing it. It is political propaganda and does not even make much of a pretense of being factual and objective.

Mr. MEADER. The reason I asked the question, I was wondering what corrective action we might take in the House, whether it would be through a resolution of the House instructing the Committee on Appropriations to compile accurate tables or whether the action should be taken by the Committee on Appropriations on its own motion.

Mr. CURTIS of Missouri. In my judgment, this is in complete violation of the rules already. There was no consent ever obtained in the House of Representatives to do anything to change the Digest. There was a unanimous-consent request that went through the other body, as I pointed out, without notification of the minority members.

The SPEAKER. The time of the gentleman from Missouri [Mr. CURTIS] has expired.

PEACEFUL COEXISTENCE OR WAR

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. JOHANSEN. Mr. Speaker, whether or not we have the wit to know it or the honesty and courage to admit it, the Congress of the United States has already received its first official message from Communist Dictator Khrushchev.

It has been delivered without the necessity of a personal appearance before a joint session.

It has even preceded by several days Mr. Khrushchev's scheduled arrival in this country.

The fact that this communication appeared in the guise of an article prepared for the American publication, Foreign Affairs, does not alter or conceal its true character.

This incredible document confronts this Government—and thus the Congress itself—with the clear ultimatum: "peaceful coexistence" or war.

It lays down some of the Khrushchev terms and specifications for "peaceful coexistence"—terms and specifications which, under our form of government, only the Congress could implement, and which Congress in turn could implement only by reversal of longstanding American policies. For example, agreement to the Soviet basis for settling the German question, "absolutely unrestricted international trade," recognition of Red China, acceptance of the preposterous claim that international communism always has stood and stands today for noninterference in the internal affairs of other countries.

Finally, this document specifically and by name condemns the U.S. Senate and House of Representatives for adoption of the captive nations resolution, branding this as "an act of provocation" and warning that any thought or talk of a rollback of communism or of future opportunities of free choice by unwilling victims of that system must be taboo under peaceful coexistence.

As a Member of Congress I contemptuously reject this arrogant impudence.

I was not elected to accept or underwrite the Communist blueprint of world conquest.

Presumably this is only the beginning of the Khrushchev propaganda campaign to which we are to be subjected during his visit.

Presumably this is only the first of his brazen messages to the Congress of the United States.

So be it.

Much as I have deplored, and still deplore, this unwelcome visit and visitor, perhaps his foolish brashness may awaken America and prove once again that "the Lord makes the works of evil men to praise him."

Perhaps we may even recall and emulate the spirit, the courage, and the terse bluntness of the American general of World War II who, when his forces were confronted with the alternatives of surrender or annihilation, replied with a single word: "Nuts."

INFLATION, TIGHT MONEY, HIGH INTEREST RATES, AND THE PRESIDENT'S BUDGET AND CONGRESSIONAL APPROPRIATIONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. MULTER] is recognized for 60 minutes.

Mr. MULTER. Mr. Speaker, one of the matters I intended to comment upon is the very subject that the gentleman from Missouri [Mr. CURTIS] has dilated upon in his remarks a few minutes ago. I listened attentively to him and I read his statements in the RECORD from time to time as they appeared with reference to this matter. Whether the Digest as it appears on the last page of the daily RECORD is by virtue of authorization of law or rule or regulation of the House is quite unimportant. The question is, Are the figures correct or incorrect? And to find out whether or not the gentleman's charge of chicanery and phoniness is correct I looked at the figures that he put into the RECORD.

I am sure the gentleman knows that neither House alone can do anything with reference to the President's budget or with reference to an appropriation. So when he takes some figures and says that the House added *X* dollars to an appropriation bill and the Senate added *Y* dollars to an appropriation bill and adds that up and says this is the amount by which this Democratic Congress has increased the budget figures of the President, then he is, indeed, indulging in phoniness and chicanery. As I read the figures in the Digest at the end of the RECORD each day, they indicate first what the President's budget asked for, then what the House did, then what the Bureau of the Budget asked the Senate for, then what the Senate did. Then there is one figure as to each item, as to what both Houses of Congress did with the President approving what we did. The last column of the RECORD on that page shows the public law number. It is only after both Houses have acted and the President has approved the bill that we have an appropriation. When you take those figures of the President's budgetary estimates as submitted to either House and compare it with what this Congress has done with the approval of the President, then I say to this House, we have indisputable facts that all can rely on. Those facts conclusively establish that the total as of today of $1,380-million-odd is the amount that was taken from the President's budget estimates by authorized appropriation of Congress. That figure, by the time this Congress closes, I daresay, will be close to $2 billion that the Congress, with the approval of the President, will have taken from his budgetary estimates. You cannot take the figures as put into the RECORD by the gentleman from Missouri [Mr. CURTIS] and add up what the House did and what the Senate did and say we have increased the President's figures by the figures that he has in the RECORD.

Mr. Speaker, I want to make this point, that these figures in the Digest in the CONGRESSIONAL RECORD can be taken as accurate by the Members of the House, by the Members of the other body, by the President, and by all the lay people of the country, unless and until somebody comes forward and says that these figures are wrong. Just saying that they are wrong is not sufficient. Those who challenge them must give us the facts by chapter and verse; by taking the budget estimate, the bill as passed and enacted into law, and compare those figures. I say they will show that this Democratic Congress is a very responsible body and that we of the majority party are fiscally responsible in what we have done.

Mr. Speaker, bear this in mind, that we in both Houses of the Congress with the approval of the President may authorize appropriations and appropriate the money to meet the authorizations, but only the President and his appointees can spend the money. Even though we direct him to spend it for a particular project or projects he still has the right, as he has done time and time again, to say, "Do not spend this money this year," or, "Suspend that operation," or, "Spread this money out over 1, 2, 3, or 5 years," as he sees fit, and his appointed officials see fit to do.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Missouri, who I think wants to contradict me or take umbrage at something that I have said with reference to his statement.

Mr. CURTIS of Missouri. As a matter of fact, I was going to make this comment. I think the gentleman is now doing what I think is perfectly proper, reporting the point of view that his side has in regard to these figures and interpretations. I was disappointed to hear him say that he did not think how this got on the back of the CONGRESSIONAL RECORD was an issue that mattered. If he would examine my remarks I think he would have noted that I said that if we have an issue on these matters, let us argue it out on the floor of the House and the Senate. But let us not "sneak" this thing—and I use that word advisedly—on the back page of the CONGRESSIONAL RECORD without notifying the other side—to destroy what had once been accepted as a factual presentation of the daily activities of the Congress. Furthermore, I might say that these figures, and I think I have documented why the figures from my standpoint are not accurate—but why this change? Why was it switched from the way it had been handled for some 9 years—well, for some 12 years, and handled properly, and something that we should take a little pride in? Why was it switched on July 7 and the people doing it discharged from that task and handled by another group? And why the political overtones that were placed in it? That is the point, if I may say, that the Congressional Digest or the Daily Digest has been violated. I would be very pleased to engage in debate with the gentleman from New York with whom I have a real admiration, and anyone else on the other side to substantiate the position I take on these figures in argument with the position that you take. But the issue I have called attention to is this violation of the Daily Digest.

Mr. MULTER. Let me say, Mr. Speaker, I do not want to get sidetracked into an issue on whether this is parliamentarily correct or incorrect. I do not care how these figures got into the RECORD. I might say that the fact that they appear outside of the RECORD and on the last page is an indication that the gentleman from Missouri, for whom I have the highest respect, has the right to take issue with these figures. But the issue I am tendering now is the correctness of the figures. I am sure the gentleman will agree with me, no action by one House increases the budgetary allowances, authorizations, or appropriations by one single dollar. It is only when both Houses have agreed on the precise bill in its entire form, in all of its details, and have agreed on every last period and on every crossing of every "t" and dotting of every "i", that it can go to the President. Only after the President has approved it, or we have overridden his veto, do we then have a result which shows whether it is higher or lower than the budgetary estimate.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. I think the gentleman has a misconception. Of course, this is a running commentary. The tables I put in, both of them, show a date as of September 8. Incidentally, I want to say, about table II, that I failed to put it in as of September 4. So this is an up-to-date running commentary following exactly the commentary that has been carried in the back of the RECORD. It does the same thing, I may say to the gentleman, it gives the progress of the bill and it has only gone through the House, then there is where we are.

Mr. MULTER. The gentleman has every right to argue, if he wants to, that one House by its unilateral action has done something, which if enacted into law, will then increase or decrease the budgetary estimate. He may do that as to the other body as well. But I say that is unfair and I say that is an improper argument, in my opinion. He has the right to make it, of course. But, he has no right to give to the public a set of figures and say that this is what the House did and this is what the other

body did, and ask the public to assume that if they totaled those two figures, they have what did result. That is not so. What you do get is what is shown on these last pages of the RECORD from time to time showing the action in each House, which is not final, and then showing with finality the action by indicating the chapter of the law which has been enacted by both Houses with the approval of the President. That is where we get our figures, establishing beyond dispute that the Congress has reduced the President's budgetary estimates very substantially.

Mr. LEVERING. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. LEVERING. I have listened with great interest to the statements by the gentleman from Missouri who indicated that there might be some politics in the factual statement made on the back part of the CONGRESSIONAL RECORD for yesterday, September 10. I wonder if he remembers several months ago when the highest spokesman for the Republican Party including the President of the United States made some pretty reckless charges about the Democratic Members of the Congress being "wild-eyed spenders." I wonder if the gentleman believes, in view of the fact that this Democratic Congress has cut the President's budget by over $1 billion, and in view of the fact that the Congress has cut the budgetary estimates and figures every year since 1955, whether there was any politics in those charges made against the Democratic Members of the Congress.

Mr. MULTER. Let me say, I took this time today to be political—yes, political. And in using the word "political" I mean just this—I mean it in the sense that the word "politics" means—the science of government. That is what we are indulging in here. I say that the Democratic Party of this Congress and that of other Congresses is doing and has done a scientific job of good government. Part of that good job that they are doing is cutting this budget where it can be cut, and not doing it where it will hurt. We do not take the position in our party that we have enough money to take care of housing abroad, but not enough money to take care of housing at home. We do not take the position that we have enough money to take care of reclamation projects abroad, but that we do not have enough money to take care of our own reclamation projects at home. We do not take the position in our party that we have enough money to take care of an international bank to take care of problems abroad and an inter-American bank to take care of problems that exist in Latin America, Central America, and South America, but that we do not have the money to do the same thing at home. I say we have enough money to do the whole job, and if we do not have enough money to do the whole job, we will take care of our needs at home, and if there is any surplus, we will take care of the problems abroad too. I have voted for every measure for aid to foreign countries, for mutual security under all the various titles by which those measures have been carried—since 1947. I have never voted against any of them. But I say if there is going to be discrimination, or if there has to be a division, and we do not have enough to go around, as the President seems to intimate—with his public works veto message, and the housing bill veto message, and other messages, stating that there is not enough for all of these things—then we should take care of our people at home and take care of those abroad out of what is left.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. This is a political charge. I have made them myself. I make them here now again. I think that your party has been the spending party. But the point I am making is that the gentleman has a perfect right, and the Democratic Party the right, to make such arguments, but the body of the CONGRESSIONAL RECORD is the place where they should be made, not the Daily Digest section, which has been factual. For political purposes we use the body of the RECORD. There is where we have disputes. The Daily Digest should be entirely factual.

Mr. MULTER. May I say I respect the right of the gentleman to disagree, but instead of discussing whether this matter is properly in the RECORD why not discuss whether the figures are right or wrong? Let us spend some time on that, because I maintain that the Democratic Party is a fiscally responsible party, and if there is any fiscal irresponsibility in the Congress or in this administration it rests with the Republican Party and its titular head, President Eisenhower.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. LAIRD. I would like to discuss some of the figures with the gentleman, as a member of the House Committee on Appropriations. I feel that the use of these tables is completely phony. I agree with the gentleman from Missouri as far as the method of getting them in here is concerned, but let us be specific. Let us take the figures for HEW, the Health, Education, and Welfare appropriation bill. Let us take the figure reported as passed by the Senate.

Mr. MULTER. Never mind taking the figures passed by the Senate. Wait a minute.

Mr. LAIRD. Then let us look at the final figure in the bill.

Mr. MULTER. No; I refuse to yield if you are going to talk about what one branch of Congress did. Talk about what the Congress did and what the President signed.

Mr. LAIRD. I am talking about what the Senate amendment did.

Mr. MULTER. I refuse to yield for that purpose.

Mr. LAIRD. Did not the gentleman refuse to discuss this figure?

Mr. MULTER. I refuse to yield to discuss what one branch of the Congress did. If you want to talk to me, or discuss here or debate here on this floor what Congress as a whole has done with the approval of the President, I will discuss it with you; I will not discuss what one branch of the Congress did.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. PRICE. Is the gentleman discussing the table on the back of the RECORD as of yesterday or the day before?

Mr. MULTER. I am discussing the RECORD of Thursday, September 10, which we have before us today.

Mr. PRICE. I looked at that RECORD. That is a mere factual statement of the background of the various appropriation bills as they passed through the Congress up until it is enacted as a public law.

Mr. MULTER. That is precisely what I was saying. It shows the complete factual picture up to and including the action of the President.

Mr. PRICE. As a statement of fact.

Mr. MULTER. As a statement of fact.

Mr. PRICE. It is information that the average Member of Congress seeks to obtain before the adjournment of Congress so he can report to the people back home.

Mr. MULTER. And just what the Members and the public are entitled to know.

I will yield now to any Member who desires to show wherein these figures are not accurate.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. MULTER. For the purpose of having the gentleman point out wherein these figures are inaccurate as passed by both Houses and approved by the President.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. Is the gentleman saying that the first part of this table, for instance, the column under House, headed "The amount as reported," then the column "Amount as passed"; and then against the other column of the Senate the amount as reported and the column under "Amount as passed," it does not make any difference whether those are included or not?

Mr. MULTER. You can make any argument you want about whether they should be included, but are they inaccurate?

Mr. BYRNES of Wisconsin. Then why are they included? That is the point the gentleman from Missouri made.

Mr. MULTER. I refuse to yield. I say the other figures as to what each House did, are being used as a part of a campaign of chicanery and phoniness—to borrow the language of a speaker who preceded me—they are used for chicanery and phoniness when they are used to indicate what the Congress has done. What Congress has done is reflected accurately in the bills that become law.

Mr. PRICE. Are they not here showing the action of the House on the appropriation bill?

Mr. MULTER. Precisely.

Mr. PRICE. And anybody should be able to see that point. I might call the gentleman's attention to the fact that he

has not yet received any reply to his request that any inaccuracy be shown.

Mr. MULTER. I will yield again to anyone who wants to point out any inaccuracy or anything phony about these figures as passed by the Congress and approved by the President. If anybody wants to do that I will yield for that purpose.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. Anyone who wants to do that I will yield to.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman knows that in several appropriation bills, specifically the Labor-HEW bill, certain definite appropriations were changed to unlimited appropriations, taking the area of medical care for the Public Health Service employees and for certain merchant seamen. In both requests we had a definite appropriation, a fixed appropriation, for this particular work. The Senate—and I have to go to the Senate—amended the bill to provide there would be no fixed-sum appropriation. This shows up in a budget reduction on the table that the gentleman is referring to because it is not a specific appropriation. It is an indefinite appropriation, a sum sufficient to be made available. But it does show up in a reduction.

Mr. MULTER. I do not know what the gentleman refers to. I have the figures. Let us stick to the figures.

Mr. LAIRD. There are other figures like that.

Mr. MULTER. I refuse to yield further at this moment. Let us take the figures on Public Health—HEW—in the record in front of us. Take it out and look at it. It shows an increase of a quarter of a billion dollars for that one item over the budgetary estimate and I for my part am proud of that increase. I say it was not enough.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that the President approved that quarter of a billion dollar increase over and above his own budget?

Mr. MULTER. Yes, sir; on August 14, 1959. The Public Law is 86–158. Does anybody want to dispute that?

Mr. LAIRD. I am not disputing the figure with the gentleman.

Mr. MULTER. Then what does the gentleman dispute?

Mr. LAIRD. But I do feel that the gentleman should admit there were certain changes made from a definite appropriation as sent up by the Bureau of the Budget.

Mr. MULTER. I am not referring to what either House recommended, only what both Houses agreed to.

I think the gentleman has made the point as strongly as anybody can make it as to where the phoniness and the chicanery lies. Is there any figure anyone wants to dispute? I yield only to talk about the figures as they were finally approved by both Houses of the Congress and the President. Anybody want to dispute that?

Mr. CURTIS of Missouri. Yes.

Mr. MULTER. I yield to the gentleman.

Mr. CURTIS of Missouri. When we go to point it out, the gentleman will not yield further. I want to refer to it in my own way.

Mr. MULTER. The gentleman may say it the way he wants, but refer to the final figures. I do not want to waste any more time on what either House recommended. I want to address myself to what both Houses agreed on and what the President approved. If you want to talk about anything else, then I most respectfully urge you to take your own time.

Mr. CURTIS of Missouri. I have already taken some time. I spoke on 2 different days to point out some specific errors.

Mr. MULTER. I want to brush aside all the parliamentary maneuvers and the "ifs," "ands," and "buts"——

Mr. CURTIS of Missouri. I talked about the table. I see errors in it. One of the things that the gentleman believes will not show up in bare figures is whether a program is for 2 years, 4 years, or 1 year, or whether it is an open-end program. That is why you have to go into the details in these appropriations to explain the figures.

Mr. MULTER. You do not have to go into what either House wanted to do or recommended before they agreed on something.

Mr. CURTIS of Missouri. The gentleman is not paying attention to what I am saying. When you try to compare a figure that has to do with a 2-year appropriation and a figure that actually is a 1-year figure, you are comparing oranges and apples, and, therefore, your figures can be phony because they do not relate to the same thing.

Mr. MULTER. If you have a barrel full of apples and oranges, it does not matter whether you eat them all in 1 year or in 2 years; you still start with only one barrel. Let us talk about the appropriations enacted, with the approval of the President.

Mr. CURTIS of Missouri. I can see the gentleman does not want to discuss this matter.

Mr. MULTER. All of that is immaterial. I want to talk about the obligation which the Government must meet. That is what I call fiscal responsibility.

Mr. CURTIS of Missouri. I want to say it is obvious the gentleman does not want to discuss the issue, and the only way to do it is to get my own time.

Mr. MULTER. The gentleman wants to make his point based upon partial action of the Congress and will not talk about final action after both Houses have agreed and the President has approved.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I would like to ask the gentleman about this possibility of comparing an appropriation with a 1-year program with an appropriation for a 2-year program. Since serving as a member of the Committee on Education and Labor I have had an opportunity to do some work in connection with the proposed Federal assistance to schools. The Murray-Metcalf bill, which runs for 4 years, is referred to by the opposition as a $4.4 billion bill. The President requested through the gentleman from New Jersey [Mr. FRELINGHUYSEN] that we begin a 30-year program and they always speak of that program in terms of appropriations for the first year of the program. I think it depends upon whose ox has been gored. If we want an example of phoniness I do not think we have to search very far. We can merely go to the Export-Import Bank request earlier this year when the President asked for funds for the fiscal 1959 budget that would not be needed or used until the appropriation for fiscal 1960 would have been made. It was admitted on the floor by the ranking member of the Committee on Banking and Currency that this was purely for the purpose of distorting the 1960 budget figures to get this appropriation out of the 1960 budget into the 1959 budget so that it would not show up in the deficit.

Mr. MULTER. Let me say that the statement by the ranking member of the Committee on Banking and Currency was based upon the testimony adduced before our Committee on Banking and Currency by no one less than the Secretary of the Treasury himself.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. HIESTAND. Mr. Speaker, if the gentleman will yield, the gentleman will admit, I am sure, that that was not mentioned by the ranking member on the floor here as purposely being distorted.

Mr. MULTER. I am sure the gentleman did not mean to attribute distortion by the gentleman in his statement.

Mr. Speaker, let us go to another subject, and that is the question of inflation. I think we are all concerned about it, not so much because there is any real inflation as of the moment but because of the semantics indulged in and, shall I say, the Madison Avenue tactics of the Republican Party and the big business interests of this country. We see it day after day in the newspapers, full page ads in all of the magazines, weekly and monthly. I think most of you have received letters and read all sorts of stories about how we have got to beat down inflation, how inflation is robbing the country blind, and things to that effect. I think you have all seen the big page ads of a loaded pistol and headlines in big black heavy type indicating that somebody is stealing from the country and that this thief is inflation, and we in the Democratic Party are labeled as the spenders who are responsible for this inflation.

Let me say now, to the extent that Government spending is responsible for any inflation, the Republican Party must bear its full share of the burden, because all we in the Congress here can do is to authorize and to appropriate. It is the Republican President or the President who happens to be leader of the Republican Party who holds the purse strings

and says how much of it shall be spent and how much of it shall not be spent. If their test is a balanced budget, meaning by that that the income equals the outgo, then we have beaten inflation. The Republican propaganda they are shouting from the rooftops is that we have balanced our budget. If we have then we have beaten inflation. If we have beaten inflation, there is no reason for this story that we get day after day from the Treasury Department and the Federal Reserve Board that we have to increase the interest rates on Government obligations, particularly the long-term obligations. If the interest rate is increased, it means increasing the cost of our Government, and if the interest rate is 4 percent and you increase it to 5 percent, you are increasing that cost by 25 percent. If you take the figures as we have them—and they cannot be denied—when this administration took office, the interest rate was 2½ percent. It is 4½ percent today, and that is an increase of almost 100 percent in the cost of interest, which is a very big part of the cost of operating this Government. The people responsible for it are the President and his advisers and no one else.

I say to this Congress as earnestly and as sincerely as I can that there was no excuse and there is no excuse for increasing the interest rate on the long-term obligations of the U.S. Government. If the city of New York and if the State of New York can offer its long-term securities on the auction block to the lowest bidder, that is, the bidder who is willing to buy at the lowest interest rate, and if the interest rate bid is too high, they withdraw the offer and they offer it again at a later date; in every instance—maybe it is only coincidental that the comptroller of the city of New York is a Democrat and the comptroller of the State of New York is a Democrat—in every instance when they found the rate bid was too costly or too high, they withdrew the offering and offered it again 2 or 3 weeks later and each time they sold at a lower interest rate. Cannot this U.S. Government of ours, cannot the Secretary of the Treasury do the same thing? Of course he can. He will not do it. He would rather sit down with the bankers and decide in advance what the bids should be and what the interest rates should be. Do not let them kid you as they have been doing year in and year out. I have heard it until it almost nauseates me in my Committee on Banking and Currency, that the Government interest rate follows the market rate. Bunk and nonsense. The Government rate determines the market rate and the market rate follows the Government rate; because, as long as this country has been in existence—and I dare say as long as it will exist—Government obligations of these United States will always be a riskless security. They will be securities that are going to be met on the day they are due. They will be paid with interest in full, without any reduction in the amount of the principal and without any reduction in the interest due.

When you take a riskless security and say that this is the interest rate, the rest of the market, which is lending at risk—even those FHA and VA-guaranteed mortgages have some risk in them, even though guaranteed by the Government—all of those interest rates, whether on conventional mortgages or on business loans or on utility bonds, follow the trend as set by the U.S. Government in its treasury offerings and the rediscount rate as fixed by the Federal Reserve Board.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I want to congratulate and compliment the gentleman on his very eloquent explanation of this very difficult problem. I wonder if the gentleman from New York would venture a guess as to who really is behind this drive to raise these long-term interest rates.

Mr. MULTER. My considered opinion is that it is the big-moneyed interests of the country that are behind this.

Let me make this point with reference to the interest rate and how the general market follows that which is fixed by the Government. There is not a financier in the country worthy of the title "financier," there is not a businessman small or large, who refinances long term during a high-interest-rate market. Whenever they have been in a high-interest-rate market, every good businessman and every good banker will advise the businessman not to refinance long term but to take the short-term money now until the interest rate comes down. Surely, it cannot cost more. If you pay that high-interest rate on short-term securities for even as much as 5 years, it is going to cost less in the long run than refinancing at the high-interest rate for 10, 20 or 30 years. Just take your pencil and make the computation.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I thought I heard the gentleman say that the Government actually sets the interest rate in the marketplace.

Mr. MULTER. I said that the market rate follows the Government rate.

Mr. CURTIS of Missouri. Well, that is the same thing.

Mr. MULTER. It is not the same thing.

Mr. CURTIS of Missouri. What is the difference?

Mr. MULTER. If the gentleman thinks it is the same thing, that is all right with me; I shall not argue with him.

Mr. CURTIS of Missouri. I am asking the gentleman what is the difference?

Mr. MULTER. I say that the free market rate in this country, as well as elsewhere, follows the rate fixed by our Government through its Secretary of the Treasury in offering bonds, long-term and short-term, and the rediscount rate as fixed by the Federal Reserve Board.

Mr. CURTIS of Missouri. I am asking the gentleman, in making that statement does he want the implication to be drawn that it is his belief that it is in fact the Government that sets the interest rate in the free marketplace?

Mr. MULTER. To the extent that the free market follows it; yes.

Mr. CURTIS of Missouri. The gentleman said that it did follow it.

Mr. MULTER. Yes; I do say it follows it, and I say that the Government rate does not follow the free market rate.

Mr. CURTIS of Missouri. All I can say to the gentleman is this. I have not yet heard any economist—I think possibly Mr. Keyserling advances that economic theory, but does the gentleman know of any other economist who advances such a theory?

Mr. MULTER. There is a Library of Congress full of books to the same effect, if the gentleman wants to read theory. If the gentleman just does not want to read theory, let him look at the facts of life as reported all through the years in every factual document, including the very bulletins that come from the Federal Reserve Board.

Mr. CURTIS of Missouri. Just one final comment, if the gentleman will permit. Of course, the phenomenon of the interest rate that the Government is paying being about the same as that in the marketplace is bound to be, but it does not have the implication that I thought the gentleman was trying to insinuate and that he now has said, that it is the result of Government action.

Mr. MULTER. I cannot follow the gentleman's argument.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. GROSS. About a month or a month and a half ago the Government held an auction, as I am sure he will recall, which involved several billions of dollars of refinancing and, perhaps, financing, one or the other or both. Those securities were sold at a discount. Some of those securities ran for a term of 9 and 12 years. Those securities were all sold at a discount at auction. Will the gentleman comment upon that sort of a process in fixing the interest rate.

Mr. MULTER. I do not recall the particular incident. Will the gentleman elaborate on that? What Government securities were sold at auction?

Mr. GROSS. I do not have the information right at hand, but they were certificates or notes, securities of one kind or another.

Mr. MULTER. I do not recall the incident. The gentleman may be perfectly right.

Mr. GROSS. Oh, yes.

Mr. MULTER. But I do not recall it.

Mr. GROSS. Several million dollars of securities were involved. Now, is not that fixing the interest rate in a different way?

Mr. MULTER. That is letting the free market fix the interest rate. I do not say that that did or did not happen, I do not recall it. I am willing to take the gentleman's word for it. But that is letting the free market fix the interest rate. When you sell securities at public auction, you must always retain

the right to withdraw them, so that you do not have to give them away, so that you are not going to lose too much money on them. But this is a good way of having the free market fix the interest rate. But when you call the bankers into the conference room and seat them around the table and say, "Boys, what are you going to pay this month?" that is not the free market. That is a fixed market.

Mr. GROSS. But does the gentleman agree that that is the alternative to increasing the interest rate on long-term securities?

Mr. MULTER. That is one way it can be done; yes.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I will yield to the gentleman in a moment.

Let us remember this too. It was not so long ago that the United States Treasury issued some securities for sale to the public. It was oversubscribed. Do you know what happened? All of the individuals, the real savers and the real investors of the country who wanted to put their money into these bonds were disqualified. They got only a small part of them. Because it was oversubscribed the banks got their full quota first and to the extent that there was anything left, the balance went to the real investors of the country.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I promised to yield to the gentleman from Texas [Mr. PATMAN] first.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. PATMAN. I appreciate the statement of the gentleman from New York. He is making a fine statement. I am glad he is bringing out these points. Is it not a fact that the Federal Reserve has been delegated the power by this Congress to do what the Congress cannot itself do, and having that power to create money and to buy Government bonds and to sell Government bonds and to fix the discount rate, that the free market is what the Federal Reserve says it is? In other words, the Federal Reserve System and the Federal Reserve Board and the Open Market Committee determine what the interest rates shall be in the United States.

Mr. MULTER. That is what I have just tried to point out. I thank the gentleman for his comment. But the important thing about it is this. There is nothing wrong with the Federal Reserve System and the Federal Reserve Board except the human frailties of the administrators of the policy. What they refuse to recognize is that the Federal Reserve Board is an independent agency of Government only to the extent that the Congress—the Congress—has delegated to it certain authority. When they tell us, the Congress, that they do not want to take any suggestions, recommendations, or directions from us, they are violating the very statute that brought them into being. We have the right to make that final mistake in this Congress or in any Congress. It is up to the Congress of the United States, which is charged by the Constitution with that duty. We have delegated it temporarily to the Federal Reserve Board and we have the right to make the final mistake—if a mistake is to be made—and it is their duty to listen to us and find out what our consensus of opinion is and follow it accordingly.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. HIESTAND. I would like very much to be informed if the gentleman can name some instances where the Federal Reserve told the Congress what the Congress ought to do.

Mr. MULTER. No, no; the Federal Reserve Board never told us what to do. It is the opposite. The Federal Reserve Board said very precisely and exactly and repeatedly to our Committee on Ways and Means, "Don't you tell us what to do." When the Reuss amendment was put in by the Committee on Ways and Means on the bill that the committee wanted to report, the Treasury Department and the Federal Reserve came down and said, "Even though this is just an expression of intent, if you put it in, it is going to tie our hands and destroy our discretion." Their discretion, they should know, must come from the Congress and is limited by what the Congress thinks they should do.

Mr. TOLL. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. TOLL. Would the gentleman from New York explain whether there is a conflict of policy between the present Director of the Board, Mr. Martin, and his predecessor with respect to some of these problems?

Mr. MULTER. I do not think it is going to do us any good to get into that discussion as to who is right and who is wrong and whether there is any conflict. I think what we have to determine is what must we do now. We must decide what are to be our financially responsible policies to follow now. That is what this Congress must decide, and that is what the Federal Reserve Board must take our word on and that is what the Secretary of the Treasury must do.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. On this matter of the Reuss proposal before the Committee on Ways and Means, the gentleman will recall also that the Chairman of the Federal Reserve Board said that the proper place to set down and establish a policy or changes in the Federal Reserve Act was before the Committee on Banking and Currency, on which the gentleman serves. Now if there is something wrong with the way the Federal Reserve Board is operating, why does not the gentleman's committee act on it instead of putting it off into some other area and tacking it onto something that has nothing to do with the Federal Reserve Board operations?

Mr. MULTER. Again I refuse to get mixed up in arguments of what is procedurally correct. The matter of operation of committees is a convenience of the Congress. When a bill comes to the floor, no matter what committee it comes from or whether it has not even gone to a committee, it is the Congress as a whole that enacts the legislation and tells the Board what they shall do. Whether it belongs in the Committee on Banking and Currency or in the Committee on Ways and Means means nothing so far as I am concerned. I take the substance of what he said. So far as I am concerned, if he had anything to submit to the Committee on Banking and Currency, he had the right to bring it before the committees. Insofar as I know, he has never asked the Committee on Banking and Currency to act on it. When the Committee on Ways and Means took the bull by the horns and said to the Federal Reserve, "This is what you should do," it was then up to the Board to let the Congress get that recommendation from the committee and act on it. Instead of that, they said, "Oh, you will destroy us if you dare to bring that to the floor."

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. Then I take it the gentleman feels that the primary obligation of the Federal Reserve Board is to so conduct its operations for the management of the public debt—or is it for the general stability of all our currency and the rights and privileges of all of our people?

Mr. MULTER. The gentleman is now getting into an academic question of principle with which nobody can argue. Whether it is academic or fundamental is unimportant. I say that even though they are charged with all of these general principles, they must listen to the Congress in the final analysis as to what they shall do and how they shall do it.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. I was pained to hear the gentleman say that this is academic. Do you not believe that the basic issue involved is what part the Federal Reserve is to play in this?

Mr. MULTER. No, I do not agree. The basic issue here is whether or not the fiscal policy, as laid down by the Treasury in agreement with the Federal Reserve Board, is right or wrong—and I say it is wrong and my party says it is wrong.

Mr. CURTIS of Missouri. We are talking about fiscal policy. The gentleman said "fiscal policy." That is what we are talking about. That is not academic theory; that is a basic proposition.

Mr. MULTER. Let us not argue about semantics or get into a semantic argument; let us stick to the point at issue. I do not care whether the thing is academic or not. I would like to talk about what the policy should be. Whether this is right or wrong policy should be determined by us, the Congress. That is what we should address ourselves to.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. STAGGERS. We have gotten away from the original intent; I would like to come back to it for just 1 minute.

I would like to ask this question: Would I be stating accurately to my people that they can rely on these being the facts as set forth here in this chart in the final end as to what the Congress and the President have done in comparison to what was suggested by the President?

Mr. MULTER. I will say to the gentleman that he is on the safest and the soundest of grounds to take these tables, especially what will appear in the last issue after the President has signed the last appropriation bill, because then I suggest that instead of the figure being $1,382 million it is going to be almost $2 billion by which this Congress has cut the President's budget estimates, what he asked for.

Mr. STAGGERS. To go a little further—and this is a theoretical question—would I be telling the people the truth as it comes out of Congress by using these tables? Should it turn out differently, would I be subject to libel?

Mr. MULTER. I do not think the gentleman would be subject to libel. The gentleman would be telling the truth, and truth is a defense to an action for libel. But I tell the gentleman he would be perfectly safe and perfectly truthful in stating that these figures may be relied on.

Mr. STAGGERS. Then I can assure the people that these are the things that Congress and the President approved.

Mr. MULTER. You certainly may, and no one can dispute the accuracy of your statement.

Mr. STAGGERS. I wanted to know what the facts were.

Mr. MULTER. Those are the facts.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. GROSS. Suppose the other body carries out what it has started to do on the mutual security bill and makes it an omnibus appropriation bill, for instance, in their effort to tack on an amendment to take care of appropriations for the continuance of the Civil Rights Commission, and another one to build the Chantilly sewage-disposal plant; would the gentleman say that this would be an honest chart if those expenditures were included in the mutual security figures? Or would the gentleman want to break that down?

Mr. MULTER. To lump together 5, 6, or 10 items does not make much difference when you take the total figures. To say, for example, that something is included in the wrong bill, I do not care about that. When it gets to the House, if we do not strike it out or if it does not go out on a point of order and it is passed by both Houses of the Congress and the President approves it, that is the law.

Mr. GROSS. The gentleman knows my great concern about this mutual security bill, or this foreign giveaway program, whichever it is.

Mr. MULTER. I do not want to be understood or anything I say to be interpreted as agreeing with the gentleman that mutual security is a giveaway. I am concerned that the money of the U.S. taxpayers be used properly without waste for those purposes and policies that were enacted by the Congress and laid down as being proper expenditures of our Government.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. ALGER. I see in the RECORD of yesterday the gentleman from Missouri made a statement, and I would like to ask the gentleman as to the accuracy of it. He says that it might have been appropriate to include table III which includes $1,683,700,000 in spending increases not requested by the President and blithely skipped over by the other two tables. Would it be appropriate to have a third table showing additional expenditures not included in the budget?

Mr. MULTER. Yes, it would be perfectly proper; and I say to my friends on the other side of the aisle who voted against doing things recommended by the President, instead of getting into a long argument over whether they were recommended in the budget or not, consider the question of whether they should be spent or not.

Mr. ALGER. And should we have a third table including those additional expenditures voted by Congress?

Mr. MULTER. I will make it as clear as I can; I do not care whether you have one table or fifty. I am interested in the ultimate facts, and the ultimate facts speak for themselves. The question is: Are we doing for our country what is right or what is wrong?

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. PRICE. I have been sitting here quite a while listening intently to what the gentleman has said. I think it is pretty well covered by the gentleman's statement that he was talking about what were the overall budget estimates and the reduction below the budget requests. There may be some differences but the final test is what is for the welfare of the most people, what is for the best interest of the country. Even with these differences, we have reduced the President's budget by close to a billion dollars or perhaps more than that.

Mr. MULTER. The gentleman is absolutely and completely correct. The answer is whether or not we did the right or wrong thing. I respect all of those on both sides of the aisle who may have voted against some of these items. That is their view and their opinion. But, in November 1960 the people will tell us whether we were right in spending this or they were right in voting against these expenditures.

Mr. PRICE. Does the gentleman from New York think there would be any criticism of the inclusion of this table in the Digest and the RECORD if the Congress had gone far beyond the recommendations of the President?

Mr. MULTER. You can be sure the same gentlemen now arguing about parliamentary procedure by which this should have been kept out would be yelling to put it in, not once but a dozen times.

Mr. TOLL. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. TOLL. In using this chart, would it be advisable to explain in connection with the second Housing Act and the third Housing Act that while the tables are here the items may have been spread over a 2-year period instead of over a 1-year period? This is the gross total, is it not?

Mr. MULTER. Yes.

Mr. TOLL. Subject to the explanation concerning the number of years that it covers.

Mr. MULTER. The gentleman is right. And let me emphasize the point I tried to bring out. The Republicans are now talking about the President having gotten some of the changes in the Housing bill that he wanted. One of them was to put in a provision to require that this money for urban renewal be spent in 2 years. How phony can we get? The President has that authority without our giving it to him. He could have stopped it altogether. He has said many times: "Sure, you authorized it, but I am not going to spend it." So, to please him so he would approve the bill, we put in the words "he may spend it in 2 years." What are we going to do if he spends it in 1 year?

Let us take the other item. He wanted the expiration date of October 1960 taken out. He did not want an authorization for FHA of more than $8 billion. What are the facts? Five billion dollars has been committed already through invalid agreements which FHA is now going to validate. They have $3 billion left. That will be committed by April of 1960. We took out the date October 1960, which was a meaningless date anyway.

We took out the college classrooms. Sure, it does not belong in a housing bill, but I will vote for it in any kind of a bill because the country needs college classrooms. Let me tell you, the people of the country in 1960 will tell you they are not interested in parliamentary procedures, they want college classrooms. So we pleased the President and we took it out of the housing bill. We will have to wait until next year to get it back in the housing bill or get it in some bill from another committee. Next year is an election year and every Republican will be clamoring for it so they can go back home and tell the people, "We have given you college classrooms."

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. There are two items the gentleman has mentioned and I would appreciate it if he would dwell on them a little further. One is the matter of the authority of the President to freeze funds that are granted or orders that are given to him to spend certain moneys under either appropriation bills or under authorization bills. Does the gentleman believe that the President legally today has the right of an item veto?

Mr. MULTER. I am not now going to get into the legal aspects of whether he has the right or not. I am going to say that President Eisenhower from the day he took office has exercised the privilege, whether it is given to him by law or

not, saying what money will be spent, where it will be spent, and how it will be spent. He has stopped programs. He has done as he pleased.

Mr. BYRNES of Wisconsin. Would the gentleman be willing to vote for a resolution authorizing the President in this coming year to use his discretion to freeze expenditures, as in the bill we passed yesterday over his veto, and give him the authority to freeze any of those funds that are granted?

Mr. MULTER. The answer to that question is with this President we need no such legislation. Whether he has the authority or not, he has arrogated it to himself.

Mr. BYRNES of Wisconsin. The gentleman knows that is not true and he cannot prove it.

Mr. MULTER. It is proven by the record.

Mr. BYRNES of Wisconsin. President Truman——

Mr. MULTER. I will not yield for the purpose of blanket accusations. I have cited the facts. Let us not get into characterizations. I will yield to any gentleman, so that he may state the facts. I am stating the facts and I tell you the record shows what I have said is absolutely so, that time after time the President has spread out appropriations and even canceled contracts; he has told his departments what to spend, when to spend, and where to spend.

Mr. PRICE. Mr. Speaker, will the gentleman yield further?

Mr. MULTER. I yield.

Mr. PRICE. I have not heard the gentleman from New York advocate item veto, and he has not been talking about the item veto; he has not even mentioned it. He did state a fact, that the President had it within his power to withhold expenditures even though they be appropriated by the Congress. This has been frequently done. And, if I had the time, I could enumerate many instances that it has been done within the last 2 or 3 years on specific projects.

Mr. MULTER. The gentleman is absolutely correct.

Mr. PRICE. There is no doubt about that. It is a statement of absolute fact.

Mr. MULTER. Look what he has done in public housing. We have authorized the number and the money for public housing every year since he has been President. Has he allowed it to be spent? Of course not. That is why he was able to make the argument this year that we do not need an additional number of public housing units because we have not used up the authorization now in the law.

Mr. PRICE. There have been numerous instances where the President, in the Defense Department and Atomic Energy and many other agencies of the Federal Government, has used that authority.

Mr. MULTER. The gentleman is again correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. Does the gentleman want to dispute that?

Mr. BYRNES of Wisconsin. I do not want to dispute it over all. There have been instances of slowdown on projects. I have been talking about items specifically authorized by the Congress, that you have not found this President vetoing those items and saying we will not spend any money for this particular project.

Mr. PRICE. I think I could refute the gentleman's statement if I had the time to make a little research here. I can recall one instance of the gas reactor of the Atomic Energy Commission. I could enumerate many others if I had time.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. JENSEN. Now, if you start citing instances where the President has frozen funds which the Congress appropriated, we should not forget to cite the time in 1947, the day after Congress adjourned, after the Congress had appropriated money by the millions and hundreds of millions for flood control, irrigation, reclamation, and hydroelectric power, and related agencies, the President of the United States opposed 50 percent of the budget which Congress had just appropriated, and he did that the day after Congress left. That President was Mr. Truman. And, he did not unfreeze those funds until after the devastating flood in Oregon and in New York that cost the lives of a lot of people and millions of dollars of property damage. It was then he said that the Republican-controlled Congress did not appropriate enough money for flood control. Now, there is an instance. If you are proud of that, why, go ahead and be proud. I do not want any of that kind of business.

Mr. MULTER. Obviously, it is the old story. If you have not got an answer to the facts as presented now, talk about something that happened years ago. Maybe you will becloud the issue. Let us not get into that argument.

Mr. PRICE. The statement of the gentleman from Iowa merely supports the position of the gentleman from New York. That is exactly what the gentleman has been trying to tell the House, that it is possible for the President to do this; that it has been done in the past. And, I have cited instances where the present incumbent of the White House has done that. We make no apologies of either supporting or condemning the action of the President. The gentleman from New York merely stated that this was possible, and the statement of the gentleman from Iowa supports the gentleman from New York.

Mr. MULTER. Precisely. The gentleman made the point precisely. Let us talk about the issues, not what happened 5 years ago or 8 years ago or whether President Truman was right or wrong. I approved most of the things that President Truman did. If he arrogated unto himself certain powers, if he misused them, we should have condemned him at the time when he misused them. But, I am now speaking to the point that this President of the United States, Mr. Eisenhower, is misusing his powers.

Mr. PRICE. I think most of us did condemn that action the gentleman referred to. I know I did personally, because I was vitally concerned at that time with those particular projects.

Mr. MULTER. As strong an advocate as I am of most of the things President Truman stood for, I disagreed with him on occasion, too. But, I like to recall the occasions when I can agree with the President even though he is not of my party. Unfortunately, with this President I must disagree more frequently than I can agree.

There is one other point I want to make, to be sure you have it in your mind when you go home as soon as we adjourn, because you are going to be met with this time and time again. When you talk about fiscal responsibility and spending money, you always want to tell the people what the money is being spent for. In every good business, at least every good business that wants to remain solvent, you strike a balance sheet. On one side you have the assets and on the other side you have the liabilities. If your liabilities exceed your assets, you are insolvent. As long as your assets exceed your liabilities, you are solvent. Don't worry too much about how much you have expended, about how much you have authorized and appropriated, if the money is being used for a good purpose, if it is going to produce more assets in the asset column of the balance sheet of our Government. Every time we build an irrigation project, and there are none in my district; every time we build a reclamation project, and there are none in my district, you are taking money, even if you are borrowing it, and converting it into a good, solid asset in the asset column of the balance sheet of this Government, which is going to stand us in good stead for years ahead. It is going to mean better living conditions for our people. It is going to mean more real assets. You are going to take useless land and make it useful, fruitful land. The same thing applies to sanitary facilities and community facilities and all these other things we are doing. The one place where you may complain you are not going to get anything in the asset column of your balance sheet is in connection with the national security and your defense budget. Will any man or woman in this House dare to stand up and say that we can save that money today, that we do not have to spend that money, that that money may be wasted, because it is going into missiles and armament and materiel that we may never use? I hope that we will never use them, but if we must, then it will be a sorry day indeed if we had not spent that money and did not have that materiel, and those armaments and missiles ready to defend our homes and very lives.

Mr. KASEM. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. KASEM. Mr. Speaker, I want to thank the gentleman for stating so eloquently why I am a Democrat.

Mr. Speaker, I ask unanimous consent that the time of the gentleman from New York [Mr. MULTER] be extended 5 minutes.

The SPEAKER pro tempore. The Chair will state that there are additional special orders scheduled and that request is not in order at this time.

Mr. MOORHEAD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. MOORHEAD. Mr. Speaker, first I would like to commend the gentleman for his very able address. Then I should like to ask the gentleman if in his analogy of the assets and liabilities on the balance sheet, he would not also include on the asset side urban renewal funds?

Mr. MULTER. Of course. I did not try to enumerate all of them; but item-by-item these produce good, real assets, in the asset column of our balance sheet.

THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. PRESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Speaker, as I read the RECORD in recent weeks, I have observed that the REA program has come in for extensive discussion by some of my distinguished colleagues. I realize the REA program is not fully understood in many quarters. It is easy to reach erroneous conclusions under these circumstances. I also recognize the fact that philosophical differences of opinion on REA matters exist. My only purpose in speaking out today is to set the record straight.

It has been my pleasure to work enthusiastically for the REA program in Congress for more than a decade and to have supported it as a resident of Georgia and as a member of the legislature there for many years before that. I mention this only to establish the fact that I have had long association with the program and have had opportunity to become acquainted with many of the problems it has encountered and to know many of the people who have worked so hard to make it the great program it is.

It saddens me to see any attempt to discredit the fine record the REA program has established during the last quarter of a century. It is even more distressing that the work of good people—of whom there are so many throughout the country—should become the target of political epithets.

My State of Georgia, I am sure, has no monopoly upon the wonderful people who have worked to make the REA program the source of so much progress for the country and so much satisfaction for the farm and rural people of our Nation. Our Georgia REA-ers are typical of the kind of people who have contributed time, money, and intelligent effort to transform REA from three bureaucratic letters into a symbol of modern and happy living in rural America.

One of our rural electric leaders, Mr. Walter Harrison, last February was selected by the rural electric delegates at their national convention to be their association president for the current year. As a friend and neighbor of Walter Harrison, I am proud that he was the recipient of this great honor. He has earned it by the contributions he has made to the program through all these years, as director of the cooperative in his own area—the Planters Electric Membership Corp. at Millen, Ga.—and as a longtime official in the State organization of rural electric systems.

Mr. Harrison, of course, is one of many. I could mention Jim Polhill, Jr., at Louisville, Marshall Pollock of Monroe and many, many others. These are high-type people. And together with their counterparts in Missouri or Wisconsin or Pennsylvania they constitute the real backbone of the REA program. They are the people who organized the REA projects in the first place. They are the people who have set up the policies for operating the systems soundly and in the interest of the consumers they serve. They are the people who have fought for the program through their State and national associations.

They are intelligent, fearless, and outspoken, and to imply that they are gullible—that they are being hoodwinked with fake issues—as has been done recently, is to completely underestimate the wit and astuteness of Walter Harrison and his counterparts in all parts of the country. These men and women have not gotten this far in their 25-year fight for rural electrification without having learned how to spot a straw man or even a Trojan horse when they see one. A record that suggests the contrary must be corrected. The rural electric people deserve compliments for what they have done instead of suggestions that they are led around by the nose and are unable to speak up for themselves when they see the need.

Let us look at the record that the thousands of men and women working in the REA program have built over the years. Farm electrification had advanced very slowly in the United States during the 53-year period from 1882, when the first central generating system went into service, to 1935, when REA was created. In fact, you might say for most of the farmers the advance amounted to nothing. Only farms located on the city fringes had service and there were few of these.

In my own State of Georgia less than three farms in a hundred had electric service when REA was set up. For the country as a whole, the overall average was 1 out of 10 farms with service.

What is the story today? It is just about reversed. In Georgia now, only about three farms out of a hundred do not have electricity. Nationally the coverage is nearly as good.

It has been suggested on this floor that REA men have contributed a little to this dramatic change, that some farms may have had electricity sooner because of REA, but that if the existing utilities had been permitted to proceed in their own way the job would have been done anyway.

This part of the record has to be corrected. Those of us who saw the towns and cities modernized with electricity while the farm homes were left behind in an older era cannot understand why anyone would make such a suggestion. History must speak for itself. Half a century went by and nothing was done to electrify the countryside until REA came along. Surely, it must be evident to everyone that REA had a terrific effect in getting the ball rolling.

I do not know what purpose is served by discrediting the work done by this outstanding program and by the men and women who have made the program the success it is today. Again, I say that heartfelt compliments are very much in order.

It has been charged that the rural electric systems, now that they have reached most of the farms, are looking for new fields to conquer. Specifically, it is said that they are threatening to take away the cities from the power companies.

I would like to make two comments about this utterly fantastic suggestion.

First, I am reminded of the old story about the mouse and the elephant. If the big companies are really afraid their position is threatened in any way by the little co-ops, they are not as sound as I have thought.

Second, I have looked through the Rural Electrification Act and if I understand the American language correctly, I do not believe REA loan funds may be used to take a light and power customer away from another utility. The law prohibits the REA Administrator from making loans to serve persons who have service. That ought to take care of just about everybody in any town or city that I know of. Moreover, the law prohibits the REA Administrator from making loans to serve any person, who may or may not have service, in any incorporated town with a population of 1,500 or over. That makes two prohibitions written right into the law and I know of no legislation before the Congress to change this part of the law.

I will tell you, Mr. Speaker, what is undoubtedly back of statements charging that co-ops are in effect pirates. I know because I have seen it happen in Georgia. Here is what is happening. The towns and cities grow and they expand their city limits, sometimes way out where they include the area served by the rural electric system. Parenthetically, I would like to say, Mr. Speaker, that rural electrification has helped our towns and cities to prosper and expand. We are thankful it has and proud of its contribution. But there are those who would like to see the rural electric give up its customers to the city utility.

But is that fair? Remember that the rural electric went into the territory and brought service to the residents while

it was open countryside. They performed the job when the material rewards were unattractive; should they be thrown out now just when it has been proven rural areas can be served profitably?

There may be some honest differences of opinion on this matter. But I am sure that it won't be solved by accusing the rural electric people of unfair practices.

The assertion has been made that the REA program as we have known it should be abandoned and a new system of financing should be established. They want to throw overboard the low-interest, long-term type of financing that has made REA an effective economic tool of farmers and the Nation.

Let us consider for a moment how REA works now to see what we are being asked to abandon. First of all we should note that it is a lending program. No grants or gifts of any kind are involved. Neither does the Government do the electrification job. REA does not own or operate a single mile of powerline. Nor does it sell a single kilowatt-hour to anybody anywhere.

Rural electrification under the REA is a grass roots operation. Local businesses, organized by local people and run by local people, borrow from REA the capital they need to finance the construction of electric facilities in the rural areas. When the lines and plants are built the local people operate the facilities and pay back the loans with interest. For the last several years the interest charge has been 2 percent. The loans run for 35 years.

And what are we getting in return?

First. We are doing the rural electrification job in America on a free enterprise basis. Instead of Government business, we have local business. Instead of bureaucrats, we have local people running the show.

Second. We have a service program designed to serve entire rural areas, including less densely settled sections as well as the more populous areas. This area coverage policy has become increasingly important as the rural electrification job has progressed because it has meant the family way down on the back road is given the opportunity to enjoy the benefits of electric power just as much as the family up on the main highway.

Third. We have been able to proceed with the rural electrification job without interfering with the existing utilities. As a matter of fact they have gone ahead and made a good portion of the connections themselves. Perhaps they were stimulated into greater activity by the REA, but judging from the excellent financial statements of electric utilities today it would appear this stimulation has been to their advantage.

Fourth. We are creating as a result of the REA financed systems alone a market estimated at something in excess of a billion dollars a year for refrigerators, TV sets, motors, washing machines, water systems, transformers, freezers, poles, electric frying pans, barn cleaners, and so on and on.

Fifth. We have helped the farmer at least in some small measure to meet the cost-price squeeze by enabling him to utilize the low-cost services of Willie Wiredhand.

Sixth. We have put joy and happiness into the lives of millions of rural people who had come to think of modern living as something reserved for city folks.

Yes, but—they say. Yes, but we have to raise the interest rate to fight inflation. And there you have another point that is open to serious question because how can we fight inflation by adding to the cost of electricity? The up-and-up cycle has to be stopped somewhere. Isn't it time we tried to find ways of cutting down costs, rather than boosting them? Every citizen whether on an REA line or any other line has a concern with that.

Yes, but—they say. Yes, but the job is finished. I would like to quote from an REA report the following statement entitled "How Farmers Use Electricity":

> Farm use of electricity from REA-financed lines increased from a monthly average of 146 kilowatt-hours per farm in 1950 to an estimated 318 kilowatt-hours in 1959. Farmers are coming to depend more and more upon electricity as a production tool. More than 400 farm uses for electricity are known; at least 250 of them increase production or make farming more profitable.
>
> Farmers already use more electric energy for more farm tasks than was expected when the original lines were built. As a result, power distributors are faced with the necessity of "heavying up" the lines and substations to keep abreast of demand. A program of system improvements has been a major activity of most REA electrification borrowers in recent years.
>
> An important result of the expanding rural electrification program is the increased business it brings into rural communities. It stimulates private business, both locally and nationally. Surveys indicate that for every dollar invested in rural power facilities, the farmer spends $3 to $4 in wiring, plumbing, and electrical appliances. Also, when power is available, the establishment of industry in rural areas is encouraged.

The job is not yet finished.

The rural electric system undertook to provide dependable service when it hung the meter on the farmer's house. That means supplying enough power to meet that farmer's needs. Electric wires to a farm are of little value if they do not carry the juice in the quantity required to insure good service.

The rural electric system, therefore, has to keep up with load growth. And the point that Budget Director Stans overlooks when he talks to the millionaires' clubs and that Secretary Benson ignores when he says, in effect, "Stand up on your own feet in Wall Street," is this: Rural electrification capital—outside of REA—is just as scarce and high-priced today as it was when the systems were first being established out in the thin country areas.

I am one of those who believed that it was a good policy to set up REA to bring light and power to the farm family and I am one of those who believes it is good policy to keep REA so that the farm family may continue to have service and at rates it can afford.

It has been suggested that those of us who voted for the Humphrey-Price bill were voting for a phony issue. This seems to me to be an unfounded slur upon the judgment of those of us who are honestly concerned that the REA loan-making powers should not be changed from what they have been through the many successful years. Spokesmen for Secretary Benson said they have had no intention of changing the responsibility of the Administrator. If this is so, I see no harm whatsoever; on the contrary, I see much to be gained, in making that policy a part of the law. However, while we may have lost the bill, I believe we won the fight because there is no longer any doubt as to the sentiments of the Congress with regard to this matter. That was a great accomplishment and ought not be minimized.

So far as I know, all the electric co-op people in Georgia supported that bill. I think most of them urged me to vote for it. I did, and I am glad I did, and I would do it again.

These are some of the things I wanted to say about REA, Mr. Speaker; I hope they help clear the air a little.

AMENDING THE ATOMIC ENERGY ACT OF 1954

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2569) to amend the Atomic Energy Act of 1954, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from Illinois?

Mr. GROSS. Mr. Speaker, reserving the right to object, please explain this bill.

Mr. PRICE. This is a bill providing two minor amendments to the Atomic Energy Act of 1954. One of the amendments would authorize the Commission to enter into fuel element reprocessing agreements with fuel suppliers, and so forth, for the performance of certain services by the Commission.

The second amendment will permit qualified scientists to serve on AEC advisory committees without being subject to certain conflict-of-interest statutes, and so forth.

These are technical amendments. The Commission has requested them in order that they might expedite their work.

Mr. GROSS. This bill does not provide for an additional expenditure by the Federal Government or increasing personnel or anything of that kind?

Mr. PRICE. No.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. The gentleman might state that this bill has been the subject of hearings and careful study and consideration by the Joint Committee on Atomic Energy; and that the report is unanimous, which means that the minority supports the bill as well as the majority; is that correct?

Mr. PRICE. That is correct.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 161 m. of the Atomic Energy Act of 1954, as amended, is amended by striking out "Section 103 or 104" and inserting in lieu thereof "Section 103, 104, 53 a. (4), or 63 a. (4)".

SEC. 2. Section 163 of the Atomic Energy Act of 1954, as amended, is amended by inserting after the words "from receiving compensation" the following words "from a source other than a nonprofit educational institution".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, S. 2569 is a bill to amend the Atomic Energy Act of 1954 in two minor respects. The bill is recommended unanimously by the Joint Committee on Atomic Energy, with an amendment to strike out the original section 1, and in its amended form was passed by the Senate on Wednesday, September 9, 1959.

Section 1 of the amended bill—original section 2—amends subsection 161 m. of the Atomic Energy Act to authorize the Commission to enter into agreements for the performance of certain services by the Commission, including the reprocessing of fuel elements with material licensees—sections 53 and 63—as well as facility licensees — sections 103 and 104 — as presently authorized by the act.

Section 2 of the bill as amended—original section 3—amends section 163 of the act to provide, in substance, that members of AEC Advisory Committees will not be subject to certain conflict of interest statutes solely because of compensation received from nonprofit educational institutions.

An explanation of the bills, and a statement by AEC Chairman McCone in support of the legislation, is contained in the committee report.

I urge all Members of the House to vote in favor of S. 2569.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I rise in support of this bill, H.R. 8754, as recommended by the Joint Committee on Atomic Energy. As explained in the committee report, this bill makes two minor amendments to the Atomic Energy Act of 1954, which will assist the Commission in the administration of the atomic energy program.

The first amendment is to subsection 161m of the act and will permit the Commission to enter into fuel element reprocessing agreements with fuel suppliers, as well as with reactor operators, as presently authorized by the act.

The second amendment is to section 163 and will permit qualified scientists to serve on AEC advisory committees without being subject to certain conflict of interest statutes because of compensation which might be received from nonprofit educational institutions.

As explained by the statement of AEC Chairman John A. McCone, included as appendix I of the Joint Committee report, both of these amendments have been requested by the Commission, and they are recommended by the Joint Committee on Atomic Energy.

Mr. Speaker, I therefore urge all my colleagues in the House to vote in favor of this bill, H.R. 8754—S. 2569.

COOPERATION WITH STATES, ATOMIC ENERGY COMMISSION

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2568) to amend the Atomic Energy Act, as amended, with respect to cooperation with States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. PRICE. This is a bill reported unanimously from the Joint Committee on Atomic Energy which would amend the Atomic Energy Act with regard to setting up procedures under which there would be greater participation at the State and local level.

Lengthy hearings were held on this bill. It has been supported by the principal State organizations, including the Council of State Governments, the Governors Conference, the National Association of Attorneys General, and the Southern Governors Conference.

The bill represents months of effort to bring this program a little closer to the States and to have greater participation at the State level.

Mr. GROSS. Does this provide for an increase in Federal spending?

Mr. PRICE. No, it does not.

Mr. GROSS. Nor an increase in personnel?

Mr. PRICE. No.

Mr. GROSS. It does not open the door to more spending by the States or the setting up of a program that will eventually call for more spending on the part of the Federal Government?

Mr. PRICE. I do not see how it could open the door to any large-scale spending.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. PRICE. Permit me to say to the gentleman from Iowa, who mentioned additional personnel, that it could eventually involve some expenditure for training and inspection of personnel who would work with and for State and local governments as they set up their programs, but it would be a negligible amount.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. VAN ZANDT. Mr. Speaker, I should like to ask the gentleman, is it not true that as the atomic energy field is further explored and developed, especially in the peacetime uses of the atom, that the States and local communities must come into the effort?

Mr. PRICE. That is true.

Mr. VAN ZANDT. All we are trying to do here is to authorize the AEC to prepare a set of regulations that will assist the several States and communities in administering their affairs in the peaceful use of the atom.

There might be some expenses in training personnel and in administering such a program, but it would be minute, compared to the AEC budget as a whole.

Mr. PRICE. Yes, this is the type of legislation sought by some State governments.

Mr. GROSS. Mr. Speaker, further reserving the right to object, will this provide any program comparable with civil defense attempts to expand in municipalities and other local subdivisions of government?

Mr. PRICE. No; it would not. The most you could anticipate would be inspectors or licensing personnel or people who might be called upon to assist the State government in training inspectors.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. All this would do is this: It would permit the Federal Government to eventually withdraw from the area where the States and local communities would have jurisdiction over certain types of materials and give them the right of administering their affairs. It applies principally to the use of radioactive isotopes.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following section be added to the Atomic Energy Act of 1954, as amended:

"SEC. 274. COOPERATION WITH STATES.—

"a. It is the purpose of this section—

"(1) to recognize the interests of the States in the peaceful uses of atomic energy, and to clarify the respective responsibilities under this Act of the States and the Commission with respect to the regulation of byproduct, source, and special nuclear materials;

"(2) to recognize the need, and establish programs for, cooperation between the States and the Commission with respect to control of radiation hazards associated with use of such materials;

"(3) to promote an orderly regulatory pattern between the Commission and State governments with respect to nuclear development and use and regulation of byproduct, source, and special nuclear materials;

"(4) to establish procedures and criteria for discontinuance of certain of the Commission's regulatory responsibilities with respect to byproduct, source, and special nuclear materials, and the assumption thereof by the States;

"(5) to provide for coordination of the development of radiation standards for the guidance of Federal agencies and cooperation with the States; and

"(6) to recognize that, as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable.

"b. Except as provided in subsection c., the Commission is authorized to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission under chapters 6, 7, and 8, and section 161 of this Act, with respect to any one or more of the following materials within the State—

"(1) byproduct materials;

"(2) source materials;

"(3) special nuclear materials in quantities not sufficient to form a critical mass.

During the duration of such an agreement it is recognized that the State shall have authority to regulate the materials covered by the agreement for the protection of the public health and safety from radiation hazards.

"c. No agreement entered into pursuant to subsection b, shall provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of—

"(1) the construction and operation of any production or utilization facility;

"(2) the export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

"(3) the disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

"(4) the disposal of such other byproduct, source, or special nuclear material as the Commission determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Notwithstanding any agreement between the Commission and any State pursuant to subsection b., the Commission is authorized by rule, regulation, or order to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

"d. The Commission shall enter into an agreement under subsection b. of this section with any State if—

"(1) the Governor of that State certifies that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State desires to assume regulatory responsibility for such materials; and

"(2) the Commission finds that the State program is compatible with the Commission's program for the regulation of such materials, and that the State program is adequate to protect the public health and safety with respect to the materials covered by the proposed agreement.

"e. (1) Before any agreement under subsection b. is signed by the Commission, the terms of the proposed agreement and of proposed exemptions pursuant to subsection f. shall be published once each week for four consecutive weeks in the Federal Register; and such opportunity for comment by interested persons on the proposed agreement and exemptions shall be allowed as the Commission determines by regulation or order to be appropriate.

"(2) Each proposed agreement shall include the proposed effective date of such proposed agreement or exemptions. The agreement and exemptions shall be published in the Federal Register within thirty days after signature by the Commission and the Governor.

"f. The Commission is authorized and directed, by regulation or order, to grant such exemptions from the licensing requirements contained in chapters 6, 7, and 8, and from its regulations applicable to licensees as the Commission finds necessary or appropriate to carry out any agreement entered into pursuant to subsection b. of this section.

"g. The Commission is authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

"h. There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics. The Special Assistant to the President for Science and Technology, or his designee, is authorized to attend meetings, participate in the deliberations of, and to advise the Council. The Chairman of the Council shall be designated by the President, from time to time, from among the members of the Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States. The Council shall also perform such other functions as the President may assign to it by Executive order.

"i. The Commission in carrying out its licensing and regulatory responsibilities under this Act is authorized to enter into agreements with any State, or group of States, to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. The Commission is also authorized to provide training, with or without charge, to employees of, and such other assistance to, any State or political subdivision thereof or group of States as the Commission deems appropriate. Any such provision or assistance by the Commission shall take into account the additional expenses that may be incurred by a State as a consequence of the State's entering into an agreement with the Commission pursuant to subsection b.

"j. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State with which an agreement under subsection b. have become effective, or upon request of the Governor of such State, may terminate or suspend its agreement with the State and reassert the licensing and regulatory authority vested in it under this Act, if the Commission finds that such termination or suspension is required to protect the public health and safety.

"k. Nothing in this section shall be construed to affect the authority of any State or local agency to regulate activities for purposes other than protection against radiation hazards.

"l. With respect to each application for Commission license authorizing an activity as to which the Commission's authority is continued pursuant to subsection c., the Commission shall give prompt notice to the State or States in which the activity will be conducted of the filing of the license application; and shall afford reasonable opportunity for State representatives to offer evidence, interrogate witnesses, and advise the Commission as to the application without requiring such representatives to take a position for or against the granting of the application.

"m. No agreement entered into under subsection b., and no exemption granted pursuant to subsection f., shall affect the authority of the Commission under subsection 161 b. or i. to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material. For purposes of subsection 1611., activities covered by exemptions granted pursuant to subsection f. shall be deemed to constitute activities authorized pursuant to this Act; and special nuclear material acquired by any person pursuant to such an exemption shall be deemed to have been acquired pursuant to section 53.

"n. As used in this section, the term 'State' means any State, Territory, or possession of the United States, the Canal Zone, Puerto Rico, and the District of Columbia."

SEC. 2. Section 108 of the Atomic Energy Act of 1954, is amended by deleting the phrase "distributed under the provisions of subsection 53a.," from the second sentence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks following the enactment of each of these bills.

The SPEAKER pro tempore (Mr. BOLAND). Without objection, it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PRICE. Mr. Speaker, S. 2568 is a bill to amend the Atomic Energy Act of 1954 by adding a new section 274 to that act with respect to cooperation with States. It is recommended unanimously by the Joint Committee on Atomic Energy, with certain amendments, and was passed by the Senate on September 11, 1959.

After receiving a proposed bill from the AEC, the Joint Committee held extensive public hearings and received many valuable comments. The bill is supported by the principal State organizations, including the Council of State Governments, the Governors' conference, the National Association of Attorneys General, and the southern Governors' conference. In addition, representatives of individual States testified in support of the bill. The Atomic Energy Act is now silent as to the role of State governments, and this bill is needed to clarify the situation because some confusion is beginning to develop.

The bill authorizes the AEC to enter into agreements with State Governors providing for discontinuance of certain of the AEC's regulatory authority, after proper certification by the Governor and findings by the Commission that the State program is adequate. At the present time, the Commission is licensing the three types of materials defined in

the Atomic Energy Act—byproduct, source, and special nuclear materials—and has over 4,700 isotope licensees alone, scattered throughout our 50 States. Under this legislation, the Commission could gradually turn over to qualified State governments the responsibility for regulation and supervision of some, but not all, activities. In the case of isotopes, eight States—New York, California, Pennsylvania, Illinois, Texas, Ohio, New Jersey, and Minnesota—have 55 percent of the AEC licenses, and transfer to the State government could ease the AEC licensing load. The licensing and regulation of more hazardous types of activities—such as nuclear reactors—would remain the exclusive responsibility of the AEC.

The bill provides for programs of training and assistance in order to help State and local employees prepare to assume these contemplated new responsibilities. I would like to emphasize that local and municipal government employees are to receive the benefits of this AEC assistance as well as State employees.

In order to avoid overlapping, conflicting, or duplicating standards, the Joint Committee tightened up subsection g. of the bill relating to standards and provided that they should be compatible with the AEC standards. In most cases when a State assumes the responsibility, it is hoped that the State will adopt the AEC standards so that their standards will be identical.

The bill also establishes a Federal Radiation Council consisting of five members, and such other members as shall be appointed by the President. This Council shall receive the advice of technical experts, and shall then advise the President. The President will then provide guidance to all Federal agencies in the formulation of radiation standards in order to encourage uniformity of standards at the Federal level, and thus subsequently at the State level.

Insofar as local governments and municipalities are concerned, the bill provides in subsection i that the Commission is authorized to provide training and assistance to such groups as well as to State governments. Local and muncipal officials are also to be encouraged to participate in inspection and to work closely with AEC officials. The promulgation of standards and licensing will be done on a statewide basis, but the bill intends that local and municipal officials also will participate in carrying out the purposes of this bill.

In summary, Mr. Speaker, the Joint Committee has considered this bill carefully, made certain revisions, and then reported out the bill unanimously. It has been passed by the Senate, and I urge all Members of the House to vote for S. 2568, in the form recommended by the Joint Committee on Atomic Energy.

Mr. VAN ZANDT. Mr. Speaker, I rise in support of H.R. 8755 (S. 2568), as recommended by the Joint Committee on Atomic Energy, to amend the Atomic Energy Act of 1954, with respect to cooperation with States.

This bill contains the essential provisions requested by the AEC and is supported by the administration. During the lengthy hearings held by the Joint Committee on this subject, representatives from many States testified in favor of the bill, and also the following organizations: Council of State Governments, National Association of Attorneys General, the Governors Conference and the Joint Federal-State Action Committee, and the Southern Governors Conference.

Since the hearings, the American Bar Association has approved a report in favor of the principles of this bill.

In addition, we have received statements from the States of New York, California, and other States in support of the bill.

At the present time, the Atomic Energy Act requires the Federal Government to license and regulate radiation hazards from the materials defined in the Atomic Energy Act, namely, byproduct, source, and special nuclear materials. The States have many laws protecting the health and safety of their citizens from conventional hazards, and some States also have laws requiring registration of these materials, or permitting inspection and adoption of standards concerning these materials. But the basic licensing and regulations for radiation hazards is done by the Federal Government. This bill would permit the States, on a gradual basis, to assume responsibility for regulation of these materials, and the Commission to withdraw its authority under agreement with the Governor of a State.

The Joint Committee has gone into this subject thoroughly, as indicated by the committee report. The Joint Committee considers the approach of the bill wise and appropriate in several respects, and I would like to quote in part from the report of the Joint Committee at page 8:

2. The approach of the bill is considered appropriate, in the opinion of the Joint Committee, for several reasons:

(a) The approach is on a State-by-State basis. It authorizes the Commission to enter into agreements with Governors of individual States, after proper certifications and findings by both the Governor and the Commission as to the adequacy of the State's program. A few States have indicated they will be ready in the near future to begin discussions leading to an agreement to assume regulatory responsibility for such materials. Others will not be ready without more effort, more assistance, and more experience for several, or perhaps many, years. The bill does not authorize a wholesale relinquishment or abdication by the Commission of its regulatory responsibilities but only a gradual, carefully considered turnover, on a State-by-State basis, as individual States may become qualified.

In summary, Mr. Speaker, this bill would help the States assume independent regulatory jurisdiction in areas which are now regulated exclusively by the Federal Government under the provisions of the Atomic Energy Act. It would assist the States to prepare themselves for assuming such responsibility by increased training and programs of assistance for the States. As pointed out in the Joint Committee report, this would increase the protection of the public health and safety "because most citizens look to their local health officers for advice and protection against hazardous materials used in the community"—page 9 of the committee report.

This bill would allow States and local health officers, as they become qualified, to assume regulatory responsibility over materials which until now have been the responsibility of the AEC under the Atomic Energy Act.

Mr. Speaker, I urge the House to approve H.R. 8755 in the form recommended by the Joint Committee.

IN MEMORY OF BOLITHA J. LAWS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. MOULDER] is recognized for 30 minutes.

Mr. MOULDER. Mr. Speaker, I am deeply grateful to you and to the Members of the House for granting me this opportunity to speak about a great man, Bolitha J. Laws.

Mr. Speaker, I ask unanimous consent to include a brief biographical sketch of the life and service of Bolitha J. Laws.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MOULDER. Mr. Speaker, the following is the biographical sketch of the late Honorable Bolitha J. Laws:

BOLITHA J. LAWS

Native of the District of Columbia.

Georgetown University, L.L.B. 1913; L.L.M. 1914, L.L.D. 1950.

Admitted to bars of the District of Columbia, New York, and Maryland.

Assistant District Attorney for 6 years during the Wilson administration.

Nineteen hundred and twenty-one, nineteen hundred and twenty-two, litigation counsel and later assistant general counsel of the United States Shipping Board.

His general practice of law before appointment to the bench covers a period of 25 years.

In 1930, Mr. Laws was appointed a member of the grievance committee of the then supreme court of the District of Columbia and in 1932 was selected as chairman of that committee and until the grievance committee became a part of the committee on admissions and grievances of the court, he continued to serve as chairman. After the formation of the committee on admissions and grievances and until his appointment as associate justice of the district court, Mr. Laws served as subchairman in charge of grievance work of such committee.

Nineteen hundred and thirty-five, elected treasurer of the District of Columbia Bar Association. Served for 2 years.

Nineteen hundred and thirty-seven, elected president, District of Columbia Bar Association.

June 1938, appointed judge of the United States District Court for the District of Columbia.

During his first year on the bench, Judge Laws was assigned to criminal division of the court. There was assigned to him for trial a conspiracy case, charging violation of income tax law, brought against defendants said to be connected in the operation of a huge numbers gambling enterprise. Case resulted in a hung jury. While a new trial was in progress the attention of the court was brought to alleged tampering with jury. Judge Laws declared a mistrial and immediately cited several of the defendants, their lawyers and a deputy U.S. marshal on contempt charges. This case attracted

widespread comments in the press and after its disposition, Judge Laws' conduct of the trials was highly praised by news editorials.

During his first year on the bench, Judge Laws received three certificates of award from local organizations. First, the Corrections Committee of the Council of Social Agencies selected him for its annual award as a person who had rendered outstanding service in the field of administration of criminal justice and prevention of delinquency. Second, the Washington Federation of Churches awarded him a plaque as the outstanding layman in church work during the year. Third, the Society of Natives of the District of Columbia voted him the annual award for distinguished public and civic service for the year 1939.

During the summer vacation of the court in 1939, Judge Laws made a widespread study of pretrial procedure and brought about the organization of a pretrial division in the district court. This resulted in a decided reduction of the delays in civil court cases. At the end of the year, in the report of the conference of senior circuit judges, the following comment was made by Chief Justice Hughes concerning the work of Judge Laws in this connection: "In the District Court for the District of Columbia notable gains have been made during the past year in clearing up a highly congested calendar and the director reports that if a similar degree of progress is made during the next year the docket will soon become current. Most of that reduction has been occasioned by an intelligent and skillful use of the pretrial procedure permitted by the Rules of Civil Procedure."

Judge Laws has lectured extensively on pretrial procedure and has put on demonstrations throughout the United States. He has also written extensively on the subject for magazines and law journals.

The following summer, Judge Laws made a study of the Domestic Relations Commissioner's offices in several jurisdictions and brought about the establishment of a Domestic Relations Commissioner in the District Court. This office has proved highly satisfactory and efficient.

Since 1938, Judge Laws has acted as Chairman of the American Bar Association Special Committee on Improving the Administration of Justice in the District of Columbia.

In 1941 Chief Justice Stone appointed Judge Laws as a member of a committee of Federal judges to study the problem of correction of crime in the Federal courts. Judge John J. Parker, as chairman of the committee, designated Judge Laws to be in charge of a subcommittee giving particular study to adult offenders. Judge Laws assisted in the draft of the bills passed by Congress and has spoken by designation before four Judicial Conferences, the American Bar Association and other organizations.

After Judge Vinson was appointed as stabilization director, Chief Justice Stone appointed Judge Laws to succeed Judge Vinson as a member of the U.S. Emergency Court of Appeals.

On January 22, 1945, Judge Laws was appointed chief judge of the U.S. District Court for the District of Columbia.

Judge Laws was chairman of the section of judicial administration of the American Bar Association in 1946 and has served on the council of that section since 1948.

In June of 1950, Georgetown University conferred degree of doctor of laws on Chief Judge Laws.

Judge Laws was a professor at George Washington University in moot court and was a professor at Georgetown University, teaching a course in trial preparation, strategy, and technique.

Since 1953 Chief Judge Laws has been chairman of the advisory council of judges and member of the board of trustees of the National Probation and Parole Association.

In February 1954 Judge Laws was named big brother of the year for the District of Columbia.

Judge Laws was instrumental in the passage of the Youth Corrections Act in making it applicable to the District of Columbia.

He is a member of the American Bar Association's committee on the administration of criminal justice. He is also a fellow of the Institute of Judicial Administration.

Judge Laws, in 1955, was elected to the board of trustees of the American University in Washington, D.C.

Judge Laws passed away November 14, 1958.

Mr. Speaker, there seems to be something in the human soul that yearns for social order and for the instrument that maintains it—the law. As far back as we can probe into man's history, as wide as we can search among uncivilized peoples, among isolated savages and obscure tribes of aborigines, the law—in whatever manifestation—and the man of law have universally and throughout time been accorded deep respect and reverence.

I suppose this stems, in part at least, from the tendency of the law to attract to itself men of integrity and worth; and then to bring out in those who devote themselves to it qualities of wisdom and devotion universally admired. Few men in the history of our Capital—and, indeed, of our Nation—have exemplified these qualities better than Bolitha J. Laws, the late chief judge of the district court. By character, by intellect, and by inclination, Judge Laws was an ideal exponent of the law. He was more than that; he was, as the Washington Post once put it editorially, "in a very literal sense an apostle of justice."

Judge Laws was born a gentleman, but if there ever was a silver spoon, it was removed at an early age. He lost his father when he was 9 years of age. Seven years later, he began to support his mother and his sister. Nevertheless, he continued his education at night school. He was determined to devote his life to the law. While attending night school he made his living by serving as a stenographer in the district attorney's office. In 1913, he was awarded a bachelor of laws degree, and a year later a master of laws. As soon as he had passed the bar examination, he was appointed an assistant U.S. attorney.

Since that first appointment in Bolitha J. Laws' judicial career, his rise was rapid. He filled a number of Government positions, and spent some 20 years in an extremely successful private practice. He will be remembered primarily, however, for his brilliant service as a judge, and eventually as chief judge, of the district court here in Washington. Three times he declined offers of promotion to the U.S. Circuit Court of Appeals. He had found his mission, and he knew instinctively that he could contribute more as chief judge of the district court than in any other more exalted judicial rank.

Judge Laws' extraordinary blend of justice and mercy, of respect for the innate dignity of the human being as well as the letter of the law, of reverence for the traditions of law and regard for administrative efficiency, transformed the court during his tenure.

He pioneered pretrial work to ease the burden of the court and introduced more efficient methods. He fought relentlessly for a Family Court for the District of Columbia. He was a stanch advocate of improved probation facilities and better sentencing procedures, designed to give criminals an opportunity to rehabilitate themselves. After World War II, Judge Laws became concerned about the veterans of that frightful holocaust who had failed to readjust themselves to civilian life. With his innate compassion, Judge Laws urged special treatment for those whose crimes are in some way traceable to battlefield experiences.

It was due to Judge Laws' energy and perseverance that our Capital got the splendid new court building at Third Street and Constitution Avenue NW. His success in this great venture is indicative of his effectiveness. Judge Laws was a devoted idealist, but he was far from being an ineffective dreamer. He knew precisely what was needed in the service of the law and how to get it. Thus he greatly increased the effectiveness of the special American Bar Association committee for improving the administration of justice in the District of Columbia by naming civic leaders, Government officials, and businessmen, as well as judges and lawyers, to its membership. With the backing of this broadly based committee, Judge Laws was able to carry out many badly needed reforms.

Our system of law is a most precious heritage. It constitutes the most highly developed human method of creating order out of chaos, thus making civilized human life possible. Much of the real value of this system, however, depends on the men who administer it. Most of the judges and lawyers deal scrupulously with the law and leave it, at the end of their careers, intact and undiminished. Every once in a long while, however, there are some rare and great men who do even more than that; they leave the great heritage they found enriched and enlarged when they finally retire from the battle for justice. Judge Laws was such a man. His record in life will stand out as a monument in his memory far more permanent than marble.

[From the Washington Daily News, Nov. 17, 1958]

JURISTS HONOR JUDGE LAWS

Nineteen district judges and nine members of the U.S. Court of Appeals convened for a special joint session today in ceremonies for Chief District Judge Bolitha J. Laws.

Supreme Court Chief Justice Earl Warren told the judges and several hundred spectators in the big ceremonial courtroom in the U.S. courthouse:

"We shall miss him greatly. Our consolation will be that his good work will last * * *

"This building will be his monument. He planned it * * * he strove relentlessly to make it the best administered court in the Federal system.

HIS RECORD

"He has brought about advances that have improved the courts throughout the Federal jurisdiction.

"He had served his country with distinction and his works now are part of its history."

District court, the U.S. court of appeals, juvenile court and the municipal court of appeals were closed for the day.

Municipal court today handled only emergency cases, mainly concerning persons locked up and awaiting preliminary hearings.

Judge F. Dickinson Letts, 83, the presiding district judge by seniority, said:

"Throughout his tenure in office we have learned to counsel with him. We have profited greatly by his wisdom."

A FRIEND

Chief U.S. Court of Appeals Judge E. Barrett Prettyman, a close friend of Judge Laws since childhood, said simply:

"He was a great friend, a great man, a truly great judge."

Earlier, Judge Laws' body laid in state in the courtroom and hundreds of judges, lawyers, and court employees filed by it.

Funeral services were held at noon at the Mount Vernon Place Methodist Church, Ninth Street and Massachusetts Avenue NW.

DIED FRIDAY

Judge Laws, 67, of 4201 Massachusetts Avenue NW., died Friday night at George Washington University Hospital. He had entered the hospital that afternoon and soon lapsed into a coma.

Judge Laws was appointed to the district court bench 20 years ago, and became chief judge in 1945. He was particularly well known for inaugurating pretrial methods to expedite court procedure.

He refused appointment to the U.S. court of appeals three times.

ADDITIONS

The judge was instrumental in having a Domestic Relations Commissioner, and later the domestic relations court, added to the District's legal system.

He had laymen appointed to the special American Bar Association committee for improving the administration of justice in the District of Columbia.

He used the committee to streamline and simplify court procedures.

A jovial white-haired man, he was an enthusiastic golfer and an active member of the Methodist Church.

Survivors include his wife, Nancy, a son, Bolithia J., Jr., of Chevy Chase, and three daughters, Nancy Lee Rowe, of Washington; Leita Williams, of Alexandria; and Betsy Rill, of Boston.

A TRIBUTE

Without fanaticism, but with a devotion that was unceasing, Chief Judge Bolitha Laws labored for better justice here in Washington, his native town.

Not only did he institute many internal reforms; also by tireless but always reasonable appeals he tried to stimulate greater interest among responsible citizens in the workings of our courts.

His theme was simple; in a democracy justice is everybody's business; we all must see to it that the machinery of justice functions properly.

Possibly he was so effective because he was both a proud and modest man; too proud to do anything less than what he would consider worthy of his name; too modest to exploit, for personal vainglory, the things he did. People liked to work with him, and for him, and he accomplished much.

In this time of violent change, distrust of established values, of gracelessness and cynicism, there was something old fashioned about Bo Laws. Perhaps it was his completely unself-conscious, unspoken but unshakable belief in the old fashioned notions of right, of honor, and in the usages of courtesy and kindness.

Certainly he was a tough, sophisticated observer of men's knavery in general and of the all-too-frequent cynicism of the law, as practiced; but, without cant and without carping, he simply believed in God and the right. He was a Christian gentleman.

The sorrow over his death and the homage to his memory that his colleagues and friends will give to him today are shared by everyone in Washington who knew him, and what he did.

[From the Washington Star, Nov. 19, 1958]

POWER OF EXAMPLE

Few men have carried with them in death the degree of good will and respect that Chief Judge Bolitha J. Laws won from his fellow citizens in the course of his useful life. The extraordinary final tribute paid to him yesterday by his brethren of the courts, joined by friends and admirers from so many walks of life, was merely one reflection of their esteem.

Chief Justice Warren's reference to the courthouse as a monument to Judge Laws was singularly appropriate, and the American Bar Association's committee for improvement in the administration of justice is the culmination of another of his successful undertakings. Perhaps the greatest of his accomplishments, however, was his effective use of the power of example—the example of an upright man who thought only about the good that could be done and refused to acknowledge any obstacle that might prevent it; who was completely confident that the goodness of others would eventually persuade them to see things as he saw them, and could therefore be relied on for help; who asked no one to do more than he was willing to do himself.

[From the Washington Star]

CHIEF JUDGE LAWS

There was something about Chief Judge Bolitha J. Laws which marked him as a man dedicated to the concept of justice for all. It may have been his appearance, his personality, his manner, or perhaps it was all of these. But the fact is that he worked patiently, tirelessly, and with much skill to improve the functioning of the U.S. district court in the Nation's Capital.

His climb to distinction was not an easy one. A native of this city, Judge Laws was a product of our public elementary and high schools. His advanced education was acquired at night, since, at 16, it was necessary for him to help support his widowed mother and a sister. But this handicap (at least it would be thought of as a handicap today) did not prevent his steady advance to eminence in his chosen profession. An active interest in civic affairs and in the men's Bible class at Mount Vernon Place Methodist Church occupied much of his time and energy. Twenty years ago, at the age of 47, he was named to the district court bench, and, in 1945, he became the chief judge of that tribunal. His achievements on the bench have been reviewed elsewhere, and there is no need to recite them here. It is enough to say that his accomplishments, well known to the people of Washington, speak eloquently for themselves.

A little more than 3 months ago he was operated on for a brain tumor. For a time it was thought that he was making an excellent recovery. Because of this, his death comes as a greater shock to those who knew the man who was Bolitha Laws.

[From the Washington Post, Nov. 17, 1958]

BOLITHA J. LAWS

The career of Chief Judge Bolitha J. Laws of the district court goes a long way toward explaining the strength of the U.S. judicial system. For Judge Laws was more than an honest, fairminded man who presided over the trial of cases. He was in a very literal sense an apostle of justice. He took to the bench not only a high sense of independence and incorruptibility but also a passion to perfect the instruments of judging and to make the courts themselves more effective servants of the democratic concept of equal justice for all.

Judge Laws was named to the district court at the vigorous age of 47 while he was serving as president of the District Bar Association. It was a period in which there was much talk about the injection of new blood into the judiciary, and "Bo" Laws, as he was affectionately known, gave his whole mind and heart to the rejuvenation of the court of which he became a part. As a native Washingtonian who had gone to law school and practiced law here in addition to serving as Assistant U.S. attorney, he was admirably equipped to sit in the district court, and, as he gained experience, to lead that court in a broad-gaged modernization movement.

He showed good judgment in declining three separate offers of promotion to the U.S. Court of Appeals. His talents were well adapted to the presiding position in the District's chief trial court, and that is where his energy and his enthusiasm were most needed. Despite the untimeliness of his death at the age of 67, he leaves a number of monuments of vast importance to the community as well as to the court.

One of these monuments is the U.S. courthouse. The two men who were chiefly responsible for this excellent home of the judiciary are Judge Laws and the late Harold M. Stephens, then chief judge of the court of appeals. Other notable achievements of Judge Laws were his early demonstration of the effectiveness of pretrial work in easing the burden of the courts, his efforts to obtain a family court for the District, and his addition of experienced laymen to the special American Bar Association committee for improving the administration of justice, his use of factfinding in fixing sentences and his introduction of efficiency methods into the courts.

Probably more important than any tangible improvement in our judicial machinery was his influence on the ethos of his time. Judge Laws gave the impression of living and breathing the atmosphere of law, order and justice. Certainly he quickened the conscience of Washington in regard to judicial problems, and his influence spread far beyond the field of his own operations. So it is not farfetched to say that the quality of justice has been notably enhanced by his extraordinary devotion to his task. Washington has lost a great judge, but the contributions he has made to the cause of justice will continue to be felt for generations to come.

[From the Washington Star, Nov. 16, 1958]

JUDGE LAWS' BODY TO LIE IN STATE IN COURT

The body of Chief Judge Bolitha J. Laws will lie in state for 1 hour tomorrow in the U.S. District Courthouse he worked so diligently to build.

The tribute being accorded the eminent jurist is unprecedented in local legal history.

Judge Laws' body will be taken from the S. H. Hines Funeral Home at 10 a.m. to the ceremonial room on the courthouse's sixth floor. There it will remain until 11 a.m., when a procession will be formed to go to Mount Vernon Place Methodist Church, Ninth Street and Massachusetts Avenue NW., where religious services will be held at noon.

Interment will be private.

Previously when a judge died, a joint session of the district and appeals courts met, and following a brief eulogy court was adjourned for the day in respect for the passing of the member.

WARREN TO PRESIDE

At tomorrow's services, Chief Justice Warren of the Supreme Court will preside. He

acts in his capacity as the circuit judge for the District of Columbia and ranking member of the Federal bench.

Chief Justice Warren also will preside at a joint session with chief judge of the court of appeals E. Barrett Prettyman and Chief Judge F. Dickinson Letts, who succeeds Judge Laws by right of seniority. The trio will then adjourn court in memory of Judge Laws who died Friday night in George Washington University Hospital of a brain tumor.

Melvin Marques, administrative assistant to Judge Laws, said all departments of both the appeals court and the district court will be closed Monday except for emergency matters.

PALLBEARERS LISTED

Mrs. Laws said six active pallbearers, all members of the A. B. Pugh Bible Class of Mount Vernon Place Methodist Church taught by Judge Laws, have been named. They are George E. Chapman, Zed L. Williams, Charles Lampert, Barber Palmer, Edward Horman, and Donald C. McLane.

Honorary pallbearers include Chief Judge Warren, all judges of the appellate court and the district court, Judge Joseph R. Jackson of the U.S. Court of Customs and Patent Appeals, and Judge Edward P. Murphy of San Francisco.

Judges Jackson and Murphy have been sitting on the district court bench by designation.

Meanwhile, tributes were being paid to the late jurist by many leaders.

Justin L. Edgerton, president of the District Bar Association, a position once held by Judge Laws, expressed the sympathy of his group.

OTHER TRIBUTES

Among many messages of condolence received at Judge Laws' home in the Berkshire Apartments, 4201 Massachusetts Avenue NW., was one from Supreme Court Justice Clark. The Justice dropped by early yesterday to leave a handwritten note expressing his sympathy.

In addition to his wife, Judge Laws leaves a son, Bolitha J., jr., of Chevy Chase; and three daughters, Mrs. Nancy Rowe of the home address, Mrs. Leida Williams, 1050 Fort Hunt Road, Alexandria, and Mrs. Betsy Rill of Cambridge, Mass., and six grandchildren.

[From the Washington Evening Star, Nov. 17, 1958]

HUNDREDS GATHER AT COURTHOUSE FOR FAREWELL TO JUDGE LAWS

(By Miriam Ottenberg)

In the U.S. courthouse that now becomes his monument, the friends of the late Chief Judge Bolitha J. Laws of district court said their farewells to him today.

As he lay in his judicial robes in the ceremonial courtroom with a Marine color guard at his side, hundreds of mourners passed his bier.

It was the first time such a ceremony had ever taken place in the courthouse. Everyone felt it was a fitting thing.

Chief Justice Warren spoke for all the mourners when he said:

"This building will be his monument. He conceived the idea for it. He planned it with the late Chief Judge Harold H. Stephens. He struggled for it until it became a reality."

STREAM OF MOURNERS

For more than an hour before the 11 a.m. ceremony at the court, a steady stream of friends went through the courtroom to stand for a moment in prayer before the casket banked with red carnations and white chrysanthemums.

Supreme Court Justice Clark paid his respects before joining the Laws family. Attorney General Rogers was there with Deputy Attorney General Lawrence E. Walsh. So was District Commissioner Robert E. McLaughlin, a number of the District department heads and judges of the other courts.

And also in the line—many of them with tears in their eyes—were the people of Judge Laws, beloved court. There were charwomen in their blue uniforms, cooks from the court cafeteria in their aprons, nurses from the court's emergency room in white, the uniformed elevator operators.

Deputy marshals stood at attention on either side of the bier as the lawyers, the clerks, the messengers, the friends from the community streamed by. Even the jurors who had come to court only to be excused because there was no court today stopped in the ceremonial courtroom to see the man who devoted his life to justice.

Shortly before 11 a.m., Judge Laws' widow, children, and grandchildren came into the crowded courtroom. Then, the casket followed by the marine honor guard was wheeled out and the bailiff called the court to order.

JUDGES TAKE SEATS

The robed judges of the District court filed into the rear row of judges' seats. Into the front row came the judges of the United States Court of Appeals for the District, with Chief Justice Warren among them as the Supreme Court Justice in charge of this circuit.

Justice Warren spoke first.

"Our friend is gone," he began.

He spoke of Judge Laws' good works, of the building that was his dream, of his efforts to make this the best administered court in the Federal system.

Judge Laws, he said, believed that the courts should not function in isolation, that the workings of the court should be known to the citizens. For years, he went on, Judge Laws worked to achieve an understanding among the judges, the lawyers, and the laymen. His efforts were given national recognition in the establishment of the American Bar Association's Committee for Improvement in the Administration of Justice.

"He had the courage of his convictions," Justice Warren said. "He gave no recognition to the word 'failure.' Only the day before his death, he came to this building to see that all was well.

"He has earned a lasting place in the affections of all of us. His works are now part of history. Surely, he will rest in peace."

Judge Laws' successor, now Chief Judge F. Dickinson Letts of District court, said:

"Throughout his tenure we have learned to counsel with him and have been helped greatly by his wisdom. He had an unerring sense of direction and purpose.

"We will miss our association but his spirit will live on to guide and direct us in performance of our judicial duties."

It was Judge Laws' old friend who closed the ceremony—Chief Judge E. Barrett Prettyman of the court of appeals. In a voice charged with emotion, Judge Prettyman spoke of his half-century's friendship with Judge Laws. He recalled that they had played together as children in 1901, had joined the church the same day, had gone to Georgetown Law School together. He recalled that Judge Laws confided in him first that he was going to get married, that their birthdays were but a day apart.

PICTURE TAKEN TOGETHER

"He was in my office only the day before his death so that we could have a picture taken together as chief judges," Judge Prettyman continued.

Then, Judge Prettyman performed his last official duty for his old friend.

"As the court rises," he announced, "we will now adjourn in memory of Chief Judge Bolitha J. Laws."

The funeral service that followed at the Mount Vernon Place Methodist Church, of which Judge Laws had been a member since 1903, was a simple one. Burial was private.

"No man in such an honored place ever served with more humility," said the Rev. Albert P. Shirkey, pastor of the church.

More than 500 persons crowded the sanctuary for the service. Among them were the District Commissioners, the judges of the courts, Government officials, clergymen and members of the A. B. Pugh Bible Class, which Judge Laws taught for 25 years.

The front of the sanctuary was banked with flowers to more than a man's height.

"He was God's gentle man," said Dr. Shirkey.

He recalled the remark of a prisoner about to be sentenced by Judge Laws:

"I shall now strive, sir, in these years of my imprisonment, to become a man, for no one has ever spoken so kindly to me in my 24 years."

Mr. MOULDER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and insert in the RECORD at the close of my remarks in memory of Judge Bolitha J. Laws a few of the many newspaper editorials and articles on the life of Bolitha J. Laws.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CONGRESS MUST ACT TO MAKE CIVIL RIGHTS THE RIGHTS OF ALL

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD following the legislative business of the day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, much has been happening this past week on the civil rights front. I sincerely hope that what has been occurring will finally result in long-needed civil rights legislation.

We find that we have a chance to bring civil rights legislation to the House floor by obtaining the required number of signatures on the discharge petition now before this body. This petition offers the means by which we can discharge from the Rules Committee the civil rights bill reported by the Judiciary Committee, H.R. 8601.

Mr. Speaker, H.R. 8601 is a modest measure. In my opinion it does not cover all the necessary aspects of the problem, but those provisions that are included are indeed needed, at the very least. Certainly this body should have the right to consider and debate its provisions, as well as an opportunity to bring up for consideration amendments to strengthen further its overall intent, so that a genuine start can be made in our efforts to live up to the image of democracy which we place before the world.

In addition to the discharge petition, we find another significant occurrence this week. That is the release of the well-documented 1959 report of the Commission on Civil Rights—a Commission created 2 years ago under the 1957 civil rights bill which was enacted into law.

The work of the Commission, its findings and recommendations, are the best proof at hand that the Commission is a needed one and should continue in its work.

The Commission report very clearly sets forth the fact that there are flagrant violations of civil rights in the areas of housing, education, and voting. Those who are condemning this report are not refuting the facts, but rather, calling it impertinent of the Commission to recommend remedial legislation which would point the way in correcting abuses which violate the constitutional concepts of this Nation. Nor do the opponents of civil rights legislation, even in its mildest form, indicate that they will use their influence and will make an effort in their own States to correct documented abuses.

It is worthy to note that the recommendations made by this bipartisan group, representing all sections of our country, go beyond the moderate proposal now bottled up in the Rules Committee. The coalition of southern Democrats and Republicans that we saw forcibly displayed on a large scale in the matter of labor-management reform legislation is still in operation, on a smaller scale, in the Rules Committee. This is, of course, the reason why a discharge petition has been made necessary.

I say that the recommendations of the Commission are worthy to note because the gentlemen serving on the Commission are not wild-eyed radicals, nor are they men who wish to inflame human passions. Rather, the report reflects facts, hardheaded solutions, and commonsense on a nagging national problem.

While there is not unanimity on all recommendations, it is significant that the findings and recommendations on education and housing are unanimous. All the findings and the first four recommendations on voting represent a unanimous position. The most controversial proposal—the appointment of temporary Federal registrars to register citizens qualified to vote under State law, but illegally denied this precious right—received the support of five of the six Commissioners.

Even the dissenting Commissioner, former Gov. John S. Battle, of Virginia, joined in the unanimous finding of fact on the denial of voting rights to Negroes. He sided with the Commission's finding that "many Americans, even today, are denied the franchise because of race," and that "this is accomplished through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm."

Mr. Speaker, I respectfully urge all my colleagues to give careful study to the Commission's findings and recommendations. Those of us who have long advocated a civil rights bill in this session, I believe, have been upheld by the report of the Civil Rights Commission.

We need a meaningful civil rights bill, not just any civil rights bill offered up as window dressing. The reported bill, on which we have thus far been denied the right to consider through normal procedures, has good provisions, but as I noted previously, it is still lacking in terms of a comprehensive approach—and I might add, a constitutional approach—in solving the pervasive problem of discrimination. The bill could indeed be improved by additional provisions, including some valuable recommendations made by the Commission.

H.R. 8601 is the proposal through which we can legislate, if only we can get it to the floor. And get it to the floor we shall, Mr. Speaker. Perhaps not in time for action during this session as we move closer to adjournment, but I shall join with many like-minded colleagues in doing everything possible to make this legislation a priority obligation during the early days of the 1960 session. This is a public and moral responsibility for both political parties and I for one shall not shirk it.

Mr. Speaker, permit me to quote from the abridged report of the Commission on Civil Rights, because I believe the statements place our legislative periscope on the target at hand:

> This Commission has reviewed the history of America and the spirit of its laws in order to trace, and try to illuminate, the fundamental constitutional principles involved in civil rights. Denial of those rights and principles necessarily involves the Nation as a whole. For if the idea of government by the consent of the governed is the essence of this Republic, then for the sake of the American experiment in self-government, and not just for the vindication of the claims of certain persons or groups, the right to vote and the equal protection of the laws must be secured and protected throughout the land. Above all it is the Republic that requires a free and self-respecting electorate—at least a republic conceived in liberty and dedicated to the proposition that all men are created equal. * * *
>
> In a world where colored people constitute a majority of the human race, where many new, free governments are being formed, where self-government is everywhere being tested, where the basic human dignity of the individual person is being denied by totalitarian systems, it is more than ever essential that American principles and historic purposes be understood. These standards—these ideas and ideals—are what America is all about.

Mr. Speaker, the duty of this Congress is clear.

TROUBLE IN LAOS

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, all of us are disturbed about recent reports coming from Laos. One excellent report appeared yesterday in the Wall Street Journal. For the benefit of those who may not have seen the report, I include the article at this point in the RECORD:

LOOKING INTO LAOS—U.N. WILL FIND LITTLE RED INVASION EVIDENCE, MUCH POLITICAL TURMOIL—FEAR OF ARMY COUP UNDERLIES PREMIER'S CALL FOR HELP, BARS DEALS WITH REBELS—A DIRECT PLEA TO THE UNITED STATES?

(By Igor Oganesoff)

VIENTIANE, LAOS.—When United Nations observers arrive in Laos this weekend, their first look behind this Nation's appeal for U.N. troops will uncover more evidence of a political tug-of-war here in the Lao capital than of foreign military invasion.

Though nobody seriously questions that neighboring North Vietnam is taking an active role in the current hostilities, the U.N. observers will be hard put to find proof of it. Fleeing villagers report seeing Vietnamese troops with the Lao Communist rebels, but the Lao Army has yet to produce a single Vietnamese prisoner.

If the U.N. factfinding team wants to take a look for itself, it may well have to trudge 2 to 6 days on narrow trails across monsoon-fed swamps, thick brush and rocky mountains to reach Lao Government outposts. Helicopters would help, but there isn't a single one in Laos today.

PREMIER'S HAND FORCED

Why did Premier Phoui Sananikone issue what may prove a premature call for U.N. help when evidence of foreign invasion is so scanty? His hand was forced by Gen. Ouane Rathikoune and his Royal Lao Army—whose thinly spread forces probably could do no more than hold back the Pathet Lao rebels' advance and perhaps could not do even that. But the army, eager to get the Pathet Lao out of its hair once and for all, insists on complete annihilation of the rebels.

The premier is growing increasingly fearful that his government might be overthrown by the army unless he is able to bring that about, with U.N. aid or some other way. Any attempt at political compromise with the Reds, qualified-Western observers say, also would run the risk of provoking an army coup.

The government only yesterday rejected a Pathet Lao bid for negotiations. The official publication of Neo Lao Haksak, Pathet Lao's political party, had stated that the rebels were ready to resolve the Lao problem by peaceful means "if such a settlement is truly desired by the Royal Lao Government." In rejecting the rebel overture, the Lao government noted it previously had called for peace and had been ignored.

If the U.N. turns down his plea for aid, where will the premier turn next? Western observers here believe the Lao leader then would appeal to the Southeast Asia Treaty Organization, composed of the United States, Britain, France, Australia, New Zealand, Pakistan, Thailand, and the Philippines. Rejection by SEATO might lead to a direct appeal for U.S. troops.

The Lao Government's reliance on outside help reflects its lack of full confidence in its own troops. The Royal Lao Army, except in isolated instances, has not yet really locked horns with its Communist foes. In some mountainous areas such as Samneua, retreating Lao troops often lose contact completely with the enemy.

MORTAR MEN AND AGITATORS

The Lao Government currently takes the position that the North Vietnamese units which participated in the original rebel attacks in July and again last week now have withdrawn. However, the government claims, they left mortar men and political agitators behind in the ranks of the Lao rebels. The rebels themselves, the Lao Government says, were equipped and trained in North Vietnam.

The Lao Government has just reported a new pocket of some 800 rebels threatening Sam Teu, a village in southern Samneua

Province just on the Lao side of the twisting border with North Vietnam. Like most of the rebel guerrilla units, this one reportedly is made up of Pathet Lao troops, Vietnamese irregulars, and Black Thais and other tribal groups. Only isolated skirmishing has been reported in the past several days, and the key to Samneua Province seems momentarily quiet.

Lao Government officials suggest that their request for United Nations help has discouraged heavy rebel activity. And, in fact, the Communists may want to let the dust settle a bit to avoid foreign intervention. It's also probable that the Reds are easing up to allow time for closer organizing, politically and militarily, for a concerted push later on from regions along the North Vietnam border.

HOW FOREIGN UNITS COULD FUNCTION

Just how a force of foreign troops could function in this guerrilla war is not too clear. One possibility is that United Nations soldiers could be deployed in southern Laos to keep order, thus freeing the Royal Lao Army to concentrate on engaging the enemy in critical northern areas such as Samneua and Phongsaly. United Nations—or United States—troops might have trouble distinguishing friend from foe among people who are peasants in the daytime and guerrilla fighters at night.

Another important factor is the political position of the civil populace. It's true that the appearance of strong, pro-government foreign forces probably would discourage intimidation of villages by the Pathet Lao, which then would be put on the defensive. But in the many villages where the populace is not particularly pro-government it's questionable whether foreign forces would relieve or aggravate the situation. One possible outcome of foreign intervention, of course, would be similar intervention, en masse, by Communist Vietnamese or Chinese forces.

One possibly tricky factor in the United Nations' position in Laos: An international agreement signed in Geneva in 1954. This agreement, which followed an earlier Pathet Lao uprising, explicitly forbids, among other things, introduction of foreign troops or establishment of foreign bases in Laos. France and England signed the agreement, but the United States did not.

A big question, of course, is just how far the Communists plan to push. Their minimum demand, as repeatedly stated in Chinese and North Vietnamese propaganda broadcasts since early last year, is revival of the three-nation International Control Commission which administered the 1954 Geneva agreement whose key terms already have been fulfilled. Premier Phoui, who believes that presence of the I.C.C. would be an unwarranted infringement of Lao sovereignty, is unlikely to accede to this demand. The same goes for Red insistence that American military instructors be expelled from Laos.

A COALITION GOVERNMENT

Once the rebels won control of one or two provinces, they probably would demand a coalition government, with ministerial posts for Pathet Lao leaders. This is exactly what they gained in a 1957 agreement under which Pathet Lao surrendered its long-held provinces of Phongsaly and Samnueua in return for legal recognition of their political party and inclusion in former Premier Souvanna Phouma's cabinet. Premier Phoui probably would not be permitted to offer such a compromise, even if it seemed to present a chance for peace. A third possibility is that the Communists simply will push on for complete military victory throughout Laos, which leaves 56-year-old Premier Phoui with the same problem of survival.

The International Control Commission, which the Reds insist must be revived, theoretically is still in existence. The Geneva agreement is silent on when the Commission's work is done. However, the three members, India, Canada, and Poland, voted unanimously in March, 1958, that the military terms of the agreement had been fulfilled with the integration of Pathet Lao forces into the Lao Army. Two months later, the Commission held that the political terms of the Geneva pact also had been met; Pathet Lao political party had proposed candidates in an election for 21 extra assembly seats—and had won nine of them. Then, with Poland abstaining, the Commission voted that its function had been accomplished and adjourned without setting a date for another meeting.

When Premier Phoui took over in August 1958, however, he put all Communists out of the Cabinet. Last February he announced that the Geneva pact no longer was applicable to Laos and that he would not tolerate any further activities of the control commission in Laos.

A BATTALION FLEES

Last May the Premier moved to integrate two Pathet Lao battalions into the Lao armed forces; the battalions had been kept intact for reindoctrination. One battalion was smoothly joined but the other fled to the north. Premier Phoui then got tough by jailing Pathet Lao leaders in Vientiane.

Some Western observers here speculate that Premier Phoui, if he had acted somewhat more slowly and a bit more cleverly, might have undermined the Reds without provoking them into armed rebellion. Politically on the defensive, the Communists not surprisingly resorted to force. The U.S. State Department, already under fire for foreign aid fiascos in Laos, may have pressed Phoui to take more rapid strides to curb the Reds.

On the other hand, local anti-Communists, with the help of the army, probably exerted far more influence on the Premier than any outsiders. The results of last year's assembly election gave Vientiane's conservative politicians quite a jolt. By December there already were rumors of an impending army coup unless Phoui took firmer anti-Communist action.

In January of this year Premier Phoui, described by one Western observer as "a reluctant dictator," called a special session of the assembly and won suspension of that legislative body for 1 year. He also received a free hand in picking his Cabinet. Since then he has jailed all leftist assembly members and leaders of the Neo Lao Haksak Party. Though Phoui once was known as a negotiator and compromiser, he has dropped this character, at least temporarily.

Phoui's decision to take new U.S. arms and training is among his latest moves to defeat the rebels. No violation of the Geneva Pact is involved, say authorities here, because Laos is permitted to bring in arms to the extent necessary for its own security.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. BOW. I yield.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the body of the RECORD following the remarks by the gentleman from Texas [Mr. PATMAN].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOW. Mr. Speaker, I ask unanimous consent that the time I have for a special order for today may be transferred to tomorrow.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL RESERVE BOARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, there is no doubt that the country is in a fiscal crisis of major proportion. The administration, with the help of the Federal Reserve Board, has created this crisis in their determined and arrogant efforts to force Congress to repeal the interest-rate ceiling on Government bonds and thus saddle the country with an even higher level of interest rates than they have accomplished so far.

Yesterday one of the prominent financial papers, the Wall Street Journal, carried a feature story of a plan which is being considered in the White House to call Congress into special session this fall, and to put the President on television and radio to describe some dramatic incident that will inflame public opinion in support of the interest-rate repeal. The Wall Street Journal reports that one high administration official has spoken of the possibility of a money panic which would be so real that it would paralyze business and bring widespread unemployment. All this to happen probably late this fall before Congress reconvenes in January. The discussion of such a plan as this is a very disturbing thing. Furthermore, the extremes to which this administration has already gone to jack up interest rates gives some credibility to the possibility that it would actually pull off such a desperate stunt as this plan which is reported to be under consideration.

Is this administration simply incompetent to manage the public debt? Has it created this mess simply through bungling?

Certainly it is difficult to understand why such a mess could have been created simply through incompetence. The Federal debt today is a great deal smaller than it has been in many years past, both relative to the number of people in the country and relative to the national income. In realistic terms the administration has a small debt to manage. The previous Democratic administrations managed a much larger debt in real terms with a maximum 2½ percent interest rate on long-term Government bonds.

Furthermore, the total demand for savings today, including the demand for private investment, and the demand to meet the net exports of capital to foreign countries, is a smaller percentage of the national income than it has been in years past. Why is it, then, that the interest rates paid on savings have been jacked up to a 42-year World War I record, and yet our money managers are still not satisfied; they feel they have to bamboozle the public and bulldoze

Congress into repealing the last remaining check and safeguard against exorbitant interest rates.

If we have a money panic in this country, it will be because of the failure of the Federal Reserve Board members to do their duty. They should be honest enough to send in their resignations rather than give any further aid and assistance to this scheme of trying to force Congress to repeal the ceiling. If we have a Federal Reserve Board that carries out the objectives, intentions and purposes of the Federal Reserve Act, it will be impossible to have a money panic in this country. So I think this question of a money panic is just something that we should not tolerate—even the consideration of it.

I am greatly encouraged by the careful attention that is being given by Members of this House to questions involving money, credit, interest rates and our national debt. The reason I have always advocated an administrative assistant for each Member of the House is so that Members can keep better informed, especially on matters relating to appropriations, taxes, debt management and monetary matters.

I know we do not have an opportunity at this time to provide for an administrative assistant, but I hope this opportunity will come soon. This would save the taxpayers thousands of dollars for every $1 that was appropriated for this purpose.

Congress appropriates money to the executive branch, to have all the administrative assistants to the secretaries, assistant secretaries, and third and tenth assistant secretaries; we appropriate money to help them do the job—even to do the wrong kind of job, such as thinking up arguments and schemes for willfully imposing bad policies.

We appropriate the money for the judicial branch of the Government to have the law clerks and administrative assistants needed by the judges, I think that is appropriate.

We appropriate the money for the Members of the other body to have from one to three administrative assistants. That is good. But why should we, the body where the most important bills originate—bills relating to taxes and to appropriations—not have adequate help? Not even the members of the Ways and Means Committee have administrative assistants nor do members of the Appropriation Committee. Where the public needs more help is right here in this body. Every Member needs at least one assistant to properly perform his duties.

If there is a weakness in our system of Government, that weakness is in the legislative branch not being equipped to do its job. Members of Congress are sincere people, and exceptionally able people. I have had the privilege of serving with probably 2,500 Members during the time I have been here—over the past 31 years—and I believe I could not have possibly been associated with a finer, better, more sincere, more honest and honorable people. But I also know that they have not been equipped to do a job of the magnitude they have to try to do. They need more expert help. Personally I would prefer to have an economist; other Members might, however, find their needs best met by other skills and training.

But each Member needs to have somebody who can help him keep up with legislation and with proposals that the Member cannot himself keep up with, because he just does not have the time to do it and perform his other duties.

Now back to this monetary system of ours.

What is it, what are its purposes, and what is wrong with it? Actually there is nothing wrong with the system itself, except in the attitudes and purposes of some of the people who are running it. Our commercial banking system is the finest in the world. The Federal Reserve System is an excellent system, and it has the means and powers for serving the country well.

Why was this System created?

Prior to 1913, when the System was established, we had a banking system which provided a rather inelastic supply of money. This gave great troubles. In periods of rapid economic expansion there was not enough money to go around. The country went through periodic booms, money panics and then depressions.

So the first and foremost purpose of the Federal Reserve System was to establish a system which would provide an elastic money supply. The System does that. The people who designed this System recognized that money itself is not wealth. It is only a form of accounting in which economic activity takes place. Actual wealth is created only by the production of goods and services. People who designed the original Federal Reserve System recognized, as had been proved by the experience in Western Europe, that when the economy grows the country must have more money; more money should be created along with the economic growth that is taking place.

The original Federal Reserve System provided for the needed expansions in the money supply. This was a regional system with 12 independent banks. Each bank had authority to expand or contract the money supply of the region in accordance with the needs of the region. They were delegated Congress' power to create money and to regulate the value of money.

In 1935, in the depths of the depression, Congress made considerable changes in the Federal Reserve System. We made the System into what is truly a central bank, whereas previously the 12 banks had operated each with the powers of the central bank and, I might add, pretty much in a coordinated way. The central bank is a wonderful thing. I believe that Will Rogers once ranked the central bank as one of man's greatest inventions, along with the invention of the wheel. We should recognize, however, that this central bank of ours is run by a very small group of men who are exercising complete power of decision over the economic life of the Nation.

The regional banks no longer have any significant power or authority, although we read about decisions and actions which they have taken, which make it seem as though a great many different people are unanimous in what monetary policies should be.

What power of decision do these banks actually have? I have asked every Federal Reserve official who has appeared before our committees what discretionary authority the regional banks have and though most of these officials have tried to uphold the pretense that the regional banks are great centers of authority, they have actually been able to enumerate no discretionary authority which the regional banks exercise.

One of the most frequent assertions is that these regional banks fix their respective discount rates. And announcements of a change in the discount rate are made as though the decision has been made by the separate regional banks. But this is not true; they do not have the power to establish the discount rate. They go through the motions of recommending, but they have no power to establish. The discount rate for each bank is established by the Federal Reserve Board. And the Federal Reserve Board, in establishing the discount rate, is merely executing one step in the overall monetary policy decided upon by the Federal Open Market Committee.

Here, in this open market committee, are 12 men who rule over the economic life of this Nation, and to a considerable extent, over the economic life of the rest of the nations of the free world. They decide what interest rates shall be. They decide how much money and credit the country will have. They decide whether or not the economy will be allowed to grow or whether it will be squeezed. They decide how many jobs there will be. They make the forecasts of whether they think business is going up or down. They make the judgments as to what is good for the economy. They are the ones who decide when they think they can foresee some possible inflationary tendencies, and they decide what the price of Government bonds shall be and what interest rates the Treasury will have to pay to issue new bonds.

Did you know that today the central bank of this Nation is the only central bank in the civilized world that does not give aid and assistance to its parent Government? Up until about 1953, yes, our central bank behaved like other central banks in that it supported the price of Government securities at a reasonable level, recognizing, as do other central banks, that the interest yields brought about on Government securities set the pace for all interest rates. But today we have a central bank which disclaims that it has anything to do with prices and interest rates on Government bonds, and that these things are determined only by the supply and demand for money. Well, of course, the Federal Reserve authorities are determining the supply of money every day of the year, and they are also determining what the price of money or the interest rates on money is to be, and to a very considerable extent they set the interest rates on money without respect to the supply and demand for money.

Since this administration came into office, they have followed a high-interest

policy and they have, during most of the time, followed a tight-money policy. They have followed these policies because these are the policies they like and prefer. They have a natural preference for policies which help the bankers and wealthy people of the country. But they have followed these policies also because these are the policies of this administration. We have all heard President Eisenhower claim, of course, that the Federal Reserve is an independent agency and that he will have nothing to do with the Federal Reserve or make any suggestions which might impinge upon its independence. Well, of this we can be sure. This fiction of the Federal Reserve's independence and the convenient device it provides for shifting off blame onto an independent agency would quickly disappear unless the Federal Reserve was following policies which the administration wants it to follow. In other words, it has an unhappy agreement over these bad policies. I know that President Eisenhower is a good and sincere man who wants to do what he believes is right. But he made a terrible mistake when he described the Federal Reserve System as an independent agency which has in effect the powers of the fourth branch of the Government. He was acting, I have no doubt, on bad advice. A fourth branch of the Government? Where does the Constitution provide for any fourth branch of the Government? Where does the Constitution say that we shall have an independent agency of the Government exercising powers to overrule the economic policies and even defeat specific programs decided upon by the constitutional lawmaking processes? There is none.

But this giving the Federal Reserve a free hand to run the country the way the administration sees fit has resulted not only in political irresponsibility, but in downright arrogance toward the Congress from which the Federal Reserve has received the delegation of power. For example, a few weeks ago the Ways and Means Committee had adopted a very good amendment to a very bad bill. This was the Reuss-Metcalf amendment which had been put on the administration's bill to repeal the 4¼ percent interest rate ceiling. The amendment did not make the bill a good bill. I was opposed to the bill, and I am opposed now to the proposal to break the interest-rate ceiling. But at least the Reuss-Metcalf amendment was in the public interest. It suggested to the Federal Reserve System that if and when it brings about increases in the money supply, it should do so to the maximum extent feasible by acquiring Government securities so that the interest payments on these obligations would go back into the Treasury. This suggested method of increasing the money supply is in opposition to allowing the private banks to increase the money supply and thus put the interest payments into bank profits.

But the Federal Reserve Board strongly resented any such suggestion coming from Congress, and Chairman Martin went to work lobbying against it. He made all kinds of nonsensical statements to make the public believe that should Congress make any such suggestion to him the result would be inflationary. That is a standard claim—"inflation." Everything that does not happen to suit Chairman Martin's wishes and preferences, he labels inflationary, just like the administration does.

Later, when Chairman Martin was before the Joint Economic Committee, we questioned him very closely about his reasoning on the Reuss-Metcalf amendment, and he admitted, as he had to, that either method of increasing the money supply would bring about the same amount of money and credit. He still contended, however, that the money supply should be increased, when it is increased, by reducing required reserves of the member banks. He made all kinds of statements which suggest that the reserves of the member banks represent money belonging to the banks, which the banks have deposited with the Federal Reserve banks, and consequently the banks should be allowed to use more of their reserves when an increase in the money supply is needed. This is in contrast to the Federal Reserve's creating more reserves by acquiring Government securities.

This fiction about the origin and ownership of the bank reserves is one that the whole Federal Reserve System has been carrying on in all of its literature.

You will notice that in the Federal Reserve report the member banks have $18 billion in the reserves. You often hear that spoken of. Occasionally you will hear a banker say, "We have so much money in our reserves that we get no interest on. We should have interest on it. We get nothing for it." They have $18 billion in reserves. I asked the President of the Federal Reserve Bank in New York, "According to the records, you are supposed to have $5 billion of the reserves of your member banks in the New York Federal Reserve Bank, out of that $18 billion, this being the largest bank of all of them?" The President said, "Yes; but we do not actually have those reserves. It is more of a bookkeeping operation. We keep the books but the actual money we do not have."

That was no surprise or disappointment to me. As any university student of money and banking could tell you, the banks never deposited any reserves. The Federal Reserve System simply created these reserves, using the Government's power to create money, just as the private banks have created bank deposits, using the Government's power to create money.

Now, when the Federal Reserve System started, the banks were supposed to deposit their reserves in the Federal Reserve banks. And in fact they did put in some amount. No one is sure just how much, but we know that at an outside maximum it was no more than $1½ billion. And since that time the banks have put in no more. They have, however, been paid out of these reserve accounts about $29 billion in cash, and they still have in their reserve accounts about $18 billion, on which they have been permitted to create money at the rate of about $8 for each dollar of reserves.

It seems to me that it is time Congress took some drastic action about this arrogance and this misleading propaganda from the Federal Reserve System. If we cannot make suggestions to the administration as to what its policies should be, we can at least make suggestions to the Federal Reserve Board. After all, the Federal Reserve System is operating on a delegation of congressional power. It is what Chairman Martin sometimes calls an "arm" of Congress.

When the Republicans first came in, in the 83d Congress, I was sitting in a meeting that was presided over by Mr. Wolcott of Michigan. Mr. Wolcott asked Mr. Martin, "What is your relationship with the Congress as Chairman of the Federal Reserve Board?" And Mr. Martin said, "We are servants of the Congress." Mr. Wolcott said, "Well, we will not put it on that basis, but we will put it on the basis of principal and agent." Now the Federal Reserve is getting away from being the servants of the Congress and they claim there is another relationship existing.

I would, however, make this suggestion to the administration. If it finds that this fiscal crisis, of its own creation, gets so bad before the 1st of January, the President should give serious consideration, not to calling Congress into special session to take the lid off interest rates, but call the Federal Reserve Board in and make his pleas to them. Furthermore, I have this suggestion for Congress. If the President does feel it necessary to call Congress back into special session to deal with the fiscal crisis, then I think we can deal with that crisis by enlarging the Federal Reserve Board and demanding that some public interest members be appointed to the Board. And if these demands are not met, then it will be time to consider making a different kind of delegation of Congress' power to create money and regulate the value of money.

I heard a distinguished gentleman of the House on the other side say today that we should take that lid off because that would bring about lower interest rates. Now, we have all witnessed the power of the Madison Avenue public relations people—their power and their influence and their ability to make black look like white and I have no doubt the gentleman has been persuaded by the repetition of this statement. But this is too much for me to swallow: Remove the obstacle, take off the lid so that interest rates can go up, and we will have lower interest rates. That does not make sense to me—common, book, or horse. I hope the Congress holds the line at least on the 4¼ percent ceiling. We should not boost one rate when we know it will only make the other rates go up.

Mr. Speaker, traditionally the Democratic Party is a party of low interest. It has always been so since the time of Andrew Jackson.

Traditionally the Republican Party is the party of high interest, and it has always been so.

High interest helps the great money interests. It helps the wealthy families,

diverts income to them and diverts income from the great masses of the people. High interest goes with the restrictive economic policy. It holds back economic growth, keeps money out of the hands of new business firms and small-business firms that might expand and take markets away from the monopoly industries.

Now I want to invite attention to speeches of mine in the RECORD of yesterday, at page 18998, "Why the Administration Cannot Sell Government Bonds," and "The Administration Is Imposing High Interest on the Whole Free World; Now Has Four Interest-Rate Races Going: A Race Between Rates on Government Securities and Private Loans, A Race Between Short-Term Rates and Long-Term Rates on Savings Bonds and Rates on Marketable Bonds, and A Race Between U.S. Interest Rates and Interest Rates in Other Free World Countries."

In the most trying time in the history of our Nation, during World War II, when inflation was the greatest threat that it had ever been at any time in our history, we held Government rates down to 2½ percent and the bonds were selling at par. If it can be done in a period like that, it can be done at any other period in the history of our Nation. We have had this 4¼ percent rate for more than 40 years. We have gone through wars and depressions with it, and never before has any attempt been made to take that lid off.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

SCARE TALK ABOUT A MONEY PANIC

Mr. REUSS. Mr. Speaker, I was disturbed to read the following lead story in the Wall Street Journal for yesterday, September 10, 1959:

FISCAL CRISIS—FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES; IKE MAY RECALL CONGRESS—SOME FEAR A MONEY PANIC

(By Vermont Royster, editor of the Wall Street Journal)

WASHINGTON.—A fiscal crisis of major proportions.

This is the grim prospect which the men who manage the money for the U.S. Government confess they see before them in the next 12 months—and perhaps sooner.

So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.

Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the crisis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.

NEEDED: DRASTIC STEPS

Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the "easy" ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.

The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are willing to give voice to some of the consequences they forsee if stern measures are not soon taken.

Here are some of the things they see:

At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.

At the very least, then, a severe "money shortage" that will make the recent tight-money situation modest by comparison. This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.

Beyond this almost certain probability, some of the best informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.

A LOSS OF CONFIDENCE

The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high administration official, could bring a real "money panic" which would paralyze business and bring widespread unemployment.

The story goes on in this vein for several columns.

Obviously, continued talk by "high administration officials" about a "money panic" can in and of itself cause people to lose confidence in the dollar, and hence start inflationary buying which can itself bring on inflation. I believe that our economy is basically sound. Thus, to shout "money panic" in the Wall Street Journal is about as irresponsible and reckless as to shout fire in a crowded theater.

It would be bad enough for "high administration officials" to make statements about a "money panic" if they were willing to stand by them, openly and publicly. It is much worse for such statements to trickle out to the public through the columns of the Wall Street Journal as anonymous hearsay, since none of us is able to come back at the "high administration official" and ask him to prove his case.

Because I was disturbed by the Wall Street Journal story, and anxious to find out who the authors of the "money panic" idea were, I yesterday dispatched the following telegram to the two administration officials most directly concerned with money, the Chairman of the Federal Reserve Board and the Secretary of the Treasury. My telegram to the Federal Reserve Board Chairman read as follows:

SEPTEMBER 10, 1959.

WILLIAM MCCHESNEY MARTIN,
Chairman, Federal Reserve Board,
Washington D.C.:

Please refer to front page article today's Wall Street Journal written by Editor Vermont Royster, headlined: "Fiscal Crisis; Federal Officials See Need for Drastic Action To Bar Huge Inflation; They Ask Tight Budget Curb, Power To Lift Bond Interest Rates; Ike May Recall Congress; Some Fear a 'Money Panic'."

Besides frightening headlines, story attributes frightening quotations to anonymous high administration officials. Did you or, to your knowledge, any other Federal Reserve official make any of these statements? Do you subcribe to the anonymous quotations in Royster's story?

HENRY S. REUSS,
Member of Congress.

My telegram to the Secretary of the Treasury was substantially identical.

Up to the present time—and I note that it is now 2:30 o'clock Friday afternoon, September 11—I have received no reply to my telegram. If, and when a reply is received, I shall promptly insert it in the CONGRESSIONAL RECORD. If no reply is received, the record will speak for itself.

ABOLISH CIVIL RIGHTS COMMISSION

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, although the so-called Civil Rights Commission was created for the stated purpose of ascertaining facts and reporting to the Congress, its report which has just been released reveals that the Comsion has concerned itself mainly with promoting integration and social experimentation. The findings contained in this report are based largely upon opinions, hearsay, professional polls, author's views, and quoted statements. There can be no doubt that America has much more to fear from those who employ this type of procedure than from the alleged actions complained of in the report.

Although the Staff Director of this Commission testified that the Commission was empowered only to investigate, to study, to collect information, to find facts, and to make recommendations, he stated that there are 400 people on State advisory committees and admitted that he believes "their talent and advice can be of great value in meeting the issues as they arise on the local level."

The report of the Commission reveals that one of the local issues is to be met under their recommendations by substituting Federal registrars for State registrars. The power of substituting Federal registrars for State registrars is to be lodged with the Civil Rights Commission if their views and recommendations are to prevail. This power of decision which the Civil Rights Commission seeks for itself would begin to function when 9 or more individuals from a county or political subdivision file affidavits that they believe they are qualified voters and denied the right to register because of race, color, religion, or national origin. The Commission would decide whether the complainants were entitled to vote,

and the Civil Rights Commission would certify such voters as they determined to the Federal Registrar. The power of decision would be in the certification, and the certification would be with the Civil Rights Commission if the recommendations of this Commission are to be followed. Never to my knowledge has any small group of men requested such broad and centralized powers for themselves, or so completely ignored constitutional guarantees and historical precedent.

The findings of this Commission are not supported by either facts or the wording in its own report. At best, the report represents little more than a determined effort to assemble material in support of preconceived ideas on an integrated social order. The Commission and its staff would have us believe that the integrated school system in Washington, D.C., with its four scholastic divisions, represents a model system which others should follow. The volumes of evidence which prove the contrary have been ignored. No isolated instance in support of the conclusions of the Commission has been too small to cite. If the intent of this Commission was one of ascertaining and reporting facts in an impartial manner, is it not unusual that the Commission selected the dean of the Howard University Law School as its Director of Planning and Research and the Director of the Office of Laws, Plans, and Research? The makeup of this staff obviously bears an important relationship to the stated dissatisfaction with the Constitution of the United States in the Commission's report.

These recommendations, when coupled with the questionable procedures which have been followed, in my opinion, leave no alternative but to terminate the life of the so-called Civil Rights Commission at the earliest possible moment.

Civil rights legislation has not been sought from the Congress by the Governor of a single State, and the record does not contain any indication that the legislature of any State considers such Federal interference to be either necessary or desirable.

We must face the inescapable conclusion that increased racial tensions could be the result of policies, decisions, and legislation at the Federal level. Neither can we overlook the fact that there are those who would have the Congress overextend its authority in a manner comparable to the overextension of authority in the judicial branch and the executive branch of the Federal Government. The executive branch has engaged in activities which extended beyond their statutory authority, and they now seek to enlarge on the language contained in the Supreme Court decisions. The Supreme Court invaded the legislative field by writing language into the Constitution which did not exist. Now the Congress is being urged to write legislation which goes beyond the Supreme Court decisions. Where the Supreme Court decisions would prohibit discrimination when public funds are expended, the proponents of civil rights legislation would have the Federal Government engage in a sales-promotion campaign to bring about total integration. A prohibition against discrimination does not constitute a mandate to promote integration.

This promotion campaign to further integration is based upon the theory that a Federal department would be given vast sums to educate the States and localities in these matters at the same time that these people are being harassed in court and before the Civil Rights Commission. Under this plan the States are to be made dependent upon the Federal Government for funds for their schools. These grants from the Federal Government would be made to the States on a matching basis for the purpose of putting desegration programs into effect. In the course of the testimony before the Judiciary Commitee the Secretary of the Department of Health, Education, and Welfare expressed the belief that if we make provision for such assistance, as time goes on the States will increasingly turn to the Federal Government and ask for assistance. While acknowledging that his recommendations would raise some constitutional issues, he stated that what he wants to do is to put the executive branch of the Government in a position to give affirmative help and assistance to school districts that have started to move in the direction of integration.

The Supreme Court of the United States completely ignored judicial precedent, as well as the rules of evidence, and accepted the writings of sociologists and psychologists as the supreme facts upon which to base an unwarranted interpretation of the Constitution of the United States. The executive branch of the Government has now gone even further than the Supreme Court by adding language to the decisions of the Supreme Court, and the public is being asked to accept these extreme interpretations as the supreme law of the land. In addition, there appears to be no reluctance to anticipate the outcome of future decisions in recommendations for legislative action.

The unwarranted decisions of the Supreme Court plus the erroneous interpretations of those decisions by the various departments and agencies have led the Federal Government to embark upon a crusade to promote integration of educational facilities in the States, to police economic activities in order to further the interest of minority groups, to attempt to sponsor integration meetings among civic groups, and to engage in many similar activities.

In *Briggs* v. *Elliott* (132 F. Supp. 776), on July 15, 1955, the Federal Court stated that it was important to point out exactly what the Supreme Court has decided and what it has not decided, and continued as follows:

> It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains.
>
> Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action.

The Court further stated that the 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

There has been a parade of witnesses from the executive departments and agencies which falls into two general categories. There are first those who have learned from personal experience that racial problems and social relationships will not be bettered as a result of legislation and Federal action. There have been other witnesses from the executive departments and agencies who express the belief that the decisions of the Supreme Court constitute a mandate requiring the use of the resources of the Federal Government to further integration.

The points at issue are legal, and the executive branch of the Federal Government has no more legal authority or obligation to promote integration than to promote segregation. It is not within the scope of their authority to anticipate either the actions of the States to legally maintain segregated schools, or to anticipate that the courts will hand down future decisions which will be in accord with their plan for a totally integrated social order.

The time has come to recognize that many of these problems are created in Washington and that solutions to problems which would otherwise exist will not be found through following the advice and recommendations of professional agitators. Insofar as the South is concerned, the improvement in general economic conditions has provided the means for improving the lot of all people. We are proud that a higher percentage of colored people own their own farms, homes, and businesses than in other sections of the country. We are proud that we have long provided greater opportunities for colored teachers and professional people, and that we are spending a much higher percentage of our total income for the education of all races than any other section of the country.

DISTINGUISHED SERVICE AWARD BY AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WILSON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILSON. Mr. Speaker, Congressman CARL VINSON, the distinguished chairman of the House Armed Services Committee, has been named today as one of the four Members of Congress to receive the first Distinguished Service Awards presented by the American Political Science Association. Chairman

VINSON is the only House Member thus honored. The other three recipients are Senators HUMPHREY, WILLIAMS, and KEATING.

This recognition is to be an annual award presented to members who show, first, devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker; second, high competence measured in terms of effectiveness and concrete accomplishment; third, constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home; and, fourth, the respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

Serving as I do on the Armed Services Committee, I can testify that CARL VINSON truly deserves to be the first Member of Congress honored with a Distinguished Service Award. Although he is of the opposite political party from my own, I have always been impressed with the fact that he put the good of the country far above partisan consideration. In the 7 years that I have served on the committee, under the chairmanship of the Honorable Dewey Short and the Honorable CARL VINSON, I cannot recall a single vote along partisan lines.

I am sure my colleagues join in a sincere salute to CARL VINSON for his accomplishments through the years as evidenced by this award and wish him many more years of effective service to our Nation.

LETTER TO MR. KHRUSHCHEV

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, recently Mr. Ralph Shannon, editor of the Washington Journal, Washington, Iowa, published the following letter to Mr. Khrushchev in the editorial page of his paper. Because this letter expresses so well what is on the minds of so many people as this man comes to America, and because he tells simply but eloquently some of the fundamental truths that are a part of our heritage, I desire in this manner to share with my colleagues and others who may chance to read the CONGRESSIONAL RECORD. The letter follows:

A LETTER TO KHRUSHCHEV

(Ralph Shannon in the Washington Journal)

DEAR MR. KHRUSHCHEV: I see by the papers you are coming over to see us—you and the Missus—and I'm right glad to know it. I kind-a wish you could be here for our State fair and maybe stay over for the cornpicking season, but maybe it's just as well. Probably you'd rather see us when we are rolling along normal like.

To be real honest about it, Mr. Khrushchev, I wasn't exactly thrilled when I heard you were coming. Somehow you remind me of an old uncle who used to visit us about once a year. He was a caustic old feller and always criticized everything on the place. By the time he wound up his annual visit, he would be mad at us and we would all be mad at him.

But—if you don't mind my saying so—I think you are all wrong in your general attitude toward us. Here in America when a neighbor keeps his shades down, owns a cross dog, and won't let his kids play with our kids, we get suspicious of him. And when it turns out that his signature on a contract isn't worth a tinker's darn, we quit trying to be friendly and start putting padlocks on the barn doors.

As I view your situation, Mr. Khruschev, I think you've kind-a got yourself behind the eight ball. You and your party members have been telling your people so many things that ain't so that you don't dare be neighborly. Take this visit of yours. I'm quite sure you will see some surprising things in America, yet I can't see you returning to Russia and telling the folks over there that this free-enterprise idea seems to be working OK. You would lose a lot of face if you told them that now, and the way I size you up, you are far more concerned about face saving than you are about freedom and justice. So, regardless of what you see here, I'm quite certain when you go home you'll still sound off about the evils of the capitalistic system and our imperialistic aims.

There's just one point I hope you'll get while here. I hope the fact may wedge its way through your communistic biases that this country is not falling apart. You have said over and over again that we are a country composed of a few rich guys surrounded by a lot of poor guys, and you seem to think that all of us poor guys are just hanging on until your Soviet system can come along and save us. That's just plain hooey. With one eye shut and both ears plugged, you should see that this isn't so. We want no part of your communistic system. If the day ever comes when you can prove that your system can create a better way of life, we'll buy it, but so far your sales pitch is away off key and your demonstration is not convincing.

What you don't seem to understand is that we Americans are united. We may spar a little politically, but we like our elections and our secret ballots. We like to have representatives in public office who listen to us. We much prefer that to being forced to listen to them. We like our rights and privileges. If you should see an industrial plant shut down by a strike, remember that the strike is one of those American privileges, created by the working man himself for his own protection against that thing you mention so often—exploitation. How far would the workers get in Russia if they decided to strike?

And you have a lot less sagacity than I think you have if you believe we wouldn't die for those precious privileges. We have no desire to out-run you or out-wit you, but please remember this, Mr. Khrushchev—we Americans don't like to be bullied nor pushed around. You have made us boiling mad on several occasions, and I'm convinced you were bluffing every time. Personally, I don't think you hold too good a hand, and I believe you have too much sense to force a showdown.

So, don't look for me at the airport, Mr. Khrushchev, nor in the cheering section. If you sense a cold shoulder here and there just consider that it's a part of the cold war rubbing off. And don't expect any prolonged applause. You might interpret it is an endorsement, and that, Mr. Khrushchev, is about as far from the truth as you can get.

I hope you and your group have a good time. And ask the band to play "The more we get together the happier we'll be." That's a favorite song over here in America and I wish you'd learn it.

Respectfully yours,

R. E. S.

THE YOUNG IN HEART IN SPRINGFIELD

Mr. LEVERING. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOLAND. Mr. Speaker, my home city of Springfield, Mass., was one of the first in the Nation to establish a Council for the Aging to deal with the problems of the aged who have led productive and useful lives but found themselves lonely, lacking adequate housing, and trying to eke out an existence on small retirement incomes after reaching age 65.

The genesis of the Springfield Council for the Aging was the Springfield Hobby Club founded in 1946 by Dr. Theodore Swartz. His aim was to keep the elderly "young in heart" through the development of hobby and recreational programs for older persons who lacked close friendships and had lost loved ones and relatives. The club grew in size from 55 members in 1946 to more than 1,700 members this year, and it focused the attention of the community on the health, welfare, financial, recreational, and housing needs of the elderly.

From the Springfield Hobby Club developed the idea of the Springfield Council for the Aging and, later, the Golden Age Club was formed. A magnificent job in planning and coordinating programs for the aged has been done by Chairman George F. Mack of the Springfield Council for the Aging; Mrs. Madlyn McNiff, secretary; and Dr. Elizabeth Sullivan, Everett E. Thompson, and Claude A. Blair, members. On a few occasions many of these elderly persons have come to Washington and visited with us at the Capitol in organized club trips.

Mr. Speaker, the September issue of Senior Citizen magazine, known as the "clearinghouse for all that concerns the second half of life," carried a most interesting story about the Springfield Hobby Club, written by Dr. Glenn A. McLain, research director for the Quincy, Mass., Council for the Aging. I am sure my colleagues will be interested in this story; and, under previous permission, I include it herewith in my remarks:

THE YOUNG IN HEART IN SPRINGFIELD

(By Glenn A. McLain)

Will you be young in heart at 65? Did you ever meet an expert on the aged who lives her job 24 hours a day? Go to Springfield, Mass. and your questions will be answered as this writer's were recently when I visited the Springfield Hobby Club.

Located in the YMCA's building the Hobby Club was founded by Dr. Theodore Swartz for the lonely and frustrated senior citizens of Springfield. This was truly a pioneer effort as in 1946 little attention was being directed to the problems of the elderly. The goal of Dr. Swartz was through the development of hobby and recreational programs to help those over 65 become the "young in heart." Miss Leone Avery, a former schoolteacher and pastmaster in humanitarian skills sparked his program leadership with ideas and imaginative plans.

Starting in a small store with 55 men and women members to provide useful recreation

for all those over 65 the club has since 1946 moved into larger quarters four times and expanded its membership to over 1,700 in 1959. Each member pays 15 cents monthly dues and the entire budget of this worthwhile project is raised by a combination of parties, dances, food sales, and the United Fund support.

As the club prospered it was obvious to the city of Springfield that the problems of the aged were many and complex. The countless health, recreational, welfare, financial, housing and other special problems moved the entire community into action. One of the first Massachusetts Councils for the Aging was formed; and a Golden Age Club, separate from the Hobby Club surged into activity. All of these groups led by the Hobby Club developed into models of creativity for the rest of Massachusetts and the entire Nation to copy with profit. The reasons for the outstanding success of the Hobby Club and other Springfield community groups in the field of the aging deserve careful evaluation by Americans everywhere.

Most Americans in 1959 are aware of some of the reasons for the so-called "problem of the aged." The rise in life expectancy at birth for men, from 48 to 67 years since 1901, and for women from 51 to 73 has highlighted other issues. Chronic disabling illnesses, lack of proper housing, and poor retirement income for those over 65 have forced the establishment of State councils for the aging in many States. Many of these problems have been attacked throughout the Nation by social minded legislators who firmly beleive that the "young in heart" are not just those in the age of romance but also are those in the age of retirement.

Over the years from 1946 until the present time the Hobby Club has concerned itself not with legislative problems but only with those which provide good recreation for the elderly citizens. Miss Avery and her wise board of directors at the Hobby Club have found that all the increased social security checks in the world are not enough if the senior citizen does not have a purpose in life. The very air of the Springfield Hobby Club breathes purpose, self-identification through constructive hobbies or games and human dignity once again.

The Hobby Club had the usual growing pains of any other worthwhile community project until it was accepted as a Red Feather and United Fund Agency in 1956. Other cities and towns in the United States should carefully analyze the experience of Springfield in this respect. Since this official recognition the club has been able to offer a fully operative library; recreational features including TV, radio, woodworking shops, crafts classes, dancing, pool, shuffle board, etc.

The future of the club is bright. Its well directed and spirited membership has sponsored a housing program in a local hotel which has drawn applicants from all over the Nation. Its present program and future plans have attracted national attention by oldsters and by young scholars who are writing dissertations on the successful operations. Members of the club agree that any city or town in the United States which has similar problems to Springfield can be equally successful if three things are done.

There must be a real need in order for a program of this sort to be developed. Rural areas do not need to develop complicated programs to organize the elderly. The "young in heart" must themselves be deeply involved in the planning and operation of any such "dropin center" or sponsored recreational programs. It is essential that dedicated people, with strong educational backgrounds if possible, but mostly those with heart, understanding, humility, and a sincere understanding of our young oldsters must be found to lead the aged programs.

Every city cannot be as fortunate in finding the leadership that has been tapped in Springfield. But every city can seek out the young in heart and help them fulfill their destiny as American citizens, at the zenith of their lives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. OLIVER (at the request of Mr. COFFIN), for today, on account of official business.

Mr. ZELENKO (at the request of Mr. DANIELS), for Friday, Saturday, and Monday, September 11, 12, and 14, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BURDICK, for 10 minutes, today.

Mr. O'HARA of Illinois, to address the House for 40 minutes today at the conclusion of the legislative business and when called to revise and extend his remarks and turn back the remainder of his time.

Mr. PORTER, for 30 minutes, today.

Mr. VANIK, to cancel the special order he had for today and that it be transferred to tomorrow, and to revise and extend his remarks on tomorrow.

Mr. MOULDER, for 30 minutes, today.

Mr. CURTIS of Missouri, for 30 minutes, today.

Mr. BAILEY, for 10 minutes, on Monday, September 14.

Mr. MULTER, for 1 hour, today.

Mr. PATMAN, for 30 minutes, today, to revise and extend his remarks, and to include extraneous matter.

Mr. BOW, for 30 minutes, today.

Mr. HALPERN (at the request of Mr. ROBISON), for 10 minutes, tomorrow.

Mr. CURTIN (at the request of Mr. ROBISON), for 10 minutes, tomorrow.

Mr. BURDICK, that the special order he had for today be transferred to tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. NATCHER.

Mr. EDMONDSON and to include extraneous matter.

Mr. ANDERSON and to include extraneous matter.

Mr. GEORGE and to include extraneous matter.

Mr. MACHROWICZ.

Mr. MONTOYA.

Mr. BASS of New Hampshire.

Mrs. BOLTON in two instances, in each to include extraneous matter.

Mr. BROOKS of Louisiana in two instances, in each to include extraneous matter.

Mr. DENT.

Mr. DAWSON.

(At the request of Mr. ROBISON and to include extraneous material the following:)

Mr. KNOX in two instances.

Mr. SIMPSON of Pennsylvania.

Mr. CEDERBERG.

(At the request of Mr. LEVERING, and to include extraneous matter, the following:)

Mr. BOLAND.

Mr. IRWIN.

Mr. BOWLES.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 155. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions; to the Committee on Government Operations.

S. 231. An act for the relief of Richard Peter Gustav Bredee; to the Committee on the Judiciary.

S. 857. An act to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

S. 1018. An act to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work; to the Committee on Government Operations.

S. 1193. An act for the relief of Eleanor Constan; to the Committee on the Judiciary.

S. 1352. An act to authorize enrolled members of the three affiliated tribes of the Fort Berthold Reservation, N. Dak., to acquire tribal lands of the reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1502. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system; to the Committee on Foreign Affairs.

S. 1537. An act to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

S. 1605. An act granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States; to the Committee on Interior and Insular Affairs.

S. 1696. An act for the relief of Wong Sue Chee; to the Committee on the Judiciary.

S. 1703. An act for the relief of Raul Jorge Jose Hermitte; to the Committee on the Judiciary.

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles"; to the Committee on the Judiciary.

S. 1822. An act for the relief of Hirsh Marinski; to the Committee on the Judiciary.

S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1886. An act to amend the Communications Act of 1934 with respect to certain rebroadcasting activities; to the Committee on Interstate and Foreign Commerce.

S. 1892. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims; to the Committee on Interior and Insular Affairs.

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States; to the Committee on Interior and Insular Affairs.

S. 2129. An act for the relief of Mileva Lovric; to the Committee on the Judiciary.

S. 2286. An act to authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2309. An act for the relief of Gin Bong Wong; to the Committee on the Judiciary.

S. 2319. An act for the relief of Sergiusz Rudczenko; to the Committee of the Judiciary.

S. 2321. An act for the relief of Bernardine Lovse (Nadica Lovse); to the Committee on the Judiciary.

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project; to the Committee on Public Works.

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho; to the Committee on Interior and Insular Affairs.

S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas; to the Committee on Banking and Currency.

S. 2439. An act to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes; to the Committee on the District of Columbia.

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree; to the Committee of the District of Columbia.

S. 2454. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the Pony Express; to the Committee on Banking and Currency.

S. 2466. An act to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes; to the Committee of the District of Columbia.

S. 2467. An act to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes; to the Committee on Foreign Affairs.

S. 2611. An act to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Banking and Currency.

S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 6269. An act to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a Reserve component" so as to include a member of the Army or Air Force without specification of component;

H.R. 6335. An act for the relief of Mrs. Lourence O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for training;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7629. An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years, and for other purposes;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedures;

H.R. 8593. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); and

H.J. Res. 513. Joint resolution designating the 17th day of December as "Wright Brothers Day."

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes; and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 10, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 8678. An act to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes.

ADJOURNMENT

Mr. LEVERING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 2 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Saturday, September 12, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2, of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1370. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend section 2771 of title 10, United States Code, to authorize certain payments of deceased members' final accounts without the necessity of settlement by General Accounting Office"; to the Committee on Armed Services.

1371. A letter from the Administrator, Small Business Administration, transmitting the 12th Semiannual Report of the Small Business Administration covering operations between January 1 and June 30, 1959, pursuant to the Small Business Act of 1958, as amended (Public Law 85-536); to the Committee on Banking and Currency.

1372. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide additional revenue for the District of Columbia, and for other purposes', approved August 17, 1937, as amended"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. S. 1436. An act to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869) (Rept. No. 1177). Ordered to be printed.

Mr. GRANT: Committee of conference. H.R. 8609. A bill to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes (Rept. No. 1178). Ordered to be printed.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on dissemination of scientific information (Rept. No. 1179). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on scientific manpower and education (Rept. No. 1180). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on progress of Atlas and Polaris missiles (Rept. No. 1181). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on basic scientific and astronautic research in the Department of Defense (Rept. No. 1182). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 9202. A bill to provide a cost-of-living increase in annuities of surviving widows of retired employees payable from the civil-service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL:

H.R. 9203. A bill to provide for the annual granting of step increases with respect to all grades of the general schedule of the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. FLYNN:

H.R. 9204. A bill to balance domestic supplies of, and domestic demand for, agricultural commodities, by providing for the withdrawal of 80 million acres from agricultural production; to the Committee on Agriculture.

By Mr. GEORGE:

H.R. 9205. A bill to amend title II of the Social Security Act to reduce from 72 to 70 the age at which deductions on account of an individual's outside earnings will cease to be made from such individual's benefits thereunder; to the Commttee on Ways and Means.

By Mr. HALPERN:

H.R. 9206. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to nonprofit nonpartisan civic organizations; to the Committee on Ways and Means.

By Mr. IKARD:

H.R. 9207. A bill to amend subchapter S of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 9208. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 9209. A bill to prohibit the making, in areas under the exclusive jurisdiction of the United States, of discriminatory advertisements for the sale or rental of land or any structure thereon; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 9210. A bill to amend title II of the Social Security Act to change the composition of the Board of Trustees of the Social Security Trust Funds, and to effectuate recommendations made by the Advisory Council on Social Security Financing with respect to the investment of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 9211. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 9212. A bill to extend the provisions of the so-called Davis-Bacon Act to certain contracts to provide services; to the Committee on Education and Labor.

H.R. 9213. A bill to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to enable farmers to secure fair prices, to better utilize agricultural abundance in the Nation's interest at home and abroad, and for other purposes; to the Committee on Agriculture.

By Mr. BOWLES:

H.R. 9214. A bill transferring the U.S. Coast Guard from the Treasury Department to the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H.J. Res. 529. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the House of Representatives and in the electoral college to the District of Columbia; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 530. Joint resolution to establish a commission to formulate plans for memorials to the past Presidents of the United States including Presidents James Madison and Woodrow Wilson; to the Committee on House Administration.

By Mr. ROOSEVELT:

H. Con. Res. 438. Concurrent resolution reaffirming the longstanding policy of the United States that the United States shall not engage in biological or gas warfare unless such weapons are first used by our enemies; to the Committee on Foreign Affairs.

By Mr. CANNON:

H. Res. 387. Resolution providing for printing additional copies of the hearings entitled "Report on Russia by Vice Adm. Hyman G. Rickover, USN"; to the Committee on House Administration.

By Mr. GEORGE:

H. Res. 388. Resolution to authorize the Committee on Science and Astronautics to conduct an investigation and study of the feasibility of establishing a U.S. Science and Engineering Academy; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to inviting the President, Vice President, Members of the 86th Congress of the United States, members of the Cabinet of the President of the United States, the Governors of the several States of the United States, and other dignitaries to attend the Admission Day celebration of the State of Hawaii, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 9215. A bill for the relief of Charles F. Ward and Billy W. Crane; to the Committee on the Judiciary.

By Mr. BOWLES:

H.R. 9216. A bill for the relief of Daniel C. Turner; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 9217. A bill for the relief of Martin M. C. Wang; to the Committee on the Judiciary.

H.R. 9218. A bill for the relief of Sara Waks; to the Committee on the Judiciary.

H.R. 9219. A bill for the relief of Benjamin Arnon; to the Committee on the Judiciary.

H.R. 9220. A bill for the relief of Thomas C. Cheng; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9221. A bill for the relief of Cristina Minardo Calabrese; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 9222. A bill for the relief of Tim Ching; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 9223. A bill to exempt from taxation certain property of the Roman Catholic archbishop of Washington, D.C.; to the Committee on the District of Columbia.

By Mr. INOUYE:

H.R. 9224. A bill for the relief of Tamie Shimoko; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 9225. A bill for the relief of Omar Antonio Yuresko; to the Committee on the Judiciary.

By Mr. RABAUT:

H.R. 9226. A bill for the relief of Pietro Mela; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 9227. A bill for the relief of Peter Tsivis; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 9228. A bill for the relief of Rosina Gartling, Rosa Gartling, Gustav Gartling, and Adolph Gartling; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

278. By Mr. BENTLEY: Resolution adopted by the delegates to the eighth annual conference of the Polish National Relief Fund Committee of the United States and Canada held September 5–7 in Detroit, Mich., urging that the Polish Government-in-exile be recognized by the United States as a true constitutional governmental body of that country; to the Committee on Foreign Affairs.

279. By the SPEAKER: Petition of the county clerk, Wailuku, Maui, Hawaii, requesting action on H.R. 4633, providing for home rule for the District of Columbia; to the Committee on the District of Columbia.

280. Also, petition of Harold Elston, New York, N.Y., relative to a redress of grievance relating to Federal law enforcement; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Tribute to an American Composer

EXTENSION OF REMARKS
OF
HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. IRWIN. Mr. Speaker, just less than a month ago the New York Philharmonic, directed by Leonard Bernstein, gave Moscow one of the most exciting, tradition-shattering concerts the Soviet capitol has seen in its recent musical history.

The New York Times, in a Moscow-datelined article on August 25, declared:

> One of the most unexpected events was a rousing demand by the cheering, stomping, clapping throng for a repeat performance of an unusual little piece by one of the first American composers of modern ideas, Charles Ives:
>
> This composition, "The Unanswered Question," had never been heard in the Soviet Union. Mr. Bernstein broke another tradition by giving a little talk explaining Ives' philosophy and his theory of accidental music in which several themes in different tempos are woven together and cross each other accidentally at unpredictable times.

I am delighted, Mr. Speaker, that Charles Ives is, at long last, beginning to receive the recognition he so richly deserves.

It is to be regretted that such recognition comes after his death.

Five years after his death at the age of 80, 40 years after he virtually stopped composing, 12 years after he received the Pulitzer prize for a symphony he had written 40 years previously, Charles Edward Ives appears to be attaining fully to that recognition so long withheld from him—the recognition that here is an authentic American genius, in all probability one of the greatest composers America has produced.

In my hometown of Norwalk, Conn., further recognition of Mr. Ives will be given by the Norwalk Symphony Society which will present a Charles Ives Birthday Festival concert.

This concert will be given on October 19, the eve of Mr. Ives' 85th birthday, and it will consist entirely of Ives' music in several of the forms in which he worked—orchestral, piano, and songs both for solo voice and chorus.

It is quite proper that this tribute to Mr. Ives should be made by a Connecticut symphony society, for Charles Ives is a native of my State, having been born in Danbury, and having lived for many years in Redding.

He was a highly successful insurance man who composed as an avocation, producing a large body of musical work during the years from 1900 to 1920 which was ahead of its time, and long went virtually unplayed.

America should learn more about its own composers and it is hoped, Mr. Speaker, that the recognition accorded Charles Ives' music in Moscow several weeks ago, and which will be accorded it on October 19 in Norwalk, Conn., becomes contagious.

All America should learn to enjoy and love the music of Charles Ives—a great American composer who had a full measure of the gift of compassion and laughter, and translated them into music.

Harbingers of Better Living for Our Senior Citizens: Cleveland's Low-Cost Housing Project

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mrs. BOLTON. Mr. Speaker, Life magazine is to be commended for its recent series of articles on the problems challenging our country as some 1,260,000 people each year become 65 years of age and face the changes in living which come with compulsory retirement. The articles should awaken us all to the unhappy plight of millions of older citizens who have little or no income, are ill, or have no relatives to care for them.

To quote from part II, July 20, 1959, of the series:

> Today, as old age comes, millions exist on meager pensions and social security and, their life's work ended, may lose their will to live because of loneliness and idleness. They are so vulnerable that even a minor illness can end their independence and send them prematurely to the empty life of a nursing home. Many of these tragic declines could be prevented by fulfilling two basic human needs: a pleasant place to live and something to do. These are the essence of the new deals which, vastly expanded, could happily fill empty lives.

Life goes on to point up how certain cities and communities are meeting the economic and spiritual needs of the aging. Among certain of the "imaginative but sensible solutions for keeping the aged useful and self-sufficient" is the senior center in San Francisco. Supported by the United Fund, private donations, and maximum dues of $1 a month, it takes care of some 700 people. The center is open all year, 8 hours a day, 6 days a week, and "can be a reason for getting up in the morning and a place to come home from at night—a replacement for the working day."

Another significant provision for the elderly: Carroll Manor outside the District of Columbia is operated by the Carmelite Sisters, providing gentle care for some 200 residents who pay $150 a month, or $300 if they are sick.

Mr. Speaker, I was proud to see Cleveland's low-cost housing project cited in the series. Mr. Ernest Bohn, for many years director of the Cleveland Metropolitan Housing Authority, is also on the advisory committees of the White House Conference on Aging and the Federal Housing Administration. We Clevelanders are proud of the work he has done and is doing.

Apartment rents of the Cleveland project average $30 a month, a figure which can easily be afforded by couples whose combined income must be under $2,400 a year. Discussing our situation with Life's reporter, Ernie Bohn emphasized that older people "want more excitement than the going and coming of ambulances—that to keep the aged in the thick of things in the Cleveland project, 12 apartments on each floor are occupied by young couples with children under five." He explained that when the children grow older, the family is moved out into the Cedar Apartments public development. This arrangement has resulted in both the elderly and the very young striking up acquaintances beneficial to both. A touching story is told in pictures of toddler Roby McCoy making his daily cookie round at the homes of Mrs. Marie Sheridan and Mrs. Edna Powell. Such relationships make the older people feel very much a part of the normal human living going on at our busy Cleveland project.

Mr. Bohn pointed out that one-fifth of the aged now in hospitals could fend for themselves in housing like Cleveland's. Many precautions are taken to make the development physically livable and safe. There are elevators, nonskid floors and

bars over tubs and toilets. To keep the residents' days busy, the first floor is a Golden Age Club with hobby shops and activities similar to San Francisco's Senior Center.

Mr. Speaker, preparations are now under way for the White House Conference on Aging to be held in January 1961. The Secretary of Health, Education, and Welfare, Dr. Arthur S. Flemming, and Under Secretary Bertha Adkins are responsible for the planning and administration of this important conference. Desired information may be had by writing to Secretary Flemming, HEW, Washington 25, D.C.

Thirty Years With the Louisville Courier-Journal

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. NATCHER. Mr. Speaker, on September 9, Robert L. Riggs and the Courier-Journal of Louisville, Ky., celebrated the 30th anniversary of a highly successful relationship. It is most appropriate that Bob Riggs has served so long and with such distinction as a correspondent for the Courier-Journal for this newspaper consistently is named on all survey lists as one of the 10 great U.S. papers. The ability and integrity of its correspondents, editorial staff, and technical personnel have raised the Courier-Journal to this position of recognition and eminence in the newspaper field. The incisive, comprehensive and intelligent reporting of Bob Riggs has contributed in no small measure to the superiority of the Courier-Journal.

When Robert L. Riggs began his association with the Courier-Journal 30 years ago, the Nation was staggering under the sullen weight of the depression, and breadlines and soup kitchens were common stories for the young reporter. However, the economic stability of our country was to improve, and concomitant with a gradual return to fiscal normalcy was the emergence of America as the industrial giant of the world. The fast-moving events of the next 3 decades were reported by Bob Riggs and his career has covered one of the most exciting periods in history—from the industrial age, to the atomic age and now into the mysteries of outer space. These are thrilling and frequently tense times in which we live, and no one is more familiar with the conquests of science and the flow of history than a man whose job it is to record these events in the daily press. Just within the past year or so we have seen the development of a nuclear submarine which can remain submerged for as long as 60 days, jet planes span the country in less than 4 hours, one of our satellites is in orbit around the sun, IRBM's and ICBM's are becoming more devastatingly accurate, astronauts have been selected for the first manned flight into outer space, the world's first atomic-powered merchant vessel was launched this summer, and the conquering of age-old diseases has prolonged our lifespan by many years.

Bob Riggs has been chief of the Washington Bureau of the Courier-Journal for many years and is presently serving in that capacity. His affable manner and shy smile are well known on Capitol Hill. He is especially familiar to all members of the Kentucky congressional delegation, and, while at times there might be a slight difference in viewpoint, the excellence of his reporting is universally held in high regard. Robert L. Riggs has earned the admiration of his friends and the respect of his colleagues. He is a newspaperman in the finest sense of the word.

Tribute to Edwin E. Smith, a Truly Great Teacher for 40 Years at Classical High in Springfield, Mass.

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BOLAND. Mr. Speaker, when the bell at Classical High School of Springfield, Mass., sounded the start of the school year this week, for the first time in 40 years, Edwin E. Smith was not there to greet some of the old and the new students. He had retired last June of 1959 after giving a lifetime to the teaching profession. During his long service in the Springfield school system he had become a tradition. To accomplish this, he must, of necessity, have been endowed of unusual talent and personality. Ed Smith was so gifted.

Thousands of eager youngsters came under his spell. Beyond his great capacity to impart knowledge of English literature to his students, he advised and counseled them with marked effect. Seldom have I ever met or known of anyone in the teaching field who was so genuinely loved by the boys and girls who sat in his classes. He had a real personal interest in their efforts, their success and their future. Indeed, he epitomized to the fullest the best in the great teaching profession.

English literature was Ed Smith's forte and in this field, he contributed notably to the famed reputation of the Springfield school system and particularly Classical High School. The thousands of his students that went on to higher education in the colleges of the land appreciated how well and thoroughly he taught them. Many of them received top honors in the colleges of their choice. He had a remarkably easy, convincing and persuasive way of impressing young minds of the worth of education and how to use it. He was richly endowed with the wisdom, the temperament and the determination necessary in the educational field. He was not anxious for the bell that tolled the end of the school day and I know that his students lamented the end of his classes. Ed Smith felt and knew that he had a job to do in the very best way he knew to do it. His efforts spoke for themselves as he was heartened by the successes in life that many of his boys and girls attained. He, indeed, was an artist as he worked with the precious clay of unfolding youth.

Edwin E. Smith was born in 1894 in White River Junction, Vt., and graduated from Dartmouth College in 1917. After a brief teaching spell in Vermont, he came to Classical—Central—High School in Springfield, Mass., in 1919. There he remained for 40 years to retire in June 1959. His educational achievements were many. He carried a master of arts from Harvard in 1929; pioneered in accelerated courses for the gifted child—a program that was started in the high school in 1935; coauthored with Ralph Boaz the texts, "An Introduction to Literature" and "Enjoyment of Literature." The latter textbook has been widely used and accepted by teachers and pupils since it was first published in 1934. In 1954–55, Ed Smith was chosen president of the New England Association of Teachers of English and held membership in the New England Association and the National Association of Teachers of English.

Recognition and honors have come his way from associates, his students, and from his community. The executive board of the New England Association of Teachers of English conferred a plaque for outstanding contributions and service of over 30 years. A memorial in Ed Smith's name was given by the Classical High School Alumni Association to the school library. The memorial consists of an alcove dedicated to him with a gift of money for books to be purchased in his name. His portrait will grace the alcove as a constant reminder of the fruitful years he spent in the truly hallowed halls of Classical.

At this past June graduation exercises, a moving tribute was paid to him by His Honor Mayor Thomas J. O'Connor, of Springfield, in expressing the gratitude of the city for the great teacher service he had given.

Ed Smith no longer will be an active teacher in our school system but his dedication to his profession will never be forgotten. Whenever or wherever any of his former pupils gather, they will retell again and again of their years under his tutelage. They will talk again of him and recount why he measured to the fullest their ideal as a great teacher and a good friend.

One of his former students and presently a teacher at Ed Smith's beloved Classical puts it simply and beautifully:

> Ed's deep interest in and understanding of all his pupils, his ability to teach them to think and to appreciate good literature, his brilliant intellect coupled with genuine humility have made him a truly great teacher. No wonder they love him so much.

Mr. Speaker, as one who knows him, I join in this tribute to Ed Smith and express the wish that he will be around for a long time to continue to contribute his talent and his counsel to those who yearn to learn and to his community.

Coast Guard Should Be Placed Under the Department of Commerce

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BOWLES. Mr. Speaker, I have today introduced a bill, H.R. 9214, to transfer the peacetime jurisdiction over the U.S. Coast Guard from the Department of the Treasury to the Department of Commerce.

My colleagues with long memories will recall that this step was originally proposed in 1949 by the Hoover Commission, one of whose members was our distinguished colleague, the gentleman from Ohio [Mr. BROWN].

In making this recommendation in 1949, the Hoover Commission said in part:

> The Coast Guard is obviously misplaced in the Treasury Department at the present time. The principal functions of the Coast Guard relate to provision of coastal and interior aids and services to air and water navigation. It regulates and inspects provisions for marine safety. Considering the general nature of the work it performs, its location in the Treasury has no reasonable basis.

From the standpoint of functional efficiency, there can be no argument with the Commission's recommendations. If anything, they are more cogent today than they were 10 years ago.

In the 18th century, placing the Coast Guard under the Treasury seemed like a logical step. At that time, smuggling was a problem to our young country. Every dollar of revenue lost through smuggling operations was a dollar our struggling Nation could ill afford. At that time the Coast Guard was primarily concerned with smuggling, and it therefore seemed reasonable to place it under the Cabinet department chiefly affected by a potential loss of revenue.

This situation no longer holds true, Mr. Speaker. The modern Coast Guard's activities in the fields of aids to navigation and marine safety have no connection whatsoever with the Treasury's principal function of fiscal management. This old and honorable service has, over the years, become a stepchild.

This anachronistic situation has resulted in the continued smothering of the Coast Guard's very real needs for money and manpower. The most striking example is the Coast Guard Academy in New London, Conn. While we hear tales of $90 medicine cabinets and other costly installations elsewhere, the Academy at New London is denied funds to replace rotting docks and causeways which are no longer safe and wartime temporary wooden buildings which the Connecticut State authorities have condemned as unsafe.

I would like to make it plain, Mr. Speaker, that I am in no way criticizing Secretary of the Treasury Anderson for this situation. I have had the greatest personal respect for Mr. Anderson for many years.

The Treasury is preoccupied with its basic functions of fiscal management, however, and rightly so. When this interferes with the legitimate needs of a fine and honorable service like the Coast Guard, I think it is high time that the situation is corrected. Many observers are convinced that the critical financial needs of the Coast Guard would receive more sympathetic consideration in the Department of Commerce. I have introduced H. R. 9214 in order to carry out the recommendations of the Hoover Commission to transfer the Coast Guard with this in mind.

New Era for Families in Agricultural Area: Ranch-to-Ranch Milk Delivery

EXTENSION OF REMARKS
OF
HON. LeROY H. ANDERSON
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. ANDERSON of Montana. Mr. Speaker, when I was a boy growing up on a Montana homestead farm, we and each of our neighbors kept a few milk cows. Morning and evening, 7 days a week, the chores had to be done and the cows milked. One could not leave the farm even for a weekend without arranging for one of the neighbors to come in and "do the chores."

Gradually, farmers sold off their cows to concentrate on their main crop production, and bought their milk and dairy products in town.

Now, the ultimate step has been taken and the milk, cream, butter, cheese, and other dairy products are delivered twice a week right to the farmers' doors.

I realize that for anyone who has never traveled through the rugged country of the great Northwestern States of our Nation, it may be impossible to visualize the vast stretches of land separating neighbor from neighbor, and rendering almost inaccessible such a convenience or service as this which the urban-born-and-bred expect and take for granted as a part of their daily living. Even more difficult to imagine is the fact that throughout much of the territory in my district, during many months of the year, our roads are impassable and our people are virtually cut off from contact with the outside world except for the mediums of radio and television.

I, therefore, desire to commend those enterprising individuals, Ralph Hales, manager of the Conrad Creamery at my hometown of Conrad, Mont., and the driver of the creamery truck, Robert Aitken, who have undertaken to deliver their Pride of the West dairy products to some 200 families in the region. Some of the ranches served are as much as 30 miles from any town, and it is frequently several miles between ranches. This involves driving approximately 1,000 miles a week. Remarkably, during the past winter season, they missed only one delivery day because of bad weather. Often such luxuries and conveniences make slow progress in a geographic area like ours, and I feel that these men are to be highly complimented for their introduction of this service which in a short time has come to mean a great deal to the families of our agricultural community.

The John J. Dempsey Memorial Radio Scholarship

EXTENSION OF REMARKS
OF
HON. JOSEPH M. MONTOYA
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. MONTOYA. Mr. Speaker, the New Mexico Broadcasters' Association on August 29, 1959, established a new scholarship for radio broadcasting in honor of the late John J. Dempsey, former Representative and former Governor of New Mexico. It will be known as the John J. Dempsey Memorial radio scholarship.

Radio broadcasters and newscasters in Washington and throughout the entire country remember Representative Dempsey with particular affection. After learning from Fulton Lewis, Jr., of the inadequate facilities for radio newsmen covering the Capitol, Representative Dempsey was instrumental in 1939 in establishing the congressional Radio Galleries. His resolution amending the Rules of the House to set up the House Radio Gallery was passed on April 20, 1939. The House Radio Gallery was opened on May 23, 1939, and is 20 years old this year. A companion resolution to the Dempsey resolution amending the Senate Rules to set up the Senate Radio Gallery was passed on April 25, 1939. The Senate Radio Gallery was opened on February 9, 1940.

Now, 20 years later, in recognition of Mr. Dempsey's contribution to facilitate radio news broadcasting, the New Mexico Broadcasters' Association has elected to make its own contribution to the future of radio broadcasting in the form of a scholarship in John J. Dempsey's name.

The new scholarship will be awarded for the first time this year. Potential recipients will be New Mexico college sophomores who plan to major in radio journalism at the University of New Mexico. The $500 annual award will be made on the basis of scholastic aptitude, high character, financial need, and a sincere interest in the radio news field. The selection of the recipient will be made by a committee made up of two faculty members of the University of New Mexico and three members of the New Mexico Broadcasters' Association. The scholarship will be continued through the recipient's junior and senior years, providing his scholastic record is 2.5 or better, and providing he continues his interest in radio broadcasting.

The scholarship fund will be administered by the University of New Mexico. Each radio station in the State will

contribute to the annual scholarship fund. Wayne Phelps, owner and manager of radio station KALG, Alamogordo, N. Mex., is chairman of the John J. Dempsey Memorial scholarship committee for the New Mexico Broadcasters' Association.

Labor: in the Public Interest

EXTENSION OF REMARKS
OF
HON. NEWELL A. GEORGE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. GEORGE. Mr. Speaker, now that the labor-management reform bill is about to become law it is interesting to recall the outstanding work of the McClellan committee and its staff headed by Robert F. Kennedy, it chief counsel.

Established early in 1957 by the U.S. Senate, much unsavory dealing was brought to light on the part of management and labor. Although the blackest chapters of the life of the committee established that some corporations were guilty of contemptible acts, which were selfish and greedy to the extreme, our news media did not succeed in impressing those heinous deeds upon the American people.

Instead, Mr. Speaker, opprobrium was brought down on all of organized labor because of the shameful conduct of a few leaders among the many in the labor movement. Three top labor leaders were proven unworthy of their trust.

Hutchinson, Beck, and Hoffa—all of labor suffered because of them. Seldom did the public press limit its criticism and make clear that these three were the culprits and not the whole of organized labor. Never did the slick magazines clearly set forth that all three were high in the councils of the Republican Party.

No, Mr. Speaker, the average reader thought he knew that those three, stigmatized by the proven facts, were Democrats. He little knew, and had no way of knowing from the public press, that these infamous three were among the largest contributors to Republican campaign funds and to other devices designed to bring victory to the old guard of the GOP in elections that now are history.

Of the thousands of citizens who urged passage of either the Shelley bill or the Landrum-Griffin bill, possibly a dozen individuals had read the bill they endorsed. But again, the press and communications media played their part.

"The Landrum-Griffin bill is a start in the right direction," said the President. So said practically all of the Republican leaders, the National Chamber of Commerce and the National Manufacturers Association. If this bill was but a start, just where would be the end. Or was it their desire to bring an end to organized labor and to compel the laboring man or the working woman to bargain individually for decent wages and working conditions? The answer, Mr. Speaker, is very clear.

The labor reform law can now be tested and in the light of experience it may need to be amended. But, Mr. Speaker, let us all give the law a fair opportunity to prove its value and its faults before another drive is begun to crucify organized labor. Let us remember that the prosperity Americans have enjoyed and the economic progress our country has made is due in large part to organized labor.

To the Honorable JOHN F. KENNEDY, Senator from Massachusetts, all Americans should be exceedingly thankful. Because of his patience, his endurance, his knowledge of labor-management relations and his legal ability, unconstitutional provisions were removed and certain sections that would have defeated the legitimate objectives of organized labor were modified in conference. To Senator KENNEDY all of us who believe in fair play, whether of management, of labor, or of the public, should be forever grateful.

Recently an editorial written by Bill Baker appeared in the Kansas City Star which paid tribute to the McClellan committee and its chairman. The writer frankly admits that he frequently disagrees with the Senator from Arkansas, as do I. But, Mr. Speaker, I believe that other Members would enjoy reading this September 5, 1959, editorial and I include it as part of my remarks:

JOHN MCCLELLAN'S LABORS FOR A LABOR LAW

It is one of the ironies of legislative history that the new labor law does not bear the name of JOHN LITTLE MCCLELLAN, of Arkansas. Certainly no man has worked harder, longer and more doggedly for the bill that finally emerged from the crucible of compromise. Indeed, if there were a D-day for the new law, it was February 1, 1957, when the Senate established the McClellan committee.

For students of political science, we recommend the ensuing investigation as the textbook example of the way congressional investigations should be conducted. Seldom if ever has any congressional group conducted such an important study. Seldom, if ever, has a congressional committee been so objective. An excellent staff was gathered, spearheaded by young Bob Kennedy. In the hearing room, MCCLELLAN was the imperturbable chairman who brooked no nonsense from witnesses. Nor did he permit his colleagues to wander away in search of political headlines.

The conduct of the investigation was typical of JOHN MCCLELLAN, and it has paid off in a bill that he regards as a fine reward for the years of work. It is unlikely, however, that the Arkansas Senator would permit himself even a moment of self-satisfaction. That would be out of character for the little man who poses as a plain country lawyer.

In Congress, the country lawyer is a dour, usually quiet man who can explode with sudden fury. A wide range of committee activities gives the impression of a man always on the go yet unhurried in the tradition of the South. And MCCLELLAN is by all means the southerner. Politically, he is a conservative and he makes no bones of the fact. He is, however, fiercely independent of his party, a fact recognized by Democratic leaders.

Only such total independence could have produced an objective study of such a politically-loaded subject. Independence, and a terrific amount of energy that is perhaps an escape from the personal tragedies of his own life. MCCLELLAN'S three sons have all died untimely deaths, the last in an airplane crash in 1958.

We have frequently disagreed with JOHN MCCLELLAN'S position, and there will be times when we will disagree again. But the labor law of 1959 is a milestone of a legislative career in the tradition of a State that has produced some outstanding lawmakers. The country lawyer from Camden is a credit to the Senate, his State, and the Nation.

Look Here, Mr. Khrushchev, and Learn How Private Industry Underwrites Medical Research in Free America

EXTENSION OF REMARKS
OF
HON. ELFORD A. CEDERBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. CEDERBERG. Mr. Speaker, it would be futile to hope that any of the pollen of the flowers of the American private enterprise system would rub off on Mr. Khrushchev during his visit to this country, but as just a single example I wish he could become acquainted with the contribution one of the Nation's big chemical companies, whose main offices and plants are located in the district I represent, is making as a public service in the field of medicine.

The Dow Corning Corp., of Midland, Mich., a pioneer in silastics, has announced the founding of the Dow Corning Center for Aid to Medical Research for the purpose of furthering medical research in the use of silicones in medicine and surgery. The center is financed by the corporation and all its findings will be available to the medical profession without cost.

During the past several years a number of remarkable advances have been made in medicine and surgery by using Dow silicones in a variety of forms. The interest among physicians and surgeons has grown so great that Dow-Corning Corp. had to assign two of its best scientists to act in a liaison capacity between physicians and surgeons and its research laboratories.

AID TO MEDICAL RESEARCH

Dr. W. R. Collings, president of the Dow Corning Corp., in announcing the founding of the new center said:

Our board of directors has recognized the responsibilities of the corporation by authorizing a nonprofit unit separate from our commercial activities, but allied with our research department.

According to Dr. Collings the purpose of the center will be to aid medical research by supplying technical assistance, by acting as a clearinghouse for information about the use of silicones in medicine and surgery, and by cooperating in research in organosilicon chemistry in relation to the human body.

Offices of the new center will be at Midland. The director will be Dr. Rob Roy McGregor, and the executive secretary, Silas A. Braley, Dr. Collings announced.

Dr. McGregor is one of the first inventors of commercial uses of silicones. Formerly a fellow of the Mellon Institute, Pittsburgh, he has been a member of the research team of Dow Corning since its founding in 1943. Assistant director of research, he has in recent years given his time to relations with the U.S. Food and Drug Administration and with the medical profession.

SILICONES HAVE MANY SURGICAL USES

Dr. McGregor points out that so far the best known medical uses of silicone material have been in brain surgery, heart valves, sutures, ducts, and heart-lung oxygenators. Already silicone valves have been responsible for over 4,000 successful operations on children with hydrocephalus — water-on-the-brain.

In one form or another medical research has found use for silicones in literally every part of the body, even the eye. One main reason is that silicones are chemically inert and nontoxic. They can be made in any physical form from fluids to rubber and thus can be applied as coatings or molded. Tissue fails to adhere to silicone rubber, and thus embedded material can be removed without pain.

Appropriately and in accordance with the rules of medical ethics, the announcement of any new techniques will come from the medical profession itself.

This, Mr. Khrushchev, is just a small sample of the contribution made by the free industries of America under the capitalistic system which you propose to bury.

Agricultural Imports Do Not Help America's Farmers

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. KNOX. Mr. Speaker, our Nation's trading partners abroad are well on the road to achieving a record year in sales of their products to their favorite customer, the United States. Manufactured goods of practically every description are landing at our shores in unprecedented volume—to the distress of many American producers, investors, and jobholders.

The invasion of our domestic markets is not limited to manufactured products and minerals, about which we have heard much in recent weeks. Our agriculture interests find themselves targets for foreign competition which is rapidly mounting.

The meat industry provides a good example. In 1958, our imports of meat products were valued at nearly $335 million. Animals shipped here for slaughter were valued at $131 million. Together, they accounted for some $460 million in sales for livestock producers, packers, and shippers in other countries.

Moreover, this represented a gain of 86 percent in a single year. In 1957 our imports of edible animals and meat products totaled $250 million. But at the time, that too was a banner year, for only a year earlier, in 1956, total imports of these items were less than $160 million. So 1957 brought a gain of more than 60 percent over 1956.

Thus, in the brief span of 2 years, 1956–58, imports of livestock, poultry and meat products climbed $310 million, or very nearly 200 percent.

This phenomenal increase indicates clearly why so many of this country's livestock producers have joined their voice to the rising chorus of protests against a foreign economic policy that leaves them all but defenseless in the face of unreasonable competition from abroad.

Some segments of the domestic meat industry have been harder hit than others. Mutton producers, for example, are witnessing a virtual flood of imports from Australia and New Zealand. The statistics will speak for themselves.

In 1956, Australia shipped 313,000 pounds of mutton to the United States; in 1957, shipments rose slightly to 441,000 pounds; in 1958, the dam burst and shipments soared to 14,250,000 pounds, or more than 30 times the 1957 volume.

But the worst was yet to come. Australian mutton shipments to the United States surpassed the record 1958 volume in the first fourth months of 1959. By June 30 they had reached nearly 23 million pounds, up more than 50 percent over last year's total imports.

Mutton imports from New Zealand show a similarly fantastic increase, from a mere 9,000 pounds in 1954, to 250,000 pounds in both 1955 and 1956, to 1,300,000 pounds in 1957, to 2,310,000 pounds in 1958, and in the first 6 months of 1959, over 5 million pounds.

New Zealand also found the United States a prime market for lamb, beef and veal. In 1956 New Zealand shipped us 161,000 pounds of lamb; in 1957, 368,000 pounds; in 1958, 4,700,000 pounds.

Imports of beef and veal increased even more dramatically. Shipments from New Zealand have risen from 1,121,000 pounds to 182 million pounds in the short space of 5 years.

As recently as 1956, imports of beef and veal from New Zealand totaled 4 million pounds, then multiplied more than 12 times to 50 million pounds in 1957, and then nearly quadrupled to 182 million pounds last year. In the first 6 months of 1959 these imports lagged only a trifle behind the terrific pace achieved a year ago.

Australia, of course, could not be expected to concede the U.S. beef and veal market to its New Zealand competitors without a struggle. So, not surprisingly, imports of beef and veal from Australia, after a fairly slow start, have caught up with and passed New Zealand's shipments.

In 1954 Australia sent us $1,800,000 pounds of beef and veal; moderate yearly increases sent the total to 5½ million pounds by 1957. Then, in 1958, these imports more than tripled in volume to 17 million pounds, and this volume was exceeded in the first 2 months of 1959. By the end of June 1959 the United States had received more than 83 million pounds of Australian beef and veal, and New Zealand, after far outstripping its neighbor's shipments a year earlier, was running a respectable but fairly distant second.

Other examples of the unreasonable competition confronting the American meat industry are plentiful. For instance, in the single month of January 1959 Australia shipped us more lamb than she sent here in the entire 12 months of 1958. Imports of Australian lamb reached 2 million pounds in the first 6 months of 1959, compared to 326,000 pounds in all of 1958.

A recent issue of the Sheep Industry Journal reports that lamb growers from Australia and New Zealand have journeyed to this country to find ways to increase their shipments here.

With all due respect to the splendid free nations these gentlemen represent, I cannot sincerely wish them success in their overtures. On the contrary, I would advise them to let well enough alone.

For in spite of its haphazard trade policy, the U.S. Government still retains a sense of obligation to its domestic industries, and sooner or later it will take steps to prevent the American meat producers' total destruction. We can only hope that these steps, when finally authorized, will not be too little and too late.

Will There Be Reciprocity in International Trade With the Introduction of Smaller American-Made Cars?

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. KNOX. Mr. Speaker, a great deal is heard these days about the introduction of American-made small cars on a wide scale this fall. Many commentators interpret this move as signaling the U.S. automotive industry's counterattack on the mass invasion of foreign cars.

In my opinion, there is another side to the story, the export side. For the loss of markets by American automakers has not been confined to these shores. While imports have risen dramatically—and are still climbing—exports of U.S. autos have declined tremendously.

Now, with the domestic industry turning to small car production on a mass scale, perhaps there is hope that the export trend will be reversed.

Perhaps it will be possible, for example, to persuade our friends in West Germany to purchase more than 333 U.S. autos, our total exports there in 1958, a year which also saw 134,610 West German autos imported here.

Or it may be possible to expand our exports to Great Britain from 329, the total we shipped there in 1958, to a number more in keeping with the 156,597 British cars unloaded here last year.

Happily, the Government of the United Kingdom has seen fit to increase the annual dollar quota on passenger cars from North America to $2 million, compared to the $600,000 limit which has been in effect.

Admittedly, $2 million is a far cry from $194,072,216—the value of British-made cars imported by the United States in 1958—but it is a tiny step in the right direction, nonetheless.

Both at home and in oversea markets, U.S. manufacturers have a lot of ground to make up. In the period 1956–58, imports of new passenger cars quadrupled, from 107,675 to 433,921, and if the present import pace continues, 1959 will see 600,000 foreign cars landing here.

The value of these imports in 1958 approached $500 million, and this is perhaps a better measure of the domestic market which has swung to imports and which American producers hope to recapture, at least to some extent, with their new economy-size models.

Not only new passenger cars, but other types of imported motor vehicles are reaching the American market in growing numbers. Here are a few examples.

In 1956 we imported a scant 1,537 used cars; this rose to 4,862 in 1957, and then jumped to 12,861 with a total value exceeding $16 million in 1958.

The United States imported 2,853 foreign-made trucks in 1956, 8,036 trucks in 1957, and 15,032 trucks valued at more than $17 million in 1958. In the first 7 months of 1959, our imports of trucks passed 13,000, indicating a 12-month total of 22,000 or more.

Motorcycles are another fast-rising import. In 1956 we imported 32,148 motorcycles; raised that figure to 53,100 in 1957, and raised it again to 63,700 valued at $13 million in 1958.

U.S. auto exports, meanwhile, remain in a tailspin. American manufacturers shipped 175,000 new cars to foreign buyers 2 years ago, then saw their oversea market dwindle to less than 122,000 last year. In the first 7 months of 1959 we exported 66,000 new cars, so exports this year should approximate 110,000—to register another downturn.

With the introduction of a series of new small cars, produced in American factories by American labor, the domestic industry has served notice it is ready to give its foreign competitors a run for their money.

My hope is that this step will also mark a turning point in our automotive export trade. Certainly it should pacify those who claim that large American cars are neither safe on narrow foreign roads nor economical for foreign motorists paying 75 cents or $1 for a gallon of gasoline.

I, for one, will be most interested to watch the reaction of our trading partners, particularly in Western Europe, to the new competition of American small cars. Will they offer us the same open-arm welcome that we have given to their products, now that it appears we will be able to compete on equal terms in their own markets?

This will be a true test of reciprocity in international trade.

Civil Rights Commission Should Be Terminated

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BROOKS of Louisiana. Mr. Speaker, the Civil Rights Commission should be terminated. There is no reason that I can see for its continuation.

The recent report of this Commission contains some of the most vicious proposals that have been presented. These proposals, if placed into law, would ultimately bring about the end of our type of constitutional government.

And one of the most vicious of these suggested plans is the proposal to create the Office of Federal Registrar. Such a proposal, in the first place, flies in the very face of our Constitution itself. In no age, and in no place, has any responsible public official in the past urged that the power of controlling elections be taken from our 50 States and placed under control of the U.S. Government in Washington; and yet this is in essence what the proposal to create the Office of Federal Registrar will do.

Should such a proposal become law, the Federal Registrar will be able to supersede any local registrar, appointed and controlled now by the several States, and permit the new Federal Registrar to operate the elections. It is true that there will be those who will argue that this provision should apply only to Federal elections. But, Mr. Speaker, a registrar does not list voters for only Federal elections. He sets up a register for voting—not for Federal voting, but for all kinds and types of voting and in all elections, under restrictions provided by State laws.

If such an Office of Federal Registrar handles only Federal elections and which undoubtedly provides its own procedures and methods of handling the registration lists for Federal elections, are we not then setting up two different types of elections and two different types of voters? It is obvious that the Federal Registrar will do his own interpreting and construction of Federal statutes. These decisions may be entirely different from the construction placed upon State and Federal statutes by the duly constituted local registrars or voters. As a result of that fact we may ultimately have two classes of voters: federally accepted voters and State approved voters. This situation will inevitably ultimately lead to Federal control of elections and to the loss of our States as we know them under our Constitution.

Even worse than this is the proposal to further amend the Constitution to provide additional power for the enforcement of civil rights. Already more power is available under the terms of our present Constitution than will ever be needed for this purpose. Further amendment will provide useless and redundant language in our basic law and will not make available one jot of additional needed authority.

What is needed, Mr. Speaker, is not further laws and further constitutional provisions, but what is needed is common sense and realism in the handling of a most delicate problem. If there was ever a problem which calls for local handling, it is the racial problem. Such a problem goes directly to the root of our own private lives and personal relations in this land. Changes in customs, in habits, in local procedures, and in the manners of our people are all matters which should be handled locally. In my judgment they are not even susceptible of being handled on a State basis, but should be handled as close and near to our people as any problem of government which we now have before us. If common sense and feet-on-the-ground reasoning returns to us, we will send this problem back to the grassroots for solution, as we should have done years ago.

Mr. Speaker, this Commission has not helped solve our racial problems. It has merely stirred up further trouble and turmoil, and has produced further racial hatred throughout areas of the Nation in which it has operated. I therefore am against the further extension of the authority of this body, and will vote accordingly.

Report of the Commission on Civil Rights

EXTENSION OF REMARKS
OF
HON. WILLIAM L. DAWSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. DAWSON. Mr. Speaker, day before yesterday, on September 9, 1959, each Member of Congress received a copy of the report of the U.S. Commission on Civil Rights, together with a smaller volume containing an abridgment of the substance of the report and the Commission's findings and recommendations. I hope every Member will read the Commission's findings and recommendations, and will also take the time to read extensively through the text of the whole report. It is a document that should be widely read by the people of this country, just as was the October 1947 report issued by President Truman's Committee on Civil Rights, which greatly helped make the entire country more aware of the gross discriminations perpetrated against millions of Americans solely because of their race, religion, or ancestry.

There has been much progress since 1947 in reducing these discriminations. Almost all of that progress has been through court decisions, actions of administrative agencies, and by voluntary actions of groups and individuals. I am disappointed that Congress has done almost nothing to fulfill its legislative responsibility to bring about a greater realization of our ideals of equality under the

law. As the present Commission's report shows, an enormous amount of discrimination still remains.

Since I received the Commission's report, I have been examining it carefully. I am much impressed by its factual and legal analysis. It concentrates particularly upon the fields of voting, public education, and housing. These are very important in the life of our Nation, and as the report shows, they are full of problems of racial discrimination. I am sorry that the Commission did not also include in its report an analysis and findings concerning discrimination in employment. In a capitalistic society such as ours, economic discrimination is often the pit in which most other rights are lost. However, I realize that the Commission had scarcely 16 months in which to do its job, and I think it deserves great credit for making its good factual study in the fields of voting, public education, and housing.

This report should be of great value in bringing into sharper focus the facts of discrimination and inequality that still plague the Nation. It is especially significant that although three of the six members of the Commission are southerners who have in the past been closely identified with the maintenance of segregated patterns of life, many of the recommendations of the Commission were unanimous.

They unanimously affirmed that—

> Many Americans, even today, are denied the franchise of race * * * through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm.

They stated that—

> It has become apparent that legislation presently on the books is inadequate to assure that all our qualified citizens shall enjoy the right to vote.

Their statement that "no one had yet been registered through the civil remedies of the 1957 act" points up how woefully inadequate the watered-down Civil Rights Act which Congress enacted in September 1957 has proven to be.

Their findings and recommendations concerning the widespread denials of the right to vote, a right which the Commission describes as "the cornerstone of the Republic, and the key to all other civil rights," certainly emphasize the urgency for congressional action on the bills now pending in Congress to give greater protection to this basic civil right.

The Commission's report contains much valuable material concerning the problems of desegregation in public education, and thus serves a useful function in presenting the facts to the public. However, I am somewhat disappointed at the meagerness of the Commission's recommendations for dealing with discrimination in public education. The problem of bringing the schools into compliance with the decisions of the Supreme Court deserves more than simply providing for additional collection of information and the mediation of disputes concerning proposed desegregation plans. Three of the Commissioners have frankly recognized that it is inconsistent for the Federal Government to grant financial assistance to institutions of higher education that practice racial discrimination, and recommended that Federal funds be withdrawn from such schools. A more positive program is embodied in the civil rights bills now pending in Congress, such as my bill H.R. 300, which would provide for necessary financial and technical aid and legal sanctions to assist in preventing or eliminating denials of constitutional rights to public education.

Even though some of the Commission's recommendations seem weak or inadequate, the Commission has certainly performed a valuable public service in presenting a comprehensive and factual analysis of the present status of racial discrimination in the dynamic fields of voting, public education, and housing. I therefore urge everyone who is interested in the welfare of our country to study the Commission's report, and I hope that it will lend a sense of urgency for the enactment of at least some of the pending civil rights bills.

We have had ample study of the problems and the proposals. Now we need legislative action. America cannot afford to fiddle and dawdle any longer with the burning issues raised by the continued denials of equality and justice under law.

Hamtramck Little Leaguers World Champions

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. MACHROWICZ. Mr. Speaker, while all the attention is drawn to the pennant races in the American and National Leagues for baseball supremacy, one title was decided Saturday, August 29, at Williamsport, Pa. On that date the two remaining teams, representing their respective Little Leagues, from among over 5,000 such leagues across the United States, met in their world championship game.

The two contenders were representatives of the Little League of Auburn, Calif., and Hamtramck, Mich., which is located within my congressional district.

The day was a historical event for Michigan. Though Hamtramck teams have frequently and habitually reached the playoffs. Never before has a Michigan Little League team attained such a high position in Little League play.

In winning their regular league games, these boys have made a remarkable record in attaining their victories. The spirit of competition was keen and their team play was unmatched. In the district, sectional and regional finals they swept through all opposition, scoring over 50 runs while holding the opponents scoreless. Only in the last regional game was the opposition able to score.

In gaining the right to play in the championship game, the Hamtramck boys had to win over the team representing Hawaii. This they did by a score of 7 to 1.

The final game was played in the newly dedicated Little League Stadium. Presiding over the dedication ceremonies was Gov. David L. Lawrence of Pennsylvania, and the stadium honors the memory of Howard J. Lamade, a former director of Little League.

The game was witnessed by approximately 10,000 people, among which were about 150 from Hamtramck, led by Mayor Albert J. Zak, and including many prominent civic leaders as well as the parents of the players. Among the spectators was also another Hamtramck champion, Miss Joyce Pniewski, newly crowned national women's public parks tennis queen, who came to cheer her brother, Greg, Hamtramck's catcher.

One New York television station taped the entire game for later presentation, which was seen the next day in Hamtramck.

The spotlight glitters on Arthur Deras and Sydney Cline. These two have been the backbone of the team in hoisting them to the championship game. Deras has pitched and won all his tournament games by shutouts. He averaged 2.5 strikeouts per inning and allowed only 4 hits in 36 innings as a pitcher. He also was potent with his bat, getting 24 hits in 12 tournament games for a comfortable .686 average. Twelve of his blows were last seen going out of the park for homers. He knocked in 23 runs.

On the other hand, Cline, too, had pitched six victories, four of them shutouts. But while these two were hurling the team to victory, the efforts of the other players should not be overlooked.

The championship game turned out to be a slaughter of the Auburn, Calif., team. The final score was 12 to 0. The Hamtramck team lashed out 13 hits off Bob Sunada, an American-born Japanese youngster who never had lost a game in 4 years of Little League pitching.

The game was pitched for Hamtramck by Deras, who added 13 more strikeouts and slammed a 3-run homer and upped his runs-batted-in total to 26 in championship play.

I am happy to extend my most sincere congratulations to the boys of the team for their wonderful performance in Little League play, an effort crowned by becoming world champions. I would also like to extend these congratulations to the manager and coaches of the team for their interest in youth guidance and their assistance in promoting such wonderful teamplay. I congratulate the parents of these players for permitting the boys to partake in organized play, where they were able to learn the need for working together to obtain the desired victories. Lastly, I wish to congratulate the Hamtramck Recreation Commission for providing the necessary equipment and facilities to permit these boys to play under supervised leadership, thus taking them off the streets and out of trouble.

Hail to Hamtramck, the city of champions.

Nuclear Disarmament and Testing

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, September 11, 1959

Mr. MANSFIELD. Mr. President, in the Christian Science Monitor for September 9, we find "A Capital Interview With Senator CLINTON P. ANDERSON," on the subject "Nuclear Disarmament and Testing." The article was written by Courtney Sheldon, and describes a very interesting interview which he had with the distinguished and knowledgeable Senator from New Mexico, the chairman of the Joint Committee on Atomic Energy. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NUCLEAR DISARMAMENT AND TESTING—A CAPITAL INTERVIEW WITH SENATOR CLINTON P. ANDERSON

(By Courtney Sheldon)

WASHINGTON.—Senator CLINTON P. ANDERSON, Democrat, of New Mexico, outspoken chairman of the Joint Congressional Committee on Atomic Energy with a crucial watchdog and idea-suggesting role in shaping the country's atomic policy:

Questions whether, if an agreement on nuclear weapons testing is not reached with the Soviets before January, we are likely to reach any significant agreement at all.

Feels that if an agreement is not reached, "the United States should continue its test ban on atmospheric shots which are the sole source of radioactive fallout contamination, but, if the Government believes as I do that some further underground shots may be necessary, it should thereafter resume underground testing. I would reserve for the present a decision on high altitude shots."

Are you in agreement, generally speaking, with the way the administration has handled Geneva negotiations with the Soviets over a nuclear weapons test-ban treaty?

"No one likes to be critical of the way his Government has handled a conference with other nations. However, I would have been happier if the United States had not apparently switched its position during the conference.

"We started out trying to reach an agreement which involved the establishment roughly of 180 inspection stations and the complete ban of all types of nuclear testing. We amended our position when we reevaluated certain underground experiments held last fall.

"I would have been better pleased if at the outset we had taken the position the President took on April 13, which was to put the agreement into effect in phases or stages beginning with a prohibition on nuclear weapons tests in the atmosphere, but permitting for the present underground testing and high altitude shots.

"I think the President was on sound ground in making that change and I support his recommendation. It was proper for the President to seek some initial agreement eliminating atmospheric tests and thereby eliminating the fallout hazard. If that preliminary agreement succeeded, we might by successive stages have reached other agreements and eventually arrived at whatever goal this country felt was desirable."

Was it a wise move, in your judgment, for the President to extend the U.S. voluntary test ban beyond the October 31 deadline he set earlier?

"Yes, I think it was a wise move. The decision to continue beyond October 31 was essential in order to keep the Geneva conference from folding. We can now try again."

If no significant progress is made between October 31 and January 1, would you favor resumption of testing in a restricted form—underground, above atmosphere, or limiting testing within the atmosphere?

"If we cannot reach an agreement by January 1, 1960, I question if we are likely to reach any significant agreement at all.

"I think the United States should continue its test ban on atmospheric shots which are the sole source of radioactive fallout contamination, but, if the Government believes as I do that some further underground shots may be necessary, it should thereafter resume underground testing. I would reserve for the present a decision on high altitude shots."

Would it be necessary to do an extended amount of testing to develop the type of small, tactical, limited-war nuclear weapons the military feels it needs?

"On some types of small tactical weapons useful for limited war purposes, I do not believe much more testing is necessary. However, for other more advanced weapons of this nature I believe more testing is essential. Furthermore, there may be concepts of weapons essential to our national defense that have not been even conceived that may require testing as our brilliant scientists from Los Alamos and Livermore discover them. We should not want to tie our hands in this field."

How far ahead would you say the United States is in the development of nuclear weapons generally?

"I would not say. We tested our first atomic bomb in 1945 and the Russians were years behind us. We tested our first hydrogen bomb in 1952 and on that the Russians were only a few months behind us. If they can close one gap that rapidly, they may by now have closed other gaps.

"This is not, however, to imply that our own weapons program is not an excellent one. I believe we are still in the lead. I believe we will maintain that lead, but I do not want to close my eyes to the possibilities that the Russians have also made excellent progress."

Have we maintained our readiness to test well enough so that there would be little lost time if the Soviets suddenly made large scale tests?

"I think so. I believe the teams from Livermore and Los Alamos and elsewhere could swing into action very quickly. Our scientists know what technical problems they want to solve. I think they could proceed rapidly with the solution of them."

Do extensions such as the President has ordered in the test ban increase the likelihood that a suspension of tests will be achieved without a formal treaty; in other words, that neither side will risk affronting world opinion by being the first to resume?

"I am not able to predict what Russia will do when it comes to affronting world opinion. They broke the test ban on November 1 and November 3 of last year by conducting two tests beyond that period. In Budapest they displayed conduct which world opinion did not approve. My guess is that they will resume or not resume when and where it suits their convenience, not the opinion of the rest of the world.

"On our part, however, we can win favorable world opinion by running our tests in a manner that does not further contaminate the atmosphere or further increase the danger and damage from fallout."

What other countries besides France do you feel could achieve the capability of exploding nuclear devices in the next decade?

"The easy answer is how many industrial countries want to do it. We could help a few. Russia could help a few. Some other countries could go it alone. After all, Klaus Fuchs is now in East Germany as Deputy Director to the Central Institute for Nuclear Physics. He could design for East Germany a nuclear device that would explode even though it might not be the last word in destructiveness."

Are you reasonably certain that the Soviets are not now conducting sneak atomic explosions? How good is our detection system in the absence of an international one?

"How can we be certain? The best answer to this question might be the exact words used by the President himself when he announced we would extend the moratorium to the end of the calendar year. In his statement he pointed out that to the best of our knowledge the Russians have not conducted any tests since November 3.

"We have thus far learned that no detection system is perfect in the absence of an inspection team which can examine all occurrences to determine whether they are earthquakes or atomic blasts. We can detect atmospheric shots rather accurately. If those are banned, there won't be too many sneak explosions. Those in the ground would be permitted and hence not violations."

Presentation of Flags to Committee on Science and Astronautics

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BROOKS of Louisiana. Mr. Speaker, recently the Committee on Science and Astronautics staged a historic meeting in its committee room. The occasion was the formal presentation of the American flag together with the Army flag with its 145 colorful battle streamers. On this occasion, the committee was honored by the presence of the Secretary of the Army, the Honorable Wilber M. Brucker, and by the Chief of Staff of the Army, Gen. L. L. Lemnitzer. The entire committee was present and drawn up around our distinguished guests and around the Army color guard.

The Secretary opened the program by presenting to the committee these two symbols of our Nation and its Army with a short speech, a copy of which I am presenting for insertion in the CONGRESSIONAL RECORD at this point:

Chairman BROOKS and members of the House Science and Astronautics Committee, it is a great honor and a genuine pleasure for me to represent the U.S. Army today in presenting the American and Army flags to the Committee on Science and Astronautics of the House of Representatives. Although both of these banners are new, they both symbolize institutions as old and older than the Nation itself.

Our American flag is a familiar and beloved symbol to every red-blooded American. Its history and its significance are known to every schoolchild, and the new, 49th star it bears—signifying the entrance of Alaska into the Union—gives every thoughtful citizen new cause for pride. In this troubled and changing world, when most of the colonial areas and peoples of the world are seeking freedom from old ties, it is deeply significant

that a large and richly endowed area, such as Alaska, should so enthusiastically enter our family of States. The faith, good will, and patriotism reflected in this act betides more future good for America than all the forcefully acquired and subjugated land areas will ever mean to a ruthless conqueror. What greater tribute could be paid to any government than this irrefutable evidence—given freely and without fear or force—of belief in these governmental principles which make our several sovereign States the United States of America.

Our Army flag has been in existence only since June 13, 1956, at which time it was presented to me on behalf of the President by Vice President NIXON. Although many Army units, from groups and corps down to separate battalions, had long had their distinguishing colors and standards, there was no flag, prior to 1956, which was the emblem of the Army as a whole.

This beautiful silken banner is made up, as you see, in our national colors—red, white, and blue. The blue device in the center is the seal of the War Department authorized by the Continental Congress in 1779, which still serves as the seal of the Department of the Army. Above the seal a rattlesnake—reminiscent of the colonial rattlesnake flag—holds in its mouth a streamer bearing the motto "This We'll Defend." The date 1775 shown on the flag refers to the year in which the Continental Congress established the U.S. Army on June 14, 1775, by authorizing 10 companies of infantry to be raised in Pennsylvania, Virginia, and Maryland to march to Boston, Mass., and there be formed into an Army under Gen. George Washington, its first Commander in Chief.

We are tremendously proud of this flag and of the glorious tradition of courage, devotion, and sacrifice in the service of America which it symbolizes. Each of these 145 colorful battle streamers represents one of the campaigns in which the Army has fought during its 184 years of history—from Ticonderoga right down through Korea. What a splendid record of dedication to the security of our national heritage these battle streamers signify.

The Army feels a close kinship with the House Committee on Science and Astronautics. We share your belief in the principle that activities in space should be devoted to peaceful purposes for the benefit of all mankind, and we are partners in your efforts to apply our newly acquired knowledge in this area for national defense, if need be.

With the devout hope that this committee and the Army may continue to work together for the defense of the Nation and the progress of science, I shall now ask General Lemnitzer, Chief of Staff, U.S. Army, to make the official presentation.

Mr. Speaker, this speech was followed by the formal presentation of the Army flag by Chief of Staff, General Lemnitzer, in the presence of four young men in full uniform, color bearers for the Army.

I, as chairman of the committee, replied on behalf of the Committee on Science and Astronautics, accepting these two flags and causing them to be installed at once in their proper place of honor in the committee room. My remarks are as follows:

Mr. Secretary, General Lemnitzer, this occasion is indeed a signal honor to this committee, of which I am proud to be chairman, and I am sure that the distinguished members here assembled join with me in extending to you our sincere thanks for the magnificent flag of our country and of the Army which now stand proudly on our rostrum.

It is most appropriate that, as Secretary of the Army, you should present this committee with our Nation's flag, since the Army throughout our entire history has been in the forefront of the unending struggle of our people to preserve our freedom and to defend it through many wars against enemies who have opposed the principles of human dignity for which "Old Glory" stands.

And when I look at the flag of the U.S. Army, and see the battle streamers that represent 145 campaigns in which the Army has fought, I think of the millions of American men and women, foreign-born or descendants of people from almost every country on earth, who have carried our flag to the far corners of the world and many of whom gave their lives so that we can stand here as free men on this memorable day.

I am reminded, too, when I proudly wore the uniform of our Army in France during World War I. I can vividly recall my deep feeling of pride in seeing "Old Glory" flying above our cantonments and camps, a symbol of hope, encouragement, and ultimate victory for our country in its struggle against imperial Germany.

And again, I am reminded of the World War II and Korean campaigns which will remain as eternal monuments to the courage and unlimited sacrifices of Americans who fought to preserve their way of life, which since the beginning of history has been founded on the bedrock principle of human rights and self-determination for all men.

And now, we are engaged in a struggle that is no less bitter and crucial than those of the past. We are faced with an enemy that abhors everything this country represents, and who has openly and continuously dedicated himself to the destruction of our Nation and the other free nations. At these critical times, the Army continues to be one of our main bulwarks of strength, and a source of great confidence in the future.

We, the members of this committee, are not unaware of the significant and material contributions being made by the Army in this space and nuclear age. We have heard testimony from many important witnesses who have reminded us of the outstanding accomplishments the Army has made in developing operational guided missiles and in placing our first satellites in orbit. We know that our Army stands continuously prepared for any national emergency that may arise and to undertake any task that may be assigned to it.

And now, Mr. Secretary and General Lemnitzer, it is with great pride and reverence that I accept these flags on behalf of the Committee on Science and Astronautics. May they continue to remain for many years to come a permanent part of the committee, giving our members and our staff an increased sense of responsibility and loyalty and inspiring an even greater devotion to our labors here in the committee room. You may be sure that the committee members will be ever mindful of the great heritage these two flags and their battle streamers represent.

Report by Congressman Perkins Bass to the Second Congressional District of New Hampshire on 1st Session, 86th Congress, September 1959

EXTENSION OF REMARKS

OF

HON. PERKINS BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. BASS of New Hampshire. Mr. Speaker, the 1st session of the 86th Congress has adjourned. We are now able to appraise its accomplishments and their effect on the country and the Second Congressional District of New Hampshire, which I represent in Congress. In many respects it was an unusual session, with the opening guns being fired by a newly elected opposition majority and the final battles being won by President Eisenhower, who exerted a vigorous and effective executive leadership on all fronts.

The tone of the session was set early when the President called for a determined effort to fight inflation through a balanced Federal budget of $77 billion, and indicated his desire to correct labor union abuses and waste in the farm subsidy programs. Despite frequent efforts by the majority members to pass bills which carried spending authorizations far above the administration's original requests, the President held the line through a judicious use of the executive veto.

The highlight of the session, of course, was the passage of the Landrum-Griffin labor reform bill. Senator MCCLELLAN'S investigations of racketeering and corrupt practices in certain labor unions had clearly shown the need for some kind of strong corrective legislation to protect the rights of individual workers and to outlaw secondary boycotts and blackmail picketing. Although it seemed doubtful at first whether Congress would be able to agree on a reform bill which dealt adequately with abuses in these areas, public opinion, spurred by the President's last minute appeal, grew strong enough to push through the tough but fair Landrum-Griffin proposal in substantially the form it passed the House. Like a majority of the Members, I voted for this bill, because I felt it was necessary to protect both the public and honest unions from infiltration of corrupt racketeers and power-hungry opportunists. It is equally important to point out there is nothing in this new law which will harm honest labor unions such as we have in New Hampshire. This measure is not a "punitive" or "killer" bill, any more than the Taft-Hartley Act was a "slave labor" bill.

On the inflation front the President and the Republican minority in Congress fought hard to keep spending authorizations down to the level required for a balanced budget. The tug of war over spending became particularly apparent to me as a member of the House Banking and Currency Committee. Some of the more controversial big spending bills, such as the area redevelopment bill, the Community Facilities Act, and the original omnibus housing bill, were debated extensively in our Committee, with the Republicans, including myself, generally opposing excessive spending authorizations.

In all these areas the administration proposed reasonable programs which would do the job without unbalancing the budget. Unfortunately, in almost every instance, the Congressional majority insisted on pushing through proposals with price tags which would have hopelessly unbalanced the budget. That is the main reason why the President,

for example, vetoed the first two omnibus housing bills. At the end of the session the Congress wisely passed an adequate housing bill in line with the President's recommendations.

As in previous sessions, the farm problem returned this year to haunt the Congress and the public in general. It seems tragic to me that we have been unable to find a common sense solution to the problem of mounting farm surpluses. Using taxpayers' funds to buy up these surpluses only aggravates the problem, and I have thought it better to eliminate farm price supports altogether. Farm surplus crops owned by the Government and in storage now total the astronomical figure of $9 billion—85 per cent of which is in cotton, corn and wheat. In the current fiscal year the Federal Government is expected to spend $4.5 billion for direct price support activities, of which nearly $1 billion will be for storage, handling, and interest charges alone.

This is a disgraceful situation and is the chief reason I voted against the opposition-sponsored wheat and tobacco price support bills which the President eventually vetoed. The feed grain price support bill, for example, would have added an additional $140 million to the already staggering farm bill this Nation is footing.

On a more positive side, Congress passed the Hawaiian statehood bill, after many decades of debate and controversy. Those of us who supported statehood for these islands were particularly proud of the recent election results there which showed that some 93 percent of the Hawaiian voters went to the polls. This in itself was a remarkable proof of their political maturity and fully justifies the wisdom of granting statehood to these friendly and energetic people.

Late in the session a compromise highway financing bill was approved, providing a temporary 21-month Federal gas-tax increase of 1 cent. The program which Congress agreed to after months of consideration will temporarily solve the pressing financial crisis in the highway trust fund by placing it on a pay-as-you-go basis, at the same time calling for a moderate stretchout in construction of the 41,000-mile road system.

Congress also earns a "well done" for passing legislation authorizing U.S. participation in an Inter-American Development Bank. Once established, this Bank will make long-term low-interest loans to South American nations, providing them with badly needed development capital. I personally favor this type of development agency, for it shifts foreign aid from a grant to a loan basis, making it a sounder and more business-like proposition.

Congress deserves credit, too, for much solid work on the annual appropriation bills which must be painstakingly dealt with each session.

Adequate funds were provided for the Armed Forces and for missile development.

New Hampshire residents will be particularly pleased that Congress approved a $3,225,000 appropriation for the construction of a consolidated Army Cold Regions Engineering Laboratory at Hanover. The laboratory will be a boon to the Hanover region, as well as to the Second District in general. The entire New Hampshire delegation worked long and diligently to get this project located at Hanover.

On the whole, Congress did its usual competent if unspectacular job in dealing with the incredibly complex task of providing funds and shaping policy for the world's largest Government. Most of its day-to-day work goes unnoticed by the public. But the work is done, nevertheless, and generally done well. On the question of labor reform, Congress showed that it was responsive to the will of an aroused people.

During the recess, I will conduct office hours in the cities and larger towns in every county of the Second District. I hope as many of you as possible will stop by during office hours in your area to get acquainted and discuss problems.

Arms of Friendship, Inc., a Constructive New Force for Peace

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, September 11, 1959

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement, prepared by me, relating to the reduction of tensions between the United States and the Soviet Union.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCOTT

The subject uppermost in everyone's mind these days concerns the reduction of tensions between the United States and the Soviet Union. It is with this highly commendable objective in mind that our State Department arranged for our American exhibit in Moscow and for Soviet citizens to visit our country under the cultural exchange agreements. It is the reason for President Eisenhower's visits to Germany, England and France, and for the exchange of visits with Mr. Khrushchev. I approve and applaud these efforts and all of us hopefully look for a more favorable trend of events so we may no longer live under the threat of war.

It is true that a possible nuclear war would bring frightful disaster and losses to both the United States and the U.S.S.R. It is true that international communism is committed to ultimate world domination and that the leaders of this cult are acknowledged atheists, uninhibited by moral codes. Let us also remember that through politics, propaganda, and a Machiavellian version of public relations, 800 million of the world's population and one-fourth of the earth's surface has vanished behind the curtain of Communist domination in the past 40 years. We cannot afford to disregard lightly the threat posed by that aggregation of men, money, and technique. All of our people—on the farms, in the cities, and in industries need to remember that the Soviet dangers have not ended merely because the Iron Curtain has been lifted just a little bit.

We seek new solutions to the existing impasse with the Soviet Union, to find, if possible, a fresh and sound approach which can change the pattern of our diplomatic stalemate and which can be a constructive new force for peace. I have been informed of such a program, based on years of study and already justified by its first fruits. I am especially happy that it is not a Government plan but one supported and carried out by private individuals. Such a plan has many advantages, since it can act directly, rapidly, avoids long delays, can be positive, flexible, and handled in a personal manner by a small group.

I refer to the organization named Arms of Friendship, Inc., of Philadelphia, which was organized by friends of mine after detailed and exacting research at Temple University under that distinguished educator and president of that institution, Dr. Robert L. Johnson. A few of the other outstanding Pennsylvanians who have helped in the creation of this organization are Mr. George D. Widener, Mr. Henning W. Prentis, Jr., Mr. Walter D. Fuller, Mr. John A. Diemand, Mr. William T. Carter, Jr., Mr. C. Mahlon Kline, Mr. Edgar Scott, as well as city officials. The organization grew out of concern over U.S. activities in the cold war. The basic question researched was whether or not private citizens could, through intelligently planned programs, help reduce existing tensions with the Soviet Union. This was before President Eisenhower initiated his people-to-people program which has been so well received, but the conclusions reached are in accord with the President's ideas.

The research explored in great detail the conduct of American-Soviet relations. The seminars and discussions held and the testimony and evidence gathered gave a clear picture of the problems confronting our people. Synoptically stated, the conclusions were that a real need exists for private individuals actively to seek out personal contacts and establish friendship with individual Russians. This was concluded to be a practical down-to-earth method of helping reestablish the trust and understanding that appears to have been lost between Americans and Russians. This type of effort was concluded to follow a positive and constructive path to lasting peace. The frightening alternative to such efforts is, ultimately, war.

The research brought out many facts to which few of our people have given much thought. The Russian people suffered much from the disasters of war. Hence, they desire peace just as we do. They are motivated by the same aspirations as we are. The same fears, hopes, and longings influence their lives. Their family ties are close. Like all people in all lands, the Russian parent wants his children to enjoy a happy and successful life. The Russian people are patriotic. They love Mother Russia and they have legitimate reasons to be proud of their land, their culture, and their science. They would like peace in their time, and they look to the future for continued improvement in their living standards.

The considerations on which Arms of Friendship was founded are obviously true. Some of the existing differences with the U.S.S.R. have undoubtedly resulted from the distances that separate us and lack of information of each other. How could this problem in understanding be solved? Was it possible that, at this date in history, new conditions exist which could change the past pattern of diplomatic debacles? Was it possible that the time is approaching when diplomats who fail to achieve their ends by logic or before a court of world opinion, such as the United Nations, may no longer be able to use as the final act of diplomacy the threat of force? That marching men, roaring cannon, and atomic weapons may one day no longer be available to the whim of despotic and uncontrolled leaders? The research conducted by Arms of Friendship

concluded that that day is coming swiftly, and that real peace can be brought closer and ultimately realized by creating better understanding, closer ties, man-to-man contact, respect, trust and friendships between Americans and Russians, particularly ex-servicemen, combat veterans, reserves, retired, and other such military men of the United States of America and the U.S.S.R. It maintains that the similar experiences and knowledge of war of such men and women make possible a mutual understanding and desire for peace which transcends differences in language, nationality and ways of life.

Unless ingredients of conflict are replaced by feelings of understanding, trust, and friendship between Americans and Russians, war is almost certainly the ultimate outcome. And just as the winning of war requires the coordinated effort of most of the people of the Nation, the preservation of peace is concluded to be a responsibility of the people.

Now these conclusions reached by the studies conducted at Temple University are certainly challenging. After all, it is not wealth or wheat, steel, oil, or our vast facilities of transportation and communications that is the most important product of any country. It is the people, and if they get to know each other it seems to me that the problems that lead to war might be resolved.

The basic theme and concepts of Arms of Friendship are in accord with the views of the late Honorable John Foster Dulles. Speaking in behalf of people-to-people efforts of this nature he made the following significant statements: "The individual should be the basic source of the movements, the efforts, the trends that take place in the world. We all know how problems become readily soluble if you are operating in a favorable climate and favorable atmosphere. You (our people) have got the job of making it clear throughout the world that freedom is the preferable form of society. And if you by your works make that clear, then the problems that come up day by day will be soluble by your government. If you can't make that clear, then they will become insoluble and all the things we have stood for since our Nation was founded will go down." And while speaking of the need to liberate the forces of freedom through individual effort, he emphasized that "the process must be made one of evolution and not one of violent revolution."

In evaluating the worth of efforts of this nature we should remember that the people of the Soviet Union are created by the same God that we worship. They have the same capacity for recognizing right and wrong that we do, and possess the same instincts and aspirations. Unfortunately, they have been cut off from the rest of the world for some 40 years. They have been denied free knowledge of other countries, and the resulting ignorance could lead to disaster. There is an obvious need for us to convey to the people of Russia the truth about our country, our people, and our objectives as we seriously seek to eliminate the dangers of war.

Arms of Friendship is facing the problem realistically. Its positive efforts include a travelers' program, letter-writing contacts, a plan for the exchange of meaningful gifts and a program for the dissemination of useful information concerning the rehabilitation of disabled veterans. It has initiated forceful and effective people-to-people contacts between veterans of the United States and veterans of the Soviet Union. The limitation to veterans has been made in order that the activities being undertaken may be most effective and yet be kept within manageable proportions. After all, the veterans of both nations had similar war experiences, readjusted to civil life at the end of the conflict, and are now coming to positions of increased responsibility in the economic, scientific and civic areas of both countries.

Arms of Friendship recently sent two groups of veterans to Russia to explore the practicality of their efforts. The travelers included a senior retired general and an admiral, two past commanders of the American Legion, the national commander of the Jewish War Veterans, the national commander of the AMVETS, the past commander of the Disabled American Veterans, and a past commander of the Catholic War Veterans. These men represented without portfolio several million of our fellow Americans. The groups were accompanied by four Russian-speaking veterans, which enabled them to move about without dependence on Intourist guides, and in this fashion they were able to sample public opinion. They brought back convincing testimony of the need for concentrated effort to reach the average Russian with the truth. The following extract from Mr. Lewis K. Gough's report concerning his trip—forwarded from Europe—is synoptic of the views of all who made the trip: "I was amazed that the people have retained as much friendliness and receptiveness toward us as they have, in view of the propaganda techniques to which they are subjected. Their strong basic friendly feelings give me higher hopes for peace than before I went to Russia. Russia is not black or white and those who emphasize either the very good or the very bad, do us a disservice. Talking to them may prevent fighting them in a war in which there could be no winner, and they must understand the alternative as we do, and the world at large."

The evidence seems clear that there is a job to do and that the programs of Arms of Friendship are practical. The average Russian has heard only Soviet propaganda that the U.S.S.R. wants peace and that the United States is for war. They need to know how we live and that we would like to see them enjoy the same surplus of consumer goods that is available here. They need to learn the facts about other countries they are denied knowing by restrictions on radio programs and news media from the outside world. The groups of veterans that I mentioned brought back many examples of the insatiable appetite for honest factual information. In one city an intelligent, highly trained, Russian master carpenter asked Mr. William Gill, past national commander of the Catholic War Veterans, if it was true that American carpenters could earn enough money to own their own automobile. Such ignorance is both pathetic and dangerous. The only way to fill this vacuum is through direct people-to-people contacts.

Arms of Friendship has been granted tax exemption in recognition of the objectives being undertaken, and the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Jewish War Veterans, and the American Veterans of World War II have all passed resolutions supporting the efforts of this organization. To the best of my knowledge, it is the only private nongovernmental organization that is contributing practical help toward solving our differences with the U.S.S.R. Given the proper financial and moral support, it can make a tremendous contribution toward stemming the flood of communism across the world and preserving peace with honor. In these days of back-breaking military budgets, which must inevitably get increasingly heavier with the evolution of weapons, efforts of this nature which are sponsored by men of unquestioned integrity deserve widespread public support.

The primary office of Arms of Friendship, Inc., is located at 4150 Henry Avenue, Philadelphia, Pa., and its board of directors is headed by Gen. Jacob L. Devers (retired), who commanded the 6th Army group during World War II; Gen. John E. Dahlquist, Gen. Charles L. Bolte, Adm. Richard L. Conolly, Adm. H. Kent Hewitt, Lt. Gen. Ira C. Eaker, and Lt. Gen. Williard S. Paul are typical of the military representation.

Mr. James A. Farley, Dr. Robert L. Johnson, Mr. George D. Widener; Mr. Colby M. Chester, Mr. Henning W. Prentis, Jr., Mr. William L. Clayton, the Honorable Richardson Dilworth, mayor of Philadelphia, three past commanders of the American Legion, and Miss Chloe Gifford, president of the General Federation of Women's Clubs, indicate the type of civilian leaders lending their support.

In conclusion I want to emphasize my support of people-to-people contacts such as those being carried out by Arms of Friendship. In this changing world it seems to me the benefits of peace may be within our grasp. If people can get to know each other, they will discover they have more of common interest than differences justifying quarrels. They are certain to seek methods short of war in resolving their conflicting interests. As President Eisenhower said a short time ago, "The problem is for pepole to get together and to work out not one method but thousands of methods by which people can gradually learn a little bit more of each other. What we must do is to bring the family of Russia closer into our circle. * * * In this way, I believe, is the truest path to peace. All of the other things that we do are merely holding the line while constructive forces of this kind take effect. There is no more important work."

Advice and Consent

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, September 11, 1959

Mr. MANSFIELD. Mr. President, in the September 17 issue of the Reporter, there appears an article entitled "The Advice and Consent of J. WILLIAM FULBRIGHT," written by Sidney Hyman. I believe the article is worthy of the attention of the Senate; it gives the views of the distinguished chairman of the Foreign Relations Committee vis-a-vis those of the committee and, for that matter, those of the Congress and the executive branch, on questions of foreign policy. It emphasizes, once again, the keen sense of responsibility which has always actuated the thoughts of Senator FULBRIGHT in his relations with the executive branch of the Government and his feelings on the separation of powers. I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ADVICE AND CONSENT OF J. WILLIAM FULBRIGHT

(By Sidney Hyman)

Several of the newspapers I read have compared the hero's welcome President Eisenhower received at various stops on his European trip with President Wilson's experience there 40 years ago. In view of what the U.S. Senate did, after Wilson's return, to deflate his personal triumph among the Allies, it seemed worth whole to discuss President Eisenhower's present standing in

Congress with a central figure in that relationship, Senator J. WILLIAM FULBRIGHT, Democratic chairman of the Senate Foreign Relations Committee.

Given the fact that FULBRIGHT has little in common with Henry Cabot Lodge, a repetition of the 1919 debacle is obviously unthinkable; so I began by asking the Senator if he felt that the President's hand was greatly strengthened in foreign affairs by the support he can count on from Congress, even though it is controlled by the opposition party. With a wry smile, the Senator conceded that it might make some difference. But he went on to say that he has a pretty clear idea of the limits of his own power and doesn't expect any applause for not exploiting the nuisance value of his job. For Senator FULBRIGHT, the principal concern is how to get things started, not how to stop them.

Unlike many other Senators caught for an interview at day's end, FULBRIGHT has the grace to remember that he is not addressing a vast congregation. He actually converses with his interviewer and, above all, he respects the fact that the simple declarative sentence is the greatest invention of the human intellect. This, then, is a report on the uses to which he put that singular invention in an hour of twilight talk.

THE SENATE'S JOB

Senator FULBRIGHT finds some grounds for comfort in the fact that Christian Herter, a trusted friend, now sits at the head of the State Department, ably backed up by another trusted friend, Under Secretary of State C. Douglas Dillon. But he is disturbed by the degree to which these good and generous men are hemmed in by a set of distinctly parsimonious policies—policies that proceed largely from a passion for economizing and a timid interpretation of the Nation's economic potential. The decline of American power since 1953 has not been arrested. The self-inflicted national wounds resulting from a wrong order of national values and priorities have not been healed. The strains within the Grand Alliance have not lessened, while the Soviet Union, with Communist China hot on its heels, daily grows in strength.

But Senator FULBRIGHT's most pressing day-to-day problem is how and where to draw a frontier line between the powers of the Executive and the Senate, so that our national-security policies can be formulated and executed in a way that is both responsible and responsive to the needs of the Nation.

Unlike some of his predecessors, FULBRIGHT is convinced that the Senate is not structurally equipped to play any major role in the day-to-day management of foreign affairs. When it tries to do that, especially under modern conditions of coalition diplomacy, it only multiplies disarray at home and confusion abroad. The management function, he feels, is by its very nature executive in character. The Senate therefore must not only place itself under a self-denying ordinance when it comes to the mechanics of diplomacy, but must help arm the executive with competent means and authority to bargain, to maneuver, and to seize any fugitive opportunity cast up by the shifting tides of world events.

The Senate, by keeping its distance from the executive, can be an effective instrument of public education; it can define and clarify the zones of the feasible, the areas of the negotiable, thereby assuring that the executive, when it decides to act, has the fullest support of public opinion. On its own, moreover, the Senate can bring its social inventiveness into play by formulating the policy objectives to be pursued around the world, while leaving the executive complete freedom as to the timing and tactics. In other words, the function of the Senate, and of the Foreign Relations Committee in particular, is to try to be the conscience of the executive—without in any way indulging in the frivolous delusion of coequality.

Here is how the theory has worked out in practice recently. Senator FULBRIGHT was not informed before the public announcement that President Eisenhower and Mr. Khrushchev had agreed to an exchange of visits. Nor was he informed in advance that President Eisenhower meant to go to Europe. Nevertheless, as Senator FULBRIGHT had himself previously contributed to the climate of opinion which made these events possible, he felt no affront to his personal dignity when events unfolded as they did. Things would surely have been very different if a man like Arthur Vandenberg—or even Tom Connally or Walter George—had not been sent word in advance.

THE VETO PRESIDENT

None of this is to say that Senator FULBRIGHT feels that the President, now billed as "the new Eisenhower," is without fault or flaw. "In domestic matters," FULBRIGHT remarked, "what passes under the adulatory name of the 'new Eisenhower' is really the old one whose essential strength lay in not initiating new things, but in stopping the new things others tried to put in motion. He has been the veto President all along; only now, instead of exercising the veto behind the covering screen of men like Secretary of the Treasury George Humphrey, Sherman Adams, or the successive budget directors, he is compelled by circumstances to do it in his own name."

Senator FULBRIGHT adds that a veto President is not inherently better or worse than a prime mover President. Changing times and cases may call for one and not the other. "What is misleading," he says, "is the polemics of the current case. The administration is trying hard to pin a 'won't do' tag on the present Democratic Congress, as if it were just like the Republican-controlled 80th Congress President Truman successfully anathematized. The two are really as different as day and night. The Republican 80th Congress vetoed or scaled down the proposals for comprehensive domestic legislation involving such matters as inflation control, tax revision, and the liberalization of minimum wages and social security benefits. All these measures had reached Congress on the initiative of President Truman. In the present Congress, the proposals for comprehensive legislation in domestic matters are coming from the Democratic Members, only to be knocked down or scaled down by a vetoing Republican Presidency. If the 'won't do' label in domestic matters is to be stamped anywhere, it ought to be on the White House."

In this connection, Senator FULBRIGHT believes that the administration is guilty of something more than mislabeling. He feels that by citing the danger of inflation as a ground for vetoing all moves toward a stepped-up rate of economic growth, it is crippling the Nation's power to attain the diplomatic goals that the administration itself has set: "If we assume that the cold war is moving into a new dimension where the grounds of battle will be economic in character, then the domestic economic strength of the parties to the conflict and the priorities they assign to their productive resources may be of decisive importance. To the extent that the administration fails to increase its sources of revenue either through taxes or through an expansion of the economy, to that extent will it prejudice the Nation's chances of victory in the new dimension of the cold war which seems to lie ahead."

Turning from the domestic to the oversea background for the "new Eisenhower," Senator FULBRIGHT paused to recall how the Republicans indicted President Franklin D. Roosevelt for having practiced the same brand of personal diplomacy. "I am not at all sure what the phrase means," he said, "except that I know it was invested with a full quota of sinister significance. Now, of course, we are treated to the spectacle of President Eisenhower being hailed in the act of practicing personal diplomacy. I don't think it is the next worse thing to original sin. Quite the contrary, I have long favored the sort of personal exchanges now underway. My point is merely about the ironies of the situation."

And he continued: "When you stop to think about it, isn't it also an ironical commentary on the disarray within the NATO alliance when responsible leaders of European powers should need a reassurance from a President of the United States that he will not deal behind their back in his meetings with Mr. Khrushchev? But leaving irony aside, I welcome all evidence that in the field of foreign affairs we are seeing not a 'new Eisenhower' but the 'Ike' of pre-1952 Republican convention days. The 'Ike' of those days embodied in his person the whole spirit of what NATO was meant to be. He was the prophet of warning and encouragement, the negotiator of operating agreements where each member nation could see that its own national interest was best served in the context of a security arrangement that served simultaneously the national interest of every other member. His renown was vastly augmented by that fact. And if now he returns to the scene and source of the accomplishments which carried him into the White House, and if he there sets in motion the material programs necessary to restore the integrity of his earlier accomplishments, the actions which will add luster to his name will also add strength to the Grand Alliance."

TAKE HIM TO OUR LEADER

When the fact of Mr. Khrushchev's impending visit came into the conversation, Senator FULBRIGHT observed how often democracies are inclined to invest their dictatorial rivals with omniscient powers. When Adolph Hitler was at the height of his harassing business, for example, the belief took hold among his intended victims that everything he did was thought out to the last chapter, and subject to his personal control at every step along the way. He had placed everyone on an automatic chess board, and everyone must inevitably move according to a master plan of his own design. Only afterward, when the Nazi war records were available for study, it became clear that he was often swept along by events that caught him by surprise and carried him in directions he had no intention of going. It also appeared that he was an incredible blunderer.

"It would be well to remember," FULBRIGHT said, "that Mr. Khrushchev too can be swept up and carried along by external forces over which he has no control. He can also fall into gross errors of judgment. It is quite possible that what he thought would happen when he precipitated the Berlin crises was very different from what actually did happen. In any case, it is as much to our own interest as it to his to keep open the avenues on which we may move toward tenable positions that are alternatives to war."

Nevertheless, the Senator felt that the advance buildup given to the impending Khrushchev visit in the press might serve to activate what is always a latent danger in a democracy that has been subjected to a long period of stress. The danger is that the public, impatient for quick relief, will make its impatience a source of embarrassing pressure on its leaders when actual negotiations take place.

"It is important to bear in mind," he said, "that the impending visit has not altered

a single item in the quotients of world power. It is the beginning of a procedure for protracted conversations, and nothing more than a procedure. It does not mean that we no longer need a strong and versatile Military Establishment. Much less does it mean that we can do without an aggressive, articulate foreign-aid program.

"What we urgently need, if there is to be any continuity in that kind of program, is long-term planning. What we now have is a system of appropriations on a hand-to-mouth basis that is both wasteful and inefficient. When this comes to the notice of the American public, it is followed by a great outcry against the whole concept of foreign aid. This is rather like putting hobbles on a horse and then beating him because he won't run faster."

In the coming parleys with the Russians, Senator FULBRIGHT, as always, is firmly convinced that only the Executive, and in this case the Chief Executive, can speak for the Nation. To be sure, the chairman of the Senate Foreign Relations Committee may prod the Executive to move in certain areas, as he did recently with his declaration about the need for new policies in the Middle East. But the Senator already insists—and this is particularly important for foreigners who may have heard just enough about Wilson and Henry Cabot Lodge to develop a profound misunderstanding of our balanced system of Government—that it is up to the Executive to assume the actual burden of conducting foreign affairs, whether they be mere conversations or serious negotiations. The job Congress has to do is big enough, and it has nothing to gain or to contribute when it tries to act like a back-seat driver or a camp follower.

Final Report, 1st Session, 86th Congress of Hon. John H. Dent, of Pennsylvania

EXTENSION OF REMARKS
OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. DENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit my newsletter for the month of September 1959:

FINAL REPORT, 1ST SESSION, 86TH CONGRESS

This report will try to summarize our efforts, good or bad, as this session comes to an end.

One thing that will stand out of course will be the record of Presidential vetoes.

In every case of a veto the record shows that the item vetoed meant "something for the people."

The ill-advised and unsubstantiated claims of this administration that such vetoes were in the interest of a balanced budget and anti-inflationary period are not borne out by the record.

The items vetoed included housing, public works, area redevelopment, municipal facilities efforts, etc. Some were vetoed directly, others by veto threat.

The increased interest rate and increased foreign aid demanded by the President would pay for all the housing, area development, and public works supported by the Democratic Congress.

Never in our recent history have profits and property been given such a high priority over people as they have during the session of Congress by a President of the United States.

These are the acts passed by your Congress and the record on the major issues:

TAXATION

Corporate income tax: 52 percent rate extended to next July 1.

Excises on alcoholic beverages, autos, auto parts and accessories, and cigarettes: Extended to next July 1.

Tax on local telephone service: Repealed as of next June 30.

Transportation tax: Reduced from 10 to 5 percent as of next June 30.

Life insurance company taxes: Income tax rates adjusted and new levies imposed on underwriting profits and investment income to raise $215 million. Gas tax was increased one-half cent for 22 months.

BUSINESS AND GENERAL

National debt limit: Raised $2 billion to $285 billion, with temporary increase to $295 billion until next June 30.

Hawaii: Admitted as 50th State.

Airport program: $63 million matching Federal aid to States authorized annually for fiscal 1960 and 1961.

Antitrust: FTC cease and desist orders under Clayton Act made finally effective 60 days after issued unless stayed by appeal; FTC permitted to seek penalties for first violation of such orders instead of waiting for second offense.

Bank reserves: Federal Reserve Board permitted, but not required to allow member banks to count all or part of vault cash as reserves; Fed also given discretionary power to ease individual bank reserve requirements in special situations and to eliminate "reserve city class" of members within 3-year period.

Renegotiation Act: Extended to December 31, 1962, with provision for recovery of excess profits on defense contracts. New study of procurement and renegotiation policies authorized.

Veterans' housing: $100 million in direct housing loans authorized; GI mortgage rate raised from 4¾ to 5¼ percent.

TVA: Authorized to issue up to $750 million in revenue bonds on its own for power facilities; territorial expansion forbidden.

Rail workers: Pension and jobless benefits increased under Railroad Retirement and Unemployment Acts.

Labor: Passed Landrum-Griffin bill.

Public works: Was vetoed two times—finally passed over veto.

Passed one-half percent increase for family bond interest only.

Finally passed housing bill as President wanted it—leaving out school classrooms.

NATIONAL SECURITY

Foreign aid: $3.5 billion authorized, including $2.1 billion in military assistance.

Loans of naval vessels to Italy and Turkey: Approval extended to 1964.

Draft Act: Continued to July 1, 1963.

Navy ship construction: $110 million authorized for fiscal 1960 to develop advanced vessels.

Import duties and taxes on scrap metal: Suspension continued to next July 1.

Subscription to International Monetary Fund: Increased $1.4 billion; to World Bank—increased $3.2 billion.

Above and beyond all other legislative actions by this, the 86th Congress, history will record the Landrum-Griffin bill as the most restrictive and confusing act ever passed by a U.S. Congress against the free American labor movement.

This act passed final the Friday preceding Labor Day with some of the most critical charges ever made on the record, against labor leaders, labor practices, and, in general, the unions of this Nation.

On Monday, September 7, 1959, 2 days later, a less vociferous and somewhat calmer Congress passed the following resolution (unanimously):

"A TRIBUTE TO LABOR

"Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House concurrent resolution, as follows:

" 'Whereas American labor has raised its standards of productivity to heights unequaled in world history; and

" 'Whereas the efforts of American labor have brought to this country a standard of living that has no parallel; and

" 'Whereas American labor has served the Nation in peace and war; and

" 'Whereas American labor has been a bulwark of freedom; and

" 'Whereas the first Monday in September is traditionally set aside to commemorate the services of working men and women to our Nation; Threfore be it

" '*Resolved by the House of Representatives (the Senate concurring)*, That the Congress does hereby express its deep realization and appreciation of the basic role that labor plays in our economy and of the contributions that American working men and women have made to America's well-being.'

"The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

"There was no objection.

"The SPEAKER. The question is on the House concurrent resolution.

"The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table."

Not doubting the sincerity of the sponsors and of Congress as a whole, one could not help but note the sober, serious and subdued atmosphere in the House on Labor Day.

To one who had heard the speeches, the Jack Paar show, the President's speech, the McClellan hearings, the radio, television and newspaper coverage of the preliminaries preceding the final passage, the passage of the above resolution was an example of the conflicting emotions that dictated the final vote on the Landrum-Griffin Act and also it showed the neat dexterity and shifty footwork of the American politician.

I don't think the American workingman will be fooled by this resolution because if the American workers measures up to the praises of this resolution, he could not be what the Landrum-Griffin bill says he is, a second class citizen who needs to be told whom he can elect to office, how he must spend his money, when and where and what he can say to his fellow worker, what kind of a contract he can negotiate with his employer, how much his union can loan him for an emergency, gives him the dubious privilege of being an accuser and informer, with the promise of secrecy and reward, even if his union officers have not violated the law, but are about to violate and he has no proof nor does he need evidence of wrongdoing.

It further denies him the right to make and carry his own signs proclaiming unjust unfair treatment by his or any other employer, but he may pay for advertisement in a newspaper.

It gives him the right to coerce, intimidate and bulldoze his fellow worker any time, any place if he is attacking and belittling his own union officers, but makes it a crime if he does the same thing against an unfair employer.

This new "Magna Carta" as one Congressman hailed it, gives labor a few more rights that might be considered by the fair-minded American when he is analyzing this act of Congress.

It allows all workers on a construction job to refuse to go through a picket line at a construction except a truckdriver who belongs to the union.

It forbids all other unions except the garment workers from signing a hot cargo contract.

It forbids all other unions except certain trade unions in the construction industry from requiring union membership a requisite to work for any given employer.

It raises the dues of every union in America in order to pay lawyers, accountants, etc. if that union doesn't already have such services.

In every section of this so-called labor reform bill, it provides for attorney fees (out of the workers' pockets) and further excludes from the reporting provision all attorney actions in labor relations under the broad term of "attorney-client" relations.

No person wants to disrupt this great institution of attorney-client relationships, but this lets management continue the abuses practiced by the Sheffermans, Teitelbaums, and others whose actions were exposed and condemned by the McClellan committee.

Every union in this country will be compelled to revise or change its constitution and/or bylaws or find itself, its officers, and even its members in contempt of the law.

Last, but not least, it wipes out the one saving grace of the Taft-Hartley Act which gave union members as well as those seeking to join unions the protection of the services of the Federal courts and turns back to tender merciless and perilous justice so often found in local courts.

This power, long sought by the NAM and chamber of commerce can make a mockery out of any attempt by the underpaid, underprivileged workers in our Southern States.

Uncurbed, unrestricted use of the injunctive weapon has and will again create abuses against free labor that will not only stop any advances in their workers' living standards, but may very well lower them.

With all due respect and my personal high regard for the sponsor, Majority Leader JOHN MCCORMICK, of Massachusetts, I can't help but compare the high sentiments on Labor Day and the low esteem contained in the Landrum-Griffin bill 2 days previous when I think of the American worker, your father and mine, this week of Labor Day, Year of our Lord, 1959.

Sincerely yours,

JOHN H. DENT,
Member of Congress.

A Strong Domestic Minerals Industry Necessary to Our National Security

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I cannot stress too strongly the importance to our national security of a strong domestic minerals industry.

Our Government has, to some extent, recognized this importance. It has taken steps to prevent the undermining of certain segments of the minerals industry. Restrictions have been placed on imports of foreign oil, quotas have been established on imports of lead and zinc, and tariffs have been put into effect on copper and many other materials.

Additional measures are now being seriously considered. Legislation has been introduced to tighten the quotas on lead and zinc. Further legislation is pending to set up a system of quotas and price support for fluorspar. Other proposals are under consideration.

However, no consideration has been given to the plight of the domestic sulfur industry, an industry which for the past five years has been subjected to drastic price cutting by Mexican producers and to flooding of domestic markets by foreign sulfur.

On top of this, the industry is now confronted with large Government-sponsored sulfur production in France and with the prospect of even greater production of sulfur from sour natural gas in Canada.

The French production is part of a huge industrial complex which is controlled by the French Government by virtue of its ownership of a majority of the stock and which is largely financed by long-term government loans.

In fact, the development of most of the Mexican production was aided by loans from our Government. The Export-Import Bank put up almost $10 million to help some of the sulfur mining companies in Mexico get started in 1954.

By 1958, the Mexican industry, using the same Frasch hot-water process as that developed by the U.S. industry, had captured 16 percent of the U.S. market and 25 percent of the export market for Frasch sulfur. Last year the Mexican producers flooded this country with 600,000 tons of cheap sulfur and the export market with an additional 460,000 tons, all at the expense of the U.S. producers.

To make these inroads, the Mexican industry carried price cutting to an extreme degree. After U.S. producers had been forced to make substantial reductions in their own prices to try to meet this competition, the Mexican producers cut their prices even lower. I understand that the actual price of sulfur is now little above the level in the depression of the early 1930's and that it is selling at the equivalent of a cent a pound.

The loss of business to the Mexicans has been reflected in earnings of the U.S. sulfur industry. Stockholder reports of one domestic producer show a 52-percent drop in net earnings between 1956 and 1958. Another producer saw net income from sulfur sales decline more than 25 percent in the same period. A third producer's net dropped 145 percent from a profitable year in 1956 to a loss of well over one-half a million dollars last year.

As recently as this past July, the largest U.S. producer announced that it had to lay off 10 percent of its Texas labor force and could see no chance of rehiring the workers in the near future.

Yet, all the while, profits and production in Mexico have been increasing. The largest Mexican producer, moreover, announced recently that it plans a further substantial increase in production.

How have Mexicans been able to slash prices and thereby grab so large a share of the market in so short a time?

The answer is cheap labor, cheap shipping costs and special tax advantages.

The cost of labor is one of the largest expenses a mining company faces, and any saving in this area gives a producer a considerable advantage over his competitors.

A comparison of Mexican and United States wage scales is staggering. Trade surveys show that laborers at the mines on the Tehuantepec Isthmus are paid about $1.88 a day, while the rate for a comparable job in Texas and Louisiana is between $16 and $17—about nine times as much.

The Mexicans also have special shipping advantages. Domestic sulfur shipped to consumers on our Atlantic and Pacific coasts must by law be carried in U.S. vessels, which pay high American wages and charge high freight rates. In contrast, Mexican sulfur comes to U.S. ports in foreign vessels which have low wages and freight rates.

The difference in shipping costs is substantial. For example, in the first half of this year, it cost $6.50 per ton to ship sulfur from Texas and Louisiana to New England. At the same time sulfur was moving from Mexico to New England at rates as low as $2.25 per ton.

Other special advantages enjoyed by the Mexican producers include lower property taxes and production taxes of less than one-fourth those paid by U.S. producers.

While the large sulfur mines in Texas and Louisiana can no doubt withstand this onslaught, the smaller mines cannot survive against this cutthroat competition. And once a mine is closed it is almost always lost forever because of the high cost of reopening it.

Mr. Speaker, I submit that to let such mines wither and die is incompatible with our Government's avowed policies of encouraging the development of domestic mineral production and of conserving our natural resources. Nor is it compatible with national security. In peace and war, sulfur is no less essential than oil or steel. It is, in fact, vital to the processing of both these key commodities, just as it is to the making of fertilizer, chemicals, rubber, rayon, paint, pulp and paper, and a host of other necessities.

Although sulfur is seldom seen in the final product which it helps to produce, it enters at some stage in the production or processing of virtually everything we eat, wear or use. Our industry and agriculture could not exist without it. Thus, the maintenance of a sound domestic sulfur industry is a matter of vital national interest.

My purpose in presenting these facts is to draw the attention of everyone concerned with our natural resources to a situation which needs correction.

I strongly urge that serious consideration be given to the establishment of import quotas on sulfur similar to the restrictions placed on foreign oil and to the quotas in force for lead and zinc. I urge also that consideration be given to the establishment of a tariff on sulfur as we have on so many other mineral products. Incidentally Mexico itself, while flooding our country with sulfur, imposes a tariff amounting to about 25 percent of the value of any sulfur we ship to them.

Mr. Speaker, I believe that a quota and a tariff are essential in order to safe-

guard the domestic sulfur industry from the disastrous effects of substandard wages and preferential shipping rates prevailing elsewhere and to prevent this industry from being permanently weakened from these effects.

The U.S. National Exhibition in Moscow

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mrs. BOLTON. Mr. Speaker, this summer saw a rather unique happening in the effort we are making to bring about a greater understanding between this country and the U.S.S.R. It saw a Russian exhibition in New York and a U.S. fair in Moscow. There is no need to discuss here the Russian effort. Thousands of Americans including many Members of Congress have seen it. But few Americans and only a handful of Members of Congress have seen the exhibition we put on in Moscow. Having gone there as a member of the Subcommittee on State Department Organization and Foreign Operations of the House Committee on Foreign Affairs, with its chairman, the Honorable WAYNE HAYS, of Ohio, it seems to me important that some record of the amazing thing that was done should go into the RECORD.

Our purpose was clear—to strengthen the foundations of world peace by increasing understanding in the Soviet Union of the American people, the land in which they live, and the broad range of American life, including American science, technology, and culture.

President Eisenhower, in a message prefacing the official guidebook, said:

> It is my fervent wish that by this means, and through the corresponding exhibition which your country is holding in New York City, the people of our two great nations may gain a better understanding of one another. Thus can the foundations be strengthened for our cooperation in the achievement of mankind's greatest goal—a fruitful and flourishing world at peace.

The exhibition was a joint endeavor of the U.S. Government, American industry, and other private groups and organizations. Government participation centers in the Department of State, the Department of Commerce, and the U.S. Information Agency, with the Director of USIA, George V. Allen, serving as coordinator. Harold C. McClellan, Los Angeles industrialist and former Assistant Secretary of Commerce for International Affairs, was made general manager. Assistance and counsel on content were given by an advisory committee of 51 representatives of U.S. education, industry, foundations, science and the arts, as well as by a group of American newspaper and radio-TV correspondents formerly stationed in Moscow. McClellan and all those associated with him deserve the highest commendation and praise. They succeeded beyond expectations in carrying out what Mr. McClellan expressed at the outset of this amazingly successful effort:

> We definitely are not putting on either a propaganda show or a trade fair. It is going to be as comprehensive a presentation as we can make it of the way the American people live, work, and enjoy the fruits of their labor. It will reflect our attainments in the cultural and scientific fields as well as in the production of consumer goods. We will endeavor to exhibit the type of things the Soviets are interested in seeing. The Soviet people are tremendously curious about America, and we hope, in part, to satisfy that curiosity.

In no way was the American exhibition a trade fair, though there were industrial displays. It was an amazingly successful effort to project a realistic and credible image of America to the Soviets through exhibits, displays, films, publications, fine arts and performing arts. The exhibition reflects how America lives, works, learns, produces, consumes, and plays; what kind of people Americans are and what they stand for. America's cultural values were dramatically displayed in the 6 weeks when there was a corner of America in the heart of Moscow.

Nor were the outward and visible signs all that we sent there. The museum marvel was the fact that it was not just our Government that set it all up, but that in spite of the fact that it was not a trade fair, nearly 800 firms contributed products and/or foods to this national exhibition. Many paid all the shipping and underwrote the cost of maintaining their own—Russian speaking—personnel at Moscow. The cost of the plastic pavilions was borne by a group of leading firms in the plastic field. It has been impossible to determine the total value of industry's contribution, but it runs into the millions of dollars in goods, transportation, and services. That is the kind of people we are.

Could you have watched, as I did, the eagerness with which the Russians flooded in through the gates and seen them as they crowded into the exhibits, you would not question the success of the venture. To those of us who saw it, every penny put into it of Government and private enterprise money and effort, was well spent. Our fair was a living, breathing, heart-warming picture of what a free, independent, courageous and capable people have built for themselves and their children, and which they want for all the world.

The location in Sokolniki Park, 15 minutes by subway from downtown Moscow, serviced also by bus and trolley lines, could not have been improved upon. Not only did the Soviets provide various landscaping improvements in the park and extend the paved roads to the exhibition grounds, but they also made available water, gas, electricity, and sewage disposal and permitted the United States to landscape its exhibition area of 400,000 square feet. In addition the U.S.S.R. agreed to buy the aluminum geodesic dome building and the main exhibition hall for $375,000 after the exhibition was over. This has given us a return on our buildings, has saved us the cost of removing them and restoring the site to its original state, and leaves there a continuing reminder of modern American architecture and engineering achievement.

Let me give you as briefly as possible some of the main features:

THE GEODESIC DOME

A Kaiser aluminum gold-anodized geodesic dome building, 200 feet across and 78 feet high, with 30,000 square feet of floor space, was the information center about America, designed to handle traffic at the rate of 5,000 persons an hour.

The unique geodesic dome principle was developed in 1947 by the American architect-engineer R. Buckminster Fuller. It is like a huge half orange in appearance, and has no interior supporting pillars.

Around its inside perimeter were exhibits on space research, education, labor, health and medicine, agriculture, basic research, synthetics and nuclear energy. Around the exterior of the dome was a "Gallery of Americans"—5-foot photographs of American figures such as Benjamin Franklin, Walt Whitman, Abraham Lincoln, and Mark Twain.

A continuous documentary film portraying key aspects of American life was projected on one-third of the dome's interior circumference by means of the unique Charles Eames motion picture technique which uses seven simultaneous screens, each 30 by 20 feet, with a single Russian-language sound track.

Ramac 305, the "electric brain," provided split-second answers—in Russian—to thousands of questions about the United States.

Four American voting machines were on hand for Soviet visitors to vote for their favorite exhibits and displays.

THE EXHIBITION HALL

A 50,000-square-foot fan-shaped steel structure 28 feet high, glassed front and rear and covered by an accordion-pleated aluminium roof, displayed American cultural attainments and exhibits showing the results of the American economic system: the abundance so broadly shared by the people. These reflected the great freedom of choice enjoyed by the American family.

A special interior exhibit design of modular steel permitted maximum use of space. The display framework created mezzanine areas from which the visitor could observe exhibits above, below, and on the same level as himself.

THE PLASTIC PAVILIONS

Three plastic pavilions covering 15,000 square feet were located in three clusters. They housed:

First. The Museum of Modern Art's "Family of Man" Exhibit of 500 photographs assembled by Edward Steichen;

Second. An exhibit of contemporary American architecture showing models and 100 black-and-white photographs of schools, churches, shopping centers, skyscrapers and other buildings throughout the United States; and

Third. A display of American wearing apparel ranging from workclothes to formal attire. The majority of the

models were nonprofessional, and included three American families who had been selected by the fashion industry to represent various economic groups. The live presentation consisted of a half-hour show four times a day, with commentary in Russian. This was really tops.

CIRCARAMA

This 360 degree "movie in the round," which was so successful at Brussels, was housed in its own circular building. Circarama was redone and brought up to date by Walt Disney with new sequences and a Russian sound track.

OUTSIDE AREA

Outdoor displays included:

An American six-room ranch-type home completely furnished.

Twenty-two 1959 automobiles from all U.S. manufacturers, the most luxurious to the most economical.

Sporting and camping equipment, ranging from skis and fishing tackle to sailboats and outdoor cooking facilities.

Farm equipment such as tractors and combines.

A children's playground featuring a concrete adobe-type playhouse, an iron grid "magic carpet" and a sand lot for tots.

A Polaroid camera demonstration which not only illustrated the picture-in-a-minute technique but provided some 15,000 Soviet visitors with souvenir photographs of themselves.

Brightly colored kiosks where Pepsi-Cola was served free to visitors. Other kiosks displayed American newspapers, magazines and books.

VARIETY OF DISPLAYS

Exhibits on American productivity reflected a strong, growing economy. They included food demonstrations, home appliances, toys, clothes, cosmetics, television, hi-fi presentation, musical instruments, a completely furnished model apartment, a home workshop, and an exhibit on packaging techniques. There also was a travel display showing American interest in travel throughout the United States and abroad.

In the food demonstrations, Soviet visitors saw for themselves how an American housewife can dish up a full-course dinner in a matter of minutes, using frozen goods and readymixes. Demonstrators prepared 110 varieties of food.

The clothing displayed consisted of fabrics and synthetic fibers, telling the story of the needle trades unions and the leather industry. There were also sewing demonstrations illustrating the use of American patterns.

A fine arts display included 49 American paintings and 23 works of sculpture selected by a non-Government jury of experts as examples of the variety and wide range of American art produced from 1918 to the present.

A completely equipped color TV studio provided 8 hours of programing daily on a closed circuit, using 16 21-inch color TV viewing screens placed at strategic points throughout the exhibition area. The color camera was trained on Soviet visitors, and tapes played back so that the Soviets saw themselves on the TV screen.

Music in stereophonic high fidelity sound was broadcast to a children's play area and a picnic area.

CULTURAL CONTENT

Displays reflecting America's culture included some 10,000 books and a bookmobile, newspapers from every State in the Union, hundreds of magazines, paintings and works of sculpture, photography, high-fidelity music, record albums, the "Family of Man" exhibit, models and photos of 100 outstanding architectural achievements in the United States, do-it-yourself exhibits, crafts, and performing arts, including the New York Philharmonic Orchestra and an Ed Sullivan variety show, in a downtown Moscow theater. Religious activities were portrayed in many ways.

Several of our groups deserve special commendation, the 75 guides first of all. Chosen from a long list of applicants on the basis of personality, knowledge of Soviet and American affairs, and complete command of the Russian language, they did us proud. Well organized and carefully disciplined, they proved themselves—with amazingly few incidental exceptions—equal to their truly difficult jobs. They took groups about, were prepared to answer any and all questions, not only about the exhibition, but about America as well, and in themselves were exponents of our American way of life.

The models of our style show made up another group who deserve high praise. Young, full of energy, charming, with a sense of artistry and freshness, they were a gay, happy note, and were much appreciated. Here again was evidenced a fine discipline and an enthusiastic devotion to the job of showing America to the Russians, for which they deserve sincere praise.

Mr. Speaker, we can be very proud of the exhibition we sent to Moscow and of the personnel who represented us there. Let us keep to this high standard in all similar adventures yet to come.

An Invitation to Eastern Oklahoma, Recreational Heartland of America

EXTENSION OF REMARKS
OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. EDMONDSON. Mr. Speaker, I should like to call the attention of the Congress and every American to the significant fact that the State of Oklahoma, and especially eastern Oklahoma, is rapidly becoming the recreational heartland of America.

One of the most amazing developments in recent years is the phenomenal and almost unbelievable growth of Oklahoma in the field of outdoor recreation. For John Q. Public we are fast becoming the vacation mecca of the United States.

Few people realize that we have two lakes in Oklahoma whose annual visitor attendance greatly exceeds the combined annual visitor attendance of both Yellowstone National Park and the Grand Canyon—and an even smaller lake with more annual visitor attendance than the Washington Monument and Yosemite National Park combined. These facts are hard to believe about a State only recently known as a Prairie State.

The present and future role of the State of Oklahoma in outdoor recreation—a new growth industry developing in this country in tremendous proportions and possessing almost unlimited potential—is so promising that it ultimately can transform the State and could well hold the key to providing us with the most amazing economic development in our spectacular State history.

The great boom in outdoor recreation in Oklahoma is keyed to the tremendous development of water resources in our State, which already has more than a quarter of a million acres of surface water impounded in our lakes, to which will be added more than 140,000 surface acres when 5 reservoirs now under construction by the Corps of Engineers and the Bureau of Reclamation are completed. Still more thousands will be added when other authorized projects are finished.

Oklahoma early realized the great potential in the field of outdoor recreation, and especially water recreation. Its development of State parks and its investment of more than $7 million in five fine resort lodges on Oklahoma lakes, which provide luxury surroundings at moderate prices and which rival the best that are being built with Federal funds under the Mission 66 program, have been unique. In particular, its development of the fabulous Lake Texoma Lodge, and of the equally beautiful Western Hills Lodge on Fort Gibson Reservoir, has drawn visitors and conventions from all over the country.

Maj. Gen. E. C. Itschner, Chief of Army Engineers, speaking at Western Hills Lodge about 3 years ago, said that Oklahoma "among all of the States has taken the No. 1 spot in developing reservoirs for recreational use."

Earlier the same year, a corps official of the Tulsa district office, in commending the "foresight and initiative of the Oklahoma Planning and Resources Board in realizing the recreational opportunities" on corps reservoirs, said Oklahoma had "given the greatest impetus to the development and use of these lakes far beyond any other agency or private development."

It will come as a major surprise to many people that attendance at State parks in Oklahoma in 1958 was in excess of 8 million, and that Oklahoma ranked eighth nationally among all the States reporting attendance at State parks during 1958 to the National Park Service.

It will come as another surprise to many people that between 1950 and 1958, attendance at Oklahoma State parks increased by a startling 217 percent, as compared to an increase nationally of 108 percent.

It will come as a further surprise to many people that attendance at State parks in Oklahoma in 1958 was consid-

erably greater than it was at State parks in such noted vacation States as Colorado, Florida, Minnesota, Maryland, New Hampshire, New Jersey, Massachusetts, and Wisconsin.

With these statistics in mind, it is no wonder that the present Governor of Oklahoma recently said that recreation in the Oklahoma lakes area presents opportunities that stand out "like a beacon light of hope" for the future of our State.

Mr. Speaker, what are the ingredients which have brought about this situation in a State which is the fifth youngest in the Union? What accounts for this fantastic growth in recreational visits?

One of the key ingredients is the fact that Oklahoma early recognized the great potential in water recreation present on its great and growing chains of lakes, and based the fabulous development of its park systems, its lodges, and its resorts primarily to take advantage of this opportunity. In cooperation with other men of vision from the Army Corps of Engineers office in Tulsa, and with other experts in the field, the State of Oklahoma became the true pioneer in the development of a park system based upon the future growth in this new water recreation industry.

As a result, you have in Oklahoma some of the best planned recreation plants on earth. They are in operation 24 hours a day, 12 months a year. More people, more frequently, and over a longer period of the year and during more days of each week, and during more hours of each day, visit lakes and State parks in Oklahoma than at almost any similar area on earth.

As one corps official in Washington said, the type of reservoirs we have in Oklahoma and the Southwest represents a virtual revolution in recreational habits. They serve a much greater proportion of the public, regardless of income, than almost any other kind of outdoor recreation. With the climate of the Southwest, these resorts are open throughout the year, and are in operation day and night—with their lodges, their cottages, their night-fishing docks, and their many other low-cost facilities.

Blessed not only with a climate which permits outdoor recreation throughout the year but also with countless streams and wooded hills and rolling plains, possessed of varied and beautiful natural resources, abounding with scenic spots of infinite beauty and historic sites of great interest, Oklahoma is also geographically located to serve all the people of the United States.

Situated right in the middle of the most rapidly growing market areas of the United States, with 42 million people now within a 500-mile radius of the center of Oklahoma, and realizing that the present rate of population growth in the United States could bring a national population of approximately 260 million people in 1980 and 350 million in the year 2000, Oklahoma is already in a position to capitalize on its pioneering work in the field of outdoor and water recreation.

Still another factor in the development of outdoor recreation is the national trend in the field of recreation and the tremendous growth in public use of recreational facilities throughout the country. It is on this growth trend that Oklahoma has capitalized, and it is most revealing to examine some of the amazing statistics in this field.

Recently I asked the Library of Congress to prepare for me a report on "The Growth of Recreation in the United States"; and this fine report, prepared by Erin W. Nisbet of the Legislative Reference Service, was completed only on September 4. It is probably the most up-to-date report of its kind in existence at the present time.

The Library of Congress report comments upon the astonishing rate of growth on the basis of attendance figures in the recreational use of public lands and State parks. It says in part:

> In contrast to a 15.5-percent increase in population from 1950 to 1958, attendance figures show a 492-percent increase at Corps of Engineers water resources projects, a 76-percent increase at all National Park Service areas except the National Capital Park System, a 108-percent increase at all State parks, a 150-percent increase at national forest areas, and an estimated 195-percent increase in attendance at Bureau of Reclamation projects.

I might point out that corps projects located primarily in Oklahoma have, for the past several years, accounted for about 20 percent of national attendance at all corps projects, which in 1958 totaled almost 95 million visitors.

The Library of Congress report continues:

> The actual use of the public recreation facilities has far exceeded the planning estimates made over 10 years ago. It is obvious that there will continue to be a growing need for more of such facilities in the future on both public and private lands. In the last 8 years, attendance has been growing at an average annual rate of 7 percent in the National Park System, 11 percent at the national forests, 12 percent at the wildlife refuges, 10 percent at TVA reservoirs, 13 percent at Bureau of Reclamation projects, 22 percent at Corps of Engineers reservoirs, and 9 percent at the State parks.

Mr. Speaker, as a further example of the tremendous public use for recreational purposes of public parks and Federal recreation areas, let me quote the figures on estimated attendance in 1958 in the major categories of facilities of this type in the United States. Attendance at corps projects was 94,793,000; at national forest lands it was 68,450,000; at all National Park Service areas not including National Capital Park System it was 58,677,000; at State parks it was 237,328,853; at TVA lakes it was 36,600,408; and at wildlife refuges it was 9,114,000.

These figures are astounding because the totals far exceed the population of the United States, which of course is largely accounted for by the fact that many people make repeat visits, and also visit more than one such area each year. But nonetheless, it points up that the entire field of outdoor recreation, with pressing needs for additional facilities which are clearly evident, is sorely in need of increased national attention, especially by the Congress.

The field of outdoor recreation, of which water recreation is a major part, is a tremendous new growth industry. The Library of Congress report indicates that a recent article on the industries related to outdoor recreational activity estimated that business income in this field amounted to $32 billion in 1958.

Mr. Speaker, if we accept that estimate, which could be very conservative, it still would be big business in every sense of the term. Compare that $32 billion estimate with statistics for other fields as estimated by official governmental agencies. The current earnings of all member banks of the Federal Reserve System in 1958 amounted to $7.1 billion. Revenue from ultimate customers of the electric light and power industry amounted to $9.7 billion in 1958. The value added by the manufacture of the primary metal industries—iron, steel, and the nonferrous metals including copper, tin, lead, zinc, and aluminum—was $13.1 billion in 1957. The value added by the manufacture of all chemicals and chemical products was $12.1 billion in 1957. The value of all mineral production in the United States in 1957 was $18.1 billion, and is expected to fall slightly below that figure for 1958.

It is that terriffic $32 billion outdoor recreation industry which Oklahoma, and especially eastern Oklahoma, will increasingly share in the future.

For example, in the Second Congressional District of Oklahoma, which I represent, there are three Corps of Engineer projects located completely within the district. They are Fort Gibson Reservoir, which in 1958 had a total visitor attendance of 4,177,800; Tenkiller Ferry Reservoir, which in 1958 had a visitor attendance of 2,297,700; and the smaller Hulah Reservoir, which last year had a visitor attendance of 578,100.

I am certain it will startle a large percentage of the American public to realize that in 1958, attendance at Tenkiller Reservoir exceeded the combined total attendance for the same year at the Washington Monument and the Yosemite National Park; and that attendance at Fort Gibson Reservoir exceeded the combined total attendance at both Yellowstone National Park and the Grand Canyon. Truly these are striking figures, and point up the great future to Oklahoma, and specifically to eastern Oklahoma, that lies ahead of us in the field of outdoor recreation.

Already existing in the Second Congressional District are other additional lakes. One of them, the very highly developed recreational area of Grand Lake, has a surface area of 46,500 acres. Another, much smaller but providing magnificent recreation, is Greenleaf Lake with its fine State park of 1,475 acres built around a jewel of a lake containing 920 acres of surface water.

Mr. Speaker, it is well known that Lake Texoma, which Oklahoma shares with Texas, has broken all visitor attendance records at corps reservoirs throughout the Nation during 6 of the past 7 years, and in 1957 had more than 8 million visitor attendance. Texoma Lake, created by the impoundment of water by Denison Dam during 1942, is noted throughout the world for the fantastic attendance records it has set—and a most significant thing is that in 1946, estimated annual attendance for 1956 was

set at 600,000, whereas in that year it actually reached the astounding total of 7,471,600 visitor days—more than 12 times the estimate of 10 years earlier.

As astonishing as is the record of Texoma, corps reservoirs within the Second District of Oklahoma have set some records of their own. In 1950 the corps started keeping attendance records at Lake Hulah, Tenkiller Lake and Fort Gibson Lake although all of them were still under construction and impoundment of water did not begin until March 1951, in the case of Hulah, and late in 1952 in the case of Tenkiller and Fort Gibson.

Attendance figures at Hulah in 1950 were 26,000; 45,000 at Tenkiller, and 195,000 at Fort Gibson. Attendance figures for 1958, which already have been given, would indicate that attendance records have grown since 1950 by the startling figures of 2,120 percent in the case of Hulah, 2,043 percent in the case of Fort Gibson, and 5,007 percent in the case of Tenkiller. Percentage increase at Texoma since 1950 has been 74 percent, while percentage increase at Texoma since 1945—which was after impoundment but earliest attendance records which I have seen—has been approximately 2,745 percent. It should be borne in mind that Texoma has been established not only much longer than any of these other three lakes, but that also it is more than twice as large in water surface area and considerably larger in shoreline area than all the other three lakes combined.

Mr. Speaker, it is my understanding that the corps is planning for a total of 12 million visitors at Texoma within the next few years, and similar great growths are expected at Fort Gibson, Tenkiller, and Hulah Lakes.

In the light of these statistics, it came as no surprise to me to learn that the corps has extremely high expectations for attendance at Oologah, Eufaula, and Keystone Reservoirs when they are completed within the next few years. Oologah will lie within the second district, Keystone just to the west and Eufaula will be shared with the third district of Oklahoma.

It is my understanding that the corps expect, within 5 years after impoundment, 1 million visitor attendance at Oologah, and a whopping 10 million visitor attendance each at Eufaula and at Keystone Reservoirs.

If you are a fisherman, consider these interesting reports from Oklahoma lakes: In 1958 the fishing catch at Fort Gibson was 2,140,000 pounds; at Tenkiller it was 930,000 pounds. At relatively tiny Lake Hulah the 1957 fishing catch was 75,000 pounds. Experts predict that fishing at the new lakes now under construction will be outstanding. Think what this means to Oklahoma, and especially to the second district, in terms of new businesses created by these lakes—such as fishing docks, boating docks, cottages and motels, grocery and supply stores, oil and gasoline stations, and many other related businesses. All go with boating, fishing, swimming, exploring, sightseeing, water skiing, hunting, and other overall vacation activities associated with water recreation.

As a single index, watercraft on peak days jumped from 50 to 950 at Fort Gibson between 1952 and 1958. At Tenkiller, it jumped from 16 in 1952 to 650 in 1958; and at Hulah, it jumped from 10 in 1951 to 250 in 1958.

A corps estimate of the value of recreational activity at the three largest corps projects in Oklahoma in 1957 was set at $66.5 million, of which $60 million was assigned to the much older and long-developed Lake Texoma. However, 1957 recreational business at the recently completed Fort Gibson and Tenkiller Reservoirs was estimated to total at lease $6.5 million, and it has been increasing by leaps and bounds since that time.

The Grand Lake recreational investment had a $31 million price tag placed on it by an official of the Grand Lake Association this year. He also estimated that the number of out-of-State visitors there had increased from 62 to 68 percent.

These figures are striking examples of the pulling power of these lakes and water recreation facilities to people from other States and from very considerable distance. It is my understanding that a corps study of visitor attendance a couple of years ago at Fort Gibson and Tenkiller indicated that approximately 50 percent of the cars bore out-of-State licenses. Chamber of commerce officials in the Fort Gibson Reservoir area say that cars from virtually every State in the Union have been seen at lake access points, and are being seen in increasing numbers each year.

Mr. Speaker, with eye-opening facts like these before me, I speak with pride and great anticipation for the future of Oklahoma, and particularly of eastern Oklahoma, which will have a tremendous and growing share of our national outdoor recreation business and development. The future is unlimited. The foresight of the State of Oklahoma in preparing for this fabulous revolution in the recreational habits of our American people is hitting pay dirt, and we are prepared to ride with this great tide of the future and to capitalize on the magnificent potentialities which lie before us.

We can also glory in the fact that we will have both a happier and a healthier America as our people move outdoors for recreation, in increasing numbers each year.

General Itschner this year predicted that the Arkansas River basin, which is now being developed for navigation, has the resources to produce an unprecedented explosion of economic growth. He said he "could conceive of few areas of America which have a brighter future." In earlier speeches he has predicted our region would prosper, as has the Ohio Valley, with the industrial development which would come to pass with the completion of the navigation project.

Mr. Speaker, I share fully with General Itschner his faith in the economic boom and the tremendous industrial growth which lie ahead for our region. With river navigation, an abundance of coal and other fuels, and abundant water supply, we are blessed with all the things which we need for great industrial growth.

But, I would point out that the recreational benefits alone which are coming with the development of these great water projects are providing and will increasingly provide an economic growth which will transform the State. Furthermore, I believe that outdoor recreation is as nearly a depression-proof industry as can be found anywhere, and this is demonstrated by cold facts and figures.

Oklahoma is richly blessed with its present and planned facilities for outdoor and water recreation. We have much to offer all America. We invite each and every American to come to our lakes, to visit our historic spots, to see our cowboys who have attained national fame at rodeos, and to thrill as you see the priceless heritage and tremendous contributions our outstanding American Indian tribes have added to our culture and our civilization.

We promise you an Oklahoma welcome you will never forget—a welcome from the Recreational Heartland of America.

SENATE

SATURDAY, SEPTEMBER 12, 1959

(Legislative day of Saturday, September 5, 1959)

The Senate met at 9 o'clock a.m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all men: Blind and deaf would we be should we bow in this Chamber without a sense of solemn gladness that so much has been given us. We come in the remembrance of lives greatly lived, whose record is our heritage. Be with us in deepened gratitude, as we think of those who strove for truth and, when they found it, spoke it; for those who could not see evil without crying out against it; for those who felt in their own hearts the pain of the injustice done to others; and for those who condemned oppression, and fought for liberty.

Join us, we pray, in spirit to those who, with all their might, fought the good fight until they triumphed, raising the level of our common life and broadening the scope of human possibility.

In the midst of today's continuing struggle between the true and the false, between love and hate, grant us, by Thy grace, new fortitude and reinforcement for the times in which we live, until by patience, persistence, and enduring courage we become sufficient for the tasks committed to our hands.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Friday, September 11, 1959, was approved, without being read.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Joseph S. Bambacus, of Virginia, to be U.S. attorney for the eastern district of Virginia, which was referred to the Committee on the Judiciary.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills, the submission of resolutions, the presentation of petitions and memorials, and the transaction of other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

BIRTHDAY CONGRATULATIONS TO SENATOR KERR, OF OKLAHOMA

Mr. MANSFIELD. Mr. President, yesterday five of our colleagues in the House and in the Senate were given signal recognition.

On the anniversary of his birthday, many Members of the Senate on both sides of the aisles rose to congratulate the distinguished senior Senator from Oklahoma [Mr. KERR]. No one is entitled to greater commendation, because no one exceeds him in ability or in intelligence; and certainly he has a scintillating wit.

On this occasion, I should like to join my colleagues in extending best wishes and hearty congratulations to the distinguished Senator from Oklahoma.

Mr. KUCHEL. Mr. President, at this point, will the Senator from Montana yield to me?

Mr. MANSFIELD. I am delighted to yield to the Senator from California.

Mr. KUCHEL. Mr. President, I, too, wish to join my friend, the able majority whip, in extending hearty congratulations to the able senior Senator from Oklahoma [Mr. KERR], on the occasion of his birthday.

On this occasion, the Senator from Oklahoma receives the felicitations of Republicans, as well as Democrats. In fact, I may add that he receives our felicitations on many other occasions, because of the wit—sometimes rapier-like, albeit wit that dazzles us—which he displays in debate.

I am very proud to call BOB KERR a friend; and I take great pleasure in wishing him many happy returns of the day.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I am delighted to yield to the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, I, too, wish to associate myself with the congratulations which my colleagues in the Congress are extending to our friend, BOB KERR, the senior Senator from Oklahoma, on the occasion of his birthday. I know of no one for whom I have greater admiration and affection.

Mr. MANSFIELD. Mr. President, I have often heard the distinguished Senator from Texas say that he would always like to have BOB KERR as his friend, but never as his enemy. On the basis of BOB KERR'S service in this body, I join in the expression of that sentiment.

Mr. President——

The VICE PRESIDENT. The Senator from Montana is recognized.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 2771, TITLE 10, UNITED STATES CODE, RELATING TO CERTAIN PAYMENTS OF DECEASED MEMBERS' FINAL ACCOUNTS

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend section 2771 of title 10, United States Code, to authorize certain payments of deceased members' final accounts without the necessity of settlement by General Accounting Office (with an accompanying paper); to the Committee on Armed Services.

REPORT OF COMPTROLLER OF THE CURRENCY

A letter from the Comptroller of the Currency, Washington, D.C., transmitting, pursuant to law, his report for the year 1958 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, covering operations between January 1, 1959, and June 30, 1959 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON ADMINISTRATIVE EXPENSES OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report on the administrative expenses, by activity, of that Administration, for the period January 1–June 30, 1959 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO CRIMINAL PENALTY IN CERTAIN CASES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to provide a criminal penalty for claiming a false or fraudulent deduction for exemption, and for other purposes (with an accompanying paper); to the Committee on Finance.

REPORT ON CONTRACTS NEGOTIATED FOR EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a report on contracts negotiated for experimental, developmental, or research work, during the 6-month period ended June 30, 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF THE AIR FORCE

A letter from the Under Secretary, Department of the Air Force, transmitting, pursuant to law, a report on tort claims paid by that Department, for the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON CLAIMS SETTLED UNDER MILITARY PERSONNEL CLAIMS ACT

A letter from the Under Secretary, Department of the Air Force, transmitting, pursuant to law, a report on claims settled by that Department under provisions of the Military Personnel Claims Act, for the fiscal year 1959 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON CERTAIN RECEIPTS AND DISBURSEMENTS BY DEPARTMENT OF THE AIR FORCE

A letter from the Under Secretary, Department of the Air Force, transmitting, pursuant to law, a report on certain receipts and disbursements by the Department of the Air Force, for the fiscal year 1959 under sections 9802, 9803 or 9804, of title 10, United States Code (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF SECTION 1114, TITLE 18, UNITED STATES CODE, RELATING TO INCLUSION OF CERTAIN EMPLOYEES OF FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 1114 of title 18 of the United States Code by including certain employees of the Federal Communications Commission (with accompany papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

STATUS OF PERMANENT RESIDENCE OF CERTAIN ALIENS—WITHDRAWAL OF NAMES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of Gloria E. Wendling de Bado Herran, and Carlos Kenneth Bado, from a report relating to the granting of status of permanent residence, transmitted to the Senate on August 1, 1958; to the Committee on the Judiciary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ADMINISTRATIVE IMPROVEMENT ACT

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to enable the Department of Health, Education, and Welfare and its various units to perform their functions more efficiently and effectively by providing them with certain administrative authority, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Nevada; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 5

"Joint resolution memorializing the Congress of the United States to define, and to cause the Attorney General of the United States to issue an opinion defining, the rights of State legislatures and agencies in enacting statutes and promulgating rules and regulations which apply to State agencies administering Federal grants-in-aid.

"Whereas there has been increasing interference by Federal employees and officials with State administrative agencies which receive Federal grants-in-aid; and

"Whereas warnings and threats are often made by such Federal officials and employees that Federal grants-in-aid will be imperiled or denied unless State statutes and State administrative rules and procedures conform to the dictates of such Federal bureaucrats; and

"Whereas the Congress of the United States has the right to direct by law the standards by which Federal grants-in-aid are to be disbursed or allotted and to whom such grants shall be made; and

"Whereas objections by such Federal officials and employees are, in numerous instances, mere opinions of such officials and employees and not in accordance with the law; and

"Whereas such objections often improperly interfere with and prevent the proper expression and maintenance of State legislative and administrative policy: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of Nevada (jointly), That the Congress of the United States is hereby memorialized to declare and define with particularity the rights of State legislatures and agencies in enacting statutes and promulgating administrative rules which apply to State agencies administering Federal grants-in-aid; and be it further

"Resolved, That the Congress of the United States is hereby memorialized to direct the appropriate Federal official to obtain an authoritative opinion from the Attorney General of the United States defining with particularity the rights of State legislatures and agencies in enacting statutes and promulgating administrative rules which apply to State agencies administering Federal grants-in-aid; and be it further

"Resolved, That a certified copy of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United Statse, Speaker of the House of Representatives and each Member of Nevada's congressional delegation.

"Adopted by the senate February 12, 1959.

"REX BELL,
"President of the Senate.
"LEOLA H. WOHLFEIL,
"Secretary of the Senate.

"Adopted by the assembly March 20, 1959.

"CHESTER S. CHRISTIAN,
"Speaker of the Assembly.
"NATHAN HURST,
"Chief Clerk of the Assembly."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Public Works:

"ASSEMBLY JOINT RESOLUTION 20

"Joint resolution memorializing the Congress of the United States to appropriate funds to complete the unoiled portion of Route 8A of the State highway system from a point beginning 10 miles west of Denio, Nev., west to the California State line

"Whereas a Nevada road map shows the only unoiled portion of Route 8A of the State highway system as being in the northwest end of the State; and

"Whereas this unoiled section of Route 8A now extends from a point beginning at the end of F.A.S., Route S616, 10 miles west of Denio, Nev., west through the counties of Humboldt and Washoe to the California State line; and

"Whereas this road runs through the Federal Charles Sheldon Antelope Range, a game preserve, and public lands almost its entire length; and

"Whereas neither Humboldt County nor Washoe County would receive sufficient funds from the Federal-aid secondary system apportionments to the State of Nevada with which to complete this unoiled portion of Route 8A and take care of existing secondary highway programs within their counties for many years to come; and

"Whereas in view of this shortage of funds for secondary highway use, the counties of Washoe and Humboldt have made application to the Department of Highways of the State of Nevada for $1,250,000 in public lands highway funds for the completion of Route 8A within their respective counties; and

"Whereas the connecting highway extending through Cedar Pass in California, which has never been closed even during the time Donner Pass was closed for 28 consecutive days in 1952, would be of great need for civil defense and the evacuating of the people of California in the case of enemy attack: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada (jointly). That the Congress of the United States is hereby memorialized to appropriate sufficient funds to pay the cost of completing the unoiled portion of Route 8A of the State highway system of the State of Nevada from a point beginning at the end of F.A.S., Route S 616, 10 miles west of Denio, Nev., west through the counties of Humboldt and Washoe to the California State line; and be it further

"Resolved, That certified copies of this resolution be prepared and transmitted forthwith by the Legislative Counsel to the Vice President of the United States, Speaker of the House of Representatives and to each Member of Nevada's congressional delegation.

"Adopted by the Senate March 24, 1959.

REX BELL,
"President of the Senate.
LEOLA H. WOHLFEIL,
"Secretary of the Senate.

"Adopted by the assembly March 19, 1959.

"CHESTER S. CHRISTIAN,
"Speaker of the Assembly.
"NATHAN T. HURST,
"Chief Clerk of the Assembly."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on the Judiciary:

"SENATE CONCURRENT RESOLUTION 3

"Concurrent resolution inviting the President, Vice President, Members of the 86th Congress of the United States, Members of the Cabinet of the President of the United States, the Governors of the several States of the United States and other dignitaries to attend the admission day celebration of the State of Hawaii

"Whereas throughout more than the 60 years that Hawaii has been a Territory of the United States, the President, Vice President and Congress of the United States have shaped its growth and guided its development toward the ultimate destiny of full participation in the National Government of the United States; and

"Whereas the 86th Congress of the United States, through its passage of the Act of March 18, 1959, Public Law 86-3 (73 Statutes at Large) to admit Hawaii as a State has fulfilled the aspirations of the people of Hawaii to become an integral part of the United States Government; and

"Whereas the 49 several States of the Union of the United States have supported Hawaii in its aspirations to become a sister State; and

"Whereas it is the intent of the First State Legislature of the State of Hawaii to make an adequate appropriation in order to make the official observance of Hawaii's admission day a glorious and fitting celebration; and

"Whereas it is particularly fitting that the President, Vice President, Members of the 86th Congress through whose wise and just actions the desires of the people of Hawaii have been realized and the Governors of the several States of the United States whose support of Hawaii is deeply appreciated, participate in the joyful celebration which will take place upon the official observance of admission of Hawaii as the 50th State of the Union: Now, therefore, be it

"Resolved by the Senate of the First Legislature of the State of Hawaii (the House of Representatives concurring), That the President and Vice President of the United States, all Members of the Cabinet of the President of the United States, all Members of the 86th Congress of the United States, the Governors of the several States of the United States and such dignitaries as the Governor may deem desirable, are hereby invited by the First Legislature of the State of Hawaii to join with the people of Hawaii in the official observance of Hawaii's admission day celebration; and be it further

"Resolved, That the Governor of the State of Hawaii issue formal invitations to the parties hereinabove named; and be it further

"Resolved, That duly authenticated copies of this concurrent resolution be forwarded to the President and Vice President of the United States, all Members of the 86th Congress of the United States, all Members of the Cabinet of the President of the United States, the Governors of the several States of the United States and the Governor of the State of Hawaii."

A letter in the nature of a petition from William Metcalf, State Representative of Kiowa County, Hobart, Okla., relating to the program for an expanded missile range at Fort Sill, Okla.; to the Committee on Armed Services.

The petition of Harvey H. Hevenor, of Fort Lauderdale, Fla., relating to the visit of Premier Khrushchev to the United States; to the Committee on Foreign Relations.

The petition of Richard J. Taggart, of Purcellville, Va., relating to home rule in the District of Columbia; to the Committee on the Judiciary.

The petition of Jodie Aldridge, of Nashville, Tenn., praying for the enactment of legislation to repeal the law which established the Civil Rights Commission; to the Committee on the Judiciary.

REMOVAL OF TAX-EXEMPTION PRIVILEGE FROM MUNICIPAL BONDS—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the board of trustees of the village of Floral Park, N.Y., relating to the removal of the tax-exemption privilege for municipal bonds.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

EXCERPT FROM MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FLORAL PARK, N.Y. HELD SEPTEMBER 1, 1959

The following resolution was offered by Trustee McConville and seconded by Trustee Marshall.

"Whereas it has come to the attention of the Board of Trustees of the Incorporated Village of Floral Park, N.Y., that there is proposed legislation pending in Washington relative to the tax exemption privilege being taken from municipal bonds, and

"Whereas if this proposed legislation becomes law, interest rates on municipal bonds will increase, thereby placing an extra burden on the taxpayers: Now, therefore, be it

"*Resolved*, That the Board of Trustees of the Incorporated Village of Floral Park, N.Y., go on record as disapproving such legislation and that a copy of this resolution be sent to our Senators and Congressmen in Washington urging them to strenuously oppose same."

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGEE:

S. 2694. A bill for the relief of Dr. Kuoyeng Ngeh Hsieh; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself and Mr. BIBLE):

S. 2695. A bill to amend the Internal Revenue Code of 1954 to provide an additional method and rate of depreciation for new property having a useful life of 5 years or more and to eliminate capital gains treatment for personal property used in a trade or business; to the Committee on Finance.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 2696. A bill for the relief of Willy P. Renkel; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2697. A bill to amend title III of the act of March 3, 1933, with respect to the acquisition by the United States of articles, materials, and supplies for public use; and

S. 2698. A bill to amend title III of the act of March 3, 1933, with respect to the acquisition by the United States of articles, materials, and supplies for public use; to the Committee on Public Works.

(See the remarks of Mr. SCOTT when he introduced the above bills, which appear under a separate heading.)

By Mr. GRUENING (for himself and Mr. Moss):

S. 2699. A bill to authorize the establishment of the Indiana Dunes National Monument; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 2700. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 2701. A bill for the relief of Ioannis Tassou; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2702. A bill to provide for the conveyance of certain lands to the State of Alaska; to the Committee on Interstate and Foreign Commerce.

By Mr. JAVITS:

S. 2703. A bill relating to the employment and compensation of retired members of the Armed Forces in civilian offices or positions of the U.S. Government; to the Committee on Post Office and Civil Service.

By Mr. DWORSHAK (for himself and Mr. CHURCH):

S. 2704. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILEY:

S.J. Res. 143. Joint resolution providing for the designation of April 24 through April 30, 1960, as National Invest in America Week; to the Committee on the Judiciary.

(See the remarks of Mr. WILEY when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

Mr. JOHNSON of Texas (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 193) to amend rule XXV, to increase the membership of Committees on Interior and Insular Affairs and Public Works, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

Mr. JOHNSON of Texas submitted a resolution (S. Res. 194) to appoint Senator LONG of Hawaii to the Committees on Interior and Insular Affairs and Public Works, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

Mr. DIRKSEN submitted a resolution (S. Res. 195) to appoint Senator FONG of Hawaii to Committees on Interior and Insular Affairs and Public Works, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

Mr. JOHNSON of Texas (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 196) to create a Special Committee on Unemployment Problems, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

FEDERAL TAX POLICY ON DEPRECIATION OF CAPITAL EQUIPMENT

Mr. SMATHERS. Mr. President, recently the Subcommittee on Government Procurement and the Subcommittee on Taxes, of the Senate Small Business Committee, conducted a hearing on the Federal tax policy on depreciation of capital equipment.

Witness after witness showed how inflation and technological progress have made our present depreciation policies out of date and out of touch with reality, when compared with depreciation policies in the industrial nations in Europe. The testimony received from businessmen and tax experts convinced me that our current depreciation allowances are inadequate.

Unless business is permitted to depreciate equipment at a realistic rate, we shall have great difficulty in meeting industrial competition from countries that do permit recovery within a reasonable time of investment in capital equipment.

It appears that we should both shorten the depreciation period and increase the rates of depreciation in the years immediately following acquisition of assets.

As a forward step in modernizing our existing tax structure to cope with foreign competition, I am introducing at this time, for appropriate reference, for the very able and distinguished Senator from Nevada [Mr. BIBLE] and myself, a bill which would permit the use of declining balance depreciation limited to three times the depreciation allowable under the straight-line method. This system is usually called triple declining balance depreciation, and limits the use of this method to property having a life span of 5 years or more.

In addition, the bill would also eliminate capital gains treatment on the sale of equipment used in a trade or business. The witnesses at the hearing readily indicated a willingness to see the capital gains treatment for capital equipment eliminated, if depreciation allowances could be liberalized.

The proposed legislation liberalizes depreciation allowances, on the one hand, and prevents any unfair advantage of depreciation weighted toward writeoff in the early years of property use.

We do not feel that the triple declining balance method is the only type of depreciation reform that should be considered by the Congress. On the contrary, consideration should be given to all practical means of shortening the time over which items of equipment may be depreciated, and to other methods of increasing depreciation rates allowable immediately after equipment is acquired.

In a report which the Senate Small Business Committee will make to the Senate soon after adjournment, recommendations—in addition to those covered by this bill—will be made for reform of national tax depreciation policies for capital equipment owned by both small business and larger businesses. The report will offer suggestions for a thorough review of "useful lives," as listed in Bulletin F and present Treasury Regulations.

Mr. President, I sincerely trust that the proposed legislation introduced today by me, for the Senator from Nevada [Mr. BIBLE] and myself, will receive prompt and favorable consideration by the Congress, as it goes into session next year.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2695) to amend the Internal Revenue Code of 1954 to provide an additional method and rate of depreciation for new property having a useful life of 5 years or more and to eliminate capital gains treatment for personal

property used in a trade or business, introduced by Mr. SMATHERS (for himself and Mr. BIBLE), was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF BUY AMERICAN ACT

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, two bills which deal with the administration and application of the so-called Buy American Act.

I introduce for appropriate reference, two bills on the same subject, because I believe there is more than one approach to the problem, and I want the committee to consider the alternate solutions.

It is my intention to press for hearings upon these bills at an early date in the next session of Congress, and with the thought that, in the meantime, the committee staff will have opportunity to do some research on the problem.

The problem, Mr. President, concerns the letting of Government contracts for heavy electrical equipment to be used on domestic public works to foreign manufacturers.

In the State of Pennsylvania this has seriously affected the business of industries which produce hydraulic turbines and other heavy machinery, having strategic importance and employing highly skilled manpower.

Recently I have heard references on the floor of the Senate to the Buy American Act, with the implication that this law assures American industry preference in bidding upon Government contracts.

Mr. President, this assumption is far from the truth.

The Buy American Act has long since been discarded, and, in effect, superseded by Executive Order 10582, issued December 17, 1954.

Since that time, American industry has found itself in a maze of conflicting interpretations.

At this point in my remarks I ask unanimous consent for the text of the original Buy American Act, and the text of the Executive Order 10582, to be inserted in the RECORD.

There being no objection, the act and Executive order were ordered to be printed in the RECORD, as follows:

ORIGINAL BUY AMERICAN LAW

TITLE III OF PUBLIC LAW 428 OF THE 72D CONGRESS (1933) (TREASURY APPROPRIATION BILL)

SECTION 1. That when used in this title—

(a) The term "United States," when used in a geographical sense, includes the United States and any place subject to the jurisdiction thereof;

(b) The terms "public use," "public building," and "public work" shall mean use by, public building of, and public work of, the United States, the District of Columbia, Hawaii, Alaska, Puerto Rico, the Philippine Islands, American Samoa, the Canal Zone, and the Virgin Islands.

SEC. 2. Notwithstanding any other provision of law, and unless the head of the department or independent establishment concerned shall determine it to be inconsistent with the public interest, or the cost to be unreasonable, only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States, shall be acquired for public use. This section shall not apply with respect to articles, materials, or supplies for use outside the United States, or if articles, materials, or supply of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

SEC. 3. (a) Every contract for the construction, alteration, or repair of any public building or public work in the United States growing out of an appropriation heretofore made or hereafter to be made shall contain a provision that in the performance of the work the contractor, subcontractors, material men, or suppliers, shall use only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States except as provided in section 2: *Provided, however,* That if the head of the department or independent establishment making the contract shall find that in respect to some particular articles, materials, or supplies it is impracticable to make such requirement or that it would unreasonably increase the cost, an exception shall be noted in the specifications as to that particular article, material, or supply, and a public record made of the findings which justified the exception.

(b) If the head of a department, bureau, agency, or independent establishment which has made any contract containing the provision required by subsection (a) finds that in the performance of such contract there has been a failure to comply with such provisions, he shall make public his findings, including therein the name of the contractor obligated under such contract, and no other contract for the construction, alteration, or repair of any public building or public work in the United States or elsewhere shall be awarded to such contractor, subcontractors material men, or suppliers with which such contractor is associated or affiliated, within a period of three years after such finding is made public.

SEC. 4. This title shall take effect on the date of its enactment, but shall not apply to any contract entered into prior to such effective date.

SEC. 5. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application thereof to other persons or circumstances, shall not be affected thereby.

Approved, March 3, 1933.

EXECUTIVE ORDER 10582 PRESCRIBING UNIFORM PROCEDURES FOR CERTAIN DETERMINATIONS UNDER THE BUY AMERICAN ACT

Whereas in the administration of the act of March 3, 1933, 47 Stat. 1520; 41 U.S.C. 10a–10c; 41 U.S.C. 10d, commonly known as the Buy American Act, and other laws requiring the application of the Buy American Act, the heads of executive agencies are required to determine, as a condition precedent to the purchase by their agencies of materials of foreign origin for public use within the United States, (a) that the price of like materials of domestic origin is unreasonable, or (b) that the purchase of like materials of domestic origin is inconsistent with the public interest; and

Whereas it is desirable and in the public interest that such determinations be made on as uniform a basis as possible:

Now, therefore, by virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. As used in this order, (a) the term "materials" includes articles and supplies, (b) the term "executive agency" includes executive department, independent establishment, and other instrumentality of the executive branch of the Government, and (c) the term "bid or offered price of materials of foreign origin" means the bid or offered price of such materials delivered at the place specified in the invitation to bid including applicable duty and all costs incurred after arrival in the United States.

SEC. 2. (a) For the purposes of this order materials shall be considered to be of foreign origin if the cost of the foreign products used in such materials constitutes 50 percent or more of the cost of all the products used in such materials.

(b) For the purposes of the said act of March 3, 1933, and the other laws referred to in the first paragraph of the preamble of this order, the bid or offered price of materials of domestic origin shall be deemed to be unreasonable, or the purchase of such materials shall be deemed to be inconsistent with the public interest, if the bid or offered price thereof exceeds the sum of the bid or offered price of like materials of foreign origin and a differential computed as provided in subsection (c) of this section.

(c) The executive agency concerned shall in each instance determine the amount of the differential referred to in subsection (b) of this section on the basis of one of the following-described formulas, subject to the terms thereof:

(1) The sum determined by computing 6 percent of the bid or offered price of materials of foreign origin.

(2) The sum determined by computing ten per centum of the bid or offered price of materials of foreign origin exclusive of applicable duty and all costs incurred after arrival in the United States: *Provided,* That when the bid or offered price of materials of foreign origin amounts to less than $25,000, the sum shall be determined by computing ten per centum of such price exclusive only of applicable duty.

SEC. 3. Nothing in this order shall affect the authority or responsibility of an executive agency:

(a) To reject any bid or offer for reasons of the national interest not described or referred to in this order; or

(b) To place a fair proportion of the total purchases with small business concerns in accordance with section 302(b) of the Federal Property and Administrative Services Act of 1949, as amended, section 2(b) of the Armed Services Procurement Act of 1947, as amended, and section 202 of the Small Business Act of 1953; or

(c) To reject a bid or offer to furnish materials of foreign origin in any situation in which the domestic supplier offering the lowest price for furnishing the desired materials undertakes to produce substantially all of such materials in areas of substantial unemployment, as determined by the Secretary of Labor in accordance with such appropriate regulations as he may establish and during such period as the President may determine that it is in the national interest to provide to such areas preference in the award of Government contracts: *Provided,* That nothing in this section shall prevent the rejection of a bid or offered price which is excessive; or

(d) To reject any bid or offer for materials of foreign origin if such rejection is necessary to protect essential national security interests after receiving advice with respect thereto from the President or from

any officer of the Government designated by the President to furnish such advice.

SEC. 4. The head of each executive agency shall issue such regulations as may be necessary to insure that procurement practices under his jurisdiction conform to the provisions of this order.

SEC. 5. This order shall apply only to contracts entered into after the date hereof. In any case in which the head of an executive agency proposing to purchase domestic materials determines that a greater differential than that provided in this order between the cost of such materials of domestic origin and materials of foreign origin is not unreasonable or that the purchase of materials of domestic origin is not inconsistent with the public interest, this order shall not apply. A written report of the facts of each case in which such a determination is made shall be submitted to the President through the Director of the Bureau of the Budget by the official making the determination within 30 days thereafter.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *December 17, 1954.*

[F.R. Doc. 54–10122: Filed Dec. 17, 1954; 12:50 p.m.]

Mr. SCOTT. Mr. President, the original Buy American Act called for the exclusive use of American materials and manufactured items on all contracts for construction of public buildings and public works in the United States. Discretionary action would lie only if the cost were unreasonable, or the purchase inconsistent with the public interest. No one has ever established criteria for "unreasonable," nor defined what is meant by "public interest."

Executive Order 10582, issued supposedly to clarify both of these points, but actually to remove what was considered an impediment to foreign trade, has succeeded in eliminating the American bidder from the scene of Government heavy machinery procurement.

It provides that if there is more than a 6 percent differential between the bid of the foreign concern and the American bid, the contract will go "foreign." If the American bidder manufactures in a labor surplus area, he may have an additional 6 percent grace in determining the price differential.

Mr. President, in the hydraulic turbine industry, or any heavy equipment field, it would be impossible for the American bidder to meet the price of a foreign competitor with a 12 percent differential, or even twice that amount, plus tariff.

High wages earned by American labor and high materials costs are the deciding factors. This American industry is in danger of becoming the prisoner of our otherwise happy condition—our American standard of living.

What other recourse does the American bidder have?

Only to try to get a determination as to whether his product "is necessary to protect national security interests." This has turned out to be a vicarious procedure as between the procuring agency and referral to the Office of Civilian Defense Mobilization—which has ended in most contracts going "foreign."

In other words, an American manufacturer must be able to prove that his product and the maintenance of his industry is necessary to the national security, in order to have a chance to secure a contract for equipment on a public works project.

This concept is entirely contrary to the intent and purpose of the Buy-American Act. If this law is inadequate to deal with present-day circumstances, then it should be amended or replaced with more realistic legislation.

We should not subject American industry to the haphazard interpretations of an Executive order, and to the gaps in procedure which thrust them constantly upon the horns of a dilemma.

The proof of what an American manufacturer is forced to do to meet foreign competition for American public works projects built by American tax dollars, is demonstrated by a letter I have received from the Baldwin-Lima-Hamilton Corp., Eddystone Division, Philadelphia, Pa. This company, in order to compete for a contract on three hydraulic turbines for the Wheeler Dam of the Tennessee Valley Authority, has had to purchase a substantial portion of the material and machine work in Europe.

Mr. President, I ask unanimous consent to have inserted at this point in my remarks the text of the letter and release from Baldwin-Lima-Hamilton Corp.

There being no objection, the letter and release were ordered to be printed in the RECORD, as follows:

BALDWIN-LIMA-HAMILTON CORP.,
Philadelphia, Pa., August 21 1959.

The Honorable HUGH SCOTT,
U.S. Senate, Washington, D.C.

DEAR MR. SCOTT: You may have noticed in the newspapers recently that this company was the apparent low bidder on three 48,300-horsepower hydraulic turbines for Wheeler Dam of the Tennessee Valley Authority. Our margin under the English Electric Export & Trading Co. bid was small and the reason we could arrive at this kind of a price was because our bid was based on the purchase of a substantial portion of the material and machine work in Europe.

We are attaching to this letter a copy of an announcement which we have made on this subject to the press and which explains our position—which, in a nutshell, is that the only way we can survive and maintain our engineering skills is to buy substantial amounts of material and labor abroad. However, such purchase abroad does not warrant maintaining extensive facilities in this country, which could not be otherwise profitably utilized.

Present interpretation and administration of the Buy American Act with its very small favorable percentage to American manufacturers, does not cover the wide differential between our costs and the cost in countries of low-wage economies.

We appreciate very much the interest and attention you have given to this problem and hope that you will continue, in any way possible, your help in maintaining the manpower and facilities in the United States for the design and manufacture of hydraulic turbines.

Sincerely yours,

PERRY A. WHITE.

NEWS: BALDWIN-LIMA-HAMILTON CORP., PHILADELPHIA, PA.

On August 13 the Tennessee Valley Authority opened bids for its Wheeler Dam improvement covering three 48,300 hp. hydraulic turbines. Baldwin-Lima-Hamilton Corp. was the apparent low bidder with a bid of $2,313,000 being just barely below the bid of foreign competition, English Electric Export & Trading Co., which bid $2,354,305.

The low bid of Baldwin-Lima-Hamilton Corp. was based upon the procurement of a substantial amount of material and labor in Europe instead of the usual sources in this country. This action was made necessary by the low and successful bids of foreign competition in all of the several recent biddings on public authority power projects. It is with great regret that the management of Baldwin-Lima-Hamilton Corp. deemed it necessary to use a substantial amount of foreign material and labor but there seemed no alternative if the corporation is to maintain its engineering skills and know-how on hydraulic turbines which have been a principal product for many years.

Whether or not the Government of this country will continue its present policy of accepting foreign bids on public water power projects when such bids are obviously based upon the low wage economies of foreign countries, we do not know, but if such policies do continue, American manufacturers of these products will either have to purchase substantial portions of their turbines abroad, thus maintaining their engineering skill, or go out of business entirely.

Present executive interpretation of the Buy American Act allows only a 6-percent differential to the American hydraulic turbine manufacturer over foreign competition, plus an additional 6 percent if the American manufacturer happens to be located in a labor surplus area. A total differential of 6 percent, or possibly in some cases 12 percent, has been shown to be completely unrealistic for turbines designed and produced in the United States with American labor and American materials.

Mr. SCOTT. Mr. President, I cannot help but wonder how the subcontractor who has historically handled this work has reacted to this announcement and how many of his employees will be out of work.

Futhermore, Baldwin-Lima-Hamilton will not long find it necessary to maintain the large facilities of the Eddystone Division as a result of placing such procurement abroad.

Thus the chain reaction works against full employment.

Even now employment levels in the industry are substantially depressed. Present levels are 33 percent below those of May 1956, and 51 percent below those required for estimated full manufacturing capacity.

These conditions, if permitted to continue, will soon destroy American hydraulic turbine building in the United States. Unless corrective action is taken American producers will have to get out of the hydraulic turbine manufacturing business entirely. This will result in the "export" of the industry's jobs, dispersion of trained and skilled manpower, and dismantling and abandonment of the industry's tool and facilities.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. SCOTT, were received, read twice by their titles, and referred to the Committee on Public Works, as follows:

S. 2697. A bill to amend title III of the act of March 3, 1933, with respect to the acquisition by the United States of articles, materials and supplies for public use; and

S. 2698. A bill to amend title III of the act of March 3, 1933, with respect to the acquisition by the United States of articles, materials and supplies for public use.

NATIONAL INVEST-IN-AMERICA WEEK

Mr. WILEY. Mr. President, I should like to have a little additional time. I desire to speak on the subject "National Invest-in-America Week." I ask unanimous consent that I may be given an additional 10 minutes.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection to the Senator from Wisconsin being recognized for 13 minutes? The Chair hears none, and the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the designation of the week of April 24 through April 30, 1960, as National Invest-in-America Week throughout the United States of America and its territorial possessions.

Mr. President, my colleagues may recall that it was my pleasure last April 27 to welcome fellow Senators and Representatives, and to greet members of the National Invest-in-America Committee and local leaders in business and in the executive branch of the Government, at a kickoff luncheon in the Old Supreme Court Chamber here in the Capitol. This event initiated the fifth annual celebration of national invest-in-America activities. Its purpose was to dramatize the principles of this constructive program and to stimulate interest in year-round activities.

Particularly, Mr. President, in view of the situation in which the U.S. Government finds itself with respect to the bonds which must be refinanced, it seems to me that this particular subject is something to which every American should give real consideration.

As I stated at that time, the invest-in-America program has ably demonstrated that it is a solid growth enterprise. In less than a decade, the organization—which was originally inspired by an editorial in the Investment Dealers' Digest in 1949—has taken root and grown steadily to the point that some 207 communities in the United States and the Hawaiian Islands participated last spring in invest-in-America activities. In my own State of Wisconsin, Mayor Frank Zeidler, of Milwaukee, officially opened Invest-in-America Week with a proclamation which stated, in part:

> By an adequate and intelligent program of personal savings and investment, each of us will be able to add immeasurably to our own personal welfare by stimulating production of wealth and hence prosperity for our Nation.

Mr. President, I well remember the privilege which was mine to represent this Government at the United Nations. I submitted a resolution then, which should be very appropriate for resubmission now in that particular body, providing that there should be no confiscation of American property in foreign countries without adequate compensation. The history of what has occurred in some South American and Central American countries, and is even now occurring, with relation to American investments, should really cause all of us to think twice before we invest money in foreign lands. The stocks of certain companies which are interested in such investments have in the last week or two dropped 50 percent in value because the governments of those countries do not play the game, the game being: Do not take property without paying therefor.

In order to build a bigger and better future for America, it is necessary that the savings of the American people, in the form of retained earnings of corporations, as well as individual savings, provide the capital. A million new jobs a year call for at least $14,000 of new capital investment for each job; which means $14 billion a year. And at least another $20 billion will be needed to maintain the plants and machinery providing the 67 million present jobs.

Recognizing that in our free-enterprise system investments by our people in businesses and industries represent the lifeblood of the economy, I am extremely pleased to note the tremendous growth of shareowners in our economic enterprises; which fact not only illustrates the improving economic health of individuals, but also an ever-greater confidence in our free-enterprise system. Today, one out of every eight adults in America is a shareowner; making a total of 12,490,000 Americans who own shares in public corporations. This figure is nearly double the 1952 total, and 45 percent above 1956. Fortunately, too, these shareowners in America's future represent a broad cross section of the public and of educational groups.

Mr. President, as was so adequately stated recently by the chairman of the Senate Finance Committee, the distinguished Senator from Virginia [Mr. BYRD], the importance of maintaining a large segment of the public debt in the form of savings bonds is generally recognized. The holding by the public of such bonds is an important means of checking inflationary pressures because it absorbs funds which otherwise might be in the market competing for consumer goods. Unfortunately, since the third quarter of 1956, redemptions on series E and H savings bonds, with the exception of the first quarter of 1958, have continually exceeded the cash sales of these bonds. This problem of excess redemptions over sales can be attributed, in large measure, to the fact that the rate of return on E and H bonds is now much less favorable, relative to that on savings accounts and other forms of investment, than in earlier years. Therefore, I believe that the recent action by the Senate in passing H.R. 9035, which I understand is now in joint conference, will help to encourage our citizens to invest in more of these savings bonds by providing that the interest rates of 3.26 percent may be raised up to 4¼ percent, when the President finds that such action would be in the national interest. By investing in U.S. savings bonds we are truly investing in America's future. We know that America's future is worth working for because the past has shown that no other economic and political system produces the blessings that we enjoy.

The National Invest-in-America Committee, Inc., has amply demonstrated that its objectives are dedicated to promoting the growth of America's economy. These objectives are best summed up in the statement of its principles:

> The American competitive enterprise system was founded on the work and savings of the people and has produced the highest standard of living in history. Our people, of their own free will, have made all forms of investment from Government bonds to venture capital for new enterprise. Competitive enterprise is dependent on the continued supply of these funds, which benefit consumers, workers, and the national interest; as well as investors. Investing in America has helped make our country great. This idea needs to be brought home to all the people—men, women, and schoolchildren.

Last year, President Eisenhower recognized the outstanding work of the National Invest-in-America Committee in a message sent to the chairman, in which he said:

> The annual observance of Invest-in-America Week is a good time to reaffirm our belief in the power of work, savings, and investments to create new business and better job opportunities for all our citizens. With effort and enterprise we will continue to advance the economic growth of our land. Congratulations to those engaged in making known the fullest meaning of Invest-in-America Week.

Mr. President, by the designation of such a National Invest-in-America Week, our citizens will be called upon to recognize that through this observance we are endeavoring to preserve our economic, religious, and political freedoms on the bloodless economic battlefield of competition in a free-enterprise society. I ask unanimous consent that the text of the joint resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 143) providing for the designation of April 24 through April 30, 1960, as National Invest-in-America Week, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> Whereas Invest-in-America Week has been so designated to emphasize to the general citizenry the importance of savings and investments in the American free-enterprise system; and
>
> Whereas the basic program of Invest-in-America Week is to demonstrate and point up to the American people the following two vitally important messages: (1) Every American is an investor in jobs, savings, home-ownership, insurance, and securities, and (2) Every American is a capitalist and partner in American free enterprise if he has a savings account, insurance, stocks or bonds, or owns or is buying his home or other tangible property; and
>
> Whereas the American way of life based upon private capital investment is today the foundation of the free world and the strongest link in our massive bulwark against totaltarianism, communism, and enslavement; and
>
> Whereas our free enterprise system today is faced with the gravest challenge in our entire history, not only from the forces of communism from without, but also from a domestic danger—a lack of basic under-

standing of the American system among our own citizenry; and

Whereas the American competitive enterprise system was founded and developed upon the sacrifice, work, and savings of the American people, and has produced the highest standard of living in world history; and

Whereas our competitive enterprise is dependent upon a continual supply of funds in order to continue to serve the national interest by providing its benefits to consumers, workers, and investors; and

Whereas Invest-in-America Week hastens to remind us that thrift and intelligent investment are basic and vital to the economic vigor and health of the Nation; and

Whereas it is clear that savings, and the incentive to invest them wisely, provide much of the capital strength for the growth of our great country; and

Whereas industry, business, labor, civic bodies and countless other groups representing a vast cross-section of the community annually support the Invest-in-America observance which has developed from a small unheralded beginning in 1950 to a nationwide observance in over 200 major cities and metropolitan areas from coast to coast in the short span of 9 years; and

Whereas over 12½ million American citizens are now investing in America through stock ownership in publicly held corporations; and

Whereas the enlightened citizen, aware of his stake in the American way of life and the many opportunities it affords, is a far superior, more responsible citizen: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of April 24 through April 30, 1960, as National Invest-in-America Week, and to call upon the citizens of the United States to observe such week in recognition of the great endeavor in which the American people are now engaged to preserve their economic, religious, and political freedoms on the bloodless economic battlefield of competition in a free enterprise society.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—AMENDMENTS

Mr. CLARK (for himself and Mr. SCOTT) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, which were ordered to lie on the table and to be printed.

INCLUSION OF NEBRASKA MID-STATE UNIT IN MISSOURI RIVER BASIN PROJECT—CHANGE OF REFERENCE—ADDITIONAL CO-SPONSOR OF BILL

Mr. CURTIS. Mr. President, I ask unanimous consent that the Committee on Public Works be discharged from further consideration of S. 2640, a bill relating to the Mid-State irrigation project in Nebraska, and that the same be referred to the Committee on Interior and Insular Affairs.

I ask unanimous consent that my colleague, the senior Senator from Nebraska [Mr. HRUSKA], may be added as a cosponsor on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Is that procedure agreeable to the committee?

Mr. CURTIS. I have cleared it with the chairman of both committees and the chairman of the subcommittee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none and it is so ordered.

AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO SUBMIT A REPORT SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized, during the adjournment of the 1st session of the 86th Congress, to file with the Secretary of the Senate a report entitled "Tax Depreciation Allowances," and that the report be printed.

The PRESIDING OFFICER. Without objection, it is so ordered, and the report will be printed, as requested by the Senator from Florida.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BYRD of West Virginia:

Resolution adopted by Local Union 9375, United Mine Workers of America, of Tralee, W. Va., remonstrating against the enactment of legislation in the labor-management field; article entitled "Titler Blasts Senators for 'Stab in the Back'"; and letter written by him, in reply to the aforementioned resolution, addressed to Mr. George Titler, president, District 29, United Mine Workers of America, Beckley, W. Va.

By Mr. HUMPHREY:

Editorial entitled "World Health Planning," published in the New York Times of May 12, 1959.

NOTICE OF HEARING ON NOMINATION OF WILLIAM H. TIMBERS TO BE U.S. DISTRICT JUDGE, DISTRICT OF CONNECTICUT

Mr. DODD. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Monday, September 14, 1959, at 10 a.m., in room 2228 New Senate Office Building, on the nomination of William H. Timbers, of Connecticut, to be U.S. district judge, district of Connecticut, vice J. Joseph Smith, elevated.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

FOUR MEMBERS OF CONGRESS HONORED BY AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. MANSFIELD. Mr. President, yesterday the American Political Science Association honored four of our colleagues: The distinguished senior Senator from Minnesota [Mr. HUMPHREY], for the many outstanding contributions he has made; the distinguished senior Senator from Delaware [Mr. WILLIAMS], for the great record he has made in the field of fiscal responsibility; the distinguished junior Senator from New York [Mr. KEATING], for the many contributions he has made to the betterment of the legislative process; and the chairman of the House Committee on Armed Services, the Honorable CARL VINSON, of Georgia, who sometimes is known affectionately as the admiral, and at other times is known as the marshal, and at all times is a good Member of Congress.

Mr. President, I think all these Members are certainly entitled to the recognition they have received; and I am sure all their colleagues in both Houses congratulate them and commend them on the recognition that has been accorded to them. No better Members could have been chosen than those comprising this outstanding quartet.

I ask unanimous consent that material relative to these honors for our distinguished colleagues be inserted at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMENTS OF HON. WILLIAM BENTON AT CONGRESSIONAL DISTINGUISHED SERVICE AWARDS LUNCHEON, AMERICAN POLITICAL SCIENCE ASSOCIATION, MAYFLOWER HOTEL, WASHINGTON, D.C., SEPTEMBER 11, 1959

When I was serving as Assistant Secretary of State in 1945, Secretary Byrnes tossed me at the Congress. As he prepared to leave for 5 months at the Paris Conference in the spring of 1946, he dumped a mass of proposed legislation in my lap and told me to put it through. After objecting strenuously and telling him that this was Dean Acheson's job, I asked him how to do it. He said, "First try to find the key man and sell him; then ask him who the next man is and go to see him; then go back and report to the key man; then ask both of them who the third man is, and always keep reporting back; and keep going."

My first call was on Gene Cox who was blocking one of my bills in the Rules Committee. He explained to me that the unanimous approval which I had secured after my testimony to the Foreign Affairs Committee really didn't help me. The reason? Only two members of the committee, Congressman Cox explained, carried any real weight in the Congress, and one of them not much.

This started my intimate acquaintance with the most remarkable group of men I've ever known. I shall always treasure as among my greatest triumphs the part I played in winning such Congressmen as Everett Dirksen, Dewey Short, and Karl Mundt to the support of what finally became known in the 80th Congress as the Smith-Mundt bill. I well remember how surprised I was when Arthur Vandenberg, my key man in the Senate, selected Senator Smith for the role that brought him world fame with the remark that Alex Smith had had something to do with Princeton.

Perhaps more remarkable are the wives. I once told the Young Democrats at Yale that if they aspired to political careers their first make-or-break decision was their choice of a wife. Unlike the wives in our business community, the wives of our Senators and Congressmen are full-fledged partners. Sometimes, as Senator MARGARET SMITH and many another illustrate, they do even better when the other half passes on. They are assuredly the most gifted and able group of women ever automatically selected by the profession of their husbands.

Yet since the founding of our Republic, sneering at Congress has been a popular American sport. Mark Twain won laughs when he denigrated Congress by saying, "It could probably be shown by facts and figures that there is no distinctly native American criminal class except Congress."

My boyhood contemporaries laughed at Artemus Ward's quip, "I am not a politician and my other habits are good."

Even Congressmen join in the sport. The eloquent Dewey Short once referred to the Congress as that "supine, soporific, supercilious, pusillanimous body of nitwits."

No wonder it has been almost axiomatic that Members of the Senate and House have virtually no chance to run for President. Senator Knowland is the most recent Senator of some prominence who seems to have believed the axiom.

Now, of course, we can agree that there are occasionally nitwits on the Hill. And unfortunately those Congressmen who are the least responsible may be those who get the most publicity—at least for a time. As Woodrow Wilson, a perhaps not forgotten former president of your association, pointed out in his famous doctoral thesis—there is a kind of built-in irresponsibility in our congressional system. The Constitution puts a premium on congressional controversy. And who can blame the Congressman who seeks the publicity of the headlines? Politics, like the theater, depends on personal publicity. Just as Brigitte Bardot's picture in the paper is converted into ticket sales at the box office, so the politician hopes his headlines will be translated into votes at the polls—or into campaign contributions which in turn translate into votes.

But what about the Congressmen who perform the nonglamorous drudgery which is the heart of effective work by the Congress? Often they remain virtually unknown, unnamed, unheralded, unsung, and unappreciated except by their colleagues. Yet these specialists in the art of the possible, these compromisers and choosers of the lesser evil, these followers and leaders of public ignorance and public insight, these are the men on whom our democratic processes depend. They are the ones who put in the hours of solitary study, the attendance at often tedious committee meetings, which lie behind the construction of appropriation bills, tax measures, and major substantive legislation of all kinds.

Einstein once remarked that the world is more likely to die of bad politics than bad physics. It would seem to follow that good politics and constructive politicians should be duly honored if we can find a way to do it.

Thus I congratulate the American Political Science Association on its innovation today. I am flattered that an article of mine in the New York Times Sunday magazine, titled "For Distinguished Service in the Congress," stimulated the awards you are about to confer. Today your association formally responds to a question I asked in this article "Do we (Americans) lack the resourcefulness to assess key political policymakers, and to bring them out in the open so that we can better judge their deeds and know who they are?"

Further, I'm pleased that the William Benton Foundation was in a position to finance Dr. Kirkpatrick and his associates through their many months of painstaking planning on how to pick the four Congressmen and Senators with us today, those who have turned in the best performances most in the national interest, and regardless of the local or national publicity.

I am hopeful, of course, that these biennial awards will enhance the prestige of Congress. Perhaps they will help rectify the imbalance of the headlines by providing a moral equivalent which will not only prove personally rewarding to the recipients but which may generate publicity that in turn can be translated into the votes at the polls which every politician needs if he's to stay alive.

Most particularly I congratulate our four pioneer winners of today. They are the advance guard in our parade of recognition. Their records exemplify why Congress is a great and effective body, why it is the forum for the American people, the watchdog of our safety and welfare, and the bulwark of our democratic processes.

APSA CONGRESSIONAL AWARD SPEECH, WASHINGTON, D.C., SEPTEMBER 11, 1959

(By Pendleton Herring)

The American Political Science Association initiates on this occasion a series of awards for distinguished congressional service. Four awards are to be presented at our fall meeting in each odd numbered year: one to a Democrat and one to a Republican in each House. The awards are made possible through an endowment provided by the William Benton Foundation. This foundation is headed by former Senator William Benton, of Connecticut.

The purpose of the awards is to honor legislators for distinguished congressional service and to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society.

The significance of the award is symbolized in this bronze sculpture executed by Ralph Menconi.

"That government of the people, by the people, and for the people shall not perish from the earth."

These immortal words best state the goal of distinguished congressional service and it is fitting that they be inscribed on this award. They appear here across the pages of an open book.

In a free society, lawmaking is best envisaged as an open book—wherein the responsible expression of the popular will is recorded.

This award, in its symbolism, is a reminder that representative government is an unending process that calls for continuous rededication. We see depicted in bas-relief as the base of this award three fundamental stages in the maintenance of free government: (1) The appeal to the people through campaigning, (2) the casting of the ballot in elections, and (3) the deliberate process of debate and discussion in the chambers of the legislature.

Arising from this base the statutes that emerge from the legislative process are signalized by a scroll.

The law book rests on the statutes and underlying and supportive of both is the political party system, indicated by an elephant on one side and a donkey on the other—both couchant—at least momentarily and for the occasion of this award.

The American Political Science Association asked the members of the congressional press gallery and political scientists throughout the country to make nominations for the awards. These nominations were carefully considered by a committee composed of Grayson Kirk, president, Columbia University, New York, chairman; A. Hollis Edens, president, Duke University; Ernest S. Griffith, dean, School of International Service, American University; Harold D. Lasswell, professor of law and political science, Yale University; Edward H. Litchfield, chancellor, University of Pittsburgh; John D. Millet, president, Miami University; Harold W. Stoke, president, Queens College, and myself.

The committee decided that the party leadership in the two Houses of Congress should not be considered for the awards. The holders of these positions by this very fact are accorded general recognition.

Service of distinction in the Congress can be performed in many ways: some services win popular acclaim, other duties are fulfilled, which attract little recognition on the part of the general public but may be of even greater value to the Nation.

It is our hope that these awards for distinguished congressional service will stimulate a keener public appreciation that our free elective system produces in Congress membership of high abilities and varied talents. Moreover, Congress offers a wider scope to the capacities of its Members than any lawmaking body in the world. And therein lies the source of its strength and character.

In making the awards, factors that weighed heavily were: (1) Devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker; (2) high competence measured in terms of effectiveness and concrete accomplishment; (3) constructive imagination, hard headed acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home and finally; (4) the respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

Both houses of Congress have many Members who meet these qualifications. It is hoped that the awards presented today will call attention to the important and dedicated service rendered not only by those to whom these awards are given but also to the many Members of Congress who share the qualities for which the awards are made.

The period of service being recognized by today's awards is that prior to the 86th Congress, now in its first session. As a result, one of those now being recognized for distinguished service in the House of Representatives is at present a Member of the Senate, having been elected to the Senate in November of 1958. It gives me great pleasure to present the American Political Science Association's awards for distinguished congressional service.

CIVIL RIGHTS

Mr. JAVITS. Mr. President, one of the most interesting recommendations of the Commission on Civil Rights is the proposal to establish temporary registrars, in order to assure that all citizens shall have the right to vote, wherever they may be located, notwithstanding local problems which in other years might have kept them from enjoying that right.

I think it incumbent upon those of us who are interested in this problem to move forward as rapidly as we can to implement what is guaranteed by these rights.

Therefore, Mr. President, I send to the desk an amendment to Senate bill 2391 to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote, which is pending before the Committee on the Judiciary, and which is sought to be discharged from the further consideration of that committee by Senate Res-

olution 174, the authors of which are the Senator from New Jersey [Mr. CASE] and myself, and which is Calendar No. 825. The amendment which I send to the desk incorporates the proposal for temporary Federal registrars. I ask that the amendment be printed.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, this proposed legislation implements a major recommendation of the Federal Civil Rights Commission's report that a system of Federal registrars be established to register qualified voters in districts where citizens are being denied the right to vote because of race, religion, color, or national origin. It is entitled the "Federal Elections Voting Rights Act." This measure could be called up as an amendment to any civil rights bill brought before the Senate.

Under the terms of the act, any individual believing himself qualified to vote under the laws of his State in a Federal election but who thinks he is being denied the right to register or vote for discriminatory reasons may file a complaint with the President. If nine such complaints are filed from the same registration district within 1 year's time, the President would refer them to the Civil Rights Commission for investigation. Should the allegations prove to be true, the President would designate a Federal officer or employee in the area to serve as a temporary Federal registrar whose duty it would be to enroll all qualified individuals seeking to vote in Federal elections until such time as the President determines that no citizens in the district are being denied the right to vote solely because of race, religion, color, or national origin.

An election official who deliberately denies the right to vote to any citizen duly registered under this act would be subject to a fine of not more than $300 or imprisonment for not longer than 6 months, or both.

By inference, the most severe indictment of the failure of Congress to pass major civil rights legislation since 1957 is to be found in recommendation No. 5 of the Civil Rights Commission in which five of the six Commissioners found that "existing remedies under the Civil Rights Act of 1957 are insufficient to secure and protect the right to vote of such Negro citizens." Therefore, that the appointment of temporary Federal registrars by the President is essential. Further legislation is indispensable, these Commissioners reported, if many qualified citizens are not to be denied their constitutional right to vote in the 1960 elections.

Safeguarding this most basic of all our constitutional rights—the right to vote—provided to be one of the most potent attractions in the 1957 Civil Rights Act and persuaded several members that this feature alone justified their support of the legislation. In the words of the distinguished Senate majority leader, Senator JOHNSON:

> I voted for the civil rights bill because I believe that the right to vote is the most important instrument for securing justice. I was convinced that steps were needed to safeguard that right.

It has been obvious to many of us who voted for that bill, too, that further legislation has been required for some time, but now the Commission's findings and report spell out the need clearly for everyone who supported the bill in 1957 for the same reason the majority leader did.

How much longer can we side step the issue and the underlying demand for meaningful civil rights legislation.

How much longer is the Senate of the United States going to ignore the fact that 2,100 school districts in a total of 16 Southern States are taking no steps to meet the Supreme Court's order for desegregation in the public schools—or the fact as the Civil Rights Commission states "that substantial numbers of citizens qualified to vote under State registration and election laws are being denied the the right to register, and thus the right to vote, by reason of their race or color"?

In its official report to the President, the Commission found that in the South, in 1956, only about 25 percent of the nearly 5 million Negroes of voting age in the region in 1950 were registered. By contrast, about 60 percent of voting-age southern whites are registered. Generalizations can be misleading, the report points out, and the printed tables disclose that in 1958 the States range from the relatively high figures for Florida and Texas where 39.5 and 38.8 percent of the nonwhite population, respectively, were registered to the abysmally low figure in Mississippi where only 3.89 percent of the State's nonwhite population—which comprises 41 percent of the total voting-age population—registered in 1954, the latest year for which the Commission could get figures. The introduction of this Federal Elections Voting Rights Act today, marks the third amendment I have proposed so far, implementing the Commission's major recommendations and these together with the several other civil rights amendments offered by myself and others rounds out the list of key civil rights bills which can be called up for action at any appropriate time.

MUTUAL SECURITY APPROPRIATIONS—REPORT OF THE CIVIL RIGHTS COMMISSION

Mr. JAVITS. Mr. President, I make the following comment upon the situation we face this morning with respect to the prospective vote on the Mutual Security Act and with respect to the progress with what those of us who feel that way consider to be very essential legislation in the field of equal rights and equal opportunity. I think the report of the Commission has now given us findings of fact, as well as a set of very concrete suggestions, in the three very urgent fields of voting rights, housing, and education, which are very important, because it is so easy to endeavor to picture the position of persons such as myself as being extreme and as reaching for legislation in fields where, if things were only let alone, everything would be just great.

But, Mr. President, the report of the Civil Rights Commission shows that manifold injustices, contrary to the provisions of our Constitution, are being endured by citizens in many parts of the United States. Such a situation cries out for action by us. In short, it is so much easier, so much more helpful in terms of the country, if the facts are found.

Mr. President, the man who has received the least credit, so far, in connection with this whole matter is the President of the United States, who appointed the Commission with its representation equally balanced sectionally, so that great confidence could attach to the findings of fact and the recommendations contained in the report. Great credit is also due to the Congress of the United States, which bitterly fought out the subject and in 1957 arrived at what I regard as an extremely constructive result—certainly in this respect.

So I make this statement. I shall be very brief.

I believe this matter needs deliberate legislative attention. I trust that this morning or this afternoon or Monday or Tuesday, we shall have the requisite assurances, so we shall know that very early in next session we shall have a full and deliberate opportunity to deal with this legislation in the way in which it should be dealt with—as one of our most sacred tasks. Certainly the report shows that is what it is.

I trust that the work of the Commission, which already has been so critically important to the people of the United States, will be permitted to continue.

I think that will represent a legislative plan fair to those on either side in this Congress, fair to us who feel we must not move into this field and those who feel we must. It will give them a calm, fair opportunity to present their views, as well as to those who feel it is now very late, and that the matter must be dealt with in the most comprehensive way. It presents us with that opportunity at a time when it is to late for Congress to consider other legislation of great importance to the country.

I hope very much this will work out. I think we are all very greatly indebted to the Congress of the United States, and to the President, whose name has been all too frequently mentioned, and especially to the Commission which has served us and the country so well.

INTEREST RATES

Mr. PROXMIRE. Mr. President, 8 of the 12 Federal Reserve districts yesterday increased the interest rate they charge for loans to commercial banks from 3½ to 4 percent, making it a 26-year high.

The Federal Reserve Board authorized this action on the basis of the highest motives, because they feel this is the way to prevent inflation. Mr. President, they could hardly be more mistaken. These high interest rates are calculated

to discourage borrowing, especially for construction and thereby diminish the pressure on limited manpower and reserves. Mr. President, there appeared on the front page of the New York Times yesterday an article reporting that a spokesman for the Federal Reserve declared that the rise was warranted "by gains in the Nation's economy."

Also yesterday, on the same front page of the New York Times, there is an article which reports that "the seasonably adjusted rate of unemployment rose in August to 5½ percent, the same as a year ago."

I think that last clause is not accurate. It was not as high as a year ago, but it was an increase, and it was the same as it was 4 or 5 months ago.

This rate of unemployment we are suffering right now, according to the economic indicators published by the Joint Committee or Council of Economic Advisers, is greater than it was in 1952, 1953, 1955, 1956, and 1957, and approximately the same rate of unemployment the Nation endured during the recession of 1954.

So I think it is very clear that the so-called gain in the Nation's economy is not reflected in the employment picture.

Mr. President, I ask unanimous consent that the article from the New York Times to which I have referred be printed in the RECORD at this point, and I also ask unanimous consent that the article on the employment situation to which I have referred be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 11, 1959]

LOAN RATE TO BANKS SETS 26-YEAR HIGH

(By Robert Metz)

Eight of the twelve Federal Reserve district banks, including the one in New York, yesterday increased the interest rate they charge for loans to commercial banks from 3½ to 4 percent. The new rate is the highest since the early thirties.

In Washington, the Federal Reserve Board concurred in the change. A spokesman for the Board said that the rise was warranted by gains in the Nation's economy and by related advances in basic interest rates. He referred to recent borrowing costs incurred by the Treasury on its weekly offerings of short-term bills and to the interest rate charged by commercial banks for loans to their best customers.

At the Treasury's latest auction of bills, the rate rose to 3,979 percent, about one-fourth of 1 percentage point below the record set during the bank holiday of March 1933.

On September 1, major banks here and throughout the country raised their prime interest rate from 4½ to 5 percent. This brought the prime rate to the highest level in 28 years. The banks' other interest rates are scaled upward from the prime rate, which is the borrowing cost to customers with the best credit standings.

Joining the New York Reserve Bank in the rate increase were the central banking institutions of the following Federal Reserve districts: Cleveland, Richmond, Chicago, St. Louis, Kansas City, Dallas, and San Francisco. The 4-percent rate will go into effect today.

Demands for funds, both short-term and long-term, have been increasing sharply despite the effects of the steel and copper strikes.

Loans made to business by leading New York banks, for example, rose $27 million in the week ended Wednesday, for a total increase since midyear of $207 million. In the corresponding period from the middle of last year, when the recovery from the 1957–58 recession was getting underway, there was a decline of $153 million in such loans in spite of interest ratio.

The rise in business loans has occurred while borrowings by metal and metal products companies to finance investments have declined because of the steel and copper strikes, which have caused them to cut inventories.

Since midyear, when metal company borrowings usually begin to increase seasonally, they have declined $54 million at the New York banks. The steel strike began in mid-July and the copper strike early in August.

ACCEPTANCE RAISED

Yesterday's increase was the fifth since August 1958, when the rate was raised to 2 percent from 1¾. The subsequent increases were all one-half of 1 percentage point. A rate of 4 percent was last in effect in 1932. The rate was 6 percent in 1929 and 7 percent, the highest ever, in the early twenties.

Early yesterday, leading dealers in bankers' acceptances, raised their rates for such paper one-eighth of 1 percentage point. These are short-term obligations used to finance goods in transit or in storage. Originated by business concerns, they are stamped "accepted," thus putting the credit of the bank behind them.

Bankers' acceptances compete for short-term investment funds with the Treasury and dealers sought yesterday to put their prices in line with the 3.979-percent rate of last Friday's auction of Treasury 91-day bills.

The new rates on bankers' acceptances are: For bills maturing in 30 to 90 days, 4⅛ percent bid, 4 percent offered; 91 to 120 days, 4¼ percent bid, 4⅛ percent offered, and 121 to 180 days, 4⅜ percent bid, 4¼ percent offered.

Bankers' acceptance rates were raised one-eighth to one-fourth of 1 percentage point last week when major banks increased the prime rate.

The First Boston Corp., Discount Corp. of New York, Salomon Bros. & Hutzler, Briggs Schaedle & Co., Inc., and M. & T. Discount Corp. announced that they were raising their acceptance rates immediately.

[From the New York Times, Sept. 11, 1959]

DROP IN JOBLESS CURBED BY STRIKE—AUTO CHANGEOVERS ALSO CUT DECLINE—THREE AND FOUR-TENTHS MILLION IDLE

(By Richard E. Mooney)

WASHINGTON, September 10.—The steel strike and the shutdown of auto assembly lines for model changeovers resulted in less than the usual reduction in unemployment last month, the Labor Department reported today.

The number of workers without jobs declined by 318,000 between mid-July and mid-August, the report estimated. The mid-August unemployment total was 3,426,000.

Because the decline was less than normal for this time of year, the seasonably adjusted rate of unemployment rose to 5½ percent, the same as a year ago. It was 5.1 percent in July.

Employment, which usually improves in August, declined by 353,000. Despite the reduction, the employment total set an August record of 67,241,000.

The half-million striking steel workers do not figure directly in the totals. Strikers are counted as "employed." But the strike has caused layoffs of other workers. They numbered 125,000 in mid-August and 145,000 by September 1, the Department estimated. The later figure included approximately 50,000 railroad workers, 34,000 coal miners, and 14,000 construction workers. One-third of the September 1 total were in Pennsylvania.

Auto changeovers accounted for 80,000 of the mid-August unemployed.

Aside from the steel and auto factors, the underlying situation is very good, said Seymour Wolfbein, Deputy Assistant Secretary of Labor.

However, Mr. Wolfbein had little comfort to offer the Secretary, James P. Mitchell, who said last spring that he would eat his hat on the front steps of the Labor Department if unemployment were not less than 3 million in October.

Normal trends would put the figure right at 3 million in mid-October, Mr. Wolfbein said. He estimated the total would be lower if the steel strike were settled by then, but probably higher if the strike continued.

EXPANSION STUDY BULLISH

Another Government report gave strength to Mr. Wolfbein's assessment of the underlying economic trend. The Commerce Department and the Securities and Exchange Commission raised their estimate of how much would be invested in business expansion this year.

Their new estimate of $33,255 million represents a 9-percent gain over last year's level. In June they had estimated $32,600 million and in March, $31,800 million. Last year's total was $30,500 million. The record, established in 1957, is $37 billion.

Today's report included estimates of $34,290 million for the current quarter, and $35,340 million for the fourth, at seasonally adjusted annual rates.

The Commerce Department also issued a preliminary estimate of retail sales in August, putting them at $18,100 million. After adjustment, this represented a 1-percent decline from July and an increase of 7 percent over last year.

The employment report said that the factory workweek rose by the normal amount for August, but that average weekly earnings were off nonetheless.

Mr. PROXMIRE. Mr. President, I call the attention of the Senate to a splendid article by Sylvia Porter, an extremely well-balanced, well-informed commentator on financial affairs, who points out, and I should like to read just one or two paragraphs from her article:

A potentially great threat to small businessmen has appeared on the financial horizon. The threat lies in the mounting scarcity of credit, the rising cost of borrowing.

We have entered a cycle of the tightest, most expensive money in a generation, and the odds are credit will become even harder to get before it becomes easier. In this era, the big, profitable corporation borrower won't be pinched much, though; the top-notch corporation always will stand at the head of any credit line.

In this era, the borrower who will be squeezed the most will be the small businessman or the so-called marginal concern. Banks are simply not designed to provide risk capital or long-term loans for the small businessman. They never were designed for this purpose.

She goes on to state:

We enter a cycle in which borrowing will be the most expensive in a generation and even the top-rated corporations of the world will be paying up to 6 percent for short-term bank loans. And what will smaller firms be paying? Perhaps an effective rate of 7 percent.

She concludes with this significant paragraph:

And no one in power is standing up to convince the Federal Reserve it is not pursuing the best of all possible policies now.

Mr. President, in view of the parliamentary situation——

Mr. GORE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Tennessee.

Mr. GORE. Instead of undertaking to resist or reverse this damaging development, the President and the Secretary of the Treasury are giving voice to the advisability, the necessity, so-called, and the desirability of an upward interest rate spiral. Is that not correct?

Mr. PROXMIRE. The Senator from Tennessee is absolutely correct. The Senator from Tennessee has been really one of the outstanding spokesmen in the U.S. Senate in opposing the policy of the Federal Reserve which is so drastic. There is no question this action of the Federal Reserve Board, which, of course, has been taken with the full cooperation and approval of the Treasury, has resulted in driving up interest rates to the great detriment of the small businessman, the farmer, the States, and the locality that wants to borrow money and has to borrow money, and at great cost to the Federal Government.

As a matter of fact, if this one-half of 1 percent increase in the interest rates is spread so that eventually it will be in effect throughout the economy, it will result in an increased cost of servicing the national debt of nearly $1½ billion a year. Let me repeat that this deliberate interest rate hike, calculated and planned and executed by the Federal Reserve Board, could eventually cost the American taxpayer $1½ billion, or $40 in additional taxes each year for every family in America.

Mr. President, I ask unanimous consent that the article by Sylvia Porter from which I have read be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THREAT TO SMALL BUSINESSMAN

(By Sylvia Porter)

A potentially great threat to small businessmen has appeared on the financial horizon. The threat lies in the mounting scarcity of credit, the rising cost of borrowing.

We have entered a cycle of the tightest, most expensive money in a generation, and the odds are credit will become even harder to get before it becomes easier. In this era, the big, profitable corporation borrower won't be pinched much, though; the top-notch corporation always will stand at the head of any credit line.

In this area, the borrower who will be squeezed the most will be the small businessman or the so-called marginal concern. Banks are simply not designed to provide risk capital or long-term loans for the small businessman. They never were designed for this purpose.

This type of firm won't be able to get all the funds it needs for long-term growth by issuing bonds or stocks in the capital markets.

This firm won't be able to get anywhere near ample financing from existing Federal or State or semi-public lending organizations. None of these organizations has enough capital to cover more than a fraction of loan demands.

And this firm won't be able to get much aid from the new system of small business financing that was supposed to come out of the Small Business Investment Act of 1958 and was supposed to help fill a dangerous vacuum in the credit structure of the United States.

For, so far, this act has been a flop beyond the expectations of even the most cynical. A year ago Congress passed this law under which the Small Business Administration was to promote the formation of local small business investment companies to help small businesses get risk capital and long-term loans at fair interest rates.

But apparently the investment companies are being strangled by red tape, regulations, interpretations, and misinterpretations. The number created in all these months has been ridiculously meager. The revolutionary new system of financing small business is still to come.

We enter a cycle in which borrowing will be the most expensive in a generation and even the top-rated corporations of the world will be paying up to 6 percent for short-term bank loans. And what will smaller firms be paying? Perhaps an effective rate of 7 percent.

We enter an era in which the intensity competition will make it imperative for all businesses to modernize their plants, finance research and new products. And what companies will find it toughest to get the cash to finance modernization, research, etc.? You know the answer.

Yet, to all who worry about the unfair, discriminatory impact of tight money, the Federal Reserve System replies, in effect: "If credit controls are to curb inflation, they must squeeze some borrowers. If tight money is to work, it must work some hardship. This is the price the Nation must pay for a stable dollar."

And no one in power is standing up to convince the Federal Reserve it is not pursuing the best of all possible policies now.

Mr. PROXMIRE. Mr. President, in conclusion, I want to call attention to an article which appeared 2 days ago in the Wall Street Journal. This is an article which has already been put into the RECORD by the distinguished senior Senator from Virginia [Mr. BYRD]. I think this article deserves a brief answer. In the course of the article it is stated, as follows:

No matter what we do, money is going to get tighter and everybody is going to be pinched. That means we have got to the point where the problem feeds on itself. The Government's huge demand for money pushes interest rates up, and the higher interest rates rise the more Government's costs rise, which in turn means a bigger demand for money the next time around. And so on. * * *

If the Government now tries to ease the pinch on itself by having the Federal Reserve supply its needs—which is what some people in Congress tell us to do—that would serve notice on everybody that we had abdicated.

Mr. President, anyone who takes a careful, thoughtful, informed look at the financial situation will recognize that there is no reason for this "might as well throw up our hands and take higher and higher interest rate" pessimism of the Wall Street Journal. Interest rates are high because the Fed has deliberately made money supply tighter than it has been since 1931. It is tighter than it has been since Andrew Mellon was Secretary of the Treasury. The administration and the Federal Reserve Board say it is going to get tighter. Tight money means scarce money. Scarce money means the price of that money—which is, of course, interest rates goes up. The fact is that the ratio between the amount of money and the gross national product, which indicates, of course, the job the money has to do, is lower now than it has been since the tight money policy pursued in the Hoover administration. I think we all recognize that the Federal Reserve Board can help ease the situation by increasing the supply of money by a very modest figure. It can do this by buying Government securities. In this way it will support the Government bond market. That will not be inflationary according to any economic threat at a time when we have a substantial amount of unemployment and excess capacity through our plants and factories in this country. A relatively modest purchase of Government securities would help immensely to firm up bond prices and bring down interest rates.

Mr. CLARK. Mr. President, I should like to associate myself with the comments just made by the junior Senator from Wisconsin with respect to the need for the Federal Reserve Board to take action in connection with the interest rate.

I should like to point out that none of the directives of the Employment Act of 1946 are now being complied with. We do not have full employment. We do not have maximum production. We do not have a stable price level.

In this connection, I should like to call attention to two speeches made on the floor of the Senate yesterday, one by the Senator from Illinois [Mr. DOUGLAS], and the other by the Senator from Utah [Mr. Moss], which appear on pages 19117 and 19118 of the RECORD, and to associate myself with their comments.

I ask unanimous consent to insert at this point in my remarks a release issued by William L. Batt, Jr., secretary of labor and industry of the Commonwealth of Pennsylvania.

The situation in the area referred to, which is Pennsylvania, is a great deal worse than it is in the Nation generally.

There being no objection, the press release referred to was ordered to be printed in the RECORD, as follows:

"It should be pointed out," said Secretary Batt, "that 26 areas still have high levels of unemployment." Uniontown-Connellsville leads this group with 16.7 percent unemployed. Johnstown, a major area, is close behind, with 16.4 percent. Lancaster continues as the area with the lowest unemployment in the State, with only 2.7 percent idled. The two largest areas, Philadelphia and Pittsburgh, persist in the high labor-surplus category, with jobless levels of 6.1 percent and 8 percent, respectively.

In the United States as a whole where the unemployment rate is a low 5.2 percent as compared with Pennsylvania's 7.7 percent, 43 labor-market areas lost their labels of substantial labor surplus. Of this number, 14 were major labor-market areas. These estimates do not reflect unemployment resulting from the steel strike.

The following constitute the areas in Pennsylvania which are currently classified, their percentage of labor force unemployed, and their estimated total of unemployed workers as of mid-July:

Labor market area	Percent of total civilian labor force unemployed	Estimated total number of workers unemployed	May-July change in number unemployed
Uniontown-Connellsville	16.7	7,400	−700
Johnstown	16.4	16,300	+4,100
Wilkes-Barre-Hazleton	15.7	21,700	+2,500
Pottsville (Schuylkill County)	14.4	11,400	−100
Scranton	13.6	14,100	−400
Kittanning-Ford City	12.6	2,700	+100
Clearfield-DuBois	11.1	4,000	−100
Erie	10.9	10,900	−1,400
Sunbury-Shamokin-Mount Carmel	9.6	6,200	+700
Meadville	8.7	2,100	−400
Indiana	8.7	1,900	+200
Altoona	8.4	4,500	−400
Oil City-Franklin-Titusville	8.0	2,400	+200
Pittsburgh	8.0	76,500	+4,000
New Castle	7.8	3,200	0
St. Marys-Emporium	7.8	1,400	−200
Lewistown	7.7	1,700	−100
Butler	7.5	2,700	−100
Berwick-Bloomsburg	7.3	1,600	−100
Bradford	7.3	1,600	+100
Williamsport	7.1	3,200	+300
Chambersburg-Waynesboro	7.0	2,700	+100
Sayre-Athens-Towanda	6.9	1,400	−200
Lock Haven	6.6	1,000	+100
York	6.4	6,800	−200
Philadelphia	6.1	110,000	−3,800
Allentown-Bethlehem-Easton	5.9	12,900	+1,300
Reading	5.6	6,800	−300
Harrisburg	3.8	6,100	+300
Youngstown, Ohio (Sharon-Farrell in Pennsylvania)	3.5	8,500	+500
Lancaster	2.7	3,300	−300

Mr. CLARK. Mr. President, I call attention to the fact that there are still 26 areas of high unemployment in my Commonwealth, including Uniontown and Connellsville, where 16.7 percent of the labor force is unemployed; and Johnstown, where 16.4 percent of the labor force is unemployed. Philadelphia and Pittsburgh persist in the high labor surplus category with jobless levels of 6.1 percent and 8 percent, respectively.

I point out, Mr. President, that these figures do not include the workers presently unemployed as a result of the steel strike.

FOOD STAMP PLAN

Mr. CLARK. Mr. President, I note with some dismay that Secretary of Agriculture Benson has said he has no intention of putting into effect the food stamp plan authorized in the conference report on Public Law 480, which was adopted by the Senate yesterday. Mr. Benson is quoted in the newspaper as saying everybody knows there is neither unemployment nor distress in the United States of America today. I hope he was not correctly quoted, but if he was, I hope he will look at the CONGRESSIONAL RECORD this morning where figures to the contrary are pointed out.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. The Senator has begun to speak on another subject, and so I presume we have a minute or two left.

I congratulate the Senator on his excellent statement and the obvious connection which is implied in the statement between the high interest rate policy and unemployment. The fact is that high interest rates discourage homebuilding and other business endeavors which will put people to work.

I would like to call the attention of the Senator from Pennsylvania to the economic indicators for August, which point out that since 1952 personal interest income has increased from $12 billion to $22.4 billion, an 85-percent increase, which is by far the largest increase of any kind of payment during that period of time. That contrasts with a drop in farm income of 20 percent. It contrasts with increase in the incomes of the business and professional groups of only 30 percent, rental income of only 20 percent, dividend income of 40 percent, and wage income of 50 percent. The year before this administration took office, farmers incomes were 20 percent higher than the wages of capital, that is, interest income. After 6½ years of this administration interest payments exceed the income of all the 6 million farm families in America by a whopping 80 percent.

The fact is interest income, a transfer from debtors to creditors, has increased at a very great rate, and I think it is an unjust rate, with very devastating and unfortunate effects on our economy.

Mr. CLARK. I thank my friend for his comments, with which I am in complete accord.

CONFEREES ON E- AND H-BONDS INTEREST RATE

Mr. CLARK. Mr. President, I have been one who has felt for a long time we should have a new Senate rule which would require a majority of the Senate Members of a conference committee to be Senators who have indicated by their votes that they are in sympathy with the bill as passed by the Senate and their concurrence in the prevailing opinion of the Senate on the matters of disagreement with the House.

I note we have presently outstanding in conference a bill dealing with the E- and H-bond rate on which five Senate conferees are steadfastly supporting the position of the Senate despite the fact that each one of the five voted against the Anderson amendment which the House conferees have so far refused to accept.

I commend the Senator from Virginia [Mr. BYRD] and the Senator from Oklahoma [Mr. KERR] and the other members of the conference committee for standing firm for what they know the will of the Senate is, despite the fact that they personally voted against the amendment which is presently in conference.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend from Tennessee.

Mr. GORE. I am grateful for the generous comment of the distinguished Senator from Pennsylvania [Mr. CLARK].

The first responsibility of the conferees on the part of the Senate is to represent not their individual views, but the views of the Senate.

The conferees in this case—the Senator from Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. KERR], the Senators from Delaware [Mr. FREAR and Mr. WILLIAMS], and the Senator from Kansas [Mr. CARLSON]—have lived up to the highest traditions of the Senate.

It is not an invariable rule that the senior members of a committee must be appointed as conferees. Quite frequently in the history of both the Senate and the other body the Presiding Officer has gone down the list and sometimes even outside the committee having jurisdiction. But the customary practice is to appoint as conferees on the part of the Senate the ranking Members of the two parties on the committee. On some occasions some Senators, including the senior Senator from Pennsylvania, has felt that the conferees have undertaken to have their own views prevail, but in this instance I join him in praise of the conferees on the part of the Senate for truly representing the position taken by the Senate on the yea-and-nay vote.

Mr. CLARK. I thank my friend from Tennessee.

Mr. HOLLAND. Will the Senator yield?

Mr. CLARK. I believe my time has expired.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. HOLLAND. May I ask for 3 minutes on my own time?

Mr. CLARK. Mr. President, I ask unanimous consent to have 1 additional minute. If it is given, I shall be happy to yield the floor.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. CLARK. Mr. President, I agree with what my friend from Tennessee [Mr. GORE] has just said, except I do not quite agree that it has always been customary to appoint conferees on the basis of seniority.

I ask unanimous consent that a memorandum in support of my proposed rule relating to the selection of the Senate members of conference committees may appear in the RECORD at this point of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM IN SUPPORT OF PROPOSED RULE RELATING TO SELECTION OF SENATE MEMBERS OF CONFERENCE COMMITTEES

This memorandum summarizes the arguments in support of a resolution to add the following paragraph at the conclusion of rule XXIV of the Standing Rules of the Senate:

"3. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters of disagreement with the House of Representatives which occasion the appointment of the committee."

A RULE IS NEEDED

The Standing Rules of the Senate are virtually silent on the subject of appointment of the Senate members of committees of conference, the applicable rule (rule XXIV) merely stating: "All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint."

In practice, the members have been elected only once in modern times (on the Muscle Shoals bill in 1925). In all other instances, the Chair has been authorized to make the appointments, and it is the practice for the Presiding Officer to have the Senators suggested to him by the chairman of the appropriate committee or other Member in charge of the bill.

Since before the time of Jefferson, the principle has been acknowledged that the majority of conferees should represent the prevailing view of the body on the bill to be considered. The current manuals state that this is Senate practice. Yet in the routine handling of bills, the alternative practice has grown up of appointing the senior members of either the committee or the subcommittee which considered the legislation.

Necessarily, the prevailing view principle and the seniority practice come into conflict on some bills, and at such times either the principle or the practice must give way. If on such an occasion no Senator makes an issue of the appointment of conferees—as is usually the case—the seniority practice is routinely followed, resulting in the appointment of conferees unsympathetic to the prevailing view of the Senate.

The most recent such instance occurred on March 25 of this year, when four of the five Senate conferees on H.R. 5640, the temporary unemployment compensation bill, had voted against the Senate version, and in favor of the House version, of the bill to be considered by the conference.

When, on the other hand, an issue has been made of the conflict between principle and practice, the "prevailing view" principle has usually been adhered to, but often only after cumbersome and embarrassing maneuvers. Ordinarily, the maneuvering has taken place behind the scenes, but sometimes it has broken out into acrimonious controversy on the Senate floor. Friends of the measure have found themselves in the embarrassing position of appearing to challenge the integrity of senior Senators. The senior Senators have found themselves in the equally embarrassing position of having to choose between resigning under protest or subjecting themselves to criticism for insisting upon representing a Senate position with which they were out of sympathy.

To write into rule the recognized "prevailing view" principle would provide an orderly procedure for the future and obviate further controversy on the question.

THE "PREVAILING VIEW" PRINCIPLE HAS LONG BEEN ACKNOWLEDGED

1. The manuals recognize the principle

Cleaves' Manual, which was reported to the Senate pursuant to a Senate resolution in 1900 and which is incorporated in the Senate Manual, states in section 17:

"In the selection of the managers * * * of course the majority party and the prevailing opinion have the majority of the managers. It is also almost the invariable practice to select managers from the members of the committee which considered the bill. * * * But sometimes in order to give representation to a strong or prevailing sentiment in the House the Speaker goes outside the ranks of the committee."

This section of Cleaves' Manual is taken from section 1383 of Hinds' "Parliamentary Precedents of the House of Representatives of the U.S.," published by authority of a joint resolution of the Congress approved in 1898.

The current House manual and rules contains even stronger language on this point (sec. 536).

2. Presiding officers have asserted the principle

In 1896, when Senator Hill (N.Y.) objected to the Chair's going outside the ranks of the committee which had considered the bill in naming a conferee, the Presiding Officer stated that "no new precedent has been established by the Chair. It has been the custom of the Senate for a great many years to appoint other than a member of the committee reporting a bill on the conference ccmmittee." (54: 2, RECORD, p. 3857.)

In 1935, Vice President Garner announced that "hereafter the present occupant of the Chair expects to exercise some discretion in the matter of selecting conferees when the Senate authorizes him to make the appointments." The minority leader said his understanding of the rule was that "the majority, at least, of the conferees must be sympathetic with the prevailing opinion, which must be the majority of the Senate who support the measure." Vice President Garner replied, "That will certainly be the policy of the present occupant of the Chair." (73: 1, RECORD, p. 5296.)

3. Many individual Senators have cited and supported the principle

During consideration of the Oklahoma statehood bill, in 1905 and 1906, Senator Teller said:

"The rule has been in parliamentary bodies, not only in this country, but in others, particularly in Great Britain, that when a measure * * * comes * * * from another body, the friends of the measure as it passed the body (and it is true in the other House as well as this) take charge of it from that time on. When we shall have reached the point * * * that there is to be a conference, they are entitled to a majority in the conference." (58: 3, RECORD, p. 2815.)

"Whenever a conference committee is created, it is created to bring the mind of the other body to that of this body, and to bring them together. It is not to represent the view of the minority, but to represent, if possible, the majority. Upon that theory the majority of the proposition that passes this body is entitled by custom and usage and on principle to name the committee. A majority only of this body can pass a bill * * * this body then is entitled to have a friendly committee.

"So far have the English authorities gone on this subject in Parliament that they have declared that it was the duty, when a man was put on a conference committee or on any other committee to deal with a subject to which he was hostile, to refuse to become a member of the conference committee or any other committee. As was said by a distinguished English writer on parliamentary law, and as is quoted approvingly in 'Jefferson's Manual,' 'the child is not to be put to a nurse that cares not for it.' It is only * * * in modern times that the custom has grown up to allow the chairman of the committee, however hostile he may be to the bill as it passes the Senate, to designate who shall deal with the House in the effort by a conference to bring the House to the sentiment of the Senate. Everyone can see that logically the friends of the measure are the proper ones to represent the matter to the conferees on the part of the House and win them to the senatorial mind." (59: 2, RECORD, p. 4155.)

During the 1906 debate on the same question, Senator Foraker (Ohio) said: "The rule of the Senate which I * * * evoke in this instance would but give * * * us * * * the benefit of the general rule that obtains, laid down by all parliamentary writers, that those who are the friends of a proposition should go to the conference to represent it." (59: 2, RECORD, p. 4155.)

During consideration of the Army appropriation bill in 1888, Senator Hawley (Connecticut) asserted that the rules required "that two of the conferees shall be Senators friendly to the action of the Senate." The Chair thereupon stated that, in practice, conferees "are designated by the friends of the measure." (50: 1, RECORD, p. 7223.)

During consideration of the Cuban intervention resolution in 1898, Senator Stewart (Nevada) said: "I remember that until quite recently in making selection of conferees, the Chair always has in view the idea of representing the majority of the Senate upon that particular question where there is a difference, and those constituting the majority in favor of the measure, are entitled to have a majority of the committee to represent their views. That has been the rule; and I have never known an exception to it until 1890. It was stated frequently by the older Members 30 years ago that that was binding in all cases." (55: 2, RECORD, pp. 4027–28.)

On the same occasion, Senator Frye (Maine) said: "In my judgment, in my place as conferee there should be appointed some Senator on the committee who holds views diametrically opposite to mine. The Senator from Ohio [Mr. Foraker] is the real father of the proposition to recognize the Cuban Republic now. He was persistent in committee, has been persistent since, and if I were Presiding Officer of the Senate, I would appoint Senator Foraker as one of the conferees on that committee." (55: 2, RECORD, p. 4030.)

During consideration of the Muscle Shoals bill in 1925 (68: 2, RECORD, pp. 2552–63), Senator Underwood (Alabama), moved for election of conferees in order to avert the appointment of the senior members of the Committee on Agriculture and Forestry, saying: "According to the rules and the precedents, I think we are entitled to conferees who reflect the last vote of the Senate in passing the bill." (Id., p. 2552.)

And Senator Norris, of Nebraska, who was the chairman of the Committee on Agriculture and Forestry who would be bypassed, said: "We ought to appoint conferees who believe in the action the Senate has taken and are in sympathy with it. This bill that was passed by the Senate—the Coolidge-Underwood bill—was opposed by me almost in its entirety. If we follow what I think we should follow—the right kind of an honest rule—then when the conferees are appointed I should not be on the conference committee from the Senate. I had determined, even before any suggestions had been made, that I would not accept appointment on the conference committee, because, to my mind, I would almost have to stultify myself. I did not believe in the bill; I had no faith in the action taken by the Senate; I was sincerely bitterly opposed to it, and it seemed to me that I should eliminate myself and ought to stay off the committee. I think the fundamental proposition that those friendly to legislation should be appointed on conference committees is correct." (Id., p. 2555.)

On the same occasion, Senator Smith, of South Carolina, said: "I agree with the Senator from Nebraska that when the majority have expressed themselves touching the principle of any legislation, those in sympathy with it ought, if possible, to go on the conference committee to meet the objections to that principle which comes from the other House." (Id., p. 2559.)

On the same occasion, Senator Edge, of New Jersey, said: "Speaking entirely apart from the legislation at issue, it appeals to me that the rule of seniority, so far as it applies to the naming of conferees, is a very unfortunate one. * * * I believe conferees appointed on any measure should be Senators convinced that the measure they are

to consider in conference is correct and is right. * * * They should go into conference with the enthusiasm of believing the measure should become a law." (Id., p. 2560.)

On the same occasion, Senator Heflin, of Alabama, said: "There is no doubt that the dominant thought of the Senate is entitled to be represented on the conference committee, and when we seek to get Senators who represent that thought and have to disregard Senators who are bitterly antagonistic to the view of the Senate we make no reflection upon those latter Senators." (Id., p. 2561.)

SENIORITY PRACTICES HAVE FREQUENTLY BEEN ABANDONED IN ORDER TO REFLECT THE PREVAILING VIEW

Ada Chenoweth McCown, whose study of conference practice in the first 70 Congresses (the Congressional Conference Committee, Columbia University Press, 1927) is the authoritative work on this subject, wrote that seniority and committee membership had little to do with the selection of managers for conferences during the first 30 Congresses. By 1848, she noted the seniority standing on committees appeared to have some influence on choice of managers by the House, but was still not the general practice of that Chamber. In the Senate there was no evidence of a seniority practice by that date (pp. 61–63).

During the last half of the 19th century and during the 20th century, the seniority practice grew, but on occasions when the issue was raised that the "prevailing view" principle was being violated the seniority practice was repeatedly abandoned to permit the majority of the Senate to have the majority of the Senate conferees.

In some such cases the original appointments were made without strict adherence to seniority. In others, the original appointments were made according to seniority but were followed by resignations—sometimes promised in advance—to permit substitution of Senators favorable to the Senate view.

Examples of both procedures follow:

1. Departure from seniority in original appointments

Federal Reserve Act (1913): Every Democratic member of the Banking and Currency Committee was appointed except Senator Hitchcock (Nebraska), second-ranking Democrat (RECORD, Dec. 13, 1913, p. 1230).

Chinese Exclusion Act (1902): Senator Reed (Pa.) was passed over in favor of more junior committee members (57: 1, RECORD, p. 4424).

Cuban Intervention (1898): After a protest had been voiced by Senator Foraker (Ohio) that a majority of the prospective conferees did not support the Senate position, Senator Frye (Maine), who would have been a conferee had the seniority rule been followed, suggested that the Chair appoint Senator Foraker in his place. The Chair adopted this suggestion (55: 2, RECORD, pp. 4027–4032).

Displaced Persons Act Amendment (1950): An objection was voiced to the original slate of seven conferees proposed by Senator McCarron (Nebraska) on the ground that four of them had opposed a substitute amendment which was adopted by the Senate. Senator McCarran thereupon withdrew his proposed names and moved that the Chair appoint conferees. The Vice President then appointed five conferees, including only three of the original group proposed by Senator McCarran, giving a majority of 4 to 1 in favor of the majority view of the Senate (81: 2, RECORD, pp. 4802–4803).

2. Resignations of senior members to permit substitutions

Muscle Shoals (1925): All three of the Senators elected by the Senate to the conference committee (Norris of Nebraska, McNary of Oregon, and Smith of South Carolina) resigned following their election because they were opposed to the measure which passed the Senate. Following their resignation, other appointments were made in order from the committee and three other Senators (Keyes of New Hampshire, Capper of Kansas, and Ransdell of Louisiana) resigned for the same reason, thus making possible a majority of conferees favorable to the measure.

Federal Revenue Act (1936): Senators Couzens (Mich.) and Keyes (N.H.) resigned immediately after appointment, insisting they were out of sympathy with the bill. (74: 2, RECORD, p. 10266.)

Agricultural Adjustment Act (1938): Senators Norris (Nebr.) and McNary (Oreg.) resigned after appointment, the latter explaining that it had been "an unbroken rule of mine that when I oppose a bill I refuse to act as a conferee." (75: 2, RECORD, p. 1768.) They were replaced by Senators Frazier (N.Dak.) and Capper (Kans.).

Submerged Lands Act (1952): After conferees were appointed on the submerged lands act bill, Senator LONG (La.) protested that three of the five had voted against the so-called Holland-Connally substitute which had been approved by the Senate. Senator LONG contended the provision of Cleaves' Manual, quoted above, had been violated. He entered a motion that the Senate reconsider the appointment of conferees. (82: 2, RECORD, p. 3580.)

On the following day, Senator O'MAHONEY (Wyo.) announced that one of the conferees, Senator McFarland (Ariz.), had asked to be excused from service on the committee and that the next two senior men on the committee, Senators Anderson (N. Mex.) and Lehman (N.Y.) had made like requests because they too had opposed the substitute amendment which had prevailed. The next Senator in order, Senator LONG, accepted appointment and withdrew his motion to reconsider. (82: 2, RECORD, p. 3678.)

On other occasions, protests at the appointment of conferees not in sympathy with the prevailing Senate opinion have been registered, but withdrawn upon assurance by the conferees that they would faithfully support the Senate position despite their own divergent views. Yet the necessity for such demeaning public assurances would not arise were it not for the doubt that inevitably exists when "the child is put to a nurse that cares not for it."

Whenever the question of abandoning the seniority system is raised on a particular bill, the issue becomes one of personalities. As was so notably the case in the lengthy and harsh debate on appointment of conferees on the Muscle Shoals bill, Senators seeking to assert the right of the majority to select the Senate managers are accused of impugning the integrity and honor of the senior Senators. At the same time, the senior Senators who would be bypassed are placed in a bad light if in other cases other committee chairmen and ranking members have been trusted to handle bills with which they were not in agreement.

If the proposed rule is adopted, then the selection of conferees in sympathy with the bill in question will be automatic. The issue will not have to be raised on the Senate floor, as in the past, giving rise to divisive debate and recriminations. And the principle of the "prevailing view," which has been so often violated, will be regularly honored.

Mr. CLARK. I reiterate my commendation of the present members of the conference committee.

Mr. HOLLAND. Will the Senator yield?

Mr. CLARK. I yield.

Mr. HOLLAND. I appreciate the comment of the senior Senator from Pennsylvania with respect to the function of the conferees in this particular case, though I did not happen to be one of them. I was not a member of the committee, which would have led me to be one. But I wish to state that one of the finest things I have observed in the Senate in the 13 years of my membership is that without exception, in every conference in which I have sat—and there have been a great many—the attitude of the conferees has been exactly as the Senator has described the attitude of the conferees in this particular matter.

Senate conferees leave the status of highly partisan advocates on the floor of the Senate which they have occupied on behalf of one or another point of view and become representatives of the Senate, and on the few occasions when it has appeared that that might not be the case, I have always noted that senior Senators have yielded so that junior Senators of a different point of view might take their places on the conference to be very sure that their particular point of view would be expressed.

I do not think it would be any more possible for a conference committee of the Senate to lose sight of the fact that it functions as the representative, as the manager, as the voice of the Senate in a conference than it would for the Members of the Senate to forget that they are Members of the Senate, and it has been my uniform observation that that principle prevails in the service on conference committees of Members of the Senate. I am glad the Senator has found occasion to voice that particular sentiment with reference to the attitude of the Senators in this conference who were known to have one point of view but who stoutly maintained the other point of view which had been expressed by the Senate, when they became members of the conference.

Mr. CLARK. I thank my friend from Florida for his remarks. I wish I could fully agree with him. I regret I cannot.

INVESTIGATION OF PREVAILING PRICES OF DRUGS AND MEDICINES

Mr. KEFAUVER. Mr. President, yesterday the junior Senator from Florida [Mr. SMATHERS] submitted on the Senate floor Senate Resolution 191, which would direct the Senate Small Business Committee to conduct a full and complete study and investigation of the prevailing prices of drugs for the purpose of determining whether or not such prices are fair and reasonable.

In his remarks in support of this resolution, Mr. SMATHERS acknowledged that he was aware that the Senate Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was presently, at the staff level, investigating drug prices. He added, however, that if the Antitrust and Monopoly Subcommittee was "too busy to go forward with a realistic study of the high cost of drugs and medicines to the American people," he would be glad to talk to me about letting the Small Business Committee go forward with this investigation.

I compliment the junior Senator from Florida for seeing the need for this in-

vestigation. I must remind the Senator, however, that the Antitrust and Monopoly Subcommittee, as early as January of this year, saw the great need for a study in this area. In submitting the subcommittee's program for approval to the Judiciary Committee on January 21, 1959, and requesting funds for its program, the subcommittee informed the Judiciary Committee that it planned to make, among other things a study of the drug industry. The program and requested sum was approved by the Judiciary Committee and, as submitted, was approved by the Committee on Rules and Administration. This program was set forth in Report No. 27 to the Senate and accompanied Senate Resolution 57 authorizing the work and program of the Senate Antitrust and Monopoly Subcommittee. Senate Resolution 57 was approved by the Senate on February 2, 1959.

Mr. President, the ethical drug manufacturing industry is not small business. It is big business. It is a complex industry. With the approval of Senate Resolution 57, experts on the staff of the Antitrust and Monopoly Subcommittee were assigned to this investigation. Since April of this year a great deal of information has been secured, both by subpena and by other avenues, as a basis for public hearings.

When the subcommittee issued its first subpenas upon the manufacturers of drugs, I was personally deluged by innumerable requests as to the nature and scope of the subcommittee's investigation. I was particularly asked when the subcommittee intended to begin hearings. Because of the complexity of the subject matter, I made the statement many times to the press and trade journals to the effect that in view of the magnitude and complexity of the drug industry, the subcommittee planned to hold its first public hearings in the fall of this year. The subcommittee is still adhering to this plan.

I note that Senator SMATHERS has called attention to widespread differences in the prices of drugs in the United States as compared to those abroad. Thus he cites for comparable dosages comparisons of vitamin B_{12} of $4.88 in this country and $2.63 in Venezuela, of erythromycin of $6 in this country as compared to $4 in France and of the tranquilizer, Miltown, of $3.85 to $4.25 in this country as against $0.46 in Argentina.

I quite agree with the junior Senator from Florida that the discriminatory high prices against consumers in the United States, as indicated by these figures, certainly warrants investigation. It was precisely because of reports that such discrimination exists that I formally requested, by a letter dated April 8, 1959, the State Department to make a survey of drug prices in foreign countries.

It is to be noted that the prices now cited by the Senator from Florida in support of his resolution appear to be those developed by the survey made pursuant to my request.

Under Senate Resolution 57 the Senate Antitrust and Monopoly Subcommittee is directed "to make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine, the nature and extent of any legislation which may be necessary or desirable for"—

Certainly there are compelling reasons to look into the business practices of the ethical drug manufacturers in order to determine whether or not our antitrust laws are competent, as presently enacted, to guarantee to the American people the fruits of competition in this vital industry. Every man, woman, and child in America, at one time or another, must take drugs. Nothing is more important to America than a determination of whether or not drug manufacturers are operating their industry competitively.

Mr. President, the Senate Antitrust and Monopoly Subcommittee is not too busy to carry out its announced intention to investigate this question. In fact, it has been, and is, busy doing this very thing and we are now ready to begin hearings in November after the subcommittee members enjoy a little rest.

I am glad that the junior Senator from Florida is interested in this investigation. I invite him and any others that are so interested to attend the hearings which the Subcommittee on Antitrust and Monopoly will shortly begin and assure the junior Senator from Florida, and such others who might care to attend, that they may participate in these hearings.

THE PRESIDENT'S FOREIGN-AID REQUESTS

Mr. NEUBERGER. Mr. President, I intend today and next week, if the session lasts until next week, to vote again in support of President Eisenhower's foreign-aid recommendations, as I have attempted to do in the past. The New York Times for September 11 contained a very effective and pertinent editorial supporting the President's foreign-aid requests. The editorial is entitled "The Money Savers." I ask unanimous consent that this editorial from the New York Times be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MONEY SAVERS

One way of saving money is, of course, not to spend it; to go barefoot, for example, instead of wearing shoes, or to make the burglar's life easier by not buying locks. This is the species of economy Congress seems to be going in for this year as both Houses make more than the usual cuts in the President's mutual-aid program.

Customarily the House takes the ax to the aid bills and the Senate patches them up. This year the President asked for $3.9 billion, the House whacked the appropriation down about $3.18 billion, and the Senate Appropriations Committee has just put back the small sum of $95 million. It is thought the two Houses will have no trouble getting together. They seem bent on keeping the figure down, even though they have had the assurance of the nonpartisan committee headed by William H. Draper that the least we can afford to spend, for military aid alone, is $400 million above the President's original request.

What do these statistics mean? Foreign aid under the President's original request would cost us less than 1 percent of our gross national product, less than 10 percent of our expenditures for domestic defense, less than $23 apiece. This is, as the saying goes, folding money. But, as the President has said, it has helped our friends in the free countries to support 5 million men under arms, 30,000 aircraft, 2,500 naval combat vessels. It has also helped to keep freedom alive in some countries where it would otherwise have died—South Korea and Laos, to mention two instances.

Not all our foreign aid is efficiently spent. A little of it may have been corruptly spent. The cure is better planning and better supervision, not the diversion of funds from mutual aid into unneeded rivers and harbors bills and other domestic extravagances.

Last March President Eisenhower described mutual aid as an investment in our present safety, in our future strength and growth, and in the growth of freedom throughout the world." He was right then, and is still right.

WE MUST KEEP IN MIND THAT DWIGHT EISENHOWER'S RECEPTION IN RUSSIA WILL PARALLEL NIKITA KHRUSHCHEV'S RECEPTION IN THE UNITED STATES

Mr. NEUBERGER. Mr. President, ever since President Eisenhower invited the Premier of Russia to visit the United States as his guest, we have heard a virtual frenzy of speeches here as to whether or not Mr. Khrushchev will visit the Capitol Building. It almost amounts to an obsession or a mania on the part of certain Senators. They can talk of little else.

If a junior Senator can offer a bit of advice, I would counsel my colleagues to get back their perspectives. To begin with, I understand that Mr. Khrushchev is to be the guest of honor at a state dinner at the White House.

In the estimation of most Americans, I dare say the White House is equally hallowed ground with the Capitol. Indeed, this must even be the case with a lot of Senators, because a great many of them are attempting fervently to change their place of business from Capitol Hill to 1600 Pennsylvania Avenue. The White House is where Lincoln, Wilson, the Roosevelts and other illustrious Presidents have lived. So, in my opinion, once Mr. Eisenhower decided to have Mr. Khrushchev to the White House, I doubt if many Americans are desperately concerned over whether he is invited to the Capitol, too.

Speaking for myself only, I had nothing to do with the Khrushchev invitation. I am too far down the echelon to figure in such decisions. I cannot pass on its wisdom or advantage. But the President of the United States is my President, regardless of party. Once he had reached such a decision, so vital to our foreign policy, be it wise or unwise, I would not sabotage or seek to undermine it. Furthermore, we must keep in mind that President Eisenhower will visit Russia after Mr. Khrushchev leaves here. The President undoubtedly will

be treated in Russia as we have treated Mr. Khrushchev in this country. That alone, if nothing else, should dictate that Mr. Khrushchev be treated here with at least the rudiments of courtesy and politeness.

I have the feeling that the rule of quid pro quo is very important in Russia, where the rule of an eye for an eye and a tooth for a tooth unquestionably prevails. If we remember that any insult to Mr. Khrushchev in America may provide the excuse for a similar insult to President Eisenhower in the Soviet Union, it may act as some restraint on the conduct of those who have opposed the forthcoming visit so strenuously.

I have no criticism of those who regard the Khrushchev visit as a mistake. It may well be. But our President has made the decision. Presumably it is irrevocable. Let us not expose our President to embarrassment or insults in Russia by rude conduct on our part to Mr. Khrushchev in the United States. After all, the Eisenhower visit to Russia is second on the list of exchange tours, not first.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am very happy to yield to the Senator from Montana.

Mr. MANSFIELD. I commend the Senator from Oregon for a very statesmanlike speech. He is correct in pointing out that Mr. Khrushchev is coming here at the express invitation of the President of the United States. He has not been invited by the Congress of the United States.

Under the Constitution the President is charged with the conduct of our foreign policy. This is not a visit to exchange social amenities. This must undoubtedly be a visit in line with the objectives of American foreign policy.

The Senator from Oregon has correctly pointed out that our Vice President has already visited the Soviet Union, and has there been accorded courteous treatment. He has pointed out that the President of the United States will visit the Soviet Union some time later this fall.

Frankly, I was opposed to the Khrushchev visit, and I so stated many times prior to the extending of the invitation; but once the invitation has been extended—and I am sure it was not an easy decision for the President of the United States—I think it is up to all Americans, whether Democrats or Republicans, to get behind the President and support him to the best of our ability in the difficult venture he has undertaken.

Once again I commend the Senator, and say that, regardless of our personal feelings, and I am skeptical, we have only one duty, and that is to support the President of the United States.

Mr. NEUBERGER. I thank the Senator from Montana.

Mr. President, may I have 1 additional minute in which to comment on the remarks of the distinguished Senator from Montana?

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. NEUBERGER. I am particularly grateful for what the Senator from Montana has said. His knowledge in the realm of foreign affairs is much more profound than my own, and his experience is far greater and wider.

I was impressed by the remarks of Vice President NIXON at the airport when he returned from the Soviet Union. He cautioned us to treat our visitor with courtesy, regardless of our views as to his political philosophy of dictatorship.

Again I emphasize that the rule of quid pro quo undoubtedly prevails in Russia. As Mr. Khrushchev is treated here, so will President Eisenhower be treated in the Soviet Union later in the fall. I do not believe that we should offer the Russians any possible excuse for discourtesy to or abuse of the President of the United States.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MANSFIELD. I wish publicly to commend the Vice President of the United States for his talks before the American Legion convention in Minneapolis and the Veterans of Foreign Wars convention in Los Angeles. He laid it on the line. I happen to be a member of both of those organizations, as is the Vice President. I believe that he, in his capacity as second in command of this Nation, performed a service worthy of public commendation.

Mr. NEUBERGER. I concur in what the able Senator from Montana has said.

Mr. GORE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am glad to yield, if I may have 1 additional minute.

The VICE PRESIDENT. Without objection, the Senator may proceed for an additional minute.

Mr. NEUBERGER. I yield to the Senator from Tennessee.

Mr. GORE. I thank the Senator for his contribution today. It is pointless now to argue over the advisability or inadvisability, the wisdom or unwisdom of the President's invitation to the Russian Premier. The question now is, "Shall we make the best of it or the worst of it?"

I should like to inquire of the Senator if it is his opinion that the American people would be incensed if an official snub should be offered our President upon his coming visit to the Soviet Union?

Mr. NEUBERGER. The American people would be incensed, and rightly so.

Mr. GORE. Does not the Senator feel that if the Senate is in session during the visit of the Russian Premier, the amenities of the occasion must be observed by the Senate, which has a limited constitutional partnership with the President in conduct of the country's foreign affairs?

Mr. NEUBERGER. I certainly do. As I stated in my brief opening remarks, I feel that once the President has made the decision to invite Mr. Khrushchev to a state dinner at the White House, which is certainly hallowed ground revered by all the American people, it seems to me that any amenities or courtesies which are extended at the Capitol become largely academic, so far as any political controversy is concerned.

I thank the Senator from Tennessee, who is such a worthy and distinguished member of the Foreign Relations Committee, for agreeing with me today.

"LAYING IT ON THE LINE"—ADDRESS BY SENATOR McGEE BEFORE WYOMING RURAL ELECTRIFICATION ASSOCIATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks an address delivered by the junior Senator from Wyoming [Mr. McGEE] before the directors of the Wyoming Rural Electrification Association at Jackson, Wyo., on Monday, September 7, 1959.

In this address the junior Senator from Wyoming "laid it on the line" so far as the REA and other public development projects in this country are concerned. I commend it to my colleagues in the Senate for their consideration, and I congratulate the Senator from Wyoming for delivering such an address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAYING IT ON THE LINE

Ladies and gentlemen, as on all of the glorious occasions when the friends of REA get together, it is a great temptation for us to pat each other on the back about the successes of this inspiring program. It would be easy today to remind you of the strength of the REA as a grassroots development where people take care of themselves; or to remind you of the achievements of this local program as a successful venture in cooperation with big Government; or to applaud the business acumen which has exemplified the entire REA history; or to commend the REA for its far-sightedness in developing both human and electric resources in America. But I choose to resist those tempting subjects and, instead of looking backward along the paths where we have been, to look ahead at the direction in which we ought to go. I am deeply concerned lest in this moment of success the hundreds of thousands of REA people across the land will permit themselves to stagnate, and perhaps even surrender, to complacency and apathy. Already we note serious and sobering challenges being thrust at the REA movement by forces that have historically been opposed to everything the REA stands for. Those hostile forces seek to capitalize on the growing smugness and spreading indifference of the once militant and dedicated individuals in the REA movement. The time is at hand when the REA must seek new goals and dedicate itself to a new challenge if it is to maintain the sharpened spirit that has so characterized its first quarter of a century.

Therefore, I propose to discuss today what I consider to be an important new set of goals for the REA's of America. I find those goals in the realm of wider resource development in America. By wider resource development I mean more than electricity, more than raising the standard in rural areas. I propose a dedication to the development of all of America's rich, natural resources in the interest of America's worthy human resources, the combination to serve in building a strong, national position in an otherwise insecure world.

First, need I remind you that resource development in the past has been the key to

the power and richness of our land? Although the United States is very new among the nations of the world, although we started late—scarcely a century and a half ago—we quickly rose to the top and in barely a century had won for ourselves a place as a world power. By the early years of the 20th century, our country had become an economic giant as well as a political power. The secret to our sudden rise lay in the rapid expansion of industrial capitalism. America's economic growth in the 19th century was due to a combination of factors—cheap labor, a national transportation network, scientific and inventive genius, and an abundance of God-given wealth in the form of natural resources. It was the latter—our natural resources—which enabled individuals in this country to produce great surpluses of capital. Surplus capital triggered our international expansion and our meteoric rise to the top of the heap in world politics.

For three quarters of a century we have been enjoying our preeminence. In fact we have raced so far ahead of the rest of the world that our superior position has almost become commonplace in our expectations. For most of those 75 years, no other nation has been able successfully to challenge our leadership.

How well I recall today the comment of an American industrialist who was traveling with me in Russia 2 or 3 years ago. As he viewed the relative material backwardness of the Russians he was moved to comment, "These people are so backward that there's no need to worry about Russians any more. I'm going back to the United States and sleep nights for a change." That comment is so typical of the reaction of American tourists to the obvious, wide differences in the standards of living between the U.S.S.R. and the United States of America. That industrialist, unfortunately, had misread the emerging economic facts of life behind the Iron Curtain.

This leads me to discuss a second fact related closely to the first, and that is this: In spite of our once superior position in the world, we are now being challenged. Our leadership has been called into question already by Russia and all too soon will be by China.

Take the Russians, for example. In spite of the great disparity which separates our relative standards of living, they have succeeded in closing the gaps of economic power which once were so wide. Our one-time military supremacy is now challenged by the Reds. Soviet sputniks preceded our own missiles into outer space and challenged our scientific position. In expanding economic growth the Soviets are preceding at a much greater rate than are we. Only last Christmas Mr. Khrushchev said, "We declare war on the United States in economics." That sober warning seemed to echo an earlier declaration by Lenin when he said, "Capitalism contains the seeds of its own destruction." The men in the Kremlin are not content to take as long as we did in America to develop heavy industry and a broad and powerful economic base for our country. They can benefit from our own experience. They can invent shortcuts toward the achievement of goals in production which we once enjoyed alone.

Steel is a case in point. Not many years ago our superiority in steel production was of the magnitude of 4 to 1 that of the Soviet Union. Last year, with our own cultivated slowdown in our economy, Soviet steel production equaled that of the United States.

It is the pace at which the Russians proceed to close industrial gaps that should frighten every complacent American. How well I recall a little incident when our plane landed at the airport in Stalingrad. As it taxied to a stop, the plane rested along side an ox cart into which eight or ten Russian women were pitchforking grain. That setting, with an ox cart and an airplane side by side, seemed to epitomize what has been happening to Russia. For Russia has moved from the ox cart to the airplane—indeed into outer space—in a single generation.

Or, if you prefer, take China. The Chinese with a history and a culture and a philosophy all antedating our own by many hundreds of years have nonetheless in recent times been little more than colonial subjects of the West. But now a new China is rising as a legendary giant might stir from his slumber. Nearly one-third of all the people of the world live in China. Whether we like the present regime there or not fails to alter the bulging fact of sheer population pressure in that part of the world. And if even a part of what we are learning now is true about industry in China, there may already be emerging in Asia a power that will some day dwarf both the Soviet Union and the United States.

In any case, America's future supremacy and greatness is no longer guaranteed. Whether we in this country may continue successfully to lead a life of freedom may well be determined by our capacity to stay ahead in the race in resource development. This is a third factor which we must recognize before it's too late. Whatever else history may have taught us, one set of truths becomes evident at once. That is that in the sudden rise of the United States in the 19th century, or in the sudden rise in the Soviet Union by the middle of the 20th century, or in the impending sudden rise of the Chinese now, one emphasis has dominated each story—resource development.

No more dramatic illustration could be called up than that of the U.S.S.R. In Russia water resource development has been given a national priority second only to industrial expansion. In hydroelectric power the Russians seem already to have closed the gap. Five projects in Siberia alone are said to produce now half again as much hydropower as all of ours put together. And the Russians are known to have under way a single, new project which will exceed all of our total hydroelectric capacity. Projects that may even now have reversed the flow of Siberian rivers into the Arctic and sent water down into the southern part of Siberia where the new economic developments which may be directed in more favorable climatic conditions are beyond the planning stage.

Both in industrial expansion and in water resource development, the Soviet Union is integrating to a central purpose. That central purpose is a relocation and redistribution of all of Russia's human and industrial resources and strength in the interest of national defense. Dispersal is the key, as many experts in our own country have reminded us. The only real defense in a nuclear war will lie in the dispersal of populations and production facilities. The significant thing is that Russia has already formulated these goals and is directing every endeavor toward their achievement.

Or again take the pending case of China. There, too, is a vigorous, new concentration on hydroelectric development. Twenty-two major projects are known to be under way in Communist China. Two of them on the Yalu River would compare favorably with the largest projects in America. And only last week alarming reports came out of China about the successful development of synthetic oil or, as we call it in our country, shale oil. Apparently they have found the way to produce it almost literally on a backyard basis. These mysterious new stirrings in China are the more foreboding when it is realized that the United States, for the first time in its history, is on the outside looking in. This should serve to remind us how tenuous our tiny foothold on the fringes of the vast Asian Continent is.

Mentioning resource development programs in Russia and China calls for a reminder of the status of similar development programs in our own country. It surely is not comforting to Americans to realize that, at the same time our potential enemies from afar are taking such giant steps forward, under the present administration in our Government there has not been a single, new hydroelectric start. Nor can we relax over the reminder of our own Department of the Interior that already we are using up more oil than we are taking out of our wells. It takes no great mind to see that in oil our time is running out. Yet, how ridiculous it is to recall that we have in our great shale deposits in the West hundreds of billions of gallons of oil. But this administration won't support the experimentation necessary to make it economically useful. The White House has closed down our largest oil shale laboratory at Rifle, Colo., and has seriously curbed activities at the laboratories in Laramie—these in the face of our deteriorating oil position in the world.

The encroachments upon the principles and policies of the REA are a further illustration of the antiresource development philosophy current in the Government. Attempted assaults upon the interest rates for the cooperatives, upon the preference status of the cooperatives, and upon future electric power development projects under REA jurisdiction become cases in point. The administration now in power has seen fit to set REA power development against so-called private power interests. The truth is that the power needs of the future require the fullest endeavors of both REA and private power companies. There is need for both Burns Creek, for example, and the Utah Power & Light in southwestern Wyoming.

Our farm problem is still another example of the negative attitude in the White House. We are told that the problem is one of surpluses, and this is followed by a policy of planned scarcity. But how can we be talking surpluses when the living standard of most of the rest of the world is miserable. The problem, when placed in proper perspective, is not one of too much but rather one of distribution to the vast areas where there is too little.

But at no point has this administration demonstrated greater bankruptcy in response to need than in its attitude toward resource development in the West. The policy of no new starts is a cheap, Madison Avenue slogan aimed at snagging votes for 1960 rather than building strength for 1970. It is not as though the administration could be blind to the mounting needs of our country in resource development. The President was presented with a resource study by his own Cabinet in 1955. Yet, not a single one of the recommendations in that report has yet been carried out. Even more alarming is a recent report—the Picton report—which came from the Department of Commerce just a few weeks ago. In it, a department of this administration reports that in water resource development alone, if we are to keep up with our own population increases and with the requirements of an expanding economy, $171 billion will have to be spent within the next 15 years.

In the face of those horrendous prospects and the obvious economic burden which they suggest, it is little wonder that the Nation was shocked at the President's casual veto—not once but twice—of the public works bill. The willingness of this administration to surrender to encroaching obsolescence in the name of economy has been a saddening and, in one sense, a sickening fact of our time. The policy of no new starts is only a policy of do nothing. Together they reflect a concept of static incapacity to meet the needs of America. They reflect a

fear which betrays a lack of confidence in the future capabilities of our land.

I therefore conclude by suggesting what I think we can and must do now before it is too late. The rising demands on our economic output, the increasing costs of our leadership in the free world can be met only by a tremendously expanded economic base. Once again the people of the United States must turn to the rich, God-given resources for the foundation for a strong economy. The fullest and most rapid development of resources still hinges upon significant, scientific breakthroughs in many areas. Crash programs should be launched at once on water resource development, for example. Desalinization, brackish water plants, and anti-evaporation chemicals such as hexadecanol have not provided us with all of our answers. The cost of extracting oil from shale must be brought down, and shale oil must be made commercially useful. New programs should be activated with this objective in mind. Low temperature carbonization experiments need to be stepped up so that we may use the vast coal deposits that underlie many parts of the West. Wyoming alone rests on top of enough coal to provide the needs of the United States at current rates of consumption for the next 150 years.

And in the West we have one of the most untouched, valuable resources in the nuclear age; namely, space—wide-open space. For it is here in the Rocky Mountain West that we must locate new American industrial centers and American defense establishments as a major answer to the threat of extermination from nuclear attack.

What all of this means is that the Western States now stand in the position to serve the finest interests of the Nation. For much of our hisory, the older States of the East and Middle West have borne the burden. But now it is for us to share our resources and our space, and to provide the leadership from among our own people for developing a broad, new economic base for our country's growth. This is the way, rather than by playing with numbers, we shall balance budgets. For in this way, through resource development and an expanding economy, you not only balance the national fiscal budget, but also bring into balance the human budget. Only against a background of sound fiscal policy attuned to the rapidly expanding needs of a growing nation and upon the development of the economic position of people can we build an enduring American system. Toward this end, the REA's of America should now turn their fullest endeavor. As raising the comforts of living in rural America was the first exciting goal of the REA's, now the raising of the standards of all peoples along with that of our national economy ought to become the even more exciting new goal of this organization.

SWEDEN'S CIVIL DEFENSE PROGRAM

Mr. MURRAY. Mr. President, the Senator from Ohio [Mr. YOUNG] has recently discussed the complete inadequateness of the civil defense program in the United States.

By way of contrast with our lack of a real national program or effort, I would like to call to the attention of the Nation the type of effort being made by Sweden.

This nation of some 7 million people, similar in shape and area to our State of California, sits under the shadow of Russia. Sweden has been a peaceful nation, but she maintains, in relation to her size, a large, well-equipped, effective defense force.

Recognizing the problem posed by atomic attack, Sweden has put into reality a civilian survival program of major dimensions. Sweden has relied heavily on material published by our Government on the effects of atomic war. The difference is, though, that Sweden has read the lesson and has acted. We have not.

To illustrate my point, I ask unanimous consent that there be printed in the RECORD at this point, an article from Industria, a Swedish publication by the Swedish Employers' Confederation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HIGH COST OF LIVING—WITH $20 MILLION SUNK IN ITS SHELTER PROGRAM ALONE, SWEDEN STILL INSISTS SURVIVAL IS THE SANEST STRATEGY

Back in the early fifties, an American news magazine, famed for the trenchancy of its style and the transparency of its motives, drew an arresting analogy to rap Sweden's reluctance to choose sides in the cold war. In the deep, dark, romantic recesses of the Golden Peace Restaurant, located in a 14th century Stockholm cellar, a colorful comparison was seen between the diners, self-satisfied and satiated, and the nation's indifference to the rest of the unhappy world.

As hyperbole, the comparison couldn't have been cleverer. But as a factual description of how the populace had reacted to the problems of the atomic age, it described only a partial truth. And as a prophecy of the direction political policy would take, it predicted a pacifist trend contradicted at that very moment by defense work underway in caves and caverns even further below ground than the Golden Peace.

PEACE TRADITION

Sweden has stayed out of war for 145 years. The tradition of neutrality has existed so long that Swedes don't feel a need to justify it—although foreigners often seem to think they should. In the late forties it became apparent that there could be sequels to World War II, and that the sequels would be even more spectacular in destructiveness. In common with thousands in Western Europe, many Swedes wondered if it wouldn't be wiser to throw up—rather than take up—arms if stronger nations threatened aggression. However less courageous, wouldn't it be wiser to submit to diplomatic blackmail, they asked, than be blackballed out of existence with nuclear weapons? In Stockholm, pacifist intellectuals, too young even to be Shavian, had a joke about the statue of Charles XII, the national hero who bested the Russians in several 18th century battles: Why not put him on a revolving pedestal so that he wouldn't always be pointing provocatively toward the east?

Distinguishing carefully between neutrality and pacifism, the Government in 1952 took the extraordinary measure of publicly pronouncing Sweden's intention to resist aggression to the last bullet, and the last man. In a pamphlet entitled "If War Comes," mailed to every household in the land, Social Democratic Prime Minister Tage Erlander declared that "if our freedom is violated we will attack with arms."

Emphasizing "our resolve to maintain the peace," the manifesto, after several times reiterating the "We Shall Never Surrender" theme, concluded with words that must have been as much a warning to potential enemies of what to expect in the event of war as it was a notice to all citizens of what would be expected of them. "Every attack against the freedom and independence of the realm will be met with force," it said in capital letters. "Every report that resistance will cease is false, Sweden can and will defend herself."

ALL TO SERVE

Not just a rallying call, "If War Comes" defined the conditions which would constitute a state of emergency, set up a system of alarm signals, alerted the populace to the dangers of espionage, threatened stiff penalties for spies,[1] and issued detailed instructions for all civilians, if war should come. The main point: all able-bodied citizens, women as well as men, would be expected to play a military, civilian defense, or war production role. Even if occupied, the nation would fight on, in the pamphlet's phrase, "with weapons other than weapons."

In the coming fiscal year, Sweden will spend one-half of a billion dollars, or 21.1 percent of its entire budget, on defense. The figure represents an increase of $20 million over this year, although an actual decrease in the size of the military is envisaged to adjust to technical progress, mainly in missiles, which Sweden will both make and buy. The question of forging atomic armaments for the military arsenal has been tabled for the present, but kept in constant preparedness are the nation's sleek, defensive navy, its 750,000-man army which can be fully mobilized in several days, and what is reputedly the third largest air force in Europe, equipped with jet fighters made in Sweden.

Traditionally, the objective of Swedish foreign policy, pundits have said, has been to have no foreign policy at all, or none recognizable by a potentially antagonistic foreign power. Most Swedes maintain, however, that political neutrality doesn't imply moral neutrality. Although Sweden will not compromise herself in Russian eyes by joining NATO, her neutrality, says a conservative Member of Parliament, is "a neutrality against communism—as everyone knows." A doubt does exist, however, as to whether the Communists, or even all of his colleagues, know it. But in the matter of military preparedness, at any rate, the notion that the defense issue is above party strife has characterized Swedish politics since even before the outbreak of World War II.

IN PERSPECTIVE

Seen against this military and political backdrop, the Swedish civilian defense effort, which has attracted avid attention throughout the world, takes on a significance misunderstood by most of the press, which simply sees the famous belowground shelters as either impressive engineering feats or humanitarian hideaways from the world of intercontinental ballistic missiles and hydrogen warheads.

But the effort, according to the men who are making it, is anything but escapist. Based on the premise of survival without surrender, the latest program, recently submitted to the Parliament for approval, calls for the expenditure of $148 million in the next 10 years, will involve around 200,000 conscripted workers, and make use of some of the best administrative and technical brains in the country.

"We're paying a damned high price for protection," says one high CD official. "The cost of capitulation would, at least in the financial sense, be a lot cheaper. We're not pouring all this money into holes in the ground to escape reality. This is our way of trying to accommodate reality. We don't think it's an ostrich attitude."

To foreigners, the most spectacular—and probably the least understood—part of the elaborate CD program is the planning of 14

[1] Since 1950, a dozen spies, not all of them Swedish nationals, have been convicted. The sentences have ranged from 2 years to life imprisonment (which in Sweden cannot exceed 20 years).

huge manmade shelters for 9 of the Nation's biggest cities. The bill for the 14 will come to $20 million, with Stockholm's 4 shelters accounting for about half the amount. Although the financing varies somewhat from installation to installation, the Government roughly defrays two-thirds of the cost, the community the rest.

THE USES OF PEACE

Built in peacetime for possible wartime use, all the shelters are designed to make the most of the present. Perhaps overoptimistically, as it has turned out, the original plan foresaw the revenues realized from the peacetime function as actually paying for the community's share in the project.

"Some shelters, especially those in favorable sites, will pay for themselves 100 percent," predicts Gösta Smitt, in charge of the shelter program. "We have one in Stockholm that's being used by the warehouse over it. With real estate as high as it is the center of the city, it would cost the firm a fortune to get comparable space above ground. With most shelters, though, we'll be happy, and so will the communities, if 40 percent of total cost is paid by the peacetime use."

In addition to creating new real estate values, the shelters are located, the CD claims, so as to coordinate the basic requirement of protection with the peacetime building plans of the district. As far as possible, the peacetime uses are allowed to decide the form of the shelters, sometimes even the location.

Already finished, or projected for the near future:

Stockholm's Katarinaberget, the world's largest shelter, can hold 20,000 people—in sitting position—in case of attack. To build it, 110,000 cubic meters of rock had to be blasted out of the hill in which the shelter is located. Currently leased to an oil company, the Katarina installation has room for a drive-in bank, a service station and 550 parked cars which line the 500-meter tunnel that winds through three floors. Cost: $4 million.

Like the Katarinaberget, Stockholm's three other big shelters are designed primarily as garages. The Johannes shelter, known as the Rock Garage to residents of the city, can hold 10,000 people in wartime, 250 cars in peace. Located under the Klara Church near the central railroad station, the so-called Klara Garage's 225-meter-long tunnel can hold 15,000 persons or 300 cars. Built for about $3 million and directly connected with the nearby underground railroad, the installation will also serve as a columbarium for cremated parishioners when completed next year. The fourth Stockholm manmade cave will accommodate 500 cars in peacetime and give protection in wartime to 7,000 persons. In Malmö, the country's third largest city, one of the subterranean shelters does peacetime duty as a ballroom.

THE CLASSIC CASE

So far, however, the classic among civil defense constructions, and probably unique in the world for the manner in which its designer has reconciled peacetime possibilities and wartime needs, is Västerås' Mariaberget. Begun in 1951 and finished this past spring, the granite grotto, carved out of a hill near the center of the city, is already functioning as a complete community center with a garage, workshops, adult education classrooms, a gymnasium, experimental theater, restaurant, and shooting range.

By car from Stockholm, Västerås is a comfortable 2-hour drive west through successive tableaux of identical fir forests and slate-gray lakes just saved from monotony by the elusive northern sun which alternates the mood from gloomy to golden with each turn in the road. But by ballistic missile from the nearest conceivable enemy, the town, with its 69,000 residents, its modern city hall that stands disconsolate over red-roofed factories and homes, and its strategic electrical and metalworking industries, is only minutes, and will some day be only seconds, away.

DETAILS, DETAILS

"Again and again and again." With these words, Gösta Lundin, whose engineering firm served as architect, constructor, and interior decorator, recalls early efforts to convince town fathers that attention had to be paid to every detail of the job, even if it meant going over budget. With about 1½ million sunk in the cave, it eventually meant just that, but there haven't been any complaints, Lundin says. "When you're building for permanence underground, the materials not only have to look right, but be right, and not just when it's finished, but years later."

Constructed in two below-ground stories with an average of 15 meters of solid granite overhead, the shelter can accommodate 5,500 persons under war conditions, with 1½ meters of space allocated to each. Like most shelters throughout Sweden, it is designed to safeguard its inhabitants from the effects of nuclear, biological and chemical warfare for as long as it is needed, providing the oxygen and food supply holds out. It can be filled in 3 or 4 minutes through three entrances—one for automobile traffic that enters the gently sloping hill at a very slight incline, a second via elevator from the top of the hill where a girls' school is located, and a third which features wide stairs whose purpose is to prevent panic by segregation.

Also, as in most other shelters, about 30 percent of the expense, and upwards of 90 percent of the headaches, arose from the specifications for wartime safety. The multiple exits, widely separated, provide alternative avenues of escape so that people won't be buried alive if one is blocked. Deep baffles are sliced in the main entrance tunnel to pocket as much of the blast as possible before it reaches the 2-foot-thick, 20-ton steel doors, which at the touch of a button seal the narrow entrance in a matter of seconds.

Heating is no problem—5,500 persons crammed together in an underground cave constitute their own heating system, as it were—but ventilation and cooling plagued Lundin every step of the way. The concrete walls and roof are perforated, and there is a layer of space between them and the granite facing so that air is constantly evacuated. Filters screen out radioactive and bacteriological material. If fire rages above ground, threatening to stifle the inhabitants within, the ventilation system can be closed and the trapped air constantly revivified with built-in oxygen machines.

Cooling is guaranteed by a system large enough to provide the entire Nation with ice cream. The shelter is self-sufficient in water and electricity, with an emergency battery set-up synchronized to take over automatically if the power should falter.

"You'd only need a minute or two of complete darkness to plunge the place into panic," Lundin points out.

IF WAR COMES

Behind the peacetime planning of the shelter's layout, the blueprint for catastrophe is shrewdly stenciled. The lamp-lit mechanical drawing rooms, now used by the town's fledgling draftsmen, can be quickly converted into X-ray rooms, the gymnasium dressing rooms into sanitary surgeries. In the bigger rooms, vertical bars can be hastily erected and canvas tents thrown up to create smaller segments so that panic, the most contagious of psychological diseases, can be dealt with in isolation.

For Lundin, the actual construction of the shelter posed no large engineering problems which his firm had not already encountered in jobs for private mining companies.

"After all," he explains, "a shelter is a house."

Over the years, Swedish engineers, spurred mainly by the mining industry, have developed what are generally acknowledged as the world's most advanced tunnel-driving techniques. As solid granite and gneiss are the major components of the country's geological structure, the tunneling operation is the crucial step in most shelter jobs, except in less rocky southern Sweden where the bunker-type of construction predominates. As underground houses, the shelters are in essence concrete arch constructions within the blasted-out rock, offering protection against the descent of boulders torn loose by pressure waves.

CONSTRUCTION COSTS

Building in granite can sometimes be less expensive than building above it. Lundin estimates that it costs about 1,200 crown per square meter to build underground, about 800 above ground. But this is exclusive of the site cost, which in Stockholm runs about 100 crown per square meter. In the long run, maintenance underground, where there are few dust or dirt problems, is less expensive.

The history of going underground in Sweden, apart from the mines, goes back to stockpiling programs through two world wars; fuels, munitions, electrical installations and food. The advent of the atomic bomb expanded the program to include military installations and industries of a vital nature.

For the Swedish naval fleet, which must operate in narrow waters on a hit-and-run basis and then be serviced out of sight of prying enemy eyes, Operation Granite has provided a natural, almost a self-evident, solution. The predominant feature of the Swedish coast is the multitude of shallows and islands of hard bedrock, amounting at times to no more than gigantic pillars of granite with sheer cliff faces. After the last war, an ambitious program of building underground harbors was begun. Out of camouflaged entrances to the subterranean sea pens, the largest of which can swallow a normal-sized five-story block of flats, fast destroyers can foray, then return to interior quays for repairs and stores. The air force's jet fighters, now built underground, are often hangared there.

INDUSTRY ENTERS

Fifteen years ago, the firm of Bolinder-Munktell, manufacturers of engines, became the first factory to go below. Current show place of the industrial program, initiated by the Government and to some extent subsidized by it, is the AGA gas producing plant in a Stockholm suburb. It is not underground in the strict sense of the word, but has been burrowed out of the side of a granite hill, a topographical commonplace in Sweden. Visited by CD officials from many nations, including the United States and Russia, the physical plant consists of a labyrinth of large, well-lighted rooms, soundproof, dustproof, and vibrationproof, factors which make the site ideal for the manufacture of delicate precision instruments. Free from the water hazards of most other rock formations, it guarantees a drier, warmer, more easily regulated atmosphere. The thickness of granite crust overhead varies from 10 to 30 meters, reasonable assurance that the factory is protected against nuclear explosion and radiation.

Since all firms in builtup areas are required by law to provide shelter for workers, the trend in industry is to expand downwards. Hospitals, munition and fuel dumps, and hydroelectric plants are also being lodged in the earth. Scheduled for operation late this year; the Stornorrfors power tunnel in northern Sweden, the world's largest, with a volume of about 1,600,000 cubic meters of solid rock.

STANDARD SAFETY

The big rock shelters are not, as commonly thought abroad, intended to house the civilian population in case of war. They will serve instead as nerve centers for a tight-knit CD cadre which will fight fires, maintain essential services and, in close cooperation with the military, police the ravaged metropolitan areas. Only about 50,000 of Stockholm's 750,000 residents will be expected to stay behind and perform these duties, for which they are now being trained. The rest—if they cannot be evacuated in time—will find protection, if only a bare minimum of it, in the so-called standard shelters underneath all apartment dwellings. While most of the private basement shelters built during the last war for nearly 2 million persons are considered obsolete, the new ones, according to technical director Smitt, can withstand atomic explosions of up to one atmosphere,[2] offer considerable protection against radiation, and will even survive the destruction of the houses overhead.

Since 1945, the law has required that builders of new housing units provide shelters that satisfy technical specifications worked out in CD research labs. Walls, ceiling and flooring consist of reinforced concrete, and air purifying plants are included. New regulations soon to go into effect require collapsible pillars so that basements can be quickly compartmentalized, stipulate sand filters to block radiation, absorb shock, and heat and sift nerve gases.

The shelter represents about 2 percent of the building's total cost, and is paid by the builder. He gets it back in the rent, however.

"Most Swedes have no idea," Smitt says "that they pay a small amount each month for home protection. Nobody knows anything about it, but it's there."

The 15,000 standard shelters already built, most of them on the periphery of the big cities, will accommodate about 1 million persons, and they are being added to at the rate of 2,000 annually.

CITY TO COUNTRY

If the shelter system protects the nerve center of the Swedish CD effort, then the evacuation program may be thought of as providing the legs on which nine-tenths of the population will flee to safety from the big cities of Stockholm. Göteborg and Malmö. In case of war, the cities will be emptied into the countryside—sometimes as far away as 400 kilometers—to be billeted, fed and, if the conflict continues, put to work. Women, children and the ill will go first (20,000 invalids in Stockholm by special bus). Right now, says evacuation boss Åke Björkman, CD is tagging all of the capital city's 120,000 cars and 15,000 boats, will commandeer more than half of them during evacuation. For the 70 percent of the population who won't use their own cars or bicycles, railroads and buses will be provided.

Björkman is now pondering a plan which will oblige all motorists to keep their gas tanks full in peacetime so that during evacuation they can reach country service stations under their own power, there to be refueled with just the amount needed to get them to their predetermined destinations.

Even bigger than the traffic problem (complicated by the fact that the hastily mobilized army may be heading toward the cities) is the care of evacuees in the country. For some time, CD has been inventorying every rural living unit so that it can pinpoint alternative accommodations for the displaced city dweller. A special Government board is grappling with the immense problem of feeding them (complicated by the fact that the entire food supply, unless stockpiled, could be contaminated overnight by radioactive fallout).

WAR RECORD

Actually, it was out of experiences in the care and feeding of refugees that the present civilian defense administration evolved in 1944. Directed by Eije Mossberg, now almost a legend in his own lifetime after a hectic career as Cabinet Minister, governor, and business executive, a tiny task force settled 72,000 refugees during the war and, an even tougher tactical problem, moved in 30,000 head of cattle from northern Finland. By the end of the war, the administration was empowered to conscript all citizens from 16 to 65 for civil defense service of up to 60 days a year.

With only one or two exceptons, the public response has been commendable, asserts Ake Sundelin, the present civil defense director. One of the exceptions, a well-known woman journalist of extreme pacifist views, went to jail for a month rather than serve.

"Of course we were terribly embarrassed by the incident," Sundelin admits. "But, after all, the law is the law, and to uphold it, we had to prosecute."

The Government's response to civil defense, expressed in appropriations, has been almost as gratifying, he says. Represented graphically, the rate of expenditures resembles a series of jagged peaks, climbing from 2,700,000 crown in 1946–1947 to 25 millions at the time of the Czech coup, and from there to 60 millions during the Korean war. The average for the next 10 years is expected to be about 70 million, over twice what was spent this past year.[3]

MAIN MORAL

It is hard to know what lessons have been learned by the many foreign observers who have come to assess the Swedish experience. Merely technical ones will be probably wasted, since the conditions for shelter construction are peculiarly Swedish and the organizational plans for evacuation tailored to a relatively small population. Perhaps the only lesson is that the effort is being made at all.

This is a bigger lesson than might appear at first glance. For the effort is made notable, perhaps even ennobled, by the fact that the problems which remain to be tackled are so much greater than those already dealt with. Trapped on a technological treadmill which gives every advantage to the weapon-makers, CD administrators must continually alter their plans as new fashions in destruction lend an air of futility, almost of fantasy, to all pretenses of keeping up appearances.

The bible for Sweden's CD research men is a 576-page paperback printed by the U.S. Government Printing Office and entitled "The Effects of Nuclear Weapons." It has its own Genesis ("In general, an explosion is the release of a large amount of energy in a short interval of time") and it contains its own apocalyptic version of the Armageddon extrapolated from the experience of Hiroshima and Nagasaki, where two entirely outmoded A-bombs killed 106,000 persons and injured 110,000 more in an incredibly brief interval of time.

Its pages are profuse with prophecies and portents of disaster. How would Sweden's rock shelters stand up under an A-bomb attack? CD officials say they'd probably escape unscathed if bombs exploded in the vicinity, but concede that a direct hit at ground level would certainly demolish them. And what would happen in a hydrogen bomb holocaust? The supervisor of the Västerås shelter shrugs his shoulders and says, "Well, this whole town would be one big hole."

Even if not at war, how can Sweden immunize its 175,000 square miles against the effects of fallout if bombs are exploded on the Continent or in England? And how could the evacuation program be set in motion if the enemy turned on Sweden with complete unexpectedness?

For the moment, Director Sundelin points out. Sweden must base its plans on the premise that the nation will go to war only if sucked into the vortex of a major world conflict. If the international situation grows grave, then the plans can be put into effect.

At whose command?

Shaking his head slowly, and running his hand through a boyish mop of hair, Sundelin squints his eyes and then, almost as if to himself, says quietly: "That's a political decision. The politicians will have to decide that. Yes; in the end, that's their responsibility."

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[2] The equivalent of 10 tons of pressure per square meter.

[3] In the United States this past summer, the Senate turned thumbs down to Civil Defense Chief Leo Hoegh's modest request for $13,150,000 to get a prototype shelter program started. The refusal followed a stark warning from the House Military Operations Subcommittee: "The supreme irony of civil defense in the United States is that the American people and many of their elected and appointed policy officials refuse to accept the distasteful facts of reality simply because they are distasteful."

CONFERENCE OF THE INTERPARLIAMENTARY UNION

Mr. CASE of South Dakota. Mr. President, it was the privilege of the junior Senator from South Dakota to be one of the delegates from the Senate to the Conference of the Interparliamentary Union, which was held in Warsaw, Poland, last week.

From Poland the delegates went over to Moscow for 2 days, at the invitation of the representatives of the U.S.S.R. at the Interparliamentary Union meeting.

During the morning hour there is not time to cover the Conference, or deal with the subjects there treated, as I should like to do. However, it was a remarkable Conference, and one which I think will have its influence upon the deliberations and the action of the nations of the world. The Conference was attended by something like 700 delegates from 56 nations of the world. In addition to the delegates, there were members of the various staffs and attachés, bringing the total to approximately 1,500 people gathered from all parts of the world, at a meeting behind what we have called the Iron Curtain.

Aside from the atmosphere of Warsaw itself, aside from the fact that we were there on the 1st day of September, which was the 20th anniversary of the march into Poland which launched World War II—Warsaw had been the scene of many occurrences in both World War I and World War II, and because of that many memories were rekindled in the speeches and by the activities in the city—aside from that, one would not realize we were behind the Iron Curtain, so far as the warmth of our welcome was concerned.

The visit of the distinguished Vice President has been well publicized and applauded by the people of this country. He made a good advance agent, I might say, for the representatives of the Con-

gress of the United States at the Interparliamentary Union.

Because of time limitations I shall not try to cover the events in detail, except that I should like to have permission to place in the RECORD three different items.

First of all, I ask unanimous consent to place in the RECORD the resolution which was adopted by the Conference on the subject of disarmament. I make that request, Mr. President, because I served on the particular subcommittee which handled the matter. It was the one subject to which the Conference and the speakers of the Conference addressed themselves more often than any other.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

(B) GENERAL AND REGIONAL MEASURES WHICH COULD CONTRIBUTE TOWARD A SOLUTION OF THE DISARMAMENT PROBLEM

(Draft resolutions presented by the Committee on Reduction of Armaments, rapporteur, Mr. J. K. Wende, Poland)

A

The 48th Interparliamentary Conference,

Conscious of the urgent need to put a halt to the armaments race and motivated by a sincere desire to preserve world peace and work together to achieve comprehensive disarmament by progressive stages,

Considering the disastrous economic, social, and political consequences of the armaments race and the urgent need therefore to pursue the objective of comprehensive disarmament through the prohibition by international agreement of the manufacture and use of all nuclear and other weapons of mass destruction, and the gradual reduction of Armed Forces and conventional armaments,

Recognizing that such an agreement must ultimately depend on the willingness of all nations to accept a fully effective system of international inspection and control,

Urges that efforts to reach a general disarmament agreement be continued;

Calls for acceleration in the progress already achieved to this end during the negotiations at Geneva for a treaty to end nuclear weapons tests under proper control;

Notes with approval the agreement recently expressed by the heads of the Soviet and United Kingdom Governments that, in conjunction with necessary progress toward a satisfactory overall political settlement, further study could usefully be made of the possibilities of increasing security by some method of limitation of forces and weapons, both conventional and nuclear, in an agreed area of Europe;

Expresses satisfaction at the prospect of early discussion and negotiation on these vital questions at the Foreign Ministers' level, later to be followed by a meeting of heads of Governments.

B

The 48th Interparliamentary Conference,

Recognizing that the new dimensions of outer space can be used for peaceful purposes for the benefit of all mankind or for military weapons more destructive than any man has ever known,

Conscious that the first space activities developed under the aegis of the International Geophysical Year are an outstanding example of international cooperation among the scientists of 66 nations.

Urges that national groups of the Interparliamentary Union should direct efforts within their Parliaments conducive to the settlement of international problems of outer space in the context of general disarmament and the development of potential outer space benefits for humanity.

(C) MEASURES TO PREVENT WARLIKE PROPAGANDA

(Draft resolution presented by the Committee on Juridical Questions, rapporteur, Mr. Bebler, Yugoslavia)

The 48th Interparliamentary Conference.

Realizing the deep anxiety felt by the peoples for the fate of the world, and desirous of removing the causes and circumstances that provoked enmity among states.

Recognizing that the conscience and sense of justice of the peoples who, in the lifetime of one generation, have suffered the calamities of two world wars, cannot tolerate such circumstances that threaten to cause new wars.

Noting that the aim of the Interparliamentary Union, in accordance with article 1 of its statutes, is to coordinate the activity of the National Parliamentary Groups in the name of peace and cooperation among nations.

Reaffirming that paragraph 8 of the Declaration on the Principles of International Morality, adopted by the 37th Conference of the IPU in Rome, in 1948, states that "as all propaganda in favor of war and all forms of incitement to aggression constitute a threat to that peace toward which the efforts of all states should be directed, all governments should oppose such propaganda and incitement on their national territory and on the territories under their control by all the legal means at their disposal."

Deplores the act of any persons, official, or private, who would incite the country to aggressive war by writing, speech, or any other form of publicity, or who, either by deliberately disseminating false news or false documents or by fraudulent machinations, have disturbed international relations or increased the tension between certain countries.

Invites the national groups to ask their governments to negotiate an international agreement defining and prohibiting aggressive warlike propaganda and envisaging the creation of an international arbitration authority charged with ensuring the observance of such an agreement.

FORTY-EIGHTH INTERPARLIAMENTARY CONFERENCE, WARSAW, 1959

Item 5 of the agenda: "The Problems of International Security and Disarmament."

(b) General and regional measures which could contribute toward a solution of the disarmament problem.

Insert the following paragraph at the end of the preamble:

"Reaffirming the continuing interest and responsibility of the United Nations in the field of disarmament, which have found expression in the charter of the United Nations and in previous resolutions of the General Assembly."

Mr. CASE of South Dakota. Mr. President, in that connection, I should like to say that the delegates at the conference and in the subcommittee accorded the U.S. delegation an unusual courtesy in permitting us to offer an amendment to the resolution, which I understood was desired by the State Department of the United States, to reaffirm the continuing interest and responsibility of the United Nations in the field of disarmament, which had found expression in the charter of the United Nations and in previous resolutions of the General Assembly.

A paragraph covering that subject was offered to me as an amendment. It came at a time when amendments no longer could be presented under the rules of the Interparliamentary Union; but because the delegates were so firmly of the desire to have the resolution representative of the movements underway in the world today, it was accepted and agreed to by unanimous consent, an unusual procedure for the Interparliamentary Union.

Mr. President, I should also like to place in the RECORD at this point, along with these other experiences, the remarks which I made at the plenary session of the conference on the 1st day of September. Not only one, but every other speaker on that day, paid some tribute to the heroic work that the people of Poland had done in rebuilding their city from the ravages of the war.

Warsaw is a city which was 85 percent destroyed in World War II. Some 700,000 people died in Warsaw. Eighty-five percent of their buildings and their productive capacity was destroyed. The anniversary day, 20 years to the day after Hitler had marched into Poland, afforded a backdrop for all of the speeches. There was hardly a speaker at the conference who failed to refer to the forthcoming exchange of visits between the President of the United States and Mr. Khrushchev, with the hope, almost a prayer, one might say, that something constructive would come of those visits.

So I should like at this point to insert the remarks which I made on that subject that day.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR CASE OF SOUTH DAKOTA AT THE PLENARY SESSION OF THE INTERPARLIAMENTARY CONFERENCE IN WARSAW, POLAND, SEPTEMBER 1, 1959

Mr. President, ladies and gentlemen, it has been good for the Interparliamentary Union to meet in Warsaw. Nowhere else could the tragedy of war be more deeply etched into one's mind. Nowhere else could we find a greater example of the heroism and courage of people.

The delegates from the U.S. Congress join with others who have expressed their admiration and appreciation of the hospitality and excellent arrangements of our hosts.

The people of Poland can justly be proud of what they have done in 14 years, of how they have literally recreated a great city out of the ashes and destruction in which a cruel invader left them. The nations of the world have been reminded of the great leaders Poland has produced. We have seen a statue to the memory of Chopin and are reminded of the great musicians these people have produced. We have seen the figure of Copernicus and are reminded that he spoke of orbits and satellites long before there was a sputnik. We meet here in the Chamber of the Sejm and are reminded that Poland had a parliamentary body more than five centuries ago.

It is no wonder, Mr. President, that the delegates have spoken so eloquently and so movingly of the desire of people everywhere for peace. It is no wonder that the speeches have called for reduction of armaments and the lessening of tensions. We are called upon to do what we can to remove fear from the hearts of men and women and children all over the world.

But, Mr. President, we must ask ourselves why is it that nations have armies Why do we have bases and bombs and airplanes and rockets?

Do the nations enjoy the taxes that these things cost? Not in my country, Mr. President. Taxes are high and far too much of the money taken from the people goes to the military budget. We do not wish it to be so.

Our President, Mr. Eisenhower, calls for reduction of armaments, but with that he asks for a change in the practices which have produced the fears in the hearts of the people all over the world.

What has produced the arms race, Mr. President?

It has been aggression from without and subversion within. It has been threats of burying this Nation or crushing that one. If an end can be put to these cold war tactics it will be natural to reduce military budgets.

What disturbs people? Tension at Trieste and Taiwan, memories of Budapest and Leipzig, trouble in Lebanon and Iran, reports from Tibet and Kashmir—these things, Mr. President, make hard the way for reduction of armaments.

Hardly a speaker at this meeting has missed applauding the forthcoming visits of President Eisenhower and Premier Khrushchev. On the floor of the U.S. Senate, I have praised the decision of these men to talk things over. There are some people in my country who say no good may come of the meetings. Among the critics is a former President, Mr. Truman. These critics point to the absence of any assurances that the causes of tension will be removed.

It is our privilege, Mr. President, to propose in our resolutions that the conditions of successful disarmament be met. These should include at least three things:

1. Removal of the causes of tension. As an example, I mention an assurance that West Berlin will remain free; an assurance that all the German people will have an opportunity to vote on unification.

2. Guarantees against surprise attacks. This is the very heart of the requirement for workable methods of inspection and controls on agreements respecting nuclear tests, placement of weapons and deployment of troops.

3. Machinery to carry out the agreements. Our resolutions, should have an additional paragraph to provide a place for the United Nations to supervise and administer the agreements made.

One of our senior colleagues, the delegate from France, told us at Nice, last April, that it was the privilege of parliamentarians in these meetings to speak across national boundaries, to speak as elected representatives of the peoples, closest to them in every government. So it is. Those people, in my land, as in yours want peace. The challenge to us is not only to express that desire but to find the ways in which their yearnings can come true.

Some 40 years ago, Mr. President, as a college sophomore, I wrote an oration on peace. I tried to say how much better it would be if we spent our millions on schoolhouses and hospitals and home and highways instead of bullets and bombs and battleships. But a few months later I was in uniform and carrying a gun. Just 40 years ago, I put away that uniform after a war that we were told was to end war. Twenty years later, just 20 years ago today, Mr. President, word came that Hitler had marched into Poland and that bombs were dropping on Warsaw—on this very city where we meet today.

Over and over, we have said, "This must never happen again. It is our privilege, more than that, it is our sacred responsibility in this city of sacrifice and human suffering, in this capital of courage and challenge to contribute greatly to realizing the deepest hopes of mankind everywhere.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that following these remarks there may be placed in the RECORD a report I wrote while flying over Russia entitled "A Look Behind the Curtain," which deals with the days spent in Warsaw.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LOOK BEHIND THE CURTAIN

(By Senator FRANCIS CASE, of South Dakota)

OVER RUSSIA, September 7.—We are flying from Moscow to Copenhagen as I write these notes. We went into Russia from Warsaw, Poland. I shall try to jot down facts only in this report and leave interpretation to you. In a later report, I may offer comments.

The conference: Almost 700 delegates attended this year's conference of the Interparliamentary Union, the 48th since it started but the first behind the postwar Iron Curtain. Fifty-six nations sent delegates.

I went as one of the U.S. Senate delegates named by the Vice President. Senator FRANK CHURCH, Democrat, of Idaho, and I agreed to pair our votes on matters that would come up in the Senate while we were gone.

At the invitation of the Russian delegation, we flew to Moscow after the Warsaw conference. We were there in time to see the final showing of the cinema features of the U.S. exhibit that night.

Now I'm headed for 3 days of briefings and inspections of our military groups in Copenhagen, Berlin, and Heidelberg and then will join the balance of the U.S. delegation in Paris to fly home.

Warsaw: September 1, 1939, was the date Hitler marched troops into Poland and sent the Luftwaffe to bomb Warsaw.

(The Poles make a careful distinction between "Hitlerites" and the German people as a whole. And if you can't speak Polish, a few words of German help you a great deal in getting about.)

Eighty-five percent of old Warsaw was destroyed and over 700,000 persons were killed. In the latter part of the war, the Polish resistance led to Hitler's order for complete destruction. The central part was walled up and systematically demolished by explosions and fire. The people inside could not get out.

At Ossewicam near the southern border gas chambers, bales of human hair and other grisly relics tell a ghastly story of mass killings. The claimed figures are 4,000,000—yes, 4 million. Many were taken there from other parts of Europe.

That is the story you get in Warsaw. And on the 20th anniversary long columns of people prayed before the shrines about the city. Officers laid wreaths at the tomb of their Unknown Soldier.

This was the backdrop for the conference sessions. And on that 20th anniversary day I was one of those from the Committee on Disarmament assigned to speak at the general session of the conference.

Every speaker, as I recall, whether from Australia, Ceylon, Ireland, England, Russia, Japan, Norway, Brazil, or Poland, said the people of his country wanted peace. Fears were expressed lest a war with atomic or hydrogen bombs should wipe out all countries, large and small, combatant and noncombatant.

And most of the speakers referred to the prospective Eisenhower-Khrushchev visits with a wishful hopefulness.

I joined in tribute to the Polish people for the job they have done in rebuilding their city. I told the delegates the people of the United States also do not want war. I pointed out that, in addition to the will for peace, there must be evidence of good faith and the method and machinery for arranging settlements and carrying out agreements.

Things I shall remember of Poland:

1. That the greatest attendance at the conference sessions was for the speech of the Polish Foreign Secretary Rapacki who proposed a nuclear-free zone in central Europe; that the Polish delegate got the largest vote in election of the nine-man executive committee; that the Russian delegation withheld its vote on one important resolution so as not to oppose the United States and British position on the eve of the Eisenhower-Khrushchev visits.

2. That at the time of the people's uprising in Poland when Gomulka came to power there were 10,600 collective farms; that today there are only 1,900; that Gomulka this week says the collective farm is the answer to their desire for increased production.

3. That the Communist doctrine teaches that religion is an opiate; that officials of the Polish Government are sworn to uphold communism; but that the Catholic churches of Poland are open and that uniformed officials are among the crowds of worshipers.

4. And, finally, that today one can buy English and American books, papers, and periodicals in Warsaw as freely as in other European cities; that travel within Poland is not restricted; that the people one sees are friendly, serious, and busy.

The horrors of war are a hard, stark fact in Poland. The physical evidence and the memories of the Polish people are factors for consideration by those who shape the relationships of nations.

SEPTEMBER 7, 1959.

Mr. CASE of South Dakota. Mr. President, I have one further unanimous-consent request. I anticipate writing a further report to the people of South Dakota about the experiences of the delegates in Moscow. We were there on a Saturday and Sunday. I am sure the readers of the RECORD, as well as the people of my own State, will find that some of our experiences there were quite revealing. The extent of that is indicated by the fact that on the last Sunday morning we were there a number of us attended three different church services in the city of Moscow—Catholic, Protestant, and Russian Orthodox. The experiences we had there and some of the things we observed will be covered in this report.

I ask unanimous consent that I may submit such a report for the RECORD, notwithstanding the fact that the Senate may have adjourned. I should like to ask that that report on the days in Russia may follow in the permanent RECORD the insertions I have already made.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, the insertions will be made.

Does the Senator from South Dakota yield to the Senator from New York?

Mr. CASE of South Dakota. I yield, if I may make a request for an additional minute.

Mr. KEATING. Mr. President, personally I shall read the report of the distinguished Senator with great interest. It is a source of regret to me that I was not able to be with the Senator. I know he must have had some most interesting experiences. I believe our country is very fortunate to have been represented at this important international conference by one of the stature and standing and respect which our colleague from South Dakota enjoys.

Mr. CASE of South Dakota. Mr. President, I express my appreciation of what the distinguished Senator from New York has said. It was a matter of regret to me that he was unable to be

at this conference. It was my privilege to work with him during the conference a year ago at Rio de Janeiro. I know of the contributions he made in personal contacts and in his effective committee work and his work on the floor of the IPU conference.

Mr. WILEY rose.

The PRESIDING OFFICER. Does the Senator from South Dakota yield to to Senator from Wisconsin?

Mr. CASE of South Dakota. I yield if I may have the additional time required.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Wisconsin.

Mr. WILEY. Mr. President, I am sorry that conditions were such that I could not join with the Senator from South Dakota in his very fine experience. I believe the Senator could contribute much which the Senate should really get firsthand. I do not know whether his report will be sufficient. I suggest, if there is time today or Monday, that the Senator from South Dakota give us some of his personal experiences.

Twenty years ago was the first time I attended the Interparliamentary Union Conference, held that year in Oslo. Thereafter I had planned to take a trip through Europe. I got as far as Copenhagen when Hitler went into Poland. Then it became necessary for me to get back home. I managed to get a boat out of Goteborg.

The Senator referred to the fact that 20 years ago Hitler went into Poland. I shall never forget that trip home on the *Kungsholm* because we stayed up all night. There were a number of Poles on the boat. We got the news of the bombing and the burning of Warsaw, and I remember particularly one woman. One could almost see the bleeding in her eyes when the news came in about what was happening. She had children in Warsaw; her loved ones were there; and of course she was thinking of them as she was hearing of the terrible killings, almost a massacre.

I appreciate the very fine services of the Senator from South Dakota. He always does a good job. We missed him here during the debate on the water diversion bill, but before he left he made a great contribution which I am sure assisted some Senators in seeing the light.

Mr. CASE of South Dakota. Mr. President, I may say, in response to the distinguished Senator from Wisconsin, that it was also a source of regret to me that he found himself embattled on the floor of the Senate in some matters of direct concern to his State, which made it impossible for him to act as one of the delegates to the Interparliamentary Conference, to which he had been named. The Senator from Wisconsin, as the ranking Republican member of the Committee on Foreign Relations, would have made a great contribution to the meeting of the Interparliamentary Union.

I note with interest that there will be another international gathering this fall, to which the Senator from Wisconsin has been designated as a representative. I certainly trust that nothing will interfere with his attendance at that meeting.

Mr. WILEY. I thank the Senator from South Dakota.

PROPOSED INVESTIGATION OF ADMINISTRATION OF TOLL BRIDGES

Mr. DOUGLAS. Mr. President, a few days ago, in a colloquy on the floor of the Senate, I stressed the importance of an investigation, by the Public Works Committee of the Senate and the Department of Commerce, of the administration of the various toll bridges of the country which have been authorized by Congress. I pointed out some of the abuses which already have come to light, both in the field of excessive administrative costs and in the actual embezzlement of tolls. I also pointed out that there had not been any adequate supervision, by the Eisenhower administration, of these abuses.

For some weeks, I have been endeavoring to obtain a list of the toll bridges which have been authorized by acts of Congress. I am very happy to state that the Bureau of Roads has now compiled such a list of approximately 94 interstate toll bridges, 18 of them crossing the Mississippi River, a large number crossing the Ohio River, and others crossing the Missouri River, the Delaware River, the Rio Grande River, and the Columbia River in the Northwest.

I ask unanimous consent that the list of the bridges be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Tentative list of interstate toll bridges

Bridge	Location	River	Motorcycle toll rate	Automobile toll rate	Truck toll rate
Delaware Memorial	Farnhurst, Del., to Deepwater, N.J.	Delaware		$0.50	$0.75 to $3.50.
Eugene Talmadge Memorial	Savannah, Ga., to South Carolina	Savannah		$0.50	$0.50 to $1.
Chain of Rocks	St. Louis, Mo., to Mitchell, Ill.	Mississippi	$0.20	$0.25	$0.40.
Chester	Chester, Ill., to Claryville, Mo.	do		$0.60	$0.75 to $0.90.
McKinley	St. Louis, Mo., to Venice, Ill.	do		$0.25	$0.35 to $0.75.
New Harmony	New Harmony, Ind., to Crossville, Ill.	Wabash		$0.15	$0.25.
Rock Island Centennial	Rock Island, Ill., to Davenport, Iowa	Mississippi		$0.10	$0.15 to $0.25.
Savannah-Sabula	Savannah, Ill., to Sabula, Iowa	do		$0.35	$0.35 to $1.25.
Veterans Memorial	St. Louis, Mo., to East St. Louis, Ill.	do		$0.15	$0.30 to $0.75.
Eads	do	do	$0.20 to $0.30	$0.15	$0.30 to $0.85.
Hutsonville	Hutsonville, Ill., to Graysville, Ind.	Wabash		$0.25	$0.50 to $0.75.
Wabash River Memorial	Mount Vernon, Ind., to New Haven, Ill.	do	$0.10 to $0.15	$0.35	$0.50 to $0.70.
Eagle Point	Dubuque, Iowa, to Grant County, Wis.	Mississippi	$1	$0.15	$0.25 to $0.75.
Fort Madison	Fort Madison, Iowa, to Niota, Ill.	do		$0.25	$0.25 to $1.60.
Iowa-Illinois Memorial	Davenport, Iowa, to Moline, Ill.	do		$0.15	$0.15 to $0.30.
Gateway	Clinton, Iowa, to East Clinton, Ill.	do		$0.20	$0.20 to $1.50.
Keokuk Municipal	Keokuk, Iowa, to Hamilton, Ill.	do		$0.10	$0.25 to $1.50.
Lyons & Fulton	Clinton, Iowa, to Fulton, Ill.	do		$0.20	$0.20 to $1.50.
MacArthur	Burlington, Iowa, to U.S. 34	do		$0.25	$0.25 up.
Muscatine	Muscatine, Iowa	do		$0.35	$0.35 to $5.
Leavenworth Memorial	Leavenworth, Kans. to Leavenworth, Mo.	Missouri		$0.25	$0.35 up.
Kentucky-Indiana	Louisville, Ky. to New Albany, Ind.	Ohio	T. $0.15	$0.20	$0.15 to $0.25.
Kermit-Warfield	Kermit, W. Va. to Warfield, Ky.	Tug Fork	T. $0.15	$0.15	$0.24.
Louisa-Fort Gay	Louisa, Ky. to Fort Gay, W. Va.	Big Sandy	T. $0.10 up	$0.15	$0.15 up.
Shawneetown	Shawneetown, Ill.	Ohio	T. $0.50 up	$0.75	$0.75 to $2.50.
Suspension	Cincinnati, Ohio, to Covington, Ky.	do	C & T $0.20	$0.10	$0.15 to $1.50.
Old Town	Green Spring, W. Va., to Old Town, Md.	Potomac	P. $0.10	$0.25	
Potomac River	Newburg, Md., to Southwest	do	C. & T. $1	$1	$1.10 to $3.
Ambassador	Detroit, Mich., to Windsor, Ontario, Canada	Detroit	P. $0.10	$0.60	$0.60 up.
Blue Water International	Port Huron, Mich., to Sarnia, Ontario, Canada	St. Clair	C. & T. $0.50	$0.50	$0.60 to $2.
International Falls	International Falls, Minn., to Fort Francis, Ontario, Canada.	Rainy	C. & T. $0.50	$0.40	
Interstate Duluth-Superior	Duluth, Minn., to Superior, Wis.	St. Louis	T. $0.10, P. $0.05	$0.10	
Vicksburg	Vicksburg, Miss., to Delta, La.	Mississippi	T. $0.50	$0.50 up	$1.50 to $3.
Brownville	Phelps City, Mo., to Brownville, Nebr.	Missouri	P. $0.05	$0.60 up	$0.80 up.
Jefferson Barracks	St. Louis County, Mo., to Columbia, Ill.	Mississippi	T. $0.15	$0.20	$0.40.
Douglas MacArthur	St. Louis, Mo., to East St. Louis, Ill.	do	T. $0.30	$0.15	$0.30 to $0.60.
St. Francisville	St. Francisville, Mo., to Vincennes, Iowa.	Des Moines			
Bellevue GAR Memorial	Bellevue, Nebr., to State 370, Iowa	Missouri	M. $0.25	$0.50	$0.85 to $1.
Decatur	Decatur, Nebr., to Iowa	do		$0.50	$0.50.
Abraham Lincoln Memorial	Missouri Valley, Iowa, to Blair, Nebr.	do	P. $0.05	$0.50	$0.50 up.
Morman Pioneer Memorial	Omaha, Nebr., to Crescent, Iowa	do		$0.35	$0.35 up.
Platsmouth	Plattsmough, Nebr., to Glenwood, Iowa	do	T. $0.60 to $0.75, P. $0.05.	$0.50	$0.50 to $0.85.
Rulo	Fortescue, Mo., to Rulo, Nebr.	do	T. $0.35, P. $0.05	$0.75	$0.85 to $1.
Maine-New Hampshire Interstate	Portsmouth, N.H., to Kittery, Maine	Piscataque	C. & T. $0.15 to $0.25.	$0.10	
Benjamin Franklin	Philadelphia, Pa., to Camden, N.J.	Delaware		$0.25	$0.25 to $2.

Tentative list of interstate toll bridges—Continued

Bridge	Location	River	Motorcycle toll rate	Automobile toll rate	Truck toll rate
Walt Whitman	Philadelphia, Pa., to Gloucester, N.J	Delaware		$0.25	$0.25 to $2.
Tacony-Palmyra	Philadelphia, Pa., to Palmyra, N.J	do		$0.05	$0.05 to $0.50.
Burlington-Bristol	Burlington, N.J., to Bristol, Pa	do		$0.05	$0.05 to $0.50.
Bayonne	Bayonne, N.J., to Port Richmond, Staten Island, N.Y	Kill Van Kill	Bus $1., M. $0.25	$0.50	$0.50 to $1.50.
George Washington	Manhattan, N.Y., to Fort Lee, N.J	Hudson	B. $1., M. $0.25	$0.50	$0.50 to $1.50.
Goethals	Elizabeth, N.J., to Howland Hook, Staten Island, N.Y	Arthur Kill	B. $1., M. $0.25	$0.50	$0.50 to $1.50.
Lake Champlain	Crown Point, N.Y., to Chimney Point, Vt	Lake Champlain	T. $0.75	$0.50	$0.75 to $3.
Lewiston-Queenston	Lewiston, N.Y., to Queenston, Ontario, Canada	Niagara	T. $0.30, P. $0.10	$0.30	$0.45 to $0.60.
Outerbridge crossing	Perth Amboy, N.J., to Tottenville, Staten Island, N.Y	Arthur Kill	B. $1., M. $0.25	$0.50	$0.50 to $1.50.
Peace	Buffalo, N.Y., to Fort Erie, Ontario, Canada	Niagara	C. & T. $0.25	$0.25	$0.75 to 1.
Rainbow	Niagara Falls, N.Y., to Niagara Falls, Ontario, Canada	do	P. $0.5	$0.25	$0.35 to $0.50.
Roosevelt International	Cornwall, Ontario, Canada, to Roosevelt Town, N.Y	St. Lawrence		$1	$1.50 to $5.
Thousand Islands	Alexandria Bay, N.Y., to Collins Landing	do		$1	$1 to $5.
Whirlpool Rapids	Niagara Falls, N.Y., to Niagara Falls, Ontario, Canada	Niagara	P. $0.05	$0.25	$0.35 up.
Bellaire	Bellaire, Ohio, to Benwood, W. Va	Ohio		$0.15	By weight.
Fort Steuben	Steubenville, Ohio, to Weirton, W. Va	do		$0.10	$0.10 to $0.50.
General U. S. Grant	Portsmouth, Ohio, to South Portsmouth, Ky	do	P. $0.05	$0.25	$0.25 up.
Ironton Russell	Ironton, Ohio, to Russell, Ky	do		$0.25	
Hood River-White Salmon	Hood River, Oreg., to White Salmon, Wash	Columbia		$0.50	$0.50 to $2.50.
Umatilla-Plymouth	Umatilla, Oreg., to Plymouth, Wash	do		$1.25	$1.50 to $4.25.
Wasco County	Dalles, Oreg., to Dalles Port, Wash	do		$0.50	$0.50 to $3.
Delaware River Turnpike	Edgley, Pa., to Florence, N.J	Delaware			
Delaware Water Gap	Delaware Water Gap, Pa., to New Jersey side	do		$0.25	$0.25 to $1.
Dingman's Ferry	Dingman's Ferry, Pa., to Layton, N.J	do		$0.25	$0.25 to $1.
Bushkill Street	Easton, Pa., to Phillipsburg, N.J	do		$0.10	$00.10 to $1.
Lackawaxen	Kakawaxen, Pa., to Minisink Fork, N.Y	do		$0.25	$0.25 to $0.75.
Milford-Montague	Milford, Pa., to Montague, N.J	do		$0.25	$0.25 to $1.
Morrisville-Trenton	Morrisville, Pa., to Trenton, N.J	do		$0.15	$0.15 to $0.40.
Portland-Columbia	Portland, Pa., to Columbia, N.J	do		$0.25	$0.25 to $1.
Brownsville-Matamoros	Brownsville, Tex., to Matamoros, Mexico	Rio Grande		$0.20	$0.50 to $1.
City of Del Rio International	Del Rio, Tex., to Ciudad Acuna, Mexico	do		$0.25	$0.50.
City of Eagle Pass International	Eagle Pass, Tex., to Piedras Negras, Mexico	do	P. $0.05	$0.20	$0.45.
Gateway	Brownsville, Tex., to Matamoros, Mexico	do	P. $0.05	$0.20	$0.50 to $1.
Laredo International	Laredo, Tex., to Nuevo Laredo, Mexico	do	P. $0.05	$0.20	$0.20 to $0.30.
Presidio-Ojinaga	Presidio, Tex., to Ojinaga, Mexico	do	P. $0.10	$0.50	$0.50.
Progreso	Progreso, Tex., to Nuevo Progreso, Mexico	do	P. $0.10	$0.25	
Roma-San Pedro	Roma, Tex., to San Pedro, Mexico	do	C. & T. $0.50	$0.35	$0.50.
Santa Fe Street	El Paso, Tex., to Juarez, Mexico	do	P. $0.02	$0.20	$0.30.
Stanton Street	do	do	P. $0.02	$0.10	$0.25.
Valley	Hidalgo, Tex., to Reynosa, Mexico	do	C. & T. $0.50, P. $0.10.	$0.25	$0.35.
Cheshire	Springfield, Vt., to Charlestown, N.H	Connecticut		$0.15	$0.25.
Bridge of the Gods	Cascade Locks, Oreg., to Stevenson, Wash	Columbia		$0.50	$0.50 to $2.50.
Longview	Longview, Wash., to Ranier, Oreg	do		$0.50	$0.75 to $3.
Vancouver-Portland	Vancouver, Wash., to Portland, Oreg	do			
Lower Bridge	Newell, W. Va., to East Liverpool, Ohio	Ohio	B. $0.50	$0.10	$0.15 to $0.50.
Memorial Bridge	Parkersburg, W. Va., to Belpre, Ohio	do		$0.15	$0.30.
Nolan	Nolan, W. Va., to Kentucky	Tug Fork			
Arrowhead Bridge	Duluth, Minn., to Superior, Wis	St. Louis	P. $0.05	$0.10	$0.15 to $0.35.

NOTE.—P.=pedestrian. C. & T.=car and trailer. T.=trailer. M.=motorcycle.

Mr. DOUGLAS. It will be noted that the toll rates for motorcycles, automobiles, and trucks are stated in the list. I think the listing of the rates for foot passengers is somewhat incomplete. But the information given in the list should be valuable to both the Department of Commerce and the Senate Committee on Public Works.

Again I wish to stress most strongly the need for an inquiry into this entire matter.

I pointed out that, due to the efforts of the very able State's attorney of Rock Island County, Ill., Mr. Bernard J. Moran, and the Department of Justice, indictments have been returned against approximately 10 toll collectors on the bridge from Rock Island to Davenport, Iowa; that confessions have been obtained from some of them; that apparently some $75,000 to $100,000 a year of the tolls were pocketed by those collectors, even though the bridge supposedly had the most advanced automatic, electronic type of recorders.

As I said a few days ago, I have seen enough outcroppings in other localities to become convinced that we should not shirk our responsibility of dealing with this issue. So I hope very much that this matter will be gone into.

Mr. President, it seems to me that, at the very least, an annual audit should be made of the finances of the various toll bridge commissions. But I also think that an even more detailed investigation would be in the public interest and I again strongly urge that this be done.

JURISDICTION IN THE FEDERAL COMMUNICATIONS COMMISSION OVER COMMUNITY ANTENNA SYSTEMS

Mr. MANSFIELD. Mr. President, I should like to ask the chairman of the Committee on Interstate and Foreign Commerce whether it is at all possible that Calendar No. 950, Senate bill 2653, to amend the Communications Act of 1934, to establish jurisdiction in the Federal Communications Commission over community antenna systems, will be brought up before the adjournment of this session of the 86th Congress.

Mr. MAGNUSON. As the Senator from Montana knows—and I know he has a very deep interest in both the booster question and the community antenna question—the committee reported two bills dealing with these subjects. At one time the two bills were joined; but later they were separated, because they affected each other only indirectly.

The booster bill was passed. But it was decided that it would be better to let the community antenna bill lie over until January, because certain portions of the bill might be subject to an interpretation which we wish to clear up.

If the Senator from Rhode Island [Mr. PASTORE] were here now, I am sure he would agree with me that the community antenna systems must some day be put under some of the regulatory measures of the Federal Communications Commission. But we do not wish to be unfair to any of them. It has been suggested that they might be made common carriers, because rates are charged to the various persons who are served by them.

We want to have a reasonable and fair regulation; and we thought that during the interim we might allow those concerned to present their ideas in regard to the interpretations of the definition of community antenna systems set forth in the bill.

There is no real rush on the matter, because the important problem was the booster problem, and that has now been taken care of. The Federal Communications Commission, of course, is conscious of what we are doing here on this subject. I am sure it is going to cooperate and put into effect some good regulations, enabling boosters to be licensed. This matter will be taken care of immediately after the Congress convenes in January. I am sure we shall be able to work out a solution of the whole problem to the satisfaction of everyone concerned.

Mr. MANSFIELD. Mr. President, I want to express my appreciation for these encouraging words by the chairman of the Committee on Interstate and Foreign Commerce. I do assure him that, so far as the State of Montana is concerned, this problem is important. On his assurance I will rest.

Mr. MAGNUSON. I merely wish to add that an interesting phase of this problem is that the topography of the United States can be divided into two

parts. In the East there is not much of a problem with respect to boosters. In the West there is. However, in the East there is a problem with respect to community antenna systems. We do not want to hurt them. They serve a good purpose. They fit into the whole picture. Out West we have a booster problem and, indirectly, the antenna problem fits into it. Those two aspects of the problem need not be incompatible at all. We want to work out the problem so that free television may be available to all.

Mr. KEATING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield 1 more minute to the Senator from New York.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator from Montana is yielded 1 additional minute, in order that he may yield to the Senator from New York.

Mr. KEATING. Mr. President, representations have been made to me about the importance of the proposed legislation. I am happy to hear the assurances given by the Senator from Washington.

May I inquire as to whether this bill was unanimously reported by the committee?

Mr. MAGNUSON. Yes; with the understanding that we probably should let the problem lie for this period of time, so we may get further information and make further studies on the problem. A community antenna is an antenna service, actually, but the point has been made that it might be considered in the nature of a common carrier. Then the question of programing comes into the problem. We do not want to put those concerned under the regulation of programing. That is not their business. They serve a great purpose. We are hoping to work the problem out so that there will not be any conflict with boosters, competitively or otherwise, because the booster problem is one that is encountered only out West, where, for example, 20 families may live in a valley, and are not able to get a television program unless they have a little kitchen booster set. A community antenna would not serve them, anyway. It could not be done economically. Some of the definitions contained in the bill need to be clarified so that everyone concerned is treated fairly. I am sure it can be worked out.

Mr. KEATING. I am very happy to have those assurances.

DISMISSAL OF WALTER NOREEN FROM POSTAL SERVICE

Mr. HUMPHREY. Mr. President, on July 22, 1959, I was informed that Clerk Walter Noreen, first vice president of the Postal Clerks Union, and a worker in the St. Paul, Minn., post office for 12 or 14 years, had been summarily dismissed from the service. I inquired into this matter to ascertain the reasons for the dismissal.

A previous conference with the Assistant Postmaster General had brought out that the action had been taken because of statements made by Clerk Noreen that had "brought the Post Office Department into disrepute."

I want it quite clear that that is the statement of the Post Office Department, and not of any reliable, objective observer.

Despite the fact that Mr. Noreen's alleged offense involved only a public protest against the hiring of Christmas help in the Post Office who already held full-time jobs in private industry, which was substantially true, the Post Office Department took action not to suspend this postal clerk, but to actually dismiss him from the service.

In other words, a post office clerk states he feels it is wrong for the postmaster in the city of St. Paul to hire persons who are already employed on a full-time basis and suggests that persons be hired who are employed on a part-time basis or that the reserves in the post office be hired, and he is summarily dismissed.

Mr. President, the question I raise is whether or not the Federal Government is going to permit free labor unions to function in the postal service, or whether the leadership of such unions is going to be shackled and forced to remain silent in behalf of their membership.

It seems clear to me that the Post Office Department is justified in taking action against a postal clerk only when the work of that clerk has suffered, or when action has been taken by a clerk which actually has resulted in a measurable damage to the Post Office Department.

Mr. President, free speech is the right of every American, and if there is to be any semblance of protection to the labor movement within the Government, it must insure that the leadership of that movement is permitted free speech—not jeopardizing their jobs every time a public statement is made.

Mr. President, I wish to protest this action here on the floor of the Senate. I protest the action taken by the Postmaster General, an action which I believe no court of law would possibly sustain. Both Senators from Minnesota have requested that the Senate Post Office and Civil Service Committee investigate the circumstances of this dismissal.

I am confident that the distinguished chairman of that committee, the Senator from South Carolina [Mr. JOHNSTON], and his able and efficient staff, along with the committee members, will look into this act of gross injustice, in which a man who has been in the postal service for over 20 years, and who has had an exemplary record, is summarily dismissed. He was fired because he said, and it was reported in the press, that he disagrees with the hiring policy of the Post Office Department with regard to part-time help needed during the Christmas period. That is a far cry from any kind of statement that would be injurious to the Government.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. Is the Senator from Minnesota speaking about the St. Paul postmaster?

Mr. HUMPHREY. I am speaking of a clerk in the St. Paul post office, Walter Noreen.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Minnesota may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Minnesota is recognized for 3 additional minutes.

Mr. DIRKSEN. Was this man an official of the organization of clerks?

Mr. HUMPHREY. He was first vice president of the Postal Clerks Union.

Mr. DIRKSEN. Mr. President, in connection with my remarks and the consent granted by the Senate, I am submitting a report supplied by the Post Office Department on the Noreen case at St. Paul, Minn. This includes not only a summary statement, but a letter to the distinguished senior Senator from Minnesota [Mr. HUMPHREY], signed by the Postmaster General, and also a statement signed by both the senior and junior Senators from Minnesota addressed to the Postmaster General on July 16, 1959.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SUMMARY NOREEN CASE

Walter Noreen, a clerk in St. Paul, Minn., post office, is president of local clerk union which he led out of AFL–CIO to help organize a national independent union composed of extreme leftwing elements. By order of AFL–CIO National President Meany, Noreen was removed recently as vice president of Minnesota AFL–CIO for dual unionism. He also was suspended by National Federation of Post Office Clerks, AFL–CIO, and replaced by a trustee for that organization's chartered local at St. Paul.

In 1955 Noreen filed suit in U.S. District Court at St. Paul seeking an injunction to prohibit the Post Office Department from asking postal clerks any questions concerning their outside employment—described in labor circles as "moonlighting." The judge dismissed the case, pointing out that the U.S. Government had the right and duty to question Federal employees about outside employment—but the filing of the suit did result in substantial expense to the Government in defending.

In 1957, Noreen publicly attacked the Post Office Department in a television interview, claiming falsely that decentralization had cost many millions and resulted in Republican patronage appointment of several hundred thousand extra employees. He later claimed the last statement was a slip of the tongue. During investigation by postal inspectors, Senator HUMPHREY intervened in behalf of Noreen.

Noreen wrote an apologetic letter to the Department pledging care in future public utterances and that he would do nothing further to bring the Department into disrepute.

In December 1958, he again publicly attacked the Department in a press release to the St. Paul newspaper. He characterized the hiring of temporary Christmas help by

the St. Paul post office as a "vicious anti-labor practice by the Republican postal administration," despite the fact that he knew the hiring was strictly in accordance with the Veterans' Preference Act and civil service regulations.

His attack was based on the fact that some of the veterans hired had other jobs, though in 1955 he had sought court action to prevent the Department from asking employees whether or not they had other jobs. For these actions and with a background of consistent flouting of supervisory authority, he was dismissed from the service.

Both Senators from Minnesota, Congressman KARTH, of St. Paul, the Governor of Minnesota, the mayor of St. Paul, and numerous others intervened in an effort to influence the administrative actions of the Post Office Department.

JULY 21, 1959.

Hon. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: In your letter dated July 16, 1959, signed jointly with Senator MCCARTHY, you express concern over disciplinary action recommended against Clerk Walter O. Noreen, of St. Paul, Minn., by regional officials of the Bureaus of Inspection and Operations. You ask that I review this matter prior to action by the Department.

While such procedure is most unusual, I have discussed the case in some detail with the responsible officers of the Department in response to your request. You have noted the considerable delay between the time that Clerk Noreen was given a letter of charges dated February 20, 1959, and final administrative action.

Such a delay is, indeed, unusual, since such cases normally are handled promptly by our regional offices. However, I am informed that in this case Clerk Noreen's attorney sought and obtained extensions of the normal period allowed for answering such charges. He further requested and was granted an oral hearing by the postal inspectors involved in order that he might be given every opportunity to answer the charges and present any statements by himself or others bearing on the case.

Then, the distinguished Senators from Minnesota and the Congressman from St. Paul intervened in the matter. This led the Department, as an act of courtesy, to request the inspector in charge at St. Paul and the regional operations director at Minneapolis to review the case personally and forward the entire file along with their recommendations to Washington. In the meantime, the Governor of Minnesota, the mayor of St. Paul and a number of others had intervened in behalf of Clerk Noreen.

Following the conference in Senator MCCARTHY's office, to which you refer, I am informed that Clerk Noreen and his attorney, at the request of Congressman JOSEPH E. KARTH, were extended the courtesy of a further hearing on July 17 by the Assistant Postmaster General, Personnel, and the First Deputy Assistant Postmaster General, Operations. These unusual proceedings did serve to delay considerably the normal course of administrative action by the Department.

It seems to me that for the good of the service, the recommendations of the responsible officers of the Department should be followed in this case. Once disciplinary action is taken, of course, the normal channels of appeal, either by means of the Department's published grievance procedure or through the Civil Service Commission, are open to Clerk Noreen.

Sincerely yours,

ARTHUR E. SUMMERFIELD,
Postmaster General.

U.S. SENATE,
COMMITTEE ON FINANCE,
July 16, 1959.

Hon. ARTHUR E. SUMMERFIELD,
Postmaster General,
Washington, D.C.

SIR: We wish to express our appreciation to your Department and your Assistant Postmaster General Eugene J. Lyons and First Deputy Assistant Postmaster General Bert B. Barnes for the cooperation which was accorded us at a meeting this morning concerning the proposed disciplinary action against Postal Clerk Walter O. Noreen, of St. Paul, Minn.

We are, however, greatly concerned over this proposed disciplinary action because of the fact that it seems far too harsh an action for the charges made against him. This is particularly true, in our opinion, because the Post Office Department has never previously penalized Mr. Noreen by way of suspension or other serious disciplinary action. Moreover, the charges against Mr. Noreen were first made in December of this year, and it appears to us that a lapse of almost 8 months between the time of charges and the proposed disciplinary action is excessive indeed.

We are appealing to you in this case because of your knowledge of the necessity of cooperative action between the executive and legislative branches of the Government in the appointive and administrative functions of the Post Office Department, a Department unique in the Government in this respect.

It appears that the charges brought against Mr. Noreen are somewhat unusual since it is alleged that he has tended to bring disrepute to the Post Office Department, and it would appear to us that in situations of this kind in which an individual is facing an entire Department of the U.S. Government, it is difficult to prove that an individual's actions, such as occurred in this case can bring or have brought such disrepute as is alleged.

We shall most sincerely appreciate your personal review of this case before any such disciplinary action as was outlined to us this morning is executed. We look forward to hearing from you on this matter at your earliest convenience.

Very truly yours,

HUBERT H. HUMPHREY.
EUGENE J. MCCARTHY.

Mr. HUMPHREY. Mr. President, I have no objection to that, but it is interesting to me that the Postmaster General has nothing more to do than wonder whether Senator HUMPHREY is going to talk about a particular postal worker and send a report to the minority leader on one of our 3,300,000 Minnesota citizens.

All this report purports to say is that the Postmaster General judges the comments of a clerk to bring the Post Office Department in disrepute.

Mr. President, here is a man who has proven himself for years a reliable public servant, a man of good character, and an efficient and competent postal clerk. One weekend he disagrees with the hiring policy of the Post Office Department and he is publicly branded in the press as bringing a bad name on the Post Office Department and is summarily dismissed without even being suspended.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Do I understand the postal clerk in question, Mr. Noreen, worked for the Department for 20 years?

Mr. HUMPHREY. That is my understanding.

Mr. DOUGLAS. All he did was to criticize the hiring policy of the Postmaster General?

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. And the punishment was complete dismissal after 20 years of service?

Mr. HUMPHREY. His service was longer than 20 years. I think it was 23 years, but I would not want to be quoted on that exact figure.

I am sure my colleague from Minnesota will also wish to say something about this matter later on, since the gentleman in question is a citizen and resident of the city of St. Paul, Minn.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. Mr. President, apropos the comment made by my distinguished colleague from Illinois [Mr. DOUGLAS], I merely desire to say I will not leave the RECORD stand in that way on the question before us. I believe that when the Department's case is presented in the RECORD, it will put this matter in an entirely different context.

Mr. President, I believe when the statement of the Post Office Department is published showing the long examination conducted, and the patience of the Department in this matter is learned, it will be pretty persuasive on the point that the action taken by the Department was entirely warranted. I will let it stand at that and let the facts as disclosed by the investigation speak for themselves.

Mr. HUMPHREY. Mr. President, a disclosure of the facts will show that this man was never given an opportunity to defend himself. It will show he was never served with a suspension notice. The fact is he was dismissed summarily, and a public servant, yes any citizen, is entitled to better treatment from his Government. I am delighted that this question has been brought into the open and the minority leader has seen fit to take time to defend the action of the firing of the postal clerk.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JOHNSTON of South Carolina. I assure the Senator from Minnesota [Mr. HUMPHREY] and also the Senator from Illinois [Mr. DIRKSEN] that the Post Office and Civil Service Committee, of which I am chairman, which handles matters of this kind, will be glad to look into the matter and see that justice is accorded to the individual.

Mr. HUMPHREY. I thank the Senator.

POLLUTION POLITICS

Mr. HUMPHREY. Mr. President, this mornings' edition of the Washington Post and Times Herald contains an editorial entitled "Pollution Politics." The editorial refers to the bill which was recently passed in the Senate, H.R. 6310, and a companion measure which I introduced in the Senate, S. 805. This is

the legislation known as the Water Pollution Control Act.

The House bill provided $100 million a year to be available for pollution control and the Senate bill provided $800 million. It now appears, however, that the conferees on the bill will postpone decision until Congress meets again in January.

I am not critical of the conferees at all, because word has reached the conferees that if the bill were agreed upon in conference, it might be the victim of a pocket veto after Congress adjourns. Therefore, the conferees apparently have determined to wait until January when Congress returns.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. HUMPHREY. I yield.

Mr. RANDOLPH. Is it not true that this is another legislative enactment of the Congress, although in conference between the two bodies it was generally agreed as "pro-people" legislation, which the President of the United States seems to have a propensity for vetoing?

Mr. HUMPHREY. The Senator is absolutely correct. This is not only pro-people, but it is pro-public health, pro-public good, and the kind of legislation which is desperately needed.

I ask unanimous consent that the editorial to which I have referred be printed at this point in my remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLLUTION POLITICS

Mr. Khrushchev has become indirectly involved, for better or ill, in many domestic political decisions, but surely few instances are as bizarre as the apparent effect of his visit on water pollution politics. At stake is the Water Pollution Control Act. Despite the opposition of administration budget-whittlers, both Houses of Congress have passed bills enlarging this program for providing Federal aid to communities to combat water pollution. The House bill would make $100 million a year available for pollution control, and the Senate bill $80 million, but it seems lamentably likely that the conferees now meeting will stall a compromise of the two versions and postpone a decision until Congress meets again in January.

Behind this maneuver is the fear that President Eisenhower will pocket-veto the measure, letting the bill die without his signature. This could occur during the distractions of the Khrushchev-Eisenhower visits, and hence obscure public awareness of what had been done. To avert this possibility, backers of the pollution-control program are considering keeping the bill—and the issue—alive until January.

Whatever the validity of the pocket-veto fears, isn't it a shameful commentary that this should be even a remote possibility? Only a few days ago, Mr. Eisenhower rightly warned of the pollution threat posed by plans to dump treated sewage from the Dulles International Airport into the Potomac above the District water intake. Yet administration indifference to pollution perils elsewhere threatens to consign into limbo legislation vital to the future health and safety of the Nation. Whatever Congress does, we hope that the pressure will be unrelenting for a more enlightened and consistent pollution-control policy in the White House.

MIGRANT FARMWORKERS

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate another item from the Washington Post of September 12, entitled "Drop Farm Proposals, Benson Urges Mitchell." The article is a United Press International dispatch which states:

Agriculture Secretary Ezra Taft Benson said yesterday he had urged Labor Secretary James P. Mitchell to drop or delay proposed new Federal regulations covering wages, housing, and transportation for migrant farmworkers.

Benson told a news conference he was opposed to "undue and unnecessary regulation of the farm economy."

He made public a letter to Mitchell in which he said the proposed regulations "retain the concept of Federal intervention and administrative control and regimentation that is contrary to the principles of this administration and that is so repugnant to agriculture."

Mr. President, I ask unanimous consent that this entire article be made a part of my remarks.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DROP FARM PROPOSALS, BENSON URGES MITCHELL

Agriculture Secretary Ezra Taft Benson said yesterday he had urged Labor Secretary James P. Mitchell to drop or delay proposed new Federal regulations covering wages, housing, and transportation for migrant farmworkers.

Benson told a news conference he was opposed to "undue and unnecessary regulation of the farm economy."

He made public a letter to Mitchell in which he said the proposed regulations "retain the concept of Federal intervention and administrative control and regimentation that is contrary to the principles of this administration and that is so repugnant to agriculture."

His letter brought into the open a dispute between the two Cabinet officers on the farm labor issue after months of behind-the-scenes discussions. Mitchell's proposals have been attacked by some farm organizations and Members of Congress.

The Labor Department, however, while dropping or modifying some of its earlier tentative proposals for regulating working conditions for migrant farm labor, has indicated strongly it believes Federal action is needed.

A 2-day Labor Department hearing on the proposed regulations ended yesterday.

Benson's letter said the Agriculture Department would cooperate in studying the problem.

Mr. HUMPHREY. Mr. President, Secretary of Labor Mitchell was carrying out what many people find to be a very desirable and needed public policy in setting down reasonable regulations relating to housing, to wages, to transportation, and, indeed, to all other matters affecting the well-being of migrant farmworkers. This is a group of people in our country who are in need of some Federal assistance in terms of regulations pertaining to their well-being and their personal welfare.

I hope the Secretary of Labor will not retreat from his position. I believe that the Secretary of Agriculture is wrong. It is true that migrant workers labor on agricultural lands in the agricultural economy, but they are entitled to fair standards in wages. They are entitled to decent living quarters. They are entitled to public health protection, and one of the great shames of America has been the way the migrant farm worker has been treated. He has been exploited. He is a victim of economic and social exploitation. And it is to the credit of Secretary of Labor Mitchell that he has observed this condition and has seen fit to try to do something about it. I am hopeful he will not give up in his efforts to correct some of the abuses in this situation. The Secretary of Labor is to be commended, not scolded, and the Secretary of Agriculture would be better off if he would think in terms of production, and let the Secretary of Labor think in terms of protection for individual citizens who are affected by the migrant labor conditions.

COMMITMENTS BY THE FEDERAL GOVERNMENT TO THE STATES IN THE HIGHWAY PROGRAM

Mr. GORE. Mr. President, I shall make an effort later in the day to assure that the Federal Government will honor its legal commitments to the respective States in the highway program. I am in receipt of telegrams from the Governors of several States. I should like now to read one:

MONTCLAIR, N.J., *September 11, 1959.*

Hon. ALBERT GORE,
Washington, D.C.:

Retel September 11 about allocation of Federal highway funds and indicated deficit in trust fund, New Jersey Highway Department indicates adverse effect on joint program of State and Federal Government would be serious since progress on substantial work already begun would be halted for lack of working cash funds. State funds already expended to pay full amount of costs due as work progresses and Federal reimbursement of its share is vital to ability to continue scheduled payments. New Jersey and other States have undertaken commitments in compliance with terms and conditions of Federal offer to reimburse resulting in contractual duty and obligation which cannot be reached by Federal Government without threatening entire structure of cooperative program.

ROBERT B. MEYNER,
Governor of New Jersey.

This Governor understands the threat to the cooperative relationship between the States and the Federal Government. From time to time during the day I expect to read telegrams from Governors of various States which will give point to the threat which is posed to the program, which has been in existence since 1916.

Later I shall offer an amendment to remove this threat.

FLUSHING CHAMBER OF COMMERCE ENDORSES NEW YORK WORLD'S FAIR

Mr. KEATING. Mr. President, over the past few weeks I have spoken on the floor on several occasions in support

of the proposed 1964 New York City World's Fair. I want to remind the Senate that on Monday we will take up Senate Resolution 169 which deals with the selection of an American site to compete as the host city for the next World's Fair. I intend to speak further at that time on the reasons that I believe New York is the best and most logical site for this important event.

Mr. President, I have received a number of letters from civic groups in the New York City area endorsing the proposed New York World's Fair in 1964 and offering to mobilize their efforts on this behalf. I have been very much impressed by the enthusiasm of these New Yorkers for another World's Fair. There is no question that a World's Fair in 1964, celebrating the tercentennial of New York City, would be soundly backed by the overwhelming majority of New York's civic organizations. This is a factor which I think should be kept in mind over the next few months during the time the process of selecting a 1964 World's Fair site will take place.

I have received an excellent letter from the Flushing Chamber of Commerce endorsing the proposed 1964 New York World's Fair and mentioning the fact that the Flushing Meadow Park, the site of the 1939 New York World's Fair, is still available and is ideally suited for this purpose. I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLUSHING CHAMBER OF COMMERCE,
Flushing, N.Y., September 9, 1959.

Hon. KENNETH B. KEATING,
U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR KEATING: There is very considerable interest in plans for a World's Fair in 1964 to commemorate the tercentenary of New York City.

Unquestionably New York is the most logical location for a world exposition and has by far the most advantages to offer. We of course believe that Flushing Meadow Park is the ideal site.

The Flushing Chamber of Commerce has pledged its full support to the city and the sponsors of the 1964 World's Fair.

We do hope you will do everything possible to obtain approval of the joint congressional resolution giving recognition to the fair.

Sincerely,

HAYNES TREBOR,
Executive Secretary.

UNCLE SAM DAY

Mr. KEATING. Mr. President, tomorrow, September 13 is being celebrated in New York State as Uncle Sam Day. In various ceremonies around the State, particularly in Troy, the memory of Samuel Wilson, the progenitor of the Uncle Sam symbol, will be evoked.

It is appropriate that the Empire State should take the lead in recognizing Uncle Sam Day, because Samuel Wilson spent most of his life in Troy, and is today buried there in Oakwood Cemetery. The pages of history tell us of the patriotism, friendliness, and perseverance of this self-made man who so well represents our finest traditions. Uncle Sam Wilson embodied the aspirations of an emerging United States over 100 years ago, and the qualities he possessed in such abundance are in great need by our Nation today.

It is true, of course, that Uncle Sam is only a symbol. It is our national performance that counts. But at a time when far too much of our heritage is being belittled and debunked, at a time when far too little attention is paid to the practice of good old American patriotism, we need to hold on to Uncle Sam and all he stands for. We need to strengthen and extend the noble ideals he embodies.

That is why I feel it is so important for Congress to take action to overcome the neglect which has surrounded the genesis of the Uncle Sam symbol. That is why Congress should act to recognize suitably the progenitor of Uncle Sam by making his grave a national shrine.

A great movement toward that goal has been mounted by many fine veterans organizations, business groups, civic and community units, and dedicated individuals in Troy, N.Y. They have worked long and hard over the years to insure that Samuel Wilson will be accorded proper recognition.

In the House of Representatives, the Honorable LEO W. O'BRIEN and the Honorable DEAN P. TAYLOR—demonstrating the bipartisan support for this idea—introduced earlier this year resolutions to set aside Mr. Wilson's grave as a national shrine. My colleague [Mr. JAVITS] and I sponsored a similar measure in the Senate.

Although the House has passed the Uncle Sam resolution, I am sorry to report that I have been unable to obtain Senate concurrence in this session. I do not know of any other proposal of this nature upon which I have worked harder this year, or in which I have a greater interest, but because of a number of factors, it has been impossible to have the resolution reported favorably from the Senate Committee on Interior and Insular Affairs.

However, I have been encouraged by the Senator from New Mexico [Mr. ANDERSON] with news that it can be considered by the Public Lands Subcommittee of the Committee on Interior and Insular Affairs early next year. In this connection, I am particularly grateful for the assistance of my good friend the Senator from Colorado [Mr. ALLOTT], in urging action by the committee.

Mr. President, so long as each generation of Americans recreates Uncle Sam in the image of the needs of the times, while retaining the unique qualities of determination, dedication to country, and faith in America—the things which have helped make our Nation great—our national symbol should be enshrined in the hearts of all Americans for all time.

It would be fitting, therefore, for Congress to insure that the grave of the man who inspired the symbol of our national aspirations and traditions is given perpetual care in the years ahead.

It is my hope that by this time next year the grave of Samuel Wilson—Uncle Sam's inspiration—will be made a national shrine by positive action by Congress on House Concurrent Resolution 106. I hope that the grave and bronze tablet in Troy, N.Y., in the future will be visited by thousands of people from all over the world, and that they will gain from their visit a renewed understanding of our American heritage of liberty and freedom which Uncle Sam so richly embodies.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD, Gov. Nelson A. Rockefeller's proclamation of Uncle Sam Day.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION BY GOVERNOR OF THE STATE OF NEW YORK

The New York Legislature, by a joint resolution, has officially declared that Samuel Wilson, of Troy, N.Y., was the originator of our national symbol, "Uncle Sam." The people of Troy will celebrate September 13, 1959, as Uncle Sam Day and it is fitting for the people of the entire State to participate.

The world famous figure of Uncle Sam has served for decades as the embodiment of sturdy and attractive American characteristics.

Samuel Wilson was one of the foremost merchants of Troy during the War of 1812. He became a Government contractor, supplying our forces with meat. Such was his integrity that the initials "U.S." stamped on meat provisions were regarded as standing for "Uncle Sam" or "United States." It was thus that the personality of the enterprising and benevolent Uncle Sam Wilson served as the inspiration for the pictured personification of our country.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim September 13, 1959, as Uncle Sam Day in New York State and I call upon the people of the entire State to join in the observance of this occasion.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 7th day of August in the year of our Lord 1959.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

Mr. JAVITS. Mr. President, I should like to commend my colleague, the distinguished Senator from New York, for his fine coverage this morning of Uncle Sam Day, to be celebrated in our State on September 13.

We are very proud that New York, particularly upstate New York, from which my colleague comes, should have been the home of the man who has given to the United States, and indeed to the world, the symbol of high patriotism, courage, good humor, strength, and vitality which Uncle Sam represents to all of mankind. I hope with my colleague that the appropriate committee may see fit to signalize what is truly as distinguishing a symbol as our country has anywhere in the world with the bronze plaque at the burial place of Samuel Wilson, to which my colleague has referred.

Mr. President, this would be an act agreeable alike to the people of the State of New York and to our country. Also it would represent a reaffirmation of our belief that this is not an old-fashioned symbol but a modern and living

one in terms of the people throughout the world who sometimes can say "Uncle Sam" before they can say "United States."

INTELLIGENCE QUOTIENTS OF WHITE AND NEGRO PUPILS

Mr. JAVITS. Mr. President, I ask unanimous consent to have included in the RECORD at this point as a part of my remarks a fascinating analysis by Terry Ferrer, education editor of the New York Herald Tribune, published in that newspaper on September 11, 1959.

In her article the author calls attention to a matter of great importance, particularly today when some phases of the civil rights issue will be discussed. She calls attention to a report by the Connecticut Commission on Civil Rights, which has studied 1,055 white and Negro pupils in the junior and senior high schools of Connecticut, and which has come to the conclusion that there is no congenital or inherent quality in Negroes which makes them any less desirable, any less effective, or any less smart as students than young white people. Her conclusion is summed up in the following statement:

In a 2-year study of 1,055 white and Negro pupils in junior and senior high schools, the commission also found that the range in intelligence quotients was exactly the same for both groups.

Mr. President, I emphasize this because we had a kind of knock-down-drag-out the other day on the floor of the Senate on this subject. We are constantly being advised by some of our colleagues to let well enough alone, to just let the situation be what it is in the various States of the United States.

The article bears upon the fact that, first, we are, as the Supreme Court has said, holding back a section of our population if we do that; and, second—and this is extremely important today—we are denying ourselves the benefit of the national asset of having 10 percent of our population fully equal to carry the responsibilities of citizenship with the other 90 percent.

In short, we are reaping the result of years and years of allowing the situation to ride along. I do not believe our country can afford to do that in the terrific crisis in which we find ourselves in the world struggle between freedom and communism.

Mr. President, I ask unanimous consent that this article may be made part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIND NEGRO IN NORTH BETTER ABLE TO LEARN

(By Terry Ferrer)

Negro teenagers who spent 10 consecutive years in Connecticut's integrated schools raised their IQ by seven points during that span, while those who transferred from the South during their school days did not, according to a report of the Connecticut Commission on Civil Rights yesterday. In a 2-year study of 1,055 white and Negro pupils in junior and senior high schools, the commission also found that the range in intelligence quotients was exactly the same for both groups.

The survey was conducted in 12 schools in Hartford, New Haven, Bridgeport, and Waterbury, cities in which about half of the State's Negro families live. Its purpose, said Judge Irwin E. Friedman, commission chairman, in Hartford, was to study how many Negro pupils drop out of high school before graduation, why they do, and what their job opportunities are.

NEGRO DROPOUT HIGHER

Nearly all of the 538 white children studied were from the Connecticut cities or had moved there from other communities in the East, the report showed. One of every three of the 517 Negroes surveyed had moved from the South to Connecticut.

The Negro dropout rate was 60 percent higher than that for whites during 1956–57, the report said. Figured on a 4-year basis, 36 percent of white pupils and 56 percent of the Negroes left school at the legal age of 16.

The reasons for the higher Negro dropout figure, the report found, were economic problems in the home, broken homes, and less social stability. The whites who stayed in school had the best economic and social backgrounds. The Negroes who remained had home situations comparable to the whites who dropped out. The Negroes who dropped out had more broken homes and money problems than the other groups.

WHITE AIM FOR COLLEGE

The survey also found that among pupils who remained in school, the white pupils were three times as numerous as the Negroes in choosing college—preparatory courses. Negroes were more often in the industrial arts and general courses, but the commission found no evidence of shunting Negroes into such programs.

About 1 white child in 10 left school without talking it over with an adult, the survey said. One of every four Negro pupils quit school without discussing plans with anyone.

In job opportunities, white students found more and better jobs than the Negroes. About 57 percent of the white girls desiring work found it, but only 4 percent of the Negro girls were successful. In apprentice work for boys, 7 percent of whites were able to find it, but only 1 percent of the Negroes.

The 47-page report, "Comparative Study of Negro and White Dropouts in Selected Connecticut High Schools," is available free from the Connecticut Commission on Civil Rights, State Office Building, Hartford.

LIFE IN RUSSIA

Mr. JAVITS. Mr. President, there is being published in the New York Times a perfectly extraordinary series of analyses by Harrison E. Salisbury, one of the leading correspondents of the New York Times, entitled "Khrushchev's Russia."

Upon the eve of Mr. Khrushchev's coming to this country, what we want to know most are the facts about what is going on in the Soviet Union.

The Members may have noticed that there is announced this morning the fact that the Russians have made another shot to the moon. This time they expect to land on the moon Monday night.

Mr. President, this is obviously a political shot on the eve of Premier Khrushchev's coming to the United States, but be that as it may, we should not allow ourselves to be dazzled by these individual feats of technical proficiency. We should admire and applaud them, but we should not lose our perspective in respect of them.

The fact is that the Soviet Union under communism is a country where there is still very grave repression of human liberty and the human spirit and religion, as these articles show, and where the economic system has yet to prove itself in terms of the cruel toll which it takes out of the backs not only of the Russian people but of the people whom the Russians hold in subjection, and in the tremendous menace to the peace and security of the world, which is faced with aggressive dictatorship of this character.

So far only four of these articles have appeared. There will be eight in all. In view of the fact that the Senate may not be in session so that they may be inserted, I shall endeavor to complete the series if it can be done under the rules.

I ask unanimous consent that there be made a part of my remarks the following articles from the New York Times:

No. 1: "His [Khrushchev's] 5-Year Leadership Has Wrought Profound Changes in Soviet Scene."

No. 2: " 'Collective Leadership' Is Replaced by Premier's Own Undisputed Rule."

No. 3: "Country Is No Longer Ruled by Fear, But Liberalism Raises New Problems."

No. 4: "His Overture to U.S. Is Attributed to Fear of China's Atomic Potential."

No. 5: "Anti-Semitism and Religious Upsurge Are Said To Baffle the Soviet Regime."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 8, 1959]

KHRUSHCHEV'S RUSSIA—1: HIS 5-YEAR LEADERSHIP HAS WROUGHT PROFOUND CHANGES IN SOVIET SCENE

(By Harrison E. Salisbury)

Five years of Nikita Khrushchev's leadership have put a new look on Russia's old face. Is the change real or just another mask for Stalinist aspirations? That is the question the world is urgently asking as Premier Khrushchev and President Eisenhower prepare for a historic exchange of visits.

When Mr. Khrushchev steps out of his TU–114 at Friendship International Airport in Baltimore on September 15, for whom will he be speaking? What kind of Russia does he represent? What kind of people? How much power? What hopes and aspirations?

NEW ERA SEEN AT HAND

A new era in relations between the United States and the Soviet Union inevitably is at hand. It is a time for a fresh look at Russia.

For 4 months this correspondent has traveled thousands of miles within the Soviet Union, seeking evidence for a new assessment of the Soviet potential after 5 years' absence.

The survey included two trips to Siberia, one in the company of Vice President RICHARD M. NIXON. It included intensive study of Outer Mongolia, that shadow land between two great Communist empires, the Soviet Union and China.

The survey also included conversations with Premier Khrushchev, and First Deputy Premiers Anatas I. Mikoyan and Frol R. Kozlov. It included talks with a man who had spent years in a Siberian labor camp and with several young men whose accident of birth into a Soviet "first family" assured their future.

TO PRESENT KEY ASPECTS

In this and subsequent articles an effort will be made to present the key aspects of

Soviet reality—elements that create and condition Soviet policy, elements that U.S. policy must recognize, and elements that, in the opinion of some, the United States would ignore at its own peril.

The first thing that must be reported and, if necessary, repeated again and again is this: Stalin is dead and Stalin's Russia is dead. It is not likely to be born again in our time.

Khrushchev's Russia contains survivals from 25 years of Stalin's rule. Nothing that has happened in the Soviet Union since the death of Stalin in 1953 has set up an impassable barrier to the rise of a new Stalin. But today's Russia will not tolerate a new Stalin. This is the fundamental political fact in which Mr. Khrushchev's policy is rooted.

This does not mean that there are not similarities between Stalin's Russia and Khrushchev's. But differences far outweigh similarities.

TREND IS NOW CLEAR

Five years ago it was certain that Stalin's death had brought change to Russia. But the direction and depth of that change were not yet clear. It was not certain that the country might not lapse again into the terror that first appeared 400 years ago in the time of Ivan the Terrible and since then has been so conspicuous.

But today the picture is plain. Not all terror and not all intimidation have vanished. But Russia is not being ruled by the knout. The secret police no longer knock on doors at night.

The picture of the Soviet Union today is one of change—change in style, change in personnel, change in tactics, change in methods, change in ways of thinking and ways of ruling, change in the spirit of ordinary men and women. People in the West ask: Do you see much change since Stalin died? The answer is: There is so much change that it is hard to know where to begin.

Perhaps the Kremlin is the best place to start.

Red Square, which adjoins the Kremlin, teems with out-of-towners. Sometimes they even whirl past the Spassky Gate in an old-fashioned troika.

In early 1953 the Kremlin was a sinister place, a secret citadel where an aging dictator concocted terrorist plans. Today the Kremlin is a tourist attraction with souvenir stalls and a cafeteria that serves a 5-ruble blueplate. Excursion boats with spielers ply past the Kremlin walls along the Moskva River.

CHANGE ON LUBYANKA

Or take the building on Lubyanka Hill that once housed the administration of Siberian prison camps. A grocery store has been installed there, the Soviet equivalent of a supermarket. It does a rushing business, too.

On the Arbat, a narrow shopping street that Stalin traversed between the Kremlin and his country villa, policemen used to stand every 20 yards. Mr. Khrushchev's big limousine takes the same route. But you will look in vain for a policeman.

In 1949 old Russian friends walked past a foreigner on Moscow streets without a sign of recognition. In 1959 they telephoned the Metropole Hotel to check a rumor that he was in town.

Stalin's books have not been burned. His "Leninism" can still be found on dusty upper shelves of bookstores. But front counters are stacked with translations of Sinclair Lewis' "Babbitt," Dostoyevsky's "The Idiot" (blacklisted under Stalin), and Graham Greene's "The Quiet American."

Does this mean that Russia has abandoned communism?

WORLD RULE STILL GOAL

By no means. Not everything in the Soviet Union has changed. Devout Communists still dream of a world in which their system has finally superseded capitalism.

Do they hope to attain this by military conquest? If so, you will never find one who admits it. Soviet Communists will tell you again and again (as they did in Stalin's day) that capitalism is rotting from within and that communism will win without a battle.

Mr. Khrushchev makes statements like that. This is what he was driving at when he made his remark: "We'll bury you!" He meant that communism would live to dance at the funeral of capitalism.

It is not hard to find areas where there has been little if any change since Stalin's day. The editors of Pravda, the Communist Party paper, pursue their cliche-ridden path. In the Foreign Ministry, officials fiercely defend dug-in "cold war" positions. Censors hack away at dispatches of foreign correspondents, except those who represent Communist publications. The Press Department, which supervises the activities of foreign correspondents, is run like an oriental bazaar where favoritism alternates with blackmail.

FOREIGN SERVICE BARS JEWS

Jews are barred from the Soviet Foreign Service, but they are no longer exiled or shot. The security police trails Western military attachés and, occasionally, correspondents. Russian-language broadcasts of the Voice of America are jammed.

Contented bureaucrats rule drowsy Siberian towns and, in Mr. Khrushchev's own words, the obsolescent machinery in some Moscow factories would give you a heart attack. You wait a year or more to get a telephone installed in your apartment and 2 or 3 years for the privilege of paying 40,000 rubles ($4,000 at the tourist rate of exchange; $10,000 at the official rate) for a four-cylinder Volga car.

But where change has occurred, almost invariably it is for the better.

The Soviet people live today in conditions that are far from perfect, but these conditions are better and freer than any they can remember in 42 years of Communist rule.

The spirit of the people has been transformed. No longer are Moscow streets lined with sullen crowds and scowling faces. Taxi drivers tell the latest Moscow jokes. Salesgirls gossip about prices in the United States. The once-gloomy Metropole Hotel bubbles with activity.

HOPE FOR BETTER TIMES

The Soviet people hope for better times. They hope to own cars and to live in decent apartments. Some day, they hope, they will live as well as Americans.

A Soviet air force officer in a houseboat restaurant on the Moskva River says hopefully:

"Moscow is getting more like New York, isn't it? I know there are more lights on Broadway but Gorky Street is something like New York, wouldn't you say?"

Above all, the Soviet people hope that peace will endure. Nothing that Vice President NIXON might have said to them could have gone deeper home than his simple words, repeated over and over; "Mir miru—Peace to the world."

The people look better. "Often you cannot tell from their dress whether they are Americans or Russians, especially in the summertime," Mr. Mikoyan says with pride. He is right. There are many young people walking on Gorky Street—"Brodvay," as they insist on calling it—whose dress would not betray them as Russians on the real Broadway of their dreams.

DRESS STYLES IMPROVE

Baggy trousers are vanishing. The Ivy League look has a Moscow foothold. Moscow girls were imitating Brigitte Bardot even before the House of Christian Dior brought its show to Moscow this summer and set hundreds of Soviet seamstresses to imitating the latest Paris creations.

People feel better and easier. Tensions born of years of fear and terror are fading. Muscovites engage foreigners in conversation these days without hesitation.

Ten-year-olds pester U.S. tourists for chewing gum and small coins on the doorsteps of the Metropole and National Hotels. College students and elderly peasants cluster around foreign cars and ask questions about life in the United States. Policemen are too bored even to look. (Five years ago they would have hauled the curious off for questioning—or worse.)

A young Moscow newsman says:

"Three years ago a colleague and I were the only journalists who had American friends. We had a monopoly. Now, it is the style. Everyone does it."

A young Siberian says with pride: "I am a free Siberian. I belong to no party. I have my own opinions, not the official opinions."

A PRODUCT OF REGIME

All this, as another young Russian said, is no accident. It is the product of the policies of a regime that has established itself in the place of the iron dictatorship of Stalin.

It is 6 years since Stalin died, just as he apparently was preparing to carry to fruition a purge that might have made previous periods of terror look like child's play.

It is 6 years since Lavrenti P. Beria, Vyacheslav M. Molotov and Georgi M. Malenkov delivered their funeral orations over Stalin's bier on a raw March day of 1953. On that day Mr. Khrushchev was still in the wings, as the chairman of the committee of funeral arrangements.

Today the chief mourners at Stalin's side are gone.

Mr. Khrushchev remains. So does Mr. Mikoyan, as a close associate. Marshal Kliment Y. Voroshilov, ill and feeble, occupies the ceremonial post of chairman of the Presidium of the Supreme Soviet.

The imprint stamped on the new Russia is Mr. Khrushchev's—strong, cocky, talkative, barriers-down, shirt-sleeve tough, energetic, pragmatic, often imaginative, sometimes rude.

The sharpest image that Soviet leadership presents today is one of confidence.

Gone are the cobwebs of Stalin's conspiratorial delusions. In their place is bouncing confidence founded on sensational achievements of military technology (the earth satellites and intercontinental missiles); solid successes in industry (more steel, a rapidly expanding oil-gas-chemical technology); a dramatic breakthrough in agriculture (the successful virgin lands gamble); a clean sweep in politics (the defeat of the Malenkov-Molotov coalition).

U.S RECORDS STILL GOAL

Yet, there is a tendency to overestimate Soviet achievement and to underestimate U.S. capabilities. American records are still the marks the Soviet Union has set for itself.

Alongside the brag and the big talk is a positive trait of importance. This is a freshness of approach, a receptivity to new sights, new sounds, new ideas, an open door to original concepts, a hostility to dogma and routine.

Mr. Khruschev had never tasted a cola drink before the American National Exhibition opened in Moscow this summer. He had been taught to believe that cola was a decadent invention of capitalism. Four days after his first taste of Pepsi, Soviet trade officials sat down to discuss with Americans the mechanics of introducing cola to the Soviet Union.

Mr. Mikoyan already had begun to line Moscow's streets with automatic drink vending machines. Today they dispense soda water but tomorrow it may be cola.

Not for a moment do Mr. Khrushchev or any of his associates doubt the superiority of the Communist system. But he has no

qualms about borrowing a good notion from the capitalist way of life.

If Mr. Khrushchev is aware that his policies are radically altering the face (if not the foundations and the skeleton) of communism, he gives no sign of concern.

His confidence is not compounded of hot air. It is rooted in the solid attainment of a country that has increased its strength steadily since 1953.

Stalin left his heirs fantastic problems. The Russia of 1953 had not yet recovered from the terrible human losses of World War II. Stalin's secrecy (for years he refused to take a census) concealed the magnitude of the country's weakness. Only now that the Soviet Union has finally made up the wartime losses of about 40 million has Mr. Khrushchev permitted a census to reveal that the nation's population stands at 208,800,000 compared with 190,700,000 before the war.

Stalin left a people half paralyzed by fear. Everyone worked under the lash of terror. Siberia was a subcontinent dedicated to the secret police and their labor camps.

Stalin's Russia was a prison house of peoples. Millions were uprooted from their homes. Balts were shipped by the tens of thousands to Siberia. Ukrainians were oppressed, Crimean Tatars were dispersed, Caucasian tribes exterminated and Jews persecuted as savagely as in the worst days of the czars.

The first—and natural—fear of Stalin's successors was that the people would rise against them. The fears proved false although not without basis, as was shown by uprisings at Vorkuta and other labor camps.

In place of an empire of terror, Mr. Khrushchev has constructed a regime based on limited freedom, a freedom governed by what might be called the accordion principle. The Soviet leader gradually increases freedoms, but from time to time, as for example after the Hungarian revolt, he tightens up a bit.

POLICE MAY INTERVENE

"Now that we are free * * *" a Russian says, obvious of the implication. Russians by the tens of thousands are meeting, talking, and arguing with U.S. visitors to Moscow. Everything seems fine. But sometimes the police intervene. Sometimes a person is arrested, interrogated, warned, and released. A nonconformist student at Leningrad University may suddenly be told that he had better request a transfer to Tashkent.

Stalin left a faltering agricultural system that had brought the Soviet Union close to food shortage or famine. In a great gamble Mr. Khrushchev put virgin lands with irregular or inadequate rainfall to the plow. At a stroke the new lands of Kazakhstan and Siberia assured Soviet agricultural self-sufficiency.

The richest inheritance of Stalin's heirs was the Soviet industrial plant—solid, steadily expanding, heavily weighted on the side of steel and other capital goods. There were defects in the plant, bigger than anyone realized in 1953, but production moved ahead.

A BONANZA IN SCIENCE

In science the new regime reaped a bonanza. It is the successes in nuclear and rocket technology that have enabled Mr. Khrushchev to project the Soviet Union into the center arena of the world.

Moreover, the new weapons helped Mr. Khrushchev to solve partly a problem that had beset Stalin—the problem of manpower. The dictator's last years were haunted by a fearsome scissors—an ever-expanding need for labor and fewer hands to meet the need.

Mr. Khrushchev has recast the Soviet Army. He has demobilized its massive cadres. The new army is smaller, better trained. With its intercontinental ballistic missiles it is powerful beyond any dream of Stalin's day, a fact that Mr. Khrushchev does not intend to let the world forget.

Stalin left Soviet foreign policy in a mess. Moscow ruled Eastern Europe through Beria's police. Communist China was an angry ulcer. Neutralist Asia, the Middle East, and Africa were treated with hostile coldness. Undeclared siege warfare had raged for years between East and West. There was war in Korea and Indochina.

KHRUSHCHEV CUTS TANGLE

Mr. Khrushchev cut through this tangle with a sharp knife. Not without risk he established more comfortable and reliable relations with Eastern Europe. China is still a question mark. But courtship and favors have replaced Stalin's hostility to the new nationalist states.

As for the West, armed hostilities have given way to a kind of three-ring circus. Sometimes Moscow growls and threatens. Sometimes it breathes sweetness and light. Sometimes it dons the formal morning dress of diplomacy. And sometimes it tries a little rough work in the alley.

Put all these changes together and they add up to a Russia much stronger, more capable and more secure than Stalin's Russia, a Russia more challenging, more complex and, often, more difficult to contend against.

The plus marks in Mr. Khrushchev's Russia vastly outnumber the minus marks. But no country ever travels a one-way street. Russia has her weaknesses and Mr. Khrushchev has headaches. Some of them are huge.

SOME PROBLEMS LISTED

One of the biggest is even bigger than he realizes. Mr. Khrushchev visualizes the Soviet Union as marching with seven-league boots to overtake the "most advanced industrial nation"—the United States. Russia is marching with, say, three-league boots, but she is marching to the spot where the United States stood yesterday or the day before yesterday.

This is one of the realities that Mr. Khrushchev's bright eyes can hardly miss on his forthcoming tour of the United States.

To take one example, Mr. Khrushchev's able agriculture chief, Vladimir V. Matskevich, is still struggling to get Soviet farmers to adopt the techniques he found on a visit to Iowa in 1955. With luck and energy Mr. Matskevich may get the job done in 5 more years.

But, as Mr. Khrushchev will see when he visits Roswell W. Garst's Coon Rapids corn farm, Iowa is not standing still waiting for the Soviet leader's boyhood village of Kalinovka to catch up.

Yet, Mr. Khrushchev is deeply committed to the proposition that communism can and will outproduce capitalism. You are richer than we are today, but tomorrow we will be richer, he tells Americans.

The Soviet people expect him to make good on this pledge. The hazards of this gamble are enormous. Once Russia's appetite is whetted, the nation will become a voracious, insatiable consumer of the goods and services it has long done without. What such demand will do to a scarcity economy can be imagined.

EXPOSURE INCREASES

Beyond this lie greater hazards. Mr. Khrushchev's course commits him progressively to increase the exposure of the Soviet people to Western culture, to the permissive world of free enterprise and democracy, and to its surfeit of living conveniences, multiplicity of choice, and absence of didacticism.

These are not problems that worry Mr. Khrushchev. But they do disturb some of his associates, who see some communism as a doctrine based on unitary truth, permitting no choices.

Soviet censors were horrified when they found American books on Russia on open shelves in the American exhibition in Moscow. English-reading Russians could read versions of Soviet events other than the official one. The Soviet public has been sealed off and protected for decades against exposure to Western culture and ideas.

The results may be explosive. Decompression is a tricky process.

Where but in Moscow, for example, could hula-hoop orgies occur? Moscow's young people have heard of the craze. They know the hoops because they are used by Soviet physical culture societies. But they do not know what to do with them. So they draw the window drapes, turn on tape-recorded jazz from the Voice of America and, couple by couple, two in a hoop, begin to experiment. The results would scandalize a hardened devotee of the bump and the grind.

Russians are extremists. They turn the casual wiggle of the hula into a secret frenzy. Each little taste of freedom hits them like whisky on an empty stomach. No wonder some Communist officials show concern over the end results of Mr. Khrushchev's policies.

There are Russians now who are beginning to talk as the Poles did 2 or 3 years ago—about the converging lines of the Communist and capitalist systems, about modification of the Soviet system toward the West and of the Western system toward the East.

Speculation of this kind runs headlong into the biggest enigma in the whole Soviet picture—the relations, past, present, and future, with China.

For whatever the Soviet Union's tendency may be toward a society of greater ease, freedom and abundance, the tendency of China is in precisely the opposite direction—toward a society of abstinence, compulsion and austerity. The line cuts right down the middle of the Communist world.

REGIME APPEARS STRONG

No question needs to be raised now about the inner political strength of Mr. Khrushchev's regime. He has demonstrated his mastery. The intrigues that marked the first years after the death of Stalin are over. Mr. Khrushchev has no challenger on the Soviet scene.

But this does not mean that no other point of view is represented in the Soviet hierarchy. On the contrary. There is abundant evidence that many men in Moscow still prefer the old Stalinist way. There are many who think that Mr. Malenkov's proconsumer philosophy (cannibalized by Mr. Khrushchev) would be better preached by Mr. Malenkov himself. There are Soviet Army men who think Marshal Georgi K. Zhukov was wrongfully dismissed. And among the younger men there is jockeying for position.

But no one would think of challenging Mr. Khrushchev now. He is 65 years old but few men half his age can match him for vigor.

When Mr. Khrushchev lands in the United States he will speak from strength and with high confidence in his own high mission and purpose. Much of this strength stems from his own personality.

But behind Mr. Khrushchev lies a Russia radically changed from Stalin's Russia, a Russia more powerfully muscled, more self-reliant. Yet it is a Russia with weaknesses and problems, a Russia that must still test her Communist society in competition with free enterprise, a Russia that must be capable of containing her conflicts and inner contradictions once pressures are released.

[From the New York Times, Sept. 9, 1959]

KHRUSHCHEV'S RUSSIA—2: "COLLECTIVE LEADERSHIP" IS REPLACED BY PREMIER'S OWN UNDISPUTED RULE

(By Harrison E. Salisbury)

No one talks back to Nikita S. Khrushchev any more. That is the way one observer describes the metamorphosis of Soviet rule

from "collective leadership" to domination by Mr. Khrushchev in the last 2 years.

This change has come about since June 1957, when Mr. Khrushchev daringly defeated the coalition of his enemies led by Georgi M. Malenkov and Vyacheslav M. Molotov.

It is Mr. Khrushchev's emergence at the Soviet pinnacle that gives his forthcoming trip to the United States such significance in the future pattern of Russia's relations toward the United States and toward the world. He alone has the power to make Soviet decisions. He alone can commit his country to a course of peace or a path that leads to disaster.

POLICIES ARE DISCUSSED

This does not mean that Mr. Khrushchev now rules the Soviet Union in the high-handed dictatorial fashion made familiar by Stalin. It does not mean that policy is not discussed and debated in the Soviet Presidium.

Mr. Khrushchev likes to talk things over. He likes to hear what others have to say. He loves to argue. But he is now very much the first among the Presidium equals. In talking with Vice President RICHARD M. NIXON, Mr. Khrushchev twitted Anastas I. Mikoyan for a fondness for peppery soup. Three years ago Mr. Mikoyan would have snapped back with a remark about Mr. Khrushchev's love for Ukranian borshch. Not so today.

The Soviet system—or lack of system—is such that power almost inevitably flows toward the hands of a single man. There are no checks or balances. There is no tradition of law, no democratic parliament to provide a counterpoise.

Within 2 or 3 years after Lenin's death Stalin had made himself supreme. In a comparable period of time after the death of Stalin, Mr. Khrushchev has emerged without a contender.

That he does not rule with the blind tyranny of Stalin may partly be attributed to Mr. Khrushchev's character. His extrovert personality is the antithesis of Stalin's inversions. But times also have changed. The pendulum has swung. The Soviet people may lack formal machinery for registering their will. But they have unmistakably made clear that they are in no mood for another dictatorship of Stalin type.

TRIP LONG DESIRED

It is characteristic of Mr. Khrushchev and his style of leadership that a trip to the United States has long topped his list of personal priorities.

It is no accident that several of the men closest to Mr. Khrushchev have already been in the United States. When Mr. Mikoyan came to America last winter he was acting as Mr. Khrushchev's eyes and ears.

Mr. Khrushchev has a restless, inquiring mind. He is constantly pawing things over to be certain he has all the facts in hand. He wants to be sure. He has learned by long years in Soviet office that the only way to be really sure is to see for yourself.

"You cannot learn anything about the country by riding about in a public conveyance"—these are the homely words that Mr. Khrushchev repeats to his associates.

HIS IMAGE OF THE UNITED STATES

He goes out and sees for himself and he insists that his associates do the same. To Mr. Khrushchev there is no phenomenon in the world more interesting and important than the United States.

His image of the United States is a distorted one. He sees it with what might be called diplopia—double vision. On the one hand he sees the United States as the nation of the most advanced technology and the most productive industry. On the other he sees it as a decadent capitalist power on the verge of collapse.

To any American listening to Mr. Khrushchev discuss the United States it is apparent that his picture is split, confused, inaccurate. But it is not necessarily a permanent one. It can be changed by what Mr. Khrushchev sees at first hand.

He has the same compulsion to see the United States and find out what makes it tick as to drive out to the cornfields of Moldavia to feel the corn with his own hands and see how the stalks are tasseling out.

TO SEE FOR HIMSELF

Mr. Khrushchev intends to inspect the citadel of capitalism with his own eyes. He wants to hear with his own ears the voices of the American workers, both the skilled technicians and the breadliners he has so often read about in Pravda. He intends to talk and argue with the ruling circle of the Rockefellers and the Morgans, who, as he was told from an early age, run the United States.

Mr. Khrushchev thinks he knows something about capitalists and monopolies at first hand. When he was a youngster in the Donents Basin, he worked in a coal mine owned by French capital. It was a miserable life.

"When I first read Zola's 'Germinal' I thought it was about the mine my father and I worked in," Mr. Khrushchev said not long ago. When he hears the word capitalist he automatically thinks of those underground pits, the 12-hour day, the back-breaking work, the pittance wage, the blind pit ponies.

So long as that image persists it is useless to talk about "people's capitalism" to Mr. Khrushchev. He knows better, or so he thinks.

INCONSPICUOUS AT FUNERAL

Today Mr. Khrushchev is the most important man in the Soviet Union. It was not always thus.

On the day Stalin died, March 5, 1953, the surviving Soviet leaders mounted an honor guard at the bier of the old dictator. The men who stood in the first row were Mr. Malenkov, Lazar M. Kaganovich, Nikolai A. Bulganin, Marshal Kliment Y. Voroshilov, Lavrenti P. Beria and Mr. Molotov. Inconspicuous in the second row were Mr. Khrushchev and Mr. Mikoyan. Beside them in semiobscurity stood Marshals Georgi K. Zhukov, Vasily D. Sokolovsky, Semyon K. Timoshenko and Leonid A. Govorov.

Of the men in the first row only one remains in Moscow—old Marshal Voroshilov in the ceremonial office of chairman of the Presidium of the Supreme Soviet, the titular head of state.

Most of those who stood funeral guard have vanished: Mr. Kaganovich to an asbestos plant in the Urals, Marshal Bulganin to an economic post in Stvropol, Mr. Molotov to penance as ambassador in Ulan Bator, Mr. Malenkov, so far as the world knows, to the task of running a powerplant in Ust-Kamenogorsk. Beria is dead—shot in December, 1953. Marshal Zhukov lives in a villa outside Moscow and devotes himself, it is said, to fishing and his memoirs. Marshal Sokolovsky today, as in 1953, is the Chief of Staff. Marshall Timoshenko, now as then, commands the Byelorussian Military District. Marshal Govorov died in 1955.

In Soviet politics the prize does not always go to the front runner. This a fact to remember in calling the roll of Mr. Khrushchev's closest associates. The most important men in the Soviet Union today, after Mr. Khrushchev, are Aleksei I. Kirichenko, Mikhail A. Suslov, Mr. Mikoyan, Frol R. Kozlov, Averky B. Aristov, Aleksei N. Kosygin and Nikolai G. Ignatov.

Those best known in the West are Mr. Mikoyan and Mr. Kozlov. Will either of them succeed Mr. Khrushchev? Not very likely.

Mr. Mikoyan is of Mr. Khrushchev's generation. Almost certainly Mr. Khrushchev's successor will come from a younger group, the men in their fifties who were passed over when Mr. Khrushchev gathered power into his energetic hands.

RELATIONS WITH MIKOYAN

Up to now Mr. Mikoyan has been Mr. Khrushchev's alter ego. "Anastas and I have decided * * *" is a phrase that often comes to Mr. Khrushchev's lips. Were a heart attack to take Mr. Khrushchev tomorrow, Mr. Mikoyan would step into his shoes, but only temporarily.

Mr. Mikoyan has been Mr. Khrushchev's closest adviser on foreign relations, particularly on U.S. affairs. (It is Mr. Mikoyan's portrait that now decorates the offices of minor officials in the Ministry of Foreign Affairs.) Now that Mr. Khrushchev is coming to the United States himself, Mr. Mikoyan is apt to lose this distinction. Mr. Khrushchev will be his own American specialist.

Mr. Kozlov has a different status. He has been designated by Mr. Khrushchev for high office. Mr. Khrushchev told W. Averell Harriman that Mr. Kozlov is his choice to succeed him as Premier. The premiership is important but it is secondary to party leadership.

Only since his trip to the United States has Mr. Kozlov begun to emerge in the Soviet Presidium as a personality in his own right. Before the trip he seemed, like so many of the men around Mr. Khrushchev, durable, sturdy, a little heavy on his feet. He seemed to employ rough banter as a defense against conversations of substance.

KOZLOV HAS CHANGED

Now, a new Kozlov is emerging. He even looks different, more like a silvery-haired statesman. He carries himself with a confidence not visible before. Instead of avoiding newspaper correspondents he hails them like a good fellow. Behind his bluff exterior is emerging evidence of a quick mind and a feeling for people.

But Moscow is still betting that Mr. Kozlov has the making of a Bulganin in him rather than of a Khrushchev. When Marshal Bulganin was Premier, Mr. Khrushchev actually wielded power.

When talk runs to the real sources of Soviet power—the succession to the party's secretaryship—the name most often mentioned is that of Mr. Kirichenko. Mr. Kirichenko is little known to the West. He has little to do with diplomats or distinguished visitors. He was Mr. Khrushchev's right bower in the Ukraine. He has the heavy inside jobs of the Khrushchev regime. He is the man who was picked to make a delicate, important address to Soviet security agencies last spring, laying down guidelines of just how far they might go under the new liberalism.

Mr. Kirichenko's public appearances are limited. He is far too busy overseeing such complex tasks as the newly decentralized economic regimes. And he is the man whom Mr. Khrushchev trusts to oversee the party secretaries, not that Mr. Khrushchev ever lets the task of running the party get out of his hands. Better than anyone else he knows that he who rules the party rules the Soviet Union.

PICTURES SUPPLY CLUES

One reliable political barometer of the Stalin days has survived. This is the lineup of leadership portraits. Usually they are arranged in alphabetical order to discourage speculation about ups and downs.

This gave special significance to the picture layout observed recently in two industrial plants. In each establishment the same six portraits embellished the director's room—Lenin, Voroshilov, Khrushchev, Mikoyan, Suslov, and Kirichenko. The last four constitute the real inner circle.

The display confirmed the importance of not only Mr. Kirichenko. It underlined the continuing importance of Mr. Suslov. Mr. Suslov is the most enigmatic personality of the leadership group.

The men around Mr. Khrushchev are, like himself, gregarious, extrovert politicians. Among them, Mr. Suslov appears like a shadow of the past. Alone among the new Presidium members Mr. Suslov in summer still wears an old Russian visored cap. His colleagues follow Mr. Khrushchev's style and sport bright new panamas.

SUSLOV ROLE NUCLEAR

By all the rules of logic and political inclination, Mr. Suslov should have supported Mr. Molotov and Mr. Malenkov in their ill-fated cabal against Mr. Khrushchev. He did not and thereby proved he had a political acumen greater than theirs. Since then his role has been anomalous, seldom to the fore yet never long in obscurity.

It is probable that the presence of a conservative Stalinist in the ruling group is useful to Mr. Khrushchev. It provides a magnet to polarize the support of those Stalinists—and there are many of them—who survived Mr. Molotov's ouster. Mr. Suslov is useful in dealing with certain Communist Parties, particularly the French, where Stalinism still reigns supreme. And in a pinch, Mr. Suslov may be helpful with the Chinese.

Mr. Suslov is useful in another way. Mr. Khrushchev's policies involve ideological heresies and the risk that arises from the spread of noncomformist and dissenting beliefs among the populace.

PROTECT THE IDEOLOGY

Mr. Suslov is a specialist in such questions. He is a former editor of Pravda. He and Pyotr N. Pospelov, another former Pravda editor and Stalinist of long standing, have the general assignment of protecting Mr. Khrushchev's ideological flanks. With the aid of Leonid F. Ilyichev, a third former Pravda editor, who heads the Central Committee's agitation and propaganda section, they thrash about with great vigor. If they do more harm than good this is not readily apparent in the clouds of dust sent up by their distortion and abuse.

In a showdown, none of these factors would enable Mr. Suslov to come out on top in a contest with Mr. Kirichenko. Mr. Kirichenko's lines are securely tied to the same party apparatus that brought Mr. Khrushchev to power. The provincial party secretaries and the party's industrial chiefs would vote for Mr. Kirichenko over Mr. Suslov.

Only a catastrophe involving disastrous failure of Mr. Khrushchev's policies could benefit Mr. Suslov. In such a circumstance Mr. Khrushchev's concealed enemies, the men who supported Mr. Molotov and Mr. Malenkov, would begin to emerge. Mr. Suslov would be a natural rallying point for them.

MOLOTOV IS RESPECTED

It is not in the cards that Mr. Molotov will again challenge Mr. Khrushchev. But he is a respected figure. Even Mr. Khrushchev's most trusted associate says: "We respect Mr. Molotov. We disagree with him. But we respect him."

This respect is general. It is one reason why Mr. Molotov has been kept in Ulan Bator, Outer Mongolia, where he cannot easily become a symbol for possible oppositionists.

As for Mr. Malenkov, no one in Moscow believes he will make a comeback. He has been isolated too well and he has too many active contenders in his own age group. Too many people believe that Mr. Malenkov bears a deep responsibility for many of the excesses of the last years of Stalin's regime.

Marshal Bulganin is in obscurity for keeps, Moscow believes. His trouble, it is said, was drink. He did not really know what he was getting into when he deserted Mr. Khrushchev.

Marshall Zhukov's chance has passed and there is no sign of a new bid for power by the army. Marshal Ivan S. Konev, who heads the Warsaw Treaty forces, is approaching retirement. Marshal Rodion Y. Malinovsky, the Defense Minister, and Marshal Sokolovsky, the chief of staff, are the most active military men today but the whole power balance of the army has been shifted with the new role of missiles, rockets, and the scientists who devise them and direct their employment.

KOSYGIN A MAN TO WATCH

A man to watch is Mr. Kosygin. He was one of the late Andrei A. Zhdanov's Leningrad proteges and in the worst of the Stalin days his life hung by a thread. He has slowly and painstakingly moved upward in recent years. Today, mature, quiet-spoken, keenly aware, Mr. Kosygin, at 55, directs a larger and larger share of the administration of Soviet industry as head of the economic planning agency.

"I like to talk to Kosygin," one diplomat says. "There is no nonsense about him. He is intelligent. He knows what he is talking about and he speaks to the point."

Another man on the move is Mr. Aristov, a year older than Mr. Kosygin. Mr. Aristov, a serious, darkly handsome man, is one of the lieutenants upon whom Mr. Khrushchev relies to get jobs done. He is always on the move. Sometimes, during a session of the Supreme Soviet he is out of his seat a half dozen times in an hour, carrying out orders relayed to him by Mr. Khrushchev.

Marshal Voroshilov's health has failed this year. The man who will probably succeed him is Mr. Ignatov, now chairman of the Presidium of the Supreme Soviet of the Russian Federated Republic. Mr. Ignatov, a colorless Soviet bureaucrat, is already carrying out many of the marshal's functions.

OTHER CLOSE ASSOCIATES

There are others close to Mr. Khrushchev who are important members of his circle. One is Mr. Matskevich, an old associate from the Ukraine. Another is 41-year-old Alexander N. Shelepin, whom Mr. Khrushchev shifted from the Communist youth organization to run the state security committee.

In putting Mr. Shelepin in the place of Gen. Ivan A. Serov, who is now one of Marshal Sokolovsky's deputy chiefs of staff, Mr. Khrushchev set off some complex political repercussions.

Mr. Shelepin is a young Turk. He is a good and close friend of another young Turk, Aleksei I. Adzhubei. Mr. Adzhubei is a little younger (only 34) and Mr. Khrushchev's son-in-law. Mr. Shelepin is a power in the Khrushchev organization. So is Mr. Adzhubei, who edited the Communist youth newspaper, Komosomolskaya Pravda, for 5 years. A few months ago he was named editor of the government paper, Izvestia.

One prominent Moscow journalist has bet 12 bottles of champagne that Mr. Adzhubei will be editor of Pravda, the top of the Soviet press pyramid, within 3 years.

A FAMILY MAN

The fact that one of Mr. Khrushchev's trusted aides is also his son-in-law points up an important aspect of Mr. Khrushchev's style. He is a family man. His family is the center of his life. All other activities radiate from this center. He had four children. One son was killed in the war. He has also raised several nieces, nephews, and other children of relatives.

Mr. Khrushchev does not conceal his family life as did Stalin and a whole generation of Communist leaders. When Mr. Khrushchev travels he likes at least one member of his family to go with him. On the present trip he is bringing his whole family.

VILLA ON MOSKVA RIVER

Often, he travels with his son, Sergei, 24, a graduate of the Moscow Energetics Institute, a blond, shy, pleasant young man who wears glasses. He is a member of a research and development team that only a few weeks ago was awarded a Lenin prize for scientific work. He is married to a fellow graduate of his institute.

Not infrequently, Mr. Khrushchev's companion is his eldest daughter, Yuliya, a dark, lively woman in her middle thirties, who is married to the director of the Kiev State Opera.

When Mr. Khrushchev entertains in his home, a lovely villa on the Moskva River at Usovo, a few miles outside the city, or at his vacation house at Yalta in the Crimea, his wife acts as hostess. The Usovo villa, built in 1956, is only a few miles from one that Stalin used.

Moscow says that when Mme. Khrushchev gives her husband a piece of advice he usually takes it. She went twice to see the American ice show last spring at the Lenin Sports Palace. She told Mr. Khrushchev he ought to see it, too. He did a few nights later. Once Mr. Khrushchev made a television appearance in Moscow wearing an army uniform. Mme. Khrushchev told him it was not appropriate. He has never gone on except in civilian dress since.

LIKES TO TALK OFF CUFF

Mr. Khrushchev has an alert and able staff. He has researchers and speech writers. He relies on their briefings but likes to throw the formal speech aside and talk off the cuff.

He is a voracious reader. As he confessed to the Soviet writers' congress a few months ago, he sometimes has to stick himself with pins to keep awake while he reads. He plows through so many official reports, diplomatic dispatches, and speeches by Western statesmen that he has little time for anything else.

But he insists that his staff bring to his attention anything within his range of interest. It is typical of him that he frequently reads Amerika, the Russian-language monthly issued by the State Department. He keeps an eye on several American technical journals, as well.

It is the avidity with which Mr. Khrushchev exposes himself to fresh impressions that gives such importance to his mission to the United States.

ABOVE ALL A POLITICIAN

Mr. Khrushchev above all is a politician. This means that he feels most at home among people. When he wanted to demonstrate to Mr. NIXON that Russians were not slaves he found it most natural to put Mr. NIXON on his launch and tour up and down the Moskva River, shaking hands with his "Communist slaves."

If Mr. NIXON had not been there Mr. Khrushchev quite probably would have been traveling along the river on his own, making the same kind of wisecracks about slaves. His excursions on the river are so frequent that every Monday morning during the summer the first question that Muscovites ask each other when they come to work is: "Well, what was Nikita Sergeyevich up to on the river yesterday"?

Mr. Khrushchev's journey to the United States is going to give him an opportunity to learn something about the capitalist "slaves" of which he has heard.

These impressions and the ones he will obtain of the vitality, strength, and diversity of American industrial, social, and political life should enable Mr. Khrushchev for the first time to correct the grotesque anachronisms that have long distorted his assessment of the United States.

Should Mr. Khrushchev's trip have no other result this at least would remove a major source of danger and miscalculation in Soviet-American relations.

[From the New York Times, Sept. 10, 1959]

KHRUSHCHEV'S RUSSIA—3: COUNTRY IS NO LONGER RULED BY FEAR, BUT LIBERALISM RAISES NEW PROBLEMS

(By Harrison E. Salisbury)

The most important difference between Nikita S. Khrushchev's Russia and Stalin's Russia is that Mr. Khrushchev's Russians are not afraid of one another. This is the most pervasive effect of Mr. Khrushchev's decision to try to run the Soviet Union without fear. Some Russians still continue to lead fear-stricken lives. But today they are anachronisms.

It is typical of the Soviet system that no public announcement was ever made specifying in so many words that the power of the secret police would no longer be used to terrorize citizens. Mr. Khrushchev and other spokesmen simply announced that there had been "violations of Soviet legality" in the past and that these would not be tolerated in the future.

Then commissions were set up to screen all prisoners held in forced-labor camps. Gradually the prisoners were set free and new arrests on political charges ceased.

AT FIRST SKEPTICISM

At first Soviet citizens were skeptical of the Government's sincerity. But with the passage of time Russians realized that Mr. Khrushchev was trying to run the Soviet Union without the employment of terror as a political weapon.

The liquidation of the labor camps and the reduction of power of the secret police altered the social forces within the Soviet Union.

New social and economic problems arose immediately. Others can be envisaged. The Soviet Union now has prostitutes, black-marketers, a shook-up generation. This is not to suggest that greater freedom produces social ills. It simply means that the Government no longer is sweeping the evidence under the carpet by shipping citizens to Siberia.

Experiments at coping with these problems through volunteer techniques are being made. It does not seem likely that they will be successful. If Mr. Khrushchev could achieve a rapprochement with the United States, he would be free, in an atmosphere of less tension, to direct his abilities to the socioeconomic problems of his new era.

There are those who still doubt that a Communist system can be run without police and without fear. But that is another question. The fact is that Mr. Khrushchev is trying to run such a state.

It may be that Georgi A. Zhukov, chairman of the Soviet State Committee on Cultural Relations, is exaggerating when he says that there is no longer a single political prisoner in the Soviet Union. But he is not exaggerating much.

It may be that somewhere in Siberia persons whom the West would call political prisoners are still in custody. But there can be no doubt that the great Vorkuta camps in northern European Russia, scene of rioting in the summer of 1953, are now closed. The coal is being mined by ordinary civilian labor. Several hundred Vorkuta camp guards have been given jobs driving taxis in Moscow. Not all the citizens of Moscow are pleased with this.

A recent visitor to Karaganda, a coal-mining center once operated largely with forced labor, found a big apartment housing project being built on the site of one of the old labor camps.

LABOR BARRACKS GONE

The prison labor barracks that used to disfigure Novosibirsk, the metropolis of western Siberia, are gone. There is no sign that prison labor still exists in that region. In eastern Siberia, at least in spots open to Western correspondents, the picture is the same. Even the Kolyma gold mines are said to be manned by ordinary labor.

These days in Moscow you never know, unless you have a long memory and a wide acquaintance, whether the man you are talking with has spent the last decade behind a desk in Moscow or whether he returned 3 or 4 years ago from one of the Siberian camps.

"All I know is that several friends of mine have come back and there are two who came back who are working in my office," a middle-aged woman said. She thought her experience was typical.

On one day in Moscow this correspondent ran into five persons who had fallen afoul of Stalin's secret police.

One was a former Soviet diplomat now working in a responsible post in a field other than diplomacy. Few if any of the persons with whom he comes in contact have any idea that he spent 4 years in a Siberian camp.

The second man is an important Moscow editor. He spent 6 years in Siberian exile. A third man works as a translator. He spent a year in custody.

TWO MET AT KREMLIN

The fourth and fifth men were encountered at a Kremlin reception. One is Pyotr L. Kapitsa, the nuclear physicist, who spent several years under house arrest in his villa at Zvenigorod, just outside Moscow. The other is Andrei N. Tupolev, the designer of the TU–104 and TU–114 planes. Mr. Tupolev spent several years in a Siberian police institution. Indeed, he did some valuable aircraft designing while jailed.

Former victims of the police state are indeed widely scattered through Soviet society today and many of them occupy responsible positions. A special effort has been made to place these victims in positions at least as good as they would have occupied had their careers not been cut short by false arrest, exile, or imprisonment.

The presence of so many former prison camp inmates in important posts gives an inner toughness to the fabric of Soviet society that it did not formerly have. These men are not easily frightened. They have few illusions about the nature of the Soviet state. And they form a real barrier against the rise of a new police power.

NO INFORMERS FOUND

This is not the only inner change in Soviet society. The day of the informer and the poison-pen letter writer has ended. Soviet citizens are willing to take chances now where they would not take them before. These may seem to be little risks to Westerners, but not to persons who lived in Moscow in Stalin's days.

Some Russians holding responsible positions in a ministry that has dealings with foreigners had a gay party in a Moscow restaurant with an American resident. When the restaurant closed at 1 a.m. they told the American:

"Do you have some Scotch? OK. Let's go to your place for one last drink."

The American said:

"That's fine, but you know I live in a foreigners' apartment house. There is a policeman at the door."

"We know," the Russians said. "So he'll report us and they'll call us in and lecture us. But what can they do? Just talk. Come on. Let's go."

Russians used to blanch at mention of the name of Leon Trotsky. Even today you do not hear it often. But a young man in a provincial city brought Trotsky's name into a discussion of books on Russia. Another joked about his own physical resemblance to Trotsky and a third said:

"We have begun to talk about Trotsky a little, but we still don't write about him."

SIBERIAN IS DEFIANT

A young man who went to Siberia in 1945 when his father was exiled there said:

"I have my home here in Siberia. I work here and live here, I like it. Nobody can threaten me. I do as I please."

This spirit of independence and even defiance of constituted authority did not exist during Stalin's days. A whole new generation does not remember the terror. Some Soviet youngsters challenged an American who mentioned in a sidewalk seminar the excesses of the old days. Later on older Russian came up and said:

"You were right to remind them. Don't give an inch. They do not know what it was like."

This is a product of Mr. Khrushchev's liberalism. There are other products. Billy Graham, the evangelist, said Moscow had none of the vice that disfigured Paris and London.

In Stalin's day Mr. Graham's statement would have been accurate. During World War II, foreigners were sometimes approached by telephone in their rooms at the Metropole Hotel. But street walking had not been seen in Moscow since the early 1930's.

Today a stroller in the central Moscow streets of an early evening is apt to be approached near big hotels. The women are strange sights—heavily rouged, gaunt-faced and costumed as in sketches by Hogarth.

SPECIAL PROBLEMS NOTED

Prostitution in the Soviet Union involves special problems. One is the problem of a room. There are no cheap hotels or rooms to rent by the hour or the night. In a rabbit warren of old buildings in the Kitai Gorod section near the Metropole Hotel, a few rooms are said to be available. A more frequented locale is a row of taxicabs under the shadow of trees outside the Moskva Hotel.

Around the Hotel Astoria in Leningrad prostitutes may also be seen. Typically, the Leningrad women are smartly attired, affect high heels and pony-tail hair-dos.

Prostitution is not the only vice that has blossomed on the Moscow streets under the new dispensation.

BLACK MARKET EXISTS

Black market currency speculation is another. The American tourist is apt to be approached by young men who loiter under the plane trees along lower Gorky Street, idle around the Lenin-Stalin Mausoleum, stroll the Cathedral Square within the Kremlin or sip cafe glace in the Cafe Druzhba.

These young men often wear tight pegtop trousers, sideburns, slim-shoulder jackets and, occasionally, crewcuts. Sometimes, they are dressed with conservatism and care. They look almost like young Scandinavians or Englishmen. Sometimes, they wear an existentialist or bear-type fringe beard. Russians call them "biznismen."

"Excuse me," the "biznisman" says in carefully spoken English. "Are you a tourist?"

If the answer is "No," the conversation ends at that point. If the answer is "Yes," the young man offers to buy dollars. The black-market men do not want to deal with diplomats or other foreign residents. Twenty rubles to $1 (compared with the official tourist rate of 10 to 1) is the usual opening offer. If the tourist bargains he can sometimes get the rate up to 30 or even 50 to 1.

ANCIENT IKONS OFFERED

If the tourist is not interested in rubles, the "biznisman" may offer to sell "ancient ikons, 300 years old." Some of the ikons are genuine. Some of them are remarkable

bargains. However, the ikons are likely to have been stolen from the village churches. Moreover, the Soviet Government forbids the export of ancient objects of art. If found by a customs inspector, the ikons would be confiscated.

If the tourist wants neither rubles nor ikons, the young man will offer to buy spare articles of clothing, particularly sports shirts, jackets, neckties, and shoes. But the prime market is for jazz records, paper-bound books, particularly whodunits, mechanical pens and pencils, lipsticks and cosmetics. There is not much demand for American cigarettes. A paper-back mystery story brings 50 rubles, an attractive sports shirt 300.

The fad for Western things, particularly American, is so strong that the youthful speculators have no difficulty in disposing of almost any article at a handsome profit.

SOVIET TOURISTS BUY DOLLARS

Many tourists wonder what the black-marketers do with the dollars. There is a market for dollars among the thousands of Russians who are now visiting Western Europe and the few who visit the United States as tourists or on missions. The Soviet Government sells a tourist to the United States only $40 in American currency.

A Russian who hopes to go to Western Europe or the United States will gladly buy dollars from the speculator at 100 rubles to $1. And so will many peasants who prefer to hoard their money in this form or in gold or jewelry rather than put it in the savings bank or keep it in fat rolls of rubles (which they fear the Government may suddenly devalue).

Needless to say the Soviet police are aware of this black-market activity. It goes on under the noses of uniformed officers and cannot escape the vigilance of the most lackadaisical plainclothes man.

POLICE ROLE SUSPECTED

Why do the police tolerate the situation? Occasionally, an operator will be arrested, but he returns to the streets after a brief interlude. The implication is that the police have a hand in the operations, either profiting through graft or using them as a source of foreign currency for their own purposes.

Street speculation in foreign currency and trade in American articles made their appearance in Moscow at the time of the youth festival in the summer of 1957. The speculation has become an established feature of Moscow life since then.

It is not the only illegal trade carried out with the tacit approval of the police. There is a brisk business in the alleys back of the GUM department store on Red Square in scarce items that early shoppers purchase and sell to latecomers at a 50- to 100-percent markup. Gypsy women on the main streets will tell a woman's fortune or sell her a pair of nylons.

Some carpetbaggers have expanded their operations. Five years ago a salesman of "chorty," little blown glass devils that squirt water, used to make a hasty appearance in Theater Square, sell a bag of water devils at 10 rubles apiece and vanish for a few weeks. Now he is to be found nearly every day in the bustling central squares, where about a million transients pass daily.

Production of the little glass devils, turned out on state time with state materials by the workers of a Moscow glass factory, is evidently overfulfilling all illegal norms. The price per devil has dropped to 5 rubles, the size of the figures has doubled and, by reasonable estimates, the operator is selling 50 times as many as he did 5 years ago.

All of these activities are readily observable to any fairly alert stroller. No police force could fail to be aware of what is going on. Yet it is only occasionally and with obvious reluctance that the police take action.

The police do not interfere because they have been told not to interfere. It does not mean, however, that no effort is made to bring an end to antisocial conduct.

CITIZEN'S POLICE ACTIVE

A new approach is being tried. This is the intervention of voluntary citizens' groups that are, theoretically, at least, outside the formal structure of government.

Lenin's blessing has been invoked for this approach. The citizens' organizations, he once said, represent a step forward in the transition of society from socialism to communism. To the extent to which they take over the functions of the government they are symbols of the long-awaited process of the withering away of the state that Marx promised would occur under communism.

The most publicized and active of these citizens' groups is the "druzhina." Russians usually employ this word to designate a volunteer firefighting force or auxiliary police.

As now used in the Soviet Union, the term applies to groups of young Communists wearing red armbands who volunteer to patrol the streets to help maintain public order. These citizens' groups resemble the Bands of Hope and White Ribboners who sought to combat the evils of drink on the sawdust floors of 19th-century saloons.

DRIVE AGAINST VODKA

The evil of drink is a major concern of these volunteer groups. They carry out forays on cafes and restaurants late in the evening, trying to persuade young people to forswear strong beverages. If they find heavy drinkers, they are likely to call in the police, who let the drunkards sleep it off in the stationhouse. Articles and photographs in the young Communist press constantly praise the work of the auxiliary police.

Their activity is only one facet of a vigorous campaign against excessive drinking. Beer halls and cocktail bars have been closed in Moscow. Restaurants sell only 100 grams (3½ ounces) of vodka to a patron. Sidewalk vodka stands have been abolished.

Brandy and wine (more expensive than vodka and beer) are still sold with little or no restriction. The price apparently is supposed to act as a rationing factor. Small bottles of vodka are only rarely available at liquor stores.

Whether these steps reduce alcoholic consumption is questionable. One cynical Russian thinks it has increased drinking.

"No one has time to go from one restaurant to another for more than one drink," he says. "So what happens? Instead of drinking 100 grams, or maybe 200 grams, a man goes to a store and buys a 500-gram bottle. He goes around the corner and polishes it off. There is more drinking in Moscow now than ever before."

This may be an exaggeration. But a walk through a working-class area of Moscow of an evening will show that the auxiliary police have hardly made a mark on the drinking problem.

Another type of citizens' group is the comradely court. This may be an assemblage of neighbors convened to render judgment against a tenant who created a rumpus by coming home drunk. Or it may be a group of workers holding court over a fellow employee who damaged a piece of machinery or stole a set of tools.

OTHER DRIVES DESCRIBED

A similar development has been the turning over of many social security services to the labor unions, which are ultimately to have complete charge of welfare activities.

Another device is a movement by efficient workers to help poor fellow workers raise their production. This movement was launched by Valentina I. Gaganova, a young woman factory worker from Vyshni Volochek, a textile town in Kalinin Province. Her name has become associated with a national crusade reminiscent of the Stakhanovite movement of the 1930's.

The use of volunteer citizens' groups is not so innocent as may appear on the surface. The possibility of abuses is enormous. Indeed, there appears to be internal discord in the Khrushchev administration over this issue.

The citizens' group movement is backed by Vladimir Y. Semichastny, former head of the Communist youth; his predecessor, Aleksandr N. Shelepin, who now heads the security police, and possibly Aleksei I. Adzhubei, former editor of the Communist youth paper Komsomolskaya Pravda, new editor of Izvestia and son-in-law of Mr. Khrushchev.

OTHERS FEAR ABUSES

Older Soviet officials, including many judges, members of the bar, and others familiar with the abuses of Soviet legality under Stalin, are concerned lest a whole new area of abuse be opened by these extralegal mechanisms.

The controversy is rooted in a 4-year-old dispute over establishment of legal guarantees against violation of individual freedoms. This dispute is still in progress.

For the present the auxiliary police are active but notably ineffective. Comradely courts seem to have little life outside the pages of Komsomolskaya Pravda. It is doubtful they will ever amount to much, despite official assertions to the contrary.

But the problem of coping with antisocial conduct is grave. It would be difficult in any society. In the moralistic atmosphere of Communist doctrine it can only arouse deep concern. Soviet society no longer is controlled and motivated by fear, by threat of execution, and the forced-labor camp. New methods of social direction have not yet been established.

Not unnaturally aberrant social conduct is most frequent among Soviet youth.

U.S. STYLES ATTRACT

Soviet youngsters, like all European youngsters, are deeply attracted to U.S. styles and tastes. Rock 'n' roll may be ebbing in New York, but it is strong in Moscow, Leningrad, and Sverdlovsk. Within 2 weeks after the House of Dior brought a Paris style show to Moscow, young women appeared on Gorky Street wearing simple imitations of the Paris models.

There are only a few "beatniks" in Moscow thus far, but there is much interest among young people in this phenomenon of Western society. Here and there among the newer generation of what used to be called in Moscow the "stilyagi" (the "stylish ones") the fringe beards and sloppy garb that have become the trademark of the beatnik have begun to appear. Such names as Jack Kerouac's are beginning to be known.

Youngsters at the American National Exhibition in Moscow asked for the comic-book exhibit (there was none). They wanted to "see your books on love and sex, the ones with the pictures." They complained that "everywhere in the world you can hear American jazz—why not at your exhibition?"

Coincident with the U.S. show the Soviet press developed an enormous interest in the seamy side of American life. Komsomolskaya Pravda and the magazine New Times published excerpts from this correspondent's study of adolescent delinquency in New York—"The Shook-up Generation."

But they deleted passages that drew a parallel with delinquency in the Soviet Union. And they have been silent about the newest manifestation of juvenile crime in Moscow itself.

This is the appearance of adolescent gangs and violence in the large new housing projects near Moscow University and near the Leningrad Highway.

In one project a colonel's son was asked by a gang to help rob his father's apartment. He refused. The teenagers pinioned the boy, took a sledge hammer and broke both his legs.

In an adjacent block two teenage girls were raped in a week by another gang. Parents in the new buildings have formed their own volunteer groups to work with the youngsters and try to bring the situation under control.

The Moscow outbreak is almost identical with violence in the huge apartment house projects of New York City. But the Soviet press has been silent. A responsible editor of Komsomolskaya Pravda denied that any problem existed.

This points up one of the great dilemmas of the Soviet leadership. To admit that a shook-up generation is arising in Russia is to admit that Soviet society is plagued with deep social ills. This is the hardest of all admissions for a perfectionist society to make.

[From the New York Times, Sept. 11, 1959]

KHRUSHCHEV'S RUSSIA—4: HIS OVERTURE TO UNITED STATES IS ATTRIBUTED TO FEAR OF CHINA'S ATOMIC POTENTIAL

(By Harrison E. Salisbury)

Can the Soviet Union find a way of liquidating its long-standing conflict with the West before Communist China obtains the atomic bomb and becomes a full-fledged member in the world club of nuclear powers?

In essence this is the problem that confronts Premier Nikita S. Khrushchev as he prepares for the greatest diplomatic venture of his career—his trip to the United States.

Mr. Khrushchev is working from a hidden timetable. The West does not know how far China is from producing nuclear weapons. Even Mr. Khrushchev may not know. But Mr. Khrushchev is probably better able to measure the ticking of the Chinese clock.

And, in the view of a leading Western diplomat, Mr. Khrushchev knows that the moment China possesses a nuclear bomb the world balance will be irrevocably altered.

CONCEALS EAGERNESS

The China factor, in the diplomat's opinion, makes it almost compulsory for Mr. Khrushchev to negotiate with the West. So far, like a good trader, Mr. Khrushchev has not shown any eagerness to make the concessions that the West expects.

Another Western diplomat who has spent many hours in discussion with Mr. Khrushchev says: "Khrushchev wants peace. But he wants peace at no price."

This has been Mr. Khrushchev's position up to now and there are diplomats who insist that there will be no concessions in Mr. Khrushchev's portfolio when he arrives in the United States.

One man who had a frank talk this summer with Mr. Khrushchev is convinced that there is no "give" in the Soviet leader's position, at least so far as Berlin, and indeed all Germany, is concerned. There may be an approach on disarmament and nuclear control, but this observer says:

"He is not going to give up an inch. He thinks he has us over the barrel on Germany."

DISCORD IS FORESEEN

Others are not so sure that the Soviet position is so hard. In their view, the United States underestimates the potentialities of Soviet-Chinese discord.

No nation is likely to be more familiar with the problems of dealing with China than is Russia. There is a history of inner conflict between the two Communist systems that goes back for years. Stalin several times came to the verge of an open break with Mao Tse-tung.

No nation is more acutely aware of the manpower potential of China than Russia. China's population today is roughly 650 million and it is increasing at a rate of close to 30 million a year. The Soviet Union has 208,800,000 people and adds about 3 million annually.

These figures alone are enough to cause any prudent Moscow leader to take steps to protect the future position of his country.

Moscow is in no mood today to be second to any other power, particularly not to another Communist power and one with which the Russians have had a long and bitter history of warfare, conflict and conquest.

SOME SEE HARMONY

There are well-informed American specialists who deny that any conflict or potential conflict exists between Russia and China. Several influential Far Eastern experts in the State Department hold this view. They accept the declarations by Peiping and Moscow that full harmony prevails.

But probing below the surface uncovers evidence that the two giants of communism are pulling in different directions. There is trouble between them now, on questions of ideology, policy toward the West and spheres of influence in the East. There are indications of bigger trouble in the future.

One striking way to measure the divergence between Russia and China is to examine the key question of relations with the United States.

Mr. Khrushchev has given the highest priority to achieving rapprochement with the United States, to liquidating tensions between Moscow and Washington, to establishing the Soviet Union and the United States on a basis of exchange of persons and expanded trade.

BROADER THAN REALIZED

Mr. Khrushchev's offensive is going forward on a broader front and with deeper penetration than many persons realize.

How does Peiping react to this? There is not a word of public opposition on record. But what the Chinese think privately is another matter. It is not accidental that 3 days passed before the Soviet press was able to quote Chinese reaction to the announcement of the Eisenhower-Khrushchev exchange of visits. When Peiping did comment, it was in carefully chosen cliches.

Four diplomats, two from the West, one from a European neutral country and one from a small Communist state, were asked: Do you think Peiping would welcome a rapprochement between Moscow and Washington? Each thought not. Half a dozen Russians chosen at random—Soviet journalists, lower officials, members of the intelligentsia—were asked the same question. Two gave equivocal answers. The four others agreed with the diplomats.

The policy of China and that of Russia toward the United States show marked differences.

CHINA BARS AMERICANS

At a moment when the Soviet Union seeks to better relations with the United States, China has turned her back on the United States and slammed the door. Peiping refuses to admit Americans to China. News correspondents are banned. So are political figures and even Americans known to be friendly to Communist China.

A few American Communists or Americans with Communist sympathies occasionally are admitted. Once in a while a specialist or scholar gets in. But no one else.

Nor is China making any move to ameliorate tensions with the United States. The Chinese press rails against America daily. Even in the worst days of the "cold war" Soviet propaganda was not so savage as is that of Peiping. The Chinese even refuse to shake hands with Americans at chance encounters on neutral ground.

A COUNTRY AT WAR

Chinese students at Moscow and Leningrad universities demonstratively avoid United States students. North Korean students tactfully say to Americans: "We are not Chinese. We would like to be friends."

The attitude of individual Chinese is rather like that of persons whose country is at war. It was China that raised the military threats to the offshore islands and kept the pressure on in Southeast Asia.

With greater and greater frequency it has been on the perimeters of China and in China's zone of influence that threats to world peace have occurred. A year ago it was Quemoy and Matsu and, of course, sporadic alarms over the islands still arise. Then came the crushing of the Tibetan rebels by the Chinese Communist army. More recently, there has been the Communist challenge in Laos and the violation of India's frontiers by Chinese forces.

"It is a fixation," says a neutral diplomat stationed in Peiping. "Perhaps the leaders feel there has to be an enemy to make the people work harder. Whatever it is, you are it."

Nor is there any sign that this situation will change. Thousands of foreigners are being invited to Peiping for the 10th anniversary celebration of Communist China next month. Few Americans will be there.

An indication of how Peiping is leaning these days is given by the preparations for the anniversary. There is a program to train 1,000 interpreters to assist in handling the guests. Only 70 of these will be interpreters of English.

CHINESE ATTITUDE CITED

An observer now in Peiping who has known China for years and who is well acquainted with the Chinese Communist leaders says about Chinese-United States relations:

"Definitions of normalization differ so sharply that real agreement cannot be approached for a decade or two. China sees normalization in the return of Taiwan and I doubt if Peking (Peiping) would exchange embassies until that occurs. So I think they have put off thoughts of the United States for the present."

The same observer adds:

"I think they believe not only as Communists but also as Chinese who have seen many empires come and go, that the days of Western capitalism are ending, that the United States with its bases all over the world is overextended and will have at last to begin to pull in. I think they have waited a lot of centuries and can wait a decade or two without pain, especially when they have so many other countries to deal with.

"You should have seen the Latin-American delegations this summer—women, youth, parliamentary groups, capitalist politicians—who want to see how China gets industrialization without dependence on the United States."

HOPE BELIEVED ILLUSORY

Against a background of thinking like this, Mr. Khrushchev's remark that he hoped that improvement of relations between Russia and the United States would lead to improvement in relations between Russia's friends and the United States sounds like a pious hope.

Could the differences in attitude between China and the Soviet Union be illusory? Could the two powers be working opposite sides of the street to their own mutual interest?

This is possible. But the private remarks of important Soviet citizens make it dubious. Many Russians, particularly recent visitors to China, speak with awe and concern about the pace of Chinese industrial development.

"You cannot believe it," one highly placed Russian said, "until you see it with your own eyes. The speed, the discipline, the organizing ability. The Chinese have such enormous quantities of labor. And everyone is working so hard. Nothing we ever did in Russia was anything like it."

URGED TO VISIT CHINA

Another Russian strongly urged Americans to go to China.

"It is another world," this Soviet official said. "You must know what is happening there. To understand the world today you must see China."

Another said:

"The speed of development in China is terrifying. When you think of the future * * *."

The most obvious difference of principle between the Soviet Union and China concerns the Chinese commune movement. Soviet spokesmen avoid discussion of the communes. In five successive lengthy talks in recent months Mr. Khrushchev did not mention China once.

The most pointed comment on the subject of communes was made by Mr. Khrushchev himself during his July trip to Poland. In a speech in which he was trying to convince Polish peasants of the superiority of collective over individual farming he brought up the subject of communes.

Communes, he said, were organized in Russia shortly after the Bolshevik Revolution. But the proper material or political conditions were lacking, he added, and the result was failure. The Communist Party abandoned them and went over to farm cooperatives, which provided the basis for the present day collective farm system.

The communes were primitive Communist societies in which all property was communally owned and the proceeds of the members' labor were equally distributed. In collective farms, on the other hand, members have the right to private property and the farm income is distributed on the basis of the work each member contributes to the collective.

Not only did Mr. Khrushchev repudiate the commune idea but he also repudiated the idea of using force or pressure to get peasants to give up individual farming.

Thus, without mentioning China, he publicly put himself on record against the most publicized of Chinese communism's achievements. In so doing he expressed sentiments often repeated by Soviet leaders in private conversation.

Mr. Khrushchev spoke out earlier against another publicized Chinese Communist technique. The Chinese have been mobilizing city workers by the hundreds of thousands and sending them to the countryside to help with the sowing, the harvesting, and other agricultural tasks. It is a method often used in the Soviet Union, as well.

The Soviet leader called for an end to this practice. He said city clerks, factory hands, and schoolchildren were the most inefficient kind of farm labor. To send them to the country disrupted the city and was little help to the farming areas. What was needed, he said, was rationalization of farm jobs, better employment of existing work groups, and more mechanization.

STRATEGIC ASPECT NOTED

One aspect of the communes has gone completely without notice in the Soviet Union. This is the strategic implication involved in subdividing China into thousands of integrated, self-contained social units.

"These are units for survival," a British observer reported to friends in Moscow on his return from a trip to China. "The Chinese told me that if nuclear war came the rest of the world might be wiped out. But China would survive. Even if 200 million or 300 million Chinese were killed the nation would endure. Whole provinces could be wiped out. But each commune would be independent. Some would be bound to survive."

Such philosophy is alien to Soviet thinking. Soviet officials say frankly that there would be no survival on either the Russian or American side if nuclear war broke out between them.

CLEAVAGE IS DESCRIBED

Nowhere is the psychological cleavage between Russia and China more clearly seen than in the case of students.

A Russian said:

"Last summer I was at Sochi. It was a very hot day. A bunch of Chinese students—boys and girls—came out on the beach and did calisthenics in the sun. They exercised for an hour in dark blue sweatshirts. Then they made a circle on the beach, took out their textbooks and started to study Marxism-Leninism. It was a frightening thing to watch."

Or take the case of one Chinese student at Moscow University last spring. The Chinese youngsters decided to save money from his state stipend of 300 rubles a month to buy a Soviet 35-millimeter camera. By going without lunches he managed to put aside enough money to buy the camera.

But his Chinese comrades found out what he was doing. He was summoned before a "comradely court."

"You deprived your body and your brain of the food calories needed to study at your highest capability," the comradely prosecutor charged.

CAMERA IS GIVEN UP

"Or," said another, "if you are able to work at full capacity on less food you should have given the extra money back to the state."

The student agreed to sell his camera, give the money back to the state, nourish his mind and body fully in the future and work harder than ever to deserve the solicitude the state was showing in his education.

"Imagine," said a Russian. "What can you do with people like that? They are not human."

These incidents and attitudes can be dismissed as reflecting cultural differences of two diverse peoples, but along the frontiers of the two great Communist systems there is actual conflict and competition.

This correspondent found an open clash between China and the Soviet Union for dominant influence and power in Outer Mongolia, a primitive Asian state that has long been a Soviet sphere of influence. The Chinese are seeking to woo the Mongols by sending free labor and by winning over the sympathies of young Mongol intellectuals. The Russians are trying to maintain their dominant position with conventional aid programs and a plan to transform Outer Mongolia from a nomad state into a land of sedentary farming.

China has large supplies of skilled labor in Manchuria and North China. Outer Mongolia is not only underpopulated but her people lack most of the skills needed for industrialization and even in simple construction projects.

Thousands of skilled Chinese have already been sent into Outer Mongolia. More almost certainly will come although the Mongolian authorities are concerned lest their primitive country be swamped by the manpower of its more advanced neighbor.

OTHER CONFLICTS NOTED

Asian diplomats report growing competition between the two powers, particularly in southeast Asia. Beyond Asia two areas appear to have been singled out for special Chinese attention. One is Latin America. China has no diplomatic relations with any state in the Western Hemisphere. But it has launched an active program to stimulate trade and cultural contacts with Latin America. A second sphere is Africa.

"These campaigns for international influence are being conducted quite independently of Russia," a diplomat stationed in Peiping reports. "The Chinese want to build international prestige and international relations of their own which are not dependent on Moscow."

Should China win admission to the United Nations, this observer felt, she would seek to put herself at the head of the Asian-African bloc of states.

In these circumstances is the Soviet Union helping China to acquire nuclear weapons? It is possible but there is no evidence to show it. In fact, there is no evidence to show that the Soviet Union is helping China to acquire nuclear power for peaceful purposes.

Absence of evidence is not conclusive. Collaboration might be going on in great secrecy. The Chinese armed forces may be undergoing training in the uses of intercontinental missiles equipped with nuclear warheads. But all signs are against this. Everything known about the inner nature of Soviet-Chinese relations suggests that China must go it alone in developing nuclear technology.

Soviet foreign policy invariably operates along two lines.

FOREIGN POLICY ANALYZED

The first line is the dominant policy of the moment. The second line is the reserve line to which Soviet policy can switch in case of need.

For the present the dominant Soviet line is based on the Soviet-Chinese alliance and close collaboration in diplomatic and economic affairs.

In case of conflict between Moscow and Peiping, the Soviet Union at present has no alternative. It cannot switch to the West nor threaten China with that possibility because no bridge has been built back to normal relations between the United States and the Soviet Union.

Unless the bridge is built before China arms herself with nuclear weapons the Soviet Union faces the prospect of becoming the junior member of the Communist axis. China's population, industrial development, atomic arms and rapidity of development would make this certain.

Mr. Khrushchev is an excellent chess player. He can foresee this with the greatest clarity.

None of this means that Mr. Khrushchev must come to an understanding with the United States this fall, this year or, perhaps, for the next few years.

But the actual state of affairs within the Communist world—as opposed to the rosy facade exposed to public view—dictates Soviet need for ultimate accommodation with the West.

If Mr. Khrushchev were able to negotiate a two-power world with President Eisenhower, he could feel that at least in his time the Soviet rear would be secure against the surging forces of the new China.

Mr. Khrushchev likes to tell Americans that "your grandchildren will live under communism." A two-power arrangement with Washington would enable him to tell his colleagues with more assurance that "your grandchildren will live under Soviet communism."

[From the New York Times, Sept. 12, 1959]

KHRUSHCHEV'S RUSSIA—5: ANTISEMITISM AND RELIGIOUS UPSURGE ARE SAID TO BAFFLE THE SOVIET REGIME

(By Harrison E. Salisbury)

The audience in the dingy hall of the Moscow Railroad Workers Club shifted forward on the hard seats. There was a hush as the buxom blonde announcer in her flowered silk dress came down to the footlights.

"The next number will be a song based on a poem by Itsik Fefer," she said. There were gasps and whispers. When the song was finished the applause went on and on.

Zinovi Shulman, flapping the coattails of his faded evening clothes, took bow after bow. He seemed a little embarrassed. Even he knew his voice at 60 was not that good.

MARTYR OF ANTISEMITISM

The applause, of course, was not for Mr. Shulman. It was for a man 7 years dead—Itsik S. Fefer, Yiddish poet, colonel in the Red Army, admirer of Stalin, Communist, martyr to the anti-Semitic mania that gripped the Soviet Union in the old dictator's last years.

The shabby little concert of Yiddish songs in a workingmen's hall in Komsomolskaya Square was in reality a small, almost grudging act of contrition for the horrors that Stalin visited on the Jews of Russia.

This concert like others that have been given in the Soviet Union in recent years was part of a halting effort to come to grips with one of the heritages of the Stalin days—government-directed anti-Semitism and persecution of Jews that cost thousands their homes and their jobs and sent thousands into exile and a number still unknown to death before firing squads.

NO ACTIVE PERSECUTION

Let us note immediately that active anti-Semitism or active persecution of Jews no longer is carried out by the Soviet Government. The situation of the Jew in Russia, like that of any Soviet citizen, is far better today than in the final years of Stalin's life.

But the consequences of official anti-Semitism and its widespread dissemination among the population are far from ended. Indeed, only fumbling and half-hearted efforts have been made by the government to face up to the reality of the problem. Anti-Semitic tendencies are still alive and powerful.

The Jewish problem is one of two connected with religion that confront the Soviet regime today. Perhaps, the other might be called the Christian problem.

APPEAL OF RELIGIOUS FAITHS

It relates to the continuing and growing appeal of Christian faiths to the Soviet public, particularly the young people, despite 42 years of atheistic propaganda and frequent persecution of organized faiths. The resurgence of the Christian faith has been met by a vigorous propaganda offensive against religion.

Both of these problems represent social questions for which the Khrushchev regime has found no ready answer. Both provide evidence of deep cleavage within Soviet society. Both touch on matters in which there is intense interest in the United States. In the course of his visit to the United States Nikita S. Khrushchev is certain to encounter frequent evidences of this interest.

The dimensions of the Jewish problem are possibly best indicated by examining what lay behind the applause that greeted the Fefer number at the Railroad Workers Club.

There were perhaps 1,200 people in the hall, a cross-section of Moscow's Jewish population, most of them people of the middle ranks of Soviet society. Many youths in their teens or early twenties accompanied their parents. The young people did not know Yiddish and the nature of the songs had to be explained to them. The audience was almost entirely Jewish. There were 8 or 10 foreigners, including 3 American tourists from Brooklyn.

THOUGHT HIMSELF RUSSIAN

"Before Stalin's last years," a Moscow Jew said, "many of these people would not have regarded themselves as Jewish. Take myself, for example. I grew up in the 1920's and early 1930's. I thought of myself as a Russian, not a Jew. Then after the war I found that it did not make any difference what I thought about myself—I was a Jew on the books. I was a Jew to the director of the institute where I worked. Very well. I became a Jew to myself."

Persons who grew up in the Soviet Union in the first 15 years or so after the Bolshevik Revolution believe that in few places in the world was there less anti-Semitism. The days of czarist pogroms and of the Jewish Pale, an area where Jews were compelled to live, seemed far distant.

Even the purges of the 1930's, in which many victims were Jews, failed to arouse general anti-Semitism. Indeed, a joke of the period was, "You're not a Trotskyite and you're not a Jew, so why were you arrested?"

Active anti-Semitism made its appearance in the Soviet Union early in World War II. Was it brought in by the Nazis? This is what Soviet authorities now like to say. If so, no effort was made by Stalin or his associates to halt its spread. The Ukraine, a hotbed of anti-Semitism under the czars, was most receptive.

WARTIME ANTI-SEMITISM

In Moscow anti-Semitism was rampant under pressure of the early German advance.

"The Jews are getting out," "The Jews are saving their skins," "The Jews are bribing the railorads and carting off their gold"—these were stories heard in Moscow in the days of evacuation in the autumn of 1941.

Did Stalin encourage this? It is hard to tell at this late date. Certainly, not much was done to discourage the anti-Jewish bias. After nearly 2 years, Moscow party workers were finally called in and informed that anti-Semitism was not the official line of the party.

"What everyone overlooks in discussing anti-Semitism under Stalin," said one man who has lived many years in Moscow, "is that anti-Semitism was popular. People liked to believe bad things about the Jews during the war. After the war even if Stalin had wanted to stop anti-Semitic sentiment it would not have been so easy."

But Stalin had no desire to halt it. Unknown to the outside world, anti-Semitism was adopted as an official policy of the Stalin government in the autumn of 1948. It remained an official policy until Stalin's death.

"The difference between the terror of the 1930's and that of the forties was this," one man said. "In the thirties you had to be important to be arrested or shot. In the forties it made no difference. Anyone could be arrested, literally anyone. One day a little watch repairman was arrested. A few days later he was executed. Why? No one knows. I don't think the police know. His name just happened to be on a list."

DOCTORS' PLOT LAST ACT

Even today many people assume that an anti-Semitic insanity afflicted Stalin only in the last weeks of his life at the time of the so-called Kremlin doctors' plot. But Stalin had been carrying out secret persecution of Jews on a wide scale since 1948. Hundreds of prominent Jews underwent interrogation and torture in Lubyanka prison. When, in late autumn of 1952, Stalin set into motion the machinery of the "doctors' plot," he was merely preparing a new act in a Grand Guignol that had been preoccupying him for 4 years.

Only a few men lost their lives in the "doctors' plot." One of the accused doctors committed suicide. Another died of a heart attack. But the roll of victims between 1948 and 1952 included some of the most distinguished Jewish names in the Soviet Union.

This was the reason for the ovation that greeted Mr. Shulman when he sang Mr. Fefer's song at the Railroad Workers Club. Mr. Fefer was executed August 12, 1952, on charges of Jewish nationalism and of conspiracy with foreign states to detach Soviet territory (the Crimea and Eastern Siberia) from the Soviet Union.

ONE OF 25 ON TRIAL

Mr. Fefer was 1 of 25 defendants in a secret trial of "Jewish nationalists" conducted in Moscow the previous July 11 to 18. All but one of the defendants were executed.

No one knows to this day how many persons died during the anti-Jewish campaign. A check of a list of 24 prominent Soviet Jews who on April 14, 1944, attended a meeting of the Jewish Anti-Fascist Committee, an organization set up in 1942 to conduct propaganda for the Soviet war effort, shows only two persons alive today. One of them is Ilya Ehrenburg, the writer. The other is Lina S. Shtern, a physiologist and member of the Soviet Academy of Sciences. She was the sole survivor of the 1952 trial, in which she received a life sentence.

It was not only in Moscow that the persecution of the Jews was carried on by Stalin. In far-off Birobidzhan, the ill-fated Jewish settlement area of the Far East, arrests struck in 1948 and 1949. There, too, prominent Jews were tried on charges of plots and conspiracy. Jews were arrested in the Ukraine and deported to Kazakhstan. Jews who had survived Nazi occupation in Byelorussia were shipped to Siberia.

JEW LOST PASSPORT

To this day an Eastern Siberian city such as Irkutsk has a far higher proportion of Jews in its population than Moscow, Leningrad or Kiev.

"No one who was not a Jew in Moscow in 1949 knows what it was like," one man said. The internal passport of each Soviet citizen specifies his nationality—Russian, Georgian, Ukrainian or Jewish. This man decided to "lose" his passport. He tore it up and flushed it down the toilet. Then he applied for a new one at the local police station. He put down his nationality as Russian. The passport was issued in that form.

"Many of us did that," he said. "It was a matter of self-preservation. The word Jew is not on my passport today. But I feel more Jewish than in the days when it was there."

Many persons, however, could not protect themselves so simply. They were prominent and known as Jews. The more prominent they were the more quickly they lost their jobs, particularly in cultural, and intellectual fields.

UNIVERSITY OUSTED JEWS

Moscow State University announced that it was a "Russian" citadel of culture. Not a Jewish professor was permitted to remain on the rolls. Even today only one full professor is a Jew. A similar situation existed in the Academy of Sciences except that in physics and higher mathematics Jewish predominance was so overwhelming that the worst effects of the purge were thwarted.

These years of terror, discrimination, and hatred have provided a legacy of social ills for Mr. Khrushchev.

Neither he nor his associates seem to have found it possible to confront the problem candidly. Few facts of the Jewish persecution have been placed on public record, although Mr. Khrushchev and his associates sometimes discuss Jewish questions privately with foreign visitors.

The families of those Jews who were executed by Stalin have been given pensions. They have been advised that the executions were unjustified. Other victims have been released from prison or returned from exile.

NO INSTITUTIONS REVIVED

Russian language translations of the works of some of the executed Yiddish writers have been published. But none of the suppressed Jewish cultural institutions—the Yiddish publishing house, the Yiddish newspapers

(except for one in Birobidzhan), the Yiddish theaters—has been revived.

Official tribute was paid to Sholem Aleichem, Yiddish writer, on the 100th anniversary of his birth last winter. His collected works are being published in Russian in an edition of 225,000. But a volume of his stories in Yiddish appeared only in a small edition that was sold out quickly in Moscow.

Jews are still barred from the higher military schools. They are not admitted to cadet schools. They are not admitted to the foreign service school. Their admission to universities is not always easy. No leading party editor is a Jew. No Jew has risen to high party position under Mr. Khrushchev.

In religious matters there is discrimination against Jews. Jews have fewer and poorer houses of worship compared with other faiths. They are permitted to train few rabbis. They have few printed materials. Jewish religious objects are scarce. Jews have difficulty obtaining appropriate foods for Jewish holidays. Kosher facilities are rare. But, in contrast to 5 years ago, two Moscow restaurants now serve traditional Jewish dishes.

A few months ago a rash of anti-Jewish articles appeared in Ukrainian provincial newspapers. Ukrainian authorities closed some Jewish houses of prayer in small communities and carried out other discriminations.

Why has Mr. Khrushchev failed to act in forthright and principled fashion against anti-Semitism? There are those who suggest that it is because he himself has inherited the anti-Jewish attitudes so common in the Ukraine, where he grew up.

Others suggest that Mr. Khrushchev fails to act because anti-Semitism, actively propagated for many years, has become a popular policy.

NO COUNT PUBLISHED

There is no official count of the number of Jews left in the Soviet Union. Mr. Khrushchev recently placed the figure at 2 million, possibly on the basis of the 1959 population census. There were 4½ to 5 million before the Germans invaded the Soviet Union, occupying the traditional areas of Jewish settlement.

There is no doubt that many Jews would leave the Soviet Union if given a chance. Emigration is not permitted now and there seems little likelihood that it will be, although Mr. Khrushchev said some weeks ago that the day might come when it would be possible.

Jews would leave because they have been treated as enemies of the Soviet state by the Government and as inferiors by their fellow citizens.

The fact is that the Khrushchev government, like the Stalin government, treats the Jewish population as a national security risk. There seems little prospect of any positive action by Mr. Khrushchev to correct this situation in the near future.

The Soviet Union has embarked on a foreign policy favorable to the Arab States and antagonistic to Israel. Jewish cultural and emotional ties to Israel have fed Soviet suspicions concerning Jewish loyalty to the Soviet Union.

CHRISTIAN PROBLEM DIFFERENT

Mr. Khrushchev's Christian problem is of a different order.

It stems from the strong revival in religion that got under way in the Soviet Union during World War II and has continued to the present time.

Large numbers of Russian Orthodox Churches have reopened since World War II. Many village churches that were commandeered, for use as granaries or office buildings, have been returned to the believers.

So long as most believers were middle-aged people, largely women, the state did not seem much concerned. In Stalin's last years and the first years after his death anti-religious propaganda was almost a dead letter.

However, the church began to attract more and more young people. Church marriages again became fashionable. Sometimes, Communist youths went to church en masse—just to see what it was like.

As more churches opened and more people went to church the revenues of the Orthodox Church began to rise. Russians are generous people and the collections at Easter time are staggering. Priests use bushel baskets to hold the blizzard of ruble notes.

The funds have enabled the church to rehabilitate many old buildings. Onion domes again glitter in gold leaf.

Alarmed by the growing attraction of the church for young people, the Communist Party has lumbered out its old propaganda weapons. Atheistic literature is to be found on every bookstand. Atheistic lectures are delivered in neighborhood halls. Neighborhood atheist societies have been formed. And the Communist youth organization is devoting much energy to combating the effects of religion on the young.

"CONFESSIONS" PUBLISHED

A leader in this campaign has been Aleksei I. Adzhubei, son-in-law of Mr. Khrushchev and until recently editor of the Communist youth newspaper Komsomolskaya Pravda. Mr. Adzhubei directed his fire not only at the Orthodox Church: he also singled out the Baptist Church, which has proved a great attraction for young people in recent years.

Mr. Adzhubei's specialty has been to publish articles of the "confession" type—"The Truth About the Baptist Cult" or "Why Grigory Ivanovich Left the Baptist Faith." Some articles tell about young university students who were doing well in their studies until they started going to church. Others seek to associate religious belief with superstition, selfishness, or other character weaknesses. Much attention is paid to any evidence of luxurious living by the priests or pastors.

The campaign has involved no official pressures. No Orthodox or Baptist Churches have been closed. Indeed, Baptist Church leaders say their ranks have been swelled by youngsters who first read of the faith in Komsomolskaya Pravda. "It is good advertising," one young Baptist said.

The revived campaign against religion seems to have had little effect. Moscow's churches last Easter showed little change. There may have been fewer young people than usual. At the monastery of Zagorsk, 40 miles from Moscow, the crowds were as great as ever. There was no reduction of crowds in village churches or of queues of women bringing their cakes and eggs to be blessed for the Easter feast by the priest.

What is interesting about the new concern of the state in religious matters is the insight it brings on two important questions.

The first is the inability of the Communist doctrine to stamp out or replace man's belief in religion. The second is the inability of Communist rulers to become reconciled to the existence in the minds of the people of any beliefs other than those emanating from communism.

THE CAPTIVE NATIONS RESOLUTION

Mr. LAUSCHE. Mr. President, in every day's mail I am getting letters from refugees of the captive nations, living in the United States, expressing the belief that owing to the visit of Khrushchev to the United States, a conviction is taking hold of the people of the captive countries that we have abandoned our advocacy of liberty for people everywhere and our concern for them.

As a sponsor of the captive nations resolution, I wish to reaffirm my conviction that it is the feeling of the people of the United States that in the end there must be given personal and political liberty to all people living within nations under dictatorial control, especially communism. This conviction about the right of people to have personal and political liberty does not apply only to the people of the captive nations now under Communist rule, but also to the people of the Soviet Union. It is my belief that until every Soviet citizen is permitted to say what he likes, to worship as he chooses, to tune in any radio broadcast he wants to hear, to travel outside the Soviet Union as an ordinary tourist, to vote in free elections in which he has a diversity of choice among parties with varying policies, until such basic rights are a reality for all people, and especially for people in those nations dominated by communism, the American people will continue to reaffirm their desire and hope for the freedom of all people everywhere in their personal and political life.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. HUMPHREY. I associated myself with that telegram. I received a similar telegram and authorized the use of my name as one of the persons who was a sponsor of the captive nations resolution.

I believe that this telegram clearly sets forth what our purpose was. It states unequivocally what the objectives and the goals of the American people are in terms of peoples who have become the captives of totalitarians and dictators, and, in this instance, of the Soviet dictatorship.

Mr. LAUSCHE. I am very grateful for the comments made by the senior Senator from Minnesota. I think it is essential that we convince the people of the captive nations and of the Soviet Union that our belief that communism is a lethal governmental operation which still exists and will not come to an end.

The PRESIDING OFFICER. Is there further morning business?

Mr. MORSE. I suggest the absence of a quorum.

Mr. JOHNSON of Texas. Mr. President, I thought we were still in the morning hour.

Mr. MORSE. I thought the morning hour had been concluded.

Mr. JOHNSON of Texas. No. I want to conclude it and then to make some pending business.

YOUTH CONSERVATION CAMPS

Mr. HUMPHREY. Mr. President, in recent weeks increasing public attention has been given to the serious problems of juvenile crime and delinquency—much of it focused on the problem in New York City, but also including most of the large metropolitan areas of the country.

Many newspaper accounts have described the desperate measures being undertaken to enlarge police forces, to build additional detention facilities, and to employ additional social workers, psychologists, and other trained personnel

in an attempt to meet the problem with crash programs.

Many of these measures are necessary only because not enough attention has previously been given, and not enough investment in dollars has been made, to prevent the problem from developing to its present critical proportions.

The causes of delinquency are enormously complex. But some facts cannot be denied, facts tending to prove that much delinquency can be prevented.

Boys and young men not having enough to do tend to drift into trouble. Almost every boy or young man seeks some way to test himself and to pit himself against some challenge or another.

The parkless, playgroundless, desolate slums of many of our large cities are so stifling and dreary that the young people living in the slums are driven in despair to find interest and excitement in any way they can.

Mr. President, with those three simple observations I think everyone can agree. Yet when the Senator from Minnesota and 20 of his colleagues brought to the floor last month a bill which would actually provide a constructive program to help prevent the needless tragedy of delinquency, our proposal was subjected not only to belittlement but to ridicule.

A proposal to provide wholesome constructive work and training opportunities in our National and State parks and forests through the development of a Youth Conservation Corps was poohpoohed as both ineffective, on the one hand, and too costly, on the other.

The skepticism of a minority of Senators even infected some of the more influential editors around the country, although the overwhelming number of newspaper editors and commentators took a favorable and constructive view of the proposal for a YCC.

One unfavorable editorial was published in the Wall Street Journal on August 18, and was promptly echoed in several editorial columns elsewhere.

Mr. President, I want it to be noted that the first unfavorable editorial of any consequence relating to the Youth Conservation Corps was published in the Wall Street Journal, of New York City, on August 18. Yet within 2 weeks the city of New York was confronted with gang fights and with a degree of juvenile delinquency which have merited the personal attention of the Governor of the State of New York, the mayor of the city of New York, and the heads of State and city departments of government, chiefs of police, and all the social workers in the State of New York.

The Wall Street Journal saw fit to condemn a program which, later on, the Governor of the State saw fit to endorse as an absolute necessity.

I do not select New York as a target. I have said repeatedly that New York is a well-governed city. It has one of the best police forces in the United States. I am pleased with the action of the mayor of the city of New York and the Governor of New York. But I notice that the Wall Street Journal looked upon the dollars involved in the Youth Conservation Corps rather than the lives which could be saved. That is a typical Wall Street attitude.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I shall not deal with the question whether New York City is well or badly policed or troubled with delinquency. I should like to tell the Senator from Minnesota that it was with regret that I voted against the bill, although I should have liked to vote for it, my reason being that the bill was not tied to the very problems which Governor Rockefeller and the mayor of the city of New York are trying to solve with respect to juvenile delinquency.

One of the restrictions in the Humphrey bill was that the boys to be selected for the Youth Conservation Corps must be of good character. I strongly commend the Senator from Minnesota, if the matter is not acted on at this session, and is to go over until the next session, to give most careful consideration to the report of the New York State Commission on Youth Delinquency, of which I had the honor to be a member when I was attorney general of the State of New York. It outlines exactly the kind of camp which will help boys in this situation and refers to the two camps in New York State, one at North Pharsalia in Chenango County, and the other at Monterey in Schuyler County.

I believe that the report of the New York State commission could be of help to the Senator in respect to his bill because of the fact that it would have a direct and close relationship to the struggle against juvenile delinquency.

Mr. HUMPHREY. Mr. President, I ask unanimous consent for an additional 2 minutes in which to respond to the Senator from New York.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, two conference reports are at the desk, waiting for the Senate to act on them. I hope action may be taken on them promptly.

Mr. HUMPHREY. I shall be but 2 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. I say most respectfully to the distinguished Senator from New York that the proposal which was advanced in the Senate is directed, first, toward controlling or preventive action, which is now one of the principles of the Governor of the State of New York, in what he calls State Conservation Corps Youth Camps, not for the delinquents already apprehended, not for the ones already apprehended and punished, but those who are beginning to drift, who already, so far as the law is concerned, are still in the category of young men of good character. There are detention camps which are completely different. I think the RECORD will bear me out.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a series of three articles published in the New York Times, the editorial published in the Wall Street Journal and my reply thereto, an article published in the St. Louis Post-Dispatch, editorials published in the Jersey Journal of Monday, August 17, and the Camden, N.J., Courier Post of August 18; also articles published in the Washington Post and Times Herald and the Washington Evening Star, relating to this particular problem.

There being no objection, the articles were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, during the past few days the situation in New York City has precipitated action on the part of both city and State officials. I have noted with intense interest that the Governor of the State of New York has suggested that New York could well undertake a program of youth camps—in fact, two kinds of camps: one for delinquent boys, and the other for those who may be heading in the direction of delinquency.

I applaud this recognition of the value of such constructive work opportunities on the part of the Governor of the great State of New York. Yesterday in the Senate the distinguished senior Senator from Oregon [Mr. MORSE] placed in the RECORD an article published in the New York Times reporting on Governor Rockefeller's interest in a youth conservation corps type of program in New York and throughout the Nation.

The program for potential delinquents advocated by the New York Governor is amazingly like that which we have proposed in S. 812. I have written to Governor Rockefeller inviting his attention to our proposed legislation, which is now before the House of Representatives, and urging his support.

It is most instructive, too, to note the published annual costs for the programs of the State of New York against juvenile delinquency. If Senators do not think it is costly to try to deal with identified delinquents, then I wish they would examine these figures:

Reform institutions for youthful offenders: $12,800,000.

Probation and parole services: $1,650,000.

These costs are only two of the direct costs of dealing with juvenile offenders. They do not include the increased police forces which are being added in most metropolitan areas and the increased juvenile court costs.

I have said before that the best authorities in the juvenile field agree on a tax dollar cost of $25,000 for each juvenile delinquent during his period of delinquency. These are costs which are literally washed down the drain, because once a boy has entered into an active, hardened career of delinquency, it is discouragingly hard to turn him back on the path of constructive living.

This is the great hope of the Youth Conservation Corps, and I state again that it is my hope that the House of Representatives will act as soon as possible to send S. 812 to the President.

EXHIBIT 1

[From the Wall Street Journal, Aug. 18, 1959]

SENATOR HUMPHREY'S SOLUTION

A great many people, we think, will get a chuckle out of what Mr. Royal Alderman, of Phoenix, Ariz., says in his letter today about Minnesota's Senator HUMPHREY: "He has solutions ready for problems we don't even have."

The chuckle will fade, though, when they learn of the bill, sponsored and promoted by Senator HUMPHREY, that squeaked through the Senate the other day.

The Humphrey bill would create a Civilian Conservation Corps of 50,000 youngsters between the ages of 16 and 21 and send them out into the hills and valleys, dales, and forests "for the development and conservation of natural resources." The youngsters would maintain recreation and rest facilities in public parks, forests, and wildlife refuges.

Cost of the program for the first year is estimated at $125 million; each youth would receive $60 a month, subsistence, clothing, and equipment. Half the enrollment would be drawn from States on a quota system and the other half would come from "depressed" areas.

By the end of the third year, however, the cost of the program would come to $375 million in Federal funds because the program envisions a corps of 150,000 eventually. But that cost would be only half the total: The States that participated would have to match Uncle Sam dollar for dollar and if all went into the deal the taxpayer would have to dig deep for an annual total of $750 million.

All this is reminiscent of the original CCC program of the depression days—with a great, big difference. In the early thirties, a good argument could be made for the CCC camps if only on the ground that idleness is the devil's workshop. Not only were willing youngsters unable to find work, their fathers were unemployed too. The CCC took them off the streets and freight trains and put them in the country and fed them and gave them something to do. If it was a boondoggle, as its critics said, it was at least a purposeful boondoggle.

But what is the problem today? The Nation certainly is not now in any depression; the draft law siphons off a portion of youngsters over 18 and, from 16 to 18, a great many are still going to school and, so far as we can detect, not many are muttering about their lot.

Except, of course, the young mobsters who run loose in the cities slashing their way through life. And though Senator RANDOLPH, of West Virginia, in his defense of the bill, said that the new CCC program would be happy to have juvenile delinquents, we would like to be permitted to suggest that a corrective institution—such as a jailhouse—would be a better place for them lest they terrorize or teach those decent boys who might join the CCC.

If the Senators are really worried about unemployment among the Nation's youngsters, then let them look to their own States where child labor laws are so restrictive that a youth big enough to raise the end of a truck singlehanded can't get a job washing cars without the rigmarole of a lot of working papers. Then let them look to the reason for these laws, and they'll find that labor unions support them in an effort to keep down the available labor pool to prevent competition for jobs.

If there were a serious problem about unemployment of young people, which we doubt, that is where it lies and not in a $750-million-a-year boondoggle the taxpayers will have to pay for.

But it's pretty plain that Senator HUMPHREY not only has a lot of ready solutions at hand for problems we don't even have. The Senator also has at hand a lot of readymade, brandnew problems for the country.

AUGUST 21, 1959.

THE EDITOR,
Wall Street Journal,
New York, N.Y.

DEAR MR. EDITOR: I note that the Wall Street Journal has seen fit to criticize passage by the Senate of my proposal for a Youth Conservation Corps. Some months ago the Journal took me to task for daring to suggest that our free society might be able to increase its national production, and gird itself for the great challenge given us by the Soviet Union. I note the other day, if the Journal did not, that the Nixon committee has now reversed itself. Rather than being wholly absorbed in the problems of inflation, it is now discovered to be deeply concerned about national goals and economic growth. I welcome this belated conversion to our thesis that this Nation can expand its economy by doing some thinking and planning, and by taking some action. Naturally, I shall look forward to the Journal's comments on the Nixon committee's current position.

You have undertaken a healthy two-column attack on the Youth Conservation Corps proposal. But first of all, the Journal, which prides itself on having its facts straight, should have checked the facts of the YCC legislation. You said the States would have to match Uncle Sam dollar for dollar. This is, of course, not the case at all. Only when the YCC boys would work on State-owned land would the States come in for participation. On federally owned land, the work would be wholly federally supported. I am sure you will want your readers to note this rather substantial error in reporting the cost of the program—and error of the magnitude of 100 percent.

I am glad to see that the Journal grudgingly admits that the CCC was at least a purposeful boondoggle. This is scant praise, however, for a program that was supported by some of the very Republicans most violently opposed to the YCC bill today. It was brought out on the floor of the Senate during debate, for example, that the minority leader, Senator DIRKSEN, voted not once but twice for the original CCC bill. It should also be noteworthy that support for the YCC bill has come not simply from 45 Democrats and 2 Republicans who voted for the bill, but also from a number of Republican Governors, including the Republican Governor of Illinois and the Republican Governor of Oregon. It has also come from the great veterans organizations of the country, from organizations representing educational and youth authorities, and conservationists throughout the country. For the information of the editor, I am attaching a list of organizations which voluntarily came in to support the bill.

I also ask the Journal editors to examine the testimony of the Bureau of Labor Statistics before the subcommittee on the YCC and the comments of Dr. Catherine Oettinger of the Children's Bureau as to the state of unemployment in the age group under 21, and the projected curve of young men and women who will be school dropouts and high school graduates in the next few years.

The Journal has also gotten its facts twisted in its comments on the antijuvenile delinquency aspects of the bill. Senator RANDOLPH of West Virginia, did not say that the program would be "happy to have juvenile delinquents." Very specifically, the bill and the report call for a program which would permit boys who are not delinquents, but who might (because of their environment and because of their past history) become delinquents, to enroll in the corps. The legislative history of the bill is very clear that no juvenile court judge will be permitted to assign a delinquent to the Corps in lieu of sending him to a correctional institution.

I suggest that the Wall Street Journal is so preoccupied with the problem of balancing the government's economic budget in the fiscal year ending June 30, 1960, that it is unwilling even to consider a proposal that would help to balance the Nation's economic budget in the coming decades, as well as to save many boys from going on the path of delinquency—at an estimated cost of $25,000 per boy during the period of delinquency.

Furthermore, Secretary of Agriculture Benson has been forced to recognize in an official report—"Program for the National Forests"—that a substantial Federal investment in the National Forests now can pay large dividends in Treasury revenues in the coming two generations and thereafter—on the order of $245 million per year increase in revenues from the sale of timber.

I would welcome the opportunity to have this letter printed for the benefit of those readers who may have read your editorial entitled "Senator HUMPHREY's Solution."

Sincerely yours,

HUBERT H. HUMPHREY.

[From the New York Times, Sept. 9, 1959]

ROCKEFELLER CALLS FOR YOUTH CAMPS, EASIER WORK LAW—ANTIDELINQUENCY PROGRAM BY STATE ALSO WOULD SPEED NEW DETENTION FACILITIES—THIRTY CIVIC LEADERS MEET—MOVES OUTLINED AFTER TALK WITH MAYOR AND OTHERS—POLICE CUT EXTRA FORCE

(By Peter Kihss)

Governor Rockefeller announced a wide State move against juvenile delinquency yesterday.

The program includes developing new youth work camps, speeding construction of more detention facilities and increasing probation and parole supervision.

In a joint news conference with Mayor Wagner, the Governor also proposed revising laws to permit greater work opportunities for youngsters 14 years old and older. The State will also confer with management and unions to increase job apprenticeships for teenagers.

Meanwhile, Police Commissioner Stephen P. Kennedy said the police roundup of teenagers suspected of delinquency, which started September 1, would continue. By 4 p.m. yesterday 334 youths had been picked up.

DAY OFF RESUMED

However, there was a cut in the force of policemen who had been shifted to emergency patrol duties August 31. The 1,400 extra men had included 300 to 400 detectives, who were put on patrol on their days off. Chief of Detectives James B. Leggett said these men were now being given their regular days off again.

Governor Rockefeller said he could not estimate the costs of the new State program. But he reported that it was costing the State $2,800 a year for each of the 100 or so youths in the 2 existing camps.

He said he hoped to get this down to the $1,900 to $2,000 a year it costs to maintain a youth in correctional institutions. This would mean that it would cost $200,000 a year just for maintenance for every 100 youths brought into the new camp or detention programs.

THREE PERCENT OF YOUTHS INVOLVED

Mayor Wagner, in response to questions, said that the city's juvenile delinquency problem involved only 3 percent of the city's youngsters—but that this included 25,000 to 30,000 who might have had some brush with the law.

The Governor and mayor held a news conference after a closed meeting at the Governor's office, 22 West 55th Street. Thirty

officials and civic leaders attended the meeting, which was called last week by the Governor.

The meeting lasted from 10:45 a.m., to 1:25 p.m.

Later, Governor Rockefeller reported agreement that "greater parental responsibility" was a major need; that prevention was less expensive than cure in institutions and jails and that great progress could be achieved by more effective coordination.

Under the State program, two types of youth camps would be developed for work on State lands and forests. A preventive type operated by the conservation department cooperating with the education and social welfare departments would voluntarily enroll "potential delinquents." The other type would add to the present two correction department rehabilitation camps for youths sentenced for lesser offenses.

The Governor said that the camp programs would provide vocational skills, moral values, and discipline, and that the number who could benefit could run into the thousands.

BOTTLENECK CITED

The construction of State detention facilities also would be accelerated to relieve overcrowding. Mayor Wagner said this had been a bottleneck for years and had forced judges here to turn back to society youths who should have been sent away. He said other youths were being released too soon.

A review of the laws that limit part-time work for 14-to-16-year-olds would be undertaken with a view to directing youngsters who are unable to profit from regular school programs to jobs instead of delinquency. Those under 18 must now obtain employment certificates to get jobs; those of 16 who have not yet completed high school must now attend continuation school 4 hours a week; those 14 and 15 may now get only vacation work permits.

Overhauling the outmoded continuation school program would also be undertaken. Governor Rockefeller said the present requirements for part-time day schooling were ineffective and inadequate and proposed that night education be considered

JOB AID TO BE SOUGHT

The State program would also seek a more effective apprenticeship training program for 16-to-18-year-olds by cooperation among industrialists, union leaders, and the State labor department.

While the Republican Governor and the Democratic mayor indicated friendliness throughout their news conference, a political note was injected later by Michael H. Prendergast, chairman of the Democratic State committee. Mr. Prendergast charged the Governor with "political hypocrisy" on youth camps.

Mr. Prendergast said the Rockefeller administration had begun by halting construction "on a youth camp for which appropriations had already been set aside by the 1958 legislature and full plans drawn by the department of public works."

T. Norman Hurd, State budget director, commented later in Albany that Governor Rockefeller last February had submitted budget requests for $350,000 to build a third work camp, for 50 youths, in Schoharie County, and $400,000 for a fourth camp.

Mr. Hurd said the legislature had found that 50 accommodations could be obtained "a lot faster and at one-fifth the cost" by spending $72,000 for additions to the existing Pharsalia and Monterey camps, and appropriated that sum instead.

Yesterday's meeting took up an agenda for immediate and long-range action worked out last Friday by the Governor and the mayor. Governor Rockefeller praised the city for having moved "on the security aspect with decisiveness" to increase the police force and the number of policemen on patrol.

There was no weight at this discussion to complaints about coddling of youths here, Governor Rockefeller said. Nor was there any discussion of parents' legal responsibility for delinquent children, according to Mayor Wagner.

The Governor's office made public a memorandum saying that the State was paying $1,852,032 of the $4,285,455 cost of the New York City Youth Board program this year, representing 60 percent of the $3,200,000 total in aid distributed by the State Youth Commission.

All State programs against juvenile delinquency throughout the State were listed as follows:

Child welfare services	$4,350,000
Public school programs	1,275,000
Mental health programs through clincs	4,930,000
Mental health treatment in institutions	8,210,000
Reform institutions for youthful offenders	12,800,000
Probation and parole services	1,650,000
Work camps	370,000
Foster care	19,000,000
Youth bureaus	206,000
Recreation	1,600,000
Youth service projects	1,374,000
Youth Commission administrative costs	330,000
Total	56,095,000

[From the New York Times, Sept. 9, 1959]

PROPOSALS BY THE GOVERNOR

Following is the text of a program of action proposed yesterday by Governor Rockefeller to combat juvenile delinquency:

"1. Establish two types of work camps for youth.

"A. For prevention and designed for known potential delinquents. Develop immediately plans for work camps to be operated by the department of conservation in cooperation with the departments of education and social welfare. In these potential delinquents would do needed work on the State lands and in forests. Programs for developing vocational skills useful in urban areas would be geared into the outdoor program. The plan calls for a survey of all facilities which might be obtained and used for these purposes.

"B. For rehabilitation of youths sentenced for lesser offenses. Accelerate expansion of camps under the correction department similar to the two now functioning (North Pharsalia in Chenango County and Monterey in Schuyler County). A program similar to that above but with more security regulations should be adopted for those who can benefit.

"2. Accelerate additional facilities for detention of youth to avoid overcrowding.

"Rush completion of planned expansion of institutional facilities to relieve overcrowding of State institutions and review immediately the needs for new or expanded institutions for young people subject to commitment by the courts.

"3. Augment probation and parole service.

"Extend probation and parole facilities to provide additional supervision of young offenders, particularly those living in high delinquency areas.

"4. Review laws on youth and work.

"Consult immediately with labor and management on revision of the laws governing part-time work for the 14-16 age group. Youngsters unable to profit from regular school program become early troublemakers, disrupting classrooms and destroying school discipline. This proposal is designed to facilitate their being directed toward useful employment to avoid their falling into a pattern of delinquency.

"5. Overhaul outmoded continuation school program.

"Present requirements on part-time day schooling are ineffective and inadequate. Prompt review of the entire continuation school law is essential with particular emphasis on providing for part-time education at night.

"6. Action program with management and trade unions for part-time work for 16-18 year group.

"This calls for working with union leaders, industrialists, and the division of employment of the labor department to initiate a cooperative approach to the employment of youngsters who cannot benefit from further academic instruction and developing a more effective apprenticeship training program. A meeting will be called in the near future to start this program."

[From the Wall Street Journal, Aug. 25, 1959]

LETTERS TO THE EDITOR—SENATOR HUMPHREY

EDITOR,

The Wall Street Journal:

The "boutade" about Senator HUMPHREY's having solutions for problems we don't even have which the Wall Street Journal rhapsodized into a long and irrelevant editorial jibing at the Senator (Aug. 18) is really only a wisecrack. Senator HUMPHREY, indeed, has solutions for problems we don't have, but which we are in grave danger of having. It is a mark of statesmanship to see ahead. Who was the Roman who said "providere est praevidere?"

It is easy to poke fun at a man who thinks ahead and to call him, at least by implication, a visionary. But this is the most unworthy of all argumentation—the "argumentum ad baculum."

Why not try to analyze his thinking clearly and impartially? Or is that asking too much?

IGNATIUS KELLY.

TOLEDO, OHIO.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 16, 1959]

TO HELP THE YOUNG

Another Civilian Conservation Corps—or a reasonable facsimile—will be created if the House follows the Senate in adopting the Humphrey bill. The close vote, 47 to 45, indicates the almost solid Republican opposition, even though the victory was won with two GOP votes, those of Senators WILEY of Wisconsin and YOUNG of North Dakota. It also suggests that prospects in the House are not too bright, particularly so late in the session. Nevertheless, the proposal is constructive.

It calls for a corps of young people between the ages of 16 and 21 who would be employed to conserve and maintain natural resources. The State parks, wildlife refuges, and recreational facilities established with the help of the old CCC demonstrate the usefulness of such work. Thanks to it, many a St. Louisan now can spend a weekend casting for rainbows or camping with his children. And these pleasures are but byproducts of the business of protecting wildlife, forests, and streams.

Senator HUMPHREY, who with 20 colleagues sponsored the bill, pointed out that its adoption also would be "an investment in the conservation of youth." Senator RANDOLPH, of West Virginia, who handled the measure on the floor, said that the number of young in the 16 to 21 age bracket is increasing faster than jobs are opening up for them; so more and more may be condemned to frustration, despair, and delinquency.

The Republicans ridiculed the measure as "a depression program in a prosperity era." Yet Government figures make it clear that a not insubstantial fringe of the population has no share in the generally prevalent affluence. There are, for instance, the idle miners in Senator RANDOLPH's State. There are

families which left submarginal farms and came to the city without industrial skills. There are migratory workers, certain racial groups, and others who find little milk and less honey in the land. And it is from such a background that much of our juvenile delinquency stems. It would be the greatest of all conservation projects to save these youngsters.

The program would begin by enlisting 50,000 of them in the first year. This would be raised to the permanent level of 150,000 in the third year. They would be paid $60 a month, plus subsistence, clothing and equipment. The Government would contribute $125 million the first year, and this would be raised to $375 million the third year. States would share these funds 50–50. Half of the corps would be enlisted on a State-by-State quota system; the other half would be recruited in the areas in which unemployment is worst.

For a decade, according to the Federal Reserve Board, there has been a steady rise in productivity accompanied by a decline in factory employment. This result of mechanization also is apparent in agriculture, and the trend probably will continue for some time to come. The situation calls for the relocation and retraining of workers and those about to become workers. Where old job opportunities are drying up, new ones must be found. Conceivably, the proposed conservation corps could become an instrumentality of this readjustment.

That the United States should conserve its diminishing resources of forest, field, and stream is an economic imperative. That the Nation should conserve its youth is a humane imperative. The Humphrey measure seems to fill both needs. The modest level of the conservation corps makes it not a job-creating device for a depression, but a means for meeting a more or less permanent problem of a changing society.

[From the Washington Post, Sept. 8, 1959]

NEW YORK POLICE INTENSIFY DRIVE TO HALT TEENAGE VIOLENCE—JUDGE GETS TOUGH

NEW YORK, September 7.—Despite the holiday, police continued their intensified drive today against juvenile delinquency and youth violence which has netted a total of 262 arrests throughout the city since last Friday.

* * * * *

Meanwhile, Governor Nelson A. Rockefeller has indicated the State may try a new cure for young hoodlums—outdoor work camps.

Rockefeller meets Tuesday with State, city, religious, and social agency leaders in an effort to step up the war against juvenile crime.

The Governor said the problem wasn't limited to the city, but existed throughout the State, throughout the country, and even throughout the world.

Rockefeller said the camps, if established, would be statewide, and operated in connection with the Conservation Department. They would, he said, be similar to the CCC (Civilian Conservation Corps) camps set up by the Federal Government during the depression of the 1930's.

A pilot program, with about 100 youths, has been in operation for some time, he said.

[From the Jersey Journal, Aug. 17, 1959]

WEIGHING THE COST

The Senate is again considering a bill to establish a Youth Conservation Corps which would enable thousands of young men to work in Federal parks, forests and wildlife areas and on other conservation projects. The only sensible argument thus far advanced against this measure is that such a program would be expensive.

In evaluating this argument, one must consider what the program is intended to accomplish, and what it might in fact accomplish. The new youth corps is patterned after the Civilian Conservation Corps of two decades ago, but some of its objectives are different from those of the old CCC. The differences are important.

The CCC was essentially an economic measure, a plan to give employment to young men who otherwise would have been idle. It did have great side benefits for the public; some of the work done by the CCC youths is valuable to this day. The Youth Conservation Corps now envisioned would be mainly that—a means of getting young men off the streets and into healthful, productive, character-building outdoor work. And as before, the work done would be of general public benefit.

It is true that the program would be expensive—$375 million annually after the first couple of years. This must be balanced against the benefits in terms of the conservation, both human and material, that would result.

[From the Camden Courier-Post, Aug. 18, 1959]

REVIVED CCC MIGHT DO GREAT JOB

By the narrow margin of 47 to 45, the Senate has voted to approve a program that would amount to a revival of the Civilian Conservation Corps. It may be recalled that this was one of the most successful New Deal projects in the early administration of President Franklin D. Roosevelt.

The program would start with 50,000 boys between the ages of 16 and 21, and grow to 150,000. It would be a Federal-State operation, with participating States required to match Federal expenditures. The latter are estimated at $125 million for the first year, growing to $375 million in the third and later years.

Youths enrolled in the program would receive $40 a month plus subsistance, with increases for those who reenrolled, for leaders, and for those showing special skills.

The program is sponsored by Senator HUMPHREY, of Minnesota, 19 other Democrats and 1 Republican. Its principal objective is declared to be the development and conservation of natural resources, and maintenance of rest and recreational facilities in the national parks, forests, and wildlife refuges.

Second, the program is advanced as "an investment not only in conservation of natural resources, but in the conservation of youths who face uncertainties as to employment as they leave school." Its proponents say the number of youths in the 16–21 age group is increasing faster than employment opportunities. This, they say, creates the chance of a large number of them being turned out on the streets to become potential juvenile delinquents.

"The corps would not be juvenile-delinquency oriented," says one sponsoring Senator, but, "is not intended to exclude young men because they have been apprehended by juvenile authorities."

Recruits for the corps would come in part from areas of substantial unemployment and in part from other areas under a State-by-State quota system.

Opponents of the plan, mostly Republicans, say it would amount to instituting a depression program during an era of prosperity. They claim it is deceptive in that its main aim is actually to help solve the delinquency problem, not conservation of natural resources, as its advocates assert. They predict that President Eisenhower will veto the bill if the House passes it.

The prediction may turn out to be erroneous. Both the objectives of the bill seem worthy enough. It doesn't particularly matter which is the main objective and which the secondary.

The CCC did a great job of giving useful work to idle hands during the years prior to World War II. It also did a great job, which has not been adequately done since, in rehabilitating and improving our national parks and forests. The money the Senate has proposed to spend in reviving this youth corps might turn out to be exceedingly well spent.

Mr. MORSE. Mr. President, I desire the attention of the Senator from New York [Mr. JAVITS]. I share completely the views expressed by the senior Senator from Minnesota. I think the Senator from New York is quite mistaken about what the bill could accomplish in connection with the problem which confronts the country concerning juvenile gangs.

The bill we have introduced has the same provisions, in effect, that were in the CCC law when it was passed many years ago. The bill does not require, simply because it contains a requirement that boys be of good character, that those who assign boys to the camps cannot assign anyone who may have had a brush with the law. To the contrary, whether or not a boy is of good character is for someone in authority to determine. The fact that a boy may have taken a joyride in a car which did not belong to him would not exclude him from being assigned to one of the Youth Conservation Corps camps.

The record is perfectly clear that when the CCC camps were in operation, many boys who had belonged to the so-called street gangs were assigned to those camps and met the qualifications. It is rather general language which was put in the bill.

The committee took much testimony on this matter. I do not think the RECORD should stand with the restricted interpretations which the Senator from New York is giving to the bill. The bill does not require that a boy must never have been cited as having been involved in a juvenile escapade. In fact, as the judges who testified before us made clear, that would mean that only those who had not been cited would be eligible for these camps. They pointed out what the statistics and studies show, namely, that a very considerable number of boys from the best families in this country, as well as from the poor families of the country, are involved each year in some escapade which might authorize their being cited by the law.

That is not what the words "good character," as used in the bill, involve. Discretion is allowed to determine whether, on the basis of what is known about giving the boy at the time an opportunity to go to the camp, the boy is, in the opinion of the assigning officers, one who would adjust properly to the camp, without involving problems for other boys assigned there.

We had a battle in trying to decide how to handle this matter properly. We do not want to make this bill a strictly juvenile delinquency bill, in the sense that those eligible to attend the camps would be only those who were found, in fact, to be juvenile delinquents. So we left the language of the bill general.

I agree with the Senator from Minnesota [Mr. HUMPHREY] that if the bill is passed, it will be a great asset to

those who deal with juvenile delinquency in the country.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield briefly to me?

Mr. MORSE. I yield.

Mr. JAVITS. I wish to say to both the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Oregon [Mr. MORSE], for both of whom I have great admiration and respect, that during the recess I will obtain from the leading authorities in New York an analysis of this matter, in terms of the problem in New York. Perhaps that will help all of us.

STEEL STRIKE IN NINTH WEEK

Mr. WILEY. Mr. President, throughout the country, there is a rising concern over the record strike in the steel industry.

Unfortunately, from outward appearances, the strike is assuming the characteristics of being a test of economic strength between the steel industry and the striking union.

There are, however, a great many other factors—outside of the parties directly concerned with the issues involved in the labor-management negotiations—that need to be considered.

As it looks now, the steel strike of 1959 threatens to set a new record for the steel industry.

What are the repercussions?

In the steel industry alone, it is estimated that unemployment is about 500,000 workers; according to estimates, about 150,000 additional employees in allied industries are now out of jobs.

In Wisconsin alone—an area considered to be beyond the effects of the immediate strike—an estimated 1,940 citizens have lost their jobs, with more employment in jeopardy.

The loss to workers, industry, and the Treasury, will, according to estimates, amount to hundreds of millions of dollars.

Regrettably, the repercussions of such a long strike go far beyond the interests of the individuals and parties immediately involved.

What else is involved?

The economic distress created by too-long strikes includes, first, jeopardizing the economic stability of thousands of American families; second, jeopardizing the education and the necessities of life of the children of the thousands of employees who are out of work; third, the increasing number of jobless, due to such a broad-scope strike, adversely affects not only the industry itself, but also the general employment and economic picture throughout the country; fourth, the buying power of the affected individuals and industry is seriously reduced, and results in a slowdown in the economy; and, fifth, about 80 percent of the country's steel output, which is essential to both domestic progress and national defense, is tied up.

NEED FOR STRONGER SENSE OF PUBLIC RESPONSIBILITY

The situation is economically serious. I hope the representatives of either labor or management will make a new effort to reach a settlement.

The Nation cannot afford a public-be-damned attitude, either by labor or by management.

The time when parties in a dispute can engage in a toe-to-toe slugfest, economically, without regard to its impact on the economy and general welfare, should be gone forever.

To the contrary, there should be an increasing sense of public responsibility among the parties to such disputes, particularly when the issues at stake are of broad-scope interest not only to the disputing parties, but also to the whole country.

Actually, the interests of both labor and management are really mutual interests, rather than antagonistic, for the following reasons: First, labor has a legitimate interest in maintaining the health of an industry, to assure the maintenance of jobs, and, so far as possible, to assure the expansion of the industry, so as to provide new jobs; and, second, industry also has a fundamental interest in the welfare of its workers, to assure maximum cooperation, efficiency, and productiveness.

There will, of course, be difference of views as to "who gets what" share of the fruits of labor, and the output of businesses.

However, by strengthening the mutual interests concept, rather than the antagonistic concept, of labor relations, I believe that labor and management can more effectively resolve the differences, and that both parties, as well as the country, will be the benefactors.

Wisely, the President has again urged that a greater effort be made to settle the strike. I believe this is the conviction, not only of the President, but also of the American people.

In a recent issue of the Washington Star, there was published an article entitled "Here's Steel Situation in Strike's Ninth Week." The article refers to the tremendous loss to the steelworkers, to the industry, and to the country as a result of this longest steel strike in the Nation's history. I request unanimous consent that the article, by Norman Walker, be printed at this point in the RECORD.

HERE'S STEEL SITUATION IN STRIKE'S NINTH WEEK

(By Norman Walker)

The steel strike starts its ninth week today.

The strike has settled down to a quiet though intensely grim test of economic strength between the industry and the striking United Steelworkers Union.

The only evidences of any trouble are the darkened, sleeping steel mills and an occasional propaganda blast from the union or industry.

A handful of desultory pickets keeps each mill closed. The industry makes no effort to reopen its shut plants. It's all peaceful—but no steel.

QUESTIONS AND ANSWERS

What brought it about, and what's the situation after 8 weeks? Here are some questions and answers on the situation:

Question. How many steelworkers are striking and how many still working?

Answer. About 500,000 strikers. About 50,000 to 60,000 still working in plants with still unexpired contracts, plants organized by other unions or nonunion plants.

Question. What has been the effect on production?

Answer. It has dwindled from about 2½ million tons per week just before the strike to a trickle of about 330,000 tons per week now. The strike started July 15.

Question. How many other workers have been idled as a result of the strike?

Answer. About 150,000, mainly in allied industries such as railroads, coal mines, etc. However, related unemployment is growing rapidly.

AVERAGE EARNINGS

Question. How much did strikers make before they went out?

Answer. Average hourly earnings were about $3.11. Their base rate is about $2.50 per hour, but they make the rest through overtime, incentives for good production records and various premiums for shift, Sunday and holiday work.

Question. What is a steelworker's average annual wage?

Answer. It varies considerably. It was $5,350 in 1957, a good steel year, and $4,840 in 1958, a poor year. In 1958 more than 22 percent of the steelworkers earned less than $3,600; 8 percent earned $7,200 or more.

Question. Do workers have a retirement plan and who pays for it?

Answer. Yes; management pays the entire cost. Minimum monthly payment is $72 at age 65 after 30 years' service, plus social security.

Question. What do workers pay in dues? What do they get in strike benefits?

Answer. Union dues are $5 monthly for all members. The union pays no strike benefits. Union locals, which retain half the monthly dues, do meet striker emergency needs such as urgent mortgage payments, utility bills, etc. Two local unions at Baltimore currently are paying out $150,000 weekly.

Question. Could lack of funds force the union to capitulate?

Answer. No; but workers lacking ordinary living resources for a long period might force the union to do so. The union has a $33 million treasury. Some 600,000 members in steel fabricating and other lines still are working and paying dues.

Question. What factors could end the strike?

Answer. Workers may tire of going payless. As supplies run out, steel customers could pressure for a settlement. And with ore workers also idled, the industry is in a pinch to lay in enough ore supply before water delivery routes freeze over, if mills are to operate next winter.

STRIKE ANTICIPATED

Question. Why hasn't the 2-month stoppage hurt the Nation more?

Answer. Because the industry produced a 9-month supply of steel in the first 6 months of the year, anticipating the strike. Workers, though technically losing about $70 million a week in wages, will about break even through prestrike and poststrike overtime pay.

(Generally speaking, the Nation will produce and consume only a given amount of steel every year, anyway. It takes a given amount of work to produce it. This can be accomplished steadily or in strike-induced spurts. The result is about the same except for economic disruption to local communities accompanying the latter method.)

Question. Has either side suggested arbitration?

Answer. Not exactly. The union wants President Eisenhower to name a public board to sift the dispute issues and recommend a

solution. This is usually called advisory arbitration. Neither side is bound to accept. The industry has resisted the idea, as has Mr. Eisenhower.

Question. What are the positions of both sides?

Answer. Union: Seeks contract gains equaling those won in 1956 contract—or about 15 cents an hour per year increase in wages and benefits. Says steel firms' profits sufficient to afford it, and not raise prices.

Management: Says any steel labor cost increase would be inflationary. Says any concessions made to union this time must be paid for out of other labor cost economies.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EFFECTS OF DECEASED SEAMEN

Mr. JOHNSON of Texas. Mr. President, my friend, the Senator from Oregon [Mr. MORSE], has been preparing an amendment to Calendar No. 1022, House bill 6067, which was introduced by the Senator from Washington [Mr. MAGNUSON]. Let me inquire whether the amendment is ready.

Mr. MORSE. Yes.

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate that bill, which is the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500 such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 2. Such section is further amended by inserting immediately after "the court may" a comma and the following: "after a period of not less than sixty days after such payment, remittance, or delivery has been made to the court."

Mr. MORSE. Mr. President, the amendment is perfectly acceptable to the Senator from Washington [Mr. MAGNUSON], who has been entirely cooperative with me in this connection.

The amendment means that if a seaman dies and leaves property valued not in excess of $1,500, after the seaman dies, and after his estate is probated, the district court must keep the estate under its control for a period of 60 days. The reason for that is that property amounting to more than $1,500 is of importance and concern to the families of seamen. For instance, as I said on yesterday, if a seaman who dies on the high seas is wearing on his hand a diamond ring which is worth perhaps $500 or $600, or if he leaves among his effects a valuable camera or other items, such property, in total, may approach the value of $1,500. If the court does not have sufficient time in which to determine, before the estate is distributed, who are the next of kin, if the next of kin seems to be a brother, and if the property is given quickly to the brother, a few weeks later it may be discovered that the deceased seaman had a wife and 2-year-old child living in Hong Kong, and that they are sorely in need of the $1,500.

I think we should provide this protection to such persons, because those of us who are lawyers know that when such property is distributed, some rather delicate problems frequently arise.

So I urge that the Senate follow a safety-first course of action—in short, that the Senate agree to this amendment, which will delay for 60 days the final decision, so that we can be certain that those who have an interest in the property of such seaman at least will have an opportunity to be heard.

Mr. President, I urge the adoption of my amendment.

Mr. MAGNUSON. Mr. President, the amendment submitted by the Senator from Oregon certainly improves and helps the bill as reported by the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6067) was read the third time and passed.

MUTUAL DEFENSE ASSISTANCE—MOTION FOR RECONSIDERATION

Mr. JOHNSON of Texas. Mr. President, on behalf of the Senator from New Hampshire [Mr. BRIDGES], I previously entered a motion that the Senate reconsider the vote by which it passed Senate bill 1697, the Mutual Defense Assistance Act, which was introduced by the Senator from Massachusetts [Mr. KENNEDY], on behalf of himself and the Senator from Vermont [Mr. AIKEN].

The Senator from New Hampshire is now in the Chamber. He tells me that this matter will take only a brief time. Therefore, I wonder whether it would be agreeable to him to have the Senate take up at this time the motion to reconsider.

Mr. BRIDGES. Certainly.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the motion to reconsider the vote by which the Senate passed Senate bill 1697, the Mutual Defense Assistance Act, which motion was entered on September 10, 1959, by the Senator from Texas [Mr. JOHNSON].

MUTUAL SECURITY APPROPRIATIONS, 1960

Mr. JOHNSON of Texas. Mr. President, before we proceed with the motion for reconsideration of the vote by which the Senate passed Senate bill 1697, the Mutual Defense Assistance Act, I now move that the Senate proceed to the consideration of Calendar No. 1013, House bill 8385; and I ask that the motion for reconsideration of the vote by which the Senate passed Senate bill 1697 be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the question now is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. HAYDEN. Mr. President, the mutual security appropriation bill as reported to the Senate recommends appropriations in the amount of $3,691 million. This is an increase of $499 million over the House bill. Subsequent to the passage of the mutual security appropriation bill in the House of Representatives, supplemental budget estimates were sent to the Senate which dealt with general governmental matters not related to the mutual security program. Since the only vehicle by which these appropriations could be made was in the mutual security appropriation bill, the committee has added title IV, additional supplemental appropriations and title V, claims and judgments, to the bill. Of the increase of $499 million recommended by the committee, $95 million is for mutual security program, $18 million for a powerplant for the Army in the Ryukyu Islands, $385 million for title IV, additional supplemental appropriations, and $384,000 for claims and judgments.

For the mutual security program, Development Loan Fund, the committee recommended an appropriation of $590 million, an increase of $40 million over the House bill. The committee also increased the House amount for special assistance from $200 million to $245 million, an increase of $45 million. The other major increase was for the technical assistance program where the committee recommended an appropriation of $191 million, an increase of $9,700,000 over the House figure.

Under additional supplemental appropriations, the committee approved an advance of $359 million from the general fund of the Treasury to the highway trust fund to be repaid in fiscal year 1960. The details of the committee action on the appropriation figures as well as the language amendments are explained fully in the committee report.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill, as thus amended, be treated as original text, for the purpose of amendment; and that no point of order be considered to have been waived as a result of such action.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, to what bill is the Senator from Texas now referring?

Mr. JOHNSON of Texas. The mutual security appropriations bill, House bill 8385.

Mr. MORSE. Is the request that the committee amendments be considered en bloc?

Mr. JOHNSON of Texas. Yes; that they be agreed to en bloc; and that the bill, as thus amended, be treated as original text, for the purpose of amendment, so that it will be subject to amendment later on; and that no point of order be considered to have been waived in that connection.

Mr. MORSE. So that the bill, as thus amended, can be further amended later, if that is desired?

Mr. JOHNSON of Texas. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered; and the committee amendments will be considered and agreed to en bloc.

The amendments of the Committee on Appropriations, which were considered and agreed to en bloc, are as follows:

Under the heading "Title I—Mutual Security—Funds Appropriated to the President", on page 2, line 8, after the figure "$1,300,000,000", to insert a colon and "*Provided*, That the unexpended balances of funds heretofore made available under the heading 'Military construction, foreign countries', in chapter IX of the Supplemental Appropriation Act, 1953, shall be consolidated with this appropriation."

On page 2, line 14, after the figure "$700,000,000", to insert a colon and "*Provided*, That not less than $50,000,000 thereof shall be available for Spain exclusive of technical cooperation."

On page 2, line 18, after the numerals "203", to strike out "$550,000,000" and insert "$590,000,000."

On page 2, line 21, after the numerals "304", to strike out "$150,000,000" and insert "$160,000,000."

On page 3, line 3, after "306(b)", to strike out "$1,500,000" and insert "$1,200,000."

On page 3, line 5, after "400(a)", to strike out "$200,000,000" and insert "$245,000,000."

On page 3, after line 5, to insert:

"Special assistance, special authorization: For assistance authorized by section 400(c) in the planning for construction of the American Research Hospital for Children in Poland at the University of Krakov, the equivalent of $50,000 in local currencies."

On page 3, line 12, after "405(a)", to strike out "$8,000,000" and insert "$7,371,000", and at the beginning of line 14, to strike out "Act" and insert "title."

On page 3, line 23, after "405(d)", to strike out "$5,200,000" and insert "$4,632,000."

On page 4, line 6, to strike out "$2,300,000" and insert "$1,910,000."

On page 4, line 8, after "411(b)", to strike out "$37,000,000" and insert "$38,000,000."

On page 4, line 10, after "419", to strike out "$1,500,000" and insert "$2,500,000."

On page 4, line 19, after the word "this", to strike out "Act" and insert "title"; on page 5, line 2, after the word "this", to strike out "Act" and insert "title", and in line 3, after the word "this", to strike out "Act" and insert "title."

Under the subhead "Department of State", on page 5, line 7, after the word "Administrative", to insert "and other", and in line 9, after the word "amended", to strike out "$7,900,000" and insert "$8,100,000."

Under the subhead "Limitation on Administrative Expenses, Development Loan Fund", on page 5, line 22, after the word "exceed", to strike out "$1,750,000" and insert "$1,890,000."

Under the subhead "General Provisions", on page 6, line 5, after the word "this", to strike out "Act" and insert "title."

On page 6, after line 7, to strike out:

"SEC. 103. None of the funds herein appropriated for Defense Support, the Development Loan Fund, Special Assistance or the President's Special Authority and Contingency Fund shall be used to finance nonmilitary programs or projects which have not met the standards and criteria used in determining the feasibility of flood control, reclamation and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per circular A–47 of the Bureau of the Budget, dated December 31, 1952."

And, in lieu thereof, to insert:

"SEC. 103. None of the funds herein appropriated for Defense Support, the Development Loan Fund, Special Assistance, or the President's Special Authority and Contingency Fund shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program unless and until there is prepared on the basis of all available data a detailed evaluation which provides reasonable assurance that the total benefits of such project or program will be at least equivalent to the total costs thereof."

On page 7, line 12, after the word "this", to strike out "Act" and insert "title."

On page 7, line 22, after the word "this", to strike out "Act" and insert "title", and in line 24, after the word "this", to strike out "Act" and insert "title."

On page 8, line 4, after the word "Section", to strike out "205(1)" and insert "205(l)."

On page 8, line 10, after the word "Section", to strike out "501" and insert "501(b)."

On page 8, after line 11, to strike out:

"SEC. 111. None of the funds herein appropriated shall be used to carry out the provisions of Chapter VI of the Mutual Security Act of 1959."

On page 8, at the beginning of line 15, to change the section number from "112" to "111", and at the beginning of line 18, to insert "(other than an organization, company, or concern not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual)."

On page 9, after line 3, to strike out:

"SEC. 113. None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, during any period when more than twenty days have elapsed between the request for, and the furnishing of, any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration, to the General Accounting Office or any Committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriation for or expenditures of the International Cooperation Administration and the Department of State."

On page 9, after line 16, to insert:

"SEC. 112. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the mutual security program for the fiscal year 1960, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program."

On page 10, after line 2, to insert:

"(b) Within thirty days following the approval of any change in the mutual security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor."

On page 10, after line 14, to insert:

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended."

On page 10, after line 17, to insert:

"SEC. 113. The Congress hereby reiterates its opposition under present conditions to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter."

On page 11, after line 9, to insert:

"SEC. 114. None of the funds herein appropriated for carrying out mutual assistance or economic development programs shall be used to provide facilities for, or to increase, the production of any agricultural commodity or product for marketing outside the country of production in competition with any agricultural commodity, or any product thereof, which is in surplus supply in the United States."

On page 11, after line 16, to insert:

"SEC. 115. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this Act, these principles shall be applied as the President may determine."

Under the heading "Title II—Department of the Army—Civil Functions", on page 14, after line 17, to insert:

"CONSTRUCTION OF POWER SYSTEMS, RYUKYU ISLANDS

"For loans by the Secretary of the Army to the Ryukyu Electric Power Corporation, an instrumentality of the United States Civil Administration of the Ryukyu Islands, for construction, installation, and equipment of electric power systems in the Ryukyu Islands, $18,000,000, to remain available until

expended: *Provided*, That repayment of such loans shall be made to miscellaneous receipts of the Treasury over a period of twenty-five years to commence five years after the date any such loan is made, with interest at such rate as may be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having a comparable maturity."

At the top of page 17, to insert a new title, as follows:

"TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

"Executive Office of the President

"Office of Civil and Defense Mobilization

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' to be allocated for expenses necessary to discharge such civil defense and defense mobilization functions performed by other Federal agencies, as may be designated by the Office of Civil and Defense Mobilization, including payments by Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, $6,500,000."

On page 17, after line 13, to insert:

"DEPARTMENT OF COMMERCE

"General administration

"Participation in Century 21 Exposition

"For expenses necessary to carry out the provisions of the Act of September 2, 1958 (72 Stat. 1703), as amended, including not to exceed $5,000 for official entertainment expenses, $12,500,000, to remain available until expended: *Provided*, That this amount shall be available only upon enactment of S. 2065 or H.R. 8374, Eighty-sixth Congress, or similar legislation."

On page 18, after line 2, to insert:

"BUREAU OF PUBLIC ROADS

"Federal-aid highways (trust fund)

"For an additional amount for 'Federal-aid highways (trust fund),' to remain available until expended, $188,000,000, or so much thereof as may be available in and derived from the 'Highway trust fund,' which sum is part of the amount authorized to be appropriated for the fiscal year 1959."

On page 18, after line 10, to insert:

"HIGHWAY TRUST FUND

"For repayable advances to the 'Highway trust fund' during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), $359,000,000: *Provided*, That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this amount shall be withdrawn."

On page 18, after line 17, to insert:

"DISTRICT OF COLUMBIA

"(District of Columbia funds)

"Operating expenses

"Metropolitan Police

"For an additional amount for 'Metropolitan Police', $406,000, of which $60,000 shall be payable from the highway fund and $346,000, from the general fund."

At the top of page 19, to insert:

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

"Public Health Service

"Grants for waste treatment works construction

"The amount appropriated under this head in the 'Supplemental Appropriation Act, 1960' shall remain available until five days after the approval of this Act."

On page 19, after line 7, to insert:

"CONSTRUCTION OF INDIAN HEALTH FACILITIES

"For an additional amount for 'Construction of Indian health facilities', including the purposes of Public Law 86–121, approved July 31, 1959, $200,000."

On page 19, after line 11, to insert:

"INDEPENDENT OFFICES

"Federal Aviation Agency

"Expenses

"For an additional amount for 'Expenses', $17,000,000, to be derived by transfer from the appropriation for 'Establishment of air navigation facilities', fiscal year 1960; and the limitation under the head 'Expenses' in the Independent Offices Appropriation Act, 1960, on the amount available for expenses of travel is increased from '$13,500,000' to '$14,125,000'."

On page 19, after line 21, to insert:

"ESTABLISHMENT OF AIR NAVIGATION FACILITIES

"Not to exceed $4,000,000 of the appropriation made available under this head in the Independent Offices Appropriation Act, 1960, shall be available for expenses of travel."

On page 20, after line 2, to insert:

"CONSTRUCTION AND DEVELOPMENT, ADDITIONAL WASHINGTON AIRPORT

"For an additional amount for 'Construction and development, additional Washington Airport', $2,450,000."

On page 20, after line 6, to insert:

"HISTORICAL AND MEMORIAL COMMISSIONS

"Franklin Delano Roosevelt Memorial Commission

"For expenses necessary to carry out the provisions of the Act of August 11, 1955 (69 Stat. 694), as amended, $150,000, to remain available until expended."

On page 20, after line 11, to insert:

"NATIONAL LABOR RELATIONS BOARD

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', including rental of office space in the District of Columbia, $500,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of the Labor-Management Reporting and Disclosure Act of 1959."

On page 20, after line 18, to insert:

"HOUSING AND HOME FINANCE AGENCY

"Office of the Administrator

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $290,000, of which $220,000 shall be available only upon the enactment into law of legislation continuing beyond September 30, 1959, the program authorized by title VI of the Housing Act of 1954, as amended (68 Stat. 590, 637)."

On page 21, after line 2, to insert:

"URBAN PLANNING GRANTS

"For an additional amount for 'Urban planning grants', $1,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of legislation amending section 701 of the Housing Act of 1954, as amended, so as to authorize appropriation of the foregoing amount."

On page 21, after line 8, to insert:

"DEPARTMENT OF THE INTERIOR

"Bureau of Indian Affairs

"Distribution of funds of the Creek Indians

"For an additional amount for necessary expenses incident to the distribution of funds belonging to members of the Creek Nation of Indians, in accordance with the Act of August 1, 1955 (69 Stat. 431), as amended, $100,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 2339, or H.R. 8317, Eighty-sixth Congress, or similar legislation."

On page 21, after line 19, to insert:

"DEPARTMENT OF LABOR

"Labor-management reporting and disclosure activities

"Salaries and expenses

"For expenses necessary for the performance of the functions vested in the Secretary by the Labor-Management Reporting and Disclosure Act of 1959, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and rental of office space in the District of Columbia, $2,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of the Labor-Management Reporting and Disclosure Act of 1959."

On page 22, after line 6, to insert:

"TREASURY DEPARTMENT

"Bureau of the Mint

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $300,000."

On page 22, after line 11, to insert:

"U.S. COAST GUARD

"Operating expenses

"For an additional amount for 'Operating expenses', $800,000."

On page 22, after line 15, to insert:

"TITLE V

"Claims for damages and judgments

"For payment of claims for damages as settled and determined by departments and agencies in accord with law and judgments rendered against the United States by United States district courts as set forth in Senate Document Numbered 48, Eighty-sixth Congress, $384,508, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act."

MUTUAL DEFENSE ASSISTANCE—MOTION FOR RECONSIDERATION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the further consideration of the mutual security appropriations bill, House bill 8385, be temporarily laid aside, and that at this time the Senate proceed with consideration of my motion that the Senate reconsider the vote by which it passed Senate bill 1697, the Mutual Defense Assistance Act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

The Chair now lays before the Senate the motion of the Senator from Texas [Mr. JOHNSON], which was entered on September 10, 1959, that the Senate reconsider the vote by which it passed Senate bill 1697, the Mutual Defense Assistance Act.

The question now is on agreeing to the motion of the Senator from Texas for reconsideration of the vote by which the Senate passed the bill.

Mr. BRIDGES obtained the floor.

Mr. MORSE. Mr. President, will the Senator from New Hampshire yield for a quorum call? Would he like to have the absence of a quorum suggested at this time?

Mr. BRIDGES. I do not care to have that done now.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. BRIDGES. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas that the Senate reconsider the vote by which it passed Senate bill 1697, the Mutual Defense Assistance Act.

The motion to reconsider was agreed to.

Mr. JOHNSON of Texas. Mr. President, the other day, when the bill was acted on by the Senate, I agreed that when the Senator from New Hampshire [Mr. BRIDGES] returned to town, if he wished to have the vote by which the Senate passed Senate bill 1697 reconsidered, that would be done; and I entered the motion to reconsider.

The PRESIDING OFFICER. The motion to reconsider has been agreed to.

The question now is, Shall Senate bill 1697 pass?

Mr. BRIDGES. Mr. President, the bill introduced by the Senator from Massachusetts [Mr. KENNEDY], on behalf of himself and the Senator from Vermont [Mr. AIKEN], seeks to accomplish what was attempted last year as an amendment to the Mutual Security Authorization Act. It essentially provides for changes in the Battle Act. It will be recalled that our former colleague, Senator Knowland, and I led the fight to strike out this so-called Kennedy amendment, which had been adopted by the Senate Foreign Relations Committee. That effort was successful; and the Kennedy amendment, providing further watering down of congressional control, was defeated.

The changes in the Battle Act which this bill proposes would serve to water down materially the prohibition against trading in strategic materials with Communist-controlled countries. The purported justification for this reversal of policy is, as I understand it, to allow discretionary action in cases in which it might appear that such materials would aid a country to break away from Communist control.

Mr. President, I certainly cannot sit idly by at this moment without expressing serious doubts about the hoped-for results. The aim is laudable, but would the balance of results be favorable under the proposals of this bill? Nothing has taken place in world events in the last year that would indicate any altered circumstances which would change the unwisdom of last year's attempt into wisdom this year. The Battle Act was wise legislation, which has well stood the test of time; and in my career in this body, I personally have never felt the need of change for the fact of change alone. That is all that this proposed legislation would provide.

I am greatly perplexed by the desire on the part of some of my colleagues to increasingly deviate from the stated purposes of mutual security by various devices which effect changes without benefit of full and exhaustive hearings as a basis for consideration and debate. The amendment of last year was adopted in the committee after hearings which consumed less than one page in the printed report, and that consisted only in self-serving questions and answers designed only to establish the mere desirability of greater flexibility.

Nowadays, it seem to me, we make a fetish of flexibility. We are constantly being assailed by statements that the situation—any situation—has now become so fluid that greater flexibility must prevail. Desirable as may be some degree of flexibility, it is axiomatic that even a good thing can be carried too far, and the case of flexibility carried too far means only lack of restraint and lack of control. Almost daily as the Congress bemoans its increasing lack of control, it further strips itself of it. The concept of control was vested in the Congress by the Constitution because of its close relationship to the ultimate controlling authority, the electorate.

As opposed to flexibility "run wild," I think there is some virtue in consistency. I do not mean the consistency which has been called "the hobgoblin of little minds," but the consistency which furnishes a pattern for orderly and purposeful action. This is particularly necessary in matters of foreign policy and foreign relations, when our flexibility of the past has meant frustrating confusion to those whom we would help the most. We need more of the consistency of firm purpose shown in the Berlin airlift of 10 years ago, the Quemoy and Matsu resistance of a year ago, and the Lebanon stabilizing of last year, rather than a greater flexibility in regard to the flow of strategic materials which will be made the subject of every artifice known to Communist wiles in order to divert these materials into Communist channels for Communist purposes.

Mr. President, in summation, let me say that the authors themselves of this bill show signs of realization of the wisdom of recanting from the extreme flexibility of the proposed amendment of last year. I point to the fact that last year's proposed amendment singled out merely Communist China and North Korea as areas unfit for consideration under a policy of flexible application of the Battle Act. The bill now introduced enlarges this category to include, "any areas in the Far East which are Communist held." Can this indeed mean a partially awakened understanding that one just cannot do business with communism? This partial awakening is still not sufficient for me to be able to support this bill, nor do I think it will be for others among us who remember well the lessons of the past.

Mr. President, I feel very strongly on this question. I cannot understand this attempt, nor do I think our country can gain from it, to further weaken the provisions of the Battle Act. That act was passed after very serious consideration and long debate and discussion in the Senate of the United States and in the House of Representatives. Here we come forward with a measure which received relatively brief hearings, and I might say, without criticizing the Foreign Relations Committee, not too great consideration by the committee, sponsored by two fine gentlemen of this body. But I wonder if they have thought through the ultimate effect of this provision. I think we are treading on dangerous ground. I think we shall be moving in the wrong direction, and I hope that this measure may be defeated.

Mr. MANSFIELD. Mr. President, I commend the distinguished senior Senator from New Hampshire [Mr. BRIDGES] for the consistency he has shown this matter down through the years. I would point out that S. 1697 would amend the Mutual Defense Assistance Control Act of 1951—the so-called Battle Act—to strengthen U.S. policy toward the Communist bloc and to encourage and help Soviet-dominated countries to loosen their bonds by making it legally possible to furnish economic and financial assistance—not military aid—to any nation or area, except the Union of Soviet Socialist Republics and Communist-held areas of the Far East, whenever the President determines that such assistance is important to the security of the United States.

This bill provides no money for assistance to any nation, nor does it direct or urge the President to provide aid to any nation. It simply makes a change in the Battle Act allowing the President to extend economic and financial assistance to certain Communist satellite nations if he deems it important to the national security. In no case does it allow the furnishing of military equipment.

Under date of April 6, 1959, there is in the report a letter addressed to the Vice President of the United States by the Honorable Christian Herter, Acting Secretary at this time, in support of this proposal. I will read the letter because it is short:

DEAR MR. VICE PRESIDENT: The enclosed draft bill to amend the Mutual Defense Assistance Control Act of 1951 is submitted to carry out the recommendation of the President in his budget message of December 22, 1958, for legislation "to revise requirements on eligibility of countries for aid and thus provide the necessary additional flexibility to help nations that are resisting Soviet domination." The Mutual Defense Assistance Control Act generally prohibits the furnishing by the U.S. Government of military, economic, or financial assistance to nations which knowingly permit the shipment of strategic materials to any nation or combination of nations threatening the security of the United States, including the Soviet Union and all countries under its domination.

The bill would change the Mutual Defense Assistance Control Act of 1951 in two re-

spects. First, it makes a technical change in the administrative provisions of the act to conform to the existing situation resulting from legislation and Executive orders since 1951.

Second, it amends section 303 of the act to permit greater flexibility in providing economic and financial assistance to nations or areas other than the Soviet Union and Communist-held areas of the Far East. The amendment of this section of the act contains the substance of the amendment to the mutual security bill reported by the Senate Committee on Foreign Relations during the 2d session of the 85th Congress. It would permit, when determined by the President that it is important to the national security, the furnishing to certain countries of types of economic and financial assistance which cannot now be furnished, such as Export-Import Bank loans and loans of local currency accruing to the United States from the sale of surplus agricultural commodities. Such flexibility is desirable in the conduct of the foreign relations of the United States, since it will enable the U.S. Government to act more effectively and economically when economic or financial assistance to such nations is in the national interest.

Sincerely yours,

CHRISTIAN HERTER,
Acting Secretary.

I regret that one of the cosponsors of this bill, the distinguished junior Senator from Massachusetts [Mr. KENNEDY], is absent on official business; but I note that the cosponsor, the distinguished senior Senator from Vermont [Mr. AIKEN] is on the floor and may have something to say on it.

I urge the passage of the bill.

Mr. AIKEN. Mr. President, this bill was reported by the Foreign Relations Committee after due consideration and without objection within the committee. It would accomplish the same objective as a bill which was defeated last year by one vote. It is not exactly identical with the bill which was acted upon by the Senate last year, but it would accomplish the same result.

First, this bill was introduced by the Senator from Massachusetts [Mr. KENNEDY] and myself at the request of the State Department with the assurance that the administration would wholeheartedly support it this year. The bill merely authorizes the President to render assistance primarily, if not exclusively, to the satellite states which are located in Eastern Europe, and to give them assurance that they would have a friend in the United States should they seek to divorce themselves from the Soviet orbit at some time. It lies within the discretion of the President whether or not this assistance shall be rendered. I think the most striking example of what results might be expected from the enactment of the proposed legislation lies in the situation which exists in Poland today. We were all tremendously pleased by the reception given to Vice President NIXON on his visit to Poland. The gratitude of the Polish people for what we have been able to do for them was demonstrated in a manner almost unparalleled in our relations with any other country. The people in Eastern Europe look to us.

We are their hope, and they are a bulwark between us and the Communist headquarters at Moscow. If Russia did not have reason to fear the people of the satellite nations, it is entirely possible that Western Europe would have been invaded long before this time.

It seems to me that in being in a position to render aid to the countries of Eastern Europe we have one of the most effective weapons against communism that is available. I believe that what has been done in Poland could be done in others of the so-called satellite nations. We have seen what the people of Hungary think. They were rather spontaneous and probably precipitous and premature in their actions in revolting 2 years ago, but their action nevertheless indicated their feelings against international communism.

I believe we will find the same situation true in Rumania and possibly in other Eastern European countries. I think the enactment of this bill on the eve of the visit of the leader of the Communist world would be very timely, that is, as far as Russia and the Eastern European satellites are concerned.

Mr. President, I hope that this bill, which has been supported by our military and diplomatic leaders, will be enacted into law without any further delay. Such action would not mean that we are committing ourselves to giving aid in any form to specified countries. It means, rather, that if the time comes when the President decides that by giving aid to them we can strengthen ourselves against international communism, he will have authority to do so.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. BRIDGES. The Senator made the broad statement that the bill has the support of our civil and military leaders. I wonder if he would name some of the military leaders who are supporting the bill?

Mr. AIKEN. Yes. I do not know whether the information I have is printed or whether it is classified. As it relates to aid for Poland, when General Norstad was before the Foreign Relations Committee, I asked him what he thought about aid to Poland. He said, "Anything you can do for Poland will be money damned well spent." I think those are his exact words.

Mr. BRIDGES. The Senator is not answering the question. He said military and civilian leaders favored the bill.

Mr. AIKEN. They favor the objectives of the bill, and if the heads of the State Department are not the diplomatic leaders of our country, who are our leaders?

Mr. MANSFIELD. The President has recommended it.

Mr. AIKEN. If the administration is not headed by a military leader, whom is it headed by? We have been assured the administration would back us on the bill this time, and so far no evidence to the contrary has been produced. It is true that last year when Senator KNOWLAND returned after a visit to the White House he made the statement that the President did not want this provision in the Mutual Security Act. I do not know what else he said; at least the President never denied that statement. At any rate, we are told this year the administration is supporting it as an amendment to the Battle Act.

Mr. BRIDGES. I have talked to a great many military men, and I do not remember any man in active military service who has favored the repeal of the Battle Act.

Mr. AIKEN. I did not mention repeal of the Battle Act. This bill amends the Battle Act. If the Senator from New Hampshire does not wish to consider the President of the United States, who under the Constitution is the Comander in Chief of our Armed Forces, as a military leader, or General Norstad, who represents the NATO forces, as a military leader, then I do not know whom he would consider to be military leaders. I have an idea, but I am not going to name them.

Mr. BRIDGES. I do not quarrel with the position of the President of the United States. He has a right to his position. General Norstad has a right to his. But the Senator from Vermont, in the very able manner in which he debates, quotes General Norstad on a different subject from that which should be applied to the bill.

Mr. AIKEN. What we have done for Poland, the President should have the right to do for the other countries of eastern Europe. I know how Hungary feels. There are many Hungarian boys in my own town. Two of them have lived in my own home for the last 2 years. No one can tell me the people of Hungary do not like liberty just as much as do the people of Poland. It is impossible for any of them to achieve it fully at this time, but I suggest that we give them a chance to do so. When the time comes we do not want the international Communist leaders to have our assurance that under no circumstances will we help any of these countries who try to break loose from the Communist orbit.

We have helped Yugoslavia. Some think we should not have done that, but I think it is one of the best investments we ever made when we first sent food into Yugoslavia so they could become independent. It is true they are Communists. It is true that Poland has a Communist government today. But if we have more devoted friends anywhere in the world than the people of Poland, it has not been demonstrated so far.

Mr. BRIDGES. We have given aid to Poland and we have given aid to Yugoslavia.

Mr. AIKEN. That is correct.

Mr. BRIDGES. What this bill further does is to let down the bars.

Mr. AIKEN. It authorizes the President to give aid to Czechoslovakia, Rumania, and Hungary.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. "At the request of the President."

Mr. AIKEN. Yes, at the request of the President; and the President is required to notify the appropriate committees of Congress whenever he contemplates such action. The bill states whenever he determines such assistance is important to the security of the United States.

I read from the bill:

The President shall immediately report any determination made pursuant to this subsection with reasons therefor to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

Mr. BRIDGES. If the Senator from Vermont [Mr. AIKEN] will come back to my question again, I do not want to impress him unduly, but he made the statement that our military and our civilian leaders are behind this bill. He has quoted the President of the United States and General Norstad. But are there any other leaders who are behind the bill?

Mr. AIKEN. I can think of some that probably would not be behind it. The President recommended this action in his budget message.

I do not believe I need to go beyond the Commander in Chief of our Armed Forces and the commander of the NATO forces to present military authorities.

If President Eisenhower and General Norstad are not authority enough, I am not going down the ranks. They are the top men.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. BRIDGES. General Norstad did not say anything about the bill, did he? He was testifying on another subject.

Mr. AIKEN. He was speaking about Poland, when it was contemplated that we might give aid to Poland. At that time the other countries were not brought into the picture.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HUMPHREY. Is not this bill merely standby authority for the President?

Mr. AIKEN. Absolutely. If any Senator does not trust the President of the United States, whoever he may be, to exercise his authority properly, I would not expect him to vote for the bill.

Mr. HUMPHREY. The change proposed is merely to provide for a continuation of the policy which has been pursued recently, and which has been quite effective in Poland and Yugoslavia.

Mr. AIKEN. That is true. I do not think we have made any better investment anywhere than the small amount of assistance we have given to the people of Poland. I have differed many times with the views of the President of the United States, but I do recognize him as the Commander in Chief of our Armed Forces.

Mr. HUMPHREY. Is it not true that this particular bill had the approval of the administration, which means, apparently, that it must have been approved by the Department of Defense, the Department of State, the CIA, and the agencies coordinated by the Bureau of the Budget, as the spokesman for the President?

Mr. AIKEN. The bill was introduced at the request of the State Department, which I assume to be a part of the administration.

Mr. HUMPHREY. The administration did not object to the bill. The President asked for it and supported it.

Mr. AIKEN. He asked for it in his budget message.

Mr. HUMPHREY. Mr. President, with the permission of the Senator from Vermont, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a portion of a statement which I have prepared on this subject.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The basic justification is that the world has changed since 1951 in such a way as to make possible direct contact in several ways with the people in the Eastern European satellites. The Battle Act, as written in 1951, really did not take account of such a possibility. The existing law has interfered with the policy objective of helping the freedom-loving peoples of Eastern Europe and other areas to achieve greater economic, political, and social freedom by means short of war. The argument was put by Secretary Dulles when he appeared before the committee on March 24, and endorsed the proposed change in the Battle Act. Secretary Dulles said:

"The ability to use these funds to achieve the objectives desired by the Congress sometimes is inhibited by the rigidity of provisions which are imposed by the Congress with one situation in mind, and then actually you get a new situation which the Congress did not foresee, but you find yourself tied up with those provisions that were put in for another purpose and which, at the time it was done, it was quite understandable.

"Therefore, more flexibility would, in my opinion, be very desirable."

The United States has been increasingly successful in reaching the people behind the Iron Curtain. More broadcasts are getting through. Exchanges of persons and other cultural exchanges are on the increase. Private relief and educational organizations have been allowed to operate in some instances. The U.S. Government has twice given economic aid to Poland of a limited character mainly in the form of sales of surplus food. These are some of the ways in which we have been able to demonstrate the friendship which the people of the United States feel toward the peoples of the Communist countries of Eastern Europe. These are some of the ways by which we have been able to let these people know that they are not abandoned.

The change which is now proposed in the Battle Act will permit a continuation of this policy. No one denies that the policy has some risks attached to it. The recommendation of the Committee on Foreign Relations to the Senate is based on the belief that the advantage to the United States outweigh these risks. The committee was persuaded in part by the results of the long history of assistance to Yugoslavia. If it were not for U.S. assistance to Yugoslavia, that country long ago would have returned to complete domination by Moscow. Our assistance, however, has made it possible for Yugoslavia to remain independent for 10 years, a constant irritation to Moscow and a constant reminder of disunity and the possibility of dissension within the Communist system. It is suggested that any serious student of this subject will agree that the dispute between the Yugoslavian Communists on the one hand, the Moscow and Peiping Communists on the other hand, is a real and bitter dispute. Tito has successfully refused so far to take orders from the Kremlin. The most recent outbreak of trouble in the Communist family has now resulted in the reneging by the Soviet Union on its promise to aid Yugoslavia in industrial development. This has caused an actual injury to Yugoslavia because on the strength of the Soviet promise Yugoslavia undertook investments which may now have been undertaken in vain. It seems clear that the lesson of the dispute between Yugoslavia and the Soviet Union is not lost on people who are captive under communism elsewhere.

A successful foreign policy must be a flexible one. It must take account of changes in facts. We are witnessing an important shift in the policies of the Soviet Union. Moscow apparently does not now base its hopes for world domination upon the success of armed aggression. The Soviet Union has undertaken a broad economic offensive. We have even seen the appearance of Russian trade missions bearing tempting offers in Latin America. The United States cannot stand still in our policies. We must, it seems to me, give the President the authority to furnish assistance to some of the satellite countries when he finds that to do so will increase the degree of independence of a satellite from domination or control by the Soviet Union or Communist China.

The authority which is proposed for the President is strictly standby authority. There is no planned program of aid to satellite countries. When and if situations arise which would make a program of economic assistance desirable to a country in Eastern Europe, for example, the Congress will have an opportunity to review such a proposal. The pending bill provides that the President shall immediately report any determination made under the new section of the Battle Act to the appropriate committees of the Congress. Meanwhile, in advance of such a determination, the President will have useful additional scope for negotiation.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. BRIDGES. The inference drawn by the Senator from Minnesota assumes a great deal. He assumes that because the bill is before us and certain people are for it, and certain departments are for it, everyone is for it. He makes a broad assumption.

Mr. HUMPHREY. Not at all. I know that the Senator from New Hampshire is not for it. Many people are not for it. What I am saying is that the President apparently was for it. The State Department is his agent, in terms of our foreign policy. The Bureau of the Budget is his coordinating agency for all policy statements of the Government. I gather that the Budget Bureau does not object. The State Department is for it.

Mr. AIKEN. I agree that there are many people in this country who would not be for the bill. There are also too many people who still regard war as the only means of settling international controversies. I differ with them. I believe the majority of the people disagrees with them. I hope the majority of the Congress will disagree with that position. There are other weapons besides armed strength and war, which can be used in the fight against international communism.

Mr. BRIDGES. The Senator does not mean to say, does he, that anyone who is against his bill is for war?

Mr. AIKEN. In the past, people have acted rather warlike under different circumstances. No; I did not say that anyone who is opposed to the bill is for war. What I said was that I agree that there are undoubtedly many people in the country who would be against the bill.

There are also many people who still regard war as the only solution to our international problems. I disagree with them, whether they are against the bill or whether they believe in continuous warfare to establish and maintain the dignity of the United States, and to command respect for the United States.

Mr. BRIDGES. Mr. President, has the Senator concluded?

Mr. AIKEN. If the Senator desires the floor in his own right, I yield the floor.

Mr. BRIDGES. Mr. President, I wish merely to point out that this is an old game that is being played. I stood on the floor of the United States Senate back in 1940 and 1941 and proposed and supported a resolution which would have prohibited the shipment of scrap iron and steel to Japan. It was beaten on this floor.

What did those who opposed the resolution say? They said, "Oh, no; it will not bring on war. We cannot afford to offend a great friendly nation," and so forth in the same vein.

What happened? That scrap iron and steel came back in the bodies of American bodys, from Pearl Harbor on.

How much do we want to lower the barriers to nations which are our sworn enemies? Senators have stated in the past, "We should help certain countries that are controlled by the Communists." We have been helping some of those countries, but this is a further lowering of the bars. The question is, How far do we wish to go?

My mind goes back to the days before World War II. Other Senators and I were trying to stop the shipment of aviation gasoline, scrap iron, steel, and other things to Japan at that time. We were beaten down. Are we now moving in the same direction? That is one of the questions I would like to ask. That is one of the reasons why we should go slowly in the direction of the further repeal of the Battle Act.

Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. BUTLER subsequently said: Mr. President, I ask unanimous consent that a statement I have prepared in connection with the bill just passed be printed in the RECORD before the vote.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

I am deeply disturbed by the amendment of the distinguished Senator from Massachusetts. What are its provisions? One, that the President may furnish economic and financial aid to any country but the Soviet Union and Communist-held areas of the Far East when he deems it best for the security of this country to give such aid; and (2) that he shall continue to give aid to any country which in its turn gives other than war materiel or atomic energy materials to any nation other than the Soviet Union and Communist-held areas of the Far East.

The Foreign Relations Committee report explains the purpose of the bill in this way: S. 1697 would amend the Mutual Defense Assistance Control Act of 1951 to strengthen U.S. policy toward the Communist bloc and encourage and help Soviet-dominated countries to loose their bonds. Those are brave, inspiring words, words like "strengthen," "encourage," "loose their bonds." And yet, how realistic are these words? How can a few millions or even a few billions "strengthen" a satellite country to loosen its bonds with the Soviet Union when the leaders of those satellite countries do not want to loosen the bonds of communism?

We are familiar, I am sure, with the tumultuous reception accorded Vice President NIXON on his arrival in Warsaw several weeks ago. We have seen the television films and read the newspaper reports of the happy faces, the friendly salutes, the bouquets of flowers thrown by the Polish people at the Vice President on his ride into Warsaw. One would conclude that from such a reception and from such a demonstration that the Polish people are genuinely our friends. The smiles and cheers upon Vice President NIXON'S arrival and the contrasting silence and cool reception of Premier Khrushchev have been widely reported and noted, yet, what was the attitude of the Polish Government, a Communist government, let it be remembered, although some people seem to forget it very easily, toward the Vice President? On the surface, cordial, warm and friendly, but the clear surface was broken on the Vice President's last night in Warsaw at an official reception.

This is what happened as reported in an outstanding Midwest paper: Before hundreds of Communist government officials, Mr. NIXON proposed a toast: "Let us drink," he said, "to one world in which all people will choose their own form of government." There was a pause and then the Prime Minister of Poland, a Communist Party official, replied: "Let us not forget that we Poles are allies of the Soviet Union. If there is to be one world, let it be one world in which we all sing the Internationale together."

That was the Prime Minister of Poland revealing the intent and purpose of his country and every Communist country in this world. It is indisputable, yet there are many who dispute it. It is a matter of record, and yet there are those who choose to ignore it. Yes, it is a warning that should sustain the wavering thoughts and opinions of many Americans these days who would give in here and give in there and give in every time and unceasingly until we are living in one world where we all sing the Internationale together.

It is argued by proponents of this bill that incidents like the Hungarian rebellion and the election of the Gomulka regime in 1956 are manifestations of fissures in the Communist bloc, and that these fissures would grow wider and perhaps split the bloc if more American aid were given to countries like Hungary and Poland. But who would receive this aid? The dissidents and rebels within these countries or the incumbent party officials who would reward their supporters with our money? The answer is obvious. Gomulka will hold out his hand and pocket our money, while remaining a Communist dedicated to the overthrowal of the Western World.

It is further argued that the absence of support from the free world in a nation's attempt to loosen its bonds from Moscow would convince the people of the futility of the effort. But who rebelled in 1953 without Western aid? East Berlin. Who rebelled in 1956 without Western aid and whose cries still ring in the minds of certain Americans? Hungary. On the other hand, what country has received aid from this country and remains Communist? Yugoslavia. Perhaps it is not now a part of the Soviet bloc, but it broke with the Soviet Union long before we began giving it financial and military aid.

Proponents argue that as evidenced by the Hungarian rebellion of 1956, events can move rapidly in the Communist bloc and the United States must be prepared to take appropriate action. Do these proponents believe that appropriate action in the Hungarian rebellion would have been to send a million dollars to the rebels being shot to pieces by tanks in the streets of Budapest? Do the proponents think that appropriate action would have been to ship a freighter or two of wheat and barley in the hopes that somehow the Soviets would allow it to be distributed to the freedom fighters as they resisted the Soviet forces? It is argued that the bill provides no money for assistance to any nation nor does it direct or urge the President to provide aid to any nation. But that the State Department should assist in the writing of this amendment suggests strongly that that is exactly what they are going to do as soon as they have the authority—to send assistance to Poland, to Hungary, to all the other satellite countries where that assistance will be distributed according to the needs of the party faithful while the millions of enslaved people wonder what sort of monster the United States must be, to strengthen and encourage Communist bosses.

In any event, this is a matter in which the legislative branch has grave responsibilities. If unique circumstances in the future suggest that economic aid from the United States to a particular satellite nation might reasonably prove beneficial to both the free world and the people of the nation involved, I am confident that the House or the Senate can act quickly and decisively as it has on previous occasions involving other foreign policy decisions.

Let me repeat, a man like Gomulka is not a Pole; he is a Communist, and he will support Polish nationalism only if he is made to. Funds from a capitalist country like America will not encourage him to try capitalism—he will use those funds to bypass Polish freedoms and to impose communism that much sooner upon the people and the country. If he does not, he will be deposed, shot and another Polish Communist put in his place. That is the method and the cold madness of communism.

It is argued that through this amendment the United States shall demonstrate its sympathy toward the aspirations of those peoples to throw off Soviet domination. In my opinion, this country if it passes this amendment shall be strengthening satellite countries, Poland, Hungary, and the rest, who are members of the Warsaw Pact and are in a military alliance with the Soviet Union. We shall be giving them bread to eat while they make guns to destroy any rebellion within their own boundaries or any attack from outside.

There is not one iota of evidence that economic aid from the United States, as proposed in this amendment, is needed for these countries to withdraw from the Warsaw Pact and from their military and economic alliances with the Soviet Union, which is, in spite of the upcoming exchange of visits between our President and their Premier, our dedicated enemy and anxious to "bury us" if we give them the opportunity to do so.

It should be remembered that these countries can receive aid as indeed the Gomulka government of Poland received aid while it was still a member of the Warsaw Military Pact.

Obviously, there are those who consider it a wise and necessary thing to give aid to Communist countries economically, but I cannot see it as anything other than a horrible and tragic mistake. It would be a mistake to bolster the economic systems of communism; to tighten the grip of communist leaders upon their subjected peoples; to allow the oppressed to realize that communism is working and flourishing in their countries because of the dollars of American taxpayers. And I might add at

this point that the American taxpayer is not in so happy a position in spite of certain economic charts that he can afford to support the Communist countries allied with our most adamant enemy.

Economic aid to a government that is interested in only one world where we all sing the Internationale would be a cruel and devastating blow to millions of people behind the Iron Curtain for they would view the sad spectacle of the free peoples of the Western World supporting and sustaining the tyranny of Communist states. And I think it would be an equally clear lesson to many of our allies and the neutral nations who have remained non-Communist for they would be forced to conclude that it makes no difference what form of government they follow that the United States, in all its generosity and gulliblity, will give money to anybody in the hope that it might do some good.

I believe that Lenin once declared that when "the time comes to hang capitalism, the capitalists will trample one another in their effort to buy the rope". Lenin lives today in the minds and bodies of men like Gomulka and Kadar. I do not intend to support legislation which in effect buys rope for Communist countries which they shall use to hang us.

The PRESIDING OFFICER. The question is, Shall Senate bill 1697 pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. HENNINGS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Indiana would vote "nay."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Arizona would vote "nay."

I further announce that, if present and voting, the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. HENNINGS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from Massachusetts would vote "yea."

The result was announced—yeas 49, nays 40, as follows:

YEAS—49

Aiken	Hayden	Morton
Bennett	Hill	Moss
Bush	Humphrey	Muskie
Capehart	Jackson	Neuberger
Carlson	Javits	Pastore
Carroll	Johnson, Tex.	Prouty
Case, N.J.	Keating	Proxmire
Case, S. Dak.	Kuchel	Randolph
Chavez	Long, Hawaii	Saltonstall
Church	Long, La.	Scott
Cooper	McCarthy	Smathers
Douglas	McGee	Sparkman
Ellender	McNamara	Wiley
Engle	Magnuson	Williams, N.J.
Fulbright	Mansfield	Yarborough
Gore	Monroney	
Green	Morse	

NAYS—40

Allott	Dworshak	McClellan
Anderson	Eastland	Martin
Bartlett	Ervin	Mundt
Beall	Fong	Robertson
Bible	Frear	Russell
Bridges	Gruening	Schoeppel
Butler	Hickenlooper	Smith
Byrd, Va.	Holland	Stennis
Byrd, W. Va.	Hruska	Talmadge
Cannon	Johnston, S.C.	Thurmond
Cotton	Jordan	Williams, Del.
Curtis	Kerr	Young, Ohio
Dirksen	Langer	
Dodd	Lausche	

NOT VOTING—11

Clark	Hennings	O'Mahoney
Goldwater	Kefauver	Symington
Hart	Kennedy	Young, N. Dak.
Hartke	Murray	

So the bill (S. 1697) was passed as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of title I of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611a) is amended to read as follows:

"SEC. 102. Responsibility for giving effect to the purposes of this Act shall be vested in the Secretary of State or such other officer as the President may designate, hereinafter referred to as the 'Administrator'."

SEC. 2. Section 303 of title II of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1613b) is amended to read as follows:

"SEC. 303. (a) This Act shall not be deemed to prohibit furnishing economic and financial assistance to any nation or area, except the Union of Soviet Socialist Republics and Communist-held areas of the Far East, whenever the President determines that such assistance is important to the security of the United States: *Provided,* That, after termination of assistance to any nation as provided in sections 103(b) and 203 of this Act, assistance shall be resumed to such nation only in accordance with section 104 of this Act. The President shall immediately report any determination made pursuant to this subsection with reasons therefor to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

"(b) The Administrator may, notwithstanding the requirements of the first proviso of section 103(b) of this Act, direct the continuance of assistance to a country which knowingly permits shipments of items other than arms, ammunition, implements of war, and atomic energy materials to any nation or area receiving economic or financial assistance pursuant to a determination made under section 303(a) of this Act.

Mr. AIKEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 2030. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2390. An act for the relief of the city of Madeira Beach, Fla.;

H.R. 2631. An act for the relief of the estate of Nathaniel H. Woods, deceased;

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 2978. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 4656. An act to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia", as amended;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8199. An act for the relief of James J. Manning; and

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois.

MUTUAL SECURITY APPROPRIATIONS, 1960

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. ROBERTSON. Mr. President, I call up my amendment to section 112 of H.R. 8385, an amendment as I stated on last Thursday, to preserve the constitutional right of the Congress to secure information from the executive branch of the Government on its handling of appropriated funds. I offer the amendment on behalf of myself, the Senator from Louisiana [Mr. ELLENDER] and the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The amendment of the Senator from Virginia will be stated.

The LEGISLATIVE CLERK. On page 10, between lines 17 and 18, it is proposed to insert the following:

(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the twenty-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest and has forbidden its being furnished pursuant to such request.

Mr. ROBERTSON. Mr. President, the fundamental issue involved is what has been termed by some as the "right to know"—the right of the public to have access to governmental records and the right of the legislative branch of the Government to be treated as an equal by the executive branch. It involves a more serious problem than many Members of the Senate seem to realize.

The history of the problem, of course, goes back to the Constitutional Convention of 1787, composed of Members who had known during colonial days the evils of a government dominated by the executive branch and, during the revolutionary days the ineffectiveness of a government composed solely of the legislative branch. Consequently, in providing the organic law for a new Republic, the Founding Fathers very wisely sought to have a government of checks and balances composed of three coordinate but equal branches, namely the legislative, the executive and the judicial.

The Constitution they framed, in addition to providing for the enactment of Federal laws, the administration of those laws, and the handling of litigation growing out of those laws, distributed among the three branches of the Government three of government's major powers. To the legislative branch it gave the power of the purse; to the executive branch, the power of the sword—which includes, of course, all dealings with foreign countries; and to the Judicial, the power of determining the constitutional limitations within which the other two branches were to function.

Needless to say, throughout our history there have been complaints that one branch or another of the Government has attempted to get ascendancy. In the days of Chief Justice John Marshall, his contention that the Judiciary under the Constitution had the right to declare unconstitutional acts of either the President or of the Congress was severely criticized by those who believed that each sovereign State should be privileged to pass on the constitutionality of any Federal act. During the unfortunate period following the Civil War, known as the Reconstruction Days, the legislative branch, bent upon punishing a helpless South, dominated the Federal field. In recent years, however, the trend has been for the executive branch to seek ascendancy over both the other branches of the Government.

During the depression years, President Franklin D. Roosevelt had a legislative branch not only willing, but eager, to follow his leadership in a program of social reform, but a judiciary unwilling to accept reform legislation such as NRA and the processing tax on farm products. So President Roosevelt proposed to the legislative branch what was known as a court-packing plan, and came within a narrow margin of securing its enactment. However, since the decision of the Supreme Court in the school segregation cases in 1954—which will go down in history as on a par with the decision of that court in the Dred Scott case, as an evidence of the dominance of the judiciary by the executive branch of the Government—the efforts of the executive branch of the Government to dominate have been directed primarily at the legislative branch. Frankness compels me to admit that some of those conflicts have political overtones, growing out of the fact that the executive branch of the Government is controlled by one party and the legislative branch by another party.

Fortunately, no politics are involved in the pending amendment; but there are involved the conclusions of the well-known student of government, James Burnham, who in his recent book entitled "Congress and the American Tradition," expressed the view that unless there is a reversal of the present trend, Congress eventually will lose most, or all, of its powers to the executive branch of our Government. Certainly, as I have previously indicated, the most essential power of the Congress is control of the purse; and the effectuation of that control is, of necessity, involved in the right of the Congress to know the necessary details concerning the expenditure of appropriated funds.

That issue was brought to a head on March 6, 1958, when the Attorney General, when testifying before the Senate Constitutional Rights Subcommittee, reaffirmed the extreme position he had taken in his memorandum while he was the Deputy Attorney General, when he claimed that not only the President and the heads of the executive departments, but also independent regulatory agencies, have an inherent constitutional power to withhold information from the Congress, which they may exercise in their own discretion. The Attorney General further stated that this power to withhold information can be delegated to, and exercised by, anyone and everyone in the executive branch of the Government.

Relying upon those views of the Attorney General—which, incidentally, were not supported by any reference to the Constitution or by any court decision—the Acting Director of ICA denied to the General Accounting Office access to evaluation reports prepared by the office of the Assistant to the Director for Evaluation of the ICA. These reports, each one of which generally covers the ICA program in a particular country, are prepared by teams composed of two senior officers, and are based on extensive study both in Washington and in the field.

The General Counsel of the General Accounting Office testified before the Senate subcommittee that his organization needed access to these reports in order properly to perform its audit of ICA activities, and stated that the reports constituted a part of ICA's internal control machinery which it is GAO's statutory duty to evaluate. In defending his invocation of the Executive privilege doctrine as authority to withhold the evaluation reports from the General Accounting Office, because they were supposed to contain opinions and advice of ICA employees, the Acting Director said:

This is what it amounts to as a practical matter. There isn't a thing that GAO does not get except this one evaluation report. I am not falling back now on legal distinctions or principle here. I am saying in effect that if ICA wanted to apply the "Executive privilege," GAO would not see one thing because practically every document in our agency has an opinion or a piece of advice.

In other words, the Acting Director of ICA officially pronounced to the Congress of the United States that he had the power, if he desired to exercise it, to annually expend in foreign countries several billion dollars of taxpayers' money which Congress has appropriated, and to refuse to let Congress know anything whatever concerning the details of such expenditures.

That was so astounding a doctrine that the House of Representatives was galvanized into action on June 18 of this year, when it had under consideration a bill to continue the foreign aid program—Public Law 86–108—and wrote into that bill what has since become known as the Porter-Hardy amendment, asserting the constitutional right of the Congress to receive information requested concerning the expenditures of foreign-aid money, including, of course, the evaluation reports to which the congressional committee and the General Accounting Office had previously been denied access.

In signing that bill into law, the President said:

> I have signed this bill on the express premise that the three amendments relating to disclosure are not intended to alter and cannot alter the recognized constitutional duty and power of the Executive with respect to the disclosure of information, documents, and other materials. Indeed, any other construction of these amendments would raise grave constitutional questions under the historic separation of powers doctrine.

Incidentally, the Attorney General who advised the President on that message was the same who had advised him that he had a legal right to send troops to enforce a district court order in a school segregation case, when the power to do so had been expressly excluded from the Civil Rights Act of 1957; and he was the same Attorney General who had informed the Senate subcommittee that not only the President and the heads of all departments, but likewise all regulatory and independent agencies—including, of course, ICA—had the constitutional right to deny the Congress any information they please.

In the passage of the authorization bill, Public Law 86–108, there was not a single vote in either the House or the Senate in opposition to the assertion of what is now section 112 of the pending bill that the Congress had the constitutional right to request, and to receive from the ICA, information concerning its operations in the handling of appropriated funds.

As I indicated on Thursday, in sending my amendment to the desk, to be printed, this amendment does not deny to ICA the privilege of classifying information furnished to congressional committees or the General Accounting Office and having it treated in confidence, just as the Appropriations Committee treats in confidence classified information furnished to it by the Military Establishment. The pending amendment also takes care of objections voiced by the Administrator of ICA, by specifically providing that requests should go directly to the Administrator, in writing; and the penalty for refusal would not be the impoundment of all foreign aid money, but only the impoundment of the money involved in the issue being investigated, relating to either a particular country or a particular program. And as a concession, not to an established constitutional principle, but, rather, to an established precedent in the handling of foreign affairs, the amendment provides that the ICA Director may be relieved of furnishing the requested information upon a certificate of the President that he considers the disclosure of requested material to be contrary to the public interest.

Mr. President, in the presentation of the pending amendment, we are not attempting to solve or eliminate all the problems relating to the general field of the right-to-know by the press, by the public, and by the Congress. On the contrary, we are merely asserting one very fundamental constitutional right of the Congress—its right to know what the executive branch of the Government has done with appropriated funds. Repudiation of the pending amendment would of necessity mean that the Congress had made a complete retreat from the position that it took last July on this subject and is willing to accept and endorse the Attorney General's doctrine of unlimited Executive privilege.

Mr. President, I am positive that the House of Representatives, which took such a firm stand on this matter only a few months ago, does not intend to retreat; and, naturally, I hope that the Senate does not intend to do so either.

Mr. President, for the benefit of the several colleagues who have just come into the Chamber, I wish to say I have started my brief explanation of the amendment. I wish to summarize what the amendment means. The Attorney General testified before the subcommittee of the Judiciary Committee that executive privilege meant all Federal reguatory agencies could, of their own initiative, on their own responsibility, determine what information, if any, they would furnish to the Congress, and that the Congress could not go beyond that decision.

The ICA Director refused to give to the General Accounting Office an evaluation report on how certain funds had been handled in Laos. The Congress sent a commission there and learned that there had been a very gross mishandling situation in that country. That fact galvanized the House into action, and it provided in the bill that the administrator had to furnish all the pertinent information requested, and, on failure to do so, no more funds would be available after the expiration of 20 days.

My amendment is a little different. It provides, in the first place, that the request must be in writing. It must go, not to some subordinate official, but to the Director himself. The penalty would be not to stop all the foreign aid programs, but only that in the country or in the project under investigation.

In addition, and I wish to emphasize this, the amendment does not yield one iota of the constitutional right of Congress to demand information concerning the handling of funds it has appropriated, but it makes this much of a concession to the difference of opinion between Congress and the President.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. As soon as I complete this thought. That difference is this: If the President, in keeping with the well-established principle under the Constitution of the right of the President to handle foreign policy, decides that the disclosure of some phase of foreign policy would be against the public interest, he can so certify, and Congress will not be able to get the information. But, Mr. President, it is inconceivable that any President would invoke that privilege to cover up inefficiency of some minor official in some country in the expenditure of the taxpayers' money.

I say we are not trying to settle the constitutional issue. At some future time we may have to do it, but we are not trying to do it in this bill. We are trying to arrive at a working formula which will enable Congress to have proper information about a program which costs almost $4 billion a year of the taxpayers' money.

Now I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, the Senator from Virginia brought this question up in committee. As I understand the situation, it is that the Senate Appropriations Committee eliminated section 113 on page 9 of the bill. That was the section which it was felt might be unconstitutional. It substituted therefor section 112 (a) and (b), which was the section recommended by the majority leader, as I read the sections. Subsection (a) orders the Executive to transmit to the Committee on Appropriations of the Senate and the House a full and complete revision of the data in justification of appropriations to carry out the program by funds recommended by the Congress; and, by subsection (b), provides that within 30 days the Executive shall report to the committees any change in the program involving $1 billion or more.

It seems to me that those two sections cover the problem of giving Congress full information on the programs in the first place, and any suggested changes in the second place.

What the Senator from Virginia proposes to do by his amendment is to provide that if any question is not answered, within 20 days, the funds for any country or any one project, of an economic nature, but not of a military nature, shall be cut off. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. SALTONSTALL. The Senator's amendment provides that would be done within 20 days. It seems to me the Senator cuts off his own request when he provides that it shall be done within 20 days, because some of this data may be in a country on the other side of the world and cannot be obtained in 20 days.

I will ask the Senator if he would object to making that period 45 days instead of 20 days. That would give the Department an opportunity to get the papers from a country like Vietnam, Taiwan, or some other far-off country, study the data, put it in order, and give the requested information to the Congress.

Mr. ROBERTSON. The Senator from Virginia has in mind the situation that next year is an election year and Congress is not usually in session after the middle of July, and certainly not after the end of July. The General Accounting Office or a committee of Congress

might, in the middle of the session, have an idea that something had gone wrong in the program and desired information. If the information could not be obtained in less than a month and a half, Congress might have adjourned before the information was furnished.

The ICA director, who is a very fine man, and who incidentally is from Virginia, made some suggestions to the Senator from Virginia about changes in the language which was section 113 of the bill as it was sent to the Senate. That section is now section 112, because one of the previous sections was eliminated.

I may point out that diplomatic pouches go by air. The Senator from Virginia would not object very strenuously if the request was to change the period of time to 30 days instead of 20 days, but I think one month and a half is too long, when a message can be gotten to any part of the world by air in 5 days, and when a cablegram can be received in a few hours. It seems to me 1 month would be ample time, if the Senator from Massachusetts would care to accept that suggestion.

Mr. SALTONSTALL. I have discussed this question with Mr. Murphy, the controller, whom both the Senator from Virginia and I respect very much. I mentioned 45 days. I think the minimum time required to get information from certain areas would be 35 days. Will the Senator be willing to accept a provision of 35 days instead of 30?

Mr. ROBERTSON. Would such an amendment be acceptable if the period were made 35 days rather than 20 days?

Mr. SALTONSTALL. The chairman of the Appropriations Committee is present. As I see it, we might just as well take the amendment to conference, because there already will have to be a conference on the difference in language. The majority leader's language will have to be in conference. We would have this language also before the conference.

Mr. ROBERTSON. With that assurance from my distinguished and able colleague on the Republican side, who takes such an interest in everything the Appropriations Committee does, the Senator from Virginia indicates he is willing to accept the proposed change and adopt it as his own language in the pending amendment, with the understanding that it has the approval of the chairman.

Mr. HAYDEN. Mr. President, will the Senator yield some time to me?

Mr. SALTONSTALL. I wish to make certain, Mr. President, that the clerk has the amendment.

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator from Virginia [Mr. ROBERTSON] modifies his amendment by changing the provision "20 days" to "35 days."

Mr. ROBERTSON. I ask unanimous consent to make the change from "20 days" to "35 days."

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. HAYDEN. Under those circumstances I would be glad to take the amendment to conference.

Mr. ROBERTSON. I wish to yield first to my colleague from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. President, I appreciate the action of the distinguished Senator from Virginia in yielding to me. I feel that in many respects he has vastly improved the language of the Hardy amendment in the appropriation bill as passed by the House, particularly in permitting the cutoff of funds to a limited degree, either of funds for the country or project to which the document requested relates. I approve of that provision.

As he knows, in the Appropriations Committee my primary concern with the House provision was with respect to the catastrophe which would result if we turned off the valve on all foreign aid around the world. It would cost us hundreds of millions of dollars and it would destroy much of the good that the program has achieved in the past.

We would punish the innocent merely because the program might be faulty in one country or as to one project.

I approve also of the fact that he has made the Administrator of the ICA solely responsible for answering the inquiries and responsible for furnishing the information requested by the committees and by the Comptroller General.

I approve of the President having to certify personally as to that disclosure would be contrary to the national interest if the information is not to be furnished.

But my worry is that we do not go far enough. I fear that the provision may be construed as permitting the President to spread the personal umbrella of executive privilege, which goes only to the person and the Office of the President, over the entire executive branch, or as allowing him to withhold vital information, as being contrary to the national interest, relating to expenditure of appropriations, scandals, maladministration, extravagance, or waste. It would be very easy for the President to say, "We are trying to have friends in the Middle East. We are trying to have friends in the Far East. And if all of this information is revealed on the floor of Congress or before our committee, we will destroy the good will we have."

The law did not permit the President's privilege to extend to ICA. The latest legislation, which is legislation authorizing the entire mutual security program, did provide that ICA was different and specifically exempt from the laws that pertain generally to the privileges of the President in foreign policy matters and foreign intercourse.

I ask the distinguished Senator: After the Congress has received from the President his declaration that he feels it is in the national interest not to furnish the information to the Comptroller General or not to furnish it to a congressional committee, whether the Committee on Appropriations, the Committee on Foreign Relations, or the Committee on Government Operations, has the Congress any recourse if we are not satisfied that there is a legitimate reason for withholding it?

Mr. ROBERTSON. Congress has two recourses.

In the first place, my distinguished colleague will remember working late at night to report the bill. Working against time, the junior Senator from Virginia tried to uphold in toto the House provision.

Mr. MONRONEY. The Senator certainly did. He fought for it for a long period of time, and the junior Senator from Oklahoma was then questioning whether certain provisions of the Hardy amendment would shut off worldwide aid.

Mr. ROBERTSON. The issue was raised as to imposing an unconstitutional restriction on the President. The junior Senator from Virginia denied it. In any event, he did not have the votes, and so the Porter Hardy amendment was taken out. The amendment of the Senator from Texas [Mr. JOHNSON] was offered to supply information in 60 days, and that amendment was agreed to. It means the same as 30 days if it involves over $1 million. Nobody objects to that kind of provision, but it does not reach this issue.

So acting on a suggestion of colleagues who had voted against the action of the committee, he said we ought to have some safeguards. The Senator from Virginia drafted an amendment which he said specifically does not go into a solution of any constitutional issue. It is a temporary solution of a rather delicate problem and will enable us to pass a bill without conceding the extreme position taken by the Attorney General, so that neither the President nor any department or regulatory agency can deny to us anything that they please. We could not accept that. And so the Senate says, "We will demand this information about the money expended, but without conceding that a constitutional question has been solved." If the President certifies that it would be against the public interest, then we will find out what they should have told us.

Therefore we do not feel the President is going to abuse the privilege. We do not admit we have yielded any of our constitutional authority.

The Senator from Oklahoma [Mr. MONRONEY] wants to know what we can do if they still do not give us the information. We can do two things. We can refuse to appropriate, since Congress has the power of the purse, and that includes dealing with foreign countries.

Second, we will start an authorization bill next year, and if the House wants to write a clear-cut constitutional provision in it, they will have plenty of time to do it. But in the closing days of this session of Congress we did not have the time to bring that issue before the Senate, fight it out, have conferees appointed, and pass a bill which might be vetoed and we would have it all to go over again.

The Senator from Virginia [Mr. ROBERTSON] said he started to support this provision in the authorization bill. He supported it in his committee, and when he found that the whole provision was going out, in an effort to prevent the

Congress from being put on record by inference that it had agreed to this extraordinary construction of this law, he saved it by this amendment.

Mr. MONRONEY. I appreciate the great effort that the Senator from Virginia [Mr. ROBERTSON] has made. I still ask what we should do when the present administration keeps information from the public by withholding it under various excuses of executive privilege and when the President merely holds his own personal umbrella of executive privilege over all the other agencies. This is but one example. We can follow it through the Department of Defense and through every department where executive privilege is claimed on the slightest pretense by the most minor executive. I wondered if the Senator would give consideration to a suggestion which has been made, and on which I have spent a considerable amount of time; namely, to go one step further than to require that the President must say that he feels it is contrary to the national interest. I am not proposing such an amendment. I am merely asking the distinguished Senator's opinion of it.

A new section would be added to read:

In the event of a certification by the President under subsection (d), the Congress by concurrent resolution may require the delivery of the document or other material requested. If the document or other material is not furnished within 20 days after the adoption of such resolution, the limitation on the use of funds provided in subsection (d) may be applicable on the certification of the President.

After there had been opportunity for full discussion of the claim of executive privilege, and the reasons, if any, for claiming that furnishing the information would be contrary to the national interest, the two Houses of Congress, acting concurrently, could there be the judge as to whether or not they were entitled to the information on the expenditure of the funds they have appropriated. This right is now being eroded by everyone purporting to carry a badge in his pocket symbolizing the executive privilege of the President.

Mr. ROBERTSON. The Senator from Virginia can only say that he would go all out to maintain the constitutional right of the legislative branch to effectuate the power of the purse, and to know what is done with the money. But he is confronted with the practical problem which he has discussed this morning with the leadership. It is not proposed that this bill go to conference. We do not know whether there will be a quorum left in the House after today. We want this bill to pass.

The leadership has told me that if we put an amendment such as that described by the Senator from Oklahoma in the bill, the leadership on the floor, whether they liked the tenor of it or not, would probably be called upon, for practical reasons, to oppose it. The leadership has informed me that it will go along with my safeguarding amendment. Members of the committee have given me like assurance.

I have made it crystal clear in my amendment and in my discussion today that we are not conceding any constitutional right. But we have a working arrangement. We hope it will work. If it does not work, we can enact another law next year, when we shall have a full session in which to debate it and send it to Congress.

I would make the provision even tighter than has been described. I should like to write a constitutional provision, but one branch of the Government cannot effectively do that. We must have the approval of the Executive, and we must have the approval of the Judiciary. We have certain constitutional rights, but we are a coordinate body.

Suppose we were to enact a law allowing Congress to interpret the Constitution and write a provision affecting the Constitution. The President might veto it. We might pass it over his veto. What next? We would have to get it past Chief Justice Warren and his cohorts on the Supreme Court.

It is a big question. It has been at issue ever since we have had a Government. Senators know how much I admire Thomas Jefferson. He criticized John Marshall for saying that the Constitution gave the Court the right to declare an act of Congress unconstitutional. He said that was the province of the sovereign States, and that the Chief Justice was usurping power.

Nothing was done about it. Senators recall how Congress went along cheerfully with all the reform programs of President Franklin D. Roosevelt. It was called a rubber stamp Congress, but it did not claim that the Executive was overriding it. The Supreme Court would not approve those reform measures, and opposed the plan to pack the Court, which very nearly succeeded.

This is no new issue. It is somewhat more accentuated when the President is of one party and the Congress is of another. We ought to come to grips with the problem. However, as a practical matter, I do not see how we can do it on the last 2 days of the session, and write something into law.

If the Senator from Oklahoma wishes to assume the responsibility for having adopted an amendment which might or might not pass the Senate, and might go to conference, the Senator from Virginia will not oppose him. But the Senator asked for the practical, honest-to-goodness opinion of the Senator from Virginia. He has stated that on the basis of his conferences with the leaders in the Senate, he has done the best he could to protect the constitutional rights of Congress with respect to following appropriated money.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. ROBERTSON].

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. CHURCH. I commend the distinguished Senator from Virginia for having championed a cause which seems to me to be of vital importance to the Congress and to the Nation. I want him to know that I support the amendment which he has offered, in the form he has now offered it, for two reasons.

First. I believe that this late in the session it would be impracticable even to attempt to obtain more.

Second. Because the statements the Senator from Virginia has made on the floor of the Senate today indicate that this amendment is not intended to constitute a precedent or a concession of any kind by the Senate with respect to the claim which is being made on the part of the Executive as to the Executive's prerogative to withhold necessary information from the Congress.

Mr. ROBERTSON. The Senator is correct.

The pending proposal is a stopgap measure, to get us past a troublesome situation.

Mr. CHURCH. I pledge my wholehearted support for the proposal made by the Senator from Oklahoma [Mr. MONRONEY]. At the apppropriate time next year, in the authorization bill, we should go further and supply a specific remedy if the President refuses information, so that the Congress will have a way to compel its production.

Mr. MORSE obtained the floor.

Mr. HAYDEN. Mr. President——

Mr. MORSE. Mr. President, I will say to my colleagues that I intend to speak at some length on this question, because I propose to make legislative history.

Mr. HAYDEN. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has the floor. He is speaking on the pending amendment.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

Aiken	Ervin	Mansfield
Allott	Fong	Martin
Anderson	Frear	Monroney
Bartlett	Fulbright	Morse
Beall	Gore	Morton
Bennett	Green	Moss
Bible	Gruening	Mundt
Bridges	Hart	Muskie
Bush	Hayden	Neuberger
Butler	Hickenlooper	Pastore
Byrd, Va.	Hill	Prouty
Byrd, W. Va.	Holland	Proxmire
Cannon	Hruska	Randolph
Capehart	Humphrey	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kerr	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Talmadge
Curtis	Lausche	Thurmond
Dirksen	Long, Hawaii	Wiley
Dodd	Long, La.	Williams, N.J.
Douglas	McCarthy	Williams, Del.
Dworshak	McClellan	Yarborough
Eastland	McGee	Young, N. Dak.
Ellender	McNamara	Young, Ohio
Engle	Magnuson	

The PRESIDING OFFICER. A quorum is present. The Chair recognizes the Senator from Oregon.

Mr. MORSE. Mr. President, I believe it is very important that we——

Mr. JOHNSON of Texas. Mr. President, would the Senator from Oregon yield so that we may present some resolutions?

Mr. MORSE. I will if I may be permitted to finish the first sentence of my speech.

Mr. President, I believe it is very important that a rather detailed legislative history be made on the amendment which is pending before the Senate. In my judgment, if that legislative history is not made today, the danger is, in spite of what the Senator from Virginia says as to his intention and the intention of the coauthor of his amendment and the intention of the committee in agreeing to take the conference amendment, that a very bad precedent will be established. In order to avoid the danger of that precedent we need a little review of the constitutional history of this whole matter of executive privilege, and I intend to make such a review at some length.

I yield to the majority leader with the understanding that I do not lose my rights to the floor.

INCREASED MEMBERSHIP OF COMMITTEES ON INTERIOR AND INSULAR AFFAIRS AND PUBLIC WORKS

Mr. JOHNSON of Texas. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will read the resolution.

The resolution was read, as follows:

Resolved, That (a) paragraph (1) of rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended—

(1) by striking out "fifteen" in subparagraph (n) (relating to the Committee on Public Works) and inserting in lieu thereof "seventeen"; and

(2) by striking out "fifteen" in subparagraph (m) (relating to the Committee on Interior and Insular Affairs) and inserting in lieu thereof "seventeen".

(b) The third sentence of paragraph (4) of rule XXV of the Standing Rules of the Senate is amended by striking out "forty-six" and inserting in lieu thereof "forty-seven".

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. CASE of South Dakota. Reserving the right to object, may I ask the distinguished majority leader and the distinguished minority leader whether it is anticipated that this increase of the Public Works Committee to 17 will be permanent?

Mr. JOHNSON of Texas. For the remainder of this Congress.

Mr. CASE of South Dakota. For the remainder of this Congress?

Mr. JOHNSON of Texas. It is for the remainder of this Congress.

Mr. CASE of South Dakota. I withdraw the reservation.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 193), was agreed to.

APPOINTMENT OF SENATOR LONG OF HAWAII AS MEMBER OF COMMITTEES ON INTERIOR AND INSULAR AFFAIRS AND PUBLIC WORKS

Mr. JOHNSON of Texas. Mr. President, I send to the desk a resolution and ask that it be ordered to be considered.

The PRESIDING OFFICER. The clerk will read the resolution.

The resolution was read as follows:

Resolved, That Mr. LONG, of Hawaii, be, and he is hereby, assigned to service on the Committee on Interior and Insular Affairs and the Committee on Public Works.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 194) was agreed to.

APPOINTMENT OF SENATOR FONG AS MEMBER OF COMMITTEES ON INTERIOR AND INSULAR AFFAIRS, AND PUBLIC WORKS

Mr. DIRKSEN. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will read the resolution.

The resolution was read, as follows:

Resolved, That Mr. FONG, of Hawaii, be, and he is hereby, assigned to service on the Committee on Interior and Insular Affairs and the Committee on Public Works.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 195), was agreed to.

COMMITTEE ON UNEMPLOYMENT PROBLEMS

Mr. JOHNSON of Texas. Mr. President, I send a resolution to the desk and ask that it be considered.

The PRESIDING OFFICER. The clerk will read the resolution.

The resolution was read, as follows:

S. RES. 196

Resolved,

SECTION 1. That there is hereby created a special committee to be known as the Committee on Unemployment Problems and to consist of nine Senators to be appointed by the President of the Senate as soon as practicable after the date of adoption of this resolution.

SEC. 2. It shall be the duty of such committee to make a full and complete investigation and study of unemployment conditions in the United States, giving particular consideration to areas of critical unemployment for the purpose of determining what can be done to alleviate such conditions and to report its findings and recommendations to the Senate no later than January 31, 1960. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

SEC. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

SEC. 4. A majority of the members of the committee or subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. The committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary in the performance of its duty. The committee is authorized to utilize the services, information, facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of the heads of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies. The committee is authorized to procure, by contract or otherwise, the services of public or private organizations or institutions.

SEC. 6. The expense of the committee, in an amount not to exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 196) was agreed to.

Mr. DIRKSEN. Mr. President, earlier in this session, 67 Senators, I believe, sponsored a resolution to create a Commission on Unemployment and Related Problems. That resolution went to the House. No action was taken there. Perhaps the amelioration of conditions in the country was an outstanding factor. I think it is generally agreed, however, that there are some pockets of unemployment in the country which might well be explored. This, therefore, is simply a Senate resolution to enable Members of the Senate to make an investigation in this field. I have no objection to the resolution.

The PRESIDING OFFICER (Mr. LONG of Hawaii in the chair). Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the resolution was agreed to.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I commend the majority leader for submitting the resolution and the minority leader for supporting it, because the resolution is in line with a statement which the majority leader, to my recollection, made earlier this year when there was a conference in the District in regard to problems of unemployment. The majority leader, I recall, addressed that conference and made a very notable speech. At that time, in effect, he said that Congress would give attention to this problem, and the fact that it has not been possible to have both Houses act on it does not relieve the Senate of its responsibility.

The majority leader, obviously, by this resolution recognizes our obligation and has submitted the resolution. I commend him highly for his labor statesmanship in regard to it.

Mr. JOHNSON of Texas. I thank the Senator from Oregon.

INTEREST RATES ON UNITED STATES SAVINGS BONDS—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the Senator from Virginia [Mr. BYRD] desires to submit a conference report on the E and H series savings bond bill, which passed the Senate only a few days ago. I ask that he be permitted to submit the report now, so that it may be laid before the Senate.

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9035) to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of Virginia. Mr. President, the conference report on H.R. 9035 permits the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes.

Mr. President, this bill, which the Senate considered only this week, is primarily concerned with raising the statutory limitation on interest rate on U.S. series E and H savings bonds. The current maximum rate on these bonds is 3.26 percent. The House bill would remove this limitation altogether.

It will be recalled that the distinguished Senator from New Mexico [Mr. ANDERSON] offered an amendment on the floor of the Senate to provide that in no event may the interest rate or the investment yield on these series E and H savings bonds exceed 4¼ percent. It will further be recalled that the Senate, after considerable debate, adopted this amendment by the vote of 45 to 41.

The conferees, recognizing the importance the Senate attaches to this amendment, insisted on this limitation of 4¼ percent. Only after extended conference discussion on this point, including conference meetings on three different days, have the conferees been able to obtain agreement on this point. The conferees on the part of the House, however, finally accepted the 4¼-percent limitation.

The 4¼-percent maximum in the case of new issues of savings bonds will apply for the period from the issue date to maturity. In the case of bonds which mature on or after June 1, 1959, and for which the Secretary provides an extension period during which the bonds may earn interest, the 4¼-percent maximum is to apply for the extension period. Similarly the 4¼-percent maximum will apply to any increased interest payments, or increases in value, provided in the case of existing bonds for periods beginning on or after June 1, 1959.

In order to obtain the consent of the confereees on the part of the House to the 4¼-percent limitation on savings bonds, it was necessary for the conferees to recede on the other point at issue in the conference.

I am referring to the provision in the House bill authorizing the Secretary of the Treasury, by regulations, to provide for the tax-free exchange of one U.S. Government obligation for another. This was requested by the administration as a portion of their advance refunding program.

The Finance Committee in considering this provision recommended to the Senate, and the Senate adopted, an amendment limiting this tax-free exchange provision to the exchange of U.S. series E savings bonds for U.S. series H savings bonds.

The Finance Committee believed that it was desirable to limit the application of this nonrecognition provision in this manner in view of the fact that series E and H savings bonds represented the primary subject matter of the bill. The committee did not pass, however, on the issue of the overall desirability of the House tax-free exchange provision.

The Honorable Robert B. Anderson, Secretary of the Treasury, sent me a letter on the subject stressing the desirability of the House-passed advance refunding provision in aiding in lengthening the maturity of the debt. He indicated, however, that the Treasury will proceed cautiously in the use of this new provision. He has assured me that the Treasury will view the initial operations in advance refunding, whenever undertaken, as experimental in nature and has indicated that the Treasury will use this procedure with prudence and great care in determining the desirability of using this technique. Furthermore, he has promised to report to the Finance Committee the results of any use of this advance refunding technique.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the complete text of the letter from Secretary of the Treasury Anderson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
September 9, 1959.

HON. HARRY F. BYRD,
Chairman, Senate Committee on Finance, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: H.R. 9035 as passed by the House of Representatives, providing for increased flexibility in the management of the debt in the field of savings bonds, also contains a provision which authorizes the Secretary of the Treasury by regulation to postpone for tax purposes the recognition of capital gain or loss under certain circumstances on the exchange of outstanding Treasury securities for new issues. The type of exchange contemplated under this provision is known as "advance refunding."

Such a provision will, when the circumstances warrant, allow for the lengthening of the maturity of the debt which is essential to sound debt management, if we are to avoid the extreme complications which result from a heavy concentration of maturing issues.

Advance refunding would involve the exchange of a new Treasury security for an existing security some years in advance of the maturity of the existing obligation. Among other advantages of this type of operation, it would be well to point out: (1) It creates a minimum of market disturbance and can be effected economically because there is no net drain of long-term funds from the market, and (2) it is an efficient method of extending the maturity of the debt, because the holders of the existing securities are typically long-term investors who would be interested in obtaining a new long-term Treasury bond in exchange for a security that has grown short through the passage of time.

While this technique has been used in other countries, we recognize that it is a new procedure as applied to the management of the debt in this country. Accordingly, we would like to assure you and your committee that we would regard our initial operations in advance refunding, whenever undertaken, as experimental in nature and that we would use the procedure with prudence and with great care in determining the efficacy with which this technique can be used. We shall also be pleased to report to your committee the results of any use of this procedure.

We are hopeful that some amount of advance refunding can be undertaken in the future, when and as market conditions are appropriate.

Sincerely yours,

ROBERT B. ANDERSON.

Mr. BYRD of Virginia. I should also like to point out that since the use of the tax-free exchange provision in connection with advance refunding will be limited to securities with yields of not in excess of 4¼ percent, the opportunities to use this provision in the immediate months ahead will be quite limited if there is even any opportunity to use this provision in the near future.

In view of the Treasury's statement to me that this provision will be used only cautiously, and in view of the fact that given the 4¼-percent ceiling and the current investment yield on bonds, it is doubtful whether any significant use can be made of this provision in the immediate months ahead. I believe Congress will have adequate opportunity to review and, if necessary, reconsider this provision before any wide use is made of it.

Mr. President, what has been done is simply this: The conferees accepted the House bill with the addition of the Anderson amendment limiting the rate of interest on series E and H savings bonds to 4.25 percent. The Senate conferees were unanimous; the House conferees divided, three to two, two of them refusing to sign the report.

I hope the report will be agreed to.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. FREAR. Mr. President, I am sorry the distinguished junior Senator from Louisiana [Mr. LONG] is not on the floor at the moment, but I am sure he will be here in a very few seconds. In the meantime, I should like to predict, after his comments made the other day, that I believe when he reads in today's RECORD what has happened, he will find his desires have been fulfilled; because certainly the distinguished chairman of the Finance Committee was also the chairman of the conferees; and when the going was rather rough—because the House conferees were quite insistent on the House version of the bill—he and his four Senate conferee associates fought hard for the position the Senate had taken; and, as we know, much debate was required in the conference committee in order to persuade the House conferees to accede to the Senate amendment.

So I pay my compliments to my associates among the Senate conferees for their determination and their success in getting the House conferees to accept the Senate version.

Mr. BYRD of Virginia. I thank the Senator from Delaware.

Mr. ANDERSON. Mr. President, will the Senator from Virginia yield to me?

The PRESIDING OFFICER (Mr. LONG of Hawaii in the chair). Does the Senator from Virginia yield to the Senator from New Mexico?

Mr. BYRD of Virginia. I yield.

Mr. ANDERSON. Mr. President, I desire to compliment the Senator from Virginia and his associates on the conference committee for the stand they took in the conference. All of them voted against this amendment when it was before the Senate; but in the conference committee, all of them vigorously supported the amendment. So I wish to compliment the Senator from Virginia.

Mr. BYRD of Virginia. I thank the Senator from New Mexico.

Mr. MONRONEY. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. MONRONEY. I should like to join the Senator from New Mexico [Mr. ANDERSON], the author of the bond-interest limitation amendment which has been included in this measure, in paying my very sincere compliments to the distinguished senior Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee, and to the other Senate conferees for the steadfast, persistent, and successful negotiations they conducted in the conference. I know how stubborn was the attitude of the House conferees on this matter.

I feel that we should not overlook the fact that whereas this matter was thoroughly debated in the Senate, the Members of the House had no chance, under the closed-rule procedure of the House, to do likewise, inasmuch as the House had to vote the matter either up or down. So I believe we should note that that situation demonstrates that the Senate rules enable the Senate to work its will; and I join in the compliments which my colleagues are paying to the able Senate conferees, for their success in carrying out the will of the Senate.

Mr. BYRD of Virginia. I thank the Senator from Oklahoma.

Mr. PROXMIRE. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. PROXMIRE. Mr. President, I, too, wish to join my colleagues in complimenting the able chairman of the Finance Committee and the four other Senate conferees, all five of whom had voted against the Anderson amendment, when it was before the Senate, but all five of whom not only voted in favor of the amendment in the conference, but also worked hard, under tremendous pressure, and under very, very difficult circumstances, and did so for several days—against the very strong insistence of the House conferees. This was a remarkable victory that they were successful in keeping the Anderson amendment in the bill, in spite of rocklike 3-day refusal to yield by the House conferees. This remarkable feat indicates how deeply they believe in the traditions of the Senate and how deeply they feel that, although they had vigorously opposed this specific amendment on its merits when it was before the Senate, when they served as Senate conferees they "went to bat" for the Senate in this case, and did a magnificent job.

Mr. BYRD of Virginia. I thank the Senator from Wisconsin.

Mr. CLARK. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. CLARK. I wish to join my colleagues in complimenting the Senator from Virginia and the other Senate conferees for subordinating their personal views to the expressed will of the Senate, and for working so successfully in the conference to carry out that will.

Mr. BYRD of Virginia. Let me state that we had considerable difficulty in that connection; it was necessary to hold three meetings and to consume a number of hours.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I wish to join in the compliments being paid to the distinguished senior Senator from Virginia [Mr. BYRD] and the other Senate conferees because of the action they have succeeded in having the conference committee take. We admit the conference report does not please everyone. The language included in the House version of the bill, which did not provide any ceiling on the interest rate on the savings bonds would have been preferable to most of us.

However, in the conference, we had to reach some sort of agreement; and we did the best we could.

It should be emphasized though that adoption of the conference report will not solve the basic problem with which the Treasury is confronted—namely, the need to remove the 4¼-percent ceiling on the long-term bonds.

That situation constitutes a problem with which we shall be confronted at least in the early part of the next session, if not sooner. I regret that this Congress will adjourn without acting.

I believe Congress will have to remove the unrealistic ceiling on the interest rate on the long-term bonds, in order to permit the debt of the United States to be financed properly. The congressional leadership is assuming a great risk in postponing this action.

Mr. BYRD of Virginia. I thank the Senator from Delaware.

Mr. WILLIAMS of Delaware. If the Senator will yield further, Mr. President, I ask to have inserted in the RECORD a suggested formula for savings bonds which I have submitted to the Treasury Department. This formula outlines a plan which I think will restore the savings bonds to the popular position which they once enjoyed with the American people. I think the savings bonds should be made the best investment in America. I personally feel it will take a minimum rate of 4 percent to do this.

I also think this type of investor would prefer a simple 10-year bond with 4 percent interest compounded annually which sells for $67.50.

Under this formula the bonds would increase in maturity, accumulating interest of $2.50 a year for the first 3 years, $3 for the following 3 years, and in the last 4 years, $4. I certainly hope the Treasury Department will give consideration to adopting some such formula, because I think it is going to take something like this to restore savings bonds to the popularity they once enjoyed.

I ask unanimous consent to insert in the RECORD a table showing a suggested formula for savings bonds.

There being no objection, the table ordered to be printed in the RECORD, as follows:

Suggested formula for new savings bonds, 10 years, 4 percent compounded annually

Proposed redemption value after bonds have been held—		(Actual) 4 percent interest compounded	Value end of each year	Annual increase
		[1] $67.50		
6 months	$68.75	2.70		
1 year	70.00	70.20	$70.00	
1 year 6 months	71.25	2.80		
2 years	72.50	73.00	72.50	$2.50
2 years 6 months	73.75	2.92		
3 years	75.00	75.92	75.00	
3 years 6 months	76.50	3.03		
4 years	78.00	78.95	78.00	
4 years 6 months	79.50	3.15		
5 years	81.00	82.10	81.00	3.00
5 years 6 months	82.50	3.28		
6 years	84.00	85.38	84.00	
6 years 6 months	86.00	3.41		
7 years	88.00	88.79	88.00	
7 years 6 months	90.00	3.55		
8 years	92.00	92.34	92.00	
8 years 6 months	94.00	3.69		4.00
9 years	96.00	96.03	96.00	
9 years 6 months	98.00	3.84		
10 years (maturity)	100.00	99.87	100.00	

[1] Cost.

Mr. BUSH. Mr. President, will the Senator yield to me?

Mr. BYRD of Virginia. I yield.

Mr. BUSH. I desire to join in the compliments being paid to the distinguished senior Senator from Virginia [Mr. BYRD] and the other Senate conferees, for working hard to solve this very difficult problem.

I cannot help feel that the settlement now reached is a temporary one.

I felt quite strongly that the so-called Anderson amendment, which established a 4.5 percent ceiling on the savings bonds, was a mistake.

But, with the conference committee, I believe that it is better to accept this provision, rather than to have no legislation in this field at this time.

I desire to associate myself completely with what the distinguished Senator from Delaware has said about the issue which remains—namely, the interest-rate ceiling on open market Treasury bonds. I believe that it still remains the single most serious issue before the Congress; and I venture to express the hope that when the Congress returns in January, it will come to grips firmly with this issue, because I believe the existence of this ceiling, so long as the Nation continues in a period of prosperity, high industrial activity, and so forth, is a menace to the credit of the U.S. Government, upon which so much in this troubled world depends.

But I do express my appreciation to the distinguished Senator from Virginia and to the other Senate conferees for what they have accomplished thus far.

Mr. BYRD of Virginia. I thank the Senator from Connecticut.

Mr. JAVITS. Will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. JAVITS. I thank the Senator from Virginia for yielding to me.

Mr. President, I should like to join my colleagues in congratulating the chairman of the Finance Committee, the distinguished senior Senator from Virginia [Mr. BYRD], who—as he often does—has again done a magnificent job.

I wish to call attention to the point that it is true that only the interest-rate ceiling on the savings bonds has been raised, whereas in my opinion—and I believe we should press this point upon the Treasury with every power at our command—if the Treasury will use this authority with inventive genius, and will adopt the ideas of the Senator from Delaware [Mr. WILLIAMS] in regard to the interest rate, and perhaps will adopt my ideas as to a new issue of bonds, to be called peace bonds, or by some other name, and really will promote a tremendously increased interest in these savings bonds, and thus will reduce or perhaps even eliminate the attrition in the holdings and the decrease in the sales of those bonds, which are so very damaging, the Treasury not only will improve very directly the financing of the Government debt but will also improve the long-term bond market.

If the Senator will allow me to refer to the survey by the Treasury of the bond houses of the country, which I placed in the RECORD, let me point out that it shows that they feel there is a direct relationship between a successful savings bond sales drive and the condition of the long-term bond market and the amount of interest that has to be paid on those securities.

So I join in the expression of appreciation and approval of what has been done by the Senate conferees; but again I state that I sincerely hope we shall take advantage of the last opportunity which may be available to us by urging that the Treasury initiate a drive of the sort so strongly recommended by the Senator from Delaware and myself, in view of the fact that the excellent progress made by means of the conference report is, nevertheless, not directed precisely at the long-term bonds.

Mr. BYRD of Virginia. I thank the Senator from New York.

Mr. CARLSON. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield.

Mr. CARLSON. Mr. President, I wish to state that in bringing back this conference report, and as a member of the conference committee, I approved it because I felt it was the view of the majority of the Senate.

Personally, I do not feel that we have given the Treasury Department the flexibility that is needed for its proper and efficient management of our debt structure.

Under the provisions of the bill as approved by the conference, the Treasury will continue to be forced to carry on its financing of the Government and the refunding of our bonds on a short-term basis. In fact, we will by this legislation force the Treasury Department to borrow all of its money in the short-term and intermediate market.

In my opinion, we are forcing the Treasury to do its refinancing on an expensive, fundamentally unsound debt-management program. It will, in my opinion, not only cost the Federal Government additional billions of dollars in interest rates, but also will force interest rates higher for the small business and individual borrowers of this Nation.

I trust that at the beginning of the next session of Congress we will take another look at this problem, and that in the meantime the result of our action today will not bring about a financial crisis.

Mr. CARROLL. Mr. President will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. CARROLL. As the Senator knows, I was not one of those who joined with the majority of the Senate on the so-called Anderson amendment. I want to congratulate the Senator from Virginia for bringing in this bill, but I think the record ought to show, as the Senator from New York has stated, there ought to be a little more ingenuity and a little more thinking on the part of the Treasury Department, because, if I understand what has been brought back as a result of the conference, the interest rate on savings bonds can be increased tremendously. Moreover, considerable swapping can be done, not only between E- and H-bonds, but it is my understanding this privilege extends to long-term bonds. Is that so?

Mr. BYRD of Virginia. Yes.

Mr. CARROLL. This is a substantial step forward. There is a serious financial condition. I do not think we should underestimate the effect of the legislation before us. There has been permitted an increase in the interest rate of from 3.26 percent to 4¼ percent, under this bill, on E- and H-bonds, in addition to the swapping process, which very few understand, and which, I will be frank to say, I do not understand. I think the provision will result in a substantial investment not only to the savings bond holder, but to the big bond holders. I hope the Treasury can use some ingenuity, in the public interest, during this critical period.

Mr. BYRD of Virginia. I thank the Senator for his contribution.

Mr. DIRKSEN. Mr. President, first of all, I want to compliment the distinguished Senator from Virginia. I have had occasion to know rather intimately the many meetings that were held, the complete patience and forbearance that was exercised, and along with it the fact that he kept constantly in mind the sense of duty and responsibility of maintaining faith with the Senate in view of the vote had on the Anderson amendment.

There were some discussions on the floor at one time as to whether or not certain conferees were to be appointed who would assuredly carry out the intent of the Senate. Mr. President, the distinguished Senator from Virginia is a man of impeccable integrity. He has done his duty nobly and has carried out his responsibilities.

While I am about it, I want to bestow a compliment on the Secretary of the Treasury. When many a Secretary might have said, "I am defeated at both ends of the legislative branch," he kept everlastingly at it. There is a reason for it. I think, first of all, it is a sense of dedication to the public well-being; and, secondly, the apprehension he has had for a long time as to what could or might happen, and the necessity for greater flexibility in the management of the public debt of the country.

I think this whole problem is pretty well stated in yesterday's edition of the Wall Street Journal, under the title "Fiscal Crisis." It is a rather lengthy article. It is done by Vermont Royster, one of the paper's editors, whom I know, and I think it would serve a useful purpose to have the article in the RECORD.

I ask unanimous consent, as a part of my remarks, to include in the RECORD this article in its entirety, because it sets in clear perspective what the problem is, what the implications are, and what the dangers might be.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FISCAL CRISIS—FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES—IKE MAY RECALL CONGRESS—SOME FEAR A MONEY PANIC

(By Vermont Royster)

WASHINGTON.—A fiscal crisis of major proportions.

This is the grim prospect which the men who manage the money for the U.S. Govern-

ment confess they see before them in the next 12 months—and perhaps sooner.

So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.

Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the cirsis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.

NEEDED: DRASTIC STEPS

Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the easy ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.

The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House, and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are willing to give voice to some of the consequences they foresee if stern measures are not soon taken.

Here are some of the things they see:

At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.

At the very least, then, a severe money shortage that will make the recent tight-money situation modest by comparison. This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.

Beyond this almost certain probability, some of the best informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.

A LOSS OF CONFIDENCE

The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high Administration official, could bring a real money panic which would paralyze business and bring widespread unemployment.

This is truly a grim picture, and it may be that out of their deep harassment these officials draw it too darkly. But it is drawn with equal starkness in the executive offices along the Potomac and in some of the legislative offices on Capitol Hill. And even among those in Congress who have consistently dismissed all such concerns as foolish fears, some now are beginning to wear worried frowns as they look at the hard figures that confront the U.S. Government.

Those figures, at best, do not present a cheerful picture. Here, in bare outline, is what they show:

Within the next 12 months the U. S. Government must try to borrow $78 billion merely to stay in the same place; that is, it must borrow this huge sum merely to pay off old debts it has coming due in that space of time. Actually the figure will be somewhat larger because some of the money will be borrowed on very short-term notes and bills which must be paid off by second borrowings before the 12 months have passed.

In addition to this heavy borrowing, the U.S. Treasury must somehow raise an additional $7 billion between now and Christmas to meet the spending bills that are piling up.

Thus the U.S. Government in 1 year must borrow a sum greater than the whole year's budget—a whopping $85 billion.

ONLY THE BEGINNING

But this only begins to sketch the difficulty. For these many billions must be raised in a money market already squeezed by the demands of the other borrowers—State governments, local governments, school districts, public authorities of one sort or another, plus record demands from private industrial borrowers.

How tightly the money market is stretched shows clearly in the record of the past few weeks. Last Friday the Treasury had to pay 3.9 percent interest to borrow money for only 13 weeks, the highest rate for such short-term bills since that dark March of 1933, when all the banks were closed. Its latest issue of 26-week bills drew an interest rate of 4.4 percent. This week the prices for U.S. Government bonds already on the market plummeted to their lowest prices on record and pushed the yields on these bonds (the effective interest rate) to the highest level for Government bonds since 1932.

The ordinary citizen can get a clearer idea of how high these interest rates are by reflecting that a decade ago the Government was borrowing money for 10 years on its savings bonds at a cost of 2.9 percent, whereas today it pays 4.4 percent for a 26-week loan. As late as 1958 it paid 1¼ percent for 1-year money; today it must pay more than 4¾ percent. The Treasury's lowest outstanding coupon rate on old bonds is 2⅛ percent; today the Government cannot borrow any money on long-term bonds at 4¼ percent, the present legal ceiling—it is simply out of the question.

This bar against long-term borrowing, if not lifted, means that the squeeze on the short-term money market will grow intense in the months immediately ahead. A 5-percent interest charge for even very short-term money no longer seems unlikely to anyone; the prime rate for commercial borrowers is already 5 percent. Some top officials expect it to soar even higher under the impact of the huge Treasury borrowings. "It's about ready to jump into the stratosphere," says one of them gloomily.

LUBRICANT FOR BUSINESS

The effect of this could be staggering. Long-term borrowers who use the money for capital investment can sometimes postpone their borrowings. But short-term loans are the lubricant for business; they are used to buy steel, to sell automobiles, to stock inventories. A short-term rate that did jump into the stratosphere would play havoc not only with the Treasury's money managers but with the economy generally.

It is this prospect that lends urgency to the debate over whether to call a special session of Congress. At the current session the administration asked the authority to pay more than 4¼ percent on bonds so that it could shift a portion of its debt into longer term securities. So far this has been denied by Congress, and there is some feeling within the administration that the severity of the Treasury's money plight was not sufficiently dramatized.

A special session, particularly if it was coupled with a radio and TV talk by President Eisenhower explaining the gravity of the problem in simple language, would provide the sense of urgency. But against this—and here is what gives the administration pause—is the argument that it might also arouse public fears. And fear could set off a chain reaction to a real calamity.

For grim as is the immediate outlook for the money market, the real ghost that stalks the Treasury corridors these days is the specter of a sudden and wholesale loss of confidence in the U.S. Government's ability to meet its financial obligations without inflation.

PROBLEM FEEDS ON ITSELF

One of the highest administration officials puts it this way:

"No matter what we do, money is going to get tighter and everybody is going to be pinched. That means we have got to the point where the problem feeds on itself. The Government's huge demand for money pushes interest rates up, and the higher interest rates rise the more the Government's costs rise, which in turn means a bigger demand for money the next time around. And so on.

"But the real crisis will come if people ever get the idea that the U.S. Government can't, or won't, face up to the facts.

"If the Government now tries to ease the pinch on itself by having the Federal Reserve supply its needs—which is what some people in Congress tell us to do—that would serve notice on everybody that we had abdicated. Then even the high interest rates wouldn't persuade foreigners to leave their money in dollars. Can you imagine what would happen if foreigners decided they would prefer to hold guilders or pounds or something to dollars?

"Or what would happen if Americans ever got persuaded—I mean really persuaded—that their Government was going to cut out paper dollars to pay its bills?"

The "what would happen," with regard to foreigners, refers not to the gold holdings of foreign governments here, although they too might be affected, but to the more than $18 billion of short-term securities held by foreigners in this country. Of this amount almost $7 billion are held by private citizens and businesses.

All these sums are, in effect, "demand claims" on the U.S. dollar; they could be liquidated and withdrawn at any time. And they probably would be, if ever confidence were lost abroad in the U.S. dollar. Such a flight from the dollar would mean further acute tightening of our money market, and still another spur to domestic inflation if the foreign fears spread to people at home.

The situation with regard to U.S. savings bonds could be almost as precarious. Americans today hold some $50 billion of these and they are entitled any day they choose to demand cash for them. In recent months more and more Americans have been cashing in their bonds anyway, under the lure of higher interest rates elsewhere and the bitter lesson since World War II that the dollars they receive at the end of 10 years are worth less than the dollars they pay for them.

In July alone the rate of redemption on savings bonds was more than double the rate of sales. Some $775 million of these bonds were presented for cash; only $350 million were sold, and most of those were sold through automatic check-off programs in business. This already adds to the squeeze on the Treasury's funds, but it is nothing to what the effect would be if the public really started cashing in their bonds wholesale.

Treasury officials hope that Congressional permission to increase the interest rate payable on savings bonds, which may be forthcoming at this session of Congress, will help stem the tide of these cash-ins. But they are not even positive of that if at the same time interest rates generally are jumping higher and higher. "I'm not so sure," explains one official, "that the interest rate is nearly as important to the small saver as his confidence that the Government will pay

him back dollars as good as those he spent for the bonds."

Confidence, then, is the key. And there is no question that some of the confidence of the men who manage the U.S. Government's money is already badly shaken.

At the Treasury there is a feeling that the Government can get through the immediate months ahead without a crisis, although not without difficulty. Treasury borrowings will be heavy between now and the year-end, and the upward pressure on interest rates will grow, but the squeeze should ease somewhat beginning in January when new tax money starts flowing in. If demands for cash aren't too high, the debt might even be reduced somewhat.

The problem of managing the debt would also be greatly eased if Congress gives the Government some better tools to work with. If the interest rate ceiling is lifted, the Treasury will probably put out some long-term bond issues, high interest rates or no, in an effort to reduce the pressure of constantly going to the money well for short-term loans.

SPENDING IS THE KEY

But there is no responsible official in the administration who pretends any of this will offer more than temporary relief if next June sees another large deficit to heap upon the $12 billion deficit of the fiscal year which ended last June. Spending is the key to the problem.

Since 1950 (to go back no further) the U.S. Government has been running a parade of deficits of enormous proportions. The list of them tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion. In only 3 years of this decade has the Government spent less than its income, and then the difference was only small amounts. So the story is one of a cumulative demand, measured in many billions, on the Nation's money markets.

What gives administration officials here their deepest concern is what the future bill will be if the Government cannot stop its spending and is forced to resort to open and undisguised inflation on a mammoth scale. To these officials the key to the future, as well as to the past, is what happens to the Government's spending.

But though a lot of people here are plainly shaken by what lies in front of them, there is still a lot of what might be called worried confidence.

In a large and ornate office overlooking the marbeled buildings of Washington, one of the best informed of the money managers meditates: "I just can't believe that the country will refuse to face up to the fact that the picnic's over and the money's running out. So I think we'll get through this crisis all right. But not, I suppose, until everybody recognizes that that's the word for it."

Mr. McCARTHY. Mr. President, I have some reservations about the compromise which the conference has arrived at. As a matter of fact, had I been consulted by the conferees—I was not a member of the conference, although we had a full opportunity to discuss the matter on the floor—I would rather the conference had accepted the House provision with regard to interest on E- and H-bonds and not accepted the provision with respect to the transfer of E- and H-bonds.

There is nothing in the House report as to what is likely to happen as a result of the deferral of taxes on the exchange of E- and H-bonds and also the deferral of taxes in regard to long-term marketable bonds. We should set up a warning signal. The game which is going on with respect to taxation seems to be one in which the effort is made to get control of tax money and hold it and use it interest-free. At the same time that is being done, the Federal Government is borrowing from other sources.

So we can conceive of a situation in which the Federal Government is permitting a financial institution or an individual to use money which should have been collected in Federal taxes, but which has been deferred, and at the same time is borrowing money from that same individual or financial institution and is paying interest at the rate of 4, 4½, or 5 percent, if the discount rate is taken into consideration. So what in effect takes place is that a person or a financial institution is being paid 4½ percent by the Government for money it has borrowed from that institution or person, and in turn the person or institution is being allowed to use tax money which should have been collected but which was not collected, but which has been deferred. Conceivably, it could cost 2 percent just to process the debt which the Government owes.

We have gone through this process, historically, on income, on which no income tax was assessed. We finally got to it on U.S. Government bonds. There is now a tax on the interest received from Federal bonds. Tax money which should have been collected by the Federal Government is now, more and more, left in the hands of individuals or institutions for their use, while, at the same time, the Federal Government is borrowing money in order to process its debt. I am sure the chairman of the committee is concerned with the problem. I note that these rollovers and transfers are going to be arranged under regulations issued by the Secretary of the Treasury. It seems to me the heart of the matter will be the nature of the regulations. Congress will not be drawing them up. That matter will be left to the discretion and determination of the Secretary of the Treasury.

I noticed that the Senator from Tennessee [Mr. GORE], who is very much interested in this subject, was present a few moments ago.

Mr. BYRD of Virginia. I may say to the Senator from Minnesota that matter was fully discussed with respect to tax relief. The Secretary of the Treasury assured me there would be no tax relief. Furthermore, in order to fully protect Congress, the Secretary is required to make a prompt report of any transactions that may be undertaken under this provision of the bill, sending copies to the chairmen of the Finance Committee and the House Ways and Means Committee. Representative MILLS and I have discussed this matter. We shall immediately insert those reports in the CONGRESSIONAL RECORD.

Mr. McCARTHY. I hope, as those reports come in, if we find a situation similar to that which occurred in the exchange of mortgages for Government bonds, we shall write some provision into the law to reverse the transaction.

Mr. BYRD of Virginia. If that should occur, steps would immediately be taken.

Mr. GORE. Mr. President, will the Senator yield so I may ask the Senator from Minnesota a question?

Mr. BYRD of Virginia. I yield.

Mr. GORE. In regard to the statement of the Senator from Minnesota that there seems to be a growing tendency to obtain deferral of tax liability, which amounts to an interest-free loan on the part of the Government, is that not exactly the way the foreign tax credit operates?

Mr. McCARTHY. The foreign tax credit which is in effect and that which in being proposed in the new legislation have the same effect.

Mr. GORE. Both of them do?

Mr. McCARTHY. Yes.

Mr. GORE. I am glad to know the Senator is keenly aware of that problem and that the chairman of the Finance Committee is aware of it and has expressed his concern about it by requesting the Secretary of the Treasury to make prompt reports. We must not let this tax deferral trend continue. I will ask the Senator if that is not also the effect of rapid depreciation.

Mr. McCARTHY. Yes; or accelerated depreciation, which has the effect of avoiding the capital gains tax on products that should be subject to taxes.

Mr. BYRD of Virginia. The Secretary of the Treasury assured the chairman of the Finance Committee this morning that he would make immediate report of all operations under this section.

Mr. McCARTHY. That is also involved in the widespread practice of withholding payment of social security taxes to the Federal Government. As interest rates go up to 5 percent, 6 percent, 7 percent, and perhaps 10 percent, the pressure to carry on this type of activity becomes increasingly great. I think Congress should be concerned with this problem.

Mr. BYRD of Virginia. I wish to make clear this provision originated in the House. It did not originate in the Senate.

Mr. WILLIAMS of Delaware. Will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. WILLIAMS of Delaware. I share the concern of the Senator from Minnesota as to what could happen with this provision, and in the committee I supported the change which the Senate adopted. I raised these same questions in the conference. However, it was the consensus of the majority in the conference that the amendment should be applied, and the will of the majority is being carried out here today.

I concur with what the chairman has just said, that he impressed upon the Secretary of the Treasury we would insist upon reports, and that these reports would be filed publicly in the record where they can be watched and examined by all of us, and I hope it will work out as it was explained—and I have no reason to say it will not—but as one who was a little suspicious of the transaction, I say it will be carefully watched.

Mr. McCARTHY. Mr. President, if the Senator from Delaware [Mr. WILLIAMS] is going to watch this matter, it will be well watched.

I say also that what he has agreed to here with regard to a proposal on E-bonds is the kind of thing the Treasury should have recommended to Congress. Along with that, if they are concerned

about the impending fiscal crisis to which the minority leader referred a while ago, we should have had some recommendations in regard to increasing taxation. There are a number of ways we can head off an impending fiscal crisis, and the proposal of the Senator from Delaware is one which the Treasury Department should have made and recommended to the Finance Committee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. ANDERSON. The suggestion made by the Senator from Connecticut [Mr. BUSH] that there should have been studies of the question of maximum interest rates is one that appeals personally to me. I express the hope that early in 1960 the Committee on Finance may have the chance to examine these matters a little more leisurely than it has had at this session.

Mr. BYRD of Virginia. The chairman is in full accord with the Senator's suggestion.

Mr. ANDERSON. Mr. President, I ask unanimous consent that there be inserted at this point in my remarks four items.

The first is a table showing the annual average offering rate on 91-day Treasury bills issued from 1931 to date, which was prepared by the Secretary of the Treasury.

The second is a table showing the prime commercial paper rate from 1914 to September 1 of this year.

The third is a table showing U.S. Government marketable bonds issued since 1900 with their rates and maturities, and because of the fact that the Senator from Illinois wanted to put in his item about the interest rates, I would like to present the item in the Wall Street Journal of September 11, 1959, headed "Operation Leapfrog: Treasury Plans Big Advance Refundings." The article illustrates the use which the Department of the Treasury could make of the authorization carried in this bill. I think it is extremely important to make this financial shift.

I ask unanimous consent that the tables and article appear in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Annual average offering rate on 91-day Treasury bills [1]

RATES ON BANK DISCOUNT BASIS

Year:	*Offering rate (percent)*
1931	1.402
1932	.879
1933	.515
1934	.256
1935	.137
1936	.143
1937	.447
1938	.053
1939	.023
1940	.014
1941	.103
1942	.326
1943	.373
1944	.375
1945	.375
1946	.375
1947	.594
1948	1.040
1949	1.102
1950	1.218
1951	1.552
1952	1.766
1953	1.931
1954	.953
1955	1.753
1956	2.658
1957	3.267
1958	1.839
1959 average through Sept 3	3.032

[1] Regular issues of Treasury bills began in 1931.

Office of the Secretary of the Treasury, debt analysis staff, Sept. 8, 1959.

Price commercial paper rate

	Percent
1914	5.47
1915	4.01
1916	3.84
1917	5.07
1918	6.02
1919	5.37
1920	7.50
1921	6.62
1922	4.52
1923	5.07
1924	3.98
1925	4.02
1926	4.34
1927	4.11
1928	4.85
1929	5.85
1930	3.59
1931	2.64
1932	2.73
1933	1.73
1934	1.02
1935	.75
1936	.75
1937	.94
1938	.81
1939	.59
1940	.56
1941	.53
1942	.66
1943	.69
1944	.73
1945	.75
1946	.81
1947	1.03
1948	1.44
1949	1.49
1950	1.45
1951	2.16
1952	2.33
1953	2.52
1954	1.58
1955	2.18
1956	3.31
1957	3.81
1958	2.46
1959	3.62
1959–Sept. 1	5.00

U.S. Government marketable bonds issued since 1900

	When issued [1]	Amount issued
		Millions
2 percent consols of 1930	1900	$646
2 percent Panama Canal loan of 1916–36	1906–7	55
2 percent Panama Canal loan of 1918–38	1908	30
3 percent Panama Canal loan of 1961	1911	50
2½ percent postal savings bonds	1911–17	11
3 percent conversion loan of 1946 and 1947	1916–17	29
3½ percent 1st Liberty loan bonds of 1932–47	June 15, 1917	1,989
4 percent 1st Liberty loan converted bonds of 1932–47	Nov. 15, 1917	568
4 percent 2d Liberty loan bonds of 1927–42	do	3,808
4¼ percent 1st Liberty loan converted bonds of 1932–47	May 9, 1918	555
4¼ percent 2d Liberty loan converted bonds of 1927–42	do	3,708
4¼ percent 3d Liberty loan bonds of 1928	do	4,176
4¼ percent 1st and 2d Liberty loan converted bonds of 1932–47	Oct. 24, 1918	3
4¼ percent 4th Liberty loan bonds of 1933–38	do	6,965
No bonds issued in the Victory Liberty loan of 1919—instead 2 notes paying 3¾ and 4¾ percent were issued.		
4¼ percent Treasury bonds of 1947–52	Oct. 16, 1922	764
4 percent Treasury bonds of 1944–54	Dec. 15, 1924	757
4 percent Treasury bonds of 1944–54 [2]	Mar. 5, 1925	290
3¾ percent Treasury bonds of 1946–56	Mar. 15, 1926	495
3⅜ percent Treasury bonds of 1943–47	June 15, 1927	495
3⅜ percent Treasury bonds of 1940–43	July 16, 1928	359
3⅜ percent Treasury bonds of 1941–43	Mar. 16, 1931	594
3⅛ percent Treasury bonds of 1946–49	June 15, 1931	821
3 percent Treasury bonds of 1951–55	Sept. 15, 1931	800
3¼ percent Treasury bonds of 1941	Aug. 15, 1933	835
4¼ and 3¼ percent Treasury bonds of 1943–45	Oct. 15, 1933	1,401
3¼ percent Treasury bonds of 1944–46	Apr. 16, 1934	1,062
3 percent Treasury bonds of 1946–48	June 15, 1934	825
3¼ percent Treasury bonds of 1944–46 [2]	Sept. 10, 1934	457
3⅛ percent Treasury bonds of 1949–52	Dec. 15, 1934	491
2⅞ percent Treasury bonds of 1955–60	Mar. 15, 1935	1,558
2⅞ percent Treasury bonds of 1955–60 [2]	Apr. 22, 1935	746
3 percent Treasury bonds of 1946–48 [2]	May 27, 1935	99
3 percent Treasury bonds of 1946–48 [2]	June 24, 1935	113
2⅞ percent Treasury bonds of 1955–60 [2]	July 15, 1935	$102
2⅞ percent Treasury bonds of 1955–60 [2]	July 29, 1935	107
2⅞ percent Treasury bonds of 1955–60 [2]	Aug. 12, 1935	98
2¾ percent Treasury bonds of 1945–47	Sept. 16, 1935	569
2¾ percent Treasury bonds of 1945–47 [2]	Dec. 2, 1935	646
2¾ percent Treasury bonds of 1948–51	Mar. 16, 1936	1,223
2¾ percent Treasury bonds of 1951–54	June 15, 1936	1,627
2¾ percent Treasury bonds of 1956–59	Sept. 15, 1936	982
2½ percent Treasury bonds of 1949–53	Dec. 15, 1936	1,303
2½ percent Treasury bonds of 1949–53 [2]	Mar. 8, 1937	484
2½ percent Treasury bonds of 1945	Dec. 15, 1937	541
2½ percent Treasury bonds of 1948	Mar. 15, 1938	451
2¾ percent Treasury bonds of 1958–63	June 15, 1938	919
2½ percent Treasury bonds of 1950–52	Sept. 15, 1938	866
2 percent Treasury bonds of 1947	Dec. 15, 1938	701
2¾ percent Treasury bonds of 1960–65	do	591
2½ percent Treasury bonds of 1950–52 [2]	Mar. 6, 1939	319
2¾ percent Treasury bonds of 1960–65 [2]	do	894
2 percent Treasury bonds of December 1948–50	Dec. 8, 1939	571
2¾ percent Treasury bonds of 1951–53	Dec. 22, 1939	1,118
2¾ percent Treasury bonds of 1954–56	July 22, 1940	681
2 percent Treasury bonds of 1953–55	Oct. 7, 1940	725
2 percent Treasury bonds of March 1948–50	Mar. 15, 1941	1,115
2½ percent Treasury bonds of 1952–54	Mar 31, 1941	1,024
2½ percent Treasury bonds of 1956–58	June 2, 1941	1,449
2½ percent Treasury bonds of September 1967–72	Oct. 20, 1941	1,596
2 percent Treasury bonds of 1951–55	Dec. 15, 1941	533
2½ percent Treasury bonds of September 1967–72 [2]	Dec. 4, 1941	1,120
2 percent Treasury bonds of June 1949–51	Jan. 15, 1942	1,014
2¾ percent Treasury bonds of 1952–55	Feb. 25, 1942	1,511
2 percent Treasury bonds of September 1949–51	May 15, 1942	1,292
2½ percent Treasury bonds of 1962–67	May 5, 1942	882
2 percent Treasury bonds of December 1949–51	July 15, 1942	2,098
2½ percent Treasury bonds of 1962–67 [2]	Aug. 3, 1942	1,236
2 percent Treasury bonds of March 1950–52	Oct. 19, 1942	1,963
1¾ percent Treasury bonds of 1948	Dec. 1, 1942	3,062
2½ percent Treasury bonds of 1963–68	do	2,831

See footnotes at end of table.

U.S. Government marketable bonds issued since 1900—Continued

	When issued [1]	Amount issued		When issued [1]	Amount issued
		Millions			*Millions*
2 percent Treasury bonds of September 1950–52	Apr. 15, 1943	$4,939	2⅜ percent Treasury bonds of 1957–59	Mar. 1, 1952	$927
2½ percent Treasury bonds of June 1964–69	do	3,762	2⅜ percent Treasury bonds of June 1958	July 1, 1952	4,245
2 percent Treasury bonds of 1951–53	Sept. 15, 1943	5,257	2½ percent Treasury bonds of December 1958	Feb. 15, 1953	620
2½ percent Treasury bonds of December 1964–69	do	3,779	3¼ percent Treasury bonds of 1978–83	May 1, 1953	1,606
2 percent Treasury bonds of 1951–53 [2]	Oct. 6, 1943	2,729	2¾ percent Treasury bonds of September 1961	Nov. 9, 1953	2,239
2½ percent Treasury bonds of December 1964–69 [2]	do	59	2½ percent Treasury bonds of December 1958 [2]	Nov. 18, 1953	1,748
2¼ percent Treasury bonds of 1956–59	Feb. 1, 1944	3,728	2½ percent Treasury bonds of November 1961	Feb. 15, 1954	11,177
2½ percent Treasury bonds of 1965–70	do	2,212	2½ percent Treasury bonds of 1960	Aug. 15, 1954	3,806
2¼ percent Treasury bonds of 1956–59 [2]	Mar. 2, 1944	95	2½ percent Treasury bonds of 1963	Dec. 15, 1954	6,755
2½ percent Treasury bonds of 1965–70 [2]	do	77	3 percent Treasury bonds of 1995	Feb. 15, 1955	1,924
2 percent Treasury bonds of June 1952–54	June 26, 1944	5,825	3 percent Treasury bonds of 1995 [2]	July 11, 1955	821
2½ percent Treasury bonds of 1965–70 [2]	do	2,909	4 percent Treasury bonds of 1969	Oct. 1, 1957	657
2 percent Treasury bonds of December 1952–54	Dec. 1, 1944	7,922	3⅛ percent Treasury bonds of 1974	Dec. 2, 1957	654
2½ percent Treasury bonds of 1966–71	do	3,448	3 percent Treasury bonds of 1964	Feb. 14, 1958	3,854
2 percent Treasury bonds of December 1952–54 [2]	Nov. 20, 1944	740	3½ percent Treasury bonds of 1990	do	1,727
2½ percent Treasury bonds of 1966–71 [2]	do	33	3 percent Treasury bonds of 1966	Feb. 28, 1958	1,484
1½ percent Treasury bonds of 1950	June 1, 1945	2,635	3¼ percent Treasury bonds of 1985	June 3, 1958	1,135
2¼ percent Treasury bonds of June 1959–62	do	5,284	2⅝ percent Treasury bonds of 1965	June 15, 1958	7,388
2½ percent Treasury bonds of June 1967–72	do	7,967	4 percent Treasury bonds of 1980	Jan. 23, 1959	884
2¼ percent Treasury bonds of December 1959–62	Nov. 15, 1945	3,470	4 percent Treasury bonds of 1969 [2]	Mar. 23, 1959	619
2½ percent Treasury bonds of December 1967–72	do	11,689			

[1] Issue date or original issue; offering date of additional issues.
[2] Reopening of existing issue.

Office of the Secretary of the Treasury, Debt Analysis Staff. Sept. 9, 1959.

[From the Wall Street Journal, Sept. 11, 1959]

OPERATION LEAPFROG: TREASURY PLANS BIG ADVANCE REFUNDINGS—IT HOPES BONDHOLDERS WILL TAKE LONGER TERM ISSUES—AIM: TO CURB INFLATION

(By John A. Grimes)

WASHINGTON.—The Government is getting ready to embark on a major new program to ease—though not solve—its debt management crisis.

The Treasury plans to offer new, long-term, higher interest rate securities to holders of issues that mature in the next 5 or 10 years. "What we'll be saying, in effect, is this: 'If you'll trade in your 10-year bond that's now paying you $25 a year in interest, we'll give you a 30-year bond that will pay you, for example, $35 a year in interest,'" explains a Treasury official.

This program has two chief aims:

The Treasury hopes to cut the share of the debt held by banks. The longer term issues would go largely to nonbank investors, such as individuals, insurance companies, and pension funds; banks prefer shorter term issues. When a bank buys Government securities, it pays for them by creating spendable bank deposits, thus tending to spur inflation.

Secondly, the Treasury hopes to simplify the mechanics of handling the over-$290-billion debt. With more of the debt pushed into the future, the Treasury might have to make fewer trips to the market for refundings. And with some of the maturities in the 1960's out of the way, it would be easier for the Treasury to sell new medium-term securities when it needs money. Such new securities could be issued without running into direct competition in the market with existing Treasury securities of the same maturities.

A TAX INCENTIVE

The Treasury's decision to go ahead with the new program is based on its assumption that Congress will provide a tax device that would make holders of existing securities more likely to agree to exchange them for the new, longer term bonds.

The tax device would allow an investor to postpone or eliminate the tax loss on an exchange of one Government security for another in an advance refunding. Institutional investors, such as insurance companies, under present law would have to record a loss on the exchange not only for tax purposes but also on their books. This would cut their earnings and surplus.

The loss would result from the fact that an exchange is treated in the tax law as a sale for the value received, and the value received would be today's market value of the new securities. Market values are lower for Government bonds than for many years past. Under the new proposal, which Congress seems likely to approve, the holder would not have to recognize any loss until the new security was disposed of. If he held the new security to maturity—and he bought the original security at par or below—any loss would be eliminated. The holder, however, would have the option of recognizing the loss at the time he made the exchange.

Even with this tax provision, the exchange offerings will not be attractive to all holders of Government securities. In cases where investors have purchased Treasury bonds at or near present depressed price levels, their actual yield in many cases is well above 4¼ percent, the highest interest rate the Treasury under present law could offer on the new securities.

In a number of cases, however, investors have bought Treasury securities years ago, at prices close to par. These investors now can sell such securities only at a substantial loss; to some extent, therefore, they are "locked in." Furthermore, many investors, such as mutual savings banks and insurance companies, follow a policy of holding sizable amounts of Government securities as a safety reserve. For these classes of investors, the prospect of a somewhat higher yield, coupled with the new tax device, may prove sufficient incentive to make the exchanges.

"OPERATION LEAPFROG"

Officials at the Treasury emphasize that they will move slowly. "We aren't going to start doing this in big chunks," says one debt management man. But the present thinking is that the Treasury would begin its "operation leapfrog" fairly soon with advance refundings of savings bonds and move later, when the Treasury decides the market is right, to refund certain marketable securities issued during and just after World War II at low interest rates.

The first moves probably will be advanced refundings of part of the $7.4 billion of outstanding, though no longer issued, F, G. J, and K savings bonds. These bonds were issued from 1947 until 1957, at interest rates ranging from 2.5 percent to 2.7 percent. They started coming due last January and will continue maturing until early 1969.

Moreover, the Treasury is considering advance refunding of some outstanding E savings bonds, particularly bonds that mature within the next year or so. For example, these bonds might be exchanged for new securities that pay interest semiannually instead of only when they mature or are cashed in, as is the case with present E-bonds.

When the Treasury judges the market is right, it will begin advance refunding of the $28 billion of 2½ percent bonds sold during and just after World War II. It conceivably may also refund in advance the $11 billion of 2½ percent bonds issued in 1954 and coming due in 1961.

Within the next 12 months, the Government must raise the huge sum of $85 billion to meet its needs. Some $6 to $7 billion has to be raised in new money to overcome the seasonal lag in tax collections between now and the end of 1959. Another $3 billion is needed to pay off holders of Government securities who want cash when their old issues mature. Another $27 billion is accounted for by the outstanding regular short-term borrowings through Treasury bills. The remainder of the $85 billion total—nearly $50 billion—represents old debt that will be coming due and which the Treasury must seek to roll over into new securities.

The Treasury's debt management mess is no sudden thing. It has been building up since World War II. In 1939, the total Federal debt was $47.5 billion. During the war, huge amounts of Government securities were sold to raise money to finance the war, while the Federal budget ran deep in the red. By the end of 1946, the debt had ballooned to $259.5 billion.

In the postwar period, the Government continued to run heavy budget deficits, again financed through bond issues. As a result, the Federal debt has now swelled to more than $290 billion.

When President Eisenhower stepped into the White House in 1953, he had three definite debt management ideas: He wanted the debt reduced. He wanted more of the debt put into longer-term securities. He wanted the Treasury to borrow less often.

Now, 16 months before he's slated to go out of office, the debt is bigger, the Treasury has been able only occasionally to issue long-term securities and thus the average life of the debt has grown shorter.

Officials believe, however, that a successful start on "operation leapfrog" would be the first slow step toward easing the Government's fiscal crisis.

Mr. CARROLL. I wish to insert in the RECORD a letter from a businessman in Colorado which is very intelligent, analytical, and thought provoking, having to do with this issue. I ask unanimous consent that the letter be inserted in the RECORD following the colloquy between the distinguished Senator from Virginia [Mr. BYRD] and those of us who are talking about the conference

report as it emerged from the Senate Finance Committee and the Ways and Means Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BONFORTE CONSTRUCTION CO.,
Pueblo, Colo., June 15, 1959.

Senator JOHN CARROLL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CARROLL: President Eisenhower, acting on the advice of Secretary Anderson and Mr. McChesney Martin, has requested that the existing 41-year limitation of 4¼ percent interest on Government bonds be lifted and that the sky be the limit on the interest rate paid on Government bonds.

The reasons given for this change are:

1. That the Government must compete in the market place for money.

2. To stop inflation.

During the past 41 years, our Nation has been through two wars, a major depression, several minor depressions and a major boom, and still the Government has been able to borrow all the money it needed throughout all these economic changes. Why is it that the Government cannot borrow the money that it needs now?

One answer is that the F.R.B. has restricted the normal flow of money. The present money shortage is wholly artificial. It has been deliberately created by the F.R.B.

The interest rate that the Government has paid during the past 6 years on all its securities has increased enormously. On certain issues the Government is now paying more than four times the rate it paid when Mr. Eisenhower took office, and still the claim is made that the rate must go higher.

If the Government pays a higher rate of interest, it will not increase the flow of money. It will only mean that every one in the Nation who borrows money will be paying a higher rate of interest.

The claim is made that the Government cannot borrow money at 4¼ percent when Government-insured mortgages are paying 5¼ percent. Those who make this claim conveniently forget to add that a Government-insured mortgage costs about 1 percent to service, so that it only nets the lender about 4¼ percent. There is no expense attached to collecting the interest on a Government bond.

There is also a risk attached to Government-insured mortgages. In addition, the best mortgage in the country has only a limited market, whereas a Government bond can be sold anywhere in the world.

The only section of the President's request that should be acted upon by Congress is to increase the interest rate on savings bonds. I would like to ask why the President, Mr. Anderson and Mr. Martin ask for a ceiling of 3¾ percent on savings bonds and an unlimited ceiling on bonds bought by bankers?

Before Mr. Eisenhower, savings bonds carried the highest rate of interest of all Government securities. It was then necessary to place limitations upon their purchase. Now the savings bonds holder is at the bottom of the totem pole.

I recommend that Congress increase the interest rate on savings bonds so that the holder thereof is paid the highest rate paid by the Government on any other of its notes or bonds of the same maturity. By this, I mean that if the Government pays 3½ percent for a 6 months' note and 4¼ percent for a 1-year bond, that the holder of a savings bond should get the same rate of interest when he cashes his savings bond that the banker would receive on his Government security for the same maturity. As it is now, the savings bondholder gets little more than his money back if he cashes his bond prior to maturity.

The necessity of increasing Government interest rates to stop inflation is really ironic to the average businessman. Since Mr. Eisenhower has been in office, the interest paid on Government securities has increased by about $2 billion. The interest on State securities, municipal securities and school securities has probably increased another billion dollars. In the next 2 years, we can expect the interest cost of Federal securities alone will increase another $2 billion. Where do Mr. Eisenhower, Mr. Anderson, and Mr. Martin think this money is coming from except from the pockets of the taxpayers?

The three gentlemen mentioned above never resist an occasion to raise the bugaboo of inflation. If they haven't heard about it, I hope that you will inform them, that all costs including interest costs are passed on to the consumer. The greatest inflationary force of the past 6½ years has come from ever higher and higher interest rates.

There will be no end to the present spiral of higher Government interest rates, then higher commercial rates, then higher Government interest rates and so on ad nauseam, as long as Government bonds are not pegged. Mr. Humphrey and Mr. Martin pulled the rug out from under Government bonds in the spring of 1953. We have been kicked around ever since.

My second recommendation is that Government bonds be pegged at the rates that existed on January 1, 1953.

Yours very truly,

JOHN BONFORTE.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. FREAR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE DEFICIT IN THE HIGHWAY TRUST FUND

Mr. GORE. Mr. President, I wish to read a telegram I have received from J. Hickey, Governor of Wyoming:

CHEYENNE, WYO.

Hon. ALBERT GORE,
U.S. Senator,
Senate Office Building,
Washington, D.C.:

A 157 million deficit in highway trust fund will practically stop highway commission letting any contracts on interstate primary and secondary roads. Wyoming well along in program, and stands to be hurt more than States not so far along. Highway construction a good one-fourth of State's economy, and sudden cessation would create extremely difficult problem.

J. J. (JOE) HICKEY,
Governor of Wyoming.

Mr. President, at a later time during consideration of the mutual security appropriation bill I will offer an amendment to correct the inadequacies contained in the bill, and during the close of the day I will proceed to read telegrams from various Governors which I have received showing the very damaging effect which the inadequacy contained in the bill will work upon our several States. I urge the Senate to give adequate consideration to this problem that affects so many people and all the States.

Mr. MORSE obtained the floor.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. I yield, with the understanding I will not lose the right to the floor.

GOVERNMENT BONDS

Mr. CARROLL. Mr. President, I ask unanimous consent to insert in the RECORD an article by Sylvia Porter appearing in the Evening Star of September 10 entitled "Your Money's Worth—Threat to Small Businessman."

A potentially great threat to small businessmen has appeared on the financial horizon. The threat lies in the mounting scarcity of credit, the rising cost of borrowing.

I will not read it all. I ask unanimous consent that it may be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH—THREAT TO SMALL BUSINESSMAN

(By Sylvia Porter)

A potentially great threat to small businessmen has appeared on the financial horizon. The threat lies in the mounting scarcity of credit, the rising cost of borrowing.

We have entered a cycle of the tightest, most expensive money in a generation, and the odds are credit will become even harder to get before it becomes easier. In this era, the big, profitable corporation borrower won't be pinched much, though; the topnotch corporation always will stand at the head of any credit line.

In this era, the borrower who will be squeezed the most will be the small businessman or the so-called marginal concern. Banks are simply not designed to provide risk capital or long-term loans for the small businessman. They never were designed for this purpose.

This type of firm won't be able to get all the funds it needs for long-term growth by issuing bonds or stocks in the capital markets.

This firm won't be able to get anywhere near ample financing from existing Federal or State or semipublic lending organizations. None of these organizations has enough capital to cover more than a fraction of loan demands.

And this firm won't be able to get much aid from the new system of small business financing that was supposed to come out of the Small Business Investment Act of 1958 and was supposed to help fill a dangerous vacuum in the credit structure of the United States.

For, so far, this act has been a flop beyond the expectations of even the most cynical. A year ago Congress passed this law under which the Small Business Administration was to promote the formation of local small business investment companies to help small businesses get risk capital and long-term loans at fair interest rates.

But apparently the investment companies are being strangled by redtape, regulations, interpretations, and misinterpretations. The number created in all these months has been ridiculously meager. The revolutionary new system of financing small business is still to come.

We enter a cycle in which borrowing will be the most expensive in a generation and even the top-rated corporations of the world will be paying up to 6 percent for short-term bank loans. And what will smaller firms be paying? Perhaps an effective rate of 7 percent.

We enter an era in which the intensity of competition will make it imperative for all businesses to modernize their plants, finance research and new products. And what companies will find it toughest to get the cash to finance modernization, research, etc.? You know the answer.

Yet, to all who worry about the unfair, discriminatory impact of tight money, the Federal Reserve System replies, in effect: "If credit controls are to curb inflation, they must squeeze some borrowers. If tight money is to work, it must work some hardship. This is the 'price' the Nation must pay for a stable dollar."

And no one in power is standing up to convince the Federal Reserve it is not pursuing the best of all possible policies now.

PROPOSED NEW SOVIET-UNITED STATES INSTITUTES OF HEALTH

Mr. HUMPHREY. Mr. President, I would like to suggest to Soviet Premier Nikita Khrushchev that, in the course of his forthcoming visit to American cities, starting next Tuesday, that he announce agreement in principle to the new concept of what I call "Soviet-American Institutes of Health."

These Institutes—on a reciprocal basis in the United States and U.S.S.R.—could be established at one or more leading American medical schools—with their teaching hospitals.

Thus, in Pittsburgh, Los Angeles, New York or Washington I would hope that the Soviet Premier could make some such announcement as this: That in any one of those, or in other cities, he would agree to the idea that there be established an enduring and living "monument," commemorating his visit.

This would be in the form of an Institute which would consist of Soviet medical research teams working with American medical teams in combating such major baffling diseases as cancer, heart disease, mental ailments, neurological disorders or other killing or other crippling illnesses.

Thus far, the Soviet Premier has not announced any medical site on his itinerary. Since the final details have not yet been settled, I hope he may yet include such a site. Within the distinguished group of individuals whom he is bringing with him, it should be noted, is Prof. A. M. Markov, member of the Collegium of the Ministry of Health.

Premier Khrushchev will be visiting our great Agricultural Research Center at Beltsville, Md. I am delighted that he will be seeing this wonderful center. But I hope that he will not miss the opportunity to visit some center, even more important, concerned not with healthier plants and healthier livestock—as vital as they are—but with healthier human beings.

EXTEND AND BROADEN UNITED STATES-U.S.S.R. AGREEMENT

I hope, too, that during the Soviet Premier's visit he will announce agreement in principle to the concept not simply of the extension of the 2-year Lacy-Zaroubin agreement of the United States-U.S.S.R. scientific exchanges, but a great broadening of that agreement.

I should like to point out, in all candor, that evidences have come to my own and others' attention that there are strong forces inside the Soviet Union which would like to close down these exchanges completely. These forces would like to slam shut the Iron Curtain. I hope, therefore, that the Khrushchev visit may result not only in keeping open the Curtain, but broadening the opening.

I would like the Soviet Premier to visit the National Institutes of Health while in nearby Maryland, particularly because one of the Soviet Union's most distinguished clinicians will be present in his party, Academician Vladimir N. Vinogradov.

During Khrushchev's tour, it would be particularly valuable, in my judgment, if he could visit a private American research center—such as the great Mayo Clinic in Rochester, Minn., if he were visiting that city.

While he does visit Pittsburgh, inspecting steel mills, it would do the world a great deal of good if he could visit with Dr. Jonas Salk, at the University of Pittsburgh Virus Laboratory.

The importance of a later visit by a great scientist like Dr. Salk to the Soviet Union could not be overestimated.

OVERALL SIGNIFICANCE OF EXCHANGES

Exchanges are all-important in East-West relations. When I returned from my visit to the Soviet Union in December 1958, I addressed a special conference of State Department officers which had been set up at the initiative of the Department itself. Seated around the table were a great many officials of the Department. They included the able Ambassador William Lacy who had negotiated the famous Lacy-Zaroubin Agreement, together with many Foreign Service officers. I told Bill Lacy, in front of all those present, that I regarded the agreement he had negotiated as one of the greatest—if not the greatest—single contribution to world peace in the postwar decade.

Despite progress, however, we have not really begun to get inside the Soviet Union. John Gunther wrote "Inside Soviet Russia Today," but we Americans have not really been inside that vast country or inside the Soviet mind. We have not really come to know the Soviet people, nor they us.

NEW COMMITTEE PRINT AVAILABLE

In this connection, I should like to cite to my colleagues a new 57-page booklet entitled "United States Exchange Programs With the Soviet Union, Poland, Czechoslovakia, Rumania, and Hungary."

This committee print shows the many delegations which have been exchanged between the countries during the last 1½ years in such fields as agriculture, education, music, the physical sciences, medicine, industry, and other fields.

ORIGIN OF BOOKLET IN MOSCOW VISIT

The booklet arose out of my own visit to Moscow and my study of the medical exchange program. I went there in my capacity as chairman of the Subcommittee on Reorganization and International Organizations of the Committee on Government Operations, conducting an international health study, as authorized under Senate Resolution 347, 85th Congress. Thereafter, I asked the State Department for a comprehensive report not only on the medical exchange, but on all other exchange programs under the agreement. The Department made the report and in a very helpful and informative fashion.

The material was turned over to the Committee on Foreign Relations; this subject logically falls within its vast and essential jurisdiction. Through the courtesy of the distinguished chairman, my able colleague from Arkansas [Mr. FULBRIGHT], the booklet was thereafter issued as a committee print by the Committee on Foreign Relations.

It is fitting that it was he who arranged this, because no single Member of the Senate has done more to awaken the people of the world to the value of exchange programs than has the famed author of the Fulbright Act.

Several thousand copies of the booklet have now been published. I would like to see one in the hands of every American university, for student exchanges are one of the most important programs. And I would like to see every American cultural organization see it, so as to stimulate their own thinking on future exchanges, formal and informal.

I cordially invite my colleagues to secure copies of the booklet. A supply may be obtained from the Committee on Government Operations. The Committee on Foreign Relations has kindly made available a large number of copies to that committee.

I hope, therefore, that after the Khrushchev visit exchanges will proceed full speed ahead and that there will be adequate money to finance travel by American exchange missions to the U.S.S.R.

PUBLIC LAW 480 FOREIGN CURRENCY LOAN REPAYMENTS

Mr. HUMPHREY. Mr. President, I have a brief statement in reference to the conference report on the amendment to Public Law 480, to clarify a point which was developed in that report.

The committee of conference did not adopt a provision in the Senate version which would have specifically authorized foreign currencies which are now beginning to come in through payments of principal and interest on loans made under section 104(g) of Public Law 480 to be used for assistance in the establishment and operation of binational foundations for the purpose of promoting education, health, and public welfare. This action by the committee does not mean that these foreign currency repayments are frozen from any use whatever. Rather, as I understand it, these foreign currency repayments, like the foreign currencies originally received on sales of surplus commodities under title I, may be used under existing law for the various purposes set forth in section 104 of Public Law 480—for example, to help develop new markets abroad for U.S. agricultural commodities, or possibly for binational foundations which will contribute to economic development. I described the possibilities under this section in my remarks of Friday, September 11, on page 19069, when I said, "Certain provisions

under section 104 are maintained without change or interference * * * it should be understood that the use of foreign currencies is supplemental to, in addition to, regular appropriations."

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments, as modified, of the Senator from Virginia [Mr. ROBERTSON].

Mr. MORSE. Mr. President, as I stated a few minutes ago, I think the pending amendment raises such an important problem of constitutional law that even though the chairman of the Committee on Appropriations and others on that committee are willing to take it to conference, I do not think it should go to conference until legislative history in much greater detail than has been made on it.

The Senator from Virginia [Mr. ROBERTSON] deserves great credit, thanks, and appreciation from the Senate for his sincere attempt to provide something in this law which, at least, will give us a procedure by which we may be able to obtain from administrative and regulatory bodies within the administration the information we need concerning the expenditure of appropriated funds.

But even the distinguished Senator from Virginia would be the first to admit that the language he brings to the floor of the Senate is not the language he would like to bring to the floor of the Senate. He would prefer to go much further.

The Senator from Oklahoma [Mr. MONRONEY] made the suggestion that we try to put some teeth into the amendment by making it perfectly clear that if there were received a certification by the President that he considered the disclosure of the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested to be contrary to the public interest, we would review the certificate and decide for ourselves whether or not the President showed good cause in the certificate for not making the information available.

If we should reach the conclusion that we were not satisfied with his certification, we would notify him that unless the material were to be submitted to us forthwith, any further expenditure of money from appropriated funds would, in effect, be stopped by Congress impounding the funds. Either we must come to grips with this issue, or, in my judgment, we shall be guilty of surrendering a very precious congressional power and right to an administration which already has taken us a long way down the dangerous road of government by the Executive.

In the course of my remarks this afternoon I intend to discuss Marbury versus Madison, which is the constitutional landmark case of 1803. In my judgment, that case gave rise to the consideration of this problem.

I shall discuss some other legal precedents involving this very important constitutional point; but at the outset of the speech I wish to make it very clear that in my judgment the Robertson amendment does not meet the problem which confronts us. It is better than nothing, but that is about all I can say for it.

The amendment does make it clear that the Congress still has the right to follow appropriated funds and that it has the right to stop the expenditure of such funds if it cannot receive information from the administrators of the various departments as to how such funds are being spent.

HISTORY OF EXECUTIVE PRIVILEGE

Mr. President, the study most frequently referred to in the consideration of legislative-executive relations and the issue of withholding information sought by Congress is the one done by Herman Wolkinson which appeared in the Federal Bar Journal of April 1949.

Wolkinson goes through an interesting list of contests between the President and the Congress over information possessed by executive departments. He cites cases in the Washington, Jefferson, Jackson, Tyler, Polk, Buchanan, Cleveland, Theodore Roosevelt, Coolidge, Hoover, F. D. Roosevelt, and Truman administration which he claims demonstrate that the President has always won out when he desired to withhold information from Congress.

This study was apparently the basis for a memorandum which the Attorney General furnished the President and which was in turn passed from the President to his Secretary of Defense in a letter dated May 17, 1954.

The President said to the Secretary of Defense on that occasion:

> Within this constitutional framework each branch should cooperate fully with each other for the common good. However, throughout our history the President has withheld information whenever he found that what was sought was confidential or its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation. * * * Because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations or communications or any documents or reproductions concerning such advice be disclosed, you will instruct employees of your Department that in all appearances before the subcommittee of the Senate Committee on Government Operations regarding the inquiry now before it they are not to testify to any such conversations or communications or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosures.

Unfortunately, the study done by Mr. Wolkinson argues so completely from the executive point of view that it overlooks a very important fact about many of the issues he cited between the Executive and the Congress.

That fact is that in many of his own instances the President involved reiterated his right to withhold information under certain circumstances, but complied with the congressional request in the case at issue. At times when our Presidents have set forth their most ringing declarations of Executive powers they have at the same time decided that what Congress wanted, Congress was entitled to have.

In the hearings before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee on March 19, 1959, Mr. J. R. Wiggins, vice president of the Washington Post, went through the list of historical cases listed by Herman Wolkinson and pointed out how several of them fail to prove Mr. Wolkinson's conclusion.

I quote from Mr. Wiggins' statement, beginning on page 180 of the printed hearings:

> In a memorandum on congressional powers previously referred to the Department of Justice has stated these propositions:
>
> "(1) For over 150 years—almost from the time that the American form of government was created by the adoption of the Constitution—our Presidents have established, by precedent, that they and members of their Cabinets have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. * * *
>
> "(2) Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest, and they will not interfere with the exercise of that discretion."
>
> These sweeping propositions are not sustained by the argument made in this memorandum. The second proposition is not consistent with some of the cases cited above. The first proposition is not supported by the record of early presidential precedents on which it rests.

THE HISTORICAL PERSPECTIVE

The historical background for this sweeping claim of absolute privilege first appeared in the Federal Bar Journal of April 1949, in an article by Herman Wolkinson, entitled "Demands of Congressional Committees for Executive Papers." It is the source document for the statement which the Department of Justice submitted in 1954, accompanying President Eisenhower's letter to the Secretary of Defense of May 17, 1954. It has been drawn upon for the somewhat enlarged memorandum which Attorney General Rogers submitted to the House Committee on Government Operations and to the Senate Subcommittee on Constitutional Rights. The Wolkinson article concluded with the statement:

> "In the great conflicts which have arisen, in the administrations of Washington, Jackson, Tyler, Cleveland, Theodore Roosevelt, and Herbert Hoover, the executive has always prevailed."

This contention is simply not supportable even on the basis of the historical episodes to which Mr. Wolkinson alludes and which the Department of Justice has incorporated in its memorandum. Space does not permit or time allow the examination of all these historical incidents but it is worth while to examine at least the early episodes which were of such importance as precedents and on which the Wolkinson article and the Justice Department memoranda lay such stress. The memorandum of 1952 is the source of the quotations used in this effort to refresh historical perspective.

THE ST. CLAIR EPISODE

As the memorandum states, in March 1792, the House of Representatives passed the following resolution:

> *"Resolved,* That a committee be appointed to inquire into the causes of the failure of

the late expedition under Major General St. Clair, and that the said committee be empowered to call for such persons, papers, and records as may be necessary to assist their inquiries."

This resolution related to the disaster encountered by General St. Clair's force of 1,400 men on November 3, 1791, when it was surprised by an Indian attack near a Miami settlement, in which 900 men were lost and the command driven back in disorder.

Before establishing the congressional committee of inquiry, the House had debated a resolution calling upon the President to undertake such an inquiry but had decided against this course.

Says the Attorney General's memorandum:

"When the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet."

A description of this meeting (there were really two meetings) is taken from Jefferson's notes, which repeat this conclusion of the Cabinet:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public; consequently were to exercise a discretion. Fourth, that neither the committee nor the House had a right to call on the head of a department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President."

This account of the Cabinet's conclusion was obtained from Thomas Jefferson's writings, but it is not a full account. Thomas Jefferson, in relating the episode, in addition to the matter reported above, said:

"Hamilton agreed with us in all these points except as to the power of the House to call on the heads of departments. He observed that as to his department, the act constituting it had made it subject to Congress in some points, but he thought himself not so far subject as to be obliged to produce all the papers they might call for. They might demand secrets of a very mischievous nature. (Here I thought he began to fear they would go on to examining how far their own members and other persons in the Government had been dabbling in stocks, banks, etc., and that he probably would choose in this case to deny their power; and in short, he endeavored to place himself subject to the House, when the Executive should propose what he did not like, and subject to the Executive when the House should propose anything disagreeable.) Finally agreed to speak separately to the members of the committee, and bring them by persuasion into the right channel. It was agreed in this case, that there was not a paper which might not be properly produced; that if they should desire it, a clerk should attend with the originals to be verified by themselves."

Mr. President, one would think that was not 1792, but 1959, because the problem of contest between Congress and the Executive over the issue of Executive privilege has existed as long as our Republic has existed.

I also want to stress the great difference on this issue between this administration and previous administrations, going back to the time of Washington, Jefferson, and Madison. Those early Presidents—in fact, the Presidents throughout our history, until we have reached this almost blanket mandate from the Eisenhower administration—have taken the position that their right of privilege was discretionary with the President, and that the President would not exercise it unless he, as President, decided that the national interest involved in the request was of such a nature that he had the executive duty to deny the congressional request.

I have no objection to that. In fact, I have taken a position, time and time again in support of the right of Presidents to exercise the doctrine of Executive privilege. It is inherent in the separation of powers doctrine.

If we are to have three independent branches of Government, and we must have them for our form of self government and to preserve our independence, then I will not support any proposal which seeks to take away or encroach upon the Executive privilege of any President of the United States, I care not who he is. If I understand the Senator from Virginia [Mr. ROBERTSON] correctly, that is exactly his position.

COMPLAINT OF CONGRESS IS WITH THE ABUSE OF EXECUTIVE PRIVILEGE

But what we are objecting to is that this administration, through its Attorney General, has, in effect, sought to delegate a constitutional power of a President to all the administrative officers of his administration. That I contend, is beyond his power. President Eisenhower does not have the constitutional power to give blanket authority to his Cabinet officers, to the heads of the various departments, to the subordinates in those departments, to the regulatory agencies, to exercise for him the doctrine of Executive privilege.

Certainly this earliest Cabinet in our history together with the first President, set forth that very doctrine and acted on it, as well.

Moreover, when we get to discuss Marbury against Madison later, it will be seen that the very first case in our constitutional history helps clarify and support this doctrine, namely, that the use of Executive privilege is personal to the President and calls for personal action by the President whenever an issue is raised between Congress and the executive branch of the Government over a request by Congress for information.

That is a power which resides with the President, an elected representative of all the people of the Nation. It was not intended as a power which he could delegate to some bureaucrat who never stood for election; or who, if he did stand for election, was defeated and was then appointed by the President to fill some adminstrative office. With that type of bureaucrat this administration is honeycombed.

The legal argument I make this afternoon is based on the premise that Executive privilege is personal to the President. When he exercises it personally, he will never find a stronger defender of that principle than the senior Senator from Oregon. I have defended it over and over again.

I remember that I defended it at the time of the MacArthur hearings, when I was a member of the Committee on Armed Services, and an attempt was being made to get a statement, through testimony, from General Bradley on one occasion, and Secretary of State Acheson on another, as to what was said at conferences held at the White House prior to the action which President Truman took in connection with the MacArthur incident.

Those witnesses took the position, and rightly so, that they did not feel that they were free to testify as to what happened in the meetings with the President of the United States at the White House, without the approval of the President. That was a perfectly sound position for them to take. They contended that the committee, therefore, could not press against the witnesses, but could only seek from the President the authority for them to tell, with the permission of the President, what transpired at the White House conferences. The RECORD will speak for itself.

When it was suggested that perhaps the committee should have considered holding the witnesses in contempt because of their refusal to disclose what happened in the White House conferences, we had, in respect to one of the instances, quite a discussion and a vote, and a majority of us sustained the doctrine of Executive privilege.

We could have taken the next step, and could have sought to get the President to give permission for them to testify about what was said at the White House conference. But we did not do so, because all of us recognized that we were dealing with a matter which obviously was one in which a President would not give such consent, and should not be expected to do so; and we thought that, under the circumstances, it would be an affront to him to ask him to do so.

I refer to this matter only to point out that the Congress has been a great respecter of Executive privilege. It seems to me that in the discussions of the matter of Executive privilege, there is sometimes sought to be created in the public mind the impression that Congress lies in ambush, waiting to embarrass an administration by seeking to obtain from it information which good, commonsense would indicate Congress should not request, whereas if Senators really believed in the doctrine of the separation of powers—and, Mr. President, if we do not, of course we have no place in this body, because the doctrine of the separation of power is one of the most precious of the constitutional checks— they should not ask the President to make available to them any material which might fall within the prerogatives of the President under the doctrine of Executive privilege.

NO EXECUTIVE PRIVILEGE AT ISSUE IN ECONOMIC AID

However, Mr. President, such a situation does not exist in the case at point. The ICA was created with the approval of Congress; the ICA administers hundreds of millions of dollars of the funds of the taxpayers, in connection with the economic-aid program. As the Senator from Virginia [Mr. ROBERTSON] has pointed out, by means of the original amendment we were not seeking to obtain any necessarily secret information about what happens in connection

with the expenditure of the funds appropriated for military purposes by Congress.

It is not my position that we should not do so, although when we try to obtain information about what happens to the funds appropriated for military purposes, we much more frequently encounter legitimate uses of the Executive privilege than we do when we seek to obtain information about the expenditure of the funds which have been appropriated for economic aid.

So, although I shall discuss for a few minutes the fact that we are seeking to obtain from the ICA information about what has happened to the funds appropriated for economic aid, under the foreign aid program, I do not want that to be interpreted in the future as seeming to be a concession by me that Congress would be acting beyond its prerogatives if it sought to obtain from the executive branch information in regard to what happens to funds which have been appropriated for military aid.

Not one of us, to my knowledge, ever has asked, or would ask, the administration for information in regard to any matter which would involve top military secrets. In view of the Executive powers of the President, I do not think we should attempt to obtain information from the President which could, by means of the process of deduction, result in the disclosure of information about a military secret, which would be helpful to a potential enemy. In such cases, all the President would have to do would be to say, "I cannot give you this information, because it relates to matters which, in my opinion, as Commander in Chief, I must keep secret, even from the Congress."

Here, again, history shows that past Presidents have leaned over backwards in trying to cooperate with the Congress in providing all the information which could be given to Congress without having the President violate what he considered to be his duty, under the Constitution not to make public information which, in his opinion, the best interests of the Nation required him to keep secret.

It becomes a matter of judgment and of degree, and also a matter of whether there is an intent and a desire on the part of the Executive at any given time to try to cooperate with the legislative, elected officials of a free people, and to try to carry out what I believe was obviously intended in connection with our Constitution—namely, that the branches of the Government work together, not against each other. When they come to an issue on which there is an honest and sincere difference of opinion, the two bodies involved—the legislative branch and the executive branch—should carry out their constitutional powers under our system of checks and balances—which, in the case of a measure passed by the legislative branch, would mean a Presidential veto of that act of Congress, following which the Congress would have the right to override the veto by means of the necessary two-thirds vote; or, in this case, the right of the President to say, "I exercise the Executive privilege in this case because in my judgment it will not be in the national interest to make this particular information available to you."

But that is quite different from doing what I respectfully submit this administration has attempted to do; and I believe that the memorandum of the Attorney General, to which I shall refer later, makes that clear—namely, that the President issued to the Defense Department a directive in which, in effect, he said to its employees, "You are free to exercise my Executive privilege." Mr. President, to that, I will never agree.

I intend to insert in the RECORD a considerable amount of the material I have prepared in connection with this argument, Mr. President. However, the development of the legislative history in regard to this amendment is so important that we must not permit the amendment to go through the Senate today with only the small amount of discussion which has occurred thus far in regard to the importance of this constitutional issue.

So, Mr. President, I shall take a few moments more to discuss some of the early history; and then I shall insert in the RECORD the remainder of my comments on the specific cases, and thus save a great deal of time.

Mr. President, that account of the Cabinet's conclusion was obtained from Thomas Jefferson's writings; but it was not a full account.

Next I wish to call attention to an account in Freeman's biography of George Washington:

> The copies of St. Clair's reports, covered by this message were sent precisely as received, and when published, they were complete. Not even the ugliest line on the flight of the beaten troops was eliminated. Washington had learned long previously the protective value of candor in dealing with the American people and he knew that one reason for their trust in him was their belief he would tell them the whole truth.

As Mr. Wiggins puts it, in the light of this more complete account of that episode, can it possibly be argued that it sustains the position of the Department of Justice or that it supports Wolkinson's statement that the Executive has always prevailed?

The House demanded the papers. The Cabinet agreed that the House might institute inquiries. It thought it might call for papers. It thought the President should exercise discretion, but in this case decided to make all the papers available. The Cabinet felt the House inquiry should have been directed to the President, and not his department heads, but all the papers were nonetheless produced.

I want to repeat that, Mr. President: The Cabinet, at the very beginning of this Republic, agreed that the House might institute inquiries. It thought it might call for papers. It thought the President should exercise discretion, but in this case decided to make all the papers available. It felt the House inquiry should have been directed to the President, and not his department heads, but all the papers were nonetheless produced.

That is the record which Thomas Jefferson, a member of that first Cabinet, leaves as to its judgment on the nature of Executive privilege.

I think that is pretty sound procedure today, too. All we are suggesting, in effect, in the amendment offered by the Senator from Virginia, is a sort of a stopgap for the time being, until, in the next session of Congress, we can go into a fuller consideration of this problem by a bill containing broader language, so that if the ICA refuses the Appropriations Committee information that it seeks as to what is happening to appropriated funds for economic foreign aid, the President shall then make the decision himself on the specific request, and the President shall certify that the information shall not be available to the Congress.

Listen to the language of the Robertson-Ellender-Humphrey amendment:

> None of the funds herein appropriated shall be used to carry out any provision of (this act) or with respect to any project or activity, after the expiration of the 35-day period—

The period of 35 days, instead of 20 days, has been accepted—

> which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest and has forbidden its being furnished pursuant to such request.

AMENDMENT IN KEEPING WITH HISTORIC INTERPRETATION OF EXECUTIVE PRIVILEGE

How sound in American history this amendment is. How fully in keeping with this historical record that I am putting into the CONGRESSIONAL RECORD this afternoon. Starting back in 1792, when the House sought certain information from a Government department, and the President's Cabinet met, as I just got through pointing out, the Cabinet thought that the request should have been directed to the President himself, instead of to a department of Government, but the Cabinet thought, and the President agreed, that the papers asked for, granting of which was discretionary with the President, under the circumstances of that particular case, should be granted to the House committee.

I say that is 1959 all over. The same problem is with us. What has happened in the meantime? In the meantime it

has become a common practice for congressional committees to make their requests for information from executive departments, just as they did in 1792. But until recently, Mr. President, when the Congress sought information from some executive department, the executive department sought a ruling from the White House as to whether or not the information should be made available

This administration is trying to change this matter of personal Executive privilege into departmental Executive privilege; and I say that is not contemplated by the Constitution; it is not authorized by the Constitution; and, in my judgment, if we can ever get the question before the Supreme Court for a judicial determination, it will not be sanctioned by the Court, on constitutional grounds.

So all the Senator from Virginia is doing at the present time is, if one wants to put it this way, making it perfectly clear that a denial of a request for information from ICA must receive the President's personal attention by this requirement of a Presidential certification that the material is to be denied.

I would go further. I would draw the issue as the Senator from Oklahoma [Mr. MONRONEY] suggested that it be drawn; but, if I understood the Senator from Oklahoma correctly, it was his position that perhaps for the time being we should go only as far as the Robertson-Ellender-Humphrey amendment goes, with a notice to the administration that by so doing we concede nothing and that by so doing we give notice that come the next session of Congress, we intend to take this matter up again. We should seek to get it clarified further and enact legislation that will then come to grips with the administration with a provision that impounds funds so far as concerns making any more funds available for any particular project about which we seek information being denied to us by the President.

Until Congress enacts that kind of legislation, it is going to be very difficult to get the question at issue before the Supreme Court for a decision. I think this matter has now taken such proportions, Mr. President, and is so threatening our legislative rights here in the Congress, that we need to get the question before the Supreme Court for a final determination.

CONGRESS SHOULD REOPEN MATTER NEXT YEAR

If the Monroney amendment were pressed at this time I think it would accomplish that purpose, but in a spirit of great cooperation, I am not going to press for it. I am going to accept the Robertson amendment although, as I say, I think it is a rather toothless amendment. It is hardly aught but a serving of notice of our insistence that we are not receding from any of our rights, and it has the additional effect of at least putting the President in a position where he is bound to file a certification called for by the act if he wishes to get the money for the project.

As I interpret the amendment, if the President routinely gives certification, there is no language in the amendment which would lay a basis for our doing anything about it. The Senator from Virginia [Mr. ROBERTSON], if I understood him correctly, said we had the power of the purse. We have the power of the purse as to the next appropriation bill, but we would not have any authority over the money already appropriated unless language were put in along the lines of the language proposed by the Senator from Oklahoma [Mr. MONRONEY].

On the other hand, I am never going to take the position with respect to our present President or any other, a man who has been elevated to the greatest office not only in our country but in the world, that once there is laid on his desk the language of the Robertson amendment, which provides for a request for a certification—and that is about the best that can be said for it—that a President is going to take lightly the filing of such certification. I think this or any other President would respect the purpose and the intent of such legislation.

PRESENT CONTROVERSY OVER ICA EVALUATION REPORTS

So I think it is in effect stop-gap legislation which will serve notice on the administration that we do not feel very kindly about the number of times we have been denied, not by the President personally, but by his departments and executive officials, information to which we think we are entitled if we are to carry out our legislative trust to the American people.

In the Foreign Relations Committee this year we spent a great deal of time discussing this problem, because we were concerned about the evidence being submitted to us and the allegations being filed as to corruption, inefficiency and waste in the administration of the foreign aid program.

We knew the administration had on file a whole series of so-called evaluation reports, that is, reports on the operation of the foreign aid program, prepared for the administration by competent experts who had been sent out to make a survey, to take a "look-see," to make an analysis of the administration of the foreign aid program and report back to the President through the Department of State. This has become known in this debate as the ICA evaluation report.

Consistently the ICA has denied us those reports. I, as a member of the Foreign Relations Committee, want the American people to know that those reports would have been a great help to us in evaluating the operation of the foreign aid program in various parts of the country. Making those reports available to us would have saved the taxpayers of this country many, many thousands of dollars.

Let me tell, Senators, what is bound to happen now. The Senator from Virginia referred to it in passing. Let us consider the investigation that the Committee on Foreign Relations has been conducting in connection with charges that there has been great waste in Vietnam. There is an evaluation report on Vietnam, and we would like to have seen it. What is so secret about that? As the Senator from Virginia [Mr. ROBERTSON] has indicated, we are going to have to send out legislative investigatory committees to duplicate what this group of evaluators sent out by the executive branch of the Government have already done.

Does that make sense? It makes nonsense to me, so far as the duplication of expenditure is concerned. But the Senate still has the duty to get the facts as the basis for future legislative action. If the executive branch of the Government will not cooperate with us by giving us the information they have already collected, and which we can judge for ourselves, we may have to conduct independent investigations. It would be much more sensible to make use of their reports. After we had studied their evaluation reports, we could decide whether we would be justified in conducting a new and independent investigation.

Mr. President, it is just horsesense. I do not want them to turn over to us any top secrets which would injure my country if they should get into the hands of potential enemies. When I had a representative of the State Department on the stand for the Committee on Foreign Relations, I asked him some questions about the reason for their action. Now, let the record speak for itself. In the course of my examination of that State Department official, I asked him how many people had seen these evaluation reports this group of evaluators filed with the Department of State, and through the Department of State with the President. The testimony will show he said some 25 or 30.

I asked him, "Who are they? Of the 25 or 30, how many of them are elected officials?"

If you count the President and the Vice President, there would be two. Of course, we all know the President really sees very few of them. We know they are handled by appointed officers who were not elected. They are handled by people in the ICA and in the Department of State. In fact our discussion in committee showed there was no certainty that the Vice President could see them. It was agreed if he sought to see them, in all probability he would be allowed to do so. But he is not necessarily assured the right to see them. And so we have this information that the congressional committee seeks to look at in order to reach a judgment as to whether foreign aid is being properly administered in Vietnam, Laos, or anywhere else where we are spending so much money.

This information is available to a group of appointed individuals or individuals serving as civil servants under our career system. If they can see them, as we said in our discussion in the committee, what is so wrong with letting members of the Committee on Foreign Relations of the U.S. Senate see those reports? Why may we not see them?

Why may we not see them, in order that we may better determine whether or not we are appropriating too much money, in order that we may better determine whether or not we should

modify the foreign aid law in some particular, perhaps in respect to personnel? If the evaluation reports show that there are inefficiencies or wrongdoings, perhaps it is because our standards for selecting personnel are not right.

I have been at a loss to find a single good reason why the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House, to which committees come requests from the administration for authorization for the whole mutual security program, cannot be taken into the confidence of the administration. At the very least they should be allowed to take a look at the evaluation reports, which have been filed in the field. After all, some 25 or 30 appointed officers or civil service officers of the State Department or the ICA are allowed to see the reports. If the present arrangement makes sense, I become lost in that kind of logic. It does not make sense. It is not in the interest of the American people.

What do I think the general practice should be? The general practice should be what it has been on the part of past Presidents throughout our history. Starting with the case I just cited, back in 1792, it was thought that the material and papers asked for were papers which the President, at his discretion—and the Cabinet made that very clear—should make available to the House committee, and did. Thus it will be seen that that is the position of President after President, decade after decade, as issues of Executive privilege have arisen between the Congress and the President. No President has ever given up his constitutional right to exercise Executive privilege when he has exercised discretion in making material asked for by the Congress available to the Congress, because he reached the conclusion that his action would not in any way jeopardize the public interest.

We are asking that the traditional practice be followed. But we have run up against a stone wall with this administration. We have run up against a President who has, in effect, given blanket authority to his departments to render the decision for him as to whether or not the material should be made available. They notify the Congress that it is not to be available, and we are stopped there.

What the Senator from Virginia seeks to do by this amendment is to provide that the President shall certify that the material should not be available, and give his reasons.

THE JAY TREATY

The second historical episode I wish to mention this afternoon is that involving the request of the House of Representatives for instructions and papers furnished our ambassadors who negotiated the Jay Treaty. The facts were all brought out by the great journalist who is known, I am sure, to each one of us, in the statement he made to the Congress. I refer, of course, to Mr. Wiggins, of the Washington Post.

I continue to quote from his statement:

This case no more sustains the claim to sweeping powers of nondisclosure than the first episode. Here, President George Washington refused the papers on the sound and specific constitutional ground that the Senate and not the House was entrusted with authority to advise and consent on the making of treaties. It was because he did not acknowledge that the House was involved in the treatymaking power that he denied the requested papers. This is made plain in the quotations from the President's message by the Department of Justice.

The issue involved appears with greater clarity as a result of a subsequent situation involving diplomatic papers in which President John Adams did respond to a House resolution under conditions that made the House request constitutional.

On Monday, April 2, 1798, the House called up the following resolution:

"*Resolved*, That the President of the United States be requested to communicate to this House, the instructions to, and despatches from the envoys extraordinary of the United States to the French Republic, mentioned in the message of the 19th instant" (which reported the failure of the negotiations with France).

It was then proposed to add the following amendment: "excepting such parts of said papers as any existing negotiation may render improper to be disclosed."

Then Mr. Nicholas said he "did not think it would be right in the present situation of things—when we are told by the President that the negotiation with the French Republic is at an end, and that there is no chance of an accommodation taking place between the two countries—to agree to any exception of this kind. Called upon to act in this desperate state of things, he thought it would not be right for any part of the papers which had led to it to be withheld from Congress. The President having thought fit to declare that all negotiation is at an end, that he is without hope of an accommodation, it could not be thought proper that the legislature should be called upon to act upon less information than that upon which the President himself had acted. He thought the Constitution must have intended this when it placed the power of declaring war in their hands; to suppose the contrary, would be to suppose an absurdity."

The author of the amendment wished to withdraw it rather than have a vote on it (that seemed likely to be unfavorable) and in so doing stated that he thought the President had the constitutional power to withhold such parts of the papers as he felt it improper to communicate.

Mr. Harper said, "The present call for papers stood upon a very different ground from that made when the British treaty was under consideration; the objections, of course, against that call would not apply in the present case, as the papers now called for were wanted to throw light upon a subject confessedly within the constitutional powers of the House. He therefore held the call not only to be constitutional but expedient. Nor could he see any ground for the amendment; if the House had a constitutional right to ask for information, they had a right to ask for the whole information, and the President would judge how far he could with propriety comply with the call. But since the House did not know that the communication of any of these papers would be improper, the whole ought to be called for; and, if the President should think it proper to retain a part, he would doubtless give sufficient reasons to the House for doing so. On a former occasion when it was moved to modify the resolution calling for papers in the way now proposed, the motion was rejected, because it went to alter the principle contended for; and he believed the same reason would lead to a rejection of the present motion."

The amendment was then defeated and the resolution itself adopted, by a vote of 65 to 27.

On April 3 the President sent a message to Congress stating: "In compliance with the request of the House of Representatives expressed in their resolution of the 2d of this month, I transmit to both Houses the instructions to and dispatches from the envoys extraordinary of the United States to the French Republic, which were mentioned in my message of the 10th of March last, omitting only some names, and a few expressions descriptive of the persons.

What now of the allegation that "the Executive has always prevailed"?

Here is a perfect illustration of the limits of Executive privilege, of the difference between a request that was unconstitutional because it exceeded the powers of the House, and one that was constitutional because it was within the powers of the House. There is, as well, an illustration of the readiness of the House to accept the sound reasons of the Executive for withholding the names that went down in history as participants in the XYZ affair.

It is not to be overlooked that the disclosure of the instructions to our ambassadors in the matter of the Jay treaty would have divulged to a hostile House that the Embassy had achieved few of the things it was instructed to obtain. And it is not to be forgotten that Adams dealt the House Republicans a sharp political rebuff by the XYZ disclosures.

So, Mr. President, from the very first administration of this Republic the first President of our Nation recognized that he had the personal constitutional right to exercise executive privilege, but he also appreciated the fact that he had the executive duty to cooperate with the legislature, the Congress, to make available to the Congress all such information that it felt it might need in carrying out its legislative duties. I recommend the record of Washington, Jefferson, Madison, and all the other Presidents up to President Eisenhower, because they have carried out in the main, with certain exceptions which I will include in the RECORD later, the thesis that I am making in the RECORD this afternoon, namely, that this matter of executive privilege is personal to the President. It is not a privilege that he can delegate by way of a blanket Executive order to men in charge of departments or working in departments, men who never were elected by a free people. It is a responsibility that the President must assume personally.

That is what the Robertson amendment as far as it goes—and it does not go nearly far enough—purports to make perfectly clear in the action that the Senate is asked to take.

CONGRESS, TOO, HAS CONSTITUTIONAL PREROGATIVES

I am going to go as far as the Robertson amendment goes, but I hope that come next session Congress will go much farther and will pass legislation which, in my judgment, we have a constitutional right to pass. I am perfectly willing to see Congress pass the legislation and then let the U.S. Supreme Court render a decision as to whether or not we are acting within the framework of the Constitution.

The President undeniably has his prerogative of Executive privilege. But it

is also undeniably the prerogative of the Congress to appropriate money and to lay down terms and conditions for its expenditure.

We should pass legislation which makes clear that if we cannot get information from the ICA, for example, on how the foreign aid program is being administered, we will not permit additional funds to be expended on any project until such information is made available to us. When we know that these agencies have reports which have been prepared at the expense of the American taxpayers, when we know that groups of experts have been sent all around the world to make these evaluation reports, and then they take the position under executive privilege that those reports shall be denied to us and force us to spend more taxpayers' money to make congressional investigations of the same subject matter, I am willing to impound their project funds by appropriate legislation.

I am willing that such legislation be passed upon by the U.S. Supreme Court, and I am perfectly willing to say, in my own judgment, if that legislation is properly worded it will be sustained by the Court as a proper exercise under the Constitution of our checking powers upon the executive branch of the Government. When the funds for any project are stopped, as herein suggested, we should then be in a good position to get the matter at issue for Court determination.

Mr. President, from the very beginning of the history of our country this interpretation of the executive privilege which I am making in this speech this afternoon has been followed by our Presidents until this administration took office. Since that time we have had a great increase in refusals on the part of the President to give us information which we need. Worse than that, we get a directive that in effect seeks to delegate this executive privilege to subordinates within the executive branch of the Government, and I believe, Mr. President, and I speak most respectfully but firmly, that the President is guilty of an abuse of the constitutional prerogative in assigning such executive privileges.

Mr. President, just a word or two about Thomas Jefferson's administration. This is the next item discussed in the *Wiggins* article.

I think Mr. Wiggins did a remarkable job of legal research in collecting and preparing this analysis of the alleged precedents that Professor Wolkinson cited in his Law Review article. His analysis demolishes the Wolkinson article because it points out that although the Presidents alluded to their right of executive privilege time and time again after stating that they had the right to refuse the papers, they in fact made the papers available.

The Wiggins article continues:

PRESIDENT JEFFERSON'S ADMINISTRATION

The House of Representatives' demand upon Thomas Jefferson for the papers in the Burr case is next cited. It is not easy to discover what this episode proves about executive prerogative. In making its request, the House asked for no papers "such as he may deem the public welfare to require not to be disclosed."

Even though the resolution itself exempted papers the President thought should not be disclosed, Jefferson felt obliged to explain the nature of the papers that he did not convey, that is, matter "chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question."

The House invited the President to withhold everything that he thought the public welfare required not to be disclosed. He complied with its request, and exceeded it because he was not content to exercise an outright discretion without full explanation of what he withheld and why he withheld it.

Mr. President, what does the Jefferson case prove in regard to his exercise of executive privilege in regard to the Burr controversy? Mr. Wiggins asks:

Is this another of the situations in which the executive has unvaringly prevailed? When the President does not disclose papers he was not asked to divulge, does this shed much light on his right to the sort of privilege the Justice Department memorandum claims for the Office?

It should be noted at this point that the Burr trial is often cited as an example of executive refusal to comply with a subpena duces tecum. In his remarks during the Burr trial, Chief Justice John Marshall had indicated that he would require the attendance of the President and asserted the power of the Court to compel his attendance. But when the writ was drawn up, it contained this statement:

"The transmission to the Clerk of this Court of the original letter of General Wilkinson, and of copies duly authenticated of the other papers and documents described in the annexed process, will be admitted as sufficient observance of the process, without the personal attendance of any or either of the persons named.

"Thus Marshall did not issue the challenge to the President which he had indicated in Court that he would issue, and consequently historians have been misled into believing that Jefferson defied the order of the Chief Justice."

The Burr trial did produce, in the oral remarks of the Chief Justice, a sweeping assertion of judicial power and in the statements of Thomas Jefferson, equally sweeping allegations of executive immunity to judicial process, but it was a debate, not a legal collision.

THE JACKSON EPISODE

The Attorney General's memorandum next cites a case in the Jackson administration. The example cited—that of an investigation of a Jackson appointee accused of land frauds—undoubtedly is to the point but it probably is not one that any modern President, in the same circumstances, would follow.

There is a curious twist in this episode. One of Jackson's reasons for refusing the information was that the Senate was investigating the matter in secret sessions under circumstances that would deprive the accused of one of his basic rights—"that of public investigation in the presence of his accusers and of the witnesses against him." Executive secrecy was thus invoked in response to Senate secrecy.

President Jackson's disputes over yielding information to Congress were frequent.

In the light of his refusal to yield land fraud papers noted in the Department of Justice summary, it is remarkable that in his celebrated "protest" of a Senate censure resolution in 1834, he said:

"Cases may occur in the course of its legislative or executive proceedings in which it may be indispensable to the proper exercise of its powers that it should inquire and decide upon the conduct of the President or other public officers, and in every case its constitutional right to do so is cheerfully conceded."

Jackson refused to comply with Senate and House requests on many occasions.

On December 12, 1833, he refused a Senate request for copies of a statement he was alleged to have made to the heads of his executive departments.

On January 6, 1835, he rejected a House request for communications over the northeastern boundary dispute, settlement of which was then in progress.

Against these examples of President Jackson's flat refusal to convey requested papers, there also must be set his repeated, if sometimes reluctant, acquiescence to the demands of Congress. These affirmative responses were very numerous.

On January 7, 1834, he sent the House a copy of a contract for the construction of a bridge across the Potomac, together with all the information the Secretary of the Treasury "is now able to communicate" on the subject.

On February 12, 1834, complying with a House resolution, he transmitted to the House a list of presents received from foreign governments by officers of the United States, on deposit in the State Department.

On March 8, 1834, responding to a House resolution, he sent up instructions and other papers in connection with trade with Cuba and Puerto Rico.

On March 20, 1834, in response to a Senate resolution, he sent up copy of instructions given the U.S. Minister to Great Britain and of correspondence between the Minister and the British Government on the condemnation of the ship *Olive Branch*.

On June 13, 1834, Jackson angrily replied to a Senate resolution asking for the first "official communication which was made to Andrew Stevenson of the intention of the President to nominate him as Minister Plenipotentiary to England and Ireland." He said compliance might be deemed an admission of Senate right to confidential correspondence of this description and that he did not acknowledge such a right. "But," he added, "to avoid misrepresentation I herewith transmit a copy of the paper in question, which was the only communication made to Mr. Stevenson on the subject."

On January 13, 1835, Jackson sent to the House "copies of every circular or letter of instruction emanating from the Treasury or War Department since the 30th day of June last, and addressed to either the receiving or disbursing officers stationed in States wherein land offices are established." This was in response to a House resolution.

On the same day, Jackson angrily reproached the Senate for a resolution demanding a copy of any report made to him by any director of the Bank of the United States with reference to certain notes and bills of exchange. He thought the request improper. However, he said, "for the purpose of preventing misapprehension and injustice, I think it proper to communicate herewith a copy of the only report made to me by any director or directors."

There were further affirmative responses to congressional requests for various information on these 1836 dates: February 9, 10, 15, 18, and 29, April 8, May 14, 27, and 27, and July 1.

It is thus not accurate to say of even the Jackson administration that the President always prevailed.

Mr. President, I summarize my remarks on the Jackson administration by saying that Jackson followed the same policy as that followed by Washington and Jefferson. He recognized that the Constitution gave to the President of the United States the right of executive privilege, but he also recognized that he had no right to exercise it unless he was satisfied that, in fact, the national security and public interest and welfare dictated that he exercise it.

Jackson, like other Presidents, went a long way in explaining the reasons for any refusal to supply Congress with information which it requested. But what are we confronted with under the Eisenhower administration? We are confronted with a blanket refusal to supply us with any information for which we ask, if any underling within the executive branch, presided over by the President, decides that he does not want to make it available to Congress.

I wonder if the President really is at a loss to understand why these criticisms of him are being made, and have been made for the past several years, in Congress? Does he not know that they stem from his taking a blanket refusal approach to the matter of Executive privilege in contrast with the attitude, fair and reasonable, taken by so many of his predecessors in office.

It is President Eisenhower who has drawn this issue. Congress ought to meet it head on. That is why I think that Congress, in the next session, should pass legislation along the lines of the suggestion of the Senator from Oklahoma [Mr. MONRONEY], which will make very clear to the President that Congress is willing to let the matter go to the courts for a constitutional determination in those instances in which we ask for information and the President, through a statement to us personally, fails to give a reason for not supplying the material to us.

It is important that this great historic debate which has been running on over the decades finally be brought for judicial determination, now that President Eisenhower has gone so much further than any other President has gone in respect to this matter. He has done this by handing down what amounts, to all intents and purposes, to an Executive order which seeks to delegate the personal prerogative which the Constitution gives to the President of the United States in the name of what we have come to call, under the separation of powers doctrine, the Executive privilege prerogative.

Now I turn to the administration of President Tyler. The Wiggins article states:

THE TYLER CASE

President Tyler's message to Congress on the Cherokee Indian matter is cited next in the Department of Justice memorandum. And the message should have a place in any collection of comment on Executive prerogative.

The House of Representatives had called upon the President for reports made to the Department of War by Lieutenant Colonel Hitchcock in the investigation of affairs of the Cherokee Indians, together with all information about frauds he was to investigate, and also all the facts in possession of the Executive.

The House was not content with the partial information given it and at its next session renewed its request in more sweeping terms.

The most pertinent paragraph of Tyler's eloquent argument states:

"If by the assertion of this claim of right to call upon the Executive for all the information in its possession relating to any subject of the deliberation of the House, and within the sphere of its legitimate powers, it is intended to assert also that the Executive is bound to comply with such call without the authority to exercise any discretion on its part in reference to the nature of the information required or to the interests of the country or of individuals to be affected by such compliance, then do I feel bound, in the discharge of the high duty imposed upon me 'to preserve, protect, and defend the Constitution of the United States,' to declare in the most respectful manner my dissent from such a proposition."

The able message of President Tyler is not an assertion of an uncontrolled discretion or unlimited right to withhold. With great care it enumerates some of the particular situations in which matters must be kept confidential: pending law-enforcement investigations, incomplete inquiries before their truth or falsity has been ascertained, all papers merely because they concern matters about which the House is deliberating. He challenges this as the sole test of availability (and who wouldn't). He thinks certain communications and papers are privileged and that the general authority to compel testimony must give way in certain cases to the paramount rights of individuals and the Government."

This is a strong and an able argument for executive prerogative in certain cases and an effective presentation of the claim of discretionary power.

However, the Department of Justice memorandum refers not only to the message but to "President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them."

As a matter of fact, while making a statement of principle, President Tyler, nevertheless, did give the House what it asked for. In the very message discussed, he said:

"I have thought proper to direct that the report of Lieutenant Colonel Hitchcock concerning the frauds which he was charged to investigate be transmitted to the House of Representatives, and it accordingly accompanies this message."

Tyler said he did this to "avoid even the appearance of a desire to screen any, and also to prevent the exaggerated estimate of the importance of the information which is likely to be made from the mere fact of its being withheld."

He sent along all the facts about the Cherokees except some correspondence "not supposed to be within the intent of the resolution."

He assured the House that "all the papers in the War Office or its bureaus known or supposed to have any relation to the alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate are herewith transmitted."

How does this comport with Mr. Wolkinson's statement that "in the great conflicts which have arisen, the administrations of Washington, Jackson, Tyler, Cleveland, Theodore Roosevelt, and Herbert Hoover, the Executive has always prevailed?"

In most of Mr. Wolkinson's examples, the Congress prevailed, and got precisely what it sought to get. In the case of Jay Treaty, the President prevailed, but not on the broad ground of executive prerogative but on the solid ground that the House lacked constitutional authority to advise and consent on treaties. The Jackson episode, of all those prior to the Buchanan administration, seems to be the only instance in which it might be said that "the Executive prevailed" in an assertion of absolute, unqualified discretionary right to withhold.

Some of the other and later examples ought to be explored under circumstances in which time and space permit. Certainly, the examples prior to the Civil War period, in the Department of Justice's own memorandum, in the light of history, do not support either the conclusion of Mr. Wolkinson, who first compiled this information or the broad assertions of the Justice Department. Historical fact simply is overwhelmingly at war with the law as the Attorney Generals prefer to view it.

Pertinent and interesting as later cases may be, the early cases here examined arose during the years when the Government was taking shape and no subsequent examples could shed more light on the nature of this separation of powers.

Mr. President, for the most part I have used material which was prepared in such scholarly fashion by Mr. Wiggins, of the Washington Post. This material shows that the doctrine of executive privilege has not been exercised on a blanket basis, and in keeping with the pattern which President Eisenhower has come to adopt.

It is quite fair and proper that the Senator from Virginia should have taken the position he took in committee, in which he wanted language which went much further than the language he now proposes in his amendment. But in keeping with his good sense of humor, as he said to us earlier this afternoon in the Senate, he simply did not have the votes in committee; therefore, he brought to the Senate this afternoon language he believed would be helpful to us in solving this problem as a sort of stopgap proposition until the next session of Congress, when we could adopt the type of bill he indicated he would favor, and which the Senator from Oklahoma [Mr. MONRONEY] suggested should be adopted, with which suggestion I am in complete agreement.

Mr. President, I have a substantial body of material on this matter, which I think is pertinent and ought to be placed in the RECORD as a matter of legislative history on this amendment before it is adopted. I shall not take the time now to read it, because there are so many other subjects I have to discuss before we adjourn, anyway. So I would prefer to insert the rest of the material in the RECORD in keeping with my spirit of complete cooperation with the majority leader to expedite, within the rules, the business of the Senate.

Therefore, I now ask unanimous consent that there be printed at this point in the RECORD other material I have on the subject of Executive privilege, including brief quotations from that great historic, landmark case, Marbury against Madison. I should like to have my good friend, the distinguished senior Senator from Georgia [Mr. RUSSELL], know that I have not overlooked Marbury against Madison. I have already discussed it earlier in this discourse.

I should like it understood that my request to have material printed in the RECORD entitles me to include what I consider to be very pertinent excerpts from the great decision of Marbury against Madison, which was handed down by that great Virginian and Chief Justice of the Supreme Court of the United States, John Marshall, in which he delineated, I think rather clearly, the lines of demarcation between the three independent branches of the Government—judicial, legislative, and executive. I think that some of the remarks of Chief Justice Marshall in the famous case of Marbury against Madison are particularly apropos, historically, the issue raised by another great Virginian, the distinguished junior Senator from Virginia [Mr. ROBERTSON], as he has brought to us for consideration this afternoon the old, old, historic, constitutional problem of the separation of powers, as we find them manifested in our discussions on the doctrine of Executive privilege.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, with that unanimous-consent request having been granted, I advise the majority leader that I close my remarks in making the legislative history on this amendment and will subside for the time being.

EXHIBIT 1

The U.S. Supreme Court decision of *Marbury* v. *Madison*, 1 Cranch 137 (1803), is the leading case on the subject of separation of powers under our constitutional system of government. The following are pertinent quotations from the Court's opinion:

"This brings us to the second inquiry; which is: If he has a right, and that right has been violated, do the laws of his country afford him a remedy?

"The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of Government is to afford that protection. In Great Britain, the King himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court.

"In the third volume of his Commentaries (p. 23), Blackstone states two cases in which a remedy is afforded by mere operation of law. 'In all other cases,' he says, 'it is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit, or action at law, whenever that right is invaded.' And afterward (p. 109, of the same volume), he says, 'I am next to consider such injuries as are cognizable by the courts of the common law. And herein I shall, for the present, only remark that all possible injuries whatsoever, that did not fall within the exclusive cognizance of either the ecclesiastical, military or maritime tribunals, are, for that very reason, within the cognizance of the common-law courts of justice; for it is a settled and invariable principle in the laws of England, that every right, when withheld, must have a remedy, and every injury its proper redress.'

"The Government of the United States has been emphatically termed a Government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right. If this obloquy is to be cast on the jurisprudence of our country, it must arise from the peculiar character of the case.

"It behooves us, then, to inquire whether there be in its composition any ingredient which shall exempt it from legal investigation, or exclude the injured party from legal redress.

* * * * *

"By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: They respect the Nation, not individual rights, and being entrusted to the executive, the decision of the executive is conclusive. The application of this remark will be perceived, by adverting to the act of Congress for establishing the Department of Foreign Affairs. This officer, as his duties were prescribed by that act, is to conform precisely to the will of the President: He is the mere organ by whom that will is communicated. The acts of such an officer, as an officer, can never be examinable by the courts. But when the legislature proceeds to impose on that officer other duties; when he is directed peremptorily to perform certain acts; when the rights of individuals are dependent on the performance of those acts; he is so far the officer of the law; is amenable to the laws for his conduct; and cannot, at his discretion, sport away the vested rights of others.

"The conclusion from this reasoning is, that where the heads of departments are the political or confidential agents of the executive, merely to execute the will of the President, or rather to act in cases in which the executive possesses a constitutional or legal discretion, nothing can be more perfectly clear, than that their acts are only politically examinable. But where a specific duty is assigned by law, and individual rights depend upon the performance of that duty, it seems equally clear, that the individual who considers himself injured, has a right to resort to the laws of his country for a remedy.

* * * * *

"The question, whether an act, repugnant to the Constitution, can become the law of the land, is a question deeply interesting to the United States; but, happily, not of an intricacy proportioned to its interest. It seems only necessary to recognize certain principles, supposed to have been long and well established, to decide it. That the people have an original right to establish, for their future government, such principles as, in their opinion, shall most conduce to their own happiness, is the basis on which the whole American fabric has been erected. The exercise of this original right is a very great exertion; nor can it, nor ought it, to be frequently repeated. The principles, therefore, so established, are deemed fundamental and as the authority from which they proceed is supreme, and can seldom act, they are designed to be permanent.

"This original and supreme will organizes the Government, and assigns to different departments their respective powers. It may either stop here, or establish certain limits not to be transcended by those departments. The Government of the United States is of the latter description. The powers of the legislature are defined and limited; and that those limits may not be mistaken or forgotten, the Constitution is written. To what purpose are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained? The distinction between a government with limited and unlimited powers is abolished, if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed, are of equal obligation. It is a proposition too plain to be contested, that the Constitution controls any legislative act repugnant to it; or that the legislature may alter the Constitution by an ordinary act.

"Between these alternatives, there is no middle ground. The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the legislature shall please to alter it. If the former part of the alternative be true, then a legislative act, contrary to the Constitution, is not law: if the latter part be true, then written constitutions are absurd attempts, on the part of the people, to limit a power, in its own nature, illimitable.

"Certainly, all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently, the theory of every such government must be, that an act of the legislature, repugnant to the constitution, is void. This theory is essentially attached to a written constitution, and is, consequently, to be considered, by this court, as one of the fundamental principles of our society. It is not, therefore, to be lost sight of, in the further consideration of this subject.

"If an act of the legislature, repugnant to the constitution, is void, does it, notwithstanding its invalidity, bind the courts, and oblige them to give it effect? Or, in other words, though it be not law, does it constitute a rule as operative as if it was a law? This would be to overthrow, in fact, what was established in theory; and would seem, at first view, an absurdity too gross to be insisted on. It shall, however, receive a more attentive consideration.

"It is, emphatically, the province and duty of the judicial department, to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each. So, if a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case, conformable to the law, disregarding the constitution; or conformable to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case: this is of the very essence of judicial duty. If then, the courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature, the constitution, and not such ordinary act, must govern the case to which they both apply."

Mr. MORSE. Also included in the exhibit is a study by the Justice Department entitled: "Is a Congressional Committee Entitled To Demand and Receive Information and Papers From the President and the Heads of Departments Which They Deem Confidential, in the Public Interest?"

This study appears to be identical to the Herman Wolkinson articles, which appeared in the Federal Bar Journal in 1949, but I submit them under the first title.

IS A CONGRESSIONAL COMMITTEE ENTITLED TO DEMAND AND RECEIVE INFORMATION AND PAPERS FROM THE PRESIDENT AND THE HEADS OF DEPARTMENTS WHICH THEY DEEM CONFIDENTIAL IN THE PUBLIC INTEREST?

INTRODUCTORY

For over 150 years—almost from the time that the American form of government was created by the adoption of the Constitution—our Presidents have established, by precedent, that they and members of their Cabinet have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. American history abounds in countless illustrations of the refusal, on occasion, by the President and heads of departments to furnish papers to Congress, or its committees, for reasons of public policy. The messages of our past Presidents reveal that almost every one of them found it necessary to inform Congress of his constitutional duty to execute the office of President, and, in furtherance of that duty, to withhold information and papers for the public good.

Nor are the instances lacking where the aid of a court was sought to obtain information or papers from a President and the heads of departments. Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest, and they will not interfere with the exercise of that discretion. Students of political science and of our constitutional theory of government are not in disagreement as to the fundamental fact that Congress has not the power, as one of the three great branches of the Government, to subject either of the other two branches to its will.

The proposition may be simply stated: We have three divisions of government, the legislative, the executive and the judicial. Each of them has certain functions to perform, prescribed by the Constitution. It is perfectly clear that under the Constitution neither one of those divisions may impose its unrestrained will upon the others.

What is it then which has in the past caused some of the bitter contests between the Houses of Congress and the Executive concerning the availability of certain information and papers which they thought they had a right to have, while the President and the heads of the departments thought otherwise? The answer seems to lie in the fact that our form of government permits the Senate or the House of Representatives, or both, to be controlled by one of the major parties, while the executive is controlled by another political party. In the struggle for political power and supremacy, the Houses of Congress have, on occasion, seen fit to make demands on the executive branch which it felt went beyond established principles of constitutional law and comity. We must remember that one of the principal reasons for the practical success of our form of government is that there has existed this fundamental feeling in each of its branches; that unless in a spirit of good sense and comity each of the branches stays within its proper jurisdiction, and does not seek to dominate the others, the essential unity of our government might be disrupted. This is not to say that there are instances lacking where demands for information, deemed unreasonable by the executive, have been made where the majority in the legislative branch and the executive have both been members of one political party. Those cases however are very few. Generally the conflict has arisen where the majority of one or both of the Houses of the Congress have differed politically from that of the President.

It is only in those relatively few instances of our history where a President or the head of a department felt that he could not comply with what appeared to him an unreasonable demand for information and papers, that we have recorded precedents. Such precedents usually take the form of a Presidential message addressed to either the Senate or the House of Representatives, refusing the information sought. In the few instances where demands for information or papers have become the subject of court decisions, we have these to help our study. There are also opinions of the Attorneys General rendered to the various Presidents and the heads of departments which deal with this subject. We shall state, in summary form, what the precedents show.

SUMMARY

It may be well to summarize at the outset what our study of Presidential messages shows. In every instance where a President has backed the refusal of a head of a department to divulge confidential information to either of the Houses of Congress, or their committees, the papers and the information requested were not furnished. The public interest was invariably given as the reason for withholding the information. Our study also shows that the head of a department is generally subject to the President's direction, and the President has the last word on the propriety of withholding the papers. Heads of departments are subject to the Constitution, to the laws passed by the Congresses in pursuant of the Constitution, and to the directions of the Presidents of the United States. They are not subject to any other directions. While they have frequently obeyed congressional demands, whether made by the use of subpena or otherwise, and have furnished papers and information to congressional committees they have done so only in a spirit of comity and good will, and not because there has been an effective legal means to compel them to do so. Under the Constitution, heads of departments cannot be directed by a congressional committee in the exercise of their discretion, concerning the propriety of furnishing papers.

SUMMARY OF COURT DECISIONS

A study of court decisions, opinions of the Attorneys General, and authoritative text writers reveals that the issuance of a subpena duces tecum, which calls for testimony and papers by a court to the head of a department or Cabinet member need not result in the giving of testimony or the production of papers, if they are deemed confidential, in the public interest. The President may intervene and direct the Cabinet officer or department head not to appear; the person subpenaed would then advise the court of the President's order and abstain from appearing altogether. The better practice appears to be, wherever practicable, for the head of the department to appear in court and claim the privilege of keeping in confidence the information requested.

Similarly, where a congressional committee issues a subpena to a Cabinet member, the proper practice appears to be to make an appearance and to divulge only such information as would not conflict with the President's direction, in the public interest.

The rule may be stated that the President and heads of departments are not bound to produce papers or to disclose information communicated to them, where, in their own judgment, the disclosure would, on public consideration, be inexpedient. The reason for the rule was succinctly stated by Judge Marshall in *Marbury* v. *Madison*[1] and has been reaffirmed in *Cunningham* v. *Neagle*[2] and *Meyer* v. *United States*.[3] It is as follows:

"By the Constitution, the President is invested with certain political powers. He may use his own discretion in executing those powers. He is accountable only to his country in his political character, and to his own conscience. To aid the President in performing his duties, he is authorized by law to appoint heads of the executive departments. They act by his authority; their acts are his acts. Questions which the Constitution and laws leave to the Executive, or which are in their nature political, are not for the courts to decide, and there is no power in the courts to control the President's discretion or decision, with respect to such questions. Because of the intimate political relation between the President and the heads of departments, the same rule applies to them."

SUMMARY OF THE CONSTITUTION AND THE STATUTES

Finally, we may thus summarize our study of the Constitution, the statutes creating the executive departments, and those which require witnesses to appear before congressional committees. The Constitution lodges the executive power in the President, who shall take care that the laws be faithfully executed. The President's oath of office requires that he "faithfully execute the Office of President of the United States." All executive functions of our Government belong to the President. The executive departments were created by law, in order to enable the President to better discharge the executive burdens placed upon him by the Constitution. Since the determination of all executive questions belongs in theory and by constitutional right to the President, heads of departments are executors of the will of the President, and subordinate to it.

While Congress passed the laws creating the executive departments, that does not mean that the heads of those departments are subject to the orders of the House of Representatives or of the Senate. Congress can, by a law, duly passed and signed by the President, add to or change the duties of a particular department, or even abolish it altogether. It also has the power to deny appropriations to a department. But that is all it may do. It may not use its legislative power to compel a head of a department to do an act which the President must disapprove in the proper discharge of his executive power, and in the public interest. And any law passed by Congress, designed to compel the production of papers by heads of departments would necessarily have to comply with the constitutional requirement that the President is as supreme in the duties assigned to him by the Constitution, as Congress is supreme in the legislative functions assigned to it. In other words, Congress cannot, under the Constitution, compel heads of departments by law to give up papers and information; regardless of the public interest involved; and the President is the judge of that interest. Such a law would remedy the President powerless in a field of action entrusted to his complete care by the Constitution.

Up to now, Congress has not passed such a law. Some of the statutes recognize the executive discretion to withhold such papers and information as the public good requires. The remaining statutes affect only private individuals.

Heads of departments are entirely unaffected by existing laws which prescribe penalties for failure to testify and produce papers before the House of Representatives or the Senate, or their committees.

[1] Cranch, 137, 143–144.

[2] 135 U.S. 1, 63.

[3] 272 U.S. 132–135.

I. ILLUSTRATIONS OF REFUSALS BY OUR PRESIDENTS, AND THEIR HEADS OF DEPARTMENTS, TO FURNISH INFORMATION AND PAPERS

William Howard Taft, in his book entitled "Our Chief Magistrate and His Powers" states:

"The President is required by the Constitution from time to time to give to Congress information on the state of the Union, and to recommend for its consideration such measures as he shall judge necessary and expedient, but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest" (p. 129).

President Washington's administration

In March 1792, the House of Representatives passed the following resolution:

"*Resolved*, That a committee be appointed to inquire into the causes of the failure of the late expedition under Major General St. Clair; and that the said committee be empowered to call for such persons, papers, and records, as may be necessary to assist their inquiries" (3 Annals of Congress, p. 493).

This was the first time that a committee of Congress was appointed to look into a matter which involved the executive branch of the Government. The expedition of General St. Clair was under the direction of the Secretary of War. The expenditures connected therewith under the Secretary of the Treasury. The House based its right to investigate on its control of the expenditure of public moneys. It appears that the Secretaries of War and the Treasury appeared before the committee. However when the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet (Binkley, President and Congress, pp. 40–41).

Thomas Jefferson, as Secretary of State, reports what took place at that meeting. Besides Jefferson, Alexander Hamilton, Henry Knox, Secretary of War, and Edmond Randolph, the Attorney General, were present. The committee had first written to Knox for the original letters, instructions, etc., to General St. Clair. President Washington stated that he had called his Cabinet members together, because it was the first example of a demand on the Executive for papers, and he wished that so far it should become a precedent, it should be rightly conducted. The President readily admitted that he did not doubt the propriety of what the House was doing, but he could conceive that there might be papers of so secret a nature, that they ought not to be given up. Washington and his Cabinet came to the unanimous conclusion:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good will would permit, and ought to refuse those, the disclosure of which would injure the public: Consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the Head of a Department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President. * * * Note: Hamilton agreed with us in all these points, except as to the power of the House to call on Heads of Departments" (writings of Thomas Jefferson, 1905, vol. 1, pp. 303–304).

The precedent thus set by our first President and his Cabinet was followed in 1796, when President Washington was presented with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and documents relative to that treaty. Apparently it was necessary to implement the treaty with an appropriation which the House was called upon to vote. The House insisted on its right to the papers requested, as a condition to appropriating the required funds. (President and Congress, Wilfred E. Binkley (1947), p. 44).

President Washington's classic reply was, in part, as follows:

"I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the Government, my constant endeavor to harmonize with the other branches thereof so far as the trust delegated to me by the people of the United States and my sense of the obligation it imposes to 'preserve, protect, and defend the Constitution' will permit" (Richardson's "Messages and Papers of the Presidents," vol. 1, p. 194).

Washington then went on to discuss the secrecy required in negotiations with foreign governments, and cited that as a reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. He felt that to admit the House of Representatives into the treatymaking power, by reason of its constitutional duty to appropriate moneys to carry out a treaty, would be to establish a dangerous precedent. He closed his message to the House as follows:

"As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty; * * * and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request" (Richardson's Messages and Papers of the Presidents, vol. 1, p. 196).

A fact which writers on this subject generally omit to point out is that in his farewell address, Washington felt called upon to caution against the dangers resulting from the encroachment of one department of the Government upon the others. He wrote:

"It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real deposition. * * * The necessity for reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them" (Richardson's Messages and Papers of the Presidents, vol. 1, p. 219).

Thomas Jefferson's administration

In January 1807, Representative Randolph introduced a resolution, as follows:

"*Resolved*, That the President of the United States be, and he hereby is, requested to lay before this House any information in possession of the Executive, except such as he may deem the public welfare to require not to be disclosed, touching any illegal combination of private individuals against the peace and safety of the Union, or any military expedition planned by such individuals against the territories of any power in amity with the United States; together with the measures which the Executive has pursued and proposes to take for suppressing or defeating the same" (16 Annals of Congress (1806–7), p. 336).

The resolution was overwhelmingly passed. The Burr conspiracy was then stirring the country. Jefferson had made it the object of a special message to Congress wherein he referred to a military expedition headed by Burr. Jefferson's reply to the resolution was by a message to the Senate and House of Representatives. Jefferson brought the Congress up to date on the news which he had been receiving concerning illegal combination of private individuals against the peace and safety of the Union. He pointed out that he had recently received a mass of data, most of which had been obtained without the sanction of an oath so as to constitute formal and legal evidence. "It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question" (Richardson's Messages and Papers of the Presidents, vol. 1, p. 412, dated Jan. 22, 1807).

Since Jefferson had taken the lead in bringing the Burr conspiracy to the attention of the country, he necessarily felt called upon from time to time, to bring Congress and the country up to date on various phases of the conspiracy and the measures which the Government took to combat it. However he did not consider it safe, for the public good, nor just to the persons who had given information to the Government in confidence, to reveal their names and the evidence which they had furnished concerning the conspiracy. It is believed that this is the first authoritative instance of a President of the United States refusing to divulge confidential information, and the results of investigations conducted by the Government, in a criminal cause of large dimensions.

Andrew Jackson's administration

On December 12, 1833, President Jackson vigorously declined to furnish to the Senate of the United States a copy of a paper which had been published, and which was said to have been read by him to the heads of the executive departments.[4]

On February 10, 1835, President Jackson sent a message to the Senate wherein he declined to comply with the Senate's resolution requesting him to communicate copies of charges which had been made to the President against the official conduct of Gideon Fitz, late Surveyor-General, which caused his removal from office. The resolution stated that the information requested was necessary both in the action which it proposed to take on the nomination of a successor to Fitz, and in connection with the investigation which was then in progress by the Senate respecting the frauds in the sales of public lands.

The President declined to furnish the information. He stated that in his judgment the information related to subjects exclusively belonging to the executive department.

[4] Richardson's Messages and Papers of the Presidents, vol. 3, p. 36.

The request therefore encroached on the constitutional powers of the Executive.

The President's message referred to many previous similar requests, which he deemed unconstitutional demands by the Senate:

"Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperious duty of resisting to the utmost any further encroachment on the rights of the Executive" (ibid., p. 133).

The President next took up the fact that the Senate resolution had been passed in executive session, from which he was bound to presume that if the information requested by the resolution were communicated, it would be applied in secret session to the investigation of frauds in the sales of public lands. The President said that, if he were to furnish the information, the citizen whose conduct the Senate sought to impeach would lose one of his basic rights; namely, that of a public investigation in the presence of his accusers and of the witnesses against him. In addition, compliance with the resolution would subject the motives of the President, in the case of Mr. Fitz, to the review of the Senate when not sitting as judges on an impeachment; and even if such a consequence did not follow in the present case, the President feared that compliance by the Executive might thereafter be quoted as a precedent for similar and repeated applications.

"Such a result, if acquiesced in, would ultimately subject the independent constitutional action of the Executive in a matter of great national concernment to the domination and control of the Senate; * * *

"I therefore decline a compliance with so much of the resolution of the Senate as requests 'copies of the charges, if any,' in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made; * * *" (ibid., p. 134).

Thus we see that President Jackson refused to allow any insinuations or accusations to be made by the Senate, in secret session, or its committee, against a removed executive official. The fact that the Senate coupled the request with a proposed investigation by it of frauds in the sales of public lands did not alter the President's view that furnishing the papers would violate an individual's basic rights and interfere with the executive function.

A resolution of the House was adopted on January 17, 1837, to investigate the condition of the executive departments concerning their integrity and efficiency. A committee of the House requested the President and heads of departments to advise it concerning all appointments which were made since 1829 without the advice and consent of the Senate and to report all those who had received salaries without being in office. President Jackson replied:

"I shall on the one hand cause every possible facility consistent with law and justice to be given to the investigation of specific charges; and on the other shall repudiate all attempts to invade the just rights of the executive departments and of the individuals composing the same."

The President added that department heads might answer requests made upon them as they pleased provided they did not injure the public service by consuming their own time and that of their subordinates, but for himself he added:

"I shall repel all such attempts as an invasion of the principles of justice, as well as of the Constitution, and I shall esteem it my sacred duty to the people of the United States to resist them as I would the establishment of a Spanish Inquisition" (Presidential Declaration of Independence, Charles Warren, 10 Boston University Law Rev. pp. 11, 12, Cong., Deb., vol. 13, pt. 2 (1837), App. p. 202).

John Tyler's administration

In the administration of John Tyler a resolution was adopted by the House of Representatives on March 16, 1842, to the effect that the President of the United States and the heads of the several departments be requested to communicate to the House of Representatives the names of such Members of the 26th and 27th Congresses who had applied for office, and for what offices, whether in person or by writing or through friends. President Tyler declined to furnish the information or to permit the heads of departments to furnish it. In a message to the House of Representatives dated March 23, 1842, President Tyler stated, in part:

"* * * Applications for office are in their very nature confidential, and if the reasons assigned for such applications or the names of the applicants were communicated, not only would such implied confidence be wantonly violated, but, in addition, it is quite obvious that a mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble without accomplishing, or tending in any manner to accomplish, as it appears to me, any useful object connected with a sound and constitutional administration of the Government in any of its branches.

"* * * In my judgment a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the Constitution has conferred exclusively on the Executive, and therefore such compliance cannot be made by me nor by the heads of departments by my direction. The appointing power, so far as it is bestowed on the President by the Constitution, is conferred without reserve or qualification. The reason for the appointment and the responsibility of the appointment rest with him alone. I cannot perceive anywhere in the Constitution of the United States any right conferred on the House of Representatives to hear the reasons which an applicant may urge for an appointment to office under the executive department, or any duty resting upon the House of Representatives by which it may become responsible for any such appointment" (Richardson, Messages and Papers of the Presidents, vol. 4, pp. 105–106).

The foregoing illustrates the principle that all papers and documents relating to applications for office are of confidential nature, and an appeal to a President to make such records public should be refused. Civil Service Commission records, containing confidential information furnished by applicants for Government employment, would come within the reasoning of President Tyler's refusal to make such records public.

One of the best reasoned precedents of a President's refusal to permit the head of a department to disclose confidential information to the House of Representatives is President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them. A resolution of the House of Representatives had called upon the Secretary of War to communicate to the House the reports made to the Department of War by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians together with all information communicated by him concerning the frauds he was charged to investigate; also all facts in the possession of the Executive relating to the subject. The Secretary of War consulted with the President and under the latter's directions informed the House that negotiations were then pending with the Indians for settlement of their claims; in the opinion of the President and the Department, therefore, publication of the report at that time would be inconsistent with the public interest. The Secretary of War further stated in his answer to the resolution that the report sought by the House, dealing with alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate, contained information which was obtained by Colonel Hitchcock by ex parte inquiries of persons whose statements were without the sanction of an oath, and which the persons implicated had had no opportunity to contradict or explain. The Secretary of War expressed the opinion that to promulgate those statements at that time would be grossly unjust to those persons, and would defeat the object of the inquiry. He also remarked that the Department had not been given at that time sufficient opportunity to pursue the investigation, to call the parties affected for explanations, or to determine on the measures proper to be taken.

The answer of the Secretary of War was not satisfactory to the Comitteee on Indian Affairs of the House, which claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberations of the House.

President Tyler in a message dated January 31, 1843, which is frequently cited by writers on the subject under discussion, stated that the negotiations with the Cherokee Indians, to which the Secretary of War referred, had terminated since the Secretary of War had written as aforesaid and he was, therefore, sending to the House all the information communicated by Lieutenant Colonel Hitchcock respecting the Cherokees—their conditions as a nation and their relations to other tribes. However, the President felt that it would be inconsistent with the public interest to transmit to the House Colonel Hitchcock's suggestion and projects that dealt with the anticipated propositions of the delegates of the Cherokee Nation; Colonel Hitchcock's views of the personal characters of the delegates were likewise not sent to the House because President Tyler felt that their publication would be unfair and unjust to Colonel Hitchcock.

President Tyler vigorously asserted that the House of Representatives could not exercise a right to call upon the Executive for information, even though it related to a subject of the deliberations of the House if, by so doing, it attempted to interfere with the discretion of the Executive. He stated:

"* * * The injunction of the Constitution that the President 'shall take care that the laws be faithfully executed,' necessarily confers an authority, commensurate with the obligation imposed, to inquire into the manner in which all public agents perform the duties assigned to them by law. To be effective, these inquiries must often be confidential. They may result in the collection of truth or a falsehood; or they may be incomplete, and may require further prosecution. To maintain that the President can exercise no discretion after the time in which the matters thus collected shall be promulgated, or in respect to the character of the information obtained, would deprive him at once of the means of performing one of the most salutary duties of his office. An inquiry might be arrested at its first state, and the officers whose conduct demanded investigation may be enabled to elude or defeat it. To require from the Executive the transfer of this discretion to a coordinate branch of the Government is equivalent to the denial of its possession by him and would render him dependent upon that branch in the performance of a duty purely executive" (Hinds' Precedents of the House of Representatives, v. 3 (1907), p. 181).

President Tyler pointed out that although papers and documents related to the sphere of the legitimate powers of the House, nevertheless there were occasions when such papers and documents had to be kept secret by the executive departments.

"* * * It cannot be that the only test is whether the information relates to a legitimate subject of deliberation. The executive departments and the citizens of this country have their rights and duties, as well as the House of Representatives; and the maxim that the rights of one person or body are to be so exercised as not to impair those of others is applicable in its fullest extent to this the question. Impertinence or malignity may seek to make the executive department the means of incalculable and irremediable injury to innocent parties by throwing into them libels most foul and atrocious. Shall there be no discretionary authority permitted to refuse to become the instruments of such malevolence?

"And although information comes through a proper channel to an executive officer, it may often be of a character to forbid its being made public. The officer charged with a confidential inquiry, and who reports its result under the pledge of confidence which his appointment implies, ought not to be exposed individually to the resentment of those whose conduct may be impugned by the information he collects. The knowledge that such is to be the consequence will inevitably prevent the performance of duties of that character, and thus the Government will be deprived of an important means of investigating the conduct of its agents" (ibid., p. 181–182).

President Tyler then stated the principle of law justifying a failure to produce papers, whether to a court or to a legislature, which the President or the head of a department deemed privileged.

"* * * In the courts of that country from which we derive our great principle of individual liberty and the rules of evidence, it is well settled, and the doctrine has been fully recognized in this country, that a minister of the crown or the head of a department cannot be compelled to produce any papers, or to disclose any transactions relating to the executive functions of the government which he declares are confidential, or such as the public interest requires should not be divulged; and the persons who have been the channels of communication to officers of the state are in like manner protected from the disclosure of their names. Other instances of privileged communications might be enumerated, if it were deemed necessary. These principles are as applicable to evidence sought by a legislature as to that required by a court" (ibid., p. 182).

President Tyler's message was referred to the Committee on Indian Affairs. It responded with great vigor in favor of the unrestricted production of papers and documents to the Congress. However, it recommended no action by the House in regard to the President's refusal to show all the papers which the House had requested.

The refusal by the Secretary of War, and later by President Tyler, to make public the results of investigation and inquiries conducted by the Government into the manner in which public agents perform their duties is a reiteration of the principle first established by President Thomas Jefferson, when he had refused to divulge to the House of Representatives the result of investigations conducted by the Government in a criminal conspiracy. President Tyler cited the confidential nature of the inquiry, the fact that both truth and falsehood was revealed thereby, and that an inquiry may be incomplete and require further prosecution.

Worthy of significance, also, is the fact that President Tyler refused to communicate to the House of Representatives the suggestions and projects of Lieutenant Colonel Hitchcock concerning the anticipated propositions of the delegates of the Cherokee Nation. The views of Colonel Hitchcock concerning the personal characters of the delegates of the Cherokee Nation were likewise not communicated by President Tyler to the House. The reasons given by the President for the failure to send the papers and documents referred to were that suggestions, anticipated projects, views dealing with the personal character of persons, would not be of aid to Congress in legislation, and their publication would be unfair and unjust to a Federal official and inconsistent with the public interest.

James K. Polk's administration

In 1846, a resolution of the House of Representatives requested President Polk to furnish the House an account of all payments made on the President's certificates, with copies of all memorandums regarding evidence of such payments, through the agency of the State Department, for the contingent expenses of foreign intercourse from March 4, 1841, until the retirement of Daniel Webster from the Department of State. In 1841, John Tyler was President. Daniel Webster was his Secretary of State. The request of President Polk, therefore, was for the details of certain payments made by the State Department during the preceding administration.

Polk's message to the House pointed out that contingent expenses covering intercourse between the United States and foreign nations were covered by law which provided that against all sums drawn from the Treasury, the President was authorized to settle annually with accounting officials; the President had the right to make public, or not, the character of the expenditure by the type of voucher which he chose to file. President Polk stated that where a past President had placed the seal of confidence on an expenditure, and the whole matter was terminated before he entered office;

"An important question arises, whether a subsequent President, either voluntarily or at the request of one branch of Congress, can without a violation of the spirit of the law revise the acts of his predecessor and expose to public view that which he had determined should not be 'made public.' If not a matter of strict duty, it would certainly be a safe general rule that this should not be done. Indeed, it may well happen, and probably would happen, that the President for the time being would not be in possession of the information upon which his predecessor acted, and could not, therefore, have the means of judging whether he had exercised his discretion wisely or not" (Richardson "Messages and Papers of the Presidents," vol. IV, p. 433).

Polk concluded that the President making an expenditure, deemed by him confidential, may, if he chooses, keep all the information and evidence upon which he acts in his own possession. If, for the information of his successors, he leaves the evidence on which he acts on the confidential files of one of the executive departments, they do not in any proper sense become thereby public records.

Finally, Polk stated that if the President was obliged to answer the present call "he must answer similar calls for every such expenditure of a confidential character, made under every administration, in war and in peace, from the organization of the Government to the present period."

Since expenditures of this confidential character had never before been made public, Polk feared the consequences of establishing a precedent which would render such disclosures thereafter inevitable (ibid., pp. 433–434).

The foregoing illustrates the principle that what a past President has done dies with him.[5] Whether or not he leaves behind a record of something which by law he was permitted to keep confidential, a subsequent President will not break that confidence. In the second place, despite a keen awareness of a strong public feeling which existed throughout the country against secrecy of any kind in the administration of the Government, especially in matters of public expenditures, President Polk, nevertheless, felt obliged to observe a secrecy, when he visualized the consequences of establishing a precedent for similar disclosures. In the third place, President Polk pointed to the law which had enabled his predecessors in office, in the interests of the public safety, to keep expenditures of a certain kind secret in nature. If Congress wished to repeal the law it could do so; while the law existed a sense of public policy and duty obliged him to observe its provisions and the uniform practices of his predecessors under it. Finally, an executed transaction furnishes no greater justification for revealing information concerning it, than one which is executory in nature; the determining factor appears to be: Was the information of a character which the executive department had the right under the Constitution and the laws to keep secret? If the answer is, "Yes," a President in office is justified in keeping the information from a congressional committee.

The administration of James Buchanan

On March 28, 1860, President Buchanan addressed a message of protest to the House of Representatives against a resolution of the House which provided for a committee of five to investigate whether the President of the United States or any other officer of the Government had, by money, patronage, or other improper means sought to influence the action of Congress for or against the passage of any law relating to the rights of and State or territory. The resolution further sought an investigation into the attempts of any officer or officers of the Government to prevent or defeat the execution of any laws.

President Buchanan said:

"I * * * solemnly protest against these proceedings of the House of Representatives, because they are in violation of the rights of the coordinate executive branch of the Government and subversive of its constitutional independence; because they are calculated to foster a band of interested parasites and informers, ever ready, for their own advantage, to swear before ex parte committees to pretend private conversations between the President and themselves, incapable from their nature of being disproved, thus furnishing material for harassing him, degrading him in the eyes of the country, and eventually, should he be a weak or timid man, rendering him subservient to improper influences in order to avoid such persecutions and annoyances; because they tend to destroy that harmonious action for the common good which ought to be maintained, and which I sincerely desire to cherish, between coordinate branches of the Government; and, finally, because, if unresisted, they would establish a precedent dan-

[5] It appears that the President has authority over matters in the executive branch during his administration. When he leaves office that is an end to the things he did. His successor cannot be called upon to explain his acts. There is no continuity. "It was said by Mr. Wirt to be a rule of action prescribed to itself by each administration to consider the acts of its predecessors conclusive so far as the Executive is concerned; 'otherwise decisions might be opened back to the Presidency of Washington, and the acts of the Executive kept perpetually unsettled and afloat'" ("The American Executive," Finley and Sanderson, p. 193).

gerous and embarrassing to all my successors, to whatever political party they might be attached" (Richardson Messages and Papers of the President, vol. 5, pp. 618–619).

Ulysses S. Grant's administration

In the last days of Grant's administration, in April 1876, when the House was Democratic, the House of Representatives, by resolution, requested the President to inform the House whether any executive offices, acts, or duties, and, if any, what, have been performed at a distance from the seat of government established by law. The inquiry aroused General Grant, and his declination to furnish the information is quite spirited. He stated that he failed to find in the Constitution the authority given to the House of Representatives to require of the executive, an independent branch of the Government, an account of his discharge of his purely executive offices, acts and duties. The President went on to say that as of right, the House of Representatives may demand from the Executive information necessary for the proper discharge of its powers of legislation or of impeachment. The inquiry in the resolution was apparently aimed to find out where executive acts had been performed within the last 7 years. That had nothing to do with legislation. If, however, the information sought of the President was in aid of the power of impeachment,

"It is asked in derogation of an inherent natural right, recognized in this country by a constitutional guarantee which protects every citizen, the President as well as the humblest in the land, from being made a witness against himself." [6]

The President concluded his message by asserting that the performance of executive acts by the President exists, and is devolved upon him, wherever he may be within the United States, by the Constitution. The President's civil powers are neither limited nor capable of limitation as to the place where they shall be exercised;

"No act of Congress can limit, suspend, or confine this constitutional duty. I am not aware of the existence of any act of Congress which assumes thus to limit or restrict the exercise of the functions of the Executive. Were there such acts, I should, nevertheless, recognize the superior authority of the Constitution and should exercise the powers required thereby of the President." [7]

It appears that the House request on President Grant was a political move to embarrass him by reason of his having spent some of the hot months at Long Branch.[8]

Grant's reply illustrates that not only may Congress exceed its constitutional powers in calling for information, but that its source of power, just like the President's, is the Constitution, and even an act of Congress calling for information which, in the judgment of the President, limits or restricts the Executive in the exercise of his functions would run counter to the superior authority of the Constitution.

Grover Cleveland's administration

One of the greatest debates that ever took place in the annals of Congress, occurred during the first administration of Grover Cleveland. The Relations Between the Senate and Executive Departments was the controversy which exclusively took up the sessions of the Senate for almost 2 weeks. More than 25 Senators participated in the debate, amongst whom were some of our most noted names and authorities in the field of constitutional law.[9]

For approximately 25 years prior to Cleveland's election, the legislative branch of the Government was controlled by the Republican Party. The Senate continued Republican after Cleveland's election. The new President removed from office approximatley 650 persons in the executive branch. The Senate made demands upon the various heads of departments to furnish the documentary evidence on file with the departments which showed the reasons for the removals. The complaints against the removed officeholders were based on personal trangressions or partisan misconduct which were usually made to the Executive and the heads of departments by means of letters, ordinarily personal and confidential. Whatever papers or documents were thus received on the subject were for convenience of reference, placed together on Department files. The complaints were carefully examined; many were cast aside as frivolous or lacking support, while others resulted in the suspension of the accused officials.[10]

Early in the Senate session of 1886, frequent requests were made in writing by the different committees of the Senate to which nominations were referred, directed to the heads of departments having supervision of the offices to which the nominations related, asking the reasons for the suspensions of officers whose places the nominations were intended to fill, and for all papers on file which showed the reasons for the suspensions. Replies were made to the committees by the heads of departments stating that, by direction of the President, they declined to furnish the papers and the reasons on the ground that the public interest would not be promoted thereby, or on the ground that the papers related to a purely Executive act. The foregoing numerous requests finally led up to an incident which has become famous in American history and in constitutional law. The Senate, by resolution, denounced the Attorney General for failing to furnish information and papers relating to the suspension of George N. Duskin, district attorney in Alabama. President Cleveland had appointed one Burnett in Duskin's place and had sent to the Senate Burnett's nomination. The Judiciary Committee of the Senate asked the Department of Justice for the papers touching the suspension and appointment. The papers relating to the suspension were not sent. The Attorney General was directed by resolution of the Senate to transmit those papers. The Attorney General replied that the President directed him to say that "the public interest would not be prompted by compliance with the resolution." The great debate to which we have referred them took place in the Senate.[11]

The majority report thus stated the question—whether it was within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States created by laws enacted by themselves. The report freely admitted that, except in respect of the Department of the Treasury, there was no statute which commanded the head of any department to transmit to either House of Congress on its demand any information whatever concerning the administration of his department. The committee believed, however, that from the nature of the powers entrusted by the Constitution to the two House of Congress, it was a necessary incident that either House had the right to know all that officially existed or took place in any of the departments of the Government.

The minority report referred to the admission in the majority report that no statute conferred the right on either House to direct the Attorney General to send to either House any official papers and documents. The minority wondered whether any grant of power in the Constitution to either House required that they should have the right to know anything, wherever or in whatever form it may exist, about removals or suspensions of Federal officers.

President Cleveland in his famous message to the Senate of March 1, 1886, stated that although public officials of the United States might owe their offices to laws enacted by the two Houses of Congress, that fact did not encumber the offices with a lien in favor of either branch of Congress. While Congress created the executive departments for the benefit of the people, to answer the general purposes of government under the Constitution and the laws, the departments were nevertheless unembarrassed by any obligation to the Senate as the price of their creation.[12] Cleveland disclaimed any intent to withhold official papers but he denied that papers and documents inherently private or confidential, addressed to the President or a head of a department, having reference to an act entirely executive such as the suspension of an official, were changed in their nature and became official when placed for convenience in the custody of a public department. Concerning such papers, the President felt that he could with entire propriety destroy them or take them into his own personal custody.

Referring to the Senate's wholesale demands for papers from the heads of departments, the President stated:

"The requests and demands which by the score have for nearly 3 months been presented to the different departments of the Government, whatever may be their form, have but one complexion. They assume the right of the Senate to sit in judgment upon the exercise of my exclusive discretion and executive function, for which I am solely responsible to the people from whom I have so lately received the sacred trust of office. My oath to support and defend the Constitution, my duty to the people who have chosen me to execute the powers of their great office and not relinquish them, and my duty to the chief magistracy which I must preserve unimpaired in all its dignity and vigor, compel me to refuse compliance with these demands" (ibid., pp. 63–64).

The President analyzed the contents, and the character of the information which had been addressed to him and to the heads of the departments by private citizens concerning the removed officials. He refused to attach official character to papers and documents solely because they are in the executive departments. "There is no mysterious power of transmutation in departmental custody, nor is there magic in the undefined and sacred solemnity of department files." Papers and documents do not derive official character when they are unrelated to a constitutional, statutory, or other requirement making them necessary to the performance of the official duty of the Executive.[13]

The long and bitter controversy ended with a victory for President Cleveland. The Senate voted to confirm Burnett for the place vacated by Duskins' suspension.

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[6] Richardson, "Messages and Papers of the Presidents," vol. VII, p. 362.

[7] Ibid., p. 363.

[8] "Our Chief Magistrate and His Powers," William Howard Taft, 1916, p. 130.

[9] CONGRESSIONAL RECORD, vol. 17, pp. 2211–2814. March 9 through March 26, 1886.

[10] Grover Cleveland, Presidential Problems, The Independence of the Executive, pp. 43 ff.

[11] For the text of the Senate's resolution expressing condemnation of the Attorney General's refusal, and for the majority and minority reports of the Judiciary Committee, see Senate Miscellaneous Documents, vol. 7, 52d Cong., 2d sess., pp. 232–272. The majority report is at pp. 235–243; the condemnatory resolution at p. 243; the minority report at pp. 243–262.

[12] Ibid., p. 62, Grover Cleveland, Presidential Problems.

[13] Richardson, "Messages and Papers of the Presidents," vol. 8, pp. 378–379, 381.

President Cleveland thus established a precedent which for the first time set apart private papers in the executive departments from public documents. While it is hard to define each, we may state, if we follow President Cleveland's reasoning, that those papers in the executive departments which relate purely to executive acts and duties lodged in the President alone by the Constitution, remain private and unofficial despite their filing in the executive departments. On the other hand, papers and documents which relate to matters in which Congress does have a right to participate, in connection with its legislative or other duties prescribed for it by the Constitution, may properly be called for. The real question, of course, is who determines the character of the papers? Cleveland established that the President does. The Executive is not to be subjected to inquiry arising from the motives and purposes of the Senate, as they are day by day developed, and that the President need not wait for the Senate to be satisfied with the President's choice or selection (ibid., p. 378).

For complete text of President Cleveland's message, see Richardson, Messages and Papers of Presidents, 8, 375–383.

Theodore Roosevelt's administration

President Roosevelt established the principle that heads of the executive departments are subject to the Constitution, to the laws passed by Congress in pursuance of the Constitution, and to the directions of the President, but to no other directions whatever. His vigorous assertion produced one of the historic debates on the relationship between Congress and the Executive, and an effort by the Judiciary Committee of the Senate to compel, by law, the production of all papers and documents filed in the public offices, when called for by the Senate or its committees.

On January 4, 1909, the Senate passed a resolution directing the Attorney General to inform the Senate whether legal proceedings had been instituted by him against the United States Steel Corp. on account of the absorption by it of the Tennessee Valley Coal & Iron Co.; if no proceedings had been instituted the Attorney General was required to state the reasons for such nonaction. The resolution also asked the Attorney General to state whether an opinion was rendered by him concerning the legality of the absorption, and to attach a copy of the opinion.

President Roosevelt, in a special message to the Senate dated January 6, 1909, stated that he had been orally advised by the Attorney General that, in his opinion, there was insufficient grounds for legal proceedings against the steel corporation. President Roosevelt also sent to the Senate a copy of a letter which he had sent to the Attorney General which gave the details of an interview between the President and Judge Gary and Mr. Frick of the United States Steel Corp. He closed his message with the statement:

"I have thus given to the Senate all the information in the possession of the executive department which appears to me to be material or relevant, on the subject of the resolution. I feel bound, however, to add that I have instructed the Attorney General not to respond to that portion of the resolution which calls for a statement of his reasons for nonaction. I have done so because I do not conceive it to be within the authority of the Senate to give directions of this character to the head of an executive department, or to demand from him reasons for his action. Heads of the executive departments are subject to the Constitution, and to the laws passed by the Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever" (CONGRESSIONAL RECORD, vol. 43, pt. 1, 60th Cong., 2d sess., pp. 527–528).

The Senate, having been unable to get the documents from the Attorney General, thereafter summoned Herbert Knox Smith, head of the Bureau of Corporations, to appear before its Committee on Judiciary. When Mr. Smith appeared, the committee informed him that if he did not at once transmit the papers and documents requested, the Senate would order his imprisonment. Mr. Smith reported this to the President; the latter ordered him in writing to turn over to the President all the papers in the case, "so that I could assist the Senate in the prosecution of its investigation." What happened afterward can best be stated in President Roosevelt's own words:

"I have those papers in my possession, and last night I informed Senator Clark of the Judiciary Committee what I had done. I told him also that the Senate should not have those papers and that Herbert Knox Smith had turned them over to me. The only way the Senate or the committee can get those papers now is through my impeachment, and I so informed Senator Clark last night.

"The Senator informed me that the Senate was only anxious to exercise its prerogatives and that if the papers were of such a nature that they should not be made public the committee was ready to endorse my views. But, as I say, it is just as well to take no chances with a man like Culberson [Senator from Texas], who is behind this thing, so I will retain those papers until the 3d of March at least. Some of these facts which they want, for what purpose I hardly know, were given to the Government under the seal of secrecy and cannot be divulged, and I will see to it that the word of this Government to the individual is kept sacred." (The Letters of Archie Butt, Personal Aide to President Roosevelt by Abbott, pp. 305–306; see also the President—Office and Powers, by Corwin, pp. 281 and 428.)

The effort made by the Senate to get the papers took place in January 1909. Theodore Roosevelt's term of office expired at midnight, March 3, 1909. His challenge to the Senate to impeach him, if it wished to get the papers which he felt should not be made public, was fortified by powerful legal argument. Roosevelt had ordered the head of the Bureau of Corporations to get a decision from the Attorney General that the papers should not be made public. The Attorney General followed the provisions of the act of 1903, when he reasoned that the President was to judge what information should be made public. Faced with the Senate committee's insistence that the Commissioner of Corporations violate both the law and the practices of his predecessors or face imprisonment, the Attorney General suggested that the papers be turned over to the President in order that the latter might thereafter instruct the Commissioner concerning their disposition (27 Op. Atty. Gen. 150).

Thwarted in its efforts to obtain the records from two heads of departments, there was introduced the following Senate resolution:

"Resolved by the Senate, That any and every public document, paper, or record, or copy thereof, on the files of any department of the Government relating to any subject whatever over which Congress has any grant of power, jurisdiction, or control, under the Constitution, and any information relative thereto within the possession of the officers of the department, is subject to the call or inspection of the Senate for its use in the exercise of its constitutional powers and jurisdiction" (43 CONGRESSIONAL RECORD 839 (1909)).

An exciting and prolonged debate followed.[14] In brief, the arguments of the Senators who favored adoption of the resolution were: Congress was responsible, in the very beginning of our Government, for creating by statute the executive departments. What Congress created, it can at any time modify by statute or entirely abolish. Since Congress created the departments, the heads of those departments owe their principal obligation to it. Either House of Congress may, therefore, demand compliance by heads of departments with calls for information and papers.[15] It is significant that the Senate debate was entirely based upon the great debate which took place in the Senate during Cleveland's first administration, in 1886. Proponents of the resolution urged that since the Senators who were members of the Judiciary Committee, in 1886, were amongst the truly great names in the field of constitutional law in the history of our Government, and since both the majority and minority reports in the controversy with President Cleveland united on a fundamental proposition, they thought it best to base the resolution on that proposition, to wit: That every public document or paper relating to any subject whatever, concerning which Congress had jurisdiction, was subject to a call for inspection by either the House or the Senate.[16]

Opponents of the resolution argued that it was impossible to settle a controversy with the executive branch by means of a resolution. Final settlement lay "in the observance by both Houses of Congress of the constitutional relations that exist between the coordinate departments of the Government."[17] Senator Dolliver asked some pointed questions which struck at the vitals of the controversy. He wished to know to what department of the Government the executive departments belonged. They certainly did not belong to the legislative or the judicial branches. He thought it would be a very interesting matter to determine what jurisdiction the legislative department of the Government had over the executive. He noted that it had been customary, from the foundation of our Government, to ask for information from the executive department, oftentimes, when nobody felt particularly the need of it. It had been a favorite method of introducing subjects for debate in the Senate.

"* * * What I want to know is, where Congress gets authority either out of the Constitution or the laws of the United States to order an executive department about like a servant" (43 CONGRESSIONAL RECORD 3732 (1909)).

Senator Rayner answered the foregoing queries by asserting that each House of Congress had the power to order anyone that had information or documents coming within its jurisdiction and control. He cited the Kilbourn and the Chapman cases[18] in support. Senator Dolliver replied that those cases involved private citizens who had refused to appear and give testimony before committees of the Senate[17] and not officials of the executive departments.

The debate developed two striking points of agreement between proponents and opponents of the resolution: (1) That there was no law which compelled heads of departments to give information and papers to Congress; (2) that if the head of a department refused to obey a subpena of either of the Houses of Congress, there was no effective punishment which Congress could mete out. Senator Bacon, who had introduced the resolution, was asked the pointed question: Whether Congress could by law compel the production of papers by heads of departments? He replied that the matter of

[14] Ibid., pp. 839, 1762 (1909).

[15] 43 CONGRESSIONAL RECORD, 849.

[16] 43 CONGRESSIONAL RECORD, 842.

[17] 43 CONGRESSIONAL RECORD 3732 (1909).

[18] *Kilbourn* v. *Thompson*, 103 U.S. 168; *In re Chapman*, 166 U.S. 661.

enforcement presented difficulty, and that the same question had been raised in the famous 1886 debate, in Cleveland's administration, and it was conceded "that there was no present or immediate remedy in case the head of a department or the President should refuse." (43 CONGRESSIONAL RECORD 849 (1909)). Of what use, therefore, was the resolution, urged its opponents, when there was no way to enforce it? The President and heads of departments might, in a proper case, decide to pay no attention to a request for documents; passing the resolution, therefore, would be a futile gesture.[19]

The resolution did not come to a final vote.

Professor Willoughby, in his well-known treatise, discusses the resolution and refers to the debates in Cleveland's and Roosevelt's administrations. He concludes that the constitutionality of the positions taken by Presidents Cleveland and Roosevelt would seem to be clear. Referring to the contests between Congress and the Presidents as to the right of the former to compel the furnishing to it of information, Willoughby states that it has been established that the President may exercise full discretion as to what information he will furnish, and what he will withhold.[20]

PRESIDENT COOLIDGE'S ADMINISTRATION

On March 12, 1924, the Senate passed a resolution which provided for the appointment of a committee to investigate the Bureau of Internal Revenue, with authority to hold hearings and subpena witnesses. In a letter dated April 10, 1924, to President Coolidge, Andrew Mellon, Secretary of the Treasury, pointed out that although the purpose of the committee was to obtain information upon which to recommend to the Senate reforms in law and in administration of the Bureau, it now appeared that the committee intended to vent a personal grievance of Senator Couzens, the author of the resolution in the Senate, against Mr. Mellon. The committee sought out all companies in which Mr. Mellon was interested, and directed its investigation activities solely against those companies.

President Coolidge in a special message to the Senate dated April 11, 1924, stated that it was recognized, both by law and custom, that there was certain confidential information which it would be detrimental to the public service to reveal. He recognized that it was legitimate for the Senate to indulge in political discussion and partisan criticism.

"But the attack which is being made on the Treasury Department goes beyond any of these legitimate requirements. Seemingly the request for a list of the companies in which the Secretary of the Treasury was alleged to be interested, for the purpose of investigating their tax returns, must have been dictated by some other motive than a desire to secure information for the purpose of legislation. * * *

"The constitutional and legal rights of the Senate ought to be maintained at all times. Also the same must be said of the executive departments. But these rights ought not to be used as a subterfuge to cover unwarranted intrusion. It is the duty of the Executive to resist such intrusion and to bring to the attention of the Senate its serious consequences. That I shall do in this instance" (65 CONGRESSIONAL RECORD, 68th Cong., 1st sess. p. 6087).

In reply, Senators Robinson and Walsh stated on the floor of the Senate that the committee had never attempted to compel the production of confidential records. Everything which the committee received came from voluntary witnesses and by departmental courtesy. (Ibid., p. 6108.)

PRESIDENT HOOVER'S ADMINISTRATION

On June 6, 1930, Secretary of State Stimson wrote the chairman of the Senate Foreign Relations Committee in reply to a request for confidential telegrams and letters leading up to the London Conference and the London Treaty. Secretary Stimson's confidential memorandum answered "as far as possible" the questions contained in the request. He refused, however, to divulge the contents of the other papers called for, on the ground that he had been directed by the President to say that their production would not, in his opinion, be comparable with the public interest.[21]

On June 12, 1930, the Foreign Relations Committee adopted a resolution to the effect that the committee regarded all facts which entered into the antecedent or attendant negotiations of any treaty as relevant and pertinent, when the Senate was considering a treaty for the purpose of ratification. The committee went on to assert its right to have full and free access to all records touching the negotiations of the treaty, basing its right on the constitutional prerogative of the Senate in the treatymaking process.

The bitterness of the debate in the Senate culminated in a message from President Hoover to the Senate dated July 11, 1930, wherein he pointed out that there were a great many informal statements and reports which were given to our Government in confidence. The Executive was under a duty, in order to maintain amicable relations with other nations, not to publicize all the negotiations and statements which went into the making of the treaty. The Executive must not be guilty of a breach of trust, nor violate the invariable practice of nations. He concluded as follows:

"* * * No Senator has been refused an opportunity to see the confidential material referred to, provided only he will agree to receive and hold the same in the confidence in which it has been received and held by the Executive. A number of Senators have availed themselves of this opportunity. I believe that no Senator can read these documents without agreeing with me that no other course than to insist upon the maintenance of such confidence is possible. * * *

"In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest" (S. Doc. No. 216, 71st Cong., special sess., p. 2).

It appears that the Senate was not satisfied by President Hoover's reply. It avoided, however, further wrangling. Senatorial face was saved by adopting a resolution of Senator Norris, which stated that in ratifying the treaty the Senate did so with the distinct and explicit understanding that there were no secret files or documents which in any way, directly or indirectly, modified or changed the stipulations and agreements in the treaty (73 CONGRESSIONAL RECORD 378 (1930); The Developments of Congressional Investigative Power, McGeary, p. 103, footnote 20).

On May 14, 1932, a resolution was presented in the House of Representatives requesting the Secretary of the Treasury to submit to the House the testimony, documents, and records which had been presented in the investigation conducted by the Secretary of the Treasury concerning the importation of ammonium sulphate. The resolution was vigorously attacked on the ground that the Government in obtaining the information, had not disclosed a purpose of intended publicity, and that no business interest would disclose its costs of production and other confidential data, even for the use of the Federal Government, if that information was to be disclosed to the world.[22] The resolution appears to have been amended so as to contain the phrase: "if not incompatible with the public interest." The Secretary of the Treasury wrote the Speaker of the House on May 26, 1932, that the information had been furnished to the Treasury with the understanding that it would be treated confidentially. He added:

"As consent has not been given to the disclosure of the information contained in the record before the Treasury Department, I am of the opinion that it would be incompatible with the public interest to comply with the request contained in the resolution" (ibid., 11689).

The reply of the Treasury Department was received by the House without comment.

Franklin D. Roosevelt's Administration

House Resolution 212 called upon President Roosevelt, "if agreeable to him and available," to transmit to the Speaker of the House of Representatives the full transcript of his press conference of May 3, 1935, on the resolutions of the U.S. Chamber of Commerce concerning the President's legislative program. The object of the resolution was to afford the President an opportunity to send up for the record his comments on the resolution adopted by the chamber of commerce at Washington "which constituted the first major offensive by the representatives of big business on his program as a whole."[23]

President Roosevelt wrote the Speaker of the House on May 8, 1935:

"I do not believe, however, that it would be advisable for me to create the precedent of sending to the Congress for documentary use the text of remarks I make at the biweekly conferences with the newspaper representatives here in Washington."[24]

The President went on to say that he did not wish to create a precedent of permitting questions and answers which came up at his press conferences to be transcribed and printed in the CONGRESSIONAL RECORD, for in such event he could no longer speak informally, as was his habit, and would bring about a consciousness of restraint as well as the necessity for constant preparation of his remarks.

In 1941, the chairman of the House Committee on Naval Affairs, by letter, requested the Federal Bureau of Investigation to furnish the committee with reports since June 1939, together with all correspondence of the Bureau or the Department of Justice in connection with investigations made by the Department arising out of strikes, subversive activities in connection with labor disputes, or labor disturbance of any kind in industrial establishments which had naval contracts. Attorney General Jackson replied in an opinion in which he pointed out that the request for Federal Bureau of Investigation reports was one of many which had been received from congressional committees. The number of requests alone would have made compliance impracticable, particularly since many of the requests were very comprehensive in character. He felt obliged, therefore, in view of the increasing frequency of those requests, to restate the policy of the Department together with the reasons therefor:

"It is the position of this Department, restated now with the approval of and at the direction of the President, that all investigative reports are confidential documents of the executive department of the Government, to aid in the duty laid upon the President by the Constitution to 'take care that the laws

[19] 43 CONGRESSIONAL RECORD 3730 (1909).

[20] W. W. Willoughby, "The Constitutional Law of the United States," 2d ed. (1929), pp. 1488–1491.

[21] 72 CONGRESSIONAL RECORD, p. 12029 (1930).

[22] 75 CONGRESSIONAL RECORD, 72d Cong., 1st sess., p. 10207 (1932).

[23] 79 CONGRESSIONAL RECORD, 7002 (1935).

[24] Ibid., 7186.

be faithfully executed,' and that congressional or public access to them would not be in the public interest." [25]

The Attorney General pointed to the following injurious results which would follow disclosure of the reports: (1) Disclosure would seriously prejudice law enforcement; (2) disclosure at that particular time would have prejudiced the national defense; (3) disclosure would seriously prejudice the future usefulness of the Federal Bureau of Investigation, for keeping faith with confidential informants was an indispensable condition of future efficiency; (4) disclosure might also result in the grossest kind of injustice to innocent individuals, because the reports included leads and suspicions, and sometimes even the statements of malicious or misinformed people.

The opinion of the Attorney General accorded with the conclusions which had been reached by a long line of predecessors, and with the position taken by the President from time to time since Washington's administration. He concluded by stating that exercise of this discretion in the executive branch had been upheld and respected by the judiciary.

On January 20, 1944, a Select Committee To Investigate the Federal Communications Commission met in order to listen to the testimony of J. Edgar Hoover, Director, Federal Bureau of Investigation, who had been served with a subpena to appear before the committee. The committee had been conducting hearings pursuant to a resolution of the House of Representatives of January 19, 1943, which empowered the committee to conduct an investigation of the Federal Communications Commission. The purpose of the investigation was to determine whether the Commission had been acting in accordance with law and the public interest. The committee was authorized to require the attendance of witnesses and production of books and papers by subpena. Mr. Hoover was not required by the subpena with which he had been served to produce any documentary evidence. However, he was shown certain letters, which he refused to admit he received in the performance of his duties as Director of the Bureau. We will quote from the record of the hearing before the committee:

"Mr. GAREY (committee counsel). You were asked at the last hearing to produce before this committee the written directive which you had received from the President of the United States respecting the scope of the testimony which you were not to give, putting it in one way, or which you would be permitted to give, before this committee. Are you now ready to produce that written directive?"

"Mr. HOOVER. I am not" (hearings, vol. 2, House, 78th Cong., Select Committee To Investigate the Federal Communications Commission (1944), p. 2337).

The record shows that the chairman of the committee, in order to lay the foundation for consideration of the matter by the committee in executive session, directed Mr. Hoover, on behalf of the committee, to answer the question and to produce the written directive of the President of the United States directing him not to testify, in certain respects, before the committee.

Mr. Hoover declined to comply with the direction of the chairman. Mr. Hoover told the committee that he had discussed with the executive assistant to the Attorney General the matters which he felt he would be asked. Those matters related to fingerprint records, certain matters relating to activities at Pearl Harbor, and certain operations of the Bureau. Mr. Hoover disclaimed any desire to interfere with the work of the committee. However, the President had directed him not to testify to any matter, or to any correspondence relating to internal security, and the Attorney General had construed questions relating to fingerprint records, and the matters relating to activities at Pearl Harbor, as fully within that category. Mr. Hoover had with him a copy of the President's direction in writing. He would not, however, produce the copy for the benefit of the committee for reasons given in a letter of the Attorney General addressed to the chairman of the committee.[26] The letter read in part as follows:

"I have carefully considered the request of Mr. Garey, counsel for the committee, that I produce before your committee a copy of the document that I received from the President directing Mr. Hoover not to testify before your committee about certain transactions between this Department and the Federal Communications Commission.

"It is my view that as a matter of law and of long-established constitutional practice, communications between the President and the Attorney General are confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress. In this instance, it seems to me that the privilege should not be waived; to do so would be to establish an unfortunate precedent, inconsistent with the position taken by my predecessors.

* * * * *

"Furthermore, I should like to point out that a number of Mr. Garey's questions related to the methods and results of investigations carried on by the Federal Bureau of Investigation. The Department of Justice has consistently taken the position, long acquiesced in by the Congress, that it is not in the public interest to have these matters publicly disclosed. Even in the absence of instructions from the President, therefore, I should have directed Mr. Hoover to refuse to answer these questions" (ibid., 2338–2339).

The chairman of the committee recognized the privilege, which had been granted to the executive departments from the beginnings of our Government, in these words:

"* * * Under this general question of the right of the witness to refuse to testify, we have a situation where the law seems to be rather indefinite, but for over 140 years a certain exemption has been granted to the executive departments, particularly where it involves military secrets or relations with foreign nations. Yet we, of course, realize that the President, by a blanket order, could not exempt a witness who is an official in an executive department, I take it, from the duty of testifying when properly called before a committee like this one, with its authority" (ibid., 2305).

The chairman recognized the committee's desire, in wartime, not to interfere with the executive departments in maintaining proper secrecy. He therefore suggested that counsel ask Mr. Hoover other questions which he deemed pertinent. Counsel to the committee stated that none of the questions which he had put to Mr. Hoover dealt with internal security or national security.

Mr. Hoover was asked a number of other questions, to which he replied that they fell within the restrictions of the Presidential directive to him.

Counsel for the committee stated that the House might want a record of the proceedings in the event that it elected to exercise its constitutional powers to compel answers to questions put to Mr. Hoover. Accordingly, the chairman of the committee directed Mr. Hoover to answer each and every question put to him by counsel which Mr. Hoover had refused to answer. Mr. Hoover reiterated his declination to answer the questions for the reasons previously given.

Thus, we see the issue squarely raised between the head of the Bureau of Investigation and the Attorney General, who determined, in their own judgment, whether questions put to Mr. Hoover by the House committee came within the directive of the President. Necessarily, matters of discretion were left, by the President's order to Mr. Hoover, to both the Attorney General and to Mr. Hoover. The record of the hearings appears to be silent as to any action taken by the committee, following Mr. Hoover's refusal to testify or produce the President's directive, pursuant to the subpena.

The same committee had also issued a subpena to Harold D. Smith, Director of the Bureau of the Budget, to appear before the committee and to produce the files and correspondence in the Bureau of the Budget. Those files dealt with requests of the War and Navy Departments to the President for an Executive order transferring the functions of the Radio and Intelligence Division of the Federal Communications Commission to the Military Establishments. The subpena also sought to obtain the recommendations of the Bureau of the Budget.

On July 9, 1943, Mr. Smith appeared before the committee. He had previously, by letter, advised the chairman of the committee that the matters which the committee sought to obtain from him affected the national defense, and that the President had issued instructions that the files and correspondence of the Bureau of the Budget should not be made public because of their confidential nature and because disclosure would not comport with the public interest (committee hearings, vol. 1, p. 34).

The opinion of Attorney General Jackson, previously referred to,[27] was also cited by Mr. Smith as a reason for not complying with the subpena.

The record of Mr. Smith's testimony also shows that the files and documents which had been subpenaed were turned over to the White House, at the request of someone there, in Mr. Smith's absence.

Congressman Hart asked Mr. Smith:

"You feel compelled to carry out the orders of the Chief Executive?

"Mr. SMITH. That is right." [28]

The chairman of the committee then stated that the issue presented was going to be fought out. In order to make the record stand on the responses which had been given to the subpena, the chairman directed the witnesses to produce the documents called for. Mr. Smith replied that in view of the position which he had taken, on the advice of counsel, he could not make the documents available.[29]

Finally Mr. Smith was asked whether he would produce the documents at an executive session of the committee. The Director of the Bureau of the Budget subsequently advised the chairman of the committee that he had no choice but to decline to testify or otherwise furnish the committee with any information in the possession of the Bureau concerning the matters mentioned, whether in executive session or otherwise, by reason of the instructions which he had received from the President, and for the additional reasons given in the opinion of the Attorney General.[30]

James L. Fly, Chairman of the Federal Communications Commission and Chairman of the Board of War Communications, was also subpenaed to appear before the aforesaid committee.

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[25] 40 Opinions Attorney General No. 8, Apr. 30, 1941.

[26] Letter dated January 22, 1944, signed Francis Biddle, Attorney General.

[27] Vol. 40, Opinions, Atty. Gen., No. 8.

[28] Hearings, Select Committee To Investigate the Federal Communications Commission, vol. 1, p. 36.

[29] Ibid., 39.

[30] Vol. 40, Opinions, Atty Gen., No. 8, Apr. 30, 1941.

He appeared on July 9, 1943, and did not produce the records described in the subpena. He told the committee that he was bound by the decision of the Board of War Communications, of which he was one member, and that even if he had the documents in his custody, he would have no choice but to decline to hand them over to the committee.

The records in question were in the possession of Mr. Denny, General Counsel of the Federal Communications Commission, who was present at the time Mr. Fly was testifying before the committee. Mr. Denny had also been subpenaed. He advised the committee that he had in his possession the papers called for. Neither Mr. Denny, nor Mr. Fly, exhibited the records to the committee. Both felt bound by the decision of the Board of War Communications.[31]

Acting Secretary of War Robert P. Patterson received an invitation by letter to appear before the committee and to produce certain documents. Several Army officers were also requested to appear. The reply of Mr. Patterson, in part, was as follows:

"The President directs that the committee be informed that he, the President, refuses to allow the documents to be delivered to the committee as contrary to the public interests. For the same reason, I am unable to permit the witnesses to appear" (ibid., 67).

Counsel for the committee noted in the record that the Secretary of War's refusal to allow the documents to be delivered was based upon the President's direction. However, the Secretary's decision not to permit the Army officers to appear was based upon the Secretary's own judgment.

Similarly, James Forrestal, Acting Secretary of the Navy, replied to a committee request for the testimony of naval officers and for certain documents from the files of the Navy Department. Mr. Forrestal declined permission for the naval officers, active or inactive, to appear. He closed his letter to the committee by stating:

"The President of the United States authorizes me to inform the committee that he, the President, refuses to allow the documents described in your letter to be delivered to the committee, as such delivery would be incompatible with the public interest" (ibid., 68).

Again we see that the President and members of his Cabinet, as well as heads of departments, exercised their own discretion concerning the propriety of furnishing testimony and papers to a committee of the House.

It may be added that the testimony of 10 Army officers, 20 naval officers, and the production of documents in 20 categories of the Army and 25 categories of the Navy were requested by the committee. By direction of the President, the production of the testimony and documents requested were refused.[32]

Although Congressman Cox, chairman of the committee inserted two statements in the RECORD which were critical of the Chief Executive by reason of the latter's refusal to permit heads of departments and members of the Cabinet to furnish information and papers, the committee thought it wise not to press the issue.[33]

Apparently no further action was taken by the committee, following refusals of the heads of departments to comply with the subpenas which had been served upon them.

[31] Hearings, Select Committee To Investigate the Federal Communications Commission, vol. 1, pp. 46, 48 through 67.

[32] CONGRESSIONAL RECORD, vol. 90, pt. 2, p. 2111.

[33] CONGRESSIONAL RECORD, vol. 90, pt. 8, pp. A1034, A1066 (1944).

To summarize

The precedents furnished by Franklin D. Roosevelt's administration show:

1. Federal Bureau of Investigation records and reports were refused to congressional committees, in the public interest.

2. The Director of the Federal Bureau of Investigation refused to give testimony or to exhibit a copy of the President's directive requiring him, in the interests of national security, to refrain from testifying or from disclosing the contents of the Bureau's reports and activities.

3. Communications between the President and the heads of departments are confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress.

4. The Director of the Bureau of the Budget refused to testify and to produce the Bureau's files, pursuant to subpena which had been served upon him, because the President had instructed him not to make public the records of the Bureau due to their confidential nature. Public interest was again invoked to prevent disclosure.

5. A precedent which Theodore Roosevelt had established, to order the records of a department brought to the White House, when the President was convinced of their confidential nature, was apparently followed in the transfer of the records from the Director of the Bureau of the Budget to the White House.

6. The Chairman of the Federal Communications Commission and its chief counsel, both of whom had been subpenaed, refused to testify and to produce files and records, despite the fact that the select committee was created to investigate the Federal Communications Commission. The reasons given for such refusal were that the records in question were those of the Board of War Communications, of which the Chairman of the Federal Communications Commission was only one member out of five. Both the Chairman and the chief counsel of the Commission who had possession of the records stated that they felt bound by the decision of the Board of War Communications not to produce the records or to testify concerning them.

7. Although the Chairman of the Federal Communications Commission was also Chairman of the Board of War Communications, he did not produce the records because of their confidential nature and because disclosure would have adversely affected the national security.

8. The Secretaries of War and Navy were directed not to deliver documents which the committee had requested, on grounds of public interest. The Secretaries, in their own judgment, refused permission to Army and Navy officers to appear and testify because they felt that it would be contrary to the public interests.

9. The chairman of the committee, while severely critical of the Chief Executive's directions to the Cabinet members and to the heads of departments, conceded a "certain exemption" which had been granted to the executive departments for over 140 years.

President Truman's administration

By concurrent resolution a joint congressional committee on the investigation of the Pearl Harbor attack was established on September 11, 1945. The committee was authorized to require by subpena, or otherwise, the attendance of witnesses and the production of books and papers. There had been seven prior investigations concerning the Pearl Harbor attack.[34] The committee's investigation extended to the files of all pertinent branches of the Government, and President Truman issued instructions to various departments of the Government. We will examine those instructions.[35]

On October 13, 1945, the President advised Senator Barkley, chairman of the committee, that he had appointed Judge Latta to supply the committee with any information which it deemed necessary from the White House files. The President's letter also stated that if the committee experienced difficulty in obtaining access to the files the President would issue the necessary orders for "complete access."

On August 28, 1945, the President had addressed a memorandum to the Secretaries of State, War, Navy, the Attorney General, the Joint Chiefs of Staff, and the Directors of the Bureau of the Budget, and the Office of War Information to this effect: That they should take the requisite steps to prevent release to the public, except with the President's approval, of information regarding the Cryptanalytic Unit. Since the joint committee was created subsequent to the August 28, 1945, memorandum, the President sent a memorandum on October 23, 1945, to four of the departments above named, expressing a desire to assist the joint congressional committee. He specifically excepted from the August 28 memorandum and authorized the release of information, "material to the investigation." The President also authorized any employee or member of the armed services, whose testimony the committee desired, to testify publicly before the committee concerning any matter "pertinent to the investigation" (Joint Committee Report, p. 286).

On November 7, 1945, the President addressed a memorandum to the chief executives of all departments, agencies, commissions and bureaus. The memorandum stated that in order to assist the committee to make a complete investigation, heads of departments were requested by the President to authorize every person in their respective departments or agencies, if interrogated by the committee, to give any information of which they may have knowledge bearing on the subject of the investigation. The President also requested the heads of the departments to authorize their respective employees to come forward voluntarily and to disclose to the committee "any information they may have on the subject of the inquiry which they may have any reason to think may not already have been disclosed to the committee." [36]

The President's directive was made applicable to all persons of all executive departments, whether or not those persons were called to testify before the joint committee.

There was one additional memorandum issued by the President for the chief executives of all executive departments, agencies, commissions and bureaus. It referred to the President's memorandum of November 7, 1945, and requested the heads of the departments to further authorize every person in those departments or agencies, whether or not they were interrogated by the committee, "to come forward and disclose orally to any of the members" of the committee "any information which they may have on the subject of the inquiry which they may have any reason to think has not already been disclosed to the committee." [37] The memorandum closed with the words: "This does not include any files or written material."

The joint committee's investigation was obviously intended to make full and complete disclosure to the American people, in

[34] Doc. No. 244, 79th Cong., 2d sess., Report of the Joint Committee on the Investigation of the Pearl Harbor Attack, pp. xii and xiv.

[35] Appendix C, Communications From the President of the United States Relating to the Pearl Harbor Investigation, pp. 283–287 of the report, ibid., footnote 1, supra.

[36] Ibid., Joint Committee Report, p. 286.

[37] Ibid., Joint Committee Report, p. 287.

order that the lessons of the Pearl Harbor disaster might "avoid pitfalls in the future," and "to evolve constructive suggestions for the protection of our national security." [38]

The executive branch was obviously in full agreement with the intent of Congress. The committee's report makes it clear, as already indicated, that the files of the pertinent Government branches were made available to the committee, following instruction from the President.[39]

The report also states that one member of the committee requested the production by the State Department of all papers relating to the so-called Tyler Kent case, which was disapproved by the majority of the committee. The State Department had advised the committee that those papers were in no way pertinent to the subject of the committee's inquiry.[40]

The report contains the names of the witnesses which appeared before the joint committee. Among them were the highest officers in both the War and Navy Departments and the highest officials of the State Department. The President's directives heretofore cited made the appearance of those witnesses possible.[41]

It should be noted, however, that the Chief Executive did not strip the executive branch, by his directives, of a discretion, in a doubtful case, to withhold written files. While the report of the joint committee indicates that the committee received the fullest measure of cooperation from the executive branch, in its desire to bring all pertinent facts to light, Senators Ferguson and Brewster filed a minority report wherein they were critical of the Presidential restraints on the committee.[42]

The minority complained that the President's memorandum of October 23, 1945, which lifted the prior secrecy of the Cryptanalytic Unit, was limited to the State, War, and Navy Departments. The minority also complained that the President's order relaxed the secrecy of the records only so far as the joint committee was concerned, while it continued to prevent individual members of the committee from searching records. In this discussion, of course, we are not concerned with the differences within the committee.

The minority report was also critical of the phrase in the October 23, 1945, memorandum of the President: "any information in their possession material to the investigation." [43] The minority stated that those words provided a cloak for those reluctant to yield information requested by the members of the committee. Finally, the minority pointed out that the subsequent memorandums of the President never wholly removed the restrictions on the Government departments, and that in the order of November 7, 1945, the President relaxed restraints on executives of the Government in order that they might speak freely to "individual members of the committee," but the order did not include the release to such individual members of files or written material. [42]

The foregoing criticism of the minority, that "the joint committee was hedged about with troublesome qualifications and restraints" [42] by the Chief Executive does not find support in the report which was signed by the other eight members of the joint committee. However, there is a tacit understanding by the majority of the propriety of the President's instructions to the heads of departments as outlined above, and the minority did not anywhere in its report question the right of President Truman to issue the instructions which he did to the heads of departments. Apparently, their chief complaint was that the Truman committee, during the 4 years of its operations, did allow individual members of the committee to search for any information deemed relevant by them, whereas, in the joint committee investigation the majority of the committee refused to extend permission for individual members to search files and other records.

The conclusion we derive from the activities of the joint committee, which investigated the Pearl Harbor attack, is that the President, in an investigation involving the national security as well as the future safety of the country from attacks similar to the Pearl Harbor attack, assumed the responsibility of guiding and directing the heads of the executive departments concerning the oral testimony and the written material which they were to furnish to the committee.[43] In so doing, President Truman merely exercised the executive prerogative which prior administrations had handed down to him.

Résumé and conclusions

A bird's-eye view of the refusals by 17 of our Presidents and their heads of departments to comply with congressional requests for information and papers from the Executive, beginning with 1796 to the present time, follows: [44]

President	Date	Type of information refused
George Washington	1796	Instructions to U.S. Minister concerning Jay Treaty.
Thomas Jefferson	1807	Confidential information and letters relating to Burr's conspiracy.
James Monroe	1825	Documents relating to conduct of naval officers.
Andrew Jackson	1833	Copy of paper read by President to heads of departments relating to removal of bank deposits.
	1835	Copies of charges against removed public official.
	1835	List of all appointments made without Senate's consent, since 1829, and those receiving salaries without holding office.
John Tyler	1842	Names of Members of 26th and 27th Congresses who applied for office.
	1843	Report to War Department dealing with alleged frauds practiced on Indians, and Colonel Hitchcock's views of personal characters of Indian delegates.
James K. Polk	1846	Evidence of payments made through State Department, on President's certificates, by prior administration.
Millard Fillmore	1852	Official information concerning proposition made by King of Sandwich Islands to transfer islands to United States.
James Buchanan	1860	Message of protest to House against resolution to investigate attempts by Executive to influence legislation.
Abraham Lincoln	1861	Dispatches of Major Anderson to the War Department concerning defense o Fort Sumter.
Ulysses S. Grant	1876	Information concerning executive acts performed away rom Capitol.
Rutherford B. Hayes	1877	Secretary of Treasury refused to answer questions and to produce papers concerning reasons for nomination of Theodore Roosevelt as collector of port of New York.
Grover Cleveland	1886	Documents relating to suspension and removal of Federal officials.
Theodore Roosevelt	1909	Attorney General's reasons for failure to prosecute United States Steel Corp.
	1909	Documents of Bureau of Corporations, Department of Commerce.
Calvin Coolidge	1924	List of companies in which Secretary of Treasury Mellon was interested.
Herbert Hoover	1930	Telegrams and letters leading up to London Naval Treaty.
	1932	Testimony and documents concerning investigation made by Treasury Department.
Franklin D. Roosevelt	1941	Federal Bureau of Investigation reports.
	1943	Director, Bureau of the Budget, refused to testify and to produce files.
	1943	Chairman, Federal Communications Commission, and Board of War Communications refused records.
	1943	General Counsel, Federal Communications Commission, refused to produce records.
	1943	Secretaries of War and Navy, refused to furnish documents, and permission for Army and naval officers to testify.
	1944	J. Edgar Hoover refused to give testimony and to produce President's directive.
President Truman	1945	Issued directions to heads of executive departments to permit officers and employees to give information to Pearl Harbor Committee.
	1945	President's directive did not include any files or written material.
	1947	Civil Service Commission records concerning applicants for positions.

The framers of the Constitution had taken pains to insure the independence of the executive branch.[45] Historical precedents detailed by us, covering more than 150 years of Presidential action, demonstrates that our Presidents have vigorously asserted that independence.

This is not to say that the instances we have cited are the only ones in which a President or the heads of departments asserted their judgment and discretion, in the public interest, to keep papers in the executive departments confidential. There are many other illustrations, in both the administrations of the Presidents we have listed and in those not included in our discussion, where papers have been withheld from Congress or its committees. Compared with the great number of situations where the Executive has freely furnished Congress with information, those presented by us are relatively few. Fewer still are the conflicts between the Executive and Congress which have given rise to congressional debate or to resolutions of protest by either of the Houses.

In the great conflicts which have arisen, in the administrations of Washington, Jackson, Tyler, Cleveland, and Theodore Roosevelt, the Executive always prevailed.

Mr. MORSE. The next part of my exhibit is the letter of the President to the Secretary of Defense, dated May 17, 1954,

[38] P. xi. Foreword, Joint Committee Report, supra.

[39] Ibid., xiv. Introductory Statement of the Joint Committee Report.

[40] Ibid., p. xv. Introductory statement of the joint committee report.

[41] See pp. 278 and 279 for a list of the witnesses who appeared before the joint committee.

[42] Ibid, p. 498, Joint Committee Report.

[43] For the Senate debate which accompanied the President's directions to the Cabinet officers and heads of departments, see CONGRESSIONAL RECORD, vol. 91, pt. 8, pp. 10583–10594.

[44] In the bird's-eye picture, reference is made to the refusals of Presidents Monroe, Fillmore, Lincoln, and Hayes; Monroe's refusal may be found in a message dated January 10, 1825, 2 Richardson, "Messages and Papers of Presidents," p. 278; Fillmore's in 5 Richardson, p. 159; Lincoln's in 6 Richardson, p. 12; and the refusal in Hayes' administration is dealt with in vol. 17, CONGRESSIONAL RECORD, pp. 2332 and 2618.

[45] Binkley, President and Congress, p. 25. The Federalist, No. 51: "But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachment of the others."

and accompanied by a memorandum from the Attorney General.

[Immediate release, May 17, 1954, James C. Hagerty, press secretary to the President]

The President today sent the following letter to the Secretary of Defense:

"THE WHITE HOUSE.

"The Honorable the SECRETARY OF DEFENSE,
"*Washington, D.C.*

"DEAR MR. SECRETARY: It has long been recognized that to assist the Congress in achieving its legislative purposes every executive department or agency must, upon the request of a congressional committee, expeditiously furnish information relating to any matter within the jurisdiction of the committee, with certain historical exceptions—some of which are pointed out in the attached memorandum from the Attorney General. This administration has been and will continue to be diligent in following this principle. However, it is essential to the successful working of our system that the persons entrusted with power in any one of the three great branches of Government shall not encroach upon the authority confided to the others. The ultimate responsibility for the conduct of the executive branch rests with the President.

"Within this constitutional framework, each branch should cooperate fully with each other for the common good. However, throughout our history the President has withheld information whenever he found that what was sought was confidential or its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation.

"Because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations or communications or any documents or reproductions concerning such advice be disclosed, you will instruct employees of your Department that in all of their appearances before the subcommittee of the Senate Committee on Government Operations regarding the inquiry now before it they are not to testify to any such conversations or communications or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosures.

"I direct this action so as to maintain the proper separation of powers between the executive and legislative branches of the Government in accordance with my responsibilities and duties under the Constitution. This separation is vital to preclude the exercise of arbitrary power by any branch of the Government.

"By this action I am not in any way restricting the testimony of such witnesses as to what occurred regarding any matters where the communication was directly between any of the principals in the controversy within the executive branch, on the one hand, and a member of the subcommittee or its staff, on the other.

"Sincerely,

"DWIGHT D. EISENHOWER."

Memorandum for: The President.
From: The Attorney General.

One of the chief merits of the American system of written constitutional law is that all the powers entrusted to the Government are divided into three great departments, the executive, the legislative, and the judicial. It is essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall be limited to the exercise of the powers appropriate to its own department and no other. The doctrine of separation of powers was adopted to preclude the exercise of arbitrary power and to save the people from autocracy.

This fundamental principle was fully recognized by our first President, George Washington, as early as 1796 when he said: "* * * it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved * * *." In his Farewell Address, President Washington again cautioned strongly against the danger of encroachment by one department into the domain of another as leading to despotism. This principle has received steadfast adherence throughout the many years of our history and growth. More than ever, it is our duty today to heed these words if our country is to retain its place as a leader among the free nations of the world.

For over 150 years—almost from the time that the American form of government was created by the adoption of the Constitution—our Presidents have established, by precedent, that they and members of their Cabinet and other heads of executive departments have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. American history abounds in countless illustrations of the refusal, on occasion, by the President and heads of departments to furnish papers to Congress, or its committees, for reasons of public policy. The messages of our past Presidents reveal that almost every one of them found it necessary to inform Congress of his constitutional duty to execute the office of President, and, in furtherance of that duty, to withhold information and papers for the public good.

Nor are the instances lacking where the aid of a court was sought in vain to obtain information or papers from a President and the heads of departments. Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest; they will not interfere with the exercise of that discretion, and that Congress has not the power, as one of the three great branches of the Government, to subject the executive branch to its will any more than the executive branch may impose its unrestrained will upon the Congress.

President Washington's administration

In March 1792, the House of Representatives passed the following resolution:

"*Resolved*, That a committee be appointed to inquire into the causes of the failure of the late expedition under Major General St. Clair; and that the said committee be empowered to call for such persons, papers, and records, as may be necessary to assist their inquiries" (3 Annals of Congress, p. 493).

This was the first time that a committee of Congress was appointed to look into a matter which involved the executive branch of the Government. The expedition of General St. Clair was under the direction of the Secretary of War. The expenditures connected therewith came under the Secretary of the Treasury. The House based its right to investigate on its control of the expenditures of public moneys. It appears that the Secretaries of War and the Treasury appeared before the committee. However, when the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet (Binkley, President and Congress, pp. 40–41).

Thomas Jefferson, as Secretary of State, reports what took place at that meeting. Besides Jefferson, Alexander Hamilton, Henry Knox, Secretary of War, and Edmond Randolph, the Attorney General, were present. The committee had first written to Knox for the original letters, instructions, etc., to General St. Clair. President Washington stated that he had called his Cabinet members together, because it was the first example of a demand on the Executive for papers, and he wished that so far as it should become a precedent, it should be rightly conducted. The President readily admitted that he did not doubt the propriety of what the House was doing, but he could conceive that there might be papers of so secret a nature that they ought not to be given up. Washington and his Cabinet came to the unanimous conclusion:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those the disclosure of which would injure the public: Consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the head of a department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President."

The precedent thus set by our first President and his Cabinet was followed in 1796, when President Washington was presented with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and documents relative to that treaty. Apparently it was necessary to implement the treaty with an appropriation which the House was called upon to vote. The House insisted on its right to the papers requested, as a condition to appropriating the required funds (President and Congress, Wilfred E. Binkley (1947), p. 44).

President Washington's classic reply was, in part, as follows:

"I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the Government, my constant endeavor to harmonize with the other branches thereof so far as the trust delegated to me by the people of the United States and my sense of the obligations it imposes to 'preserve, protect, and defend the Constitution' will permit" (Richardson's "Messages and Papers of the Presidents," vol. 1, p. 194).

Washington then went on to discuss the secrecy required in negotiations with foreign governments, and cited that as a reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. He felt that to admit the House of Representatives into the treatymaking power, by reason of its constitutional duty to appropriate moneys to carry out a treaty, would be to establish a dangerous precedent. He closed his message to the House as follows:

"As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty; * * * and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request"

(Richardson's Messages and Papers of the Presidents, vol. 1, p. 196).

President Jefferson's administration

In January 1807, Representative Randolph introduced a resolution, as follows:

"*Resolved*, That the President of the United States be, and he hereby is, requested to lay before this House any information in possession of the Executive, except such as he may deem the public welfare to require not to be disclosed, touching any illegal combination of private individuals against the peace and safety of the Union, or any military expedition planned by such individuals against the territories of any power in amity with the United States; together with the measures which the Executive has pursued and proposes to take for suppressing or defeating the same" (16 Annals of Congress (1806–1807), p. 336).

The resolution was overwhelmingly passed. The Burr conspiracy was then stirring the country. Jefferson had made it the object of a special message to Congress wherein he referred to a military expedition headed by Burr. Jefferson's reply to the resolution was a message to the Senate and House of Representatives. Jefferson brought the Congress up to date on the news which he had been receiving concerning the illegal combination of private individuals against the peace and safety of the Union. He pointed out that he had recently received a mass of data, most of which had been obtained without the sanction of an oath so as to constitute formal and legal evidence. "It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal factor, whose guilt is placed beyond question" (Richardson's Message and Papers of the Presidents, vol. 1, p. 412, dated January 22, 1807).

Similar actions by Presidents Jackson, Tyler, Buchanan, and Grant

On February 10, 1835, President Jackson sent a message to the Senate wherein he declined to comply with the Senate's resolution requesting him to communicate copies of charges which had been made to the President against the official conduct of Gideon Fitz, late Surveyor General, which caused his removal from office. The resolutions stated that the information requested was necessary both in the action which it proposed to take on the nomination of a successor to Fitz, and in connection with the investigation which was then in progress by the Senate respecting the frauds in the sales of public lands.

The President declined to furnish the information. He stated that in his judgment the information related to subjects exclusively belonging to the executive department. The request therefore encroached on the constitutional powers of the Executive.

The President's message referred to many previous similar requests, which he deemed unconstitutional demands by the Senate:

"Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperious duty of resisting to the utmost any further encroachment on the rights of the Executive" (ibid., p. 133).

The President next took up the fact that the Senate resolution had been passed in executive session, from which he was bound to presume that if the information requested by the resolution were communicated, it would be applied in secret session to the investigation of frauds in the sales of public lands. The President said that, if he were to furnish the information, the citizen whose conduct the Senate sought to impeach would lose one of his basic rights, namely, that if a public investigation in the presence of his accusers and of the witnesses against him. In addition, compliance with the resolution would subject the motives of the President, in the case of Mr. Fitz, to the review of the Senate when not sitting as judges on an impeachment; and even if such a consequence did not follow in the present case, the President feared that compliance by the Executive might thereafter be quoted as a precedent for similar and repeated applications.

"Such a result, if acquiesced in, would ultimately subject the independent constitutional action of the Executive in a matter of great national concernment to the domination and control of the Senate; * * *

"I therefore decline a compliance with so much of the resolution of the Senate as requests 'copies of the charges, if any,' in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made; * * *" (ibid., p. 134).

One of the best reasoned precedents of a President's refusal to permit the head of a Department to disclose confidential information to the House of Representatives is President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them. A resolution of the House of Representatives had called upon the Secretary of War to communicate to the House the reports made to the Department of War by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians together with all information communicated by him concerning the frauds he was charged to investigate; also all facts in the possession of the Executive relating to the subject. The Secretary of War consulted with the President and under the latter's direction informed the House that negotiations were then pending with the Indians for settlement of their claims; in the opinion of the President and the Department, therefore, publication of the report at that time would be inconsistent with the public interest. The Secretary of War further stated in his answer to the resolution that the report sought by the House, dealing with alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate, contained information which was obtained by Colonel Hitchcock by ex parte inquiries of persons whose statements were without the sanction of an oath, and which the persons implicated had had no opportunity to contradict or explain. The Secretary of War expressed the opinion that to promulgate those statements at that time would be grossly unjust to those persons, and would defeat the object of the inquiry. He also remarked that the Department had not been given at that time sufficient opportunity to pursue the investigation, to call the parties affected for explanations, or to determine on the measures proper to be taken.

The answer of the Secretary of War was not satisfactory to the Committee on Indian Affairs of the House, which claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberations of the House.

President Tyler, in a message dated January 31, 1843, vigorously asserted that the House of Representatives could not exercise a right to call upon the Executive for information, even though it related to a subject of the deliberations of the House, if, by so doing, it attempted to interfere with the discretion of the Executive.

The same course of action was taken by President James Buchanan in 1860 in resisting a resolution of the House to investigate whether the President or any other officer of the Government had, by money, patronage, or other improper means sought to influence the action of Congress for or against the passage of any law relating to the rights of any State or territory. (See Richardson, "Messages and Papers of the Presidents," vol. 5, pp. 618–619.)

In the administration of President Ulysses S. Grant the House requested the President to inform it whether any executive offices, acts, or duties, and if any, what, have been performed at a distance from the seat of government established by law. It appears that the purpose of this inquiry was to embarrass the President by reason of his having spent some of the hot months at Long Branch. President Grant replied that he failed to find in the Constitution the authority given to the House of Representatives, and that the inquiry had nothing to do with legislation (Richardson, "Messages and Papers of the Presidents," vol. VII, pp. 362–363).

President Cleveland's administration

In 1886, during President Cleveland's administration, there was an extended discussion in the Senate with reference to its relations to the Executive caused by the refusal of the Attornel General to transmit to the Senate certain documents concerning the administration of the office of the district attorney for the southern district of south Alabama, and suspension of George W. Durkin, the late incumbent. The majority of the Senate Committee on the Judiciary concluded it was entitled to know all that officially exists or takes place in any of the departments of Government and that neither the President nor the head of a department could withhold official facts and information as distinguished from private and unofficial papers.

In his reply President Cleveland disclaimed any intention to withhold official papers, but he denied that papers and documents inherently private or confidential, addressed to the President or a head of a department, having reference to an act entirely executive such as the suspension of an official, were changed in their nature and became official when placed for convenience in the custody of a public department (Richardson, Messages and Papers of the Presidents, vol. 8, pp. 378–379, 381).

Challenging the attitude that because the executive departments were created by Congress the latter had any supervisory power over them, President Cleveland declared (Eberling, Congressional Investigation, p. 258):

"I do not suppose that the public offices of the United States are regulated or controlled in their relations to either House of Congress by the fact that they were created by laws enacted by themselves. It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction and unembarrassed by any obligation to the Senate as the price of their creation."

President Theodore Roosevelt's administration

In 1909, during the administration of President Theodore Roosevelt, the question of the right of the President to exercise complete direction and control over heads of executive departments was raised again. At that time the Senate passed a resolution directing the

Attorney General to inform the Senate whether certain legal proceedings had been instituted against the United States Steel Corp., and if not, the reasons for its nonaction. Request was also made for any opinion of the Attorney General, if one was written. President Theodore Roosevelt replied refusing to honor this request upon the ground that "Heads of the executive departments are subject to the Constitution, and to the laws passed by the Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever" (CONGRESSIONAL RECORD vol. 43, pt. 1, 60th Cong., 2d sess., pp. 527–528).

When the Senate was unable to get the documents from the Attorney General, it summoned Herbert K. Smith, the head of the Bureau of Corporations, and requested the papers and documents on penalty of imprisonment for contempt. Mr. Smith reported the request to the President, who directed him to turn over to the President all the papers in the case "so that I could assist the Senate in the prosecution of its investigation." President Roosevelt then informed Senator Clark of the Judiciary Committee what had been done, that he had the papers and the only way the Senate could get them was through his impeachment. President Roosevelt also explained that some of the facts were given to the Government under the seal of secrecy and cannot be divulged, "and I will see to it that the word of this Government to the individual is kept sacred" (Corwin, "The President—Office and Powers," pp. 281, 428; Abbott, "The Letters of Archie Butt, Personal Aide to President Roosevelt," pp. 305–306).

President Coolidge's administration

In 1924, during the administration of President Coolidge, the latter objected to the action of a special investigating committee appointed by the Senate to investigate the Bureau of Internal Revenue. Request was made by the committee for a list of the companies in which the Secretary of the Treasury was alleged to be interested for the purpose of investigating their tax returns. Calling this exercise of power an unwarranted intrusion, President Coolidge said:

"Whatever may be necessary for the information of the Senate or any of its committees in order to better enable them to perform their legislative or other constitutional functions ought always to be furnished willingly and expeditiously by any department. But it is recognized both by law and custom that there is certain confidential information which it would be detrimental to the public service to reveal" (68th Cong., 1st sess., RECORD, April 11, 1924, p. 6087).

President Hoover's administration

A similar question arose in 1930 during the administration of President Hoover, Secretary of State Stimson refused to disclose to the chairman of the Senate Foreign Relations Committee certain confidential telegrams and letters leading up to the London Conference and the London Treaty. The committee asserted its right to have full and free access to all records touching the negotiations of the treaty, basing its right on the constitutional prerogative of the Senate in the treatymaking process. In his message to the Senate, President Hoover pointed out that there were a great many informal statements and reports which were given to the Government in confidence. The Executive was under a duty, in order to maintain amicable relations with other nations, not to publicize all the negotiations and statements which went into the making of the treaty. He further declared that the Executive must not be guilty of a breach of trust nor violate the invariable practice of nations. "In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest" (S. Doc. 216, 71st Cong., special sess., p. 2).

President Franklin D. Roosevelt's administration

The position was followed during the administration of President Franklin D. Roosevelt. There were many instances in which the President and his executive heads refused to make available certain information to Congress the disclosure of which was deemed to be confidential or contrary to the public interest. Merely a few need be cited.

1. Federal Bureau of Investigation records and reports were refused to congressional committees in the public interest (40 Op. A.G. No. 8, Apr. 30, 1941).

2. The Director of the Federal Bureau of Investigation refused to give testimony or to exhibit a copy of the President's directive requiring him, in the interests of national security, to refrain from testifying or from disclosing the contents of the Bureau's reports and activities (hearings, vol. 2, House 78th Cong. Select Committee To Investigate the Federal Communications Commission (1944), p. 2337).

3. Communications between the President and the heads of departments were held to be confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress (letter dated Jan. 23, 1944, signed Francis Biddle, Attorney General, to Select Committee, etc.).

4. The Director of the Bureau of the Budget refused to testify and to produce the Bureau's files, pursuant to subpena which had been served upon him, because the President had instructed him not to make public the records of the Bureau due to their confidential nature. Public interest was again invoked to prevent disclosure (reliance placed on Attorney General's opinion in 40 Op. A. G. No. 8, Apr. 30, 1941).

5. The Secretaries of War and Navy were directed not to deliver documents which the committee had requested on grounds of public interest. The Secretaries, in their own judgment, refused permission to Army and Navy officers to appear and testify because they felt that it would be contrary to the public interest (hearings, Select Committee To Investigate the Federal Communications Commission, vol. 1, pp. 46, 48–68).

President Truman's Administration

During the Truman administration also the President adhered to the traditional Executive view that the President's discretion must govern the surrender of executive files. Some of the major incidents during the administration of President Truman in which information, records, and files were denied to congressional committees were as follows:

Date	Type of document refused
Mar. 4, 1948	FBI letter-report on Dr. Condon, Director of National Bureau of Standards, refused by Secretary of Commerce.
Mar. 15, 1948	President issued directive forbidding all executive departments and agencies to furnish information or reports concerning loyalty of their employees to any court or committee of Congress, unless President approves.
Mar. 1948	Dr. John R. Steelman, Confidential Adviser to the President, refused to appear before Committee on Education and Labor of the House, following the service of two subpenas upon him. President directed him not to appear.
Aug. 5 1948	Attorney General wrote Senator Ferguson, chairman of Senate Investigations Subcommittee, that he would not furnish letters, memoranda, and other notices which the Justice Department had furnished to other Government agencies concerning W. W. Remington.
Feb. 22, 1950	S. Res. 231 directing Senate subcommittee to procure State Department loyalty files was met with President Truman's refusal, following vigorous opposition of J. Edgar Hoover.
Mar. 27, 1950	Attorney General and Director of FBI appeared before Senate subcommittee. Mr. Hoover's historic statement of reasons for refusing to furnish raw files approved by Attorney General.
May 16, 1951	General Bradley refused to divulge conservations between President and his advisers to combined Senate Foreign Relations and Armed Services Committees.
Jan. 31, 1952	President Truman directed Secretary of State to refuse to Senate Internal Security Subcommittee the reports and views of Foreign Service officers.
Apr. 22, 1952	Acting Attorney General Perlman laid down procedure for complying with requests for inspection of Department of Justice files by Committee on Judiciary: Requests on open cases would not be honored. Status report will be furnished. As to closed cases, files would be made available. All FBI reports and confidential information would not be made available. As to personnel files, they are never disclosed.
Apr. 3, 1952	President Truman instructed Secretary of State to withhold from Senate Appropriations Subcommittee files on loyalty and security investigations of employees—policy to apply to all executive agencies. The names of individuals determined to be security risks would not be divulged. The voting record of members of an agency loyalty board would not be divulged.

Thus, you can see that the Presidents of the United States have withheld information of executive departments or agencies whenever it was found that the information sought was confidential or that its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation. The courts too have held that the question whether the production of the papers was contrary to the public interest was a matter for the Executive to determine.

By keeping the lines which separate and divide the three great branches of our Government clearly defined, no one branch has been able to encroach upon the powers of the other.

Upon this firm principle our country's strength, liberty, and democratic form of government will continue to endure.

Finally, my exhibit concludes with an article by Philip R. Collins from the Georgetown Law Journal, volume 39, page 563.

THE POWER OF CONGRESSIONAL COMMITTEES OF INVESTIGATION TO OBTAIN INFORMATION FROM THE EXECUTIVE BRANCH: THE ARGUMENT FOR THE LEGISLATIVE BRANCH*

(By Philip R. Collins **)

Congressional committees of investigation have, in recent decades, become a part of

* A more elaborate treatment of this subject and related problems is contained in a doctoral dissertation submitted to the department of political science, the graduate school, Georgetown University. See Collins, "A Problem in American Constitutional Law: The Power of Congressional Investigating Committees To Require Information from the Executive" (Georgetown University, June 1950).

** B.A., Loyola University, 1939; LL.B., 1942; M.A., Georgetown University, 1948; Ph. D., Georgetown University, 1950. Member of the Louisiana and Massachusetts bars and the bar of the U.S. Supreme Court. The

our national scene. These committees, their members and tactics make good copy for column 1, page 1 of our large metropolitan newspapers. More than one Member of Congress has won favorable notice and political advancement by reason of his activities on such committees.[1]

A participation in the ever-current debate as to whether a congressional committee is a force for good or for evil in our democratic form of Government is not the purpose of this article.[2] Nor are we concerned with the right of a witness or an accused, as he may be popularly called, to representation by counsel and to cross-examination of witnesses. This question has been properly and fully examined by other writers.[3] Nor need there be a discussion of a question fully covered by both the courts and writers in legal periodicals through the years—the right of congressional committees of investigation to punish for contempt.[4] In this article, the writer merely proposes to discuss the power of these committees to obtain information and documentation from the executive branch of our Government.

INTRODUCTION

The problem, then, which confronts us, may be restated in one question: Should Congress, through the medium of its investigating committees, be allowed to require the executive branch of our Government to furnish them with information which is deemed necessary by the legislative branch, in order to legislate wisely and in the public interest? This problem, which has seemingly remained unresolved through the years, and which usually lies dormant in times of war or national emergency, was resurrected during the 80th Congress.

Over the years, the executive branch has developed a stock answer or argument to such requests when it has not desired to furnish the requested information or documents. This stock response of the executive branch will be referred to herein as the "precedent" argument, because, prior to a citation of examples which supposedly buttress his position, the head of an executive department will respond substantially as follows to the committee requesting the information: To conclude that the public interest does not permit general access to these reports, I am following the conclusions reached by a long line of distinguished predecessors in the executive branch of the Government who have taken the same view.[5]

The writer will then cite and, if the matter is of major importance, will elaborate on a series of incidents in which the executive branch refused to submit information to congressional investigating committees. According to the usual method, these examples will begin with the refusal of President Washington's Secretary of War to furnish certain original letters and documents, on Washington's advice, to a congressional committee investigating the failure of the campaign of General St. Clair and could continue down to the refusal of the Department of Commerce, during the 80th Congress, to furnish information to the committees concerning the FBI loyalty report on Dr. Edward U. Condon, Director of the Bureau of Standards.[6] The executive branch argues further that no Congress has dared to endeavor to force the head of an executive department to submit information, once there has been a formal refusal by the executive department to do so.

The second argument advanced by the executive branch is that the courts have repeatedly held that the executive cannot be required to produce such papers when their production is, in the executive's opinion, contrary to the public interest. This argument states further that whether or not the production of such papers is in the public interest is a question for the executive and not for the courts to determine. Citations of Federal and State court decisions are used to buttress this statement. The genesis of this legal argument is to be found in a formal opinion of Attorney General Robert H. Jackson, a member of the Roosevelt Cabinet in 1941, in response to a request for information from a congressional investigating committee.[7]

The tendency of the American press and public has been to uncritically accept these arguments of the executive branch. The fact is that the concept of the inquisitorial tribunal, does not fit comfortably into the minds of Americans raised in a tradition of Jeffersonian or Lincolnian liberalism. Nor was the popular view rendered more cordial toward investigating committees by the Kleig light and Hollywood ballyhoo technique which, with dubious judgment, was employed by congressional investigating committees of recent memory.

The arguments of the executive branch, under the microscope of careful examination, are not unimpeachable. The precedent argument can be countered, as the following paragraphs will attempt to show, by strong arguments on the part of the legislative branch. And the legal argument is equally questionable.

THE REPLY OF THE LEGISLATIVE BRANCH TO THE PRECEDENT ARGUMENT OF THE EXECUTIVE BRANCH

The answer of the legislative branch of our Government to the claim of the executive branch is to be found in the debates and proceedings of the two Houses of Congress. There are two series of debates to be considered—one of the Senate during the 49th Congress, first session, in March, 1886,[8] and the other in the House of Representatives during the 80th Congress, second session, in May, 1948.[9]

The discussion in the CONGRESSIONAL RECORD for the 49th Congress, first session, on the proposed resolutions to censure the Attorney General for refusing to give the Senate certain information furnishes interesting data pertinent to the position of the legislative branch on the issue which is the topic of this study. In the 80th Congress, second session, there was introduced House Joint Resolution 342:

"Directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress."[10]

The legislative history of this resolution,[11] and allied documents,[12] furnishes the material for the second part of the response to the "precedent" argument of the executive branch.

During President Cleveland's first term, in March 1886, the Senate censured the Attorney General, Mr. Garland, a former Senator from Arkansas, for his failure to furnish the Senate Judiciary Committee with information and papers relating to the suspension of George N. Duskin, a Republican, as United States Attorney in an Alabama District. The Truman Administration, in its recent struggle with the Congress, cited the debates in 1886 on this subject as a victory for their position, since Cleveland's Department of Justice was not forced in any way to sub-

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[1] Senators MUNDT, of South Dakota, and NIXON, of California, are examples of Congressmen who have risen to the upper Chamber because of the publicity received from their service on congressional investigating committees.

[2] Boudin, "Congressional and Agency Investigations: Their Uses and Abuses" (35 Va. L. Rev. 143 (1949)).

[3] E.g., Lord, "The Lawyer and the Congressional Investigation" (21 So. Calif L. Rev. 242 (1948)); Wyzanski, "Standards for Congressional Investigations" (3 The Record, N.Y.C. Bar Association 93 (1948)).

[4] E.g., *McGrain* v. *Daugherty*, 273 U.S. 135 (1927); *In re Chapman*, 166 U.S. 661 (1897); Dimock, "Congressional Investigating Committees" (Johns Hopkins Press, 1938); Eberling, "Congressional Investigations" (Columbia Press, 1927); Landis, "Congressional Power of Investigation" (40 Harv. L. Rev. 153 (1926).

[5] E.g., the statement of Vincent C. Burke, Acting Postmaster General, delivered before a subcommittee of the Senate Post Office and Civil Service Committee, 80th Cong., 2d sess., Thursday, May 20, 1948 (unpublished).

[6] Random examples usually cited by the executive branch include: (1) President Washington's refusal to give the House copies of his instructions to Minister John Jay concerning the negotiation of a treaty with Great Britain in 1796; (2) the refusal of President Jefferson to turn over information on the Aaron Burr incident to the House; (3) President Jackson's refusal to send to the Senate copies of the charges made against Gideon Fitz, the Surveyor-General; (4) President Tyler's refusal to disclose to the House the names of applicants and their mode of application for office; (5) the refusal of President Tyler to communicate information concerning Colonel Hitchcock's negotiations with the Cherokee Indians; (6) President Polk's refusal to forward an accounting to the House of all payments for contingent expenses of foreign intercourse; (7) President Buchanan's protest against a resolution creating a committee to investigate his attempts to influence Congress; (8) President Grant's reply to the House when it demanded to know whether he performed executive functions while away from the seat of the Government; (9) the message of President Theodore Roosevelt informing the Senate of his instructions to the Attorney-General not to reply to a resolution directed at the latter inquiring as to his inaction in not prosecuting the U.S. Steel Corp. because of its absorption of the Tenn. Valley Coal and Iron Corp.; (10) the refusal of J. Edgar Hoover to testify as to certain matters, relating to the internal security and the activities at Pearl Harbor, at the direction of the Attorney General's executive assistant, during an investigation of the FCC. See also the Burke statement, supra note 5; Wolkinson, *Demands of Congressional Committees for Executive Papers*, 10 Fed. B.J. 107 (1949).

[7] 40 Op. Atty. Gen. 45 (1941).

[8] 17 CONGRESSIONAL RECORD 2211–2815 (1886).

[9] CONGRESSIONAL RECORD, vol. 94, pt. 5, p. 5704 (1948).

[10] H.J. Res. 342, 80th Cong., 2d sess. (1948).

[11] H.R. Rept. No. 1595, pts. 1 and II, 80th Cong., 2d sess. (1948); CONGRESSIONAL RECORD, vol. 94, pt. 5, p. 5704 (1948).

[12] See memorandums of Mar. 10, 1948, and Dec. 30, 1947, from the Federal Law Section, Library of Congress, to Congressman HOFFMAN reprinted in the appendix to H.R. Rept. No. 1595, pt. I, 80th Cong., 2d sess. 14 (1948); H.R. Rept. No. 1753, 80th Cong., 2d sess. (1948), directing the Secretary of Commerce to transmit to the House a letter concerning Dr. Edward U. Condon; see also message of President Truman vetoing S. 1004 which concerned the grant of specific authority to Senate members of the Joint Committee on Atomic Energy to require investigations by the FBI of persons nominated for appointment under the Atomic Energy Act of 1946, reprinted in CONGRESSIONAL RECORD, vol. 94, pt. 5, p. 6196 (1948).

mit the requested information. It is to be noted, however, that the action of the Attorney General was condemned by the Senate in four separate resolutions, the most important of which probably was the second, in which the Senate stated expressly:

"In condemnation of the refusal of the Attorney General, under whatever influence, to send to the Senate copies of papers called for by its resolution of the 25th of January, and set forth in the report of the Committee on the Judiciary, as in violation of his official duty and subversive of the fundamental principles of the Government and of a good administration thereof." [13]

An attempt by Senator Morgan, of Alabama, after the passage of the four resolutions, to amend the same by a tricky procedural move, failed. The attempted amendment, submitted in the form of a resolution, read as follows:

"Resolved, That nothing in these resolutions contained is to be construed as declaring that the conduct of the Attorney General renders him liable to impeachment, and the Senate disclaims the right or power to punish him by imprisonment or otherwise than by impeachment for the offense charged against him in the second resolution, which the Senate has just adopted." [14]

This resolution was defeated by a sly maneuver of the majority leader, Senator Hoar, of Massachusetts. When Hoar's point of order that the amendment was not timely, failed, and the President pro tempore ruled that Senator Morgan clearly had the right to offer the amendment, Hoar then asked that this be allowed by unanimous consent, rather than by order, for he felt that "it would embarrass the Senate * * * very much to establish such a precedent." [15]

Then, hastily, Senator Hoar moved to lay the resolution on the table. His motion carried by a vote of 33 yeas to 26 nays with 16 Members absent. The effect of this motion was to reject the resolution to amend.[16] By such a rejection, the majority in the Senate made it clear that they were in no way excusing the Attorney General from possible impeachment and that they were not renouncing what they considered to be their legal right to punish him by imprisonment, or otherwise than by impeachment for his refusal to submit to the committee the desired information.[17]

This hardly seems, therefore, to be a case which could or should be cited by the Executive in support of that branch's precedent argument. In this situation, the Senate, in effect, said: We censure you, Mr. Garland, because you have not given us the information we requested; we do not force you to give us the information, but this does not mean that we do not think we have the power to do so. Nor, by these resolutions, are we waiving such power.

These debates of 1886, consuming some 17 days, present additional information in support of the legislative branch's position and in rebuttal of the argument, based on precedent, advanced by the executive branch.

The novel arguments, supporting the position of the legislative branch, were mainly advanced by Senator Edmunds of Vermont, a member of the Republican Party and the chairman of the Senate Judiciary Committee during the 49th Congress, in the debate on the general subject of the relations between the Senate and executive departments.[18] The Senator's first argument was based on article II, section 3 of the Constitution of the United States. Article II, of course, deals with the powers of the Executive and section 3 specifically provides that the Chief Executive "shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." [19]

The Senator gave a broad definition to the term, "state of the Union", and argued that the Constitution commands the President in affirmative terms to give such information to the two Houses of Congress and that when the Constitution so refers to "state of the Union", it has reference to the "universal power of knowledge and information of the two Houses of Congress in respect to every operation of the Government of the United States and every one of its officers, foreign and domestic." [20]

The Senator continued in the following words:

"That is the state of the Union. The state of the Union is made up of every drop in the bucket of the execution of every law and the performance of the duties of every office under the law, either within its borders or out of it. There is no one mass, no one cue, or quantity, or subject that makes up the state of the Union, as every gentleman—and there are a good many here who have been Members of the House of Representatives, when they go into the Committee of the Whole on the State of the Union—knows. It is the condition of the Government and every part of it, not only its legislative part about which the President of the United States could communicate no information without impertinence, for the Constitution has declared that the two Houses are to regulate themselves, but he is to give to Congress, as a positive command, from time to time, information on the state of the Union; and that is because they are entitled to have it, and they are entitled to have it every time they call for it, and he violates a positive command of the Constitution when on a constitutional call and in a regular way by either House he omits to do it." [21]

For this reason, Edmunds continued, from our earliest Congresses, the Chief Executive has been given much leeway by the legislative branch in determining whether the public interest would be preserved or injured by forwarding certain information to the Congress or to a committee of the Congress. This was particularly true where undue and premature disclosures of confidential fact would be involved in forwarding the information to a committee, even though the committee was entitled to have such information. Following the line of reasoning above outlined, however, this Republican leader reached the conclusion that either House of Congress had a "right to know everything that is in the executive departments of the Government." [22]

From his research, the Senator stated that this was the first instance in 40 years in which either House had failed "on its call to get information that it has asked for from the public departments of the Government." [23] In all the history of our country, up to his era, declared the Senator, there had been few instances in which there was evinced the slightest reluctance on the part of either the executive or the departments to respond to calls of either House or of their committees for papers in the possession of the former.

"Sometimes in a case of political fever, as it might be called, they have evinced, wide years apart, a reluctance and a hesitation on the part of the executive or of the heads of departments to do this thing; and then, that storm being over, the orderly administration of constitutional Government went on as before, and either House of Congress on its request or demand, as the case might be, and the committees of either House of Congress acting without a direct and positive authority to send for persons and papers, have always obtained from the departments on their mere request everything that either House or its committees thought necessary for the proper discharge of their duties." [24]

The Senator from Vermont continued his attack on the position of the minority of the committee, who had cited a few incidents in which the executive department refused to furnish papers or information to one of the Houses of Congress. He pointed to the numerous occasions on which Presidents actually furnished such information to congressional committees even on subjects which were, indeed, more confidential than the subject then under consideration, and some of which were as confidential as the information which Washington refused to furnish concerning Jay's treaty.[25] His argument, supported by these numerous citations, is that the Presidents realize their responsibility to submit information to the Congress, whether based on the "state of the Union" require-

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[13] 17 CONGRESSIONAL RECORD 2211 (1886).

[14] Id. at 2814.

[15] The following colloquy, contained in 17 CONGRESSIONAL RECORD 2814 (1886), is pertinent:

"Mr. HOAR. I desire to raise a question of order. All the resolutions have been passed, the whole four. There is no mode of amending the series now. It is simply like dividing the vote on the passage of a bill into four parts, and when they are all passed upon you cannot move to amend the bill after it has been passed.

"The PRESIDENT pro tempore. The Chair is of opinion that in view of the notice given by the Senator from Alabama that he would offer an amendment, and the amendment having been sent to the desk, the question being raised as to whether he could or could not offer it, the resolution should be received.

"Mr. HOAR. To what is it an amendment? An amendment implies a pending question to be amended. The question is, Shall the bill pass? The question, shall it pass with a certain amendment, must be acted on before it is passed. But when a series of resolutions which are four distinct propositions are before the Senate and there is a demand that the question be divided, according to the usual parliamentary procedure the question is put on the passage of each separately, and when each separately has passed the matter is as much beyond the reach of amendment as a bill after it has passed. Giving a notice beforehand does not change the parliamentary law. The Senator should have made his motion as an amendment to the last resolution.

"The PRESIDENT pro tempore. In ordinary cases clearly the Senator from Massachusetts is right; but the Senator from Alabama sent an amendment that was then in order to the Chair, and the Chair was about to put the question upon it as an amendment when the Senator from Alabama gave notice to the Senate that he would offer it as an additional resolution. The Chair thinks under the circumstances that it is clearly his right to offer the amendment."

[16] The following definition of a "motion to lay on the table" is to be found in Cannon, Procedure in the House of Representatives (U.S. Government Printing Office, 1948) p. 415 and is equally applicable in regard to the Senate:

"The motion to lay on the table is used for final and summary disposition without debate, and to protect the House against business which it does not wish to consider, and while it is not a technical rejection, it is in effect an adverse disposition equivalent to rejection."

[17] 17 CONGRESSIONAL RECORD 2814 (1886).

[18] Id. at 2211.

[19] U.S. Constitution, art. II, sec. 3.

[20] 17 CONGRESSIONAL RECORD 2215 (1886).

[21] Ibid.

[22] Ibid.

[23] Ibid.

[24] Ibid.

[25] Some of the occasions cited by Senator Edmunds are listed, supra note 6.

ment or otherwise; and that when Presidents refuse to furnish such information, they do so not on constitutional but on purely political grounds.

The willingness displayed by the executive branch in furnishing information to the various committees and to the respective Houses of Congress, in the period prior to Cleveland's first administration, is best observed by a perusal of some of the examples cited by Senator Edmunds in his argument on the opening day of this debate in the Senate on March 8, 1886. The wide range of subjects involved in the submissions of information through the years is also worthy of notice.[26]

In executive session on March 3, 1806, the President was requested to report all documents and papers relative to the interference of the American Minister at Paris in the case of the ship *New Jersey*. The President furnished this information although there was no question then pending in the Senate regarding either the ship *New Jersey* or the American Minister at Paris.[27]

The President was requested by the Senate on June 2, 1813, to inform the Senate, and the Senate was so informed by the Chief Executive, whether any communications had been received from one Russell, an agent of the United States, admitting or denying the declaration of the Duke of Bassano, as to the repeal of the Berlin and Milan decrees. With respect to this Senator Edmunds said:

"It has been stated that an agent of the United States had got (sic) that information and had given it away in an improper manner; but the detail it is quite unnecessary now to go into; * * * in order, I repeat, to keep itself acquainted with the state of the Union and the executive affairs of this Government and the conduct of all its agents, proceeded to call for this information, and got it as a matter of course. It was not exercising a jurisdiction to confirm or reject Russell for anything, or to ratify or reject a treaty. It was getting information in a general way for its general purposes in the exercise of its general duty." [28]

The Senate Committee on the Judiciary was instructed on March 13, 1822, to procure from the Secretary of State a letter written by a Mr. Jennings of the State of Indiana, recommending one Dewey for appointment as U.S. Attorney for Indiana. The Senator indicated that the resolution instructing the committee to obtain this paper implied that the power to secure the same extended to a private paper, so far as such a paper can be a private paper, and described the document in question as being a letter that the Senate had reason to believe was in the files of our Department of State. The paper was turned over to the committee without objection.[29]

The Secretary of War was directed by the Senate on October 30, 1828, to furnish copies of the reports of the Inspector General of the Army of the United States, confidential as well as others, including the details of all statements and instructions. This order, the Senator informs us, was adopted in executive session and was complied with by the Secretary of War as a matter of course.[30]

The Senator similarly cited numerous other occasions on which the Executive had without argument surrendered information to Congress.[31] But of all the cases amassed by the Senator from Vermont in this discussion, his last probably had the most telling effect. In March and April 1879 the Senate Judiciary Committee, controlled by a Democratic majority, had sought and received from the Attorney General, the same type of information which Cleveland and his Attorney General, Mr. Garland, were refusing to submit to the Republican controlled Senate Judiciary Committee in 1886. The information requested in 1879 concerned nominations for certain vacancies and also dealt with the propriety of the removal of one Michael Schaeffer, Chief Justice of the Supreme Court of the Territory of Utah and the appointment of David Corbin to that office. To cap the climax, Senator Edmunds gleefully noted that in 1879 some of the most famous Democrats of the era were on that Judiciary Committee, three of whom were presently members of Cleveland's Cabinet, and one of whom was the present Attorney General, Mr. Garland. The Democratic Senatorial Committee had asked for information and the Republican Executive had acceded to the request. Edmunds concluded his recitation of this incident with the following biting peroration:

"Alas, for the Democracy of those days. Think sir, of the infinite idiocy, unpatriotism, usurpation of that number of five Senators of the United States of the Democratic Party assailing a Republican Attorney General and a Republican President with the insulting and impertinent inquiry as to papers and information touching a man, to be removed whose successor was nominated to accomplish his removal. And yet those men were in their day and in those times among the headlights of the Democratic locomotives. There was Thurman—his light is put out—the greatest Democrat in the United States (applause in the galleries) and the best one, and the noblest one, and the bravest one, for he had the courage not long ago in your State, sir, to denounce the Democratic frauds on the ballot. There was Thurman, and there was Joe McDonald, a name familiar in the West as well as in the East as the embodiment of upright Democatic pluck and constitutional law; and there was Garland, whom we all knew here, the leader on the Democratic side of the Senate, and running over with constitutional and statute and reported law, knowing his rights as a Senator and as a member of the committee and knowing his duties; and Lamar, and then all the rest of us on this side, joining in what the present President of the United States calls an impertinent invasion of his rights in asking for information from him. Sir, if I was going to be rhetorical, I should say just here:

"O shame! Where is thy blush?" [32]

It is submitted that Mr. Edmunds presented well the answer of his era to the "precedent" argument of the executive branch. His answer is that there is no precedent for the statement that the executive branch may withhold information from the Congress and their committees of investigation, when the former branch feels that the submission of such information is for the public interest. He contends that, because of its responsibility to present to Congress information on the state of the Union and otherwise, the executive branch must comply with requests for information and documents from the legislative branch and its committees. He supports this proposition by examples of the continued adherence of the executive branch to this norm and he shows that refusals are usually based solely on political and party arguments.

The Republican House majority in the 80th Congress carried this argument one step further. They passed a resolution requiring the executive branch to furnish them with whatever information they requested. To understand the position of the Republican House of Representatives in the 80th Congress, it is necessary to examine the piece of legislation they introduced, House Joint Resolution 342 of the 80th Congress, 2d session.[33]

The intent and purpose of this joint resolution of the House of Representatives, is best revealed by a study of its legislative history,[34] brief though it be, in comparison with that of many bills considered by Congress.[35] As is true with much controversial legislation, the emotional attitude of the House of Representatives, when considering this resolution, was not especially calm and tranquil.

Before proceeding any further, it should be emphasized that House Joint Resolution 342 was never enacted into law. The history of this resolution, in fact, may be stated in a very few words.

The resolution was introduced into the House of Representatives on March 5, 1948, was referred to the Committee on Expenditures in the Executive Departments on that same date, and was favorably reported out of committee, without hearings, on March 22, 1948. Though accompanied by a majority report, included also was a stinging retort by the minority, and an answer to the minority report by the majority of the committee.[36] By special resolution,[37] House Joint Resolution 342 was taken up quickly on the floor of the House by the Committee of the Whole on the State of the Union,[38] was debated for 2 days, after which it was reported favorably by the Committee of the Whole to the House of Representatives and finally was passed by the House of Representatives on May 13, 1948. Referred to the Senate Committee on Expenditures in the Executive Departments on May 14, 1948, the resolution died there. The reason for the demise of the resolution in the Senate committee is quite apparent when one recalls that convention summer of 1948—the deliberate inactivity of a Republican Congress, endeavoring to obstruct the plans and hopes of the President, and his so-called must legislation—which the Senate refused even to consider.

As introduced, House Joint Resolution 342 was comparatively mild, its real teeth being inserted while it was in committee—though of course, the three section resolution, as originally introduced, was still highly unacceptable to the executive branch. It was provided that all executive departments and agencies of the Federal Government, the secretaries of the respective departments and agencies, and all persons acting under authority granted these agencies were authorized and directed to furnish the congressional committees any information, books, records,

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[26] 17 CONGRESSIONAL RECORD 2216 (1886).
[27] Ibid.
[28] 17 Cong. Rec. 2217 (1886).
[29] Ibid.
[30] Ibid.
[31] 17 CONGRESSIONAL RECORD 2219–2220 (1886); Josephson, The Politicos (Harcourt Brace & Co., 1938) p. 100 et seq.
[32] 17 CONGRESSIONAL RECORD, 2221 (1886).
[33] H.J. Res. 342, 80th Cong., 2d sess. (1948).
[34] Cf. the following statements concerning a "joint resolution" to be found in Cannon, Procedure in the House of Representatives (U.S. Government Printing Office, 1948) p. 228:

"A joint resolution is a bill within the meaning of the rules and must be signed by the President, with the exception of proposed amendments to the Constitution.

"A joint resolution is the proper vehicle for authorization of invitations to foreign governments, correction of errors in bills which have gone to the President, enlargement of scope of inquiries provided by law, authorization of deviation from form prescribed by bills."

[35] See, for example, the two bound volumes, published by the National Labor Relations Board, which comprise the "Legislative History of the Labor-Management Relations Act of 1947," popularly called the Taft-Hartley law.
[36] H. Rept. 1595, pts. I and II, 80th Cong., 2d sess. (1948).
[37] H. Res. 575, 80th Cong., 2d sess. (1948).
[38] For information on the Committee of the Whole on the State of the Union, see Clarence Cannon, op. cit. supra note 16, at 95 et seq.

and memorandums in the Agency's possession that the respective committee might deem necessary for its investigation, provided that the request was made upon a majority vote of the members of the committee and provided that the request had the approval of the Speaker or the President pro tempore, depending whether it was committee of the House of Representatives or of the Senate. Under the resolution, the committee request would be accompanied by a certificate of the committee, signed by the committee clerk, attesting to the majority vote; and the approval of the Speaker or the President pro tempore was to be indicated by a letter over his signature. These provisions were found in section 1 of House Joint Resolution 342, the real core of the resolution as it was introduced.[39]

Under section 2 of this resolution, which was added in committee, when information, books, records, or memoranda were received from a governmental department or agency or from any administrative officer of such an agency, as a result of a request previously made under the first section of the resolution, the committee would immediately meet and determine, by majority vote, what, if any, part of such information should be made public and what part should be deemed to be confidential. If any part of that portion of such records declared confidential were divulged by a member of the committee or by any employee of the committee or any other individual obtaining knowledge of such information because of the disclosure of such information to the committee, any such offender would be liable to prosecution for having committed a misdemeanor and could be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both, at the discretion of the court. In addition, if the offender was an employee of the United States, he would be dismissed from office or discharged from his employment.[40]

The chairman and the majority of the committee explained their position very fully and very well in the committee report,[41] which accompanied the resolution, as reported to the Congress. The report stated that an executive branch had never denied information to Congress when the information would aid in the passage of legislation which the executive branch deemed beneficial or helpful to itself. In such instances, in fact, "the various departments of the Government, when favoring legislation proposed by the administration in power, have been quick to assert the right to have their representatives appear and testify before congressional committees." [42] It was only when opposing some action, thought to be contemplated by the Congress, that the President or his subordinates have challenged this right of Congress.

The majority indicated, however, that the policy of the Executive of denying information to congressional committees seemed to be widening in scope continually. Committees of both Houses of Congress were finding that their efforts to ascertain how money appropriated by Congress was being spent, how the laws were being interpreted and administered, or whether certain legislation was effective or ineffective, were being hindered or delayed by the refusal of various officials and departments of the executive branch to make available information sought by congressional committees. The report then proceeded to indicate instances where the various congressional committees were denied their requests for documents and testimony by agents of the executive branch. For instance, the Department of Justice had denied information concerning the parole of four members of the underworld, reputed to be remnants of the Capone gang; Dr. John Steelman, the assistant to the President, had, on the advice of the President, refused to testify before a subcommittee of the House Committee on Education and Labor on the manner in which the Taft-Hartley Act was being administered; the Civil Service Commission had refused to furnish a congressional committee with a so-called key loyalty list of governmental employees and this was followed some months later by the President's "loyalty order," by which the label of "confidential" was placed on all loyalty records; and finally—and perhaps most important of all—the Secretary of Commerce had refused to submit to the House Un-American Activities Committee the Federal Bureau of Investigation letter concerning Dr. Edward U. Condon.[43]

The majority of the committee presented the issue before the Congress and then proposed the remedy. They did not claim, they insisted, that the Congress had the right to challenge the actions of the executive or of the judiciary while the latter branches were acting within the scope of the authority given by the Constitution; those departments, they admitted, were created by the Constitution, and congressional power over them was limited to Congress power of removal from office through constitutional procedure. The majority contended, however, that, inasmuch as the Congress was charged with the authority to create, and it had created, various executive departments and agencies, and that since it was charged with the duty of appropriating funds and enacting legislation for the proper and effective activities of these agencies, it not only had the right but the duty to seek and obtain from every agency created by it and dependent upon congressional appropriations, all relevant information necessary to the enactment of proper legislation. Summing up, the majority stated the issue to be as follows:

"Shall the Congress insist that departments created by it, dependent upon its will for existence, give to its committees the information necessary to enable it to act intelligently and wisely, or shall it permit its creatures to arbitrarily determine what information the Congress shall or shall not have?" [44]

The majority concluded their report by submitting that the proper remedy seemed to be not special legislation enacted to meet a particular situation, but overall legislation by the Congress, which, subject to court decision, would settle the question as to the authority of the Congress to demand information from the executive departments. It was expressly denied that the Members of Congress were any less discreet or loyal than the heads of, or the subordinates in, the various executive departments. But the committee made it clear that they were placing the best possible safeguards around the receipt of confidential information from executive departments.

The minority report,[45] which was signed by six members of the minority on the committee, including the minority leader, Mr. McCORMACK of Massachusetts, as was to be expected, called for the defeat of this resolution. This report presented the usual arguments of the executive branch, which this writer has chosen to label as the "precedent" and "legal" arguments, and while not specifically citing the opinion of former Attorney General Jackson, paralleled its substance almost exactly.[46] Unlike their predecessors in the Senate during the first Cleveland administration, however, the members of the minority did not admit, though discussing the same basic issue, that they were involved in a purely political argument, but rather, kept their discussion on

[39] H.J. Res. 342, 80th Cong., 2d sess., § 1 (1948), reads as follows:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That all executive departments and agencies of the Federal Government created by the Congress, and the Secretaries thereof, and all individuals acting under or by virtue of authority granted said departments and agencies, are, and each of them hereby is, authorized and directed to make available and to furnish to any and all of the standing, special, or select committees of the House of Representatives and the Senate, acting under the authority of any Federal statute, Senate or House resolution, joint or concurrent resolution, such information, books, records, and memorandums in the possession of or under the control of any of said departments, agencies, Secretaries, or individuals as may, by any of said committees, be deemed to be necessary to enable it to carry on the investigations, perform the duties, falling within its jurisdiction, when requested to do so: *Provided,* That said request shall be made only by a majority vote of all the members of the committee voting therefor at a formal meeting of the committee: *And provided further,* That if the committee be a committee created by the Senate, upon approval of the President or the President pro tempore of the Senate: *And provided further,* That if the committee making such request be a committee created by or acting under the authority of the House of Representatives, upon approval of the Speaker or Acting Speaker of the House of Representatives, such majority vote of the committee to be shown by a certificate of the chairman of the committee, countersigned by the clerk; the approval of the President or President pro tempore of the Senate or the Speaker or Acting Speaker of the House of Representatives to be shown by letter over his signature. Any officer or employee in any such executive department or agency who fails or refuses to comply with a request of any committee of the Congress made in accordance with the foregoing provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding one year, or both, at the discretion of the court."

[40] H.J. Res. 342, 80th Cong., 2d sess., par. 2 (1948), reads as follows:

"When, by virtue of section 1, any committee of the Congress shall have received information, books, records, or memoranda from any of the departments, agencies, Secretaries, or individuals in pursuance of a request made under the authority of said section, it shall forthwith, by majority vote of the membership of said committee, determine what, if any, part of such information shall be made public and what part shall be deemed to be confidential, and it shall thereafter be unlawful for any member of said committee or any employee thereof to divulge or to make known in any manner whatever not provided by law to any person any part of the information so disclosed to said committee and which has by said committee been declared to be confidential; and any offense against the foregoing provision shall be a misdemeanor and shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and, if the offender be an employee of the United States, he shall be dismissed from office or discharged from employment."

[41] H. Rept. No. 1595, pt. I, 80th Cong., 2d sess. 1948).

[42] Id. at 2.

[43] Id. at 3–4; see also minority report at 12.

[44] H. Rept. No. 1595, pt. I, 80th Cong., 2d sess. 4 (1948).

[45] Id. at 7.

[46] 40 Op. Atty. Gen. 45 (1941).

the lofty level of a pressing problem of constitutional law.[47]

The minority of the committee denied the assertion in the majority report that the refusal of information to congressional investigating committees had hindered these committees in carrying out their function. Returning to the "precedent" argument of the executive branch, the minority proposed that "the short answer to this assertion is contained in the history * * * of repeated Executive refusal to comply with such congressional demands ever since the time of President Washington." [48] In conclusion, the minority examined the instances cited in the majority report and in regard to each instance declared that the President or the particular executive department was justified in refusing to submit the information requested by the congressional committee.

Eight days after the minority report was submitted, the chairman of the House Committee on Expenditures in the Executive Departments, Mr. Clare Hoffman, submitted an "Answer to the Minority Report." [49] This document pointed out some prominent loopholes in the argument of the minority. It chided the minority report for its lack of judicial authority in support of the proposition denying the right of the Congress to subpena witnesses who might be employed in the executive branch of the Government and from whom Congress, through its committees, desired to elicit testimony deemed necessary for the proper exercise of Congress legislative function. It was pointed out by the chairman, in his answer, for no other member joined with him in signing this document, that opinions of Presidents and presidential advisers would not bear much weight, since such authorities would, as a matter of course, deny the right of the legislative branch to infringe upon what the President considered his exclusive function. Opinions of the Attorney General merit most respectful consideration, Hoffman said, but they are not law. He denied that the President of the Senate, the Speaker of the House, a congressional committee, or a majority of a congressional committee had less discretion or patriotism than had the Executive or his advisers, particularly since, in his opinion, the State Department and the Department of Commerce had "their full quota of indiscreet individuals, as well as some who seem to be unaware we have potential enemies." [50]

The answer denied that it was the purpose of the resolution to lock these two branches of the Government in internecine warfare—only a distorted view of the resolution would give rise to such a statement. The present situation was deplorable if these two branches of the Government could not submit a difference of opinion to the third branch of the Government, the judiciary, in a constitutional manner for a constitutional decision. The argument that 79 Congresses have not seen fit to attempt such enforcement, so this Congress should not dare to do so was answered by the chairman in the following manner:

"The very fact—if it be a fact—that we are still or, if you prefer, again confronted by a great national crisis or emergency, upon the correct solution of which our future existence depends (and we might begin to inquire when one emergency ends, another begins, or whether emergencies are not now continuous), is a cogent reason why, before we proceed further along the unusual and uncharted and variable course mapped out by the Executive, we should obtain a final, judicial decision road-marking the proper course.

"The fact that 79 Congresses which have gone before us have not seen fit to attempt such enforcement is no reason for further delay. None of the preceding 79 Congresses ever was asked to burden the American taxpayer with the obligation of policing, educating, rehabilitating the whole world.

"If the executive departments and administrative agencies have authority to withhold some information from the Congress, do they not, by the same token, have power to withhold all information from Congress? If, when they cause bills to be introduced and insist they be heard in support thereof, should they not give to the Congress the information it seeks and needs? Should the departments be permitted to hide their errors and maladministration behind a cloak labeled 'confidential' and thus defeat a needed remedy?" [51]

Mr. HOFFMAN pointed out in detail the New Deal trend of issuing rules and regulations, in great numbers, by the executive departments. It reminded the dissenters of the minority that these agencies only possess this rule-making power under some act of Congress, conferring such authority on these rule-making agencies. Remembering this fact and guided by numerous decisions of the several Federal courts the answer reiterated that Congress had the power to require the Executive to submit the information it deemed necessary.[52]

The argument that congressional committees would abuse this power, if it were granted by the passage of this resolution, found its reply in the decision of the United States Supreme Court in the case of *McGrain* v. *Daugherty*,[53] wherein the Court made the following declaration:

"The contention is earnestly made on behalf of the witness that this power of inquiry, if sustained, may be abusively and oppressively exerted. If this be so, it affords no ground for denying the power. The same contention might be directed against the power to legislate, and of course would be unavailing. We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses." [54]

It should be remembered, however, in evaluating this case, that the Court was not speaking of a direct demand by the legislative on the Executive. Its authority as a precedent concerning any phase of the legislative power of inquiry over the Executive is consequently weakened.

In concluding, the answer to the minority report differentiated between the Executive Office and the executive departments. The Congress, it was admitted, had no jurisdiction over the Executive himself, when he acted within the limits of his constitutional power. The executive departments, however, were in an entirely different category, for they were created by an act of Congress and depend upon the Congress for their continued existence; "It is axiomatic that that which the Congress creates, it may destroy or regulate." [55] The conclusion of this "Answer to the Minority Report" was that judicial decisions, logic, and reason upheld the right of the Congress to the authority expressed in House Joint Resolution 342.[56]

Debate on the resolution, after the House had resolved itself into the Committee of the Whole House on the State of the Union, was both diverse and interesting.

Congressman HOFFMAN of Michigan, who was in charge of the legislation on the floor of the House, took pains to make clear to the House what the resolution did not do. He showed that the resolution in no way sought information from any individual holding an office created by the Constitution, that is from the President or from any member of the judiciary.[57]

Congressman MCCORMACK, of Massachusetts, the minority leader, chided his colleagues of the majority, stating that this was the first time in the history of Congress that this endeavor to obtain information from the executive branch had ever been reported out by a committee and considered by either House in the form of a bill or resolution. But the majority was ready for Mr. MCCORMACK'S proposition, and they replied in the following fashion through their chairman:

"The opponents of this resolution argued that, inasmuch as 79 previous Congresses had not found this legislation to be necessary, this Congress should not adopt it. Seventy-nine Congresses never found the Marshall plan to be necessary. Seventy-nine Congresses never found it necessary to give to other nations more than $80 billion. The statement that 79 Congresses never found legislation of this type necessary is no argument against the present need, for 79 Congresses never found executive departments so insistent in their refusal to deny to the Congress information which it needed and requested.

"Never, during the existence of 79 previous Congresses, has the Nation been confronted by a bureaucracy which was so egotistical,

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[47] Minority Leader MCCORMACK particularly echoed this view which may be found in H. Rept. 1595, pt. I, 80th Cong., 2d sess. 10 (1948):

"The development of our constitutional history from the beginnings of this country, and the relative ease with which we as a nation have found ourselves able to work and run the Government within the concept of separation of powers which is embodied in our Constitution is a tribute not only to the Founding Fathers who wrote our Constitution but also to the statesmanship and good sense of the Presidents of the United States and the 79 Congresses which have gone before us whose duty it has been to work under that Constitution. We should respect and follow the statesmanlike and constitutional precedents which have become part of our heritage.

"Clearly this is not the time for the two branches of our Government to become locked in internecine warfare. Our Constitution is a great and mighty document. Its strength and vitality depends upon the statesmanship and good sense of those whose duty it is to operate under it. By ill-considered action, departing from the precedents of a century and a half, we may weaken our Constitution for all time. Passage of House Joint Resolution 342 would certainly be a step in this direction. There are too many other nations at this point in the world's history whose constitutional systems have been shaken and shattered. Let us not join them by taking such ill-considered action."

[48] Id. at 11.

[49] H. Rept. 1595, pt. II, 80th Cong., 2d sess. (1948).

[50] Id. at 3.

[51] Ibid.

[52] The report cites: *United States* v. *Josephson*, 165 F. 2d 82 (2d Cir 1947), certiorari denied, 333 U.S. 838 (1948); *Fields* v. *United States*, 164 F. 2d 97 (U.S. App. D.C. 1947), certiorari denied, 332 U.S. 851 (1948); *United States* v. *Dennis*, 72 F. Supp 417 (D.D.C. 1947); *United States* v. *Bryan*, 72 F. Supp. 58, 61 (D.D.C. 1947); *Townsend* v. *United States*, *95 F. 2d 352* (*U.S. App. D.C.* (*1938*) *McGrain* v. *Daugherty*, 273 U.S. 135 (1927).

[53] 273 U.S. 135 (1927).

[54] Id. at 175.

[55] H. Rept. 1595, pt. II, 80th Cong., 2d sess, 6 (1948).

[56] Id. at 7.

[57] CONGRESSIONAL RECORD, vol. 94, pt. 5, p. 5704 (1948).

so arrogant, so defiant of the power of the Congress as that which challenged the authority of the 80th Congress." [58]

Mr. Graham, speaking for the majority, told his colleagues that they were considering "one of the most grave, one of the most serious, and one of the most far-reaching steps that any Congress of the United States will ever take," [59] in this problem of the relations between the Congress and the executive branch. He exhorted the Members to pass this resolution, by all means since "this great sprawling bureaucracy with these tremendous grants of powers and the subordination which past executives have sought to bring about in lowering the dignity, honor, and position of the Congress, can no longer be tolerated". [60] He argued that the President should be told that he had gone so far and could go no further; then, the Supreme Court could pass on the whole matter and determine what the policy of the Government should be. [61] Congressman Graham was undoubtedly overflowing with zeal and fervor for the cause he was espousing, but the writer questions whether the Congressman actually meant that the Supreme Court should determine governmental policy.

Congressman MacKinnon, on the other hand, believed that too much emphasis was being placed on the question of confidential, secret or restricted information in the course of this debate. It was his feeling that too many of the governmental departments, save the Army, Navy, and Atomic Energy Commission, overclassified their documents and information. He claimed that the entire objective of these executive departments in so doing was to stop producing evidence on matters involving public business primarily because it would embarrass the administration. He continued:

"I have examined these claims of secrecy while I have been a Member of Congress. I ran into similar claims when I served in the legislature of my own State for a number of years. I have never yet seen the claim of secrecy made that when the information was dragged out and given to the public there was any real merit to the claim. I have never yet seen one. There may be some that exist, but I will have to be shown. I have never seen a good excuse for secrecy and I will say further that the reasons I get down here from the Federal departments I consider far inferior to those I get back home. They are equally ingenious." [62]

Following these and other expressions of opinion, pro and con, as to the merits of this resolution, a group of amendments were introduced, in an endeavor to settle differences as to the contents thereof and in order to perfect the resolution. [63]

After sundry amendments had been accepted, the chairman of the Committee of the Whole House on the State of the Union reported the joint resolution back to the House of Representatives. The resolution was then ordered by the Speaker to be engrossed and read a third time. [64]

Congressman McCormack, then, made use of a procedural stratagem and offered a motion to recommit the resolution to the Committee on Expenditures in the Executive Departments. The motion to recommit was rejected by a vote of 217 nays to 145 yeas, with 69 Members not voting. The next and final action in the House on the joint resolution was "on the passage of the bill." The question was taken and there were recorded 219 votes in favor of the resolution, with 142 against and 70 Members not voting. In the end, then, the joint resolution was passed by the House by a substantial majority. [65]

One could, in fact, say that the majority is overwhelming, when the list of the Members "not voting" is examined. It is to be noted that, of the 70 Members not voting, 23 were Republicans and 25 were Dixiecrats. In a word, then, had this resolution passed the Senate and been vetoed by the President, an action certain to take place, there would have been a distinct possibility of overriding the veto. A party line vote, adding the 48 votes of the Dixiecrat-Republican abstainers to the admixture of 219 Members voting "yea," would result in 267 votes, which is very close to the number required to override a veto in the House of Representatives.

The resolution, as amended by the House of Representatives and as passed by that body on May 13, 1948, was referred to the Senate, read twice in that body, according to the normal procedure, and referred to the Senate Committee on Expenditures in the Executive Departments. There, with all the activities of the presidential election summer and with the special session of the Congress, which, by its inactivity, lived up to the presidential appellation of a "do-nothing" Congress, the joint resolution died. In fact, there was little probability of its being enacted, once it reached the House of Representatives as late as the middle of May in a presidential year. For, even though it passed the House of Representatives, there would have been a fair amount of debate in the upper body before passage, and following that, most assuredly, there would have been a presidential veto. Then, both Houses of the Congress would have been faced with the additional and time-consuming problem of marshalling forces to override the veto.

In this struggle between the executive and legislative branches of our Government, the legislative history of the proposed joint resolution is quite important. In answer to the precedent argument of the executive branch, there has been presented in this article, thus far, the two-part reply of the legislative branch, the answer of the Senate during Cleveland's first term and the answer to the House of Representatives by this joint resolution during the 2d session of the 80th Congress. The joint resolution takes the legislative branch's answer a step further. The Senate, during Cleveland's first term, said that the precedent argument of the executive branch was not valid, since there was no actual precedent, the executive departments furnishing information to congressional committees willingly and without hesitation in a majority of instances. Refusal was made only where conflict existed between the two branches, more often based on political than on constitutional grounds. Going further, the argument of this Senate stated that, not only is there no precedent to prevent them from obtaining information from the executive branch, on the refusal of the latter branch, but that, in carrying out their function, they have the right to know anything and everything about the executive departments. This they considered particularly true, under the constitutional provision, requiring the President to submit information on the state of the Union.

The House of Representatives, in the 2d session of the 80th Congress, takes the further step of proposing that they have the right to pass legislation compelling submission of information and documents, as they require, under this right which allegedly has always belonged to the legislative branch.

One merely hazards a guess, under the makeup of our present Supreme Court, in submitting whether or not House Joint Resolution 342 would have been declared constitutional, if enacted into law and if brought up to our high court on a test case. When weighing the basic arguments of the executive branch, i.e., that there cannot and must not be an encroachment by one branch of the Government on another branch under our doctrine of separation of powers—and of the legislative, that the Congress must know of the operations of the executive branch in order to legislate properly and that there should be a spirit of cooperation between all branches of our Government—it is well to consider the language of the U.S. Supreme Court in the case of *O'Donoghue* v. *United States*. [66] This case was decided by a Supreme Court, which was probably closer to the present day Truman Court than to the Roosevelt Court. The Court there stated:

"If it be important thus to separate the several departments of Government and restrict them to the exercise of their appointed powers, it follows, as logical corollary, equally important, that each department should be kept completely independent of the others—independent not in the sense that they shall not cooperate to the common end of carrying into effect the purposes of the Constitution." [67]

It is suggested that this language, which was quoted favorably by the court in *Humphrey's Executor* v. *United States*, [68] probably the latest decision on the removal of governmental officials by the President, is important to the argument of the legislative branch. It brings out the fact that, while it is true the governmental branches must maintain their separate entity, all branches are working for a common goal—the making of a better Government and the preservation of that Government. However, neither case directly involves the exercise of the power of compulsion by the legislative.

In brief, it is submitted that a study of the debates during the Cleveland administration, of the legislative history of this resolution passed by the House of Representatives during the 80th Congress and of cases decided by the U.S. Supreme Court during the last 20 years show that the precedent argument of the executive branch is not as ironclad as one might be led to believe. While it is not the writer's function at this juncture to present the argument on the merits of the respective positions, it is submitted that a future Congress, facing a President who is a member of the opposing political party, may well make use of these two series of debates—one by a Republican Senate during Cleveland's administration and the other by a Republican Congress during Truman's first term—and may well find the means of forcing their will upon the executive branch, by the passage of legislation, similar to House Joint Resolution 342, 80th Congress, 2d session, 1948.

A CRITIQUE OF THE LEGAL ARGUMENT OF THE EXECUTIVE BRANCH

In order to ascertain just what is meant by the legal argument of the executive branch, it is necessary to examine two specific answers of executive departments to requests for information from committees of Congress.

In April of 1941, Robert H. Jackson, presently an Associate Justice of the Supreme Court, was Attorney General of the United States, a member of the Cabinet of the late President Roosevelt. On April 23, 1941, he

[58] Id. at 5708.
[59] Id. at 5721.
[60] Id. at 5722.
[61] Ibid.
[62] Id. at 5728.
[63] These amendments are not discussed in the body of this article, since they are relatively unimportant and have little bearing to the main subject under discussion.
[64] Congressional Record, vol. 94, pt. 5, p. 5820 (1948).
[65] Ibid.
[66] 289 U.S. 516 (1933).
[67] Id at 530.
[68] 295 U.S. 602 (1935).

had been requested by the Honorable CARL VINSON, chairman of the House Committee on Naval Affairs to furnish the committee with all Federal Bureau of Investigation reports since June 1939, together with all future reports, memorandums, and correspondence of the Federal Bureau of Investigation, or the Department of Justice, in connection with investigations made by that Department arising out of strikes, subversive activities in connection with labor disputes, or labor disturbances of any kind in industrial establishments which had naval contracts, either as prime contractors or subcontractors. Since the Attorney General and the Justice Department in general had received several requests for similar types of information, Jackson framed his answer to the committee in the manner of a governmental statement of policy, or in other words as a formal "Opinion of the Attorney General." [69]

The Attorney General restated the position of the Department of Justice that all investigative reports are confidential documents of the executive department of the Government, intended to aid the President in his duty of seeing that the laws of the land are faithfully executed, and that congressional or public access to them would not be in the public interest.[70] He further stated that disclosure of these reports could not do otherwise than prejudice law enforcement; that disclosure of the reports at that time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which the Congress wished to protect the country; that disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation; and that disclosure of information contained in the reports might also result in the grossest kind of injustice to innocent individuals.[71]

The lawyer of the Cabinet then restated that in refusing to submit the requested documents to the committee he was following the "eminent examples" of a long line of predecessors, citing from letters of various Attorneys General of the United States to the various Houses of Congress; [72] in addition, he cited the usual examples of Presidential refusals and refusals of the executive branch.[73]

The important citation from this opinion of the Attorney General, in which we are most interested, is the statement made that "this discretion in the executive branch has been upheld and respected by the judiciary." [74] Continuing with this line of reasoning, Jackson further states:

"The courts have repeatedly held that they will not and cannot require the Executive to produce such papers when in the opinion of the Executive their production is contrary to the public interests. The courts have also held that the question whether the production of the papers would be against the public interest is one for the Executive and not for the courts to determine."[75]

In support of this statement, cases decided by the U.S. Supreme Court, the several Federal courts and certain State courts are cited. It is doubtful whether these cases are correctly cited and whether they would stand scrutiny when applied to the situation where Congress is requesting information from the Executive to aid in legislation and whether the courts would so hold, if a congressional committee attempted to force the production of such information and the case reached the courts, as the result of such forceful action.

Another Executive reply meriting consideration involved the Post Office Department. The answer of this Department differs in form from the letter of the Attorney General, in that it was read to a committee of the 80th Congress as a statement of the Honorable Vincent C. Burke, the Acting Postmaster General. The form of this answer was, most naturally, different from Jackson's because the request for information did not come in the courteous form of a letter, as Jackson had received, but as a subpena, commanding Burke to appear before a special subcommittee of the Senate Post Office and Civil Service Committee and to present investigative reports prepared for the Postmaster General by certain Post Office inspectors.

The committee took this action, based on a tip from a disgruntled former area inspector concerning the activities of the postmaster of the city of Detroit, Mich. Newspaper clippings, of some 11 years previous, were brought forth. The dissatisfied retired postal inspector testified at the hearing, that there were several investigations made of this particular post office, all indicating malfeasance and nonfeasance in office and that the Post Office Department in Washington had taken no action in this matter. He hinted that the reason for the inaction on the part of the Washington officials was because the postmaster had previously been chairman of the Democratic central committee in the greater Detroit area.[76]

In his statement, Burke discussed the functions of post office inspectors, showing that they are the special representatives of the Postmaster General and are charged with the investigations of post offices and all matters connected with the postal service. He indicated that inspection reports received from these officials are regarded as confidential documents and that the disclosure of their contents is forbidden, except as the Postmaster General, in his discretion, should otherwise direct. He then relied almost exclusively on the opinion of Attorney General Jackson for the remainder of his statement. In addition he pointed out that the disclosure of such information would hamper the inspection service, since it would be a breaking of faith with many people, who had made confidential statements to these inspectors, and would also cast aspersions on many innocent people, since statements received in investigations are often wrong and inspired by malicious or misinformed people. The Acting Postmaster General, then, cited the executive precedent, as appears in the Jackson opinion, and also the statement, with case citations, to which reference has been previously made.[77]

Numerous cases are cited in both of these answers of executive departments.[78]

Before discussing these cases, it is well to recall the proposition which the Attorney General and the Acting Postmaster General support in their respective documents, i.e., that the courts have held that they will not require the Executive to produce such papers when the production of the same is contrary to the public interest, and that the executive shall determine whether or not the production of the papers would be or would not be in the public interest. Since both of the documents were addressed to Congress, we must naturally presume that the words of the Attorney General as to the production of the papers must mean the production of such papers to or for the use of congressional committees of investigation. It is submitted that an analysis of these cases fails to show that they so hold.

The two reports cite *Marbury* v. *Madison*,[79] a landmark case in the field of American constitutional law. For the purposes of the present topic, it is necessary to discuss only the facts of the case plus the quotation from the holding of the Court, cited in the opinion of Attorney General Jackson.

President Adams had appointed one William Marbury as a justice of the peace, prior to the assumption of the Presidency of Thomas Jefferson. However, the commission evidencing the appointment had not been issued to Marbury by John Marshall, the Secretary of State under President Adams. James Madison, who succeeded Marshall as Secretary of State, refused to issue the commission to Marbury. In the meantime, John Marshall had been appoint-

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[69] 40 Op. Atty. Gen. 45 (1941).

[70] Id at 46.

[71] Id. at 47.

[72] Attorney General Jackson cited the following opinions of his predecessors at 40 Op. Atty. Gen. 45, 47 (1941):

"Letter of Attorney General Knox to the Speaker of the House, dated April 27, 1904, declining to comply with a resolution of the House requesting the Attorney General to furnish the House with all papers and documents and other information concerning the investigation of the Northern Securities case.

"Letter of Attorney General Bonaparte to the Speaker of the House, dated April 13, 1908, declining to comply with a resolution of the House requesting the Attorney General to furnish to the House information concerning the investigation of certain corporations engaged in the manufacture of wood pulp and print paper.

"Letter of Attorney General Wickersham to the Speaker of the House, dated March 18, 1912, declining to comply with a resolution of the House directing the Attorney General to furnish to the House information concerning an investigation of the Smelter Trust.

"Letter of Attorney General McReynolds to the Secretary to the President, dated August 28, 1914, stating that it would be incompatible with the public interest to send to the Senate, in response to its resolution, reports made to the Attorney General by his associates regarding violations of law by the Standard Oil Co.

"Letter of Attorney General Gregory to the President of the Senate, dated February 23, 1915, declining to comply with a resolution of the Senate requesting the Attorney General to report to the Senate his findings and conclusions in the investigation of the smelting industry.

"Letter of Attorney General Sargent to the chairman of the House Judiciary Committee, dated June 8, 1926, declining to comply with his request to turn over to the committee all papers in the files of the Department relating to the merger of certain oil companies."

[73] Id. at 48–49.

[74] Id. at 49.

[75] Ibid.

[76] Hearings, Special Subcommittee of Senate Post Office and Civil Service Committee, May 20, 1948. Subcommittee composed of Senator Langer, of North Dakota, Senator Buck, of Delaware and Senator Chavez, of New Mexico.

[77] Statement of Vincent C. Burke, Acting Postmaster General, delivered before the Special Subcommittee of the Senate Post Office and Civil Service Committee on Thursday, May 20, 1948, pp. 3 ff.

[78] *Boske* v. *Comingore*, 177 U.S. 459 (1900); *In re Quarles & Butler*, 158 U.S. 532 (1895); *Vogel* v. *Gruaz*, 110 U.S. 311 (1884); *Kilbourn* v. *Thompson*, 103 U.S. 168 (1880); *Totten* v. *United States*, 93 U.S. 105 (1875); *Aaron Burr* v. *United States*, 4 Cranch 455 (U.S. 1807); *Marbury* v. *Madison*, 1 Cranch 137 (U.S. 1803); *Arnstein* v. *United States*, 296 Fed. 946 (D.C. Cir. 1924); *Elrod* v. *Moss*, 278 Fed. 123 (4th Cir. 1921); *In re Valecia Condensed Milk Co.*, 240 Fed. 310 (7th Cir. 1917); *In re Lamberton*, 124 Fed. 446 (W.D. Ark. 1903); *In re Huttman*, 70 Fed. 699 (D. Kan. 1895); *Appeal of Hartranft*, 85 Pa. 433 (1877); *Worthington* v. *Scribner*, 109 Mass. 487 (1872); *Gray* v. *Pentland*, 2 S. & R. 23 (Pa. 1815); *Thompson* v. *German Valley R.R.*, 22 N.J. Eq. 111 (1871).

[79] 1 Cranch 137 (U. S. 1803).

ed Chief Justice of the United States by President Adams and was called upon to decide this issue.

The Attorney General, Levi Lincoln, was summoned to appear before the Court, since certain facts relating to the commission had to be ascertained. Lincoln objected to answering the questions, since, as he pointed out, he found himself delicately situated between his duty to the Court and his duty to the executive department, having been Acting Secretary of State at the time when the transaction in question had taken place. It was Lincoln's feeling that he was not bound to answer concerning any facts which came officially to his knowledge while acting as Secretary of State.

The Court gave Lincoln time to consider what he should answer, but stressed that they had no doubt he ought to answer, since there was nothing confidential to be disclosed. Anything which was confidential or which had been communicated to him in confidence, he was not bound to disclose. After some thought, Lincoln agreed to answer all questions, with the exception of one, the inquiry as to what had been done with the commissions. He had no way of knowing that they had ever come to the possession of James Madison, nor could he shed any light on the question of whether they were in the Office of the Secretary of State, when Mr. Madison took over that Office.

The Court agreed that Lincoln did not have to say what had become of the commissions. The Court pointed out that:

"By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of those duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manned in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: They respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive".[80]

Marshall showed that there existed an intimate political relation between the President and the heads of departments. Because of this relationship, any legal investigation of the acts of any of these officers was rendered peculiarly irksome, as well as delicate, and this aroused some hesitation about entering into such an investigation. He concluded that it was the province of his Court solely, "to decide on the rights of individuals, not to inquire how the Executive, or executive officers, perform duties in which they have a discretion. Questions in their nature political, or which are, by the Constitution and laws, submitted to the executive,"[81] could never be made in his Court.

The author would not dream of deprecating the decision of this first Chief Justice of our High Court. It should be noted, however, that this citation, considered so apt by Attorney General Jackson in his opinion, referred to an action brought before the Court by an individual citizen and concerned not in the least a situation where information is desired not in the interests of a private person but for the benefit of the Congress of the United States, which, though a different branch than the executive, is still a branch of our Government.

The case of *Totten, Administrator* v. *U.S.*[82] stands for the proposition that an action cannot be maintained against the Government in the Court of Claims for secret services rendered during most of the Civil War by a northern spy, based on a contract made between the spy and President Lincoln in 1861. Mr. Justice Field stating, as a general principle, that public policy forbids the maintenance of any suit in a court of justice, the trial of which would inevitably lead to the disclosure of matters which the law itself regards as confidential, and respecting which, it will not allow the confidence to be violated. But this case is far removed from a refusal by the executive branch to a request of a congressional committee. The Totten case involved a civil suit for damage and the so-called confidential information was refused when requested by the Court in this action.

The Court held in In re Quarles & Butler[83] that it is the right of every private citizen to inform a U.S. marshal or his deputy of a violation of the Internal Revenue laws, that this right is secured to a citizen by the Constitution and, accordingly, that a conspiracy to injure, oppress, threaten, or intimidate the citizen in the free exercise or enjoyment of his right, or because of his having exercised it, is punishable under section 5508 of the Revised Statutes[84] *Vogel* v. *Gruaz*[85] was a "privileged statement" case. The U.S. Supreme Court found that a communication made to a State's attorney in Illinois by a person who inquires of the attorney whether the facts communicated make out a case of larceny for a criminal prosecution, is an absolutely privileged communication, and cannot, in a suit against such a person to recover damages, be testified to by the State's attorney, even though there be evidence of the speaking of the same words to other persons than the attorney. Neither of these cases bear on our present problem. Nor does *Boske* v. *Comingore*[86] support the broad statement made in Attorney General Jackson's opinion, since an opinion of a court holding that certain records of a Government department are privileged, has little or no bearing on the scope of congressional investigatory authority.

Huttman[87] and Lamberton[88] concern matters which Internal Revenue officials are not compelled to relate in a court of law. Information of this nature is confidential and privileged and such officials cannot be compelled to reveal it. But, these cases arose where the information was demanded of the executive department in criminal proceedings in a court of law. These cases had nothing to do with demands made by congressional investigating committees and the courts said nothing in support of the refusal of executive agencies to submit information to such legislative committees. These cases, then, hardly seem germane to the question.

In another cited case the U.S. Court of Appeals for the Fourth Circuit found, inter alia, that a local sheriff, who testified that he communicated to the defendant prohibition officer that the plaintiff was transporting liquor, did not have to reveal the source of his information.[89] This scarcely is on all fours with the problem at hand.

In *Worthington* v. *Scribner*,[90] the Massachusetts high court held that, in an action for maliciously and falsely representing to the Treasury Department of the United States that the plaintiff in bringing books into the United States was intending to defraud the Revenue Bureau, the defendants could not be compelled to answer interrogatories filed by the plaintiff. This was another privileged communication case and the court held that the communications in question could not be disclosed, since the discovery of documents which are protected from disclosure upon grounds of public policy cannot be compelled, either by interrogatories or by a bill in equity.

Neither the Worthington case, supra, nor the Valecia,[91] Arnstein,[92] Gray,[93] and Thompson[94] cases support the proposition asserted by the Attorney General in his opinion. They stand for the proposition that certain matters, which are classified as privileged communications of one sort or another, need not be disclosed in a court of law. While these cases place limitations on the judiciary, since the requests or demands on the Executive were made as a result of civil or criminal litigation—they have no bearing on the question under discussion.

In the appeal of Hartranft[95] a grand jury had requested the court to hold the Governor of Pennsylvania in contempt because he refused to appear, though under subpena, to testify concerning deaths in a Pennsylvania railroad strike. The court held that the Governor was the absolute judge of what official communications, to himself, or his department, might or might not be revealed, and he was the sole judge not only of what his official duties were, but also of the time when they should be performed. The nature of the request is similar to requests ordinarily made by the legislative upon the executive. But it must be noted that the request originally came from the grand jury on the theory that it would be an aid to a criminal prosecution. This is the proposition to which the decision of the court was necessarily addressed. The court's broad statement, as to the Governor's right to refuse disclosure of information, must be read in that context.

The Attorney General also cites the Aaron Burr treason trial[96] as supporting authority. Burr had applied, as will be recalled, for the issuance of a subpena duces tecum upon President Jefferson. Marshall, the presiding judge, allowed the subpena to issue. It directed the President to produce a letter which one General Wilkinson had sent to

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[80] Id. at 165.

[81] Id. at 170. Rufus Choate, the famous American lawyer, stated as follows concerning Marshall's opinion:

"I do not know that I can point to one achievement in American statesmanship which can take rank for its consequences of good above that single decision of the Supreme Court which adjudged that an act of the legislature contrary to the Constitution is void, and that the judicial department is clothed with the power to ascertain the repugnancy and pronounce the legal conclusion. That the framers of the Constitution intended this to be so is certain; but to have asserted it against Congress and the Executive, to have vindicated it by that easy yet adamantine demonstration than which the reasonings of mathematics show nothing surer, to have inscribed this vast truth of conservatism upon the public mind, so that no demagogue not in the last stages of intoxication denies it—this is an achievement of statesmanship of which a thousand years may not exhaust or reveal all the good."

As quoted in John F. Dillon, "John Marshall Complete Constitutional Decisions" (Callaghan & Co., 1903) p. 38.

[82] 92 U.S. 105 (1875).

[83] 158 U.S. 532 (1895).

[84] Rev. Stat. sec. 5508 (1875).

[85] 110 U.S. 311 (1884).

[86] 177 U.S. 459 (1900).

[87] 70 Fed. 699 (D. Kan. 1895).

[88] 124 Fed. 446 (W.D. Ark. 1903).

[89] 158 U.S. 532 (1895).

[90] 109 Mass. 487 (1872).

[91] 240 Fed. 310 (7th Cir. 1917).

[92] 296 Fed. 946 (D.C. Cir. 1927).

[93] 2 S. & R. 23 (Pa. 1815).

[94] 22 N.J. Eq. 111 (1871).

[95] 85 Pa. 433 (1877).

[96] 2 Robertson, Reports of the Trials of Colonel Aaron Burr (Hopkins and Earle, 1808) pp. 533–536.

him. Burr filed an affidavit with the Court, in which he alleged that this letter contained information, which would prove helpful to his defense. Marshall, in his opinion, stated that, under the Constitution and laws of the United States, the President was not exempt from the process of the Court in a criminal trial, nevertheless, he also ruled that the President was free to keep from view those portions of the letter which the President deemed confidential in the public interest. To this end, the President alone was the judge of what was confidential.[97] This is perhaps the nearest thing to authority contained in the citations of the Attorney General. Its weaknesses are too apparent to merit discusison.

The Court, through Marshall, seems to state that it would not force official records and papers into public view by subpena. What probably let the Court to its decision was the fact that the letter in question was not in the files of the War Department, or in any other department of the Government. The Court appears to have been largely influenced by Colonel Burr's argument that the President, who had publicly accused Burr of traitorous conduct, in a special message to the Congress, and had been primarily responsible for bringing him to trial, and for bringing the weight of the Government behind the prosecution, ought not, in fairness to an accused person on trial for his life, keep from him a private communication which the accused thought would help prove his innocence.[98]

A brief reading of these cases shows clearly that they do not stand for the proposition stated in the opinion of the Attorney General. Some of the cases give a general statement as to the theory of separation of powers, but the leading case [99] which does so has been overruled by a group of more recent cases beginning over 20 years ago.[1]

The bulk of the cases cited by the Attorney General not only do not support his broad assertion, but instead are based on the point that the papers or testimony sought were privileged communications within the meaning of the law and hence inadmissible as evidence. In addition, the requests or demands on the Executive were a result of civil or criminal litigation. Whatever limits may be imposed on the judiciary in the conduct of civil and criminal litigation can have little bearing on the scope of congressional investigatory authority.

The fact that the opinion of the court in *Kilbourn* v. *Thompson*,[2] is outmoded is perceivable from the opinion of the Court of Appeals for the District of Columbia in *Townsend* v. *United States*,[3] where, concerning the scope of a congressional investigation, the court pointed out that a legislative purpose may be presumed and that the "power to conduct a hearing for legislative purposes is not to be measured by recommendations for legislation or heir absence." [4] Again, in *United States* v. *Bryan*,[5] the District Court of the United States for the District of Columbia indicated that the collection of facts by a congressional investigating committee may cover a wide field and need not be limited to "securing information precisely and directly bearing on some proposed measure, the enactment of which is contemplated or considered".[6] The court found that the Congress could very well find it necessary and desirable, in order to act in an enlightened manner, to become acquainted not only with the precise topic "involved in prospective legislation, but also with all matters that may have an indirect bearing on the subject".[7]

In a decision rendered in 1946, the U.S. Supreme Court gave indication that it recognized that the limitations imposed upon the legislative power of inquiry by *Kilbourn* v. *Thompson*,[8] were not realistic. In that case, *Oklahoma Press Publishing Co.* v. *Walling*,[9] the Administrator of the Wage and Hour Division of the Department of Labor had issued and served on the Oklahoma company a subpena directing the production by the company of certain of its records, including records which would indicate whether or not the company had a sufficient relationship to interstate commerce to bring it within the jurisdiction and coverage of the Fair Labor Standards Act. The company, in opposing the subpena, contended inter alia, that at least probable cause for jurisdiction over it must be shown before it could be lawfully required by subpena to produce its records. The Court rejected this contention of the appellant company, holding that probable cause for jurisdiction did not have to be shown in order to validate the subpena—that the Administrator had jurisdiction to compel the production of documents in order that he might determine whether the facts showed that a case existed within the jurisdictiton of the Fair Labor Standards Act.

The Court, then, proceeded to liken the powers of the Administrator, which were granted to him by the Congress, to the inquisitorial power of a grand jury or the discovery powers of a court of equity. In a footnote to its opinion the Court stated that the investigating power of Congress, itself, was of the same character.[10] It seems reasonable to conclude that if Congress can vest in the Administrator of the Wage and Hour Division such a power of investigations (limited only by the broad grant of authority in section 11(a) of the Fair Labor Standards Act [11]) Congress itself may do the same in conducting its own investigations in aid of its own powers. From this, it seems reasonable to conclude further that the inquisitorial power of Congress extends to adducing facts which it can use as a basis for determining whether or not it has any power to legislate.

From the above, it can be seen that the Supreme Court is cognizant of the unrealistic qualities of the decision in the Kilbourn case and that this is not an appropriate case to cite in support of any point in the general subject matter of congressional investigations.

The distinction should be drawn, therefore, between information which an individual is demanding for his benefit in a civil or criminal trial and information which an investigating committee of the Congress should have in order to carry out the legislative intent of a statute or in order to aid it in its function of enacting appropriate and necessary legislation. There should, of course, be a spirit of cooperation between the executive and legislative branches when the information is to be given for a purpose good for the country as a whole. Furthermore, it seems reasonable to suppose that the framers of the Constitution wished to make that same spirit of cooperation a constitutional obligation incumbent upon the executive branch.

It is the feeling of the writer that should a case, perhaps through a contempt proceeding involving the head of an executive department or agency, reach the courts, credence would be given to the requirements of the legislative branch and that the cases cited in the opinion of Attorney General Jackson would not be deemed binding. Stated in another way, it is submitted that the aforementioned statement of the Attorney General falls and with it falls the second or legal argument of the executive branch.

CONCLUSION

In summary, the foregoing discussion holds that the "precedent" argument of the executive can be countered by precedents favorable to the legislative, about as numerous and strong as those of the executive branch. Even if the reader feels that the argument from precedent does not favor the legislative as much as it favors the executive branch, the claim of Congress that it has the constitutional power to create a precedent in its favor by enactment of appropriate legislation, has not been successfully countered by the executive. It is further submitted that the second or legal argument of the executive branch, generally accepted as true by the public and the press, is not supported by the authorities cited.

INTERNATIONAL DEVELOPMENT ADVISORY BOARD

Mr. WILEY. Mr. President, will the Senator yield so that I may ask a question of the chairman of the Appropriations Committee?

Mr. MORSE. I yield.

Mr. WILEY. I observe that the Appropriations Committee has restored $200,000 of the funds asked for by the executive branch for expenses for the Department of State in connection with the mutual security program. As the Senator knows, a small part of these expenses was justified by the executive branch as intended to cover the expenses of the International Development Advisory Board. This Board is provided for by the authorizing legislation and I believe many Senators look at it as I do as a valuable means by which the people responsible for administering this program may get the advice of highly qualified members of the public representing industry, labor, agriculture, education, science, and other major groups in our Nation. In addition, this is a valuable means by which private citizens and groups may present their views as to the administration of this program to the officials in charge. I simply want to be sure that there is no limitation on the use by the Department of State of these funds to provide the necessary small expenses for this highly competent and important Advisory Board.

Mr. HAYDEN. There is nothing in the bill which imposes such a limitation. The funds in question may be used for the expenses of this Board.

Mr. WILEY. I thank the Senator very much. The head of this Committee is Mr. Bullis, of Minneapolis.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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[97] 1 Robertson, Reports of the Trials of Colonel Aaron Burr (Hopkins and Earle, 1808) pp. 177, 180, 187–188.

[98] Brown, "Executive Papers, the President and the Congress" (20 New York State Bar Association Bulletin 1948) p. 166, 171.

[99] *Kilbourn* v. *Thompson*, 103 U.S. 168 (1880).

[1] *McGrain* v. *Daugherty*, 273 U.S. 135 (1927).

[2] Supra note 99.

[3] 95 F. 2d 352 (D.C. Cir. 1938).

[4] Id. at 355.

[5] 72 F. Supp. 59 (D.D.C. 1947).

[6] Id. at 61.

[7] Ibid.

[8] Supra note 99.

[9] 327 U.S. 186 (1946).

[10] Id. at 216.

[11] 52 Stat. 1066 (1938), 29 U.S.C. § 211 (1946 ed.).

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I am informed that the very able junior Senator from New York [Mr. KEATING] wishes to make a statement at this time.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 2230. An act to amend the National Cultural Center Act;

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended; and

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9035) to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; and

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolutions of the House:

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minn.;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes;

H.R. 3735. An act to make the Policemen's and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs, National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 439. Concurrent resolution authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills; and

H. Con. Res. 440. Concurrent resolution establishing that when the two Houses shall adjourn on Monday, September 14, 1959, they stand adjourned sine die.

The message further announced that the House had passed a joint resolution (H.J. Res. 531) establishing that the 2d regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 3096. An act for the relief of Peony Park, Inc., and others;

H.R. 3180. An act to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress;

H.R. 3410. An act for the relief of Mrs. Leonard O. Erickson;

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster;

H.R. 4839. An act for the relief of Peter F. de Ullman;

H.R. 4894. An act for the relief of the Georgia Kaolin Co.;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartaonuche Kalfayan;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended; and

H.J. Res. 477. Joint resolution relating to the exclusion of certain aliens.

TRANSIT OF THE SUEZ CANAL AND LOANS TO THE UNITED ARAB REPUBLIC

Mr. KEATING. Mr. President, on July 3, 25 Members of the Senate sent to the President a telegram in which they explained their concern over the recent detention by the United Arab Republic of cargoes bound from Israel through the Suez Canal. They referred to previous correspondence on the subject. I was proud to be a signer of that letter.

On August 28 my distinguished colleague from New York [Mr. JAVITS], the distinguished Senator from Pennsylvania [Mr. SCOTT], and I joined in sending to the Secretary of State a letter in which we called attention to the fact that there was pending a loan by the International Bank for Reconstruction and Development; and we expressed the view that funds should not be advanced by the Bank to the United Arab Republic, for Suez Canal work without first having a guarantee of free transit through the canal.

We have just received from William B. Macomber, Jr., the Assistant Secretary of State, a most reassuring reply to our letter of August 28. I shall not read the entire letter into the RECORD; but the letter contains the following statement, among others:

> You may be assured that we shall continue to avail ourselves of opportunities for setting forth our views in this regard in various appropriate international agencies, including the International Bank for Reconstruction and Development. With respect to the UAR application for a loan for canal development, you will no doubt have noted the bank's August 27 statement that, inter alia, "Neither the Bank nor the Board of Directors has made any decision on the loan.

The full text of this message from the Department of State is most gratifying. I am glad to note that we will continue to seek means for alleviating Egypt's unwarranted blockade which is in contravention of international law and which unfairly discriminates against the noble State of Israel.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of the letter sent to the Secretary of State, and joined in by me with my distinguished colleagues, the senior Senator from New York [Mr.

JAVITS] and the Senator from Pennsylvania [Mr. SCOTT]; and the reply received from Assistant Secretary of State Macomber.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AUGUST 28, 1959.

Hon. CHRISTIAN A. HERTER,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Reference is made to the letter of July 3 from Assistant Secretary Macomber in response to the telegram sent by 25 Members of the Senate to the President on June 24, explaining concern over the recent detention by the United Arab Republic of their cargo bound from Israel through the Suez Canal. Mr. Macomber expressed the concern of the State Department regarding the Suez Canal situation and stressing the importance of resolving the problem satisfactorily. He added that the U.S. Executive Director of the International Bank for Reconstruction and Development is aware of developments in this matter and is also conversant with our longstanding policy in support of the principle of freedom of transit through the canal.

In the light of the above and the fact that the International Bank for Reconstruction and Development presently has under active consideration a loan to the Government of the United Arab Republic, we would appreciate your advice as to what is being done to obtain from the UAR firm assurances and guarantees of free transit through the canal. Needless to say we do not feel that money should be advanced by the IBED to the UAR for the canal without at least these assurances in hand.

Respectfully,

JACOB K. JAVITS.
KENNETH B. KEATING.
HUGH SCOTT.

DEPARTMENT OF STATE,
Washington, September 11, 1959.

The Honorable KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: I have for reply your letter to Secretary Herter of August 28, 1959, signed also by Senators JAVITS and SCOTT, in which you note that the International Bank for Reconstruction and Development has under consideration a loan to the United Arab Republic for improvement of the Suez Canal, and inquiring as to what is being done to obtain from the UAR assurances of free transit through the canal.

The Government of the United States firmly supports the principle of freedom of transit through the Suez Canal as an international waterway, and has made this position known repeatedly both in international forums and to the Government of the United Arab Republic. You may be assured that we shall continue to avail ourselves of opportunities for setting forth our views in this regard in various appropriate international agencies, including the International Bank for Reconstruction and Development. With respect to the UAR application for a loan for canal development, you will no doubt have noted the bank's August 27 statement that, inter alia, "Neither the Bank nor the Board of Directors has made any decision on the loan."

We continue to support United Nations Secretary General Hammarskjold in his current efforts to achieve a solution to the question of free transit of the canal, and we hope that, aided by the counsel of the United Nations and of other friendly countries, including the United States, progress toward a solution of the current problem of restrictions on such transit can be attained.

Thank you for your interest in this matter. If I can be of any additional assistance to you, please do not hesitate to communicate with me.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.
Assistant Secretary.

WE MUST TEACH ABOUT COMMUNISM

Mr. KEATING. Mr. President, on a previous occasion I addressed the Senate on the need for a coordinated program of courses about communism in our schools and colleges. Today, in light of the announced exchange of visits by President Eisenhower and Mr. Khrushchev, I should like to reiterate that plea and to offer further commentary upon a situation which I believe merits our careful attention.

The Soviet offensive against our way of life has taken many forms; but, far from weakening our political and economic fabric, it has given us new strength and vigor. It has provided us with an opposing system which we can contrast with, and compare to our own. Through its maneuverings, we have come to value more highly our heritage of freedom, and have gained a desire to defend it in whatever ways may be necessary.

It is my conviction that we who represent the democratic ideology can be twice armed if we understand the tenets of communism, as well as those of democracy. Ignorance of our opponents could be the most fatal mistake of our time. Lack of comprehension about democracy could be equally disastrous. Unquestionably, then, our schools must teach about communism, while at the same time they strive to develop a fuller understanding of democracy.

During the past few years there have been ever-increasing opportunities for contacts between the people of Russia and the people of the United States. Many of those people who have met the Russians face-to-face have been well grounded, not only in the tenets of democracy, but also in the ways and ideas of international communism. They have been able to distinguish and interpret various facets of Communist ideology, and have been equipped to defend our way of life against the onslaught of Communist dialectic. All of us can look with pride and satisfaction upon the accomplishments of such leaders as our late Secretary of State, John Foster Dulles, and our present Secretary, Mr. Herter. We are justly proud of the manner in which the Vice President, Mr. NIXON, acquitted himself during his trip through Russia.

Question arises, however, as to just how those less schooled in the realities of cold-war politics will be able to respond to the inevitable questions and charges concerning our Government, our economy, and our national aspirations. Furthermore, I am concerned about the effect upon the American people of the vast amounts of publicity derived from these various meetings and confrontations.

The fact is, Mr. President, that numerous Americans are woefully ignorant about the designs of atheistic international communism. Talk about communism is everywhere; yet few people know the full implications of its goals. Few realize that Communist Russia has already profoundly changed all our lives, by threatening the peace of the world. Eventually, it seeks to alter our way of life even more. Its methods may change; its force may seem to disappear for a time; but the goals remain inexorably clear. The Communists, no matter what their tactics, are dedicated to subjugation of the individual, curbing of religion, and world domination.

In spite of these sinister motives, however, far too many people are prone to accept one friendly Russian individual as representative of a national political feeling, or one Russian smile as indicative of a change of heart. The forthcoming visits, with their accompanying publicity, will undoubtedly tend to overshadow in a cloud of personal acclaim the inherent antagonism of communism to our way of life. Whatever Mr. Khrushchev may say or do, we must be aware that the force of the Soviet State is behind him. We may hope for the best; we may earnestly long for a modification of the Soviet stand; but we must not confuse our desires and dreams with actuality.

Over the years, our national press has given us extensive coverage of most events involving Russian-American affairs. This service will be increased with the unprecedented exchange of visits of President Eisenhower and Premier Khrushchev. While we may hope that the exchange may portend a turning point in both diplomatic and personal relations between the United States and the Soviet Union, it is more probable that there will be no drastic change in the status quo.

Nevertheless, Mr. Khrushchev is the third important Russian official to visit our country this year. He is the leader of the Communist Party, and is the key man in the Russian political hierarchy. As such, he retains almost personal control over a decisive and crucial power which can strongly influence the future of the world.

Although there may be no outward change in the overall Russian attitude toward capitalism, as such, Mr. Khrushchev cannot help but be impressed by our strength and vitality. We must hope he will gain some respect for the institutions from which those qualities derive. For, as Dr. James B. Conant stated in his volume, "Education in a Divided World":

> The first requisite is surely the demonstration that there is in fact a strong and serious rival to the Soviet views. This demonstration must convince even the most doctrinaire followers of Marx and Lenin that at least their time scale must be wrong. One can hardly expect at the outset to do more than persuade the Soviet philosophers that the advent of world communism has been postponed. But once they are convinced that not within their lifetime * * * is the prophecy of Marx and Lenin to come true, the Russian rulers may proceed to negotiate in a very different spirit. From that point on, the nature of the competition between ourselves and the Soviet Union will alter radically. While the world will remain divided

still—the possibility of some degree of confidence in the realm of sound negotiations will revive.

Mr. President, whatever the net results of the proposed visits, whatever the direction of the next Soviet maneuver, we in the United States are faced with a singular problem. Far, far too many of our people know communism only as an evil word, a concept somehow at odds with American ideals. When it comes to a particular instance—Mr. Khrushchev's presence in America, for example—many people lack the means, the requisite tools, for an effective appraisal of significant remarks and developments. Should they be given an opportunity to confront a member of the Russian entourage, many of our people would be unable to rebut the inevitable attacks on our economic and political system.

This situation leads to some alarming conjecture. Could, for example, a number of our people be swayed by tightly constructed Communist argumentation? Could our people ever become persuaded that a country capable of producing such artistic perfection as the Bolshoi ballet might hold the key to a better world?

Fortunately neither of these extreme situations is likely to develop. More probably, the danger lies in the direction of complacency and neglect of the responsibilities which accompany the benefits of membership in a democracy. Our way of government is based upon individual support and if that quality is not forthcoming, if the electorate fails to inform itself not only about the principles and practice of democratic government, but about the forces which oppose it, then, in one way or another, we may expect to fall prey to the ever-watchful, ever-ready Communist movement. Our way of life is grounded upon belief in the worth of the individual and upon the moral and spiritual teachings of the great religions.

We have found it necessary to construct a defense network in order to hold our own against the relentless pressures probing always for weaknesses in our political and economic systems. We have come to the aid of free peoples when they were threatened with aggression from without and from subversion within. In short, we have created an effective system of military defense for ourselves and for our allies. Thus far, the system has worked and worked well but perhaps it has operated too smoothly if it has lulled a large proportion of our population into a dangerously complacent pipedream.

I fear that too many Americans are willing to leave the problems of meeting the Communist challenge to our national leaders, and are content in the hope that somehow "they" will work out a way in which we can "get along" with communism. To them I would repeat the words of Dr. Charles Malik, delegate of Lebanon to the U.N. In an address entitled "The Challenge of Communism," Dr. Malik said:

> When anybody in the West says * * * simply, "We can get along with communism," then one of four propositions is true: (1) either he is a Communist himself; (2) or he is an appeaser; (3) or he does not know what he is talking about * * *; (4) or * * * he does not know the supreme values of his own heritage which communism has rebelled against and desires to extirpate.

Mr. President, let me here repeat that it is possible that an exchange of personal visits by President Eisenhower and Premier Khrushchev may be a catalyst toward more compatible relations with Russia. This is indeed our earnest hope. Nevertheless, whatever our relations with the Soviet State, we can never lower our guard against the encroachments of Communist ideology. The conflict between free democracy and international communism transcends national boundaries. It has come to affect our lives in a multitude of ways. It will certainly continue to affect us for years to come. The heavy hand of communism may be expected to continue grasping at the liberty of free peoples everywhere for a long time.

It is indeed appropriate at this time that we consider Dr. Malik's subsequent discussion of the question, "Can we get along with communism?"

> The question is: Whether it is possible to induce, and how to induce, the necessary modifications in Communist theory and practice whereby the West then can get along, not indeed with communism as such, but with the Russians. This is indeed the supreme question of the present generation.

Mr. President, it is my conviction that the soundest way to fight communism is to understand it. In order to do so, we must encourage first a thorough understanding and appreciation of the moral and spiritual values upon which our democracy is based; and, secondly, we must stimulate an analysis of the Communist principles appraised in this light. Democracy is strong enough to stand comparison in any respect. Conversely, the study of a system which offers the complete repudiation of just about every goal and ideal of Western civilization cannot help but create a keener devotion to the democratic system. At the same time, such study provides a most effective weapon against the spread of atheistic communism.

Within the past decade there has been a gradual shift in public opinion toward the realization that we must know more about our formidable adversary to the east. There has been an upsurge of interest in learning about Russia and Russian things. Russian language courses are being offered in more and more schools and many students become familiar with Russian contributions to the arts and sciences. Unfortunately there is no real direction or organized approach to the study of Soviet affairs and the goals of the international Communist conspiracy.

Mr. President, I believe that accurate, balanced knowledge is the only secure foundation of human liberty. I think this is a conviction shared by all Americans. Therefore, instead of leaving our people to the mercies of the organized or unorganized propaganda of the home, the street, radio, and television, we should do everything possible to acquaint them, through scholarly study under the guidance of well-trained teachers, with all aspects of Russian communism.

In this way we can prepare our youth to discharge intelligently the responsibilities of citizenship, and give our adults the means to defend the cause of freedom in the years that lie ahead. If informed men and women are faced with a choice between democracy and totalitarianism, they will, I am confident, choose democracy. We must educate for understanding a divided world, and in this task the utmost in political intelligence and moral responsibility are needed.

Logically the first responsibility for education falls to our public school system and here we immediately discover an alarming fact. At the present time, most of our schools offer no particular plan of instruction about communism. Until quite recently, there were no textbooks suitable for elementary or secondary school use; and any discussion of communism was, for the most part, considered quite incidental to the normal course of instruction.

At the college level, most institutions provide a few elective courses which take up the study of communism—for example, comparative government, comparative economic systems, and geopolitics. These, however, are confined to the liberal arts field. Few science, engineering, or agriculture students receive any formal instruction about communism. The net result, Mr. President, is that only a handful of our high school and college graduates each year are equipped to cope with many of the problems confronting our Nation and our citizens.

Although we tend to expect so much of our young graduates, we are, in failing to provide basic courses about Soviet communism for all, neglecting a vital factor of political reality. As Dr. Conant so aptly states:

> To deal with a person or group of persons intelligently one must have some idea of their presuppositions. Whether you take an optimistic or a pessimistic view of the chances of turning an armed truce into a peaceful competition of ideologies, the fact remains that we must deal in one way or another with the fanatic yet capable followers of Lenin. Therefore, it behooves us to understand them. * * * We must study the Soviet philosophy, we must examine and debate the creed of the Communist Party as it has been formulated and defended both here and in foreign lands. Indeed, I would go so far as to say that this is the number one educational need of the present moment.

How, for example, can we expect our young people to understand the reasons for our draft law, the nature of the atomic age, civilian defense, the military aid and technical assistance programs, NATO, and high taxes, if they do not understand the nature of the Communist movement?

We cannot wait for our students to reach high school or college age before alerting them to the dangers of communism. We cannot afford to gamble on the chance that somewhere along the line of education someone will devote a few hours to a lesson on Communist beliefs and ambitions.

Information on the theoretical background of communism should, of course,

be taught only in the higher grades, where pupils are able to grasp more complex concepts, but, on the other hand, the manifestation of Communist strategy and tactics in action could well be taught in the elementary schools. It could be developed largely in current events, civics, and history classes, and later in political science and economics.

I realize that part of the difficulty in teaching about communism lies in finding the time and the best sources for the teacher to develop his or her own knowledge of the Soviet system in theory and in practice. Fortunately, there are many valuable reading and audiovisual materials on communism and Russia now available. Because our relations with the Soviet Union are changing so rapidly, pamphlet and magazine sources provide a wealth of information. Several public and private organizations, alerted to the need for such material, are taking an active role in the formulation and dissemination of books and reference data suitable for all levels of instruction.

In the near future, I should like to see established within our elementary and secondary schools a thorough and coordinated program designed to educate our young people about communism. Projected upon a sound background understanding of the American political heritage, the program could draw out a comparison and contrast of American democracy and Russian communism in at least five aspects: First, theory and ideals, and methods of achieving them; second, political institutions; third, economic systems; fourth, social equality; and fifth, the role of religion and moral teachings.

I believe that such a program would stimulate our young people to think objectively, and critically. It would put them on their guard against even the most subtle forms of Communist misrepresentation.

Mr. President, the Russian revolution of 1917 and its aftermath constitutes one of the major political events of this century. In today's world, any person who does not have at least an elementary knowledge of Russian communism—its controlling ideals, its principles and practices, its impact on the world, and its ultimate aims—must be considered politically ignorant. Communism can no more be ignored with safety than a time bomb.

We owe our people, and especially our students, every possible means to the attainment of a broad knowledge and understanding of the communist ideology and the ideals of democracy.

Mr. President I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a comprehensive plan entitled "Areas of Teaching About Communism." This outline, prepared by three New York educators, covers the basic knowledge requisite to an understanding of communism in the world today. It can form a sound basis for developing a coordinated program of courses on this subject in our schools and colleges.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

AREAS OF TEACHING ABOUT COMMUNISM

(Prepared by Henry T. Hillson, Midwood High School; William Friedman, Brooklyn Technical High School; and May C. Callan, Bryant High School, New York City)

I. Marxist doctrines.
A. Dynamic concept of history.
1. Class struggle.
2. "Inevitability" of socialism.
B. Potential revolutionary areas.
1. England, Germany, United States.
II. Criticism of Marxian blueprint.
A. Fallacy of pauperization of labor.
B. Fallacy of state as policeman.
1. New deal.
2. Welfare state.
C. Fallacy of rigidity of classes.
D. Fallacy of "inevitability" of socialism.
1. Emergence of fascism.
2. Emergence of welfare capitalism.
III. Differences between present-day communism and socialism.
A. Revolutionary change versus gradualism.
1. Violence versus peaceful evolution.
B. Dictatorship versus democratic control.
C. Omnipotent state versus paramountcy of individual.
D. "According to his work" versus "according to his needs."
IV. Basic political ideas and practices of communism.
A. Dictatorship of the proletariat.
1. Failure of classless society to emerge.
B. Structure of the Soviet Government.
1. Position of the Communist Party.
2. Constitution of the U.S.S.R.
3. Political organs.
C. Totalitarian concepts of the state.
1. Election methods, etc.
2. Position of the individual.
D. Absence of civil liberties.
E. Position of the bureaucracy.
F. Existence of privileged classes.
1. The army.
2. Party members.
V. Economic practices of communism.
A. State capitalism.
1. Ownership of the means of production.
2. Position of trade unions.
3. Production and distribution of goods.
B. Incentives and pay differentials.
1. Stakhanovism.
C. Agriculture and collectivization.
D. Place of the proletariat.
VI. Relation of communism to fascism.
A. Similarities.
1. Government controls.
2. Attitude toward individuals.
3. Absence of civil liberties.
4. Imperialism.
5. Attitude toward religion.
6. Nationalism.
B. Differences.
1. Profit motive.
2. "Humanitarian" appeal of communism.
3. Absence of racist doctrine in early Communist development.
a. Cultural autonomy.
VII. Moral issue of communism.
A. The end justifies the means.
B. The use of purges.
C. Opportunism.
1. Example: Hitler-Stalin pact.
D. Instigation of world revolution.
1. Roles of the Comintern and Cominform.
VIII. Role of the Communist Party in the United States.
A. Differences from traditional political parties.
1. Purposes.
2. Structure.
3. Functions.
B. Relations to the U.S.S.R.
C. Methods of dealing with the Communist Party.
D. Problems created by the Communist Party.
1. The issue of civil liberties.
2. The identification with liberal issues.
3. The lumping together of all "left" groups.
IX. Historical developments.
A. Soviet-western relations since 1917.
B. U.S.-U.S.S.R. relations since 1917.
C. Reasons for Communist expansion.
1. In Europe.
2. In Asia.
D. Current areas of tensions.
X. Current Communist aims.
A. Issue of self-protection versus capitalist world.
B. Soviet imperialism.
C. Communist ideologies.
XI. Dictatorship and democracy.
A. The balance sheet.
1. Human freedom versus state power.

MUTUTAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I see the Senator from Virginia [Mr. ROBERTSON] on the floor and the chairman of the Committee on Appropriations [Mr. HAYDEN] on the floor. I understand that the Robertson amendment is acceptable to the chairman of the committee. If we can have a vote on that amendment, I would like to have that taken now.

Mr. DIRKSEN. Mr. President, I should like to say a word or two on the amendment.

Mr. JOHNSON of Texas. Mr. President, I withdraw my request for the moment.

I yield to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, I understand the chairman of the Appropriations Committee [Mr. HAYDEN] will accept the amendment and take it to conference. Certainly, I shall not resist that, but I believe there are one or two observations that ought to be made for the purpose of the RECORD.

In the first place, the escape, if it can be called an escape, from the impact of this proposal is either for ICA to furnish the information or for the President to certify that to do so would not be in the public interest.

It certainly imposes an administrative burden. I sometimes believe we are a little careless about the type of burdens we impose. Among the words in the amendment are words such as "call for documents," "call for reports," and "call for communications." Now communications can be cablegrams, they can be letters, they can be interchanges between the heads of States that might be involved. In every case, of course, there has to be a determination as to whether or not disclosure of them would be in the public interest.

Then there is a residual clause. It says "or other material." That is a

pretty expansive phrase. When one talks about data, records, statistics, reports, communications, and other material, I would say the request which might be made would make the sky the limit.

We ought to remember, also, who can request them. It states any authorized committee or subcommittee. The Foreign Relations Committee of the Senate would be authorized. Any subcommittee of the Senate Foreign Relations Committee would be authorized. The Foreign Affairs Committee of the House, or a subcommittee thereof, would be authorized. The Armed Services Committee, in my judgment, because of the military assistance involved, would be authorized. Likewise, the Armed Services Committee of the House would be authorized. The Appropriations Committee of the House would be authorized. The Appropriations Committee of the Senate would be authorized. The Government Operations Committee, under the rule, has the broadest kind of jurisdiction, and it has authority, in my judgment, to investigate in this field. That statement would apply to the comparable committee on the House side.

So there are eight committees and appropriate subcommittees that may call for data, statistics, reports, communications, or other material. Obviously, when that is applied to titles 2, 3, and 4, which relate to development loans, technical cooperation, and special assistance, that is a pretty big burden.

Finally comes the biggest burden of all. To have a certification of the President there is a requirement that he must certify that to disclose the information would not be in the public interest. When these requests go to the White House, that becomes a very, very considerable chore.

I think the language has been recast to come within what I regard the constitutional prerogatives of both the legislative branch and the executive branch, but I want the RECORD to show that here we are imposing a tremendous burden when we say to the Chief Executive, "You make a finding relating to a request of any one of the eight committees or subcommittees of the House and Senate and the General Accounting Office as to whether complying with that request for documents, communications, or other material is in the public interest."

That goes pretty far. I think we might have contrived a little better language. Certainly, this is an improvement over the language in the bill in the first instance. My belief is that what was carried in the first place was very definitely an invasion of the prerogatives of the President of the United States, and could not constitutionally stand up.

So, with that much of a record, I shall be agreeable if the amendment goes to conference, and I honestly hope—and I express my hope to the very able chairman of the Appropriations Committee—that this matter will receive fine scrutiny by the conference committee.

Mr. JAVITS. Mr. President, will the Senator yield to me at that point for just a moment? I, too, would like to state that I shall vote against the amendment, notwithstanding my great respect for my own committee chairman. The only reason I mention this is that it may have some influence upon the discussions at the conference. I believe it will be found that if this amendment is retained in the law it will be less possible to get what the committees wish to get in questioning Government witnesses. I think Government witnesses will more and more seek the refuge available under this procedure and be far less apt, in the give and take of getting information, at which the Congress is just as adept as the executive, to give the information. A procedure is made available to them in which they can have ready recourse to refuse to give information, and leave the decision to the President.

Finally, it may result in making available information to people who are not very friendly to us, which might be disadvantageous to us. We know, as a matter of practice, that when one says "No" to a certain document, that answer is just as informative as if the document had been revealed. Therefore, I shall regretfully vote against the amendment.

Mr. HENNINGS subsequently said: Mr. President, I should like to say a few words, which have been better said by others, on the same subject, a subject about which I feel very strongly. At this time I should like to strongly support the amendment of the distinguished and learned junior Senator from Virginia [Mr. ROBERTSON] to House bill 8385, the mutual security appropriation bill.

As I stated before the Senate Appropriations Committee during its consideration of this bill, the work of the Constitutional Rights Subcommittee, of which I have the privilege of being chairman, has demonstrated conclusively that the so-called "Executive privilege" has been used on a number of occasions in recent years as authority to withhold information from Congress, and this use—perhaps I might better say misuse—of the so-called "Executive privilege" doctrine has been growing at an accelerating rate.

Apparently encouraged by the Attorney General, who has expounded a doctrine of "Executive privilege" without limitations, officials in the executive branch on almost every level of authority have invoked this so-called "Executive privilege" doctrine to withhold practically every type of information imaginable from the Congress.

One of the most recent instances in which the Attorney General's extreme doctrine on "Executive privilege" has been invoked and defended by an executive agency occurred when on May 5, 1959, the Acting Director of the International Cooperation Agency appeared before the Constitutional Rights Subcommittee, over which I happened to be presiding at the time, and undertook to explain why his agency refused to give certain evaluation reports requested by the General Accounting Office. The Acting Director of ICA took the position that despite the specific language of section 313 of the Budget and Accounting Act of 1921, providing that all departments shall furnish the Comptroller General such information as he may from time to time require of them, and specifically giving the Comptroller General and his assistants the right to have access to and examine any books, documents, papers, or records of such department, ICA did not have to furnish the General Accounting Office with the evaluation reports in question. He cited the Attorney General's so-called doctrine of "Executive privilege" as his authority for so defying the Congress.

In addition, he had the consummate effrontery—and his words and actions can only be described in this fashion—to say that if ICA really wanted to apply the "Executive privilege" doctrine, GAO would not see one single thing that might be demanded of him or his agency by that office.

Mr. President, as I have stated before, Congress cannot allow this position to stand unchallenged, and I wish to say that the distinguished junior Senator from Virginia, a man who is scholarly and learned and who believes in the separation-of-powers doctrine, who believes in the three coordinate branches of our Government, has rendered to Congress and to this country a signal and outstanding service in offering this amendment. We are all greatly in his debt. The issue we face here is not whether the President's constitutional powers are being invaded or infringed, but how long we here in the Congress are going to permit our constitutional powers to be invaded, stripped, and usurped by this fallacious, nonsensical doctrine as expounded by the Attorney General.

Congress already has acted to resolve this issue by incorporating in the Mutual Security Act three provisions requiring the production of documents, records, reports and other information pertaining to the administration of foreign aid.

It might not be amiss to mention at this point that when we considered and adopted those provisions just a few weeks ago, none of us seemed to be bothered by questions about the constitutionality of our action. The reason for this was patently simple.

We were merely doing what constitutionally we had every right to do.

In furtherance of this action, the House of Representatives has incorporated in the mutual security appropriations bill, an amendment cutting off mutual security funds 20 days following any unfulfilled request by the General Accounting Office or appropriate congressional committees for documents and records pertaining to the administration of the mutual security program.

The purpose of this amendment was simple enough. It was to enforce and put into action and being what had already been done by Congress. Once these steps were taken, the Congress started down a path from which, as a practical matter, there should be no retreat. We should not budge an inch. For the Senate not to put teeth into the requirements of disclosure now contained in the Mutual Security Act, and

to eliminate completely the enforcement amendment placed in the appropriations bill by the House of Representatives, will enable executive departments and agencies in the future to cite this failure to act as an endorsement by the Senate of the Attorney General's doctrine, and by the same token the ICA's interpretation of that doctrine. In other words, by backing down now, we not only will fail to act to preserve our constitutional legislative powers and duties, but we will supply would-be censors in the executive branch with additional authority for their wrongful acts so that they can tell us what we may see and what we may not see.

Of course I do not refer to matters affecting the national security, matters which are classified as top secret. That is not the question at all.

Mr. President, I do not speak lightly when I say that in my opinion the continuing and growing misuse of the so-called executive privilege doctrine represents one of the most serious constitutional issues this Nation now faces. If bit by bit the Congress allows the executive branch of our Government to have complete and unfettered control as to what information the Congress may receive about the operations of the executive branch, the carefully created and established balance of power among the three coordinate branches of our Government, as provided by the Constitution, will be destroyed, and we shall someday be faced with an executive branch utterly beyond control, without let, without hindrance. All they will have to do is say, "We invoke the executive privilege," a phrase which comes so easily and flits so very lightly upon their tongues.

Mr. President, I fully supported the amendment to the Mutual Security Appropriations Act made without a dissenting vote by the House of Representatives. However, since this provision was not included in the bill reported by the Senate Appropriations Committee, I strongly support the amendment offered by the learned and scholarly junior Senator from Virginia.

Mr. ROBERTSON. Mr. President, I wish to express my thanks to the senior Senator from Missouri for his very fine contribution to the argument and for his compliment to me.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. ROBERTSON], for himself and the Senator from Louisiana [Mr. ELLENDER], and the Senator from Minnesota [Mr. HUMPHREY], as modified.

The amendment, as modified, was agreed to.

Mr. SALTONSTALL. Mr. President, I should like to ask the majority leader a question with relation to section 112, which was language offered by him and which has been incorporated in the bill. This section will assure that the Congress is kept fully and adequately informed of the manner in which the administration plans to use the funds provided by the Congress for the mutual security program. Section 112(a) provides that within 60 days following date of enactment of the Appropriation Act the President shall give the Appropriations Committees a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the mutual security program for the fiscal year 1960. The section says that this report shall show any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

It is possible to interpret the requirements for a full and complete revision of the data presented to such committees in justification of the appropriations requested as calling for a revision of every page and every word presented to the committees. I am sure the Senator's amendment does not really intend any such exercise. It would seem to me that the purpose of the Senator's amendment is the entirely proper one of requiring the executive branch to inform the Congress how it intends to use the funds finally appropriated by the Congress. Do I understand correctly therefore that what the Senator's amendment is intended to do is to require the executive branch to make a report to the Congress within 60 days setting out plainly the revisions in the program levels which the executive branch plans in using the funds made available under the appropriation act as finally passed and the principal changes in each program as they are worked out by the executive branch, rather than every word and every page of the program justification?

I was asking that question of the majority leader. When that question was answered, with the courtesy of the Senator from New York, I was going to ask a question of the Senator from Virginia.

Mr. JOHNSON of Texas. As I understand the question of the Senator from Massachusetts, his understanding is correct. There is no desire on the committee's part to overwhelm the Congress with a lot of unnecessary, inconsequential detail. As we all know, after the appropriation bill is passed, the executive branch always revises the programs originally presented to the Congress in the light of the appropriations we have passed.

Six to eight months will have elapsed since the programs were first presented to the Budget, and they have gone through the House and the Senate, and lots of things are changed in that time. In addition, the programs have to be revised to reflect the funds actually appropriated. We fully recognize that it may not be possible or even desirable for the executive branch to reprogram all of the appropriated funds in detail within 60 days. However, by that time the executive branch certainly should have made decisions as to the major program elements. We want the Congress to be fully informed as to the changes that have been made. As additional details are worked out, I would expect them to be passed along to the Congress, so the Congress will always be kept currently and fully advised about the program.

Generally speaking, I would say, if I understand the statement made by the distinguished Senator from Massachusetts, his understanding of the purpose of the amendment is correct.

Mr. SALTONSTALL. I thank the Senator. Mr. President, I should like to ask the chairman of the Appropriations Committee a question with relation to section 111 of the bill, and if he agrees with me, I have a statement to make to the Senator from Virginia [Mr. ROBERTSON] who is interested in that section.

The reason for my question is that I would like to make a motion to strike out section 111.

Section 111 relates to an employee "who has left employment with International Cooperation Administration within 2 years from the date of employment with said person, organization, company, or concern or any of its affiliates."

I have talked with the Representative from Louisiana [Mr. PASSMAN], who managed this bill and he has agreed that the amendment goes much further than he believes it should go.

Under the language as it is included in this bill, an elevator boy, for example, who had been working for the ICA would be prevented from accepting employment specified in the amendment.

If the Senator from Arizona [Mr. HAYDEN] and the Senator from Virginia [Mr. ROBERTSON] agree, I should like to offer an amendment, and if the amendment is accepted, to strike out this language so the section will go to conference, and we can rewrite the section in conference in a way which will be agreeable to the House and to the Senate.

Mr. BYRD of Virginia. I think it is highly desirable that the entire paragraph go to conference.

Mr. ROBERTSON. Mr. President, the attention of the junior Senator from Virginia has been directed to the very restrictive provisions in the House bill which prohibited employment for a period of 2 years of anyone who had previously been employed by ICA and he, at the suggestion of the Director of the ICA, thought he would ease that restriction a bit by rewording of the language so that it would not apply to nonprofit organizations. Now he understands, in a way, the amendment makes the original one more difficult than ever.

Since the chairman of the House subcommittee who will handle this section in conference would prefer that we remove the House language completely and then to send it to a conference, the Senator from Virginia has no objection to the request of the Senator from Massachusetts to eliminate this section.

Mr. SALTONSTALL. I thank the Senator. I move to strike out Section 111.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CLARK. I would like to express my concurrence in the views stated by the Senator from Massachusetts that this section is entirely too broad. It would be quite unworkable, and would be unfair to corporations dealing with the Government.

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the Foreign Relations Committee assured me he would move to strike out section 111, and so I am glad the Senator from Massachusetts has made that motion.

Mr. SALTONSTALL. I should be glad to have the majority leader make the motion.

Mr. JOHNSON of Texas. I merely wanted the Senator from Massachusetts [Mr. SALTONSTALL] to know he was supported in his position by the chairman of the Committee on Foreign Relations. He had intended to make that motion himself.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts to strike out section 111.

The motion was agreed to.

Mr. MUSKIE. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Maine will be stated.

The CHIEF CLERK. On page 19, after line 12, it is proposed to insert:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

For expenses necessary for the Advisory Commission on Intergovernmental Relations, $100,000: *Provided*, That this appropriation shall be effective only upon the enactment into law of H.R. 6904.

Mr. HAYDEN. Mr. President, I have conferred with the members of the committee; and we accept the amendment.

Mr. MUSKIE. I thank the Senator from Arizona.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, the report is unanimous; it is signed by all the managers on the part of both the House and the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD, the statement, contained in the report of the managers on the part of the House explaining the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(For statement by the managers on the part of the House, explaining the conference report, see House proceedings of today.)

Mr. KEATING. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am happy to yield.

Mr. KEATING. Does the conference report call for a substantial change?

Mr. MUSKIE. The only change is in the county representation. The conference report calls for a decrease from four to three in the county representation provided in the Senate version of the bill; and the conference report calls for an increase from two to three in the county representation called for by the House version of the bill. In other words, the conference report provides for a compromise at three.

Mr. KEATING. I thank the Senator from Maine.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

Mr. MUSKIE. Mr. President, I move that the vote by which the report was agreed to be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

PREMIER KHRUSHCHEV'S VISIT

Mr. RANDOLPH. Mr. President, yesterday I mailed a letter to Premier Nikita Khrushchev. My message was one of, perhaps, hundreds which will be sent to Mr. Khrushchev following an invitation published in Parade magazine on last Sunday. Parade editors suggested that it would be appropriate for citizens of the United States to write to Mr. Khrushchev. Parade further indicated that the communications would be delivered to the Soviet spokesman at the Russian Embassy in Washington, D.C., shortly after his arrival in the National Capital.

Mr. President, I was so moved by the appealing article in the form of a letter to Mr. Khrushchev in Parade that I was impelled, because of the request and the manner in which it was couched, to comply with the proposal that men and women set down the thoughts they would voice to the Communist leader if they were given the opportunity to talk with our guest.

With the indulgence of the Senate, I shall read approximately 200 words, the editors of Parade having indicated that the letters should be kept within that length:

U.S. SENATE,
September 11, 1959.

Premier NIKITA KHRUSHCHEV,
Care of Parade,
New York, N.Y.

DEAR MR. KHRUSHCHEV: You have been asked to visit the United States so that you may learn the truth about life in our land. You have been urged to see the steel mills of Pittsburgh, the villages of New England, and the corn fields of Iowa. Our Secretary of Defense has invited you to inspect our missile bases—and one of our greatest poets has suggested that you visit Harvard University.

All of this, Mr. Khrushchev, is so that you may know the strength and variety of America. And yet, the final source of our strength is something you must arrive at by knowledge of the heart, not of the head. It is the same source of strength that sustained the millions of Europeans—many from Czarist Russia—in their journey across the Atlantic.

It is the belief in the dignity of men—not man as a cosmic abstraction—but men as living, breathing, loving individuals who know the meaning of joy and pain. It is the belief in freedom as the right to choose. It is the belief that free men can and will create a future of finer worth for the individual.

This is what we mean by freedom in America, Mr. Khrushchev. It is not perfect, and it is not complete. But neither is it merely capitalistic fiction, nor a bourgeois dream.

We know that we have work to do to make our ideals a reality for all of our citizens. But this we believe: as a free nation we will reserve the rights and responsibilities of free men and women—here and among our allies—to follow the path of their own choosing. Our path is still the one blazed by Walt Whitman when he declared, "Produce great persons, all else follows."

I hope, Mr. Khrushchev, that during your journey you will come to know the deep meaning this statement has for the free citizens of the United States.

Sincerely,

JENNINGS RANDOLPH.

Mr. President, we in West Virginia have a State motto: "Montani Semper Liberi—Mountaineers Are Always Free."

It is our feeling that the source of strength which comes from such a motto is not only symbolic of our own citizenry, within the State of West Virginia, but is a challenge providing for a sense of devotion to personal freedom in the United States.

Mr. President, on September 6 there was published in the Washington Post and Times Herald the Gallup poll results which indicate that citizens around the world approve of the visits between the President of the United States and the Premier of the Soviet Union. The poll was conducted not only by means of a sampling of the opinions of men and women in the United States, but also through a sampling of the opinions of people in 12 other countries of the earth. I ask unanimous consent that the article, with its comment and its compilation figures be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITIZENS AROUND WORLD APPROVE BOTH VISITS
(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N.J., September 5.—Despite criticism from certain U.S. officials, the forthcoming Eisenhower-Khrushchev exchange of visits meets with a resounding endorsement from citizens around the globe.

In Paris, New Delhi, West Berlin, New York, and other key cities of the non-Communist world the approval of both the Khrushchev and the Eisenhower visits averages over 70 percent.

And the man in the street in Moscow is just as enthusiastic as is his counterpart in the other major cities.

On few issues covered by the World Gallup Poll has such widespread international agreement been found.

Behind the overwhelming approval of the history-making venture in personal diplomacy are two important factors:

1. There is little fear evident in any of the world opinion centers included in the survey that such an exchange means any softening of basic U.S. attitudes toward communism. The prevailing interpretation put on the American decision by citizens around the world is that such a move is mainly an effort to reduce tensions.

2. Although few citizens in any of the major cities are hopeful of a great deal of progress toward easing tension, a considerable body of opinion holds that at least some steps in this direction may result from the exchange.

In only one nation did disapproval of the visit run higher than 20 percent. That came, interestingly enough, in the United States.

Here is how the views in the 13 nations—as reflected by interviews in major cities—line up on the Khrushchev visit to the United States:

[Percent]

	Approve	Disapprove	No opinion
Holland (The Hague)	89	8	3
West Germany (Berlin)	84	6	10
Canada (Toronto)	78	10	12
Italy (major cities)	78	8	14
Finland (Helsinki)	77	1	22
England (nationwide)	76	7	17
Uruguay (Montevideo)	74	2	12
France (Paris)	74	4	22
Greece (Athens)	73	4	23
Switzerland (Geneva)	70	18	12
Norway (Oslo)	65	11	24
United States (major cities)	64	23	13
India (New Delhi)	44	(1)	56

[1] Less than 1 percent.

And here are the views on the forthcoming visit of Mr. Eisenhower to the Soviet Union:

[Percent]

	Approve	Disapprove	No opinion
Holland	89	7	4
West Germany	88	5	7
Canada	82	8	10
Finland	79	1	20
Italy	78	7	15
England	76	6	18
Uruguay	73	3	24
France	73	5	22
Greece	71	6	23
Switzerland	71	18	11
United States	70	18	12
Norway	66	11	23
India	42	1	57

In this first sampling of public opinion in the Soviet capital ever made in conjunction with polling efforts in other nations, obviously the poll did not follow established scientific and objective procedures which characterize most survey efforts in other nations. Yet it is representative of many segments of Moscow society.

Mr. RANDOLPH. Mr. President, the Spirit of Jefferson-Farmers Advocate, an excellent newspaper published in Charlestown, Jefferson County, W. Va., set forth under the title "Visit by Mr. K" its major editorial in the issue dated September 10. I ask unanimous consent that the thoughtful observations be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VISIT BY MR. K.

It seems to us that all the criticism of President Eisenhower for inviting Nikita Khrushchev is unwarranted. Quite contrary to what the critics of the visit are saying, no royal carpet is being rolled out. It would be well for the American people to put the visit in perspective: It represents a sincere attempt by an American President to in some way ease the international tension. There can be no harm in talking to Mr. Khrushchev. After all, whether we like it or not—and we don't—he is the spokesman for a world power that will not disappear in spite of all our wishing. It would be very nice indeed if Mr. Khrushchev and all he stands for would vanish, but unfortunately Russia is a fact and Mr. Khrushchev is a fact. The main argument against the visit is that it may serve to discourage the captive nations in their hope for eventual freedom. There is merit to this argument, but not sufficient merit to foreclose the hope that by negotiation another may be avoided.

We hope the President every success in his venture in personal diplomacy. The world is sick of worry and anxiety and the constant threat of war. If talks by President Eisenhower and Khrushchev can help to abate the tensions we are for them.

Mr. RANDOLPH. Mr. President, I realize that the forthcoming exchange of visits involves a certain amount of peril. But I also realize—and I state this with vigor and with conviction to my colleagues—that the exchange of visits carries with it significant promise. In this instance, I prefer to stand on the side of promise, rather than to kneel on the side of peril.

I am sure that the element of fear is engendered by the prospective visits between the leaders of the United States and the Soviet Union. Yet I wish very much to believe—and I so state—that in this effort there is also the substance of faith.

The path to peace is a continuing search. The overriding concern of unnumbered millions of humans calls for forbearance and forthrightness. But we must never cease in our quest.

Mr. President, again I express appreciation to my colleague, the Senator from New York [Mr. JAVITS], for yielding to me at this time for these observations.

Mr. JAVITS. I thank my colleague.

COMMITMENTS BY THE FEDERAL GOVERNMENT TO THE STATES IN CONNECTION WITH THE ROAD PROGRAM

Mr. GORE. Mr. President, I should like to read to the Senate a telegram I have received from Gov. Edmund G. Brown, of the State of California:

SACRAMENTO, CALIF., *September 12, 1959.*
Senator ALBERT GORE,
Senate Office Building,
Washington, D.C.:

Based on information from Bureau of Public Roads that no reimbursements could be made from trust fund after October this year, California has had to discontinue all contract advertisements for bid and award on highway work. Highway program is now slowing down very rapidly. Federal Highway Act of 1956 very definitely guaranteed that Congress would take necessary action to keep highway program going as set forth in that act. Any failure on the part of Congress to meet this obligation in full will put not only California but every other State in an untenable position. In my opinion it is absolutely essential that Congress should put forth every possible effort to see that the obligation of the 1956 pledge of Congress is fulfilled. California supports you in this endeavor. Senators KUCHEL and ENGLE being advised of this position.

EDMUND G. BROWN,
Governor of California.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. HAYDEN. Mr. President, I call up my amendment which is at the desk which provides for an additional appropriation of $323,629 for claims and judgments. After the committee reported the bill to the Senate, a supplemental budget estimate for claims and judgments was received. My amendment will provide the funds necessary to pay these obligations.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out lines 17 to 25, inclusive, on page 22 and lines 1 to 8, inclusive, on page 23, and insert in lieu thereof the following:

CLAIMS FOR DAMAGES AND JUDGMENTS

For payment of claims for damages as settled and determined by departments and agencies in accord with law and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in Senate Documents Numbered 48 and 56, Eighty-sixth Congress, $708,137, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I should like to get the attention of the senior Senator from Arizona, if I can.

I understand that the Appropriations Committee has recommended the restoration of funds asked by the executive branch for special assistance to the level of $245 million. One of the uses for these special assistance funds proposed by the executive branch was to provide incentives for private investment. I wish to be sure that there is nothing in

the action of the committee to prevent the use of these funds for this important purpose of encouraging greater investment by private enterprise for the development and progress of less developed nations.

Mr. President, I ask the distinguished chairman that question.

Mr. HAYDEN. There is nothing in the bill that can be construed as such a limitation if we wanted to make use of that program. There is no question about that.

Mr. JAVITS. Mr. President, I am very grateful to the chairman, because I think the extending of inducements to private investors for private investments, especially in the less developed areas where these particular funds would be used, would be most helpful. I think it is one of the most important efforts by which we can lift the burden of public investment by substituting private investment. I submit also a memorandum on this subject to be incorporated in my remarks.

Mr. President, I now call up my amendment designated "91059(D)" relating to the Hudson-Champlain Celebration Commission, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 20 after line 11, it is proposed to insert a new paragraph as follows:

HUDSON-CHAMPLAIN CELEBRATION COMMISSION

For an additional amount for salaries and expenses in connection with the work prescribed for the Hudson-Champlain Celebration Commission in the sum of $35,000 to be disbursed in the same manner and for the same effect that funds have heretofore been disbursed.

The memorandum submitted by Mr. JAVITS is as follows:

The entire concept of the proposed funding arrangement specifically identifiable for encouraging conditions in the developing countries for private enterprise was to follow through on the principles of section 413 of the Mutual Security Act.

The use of the $5 million labeled "Investment Incentive Fund" within the special assistance category is essentially twofold: (a) to improve the climate and improve the institutional framework within developing countries for private productive investment—local and foreign.

This involves the use of funds to provide technical advice and training on the laws, credit facilities, government services and administration, market studies, and other elements affecting investment decisions. It is intended to give particular emphasis to the strengthening or creation of local institutions which are specifically designed to assist private investment. For example, a number of countries have expressed interest in establishing industrial development centers. These institutions are designed to furnish a broad range of technical and financial skills and advice needed in creating, expanding and operating business enterprises. The center which now exists in the Philippines has helped add over $100 million to the annual industrial output of the country during the first 3 years of its operation. It has helped create almost 10,000 new jobs, plus a large volume of secondary employment. Local institutions of this kind not only serve as a major instrument for local private participation in the economic growth of the country, but also assist foreign investment through their work in improving the investment climate of these countries and in increasing the availability of the frequently indespensable local partners for foreign investors.

(b) To provide the information on specific areas of investment possibilities in the developing countries necessary for stimulating investor interest in relatively unfamiliar countries.

Recent responsible studies, such as the Straus report, indicate that there is an even greater shortage of specific well-planned industrial projects seeking to attract private capital than there is of capital itself. There is a basic need for a more active U.S. Government program to assist developing countries identify opportunities for private foreign investment. Funds to finance the surveys and investigations necessary to work up the whole range of technical and financial data required to make a project ready for private financing would be used from this program. As this information becomes available, it would be brought to the attention of American business through the channels of the Commerce Department and the Small Business Administration. This is particularly important if we are to encourage greater interest among medium and small size businesses in investing in the developing countries. Large firms are equipped with marketing and research staffs and have greater experience, financial resources, and contacts. This is not true of smaller companies. It is important to make every effort to utilize the experience of small and medium size businesses which might be more readily adaptable to many situations in the developing countries. It is significant that the Straus report (p. 27) recommended that special funds be reserved for financing surveys and investigation to encourage new ventures in less developed countries.

In brief, therefore, the program proposed is designed to facilitate greater access to private resources of capital and managerial know-how. It is not a program to subsidize private companies but rather to create the conditions and awareness which permit greater utilization of the private sector both in the developing country and in the United States in achieving the purposes of the Mutual Security Act.

Mr. HAYDEN. Mr. President, I am willing to take the amendment to conference.

Mr. JAVITS. Mr. President, I wish to say a word about the amendment for the information of the Senate. I am grateful to the Senator from Arizona for being willing to accept the amendment and take it to conference.

A tremendous celebration is now taking place in New York State.

The law with reference to this matter, which is now Public Law 85–614, provided an authorization of $50,000 and that has been appropriated last year. This additional amount is being asked as needed now and we hope very much that the conferees will be agreeable to accepting it. It is very significant that far more than that amount is being spent by the State of New York and private sources. This request comes at the moment when Princess Beatrix is visiting the United States. But I did not wish even to ask the chairman of the committee to take the amendment to conference without disclosing to the Senate the facts of the authorizing legislation.

Nonetheless the amount is small; I hope the Senator from Arizona will take it to conference.

Mr. HAYDEN. I have no objection to taking the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment from the Senator from New York.

The amendment was agreed to.

Mr. KEATING. Mr. President, I also wish to express to the distinguished Senator from Arizona my gratitude for his willingness to take the amendment to conference. I realize that it is a rather unusual request. I am also very grateful to my colleague, the distinguished senior Senator from New York.

Mr. JAVITS. Mr. President, do I correctly understand that the amendment has been agreed to?

The PRESIDING OFFICER. It has been agreed to.

Mr. JAVITS. Mr. President, I now call up my amendment designated "9–11–59(A)" and ask that it be read.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out line 19, and substitute therefor the following: "to remain available until expended, and to become available as follows: During the fiscal year 1960 $590,000,000, and during the fiscal year 1961 $500,000,000."

Mr. JAVITS. First, I should like to explain my amendment, so as to make clear that it does not call for an increase in the amount provided by this part of the bill.

I am endeavoring to provide an appropriation for 1961 for the Development Loan Fund.

It will be noted that the bill provides an appropriation of $590 million for the fiscal year 1960. All my amendment seeks to have appropriated is $500 million for 1961.

First, let me make clear that there is legislative authority for doing that. The Mutual Security Act provides more than adequate authorization for both the year 1960 and the year 1961.

In the second place, this amendment calls for complying with part of the request made by the administration to the Appropriations Committee, which request the Appropriations Committee has turned down.

Indeed, the committee report makes that very clear, and says in so many words that the committee turns down the request for an appropriation, for the year 1961, of $500 million for the Development Loan Fund.

Let me refer my colleagues specifically to page 5 of the committee report:

The $500 million requested to be appropriated now, to become available in fiscal 1961, has been denied.

Mr. President, why do I submit this amendment at a time when it seems very clear that Members are very anxious to hold down the appropriations, rather than to increase them?

I offer the amendment because it is very clear that by proceeding in this way, the appropriation need not be increased, but by using our heads we can help the foreign-aid program, without increasing the appropriation, and can

get other countries to help us with it, at one and the same time.

It seems to me that if we were to fail to take advantage of those opportunities—which will benefit us, without increasing the amount of the appropriation for the fiscal year 1960—we would be unwise indeed.

Mr. President, I am also moved to propose this amendment by virtue of that fact that when these mutual security appropriations come before us literally on the last day of the session, as they did last time, and as they are coming up this time almost on the last day of the session, there is a great tendency to rush them through and to more or less keep them as they are brought in by the Appropriations Committee, in the feeling that, "Well, it is too late to do anything about it." But it is by now clear the mutual security program is the single most important instrument of the United States in pursuance of its foreign policy and in its cold war struggle.

I believe it would be in derogation of my duty if, seeing a situation as clearly as I think I see this one, I failed to give the Senate an opportunity to express itself on this question and to agree with me, if it thinks one of the most persuasive reasons of all for providing some appropriation for the year 1961 for the Development Loan Fund is in order to bring the situation in line with action we have already taken in the authorization bill.

It will be recalled that in the authorization bill, which was passed through the Senate in July of this year, we provided, under section 413(d), which appears at page 6 of Public Law 86–108, for a study of methods by which the United States and other nations, including those which are parties to regional agreements for economic cooperation to which the United States is a party, or any of them, might best together formulate and effectuate programs of assistance to develop the economies of free nations so as to advance the principal purpose of this act as stated in section 2 thereof.

In colloquial language, what that means is that we are going out to try to make partnership agreements with especially the Western European industrial nations, in order to materially increase the amount which we can afford to deal with in our foreign-aid activities, and especially in foreign economic aid. It is a fact that there are countries in the world, for example the Federal Republic of Germany, which are very well able to join with the United States in partnership activities for foreign economic aid. This is a fact not only in terms of resources available; this is not even an untried field, because we have come to the rescue, in a very important way, within the last couple of years, of India and Turkey, in exactly the same consortiums, in cases involving the United Kingdom, in cases involving West Germany, in cases involving the World Bank, and also including India, for a contribution, and I think an extremely important one, from Japan.

This has been done, and in order to do it, and do it effectively, we cannot be on a 1-year basis in terms of foreign economic aid.

I point out that we cannot negotiate with Germany or Japan or any other country to do this kind of job in undeveloped areas on an ad hoc, one-shot basis, as was done in India and Turkey, but on a continuing basis. Unless we have some continuity in the contribution which we shall offer to them, it puts us in a position of having to make that kind of deal. It does not seem to make it feasible to our negotiators who are anxious to help lift the burden of foreign aid from us unless we have some appropriations which will make it possible at least for 1 year beyond the current year.

That is the basic reason for this amendment.

I point out also that when the President of the United States went abroad to Western Europe very recently on his trip, the President made a considerable point of the fact that he was going to seek cooperation from Western European countries in respect to foreign economic aid. That process has begun, with the exchange of visits between the President and Mr. Khrushchev, with the reports that will be made to other countries after the Khrushchev visit, with possibly summit conferences with heads of other countries. It seems to me we are shortsighted if, without increasing this year's appropriation, we do not at least put in the hands of our negotiators the tools that will do them the most good in an effort to get main partners in foreign aid.

It seems to me countries in Asia, Africa, and South America would cheer and applaud the fact that the Congress of the United States, without spending more money than it feels it should, at the same time is looking ahead to the effort to get more aid to them by means of the partnerships I have described.

It is very hard for me to understand why this request for the Development Loan Fund should have been turned down. It seems to me when we turn down requests of that kind we are not being wise about how the prestige, resources, and wealth of the United States can be employed. At the same time we do not seek greater current appropriations, which we fear very much in connection with the increase of our deficit. It seems to me by doing this we do more than appropriate more money, and yet we do not appropriate any more money at all.

Mr. President, I wish to give a few facts on where this Development Loan Fund stands and what kind of a job it has done and why it urgently needs this kind of approach.

There are now pending, as of June 30, 1959, loan applications which await approval and action by the Development Loan Fund $1,514,630,000. That is the amount on hand after using up practically 100 percent of the money for loans which has been appropriated up to now.

Mr. President, I ask unanimous consent that there be incorporated in the RECORD as a part of my remarks a summary of the Development Loan Fund proposals and commitments by geographical area as of June 30, 1959.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary of Development Loan Fund proposals and commitments, by geographical area (as of June 30, 1959)

	Africa	Europe	Far East	Latin America	Near East	South Asia	Total
Charges against lending authority:							
Loan and guarantee agreements signed	28,840	53,100	118,626	49,190	106,100	267,450	623,306
Letters of advice issued	1,300	9,000	33,050	15,600	21,800	32,550	113,300
Other project commitments	0	0	17,250	0	6,200	0	23,450
Letters of advice pending	10,700	16,200	9,300	1,000	38,300	0	75,500
Total	40,840	78,300	178,226	65,790	172,400	300,000	835,556
Percent of charges against lending authority	4.9	9.4	21.3	7.9	20.6	35.9	100.0
Proposals under consideration and on hand (preliminary):							
Status A	22,300	0	[1] 4,456	12,700	[2] 0	4,500	43,956
Status B	41,634	17,734	[1] 104,084	22,922	[2] 148,430	41,382	376,186
Status C	61,674	221,245	127,919	28,487	254,993	274,218	968,536
Status N	365	0	19,200	7,587	71,000	27,800	125,952
Total	125,973	238,979	255,659	71,696	474,423	347,900	1,514,630
Percent of proposals on hand	8.3	15.8	16.9	4.7	31.3	23.0	100.0
Proposals no longer under consideration (preliminary):							
Inappropriate for Development Loan Fund financing	8,170	4,980	27,864	141,942	57,187	9,872	250,015
Insufficient information or withdrawn by borrower	8,046	950	82,954	126,007	54,168	44,312	316,437
Being considered by other lending institutions	19,870	64,805	132,444	93,298	61,615	2,283	374,315
Total	36,086	70,735	243,262	361,247	172,970	56,467	940,767
Percent of proposals no longer under consideration	3.8	7.5	25.9	38.4	18.4	6.0	100.0
Total proposals (A±B+C)	202,899	388,014	677,147	498,733	819,793	704,367	3,290,953
Percent of total	6.2	11.8	20.6	15.1	24.9	21.4	100.0

[1] Excludes status A and B items under Philippines project commitment.

[2] Excludes status A and B items under Turkey project commitment.

Summary of Development Loan Fund obligations and commitments (as of June 30, 1959)

[In thousands]

Country	Loan description	Obligations [1]		Other loan authorizations and commitments as of June 30, 1959		Total obligations, commitments, and authorizations as of June 30, 1959
		Cumulative as of Jan. 31, 1959 (1)	Cumulative as of June 30, 1959 (2)	Loan commitments [2] (3)	Loans authorized [3] (4)	(2)+(3)+(4) (5)
Africa:						
Ethiopia	Cotton textile mill (SAIDE)			$500		$500
Liberia	Sawmill expansion	$190	$190			
	Telecommunications improvement	3,000	3,000			
	Subtotal, Liberia	3,190	3,190			3,190
Libya	Tripoli electric power		5,000			5,000
Nigeria	Apapa Warehouse			800		800
Nyasaland	Nyasaland and Trans-Zambesia Rys.[4]				$10,700	10,700
Somalia	Credito Somalo (agricultural lending)		2,000			2,000
Sudan	Cotton textile mill		10,000			10,000
Tunisia	National Railroad (rolling stock)		2,400			
	Esparto pulp factory		6,250			
	Subtotal, Tunisia		8,650			8,650
	Total, Africa	3,190	28,840	1,300	10,700	40,840
Europe:						
Netherlands	Resettlement of emigrants in Australia	3,000	3,000			3,000
Spain	Irrigation (earthmoving equipment)		7,700			
	General Electrica Espanola				1,200	
	RENFE, railway track rehabilitation		14,900			
	Subtotal, Spain		22,600		1,200	23,800
Yugoslavia	Nitrogen fertilizer plant	22,500	22,500			
	Diesel locomotives		5,000			
	Kosovo thermal electric power			9,000		
	Trebisnjica Hydroelectric, stage 1				15,000	
	Subtotal, Yugoslavia	22,500	27,500	9,000	15,000	51,500
	Total, Europe	25,500	53,100	9,000	16,200	78,300
Far East:						
Indonesia	Railway rehabilitation		3,000			
	Harbor rehabilitation		6,000			
	Subtotal, Indonesia		9,000			9,000
Korea	Tong Yang Cement Plant	2,140	2,140			
	Chung Ju Power, design engineering		1,500			
	Telecommunications improvement		3,500			
	Korea Reconstruction Bank			5,000		
	Oriental Chemical Industry Co., Ltd				5,600	
	Subtotal, Korea	2,140	7,140	5,000	5,600	17,740
Malaya	North Klang Straits, port development		10,000			
	Road and bridge construction		10,000			
	Subtotal, Malaya		20,000			20,000
Philippines	Small industry loan fund		5,000			
	Roads, bridges and rehabilitation of public works equipment		18,750			
	Bataan pulp and paper mill			5,300		
	Mindanao Portland Cement Corp				3,700	
	Development projects [5]			17,250		
	Subtotal, Philippines		23,750	22,550	3,700	50,000
Taiwan	Railway modernization	3,200	3,200			
	Shihmen multipurpose dam	21,500	21,500			
	Improvement of fishing industry equipment		686			
	Cement plant	2,750	2,750			
	Ingalls-Taiwan Shipbuilding [6]	6,500	6,500			
	Byproduct coke oven		1,000			
	Aluminum Corp		1,350			
	Small industry fund			2,500		
	Subtotal, Taiwan	33,950	36,986	2,500		39,486
Thailand	Bangkok power distribution		20,000			
	Meat processing plant			750		
	Channel bridge		1,750			
	Subtotal, Thailand		21,750	750		22,500
Vietnam	Saigon-Cholon water distribution system			19,500		19,500
	Total, Far East	36,090	118,626	50,300	9,300	178,226
Latin America:						
Argentina	Transportation, power, industry		24,750			24,750
Bolivia	Sugar mill		2,500			
	El Alto Airport			1,500		
	Subtotal, Bolivia		2,500	1,500		4,000

See footnotes at end of table.

Summary of Development Loan Fund obligations and commitments (as of June 30, 1959)—Continued

[In thousands]

Country	Loan description	Obligations [1]		Other loan authorizations and commitments as of June 30, 1959		Total obligations, commitments, and authorizations as of June 30, 1959
		Cumulative as of Jan. 31, 1959 (1)	Cumulative as of June 30, 1959 (2)	Loan commitments [2] (3)	Loans authorized [3] (4)	(2)+(3)+(4) (5)
Latin America—Continued						
Brazil	Rural resettlement, Carembei Castrolanda		$240			
	Rural resettlement, Anhumas Pedrinhas			$300		
	Subtotal, Brazil		240	300		$540
Chile	Airport design engineering		300			300
Costa Rica	Resettlement	$300	300			300
Ecuador	Pan American Highway		4,700			4,700
Guatemala	Rubber production			5,000		
	Kenaf bag factory		400			
	Subtotal, Guatemala		400	5,000		5,400
Haiti	Artibonite Valley development		4,300			4,300
Honduras	Highway development	5,000	5,000			5,000
Nicaragua	Public utilities, Matagalpa		600			600
Paraguay	Waterworks, Asuncion	1,000	1,000			
	Road to Brazil	2,500	2,500			
	International Products Corp. (ranching, meatpacking, quebracho)	2,600	2,600			
	Telecommunications				$1,000	
	Subtotal, Paraguay	6,100	6,100		1,000	7,100
Uruguay	UTE telephone expansion			8,800		8,800
	Total, Latin America	11,400	49,190	15,600	1,000	65,790
Near East:						
Greece	Nitrogen fertilizer plant	12,000	12,000			12,000
Iran	Plan organization projects	47,500	47,500			
	Industrial Development Bank			5,200		
	Highway construction (Avej-Andimeshk)				25,000	
	Subtotal, Iran	47,500	47,500	5,200	25,000	77,700
Israel	Development loan (power, railways, agricultural and industrial development).	15,000	15,000			
	Industrial Institution (development bank)		5,000		5,000	
	Subtotal, Israel	15,000	20,000		5,000	25,000
Jordan	Electric power		1,200			
	Phosphate mines			2,500		
	Subtotal, Jordan		1,200	2,500		3,700
Lebanon	El-Bared powerplant project				500	
	Agricultural, Industrial, and Real Estate Bank				5,000	
	Subtotal, Lebanon				5,500	5,500
Syria	Worsted textile plant			1,000		1,000
Turkey	Industrial Development Bank	10,000	10,000			
	Aerial mineral survey		900			
	Zonguldak coal development		14,500			
	Plastics and related chemicals plant			6,100		
	Electric power distribution			7,000		
	Koruma Chlor-Alkali and Pesticides manufacturing				2,800	
	Development projects [4]			6,200		
	Subtotal, Turkey	10,000	25,400	19,300	2,800	47,500
	Total, near east	84,500	106,100	28,000	38,300	172,400
South Asia:						
Ceylon	Colombo R.R. (motor coaches)	750	750			
	Highway development equipment	900	900			
	Irrigation and land development	1,600	1,600			
	Subtotal, Ceylon	3,250	3,250			3,250
India	Railways (steel for locomotives and rolling stock)	40,000	40,000			
	Road transport equipment, cement and jute industry machinery	35,000	35,000			
	Steel for public projects	18,000	18,000			
	Steel for private projects	22,000	22,000	20,000		
	Equipment for railway development	35,000	35,000			
	Equipment for public power development	10,000	10,000			
	Capital equipment for private industry	15,000	15,000			
	Subtotal, India	175,000	175,000	20,000		195,000
Pakistan	Karachi water and sewerage	5,500	5,000			
	Industrial Credit Corp	4,200	4,200			
	West Pakistan high tension grid (power transmission)		14,700			
	Karnafuli multipurpose dam		17,500			

See footnotes at end of table.

Summary of Development Loan Fund obligations and commitments (as of June 30, 1959)—Continued

[In thousands]

Country	Loan description	Obligations [1]		Other loan authorizations and commitments as of June 30, 1959		Total obligations, commitments, and authorizations as of June 30, 1959
		Cumulative as of Jan. 31, 1959 (1)	Cumulative as of June 30, 1959 (2)	Loan commitments [2] (3)	Loans authorized [3] (4)	(2)+(3)+(4) (5)
South Asia—Continued						
Pakistan	West Pakistan ground water development (reclamation)		$15,200			
	West Pakistan secondary transmission		23,000			
	Railway rehabilitation equipment		9,100			
	Port of Chittagong			$2,000		
	Port of Chalna anchorage			2,000		
	Sui gas transmission			2,000		
	Marking and charting of navigable waterways of East Pakistan			1,750		
	Karachi commercial jet strip			4,800		
	Subtotal, Pakistan	$9,700	89,200	12,550		$101,750
	Total, south Asia	187,950	267,450	32,550		300,000
	Grand total	348,630	[6] 623,306	136,750	$75,500	835,556

[1] Loans and guarantee agreements signed.
[2] Loans approved by the Board of Directors, for which letters of advice have been issued to borrowers. Also includes country development project commitments mentioned in footnote 3.
[3] Loans approved by the Board of Directors, but, letters of advice not yet issued.
[4] Will probably be split into 2 loans.
[5] Agreement to finance projects within country development programs, subject to approval of the specific projects.
[6] Includes loan guarantee of $4,500,000.

Mr. JAVITS. Mr. President, this summary shows that we are utilizing the Development Loan Fund where it will do the most good, for in the major areas, for example, the Near East and south Asia, which are key areas in this struggle which we are waging with the Communists, the greatest amount of Development Loan Funds are now being employed.

May I point to one very fundamental philosophical concept which it seems to me Congress is not giving sufficient attention to, and it is this: We must understand what is our strength and what is the other side's strength. So far as we are concerned, our strength consists in the fact that we have credit and resources and therefore we can work along with people who are working as reasonably hard as people should, who are having some of the fruits and benefits of life currently, instead of postponing them until some indeterminate era in the future. We are able to do it because we have credit and resources in the free world.

On the other hand, the Communists proceed by exacting, by the strongest discipline and the greatest amount of tyranny, a backbreaking amount of labor and forbearance, in terms of the standards of living, from the working people in the Communist countries.

If we handicap ourselves by refusing to make available the amount of credit that we should in order to facilitate, to lubricate the whole system of the free world, we shall find ourselves falling behind, and markedly behind, what the Communists are able to do, and we will be in great jeopardy of losing this least developed area.

The most salient example of that is India. We were suffering in India very seriously from the fact that America was not highly considered there, nor were its aid programs highly considered there, but by concentrating our aid in a major way in that country with the $2 billion we had already in one way or another employed there, it has finally broken through.

Mr. President, may we have order? I do not mind if Members are not enough interested to listen, but it is sometimes difficult to talk above the din, and I do think, with all respect, that what I am talking about is worthy of attention.

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. Mr. President, we spent about $2 billion in India all told, and it finally has broken through.

U.S. News & World Report, in its issue of August 3, 1959, stated the following:

> An American today, however, constantly hears and reads praise about what his country has done and is doing to help India. Although there has been no letup in Soviet aid, an independent poll taken recently showed that, among those Indians who had an opinion, a majority believed the United States was doing more than the Soviet Union. For the first time the balance tipped in favor of America.

Mr. President, when we see today the tremendous significance of India in resisting the aggressive forward march of the Communist Chinese regime, I think we begin to be impressed with what can be done by a very modest amount of foreign aid used and appropriated in the right way, as compared with what we spend every year without blinking an eye on our military defense.

I would like to give some further facts with respect to the Development Loan Fund. I ask that there be inserted in the RECORD as part of my remarks a chart showing the loans approved, by currency of repayment, together with a chart showing the uses to which the individual loans made by the development loan fund are being employed in the least developed areas.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Loans approved, by currency of repayment, as of June 30, 1959

	Number of loans	Amount (in dollars or dollar equivalents) [1]
U.S. dollars (see attachment)	[2] 24	$197,115
Dinars—Yugoslavia	4	42,125
Hwan—Korea	5	17,740
New Taiwan dollars—Taiwan	7	32,986
Ethiopian dollars—Ethiopia	1	500
Lempiras—Honduras	1	5,000
Guaranies—Paraguay	3	3,000
Rupees—Ceylon	3	3,250
Drachmas—Greece	1	12,000
Rupees—India	8	195,000
Pounds sterling—Jordan	1	2,500
Pounds—Israel	3	25,000
Pounds—Libya	1	5,000
Rupees—Pakistan	11	101,750
Lira—Turkey	6	41,300
Pesos—Uruguay	1	2,200
Pesos—Philippines	2	23,750
Dinars—Jordan	1	1,200
Piasters—Vietnam	1	19,500
Bolivianos—Bolivia	2	4,000
Pesetas—Spain	3	23,800
Pesos—Chile	1	300
Rupiah—Indonesia	2	9,000
Cruzeiros—Brazil	2	540
Somalos—Somalia	1	2,000
Sucres—Ecuador	2	2,350
Baht—Thailand	2	21,750
Tunisian francs—Tunisia	1	2,400
Gourdes—Haiti	1	4,300
Other—Tunisia [3]	1	6,250
Total	102	807,606
Other project commitments		23,450
Loan guarantee		4,500
Total charges against lending authority		835,556

[1] Excludes other project commitments and loan guarantee.
[2] Excludes 6 loans where part of principal repayment is in foreign currency (Yugoslavia, fertilizer; Ecuador, highway; Paraguay, Brazil, road; Uruguay, telephone; Paraguay, telecommunication; Yugoslavia, Trebisnjica, power).
[3] Repayable in currency of Tunisia, France, or United Kingdom to be determined.

ATTACHMENT

Loan amounts repayable in U.S. dollars, June 30, 1959

[Amount in thousands of dollars]

Loan agreements signed:	
Argentina: Banco Central, Transportation Power & Industry	24,750
Liberia: Sawmill	190
Liberia: Telecommunications	3,000
Ecuador: Pan American Highway [3]	2,350
Netherlands: Resettlement	3,000
Yugoslavia: Pancevo fertilizer [1]	5,625
Taiwan: Ingalls-Taiwan	2,000
Costa Rica: SICA resettlement	300
Malaya: North Klang Straits	10,000
Malaya: Roads and bridges	10,000
Nicaragua: Matagalpa utilities	600
Iran: Plan organization project	47,500
Paraguay: Brazil Roa [2]	1,000
Paraguay: International Products Corp	2,600
Sudan: Textile Mill	10,000
Guatemala: Kenaf Bag Factory	400
Subtotal, Loan Agreements Signed	123,315
Letters of advice issued:	
Philippines: Bataan Pulp & Paper Mill	5,300
Nigeria: Warehouse	800
Guatemala: Rubber production	5,000
Uruguay: UTE Telephone [4]	6,600
Thailand: Meat processing	750
Iran: Development Bank	5,200
Subtotal, letters of advice issued	23,650
Loan approved (letters of advise not yet issued)	50,150
Total	197,115

[1] Repayment of loan is 75 percent in Yugoslav dinars, 25 percent in dollars.

[2] First 18 payments in guaranís, last 12 in dollars.

[3] Repayment of loan 50 percent in sucres, 50 percent in dollars.

[4] Repayment: First 25 percent in pesos; 75 percent in dollars.

Mr. JAVITS. Mr. President, I ask unanimous consent that there be included in my remarks a brief statement describing the way in which the Development Loan Fund stimulates private investment, and that statement demonstrates that as of June 30, 1959, about 34 percent of all the loan commitments made out of the Development Loan Fund, $285 million were for the private sector in the less developed sectors of the free world.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

As of June 30, 1959, about $285 million, or about 34 percent of our total of $836 million of loan commitments were for the use of the private sector in the less developed areas.

Direct loans to private enterprise and to mixed private-public organization amounted to $115 million of the total $285 million.

We feel this is a creditable record for our first year and a half of operation and hope to build on it in the future. To expand our operations in the area of private enterprise, we will utilize direct loans, loan guarantees, and loans to intermediate credit institutions for relending to private entrepreneurs.

Government enterprise will probably continue to be one of our principal borrowers chiefly because in many of the less developed countries a prime need is for the establishment of basic facilities such as roads, ports, and powerplants in which private investors have expressed little interest. The establishment of such facilities through government enterprise, however, will open new opportunities for increased activity by private enterprise in these countries, and, as a corollary, develop additional opportunities for activities in this sector by the Development Loan Fund and others. The installation of powerplants, for instance, can lead to the undertaking of new private industrial enterprises using the available facilities; or the opening up of new areas through the construction of additional roads and related facilities can provide incentives for local entrepreneurs to tap, with the assistance of external loans, the resources of a less developed country. Therefore, DLF assistance for sound projects initiated by government enterprise can be regarded as a step toward stimulating the private sector in the borrowing country and permitting it to play a significant role in a country's development.

Mr. JAVITS. Mr. President, I am almost through, but I do feel that what I am proposing to the Senate is something to which the Senate needs urgently to give its attention.

I point out that the authorizations which are available in the Mutual Security Act to cover 1960 and 1961 far exceed the amounts which are provided for in the bill, and the amount which I am suggesting be provided for 1961. For one year, 1960, $700 million is authorized. The bill provides $590 million.

For 1961, $1,100 million is authorized. I am proposing that we assure the Development Loan Fund of at least $500 million so it can go ahead and make advance commitments and partnership arrangements with other countries.

Mr. President, it seems to me that those who are the most active in the feeling that we ought to cut down on our foreign aid commitments are those who should the most favor what I am proposing, because it is our one way of going out and getting partners and thereby relieving us and our budget of the continuous requirement for foreign aid.

Mr. MORSE. Will the Senator yield at that point in his remarks?

Mr. JAVITS. I yield.

Mr. MORSE. As one who meets completely the description the Senator from New York has just made in his speech, that is, one who believes we ought to cut down on our foreign aid in reference to wherever we can show that there is waste in the foreign aid, or that the money is going into any project that is not going to promote the best foreign relations of the United States, I completely endorse the suggestion the Senator from New York is making in his very able speech this afternoon. It is one of the ways in which we can strengthen our foreign aid program. I think it is also one of the ways we can develop a sound development loan program that puts the emphasis on the loans rather than the policy we have been following where there has not been, in my judgment, the adequate check upon the expenditure of our money that there should be. I want to compliment the Senator from New York on what I think is an important contribution on his part.

Mr. JAVITS. I am very grateful to my colleague from Oregon and may I say to him that one of the reasons I admire him so much, and one of the things on which I try to qualify myself is to meet the issues which I myself propose. I think he does this, too. It would be easy to worry me about the fact that my amendment might be construed by my constituents as trying to increase appropriations at a time when I have thousands upon thousands upon thousands of letters to reduce them, the number being equal to the number of population that New York has in excess of that of other States in proportion.

I do not believe in being intimidated by things which, in the absence of explanation, might seem wrong to my constituents. But like the Senator from Oregon, I am perfectly happy, any time I think something is right, to take on the explanation and face it, because that is why the people of my State sent me here, not to take the easy courses out. I have noticed that the Senator from Oregon, like myself, when he is going to spend money, is not afraid to vote appropriations and vote taxes in order to do it. So in this situation I think the easy way out would be to say, "Don't touch this $590 million. Let it alone."

I do not want to increase the amount this year, though I think we are wrong about it. I do not think that is the thing to do, in view of the sentiment of the country. But not to do some forward planning for next year I think is unwise, and I am grateful to my colleague, who is a distinguished member of the Foreign Relations Committee, for putting the matter in focus.

Mr. President, I have the honor, because of the graciousness and the kindness of the Senate, to be the chairman of the Economic Committee of the NATO Parliamentarians. That is a body which has on it one representative of the Parliaments of each of the NATO countries, and in practically every case he is a highly skilled economist or man who has been deeply concerned with foreign economic policy. That has been a very active committee. It has done a good deal in the field of foreign private investment, and it has done a good deal in terms of trying to help the one and two commodity countries which suffer very materially from radical price swings, and it is now addressing its attention to this particular subject of partnerships between other countries and the United States in respect of foreign economic aid.

I have proposed this amendment out of deep conviction based upon this intimate association of the representatives of the very governments which have it within their power to cooperate and to go into partnership with us in this matter that this is what they are waiting for. They are waiting for the United States to put itself in a posture where it can really work with them, where it does not on the one hand say it wants partnership, wants help, and wants other people to take over some of the foreign aid burden, but does not actually put itself in a position to accomplish

that end, which this amendment proposes.

Mr. President, I close upon this note. No matter what we may be doing or thinking in this field, we must always bear in mind that we are not doing it free of competition, but, on the contrary, we are meeting the most acute kind of competition from the Soviet Union and from Communist China itself, both of which are engaged in a major way in the foreign aid program.

If there is any reason, therefore, which could be more certain than that one for the fact that we should not only proceed alone but tie on other associates with us, it is that.

The Soviet Union foreign aid program is now in the area of about $2 billion. The foreign aid program of Communist China is of the magnitude of hundreds of millions. It seems to us that the greatest flattery is emulation. It seems to me that if anything has confirmed the rightness of what we are doing, it is the fact that the Communist powers, after derisively laughing at our program, have had to do the same thing. We were the first in the field, and we were the most effective in the field. If we have the good judgment to really swing our weight, I think it can be a decisive factor in the victory for freedom. If we swing less than our weight, it is we who are being unwise and proposing to fight a battle for survival of the most intense kind, with one hand tied behind our backs.

I hope the Senate will act favorably on my amendment.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DWORSHAK. The Senator from New York is quite a realist. I should like to ask him if he is aware of the fact that recently, in July, the Senate passed the authorization for the Inter-American Development Bank, which commits the United States to make available $450 million for development loans in South America. Would it not appear logical that, to that extent, pressure upon the Development Loan Fund under the ICA program would be greatly lessened, because of the new proposal to give specific recognition to the inter-American countries?

Mr. JAVITS. What has been done in respect of Latin-America will help very materially; but, as every United Nations study and every study by our own committees and experts has demonstrated, we are so far deficient in the amount of capital resources which the world needs to deal with the underdeveloped areas that every way we can increase that amount will mean helping ourselves to keep the world safe for freedom. The proposal I make is exactly the same kind as the Inter-American Bank. It proposes to get others to contribute too. That is the whole purpose and point of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. [Putting the question.]

Mr. JAVITS. Mr. President, on that question I ask for a division.

On a division the motion was rejected.

Mr. DODD. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 19, after line 12, it is proposed to insert:

COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE, SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," $34,000.

Mr. DODD. Mr. President, it will not take very long to explain this amendment. I wish to say to the distinguished chairman of the Committee on Appropriations that I have discussed it briefly with other Members and with the chairman. I voted in committee to eliminate this language, but since then I have talked with some lawyers who have convinced me that it would be a good idea to restore this item. If the Senate will indulge me for 2 or 3 minutes, I shall explain the amendment.

The purpose of this amendment is simple and my explanation will be brief.

It would add to the appropriation bill before us the amount of $34,000 to enable the Commission on International Rules of Judicial Procedure to continue its work. Earlier this week, the House and Senate passed a bill extending the life of this Commission to December 31, 1961. But this action of Congress will be nullified for all effective purposes unless we appropriate the small amount of money, $34,000, necessary to pay the public members of the Commission.

The purpose of the Commission is to make recommendations for reforming the practice of State and Federal courts in first, serving processes, subpenas, orders to show cause, and other judicial documents in foreign territory; second, in obtaining oral and documentary evidence abroad; third, in obtaining evidence of foreign law; and fourth, reciprocally, rendering assistance to foreign courts.

The Congress has directed the Commission to draft international procedural agreements for negotiation by the Secretary of State, and to recommend to the President other legislation such as amendments to the pertinent provisions of the Federal judicial and criminal code, and the Federal rules of civil and criminal procedure. A study of the equivalent procedures of the courts of foreign countries must be made.

In addition to bringing about necessary reform in the practice of our State and Federal courts, the Commission can be instrumental in creating international good will through its examination of our juridical relations with foreign countries. This is especially true of the newer countries. For example, Morocco, just a few days ago, indicated its desire for an examination of its unsatisfactory juridical relations with the United States.

The Commission on International Rules of Judicial Procedure consists of nine members. There is also an advisory committee of 15 members. The paid working staff consists of a Director, two junior research attorneys, and one secretary-stenographer. Of the $34,000 requested by this amendment, $25,000 is necessary to pay the salary of this small staff.

The additional $9,000 is for the purpose of enabling the Commission to meet the expenses incident to a meeting of its advisory committee and the preparation of a report.

In brief, therefore, the purpose of the Commission is to come up with recommendations that will make legal proceedings involving acts in a foreign territory less expensive, less cumbersome, and less time consuming for our attorneys and their clients.

Unless we act in the next few minutes to provide this Commission with the $34,000 it needs to continue minimal operations, it will go out of business and the act of Congress of a few days ago which extended its life for 2 years will become meaningless.

There is a great deal of talk, but precious little action, to further the goal of developing international law to the point where it could make a lasting contribution to world peace. We have before us an amendment which, while making no pretentions toward a major advance in international law, would provide a practical, workable means within its small area of ironing out differences in judicial procedure, differences which now hamper and delay the operation of justice.

The cost is small, the work to be done is important, and I urge the Senate to adopt this amendment and thus keep alive one of the little known but nonetheless important agencies of our Government which is working to bring about a greater degree of international understanding.

Mr. JOHNSON of Texas. Mr. President, I understand that the chairman of the committee is agreeable to accepting the amendment. Is that correct?

Mr. HAYDEN. That is correct. We will take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DODD].

The amendment was agreed to.

Mr. BARTLETT. Mr. President, mindful of the fact that the Senate has been engaged in a week of arduous labor here in the Chamber, I shall be brief in my remarks about the mutual security appropriation bill that is before us.

Some of my colleagues here may recall my opposition to the mutual security authorizations bill which was passed by the Senate earlier in the session. The basis for that opposition was explained by me in remarks here. I expressed the fear that our economic assistance to underdeveloped areas is too little to be truly constructive. I voiced my objection to the practice of giving assistance to foreign nations which create distinctions among American citizens on the basis of race or religion. And I called the Senate's attention to the fact that when the United States strengthens dictatorial regimes by economic assistance

the image of the United States as the champion of free government becomes blurred and we expose ourselves to accusations of economic imperialism. With many other Senators, I protested the lack of congressional controls over spending abroad.

Mr. President, I doubt whether many Americans realize that the Congress does not exercise control over money spent in other countries on a project-by-project basis, nor even on a country-by-country basis. In fact, Congress is denied information which intelligent congressional supervision would require.

Mr. President, I believe that the members of the Appropriations Committee are to be commended for their efforts, and the results they have obtained in the face of great difficulties. The administration has told the American people, in effect, that Congress is spendthrift when it seeks to create an environment in which the minimal needs of the American people can be met, in which the free American economy can grow, and in which our race with totalitarian societies can be won. To the extent that we in Congress have sought to lead the Federal Government along a less timid path to develop the well-being of the American people, we have been chastised as "spenders." To the extent that we in Congress have sought reasonable controls and fuller details with respect to expenditures abroad, we have been chastised as provincial or unstatesmanlike. I know that many of my colleagues share my bewilderment at the administration's fetish against projects at home, on the one hand, and its attitude that scrutiny of projects abroad subverts America's leadership, on the other hand. In view of this bewildering attitude about expenditures, I think Congress is to be commended for adhering to a policy of bipartisan support for the President in the foreign policy field and for appraising foreign policy programs on their merits.

Mr. President, let me make it clear that I do not oppose economic assistance to democratic, underdeveloped, nations. As I have said previously, my concern is that the amounts appropriated for this purpose may be inadequate. We need a bolder attack on the conditions that breed communism, and we need a fuller commitment to victory in the battle for men's minds. I am pleading both for a bolder program of aid in the underdeveloped areas—preferably on a loan basis—coupled with more sensible fiscal control and greater supervision of assistance programs by the Congress.

Mr. President, it follows that I am delighted to find section 103 in the bill before us. This provision modifies one adopted on the floor of the House of Representatives, which would have prohibited the use of funds appropriated for defense support, the Development Loan Fund, special assistance or the contingency fund for financing nonmilitary projects or programs not meeting the feasibility criteria or standards which apply to domestic flood control, reclamation and other related programs. I would have supported the House version of section 103, but I regard the language reported by our Senate committee, which requires that the use of appropriated funds in these categories on any new project abroad be preceded by "a detailed evaluation which provides reasonable assurance" that benefits will be at least equal to costs, as an improvement over prior mutual security legislation. But I do not agree that U.S. taxpayers' dollars should be spent on public works projects abroad with less exacting standards than those applied here. Indeed, Mr. President, here too frequently we hear the "pork barrel" charge when the benefit-cost ratio is high. I have never heard this criticism applied to public works undertakings which we pay for around the globe.

I am gratified, too, to note the inclusion of section 112 by the Senate Appropriations Committee, to require fuller reporting on expenditures under the mutual security program by the President to the Appropriations Committees of Congress. Once again, Mr. President, I would have favored a much stronger reporting provision—perhaps like that adopted by the other body. Section 112, however, reflects a growing awareness not only of our right to know, but of our need to know about the conduct of this program.

Mr. President, section 115, included in the pending measure, expresses the sense of the Congress that the attempt of foreign nations to create distinctions among American citizens on the basis of race or religion is repugnant to American principles. It seems to me this is the least we can do in stating the fundamental, traditional American position. The Senate committee which incorporated the language, and the distinguished senior Senator from Oregon and the distinguished senior Senator from New York, who led the struggle for inclusion of this expression of congressional attitude, are to be commended.

There is talk, Mr. President, that the administration is fearful that the appropriations in this act will prove to be inadequate. I share a similar concern, with respect to economic aid. But in that case, it would be the duty of the administration to come again to Congress with an explanation of the foreign developments that require greater expenditures. I cannot assume that the administration would fail to perform this duty, if the need should arise.

Moreover, I believe that the controversy over mutual security appropriations provides a clear lesson for this President and his successors: That lesson is that reckless charges against needed domestic projects and prophecies of economic doom and gloom may provide effective rhetoric for the opponents of liberalism, but they do not promote an atmosphere in which the American people can respond uncritically and with full sympathy to requests for vast expenditures abroad.

Mr. President, recent events in India emphasize another problem which I discussed in my remarks about the authorizations act earlier this session. At that time, I said the resources of the United States might be used most effectively if concentrated in assistance to those underdeveloped, free countries which are engaged in dramatic races with Communist neighbors. Obviously, the best example of such a country is India. In this summer, and most especially in recent weeks, we have seen the violation of India's borders by forces from Communist China. We have read reports of riots instigated against the Nehru government by the Communist Party in Calcutta. These riots are probably meant as retaliation for the dissolution, under constitutional procedures, of the Communist regime in the State of Kerala.

According to information contained in the hearings published by the House Appropriations Subcommittee on Mutual Security, 25 percent of the Development Loan Fund allocations abroad—up to June 12, 1959—were spent for projects in India.

In part because of the fact that failure to appropriate on a country-by-country basis makes difficult the mechanics by which Congress might express support for a particular country, I shall not seek to amend the act before us to require that in the future, as in the past, at least 25 percent of Development Loan Fund allocations be spent in India. Perhaps the percentage should be much, much higher. I am convinced that the raw total figures should be higher. Perhaps, too, the application of benefit-cost ratio standards, pursuant to the new section 103 of the act, would affect the percentage of allocation for India in the immediate future. But within the limitations of sound feasibility requirements, Mr. President, I would hope that the Development Loan Fund will maintain its interest in India and will do all that it can to support economic progress in that country, which is so beset by the problems of a rapidly growing population, and which is symbolic of the efforts of underdeveloped free nations to exceed the economic growth of underdeveloped totalitarian nations.

In conclusion, Mr. President, I express the hope that the administration will couple future requests for mutual security appropriations with a greater willingness to keep Congress informed of expenditures abroad and to allow greater supervision of these expenditures by Congress.

I ask unanimous consent that a book review by the noted scholar, Miss Barbara Ward, which appeared in the New York Times and which reports on a new book entitled "East and West in India's Development," be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REVIEW OF BOOK ENTITLED "EAST AND WEST IN INDIA'S DEVELOPMENT"

(By Barbara Ward)

In the next decades the future of Asia will probably be decided not by tanks and bombs but by the battle of production statistics waged between India and China. At present, as a result of forced saving and Draconian discipline, China's economic growth may be as much as three times as rapid as India's. This projection, carried forward 20 years or so, could tip the scales against India's democratic experiment. The ruthless political

methods of China are not in themselves attractive—particularly on the morrow of Tibet. But its ability to provide food and work will weigh more and more heavily in the scales if India meanwhile cannot fully meet these inescapable needs.

Those who wish to study this fateful duel in greater detail cannot do better than read Wilfred Malenbaum's short study "East and West in India's Development." The author, visiting professor of economics at Massachusetts Institute of Technology, looks dispassionately at the reasons for the short-fall in India's achievements under the second 5-year plan and finds them where, under any noncompulsive system of government, one would expect them to lie. India's per capita income is not much above $60. To urge people to save—in other words not consume—under these conditions of minimal income is the hardest task facing a democratic government and it is precisely by forced saving, especially in the agricultural sector, that totalitarian China has been able to forge ahead.

In India, the mobilization of domestic savings, particularly rural savings, has fallen behind the planned figures. The Indian Government may have aggravated the effect of the short-fall by too optimistic an original estimate of the likely capital output ratio and—recently—by too great an effort to divert the national trend of savings from the private sector (where 90 percent of India's economic activity is carried on) to public investment.

Moreover, excessive emphasis in the future on large capital-intensive works in the public industrial sector might accentuate this difficulty, draining effort and resources from rural renewal and smaller labor-intensive activities. Yet the fundamental difficulty is India's appalling poverty and the obstacles that lie, under any voluntary system, in the way of securing sufficient savings from a population below the borderline of adequate consumption.

This is the crucial setting to the problem of foreign assistance. Russian aid is sizable and, inevitably, designed to encourage the growth of the public sector. Western assistance has been much larger but has tended to be geared to crises rather than to a steady, long-term look at India's development as a whole. Yet its scale and continuity will be absolutely decisive in the next planning period. If Western participation is at a lower and more uncertain level than in the last 8 years, all the trends making for exaggeration in the public sector and neglect of healthy, resilient forces in the private economy would be intensified. Moreover, it is doubtful whether India could maintain even the minimum rate of advance needed to keep pace with rising population and an expanding working force.

It is essential that public opinion in the West should fully grasp the scale of India's difficulties—and opportunities—and the decisive influence they will exercise on the survival of the "open society" in emergent lands. Mr. Malenbaum's packed, factual and authoritative study is the best, rapid summary available of India's problems today, and no one interested in the great duel in Asia can afford to leave it unread.

Mr. HUMPHREY. Mr. President, I have a very minor amendment which I have discussed with the distinguished chairman of the committee, Mr. HAYDEN. It is designated "9–10–59–F." I send it to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The CHIEF CLERK. On page 8, beginning with line 9, it is proposed to strike out all through line 11, and redesignate the succeeding sections of title I accordingly.

Mr. HUMPHREY. Mr. President, this amendment does not involve new money, but merely applies to the use of funds under the act, and removes some prohibitions, in connection with their use. I would appreciate the comment of the chairman of the committee.

Mr. HAYDEN. Mr. President, I shall be glad to take the amendment to conference.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared regarding the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

The purpose of my amendment is to strike from the pending bill, H.R. 8385, providing funds for the mutual security program for 1960, section 110 on page 8, beginning on line 9, which had originally been inserted in the House Appropriations Committee. This provision in the bill reads as follows:

"SEC. 110. None of the funds herein appropriated shall be used to carry out the provisions of section 501(b) of the Mutual Security Act of 1959."

The unfortunate effect of section 110 is to prohibit the use from the President's contingency fund of any money which might carry out section 501(b) of the mutual security authorization law, Public Law 108, 86th Congress.

What would section 501(b) provide?

Section 501(b) authorizes the President, if he so determines, to utilize up to $2 million for the specific purpose of authorizing research, field trials and demonstrations looking toward the possible mass eradication of selected diseases.

SECTION 110 SHOULD HAVE BEEN TREATED EXACTLY AS COMMITTEE TREATED 111

The Senate Appropriations Committee had its own ample precedent for eliminating the restrictive House provision.

I point out that on page 9 of Senate Report 981, the Senate Appropriations Committee rightly indicated that it removed the "freeze" which the House Appropriations Committee had unfortunately adopted against the use of any funds under the very next item—section 111—for the East-West Cultural Center in Hawaii.

I congratulate the Senate Appropriations Committee for removing the House's unsound restriction in the House's version of section 111.

The House committee had previously justified its overall restrictions on the ground that the subjects prohibited both in section 110 and section 111 represented new programs.

It is a fact that section 111 is a "new" program, but it also happens to be a wonderfully imaginative, immensely promising program—for an East-West Hawaiian Cultural Center.

By contrast, section 110—which the Senate committee regrettably retained—freezes something which is not "new," namely a program looking toward the mass eradication of disease. This is a program on which the United States has been engaged at least in limited form for a period of years.

With all due respect to the distinguished members of the Senate Committee on Appropriations who labored with customary diligence and conscientiousness on this bill, I submit that their present version perpetuates an equity. It freezes a mere extension of an old program, while unfreezing a completely "new" program.

It seems to me that both these programs, while unrelated, should be treated in the same fair manner; namely, no prohibition on funds.

That is why I urge that we now eliminate the House restriction by adopting my amendment. Unless we do so, the President cannot use any funds for this purpose.

GIVE THE PRESIDENT DISCRETIONARY POWER

The actual question of policy before the Senate is this: Are we to tell the people of the world that the Congress does not feel that the President should have the discretion to use even a nickel of money which might be used for field trials to test the eradication of disease?

Are we to tell the people of the world that while they are suffering from perhaps a dozen major regional and universal killing and crippling diseases, that the United States is not interested in financing a nickel more of field trials which might once and for all help exterminate at least one or more of these killers and cripplers?

WHAT IS REAL ECONOMY?

What I am saying is this: It is far cheaper to eliminate a disease by testing new methods against it, and then applying proven methods, than it is to tolerate a disease indefinitely. To reject this amendment would be false economy.

The proof of this is in the present antimalaria program. Malaria has cost the world—indirectly—tens of billions of dollars since World War II alone, in terms of lost purchasing power, etc. Yet, for the most minute fraction of that sum, we are on our way toward wiping out malaria completely.

But what about certain other diseaeses like sleeping sickness, cholera, etc. Do we propose to ignore the possible prevention and cure of these diseases which might continue to exist indefinitely?

TROPICAL DISEASES STRIKE U.S. TROOPS

Let me point out that I am talking not simply of diseases affecting foreigners, I am talking about diseases which can rage and have raged in epidemic form among American servicemen who are stationed, for example, in the Far East in the scores of thousands. They are just a jet plane hop away in this contracted world.

I am talking about diseases which have raged in Laos, for example.

Who is now to say whether United Nation's forces may soon be needed in Laos or in some other country which may be endangered by Communist aggression? If United Nations troops are needed there, I can almost guarantee that we will be begging medical science to find the answers against certain diseases there.

TIME IS PRECIOUS

So, the question is, "Do we or do we not propose to use time, our greatest asset in this fight—and take the necessary steps now." Time is crucial. Setting up field trials can take years and years.

Let me point out that if the Senate fails to eliminate the House restriction, not a single nickel of American official funds for this type of field purpose will be available for research in the 1960 fiscal year.

NO OTHER FUNDS IN MUTUAL SECURITY APPROPRIATION BILL AUTHORIZE TRIALS

There is no point to the administration, or anyone else attempting to justify the House's restriction by asserting that "we provide tens of millions of dollars for other health purposes in this bill."

That is true. Unfortunately, it does not tell the whole story. Every nickel for health provided elsewhere in this bill is needed. But not a nickel provided elsewhere in this bill will be used for this particular purpose

unless we in the Senate and the distinguished members of the conference committee eliminate the regrettable House restriction.

The choice is ours: (a) Delay and regret; or (b) a "green light" to the President to move ahead if he so determines.

I reiterate—the President should have the discretionary right to use this money—$1, $10, or $2 million—if his advisers so recommend.

Who are these advisers? They are the top specialists of the National Institutes of Health, the Pan American Health Organization, the World Health Organization, and others.

They are men who may decide that $100,000, say, could well be used to test a new oral vaccine—a 1 cent pill—or a liquid which might possibly prevent some mass disease. They are men whom we can trust and the President can trust.

PRIVATE ENTERPRISE, I.E., DRUG COMPANIES WOULD GET "GREEN LIGHT"

Let me point out that section 501(b) represents an approach 100 percent consistent with the American free enterprise system. No single ally is more important to the concept of the amendment than America's private pharmaceutical industry. It is this industry which will do as much or more than any single force in the world to achieve the concepts implicit in the amendment.

For it is the American pharmaceutical industry which is best qualified to develop mass therapy drugs, for example, which might be taken by tens of millions of people, as a means of rapidly avoiding or curbing or eliminating some infectious type of malady.

DIFFERENCES AS COMPARED WITH OTHER RESEARCH

Let me further point out that the type of field work contemplated under this amendment can and should be differentiated from the laboratory and other work contemplated under other research legislation.

Section 501(b) contemplates mass studies in the field; e.g., among tens of thousands of individuals in specific regions throughout the globe, particularly tropical and adjacent areas.

To carry out section 501(b) will require the closest possible cooperation with foreign governments, a matter for State Department and ICA attention. Obviously, a field trial cannot take place unless, too, it is, by and large, administered by foreign nationals, e.g., technicians of other governments, and unless policy decisions have first been reached in the highest quarters to cooperate with us.

The fact that a research program will be largely administered by foreigners actually will represent a saving for us. Expenses can thereby be borne partially by the foreign government; our share of the expenses should be a reasonable proportion.

CONCLUSION

Field trials are crucial. Field trials alone can test the efficiency of a new drug. Yet if this amendment is defeated, the "freeze"—the prohibition—will remain on. And what will that mean?

It will mean that the Senate will have told the House: "Yes, it is perfectly alright for you of the House of Representatives to forbid the Senate to grant the President this discretionary power."

This to me would represent poor policy—poor policy for the Senate, poor policy for the Congress, poor policy for the United States, poor policy for the world.

The PRESIDING OFFICER. The question is on agreement to the amendment offered by the Senator from Minnesota.

The amendment was agreed to.

Mr. HUMPHREY. Mr. President, I have a second amendment which I offer. It is No. 9–10–59—G.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 5, between lines 10 and 11, it is proposed to insert the following:

Special foreign policy studies: For expenses of the Department of State in procuring, by contract or otherwise, of special foreign policy studies relating to disarmament, weapons control, and possible technical means for enforcing arms control under a reduction of armaments agreement, $400,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HUMPHREY. Mr. President, the amount of the amendment is in the sum of $400,000, and the amendment is self-explanatory. It was requested by the Department of State as a sum of money which could be used to implement special studies in the field of weapons control, particularly as it applies to the technical aspects of the enforcement of any arms control measure which may be agreed upon.

I believe this amendment is a very important one at this time in light of the recent decision of our Government to reenter the discussions on the subject of disarmament. As my colleagues know a 10-nation commission has just been established at the insistence of the United States.

It appears to me that if we are going to negotiate at the political level on a subject as delicate and as important to our national security as disarmament, we surely should have the technical studies that go along with it.

This amendment has been up before, Mr. President. I regret that the committee has not seen fit to accept it, and I am hopeful that the Senate will now find it possible to accept the amendment.

I filed a statement on the Mutual Security Act with the Committee on Appropriations. Therefore, I shall not burden the RECORD with the details of the statement except by reference.

Mr. HAYDEN. The House refused to accept the amendment in the supplemental bill. We had it under consideration twice. The Senate refused to accept it. Then we had it under consideration in the committee. So it has been twice rejected by the committee, and once by the House of Representatives. There is no possibility of its being adopted.

Mr. HUMPHREY. I appreciate the very candid statement of the Senator from Arizona. I recognize the obstacles which I face in this matter.

I still believe with a deep sense of conviction that I am right. I regret I am not sufficiently persuasive to convince a man for whom I hold a great deal of admiration, the distinguished chairman of the committee, and his fellow members on the committee.

I ask unanimous consent to have printed in the RECORD at this point a letter supporting the amendment, which I have received from the Department of State under date of July 29, 1959. I have reduced the amount mentioned in the letter to $400,000.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., July 29, 1959.

The Honorable HUBERT H. HUMPHREY,
U.S. Senate.

DEAR SENATOR HUMPHREY: This letter contains the information on special foreign policy studies requested in your letter of July 15, 1959, acknowledged by telephone on July 21.

In regard to funds for disarmament studies in fiscal year 1959, the Department included $70,000 in a supplemental appropriation estimate of $854,000 (H.R. 13450). House Report No. 2221 allowed $450,000 for the three activities included in the Department's estimate. Senate Report No. 2350 allowed $650,000 and stated:

"Specifically the sum allowed will help finance the expanded science program of the Department, provide the funds necessary for the disarmament activities recently transferred to the Department, and cover the additional costs estimated for expenses of tour directors and interpreters escorting U.S.S.R. delegaticns of specialists expected to visit the United States under the East-West exchange program in the fiscal year 1959."

Out of the resulting appropriation of $550,000 (Public Law 85–766) the Department set aside $70,000 for a contract for disarmament study. This amount remained in reserve until the end of May 1959. By then House Report No. 376 of May 21, 1959, had disallowed the Department's request for funds for the purpose in fiscal year 1960. In view of this House action, later confirmed by the Senate (Rept. No. 424), the Department deemed it inadvisable to proceed with contract negotiations then in progress. With no limitation in the appropriation language or in the committee reports, the Department then (May 1959) reprogramed the $70,000 for other necessary purposes.

With respect to a breakdown of our needs in fiscal year 1960, as I indicated in my letter to you of June 2 of this year one of our principal needs is to have sufficient financial resources to enable us to obtain expert evaluations that may be required as a result both of our continuing review of disarmament policy and of developments that may occur during or in preparation for international negotiations. A similar requirement exists with respect to the impact of technological developments on our disarmament policy. In the absence of such evidence, it is not possible to determine in advance the priorities that should be assigned to certain types of studies or to determine the allocation of funds.

Because the Department of State has not had financial resources for technical-scientific studies, we have not developed definite programs concerning specific study projects, their priorities, and the most effective way of organizing them. When it is determined that we will have funds in a specific amount, we plan, with the advice of experts in the field, to make a final assessment of the areas in which scientific-technical facts and analysis are most critical. In the light of the then-existing policy review and negotiation requirements, we would determine the actual programs to be undertaken. We have, of course, already identified the range of studies which would be useful; but we believe it would be most productive to follow the above procedure in selecting those to which funds would be initially allocated. Illustrative of the studies we presently have need for are the following:

1. Further study of improved inspection techniques in connection with an agreement on cessation of nuclear weapons tests.

2. Inspection systems and arms control arrangements for protection against surprise attack.

3. Inspection systems and arms control arrangements that would guard against the likelihood of accidental war or a miscalculated "preemptive" war.

4. The capability of newly developed scientific instrumentation to assist in the verification of arms agreements and continued study of areas where improved instrumentation might assist.

5. Evaluation of inspection systems for policing an agreement that all production of fissionable material be used exclusively for peaceful purposes.

6. Further study of the possibilities of developing scientific inspection capabilities that might make it possible to detect the presence of nuclear weapons.

7. Study of required arrangements for authentication of messages furnished by inspection systems.

8. Study of communication and data-processing systems.

9. Study of the applicability to inspection systems of random-sampling techniques.

10. Study of inspection capabilities to verify the disposition of ballistic missiles.

11. Study of problems involved in possible regional arms control arrangements.

If I can be of any further assistance, please do not hesitate to call upon me.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I invite the attention of the chairman of the committee to a matter which I discussed with him briefly, the offering of an amendment on page 21 of the bill, line 5, to strike out the sum $1 million and insert the sum $3,100,000. It has to do with urban planning for the smaller cities and towns under section 701 of the bill. The junior Senator from Virginia [Mr. ROBERTSON] is at a meeting at the present time, and I have not had an opportunity to talk with him.

I wish very much that the chairman would consent to take this to conference.

Mr. HAYDEN. The Senator from Virginia [Mr. ROBERTSON] is familiar with the matter, and there will be time when the Senator from Alabama can consult with him. I would not want to accept the proposal at this moment or even consider it without giving my subcommittee chairman an opportunity to be heard.

Mr. SPARKMAN. Of course, I had talked with the chairman and told him I would discuss the matter further with the Senator from Virginia [Mr. ROBERTSON], who is a member of the Appropriations Committee but due to the fact that he is detained for the present, I thought perhaps we could dispose of the matter.

It is true that the amount given in the bill should carry the agency until the first of the year. I do not want to push this matter unduly, and I would be perfectly willing to let it rest with the feeling that, if there is a greater need, when the first supplemental comes up at the beginning of the year it may be considered.

Mr. HAYDEN. I assure the Senator that at the time of the consideration of the supplemental appropriations we will consider it.

Mr. SPARKMAN. This is about the only chance the smaller cities and towns will have. This relates only to towns of 50,000 and less in population. It is about the only chance they have of getting into the urban renewal program, and if the fund runs out, over which there was no controversy between the legislative and the executive, then these smaller places which are not able to maintain full time planning experts, and so forth, are simply left in the lurch. It is important to them.

Mr. HAYDEN. There is quite a substantial sum under that item in this bill.

Mr. SPARKMAN. There was $975,000 left over from the other fund.

Mr. HAYDEN. Yes.

Mr. SPARKMAN. And $1 million taken out of the new fund. That makes a total of $1,975,000. I believe the agency suggested that they would need close to $4 million, but, as I have said, it is perfectly agreeable to me if we can have that understanding.

Mr. HAYDEN. I can assure the Senator that when we hold hearings on the supplemental appropriations next spring, if the facts justify it, we shall be happy to consider it.

Mr. SPARKMAN. The chairman says next spring. I wonder how early. Usually a supplemental bill is acted on pretty soon after the new session begins.

Mr. HAYDEN. Next spring. Ordinarily we have some urgent matter which comes up in January. I would say about the month of March.

Mr. SPARKMAN. But consideration will be given whenever the need arises?

Mr. HAYDEN. Probably about the month of March.

Mr. SPARKMAN. I thank the chairman.

Mr. ELLENDER. Mr. President, one of the most arduous peacetime sessions of Congress is now in its closing hours. We have all worked especially long and hard during the past few weeks in an effort to complete our work.

Thus, Mr. President, I am acutely aware of the fact that Senators are tired and are eager to close out this session of Congress. However, I must ask the forbearance of my colleagues. To my mind, we would be remiss in our duty if we simply approved the pending bill, calling for appropriations to the mutual security program, merely because we want to go home.

Mr. President, the pending measure poses a real threat to the economic stability of our Government, and it is now up to the Senate to act in order to reduce, if not eliminate, this threat.

Title I of this bill would make available to our foreign aid program a total of $3,281,813,000 for this fiscal year.

May I point out to Senators that should this body approve this additional appropriation, the total amount of money made available for foreign aid since the end of World War II will reach an amount in excess of $83 billion.

I also would like to point out that during this same period of time, the U.S. Government spent only $11 billion on our much maligned public works programs.

In other words, we have spent more than seven times as much on improving foreign countries as we have to conserve and preserve our own precious resources of soil and water.

In this connection, I recall that the distinguished minority leader made the statement earlier this week that the Senate should uphold the President's veto of the second public works bill on the grounds that it was in the economic interest of our country to do so.

The minority leader said:

> There were 46 million youngsters who entered the schools of America this month. They will be the trustees of this country in the future. They are the future custodians. If we mess up the fiscal picture now, what will happen to them? They will have to pay the bill for our mistakes, for our sins of omission and commission.

The distinguished minority leader [Mr. DIRKSEN] made the statement in connection with his objection to spending some $800 million in future years for public works in our own country.

Yet the pending bill contains more than four times that amount of spending in foreign countries for this year alone.

Mr. President, I too am gravely concerned over the condition in which we will hand over our country to our grandchildren. I also wonder about the ever-increasing debt load we are bequeathing to the young people of our great country.

In my opinion, the continuation of this wasteful program, which is concerned only with the flinging of American dollars to all corners of the globe, with little or no consideration being given to the impact of this spending on our own domestic economy, is of far greater danger to this country than a modest, well planned, and long-range program of public works.

For one thing, we can see at the very minimum a dollar's worth of accomplishment for every dollar spent on domestic programs. I will not attempt to compute the minute particle, if any, of the value we obtain for every dollar we pour into the foreign aid rathole.

Mr. President, this foreign aid program has become a devouring monster, seeking to suck the very lifeblood out of our economy. I recall the story of the man who adopted a young lion cub. As the cub grew into young lionhood, the man's friends warned him that the animal might become dangerous. He scoffed at these stories, saying that he knew the lion recognized him as a friend and would not attack him. But one night the man accidentally cut himself. The lion got one taste of the blood, and unhappily that was the end of the man who forsook the advice of his friends.

In my judgment, our foreign aid program, which commenced its existence as a lion cub, is now a full-grown lion and is now ready to devour its master.

When this program was begun at the end of World War II, it was estimated that it would cost about $15 billion to restore the war-ravaged economies of the countries of Western Europe.

This goal was attained by 1953, at which time the economies of the countries of Western Europe had reached unprecedented heights. Yet we have continued to pour billions of taxpayer dollars into these countries since that year and are continuing to do so in the pending bill.

Mr. President, I supported the original Marshall plan and continued to support the program as long as its objectives had not been reached. For this I have no apologies.

However, as soon as the countries of Western Europe were restored to economic health, and the foreign aid program had reached the goals for which it was created, I ceased to support it.

Instead, for the past 7 years I have advocated a gradual tapering off of this program. In my judgment, the program will never end until we begin to slow it down.

The nations of Western Europe will continue to take our money as long as we offer it to them. They will continue to lean on our shoulders.

That is why, Mr. President, I have fought for gradual reductions in the program. Although I have been successful on occasion in securing some reductions in the foreign aid appropriations, I have never been able to reach my ultimate objective, namely, a gradual decrease in expenditures for this wasteful giveaway, because any time reductions have been made, the subsequent year's budget estimate has been inflated to to cover the cuts of the previous year.

This year, despite the way our national debt has grown, the President saw fit to increase his request for foreign aid 26 percent over and above the amount for last year.

Even in this day and time, when my predictions that a continuation of this program would weaken our economy are unhappily coming true, I have been unable to get the Committee on Appropriations to cut one thin dime below the amount appropriated by the House for fiscal year 1960, which, by the way, is $95.3 million less than the amount in the pending Senate Appropriations Committee bill.

Mr. President, I fear that the time has come for drastic action. We can no longer afford to gamble with our country's economic security. Certainly Congress has not hesitated this year to provide adequately for our military security, but this will go for naught unless we maintain a sound economy.

I ask Senators to consider these unvarnished facts, which, I feel, show the precarious position in which our economy finds itself, mostly because of this senseless giveaway program:

During calendar year 1958, the United States lost the record amount of $2.3 billion of its gold reserves.

During this same period, the dollar balances and gold reserves of the other countries of the free world increased by $4.2 billion.

For the first time since the War Between the States, the United States had a deficit balance of payments in 1958, totaling $3.3 billion, even though it had a favorable balance of trade of approximately $1.7 billion. What is more, for calendar year 1959 it is estimated that the United States will again have a deficit balance of payments in the neighborhood of $5 billion.

Our national debt today stands close to $290 billion, which is approximately $55 billion more than the national debts of all the other countries of the world, including Soviet Russia.

The value of the U.S. dollar has been steadily declining and is now at the point where it is worth about 48 cents in terms of 1939 dollars. In addition, there is increasing speculation that the United States may eventually be forced to devalue the dollar—something which has never been done in our glorious history.

Foreign countries have invested about $6.2 billion in New York in short-term Government securities. This has the effect of having the Federal Government borrow money on the open markets from foreign countries at high interest rates, and then lend that same money back to foreign governments at low interest rates—if indeed the money is not given to these countries as an outright grant.

Mr. President, I have before me an article published in the New York Times of Sunday, September 6, 1959, dealing with the economic dangers which face our country. The article states, in part:

As financial officials see the situation it will do no good to anyone if there is a larger outflow of (foreign) aid dollars, but the dollar becomes of dubious value. This could happen, it is believed, if U.S. payments deficits continue on a large scale for many more years.

Such a deficit means that foreign countries as a whole obtain more dollars than they spend to buy American goods. They can take the difference in gold or can keep it in dollars and invest them in the financial markets in New York.

These invested dollars are potential claims against gold. Already they total $15,651,000,000 not far below our gold reserves which have dwindled to $19,524,000,000.

As the claims grow and the gold stock declines, U.S. short-term liabilities might eventually exceed assets.

Mr. President, I ask unanimous consent to have the entire article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG TRADE DEFICIT IS SPARKING MOVE TO CUT AID FUNDS—UNITED STATES WORRIED BY DECREASE IN GOLD STOCKPILE AND RISE IN FOREIGN ASSETS HERE

(By Edwin L. Dale, Jr.)

WASHINGTON, September 5.—The big deficit in the U.S. balance of international payments, with its resulting outflow of gold and buildup of foreign assets in New York, has begun to have a major impact on administration thinking about foreign aid.

Powerful voices, centering in financial agencies, have begun to argue that the flow of Government capital abroad in the form of aid is too large for the continued strength of the dollar.

The underlying belief in top administration financial circles is that there is an entirely new situation in the world economy, with European currencies gaining strength while the dollar is showing the first faint signs of vulnerability.

EMOTIONS IN CONFLICT

The immediate results of this view came in President Eisenhower's trip to Europe, during which he urged that European nations undertake a far greater share of the burden of helping underdeveloped countries.

In a sense, the administration is torn between two powerful emotions. One stems from acceptance of the basic idea that the underdeveloped countries must be helped in the interest of the United States as well as for the good of those nations that get aid.

The other is a growing fear for the future stability of the dollar unless two related things happen: Domestic finances are controlled and the balance of international transactions is righted. The U.S. deficit in international transactions was $3,400 million last year and will probably be even larger this year.

FUTURE SEEMS GLOOMY

As financial officials see the situation, it will do no good to anyone if there is a larger outflow of aid dollars but the dollar becomes of dubious value. This could happen, it is believed, if U.S. payments deficits continue on a large scale for many more years.

Such a deficit means that foreign countries as a whole obtain more dollars than they spend to buy American goods. They can take the difference in gold or can keep it in dollars and invest them in the financial markets in New York. These invested dollars are potential claims against gold. Already they total $15,651 million, not far below the gold reserve, which has dwindled to $19,524 million.

As the claims grow and the gold stock declines, U.S. short-term liabilities might eventually exceed assets. Even that would not necessarily mean a run on gold or some other crises. But U.S. officials do not like to contemplate even the remotest possibility of such an event.

Besides, some of them, looking ahead, are unhappy at the thought of potential pressure on the United States from what, in effect, would be its foreign creditors. The United States, which has been exerting the pressure for years, does not want to be on the receiving end.

Foreign countries are already substantial creditors of the U.S. Government. They have invested about $6,200 million in New York in short-term Government securities. Thus, as one high official puts it, "we're borrowing short from foreigners at home and lending abroad long."

The recent deterioration in the U.S. balance of payments has come about mainly because of a drop in exports and a rise in imports, not because of an increase in foreign aid. But as financial officials view the situation, foreign aid is the one element in the total balance over which the Government has considerable control.

It is regarded as certain that the new line of thought in the administration will be a major theme in conversations with foreign finance ministers at the annual meeting here later this month of the International Monetary Fund and the International Bank for Reconstruction and Development.

European countries have been running strong surpluses in their balance of payments while the United States has been in deficit.

To U.S. officials this means only one thing: Europe should become a much bigger exporter of capital and the United States a smaller one.

NEW VIEW ON INVESTMENTS

Officials worried about international payments deficit are even beginning to take a less enthusiastic view of investment abroad by American business. Up until very recently, this was welcomed on every count, by conservatives and liberals alike.

Now, with the payments deficit uppermost in many minds, an investment abroad is frequently seen as a double blow—first an immediate outflow of dollars, and, second, a probable setback to American exports.

The export loss occurs when an American manufacturer, for example, builds a plant in Europe to share in the common market rather than try to sell goods made in the United States.

This feeling accounts for the Treasury's opposition to a bill to provide new tax incentives for foreign investment unless its benefits are limited to investments in underdeveloped countries.

A reflection of the growing concern about the international payments position of the United States came in the administration position on the Development Loan Fund in the foreign aid bill. The President refused to support a Senate move to put the fund's financing on a long-term basis, increase its lending authority, and get around the Appropriations Committees, even though the President's original position backed all three ideas.

Another reflection of the new line of thought, paradoxically, is U.S. support for the new International Development Association, even though this will cost the United States $330 million. Such a new institution has several merits in the eyes of an official worried about the U.S. payments deficit and the problem of the underdeveloped countries.

It puts Europe in the lending picture for the first time on a formal, multilateral scale.

Because it will be equipped to make "soft" loans—loans with easy terms and repayable in the currency of the borrower—it should eventually ease the pressure for a larger and larger Development Loan Fund in the United States. The loan fund also makes this type of loan.

Mr. ELLENDER. Mr. President, I think it is very clear to anyone who will take the time to seriously consider these facts that the economic stability of this Nation is periled by this situation.

On the one hand, our national debt is growing higher, while, at the same time, the demand for U.S. bonds is lessening to the point that Congress has been asked to remove the present limitation on interest rates for these securities.

Furthermore, we are continuing to pour millions of dollars into the very countries which are our economic opponents in the peaceful battle for world trade.

The current foreign aid program has been disguised by its bureaucratic bosses as a program which gives aid only to underdeveloped countries of the world. They contend that they want to help only the people who cannot help themselves or have not been able to help themselves.

I submit, Mr. President, that this is merely frosting on the cake.

The pending bill contains an item of $1.3 billion for direct military assistance to the free-world countries. Yet approximately half of this money is programed, not for the underdeveloped nations of the world, but for the prosperous countries of Western Europe.

In my humble judgment, the countries of Western Europe are well able to bear their own defense burdens, instead of looking to Uncle Sam to foot the bill for their own protection.

Since we have been generous with the countries of Western Europe in the past, and have restored them to economic health, it is folly for us to continue to help equip their armies, when all we accomplish thereby is to permit them to be more competitive with us in economic fields.

In addition, many of the dollars spent on the loan and grant programs carried out under foreign aid to the underdeveloped countries of the world, end up in Western Europe, simply because we do not place any restrictions on where the dollars may be spent.

In that connnection, Mr. President, consider the Development Loan Fund program. There are no restrictions as to how and where loan proceeds from the Development Loan Fund must be spent. Loans can be made to India, Pakistan, or any other country in the world. Yet, after we lend them dollars, they can spend those dollars anywhere they desire. Believe me, Mr. President, when I say the record shows that a large amount of this money is spent in Europe. In other words, our dollars ultimately further develop the economies of the countries of Western Europe which now are very prosperous.

Mr. RUSSELL. Mr. President, will the Senator from Louisiana yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. ELLENDER. I yield.

Mr. RUSSELL. I wonder whether the Senator from Louisiana has had called to his attention the point that in the case of some of these loans which are made in good dollars, and which we hope will be repaid in what is very soft currency, in most instances the borrowers disregard American contractors, when arranging for the construction of the dams, roads, and other projects, and prefer to use European contractors, and pay them with these dollars; and we wind up with a mess of soft currency, for which we do not have the slightest use; and the American people, who have to pay the taxes from which this money is obtained, have no opportunity whatsoever to participate in that work.

Mr. ELLENDER. The Senator from Georgia is entirely correct. The record shows that 80 percent of the loans made under the development loan fund program are repaid in soft currencies, and only 20 percent are repaid in hard currencies.

As the Senator from Georgia has just stated, when the loans are made, the borrowers purchase goods wherever they can obtain them for the least amount of money; they place their contracts with those who will do the work, provide the goods, for the least amount of money. Under those circumstances, few purchases are made in our country. Few Americans benefit. Believe me when I say that, Mr. President.

For instance, when the borrowers have purchased turbines with which to generate electricity from falling water, many of the generators have been purchased from firms located in Germany, France, Italy, and the United Kingdom.

Here we are providing dollars with which to assist the underdeveloped countries. However, not only is the money spent in the prosperous countries of Western Europe, but the money is ultimately used—as I shall point out later in my remarks—to further deplete our gold reserves. Whenever our dollars get into the hands of a foreign country, that country can convert them into gold, if they so desire. American citizens cannot do this, but whenever any of the money which flows out of our country falls into the hands of a foreign country, that country can obtain our gold for it. That is why our gold reserves have been decreasing recently, Mr. President.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Is it not also true that several of the countries to which we are now lending our money obtain it at low rates of interest and then turn around and lend the money to other nations at higher rates of interest?

Mr. ELLENDER. Yes; and I was somewhat amused a while ago to hear the Senator from New York plead with the Senate to appropriate $500 million more for the Development Loan Fund for the year 1961. His reason for this was the hope that we could entice our friends in Western Europe to inaugurate a fund with which to assist us in aiding underdeveloped countries.

Mr. President, so far as I am concerned, I would not wish to see our country put up another dime in that connection. There will be ample opportunity for the Congress to appropriate additional funds whenever the countries of Western Europe show their hands, and clearly show that they are moving in that direction. Certainly there is no indication that such is the case, because in the pending bill we are giving them over $600 million of grant aid.

Mr. JOHNSTON of South Carolina. Is it not also true that at the present time Western Germany is paying back the money it borrowed from us, although she could pay it back much more rapidly, but, at the same time, she is lending money to the countries of Africa at high rates of interest?

Mr. ELLENDER. Yes. One cannot find harder working people than the people of Western Germany. But the record shows that because of the presence of our troops in Western Germany, much money is spent there annually, by our Government, to sustain our own troops.

I say to the Senate that today Germany and the other countries of Western Europe are so prosperous that they should be able to carry their own military burdens.

But the amendment which I will submit will still leave in excess of half a billion dollars for military assistance to Western Europe.

As I have stated, all I am requesting is a cut of $100 million—I ask my colleagues to remember that—in the amount which otherwise would be provided for military aid. Over $600 million in military assistance provided by this bill will go to countries which are the most prosperous, namely, the countries of Western Europe, exclusive of Greece and Turkey.

Mr. RUSSELL. Mr. President, will the Senator from Louisiana yield again to me?

Mr. ELLENDER. I yield.

Mr. RUSSELL. Let me add that not only are many of these countries as prosperous as the United States is, but, in addition, they certainly do not have to mortgage their futures, in order to take care of these expenditures.

Mr. ELLENDER. Certainly the Senator from Georgia is correct.

Simply stated, Mr. President, we are using our money to subsidize industry in the prosperous countries of the world, so that they can compete with us. We do not have to be experts in economics to realize that this competition is now beginning to hurt our own domestic business enterprises.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. ERVIN. I should like to make a statement, and then ask a question. If the information which I read a few days ago, to the effect that the United States has a larger national debt than all of the other nations on the face of the earth put together is true, then these other nations are better off than we are.

Mr. ELLENDER. May I tell my good friend that I have just stated for the RECORD that our debt is $55 billion more than the combined debts of all the other countries in the world, including Russia.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. MORSE. The Senator is talking about the state of prosperity of countries which are still getting large amounts of money from the American taxpayer. Would the Senator like to comment on the difference between the amount of taxes which are collected in this country from our taxpayers and the taxes that are not collected from the taxpayers of those other countries?

Mr. ELLENDER. In the past I have placed in the RECORD lists of those taxes. Of all the countries in Western Europe, the British people are about the only ones who pay in full measure. Britain has ways and means of forcing her people to pay their taxes, as is done in our own country. But when we consider the situation in France, Italy, Greece, and other countries in Western Europe, we find that about the only taxes the people actually pay there are excise taxes. When it comes to income taxes, those people are able to evade them.

May I say that with the prosperity now being enjoyed by Europe, if those countries could actually collect the taxes from their citizens which their laws impose, they would not need a dollar from us. On the contrary, they could be assisting us to carry the load of helping underdeveloped countries.

As I have said many times before on this floor, so long as we provide the dollars, I do not expect the countries of Western Europe to make a move toward helping the underdeveloped countries. They are going to continue to lean on us so long as we permit them to do so.

Mr. MORSE. Mr. President, will the Senator yield for one more question?

Mr. ELLENDER. I yield.

Mr. MORSE I think the Senator from Louisiana has put his finger on what is a very vital problem, which we are going to have to face. I have been severely criticized for trying to make savings on what I considered to be inexcusable waste in the foreign aid program. One of them involves this very point. I do not propose to vote hundreds of millions of dollars to be used by these prosperous countries, because what it really adds up to, when one gets to the bottom of it, is that we are asking the taxpayers of the United States to assume the tax burdens of a lot of tax evaders in those countries that are getting hundreds of millions of dollars from us, when those taxpayers are capable of paying a heavier tax load. They are "passing the buck"—and I think that is a good figure of speech—to the American taxpayer.

Mr. ELLENDER. The distinguished Senator from Oregon is right. I go back to the proposition I previously referred to, namely, that the countries of Western Europe have never been as prosperous as they are today. I am not permitted to state what each country obtains by way of cash from our country by virtue of the presence of our Armed Forces in their countries, but such expenditures for the current year will amount to over $3 billion.

We send money abroad to maintain our own troops and to carry out our share of obligations under the NATO, SEATO, and other agreements.

To further answer my good friend from Oregon, as I have just pointed out, almost every dollar that we appropriate in this country for the Development Loan Fund will not find its way back to our own country. Instead, the borrowers are going to purchase what they need where they can get those products the cheapest—and that is in Western Europe or Japan.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield to my friend from Georgia.

Mr. TALMADGE. Is it not true that our gold reserves are the lowest now that they have been in some 20 years?

Mr. ELLENDER. The Senator is correct. We have a little over $19 billion in gold reserves, when only a few years ago such reserves totaled some $24 billion.

Mr. TALMADGE. Is it not true that for 1958 our net balance of payments showed a deficit of $3 billion?

Mr. ELLENDER. If I may advise my friend, it will be $5 billion in 1959.

Mr. TALMADGE. So all the money that we spend overseas in this effort will help increase the net deficit in our balance of payments; is that correct?

Mr. ELLENDER. That is right. That is what we are doing. I do not want to say to Senators that the foreign aid program is entirely responsible for that. I do not say that.

Mr. TALMADGE. But it is a contributing factor?

Mr. ELLENDER. It is the major contributing factor.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. TALMADGE. Is it not also true that many American manufacturers and corporations are building branch factories abroad, so they can utilize relatively cheap labor in reference to the cost of ours, and employ people in those countries, while our own people are losing jobs in this country? In other words, we are exporting jobs as well as sending money overseas. Is that correct?

Mr. ELLENDER. The Senator is correct. I do not recall the exact figures now, but it is my recollection that during the past 4 or 5 years the export of our capital to England alone has increased 8 or 9 times. What is happening is that General Motors, Ford, and other large U.S. companies find it convenient to build factories abroad to take advantage of cheaper labor. Of course, that means an additional outflow of American dollars. All of those facts added together increase the deficit in our balance of payments and put us in the red in so far as that balance is concerned.

Mr. TALMADGE. I thank the distinguished Senator. I compliment him on the fight he is making for the American people, the taxpayers, and the American economy.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to my colleague.

Mr. LONG of Louisiana. The Senator will recall, I am sure, that some years ago we were told we had to give $17 billion to Europe because they would not be able to pay it back. Let me ask the Senator if it is not true that those same European countries now hold enough dollar credits to practically empty Fort Knox. We have given it to them, and they now have all the money it would take to pay it back, if they ever had the desire to do it.

Mr. ELLENDER. As I pointed out, foreign nations hold almost $16 billion in claims against our Government in the way of dollars, bonds, and other securities.

Mr. LONG of Louisiana. That is held by those same countries.

Mr. ELLENDER. Of course. They are all prosperous now.

Mr. LONG of Louisiana. Out of the $17 billion we gave to them $2½ billion was applied to abolish the national debts in 6 countries.

Mr. ELLENDER. Mr. President, I also wish to point out that today we are suffering the results of some of the things we did in this field a few years ago. Since that time some of our hard-earned cash has been used to develop automobile factories in France and Italy. Now those factories are in competition with U.S. factories. One can see these little "bugs" going about the streets in abundance. [Laughter.] I do not know what the increase in such vehicles has been, but every time I go from my apartment to the Capitol I see those little cars in abundance. Sometimes I feel as though I will run over them. They are on the streets in huge numbers, and the increase will no doubt continue.

As I have pointed out, we are making it possible, through the expenditure of our borrowed dollars, the outflow of capital from the United States, and for foreign competition to flourish. These expenditures are going to cause us to have a deficit in our balance of payments of about $5 billion this year. If we continue it will mean either more taxes for our people or that we will go deeper into the red.

What has made America great is the initiative of our people. We can destroy that initiative overnight if we foist on the American taxpayer a tax burden so great as to stifle initiative.

Mr. President, what really makes me angry is to see the prosperous countries of Western Europe not only balancing their budgets but decreasing the taxes. We are sending borrowed money to those countries, and now we are being asked to raise the ante on our own interest rates. Why, Mr. President, every time we raise the interest rate 1 percent on our huge debt we add to our tax load a carrying charge of $2.9 billion per year.

Imagine that.

And yet that situation is going to exist until we start to reduce our debt. I cannot see any possibility of our reducing our debt in bad times, if we cannot do it in good times.

Let us consider last year. The record shows that with all the prosperity in our country our national debt increased $12½ billion. If in good times we cannot reduce our debt, what is going to happen in bad times?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to my friend.

Mr. LONG of Louisiana. Is it not true that we have paid off the national debts of six European countries with our foreign aid money, and we are now deeper in debt than all the nations on earth put together?

Mr. ELLENDER. Plus $55 billion, I want to remind my colleague.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ERVIN. I will ask the Senator if, as a matter of fact, Congress has made any bona fide effort to pay off any part of the national debt?

Mr. ELLENDER. We could not. Our expenditures are greater than the amount we take in.

I will say to my good friend, he will remember that we were supposed to have a balanced budget during fiscal year 1958. I think we were in the black by about $1.5 billion. However, within 3 or 4 months after June 30 we were in the red again. What happened, I believe, is that we did not pay our bills on time, and therefore a little money was left over. There has not been a legitimate balanced budget in this country for many years.

Mr. ERVIN. Is this not the tragic truth: That the Congress has been appropriating the unearned income of unborn generations of Americans who are to be left as a legacy the biggest debt which one generation ever saddled upon another?

Mr. ELLENDER. There is no doubt about that. Our debt has never been so great as it is now. I hate to say it, but I do not see how we will be able to pay it. When our country's national debt is more than that of the rest of the world put together—including Russia—plus $55 billion, it is time for the Senate to take a good look before we continue these programs.

Mr. President, it is my considered opinion that there are two areas in the pending bill where cuts could very easily be made—namely, military assistance and defense support.

Mr. President, I offer an amendment which I send to the desk, the purpose of which is to cut the military support program from $1.3 billion to $1.2 billion.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 8, it is proposed to strike out "$1,300,000,000" and to insert in lieu thereof "$1,200,000,000."

Mr. ELLENDER. Mr. President, this amendment would reduce the amount of money for military assistance by $100 million. I might point out at this time that this amendment was rejected by our own Appropriations Committee by a tie vote of 13 to 13.

As I have previously stated, a good portion of this money is programed to be spent to help the countries of Western Europe defray the costs of modernizing their own armies.

Based upon the administration's justifications, in excess of $600 million is programed for this area of the world.

I cannot for the life of me understand why we should be asked to contribute more than $600 million to help maintain armies in countries which are now more prosperous than they have ever been.

During the course of the Senate hearings on this bill, I asked Defense Secretary McElroy why more efforts were not being made to have the countries of Western Europe carry more of the burden.

I would like to read from that hearing:

Senator ELLENDER. I have only one question, Mr. Secretary. I am not going to go into any details of the programs in various countries.

However, the record already made will show that I have expressed the belief that many of the countries receiving assistance from us should be helping us with the burden we are carrying rather than obtaining aid from us. Your statement indicates that efforts are being made to get these countries to do more, but, nevertheless, we continue to assist them.

What recent efforts have been made to get these people to give more assistance to us?

Secretary MCELROY. More assistance to themselves, I think, is the way I would say it. The things that have been going on include the purchasing of equipment by the Germans for the equipment of their forces.

Senator ELLENDER. The Germans are well able to do that.

Secretary MCELROY. I agree, sir.

Senator ELLENDER. In the past, however, we have given Germany vast sums of money which have contributed in no little way to her recovery.

Secretary MCELROY. That is right.

Senator ELLENDER. I am just wondering why other countries in Western Europe are unable to do what the Germans are doing.

Why is not more effort made to get them to assist us?

Secretary MCELROY. I think your belief is that we are not doing as much as we should and I think you may be right, Senator.

Senator ELLENDER. You mean in that direction?

Secretary MCELROY. That is right.

Senator ELLENDER. That is what I have been talking about. Your predecessor said he was going to do it. What are you doing now?

Secretary MCELROY. I think conditions were less favorable during the time of my predecessor than they are now, sir. I think the financial position of the Western European countries has very considerably strengthened in the last 2 or 3 years.

So I have far greater agreement now with your position on the strength of it than I think I could have had, say, 3 years ago.

In my opinion, France is an example of a country where there must be considerably greater support of their military establishment, out of their own resources.

It is apparent from this testimony that even Secretary McElroy would like to have more help from the countries of Western Europe in preparing for their own defense.

Secretary McElroy cited France as an example of a country which must give greater support to its own military establishment.

Yet, do Senators know that France is programed to receive more than three times the amount of military assistance under the pending measure than she received during the last fiscal year?

What is more, this action is being taken in the face of France's request that we remove our airbases located there merely because we will not hand over our atomic weapons to General De Gaulle.

In other words, we are telling the French, "Kick us in the teeth when we are trying to help you defend your own country, and in return for this, we will treble the amount of money we give you."

If this is a precedent, then perhaps all of our other so-called allies will order American fighting men from their soil, just so they can receive increased grants under the military assistance program.

But above and beyond this, the high dollar balances and the vast gold reserves presently held by the countries of Western Europe should preclude the necessity of us furnishing aid to these countries, even if there are no other good and sufficient reason.

Mr. President, as I have previously stated, the dollar balances and gold reserves of the Western European countries will continue to increase during this fiscal year because of the dollars which will be spent by the underdeveloped countries as a result of grant economic assistance, and Development Loan Fund dollars received from us.

In addition, our own Defense Department will spend overseas in excess of $3 billion in fiscal year 1960, and this entire amount will enter into the international balance of payments picture to further contribute to our alarming deficit balance of payments.

I have at my desk a table entitled, "U.S. Defense Expenditures Entering the International Balance of Payments," which shows how these dollars will go to the countries of Western Europe.

Unfortunately, this table has been labeled "secret" and I cannot make it available to the American public.

However, I invite Senators to come by my desk and look at these figures. They show only too well that, for the most part, these dollars are going to go directly into the pockets of those countries which have the least need for more American dollars.

I would also like to point out to Senators, that in addition to Western Europe, our former enemy Japan is in for a sizable portion of the military assistance appropriation. However, I am not able to give that exact figure since it has been labeled "secret." Suffice it to say that it is a large amount.

Mr. President, I am able to tell—it is not a secret—that Japan spends only between 1 and 2 percent of its gross national product for defense, as compared to our expenditure of 10.4 percent of our gross national product.

Augmenting the money we are spending in Western Europe and Japan through this military assistance program, and the spending there by our own Defense Department, there will be a large amount of private investment flowing into these very same countries.

For calendar year 1958, U.S. private investment overseas amounted to $2.9 billion and the bulk of this amount was invested in Western Europe.

To further increase the dollar balances and the gold reserves of these countries, there are vast amounts of tourist dollars which will also be spent in these countries during the coming year.

For calendar year 1958, tourism resulted in $2.2 billion being spent in the countries of Western Europe alone.

In other words, Mr. President, as our national debt grows to new levels, and demands are made for the Federal Government to raise interest rates, our so-called allies are continuing to enjoy almost unlimited prosperity.

They are able to reduce their national debts and, in many cases, their taxes, while we are faced with the grave threat of a run on our dwindling gold reserve and, for the second successive year, a deficit balance of payments.

Mr. President, there are four ways in which U.S. dollars find their way into the pockets of the prosperous countries of Western Europe and Japan:

Through Defense Department spending to support our troops based in these countries, through private investment by U.S. citizens, through tourist spending, and finally through foreign aid.

I do not believe that any Senator feels that Congress should enact any type of restriction on the rights of individuals either to invest their money in a foreign country, or to visit a foreign country as a tourist.

Likewise, it is necessary for us to maintain our own armed services in foreign countries, and the resultant military spending must be continued, although I do believe that some reductions could be made in this field.

Through the process of elimination there is only one area where we can make a reduction in this outpouring of American dollars, and that area, Mr. President, is foreign aid, since this is the only field over which we can exercise any control.

As I have said many times in the past, we must mark a beginning of the end of foreign aid programs. This country cannot take the position that every year from now until eternity—or bankruptcy—we shall continue to spend some $3 billion per year on aid to foreign countries.

In my judgment, a step in that direction would be a favorable vote on my motion to reduce military assistance spending for this fiscal year by $100 million.

I ask that the Senate adopt the amendment.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I hope that the amendment of the Senator from Louisiana [Mr. ELLENDER] will not be adopted. I should like to speak very briefly on this subject.

The Appropriations Committee gave careful consideration and devoted long hearings to these questions, and particularly the question of military assistance. We realized that the House had gone into the subject very thoroughly. We took several votes in committee, and decided to leave the amount as the House reported it. I hope the Senate will support the committee in that action.

I say that for this reason: The President's original request was for $1,600 million. This was cut down in the authorization bill to $1,400 million in the final authorization. I think the Senate voted for $1,300 million, and the conference reported $1,400 million. The House allowance was $1,300 million. If the Senator's amendment is adopted the amount will be reduced still lower, to $1,200 million.

I point out that the Draper Committee, which was an objective committee of responsible citizens, recommended that the amount should be $2 billion rather than even the $1,600,000 which the President approved.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from New Hampshire, the senior member of the committee on the minority side.

Mr. BRIDGES. Is it the Senator's position that, having arrived at a figure on this bill for the various items, he is not only going to oppose any decreases, but he is going to oppose any increases; that he is going to support the bill as it is?

Mr. SALTONSTALL. That is correct. We had a discussion on both sides of the table in the committee room, and we agreed that we would not ask for any increases and would refuse any decreases, but would support the bill as it came out of the committee.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. A few moments ago the Senator from New York offered an amendment increasing the amounts in the bill, and I urged the Senators not to support that amendment because I thought the bill the committee had reported was the best bill obtainable. It is very close to the House bill. The House committee had long, extended hearings, as did the Senate committee. I do not believe that we could improve on the bill by adding amendments on the floor either increasing or decreasing the amounts, and I hope the amendment of the Senator from Louisiana will not be accepted.

Mr. BRIDGES. I agree with the position of the majority leader and the Senator from Massachusetts. I think they have stated a position which certainly was the general attitude of most of those present, and in which I concur.

Mr. SALTONSTALL. I thank the Senator from New Hampshire. I spoke to the Senator from Texas, and I told the Senator from New York that I could not support his amendment, though personally I favored a bigger development loan fund.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Illinois.

Mr. DIRKSEN. The original request was for $1,600 million. The House figure was $1,300 million. The Senate committee figure is $1,300 million. The Draper committee, which went all over the world and examined into every sensitive area, still felt that this was too low and that $400 million should be added.

Mr. SALTONSTALL. The Senator is correct.

Mr. DIRKSEN. I am delighted to hear the majority leader say that in his judgment the committee figure ought to be supported and that the amendment now pending to cut military assistance by another $100 million ought to be voted down.

Mr. SALTONSTALL. I hope that the Senate will stand by the committee and refuse the amendment of the Senator from Louisiana.

Mr. RUSSELL. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were not ordered.

Mr. RUSSELL. Mr. President, I regret that the Senate refuses to go on record as to this amendment. I do not know the reasons which prompt that action. It has been customary when amendments of his kind have been offered in committee and have been voted upon by a very close vote in the committee and then brought to the floor of the Senate, for the Senate to have a record vote.

I do not know whether the decision grew out of the statement of the Senator from Massachusetts that the committee agreed not to offer any amendments on the floor. At least he left the inference that the committee agreed not to offer any. I was not present when any such agreement as that was made. On the contrary, I had understood that the Senator from Louisiana had stated specifically that he would carry the amendment to the floor.

Mr. BRIDGES. Will the Senator yield to me?

Mr. RUSSELL. I yield.

The PRESIDING OFFICER. The Senate will be in order. The Senator will suspend until the Senate is in order. The Senator from New Hampshire may proceed.

Mr. BRIDGES. I do not think there was any agreement of the committee. The committee did not agree to that end, I will say; it was only an agreement among some of the members of the committee. Many of them may have differed with that, and some of them probably had a different opinion, but there was an agreement among some of the members of the committee, and that is what the distinguished Senator from Massachusetts was referring to.

Mr. SALTONSTALL. Will the Senator yield?

Mr. RUSSELL. Yes.

Mr. SALTONSTALL. I do not want to leave any inference that the Senator from Louisiana agreed not to offer any amendment. What the Senator from New Hampshire states is correct. I should like to make it clear that there was discussion on both sides of the table among some of us to the effect that we would not offer any amendments.

Mr. RUSSELL. Many of these amendments have been brought to the floor of the Senate in the past few years. Almost invariably for the past 5 or 6 years they have been voted on, and until this year the Senate has not displayed any hesitation about going on record on the amendments.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LANGER. I agree fully with the distinguished Senator, and I should like to ask him: Were the yeas and nays ordered?

Mr. RUSSELL. No. The Chair stated that the Senate had refused to go on record on this matter of very vital importance to all of the American people, and I dislike, Mr. President, to see the Senate put in a position of being afraid to go on record on a matter of this importance.

Mr. SMATHERS. Mr. President, I am one of those who would like very much to support the amendment. I know there are many others who would like to support the amendment who did not ask for an opportunity to speak on it when the Senator from Louisiana was making his explanation about it because we thought it might precipitate further debate. We wanted to get to a vote, but we did want to get on record.

If we do not have an opportunity to get on record with a vote, then I, and I am sure many others, are going to take a little time and explain why this amendment should be adopted; and it seems to me that if it is a fact that the leadership wants to get on with the debate, the quickest way in which it could be done would be to ask for the yeas and nays and have a vote.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I will not detain the Senate very long. I wish to say only a few words in opposition to the amendment.

A good deal has been said in the press about the welcoming of Mr. Khrushchev, who will arrive next Tuesday. If we want to give him a really warm welcome, I can think of nothing better to please him than to cut this appropriation further. He will then recognize that the Senate and the Government have no disposition to put up real opposition to him, and I am sure, if he does nothing else, he will go away extremely pleased by the action of the Senate to further cut the appropriation for our defense effort.

The President and all of the military people have recommended $1,600 million. The House of Representatives, which is notoriously parsimonious on matters of this kind, in fact on anything in the foreign field, recommended $1,300 million, and now some Senators want to go the House one better.

I must say I find it very distasteful to have to get up and defend the appropriation in view of the attitude of the President on our civil works program, on housing, and several other things. However, we spent many months in committee studying this program, far longer than the Appropriations Committee. We recommended $1,600 million, not because we want to throw away the public's money, but because all of the administration, civilian and defense, made a very good case that this money will be well spent in our defense.

They all make the point that a dollar spent in equipping foreign troops, because of the lower cost of all kinds of materials and especially for the upkeep of the troops, goes further in the field than it does here. It is true, perhaps, that those troops are not so reliable as ours. I would not want to argue that point. But some of the foreign troops are very useful and are used in opposition to troops of a similar nature in Asia, for example, as well as in Europe. They are extremely useful. But, in any case, I do not set myself up as an authority, trying to prove to the Senate on the merits that this money is needed. I only cite the authority we have in this country, the Joint Chiefs of Staff, and, as I recall, the Draper Committee, composed of some of the leading military leaders, including Admiral Radford, General Draper, and two or three other admirals, whose names I cannot recall at the moment. But the opinion was very heavily weighted among the military, many of whom have recently retired from the service, but who certainly are not out of touch with affairs. They not only recommended $4.6 billion, but also an additional $400 million for the NATO area, which the committee recommended in the provision with regard to the allocation of these funds.

I do not know what more I could say to this body. If the Senate wishes to cut it, it may. I say that to cut more from this project is to weaken the hands of the President in the forthcoming meetings and demonstrates an unwillingness to support the foreign aid program.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. I know the Senator from Arkansas will agree with me when I say that more than one-third of this amount is allocated to the Far East, where there is so much of a problem today.

Mr. FULBRIGHT. The Senator from Massachusetts is quite correct. We are now faced with the so-called brush wars, which have already broken out. We are already sending small arms into the area. I do not know what we are thinking about when we want to reduce this amount. If it is the wish of the Senate to do it, then I suppose logically all of it should be cut out. To do this would indicate that we have no confidence at all in the whole program.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSON of Texas. Mr. President, I commend the very courageous attitude expressed by the Senator from Arkansas. He has great knowledge in this field. He spent several weeks holding hearings in connection with the authorization act. It is very odd for any of us to come along now and say "Oh, this is foreign aid," and vote to reduce the amount. I think the Senator from Arkansas has expressed the thought which should be expressed, and I hope the Senate will not further reduce the amount in the bill. I think it is already weak enough.

Mr. FULBRIGHT. I would go one step further and say that if the amount is reduced substantially, the President will insist on calling Congress back into session, and I think he would be justified in doing so, because we are dealing with the defense of the Nation, not with luxuries within the countries. There are many things we would all like to have, which we know are not absolutely essential to our defense. All the best minds in the Government, such as they are, agree that this program is essential.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. I commend unqualifiedly the position taken by the distinguished Senator from Arkansas, chairman of the Committee on Foreign Relations. I remind the Senate that substantially more than one-third of this amount will go to NATO countries. I remind the Senate that it has been widely publicized that the first objective which our esteemed guest of next week has in mind is the breaking down of the NATO association. It seems to me that nothing could be more calculated to make it clear that we do not stand ready

to fulfill our commitments in NATO and NATO countries than to reduce this particular item.

Two or three weeks ago we passed the authorization bill. In the bill now before us we have already cut the amount for this item down to $100 million less than the amount authorized. We are $300 million under the budget request. It seems to me that for us to cut the amount again at this time, and at this critical hour, and when so much of the amount will go to the NATO countries, would be just about the worst thing we could do because it would indicate an unwillingness to stand by our obligations under the NATO agreement.

Mr. LONG of Louisiana. Mr. President, I shall not burden the Senate for more than 2 minutes. The junior Senator from Louisiana has spoken on this subject on the floor of the Senate many times. It has been one of the most frustrating experiences he has had in his life. Every time waste, graft, and mismanagement have been exposed, the answer has been: "More money." The answer has not been to find some way to cut the waste and graft, it has simply been a demand for more money.

The point has been made that one-third of the money will go to the NATO countries. When I first came to the Senate, I was firmly convinced that I should not vote for the foreign aid program. Then I heard the great speech by Senator Vandenberg, and I voted for a higher figure.

Subsequently I made some study of the matter. We were told we had to give the money to Europe, because Europe could never pay it back; they would never be able to pay it back.

I ask Senators to check the record. The European countries hold $17 billion of credits against Uncle Sam. As I said earlier, they can almost empty Fort Knox. Give them about 2 more years, and they will call on those credits. Once they know we do not have enough gold to pay, there will be a rush on the banks to empty Fort Knox. Europe has enough with which to pay for everything we have given them.

Oddly enough, the $17 billion which Europe is holding works out to the same $17 billion we gave—yet it was said that this money must be given, because Europe would never be able to pay it back.

I am told that one-third of the money goes to the NATO countries. We have paid off the national debt of six of those countries. We have paid off the whole debt. They are debt free. I am happy to be able to say that. But the United States is deeper in debt than all the other nations of the earth put together. Yet we paid off their debts.

I am very happy to know that somebody is not in debt. The United States paid its debts but it is deeper in debt than all the other countries put together.

We ought to insist on some commitment. One would think that by the time we had given them all that money—$4 billion, $5 billion, or $6 billion a year—they would do something in return for it.

For many years we have had a program of Federal aid to the States. If a State wants highway aid, welfare aid, or any other kind of aid, it is necessary for it to make many commitments. Down my way, it is necessary to agree to so many conditions in order to get highway aid that some say we should turn the whole program down.

But there is a whole string of Federal aid conditions. The President has practically told the States that if they want Federal money, they will have to agree to meet certain conditions to get it.

But how many conditions do Senators think the countries of Europe agree to in order to get our money? Not a single one. None. They take the money, and do with it pretty much as they please. Much graft has been exposed in the program, but when the charge of graft is raised, the answer is always the same: "Give them more money."

Until we can find some way to make this program begin to make sense, it seems to me that some of us have a right to protest against the way the program is being managed.

The senior Senator from Louisiana [Mr. ELLENDER] knows that, with respect to our own public works, every time it is desired to construct so much as a drainage creek in Louisiana or anywhere else in the United States, it is necessary to spend 10 years justifying it. It is necessary to have the approval of the Governors and everyone else affected. By the time the project is authorized, par for the course often has been 10 years for major projects before the first money was made available.

In our foreign aid program, however, some 2,800 construction projects have been authorized, and a thousand were abandoned. They were abandoned because they were not justified in the beginning. Yet we go ahead and appropriate for such projects.

Until we begin to make some sense out of this program, we are well justified in squeezing down on the amount of money and trying to find some way to get some benefit out of the money. Otherwise, it seems to me that spreading it around 60 nations affords us very little in return.

I wish to state that it is true that a foreign soldier can be armed more cheaply than can an American soldier. The only trouble is that once we arm the foreign soldiers—even if we do so more cheaply—we cannot be sure that they will fight for us when we need them.

For instance, consider the situation in connection with the attacks on Laos. My guess is that $1 out of every $60 that we provide by means of this program goes to Laos. When the fighting starts, however, we have to send our own troops; no other troops go to help us.

Therefore, while it is true that a foreign soldier can be armed more cheaply than can an American soldier, the vital point which we must keep in mind is that when the fighting starts the foreign soldiers may stay home, and we can only count on our own soldiers to engage in the fighting. The result is that all the money we spend on arming foreign troops is wasted if we do not obtain any good results from those expenditures.

Mr. President, my senior colleague [Mr. ELLENDER] has submitted an amendment which, if agreed to, will help us avoid a great deal of waste, and will help us obtain some tangible results from the money we spend.

I hope the amendment will be agreed to.

Mr. ELLENDER. Mr. President, I shall not repeat the arguments I have previously submitted.

At this time I merely wish to emphasize only one point: namely, that out of the military assistance of $1.3 billion now provided in this bill $634 million is programed to go to the countries of Western Europe which are well able to take care of themselves.

My amendment does not affect the funds which will go to Turkey, or to Greece, to the Far East, or to southeast Asia.

Mr. President, I repeat that the countries of Western Europe are well able to maintain their own defense establishments—to provide their own armed forces with needed military equipment. Therefore, I propose that $100 million be deleted from the funds proposed to be made available to the countries of Western Europe—countries which are just as well able to pay such costs as the United States.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The question is on agreeing to the amendment of the Senator from Louisiana.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Maryland [Mr. BEALL] and the Senator from Nebraska [Mr. HRUSKA] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], and the Senator from Arizona [Mr. GOLDWATER] would each vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Nebraska would vote "yea," and the

Senator from Kentucky would vote "nay."

The result was announced—yeas 37, nays 53, as follows:

YEAS—37

Anderson	Engle	Proxmire
Bartlett	Ervin	Robertson
Bible	Frear	Russell
Butler	Gruening	Schoeppel
Byrd, Va.	Johnston, S.C.	Smathers
Byrd, W. Va.	Jordan	Stennis
Cannon	Kerr	Talmadge
Chavez	Langer	Thurmond
Curtis	Long, La.	Williams, Del.
Douglas	McClellan	Yarborough
Dworshak	Magnuson	Young, N. Dak.
Eastland	Mansfield	
Ellender	Morse	

NAYS—53

Aiken	Green	McNamara
Allott	Hart	Martin
Bridges	Hayden	Monroney
Bush	Hennings	Moss
Capehart	Hickenlooper	Mundt
Carlson	Hill	Muskie
Carroll	Holland	Neuberger
Case, N.J.	Humphrey	Pastore
Case, S. Dak.	Jackson	Prouty
Church	Javits	Randolph
Clark	Johnson, Tex.	Saltonstall
Cooper	Keating	Scott
Cotton	Kefauver	Smith
Dirksen	Kuchel	Sparkman
Dodd	Lausche	Wiley
Fong	Long, Hawaii	Williams, N.J.
Fulbright	McCarthy	Young, Ohio
Gore	McGee	

NOT VOTING—10

Beall	Hruska	Murray
Bennett	Kennedy	O'Mahoney
Goldwater	Morton	Symington
Hartke		

So Mr. ELLENDER's amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

Mr. GORE. Mr. President, a point of order.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. I yield to the Senator from Michigan.

SCHOOL CONSTRUCTION ASSISTANCE ACT OF 1959—REPORT OF A COMMITTEE—MINORITY, SUPPLEMENTAL, AND INDIVIDUAL VIEWS

Mr. McNAMARA. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, and I submit a report (No. 1011) thereon. I ask unanimous consent that the report be printed, together with minority, supplemental, and individual views.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. Without objection——

Mr. MORSE. Mr. President, reserving the right to object—and I was addressing the Chair under the unanimous-consent request—I request that I be recognized.

Mr. JOHNSON of Texas. Mr. President, do I not have the floor?

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. MORSE. Mr. President, a point of order. The Senator from Texas yielded in order for the Senator from Michigan to make a unanimous-consent request. When a unanimous-consent request is made, any Senator has a right to object.

Mr. McNAMARA. Mr. President, I did not ask the majority leader to yield for the purpose of asking unanimous consent. I will strike out my unanimous consent request, if there is no other way to avoid an argument.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state his parliamentary inquiry.

Mr. MORSE. Does the filing of a report require unanimous consent?

The PRESIDING OFFICER. Will the Senator repeat his inquiry?

Mr. MORSE. Does a request to file a report require unanimous consent?

The PRESIDING OFFICER. It does require unanimous consent at this time.

Mr. MORSE. I would like to reserve the right to object to the unanimous-consent request. It will save time if I may have half a minute to state my reasons. Then I will yield the floor.

The Senator from Michigan has asked permission to file what I consider to be a report on a very, very important bill, a bill that proposes a school construction program. When that bill goes on the calendar, and it should go on the calendar, I think this Congress should stay in session long enough to take action on that bill. This is the type of legislation the Senator from Oregon has been talking about which, in my judgment, places a clear obligation on Congress to take action on it before we adjourn. Certainly, we would have a very difficult time justifying to our constituents adjourning before we take the action that ought to be taken to aid the school children of this country by the adoption of an education bill that will provide for the construction of the classrooms we need if we are to train the brains of this country in time to meet the competition Russia is going to give the free world in the years immediately ahead.

I think that not only should the bill go on the calendar, but I think we should stay in session for whatever period of time is necessary, Mr. President, to pass the proposed legislation and to pass certain amendments which I think ought to be added to the bill, such as an additional amendment to give to the schoolteachers of this country some Federal aid in respect to their salaries, to accomplish two things: First, so that we will not have a shortage of teachers; and, secondly, so that teachers who are not getting enough pay can be better paid, since we are failing to get the most competent teachers in some instances.

Mr. President, I do not object.

Mr. McNAMARA. Mr. President, if the majority leader will yield further, I wish to say that I certainly do not disagree with what the distinguished Senator from Oregon has had to say. It is the hope of our committee that we can get the bill on the calendar this year. We do not have our reports printed. We do not think we will be able to have this accomplished in the next couple of days. We have little hope of getting the bill through both Houses of Congress at this session.

Again I commend the Senator for his views. When the proper time comes, we hope the climate will be such that his views will prevail.

The PRESIDING OFFICER. Without objection, the bill will be placed on the calendar. Without objection, the request for printing of individual, supplemental, and minority views is granted.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, while most Senators are present in the Chamber I should like to inquire whether the distinguished Senator from Louisiana has more than one other amendment to offer. My understanding is that there is only one additional money amendment to be considered, and that the discussion will be reasonably short, so that there will be a vote in a relatively short time.

Mr. JOHNSON of Texas. Does the Senator desire the yeas and nays on the amendment?

Mr. ELLENDER. That will be all right with me.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Maryland, and then I will yield the floor.

S. 223—CONSTRUCTION OF DAM BY POTOMAC ELECTRIC POWER CO. ON POTOMAC RIVER

Mr. BUTLER. Mr. President, the receipt of an invitation to attend the ceremonies on September 24 formally dedicating the new electric energy generating station of Potomac Electric Power Co., at Dickerson, Md., prompts me to make a few remarks at the close of this session with respect to S. 223 which is cosponsored by my distinguished colleague [Mr. BEALL] and myself, which would permit the company, at its own expense, to construct a dam near the confluence of the Potomac and Monacacy Rivers so that the company and its customers could secure maximum use, productivity, and efficiency from this great new plant. The first generating unit in the Dickerson plant went into operation in June of this year, and the second unit will be in operation approximately 1 year from now. At that time, the company will have expended over $100 million in the construction of this plant so vital to the needs of the entire area. However, unless the company is permitted to build the proposed dam, it will not be feasible or practical to build the third and fourth generating units in the present plans of the company.

S. 223 is the third legislative effort of my colleague [Mr. BEALL] and myself to secure the congressional approval necessary before the proposed dam may be constructed. The Senate Public Works Committee failed to take any action on

S. 3913 introduced in May 1956 and S. 698 introduced in 1957, and no action was taken by the committee this session on S. 223. I should point out, however, that the House Public Works Committee did report favorably on H.R. 11481, a companion bill to S. 3913, in the waning days of the 2d session of the 84th Congress, but not in time for the House itself to act on that favorable report.

Senators will recall that the company had originally selected a site in Loudon County, Va., for its new generating plant; but due to considerable opposition to that site by the Army Corps of Engineers and others, a subcommittee of the Senate District of Columbia Committee, under the chairmanship of the distinguished senior Senator from Oregon [Mr. MORSE], held extensive hearings and recommended that the company not build its proposed plant at the Loudon County site. The subcommittee recommended further that the company consult and cooperate with the Corps of Engineers in the selection of a different and new site for the proposed plant; and, as a result of such consultation and cooperation, the Dickerson, Md., site was selected.

It is to the credit of the distinguished senior Senator from Oregon [Mr. MORSE] that he has supported each legislative proposal to construct the proposed dam on the Potomac River, and all of us interested in this vital matter are grateful for his support.

I wish to compliment the company for going forward with the construction of the plant at Dickerson, despite the failure of the various legislative proposals to construct the required dam, and despite the onerous amendments to the proposed legislation which have been proposed by some of the Government agencies. In short, these proposed amendments would permit the Government to condemn the dam when constructed without proper and appropriate reimbursement to the company; but, more immediately pertinent, the proposed amendments, if adopted, would prevent the company from mortgaging or pledging the substantial investment it would have in the dam. In these critical days of accelerated expansion of electric energy generating units, utilities need readily available every mortgageable and bondable asset.

The primary reason for the proposed amendments to S. 223 is to hold the Government harmless against the day when the Government might want to build a multipurpose dam in the River Bend area of the Potomac River. I am willing to rely upon two distinguished authorities in the public power field with respect to the need for a multipurpose dam on the Potomac River for power purposes; the distinguished senior Senator from Oregon [Mr. MORSE] and Supreme Court Justice William O. Douglas.

In connection with the Chesapeake & Ohio Canal National Historical Park legislation, the Senator from Oregon [Mr. MORSE] on April 28 told the Senate, among other things:

> What about power? Is there a power shortage in this area? Is there in this area a great need for power? That is a question of fact, and we must ascertain the answer. However, as far as I know, on the basis of my understanding of the facts, at the present time there is no power shortage in this part of the country.
>
> Let me say, as one who has fought here for 15 years for the protection of the public's interest in public power projects along with private utility projects, that I have never favored discriminatory legislation which would seek to put private power operations out of business. We need both private and public operations.
>
> Therefore, Mr. President, I do not favor construction of the dam if it is true that at the present time there is in this area adequate power for both its present and future needs.

In his April 28 speech, the Senator from Oregon [Mr. MORSE] referred also to the opposition of Supreme Court Justice Douglas to the proposed River Bend Dam; and the Washington Post of April 7 and 28 quotes remarks of Justice Douglas in opposition to the construction of a multipurpose dam at River Bend.

Potomac Electric Power Co. has demonstrated dramatically its full acceptance of its high responsibility to anticipate and meet the present and future electric energy needs of all consumers in its service area; and, as in the instance of its going forward with the construction of the new plant at Dickerson, Md., at grave, substantial, and calculated financial risks. It has been this company's initiative and good citizenship which, to use the words of the Senator from Oregon [Mr. MORSE], made certain "that at the present time there is in this area adequate power for both its present and its future needs."

The company has kept faith with its customers, present and future, and with Congress in accepting the recommendation of the Senate District of Columbia Subcommittee in selecting a new and different site for the much needed additional electric generating plant, and I hope that in the next session of Congress, the Senate and the House will quickly and promptly enact S. 223, without the proposed onerous amendments, so that the company may go forward with its plans for a third and fourth generating unit at the Dickerson plant in order that the company may continue to meet adequately the increasing electric energy needs of the area.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. GORE. Mr. President, I raise a point of order in regard to the language on page 18, line 15, beginning with the word "provided", through line 17. The language against which I raise the point of order is as follows: *"Provided,* That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this account shall be withdrawn."

Mr. President, I make the point of order that repayment of advances made to the highway trust fund from the general fund is a matter of statutory law. Subsection (2) of subsection (f) of section 209 of the Highway Revenue Act of 1956 reads as follows:

> Repayment of advances from general fund: Advances made pursuant to subsection (d) shall be repaid, and interest on such advances shall be paid, to the general fund of the Treasury when the Secretary of the Treasury determines that moneys are available in the trust fund for such purposes. Such interest shall be at rates computed in the same manner as provided in subsection (e)(2) for special obligations and shall be compounded annually.

I submit, Mr. President, that the lines which I have read from the bill purport to change, and would change by legislation, the law. Therefore, I make the point of order that the language which I have read, beginning with the word "Provided" on 15, and continuing through lines 16 and 17 on page 18, is legislation on an appropriation bill.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia will state it.

Mr. ROBERTSON. Can a Member of the Senate make a point of order against a number of lines in an amendment with which he does not agree, to leave in the bill the part of the amendment he wants to keep, or would the point of order make necessary the striking of the entire language?

The PRESIDING OFFICER. It would be necessary to strike the whole section, if the point of order were sustained.

Mr. HOLLAND. Mr. President, may I be heard?

Mr. GORE. Mr. President, I should like to be heard briefly on the point of order, and then I will yield.

The other language in the section is not, in my view, subject to a point of order. The lines I read constitute the legislation.

Mr. BIBLE. Mr. President, may we have order in the Chamber so that the Senator from Tennessee may be heard?

The PRESIDING OFFICER. This is an important matter. The Senate will be in order, so that Senators may hear the arguments advanced by the Senator from Tennessee. The Senate will be in order.

The Senator from Tennessee may proceed.

Mr. GORE. Mr. President, under the law an appropriation is authorized from the general fund to the highway trust fund. That authorization is found in subsection (d) of section 209. I will read it:

> There are hereby authorized to be appropriated to the Trust Fund, as repayable advances, such additional sums as may be required to make the expenditures referred to in subsection (f).

Mr. President, subsection (f)(2) of section 209, which I have already read, provides specifically and clearly the manner in which the repayments are to be made according to law. Repayment is subject to the determination of the Secretary of the Treasury that moneys are available in the trust fund for such purposes, but the law does not provide that repayment to the general fund shall

have priority over obligations of the trust fund.

Mr. HOLLAND. Mr. President, may I be heard?

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I think that the point of order raised by the distinguished Senator from Tennessee would be correctly raised provided it were applied to the entire section entitled "Highway Trust Fund," beginning at line 11 on page 18 of the bill and extending through line 17.

As I understand the situation, the Presiding Officer has ruled that the point of order should be so applied. Is the Senator from Florida correct in his understanding as to the ruling?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. Mr. President, I think that the Members of the Senate, and particularly the distinguished Senator from Tennessee, are entitled to an explanation as to what has occurred in this matter.

The meeting of the Committee on Appropriations when this item was added to the mutual security bill, which was the only bill still pending, was held on September 8. On that date we were supplied with an advance copy only of a supplemental budget request which we understood was on the way to the Congress from the President, and which did actually arrive the next day, September 9. We received this copy I think 1½ or perhaps 2 hours prior to the meeting of the committee to mark up the bill. All study possible within that short time was made.

It was the judgment of the chairman of the subcommittee handling that matter, the Senator from Florida, and I think of all members of the committee present, that the safe thing for us to do was to rely upon the wording in the advance supplemental budget item, with the understanding that the matter should be carefully checked by staff members and by committee members in the meantime to see what were the implications.

We therefore placed in the bill, by unanimous action of the committee, the wording which is found in the item "Highway Trust Fund," which has been quoted by the Senator from Tennessee and referred to in his point of order.

Upon checking the matter we found that there was a departure from the language of the authorizing legislation, and therefore prepared language to substitute at this time, which is now at the desk.

The committee, at the request of the Senator from Florida, directed, at the time this item was placed in the bill that a study be made, which has eventuated in the production of the unexceptionable language which, I will say to the Senator from Tennessee, is exactly the language which he would have left in the bill if his original point of order could have been sustained as he made it.

I ask, therefore, that immediately upon the sustaining of the point of order, which I apprehend from the smiling countenance of the Presiding Officer will follow very shortly, that the amendment which I have sent forward be stated.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SALTONSTALL. Will the Senator again state what his amendment is?

Mr. HOLLAND. The amendment is the identical language which is in the bill, without the proviso to which the point of order was sought to be directed. But under the ruling of the Chair the point of order could not be directed against the proviso singly, but had to be considered as directed against the whole section.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. Under the ruling of the Chair there is no point of order before the Senate. Is not that correct?

Mr. HOLLAND. I understood that the Senator from Tennessee wished his point of order to be applied directly to the entire section.

Mr. STENNIS. If the Senator will yield, I did not so understand. Will the Senator from Tennessee state his position?

Mr. HOLLAND. Apprehending that the point of order would be made, the Senator from Florida had the staff prepare the substitute language, which includes all the original language included in the supplemental budget request, other than the proviso, believing that the committee and the Senate would prefer not to have any language go to the other body which might be exceptionable in any way.

Mr. GORE. Mr. President, I should like to be heard further on the point of order.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. STENNIS. Will the Senator state what his point of order is?

Mr. GORE. I shall be glad to do so.

My point of order is that the words appearing in lines 15, 16, and 17 on page 18, which I have already read, constitute legislation on an appropriation bill. That is the language with respect to which I raised the point of order.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GORE. The point of order is clearly recognizable. I do not find myself in agreement with the ruling of the Chair, that the whole section must fall because a part thereof is legislation on an appropriation bill. However, inasmuch as the senior Senator from Florida proposed to reinsert lines 12, 13, and 14 and the figure in line 15, with an amendment, the same purpose would be accomplished.

I now yield to the Senator from Rhode Island.

Mr. PASTORE. In order to expedite the business of the Senate, if I correctly understand the Senator from Florida, rather than raise the point of order, I believe that if the Senator will move to delete the words which are objectionable, we can accomplish the purpose.

Mr. GORE. Mr. President, I ask unanimous consent that the words I read in lines 15, 16, and 17 be deleted from the bill.

Mr. PASTORE. That would accomplish the purpose everyone desires.

Mr. HOLLAND. Mr. President, the Senator from Florida not only has no objection to that wise suggestion made by the Senator from Rhode Island, but he was about to suggest almost the same thing, by having his amendment at the desk offered as a substitute for the entire section, which would have accomplished the same purpose.

Before I take my seat, let me say that this is nothing but the culmination of an effort begun in the committee, when the committee wrote this item up, by directing the staff members to make a study of the procedure followed, so that we could be sure we were on sound ground, because we had had no opportunity up to that time to do so. The Senator from Florida made that statement very frankly to the committee. So there is no change in direction. There is no change in amount. There is no departure from the authorization. On the contrary, there is a strict following of the authorizing language if the proposal in its shortened form is left in the bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. First let me say that if the deletion of the words is authorized, I should like to direct a question to the Senator from Florida on the substance of his amendment with respect to lines 12 to 15. Is such a question in order at this time?

Mr. GORE. Mr. President, may we have action on the objectionable words?

The PRESIDING OFFICER. Does the Senator withdraw his point of order?

Mr. GORE. I withdraw the point of order temporarily, and ask unanimous consent that the language which I have read in lines 15, 16, and 17 on page 18 be stricken from the bill.

Mr. STENNIS. Mr. President, reserving the right to object—and I will object—I wish to state the grounds of my objection.

I understand that this language may be subject to a point of order. The Chair has indicated that he would so rule. There is nothing the Senator from Mississippi could do about that. But if I correctly understand the provision in the bill, this is an advancement of $359 million in anticipation of new revenue that is to come in from the new 1-cent additional gasoline tax. I understood in the committee that this was taken from the general fund solely on condition that it be repaid.

Mr. CHAVEZ. That is correct.

Mr. HOLLAND. Mr. President——

Mr. STENNIS. Let me finish. I have waited a long time to state this point.

It is my opinion that if this language cannot stand up, the whole section can be stricken, but as the Senator from Mississippi sees it, there can be no substitute for what the committee thought it was doing, except a substitute that is in substance the same, providing for anticipating the revenue and paying back the money.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I do not have the floor. I was merely stating my objection.

Let me inquire further, what is the proposal by someone representing the committee, to put the situation back as the committee voted it in substance, or in the form of some clearcut substitute?

Mr. HOLLAND. Mr. President, I have the floor.

The PRESIDING OFFICER. The recollection of the Chair is that the Senator from Tennessee had the floor.

Mr. HOLLAND. The understanding of the Senator from Florida was that he yielded for the purpose of discussion of this question, and he asks that he be recognized at this time, to meet the very valid request made by the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. The answer to the Senator's question appears in the authorization legislation itself. Let me read it. It is found in section F(2) of the Highway Revenue Act of 1956. After the provision for the advances to be made out of the general fund appear these words:

> Repayment of advances from general fund. Advances made pursuant to subsection (d) shall be repaid, and interest on such advances shall be paid to the general fund of the Treasury when the Secretary of the Treasury determines that moneys are available to the trust fund for such purposes.

The law itself provides for refund, and that the Secretary of the Treasury shall repay when the funds are collected from the additional gas tax.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. The language with respect to which unanimous consent is now requested that it be stricken is merely superfluous. The object is carried out already by permanent law. Is that correct?

Mr. CHAVEZ. That is correct.

Mr. HOLLAND. Not exactly. The object is carried out, but the language makes a change in the legislation, because it fixes the date of June 30, 1960, before which the repayment must be made, whereas the authorization language does not fix such date.

Mr. STENNIS. Will the Senator specify further what the correct interpretation of that language is? It says "When the Secretary of the Treasury determines that moneys are available." That is very vague, to my mind.

Mr. HOLLAND. Mr. President, my understanding is that when the collections from the added gas tax are sufficient to repay the advance, they shall be so used, and that the Secretary of the Treasury simply has discretion to determine when there are sufficient funds to repay the item.

I regret that the Senator from Tennessee saw fit to raise the point of order though it was certainly within his rights to do so. The whole reason for it was that the proposed legislation, as included in the bill in the exact words furnished us by the Office of the President and by the Budget Bureau, would have fixed a cutoff date of June 30, 1960, by which this repayment should be made, whereas the general legislation simply provides that the Secretary of the Treasury must repay it out of that same source just as soon as it is collected.

Mr. STENNIS. I object to the unanimous consent request.

Mr. GORE. I renew my point of order.

Mr. HOLLAND. If the Presiding Officer will rule, I would hope then to offer a substitute for that section.

The PRESIDING OFFICER. The Chair is prepared to rule.

Section 209(f)(2) of the Highway Revenue Act of 1956 provides that all repayable advances shall be repaid when the Secretary of the Treasury determines that moneys are available in the highway trust fund for such purposes. The proviso on page 18, lines 15 to 17, inclusive, requires such advances to be repaid to the appropriation on or before June 30, 1960. This is a change of existing law, and therefore is not in order under the rule. The Chair sustains the point of order.

Mr. HOLLAND. Mr. President, the Senator from Florida now asks that his amendment which has been sent to the desk, be read, to appear in the same place in the bill as the provision which has just been stricken.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, line 11, it is proposed to insert the following:

> HIGHWAY TRUST FUND
>
> For repayable advances to the highway trust fund during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), $359,000,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOUGLAS. Mr. President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I will yield after making one brief statement. Without such legislation, Mr. President, and because of the fact that the gas tax to be collected under this additional cent of tax imposed will not all come in at one time, but will come in gradually, from month to month, and because of the further fact that some States are more advanced than others and will need payments in October, next month, it is necessary that advances be made under this provision of the authorizing legislation, or the United States will have failed to pay off its obligations to reimburse States after contractors have been paid. The proposed legislation is offered solely for that purpose.

Now I yield to the Senator.

Mr. DOUGLAS. As I understand the Senator from Florida, he has read the section of the statute which provides that if the Secretary of the Treasury finds that there are sufficient funds in the highway trust fund, he may repay the advances of $359 million, which in the meantime will come from the general fund in the Treasury. The question I raise is this: Suppose there are not sufficient funds in the highway trust fund to make these payments. Is not this an appropriation from the general fund of the Government, and is not the Secretary of the Treasury directed to borrow money, if necessary, for this purpose?

Mr. HOLLAND. Mr. President, the Secretary of the Treasury certainly is directed to advance money from the general funds of the Government under an interest-paying provision, and those funds could only be repaid when the gas tax receipts were adequate to repay them. However, as the Senator from Florida understands the pending proposal, they would have to be repaid when the receipts from the added gas tax were sufficient for that purpose.

Mr. DOUGLAS. Yes; but if the Senator from Florida would yield further, it is not at all certain that the receipts from the gas tax will be adequate to maintain the national highway program on the schedule which has been set. What I am afraid of is that this section commits the Government to an appropriation of $359 million from the general fund, that it will unbalance the budget and require borrowing, and I think this would be of a very dubious nature in a time of financial prosperity.

Mr. HOLLAND. I appreciate the concern of the Senator from Illinois. I believe he would be equally concerned, however, to realize that unless the proposed device is used—and the need for this device was anticipated in the bill by which we provided the added gas tax—the United States will be in default in its payments to the States beginning in October—not all the States, but some of the States, and more of them from month to month thereafter.

The Senator from Florida, in handling the annual appropriation bill on this subject on the floor two or three months ago, in colloquy with his distinguished friend, the Senator from Michigan [Mr. MCNAMARA], who is the chairman of the Public Roads Subcommittee of the Senate Public Works Committee, which handles this subject, made it very clear that he, the Senator from Florida, understood and the Appropriations Committee as a whole understood that we were confronted with the possibility and the prospect of such defaults unless provisions were made to avert them. The Senator from Florida made the statement at that time that he recognized these obligations as being of the type which Congress could not ignore and which should be met.

At that time the Senator from Florida stated to the Senator from Michigan, and to members of the Committee on Finance, that legislation was then pending which was directed at meeting this critical situation; and the Senator from Florida was referring to the gas tax legislation then pending in the Public Works Committees and in the financial committees of both Houses, that is, the Ways and Means Committee of the House and the Committee on Finance of the Senate.

The Senator from Florida expressed the urgent hope that such legislation

would be quickly approved and that we could move on to save the faith and credit of the United States in its obligations to the States of the Nation.

The Committees on Public Works did just that. The financial committees did just that. Both Houses of Congress observed their obligations by passing the legislation, with the specific provision contained in it to prevent these defaults. It is our hope and insistent recommendation at this time that that provision which prevents defaults be now availed of by Congress.

Mr. CHAVEZ. I permitted the Senator from Tennessee to introduce proposed legislation in an effort to bring about the development of highways in the United States. I did that, and he knows it. Everything possible was done by the Committee on Public Works to accelerate the work. Everything possible was done by the committee to help out, and all we are trying to do now is to carry on the program which would be held back unless we did what we are now suggesting.

Mr. HOLLAND. I thank my distinguished friend. He is stating the matter exactly, of course.

Mr. CHAVEZ. That is right.

Mr. STENNIS. The Senator from Michigan handled some of the legislation.

Mr. CHAVEZ. The Senator from Michigan presides over the Subcommittee on Roads, the same committee over which the Senator from Tennessee used to preside, and on which he did such commendable work, and I do not see any reason why the Senator from Tennessee, who actually did much to bring about the highways of this country, should now object to getting along.

Mr. GORE. I am supporting the amendment.

Mr. McNAMARA. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. McNAMARA. I thank the Senator from Florida for pointing out that the legislative history was made previously on the floor of the Senate, and the commitment was made by the chairman of the subcommittee, the distinguished Senator from Florida, at least in part; and I say this without any criticism on his committee or subcommittee or himself. It was fulfilling a commitment made at that time.

As the Senator from Tennessee has so ably pointed out, there is a likelihood that there may be a deficit in this program. But as I understand, and I hope the facts have been brought out by the Senator from Tennessee, the Senator from Florida, and others, it will be indictated to the highway departments of the various States that if the situation is as bad as has been pointed out, we will be back in session next January, and the Senator from Florida indicates that there is no question that there will be sufficient funds to carry over until that time. Am I not correct?

Mr. HOLLAND. The Senator from Florida cannot sign the checks, but the Senator from Florida assures the Senator from Michigan that his strong, unequivocal statement made at the time of the earlier debate still stands, and that he recognizes these obligations to the States as obligations which must be fulfilled, and which he will do his utmost to fulfill.

The Senator from Florida is empowered by the chairman of the Committee on Appropriations, the chairman of the Committee on Public Works, the majority leader, and the minority leader, to say to the Senate that it is their view, and the view of each of them, that this is a matter in which Congress cannot be so careless as to allow our Nation's obligations to the States to be in default.

But as to the matters which may develop next spring, the Senator from Florida would be bound to say that there is no clear picture of that yet. We had not gotten into that discussion.

I think all Senators will agree that we should have a clear picture before any final action is taken. Perhaps it will not have to be taken, because the amounts provided for are payable only when the contracts have been completed. We all know that the weather in this country from Alaska to Florida and from Maine to Hawaii is not unvariable, and we all know that the completion of contracts may be checked very greatly, and that no one can say with clear certainty what will be the situation next spring.

So I assure the Senator from Tennessee, and I assure the Senate, on behalf of all the Senators whom I have mentioned, because I have discussed this matter with them, that we regard it as an obligation of the Federal Government, and a very precious one, not to be in default on our payments to the States under solemn contracts under which we have said to the States: "We will pay you such-and-such a share of the construction costs when construction is completed on these projects of various kinds."

Mr. McNAMARA. I thank the Senator from Florida.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. There is only one phase of the matter with which I am familiar, and that is the promise in the bill, which was made to the Committee on Appropriations, that this money will be paid back. The question here is not a matter of legislation early in the year, but whether or not we are going to keep faith with the States.

Everyone in a position to act wants to see this money appropriated. I assume all do. The essential question is, What about paying it back? That is the question. Otherwise, even though the Senate has voted this matter down more than once at this session, and has refused to take the money out of the General Treasury to put it into the highway fund, we are now about to come along and do the very thing we have twice refused to do by a yea-and-nay vote.

Mr. LAUSCHE. Amen.

Mr. STENNIS. If this provision is to be stricken out, why was it not talked about when the appropriation bill was before us? It certainly was the intent that the States should have the money. Simply yield on the point of order and let the language go in which provides how the money will be paid back.

If that is not suitable, let those who are so desirous of having the States get the money suspend the rule by a two-thirds vote. I understand there is a great movement afoot to suspend the rule later in the day on another matter, and I understand there are enough votes to do it.

This is not a matter of withholding money. All we are asking for is a proviso which has real meaning, a proviso as to when and how; the money is certain to be paid back. I do not want to stop the money. I want to include a proviso as to what we understood was the purpose when the matter was before the Committee on Appropriations.

Mr. HOLLAND. Nothing would suit the Senator from Florida more than to have had that provision stick. I was notified by the Senator from Tennessee that he would like to raise a point of order. I had been advised by the staff of the committee that the point of order could be raised successfully. I prepared to meet it. The Senator from Mississippi will remember the conditions under which we acted. We took an advance copy of the supplemental budget request. I do not know of any way in which we can waive the rules now, because notice has not been given.

Mr. STENNIS. If no one makes a point of order, a motion could be made now without a day's notice.

Mr. HOLLAND. If the point of order had not been made, there would be no trouble; but the Senator from Tennessee has insisted upon it.

Mr. STENNIS. By unanimous consent, could we not make the request?

Mr. GORE. No, not with my consent.

Mr. HOLLAND. I do not share the Senator's concern about the mandatory provisions of the bill that these amounts have to be repaid, because it is very clear to me that the mandatory provision is in the bill, and that the added gas tax was enacted against that background.

Mr. STENNIS. In the bill or in the law? The Senator speaks about a mandatory feature.

Mr. HOLLAND. In the law we passed imposing a fourth additional cent gas tax. We knew at the time we passed it—and it was shown clearly by the reports of both committees—that the default would occur before the accumulation would make it possible to meet the obligation.

Mr. STENNIS. Where is the clear mandatory provision in the law that this money will be paid back? That is the only question.

Mr. HOLLAND. I will read that language into my reply. It may be found in subsection 2 of section (f) of the Highway Revenue Act. It reads—and I read this pursuant to the request of the Senator from Mississippi:

Repayment of advances from general fund.

The section before that provided for exactly this advance.

Repayment of advances from general fund. Advances made pursuant to subsection (d) shall be repaid—

Not "may"—

shall be repaid, and interest on such advances shall be paid to the general fund of the Treasury when the Secretary of the Treasury determines that moneys are available in the trust fund for such purposes.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. It is the last part of that section which is important; namely, that repayments shall be made only when the Secretary of the Treasury finds that there are sufficient funds in the trust fund to make that possible.

The point I wish to make is that these sums will be repaid out of the trust fund only when the Secretary of the Treasury determines that sufficient moneys are available in the fund.

Some of us voted very reluctantly for the 1-cent increase in the gas tax. We wanted other methods of financing. But certainly we were limiting the liability of the program to the amount of the increase in the gas tax. Now we find that the 1-cent increase is said not to be enough, and that in addition $359 million from the general fund is to be appropriated; and if the money is not available, the Secretary of the Treasury has to borrow it. That may unbalance the budget, and certainly increase the financial stringency in which the Government claims to find itself.

It may be said that the money will be repaid in the future. That is the objective. But as a matter of fact, the program which has been adopted seems to me to be probably in excess of what the total receipts from the 4-cent gas tax will be.

Therefore, I think this would probably be a permanent appropriation, from the Treasury, in the amount of $359 million, for the special purpose of the national system of highways. I certainly cannot agree to have that done. The Senator from Florida has spoken of the obligations we owe to the States, and I presume he also means there are obligations to the contractors. But certainly the States do not have a right to commit the Federal Government to make appropriations which have not yet been authorized or made by the Federal Government.

If such an agreement is made, it is made by means of what the lawyers call ultra vires arrangements—in other words, arrangements beyond the law; and in that case, certainly we are not obligated to pay the bill.

I do not wish to have the proposed $359 million added to the budget, and thus unbalance it.

I believe in the construction of good and useful highway systems; but when it is said by the administration that the Federal Government does not have sufficient funds to pay for necessary hospitals and schools, for slum clearance and housing and for depressed areas, I do not believe the Congress would be justified in voting an additional appropriation of $359 million for the speeding up of highways. Although I believe in the construction of highways insofar as it is possible to do so wisely, I do not believe they should be constructed at a rate which crowds out everything else. Let us keep a sense of proportion.

Mr. HOLLAND. Mr. President, let me say that the impetus by which the program has moved forward, did not come from the administration; instead, it came from the Congress itself.

Last year, when the economy was in a state of recession, the Congress thought it advisable to follow this course; and I voted for it, and I believe that almost all other Members of the Senate did likewise. We voted for it in the belief that it would be a means by which the recession could be overcome.

I believe it should be made clear that this development was not of the making of the administration, except insofar as the administration might be held to have had a part in the program, in view of the fact that the President signed the bill.

Mr. DOUGLAS. But is not the administration now requesting the appropriation of the added $359 million?

Mr. HOLLAND. The administration is asking that the proceeds from the gasoline tax bill which the Congress passed in order to make good on the program which the Congress enlarged last year, be made available now, for that purpose.

Mr. DOUGLAS. Cannot the program be slowed down? Is it necessary that the fiscal water continue to run out of the tap at the same rate which we thought necessary last year? Has the tap been turned on so far, at this time, that it cannot be closed to some extent?

Mr. HOLLAND. Mr. President, I see on the floor numerous members of the Public Works Committee, who could more correctly state this matter than I can. But I wish to remind the distinguished Senator from Illinois that when the Congress passed the gasoline tax bill, the Congress did slow down the program. But Congress could not slow it down in the case of the apportionments which already had been made to the States.

So far as I am concerned, I believe that the apportionments made last year and those made the year before—and each time they were made under the then existing laws—constitute decent and sound obligations of the Federal Government, and we should meet them. I believe the Senator from Illinois will reach the same conclusion when he realizes that this matter does not have to do with the slowed-down program which will begin with the allotments for 1961. Instead, this matter has to do with payment of the just debts of the Federal Government, for programs which were legal, and for which apportionments were made in 1958 and 1959.

Mr. McNAMARA. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield to the Senator from Michigan; and if my statement on the last point I covered was not correct, I ask the Senator from Michigan to correct me.

Mr. McNAMARA. Mr. President, I subscribe to everything the Senator from Florida has said. Furthermore, the Bureau of Public Roads has advised us that 770,000 people have been employed on this program, because of the step-up to which the Senator from Florida has referred. I am sure the Senator from Illinois does not want to slow it down, and, as a result, cause many of these people to be laid off, at a time when economic conditions in the area involved are not as good as they should be.

I am sure the Senator from Illinois will agree with the Senator from Florida that there was a justification and a need for putting these people to work.

Now that the peak has passed, and now that we are returning to a normal procedure, I am sure that with the assurance of everyone concerned—including the chairman of the Appropriations Committee [Mr. HAYDEN], the chairman of the Public Works Committee [Mr. CHAVEZ], and the leadership on both sides of the aisle, and with the fine assurance we have from the senior Senator from Florida [Mr. HOLLAND]—we should be able to proceed satisfactorily.

Mr. HOLLAND. I thank the Senator from Michigan.

Let me say that the data in regard to the estimated collections from the additional 1-cent-a-gallon gasoline tax have been provided us by the Bureau of Public Roads. These data show an estimate of $333 million, beginning with the month of November—inasmuch as the bill will go into effect in October—and through June of next year.

I could place the entire tabulation in the RECORD; but it contains considerable additional data; and, therefore, I prefer to show the tabulation to the Senator from Mississippi and to other Members who may be interested.

It seems to me we have all the evidence we could possibly have. The administration is in this case asking us to go farther than our rules permit us to go, in asking that it be made mandatory that it be repaid by June 30. I point out that the only reason why question is raised about its being repaid at that time is that the point of order has been raised.

Mr. SALTONSTALL. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. HOLLAND. I yield.

Mr. SALTONSTALL. The Senator from Mississippi [Mr. STENNIS] expressed my view entirely, in the course of his recent statement.

In the Appropriations Committee, we favored increasing the highway fund appropriation by $188 million and increasing the authority to borrow from the general fund by $359 million, because we found that was necessary in order to cover the obligations which would have to be met before June 30. We included the proviso that all this money would be paid back before June 30, so as to make sure we would not be using funds from the general treasury funds after that time.

I understand that the purpose of striking out the proviso is, not to provide a prohibition against spending the

money, but to leave it in the trust fund after June 30.

I wish to state that it seems to me that, as a result of the comments made by the Senator from Mississippi [Mr. STENNIS] and the Senator from Florida [Mr. HOLLAND]—and I hope that what I have said has helped a little in that connection—the Administrator of the Bureau of Public Roads should try to meet the obligations the Federal Government has to the States—but not to exceed those amounts—so that the money can be repaid by June 30.

The Secretary of the Treasury has some responsibility in working with the Administrator of the Bureau of Public Roads, to see that that is done.

This afternoon we had a long discussion with the Senator from Tennessee, the Senator from Florida, the Senator from Illinois, and myself, together with representatives of the administration. We met in another room. After we had consulted with them, we reached an agreement to the effect that all of us wanted to see the obligations of the Federal Government paid to the States.

We do not want the Federal Government to fail to pay its obligations to the States, when the obligations come due. All of us gave our assurances that next January we would do our best to see that that was done. I do not like to see the proviso deleted; but I do not think its deletion will be fatal.

Mr. HOLLAND. Let me say that no sooner did we have that discussion, than I consulted that Senator from Arizona [Mr. HAYDEN], the chairman of the Appropriations Committee, and the Senator from Texas [Mr. JOHNSON], the distinguished majority leader; and I obtained their strong assurances that, so far as their leadership goes, they recognize this as being so much an obligation of the Federal Government that we should not ignore it; and that they assure us that they will stand back of the effort to see it through to conclusion.

Mr. SALTONSTALL. Mr. President, will the Senator from Florida yield again to me?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. HOLLAND. I yield.

Mr. SALTONSTALL. Mr. President, I hope the Senator from Tessessee will be willing to withdraw his point of order, so as to permit us to leave this provision in the bill. I am afraid if the language is stricken out, either in conference with the House or on the floor of the Senate, if it comes to a vote, this whole item of $359 million may be stricken out. It we struck it out, we would be in the same position as if we had not passed the gasoline tax so far as this year is concerned, and we would not be able to carry out our obligation. I do not think the Senator from Tennessee would lose a thing, from his point of view, by leaving the language in or letting the rule be suspended. He has the assurances of the Senator from Florida, the Senator from Michigan, the Senator from Arizona, the Senator from Illinois, the Senator from Texas, and, for what it is worth, the Senator from Massachusetts, that we will try to see that this is carried out next January or March, whatever the time may be.

Mr. HOLLAND. I yield to the Senator from Tennessee [Mr. GORE].

Mr. GORE. I wish to confirm that we had a conference, at which agreement was reached that the obligations to the States would be recognized as valid and honored in full. I had previously talked to the chairman of the Appropriations Committee, to the distinguished majority leader, and to the distingushed minority leader. After this amendment is adopted, which I support, I shall then offer another amendment, but which I shall withdraw after a brief discussion of it.

This is a complicated matter, and when I get recognized, I shall discuss it for about 10 minutes. But I wish to confirm the understandings, and I concur in the understandings, that Congress will meet the solemn and legal obligation of the Federal Government to the respective States in this fiscal year.

Mr. HOLLAND. I yield to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, the other evening when we adopted the amendment to the highway construction bill we definitely indicated that we did not take out of the general fund any moneys to finance the highway program of 1960. Moreover, we indicated that none shall come out in 1961. The bill provides $802 million for 1962. The purpose was not to compel the Treasury to offer bonds on an unwilling market.

There was a solemn declaration that no funds will be taken out of the general fund. The committee tried to keep faith with the solemn declaration. The committee wanted to make sure that by June 30, 1960, this money will be back in the general fund. If it is not back in the general fund, the Treasury Department may have to sell bonds.

I humbly ask the Senater from Tennessee to try to allow the Senate to keep faith with what it declared in the bill the other night.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HOLLAND. If the Senator from Ohio has concluded, I shall yield again to the Senator from Tennessee.

Mr. LAUSCHE. One word further. I have heard what the Senator from Florida has said about $321 million being collected through the 1-cent tax——

Mr. HOLLAND. Three hundred and thirty-three million dollars.

Mr. LAUSCHE. Three hundred and thirty-three million dollars; but that does not assure that the Secetary of the Treasury will be able to declare by June 30 that the money will be available.

Mr. HOLLAND. I yield to the Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, I shall take just one moment to say that the distinguished Senator from Ohio is laboring under a complete misunderstanding. There was no such understanding as he stated when the bill H.R. 8678 was passed. There was no such provision in that bill. There was clear recognition in the committee report, and clear statements were made on the floor of the Senate, that the bill was not sufficient to meet the obligations of the Federal Government in the present fiscal year. I remember the statement was made repeatedly that the Highway Trust Fund would be out of funds, as the Senator from Florida has said, by October 1. In addition, the deficit on December 31 will be $353 million. That is stated in the hearings. It was all understood. I am surprised that the Senator from Ohio would question it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Ohio.

Mr. LAUSCHE. I humbly suggest that the Senator from Tennessee puts himself deeper in the mire by the answer he has given.

Mr. GORE. What mire?

Mr. LAUSCHE. He now indicates he wants money taken out of the general fund in fiscal 1960 to finance the highway program. That was not intended by the Senate. It was not intended by the committee.

Mr. HOLLAND. Mr. President, I think we are all trying to get the motorists of the Nation out of the mire. I hope that some way can be found to let the bill pass as drafted, because the intent of the Budget Bureau and of the President is very clear. Even though I am forced to admit that the language is, strictly and technically, subject to a point of order, it is very clear the understanding we had still is that this year is the year in which advancements from the general fund will be repaid. Of course, that goes a long way with me, anyhow.

In view of the wording of the act, in view of the statement of the Director of the Budget, in view of the President's message, my understanding is just as clear as a bell they expect to recoup the general fund entirely as to any advances made to this particular special fund in this fiscal year.

I am sorry that, if the Senator from Tennessee insists upon a point of order, we shall have to rely on those less direct assurances than we would have if the bill were left as it was. There is not the slightest doubt in my mind that all of us have the same intent to meet the obligation of the United States to the States and to take the general fund out of this financing for this fiscal year.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the minority leader.

Mr. DIRKSEN. I would like to have the attention of the distinguished Senator from Tennessee [Mr. GORE] for a moment.

Obviously the only real question here is the time factor: When shall the $359 million be paid back, so that it does not have the effect of an expenditure in fiscal 1960? That is a delimiting proviso, but there is another way of getting at it.

Admitting that it is subject, of course, to a point of order, would the Senator from Tennessee object if I asked him now whether he would concur in an expression of sentiment that it is the

intent of the Senate that the $359 million should be paid back by June 30, 1960? That would meet the objection of the Senator from Ohio [Mr. LAUSCHE], who thinks that good faith is involved here in view of the expressions in which we indulged in connection with the commerce bill in the first instance. I think that would meet the situation all around, and still let the proviso go out on a point of order, if it had to.

Mr. GORE. Mr. President, as quickly as I can call up an amendment, which, as I have stated, I expect to withdraw, I shall make a statement. We have an understanding that the pending amendment will be adopted. I will then offer one, call it up, and, as briefly as possible, express my point of view.

Mr. HOLLAND. Mr. President, I ask that the amendment which I sent to the desk be now acted upon.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. STENNIS. The Senator from Florida has handled this matter before the Committee on Appropriations in regard to the bill presently before the Senate, and previously did so. In view of everything which has happened, including the discussions with the administration and those representing the administration at various levels, does the Senator think it is inescapable, in order to keep the tenor and the tone of their understanding with the Senator and others, that the administration would exert all efforts to pay the money back by June 30, 1960?

Mr. HOLLAND. I do. But let me make it very clear that my contacts with the administration have been with the minority leader [Mr. DIRKSEN] and with the Senator from Massachusetts [Mr. SALTONSTALL], who has some official position in his party.

Mr. DIRKSEN. The Senator from Massachusetts is the chairman of the conference committee.

Mr. HOLLAND. The Senator is the chairman of the conference committee.

If I may, I should like to have the attention of the Senator from Mississippi [Mr. STENNIS].

I state for the RECORD that I am relying implicitly also upon the request of the Bureau of the Budget, the request of the Treasury Department, and the request of the President that the money be repayable by June 30, 1960. That is my understanding, without having personally talked over the matter with any of them. It is in black and white. I would be glad to put that in the RECORD, to show it was the intention and the understanding.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me?

Mr. STENNIS. The Senator from Florida has the floor.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have this item printed in the RECORD, to show affirmatively that was the intention.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., September 8, 1959.

THE PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration proposed provisions pertaining to the fiscal year 1960 for the Department of Commerce, as follows:

"DEPARTMENT OF COMMERCE—BUREAU OF PUBLIC ROADS—FEDERAL-AID HIGHWAYS (TRUST FUND)

"For an additional amount for 'Federal-aid highways (trust fund)', to remain available until expended, $188 million, or so much thereof as may be available in and derived from the highway trust fund, which sum is part of the amount authorized to be appropriated for the fiscal year 1959."

This proposed increase in the limitation of amounts to be transferred from the highway trust fund to liquidate obligations incurred under prior contract authorizations is required because Federal-aid highway projects are proceeding more rapidly than was anticipated. The enactment of this proposal would increase the total amount authorized to be transferred from the highway trust fund to $3,028 million if this amount should become available in the highway trust fund. The increase provides a margin of $50 million above present estimates of availability so that transfers up to that amount will not be prevented if actual receipts exceed present estimates.

"HIGHWAY TRUST FUND

"For repayable advances to the 'Highway trust fund' during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), $359 million: *Provided*, That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this account shall be withdrawn."

This proposed provision is to allow a temporary advance to the highway trust fund, to be repaid before the end of the fiscal year 1960. The rate of expenditures in the first half of this fiscal year will exceed revenues available in the highway trust fund. Beginning in October 1959, amounts in the fund will be insufficient to permit the timely reimbursement to the States for expenses incurred under the Federal-aid highway program. The deficiency is estimated to reach a maximum of $359 million by January 31, 1960. Receipts will then begin to exceed expenditures and, with the enactment of the Highway Act of 1959, are estimated to be adequate to repay this proposed advance with interest on or before June 30, 1960. Since this transaction will be completed within the fiscal year, it will have no effect upon 1960 expenditures or obligational authority.

I recommend that the foregoing proposed provisions be transmitted to the Congress.

Respectfully yours,

MAURICE H. STANS,
Director of the Bureau of the Budget.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I did not understand what the Senator from Florida said.

Mr. HOLLAND. I asked unanimous consent to have printed in the RECORD the supplemental budget request, to show affirmatively what was the intention of the President, of the Treasury Department, and of the Bureau of the Budget, in the making of the request.

Mr. MORSE. Is it the argument of the Senator from Florida that if he has that document printed in the RECORD the intention will carry over to a subsequent interpretation of his language, which is exactly the opposite in intent?

I do not want to have that expressed in the legislative history of this matter, because I think the Senator from Tennessee [Mr. GORE] has done a great service for the taxpayers of this country by taking the course of action he has taken.

The Senator from Florida has likewise performed great service, so far as the language in the amendment is concerned. I do not want the Senator to change the meaning of that language by putting into the RECORD now something which will give an expression of intent which in my judgment the language upon its face does not support.

Mr. DIRKSEN. Mr. President, will the Senator yield for an answer to that question?

Mr. HOLLAND. Mr. President, in response to that suggestion I wish to say I am putting the document in the RECORD solely to support my statement that I know what the President, the Bureau of the Budget, and the Treasury Department intended, though I have not received that information directly from them, other than in the form of their formal communication to the Committee on Appropriations. My conferences have been with the distinguished minority leader [Mr. DIRKSEN] and the distinguished Senator from Massachusetts [Mr. SALTONSTALL]

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DIRKSEN. I think there is a better answer to the distinguished Senator from Oregon, and it is simply this: The language which is to be kept in the bill, not subject to a point of order, makes this a repayable advance. The business of recouping the money becomes an administrative chore of the Secretary of the Treasury and those who are identified with this expenditure. The Secretary might, notwithstanding the striking of that limiting provision, actually try to recoup the money before June 30, 1960.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. DIRKSEN. So I agree with the Senator from Massachusetts that striking the limitation would not be too fatal for all practical purposes, because administratively the money can be recouped.

Mr. HOLLAND. I agree with the Senator from Illinois.

Mr. President, I now yield to the senior Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Florida.

I wish to point out that we are now asked to appropriate $359 million from the general fund of the Treasury in the hope that later there may be a corresponding surplus in the highway trust fund. If there is not a surplus to this

extent, then these sums of money will never be repaid. As a matter of fact, what we will then have will be a subsidizing of highways from the general revenues. In all probability, we would be forcing the Treasury Department in the meantime to borrow money in the general money market, thus increasing the financial difficulties of the Government, about which the administration has been complaining so bitterly.

I wish to say in all kindness to the Senator from Florida that the proposal of the administration is, to me, the height of fiscal irresponsibility. It seems to me extraordinary that the Committee on Appropriations should have yielded to their request.

I am in favor of financing the highway program from moneys received from the gasoline tax. I think there are better ways of financing the program, but I want to limit the liability to the revenues which we would receive from the 1-cent increase in the gasoline tax.

It is now proposed that we spend $359 million more than this in the hope that sometime, somewhere over the rainbow, there will be a $359 million surplus which can be used for this purpose. But hope is not a substantial surplus.

Furthermore, I will say to my friends, though I do not want to becloud the issue, it is extraordinary to the country that an administration, a Senate, and a Congress which will not clear slums, which will not provide decent housing for people in need, which will not meet the needs for school construction, which will not aid depressed areas, will nevertheless spend the extra $359 million for highways in addition to billions which are already being spent.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. DOUGLAS. If the Senator from Florida will permit me to yield, I will yield.

Mr. HOLLAND. I am glad to yield to the Senator from Minnesota.

Mr. McCARTHY. The Senator from Illinois has described the situation quite accurately. The Senator has made the point that the administration insists on the continuation of the highway program up to schedule. In effect, what the administration is saying is that we have to have better highways, so that more people can go more rapidly over the roads from one urban slum to another urban slum, from one polluted stream to another polluted stream, from one college campus which has dormitories but no classrooms to another college campus which has dormitories but no classrooms. Is that a reasonably accurate statement?

Mr. DOUGLAS. I think that is correct, and personally I feel rather outraged by it.

Mr. HOLLAND. Mr. President——

Mr. DOUGLAS. If the Senator will permit me to finish, I also feel outraged by the method of financing proposed. I repeat, this is the height of fiscal irresponsibility.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HOLLAND. First, I should like to say, very briefly, I am not accustomed to defending the administration, and I am not going to begin now. I am simply going to point out the fact that the Congress passed the bill which provides for this advancement. The two committees, both of which are controlled by my own party and have chairmen who are distinguished members of my own party, made it very clear to us that advancement was going to be necessary in order to keep the program on the track. I voted for the bill. A great majority of Senators, including a great majority of my associates on this side of the aisle, voted for the bill. If any Senators did not understand at that time that an advancement was to be required——

Mr. DOUGLAS. I do not think there was any pledge that any deficit would be met from the general fund.

Mr. HOLLAND. Then I think it was solely because they did not familiarize themselves clearly with the request. So far as the Senator from Florida is concerned, I think this is not a partisan matter, and that it is justifiable to earmark the gasoline tax revenues, which come out of the pockets of the travelers on the highways, for the building of the highway system. In order to keep the program on the track temporarily it is justifiable to make an advancement with a clear understanding and with a proper provision in the law. We have the assurance given by the leadership on both sides of the aisle that we are doing this with the understanding that the advancement shall be repaid, first, out of proceeds from the extra gasoline tax.

Mr. MORSE. Mr. President, will the Senator yield to me?

Mr. HOLLAND. I yield to the Senator from Oregon.

Mr. MORSE. I want to make a brief comment with regard to the comments of the two Senators from Illinois.

The senior Senator from Illinois [Mr. DOUGLAS] always moves me very deeply by his comments. There is much in what he said with which I agree, except some of the conclusions he reached. Of course, the junior Senator from Illinois [Mr. DIRKSEN] made it very clear that these moneys are for repayable advances. I recognize that. What this amounts to, in effect, if I correctly understand the situation, is that we are now going to take $359 million, as the Senator from Illinois [Mr. DOUGLAS] points out, from the general fund of the Treasury, to see to it that the accounts are kept filled with the necessary amount of money so that advances can go to the States and the program can go on in accordance with the schedule?

Mr. HOLLAND. So that the final payments can be made in accordance with the schedule.

Mr. MORSE. So that the final payments can be made in accordance with the schedule. I am in favor of that. Of course, I think that is where the money should have been paid from in the first place, anyway. I disagree with my good friend, the Senator from Illinois [Mr. DOUGLAS] in his statement that the payment should be from the funds received from the collections of gasoline taxes, over and above the amounts the automobile users have previously paid.

I want to tell the Senate what I hope, and why I am so strongly in support of the amendment, and why I think the Senator from Tennessee [Mr. GORE] has performed such a great service on the floor of the Senate tonight by raising the point of order which he has properly raised.

I suggest that we go home and visit with our constituents this fall. When they begin to see the full implications of all this, they may arm us with the foresight which I think we need to come back in January and proceed with another bill, which will plug up the very bad tax loopholes we have in our present tax structure, of which I have spoken so many times on the floor of the Senate. By plugging up those tax loopholes we can get the money into the General Treasury of the United States and pay for highways, as I think we should have done in the first place, rather than by a further increase in the gas tax. Out of the General Treasury we can obtain funds based upon true ability to pay. We can go ahead also with slum clearance, and the educational program which the Senator from Illinois and I find ourselves in agreement about without imposing an additional Federal sales tax, regressive in nature, upon the taxpayers of the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I do not have the floor, but I am always delighted to yield to the Senator from Illinois. I believe the Senator from Florida has the floor.

Mr. HOLLAND. I yield to the Senator from Illinois.

Mr. DOUGLAS. Let me say to my good friend from Oregon that he, too, is taking a leap in the dark. He is assuming that we are going to plug the tax loopholes, and that we will have enough money for all these purposes.

The Senator knows perfectly well that we have tried to plug these loopholes year after year, and we have always been defeated by the coalition drawn from both parties. I do not believe that situation will be changed in the immediate future.

We must face the situation that our revenues are relatively limited, and that our ability to spend should be curtailed in accordance with the revenues. I am not for unbalancing the budget in a period of financial prosperity. I am not for unbalancing the budget at such periods, to carry out this program. I have enough fiscal responsibility in me not to want to do that.

I am appalled at an administration which will send up a special message of the type which has been sent. At the same time, it is opposed to new starts in public works. It does not want to have the public works program accelerated, but it wants to accelerate the highway program. If they are slowing down public works, why not slow down highways? Why is this program the favorite child of the administration?

Mr. MORSE. Mr. President, if the Senator will yield once more, the theme song of "Fiscal Responsibility" is melodious and musical, but it is a siren song. I am not going to substitute the theme

song of fiscal responsibility at the expense of imposing on the gasoline users of the country what I think is a very unsound, regressive tax.

I shall continue to take the position that when we tax them as much as we have been taxing them per gallon on gasoline, it is time to carry out our duty in the Senate, and plug the tax loopholes.

I say to the Senator from Illinois that "The boys ain't heard from the constituents yet." But let us wait for the intervening months, when the constituents get a better idea of what the precedent is in regard to increasing the gasoline tax, and I think they will make it very clear to Members of Congress that they think we had better get busy and plug the loopholes, increase the money in the General Treasury, stop taxing those who have the least ability to pay, and adopt a tax structure based upon the principle that those who have income should pay taxes in proportion to their income.

I will tell the Senator from Illinois what I like about the parliamentary situation in which we find ourselves. It is buying us time. Those of us who lost the fight on the gasoline tax are buying time to get the issues to the crossroads of America and let the politicians hear what the people think about the constant increasing of a Federal sales tax, whether it be a gasoline tax, an excise tax, or something else. If we do not stop this practice, we shall finally wake up to the danger of a general Federal sales tax, which is what I think certain forces are aiming at.

Mr. DOUGLAS. Mr. President, will the Senator from Florida permit me to reply to the Senator from Oregon?

Mr. HOLLAND. First, let me say one word, and then I will yield the floor.

My two friends are so persuasive that I am glad that they are arguing at the same time. That makes it impossible for me to agree with either of them. I shall try to steer a straight course between Scylla and Charybdis, and yield the floor and take my seat. [Laughter.]

Mr. DOUGLAS. Mr. President, I have no desire to enter into a controversy with my good friend, the Senator from Oregon. I agree that the phrase "fiscal responsibility" did not come from him. I agree that he has never been dominated by that phrase. The phrase comes from the administration. That has been the cry which it has used against all appropriations for welfare measures, against all public works such as urban renewal, slum clearance, low-cost housing, college classrooms, and college dormitories. It is the term which the administration uses against depressed areas. It is the phrase which the administration uses against any measure designed to help the people of the United States.

Now we catch them with their hands in the cookie jar, or, to vary the expression, with their hands daubed with strawberry jam, indulging in the grossest form of fiscal irresponsibility, unbalancing the budget by $359 million, and sending the Secretary of the Treasury out to borrow money at rates of interest which he says are excessive, in order that these commitments may go forward unabated—commitments which the Federal Government did not make, but which the States perhaps did make. I never heard of such fiscal irresponsibility in my life.

I do not ask the Senator from Oregon to live by the standard of fiscal irresponsibility. He did not choose that term, but the administration launched it, and I ask that it live by the standards which it imposes. Is that not fair?

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. McCARTHY. I may point out to the Senator from Illinois that this morning the minority leader, the junior Senator from Illinois [Mr. DIRKSEN] placed in the CONGRESSIONAL RECORD an article from the Wall Street Journal which discussed the prospect of a financial panic.

Mr. DOUGLAS. That is correct.

Mr. McCARTHY. Here we are this afternoon, evidently with administration support, advancing the causes of a potential financial panic.

Mr. DOUGLAS. They are being increased.

Mr. McCARTHY. Perhaps "increased" is the better word

With respect to this particular amendment, it is interesting to note that the provision which has been stricken on a point of order is:

Provided, That all such advances shall be repaid to this appropriation on or before June 30, 1960—

And so forth. I am sure the Senator from Illinois knows what is involved. This administration has tried to push as much of the deficit as possible into 1959. It did so well that it established a record of $12½ billion fiscal deficit for 1959—not only a record peacetime deficit, but twice as great as any other peacetime deficit in the history of the country. That was 1959. Now we move into 1960. What is the administration trying to do? It is trying to push the deficits into fiscal 1961, so it provides that repayment must be made in 1960, even though it really belongs in 1961. So they will come back and say, "Look at 1960." It is a little like the Israelites going to the Red Sea. They push the Red Sea waters—or, rather, the red ink—to 1961 in order to go dry shod through 1960.

Mr. DOUGLAS. And to the elections in November 1960—the promised land. [Laughter.]

Mr. McCARTHY. The Senator is right. I think the figures speak perfectly.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND].

Mr. DOUGLAS obtained the floor.

Mr. CLARK. Will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CLARK. I wonder if the Senator from Illinois would agree with me that the problem about which he has been talking ties up somewhat as follows—this is a question under the Senate rules:

First, that it is, in fact, fiscally irresponsible to transfer more moneys out of the general fund into the highway fund than one would expect to get back from general sources of revenue?

Second, that it is important in a time of relative prosperity among upper-income groups to balance the budget?

Mr. DOUGLAS. That is correct.

Mr. CLARK. Third, that it is perfectly easy to balance the budget if we close tax loopholes which are open and notorious?

Mr. DOUGLAS. That is true, but we fail to do so.

Mr. CLARK. Fourth, that the Eisenhower administration has no intention of permitting us to close those loopholes?

Mr. DOUGLAS. I agree.

Mr. CLARK. So we are faced with the disagreeable alternative of either defaulting on commitments the Federal Government has made to the States with respect to highways or making another effort to raise enough revenue to balance the budget. I would suggest that my friend from Oregon has good sense on his side when he says the greatest mistake this administration ever made in telling the American people that they can have a safe and secure market and a first-class America on a budget of $77 billion. This is a question.

Mr. DOUGLAS. Mr. President, with some of the comments of the Senator from Pennsylvania I agree; but with some of them I do not. I would have liked to plug the loopholes and had more money available for social purposes, but I think there are great wastes already existing in the Federal budget which have prevented our keeping the total expenditures within $77 billion.

Mr. CLARK. Will the Senator yield?

Mr. DOUGLAS. May I follow this thought for a minute? What seems to me so extraordinary is that, at a time when the administration is issuing statements of what a bad financial condition the country will be in within the next months, at a time when the administration obviously helped to inspire the article which appeared in the Wall Street Journal in which it was reported it would be almost impossible for the Government to borrow money, that the financial markets are extremely tight, and interest rates will have to go up, on top of this situation they now come in with a proposal which will require a payment of $359 million more in the next few months without their having the revenue in sight with which to pay it. These are the brutal facts which make me feel that this proposal is financially unsound, and that it will hurt the credit and financial stability of the United States. It is only when the poor, the nervous, the sick, and the needy are involved that the administration talks about fiscal responsibility. I ask them to take their own medicine when their well-to-do friends are involved.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida. [Putting the question.] The amendment is agreed to.

Mr. DOUGLAS. What was the ruling of the Chair on the vote?

The PRESIDING OFFICER. The amendment was agreed to.

Mr. DOUGLAS. I wish the RECORD to show that I voted against the amendment of the Senator from Florida [Mr. HOLLAND].

Mr. GORE. Mr. President, I ask that an amendment which I submit be stated.

The LEGISLATIVE CLERK. On page 18, lines 6 and 7, it is proposed to strike out "$188,000,000" and insert in lieu thereof "$295,000,000".

Mr. GORE. Mr. President, I must in candor and perhaps in justice to myself, if not in defense of myself, say that I am surprised at the lack of understanding of a program so important to the United States of America as is the highway program. Members of the Senate have arisen to express astonishment and chagrin, and even resentment that a request for a supplemental appropriation is presented to meet the obligations of the Federal Government to the States within this fiscal year.

I would like to read a part of a page of the hearing before the Committee on Finance on September 4, 1959. I was inquiring about the balance in the highway trust fund:

Senator GORE. I would like to know what it will be—what I am really getting to—what is it going to be on October 1, which would be the earliest effective date in which this additional gasoline tax could go into effect, if it ever does?

Mr. TALLAMY. The balance at the end of September will be $38 million.

Senator GORE. $38 million.

Now, what would be your deficit in the fund on December 31, even with the passage of H.R. 8678?

Mr. TALLAMY. $353 million would be the deficit on December 31.

Senator GORE. Even with the passage of H.R. 8678?

H.R. 8678 was the gasoline tax bill. I repeat:

Mr. TALLAMY. $353 million would be the deficit on December 31.

Yet Senators rise as if they are utterly astounded and surprised to learn that the passage of a bill imposing an additional 1-cent tax on each gallon of gasoline did not solve this problem. When H.R. 8678 was before the Senate I pleaded with the Senate hour after hour; I undertook to persuade the Senators to look at the facts and to know and believe that additional tax would not solve the problem.

Mr. President, I digress to say that, so far as I know, that was the first public notice that the Congress or the people received that an additional gasoline tax of 1 cent per gallon would not solve the highway problem for fiscal 1960. I was aware that it would not. I believed that a supplemental appropriation request had already been submitted to and approved by the Bureau of the Budget and awaited only the action of Congress to levy an additional tax on every gallon of gasoline before it was to be submitted to the Congress. I asked the question and out the answer came.

Let me continue reading:

Senator GORE. Even with the passage of H.R. 8678?

Mr. TALLAMY. Yes, sir.

Senator GORE. Then how can you possibly contend that H.R. 8678 solves your problem?

Mr. TALLAMY. The Secretary of the Treasury has advised that he would have no objection to an appropriation to the general fund, to the trust fund, for this fiscal year, provided it was returned from the trust fund to the general fund by the end of this fiscal year, so it would require an appropriation act this year.

Senator GORE. As a matter of fact, has not the Department of Commerce already prepared such a supplemental appropriation request and submitted it to the Bureau of the Budget?

Mr. TALLAMY. Yes, sir.

Senator GORE. I think you are prudent in doing so, but it doesn't quite comport with all of the public pronouncements that the 1-cent additional gasoline tax is going to solve the problem.

Mr. TALLAMY. It permits the repayment to the general fund of its appropriations which we just spoke of during this fiscal year within the $157 million item which will be carried over by holding vouchers from one fiscal year to another.

Mr. President, what vouchers is Mr. Tallamy talking about holding? What vouchers is he speaking of denying? What vouchers are not going to be payable when presented?

They are vouchers submitted by the States of our Union. I see the distinguished Senator from Arizona, chairman of the Committee on Appropriations, on the floor. He was a coauthor of the Hayden-Cartwright Act, which created the Bureau of Roads and set in motion the system of Federal-aid highways, without which the Nation would still be in the mire of mud. I am sure the Senator from Arizona knows that never before has it been proposed to Congress that the Federal Government default on its obligations created by apportionment of highway funds to the States, created by an act of Congress, and signed into law by the President. I am happy to say that the distinguished Senator from Arizona has said to me that he does not propose to see such defaults start now.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HAYDEN. The Senator is mistaken about the origin of that law. It was actually a law enacted in 1916.

Mr. GORE. I stand corrected.

Mr. HAYDEN. The author of the act was Dorsey W. Shackleford, a Representative from Missouri. I was a Member of the House at the time.

Mr. GORE. What was the date of the Hayden-Cartwright Act?

Mr. HAYDEN. It was in the 1930's.

Mr. GORE. I am sorry. I am willing to give the Senator from Arizona the credit to which he is entitled, and a little more.

Mr. HAYDEN. I do not want to claim credit for something I did not do. In all the years since the original act was passed, it has always been understood that the following procedure would take place: That Congress would determine a lump sum of money to be expended upon highways; that the money was to be divided by a formula among the States——

Mr. GORE. Apportioned.

Mr. HAYDEN. Yes. Under a formula; and then when the apportionment was made, and the State expended the money, when the expenditures were made, the State would be promptly reimbursed.

Mr. GORE. That is correct.

Mr. HAYDEN. For the share which the Federal Government assumed. In other words, whether the arrangement was on a 50–50 basis, or whatever else it might have been, the Federal Government said, "If you will do all the work, we will pay our share of it when it is done." The Federal Government has never failed, up to this moment, to have the money available and ready to meet that State obligation. So far as I am concerned, budget estimate or no budget estimate, when the next session of Congress comes, if there is not money enough available to do that, I propose to appropriate it out of the Treasury of the United States at the earliest opportunity to do so, to see to it that the word of Congress, given to the States, is kept.

Mr. GORE. I thank the Senator from Arizona. It is upon his assurance and a similar assurance from the senior Senator from Florida, who is chairman of the subcommittee, and from the senior Senator from Massachusetts [Mr. SALTONSTALL], the minority leader, and others, that later I will withdraw the amendment which I have now offered. But I wish to discuss the amendment further.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HOLLAND. The Senator from Tennessee has correctly stated what has transpired. The fact of the matter, as he knows, and as all of us know, is that this picture cannot be made clear until sometime next spring, because no one knows at what rate construction will move ahead toward completion on the some hundreds of Federal-aid projects which are now under construction in all the States of the Union. Some of them are interstate highway projects; some of them are in the ABC category. The weather and other conditions will determine in large part how speedily those contracts will be completed.

Under the present estimate—and those in charge of the program think they have it as closely in view as can be done under the circumstances—think there will be a carryover at June 30, 1960, of $157 million, and have so stated in the hearings which the Senator from Tennessee holds in his hand.

Last year, covering the same period of time, a period of 10 days or 2 weeks in the last of June, there was a carryover of $122 million. That did not mean that there was any repudiation; but just like all the rest of us, the Bureau pays its bills on a fixed date and does not write checks until the bills are in.

What I have said to the Senator from Tennessee, and what I propose to stand by—and I have said it earlier to the Senator from Michigan [Mr. MCNAMARA] and other Senators who were on the floor when we discussed this matter some weeks ago or months ago—was that I propose to do everything in my power to recognize the obligation of the Federal

Government to the States. I do not know of any Senator or any Representative who does not feel that way about it. I have discussed the matter with the majority leader, the minority leader, and all the others whom I have mentioned today, and every one of them feels as I do about the matter.

But I have said, and I think the Senator from Tennessee realizes that it must be true, that we will not be in a position to see the situation with any degree of accuracy until sometime after the first of the year. It is with the assurance that I will do everything within my power, as will the other Senators whom I have mentioned, that I understand the Senator from Tennessee is willing to take the course which he has suggested, that is, not to insist upon his amendment now, because he knows, and we all know, that if he insisted upon it now, and if it were adopted, and if it were enacted, there would be no assurance that it would meet the situation which exists or would exist next spring and up to June 30, 1960. I give every assurance that one Senator can give to another as to how seriously I feel about this matter. I want the RECORD to show, and the Senator from Tennessee to realize, that upon the committee which makes this decision is the chairman, who, as the coauthor of the Hayden-Cartright Act, contributed so much to the stability of this program; is the Senator from New Mexico [Mr. CHAVEZ], who is the chairman of the Committee on Public Works; are six former Governors, who have labored on this matter from the other end, that is, from the point of view of the States, and who, of course, want to be able to honor their obligations promptly and to receive reimbursement.

I give to the Senator from Tennessee every assurance of which I am capable that that is my feeling and the feeling of all the other Senators with whom we have conferred on this matter.

Mr. GORE. This is a happy culmination of a controversy. It was 2½ months ago that I proposed on the floor of the Senate that Congress proceed to deal realistically with this problem. Congress has now approved an amendment to provide an advance from the general fund to the trust fund to meet the obligations of the Federal Government to the States. I point out that the carryover of the last fiscal year, to which the senior Senator from Florida refers, was not of the nature of the planned carryover which has been proposed by the administration to Congress for the present fiscal year.

I see no point in spelling out the differences at this time, but it was not advocated; it was not planned. It was not caused by a lack of funds in the highway trust fund. For this fiscal year the administration proposed a planned default to our States. I have read Mr. Tallamy's testimony before the Finance Committee. It was proposed to withhold payment of vouchers submitted by the States. This would be a serious matter for the States. Never before had it been suggested to the States, as the chairman of the Committee on Appropriations [Mr. HAYDEN] has said, that after Congress has made such an apportionment, and after the Governor of the State or the highway commission of the State has proceeded to make contracts and commitments, whether to counties, whether by force account, or by contract, and after the contracts or the particular jobs or projects are completed, and valid vouchers are presented to the Bureau of Roads reimbursement will not be made promptly. I am glad to say that the Senate has determined to see that we shall continue that practice.

As I have said, and as the senior Senator from Florida has said, it was planned to have a deficit and a default of $157 million at the end of this fiscal year. In terms of defense appropriations and in terms of foreign aid appropriations, $157 million may not loom as such a large amount. But when applied to the apportionment which Arizona receives or which Mississippi receives, it may mean the difference between a State highway department meeting a payroll or not meeting a payroll.

I know of one example which occurred this year. A State which does a portion of its work by force account and a portion by contracting found its highway funds so nearly depleted that when a project was completed, a special messenger brought the voucher to the Bureau of Roads by airplane, and received a check, and immediately flew back, in order that the State could meet its payroll. The State had depended upon prompt reimbursement.

Mr. President, two steps are necessary before the States can be reimbursed. One is to provide funds within the highway trust fund. We can do that by levying increased taxes; or we can do that by the dedication of more revenue from existing taxes; or we can appropriate from the general fund.

We have just now appropriated to the highway trust fund $359 million, by means of an amendment which the Senate has approved. $359 million is a large amount of money.

But let me remind Senators that the highway users are, this year, paying $1,600 million in taxes which are used for other purposes. This $359 million could be considered as only an additional portion of the highway-user taxes necessary to pay for the highways. But it is not so regarded by some. This $359 million is appropriated to the trust fund as a repayable advance.

Some Senators have expressed surprise and exasperation that existing law does not require that repayable advances be repaid to the general fund within the same fiscal year. But that should come as no surprise either to the Congress or to the administration. The administration recommended this section of the law; and it was adopted by the Congress without change. The administration recommended the highway program; and I labored for 2 years to bring it to the point of enactment.

Now I wish to explain the effect of the pending amendment. As I have previously stated, two steps must be taken. One is to provide sufficient funds to the highway trust fund. But no money can be expended from that trust fund until the Congress appropriates for the trust fund.

If Senators will examine the pending bill, they will find in it, beginning in line 5, on page 18, the following provision:

> For an additional amount for "Federal-aid highways (trust fund)", to remain available until expended, $188,000,000, or so much thereof as may be available in and derived from the "Highway trust fund", which sum is part of the amount authorized to be appropriated for the fiscal year 1959.

Mr. President, the Congress in its regular Department of Commerce Appropriation Act for 1960 appropriated for this item, and from this highway trust fund, $2,840 million. Congress was advised then that that was an inadequate amount. Congress was advised then that a supplemental appropriation would be necessary. So, one can imagine how I am a bit perplexed when I find myself criticized and ridiculed because I suggest this necessity, and then find the Senate Appropriations Committee and the senior Senator from Florida [Mr. HOLLAND] the butt of some sharp remarks because they bring in this recommendation.

I wish to read to the Senate from page 397 of the hearings held before the Senate Appropriations Committee on June 8 of this year. I shall read from the testimony given by Mr. Tallamy, the Federal Highway Administrator:

> In 1960—
>
> That is to say, in the fiscal year 1960—
>
> however, the expenditures were estimated to to be $3,002 million, as against an estimated revenue of $2,122 million.

Let me say that the Bureau of the Budget did not request the full $3,002 million. The Bureau of the Budget sent up a request for an appropriation from our trust fund of $2,840 million. The Senate Appropriations Committee voted to appropriate exactly what the Bureau of the Budget requested; but they were on notice that the estimates indicated a larger expenditure would be required.

Now let me read a little further from the testimony; in fact, I believe I shall read all of this portion of Mr. Tallamy's testimony:

> In 1960, however, the expenditures were estimated to be $3,002 million as against an estimated revenue of $2,122 million. So we use up the remaining surplus in the trust fund and actually will have a deficit at the end of fiscal 1960, according to our original estimates of some $241 million.

Mr. President, I digress again, to call the attention of Senators to the fact that the Senate should not be surprised that there is a prospective deficit in the highway trust fund. In fact, the deficit is a little smaller now than it was estimated to be last July 30, although still within reasonable proportions. As it turns out, they later estimated it to be $157 million, after taking into account revenue from one levy of an additional 1-cent gasoline tax.

I read further from the hearings:

That in turn will probably be higher than the original estimates, because we have found in the last few months that the contractors are completing their work more rapidly than we anticipated, and as a result, that will mean we will have to pay contractors a month or two ahead of when we anticipated, or at least the States will, and they will in turn call upon us for reimbursement.

That will increase the $241 million deficit by $295 million, making a probable total deficit in the trust fund as of June 30, 1960, of $536 million rather than the $241 million shown in the budget.

Now let me analyze the $536 million deficit. That estimate was made in testimony before the Appropriations Committee. Later when testimony was given before the Finance Committee, the witnesses estimated the deficit to be, not $536 million, but $490 million. I used that figure here on the floor of the Senate during debate on H.R. 8678.

And what amount would the gasoline tax bring in, for 9 months of this fiscal year? It would bring in $333 million. That is how the current estimate of $157 million for the deficit is arrived at.

The administration first proposed to levy an additional tax of 1½ cents on each gallon of gasoline, for 12 months of the fiscal year. The Congress voted to levy an additional gasoline tax of 1 cent a gallon for 9 months of this fiscal year. Yet Senators express exasperation that that did not solve the problem. Mr. President, it was never expected to solve the problem; certainly those who had thoroughly studied the problem knew that.

Mr. President, to come back to my amendment, in addition to the $2,840 million which the Congress has already appropriated, the pending bill appropriates $188 million from our trust fund.

How do we relate the $188 million to the estimated demands on the funds? The estimated expenditures from the highway trust fund for fiscal 1960 total $3,135 million. The Congress has appropriated $2,840 million. The pending bill proposes an appropriation of an additional $188 million. That is a total appropriation of $3,028 million against an anticipated and estimated expenditure of $3,135 million. That leaves a shortage in the pending bill of $107 million below the estimated requirement.

When were these estimates made, and were these estimates kept a secret from Congress? Indeed, no. They were placed in the record by the distinguished senior Senator from Virginia [Mr. BYRD] in the hearings on the highway bill on September 4. That is a recent date. It was just a few days ago, and the Senate had these hearings before it when it considered H.R. 8678. I refer Senators to page 17 of the hearings. I would that the senior Senator from Ohio [Mr. LAUSCHE] were here so that he would not again be surprised.

On page 17 of the hearings will be found a full table setting out these facts concerning estimated expenditures.

I have proposed to increase the proposed appropriation of $188 million to $295 million. And upon what do I base that proposal? I base it upon the most recent estimates of the obligations of the Federal Government to the States, within this fiscal year.

When were those estimates made? On September 2. This is only September 12. These are the most recent estimates we have.

However, in view of the understandings we have and the assurance we have that it is the intention of the entire Senate to meet the obligations of the Federal Government to the States, I shall not press the amendment.

I am confident that estimates that are later than these will be presented, as the senior Senator from Florida [Mr. HOLLAND] has said, when we return next year. I doubt that they will be very much different. Indications are that they will be upward rather than downward. I am willing to let the matter rest there.

Now I must answer the interrogation directed to me by the distinguished minority leader [Mr. DIRKSEN]. He asked me if I would agree that this repayable advance be repaid within the present fiscal year. We cannot do that and comport with the understanding that we have all had that the Federal Government will meet its obligations to the States in this fiscal year, because if the repayable advance is all repaid within the present fiscal year, then the Federal Government will be in default to the States to the extent of $157 million, according to the estimates made just 10 days ago.

Mr. President, this is the third attempt that I have made to bring about action by the Senate adequate to meet our highway needs in the present year. I feel that I have now succeeded in that attempt. I have not, however, succeeded, I fear, in bringing about even a full recognition of the problem by a majority of the Senate as it looms in the years ahead. But that matter can be fought another day.

Just one more word, Mr. President. Sentiment has been expressed here that the public interest is in some way not properly served by a highway improvement program. I must resist that contention. Highway transportation is essential for our national defense, essential for the health and growth of our economy, essential for the safety of travel, and essential for a vast segment of our economy.

I appreciate the attention of my colleagues.

Mr. President, I withdraw my amendment.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the Senate a few minutes ago adopted the amendment which I sent forward on the highway trust fund.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi to lay on the table the motion of the Senator from Florida.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, on the preceding section, entitled "Bureau of Public Roads," extending from line 3 to line 10 on page 18 of the bill, I understand that committee amendment was adopted along with all other committee amendments some time ago. We were perfectly willing to have it amended in any way the Senate saw fit.

I wish to move that the action of the Senate in adopting that amendment be reconsidered.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to .

Mr. STENNIS. Mr. President, I understand the Senator from Louisiana [Mr. ELLENDER] is waiting to obtain the floor. I wanted to speak about 1 minute.

I think the Senator from Tennessee [Mr. GORE] has made a fine statement, which is helpful not only now, but which will be helpful to have in the RECORD for the future in respect to an understanding of the whole highway program and problem.

I want to emphasize that I greatly appreciate the very fine work the Senator from Tennessee has done on this important and far-reaching matter this year, as well as in preceding years. The Nation owes him a great debt of gratitude for what he has done.

With relation to his references to support of the highway program, it is certainly almost the unanimous opinion of the Senate that it should support the program. I myself supported it by voting for a tax to help finance it. I think it would have been far better if we could have retained the proviso the committee wrote into the section. I hope that program will be carried out.

Mr. President, in our enthusiasm for the superhighway program, I hope we will not forget or neglect the needs of the secondary highway system of the States, which serve a great many people who will seldom see and very little use the superhighway system; and the same remarks apply to what is called the primary system.

I thank the Senator from Tennessee again for his very fine remarks.

Mr. ELLENDER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 14, it is proposed to strike out "$700 million" and to insert in lieu thereof "$650 million."

Mr. ELLENDER. Mr. President, this is a very simple amendment. It would cut from the amount now in the bill for defense support the sum of $50 million. It is not my intention to review the statistics I cited earlier today when my amendment to reduce military assistance by $100 million was before the Senate. But I wish to again point out to the Senate that despite all the funds we have made available to the people of Western Europe in the past 10 years, we are

receiving little, if any, assistance from them in carrying out the obligations of the free world in southeast Asia, in Formosa, in Korea, and in the Middle East.

Mr. President, as I pointed out earlier today, the program of military assistance under the bill provides for the expenditure of over $600 million in Western Europe, when in reality, these countries can well afford to pay for their own military expenditures. As a matter of fact, we are now carrying about 38 percent of the NATO obligations of our friends in Western Europe. We are receiving no assistance from our friends in other parts of the world.

Tonight the only soldiers who are in South Korea and ready to fight are Americans and South Koreans. Of course, there is a token force there, made up of soldiers from many countries—principally the United Kingdom, Greece, and Turkey. But do our allies pay for the costs of even that little force? No. The burden falls on good old Uncle Sam.

As Senators may recall, the administration request for funds for defense support was $835 million. The authorization was $751 million. The House has allowed $700 million, and this amount has been recommended by the Senate Appropriations Committee. I ask that this figure be reduced to $650 million.

I wish to point out, Mr. President, that when I submitted this amendment to the Committee on Appropriations it lost by only 1 vote. The vote was 14 to 13.

Mr. President, once again all I seek is to start the beginning of the end of this foreign aid program.

As we all know, defense support is nothing more than a fancy coverup name for grant economic assistance.

It is paid to countries who, at our urging, allegedly maintain armed forces too large for their own economies to sustain. The theory behind defense support is that since we foist these large armies on these countries, then we must make up the differences between what the larger force costs and what the country can pay.

In actual practice, however, defense support has become a sort of depository for blackmail payments to countries which tell us that they will maintain a large army—if the United States comes across with a bundle of dollars.

What is more, Mr. President, we were told that with the creation of the Development Loan Fund, the demand for additional funds under defense support would be lessened.

But, Mr. President, this has not happened.

Project type assistance has grown by leaps and bounds since 1956—from slightly more than $289 million in 1956 to about $918 million, the sum programed for fiscal year 1960.

Mr. President, I hold in my hand a table showing project assistance under the mutual security program since 1956. It clearly shows that there has been a definite increase in this type of aid.

I ask unanimous consent to have this table printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Mutual security project assistance, fiscal years 1956–59

[In thousands of dollars]

	1956	1957	1958	1959	Proposed, 1960
Defense support	227,917	282,241	106,182	112,059	115,600
Special assistance	61,412	104,764	85,590	50,864	103,100
Development Loan Fund			300,000	550,000	700,000
Total	289,329	387,005	491,772	712,923	918,700

Mr. ELLENDER. I wish to point out that these funds are derived from appropriations under the headings "Defense Support," "Special Assistance," and lately, the "Development Loan Fund." The table indicates that instead of the grants-in-aid program tapering off as the Development Loan Fund aid increases, it is actually increasing, too.

Mr. President, the defense support program is supposed to have a direct relationship to our military assistance spending, but, in my judgment, both of them have fallen short of their intended goals.

There is one example which is on the front pages of most of the Nation's newspapers today—the country of Laos—which clearly shows the complete and utter waste in these two programs.

In this small Asian country, we have spent more than $250 million, including military assistance and defense support spending, in an effort to build up a well-trained, native army.

What has happened? Despite this vast outpouring of dollars, at the first sound of trouble, the leaders of Laos say that their army cannot contain the invaders, and they have asked the United Nations to send troops into the area.

In other words, the vaunted Lao Army—into which we have poured many millions of American dollars for military aid and defense support—is found wanting. But is that true? My guess is, and I have a good hunch, that the difficulties in that country are caused by political turmoil among the various factions within Laos. We shall soon find out if the United Nations team now on its way to that country gets the full cooperation of the local government.

I hope they do. I repeat, that, in my judgment, they will find that a good deal of the trouble in that area is caused by nothing other than competing politicians.

Mr. President, I can cite another good example of the waste in our defense support spending and that occurs in the Republic of Korea.

The Appropriations Committee was told that the defense support requirement for Korea was necessary because even though Korea produces more than she consumes and, therefore, has funds available for investment in her domestic economy, the amount available for investment should be increased.

In fact, Mr. President, our bureaucrats want to double the amount available for investment through the use of defense support funds and Public Law 480 sales.

Let me cite one more example, namely, Greece. I first visited Greece in 1946. I have since been there four or five times. Greece has never been so prosperous as she is today. When I was there in 1956 I was told by an administrator of the International Cooperation Administration that the only thing Greece needed was a few million dollars of Public Law 480 funds resulting from the sale of surplus agricultural commodities. What do we find now? Defense support is still being given to Greece.

Is this aid tapering off? Notwithstanding the statement made to me in 1956 that defense support to Greece would be eliminated, it is actually on the increase. Two years ago we made $15 million available. Last year we made $20 million available. I cannot give the figure for 1960, because it has been labeled "secret," but I assure Senators that it shows another increase.

We are running this program into the ground. So long as we are bludgeoned by some of these countries to put up defense support money, our administrators are going to lay it in their laps. I think it is time to call a halt.

I sympathize with the Greeks. They are good people. They are good soldiers. But I come back to the proposition which I discussed earlier this evening, that if Greece enforced its income tax laws as we do, Greece would not need the assistance which we are called upon to make available to her.

Members of the Appropriations Committee were told that defense support to Greece is really justified on political grounds. It was pointed out that Greece expects economic assistance to compensate it in part for its defense contribution which it believes to be greater in terms of resources available than that of most of the NATO countries.

In other words, we are asked to give money away in the form of a gift to a country, merely because that country has taken some steps to protect itself in the event of aggression.

I point out that Greece says she is spending 5.3 percent of her gross national product on defense and that this is the maximum she can afford.

However, what is not said is that the 5.3 percent figure includes our grant contribution to that country.

Moreover, as I previously pointed out, the United States is spending 10.4 percent of its gross national product for defense, more than any other country, in terms of percentage of its gross national product. At the same time we are being called upon to put up more and more money for the same countries which we have already raised from economic chaos, countries now economical-

ly sound and which are well able to carry more of their own load.

Now, I am not suggesting that Greece maintain a military establishment as large as ours, but I do think that it is not asking too much to suggest that the Greeks maintain an adequate defense force without requiring a bonus payment from the United States for doing so.

I have just presented the specific examples of Laos, Korea, and Greece, and there are many more which could be cited, Mr. President, but I am not going to take the time of the Senate to go into any detail.

But I do think that the three examples offer substantial proof that expenditures in this field are wasteful and unnecessary, and can therefore be reduced.

The entire concept of defense support, in my judgment, is false.

In the first place, the large armies which we urge many countries to maintain will be of absolutely no use in the event of any armed conflict with the Communist world.

In the second place, I do not think it is right for the U.S. taxpayer to be asked to supply blackmail money to keep certain of our so-called allies on our side.

Mr. President, as I have said before, I believe it is time for us to face our responsibilities as Senators, and demand a beginning of the end of this foreign aid program.

If we could ever afford the luxury of this giveaway program, that day has long passed. Our own economic stability—and the heritage which we will pass on to our grandchildren—is at stake.

It is my hope that this amendment will be agreed to.

Mr. DIRKSEN. Mr. President, I trust that the amendment offered by my distinguished friend from Louisiana will not prevail. There are 12 small countries located in rather strategic positions in various parts of the world which receive the benefits of what is known as defense support.

One of them is Korea. Many Members of the Senate have visited Korea and know what its importance is to that whole section of Asia. At the moment it is cut in two by a parallel, where Communist forces are constantly threatening and would, if possible, drive down through that country and threaten Japan and other areas of the Pacific.

Another country which receives defense support is the Republic of China, better known as Taiwan, a small area, but one which has been characterized by no less a military man than General MacArthur as a stationary carrier, sitting out there in the blue water and almost indispensable to the defense of that whole area, including the Philippines.

Another country which receives defense support is Vietnam, the newly born free country, but cut in two at the 17th parallel as a result of certain concessions and certain agreements made because of the Communist threat in the northern part of Vietnam. It was once known as Indochina. I was there when the war was going on and when the French were still there, and when forts were falling and difficulties were besetting this little country.

Still another country is the Philippines, which gained its independence through the grace and unselfishness of the United States of America.

Still another is Laos, a little country of one-half million, situated at the head of an apex which, if it should be taken over would make possible a drive all the way through southeast Asia, down through Indonesia.

Still another country is Cambodia. I had occasion to visit that country and to assess its resources and its people and what its defensive posture might be.

Still another is Thailand. Many Senators have visited Thailand at one time or another and are in a position to appraise its powers to resist an attack.

Still another is Pakistan, a newly born country out of the provinces of India, and mainly identified with that section of India which is given over to the Moslem faith.

Then there are Iran and Turkey and Greece and Spain.

Mr. President, there are 12 small countries strategically located in the world and indispensable, in my judgment, and certainly indispensable in the judgment of our best military brains, to the whole scheme and pattern of collective security which we created in the interest of a free world and in the interest of resistance to communism.

Small as they are, however, they do have manpower. There is only one thing these little countries do not have. They have no industry, they have no defense industry, they have no capacity to manufacture the type of weapons which are necessary in the modern space and atomic age to offer even a token resistance.

No one suspects that they could resist for a long period of time. The whole military tactic is to have them resist long enough until other support from other sources and from our own country in the form of air support, naval support, and military support might be rendered at a time when they are holding the line.

What shall they do, these people with manpower but no weapons, these people with manpower but no defense industry, these people with manpower but no defensive supplies? We have gone to them and we have entered into a solemn contract with them. Our military men have assessed their potentiality from the standpoint of how many men they can put on freedom's line in all sections of the world. Then, after we had assessed that point, we said to them, as in the case of Vietnam, "We believe you can support an army of 125,000." Then comes the corollary question: "What shall we do for weapons?" They cannot manufacture supplies. They cannot manufacture weapons. They cannot manufacture and produce the things that are necessary to support the economy.

Soldiers must be paid. Soldiers must be clothed. Soldiers must eat. Soldiers must have an endless variety of equipment, first, to make it a military force, but second, to be able to sustain the economy so that an army of that size can be kept on freedom's line. That is where defense support comes in. It covers 12 countries, and it is designed, of course, economically to be sure, as the distinguished Senator from Louisiana says, to support and to shore up an economy that could not carry that kind of load.

I wonder what we would do if it were said of our country that we must maintain a standing army of, let us say, 25 million men. I think it would tax the facilities and the resources of this Nation.

When we say to a country of a million and a half, "We want you to have 100,000 or 25,000 or 50,000 men on the line," just equate and compute it in terms of percentage and then find out what it does to that country. The country cannot be sustained. That is the whole problem in a nutshell. Fiscally it cannot be sustained. Economically it cannot be sustained. Industrially it cannot be sustained. So we say to them, "We will ask Congress for some money for defense support," for projects, for equipment, for all those things necessary which enter into a viable economy of the country so that their men can stand on freedom's perimeter.

That is how simple this problem is.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

That is as simple as this thing is.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. I simply wish to add to what the Senator has said. He has mentioned countries in the Far East. Sixty-five percent of these funds go to the countries in the Far East. Of the balance, 30 percent goes to countries in the Near East and Asia. So all these funds are going to support the type of countries the Senator has just named.

Mr. DIRKSEN. That is precisely the case. I need add only one or two things to the story. Defense support takes many forms—goods, machinery, equipment, materiel. They are certainly things which are a necessary part of an operable economy. The administration, through its experts, took a lot of time to set up a budget to provide for the needs of the separate countries. So it made an estimate of $835 million. That estimate was not picked out of the clear air. Months of planning, months of programing, months of caution and effort have gone into the development of a program. When we draw a line and total up the sum, we see that we need $835 million, and that is the estimate which the President submitted to Congress.

What happened to the President's estimate? When the Senate had the authorization bill on the floor, we finally came to the conclusion that the amount ought to be cut by $84 million. So the first slash was made in the authorization bill. It was like saying to the President, "You and your experts have said you need $835 million. We have taken testimony, and we do not believe you need that much. So, Mr. President, we

have agreed to cut your estimate by $84 million."

But that is not the whole score. After the amount has been authorized, it then goes to the Committee on Appropriations of the House and Senate. Those committees take testimony.

They finally said, "Mr. President, you asked for $835 million. When the authorization was made, it was decided to cut that amount by $84 million. But now, Mr. President, we are going to cut the amount by $51 million more."

So when we got through, we cut the President's estimate from $835 million to $700 million.

Do we want a deficit program? Do we want to ruin it? Do we want to weaken it to the point where it has no efficacy and no force? Well, cut a little more, and the program will in large part have been so impaired that, according to our military leaders, it cannot do the job which must be done.

This is a bill for 12 little countries having small populations and no industry, to speak of, to whom we have said, "We ask you to stand with us in a collective, solemn confraternity on freedom's line with a promise to hold back and to resist those sinister Red forces which would destroy freedom. If you will do this: if you will furnish your young men, we will put weapons in their hands and we will shore up your economy so that you will not go down the drain."

That is how simple defense support is.

Waste? Certainly there is waste in a program. How can waste be avoided in a worldwide program?

I remember my tours across the world when World War II was in operation. Oh, the waste was colossal. But nobody cared too much about it. The prime business in hand was to win a victory. The prime business before us now is to hold back the forces of communism and to say to those who are willing to stand with us upon this line, guarding it with dauntless attention to freedom: "If you will put your boys on the line, we will see to it that your country does not go down the drain."

We have made a large cut from $835 million to $700 million. The House and Senate have agreed upon a figure. I appeal to the Senate to reject this amendment and to preserve that figure, so that this program will not be so enervated as to border on uselessness.

I yield the floor.

WE MUST AID OUR ALLIES

Mr. RANDOLPH. Mr. President, the logic of the eloquent minority leader is, I am sure, appealing to the Members of this body. I had hoped he might retain the floor for an observation which I am sure, in this instance we can join affirmatively. But I shall reenforce what he has so forcefully set forth.

Prior to World War I, we worked in the United States to process foodstuff and to produce equipment and to mobilize manpower. During that period, when time and distance were our allies we had those countries with us, and those peoples formed an effective shield between us and foes later to engage this Nation in a determined struggle. In that conflict, the fighting was more or less confined to an area in Europe itself. Our resources were provided for those who were a bastion before we were involved in direct combat.

Came the end of World War I. Then, approximately 20 years later, we were a participant in World War II. Although that conflagration was more mobile, and was more dispersed, there were forces which had stood between us and common enemies. We had been strengthened once more because we had been able to mobilize again and to produce again, for the prosecution of a war in which we were later to engage. We aided our compatriots in a mutual effort.

Now, Mr. President, there is a possibility, there is a shadow, of World War III. But whereas in World Wars I and II we had time and distance as our allies, those allies no longer exist. We know, and it is not an overstatement, that an intercontinental ballistic missile—a rocket, as Mr. Khrushchev calls it—if launched from Soviet Russia, could conceivably reach its target within the United States within 20 minutes.

So in this time of tension, in this period of perplexity, we should realize that there are yet those peoples of the earth who stand with us; and when we have the opportunity to give defense support to them, it should be given realistically and promptly. Sands run swiftly in the hour glass of history. Some prophets believe the hands on the clock are turning toward the midnight of mankind. We must not cripple or deny sufficient defense support to the nations which are covered in this bill.

I remind Senators that it is for this reason, remembering the lessons of World Wars I and II, that I join with my beloved colleague from Illinois.

Mr. ELLENDER. Mr. President, some Senators may be awed or overcome by the eloquence of the Senator from Illinois [Mr. DIRKSEN], but I have heard him make the same speech so often that sometimes I get, shall I say, a little tired of it.

The justification which was given for the creation of the Development Loan Fund program was that it would take the place of grants, economic aid, such as defense support. However, as I pointed out earlier in the evening, the amount of money which we have made available in order to assist foreign nations economically has been on the increase from year to year. Why is the Development Loan Fund not used to do things such as these discussed by the distinguished Senator from West Virginia?

Mr. FULBRIGHT. Mr. President, if the Senator from Louisiana will yield, I can answer that question. It is because the Senate, with the Senator's help, gutted the Development Loan Fund.

Mr. ELLENDER. But the Senator from Arkansas knows that is not so. The DLF administrators have not been able to spend all the money provided. They cannot just pick reasons for donating money out of thin air and give it away under DLF, as is the case with defense support. Countries desiring DLF aid must meet certain minimum criteria in accordance with the law.

Defense support is an easy way to make money available to a horde of countries, without having to give Congress or anyone else any reasons why. Regardless of the past generosity of the Congress, we are still called on to pour our borrowed dollars into the laps of the same old countries we have bountifully helped in the past, and I am getting sick and tired of it.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, on this question, I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. FULBRIGHT. Mr. President, I make a point of order against the provision on page 2, following the colon in line 14, and including all of lines 15 and 16. I make the point of order that that language is legislation in an appropriation bill.

I desire to speak briefly on the point of order.

Under the precedents of the Senate, this proviso constitutes legislation in an appropriation bill, because the proviso requires the President to make $50 million available for Spain. This is a policy matter which should be left to the policy committee of the Senate—the Foreign Relations Committee—to consider.

The earmarking of mutual security program funds for a particular country is bad on principle. If the need for the program changes, the funds are tied up and cannot be used elsewhere. The country concerned tends to expect the aid that has been earmarked, and negotiations for benefits to the United States are inhibited.

I submit, Mr. President, that this part of the bill is clearly legislation in an appropriations bill, and should be ruled out on the point of order.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum, for the reason that I know that the Senator from New Hampshire [Mr. BRIDGES] wishes to be heard on this subject before the Chair rules on the point of order.

Therefore, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection——

Mr. MORSE. Mr. President, a parliamentary inquiry.

Mr. JOHNSON of Texas. Mr. President let me explain that I have asked that the order for the quorum call be rescinded. The quorum call was begun so that Senators would have an opportunity to come into the Chamber.

But now Senators have come into the Chamber; and now the point of order can be ruled upon by the Chair.

The PRESIDING OFFICER. The Senator from Texas has asked unanimous consent that the order for the call of the roll be rescinded. Is there objection? Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I simply wish to make sure that the Senator from New Hampshire [Mr. BRIDGES] will have time to come to the Chamber before the point of order is ruled upon.

The PRESIDING OFFICER. The Chair is prepared to rule on the point of order, unless other Senators wish to be heard at this time.

The point of order of the Senator from Arkansas [Mr. FULBRIGHT] is that the language on page 2, after the colon in line 14, and extending to and including line 16, is positive in nature, and therefore is not a limitation, and consequently is legislation in an appropriation bill.

The Chair rules that the point of order is well taken; and the point of order is sustained.

Mr. FULBRIGHT. Mr. President, I make another point of order: On page 10, beginning with line 18, and continuing to page 11, through line 9, the language is also legislation in an appropriation bill.

Under the precedents of the Senate, this provision constitutes legislation, because new duties would be placed upon the President if Red China should be admitted to the United Nations.

This is a policy matter. It should be left to the policy committee of the Senate—namely, the Foreign Relations Committee—to consider.

This provision was stricken out in the House of Representatives, on the same ground—namely, that it is legislation in an appropriation bill. This language provides a new direction to the President.

I may say that existing language in the permanent legislation covers almost the same point—which fact in my opinion, only highlights the inappropriateness of the inclusion of this provision in the appropriation bill.

I submit that it is legislation in an appropriation bill.

The PRESIDING OFFICER. Has the Senator from Arkansas concluded his remarks?

Mr. FULBRIGHT. Yes.

The PRESIDING OFFICER. The language to which the point of order as been raised is verbatim the language included in Public Law 665, of the 83d Congress, section 101, paragraph 3, which is the Mutual Security Act.

Therefore, although it may be redundant, it is not new matter; and, therefore, the point of order——

Mr. FULBRIGHT. Mr. President, let me respectfully call the attention of the Chair to the fact that the first 3 words in line 19, on page 10, are not in the existing law. They constitute new language, and they substantially change the meaning of the existing law.

I respectfully submit that the Chair is in error in saying that this provision is identical with existing law. Because of the inclusion of the words "Under present conditions," this provision is quite different from one for all time.

Mr. SALTONSTALL. Mr. President, those three words were put in by the committee because it was felt that the provision could keep the opposition confined to the conditions at the present time, and that it improved the language. If it is going to be subject to a point of order, I should like to offer an amendment to take those three words out. They were put in by the committee deliberately to try to confine the opposition to the conditions at the present time. If the point of order is based on those three words, I move that those three words be deleted.

Mr. FULBRIGHT. Mr. President, may I be heard?

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. FULBRIGHT. This only highlights the question. There are many other points. The Appropriations Committee, under the rules of the Senate, is supposed to recommend appropriations, and not make policy. As the Chair has already announced, the basic provision is already in the law. As the Chair has announced, those words are redundant. Except for those three words, the provision is already in the law.

Every year the Appropriations Committee assumes to legislate and to repeat legislative policy statements that are already in the law. It seems to me this is a good example of why it should not do so. We have already voted on this. It is already in the law. I submit that, on the ground that the provision is already in the law, this matter should go out on a point of order, and I make the point of order.

The PRESIDING OFFICER. The point of order made by the Senator from Arkansas has previously been stated by the Chair. With the exception of the three words "under present conditions," the language is identical with that already appearing in the mutual security law as it is at present. Under the precedents, the language expressing the present sense of Congress is not considered new language, and, therefore, the point of order is overruled.

Mr. FULBRIGHT. Mr. President, I now refer to page 8, line 15, to page 9, line 3. I move that the language be stricken.

The PRESIDING OFFICER. The Chair informs the Senator it has already been stricken.

Mr. FULBRIGHT. Has it been stricken?

The PRESIDING OFFICER. Yes.

Mr. FULBRIGHT. I did not realize that.

Mr. President, as I understand, the Senator from Minnesota has already acted upon one of my amendments, and I believe the Senate has restored the provision relating to the use of funds for medical training. That is section 110, I believe.

Mr. JOHNSON of Texas. That is correct.

Mr. FULBRIGHT. I submit that the same arguments with regard to deleting sections 108 and 109 apply. This raises a question which recurs every year. The Committee on Foreign Relations considered this matter. It was considered by the Senate itself in the authorization bill.

I refer to page 8, lines 3 to 5, and page 8, lines 6 to 8. Both of these provisions the committee regarded as worthwhile. They are small matters, it is true. The Senate approved them. This is a proposal originating in the House, and the Senate agreed to it, which I assume makes it immune to a point of order. But I wish to strike these restrictions because they are, in my opinion, legislation in an appropriation bill.

This does not increase the amount of the appropriations, I may say. It merely requires, in the case of section 108, the devotion of the funds, up to $10 million, for the purpose of training people in various countries. We think it would be extremely useful to our own foreign relations to train them to administer the programs on which we are spending a great deal of money.

The purpose of the program is to increase the supply of trained people in these underdeveloped countries. One of the biggest bottlenecks, one of the reasons why there is inefficiency in administering the program, is that they lack trained people.

I think this is a good example of unjustified legislation on an appropriation bill.

I yield to the Senator from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. President, if the motion to strike were agreed to, we could take the matter to conference.

The PRESIDING OFFICER. The motion is to strike out sections 108 and 109. Under the Senate precedents, the question is on agreeing to the motion.

The motion was agreed to.

Mr. BRIDGES. Mr. President, am I to understand the Senator from Arkansas has offered a motion or raised a point of order on the so-called Spanish amendment?

Mr. FULBRIGHT. That is correct.

Mr. BRIDGES. Let me remind the Senate that the Spanish amendment has been in the last seven foreign-aid appropriation bills. It has been exactly the same, word for word. It has become accepted practice of the U.S. Senate to put the language in the bill in that manner.

Mr. President, it is a very peculiar thing that, after that language has been included in the bills for 7 consecutive years, finally a point of order should be raised at this time. After some of the other nations have kicked out our military forces, and prohibited them from occupying bases on their soil, and after the one great friend we have in that area of Europe has allowed us to have in that country great bases which are so important to the defenses of the free world, it ill behoves us to make this move in the U.S. Senate, after allowing the language to stand in the bills year after year. This is a very peculiar move on the part of the chairman of the Foreign Relations Committee, and I am surprised and shocked by his attitude.

Now, if he persists in this attitude, I shall offer an amendment, to which he cannot raise a point of order.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Chair has already ruled on that question.

Mr. FULBRIGHT. The Chair has already ruled, and has ruled it is legislation in an appropriation bill.

Mr. BRIDGES. Mr. President, the use of the language in question in mutual-security appropriation bills has become an accepted practice of the Senate year after year, and now we are creating new rules at a time when the provision is needed most.

I send to the desk an amendment, which would strike out the $700 million for defense support, and insert $650 million, and for general defense support, and for assistance to Spain the sum of $50 million. This will have the same effect but it is not legislation in any sense of the word.

The CHIEF CLERK. On page 2, line 14, it is proposed to strike out "$700 million" and to insert in lieu thereof "$650 million: provided further for defense support: for assistance for Spain authorized by section 131(b), $50 million, exclusive of technical cooperation."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MANSFIELD. Is it not true that the amendment which has been stricken out on a point of order has in effect been in the appropriation bills for the past several years?

Mr. BRIDGES. It certainly has.

Mr. MANSFIELD. This is not the first time it has been provided?

Mr. BRIDGES. This is not the first time.

Mr. MANSFIELD. It has been accepted each time by the Senate and by the Congress as a whole?

Mr. BRIDGES. It certainly has been. It has been approved and has been enacted into law year after year. This is the first year the point of order has been raised.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

Mr. FULBRIGHT. Mr. President, I wish to say a few words about the amendment.

I cannot see any possible excuse for singling out a single country. As much as we admire and respect the Spanish people, I do not consider them to be the closest allies of this country over the years. I feel very kindly toward them. I cannot imagine why, if we are going to undertake to specify Spain, we would not undertake to specify so much for Berlin, so much for Korea, so much for Formosa, so much for India, and so on down the line.

I submit that this is an extremely ill-advised legislative practice. The only reason for it which the Senator from New Hampshire has cited is that it has been done before. I can think of no weaker reason. If there is anything in the world which needs some reform and improvement, I think it is the procedures of this body and the way we do business.

I cannot imagine why we should excuse this kind of legislative practice. This will tie the hands of the administration. It will leave the administration no room in which to negotiate with the Spanish Government. If this procedure is followed, there will be no way at all to make any agreements with these countries. We are forcing the administration to do whatever these countries wish, to accept any conditions they may impose. It is a reversal of former procedure. Instead of giving our people an opportunity to negotiate and to make satisfactory agreements, we will eliminate that by putting into the law a provision requiring the administration to give Spain $50 million.

This afternoon or this evening there were many complaints about corruption. I do not subscribe to that. I take this opportunity to say that I did not argue with the Senator from Louisiana, but I want it to be very clearly understood that I do not agree as to the accuracy of the statement about corruption and inefficiency in the foreign aid program. I grant there is some, but it is not anything like the Senator represented it to be.

This kind of provision will necessitate corruption or inefficiency, because there will be no leeway left for our people to negotiate with the foreign country. I do not know how any business could be conducted by, ahead of time, providing that one must give $50 million regardless of what is said about it. The country can do anything it wishes to. We can provide no conditions. It is an exception to the usual procedure.

Instead of there being a reason for doing this again, it is the best reason I can think of to cut it out, because all our administrative practices indicate this is not the way to proceed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. There were some very special circumstances surrounding the origin of this program, going back to the days of the late lamented Senator from Nevada, with which we are all familiar. I do not want to get into that, but I do not think there is any justification for singling out one country and saying that our country must give that country this money regardless of what are the conditions.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. MORSE. The Senator made a point of order regarding the language on lines 14 to 16, page 2. Was it the position of the Senator from Arkansas that Spain should not be considered for any sum under the $700 million provided for in the section?

Mr. FULBRIGHT. Not at all. It is not that we would exclude Spain. Spain is in this program. It is in the original program for more than this amount. Cuts, of course, have been made. If Spain shares the cut pro rata, the amount would be less.

I am not in favor of excluding Spain at all. Spain will come in under the regular program for an amount which I calculate to be slightly less than $50 million.

Mr. MORSE. Will the Senator yield for another question?

Mr. FULBRIGHT. There was no disposition on my part or on the part of the committee to cut Spain out. I say that this is an indefensible way to write the legislation. It will put our negotiators and our administrator in an intolerable situation when it comes to doing business with this country.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. Is it the position of the Senator from Arkansas that it is not fair to the other countries which are beneficiaries of our foreign aid program to have Spain placed in a preferential position?

Mr. FULBRIGHT. Exactly. I do not seen any excuse for putting Spain above any other participant in this program.

Mr. MORSE. Is it the position of the Senator from Arkansas that we should put Spain in such a preferential position because, as the Senator indicates, it would tie the hands of our negotiators? Is that the position of the Senator?

Mr. FULBRIGHT. Exactly. It would do so.

Mr. MORSE. I have one other question: On the basis of the discussions we have had in the committee this year in connection with some of the problems regarding foreign aid, which have involved all of these countries, including Spain, does the Senator feel that the President and his negotiators should be placed in the position where their hands will not be tied in any way in their dealings with Spain or any other country which is involved in this program?

Mr. FULBRIGHT. If we want this program to be a successful one, we cannot do it in this way. In view of the great criticism of this program, it seems to me this would be the last thing we would want to do—prevent the administrator from having a full opportunity to make the best deal he can make and to require the most acceptable conditions for the administration of the program.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I simply want to say, Mr. President, we have heard a statement of the position of the chairman of the Committee on Foreign Relations, who is a keen student of these problems. In my opinion, his advice and counsel ought to be considered very carefully by the Senate, since he is the chairman of the legislative committee of the Senate which deals with the field of foreign policy. I hope that the chairman of the Committee on Foreign Relations will be backed up in the advice he is now giving the Senate. I ask, Mr. President, for the yeas and nays on this question.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I think this matter is so important that there ought to be more time for reflection on the question. I am satisfied if Members of the Senate contemplate it longer they will be more inclined to permit a yea-and-nay vote on it. I suggest, Mr. President, that we proceed to further consideration of the matter.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. Does the Senator yield the floor?

Mr. FULBRIGHT. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I should like to address myself to the arguments advanced by the Senator from Arkansas, whom I admire very much and respect not only as an individual but in his capacity as the chairman of the Committee on Foreign Relations.

The Senator's argument is that because the Appropriations Committee provided not less than $50 million of the funds shall be available for Spain, exclusive of technical cooperation, this would bind the hands of the administration and the administration would have no leeway. I want to suggest, this is a very fallacious argument. The bill reads, beginning on line 8:

> For expenses necessary to enable the President to carry out the provisions of the Mutual Security Act of 1954, as amended, to remain available until June 30, 1960 unless otherwise specified herein, as follows—

Then there is military assistance and—

> Defense support: For assistance authorized by section 131(b), $700,000,000: *Provided*, That not less than $50,000,000 thereof shall be available for Spain exclusive of technical cooperation—

This simply means that the President does have a free hand. It means that $50 million is available for the President to use. It does not mean that the President has to spend $50 million. This is what the amendment placed in the bill by the Appropriations Committee provides.

I think the Senator did not really mean what he said when he said that this would leave the President bound and tied, that we would have to give $50 million to Spain and we would have nothing left to argue about, because we would be able to do so. We do not have to give Spain $50 million. We can give anything up to that figure and we can argue with them or debate with them or agree with them about it.

Mr. BRIDGES. Mr. President, I was in error when I said the program had been in effect for 7 years. It has been in effect for 8 years. I hold in my hand the public laws relating to this subject, dating from 1951 up to and including 1958. Each and every one of these public laws provides for a definite sum for Spain, and there is a sound historical background for the procedure. It has been an accepted practice of the Senate and I see no reason for a change of procedure at this time.

As the distinguished Senator from Colorado has stated, it is not binding on the administration. Any amount up to the designated figure can be approved. A figure is stated for an ally with whom we are working in very close cooperation, and I see no reason for slapping her in the face at this time.

Mr. HUMPHREY. Mr. President, I believe the argument which has been made as to the difficulty it would cause the President, might very well be an argument which could be set aside. The language which is contained in the bill does not indicate that the President would be handicapped, so to speak, or put in a position where he would have no maneuverability.

But here is the problem. My colleagues may recall that a couple of years ago the distinguished Senator from Massachusetts [Mr. KENNEDY] and the distinguished Senator from Kentucky [Mr. COOPER] attempted—and I felt that they made a mighty good case—to earmark funds for India.

India is an important country and so is Spain. India is possibly a pivotal nation in the struggle in the Asian area, and the judgment of this body at that time, as a result of the advice and the counsel from the military and from the State Department, was that we should not mention a particular nation because if we mentioned India, for instance, how would the people in Pakistan feel? If we mentioned India, how would the people in the Philippine Islands feel? If we mentioned India, how would the people in Vietnam react?

It is true on occasions we have made special appropriations because of an emergency situation. I recall that 4 or 5 years ago, in the instance of Vietnam, after the debacle at Dien Bien Phu, the great fortress that was destroyed by the Communist attack, while the French were still there, the Congress voted $800 million, I believe, for special assistance to rescue that sovereign state and help them because of the tremendous number of refugees that came down from North Vietnam to South Vietnam.

As I recall, there is no special mention of Vietnam in the legislation. I happen to believe that Vietnam and its Government are very important to the free world, to our cause.

There is good reason to want to help Spain. We have a great investment in Spain; we have very important bases in Spain. I thoroughly agree with what has been said about the Spanish people as a marvelous people. But if we are to follow the suggested procedure with respect to Spain, I ask my colleagues what about the valiant Turks? What about the valiant Greeks? What about our friends in other parts of the world?

It seems to me that rather than stir up animosities, it would be better to have proper programing. We know what programing is.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BRIDGES. I wonder if the distinguished Senator, who usually keeps himself well informed, recalls that this practice is the accepted procedure for appropriation bills with respect to Spain. Also, that in previous years we have specified a particular amount for Greece. We have done it for Guatemala, and we have done it in many other instances. So this is not a new venture. This has been done for 8 consecutive years.

Mr. HUMPHREY. I believe I may say in all frankness to my good friend from New Hampshire that the Senator from Minnesota said this had been done before. I just mentioned Vietnam. I know that we did it in connection with the Greek aid program, but I say most respectfully that we have had a continuing aid program for 7 years. I gather that that program is to continue. I can recall the reports before the Senate Foreign Relations Committee. There was a very substantial amount of money for Spain, and not a single voice was raised against it. In fact, several voices were raised encouraging it. Because of an emergency situation in Guatemala, where the Communists had taken over, and the people of Guatemala were able to wrench themselves free from Communist control, in medical terms, they were given a prophylactic treatment consisting of immediate economic aid. But that is no reason for continuing this practice year after year. There are exceptions. There could be an exception tomorrow. Perhaps it will be in Laos. Perhaps it will be necessary for the President to call us back into special session. Perhaps it will be required that we appropriate substantial sums of money for supplies and equipment. All I know is that we are continuing a practice which has a good deal not to recommend it on a continuing basis.

The Senator from New Hampshire knows it well too, because he is one of the most skilled and able Members of this body. He is a powerful advocate, even when he does not have a No. 1 good cause.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES].

Mr. DIRKSEN. Mr. President, I think the Senator from New Hampshire has a good case. I can say that and still agree with the very distinguished chairman of the Foreign Relations Committee.

In the first place, I point out that the most important ingredient in this whole mutual security program is not measured by a dollar sign. It is the element of trust and confidence and mutual respect between this country and other countries.

This is a program which we have carried on for 8 long years. In that time we have built up many installations in Spain. I saw them last November. Only 17 miles from Madrid, one will see the countryside pretty well littered with brick and mortar, and he will see young Americans there. He will see our strategic bombers there. If one goes off a little distance he will see other installations.

When one goes down to the coast, he sees still other installations. He notes the highways that have been built as the result of American effort and American enterprise under this legislation.

After 8 years, what are we to say to the Spanish people? Are we to say, after 8 years, "For 8 years we carried on with trust and confidence. For 8 years we have sent our people over here. For 8 years your civilians have worked in our camps. For 8 years we have done a magnificent job, trusting each other in a common endeavor, in the cause of freedom and in the cause of holding back the Communistic tide. But now we say to you, the Spanish people, after 8 years—and no one raised his voice on the subject before—we are going to stop the program."

Try to measure the administrative difficulty against the kind of reaction we will get. If I were a Spaniard in Córdoba, or in Seville, or in Madrid, I would say, "I wonder what possessed the American Congress, after 8 years, summarily to cut off this aid and put us in a different category."

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I will answer the question in the Senator's mind.

Mr. FULBRIGHT. The Senator does not wish to misrepresent the situation. We are clearly not cutting it off.

Mr. DIRKSEN. The Senator is correct.

Mr. FULBRIGHT. Why does the Senator say we are summarily cutting it off?

Mr. DIRKSEN. Just wait——

Mr. FULBRIGHT. That is what the Senator said.

Mr. DIRKSEN. Wait until I amplify the rest of the story.

Mr. FULBRIGHT. We are not cutting it off.

Mr. DIRKSEN. As the Senator from Arkansas said, moneywise it will not make any difference.

Mr. FULBRIGHT. I did not say that, exactly.

Mr. DIRKSEN. The Senator said substantially that.

Mr. FULBRIGHT. No.

Mr. DIRKSEN. If I heard the Senator correctly, he said that in dollars and cents, actually it would not make a great deal of difference.

Mr. FULBRIGHT. Not a great deal of difference.

Mr. DIRKSEN. That puts me on good ground.

Mr. FULBRIGHT. Does not the Senator recognize the difference between no difference and a little difference?

Mr. DIRKSEN. Yes; I do.

But let us discount the idea, and say that "a little difference" is $10 million, so that perhaps they will get $40 million.

Mr. FULBRIGHT. If my memory serves me correctly, the administration recommended $40 million.

Mr. DIRKSEN. All right.

Mr. FULBRIGHT. Why does the Senator, who usually is very, very enthusiastic in support of his administration—and I appreciate that—depart from it in this instance?

Mr. DIRKSEN. I do not depart from it.

Mr. FULBRIGHT. The administration does not recommend this provision. The administration wants to administer this program along with that for all other countries. The administration does not say, "You must give so much to Israel; you must give so much to France; you must give so much to Korea." It makes its presentation, and this bill is in accordance with the administration's request.

There are surely some outside interests entering into the picture demanding that Spain be specified in this legislation. Spain, if we do not put a special provision for her in the bill, will fare in this program on a pro rata basis with all the other countries.

Mr. DIRKSEN. That is exactly the point. In the first place, for 8 solid years the administration, every administration, has supported this kind of item. In all the years that President Eisenhower has been in the White House, that provision has been in the law. We have a little history behind us on that subject. When we say $40 million instead of $50 million, of course, it comes under the general administration, and the people of Spain could still say, "It looks as though we have been singled out for a different kind of treatment. We were good enough to yield our land to let these buildings be built, and now after 8 years the deal is to be different." I believe they would have some complaint if they received $40 million instead of $50 million.

On the other hand, there is no assurance that they would. The proposal makes it pretty specific that Congress has not changed its tune toward the people of Spain. It is the psychological factor which is involved as much as anything else, and which, in my judgment, is important in this consideration. That is why I believe that the amendment of the distinguished Senator from New Hampshire merits support. If there were no history, it would be a different thing.

I ask my friend from Arkansas: How strange that no great fight was made on this item in other years. If there was, I am afraid it has gone out of my mind.

Mr. FULBRIGHT. All I can say is that I was not chairman of this committee. I had no responsibility to look into this sort of thing. I have looked into the history of the program. There is no excuse whatever for singling out Spain and treating Spain differently from any other country, and the administration did not favor it. It has never recommended it. The administration is decidedly against specifying in any bill how much should be given to any country. They do not want the leader of another country to say, "Give us the same." We want to be able to look at the situation and treat it as conditions require.

I am confident that the administration is not for this proposal, but the Spanish Government has had its influences in this country, as the Senator knows.

The fact that such treatment has been given in the past is no reason to do it now.

The Senator says Spain will be slapped in the face. Why is it slapping her in the face to put her on a par with other countries? Why is it not a slap in the face of Israel not to be singled out? Why is it not a slap in the face of Korea not to put them in the same category and say that we will not give them less than a certain amount?

This proposal will tie the President's hands if conditions are changed. The Senator does not think the President could resist Franco's appeal for $50 million if we include this provision in the bill, does he?

Mr. DIRKSEN. I do not think that is the issue involved.

Mr. FULBRIGHT. Do we want to tie the President's hands in negotiations with Franco?

Mr. DIRKSEN. Mr. President, first of all, there were never fewer than 96 Senators in this body in all the time I have been here, and no Senator fussed against this item in the past 8 years. Secondly, I have no recollection that the President of the United States ever said a word about having his hands tied. If he did, he did not say it to me.

Mr. FULBRIGHT. I ask the Senator, Why does he not put this provision in the authorization bill if this is accepted practice? Why put it in the appropriation bill? It is clearly legislation. Why was it not brought before the Committee on Foreign Relations to be examined by it and testimony taken and included in the authorization bill if it is such an established practice? Why is that not so?

Mr. DIRKSEN. For a very good reason, I think.

Mr. FULBRIGHT. Why?

Mr. DIRKSEN. Legislative proposals have been creeping into appropriation bills so long that it has become common practice, both in the House and the Senate. I remember out of my own experience in the House that we almost legislated a whole farm program every year in the agricultural appropriation bill.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I have had my say. I believe this is a good amendment. I believe there is history behind it. There has been no protest. I think otherwise the people in Spain would wonder why we suddenly changed our approach to this program. Psychologically, if for no other reason, I believe this amendment should be supported.

Mr. President, I yield the floor.

Mr. CAPEHART. Mr. President, there is only one reason in the world for this entire bill of $3,200 million, and that is in order to help the people of the United States and to defend the people of the United States.

So far as Spain is concerned, I believe there are two things we must keep in mind. First, it is a poverty-ridden country. It is not a member of NATO. It has had no help whatever from any organizations. If there ever was a place in this wide world where we need our bases, behind the Pyrenees Mountains, for our intercontinental planes to land, and if there ever was a place in the world that we need in order to defend the United States, it is Spain.

We have three bases there. I have visited them. I repeat, Spain is not a member of NATO. They entered into an agreement with the United States that we build these bases there. We have no right to build those bases there unless it is in order to defend the United States.

My best judgment is that these bases are the most important bases we have any place in the world. Spain is a poverty-ridden country. I repeat that Spain is not protected by NATO. It entered into an agreement with the United States under which we could build bases there. The least we can do is offer her some economic aid. The least Congress can do is specify Spain in the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES].

Mr. MORSE. Mr. President——

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

Mr. MORSE. I join in the request for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I will take only a moment. I want to back up the chairman of my committee.

I point out that this proposal did not come from a legislative committee of the Senate. This is in an authorization bill. This provision has been added by the Appropriations Committee.

The Senator from Illinois proved our whole case when he pointed out that in effect it has become customary for the Appropriations Committee to add legislative items, and that from his viewpoint he did not see any objection to this one.

I have been heard to say before that I think we ought to put a stop to the practice of the Appropriations Committee adding legislative items to appropriation bills. I believe the Foreign Relations Committee is empowered to do its legislative job. We ought to look to the Foreign Relations Committee for legislation on foreign policy matters.

Let us take a look at what happened this year in the Foreign Relations Committee in respect to this policy. I desire the attention of the Chairman of the Foreign Relations Committee [Mr. FULBRIGHT] as I refer to our work in the Foreign Relations Committee on an authorization bill.

It happens that here was a discussion with administration witnesses this year in regard to whether or not, in reporting an authorization bill, specific countries should be named. The witnesses for the administration made very clear that they did not want that; that they did not think it was a good policy; that they thought it handicapped their program.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Arkansas [Mr. FULBRIGHT], and other members of the Committee on Foreign Relations are present, and will undoubtedly recall that the administration witnesses specifically requested that that should not be done. That is the first point I want Senators to keep in mind. Therefore, the legislative committee reported an authorization bill that did not name specific countries. That happened to be, we considered, after our taking of testimony and hearing and considering the legislative policies involved, to be the better policy and in line with the administration's recommendation.

A few minutes ago there was talk about the fact that in the past we had specifically mentioned Greece and Korea, and I believe at one time Formosa and, I think, Turkey. But those specific mentionings were made by the legislative committee, not the Committee on Appropriations. It was decided in those years, for those special authorizations, that those countries ought to be specifically mentioned, and those countries were named after hearing the witnesses from the administration and the State Department upon their recommendation.

But that no longer is the desirable policy, so we are advised by the administration.

So what we are confronted with is an attempt to make an exception of Spain in regard to this policy, and seek to give the impression that those of us who are opposed to the Bridges amendment are not in favor of any funds going to Spain. That does not follow. What the Senator from Arkansas has clearly pointed out is that it is up to the administration, in the apportionment of the funds, to decide whether or not this amount or some other amount will best protect the interests of the United States, if it goes to Spain.

I think the Committee on Foreign Relations has already stated that its understanding is that the administration has been talking without reaching any final decision in the treatment of about $40 million.

So here it is proposed, without the Senate having before it any evidence in the matter, without the Senate having before it, in a public debate, a good deal of information which cannot be made public, but which can be made available to the legislative committees, taking the position that we are simply giving arbitrarily $50 million.

Supose we started to offer individual amendments to give x country $50 million, y country $75 million, and z country $100 million. What kind of hodgepodge bill would we have?

The third point I wish to make is that it was argued by another Senator that, of course, the first part of the bill contains a provision to enable the President to carry out the provisions of the Mutual Security Act. But it does not follow, if we adopt the Bridges amendment, that the President is any way estopped from determining what the program is in regard to Spain, and he can say that with respect to any item in the appropriation bill.

But what is proposed is to earmark $50 million as the opinion of Congress as to what the administration ought to do.

What do Senators think the Spanish leaders will say after that? Shall we put the administration in the preferred position, or shall we put the administrators of the Government of Spain in the preferred position in regard to any discussions, negotiations, or conversations which will be held in regard to this subject? I do not think we should treat the President of the United States in that way. It is said in the first sentence that we will do this in order to enable him to carry out the provisions of the act; then we say to him, in effect, "We are going to put you behind the eight ball in regard to aid for Spain." We are going to say, "We think you ought to give Spain at least $50 million."

Mr. President, we do not have evidence on which to base such a figure and such a judgment.

I say Spain ought to be treated the same as all the other countries, and that this amendment should be defeated. If we defeat it, we are not denying to Spain a fair share of the funds under this act; we are simply saying that we will not override our President in advance. We are not saying we are going to put aside $50 million and see to it, if we can, that Spain gets it.

Mr. FULBRIGHT. Mr. President, only recently a very large sum—I think approximately $200 million or $300 million—was made available through the participation of the International Bank, I believe, and also the monetary fund, for the stabilization of the currency of Spain.

I mention this because there has been no disposition at all to discriminate against Spain. But how those negotiations and acts of performance under those loans are working out, I do not know. We have had no testimony about them. All this involves a great deal of negotiation. In my opinion, it might be a very great mistake to foreclose our Government from having any freedom to negotiate by including this provision in the bill. I remind the Senate that some $200 million or $300 million has been made available to Spain.

Mr. CAPEHART. Mr. President, the countries proposed for inclusion in this item are: Korea, Republic of China, Vietnam, Philippines, Laos, Cambodia, Thailand, Pakistan, Iran, Turkey, Greece, and Spain.

I call attention to the fact that all of them are members either of NATO or SEATO and are protected under the defense agreements the United States has with NATO and SEATO, with the exception of Spain.

Spain stands out like a sore thumb. She is willing to cooperate with the United States against Russia. She has permitted us to build bases in her country. I know of no bases which are more important.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HUMPHREY. In 1957, Congress repealed the special reference and authorization with respect to Korea. I do not believe Korea felt we were letting her down.

In the authorization act we provided a substantial sum of money for West Berlin. I have looked through the appropriations, and I see nothing about money being appropriated for West Berlin. But I gather that West Berlin will be included.

Mr. CAPEHART. I think the best answer with respect to Korea is that we lost something like 50,000 American boys there defending Korea. We have not

done that in Spain. We fought a war to defend Korea and lost 50,000 of our boys.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire.

Mr. DODD. Mr. President, I think this matter is certainly important to the people I am privileged to represent, in part, in the Senate. I shall not enter into a technical argument. I doubt very much whether people are interested in technicalities. I am interested in the substance of the matter.

I think the substance is this: That on this day the Senate voted to give the President of the United States a free hand in extending aid of practically any kind to Communist countries. We did that this morning, about noontime. Tonight, we are in a hassle on technical points, as to whether we should say that Spain, a country which is on our side in this struggle, shall not be granted a specific sum of money.

Spain has not been shooting down our planes; she has not been kidnapping our citizens. If it is a question of the kind of government which is involved, this is something new. It is not, because we certainly are not making much of that point. We shall be making less of it next Tuesday.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES].

Mr. LAUSCHE. Mr. President, about 1 year ago I voted for an appropriation which specifically designated by name certain countries as countries which should receive aid from our country.

Tonight, I contemplate voting for the amendment of the Senator from New Hampshire.

Whether we like it or not, we know that one of the issues in the country today is what our attitude toward Spain should be.

We are now receiving studies made by specific experts on foreign relations. Some say we should step out of Spain. Others say we should remain there, because the people of Spain are our most steadfast friends.

Any action tonight to change a practice that has been in effect for 8 years would be an implication that we are subscribing to the idea that we ought to move away from Spain; and I do not want any such implication to be left by my vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES].

On the question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], and the Senator from Montana [Mr. MURRAY] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ] would vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting the Senator from New Mexico would vote "nay" and the Senator from Louisiana would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

The Senator from Maryland [Mr. BEALL] and the Senator from Nebraska [Mr. HRUSKA] are detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Maryland [Mr. BEALL] would each vote "yea."

The result was announced—yeas 49, nays 38, as follows:

YEAS—49

Aiken	Ellender	Prouty
Allott	Ervin	Robertson
Bible	Fong	Russell
Bridges	Frear	Saltonstall
Bush	Hayden	Schoeppel
Butler	Hickenlooper	Scott
Byrd, Va.	Holland	Smathers
Capehart	Jordan	Smith
Case, N.J.	Keating	Stennis
Case, S. Dak.	Kuchel	Symington
Cooper	Lausche	Talmadge
Cotton	McClellan	Thurmond
Curtis	Mansfield	Wiley
Dirksen	Martin	Williams, Del.
Dodd	Morton	Young, N. Dak.
Dworshak	Mundt	
Eastland	Pastore	

NAYS—38

Bartlett	Hart	Magnuson
Byrd, W. Va.	Hennings	Monroney
Cannon	Hill	Morse
Carlson	Humphrey	Moss
Carroll	Jackson	Muskie
Church	Javits	Neuberger
Clark	Johnson, Tex.	Proxmire
Douglas	Johnston, S.C.	Randolph
Engle	Kefauver	Sparkman
Fulbright	Long, Hawaii	Williams, N.J.
Gore	McCarthy	Yarborough
Green	McGee	Young, Ohio
Gruening	McNamara	

NOT VOTING—13

Anderson	Hartke	Long, La.
Beall	Hruska	Murray
Bennett	Kennedy	O'Mahoney
Chavez	Kerr	
Goldwater	Langer	

So Mr. BRIDGES' amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BRIDGES. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, there is one other matter which I think I should mention for the RECORD. The section appearing from line 17, page 9, to line 17, page 10, should be stricken from the bill. This is an attempt to rewrite provisions already in the bill with regard to the reprograming of the program, whatever changes are made by the Executive.

The provision in the bill beginning on page 9 I think would make it almost impossible as a matter of bureaucratic redtape for the administration to do a good job in administering this program. It is far narrower than section 513, which is the provision in the existing law.

I, of course, do not know whether the Committee on Appropriations was familiar with this situation.

Mr. President, it is very late to argue this kind of program. All I am trying to say is that this is an example of a provision relating to something already in the law, which deals with the procedure after a change is made by the administration, and sets out the procedure to be followed. This subject is covered in section 513 in the existing law. This is a much more restrictive program. It would require a reprograming when there is only a very slight change such as 5 percent of the amount appropriated, as compared to the provision in the existing law, which is 50 percent.

If Senators want to tie the hands of the administration, this is a good way to do it.

It seems to me, in view of the criticism which has been so rampant in this body as to the way the program is administered, the body would be interested in facilitating administration, rather than tying the administration into 10 knots. I suggest that this is another example of the Appropriations Committee undertaking to rewrite the basic law, the legislative part of the law, and that it has nothing to do, really, with the appropriations. I think this provision would interfere very severely with efficient administration of the act.

I call this matter to the attention of the Senate, but in view of the mood of the Senate I have no doubt it will support the Committee on Appropriations.

The PRESIDING OFFICER. Does the Senator propose an amendment to strike?

Mr. FULBRIGHT. No.

The PRESIDING OFFICER. The bill is open to further amendment. If no further amendment is to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. HAYDEN. Mr. President, I inquire if all amendments which have been offered on the bill up to the present time have been disposed of.

The PRESIDING OFFICER. The Chair declared that the bill was open to further amendment, and no Senator offered an amendment.

Mr. HAYDEN. Mr. President, I call up my amendment identified as "9–10–59—E."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 20, after line 11, it is proposed to insert the following:

COMMISSION ON CIVIL RIGHTS

Salaries and expenses

For an additional amount for "Salaries and expenses", $500,000: *Provided*, That section 104(b) of the Civil Rights Act of 1957 is amended by striking out the words "two years" and inserting in lieu thereof "four years".

Mr. RUSSELL. Mr. President, I wish to make a point of order against the amendment. It is very clearly legislation offered to a general appropriation bill and is debarred by the provision of subparagraph 4 of rule XVI. There can be no question that an amendment which undertakes to amend a law is general legislation and is subject to a point of order.

The PRESIDING OFFICER. The Chair is prepared to rule on the point of order made by the Senator from Georgia. The point of order is well taken. The amendment constitutes general legislation on an appropriation bill, and the point of order is sustained.

Mr. HAYDEN. Mr. President, the committee report on the pending bill directed me as chairman of the Appropriations Committee to file a notice of intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing a legislative amendment to extend the life of the Civil Rights Commission for 2 years and to make an additional appropriation of $500,000 to carry on the operations of the Commission for the fiscal year 1960.

This notice was printed at page 18587 of the CONGRESSIONAL RECORD of September 8, 1959.

A brief word of explanation is pertinent at this point. The authorizing legislation, Public Law 85–315, provided that the Commission shall submit its final report to the President not later than 2 years after its enactment, which was on September 9, 1957. It further prescribed that the Commission shall cease to exist 60 days after submission of its final report. Consequently, the Commission will end its operations on November 8 of this year unless legislative action is taken during this session of Congress.

The matter came to the committee's attention when the President submitted a budget request for $500,000 to continue the work of the Commission, to be effective only upon the enactment into law of legislation extending the life of the Commission on Civil Rights.

It might be asked why the life of the Civil Rights Commission should be extended. One answer is that the Commission has actually been in existence for only 16 months. Not until 8 months after the establishment of the Commission had been authorized was the nomination of the staff director made and confirmed. Sixteen months is obviously not a sufficient period of time to make the investigations, studies, and appraisals prescribed by the Congress.

Unless the life of the Commission is extended, the members and staff personnel who have gained valuable experience will be relieved of their responsibilities and disbanded. A new Commission can be authorized, it is true, by a majority vote. But a new start would entail another delay in organization with its attendant problems. Thus, the logical procedure would be for the Senate to suspend its rule and vote for legislation extending the life of the present Commission.

Therefore, I now move to suspend paragraph 4 of rule XVI to offer a legislative amendment, the nature of which is to extend the life of the Civil Rights Commission for a 2-year period.

The PRESIDING OFFICER. The motion of the Senator from Arizona was filed in writing on the 8th of September, and therefore may be called up at this time. The motion is debatable. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. RUSSELL. Mr. President, as I understand, under the rule a two-thirds vote is required to suspend the rule to offer legislation on an appropriation bill. Is that correct?

The PRESIDING OFFICER. The Senator is correct. It requires two-thirds of the Senators present and voting to suspend the rule.

Mr. RUSSELL. I ask further if under rule XVI it is not required that any amendment which may be proposed to the amendment suggested by the Senator from Arizona, in case the rule is suspended, must be germane to the subject matter of that specific amendment.

The PRESIDING OFFICER. The Senator is correct. Paragraph 4 requires that all amendments to an appropriation bill must be germane.

Mr. JAVITS and Mr. KEATING addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the junior Senator from New York.

Mr. KEATING. If the motion to suspend the rule is carried and an amendment is offered as to which the question of germaneness is raised, am I correct that the decision as to the question of germaneness will rest with the Members of the Senate, without any ruling by the Chair?

The PRESIDING OFFICER. The rules provide that on any such question the Chair should submit the question to the Senate for a decision.

Mr. KEATING. The question would be submitted to the Senate without a prior ruling by the Chair; is that correct?

The PRESIDING OFFICER. The Chair does not rule on that question; it is submitted to the Senate.

Mr. JAVITS. Is debate permitted on a question which is submitted to the Senate without a prior ruling by the Chair?

The PRESIDING OFFICER. The question is debatable; it may be debated by the Senate.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUTLER. Would the question be decided by a majority vote of all the Senators present and voting?

The PRESIDING OFFICER. A simple majority of the Senators present and voting would decide the question.

Mr. ERVIN. Mr. President, I rise to speak in opposition to the motion of the able and distinguished Senator from Arizona. Those of us who have the honor of representing Southern States occupy in some respects a role which is not altogether pleasant on all occasions. This is true because so many persons would like to reconstruct our States, and in many instances these persons are not well informed as to the conditions of our States.

Mr. DIRKSEN. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. ERVIN. I yield for that purpose only.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. My inquiry is only for clarification. It is my understanding, in view of the nature of the amendment which has been offered, that when the rule of germaneness is invoked, only two amendments could be offered. One would be as to the amount involved, and the other would be as to the length of time of the extension of the Commission. My statement goes a little beyond a parliamentary inquiry, but I do believe it would be in the interest of clarification for the Senate if the Parliamentarian would advise the Chair on that point.

The PRESIDING OFFICER. It is the opinion of the Chair that the Senator from Illinois [Mr. DIRKSEN] has correctly stated the rule.

Mr. DIRKSEN. Mr. President, I ask if the Senator from North Carolina will yield for one more inquiry?

Mr. ERVIN. I yield for that purpose only.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Would an amendment be germane which proposed to enlarge or extend the duties of the Civil Rights Commission?

The PRESIDING OFFICER. The Chair is not privileged to rule, but the Chair does not think such an amendment would be germane.

Mr. JAVITS. Mr. President, will the Senator yield for another point?

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. JAVITS. I wish to make a parliamentary inquiry.

Mr. ERVIN. I yield for that purpose only.

Mr. JAVITS. Mr. President, I wish to call the Chair's attention to the rule for debate on the question of germaneness, and point out that paragraph 4 of rule XVI provides the question shall be decided without debate.

The PRESIDING OFFICER. The Chair will correct his ruling. If the question of germaneness is submitted to the Senate, it must be decided without debate.

Mr. JAVITS. Mr. President, one other parliamentary inquiry. It is a fact that the Chair's views on germaneness are not binding on the Senate, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. ERVIN. Mr. President, Josh Billings once said, "It is better to be ignorant than to know what ain't so."

There is a great deal of truth in that from a philosophical standpoint because a man who "knows what ain't so" has to forget what he knows before he can grasp the truth.

One of the unfortunate things today in the life of this Nation is the fact that there are so many people who try to reconstruct the South who "know what ain't so" about the South. That is illustrated by many of the statements in this report.

For example, it discusses southern juries. On page 133 it deals with the prejudice of jurors.

Mr. President, so far as I know no one has attempted during recent years to bring a civil rights case before a jury in the South. There have been some related cases like the case in Clinton, Tenn., a case of interracial crime in Florida, an interracial crime in South Carolina, and an interracial crime in North Carolina within the past few months. In every one of these cases southern juries brought in verdicts of guilty, and yet we see in this report a gratuitous slander on southern juries such as were uttered time and again on the floor of the Senate during the civil rights fight of 1957.

There is another strange thing about some of those who would reconstruct us. They gaze upon us from afar and weep over our supposed sins. I sometimes envy those who weep about the misdeeds of people who are far off. I envy them because when one worries about the sins of people far away, such worry acts as a kind of opiate and blinds one to the problems lying upon one's own doorstep.

One of the paradoxical things about this whole matter is the fact that some of our friends, who have the most serious racial problems lying on their own doorsteps, are the ones who undertake to prescribe for Southern States. I say to those friends that if they would only find the solution for their own racial problems before they undertake to solve ours, we would be more ready to accept them as capable of doing what they undertake to do. But until they do that I shall have to associate them in my mind with the story that Will Rogers wrote on one occasion.

Will Rogers had written an article advising anyone who became ill to seek the services of a specialist in the particular medical field in which his illness lay rather than to seek the services of a general practitioner. He said a few days later that he was taken to the hospital in Beverly Hills, suffering with arthritis, and that on the following morning his old family doctor from Ardmore, Okla., came into his hospital room and said, "Will, you tried to put us old family doctors out of business. You wrote this article and said that when a person became ill, he should not seek the services of a general practitioner, but should obtain the services of a specialist in the field in which his illness lay."

The doctor added: "I was afraid you would take your own advice and fall into the hands of a specialist on arthritis. So I have come out here to look after you until you are on your feet again."

Will Rogers asked his old family doctor, "Doctor, do you know anything about arthritis?"

The old family doctor replied: "Yes; I do. I have been suffering from it myself for 50 years." [Laughter.]

I suggest that some of our friends who have racial problems lying upon their own doorsteps should first cure their own arthritis before they undertake to prescribe for arthritis in the South.

I have a recollection at this time of the debate on the civil rights bill of 1957. We were told that what was needed was a special division in the Department of Justice, to be called the Civil Rights Division, to specialize in making the benighted southerners behave themselves in connection with racial relations in the civil rights area. A bill was passed establishing a Civil Rights Division in the Department of Justice. It has been operating since the fall of 1957, for almost 2 years.

Representatives of the Civil Rights Division of the Department of Justice came before the House Appropriations Committee this year seeking an appropriation. They were asked what work they had done in the civil rights field, the field which was said to be so overrun with crimes by southerners as to demand a special division in the Department of Justice. They got an appropriation of $184,526 for 1958 and an appropriation of $527,980 for 1959; and they were asking for an appropriation of $541,000 for 1960.

When the officials of the Civil Rights Division of the Department of Justice were queried about their work, they made a report which showed they had been spending their time prosecuting everyone in the country except southerners. They testified that during the year 1958—last year—they tried only seven civil rights cases, in the ordinary understanding of the term—only seven. Of the seven, four involved charges of police brutality inflicted upon white men.

So the only southerners they could find to prosecute for criminal offenses in the interracial field, during the whole year 1958, were three. That comprises the work done in the field of civil rights by the Civil Rights Division of the Department of Justice for that year. That is the Division which is set up particularly to deal with those whom some persons consider to be benighted southerners.

Mr. HENNINGS. Mr. President, will the Senator yield for a question?

Mr. ERVIN. Yes.

Mr. HENNINGS. As the Senator from North Carolina knows, he and I have spent many hours discussing this matter in the Committee on the Judiciary and the Subcommittee on Constitutional Rights.

Does not the Senator, learned in the law as he is, and having been a judge, and an exceedingly fine one, realize that there is some value in a police force? Does he not realize that having a police force tends to diminish law violations?

Furthermore, the Senator knows, from reading the report of the Commission on Civil Rights, certain areas of New York City, for example, are set out in the book in charts, diagrams, figures, and words. This is not legislation designed in any way to be inimical to the Southern States, but is, rather, a matter relating to the freedom, liberties, and constitutional rights of all American citizens, wherever they may be. It is not a force bill to establish a Commission on Civil Rights. We know there are violations of civil rights in the Northern States.

In my own State of Missouri there are integrated schools, but there have been no difficulties. True enough, there have been some outbursts, whether racially inspired or otherwise, between groups of young people or older people.

But the Commission is not essentially a Commission designed for the purpose of inflicting injury, injustice, or special regulation upon our brethren in the South.

Mr. ERVIN. I have read the report. The only comments I find which are directed, in any real sense of the term, against anyone except southerners are in reference to housing.

Mr. HENNINGS. The Senator recalls, does he not, that the report contains diagrams relating to the boroughs of Manhattan, the Bronx, Brooklyn, Queens, and Richmond?

Mr. ERVIN. Oh, yes; the Commission received some complaints from insane asylums and from prisons throughout the United States. Frankly, from my experience as a lawyer, I never knew of any man in prison who was satisfied with his situation. I never knew of anybody in an insane asylum who did not feel he was unjustly imprisoned there and had some complaints respecting it.

Mr. HENNINGS. I have been on the penitentiary subcommittee for some 5 years. I have found a good many men in the penitentiary who were indeed very much at home there and who were most amenable to the situation and did not like to leave. The ones who leave commit crimes so that they can come back, because they are accustomed to the penitentiary. That is where their friends and associates are. I have inspected many prisons in the last 4 or 5 years.

I thank the Senator from North Carolina for yielding.

Mr. ERVIN. I have had many clients sent to prison, but I have never had one who was happy there.

Mr. HENNINGS. May I ask the Senator if he ever had any innocent clients sent to prison?

Mr. ERVIN. I do not like to plead the fifth amendment, but I would hate to make a confession that I have had some innocent clients sent to prison. I

have had some sent there who ought not to have gone there.

Mr. HENNINGS. That surely was not due to any lack of superlative advocacy on the part of the Senator from North Carolina, was it?

Mr. ERVIN. I thank the Senator from Missouri, but I fear that it was.

I might say that in addition to the 7 cases which the Department tried, or rather as a part of the 7 cases, it tried to get true bills in 11 cases, and got them in 4.

The Civil Rights Division received complaints about voting rights in 19 instances, they investigated 7, so they said, and found them impossible of establishment. That left 12. I do not know what happened to them. But that is the record of the achievements of the Civil Rights Division, in the strictly civil rights field. It was asserted in 1957 that it was necessary to establish the Division because of the conduct of benighted southerners. Incidentally, before I leave the subject, the Civil Rights Division of the Department of Justice received only 19 voting rights complaints, notwithstanding the fact that the Attorney General made public proclamation that he was very much disappointed that the Department had not received more complaints.

Mr. President, that is the first time in my experience I have ever heard a man who was charged with the duty of enforcing the law express regret that he had not been able to find more law violations to prosecute.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. CARROLL. The Senator from North Carolina knows that long before Congress established the Civil Rights Commission in 1957, a division of the Attorney General's office had been trying to enforce certain civil rights statutes. For example, the Attorney General's office sent some of its members into Colorado and attempted to prosecute the warden of the State penitentiary because he was accused of violating the civil rights of the prisoners. I say to the Senator from North Carolina that the warden was acquitted. But that was a different kind of case than the Senator has in mind.

In 1957, Congress established a new concept by creating the Civil Rights Commission to do a different job than the one which the Attorney General of the United States had been required to do. Is not that correct? Is that not the law? Was not that the practice and procedure?

Mr. ERVIN. A Civil Rights Division was established in the Department of Justice for the primary purpose of prosecuting people in the South for alleged violations of civil rights. I do not know anything about civil rights in Colorado. I have never attempted to deal with rights in any other State.

Mr. CARROLL. I think we ought to clarify the issue. I am speaking of a time prior to 1957. There were certain civil rights laws in effect for many years, and there had been a Civil Rights Division in the Office of the Attorney General to deal with the different statutes relating to civil rights. I think we ought to distinguish between the two, because I think we are talking about different things.

Mr. ERVIN. The Senator from Colorado and I may be talking about different things. I am talking about the Civil Rights Division which was created in 1957, the Division which prosecuted seven real civil rights cases in 1958, four of which were charges of brutality by white policemen against white men.

Mr. CARROLL. Will the Senator from North Carolina yield once more—because I think it is a very important distinction.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. ERVIN. I yield.

Mr. CARROLL. The Civil Rights Commission was created by Congress in 1957, was it not?

Mr. ERVIN. It was created by the Civil Rights Act of 1957, which was passed primarily for the purpose of robbing Southern State and local officials of the right of trial by jury.

Mr. CARROLL. The Senator from North Carolina may attribute to the Congress in creating the Commission any purpose he likes, but I am trying to distinguish between prosecutions by the Attorney General under the previous civil rights statutes and more recent cases. Now we are talking about an entirely different matter—the Civil Rights Commission, which had the power to investigate.

I think we should consider this distinction, as we debate this matter.

Mr. ERVIN. I do not like to disagree with the Senator from Colorado; but my recollection is that prior to the passage of the Civil Rights Act of 1957, all the so-called civil rights cases were handled by the Criminal Division of the Department of Justice, and that this statute was passed on the claim that so many crimes committed in this field fell within the Federal area that it was necessary to create a special division in the Department of Justice, to specialize in that one field.

Mr. RUSSELL. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I yield.

Mr. RUSSELL. As I understand the facts, there was what was called the civil rights section in the Department of Justice—a very small section. But in the 1957 act—due to the expected complaints—it was made a division, and an Office of Assistant Attorney General of the United States was created—formally, by statute.

Mr. ERVIN. That is correct. Before that, there was a squad. Then it was made a division.

Mr. RUSSELL. That is correct; before that it was a squad, and then it was made a division.

Of course, since then the Attorney General has said he has been surprised, if not shocked and disappointed, at the number of cases that have been referred to him. I think he was greatly surprised that a number of them did not originate in Southern States.

Mr. CARROLL. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield for a question.

Mr. CARROLL. We should keep the record straight. I agree with what has been said. But let us keep the record straight as we proceed; then I think we shall better understand the debate.

I agree with the remarks made thus far.

The small group which existed there was for the enforcement of the criminal statutes. That group was there for years.

In 1957, Congress created the Civil Rights Commission—and did so, in my opinion, in order to have the Commission do an entirely different job—and we shall talk about that job, based upon the report which has been submitted to the Congress and to the Nation.

I hope we clarify the record and keep it straight.

I respect the interpretation made by the Senator from North Carolina. But I want to keep the record straight as to the function of the Civil Rights Commission under the law, and as to the report which was submitted.

Mr. HENNINGS. Mr. President, will the gracious Senator from North Carolina yield to me for a brief question?

Mr. ERVIN. Yes.

Mr. HENNINGS. I am sure the Senator from North Carolina has heard, in his wide and varied field of study and reading, of what has been termed a guilt complex. Is there anything in this enactment relating to a Civil Rights Commission that refers to any section of the Union?

Mr. ERVIN. I think that theoretically it refers to all sections of the Union. But, as a practical matter, the report shows that the only conditions they are concerned with are in the South, except in some housing situations. That is the way I read the report.

Mr. HENNINGS. If the Senator from North Carolina will be so courteous as to yield further to me, let me ask why does not the Senator from North Carolina take the view that this is a national Commission relating to the denial of freedom and the right to be educated in every State in the Union? Why does the Senator think these conditions apply only to certain areas in the South? Indeed, some of them have been true in my own State; my own State had segregated schools, until the Supreme Court's decision; but my own State has integrated now, and I take pride in the fact that we have had little or no difficulty.

Mr. ERVIN. Mr. President, is the Senator from Missouri asking me a question?

Mr. HENNINGS. I should like to ask the Senator why he feels he need be on the defensive with respect to the South, if there is no denial of the right of citizenship in the South?

Mr. ERVIN. Yes; I am on the defensive; I am trying to defend the constitutional and legal systems of America for all Americans of all generations and all races, against those who, in their zeal, like blind Samson, would tear down the pillars of the temple.

Now I wish to talk a little about the Civil Rights Commission.

Mr. HENNINGS. We have been talking about the Attorney General. The Senator has referred to the Attorney General and to the so-called Division on Civil Rights.

Mr. ERVIN. I am about to leave that subject.

Mr. HENNINGS. The Senator will distinguish between that agency and the Civil Rights Commission, will he not?

Mr. ERVIN. I will, if the Senator from Missouri will permit me to do so.

Mr. HENNINGS. Will not the Senator suggest that the report is reasonably fair—in view of the fact that the Commission has found relatively few violations, according to the Senator, and relatively little discrimination? Will not the Senator concede that it must be a fair Commission—one confirmed by the Senate, after being appointed by the President of the United States?

Mr. ERVIN. If the Senator from Missouri will pardon me, I shall proceed to speak——

Mr. HENNINGS. The Senator from North Carolina and I have dwelt in amity, and we have served on the committee these many years, without any personal vindictiveness or feeling about what is, in itself, an issue which is highly charged emotionally.

Mr. ERVIN. Absolutely; and I do not wish to appear ungracious in any respect.

Mr. HENNINGS. The Senator is not.

Mr. ERVIN. But I have the floor, and I wish to proceed with my speech.

Mr. TALMADGE. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

The Senate will be in order.

Mr. ERVIN. Mr. President, the Civil Rights Commission also went before the House Appropriations Committee, and asked for an appropriation for 1960.

In 1958, the Commission received $200,000.

In 1959, the Commission received $750,000.

For 1960, the Commission is now asking for $788,000.

When the officials of the Civil Rights Commission went before the House Appropriations Committee, they were also asked about the work they had done; and I shall quote a remark made by Representative ROONEY, of the House Appropriations Committee. The Commission had had 922 complaints. Most of them came from insane asylums and prisons; and the Commission was not authorized to investigate any complaints from those sources. But most of the complaints came from those sources.

Mr. ROONEY said:

> My first reaction to this is that I am surprised at the small number of complaints.

But under the act, the Commission was authorized to investigate only verified complaints, that is complaints on oath or affirmation alleging a denial of voting rights. The Commission received—down to April 30 of this year—only 253 verified voting-rights complaints which were sworn to and which the Commission was authorized to investigate under the statute which created the Commission. Down to the time when the Commission had received the 253 voting-rights complaints, from 25 States, the Commission's total expenditures were $762,500. In other words, averaging the cost of the operation of the Commission for the voting rights complaints, the only thing it was authorized to investigate—it was authorized to make some studies, but not to investigate anything else—it cost the American taxpayer $3,013.83 for each voting right complaint it received.

Now it is being asked that the life of the Commission be extended. The voting rights complaints which the Commission received to the 30th of April 1959, have cost the taxpayers $3,013.83 per complaint. I do not think the taxpayers' money should be dealt with in that fashion.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. CARROLL. The Senator knows that before the law providing for the Civil Rights Commission was ever passed, while this matter was under debate in this body, the distinguished Senator from North Carolina, the distinguished Senator from Mississippi, the distinguished Senator from New Jersey, and I entered into a debate. It was common knowledge then, it is common knowledge in the lawbooks, it is common knowledge in the report of the Commission that there are certain areas in America where American citizens are denied the right to vote because they cannot register.

That is what the report contains. What is wrong with the report? Does not the report establish that there are areas in this country with thousands of American citizens of a certain class, where not one single American among them is permitted to register to vote? Is this fact not sustained by the decisions of the Federal courts of this country? Why do we say it costs $3,000 a case when we bring out this point?

Mr. ERVIN. I say the Commission has made expenditures at the rate of $3,013.18 a complaint, and so far as I have heard is has not developed a single case for criminal prosecution.

Mr. CARROLL. Will the Senator yield further? The function of the Civil Rights Commission is not to prosecute. The Civil Rights Commission was established for the function of investigating and revealing and reporting to the Congress, and they have done so. The fact that that report may astound certain people in this country and may offend certain people in the Congress is beside the point. In my own State——

Mr. ERVIN. Is my good friend asking me a question now?

Mr. CARROLL. I will put this question: Was not the Senator from North Carolina present when I asked the dean of the Law School of Southern Methodist University, who is from Texas, not from the North, about the appointment of the Civil Rights Commission in my own area? They did not contact me. I did not know who they were. One was a distinguished Republican newspaperman——

Mr. ERVIN. I have not seen any question mark in the statements of the Senator.

Mr. CARROLL. I am laying the predicate for the question. Was not the Senator from North Carolina there when I said, "Who are these people? How do you appoint them?" They told us how they appointed these commissions and these committees all over America. The Senator has made reference to the South. There are 150,000 Spanish-American people——

Mr. ERVIN. I still have not seen the Senator's question mark. I do not want to take up to midnight.

Mr. CARROLL. I ask the Senator if he was not present when I asked the question, and he told how they set up committees all over the East, West, North, and South. Is the Senator saying that because this Commission spent $3,000 a case it is a prejudiced Commission; that it is a Commission that did not know what it was doing?

Mr. ERVIN. If the Senator will permit me to do so, I will tell him what I have to say about the Commission.

Mr. CARROLL. I would like to hear him.

Mr. JOHNSON of Texas. Mr. President, will the Senator from North Carolino yield to me for the purpose of propounding two requests, with the understanding that he will not lose the floor?

Mr. ERVIN. I yield with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 O'CLOCK A.M. ON MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 9 o'clock on Monday morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Journal of today be approved without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I thank my friend from North Carolina.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. MORSE. Mr. President, will the Senator yield to me for half a minute while I ask to make a filing at the desk, with the understanding that he will not lose the floor?

Mr. ERVIN. I yield with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, in accordance with rule XL, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the

bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, two amendments which I hereby file at the desk, without taking the time to read them. I am giving my notice tonight so that they may be considered Monday if I desire to call them up.

Mr. JOHNSON of Texas. Mr. President, will the Senator from North Carolina yield to me for a unanimous consent request, with the understanding that he does not lose the floor?

Mr. ERVIN. I yield with the understanding that I do not lose the floor?

ORDER FOR CALL ON MONDAY NEXT OF MEASURES ON CALENDAR TO WHICH THERE IS NO OBJECTION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be a call of the calendar on Monday next for the consideration of bills to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. MORSE. Mr. President, did I get a ruling on the filing of my amendments?

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, and will lie on the desk.

The notices presented by Mr. MORSE are as follows:

NOTICES OF MOTIONS TO SUSPEND THE RULE

Mr. MORSE submitted the following notice in writing:

Mr. President, in accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, the following amendment: At the appropriate place in the bill insert the following:

"Provided further, That the Commission, in addition to its other functions, may collect and make available to States and local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof. *And provided further,* That the Commission is further authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements in the light of local conditions, and, upon request, to mediate and conciliate disputes which may arise with respect to proposed plans and their implementation."

Mr. MORSE also submitted an amendment, intended to be proposed by him, to House bill 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

(For the text of amendment referred to, see the foregoing notice.)

Mr. MORSE also submitted the following notice in writing:

Mr. President, in accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, the following amendment: At the appropriate place in the bill insert the following:

"Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate or Commissioner for the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

Mr. MORSE also submitted an amendment, intended to be proposed by him, to House bill 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. KEATING. Mr. President, will the Senator yield for the purpose of my propounding a question to the Senator from Oregon, with the understanding that he does not lose the floor?

Mr. ERVIN. With the understanding I do not lose the floor, I yield.

Mr. KEATING. May I inquire of the distinguished Senator from Oregon if he would state the nature of the amendments, if he does not care to read them in full, which he is proposing?

Mr. MORSE. Well, it will only take me——

Mr. HENNINGS. Mr. President——

The PRESIDING OFFICER. The Senator from North Carolina has yielded to the Senator from New York for the purpose of permitting the Senator from New York to ask a question of the Senator from Oregon.

Mr. ERVIN. Yes; for the purpose of propounding an inquiry to the Senator from Oregon.

Mr. MORSE. The first amendment provides——

Mr. JOHNSON of Texas. Mr. President, I cannot hear the Senator.

Mr. MORSE. The first amendment provides:

At the appropriate place in the bill insert the following: *"Provided further,* That the Commission, in addition to its other functions, may collect and make available to States and local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof. *And provided further,* That the Commission is further authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements in the light of local conditions, and, upon request, to mediate and conciliate disputes which may arise with respect to proposed plans and their implementation."

The other amendment provides:

At the appropriate place in the bill insert the following: "Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate or Commissioner for the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

Mr. ERVIN. Mr. President, I do not like to withdraw the yielding, but it seems to me that if the Senator from New York could confer with the Senator from Oregon and read the amendments, it would be better. I am afraid if it keeps on like this I am going to be in as bad a fix as the man and wife who were mountaineers in the mountains of North Carolina. They had raised their family and all their children had married and left them. They had used all their resources to educate their children. After their last child had left them, they decided to attain their ambition, which was to get a grandfather clock which would strike. So after their last child grew up, got married, and left them, they took all their egg money and all the money the mountaineer could make from his still and went down to Asheville and bought a grandfather clock, and brought it back to their mountain cabin. They loved to hear the clock strike, so they sat around the first night listening to it long past their usual bedtime. The old mountaineer said to his wife, Mandy, "It would be a shame for this clock to strike so pretty and nobody to be awake to hear it." So they decided to stay up all night to hear it strike.

The next night they did the same thing. The third night Mandy said to John, when bedtime came along, "John, I have got to get some sleep." And John said, "Well, Mandy, it would be a shame for this fine clock to strike, as pretty as it strikes, and nobody to be awake to hear it. You go ahead and get some sleep tonight. I will sit up and hear the clock strike tonight, and tomorrow night I will sleep and you can sit up and hear the clock strike."

Well, Mandy went on to bed, and John sat up to hear the clock strike, hour after hour. It came to midnight, and something went wrong with the clock. It struck 12 times and then kept on striking—13, 14, 15, 16, 17 times. John got excited, ran and shook his wife and said, "Mandy, wake up. We have got to get

out of here. It is later than I ever knowed it to be."

If I keep yielding tonight it is going to be "later than I ever knowed it to be" before I finish. [Laughter.]

Mr. HENNINGS. Mr. President, the genial, eloquent and delightful Senator from North Carolina always has a story which is appropriate for the occasion. I have heard many of them, to my delight, in the committee.

Mr. JAVITS. Mr. President, will the Senator yield to me so that I may make a RECORD insertion?

Mr. ERVIN. Mr. President, with the understanding that I shall not lose my right to the floor and with the understanding that I am not going to yield to any other Senator, for fear that it will get "later than I ever knowed it to be," I will yield.

BOX SCORE ON JUDGESHIPS

Mr. JAVITS. Mr. President, I have previously had printed in the RECORD a chart in respect to the time elements relating to judgeship appointments and confirmations of nominations. There are, of course, many reasons for delays in nomination and confirmation which are valid, and can be supplied in any case, and in no case is there any implication to be drawn from this chart other than the actual elapsed time on each appointment. It may help us all however to see how long the average process requires with a view toward making our procedures as effective as possible, hence my willingness to expand the previous chart on request. I ask unanimous consent that I may have printed in the RECORD a new chart, to replace the previous chart as it was claimed that the whole process from vacancy to confirmation ought to be depicted in one chart.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

BOX SCORE ON JUDGESHIPS

District judges

	Vacancy	Recess appointment	Nomination	Number of days from vacancy to nomination recess appointment [1]	Number of days in which administration could make nomination or recess appointment [2]	Confirmation	Number of days from nomination to confirmation
Henley, J. S.:							
Eastern Arkansas	Jan. 14, 1957		Feb. 24, 1958	406	276	No Senate action (pending 180 days).	
		Oct. 25, 1958	Jan. 17, 1959 [3]	649	62	Pending 213 days. [4]	
Eastern and western Arkansas	Aug. 5, 1958		Aug. 18, 1959	378	378	Sept. 2, 1959	15 (from 1st nomination: 555).
Young, G. E.: Eastern Arkansas	Jan. 14, 1957		do	946	(5)	do	15.
Robson, E. A.: Northern Illinois	Aug. 16, 1958	Sept. 29, 1958	Jan. 17, 1959	44	44	Apr. 29, 1959	102.
Hart, G. L.: District of Columbia	Feb. 25, 1958		Aug. 16, 1958	172	172	No Senate action (pending 7 days).	
		Aug. 29, 1958	Jan. 17, 1959 [3]	185	5	Sept. 9, 1959	235 (from 1st nomination 389).
Gilmartin, E. R.: Guam	(6)	do	do	0	0	do	235.
Gordon, W. A.: Virgin Islands	Nov. 15, 1957		Aug. 4, 1958	262	262	No Senate action (pending 19 days).	
		Aug. 29, 1958	Jan. 17, 1959 [3]	287	5	Sept. 2, 1959	228 (from 1st nomination: 394).
Tucker, J. G.: Eastern Texas	Feb. 14, 1958		Feb. 12, 1959	363	227	Nomination withdrawn Aug. 3, 1959, after 172 days.	
Fisher, J. J.: Eastern Texas	do		Sept. 7, 1959	570	[7] 35	Sept. 9, 1959	2.
Crocker, M. D.: Southern California	Sept. 2, 1958		Feb. 16, 1959	167	167		206 as of Sept. 10, 1959.
Kunzel, F.: Southern California	Nov. 1, 1958		do	107	107	Sept. 9, 1959	205.
Kilkenny, J. F.: Oregon	Dec. 31, 1958		Feb. 19, 1959	50	50	July 28, 1959	159.
Julian, A.: Massachusetts	Sept. 9, 1959		Feb. 26, 1959	(8)		Sept. 9, 1959	195.
Walsh, L. P.: District of Columbia	Nov. 18, 1958		do	100	100	do	195.
Wood, H. K.: Eastern Pennsylvania	May 1, 1958		Mar. 2, 1959	306	170	do	191.
MacMahon, L. F.: Southern New York	Dec. 29, 1957		Mar. 10, 1959	436	300	do	183.
Metzner, C. M.: Southern New York	Apr. 3, 1959		Apr. 15, 1959	12	12	do	147.
Bartels, J. R.: Eastern New York	Jan. 6, 1958		Apr. 20, 1959	469	333	July 28, 1959	99.
Sweigert, W. T.: Northern California	Dec. 13, 1958		Apr. 23, 1959	131	131		140 as of Sept. 10, 1959.
Field, J. A.: Southern West Virginia	Sept. 25, 1958		May 11, 1959	228	228	Aug. 12, 1959	93.
Powell, C. L.: Eastern Washington	Sept. 12, 1958		May 26, 1959	256	256	June 16, 1959	21.
Dalton, T.: Western Virginia	Aug. 1, 1958		July 21, 1959	354	354	Aug. 12, 1959	22.
Weinman, C. A.: Southern Ohio	July 15, 1959		July 28, 1959	13	13	Sept. 2, 1959	36.
Butler, A. L.: Eastern, North Carolina	Mar. 16, 1959		do	134	134	Aug. 28, 1959	31.
Paul, C. F.: Northern West Virginia	June 21, 1959		Aug. 3, 1959	43	43		38 as of Sept. 10, 1959.
Kalbfleish, G. E.: Northern Ohio	Sept. 9, 1959		Aug. 21, 1959	(9)			20 as of Sept. 10, 1959.
Henderson, J. O.: Western New York	May 24, 1959		do	89	89		Do.
Timbers, W. H.: Connecticut	(10)		Aug. 27, 1959				14 as of Sept. 10, 1959.

[1] Whichever takes place first.
[2] The Senate was in adjournment for 130 days between 1957 and 1958, and for 136 days between 1958 and 1959. During these periods the administration could make no nominations nor could it make recess appointments for vacancies which occurred 31 days or more before Congress adjourned, unless such appointments were made for vacancies for which nominations had been submitted to the Senate before adjournment and the Senate had taken no action on them.
[3] Renominated.
[4] Nominated on Aug 18, 1959 for the eastern and western districts of Arkansas.
[5] Nominated for the eastern district of Arkansas on the same date as Mr. Henley the previous nominee, was nominated for the eastern and western districts.
[6] The predecessor served until Mr. Gilmartin received the recess appointment.
[7] From date that Mr. Tucker's nomination was withdrawn.
[8] Nominated on the same date as the predecessor, Mr. Aldrich, was nominated for the 1st circuit court. Both were confirmed to their new posts on Sept. 9, 1959.
[9] The predecessor gave notice that he would resign on Sept. 9, 1959.
[10] Nominated on the same date as the predecessor, Mr. Smith, was nominated for the 2d circuit court. Mr. Smith is still a member of the district court of Connecticut.

Circuit judges

	Vacancy	Nomination	Number of days from vacancy to nomination or recess appointment	Number of days in which administration could make nomination or recess appointment [1]	Confirmation	Number of days from nomination to confirmation
Boreman, H. S., 4th circuit	Mar. 17, 1958	Jan. 20, 1959	309	173	June 16, 1959	147
Forman, P., 3d circuit	Dec. 31, 1958	Feb. 9, 1959	40	40	Sept. 9, 1959	212
Cecil, L. L., 6th circuit	Oct. 13, 1958	Feb. 17, 1959	127	127	July 15, 1959	148
Aldrich, B., 1st circuit	June 12, 1959	Feb. 26, 1959	(2)		Sept. 9, 1959	195
Castle, L., 7th circuit	Jan. 4, 1959	do	53	53	Apr. 29, 1959	62
Friendly, H.J., 2d circuit	Mar. 1, 1958	Mar. 10, 1959	374	238	Sept. 9, 1959	183
Weick, P. C., 6th circuit	Oct. 5, 1959	Aug. 5, 1959	(3)		do	35
Blackmun, H. A., 8th circuit	June 30, 1959	Aug. 18, 1959	49	49		[4] 23
Smith, J. J., 2d circuit	May 15, 1939	Aug. 27, 1959	104	104		[4] 14
Merill, C., 9th circuit	Nov. 30, 1958	do	270	270		[4] 14

[1] Vacancies which occur 31 days or more before Congress adjourns cannot be filled by a recess appointment. Therefore, the administration could make neither a recess appointment nor a nomination during the 136 days of congressional adjournment between the 85th and 86th Congs.
[2] Mr. Aldrich's predecessor gave notice that he would resign on June 12, 1959.
[3] Mr. Weick's predecessor gave notice that he would resign on Oct. 5, 1959.
[4] As of Sept. 10, 1959.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

SOLUTION OF RACIAL PROBLEMS

Mr. ERVIN. Mr. President, when all is said, racial problems can be solved only by good will, intelligence, and patience on the local level where men and women live, move, and have their being. Their solution cannot be dictated from above, either by dictators holding executive offices, or dictators occupying legislative offices, or dictators wearing judicial robes.

COMPULSORY INTEGRATION

For this and other reasons, I disagree with those who seek to compel the involuntary association of the races by executive action, judicial decree, or legislative fiat. Despite assertions by sincere persons, professional agitators, and political opportunists to the contrary, racial segregation is not the product of racial prejudice. It results from the exercise of a most precious American right—the freedom to select one's own associations. Observations in the North, the South, the East, and the West show that whenever Americans are at liberty to select their own associates, they virtually always select as their associates members of their own race. This is not strange because it harmonizes with the basic law of nature that like seeks like.

Compulsory integration is fundamentally wrong because it robs the people affected by it of the freedom to select their own associates.

PROPOSED CIVIL RIGHTS LEGISLATION

The constitutional and legal systems of America are the finest products of human experience and wisdom, and should be preserved at all costs for the benefit of all Americans of all races and all generations.

It is high time for Americans of all races in all sections of the country to wake up to the fact that advocates of the major proposals for civil rights legislation are trying to sell their constitutional and legal birthrights for a sorry mess of political pottage. This is true for the very simple reason that all major civil rights proposals are repugnant to our constitutional and legal systems.

The men who framed our constitutional and legal systems comprehended in full measure the everlasting truth that no man or set of men can be safely trusted with governmental power of an unlimited nature. In consequence, they were determined, above all things, to establish a government of laws and not of men.

To prevent the exercise of arbitrary power by government, they inserted in the Constitution of the United States the doctrine of the separation of governmental powers.

They utilized this doctrine in a twofold way. They delegated to the Federal Government the powers necessary to enable it to discharge its functions as a central government, and they left to the States all other governmental powers. It was this use of the doctrine of the separation of powers which prompted Chief Justice Salmon P. Chase to make this memorable remark in his opinion in Texas against White: "The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States."

In their other utilization of the doctrine of the separation of powers, the framers of our constitutional and legal systems vested the power to make laws in the Congress, the power to execute laws in the President, and the power to interpret laws in the Supreme Court of the United States and such inferior courts as the Congress might establish.

Time and space do not permit me to analyze in detail the provisions of the numerous proposals for civil-rights legislation. It is indisputable, however, that the provisions of the major proposals in this field cannot possibly be reconciled with the fundamentals of our constitutional and legal systems.

This is true for these reasons:

First. They undertake to concentrate in the Federal Government the power to supervise and control all relations between the States and their citizens. In so doing, they are utterly repugnant to the constitutional principle that our indestructible Union is composed of indestructible States.

Second. They single out certain groups of Americans on account of their race and undertake to make them the special favorites of the laws. In so doing, they are utterly repugnant to the basic American concept that courts are created to administer equal and exact justice according to certain and uniform laws applying alike to all men in like situations.

Third. They single out certain groups of Americans and undertake to confer upon them certain so-called civil rights by robbing State and local officials and all other Americans involved in civil rights disputes of the basic and invaluable constitutional and legal safeguards created by the Constitution and the Congress to protect all Americans from bureaucratic and judicial tyranny.

Fourth. They vest the power to invoke the procedures they establish in certain nonelected Federal officers, such as the Attorney General and the Secretary of Health, Education, and Welfare, who may grant or withhold their supposed benefits at their despotic election. In so doing they offend the basic American concept that ours is a government of laws rather than a government of men.

NEW LEGISLATION UNNECESSARY

A study of existing statutes shows that new legislation in this field is wholly unnecessary.

Sections 1981 to 1992 of title 42 of the United States Code confer upon all Americans legal and equitable remedies sufficient to enforce all of their civil rights. To be sure, advocates of new legislation in this field do not like these statutes because they require that the rights devolving upon each American as a citizen or a man shall "be protected in the ordinary modes by which other men's rights are protected."

The concept of uniform laws is abhorrent to those who would single out certain groups and make them the special favorites of the laws.

Section 241 of title 18 of the United States Code provides heavy criminal penalties for those who "conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having exercised the same."

Section 242 of title 18 of the United States Code provides criminal penalties for any State or local official who "willfully subjects any inhabitant of any State, territory, or district, to the deprivation of any rights, privileges or immunities secured or protected by the Constitution or laws of the United States."

Under these two criminal statutes, the Department of Justice can prosecute in a Federal Court any State or local official who willfully denies any qualified person the right to register or vote, or any other right secured to him by the Constitution or laws of the United States. To be sure, the burden would rest upon the Department of Justice to prove such State or local official to be guilty by the testimony of credible witnesses having personal knowledge of the truth of the charge against such official.

Advocates of new legislation in this field do not like these statutes because they would deny to State and local officials and all other Americans involved in civil rights cases, legal rights which they are willing to accord to persons charged with murder, smuggling, dope peddling, counterfeiting, and other crimes.

Mr. President, I make this assertion without fear of successful contradiction. There are already enough statutes on the statute books to enable the Federal Government to see to it that every American citizen is protected in the enjoyment of all his civil rights. Strangely, the Department of Justice has about quit prosecuting men for violating the statutes to which I have called the attention of the Senate. The Department of Justice and the advocates of civil rights legislation want the Congress to pass a few laws which will enable them to browbeat people into submission to their will without ever having to prove the truth of charges made against them. In other words, the Attorney General and the advocates of civil rights want someone to give them some loaded legal dice, and they want a guarantee that they cannot lose a case before they will bring one.

Mr. KEATING. Mr. President, will the distinguished Senator from North Carolina yield?

Mr. ERVIN. I think perhaps it is later than we have ever known it to be.

Mr. KEATING. That is the comment I was about to make to the distinguished Senator.

Mr. ERVIN. The real character of the portion of the report written by the staff of the Commission is clearly revealed by the following statements of members of the Commission.

First. The statement of Commissioner Battle that—

> The report * * * is not an impartial, factual statement * * * but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Second. The statement of Vice Chairman Storey and Commissioners Battle and Carlton that the portion of the report dealing with public education "is to a large extent argumentative and colored by the authors' views on the sociological and philosophical aspects of the school integration problem."

Third. The statement of Vice Chairman Storey and Commissioners Battle and Carlton that "some parts of the foregoing report are argumentative, with suggestions keyed to integration rather than housing," and "suggest a fixed program of mixing the races anywhere and everywhere regardless of the wishes of either race and particular problems involved."

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JOHNSTON of South Carolina. Is there anything in the report to which all of the members of the Commission agreed?

Mr. ERVIN. No.

Mr. JOHNSTON of South Carolina. Is there anything that the majority agreed upon?

Mr. ERVIN. There are one or two things the majority agreed upon, but there is not anything they all agreed upon.

REPORT OF THE COMMISSION

Although I opposed the creation of the Commission on Civil Rights, I nevertheless entertained the hope that the Commission would suggest something new and constructive in the field of racial relations. The report of the Commission has robbed me of this hope.

The report is not a report in any real sense of the term. This is true because the report has many authors who entertain and express differing views. The major portion of the report is written by the staff of the Commission. The other portions of the report are written by individual Commissioners or groups of Commissioners.

The portion of the report written by the staff of the Commission consists of the same old cliches which have been used for years by those who make the advocacy of civil rights legislation and compulsory racial integration a profession.

Time and space preclude me from discussing the report in detail. For this reason, I shall confine my observations to the proposal that the Constitution of the United States be amended so as to deprive the States of their present constitutional power to prescribe the qualifications of voters; the proposal that all colleges, both public and private, be deprived of all Federal grants to coerce them into integrating their student bodies; the proposal that the Commission on Civil Rights be made a permanent governmental agency so that its staff may assist in bringing about the integration of all public schools in Southern States; and the proposal that all federally assisted housing be integrated. I wish to note at this point that Vice Chairman Storey and Commissioners Battle and Carlton, who are far more familiar with the South than the other Commissioners, entered vigorous dissents to these proposals.

THE PROPOSED CONSTITUTIONAL AMENDMENT

The Constitution provides that "each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress"—article II, clause 2—that "the House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures"—article 5, section 2—and that "the Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures"—amendment 17, clause 1.

If history shows anything, it shows that the framers of the Constitution were wise in permitting the States to prescribe the qualifications for a voter. On one occasion, Congress rejected the wisdom of the Founding Fathers in this respect and undertook to let the National Government act in this field. This congressional folly resulted in the tragic era now known as Reconstruction, which culminated in the shameful episode in which Samuel J. Tilden, the duty elected candidate for the office, was robbed of the Presidency.

Despite this sad historical experience, it is proposed that the Constitution of the United States be amended so as to vest in every person of the required age and place of residence not actually confined in an insane asylum or a prison an absolute right to vote in any election held for any purpose in any political subdivision anywhere in the 50 States constituting the United States, even though he be an illiterate idiot or an unreformed felon under conviction for a crime involving moral turpitude.

That is the most astounding proposal, Mr. President, that every citizen, even though he be an idiot, or even though he be a convicted felon, be given a constitutional right to vote in every election in the area in which he has his permanent residence.

When all is said, the only reason assigned for the proposal that the States be robbed of the right to prescribe intelligence tests for voters and barred from depriving unconfined idiots and unconfined felons from the elective franchise is simply this: It is alleged that in a comparatively few areas of the country supposedly qualified persons have been denied the right to register and vote, and that it would be easier to establish the truth of such allegations in the future if the only qualifications required of voters were the possession of a physical body, with or without intelligence, plus an attained age and a fixed place of residence.

For Congress and the States to heed this proposal for such a constitutional amendment would be about as sensible as using an atomic bomb to destroy a few rats.

As I have already pointed out, there are now sufficient Federal statutes to prevent or punish any provable charges that any qualified person is being wrongfully denied the right to register and vote in any of the 165,115 voting precincts in the 50 States comprising the Union.

THE PROPOSED DENIAL OF FEDERAL GRANTS

Coercion to compel conformity or to stifle dissent is inexcusable, whether exerted by individuals or by government. For this reason, I deplore the proposal that executive agencies and departments of the Federal Government withhold all grants to colleges, both public and private, to coerce their administrators into integrating their student bodies. It is to be remembered that Congress makes these grants to facilitate the education of the boys and girls who attend these colleges in the capacity of students and who have no control whatever over their administration. This proposal seeks to visit the supposed sins of the administrators upon the innocent students with a vengeance, and I might say that it indicates that the staff of the Commission would prefer ignorance if that were the only alternative to integration.

THE PROPOSAL RELATING TO SECONDARY PUBLIC SCHOOLS

In an able opinion in *Briggs* v. *Elliott*, 132 Fed. Supp. 776, the late Chief Judge John J. Parker of the U.S. Court of Appeals for the Fourth District, one of the ablest and most distinguished jurists America has ever known, explained "exactly what the Supreme Court has decided" in the so-called school desegregation cases Judge Parker said:

> It has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches. Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

After acknowledging Judge Parker's interpretation of the so-called school desegregation cases to be sound, the

portion of the report written by the staff of the Commission forthwith forsakes Judge Parker's sound interpretation for its own erroneous interpretation that the cases require the complete desegregation of all public schools in the South regardless of the wishes of the people of both races in particular districts, and urges that the Commission on Civil Rights be made a permanent agency to assist in bringing such desegregation to pass. I cannot refrain from observing at this point that the central theme of the portion of the report written by the staff of the Commission is the desirability of perpetuating the Commission on Civil Rights and the jobs of the members of its staff.

THE PROPOSAL TO INTEGRATE ALL FEDERALLY ASSISTED HOUSING

The sociological bent of the staff of the Commission on Civil Rights is disclosed by many portions of the report written by it. For example, it deplores the fact that many nonwhite American families live in secondhand homes—a statement equally applicable to the overwhelming majority of all white American families, both rich and poor. I have no figures to estimate how many families live in secondhand homes, but I would venture the assertion that it is somewhere about 90 percent or more. As a matter of fact the President of the United States lives in a secondhand White House. This is an example of many of the remarks of the staff of the Commission, showing the angle from which they approach these problems.

A perusal of the portion of the report written by the staff of the Commission relating to housing recommends that "all federally assisted housing, including housing constructed with the assistance of Federal mortgage insurance or loan guarantees as well as federally aided public housing and urban renewal projects" be integrated, and thus supports the observation of Vice Chairman Storey and Commissioners Battle and Carlton that such parts of the report are "keyed to integration rather than housing," and "suggest a fixed program of mixing the races anywhere and everywhere regardless of the wishes of either race." As these gentlemen state, suggestions of this nature "if carried out in full, will result in delay and in many cases the defeat of adequate housing." This is undoubtedly true because Senators and Congressmen who believe that Americans should have the freedom to select their own associates are not likely to support a federally assisted housing program which is diverted from its primary purpose of providing shelter for American families to that of producing compulsory association of the races.

The statements in the portion of the report of the staff deploring blockbusting, expressing concern for "the legitimate interest of white neighborhoods," and advocating "expanding Negro residential areas" seem to justify the inference that the staff of the Commission tolerates, if it does not actually favor, the continuance of conditions now prevailing in many American cities, which were succinctly described a few days ago in the following words in a letter which one New Yorker wrote to other New Yorkers, and which I have been granted the liberty of using:

May I ask whether we really do have integration here in New York, or whether we have integration only for poor people? That is, for the people who can't afford to move to the suburbs and can't afford to send their children to private schools. Are there any so-called champions of civil rights who now live in integrated areas or whose children are attending integrated schools?

When all is said, the report of the Commission leaves me with the abiding conviction that the staff of the Commission is inseparably wedded to the propositions that Americans ought not to have the freedom to select their own associates, and that all possible governmental powers ought to be diverted from their primary functions to that of compelling the involuntary association of the races.

In closing, Mr. President, I wish to reiterate that it is high time for all Americans in all sections of this Nation of all races to wake up to the fact that they are about to be robbed of their constitutional and legal birthrights for a sorry mess of political pottage, and that the report of the Commission indicates that some numbers of the Commission, and the staff of the Commission, are prepared to assist in bringing about this destruction of our constitutional and legal systems.

Mr. GORE. Mr. President, will the Senator from North Carolina yield to me a moment?

Mr. ERVIN. I am happy to yield.

Mr. GORE. I have listened with care and attention to the able address of my friend and my neighbor, with whom I have served in both bodies of the U.S. Congress. I do not find myself in full agreement with all that he has said, but he has made a noteworthy address this evening.

I agree with some of the criticisms leveled against the report.

I am one of those who voted to establish the Commission. In many respects this report is injudicious. It reports hearsay evidence without verification. I wonder why.

I really rose to compliment the Senator from North Carolina upon his diligence, upon his eloquence, upon his sincerity, and upon his penetrating analysis.

On Monday I shall attempt to analyze the situation presented and announce my own position. But tonight I wanted to compliment my friend, neighbor, and colleague.

Mr. ERVIN. I am deeply grateful to the Senator from Tennessee for his far too generous remarks.

Mr. HENNINGS subsequently said: Mr. President, realizing that anything which is said in the debate on this subject on this floor is not going to change one vote, I ask unanimous consent that I may have my remarks printed in the RECORD following those of the distinguished Senator from North Carolina, together with an editorial from the Washington Post and Times Herald of Saturday, September 12, 1959.

Mr. ERVIN. Mr. President, with the understanding that I shall not lose my right to the floor I will yield to my genial friend from Missouri so that he may make such a request.

Mr. HENNINGS. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

STATEMENT BY SENATOR HENNINGS

With reluctance and deep regret, I have been forced to accept the bitter fact that substantial legislation to further strengthen and protect the rights guranteed to all our people under the Constitution of the United States cannot be obtained this year.

Several weeks ago, I offered and asked to have printed several proposals which I felt would give emphasis to the rights of the individual. These proposals dealt with due process of law and equal protection of the laws; with the rights of American citizens to register and vote in Federal elections; with the right of children to enjoy the benefits of desegregated public education; with the right of persons in the United States to have civil injunctive remedies brought for the protection of their constitutional rights by the Attorney General and with other matters.

In offering these proposals, I circumvented normal procedure. I did so only after the Senate Constitutional Rights Subcommittee held extensive hearings on the legislation referred to us. The subcommittee made arrangements to hear every person who asked for the opportunity to appear before us; it received the testimony of all who came before the Subcommittee on Constitutional Rights.

The subcommittee received and filed in the record innumerable statements from individuals and organizations favoring or opposing the legislation before us. The subcommittee heard 60 witnesses in 21 days of open hearings. The printed record runs to more than 2,800 pages. The subcommittee reported a two-part bill to the Senate Judiciary Committee, but members of the full committee were never given an opportunity to vote on reporting the subcommittee two-part bill or a stronger bill, and I was forced to go outside regular procedure and submit the comprehensive proposals as an amendment to a pending Senate bill.

However, Mr. President, as I have said, I do not believe adequate rights legislation can be adopted this year.

In the House the Judiciary Subcommittee considering civil rights legislation recommended a significant bill, but the relatively stronger sections were struck out or watered down before the bill was finally reported by the House Judiciary Committee. Even this bill has not yet received clearance for House floor debate. It is still before the House Rules Committee, and the petition to discharge the House Rules Committee from further consideration—a move which would permit the House to take the bill and act on it this year—has obtained, at the last count, less than half the number of signatures required.

In the Senate, there is equally faint hope for meaningful civil rights legislation. There are, of course, the votes necessary to approve some legislation, but there are also those Members who have broadly implied that they will talk at great length on any substantial civil rights proposals suggested this year.

However, if faced with several days of prolonged debate in opposition to this mild proposal to extend the life of the Commission for 2 years, I, for one, favor making the protracted discussion meaningful. This could be done by an amendment, for under the rules of the Senate, whenever the rules

are suspended to allow a legislative proposal to be added to an appropriation bill, amendments to the rider may be proposed (providing the Senate decides they are germane). If need be, we could propose as an amendment the controversial part III, the civil court remedy proposal, or possibly a sense resolution of the Congress clearly and unequivocally stating that Congress believes racial segregation in public education is unlawful and violates the 14th amendment, or possibly, the provisions for technical aid and financial assistance to local communities to help effectively accomplish public school desegregation.

On the other hand, if there is no long drawnout and prolonged debate against the extension of the Civil Rights Commission, and with clear assurance that the Senate will have adequate opportunity in the early days of the second session of the present Congress to consider real and comprehensive civil rights legislation and to pass as strong a bill as possible, I believe we who favor substantial civil rights legislation should accept the fact that the Senate cannot at this time enact adequate legislation. And I would like to point out that the extension of the life of the Civil Rights Commission is in no way meaningful legislation.

I do hope, however, that every Member of Congress will carefully examine the full report filed this week by the Civil Rights Commission. We should compare the findings, recommendations, and proposals with the report, to secure these rights, filed 12 years ago by President Truman's Committee on Civil Rights.

We should ask ourselves, how do the Commission findings, recommendations and proposals compare to legislative recommendations made over the years by the Members of Congress in the form of bills and resolutions? Already bills are being introduced to carry out some of the recommendations of the Civil Rights Commission. We should be prepared in January to enact civil rights legislation which will meet the demands of our people, insuring to all Americans the rights and freedoms of our Constitution, the law of the land.

[From the Washington Post, Sept. 12, 1959]

THE CRC LOOKS AHEAD

Before Congress passes judgment upon the Civil Rights Commission it would be highly desirable if every Member could read its report or at least the 200-page abridgment entitled "With Liberty and Justice for All." The report is humanitarian in tone, constructive in outlook, and thoroughly grounded on the basic principles of the U.S. Constitution. In no sense is it a tirade against the South. Rather, it recognizes that the struggle for attainment of the great principle of equal justice is going on in all parts of the country in one way or another. In the great majority of its observations southerners and northerners on the Commission were in full agreement.

The Commission has, of course, uncovered many unpleasant facts about discrimination in voting, in housing, and in education. This was its special assignment. On the basis of these facts, local and State governments as well as Congress and the administration should be able to correct many injustices to minorities that are a reproach to our democratic system. But there is no muckraking in the report. The Commission sees the lights as well as the shadows in the panorama it has surveyed.

It notes, for example, that the Southern States have outlawed "the hooded violence of the Ku Klux Klan"; that the right of minorities to vote is established in many areas of the South as well as the North; that segregation has ended in interstate transportation throughout the country and in buses and streetcars in a number of Southern cities; that some Northern States are seeking to outlaw discrimination in housing. "The pace of progress during the 96 years since emancipation," says the report, "has been remarkable."

The Commission also sees that the many facets of the problem are closely related. The extension of voting rights may have disappointing results because of apathy and ignorance unless that reform is accompanied by better education and the elimination of demoralizing slums. What the Commission is pleading for is a general elevation of sights to "new and challenging targets." In addition to equality under the law, it says in effect, the country needs a great creative effort that will absorb the minds and hearts of men so completely as to submerge petty prejudices and emotions rooted in the past.

Aside from this play of enlightened imagination upon a baffling national problem, the CRC has offered numerous specific recommendations in the fields of education and housing, as well as that of suffrage. Not all of these are likely to be acceptable, but they do emphasize the desirability of continuing study in this field by a group of experts chosen from many backgrounds and dedicated to the general objectives of tolerance and human dignity. The Commission notes, moreover, that it has not yet had an opportunity to study directly discrimination in employment, in the administration of justice and in public accommodations.

To cut the Commission off after it has made so promising a beginning and finds so much territory yet to be explored would be an inexcusable blow to the cause of civil rights and good human relations. Congress must not adjourn until provision has been made for the Commission's work to continue.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

S. 2655. A bill to authorize the Secretary of the Army to lease a portion of the Kingsbury Ordnance Plant at Kingsford Heights, Ind., to Union Township of La Porte County, Ind. (Rept. No. 1012).

ADDITIONAL BILL INTRODUCED

Mr. GRUENING, by unanimous consent, introduced a bill (S. 2705) to provide for the appointment of a district judge for the district of Alaska, which was read twice by its title, and referred to the Committee on the Judiciary.

MUTUAL SECURITY APPROPRIATION BILL, 1960—AMENDMENTS

Mr. COOPER submitted an amendment, intended to be proposed by him to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. KEFAUVER submitted an amendment, intended to be proposed by him to House bill 8385, supra, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON THE NOMINATIONS OF HARRY A. BLACKMUN TO BE U.S. CIRCUIT JUDGE, EIGHTH CIRCUIT, AND M. OLIVER KOELSCH TO BE U.S. CIRCUIT JUDGE, NINTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary I desire to give notice that public hearings have been scheduled on the nominations of Harry A. Blackmun, of Minnesota, to be U.S. circuit judge for the eighth district, vice John B. Sanborn, retired, and M. Oliver Koelsch, of Idaho, to be U.S. circuit judge for the ninth circuit, vice James Alger Fee, deceased, at 10:30 a.m., Monday, September 14, 1959, in the committee room, room 2228, New Senate Office Building.

At the indicated time and place all persons interested in the above nominations may make such representations as are pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself as chairman.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. KEATING. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the junior Senator from New York.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. KEATING. I yield to the distinguished Senator from Oregon.

Mr. MORSE. How long does the Senator think his speech is in terms of time for delivery?

Mr. KEATING. I would not be able to say with precision. I should think 1 hour, if I am not interrupted. Of course, I shall yield for questions, if necessary, but I should think about that length of time. I wish to analyze some of the provisions of the report. I hope to complete my remarks within an hour.

Mr. MORSE. Mr. President, will the Senator yield for an observation, with

the understanding that he will not lose his right to the floor?

Mr. KEATING. I am happy to yield.

Mr. MORSE. May I have the attention of our able majority leader, for whom I have such high respect?

It is now 8 minutes to midnight. I am sure that it is a very notable speech which the Senator from New York is about to deliver. Persuasive, I am sure, it will be, and that it will carry great weight in forming judgments in the Senate. I question the advisability of the Senator from New York starting his speech, particularly in view of the absence of so many Senators. I would not want to deprive them of the opportunity to hear the Senator from New York. I would not like to inconvenience them. I have an intuitive feeling that it may take a little time to get a quorum, and that would carry us over into the Sabbath. I prefer not to devote my Sabbath to Senate business, unless I am compelled to do so.

I wonder if the majority leader might consider reaching an understanding that we come in a little earlier on Monday morning than we have been coming in, and recessing now. Would that meet with the favor of the majority leader? Did the majority leader hear me?

Mr. JOHNSON of Texas. I heard the Senator's suggestion.

Mr. MORSE. I do not know whether the majority leader cares to reply or not.

Mr. JOHNSON of Texas. No; I do not; not at this time. I do not want to trespass on the time of the Senator from New York. He has very little time left before we adjourn, so I want him to go ahead.

Mr. KEATING. I am very happy to proceed.

Mr. MORSE. I shall be glad to listen to the introduction of the speech of the Senator from New York before I suggest the absence of a quorum.

Mr. KEATING. Mr. President, I support the motion of the distinguished Senator from Arizona. It seems to me that this is the only practical way, by a suspension of the rules, in which we can come to grips with this rather minuscule but important area of the civil rights problem.

It seems to me, despite the statement of the distinguished Senator from North Carolina, who obviously, and undoubtedly sincerely, entertains different views from mine on the issues in this area, that the report of the Civil Rights Commission is the best argument there is for extending the life of this agency.

This report, as I read it, represents one of the most dispassionate and factual surveys of some of the problems in this field ever to appear. It is a chronicle of considerable accomplishment. But what is more important is the demonstration it makes of the stupendous task still before us if we are ever to achieve equal protection of the law for all Americans.

I have studied this report with great interest. It is full of fresh insights and new approaches. It reflects a deep understanding of the controversies which have arisen. It is not rash or intolerant of any point of view. It does not do injustice to any section of the Nation. It is a document which mirrors the character of the splendid men who comprise this Commission. It is calmly written. It is objective. But the facts it relates should shake the complacency of any American who thinks the job is done. They should stir the mind of any American who is interested in the civil rights of our citizens. They should disturb the soul of any American who is concerned about denials of justice and liberty to his fellow man.

Mr. President, it would be a shocking betrayal of our heritage of freedom if we were to allow this evaluation of the status of democracy in our beloved country to die aborning. Introspection is a great stimulus to national as well as personal progress. We cannot hide from the facts because they may be unpleasant. I am certain that any balance sheet of the defects and virtues of our Nation would show a heavy surplus of virtues. But the defects are there, and they will not disappear because some choose to ignore them.

These issues are too vital to the welfare of our country to be buried in a wasteland of passionate outbursts and meaningless threats. The members of the Commission were divided in their views of some of these issues. There were naturally some differences in outlook. But a reader would be hard pressed to find an intemperate word at any place in this report. These men show an outstanding appreciation of the importance of the problems before the Commission. Their dialogue sets an example for discussion of such problems which we in Congress would do well to emulate.

Even before the report of the Commission was officially released, it was assaulted by violent verbal blasts from some quarters. This reaction, although disappointing, was not unexpected since the work of the Commission has been subjected to obstruction by its opponents from its very inception. It is obvious that there are some people who do not wants the facts with regard to civil rights to be studied and discussed. These people are determined to leave no stone unturned in their conspiracy to prevent information on these vital issues from reaching the American people.

I can well understand differences of opinion with regard to the recommendations of the Commission. As I have indicated, the Commissioners themselves were divided on some of the issues. I cannot, however, condone the blanket condemnation and venom which have already been heaped upon its work by its die-hard opponents; nor can I sympathize with any effort to prevent Americans from exercising their sacred right to vote or from enjoying the same privileges under our laws, regardless of their race, creed, or national origin.

Mr. SCOTT. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. KEATING. I yield for a question; or I shall be glad to yield generally, with the understanding that I shall not thereby lose my right to the floor.

Mr. SCOTT. I wish to associate myself generally with the thoughts being expressed by the distinguished junior Senator from New York; in other words, I believe this is the least that can be done at this session.

I would that the situation were such that it be permitted more to be done. The matter is of great concern—concern which I have shared through the years.

I wish to compliment the learned Senator from New York for the statement he is making; and I express the hope that this matter will be acted upon promptly at this session, and that it will prove to be the disposition of the Senate to extend the life of the Commission.

And since we can do no more—confronted, as we are, by the realities—at this session, I look forward to the session in 1960, to the enactment of an effective Civil Rights Act.

I thank the Senator from New York for yielding.

Mr. KEATING. I know of the deep concern of the Senator from Pennsylvania [Mr. SCOTT] in this field, and I know of his assiduous efforts in connection with it. I thank him for what he has said.

I wish to say that because of the parliamentary ruling by the Chair, if the rule is suspended, the motion of the Senator from Arizona will be open to amendment in any respect, but only by an amendment which is germane; and the decision was that the question of germaneness in regard to any amendment which might be offered would be subject to decision by majority vote of the Senate, without any prior ruling by the Chair, and without debate.

So I am hopeful that it will be possible to enact meaningful civil rights legislation at this session of Congress.

Mr. SCOTT. One certainly hopes so.

Mr. JAVITS. Mr. President, at this point, will my colleague yield to me?

Mr. KEATING. I am happy to yield to my distinguished senior colleague.

Mr. JAVITS. I, too, am happy that my colleague has taken the floor to defend the report; and I shall do likewise in due course.

I wish to refer to the matter of such an amendment, as contrasted to a motion to suspend the rule. It would take but a majority vote to decide in regard to the germaneness of such an amendment, whereas it would take a two-thirds vote to suspend the rule. I think that is a very significant factor in connection with the capability of those who see the matter as we do to take the course in the Senate which we propose to take if the question arises on the matter of such an amendment, rather than on a motion to suspend the rule.

Mr. KEATING. I thank my colleague for his statement; and that is also my interpretation.

ADJOURNMENT UNTIL MONDAY AT 9 A.M.

Mr. JOHNSON of Texas. Mr. President, will the distinguished Senator from New York yield to me?

Mr. KEATING. I yield to the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until Monday, at 9 a.m.

The motion was agreed to; and (at 12 o'clock and 4 minutes a.m.) on Sunday, September 13, 1959, the Senate adjourned, under the order previously entered, until Monday, September 14, 1959, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 12 (legislative day of September 5, 1959):

ASSISTANT ATTORNEY GENERAL

Robert Kramer, of North Carolina, to be Assistant Attorney General to fill an existing vacancy.

U.S. JUDGE

M. Oliver Koelsch, of Idaho, to be U.S. circuit judge for the ninth circuit, vice James Alger Fee, deceased.

U.S. ATTORNEY

Joseph S. Bambacus, of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years, vice Lester S. Parsons, resigned.

HOUSE OF REPRESENTATIVES

SATURDAY, SEPTEMBER 12, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 5: 1: *We have peace with God through our Lord Jesus Christ.*

Almighty God, in this moment of prayer, we are invoking the blessing of Thy merciful and gracious providence.

We humbly acknowledge that always and everywhere we need Thee; in our weakness to uphold and encourage us and in our strength to discipline and direct us.

May we daily beseech Thee to free our minds and hearts from every selfish ambition and to fortify them against those specters of fear and failure which haunt and assail us in times of pressure and perplexity.

Grant that our Speaker, our chosen Representatives, and all who have served our beloved country, in whatever capacity, during this session of the Congress may receive this benediction of Thy grace and praise, "Well done, thou good and faithful servant."

To Thy name we shall ascribe all the glory, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam;

H.R. 2068. An act for the relief of Howard F. Knipp;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 2982. An act to fix the official station of retired judges assigned to active duty;

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 3792. An act to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York.

H.R. 5004. An act authorizing and directing the Secretary of the Interior to undertake continuing research on the biology, fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters;

H.R. 5067. An act to repeal section 217 of the Merchant Marine Act, 1936, as amended;

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 5477. An act to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines;

H.R. 6809. An act for the relief of Lt. (jg.) James W. Little;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7935. An act for the relief of Father Kenneth M. Rizer;

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the Gen. Edgar Jadwin Dam and Reservoir;

H.R. 8409. An act to extend the International Wheat Agreement Act of 1949;

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd;

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week;

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year;

H. Con. Res. 404. Concurrent resolution providing for printing additional copies of the compendium of papers entitled "Compendium of Papers Submitted on Revision of the Federal Income Tax Laws"; and

H. Con. Res. 405. Concurrent resolution providing for printing additional copies of the hearings entitled "Hospital, Nursing Home, and Surgical Benefits for OASI Beneficiaries."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota;

H.R. 5421. An act to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes;

H.R. 5747. An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy;

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes; and

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

The message also announced that the Senate had passed bills, joint resolutions, and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 1431. An act to provide for the establishment of a Commission on Metropolitan Problems;

S. 1697. An act to amend the Mutual Defense Assistance Control Act of 1951;

S. 2230. An act to amend the National Cultural Center Act;

S. 2231. An act to amend the joint resolution providing for membership and participation by the United States in Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended;

S. 2282. An act to amend the act of July 17, 1952;

S. 2327. An Act to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes;

S. 2481. An act to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes;

S. 2628. An act to establish the U.S. Study Commission on the Development of the Rivers, Ports, and Drainage Basins (and intervening areas) of the State of Alaska;

S. 2632. An act to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which threaten the oyster industry on the east coast;

S.J. Res. 93. Joint resolution designating the first Sunday of June of each year as "Shut-Ins' Day";

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd;

S. Con. Res. 11. Concurrent resolution to invite friendly and democratic nations to consult with countries of south Asia; and

S. Con. Res. 75. Concurrent resolution favoring active participation by Federal agencies in the Fifth International Congress on High-Speed Photography to be held in Washington, D.C., in 1960.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 6672) entitled "An act to au-

thorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEUBERGER, Mr. ANDERSON, Mr. GRUENING, Mr. GOLDWATER, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7476) entitled "An act to extend for two additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8609) entitled "An act to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) entitled "An act to amend section 1 of the act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869)."

HOUSE SPACE AND AERONAUTICS COMMITTEE

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, on September 11 before this body, the gentleman from Missouri [Mr. CURTIS] charged that an employee of the House Space and Aeronautics Committee was engaged in the preparation of a table on appropriations which has been appearing daily in the CONGRESSIONAL RECORD. It is not my purpose to engage in this debate over the propriety of these tables, but I must rise to set the record straight on one point. There is no House Space and Aeronautics Committee. The House Science and Astronautics Committee of which I am chairman has no employee by the name of Max Lehrer—the name given in the gentleman's remarks—and never has had this person employed, nor has any employee of my committee engaged in political activities related to tables on appropriations as charged. I would caution the gentleman from Missouri to check his facts before making statements to this body which can harm the reputations of the Members of Congress and of our staffs who do their best to discharge exclusively the duties for which they were hired. In fact, the gentleman from Missouri should delete from the RECORD this portion of his remarks.

TWIN CITIES ARSENAL, MINN.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "five-year" and insert "two-year"

Page 1, line 9, strike out "section 2" and insert "sections 2, 4, and 5"

Page 2, line 1, strike out "without monetary consideration therefor, except for" and insert "upon condition that the lessee pay"

Page 2, line 3, strike out "but" and insert "and"

Page 3, after line 11, insert:

SEC. 5. The lease authorized by this Act shall be conditional upon the Independent School District Numbered 16 paying to the Secretary of the Army as consideration for such lease an amount equal to 50 per centum of its fair market value as determined by the Secretary after appraisal of such lease.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONVEYANCE OF ARMY AND NAVY GENERAL HOSPITAL, HOT SPRINGS NATIONAL PARK, TO STATE OF ARKANSAS

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6190) to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, lines 16 and 17, strike out "for a period of twenty years after the date of such conveyance".

Page 3, lines 19 and 20, strike out "during that period".

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, this bill as it passed the House directed the Secretary of the Army to convey the Army-Navy General Hospital at Hot Springs National Park, Ark., to the State of Arkansas.

The State must use this hospital for health or vocational rehabilitation purposes or for educational purposes.

All of the usual restrictions and conditions normal in the conveyance of property by the United States are included. For example, in the event of a national emergency, the United States may take back the property without obligation to make payment of any kind and to use it during such emergency plus 6 months.

Section 3 of the bill as it passed the House required that the property be used by the State of Arkansas for a period of 20 years as a vocational rehabilitation center or for public health or educational purposes. The Senate amended the bill to require that the property conveyed be used for these purposes in perpetuity. This amendment, of course, imposes a greater restriction than was contained in the House version of the bill. Now the property, under the Senate version, can never be used for any other purpose or it will revert to the Government.

PROTECT LOCAL MANAGEMENT OF SAVINGS AND LOAN ASSOCIATIONS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7244) to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, after line 18, insert:

"'(g)(1) This section shall terminate May 31, 1961.'"

Page 6, after line 18, insert:

"'(2) The Federal Home Loan Bank Board shall make a full and complete survey of all aspects of savings and loan holding companies, and shall submit a report to the Committees on Banking and Currency of the Senate and the House of Representatives not later than May 31, 1960. This survey shall include studies of the nature, growth, effects, and future prospects of savings and loan holding companies, including particularly the extent to which they may have become, or may in the future become, injurious or detrimental to free competition in the field of mortgage lending or in any related field. The report on this survey shall contain a full statement on these matters, together with recommendations for further legislation on this subject. In particular, the report shall review and make recommendations on the

legislative proposals submitted at the hearings of the Committees on Banking and Currency on H.R. 7244, Eighty-sixth Congress, including particularly the need for and feasibility of requiring divestment of part or all of the savings and loan associations already acquired or part or all of the other interests of such holding companies, the need for and feasibility of requiring such holding companies to limit their activities or their future acquisitions to a specified distance from their principal offices, and the desirability and feasibility of regulating and controlling further acquisitions of such holding companies, as compared with prohibiting further acquisitions by such holding companies.'"

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. PORTER. Mr. Speaker, reserving the right to object, the gentleman from California [Mr. ROOSEVELT] who is not here, has asked me to object to this request; and I do object.

The SPEAKER. Objection is heard.

TO AMEND SECTION 7 OF FEDERAL HOME LOAN BANK ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2517) to amend section 7 of the Federal Home Loan Bank Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 7 of the Federal Home Loan Bank Act, as amended, is hereby amended by striking out the language in the first sentence after the first colon and inserting in lieu of the matter so stricken the following: "*Provided,* That the Board may by regulation increase the number of elective directors of any Federal home loan bank having a district which includes five or more States to a number not exceeding thirteen, but any additional elective directors shall be apportioned as nearly as may be practicable in the same manner and order as is provided for the appointment of elective directors under subsections (c) and (d) hereof: *Provided further,* That there shall not be less than one nor more than three elective directors from any of the States in any district in which the number of elective directors is increased."

SEC. 2. Subsection (b) of said section 7 is hereby amended by adding thereto at the end thereof the following sentence: "In the case of any district in which the Board has by regulation increased the number of elective directors pursuant to subsection (a) the Board may by regulation provide for an additional number of directors to be appointed and to hold office as provided in the first sentence of this subsection, but the total number of appointive directors shall not exceed one-half the total number of elective directors in such district: *Provided,* That the terms of the initial incumbent of any office established pursuant to this sentence shall expire at the end of the fourth calendar year beginning with the calendar year current at the time of his appointment, except that the Board may provide for any such initial incumbent a shorter term expiring at the end of a calendar year."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8591) was laid on the table.

AGNES LORRAINE PANK

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2302) for the relief of Agnes Lorraine Pank, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out all after "fee" down to and including "impose" in line 11.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

WORLD REFUGEE YEAR

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, there has been discussion in our committee concerning the World Refugee Year. I want to know whether or not there is any plan or legislation in connection with that.

Mr. WALTER. May I say to the gentleman that Subcommittee No. 1 of the Committee on the Judiciary gave considerable thought to the enactment of the joint resolution, House Joint Resolution 397, which I introduced earlier this year. That joint resolution provides for the participation of the United States in this so-called World Refugee Year. I might say to the gentleman that we have earmarked $10 million for our active participation in providing financial assistance to the refugees, but the subcommittee felt that before any action regarding admission of additional refugees to this country was taken, we should ascertain what the problem really is. We have heard all sorts of figures. The United Nations High Commissioner for Refugees has given us the official number of refugees desiring to emigrate overseas as 28,000 which, of course, is considerably fewer than the numbers that we hear about, particularly coming from the other body.

So the subcommittee is making a complete investigation in order to determine several things, one, what the scope of the problem is and two, why the refugee immigrant visas already available under acts formerly enacted have not been used. We strongly suspect that the refugees are being hoarded for the purpose of keeping jobs for certain people. We intend to act promptly.

Mr. ROGERS of Colorado. In the hope to have legislation out by January?

Mr. WALTER. I do not know whether we are going to report the joint resolution I introduced or not, but there will be legislation proposed in the event that it is necessary to take action.

Mr. ROGERS of Colorado. I thank the gentleman.

AGNES LORRAINE PANK

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERMANENT RESIDENCE AND DEPORTATION OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 478) relating to permanent residence and deportation of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, after "Act," insert "Anna Almo,".

Page 1, line 11, strike out "case" and insert "cases".

Page 1, line 11, after "of" where it appears the second time insert "Anna Almo and".

Page 2, line 2, after "Act," insert "Alexander Antoniou,".

Page 2, strike out lines 17 to 22, inclusive, and insert "issued in the cases of Nicola Peretta, Roberto Garcia Marquez, Salomon Chehebar, Mah Wah Yong, Maria Mariani Guidi, and Serpuhi Klavuzoglu. From and after the date of".

Page 3, line 4, strike out "issued." and insert "issued: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the cases of Nicola Peretta, Roberto Garcia Marquez, and Salomon Chehebar."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ENTRY OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 479) with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, strike out all after line 2 down to and including "For" in line 6 and insert "That, for".

Page 2, line 8, strike out "4" and insert "3".

Page 2, line 16, strike out "5" and insert "4".

Page 2, line 24, strike out "6" and insert "5".

Page 3, line 4, strike out "7" and insert "6".

Page 3, strike out lines 9 to 16, inclusive.

Page 3, line 17, strike out "9" and insert "7".

Page 3, line 25, strike out "10" and insert "8".

Page 4, line 5, strike out "11" and insert "9".

Page 4, line 13, strike out "12" and insert "10".

Page 4, line 21, strike out "13" and insert "11".

Page 5, line 4, strike out "14" and insert "12".

Page 5, line 12, strike out "15" and insert "13".

Page 5, line 20, strike out "16" and insert "14".

Page 6, line 3, strike out "17" and insert "15".

Page 6, line 11, strike out "18" and insert "16".

Page 6, line 19, strike out "19" and insert "17".

Page 7, line 3, strike out "20" and insert "18".

Page 7, line 8, strike out "21" and insert "19".

Page 7, after line 12, insert:

"SEC. 20. In the administration of the Immigration and Nationality Act, Kim Myon Yon, the fiancée of Thomas P. L'Esperance, a citizen of the United States, and her minor child, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided*, That the administrative authorities find that the said Kim Myon Yon is coming to the United States with a bona fide intention of being married to the said Thomas P. L'Esperance and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Kim Myon Yon and her minor child, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage betwen the above-named persons shall occur within three months after the entry of the said Kim Myon Yon and her minor child, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Myon Yon and her minor child as of the date of the payment by them of the required visa fee."

Page 7, after line 12, insert:

"SEC. 21. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Wong Tin Quey shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States."

Page 7, after line 12, insert:

"SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Wong Bick Sue, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Chun Pang Leung, citizens of the United States."

Page 7, after line 12, insert:

"SEC. 23. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Saeko Higa shall be held and considered to be the minor alien child of Kame Higa, a lawful permanent resident of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

INTEREST RATE ON SERIES E AND H U.S. SAVINGS BONDS

Mr. MILLS submitted a conference report and statement on the bill (H.R. 9035) to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 1121

Mr. HAYS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 381) providing for printing of additional copies of House Report No. 1121.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Government Operations, five thousand additional copies of House Report Numbered 1121, current Congress, entitled, "Organization and Management of Missile Programs", eleventh report by the Committee on Government Operations.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HAYS]?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RUSSIA BY VICE ADM. HYMAN G. RICKOVER, U.S. NAVY

Mr. HAYS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 387) providing for printing additional copies of the hearings entitled "Report on Russia by Vice Adm. Hyman G. Rickover, U.S. Navy."

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Appropriations, House of Representatives, upon requisition of the chairman thereof, not to exceed ten thousand additional copies of the hearings entitled "Report on Russia by Vice Admiral Hyman G. Rickover, United States Navy".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING SAN BENITO INTERNATIONAL BRIDGE CO. TO CONSTRUCT TOLL BRIDGE ACROSS RIO GRANDE NEAR LOS INDIOS, TEX.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8582) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 3 down to and including "Texas," in line 6 and insert: "Benito, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Los Indios, Texas, and for a period of sixty-six years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING STARR-CAMARGO BRIDGE CO. TO CONSTRUCT TOLL BRIDGE ACROSS RIO GRANDE, RIO GRANDE CITY, TEX.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8694) to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, strike out all after "to" down to and including "Texas," in line 10 and insert: "construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Rio Grande City, Texas, and for a period of 66 years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENTS OF 1957

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3735) to make the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service, and to their widows, widowers, and children, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "(a)", insert "the amount of relief or retirement compensation payable to".

Page 2, strike out lines 3 to 6, inclusive, and insert "United States Secret Service is hereby increased by 10 per centum".

Page 2, line 23, after "the", insert "first day of the month following the".

Page 2, after line 23, insert:

"(d) No increase in relief or annuity shall be payable by reason of the enactment of this Act for any period before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, and this Act shall not be applicable in the case of any widow or any child otherwise entitled to benefits under this Act who died on or after October 1, 1956, but prior to the date of enactment of this Act."

Page 3, line 1, strike out "(d)" and insert "(e)".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

The title was amended so as to read: "An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House police force, and the U.S. Secret Service; and of their widows, widowers, and children."

A motion to reconsider was laid on the table.

METROPOLITAN POLICE FORCE BAND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3030) to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, striking out all after line 2 over to and including line 2 on page 2 and insert: "That the Act entitled 'An Act to authorize the establishment of a band in the Metropolitan Police force', approved July 11, 1947, as amended, is amended by inserting after section 2 thereof the following new sections:".

Page 3, line 11 after "purpose." insert: "Annuities authorized by this section shall be computed on the basis of compensated service rendered after July 11, 1947."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

The title was amended so as to read: "An act to amend the act entitled 'An act to authorize the establishment of a band in the Metropolitan Police force' so as to provide retirement compensation for the present director of said band after 10 or more years of service."

A motion to reconsider was laid on the table.

AUTHORIZATON FOR CONFERRAL OF DEGREES BY DISTRICT OF COLUMBIA TEACHERS COLLEGE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2445) authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Education of the District of Columbia is authorized to grant the degree of master of arts in education to students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, with the intention of working for such a degree and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree.

Mr. McMILLAN. Mr. Speaker, I may say before the bill is passed that a similar bill, H.R. 8320, was introduced by the gentleman from Maryland [Mr. FOLEY].

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA STADIUM ACT OF 1957

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out all after "sentence:" down to and including line 9 and insert: "In carrying out its authority to construct such stadium, the Board shall provide for such construction by contract entered into after advertising for competitive bids. Any such contract shall be awarded to the bidder whose bid, in the opinion of the Board, will be most advantageous to the Government, price and other factors being considered: *Provided,* That all bids may be rejected and new bids advertised for when the Board determines that it is in the public interest so to do."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, I object.

Mr. Speaker, I shall oppose in any and every way possible the enactment of H.R. 8392 which would take no less than $2.6 million from the Federal Treasury as a downpayment on the construction of a stadium in Washington, D.C.

As I have stated on numerous other occasions, I am not opposed to the construction of an athletic stadium in the District of Columbia. All I ask is that the taxpayers of the District of Columbia provide the money and not dip into the pockets of the taxpayers of Iowa and elsewhere.

This is a city with a population of some 800,000. It has a major league baseball team and a professional football team. If this city, in conjunction and cooperation with the owners of the baseball and football teams, cannot finance the construction of an athletic stadium and necessary facilities without raiding the Federal Treasury then we should know it now and stop any further consideration of this bill.

All the evidence indicates, as I have previously noted, that the $2.6 million specified in this proposal is but a downpayment on the part of the Federal Government; that bigger appropriations for this purpose will follow. For that reason I must oppose any and every effort to consider the bill.

AMENDING THE NATIONAL CULTURAL CENTER ACT

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2230) to amend the National Cultural Center Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain what the amendment or amendments provide?

Mr. THOMPSON of New Jersey. This is a bill which would amend the Cultural Center Act of last year. It has but one purpose. Under the act as it was written last year funds donated by an individual to the trustees of the Cultural Center would, in the event that the Cultural Center were not completed, revert to the Smithsonian Institution.

This bill simply allows the donor to designate a charity currently recognized as deductible by the Department of Internal Revenue in lieu of the Smithsonian Institution. In other words, if the gentleman were to contribute under the present law to the Cultural Center and it were not built, the money would revert to the Smithsonian Institution. Under this bill the gentleman in such a situation could designate a charity such as the Red Cross or some other recognized deductible charity.

Mr. GROSS. That is the only change in the bill?

Mr. THOMPSON of New Jersey. It is.

Mr. GROSS. It merely permits the donor to designate a charity other than the Smithsonian to which it would go under the present law if the Cultural Center were not completed.

Mr. THOMPSON of New Jersey. Yes.

Mr. GROSS. It provides that the donor may designate a charity.

Mr. THOMPSON of New Jersey. Yes.

Mr. GROSS. May I ask the gentleman how the Cultural Center is coming along?

Mr. THOMPSON of New Jersey. Very well; I thank you.

Mr. GROSS. The money has been coming in all right?

Mr. THOMPSON of New Jersey. I have not seen the last accounting, but it exceeds our expectations.

Mr. GROSS. Is it contemplated that there will be a raid on the Federal Treasury for this center in addition to the land already made available for a building site?

Mr. THOMPSON of New Jersey. Absolutely not. The gentleman from New Jersey said in debate last year that the gentleman from New Jersey would not ask the Federal Government to participate further than the donation of the land.

Mr. GROSS. My Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 7 of the National Cultural Center Act (72 Stat. 1698) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ": except that such funds or property, and the income therefrom, shall vest in an organization designated by the donor of such funds or property at the time of the making of the donation thereof, if, at such time, such organization is described in section 501(c)(3) of the Internal Revenue Code of 1954 and is exempt under section 501(a) of such Code, and if, at such time, a contribution, request, legacy, devise, or transfer to such organization is deductible under section 170, 2055, or 2106 of such Code."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING NATIONAL GEOGRAPHIC SOCIETY TO ERECT MEMORIAL HONORING REAR ADMIRAL BYRD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S.J. Res. 103) authorizing the National Geographic Society to erect a memorial on public ground in the State of Virginia to honor Rear Admiral Richard E. Byrd.

The Clerk read the resolution as follows:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Geographic Society is authorized to erect a memorial on public grounds along Memorial Avenue, Arlington County, Virginia (such grounds being now owned by the United States), the purpose of which will be to honor Rear Admiral Richard E. Byrd.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission on Fine Arts and the National Capital Planning Commission, a suitable site on public grounds along Memorial Avenue, Arlington County, Virginia, upon which may be erected the memorial authorized in the first section.

(b) The design and materials for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission. Such memorial shall be erected without expense to the United States.

SEC. 3. The authority granted in the first section of this joint resolution shall cease to exist unless (1) the erection of the memorial authorized by such section is commenced within five years from the date of the enactment of this joint resolution, and (2) the Secretary of the Interior finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the distinguished majority leader give us a brief explanation of this resolution including any possible expense to the Federal Government?

Mr. McCORMACK. There is no cost to the Federal Government in connection with the erection of the memorial. It will be on public ground along Memorial Avenue in Arlington County, Va., and will be erected by the National Geographic Society. The bill authorizes the society to erect the monument. The only possible exception I know of is some incidental expense that might be required. I will read section 4:

The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

Mr. GROSS. The gentleman does not anticipate any substantial expense?

Mr. McCORMACK. That is the only expense I can see.

I may say that the gentleman from Virginia [Mr. SMITH] introduced a companion resolution, House Joint Resolution 412, and I want the RECORD to show that while it is a pleasure for me to submit this request because the late Admiral Byrd and I were very close friends, and he was a very great American, yet I am doing so at the request of and for the gentleman from Virginia [Mr. SMITH].

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN submitted the following conference report and statement on the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations:

CONFERENCE REPORT (H. REPT. NO. 1184)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

"SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the 'Commission'.

"DECLARATION OF PURPOSE

"SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

"It is intended that the Commission, in the performance of its duties, will—

"(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

"(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

"(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

"(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

"(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

"(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

"(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

"MEMBERSHIP OF THE COMMISSION

"SEC. 3 (a) The Commission shall be composed of twenty-six members, as follows:

"(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

"(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

"(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

"(4) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

"(5) Three appointed by the President from a panel of at least six members of

State legislative bodies submitted by the board of managers of the Council of State Governments;

"(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

"(7) Three appointed by the President from a panel of at least six elected county officers submitted by the National Association of County Officials.

"(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6) and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

"(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

"ORGANIZATION OF THE COMMISSION

"SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting.

"(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

"(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

"(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

"(e) Thirteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

"DUTIES OF THE COMMISSION

"SEC. 5. It shall be the duty of the Commission—

"(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

"(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

"(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

"POWERS AND ADMINISTRATIVE PROVISIONS

"SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

"(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

"(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

"(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

"(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary;

"(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

"(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

"(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

"(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

"(3) annual and sick leave, and

"(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

"(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

"COMPENSATION OF COMMISSION MEMBERS

"SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

"(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

And the Senate agree to the same.

L. H. FOUNTAIN,
OVERTON BROOKS,
FLORENCE P. DWYER,
Managers on the Part of the House.

EDMUND S. MUSKIE,
HUBERT H. HUMPHREY,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the Senate strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is substitute for both the House bill and the Senate amendment.

Except for clerical and conforming amendments, the conference substitute is substantially the same as the House bill, except as follows:

The House bill provided for a membership of 25 members on the Advisory Commission on Intergovernmental Relations; the Senate amendment provided for a membership of 27 members. The conference substitute provides for a membership of 26 members on the Commission.

The House bill provided that two members of the Commission were to be appointed from a panel of at least four elected county officers submitted by the National Association of County Officials; the Senate amendment provided that four members were to be appointed from a panel of at least eight elected county officers so submitted. The conference substitute provides that three members of the Commission are to be appointed from a panel of at least six elected county officers submitted by such association. Under the conference substitute, not more than two of the three members appointed from such panel may be from any one political party.

The conferees express the hope that in selecting a panel of county officers for submission to the President, the National Association of County Officials will give consideration to all qualified county officers, regardless of whether or not they are affiliated with the association.

L. H. FOUNTAIN,
OVERTON BROOKS,
FLORENCE P. DWYER,
Managers on the Part of the House.

Mr. FOUNTAIN. Mr. Speaker, I call up the conference report on the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the statement.

The conference report was agreed to, and a motion to reconsider was laid on the table.

DATE OF MEETING OF SECOND SESSION

Mr. McCORMACK. Mr. Speaker, I offer a House joint resolution and ask

unanimous consent for its immediate consideration.

The Clerk read the House joint resolution as follows:

HOUSE JOINT RESOLUTION 531

Resolved, That the second regular session of the Eighty-sixth Congress shall begin at noon on Wednesday, January 6, 1960.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOCUMENTARY EVIDENCE IN POSSESSION OF THE HOUSE OF REPRESENTATIVES

Mr. McCORMACK. Mr. Speaker, I offer a House resolution and ask unanimous consent for its immediate consideration.

The Clerk read the House resolution, as follows:

HOUSE RESOLUTION 389

Whereas by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

Resolved, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That during any recess or adjournment of the Eighty-sixth Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant (except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto be disclosed or copied), nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The House resolution was agreed to, and a motion to reconsider was laid on the table.

AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I offer a House concurrent resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

HOUSE CONCURRENT RESOLUTION 439

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

ADJOURNMENT OF CONGRESS SINE DIE

Mr. McCORMACK. Mr. Speaker, I offer a preferential House concurrent resolution for immediate consideration.

The Clerk read as follows:

HOUSE CONCURRENT RESOLUTION 440

Resolved, That the two Houses of Congress shall adjourn on Monday, September 14, 1959, and that when they adjourn on said day, they stand adjourned sine die.

The House concurrent resolution was agreed to.

AUTHORIZING PRINTING OF REPORTS OF COMPTROLLER GENERAL

Mr. McCORMACK. Mr. Speaker, I offer a House resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

HOUSE RESOLUTION 390

Resolved, That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U.S.C. 841 et seq.), shall be printed during such adjournment as House documents of the second session of the 86th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

CLERK AUTHORIZED TO RECEIVE MESSAGES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPEAKER AUTHORIZED TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the first session of the 86th Congress the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

STATEMENT ON ROLLCALL

Mr. BRADEMAS. Mr. Speaker, on rollcall No. 117, on the passage of the bill (H.R. 7072) to provide for the participation of the United States in the Inter-American Development Bank, I was absent on important business. Had I been present I would have voted "aye"; and I ask unanimous consent that, following this rollcall, the permanent RECORD and Journal so indicate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AWARDS OF AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. KOWALSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOWALSKI. Mr. Speaker, I was delighted to have the opportunity yesterday to attend the awards luncheon of the American Political Science Association at which Congressional Distinguished Service Awards were presented to four Members of the Congress.

As a member of the Armed Services Committee, I took special pride in the presentation of one of the awards to the eminent chairman of that committee, the Honorable CARL VINSON, of Georgia.

It is most appropriate that public recognition should be given to a Member of this House who has for so many years worked so tirelessly and so effectively for the country he loves so dearly.

I congratulate Congressman VINSON on the award. And, as a new Member of the House, I thank him publicly for the sage counsel and sound guidance he has given to me as one member of his committee.

As a Member at Large from Connecticut, I had another reason for pride at the awards luncheon. The awards presented yesterday, which went also to Senators HUMPHREY, WILLIAMS, and KEATING, were made possible by a grant from the William Benton Foundation. The Benton Foundation is financed by an outstanding former Member of the Congress, the Honorable William Benton, of Southport, Conn., who served so ably and courageously in the Senate of the United States. Senator Benton is to be congratulated for initiating and sponsoring the plan to provide recognition, by means of the Distinguished Service Awards, to Members of the Congress who have made notable contributions to democracy.

CIVIL SERVICE RETIREMENT ANNUITIES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, the House Post Office and Civil Service Committee in executive session approved my bill, H.R. 8289. The general purpose of this legislation is to provide for a more appropriate commencing date of civil service retirement annuities than is permitted under existing law.

I previously introduced legislation for this purpose as H.R. 4164, and the Civil Service Commission recommended that it be redrafted to incorporate certain principles. I redrafted and reintroduced the bill, after consulting the chairman of the Post Office and Civil Service Committee, Hon. TOM MURRAY, and the Civil Service Commission and the Bureau of the Budget now report that there is no objection to approval of the new bill.

Briefly stated, the effect of this legislation is to substitute a "day after" concept for the commencing date of civil service retirement annuities, in lieu of the existing "first of the month after" concept. The present requirement that annuities accrue and are payable for full months only is changed so as to allow accrual and payment of retirement annuities for any portion of the month up to the point when a retiree's right to further annuity payments ceases.

My bill will be particularly helpful in the cases of widows and dependent children, since their survivor benefits will become payable immediately after death of the employee or annuitant whereas under existing law the benefits are not payable for periods of as much as 30 days after death.

These changes would be prospective and apply only to commencement or termination of annuities allowed or payable on or after date of enactment.

I deeply appreciate the cooperation and helpful advice of Chairman MURRAY and the staff of the Post Office and Civil Service Committee in working out this very desirable change in the civil service retirement law, and believe that this bill will have the overwhelming approval of the Members.

SOME UNFINISHED BUSINESS ON THE INTEREST RATE CONTROVERSY

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, in yesterday's CONGRESSIONAL RECORD—page 19179—I set forth a news story from the September 10, 1959, Wall Street Journal, which bore the headline "Fiscal Crisis—Federal Officials See Need for Drastic Action To Bar Huge Inflation—They Ask Tight Budget Curb, Power To Lift Bond Rates; Ike May Recall Congress—Some Fear a Money Panic," by Vermont Royster, editor of the Wall Street Journal.

The story attributed to "high administration officials" the prediction of "a real money panic which would paralyze business and bring widespread unemployment" unless Congress accedes to the administration's request to lift the 4¼ percent ceiling on U.S. bonds.

I stated that I had dispatched a telegram that day, on Thursday, September 10, to the two "high administration officials" most directly concerned with money, the Chairman of the Federal Reserve Board, and the Secretary of the Treasury. My telegram, after referring to the Wall Street Journal article, asked Federal Reserve Board Chairman William McChesney Martin, Jr., and Secretary of the Treasury Robert B. Anderson whether they, or to their knowledge, any other official had made the scare statements mentioned in the article, and whether they subscribed to the anonymous quotations in the article.

As of 2:30 o'clock yesterday afternoon, September 11, when I inserted this material in the RECORD, I had received no replies to my telegrams. I promised when I did to insert the replies promptly.

I have today heard from both the Federal Reserve System and the Treasury. I here insert their replies:

BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM,
Washington, September 11, 1959.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D.C.

DEAR MR. REUSS: Since I have returned only today from attending a joint meeting of the boards of directors of the Federal Reserve Bank of Cleveland and its Pittsburgh and Cincinnati branches, I have not had until now an opportunity to see your telegram dated September 10.

I have felt it necessary in my position to make it a practice not to comment on news stories or conclusions expressed therein, one way or another. But I could not in any event be of help to you in this instance, as I do not have any views in respect to the Government's financial affairs or to monetary matters outside those I expressed to you and to other members of your committee at your recent sessions.

Sincerely yours,

WM. MCC. MARTIN, JR.

UNDER SECRETARY OF THE TREASURY,
Washington, September 11, 1959.

Hon. HENRY S. REUSS,
House of Representatives, House Office Building, Washington, D.C.

DEAR MR. REUSS: The Secretary of the Treasury has testified before several committees of the Congress expressing his views on the subject of our financial and monetary problems. He has also spoken publicly, as per the attached interview in U.S. News & World Report. All of these statements represent his considered thinking in these areas.

We would suggest that the source for quotations used in a single newspaper story could best be checked with the newspaper concerned. The most the Treasury can say is that our views are accurately represented by the statements which we referred to at the outset.

Sincerely yours,

JULIAN B. BAIRD,
Under Secretary.

These letters are reassuring. Chairman Martin states that he does "not have any views in respect to the Government's financial affairs or to monetary affairs other than those I expressed to you and other members of your committee at your recent sessions."

I am glad to state that I was present throughout the appearance of Chairman Martin recently before the Joint Economic Committee, the committee to which he refers, and that his testimony contained no scare talk whatever, or references to any "money panic."

Similarly, I have studied the interview with Secretary of the Treasury Anderson contained in the U.S. News & World Report for August 31, 1959. It likewise contains no scare talk and no reference to a "money panic." In fact, I agree entirely with the closing statement made in the interview by Secretary Anderson:

> We have before us the greatest opportunity in history. We are a rich country with vast resources. We occupy a leading position among the nations of the world. All that is required of us is that we are wise enough to manage our affairs capably, and that we do not abuse the expansion of credit for the Government or anyone else, and that we abide by the disciplines of economics that the past has proven to be sound.
>
> And, if we will do that, there is no reason why we do not stand on the threshold of the greatest opportunity that this Nation has ever known.

Since Chairman Martin and Secretary Anderson are not the "high administration officials" who have been uttering the scare talk about a "money panic," and since we have it on the word of Vermont Royster, editor of the Wall Street Journal, that such "high administration officials" do exist, I would hope that

Chairman Martin and Secretary Anderson would endeavor to identify these "high administration officials" and urge them to desist from such irresponsible talk.

The other item of unfinished business concerns the so-called "sense of Congress" amendment to the administration's request to lift the 4¼-percent ceiling on U.S. bonds. I presented the proposed "sense of Congress" amendment in my testimony before the House Committee on Ways and Means on June 11, 1959. It provided:

It is the sense of Congress that the Federal Reserve, while pursuing its primary mission of administering a sound monetary policy, should to the maximum extent consistent therewith, utilize such means as will assist in the economical and efficient management of the public debt; that the System, to the greatest extent possible, should bring about needed future monetary expansion by purchasing U.S. securities, of varying maturities.

This amendment was adopted by a majority vote of the Ways and Means Committee on July 8, 1959. Although first accepted by the administration, it was shortly violently opposed by both the administration and the Federal Reserve System. On the floor of the House, the administration position was ably presented in debate on numerous occasions by the gentleman from Missouri [Mr. CURTIS].

The "sense of Congress" amendment was also the subject of much controversy and speculation in the press, much of it uninformed, but some of it thoughtful. Among the fairest and most perceptive presentations on the issue were those contained in various issues of Business Week over the summer. In a series of editorials, Business Week spelled out the view that the "sense of Congress" amendment made sense, and wondered out loud why the administration was so violent in its opposition. The gentleman from Missouri [Mr. CURTIS] on several occasions on the floor—for example, August 31, 1959, page 17437, September 4, 1959, page 18167—said that he disagreed with Business Week's position, had written them a letter straightening them out, and that they had seen the error of their ways as a result of it. The gentleman from Missouri [Mr. CURTIS] indicated that his exchange with Business Week should appear in the CONGRESSIONAL RECORD, and I am glad to insert it here, from the current—September 5, 1959—issue of Business Week:

READERS' REPORT—FIGHT OVER THE FED

"DEAR SIR: I read the editorial 'More Flexibility in Debt Management' (Business Week, July 18, 1959, p. 128) with great disappointment. The disappointment does not stem from a difference of opinion as much as the misstatement of the case. The editorial says, 'This amendment has alarmed many * * * supporters of the Fed, who have interpreted it as an all-out attack on the independence of the central bank.' I think an accurate statement would be that they have interpreted the amendment as the beginning of an all-out attack. Your statement 'There is nothing in the amendment itself to support such an extreme view,' merely demolishes the strawman you built.

"I can assure you there is plenty 'to support such an extreme view' in the amendment as originally proposed by Congressman REUSS backed as it is by his speeches and those of Congressman PATMAN and others of the group of some 60 Democrat Congressmen on the floor of the House the past few months.

"The second serious misstatement is this. 'The Democratic majority in Congress is not in sympathy with any move toward higher interest rates.' The administration proposal is not a move toward higher interest rates. It is a proposal to keep interest rates down. If the ceiling on long-term bonds is not taken off, the financing must be done through securities under 5 years' maturity where there is no interest ceiling. Already the Government is paying more than 4¼ percent on short-term issues.

"By this erroneous statement, your editorial assists these Kyserling Democrats in further selling their false theory that they are opposing the high interest rates they say this administration and the Federal Reserve have created. It is all right to state this to be their theory, but certainly it should not be stated as a fact that is undisputed. That is, unless the editorial was written to further the Kyserling fallacy and the attack on the Fed and the Eisenhower administration.

"THOMAS B. CURTIS,
"House of Representatives, Second District, Missouri, Congress of the United States, Washington, D.C."

As far as we can see, there are no misstatements in the editorial. But there does seem to be a very clear difference of opinion. The fact that Representative CURTIS interprets the controversial amendment "as the beginning of an all-out attack" on the Fed does not mean that the amendment itself is unsound or that its adoption would cripple the Federal Reserve.

If such an attack should develop, it can be dealt with when it materializes. Meanwhile, such able students of central banking as Allan Sproul and Alfred Hayes have advocated abandonment of the "bills only" policy of the Fed and greater recognition of the obligation of the central bank to cooperate with the Treasury in the management of the national debt. These men are not leftwing Democrats.

Perhaps we are being a bit literalminded in interpretation of Representative CURTIS' second point, but we find it hard to regard a proposal to raise the ceiling on the rate the Government can pay as anything but a move toward higher interest rates. Such a move may or may not be wise, but we think we are correct in saying that the Democratic majority is inclined to oppose it.

We have no intention of giving aid and comfort to any partisan attack on the administration. We do not propose, however, to support an unsound policy purely on faith. Central banking and debt management are complex and subtle arts. In this case, it is most unfortunate that all the complexities and subtleties are being obscured by the heated debate. As a result, we are afraid that the Fed is in danger of suffering more harm from the misdirected efforts of its overeager friends than from the hands of its enemies.

ESTABLISHING A NATIONAL ACCIDENT PREVENTION CENTER

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I have today introduced a bill to establish a national accident prevention center under the direction of the Surgeon General of the Public Health Service.

The bill is being offered now to give the Department of Health, Education, and Welfare and other agencies working in this field time to study the proposal during the adjournment of Congress so that they can submit comments to the Subcommittee on Health and Safety in hearings which I hope can be held early in the next session.

The Public Health Service now has an accident prevention program under the Division of Special Health Services. With the limited resources available, this program is doing very good work but I feel that legislation is necessary to expand and extend work in accident prevention, thereby giving the Surgeon General a clear congressional mandate to give more attention to this very important public health problem.

Accidents of all types are the third leading cause of death in the United States, exceeded only by cancer and heart disease and various diseases of the circulatory system. In the face of that appalling situation, the Public Health Service is spending only about a million dollars a year on accident prevention research projects. True, considerable sums are being spent by private industry but we need better coordination of these efforts, which would be possible under my bill.

As chairman of the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce I have given a great deal of thought and attention to this problem, as have other members of that subcommittee and the entire committee. In the 85th Congress and in the previous Congress, as chairman of the Special Subcommittee on Traffic Safety, I gave a great deal of attention to this subject, especially to the highway traffic safety problem.

We are spending considerable money, and rightfully so, in research on cancer and heart disease. In recent hearings, the subcommittee was told that in fiscal year 1959 we spent approximately $87 on research for each death due to heart disease. The estimated expenditure for heart disease under treatment was approximately $7.80. The estimated research expenditure for each death due to cancer was approximately $360. The estimated research expenditure per case of cancer under treatment was approximately $130. In connection with civil and military aviation we are spending large amounts for aviation safety research.

My bill would authorize the Surgeon General to conduct and foster research into the causes and methods of preventing accidents. This research would cover environmental, sociological, engineering, economic, and other factors. Under this legislation, the Surgeon General would be in a position to coordinate research and to establish an information center on causes and prevention of accidents to make sure that the results of our research efforts are given the widest possible dissemination for the benefit of the public and specialists working this field.

The Surgeon General would be authorized to accept gifts for research or for purchase of buildings and equipment.

The bill provides for an advisory board of 12 members to review the program and make recommendations to the Surgeon General.

Specifically, the bill authorizes the Surgeon General to—

First. Conduct and foster research into the cause and prevention of accidents.

Second. Promote coordination of research by public and private groups.

Third. Make research facilities available to public agencies, health officials, and scientists.

Fourth. Make grants to universities, hospitals, laboratories, and other public or private agencies for research projects.

Fifth. Establish an information center.

Sixth. Obtain assistance and advice from experts in the field of accident prevention, both in the United States and abroad.

We are not necessarily going to make great advances in this program by spending large sums of money on research. We need more money but it is important to get the right kind of people in this work and to develop a long-range program under the direction of a responsible agency like the Public Health Service. Too much of our effort, especially in the field of highway traffic safety, has been on a hit-and-miss, here-and-there basis which has behind it no continuity of effort or direction.

I have no idea what a well-balanced program will cost but I do know that we need to make a greater effort in the field of accident prevention, especially on highway accidents. We are losing almost 40,000 lives a year on our highways. These accidents cost us $6 billion a year or more. In addition there is the appalling loss in manpower and suffering caused by injuries. At this point, let me quote a table compiled by the Public Health Service in connection with the National Health Survey authorized by Congress in 1956 and submitted to the Subcommittee on Health and Safety in our recent hearings on motor vehicle safety legislation. The table is as follows:

Estimates of annual toll of accidents

Deaths (1957)	[1] 95,307
Man-years lost due to deaths (1956)	[2] 3,260,000
Persons injured (fiscal 1958)	[3] 46,919,000
Person-days of restricted activity due to injuries (fiscal 1958)	[3] 424,100,000
Person-days of bed disability due to injuries (fiscal 1958)	[3] 114,000,000
Person-days of work loss due to injuries (fiscal 1958)	[3] 107,000,000
Person-days of school loss due to injuries (fiscal 1958)	[3] 13,000,000
Persons hospitalized as the result of current injuries (fiscal 1958)	[3] 1,715,000
Hospital emergency room visits (1955)	[4] 10,000,000
Hospital bed-days due to current injuries (fiscal 1958)	[3] 16,568,000

Sources:
[1] National Office of Vital Statistics.
[2] Calculated from NOVS data.
[3] National Health Survey.
[4] Bureau of Medical Economic Research, American Medical Association.

AMBASSADOR JULIO LACARTE, OF URUGUAY: A TRIBUTE

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, today I should like to draw to your attention a record of accomplishment and service in the field of international relations, a meaningful and inspiring record. I refer to the outstanding accomplishments of my good friend, His Excellency Julio A. Lacarte, the very able and distinguished Ambassador of Uruguay to the United States. It is a record of ability and devotion to the interests of world peace, freedom and prosperity.

His Excellency after studying in his own country, as well as the United States, France, and England, entered the foreign service of Uruguay in 1940, serving as attaché in the London Embassy. In 1944 he was Secretary of the London Embassy and of the Economic and Financial Department. During this time he also was Secretary to the exile governments of Belgium and Norway.

He took an early role in the preliminary conferences leading to the establishment of the United Nations, and during the period of 1940–46 was a representative to a number of international meetings, such as UNESCO and the Preparatory Committee of the first General Assembly of the United Nations. In 1946 he became Deputy Director of the Division of International Trade and Balance of Payments of the Department of Economic Affairs of the United Nations.

At many conferences dealing with international trade he became known and respected as an industrious and keenly informed statesman. His efforts on behalf of the United Nations did not stop here, however, and he served in 1948 as a representative of the United Nations to the Conference of Food and Agriculture, International Monetary Fund, International Bank for Reconstruction and Development, and to the Board which set up the International Wheat Agreements, and as a United Nations observer at the ninth Inter-American Conference.

With this long and valuable service he again joined his own foreign service and in 1949 became known to us as Counselor in the Washington Embassy. In 1951 he was appointed envoy to Ecuador and in 1954 he was appointed Ambassador to Bolivia. During all of this time he was serving on international committees, making new friends, and, as always, ready to be of aid to old friends, and authoring books dealing with international trade.

In 1956 His Excellency was appointed to be Ambassador to the United States and the representative of Uruguay to the Organization of American States. He is known to many of you for his good humor, ready wit, and keen mind. He is known in every country where he has served as a willing student of that country, its culture, and its people, and as a sincere representative of his own country, its culture, and his people. He also manages to keep his physical being trim with a fast game of tennis and his wits sharp with a keen game of chess.

I am grateful for this friendship and association, and I am sure I am joined by many of this House who share in my feeling of gratitude to a friend and a coworker for a world of peace, freedom, and prosperity.

INFORMAL ENTRIES OF MERCHANDISE

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I have today introduced a bill to amend the Tariff Act of 1930 which would authorize informal entries of merchandise where the aggregate value of the shipment does not exceed $400. The present informal entry limit, which was established in 1953, is $250. This has caused a considerable hardship on many of our small businessmen, especially those who deal in small items, such as various kinds of jewelry. By providing a ceiling of $400, my bill would permit these small businessmen to handle approximately the same quantity of merchandise that they handled in 1953, despite the inflated prices of today. If this bill is enacted, it would be an additional aid to the small businessmen without costing the Government one additional penny. It might even have the effect of reducing the cost of Government by facilitating entry of small shipments through our customs offices.

Mr. Speaker, I fully realize that in the closing days of this Congress it will be impossible for the Ways and Means Committee to approve this bill prior to adjournment. However, I hope that this is one of the first items of business in the next session of Congress.

THE CONGRESS UNFORTUNATELY TAKES NO ACTION ON THE DISTRESSED AREAS BILL

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, as the adjournment date for this 1st session of the 86th Congress draws closer, I rise to express my profound regret that included in the positive record of accomplishments of this session will not be any action on the so-called distressed areas bill, designed to assist local communities in areas of severe and chronic unemployment to help themselves in attracting new industry and relieve this unemployment. This legislation, S. 722, passed the other body months ago and a companion bill was reported out of the

Banking and Currency Committee of this body and still languishes in the Rules Committee.

It is most unfortunate that no action on any of these bills, one of which I had the honor to introduce myself, has been scheduled before this adjournment date. Presumably this decision has been based on the mistaken impression that unemployment is no longer a problem and that the need for this legislation has disappeared. Nothing could be further from the truth, and those of us who represent areas which are especially hard hit by unemployment are fully aware of it. In spite of what may be the situation in other areas of the country, unemployment has been increasing in many parts of the 32d Congressional District of New York. For example, the figures released by the Department of Labor have indicated that the whole Albany-Schenectady-Troy area has now been classified as a major distressed area by reason of rising unemployment. In addition, Amsterdam and the Gloversville-Johnstown area are still listed as areas of major unemployment distress, and all three of these areas would be eligible immediately for assistance under the provisions of the House bill now tied up in the Rules Committee.

Only recently in Schenectady we have had indications that the situation will grow much worse with the winter months. In all, some 675 persons will be thrown out of work with the final closing of the Scotia Naval Supply Depot in Scotia. The General Electric Co. in Schenectady is also expected to lay off another thousand or two thousand people from its turbine department, on top of other already staggering layoffs, and these people who are affected come not only from Schenectady but from many of the surrounding communities in my district. So serious, indeed, has the situation become in Schenectady that only the other day a special community meeting was held in order to explore on an emergency basis ways to find jobs for those who are unemployed.

Rather than say that the situation has improved, it has indeed grown steadily worse, and I for one find it almost incredible to believe that our great Congress, at the time when it is waiting to appropriate additional billions of dollars for relief purposes overseas, finds it impossible to spend funds to relieve the distress and suffering caused by chronic unemployment within our own borders.

Mr. Speaker, this is the one unfortunate portion of the record of this 1st session of the 86th Congress. This help is needed and needed urgently, and I for one don't want to have to wait a single day. I wish this bill could still be passed, even as part of the foreign aid appropriation bill if need be, so to emphasize clearly that we have no less consideration for our own citizens than we do for those abroad. At the very least I am glad to know that the gentleman from Pennsylvania [Mr. FLOOD], who has been the leader in our bipartisan steering committee to get action on this bill, has now received assurances that this legislation will come up for early consideration in the second session of this Congress. I for one hope that it will be the first item on our agenda, because every day that it is delayed means additional suffering and privation for millions of people. In fact, Mr. Speaker, since there have been some suggestions about the possibility of a special session of this Congress, if such a special session should indeed be called, I for one will insist that high on the list of items to be considered by that session will be prompt enactment of our distressed areas bill. I can't think of anything that could be more important to the welfare of our country or anything that could more urgently justify a special session of this Congress than enactment of this legislation to help meet our continuing unemployment problem.

THE SCHOOL SITUATION IN PRINCE EDWARD COUNTY, VA.

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, I have noticed in the press recently statements from a member of the President's Cabinet, Mr. Arthur S. Flemming, Secretary of Health, Education, and Welfare, regarding the school situation in Prince Edward County, Va., in my congressional district.

It is shocking to me that a bureaucrat in the Federal Government would criticize a situation that has been brought about by the Federal Government, the NAACP, and the Warren court which has, by usurping authority and disregarding constitutional principles and legal precedent, deprived the children of Prince Edward County of free public school education. The deplorable situation in the country today was brought about entirely by the lack of judicial restraint and the effort of the so-called Supreme Court to legislate by judicial decree and to change the habits, customs, and mores of our peoples. If Mr. Flemming is as ignorant about the affairs of his Department as he is about the situation in Prince Edward County, the quicker he gets out of the Cabinet, the better off the country will be.

The NAACP, in conjunction with the do-gooders, one-worlders, as well as those who desire to socialize, nationalize, and mongrelize this country, has succeeded in depriving the Negro children of Prince Edward for the time being of educational opportunities. The white people of Prince Edward County are not going to operate integrated schools. They are not going to send their children to mixed schools. I commend them for the courageous stand they have taken. They are determined to preserve for oncoming generations the constitutional principles laid down by our Founding Fathers and to prevent the amalgamation of the races in our country.

Mr. Flemming's tirade and outburst against the Prince Edward County white people is in poor taste and demonstrates how little he knows about the true situation in the South as well as how little he cares about preserving the rights, privileges, and freedoms of the people of America. Instead of trying to wreck the school system of the South, he should be trying to preserve and to foster good race relations and educational opportunities and principles that have been rooted so deeply in our way of life.

I note Mr. Flemming also says there is nothing the Federal Government can do about it and that there is no way the Federal Government can educate the colored children of Prince Edward County. I am sure that the overwhelming majority of the people now know that the NAACP is not interested in the education of the Negro children but are interested only in trying to stir up race prejudice, turmoil, and strife for political advantage. I am sure the situation in Prince Edward will demonstrate to the Negroes of that county that they cannot rely upon the NAACP to educate their children nor to look out for their best interest.

The people of Prince Edward are fighting the battle for all of us to preserve constitutional government; the right to choose one's associates, and the sovereignty of our States and localities. I stand by their side and say God bless them.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at the end of the proceedings today and include therein a report of the Small Business Committee with certain appropriate excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT ON THE 86TH CONGRESS 1ST SESSION

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 30 minutes.

Mr. VANIK. Mr. Speaker, when the record of this 1st session of the 86th Congress is history, it will prove to have been one of the most diligent in recent times. Through the year and all through a long, hot summer, Congress struggled with vexing problems, obstructed time and time again through the President's veto of legislation which overwhelmingly expressed the will of the Congress. The President twice vetoed housing bills agreed upon by Congress. The third try at housing legislation met his approval, although the change in the legislation was not significant.

After 145 vetoes, the President was overridden on the $1.2 billion public works bill to provide funds for the improvement of harbors, channels, and flood control. While the President was proclaiming against public works expenditures to improve the physical plant of America, he was simultaneously urging a spending program to pay for

1,450 public works programs all over the world out of the $3.5 billion foreign aid fund. Whose budget is he trying to balance?

FOREIGN AFFAIRS

The effect of the exchange program which brought Khrushchev to America and took our President to Russia is not easy to evaluate. The fact is that we may be traveling down a road of immense danger. Khrushchev is apparently willing to postpone the Berlin crisis—or any other crisis of his choosing—if it serves his purpose. The time for peaceful deeds is at hand. The wisdom of this political exchange must be judged by events which follow.

In the meanwhile, Laos and India are the trouble spots to watch—both threatened by the Chinese department of the Communist Party. Red China fears any possible basis of accord between the United States and Russia and will make every effort to undermine any chance for world stability. Furthermore, she covets the land mass of India and the island empires of the Far East with their hungry millions ready for any ideology of promise—real or not.

More and more our Nation's foreign policies must be directed toward the buildup of the retarded areas of the world to prove the humane interests of the free world. The other alternative is to leave them the bitter pill of communism.

At the same time, we must not neglect our own hemisphere. Recent events indicate an increasing uneasiness in Latin America, which resents becoming America's neglected child. We must endeavor to develop the production, commerce, and economies of these countries without directing their internal affairs. The action of this Congress, permitting participation in the Inter-American Bank to concentrate on development loans is a step in the right direction.

THE COST OF GOVERNMENT AND THE NATIONAL DEBT

The skyrocketing cost of everything forced the Federal Government deep into red ink during this fiscal year. It was necessary to raise the national debt limit to a temporary alltime high of $295 billion in the fiscal year ending June 30, 1960. It was hoped that this debt would simmer down well below the new statutory high of $285 billion. This crisis resulted from the high cost of national security, the 1958 recession with its lower revenues and the spiraling cost of public borrowing.

This year we argued every appropriation, item by item. The President's budget called for the spending of $80½ billion. Congress reduced his request in 18 items and increased his request in 3, appropriating $1.5 billion less than his requests. The big expenditures were $40.5 billion for national defense and almost $8 billion for foreign aid and capital for the World Bank.

INTEREST—RUNNING WILD

The Federal Reserve Board, operating as the "fourth" branch of our Government, continues its cruel policy of fighting inflation by inflating the cost of borrowing money. This has been extremely profitable to the banks whose profits have soared to the disaster of the borrower, the person who cannot pay cash for his home, his car, or his wife's washing machine.

By raising the so-called discount rates of its member banks to 4 percent, the Federal Reserve has been able to force a rise in interest for choice business risks to a 30-year high of 5 percent. Home mortgage loans have been forced to 6½ and 8 percent, while consumer credit for automobiles and household appliances will be forced upward to almost 18 percent. When interest begins to cost that much, it serves to stifle sales, slow down production, reduce wages, and precipitate recession.

Ostensibly, the Federal Reserve is interested in slowing down the economy and stabilizing prices. The spectacular rise in interest is having the opposite effect. Most people borrow because they must. Increased interest rates simply inflate the price which must be paid for a house, a car, or an appliance. The impact of higher interest rates has jolted Federal debt management. Since 1953 interest on the public debt has increased from $4.5 billion to an astounding high of $8.6 billion per year and the end is not in sight.

For over 40 years our Federal Government has borrowed long-term funds at an interest rate which could not exceed 4¼ percent. This year the President asked Congress to remove this ceiling on Federal bond interest. I opposed this device to further force up interest rates on the public debt. The administration complained about the high cost of short-term borrowing, but administration statements on the need for higher interest rate authority, coupled with Federal Reserve action in tightening the money and credit supply, has triggered interest rates upward. When the lenders realize Congress is determined to hold the line on "out-of-control" interest rates, the price of borrowing may be stabilized, in spite of administration policies.

SAVINGS BONDS EARN MORE

The rise in interest rates in all areas resulted in increased rates of interest and dividends on savings. While long-term Government securities and savings and loan shares were yielding in excess of 4 percent, series E bonds were yielding only 3¼ percent. The almost $43 billion outstanding in savings bonds was being threatened under circumstances in which "cash-ins" were exceeding sales.

In order to meet this problem, Congress removed the 3¼-percent interest limitation of the U.S. savings bonds with the understanding that the rate would be increased by one-half of 1 percent to 3.75 percent. This is necessary in order to maintain a large segment of the public debt in savings bonds. The savings bond program promotes savings. Eight million Americans purchase these bonds regularly under payroll savings plans.

If you hold U.S. savings bonds in the E and H series, there is no need to cash them in to earn the higher rates of interest. They are already at work. The law applies to the bonds outstanding as well as to the new issues. Investment in Federal savings bonds is not only patriotic, it may prove to be the best investment in the long run.

LABOR BILL

After 2½ years of almost daily investigations by the McClellan committee, the stage was set for the adoption of a labor bill. Although the disclosures exposed the sins of a small minority of labor leaders, a concentration of anti-labor reaction was moving in for the "kill." Last year the bipartisan moderate Kennedy-Ives labor reform bill was killed in the House when Republicans joined southern Democrats in a coalition determined to pass a punitive measure or none.

In the thought that labor reform legislation must not be punitive, I supported the moderate committee bill which was defeated by the powerful coalition of House Republicans and southern Democrats who substituted their proposal known as the Landrum-Griffin bill. Far beyond the objectives of antiracketeering, this bill was designed to be a "killer" bill, destroying basic, essential rights of organized labor to the undue advantage of management in its age-old struggle with labor.

This bill, urged by the National Association of Manufacturers, passed the House by a margin of 28 votes, 229 to 201. Although this measure was "sweetened" up a little in the conference between the House and the Senate versions, it still remained too much the image of its vindictive creation. I opposed the bill on careful study of its provisions, because I believed it would prove extremely harmful to the legitimate procedures of labor organizations. I also fear that it will prove to be an industry dispersion bill, providing inducements never anticipated to lure industry from the organized labor areas concentrated in the large industrial cities of the North to the cheap-labor South.

The provisions which permit the States to assume jurisdiction in the so-called no-man's land in labor disputes are invitations for the States to guarantee industry statutory immunity from effective labor organizational activity. Thirty-five States have no adequate labor laws. They will endeavor to outbid each other in passing severe antilabor laws to create the most favorable atmosphere for industry. This States rights feature constitutes the fatal failure of this bill.

Organizational picketing gave labor its most useful organizational tool and resulted in the success of the labor movement throughout the North. The limitation on such picketing will result in further discrimination against efforts to organize labor where it is not presently organized—a further advantage to the low-cost labor areas.

It is my considered judgment that this bill, ostensibly created to eliminate and curb labor corruption, will prove to widen the schism between management and the overwhelming number of legitimate labor unions. Instead of creating an atmosphere of balance and understanding between these vital segments of our economy, it may well prod them to-

ward opposite goals. Conflicts between labor and management are encouraged. Strikes and lockouts may become more common. The productive and prosperity goals of the Nation may suffer.

Management has newly gained powers under this new law which it may use selfishly or with wisdom. It is my hope that it will exercise these powers with greater restraint than past history indicates. With this legislation, management has scored a great victory. It will prove only temporary unless its added discretion is temporized with humane understanding.

OHIO'S STAKE IN THE HIGHWAY BILL

In 1956, in response to popular demand, Congress approved the construction of a 41,000-mile system of interstate highways, designed to bring highways up to acceptable standards by 1972. At that time, Congress established a highway trust fund in which are deposited the proceeds of the Federal gasoline taxes, and certain excise taxes. At the time the highway program was adopted, it was estimated that the $25 billion to be raised for the highway trust fund would complete the system. Another provision of the law provided that apportionment of highway spending would be based upon anticipated receipts. In other words, the trust fund would be self-financing.

In April 1958, as a recession measure, Congress increased the drain on the trust funds by going in the red and authorized an accelerated Federal aid program. Relying on this stepped-up program, the several States contracted for construction of priority portions of the Interstate Highway System.

As a result of this action in the 1958 recession, the highway trust fund faced a half-billion dollar deficit by July 1960 which would increase to $1.3 billion by July 1961 if existing commitments to the several States were met. In addition, testimony indicated that the cost of completing the highway system had risen from a $25 billion estimate in 1955 to a staggering $36 billions.

It was with great reluctance that I supported the 1-cent increase in Federal gasoline taxes. The imposition of further tax burdens on the American people seems to have just about reached the final point. But without this tax Ohio would suffer more than most States and would face a cutback of its highway program from $300 million a year to an annual rate of $50 million. There would be no new interstate roadbuilding projects until July 1961.

The Ohio Legislature increased State gasoline taxes this year by 2 cents per gallon in order to complete its highway program and provide its share of money to match the 90-percent Federal grants. The additional 1-cent Federal gas tax would provide $166,500,000 in Federal aid funds for Ohio in fiscal 1961 and $179,500,000 for fiscal 1962. Among the 50 States only California would receive more.

The automobiles of America are useless without adequate highways. Furthermore, in most communities gasoline prices seem to be fixed by "negotiated" pricing systems which seem to arrange retail prices at whatever the market will bear. The imposition of the additional 1-cent-per-gallon Federal tax for the construction and improvement of our highways may well result in 1 cent per gallon less profit for the oil producers of America.

THIRD TRY HOUSING BILL

One of the most bitter conflicts of this Congress occurred over the adoption of a housing bill which the President would approve. Two housing bills which passed both Houses of Congress by overwhelming votes ran headlong into Presidential vetoes. Nevertheless, the vetoes could not be overriden, and legislation had to be rewritten to meet Presidential demands to reduce the size of the urban renewal program and remove appropriations for the construction of college classrooms.

A crisis had developed in the shortage of FHA mortgage authority which had been consumed. Without congressional approval, FHA had issued $5 billion in "intentions to insure" loans on new property to almost 400,000 home purchasers who would have been left on a limb if additional FHA insurance authority had not been granted. These home purchasers would have faced an increase in downpayments from 13 percent to 30 percent and higher interest rates on conventional loans. Many of the purchasers would have been compelled to abandon their purchase contracts, forfeit their deposits and face possible litigation.

The housing measure finally approved provided sufficient FHA housing insurance authority to provide for early 1960 construction planning, a 2-year, $650 million urban renewal program which will merely permit completion of present commitments with practically no new projects. The measure also sets aside $50 million housing programs for the elderly, 37,000 new public housing units, and limits FHA home improvement loans to a 1-year program.

In view of the dramatic growth in population and the development of new family units, the housing bill will fall drastically short of this Nation's real housing needs.

CIVIL RIGHTS

Early this year I appeared before the Judiciary Committee of the House and urged the adoption of an effective civil rights bill. The committee reported out a bill which would have gone a long way toward meeting the problems which had developed since the adoption of the civil rights bill of 1957.

The committee bill sought to strengthen the penal law with respect to the obstruction of court orders in public school desegregation cases. To curtail the racial bombings which had occurred, it proposed to make it criminal for one to flee across State lines or out of the country to avoid punishment for damaging or destroying property. It further provided for the preservation of Federal election records and authorized their inspection by the Attorney General. This was a good bill which was stopped by a Rules Committee coalition of Republicans and southern Democrats.

During the last week of August I was one of the first Members of the House to sign the petition to help "break loose" this effective civil rights bill from Rules Committee strangulation. At the close of this session, approximately 100 House Members signed the civil rights discharge petition. Since 219 signatures are required, it is extremely doubtful that action in this manner can be forced on the civil rights bill.

A 2-year extension of the Civil Rights Commission with a $500,000 working fund appears to be the only possible civil rights gain this session.

VETERANS' LEGISLATION

This Congress provided a raise for the 889,284 exservicemen drawing a veteran's pension, but the increase will not be paid until July 1960. This law does not affect veterans drawing "compensation" for service-connected disabilities who received an increase in compensation in the last Congress. This law applies to veterans drawing pensions for non-service-connected disabilities.

To be eligible for these benefits, a veteran must have an honorable discharge and must have served at least 90 days during either World War I, World War II, or the Korean conflict. The veteran must also be totally and permanently disabled; he must have a disability which at his age keeps him from getting regular, full-time employment, and the disability must be permanent.

The new bill also makes 277,000 widows of veterans who served in either World War II or the Korean war eligible for pension after July 1, 1960, regardless of the cause of death. The old law limited pensions to widows of veterans of World War I or veterans who had a service-connected disability. The new law merely requires the widow to prove that the veteran served 90 days in either World War II or the Korean war.

This new pension law provides a sliding scale of pensions based upon the income or dependency status of the recipient. Every permanently disabled veteran and every widow of a war veteran should study the effect of this new law. A schedule of benefits will be forwarded by my office on request.

Hundreds of thousands of Cleveland area war veterans have never been able to take advantage of home ownership under the GI bill. World War II veterans who have never received a GI home loan have only until July 25, 1960 to apply.

SOCIAL SECURITY

Since the 7-percent increase in social security benefits voted by the last Congress, there have been no changes in social security legislation. Improvements in the law, including reductions in the retirement age and medical assistance to senior citizens, will be considered next January. The total disability provisions which authorize the payment of benefits to a totally disabled worker at age 50 are proving very difficult to administer.

RAILROAD RETIREMENT

Last year when Congress passed a 7-percent increase in social security benefits for almost 12 million Americans receiving these benefits, railroad employees were not included since their retirement

benefits are paid from the railroad retirement system. Accordingly, this Congress authorized a 10-percent increase in benefits for retired railroad workers and for widows and widowers of deceased railroad workers, effective June 1, 1959.

DRAFT EXTENSION

Principally because of Army needs and desire of the administration to preserve draft machinery in the event of crisis, Congress extended the draft until 1963. Draft calls are dropping lower each month. Higher physical and mental standards tend to increase rejections. Young men have the option to join reserve units or the National Guard for 6 months' active duty, followed by summer tour and weekly drills. The alternative is to risk draft call reaching 1 out of every 15 or 20 eligibles.

High school seniors of good standing and top physical condition should consider competing for appointment to one of the military academies, such as West Point, Annapolis, or the Air Force Academy at Colorado Springs. Opportunities for this free college education are excellent for applicants from the 21st District. Call at my office, 506 Federal Building, Cleveland, for particulars concerning the civil service pre-entrance examinations for high school seniors to be held in Cleveland on November 7, 1959.

RUNAWAY FATHERS

Successful legislation does not always require passage of a law. I introduced a bill to open social security records to proper authorities for the purpose of locating deserting fathers who escape family responsibility and get jobs in another location. They can never be located except through social security files which contain their employment records.

I urged the Secretary of Health, Education, and Welfare to try an expanded use of social security records in Cuyahoga county to see if these runaway fathers could be located and forced to provide for the support of their children. In Cleveland, 40 percent of the deserting fathers were found through the use of these records. The results of this experiment were so successful that a decision was made to make these records available at a national level without legislative action.

This is a tremendous taxpayer burden, costing the Federal Government about $540,000 per day in addition to local expense of an almost equal amount to provide subsidized housing and medical care. In Ohio alone $2.5 million per month is spent by the Federal Government for the support of 95,000 dependent children and their custodians. For the entire Nation almost one-quarter billion taxpayer dollars a year can be saved by simply "tracking" down runaway fathers.

U.S.A.—50 STRONG

On Friday, August 21, by Presidential proclamation, Hawaii officially became the 50th State. Alaska was added as the 49th State on January 3. The addition of the 50th star to the flag does not become official until July 4, 1960.

With the addition of these new States, widespread speculation has developed as to employment opportunities. Hawaii affords more opportunities for retirement living rather than gainful employment. The climate and scenery is just about the finest in the world. Alaska undoubtedly affords more opportunity for the adventure bound. If you enjoy the weather in Cleveland, you are well equipped to tolerate the Alaskan climate. If you want to stake a claim or establish a homestead, write the Bureau of Land Management, Department of Interior, Washington, D.C., for particulars. Personally, I am still convinced that Cleveland is the "best location in the Nation."

GENERAL CONGRESSIONAL ACTIVITY

During the course of the first session, I introduced bills to reestablish Federal Power Commission authority to review natural gas price increases, to raise the minimum wage to $1.25 per hour, and establish fair labor standards, to strengthen civil rights, and to close tax loopholes.

Many times during the course of this session I took the floor to speak out on vital legislation, attacking corporate tax loopholes, the establishment of oil import quotas, to protect Texas oil and the ruse to prop up consumer prices. A bitter debate took place on the increased diversion of lake waters by the Chicago Drainage Authority. Lower lake levels would have a drastic effect upon the seaway traffic so vital to Cleveland.

On Federal spending I made every effort to analyze questionable items and almost succeeded in striking out a $5 million annual subsidy for helicopter service. Voted to cut back surplus crop subsidies and opposed the inclusion of tobacco crop subsidies on the ground that tobacco was not an essential commodity. Vigorously opposed a States rights bill which threatened consumer protections under the Natural Gas Act as well as other legislation to permit pirating of industrial plants from northern cities.

AFTER THE SESSION

From now until Congress reconvenes in January, I shall be available almost daily at my office, 506 Federal Building, on Cleveland's Public Square. My staff and I will be on hand to consider any special problem or matter relating to the Federal Government. I will try to personally see everyone who calls. One of the most important functions of a Congressman is to personally discuss the needs for new legislation and individual Federal problems of the constituent. From these discussions I learn firsthand of the effectiveness of Federal laws and their administration.

It is also my plan to schedule several public meetings in various parts of my congressional district to personally discuss legislative matters with constituents at a time and place convenient to them. If I am to legislate wisely, I must keep in close touch and understanding with my community and its problems. This is difficult and trying work, but it is the very essence of democracy.

THE NEED FOR LEGISLATION TO CLARIFY PRESIDENTIAL DISABILITY IN EVENT OF ILLNESS

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 10 minutes.

Mr. CURTIN. Mr. Speaker, numerous authorities who have devoted a great deal of time to analyses of the processes under which our Government operates have been struck by the fact that our Constitution is silent on specific procedures to be followed in the event of a President's becoming gravely incapacitated during his term of office. This is a matter of long-standing interest to distinguished scholars who have undertaken studies of our unique kind of representative democracy. People in and out of Government, and notably Members of the Congress, over the years have questioned this apparent flaw in our Republic's structure.

Of course, the law does spell out the line of succession to a Chief Executive in the event of death. But it is mute with respect to a manner and method of determining the ability or inability of a President of the United States to discharge the powers and duties of his office in instances where a critical illness or a disability of possible long-term duration may arise. Indeed, a President confronted by such misfortune of circumstance has no clear-cut instructions to which he can look for guidance under the language of our Constitution or of existing laws.

Article II, section 1, of the Constitution provides that the Vice President shall exercise the powers and duties of the President in event of the death, resignation or disability of the Chief Executive, or his removal from office. To take care of further contingencies, a series of so-called Succession Acts were enacted by the Congress. The act of 1886 established a line of succession starting with the Secretary of State and going through the order of executive departments. On July 18, 1947, a new law was enacted to bring the Speaker of the House and the President pro tempore of the Senate in line of succession ahead of the Cabinet members. The philosophy behind this action in 1947 changing the line of succession was that the spirit of the Constitution intended clearly that the Chief Executive should be an elected official rather than an appointive one. With this conclusion of reasoning, I fully concur.

But the knotty question remains—who is vested with certain, sure authority to arrive at a determination of when is a President not able to discharge the powers and duties of his office? The answer is—no one, under existing processes.

In the conviction that here exists a procedural deficiency that should be corrected, I introduced on January 7 of this year a joint resolution—House Joint Resolution 525—proposing an amendment to the Constitution of the United States to establish a Commission to determine the inability of a President to discharge the powers and duties of the office of President.

This resolution would establish a unit to be known as the Presidential Inability Commission. The Commission would have the responsibility and authority to relieve the President or Acting President of the United States and, I quote, "upon a determination that he is not able to discharge properly the powers and duties of the office of President, and after any such action, to restore the President or Acting President to the assumption of such powers and duties upon a determination within the same term of office that he is able to discharge properly the powers and duties of the office of President."

The aforementioned Presidential Inability Commission would be composed of eight members, as follows: First, the Chief Justice of the United States, who would serve as Chairman of the Commission, and who would have no vote in the proceedings of the Commission except in the case of a tie; second, the senior Associate Justice of the Supreme Court of the United States; third, the Secretary of State; fourth, the Secretary of the Treasury; fifth, the Speaker of the House of Representatives; sixth, the minority leader in the House of Representatives; seventh, the majority leader in the Senate; eighth, the minority leader in the Senate.

Five members of the Commission would constitute a quorum. Members of the Commission would serve as such without compensation. Any two members of the Commission could cause the Chairman to convene the group without delay by communicating in writing to him, stating that they have sufficient cause to believe that the President is unable to discharge properly the powers and duties of the office. The Commission is then directed to seek competent medical advice as to the condition of the President and his ability to discharge properly said powers and duties. Should the Commission subsequently determine Presidential inability, it is bound to then notify the House of Representatives and the Senate—if Congress is then in session—the President and the individual next in line of succession to the Presidency. Thereupon, the Presidential powers and duties would devolve upon the individual next in line of succession. The same series of steps is established for the President's reassuming the powers and duties of the office if the Commission determines that the disability no longer exists.

As stated, this joint resolution proposes an amendment to the Constitution, which requires the customary ratification by the legislatures of three-fourths of the States within 7 years. This in itself is assurance that the entire subject of Presidential inability will be accorded the most deliberate and careful scrutiny.

Mr. Speaker, establishment of a Commission vested with the responsibility and authority to arrive at a determination of any President's capacity to discharge the powers and duties of the office is a logical step that would correct an obvious fault in our Constitution. It would serve to remedy an imperfection that for most of our national life has disturbed authorities and scholars of American Government. In this day of challenge and stress, it is strongly advisable that the Congress clarify beyond any doubt or uncertainty the provisions of the Constitution with respect to execution of the duties of President in the event of disability.

I call upon the Congress to act favorably on this resolution during this Congress, in order that the proposed amendment may begin to move before the legislatures of the several States and, ultimately, a hoped-for ratification by at least three-quarters of them.

THE 1ST SESSION OF THE 86TH CONGRESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the House, as we know, has just passed the sine die resolution. As the majority leader, I should like to make a few remarks concerning this session. This has been a most successful session. Of course, as we know, the record of the Congress is made over a 2-year period. But the 1st session of the 86th Congress has been, as I have said, a most successful one.

It has been an arduous session. All committees have worked very hard, have worked long and diligently on the legislation referred to them. All the Members of the House of Representatives, likewise, have worked very hard and diligently. I congratulate the Members of the House for a task well done.

The Speaker and I particularly express our appreciation to the Members of the House of the many kindnesses and courtesies extended to us during this session. We extend our thanks to the minority leader [Mr. HALLECK] for his understanding cooperation in connection with the vitally important matter of the conduct of the House and the transaction of its business.

THE WORK OF THE CONGRESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I commend the majority leader for the statement he has just made. Particularly do I appreciate the reference he made to me. It has been a long, difficult session. We have had many troublesome problems with which to deal. I sincerely hope when the record of this Congress is appraised that the credit will come to the Congress for the things that have been done. I might say, perhaps there will be some credit for some of the things that were not done. But in any event I am sure we are all happy to be coming to the end of the session.

LABOR LEGISLATION

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, the words of the distinguished minority leader lead me to call to the attention of this body the fact that there was enacted an anti-racketeering labor bill, so-called. There would have been no legislation had it not been for the active participation by the distinguished Speaker of this body in the work of the majority members of that committee. I think the Nation owes a great debt to our beloved Speaker for the part he played in bringing about enactment of this legislation.

LOCAL MANAGEMENT OF SAVINGS AND LOAN ASSOCIATIONS

Mr. SPENCE. Mr. Speaker, I understand that the gentleman from Oregon desires to withdraw his objection to the consideration of Senate amendments to the bill H.R. 7244. Therefore, Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7244) to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, after line 18, insert:

"'(g) (1) This section shall terminate May 31, 1961."

Page 6, after line 18, insert:

"'(2) The Federal Home Loan Bank Board shall make a full and complete survey of all aspects of savings and loan holding companies, and shall submit a report to the Committees on Banking and Currency of the Senate and the House of Representatives not later than May 31, 1960. This survey shall include studies of the nature, growth, effects, and future prospects of savings and loan holding companies, including particularly the extent to which they may have become, or may in the future become, injurious or detrimental to free competition in the field of mortgage lending or in any related field. The report on this survey shall contain a full statement on these matters, together with recommendations for further legislation on this subject. In particular, the report shall review and make recommendations on the legislative proposals submitted at the hearings of the Committees on Banking and Currency on H.R. 7244, Eighty-sixth Congress, including particularly the need for and feasibility of requiring divestment of part or all of the savings and loan associations already acquired or part or all of the other interests of such holding companies, the need for and feasibility of requiring such holding companies to limit their activities or their future acquisitions to a specified distance from their principal offices, and the desirability and feasibility of regulating and controlling further acquisitions of such holding companies, as compared with prohibiting further acquisitions by such holding companies.'"

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. PORTER. Mr. Speaker, reserving the right to object, and I shall not object, I objected in the first place on behalf of the gentleman from California [Mr. ROOSEVELT] who has since changed his mind and hence I do not object.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ACTIVITIES OF THE DEPARTMENT OF AGRICULTURE IN RURAL ELECTRIFICATION ADMINISTRATION DEMAND EARLY INVESTIGATION

The SPEAKER. Under previous order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 10 minutes.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURDICK. Mr. Speaker, I would like to call the attention of this House to a series of Department of Agriculture memorandums which reveal how Secretary Benson and his top assistants have contrived to put REA into politics in order to advance Benson-drafted legislation.

These documents tell a story that every Member of Congress should read. They reveal how the Secretary of Agriculture has directed the REA Administrator in a farflung campaign to influence the American farmer. The plans are spelled out, 1, 2, 3. The object of this particular campaign is to persuade Members of this Congress to enact some of Secretary Benson's legislative proposals.

The documents which give the detail are printed in the transcript of the hearings before the Subcommittee on Conservation and Credit of the Committee on Agriculture. The hearings were held February 5 and 18, 1959. On the last of these dates the subcommittee conducted a review of the REA; and it is this program that is the subject of the Department of Agriculture memorandums.

On page 65 of these hearings, you will find the interoffice correspondence of Secretary Benson, his assistant on agricultural credit, K. L. Scott, and the REA Administrator, David Hamil.

Briefly, here is what is included:

First. There is a memorandum by Secretary Benson, dated August 26, 1958. In it Mr. Benson bluntly orders the REA Administrator to go out and campaign in behalf of the administration's REA legislation.

Second. There is a memorandum dated September 4, 1958, by David Hamil, the REA Administrator. This is a reply to Secretary Benson's orders.

Third. There is a memorandum dated September 3, 1958, by Assistant Secretary K. L. Scott to Secretary Benson. This tells how they hope to get farm organizations to help them build support for Benson's REA legislation.

Fourth. There is a memo dated September 19, 1958, by Mr. Scott to the REA Administrator. This reiterates the Secretary's orders to go ahead with plans as previously outlined.

As I mentioned earlier, this particular drive deals with the REA program. Previously we have seen what the Secretary of Agriculture has attempted to do in connection with the overall farm program.

Just recall to mind, Mr. Speaker, some spectacular examples:

The image sought to be portrayed of Mr. Benson is that he stands for economy. Yet his spending this year will amount to $7½ billion, or more than twice as much as President Truman's largest farm budget.

The manufactured image is intended to convey the idea that price supports cause surpluses. Yet while Mr. Benson has lowered price supports we have seen surpluses grow bigger and bigger.

This image was intended to show that Mr. Benson would "get the Government out of the storage business." Yet Uncle Sam has to pay $1¼ million every day for storing surpluses now as compared with only $300,000 when Benson took office.

This image of Benson was to be that of a man who would take down the "swollen bureaucracy." Yet Mr. Benson has 81,000 bureaucrats on the payroll today—nearly 19,000 more than the day he took office. That is 12 new bureaucrats every working day since January 20, 1953.

This is the background in which we now discover the Department of Agriculture memos. Look at these documents and you will see what a calculated operation the farmers of America are up against.

Now, Mr. Speaker, let us look at the memos.

The first memo to which I referred was written by the Secretary, Mr. Benson, and it was addressed to Mr. Hamil, the REA Administrator.

Here is how the Secretary began his memo:

> It is my thought that it will be necessary for you to do a great deal of groundwork between now and the next session of Congress on setting the stage for the new REA legislation.

What is he saying? He is ordering one of his top bureau chiefs to go out and lobby for Benson legislation.

The man who got those orders is the Administrator of REA. He is the man selected to run what is probably the biggest and most important lending program in the Department of Agriculture. He is appointed by the President and confirmed by the Senate. He is paid $20,000 a year. And, he operates under an act that specifically states that he must keep politics strictly out of his agency and his operations.

He is the man who was ordered by Secretary Benson to go out and build support for the Administration's REA legislation.

Would it not have been more proper and more in the interests of the REA program to say to Mr. Hamil: You have an REA job to do, give it all your time and attention because we want to see REA get top-notch administration?

No, Mr. Benson did not do that. Instead, he evidently wants to make a politician out of the Administrator. The Office of REA Administrator, Mr. Speaker, used to be one of the most highly regarded in Washington before Mr. Benson took over the office.

Let us turn back to the Secretary's memo to see what else he has to say.

I must gather from the Secretary's next sentence that the REA Administrator was not altogether satisfied with this lobbying assignment, when he said:

> As you have indicated many times, it would never be possible to get new legislation in this field until there is a fair amount of support for it at the grassroots or local cooperative level.

I will say that the Administrator was most accurate when he told the Secretary this. The farmers and the cooperative people do not want any part of Benson's REA proposals. They have said so many times in letters and in resolutions. I am also convinced that this Congress wants no part of these proposals. Last year, you will remember, Secretary Benson could not get a single Member of Congress to introduce his "Wall Street" interest bill.

But, to get back to the memorandum: I note that Secretary Benson is not to be stopped by any such reports of farmers' sentiment, because he goes on to say—

> It would seem that there would be much that you could do between now and the time the new Congress convenes to develop support for this new legislation.

Mr. Benson then gives Mr. Hamil some helpful suggestions:

> One suggestion might be that you would concentrate your efforts as much as possible on just a few key States.

What does he mean by a few key States? Does he mean your State? Is my State a key State? How many States were involved in this campaign?

Then Mr. Benson concludes his orders to Mr. Hamil by saying:

> I would like to discuss this further with you at a convenient time.

So there we have the curtain drawn on what sort of ideas Mr. Benson has in mind for indoctrinating the American farmer.

Fortunately, the curtain of secrecy is not completely drawn. The rest of the memos show us some of the ideas that Mr. Benson's marching orders served to stimulate.

In his reply to his boss, Mr. Hamil wrote:

> I agree fully with the thoughts expressed in your memorandum of August 26 as to the great amount of groundwork that we will have to do in order to get grassroots support for new REA legislation. Without such support I am convinced any new legislation will not be approved by the Congress.

It is my opinion that the REA Administrator in these words is trying to convey to Mr. Benson some of the facts of life with regard to farmer sentiments.

But Mr. Hamil, like any good employee, then went on to describe how he would carry out the orders of the boss.

It is my intention—

He says—

to take advantage of every opportunity to stimulate interest and support for such action at the local level.

Here is what he said he would do:

First. He is going to meet with the electric cooperative and other local agricultural leaders.

Second. He is going to give speeches at 10 regional meetings around the country where he says he can reach 90 percent of the rural electric systems.

Third. He is going to provide the REA personnel with policy guidance.

Fourth. He is going to mobilize other farm organizations to get their support.

Fifth. He is going to develop literature for distribution to cooperative and agricultural leaders.

Sixth. He is going to turn the publicity spotlight on the better co-ops.

Now for Mr. Scott. Remember that Mr. Scott is Mr. Benson's assistant looking after REA and FHA. He is the lieutenant who sees that Benson's desires are carried out by the two bureaus in the credit area.

While Secretary Benson and Administrator Hamil were exchanging correspondence, the Director of Agricultural Credit Services, Mr. Scott, was doing his part to carry out the boss' orders, as we shall see. Shortly after the Secretary sent his memo to Mr. Hamil, Mr. Scott wrote to the Secretary, giving his report on what he had done to build support for the Benson REA legislation.

The most important questions that have come out of these recent discussions—

He said—

relate to what the administration should do during the next session of Congress about the bill to broaden the source of loan funds. We need to carefully appraise what course we should take during 1959 that will be most likely to advance our efforts toward the ultimate enactment of the administration's program.

Mr. Scott had some suggestions to make.

I think we need a stepped-up education effort—

Was one of his ideas—

Perhaps a discussion with Dave and the top information people on his staff and yours would bring to light some additional things that can be done—

Was another idea.

During the course of his report, Mr. Scott announced that:

Dave has been spending practically all of his time attending meetings and visiting with leaders throughout the systems.

This leads up to the payoff line:

I am sure he has done a great deal to straighten out the thinking of folks and develop some interest in sound legislative proposals.

There you have it, Mr. Speaker, the blueprint for selling the administration-devised legislation for REA. As the groundwork for the selling they are—to use Mr. Scott's words—going "to straighten out the thinking of folks."

Be sure to remember this, "to straighten out the thinking of folks."

I wonder if the Members of this Congress are aware of the fact that there are people in the Department of Agriculture being paid by taxpayers' money whose assignment it is—by order of Secretary Benson—"to straighten out the thinking of folks."

Why?

We now have the answer. It is documented in the official papers. It is so that these folks might use their influence on Congress in the hope that they can thus get their legislative proposals for REA.

Now, just what are these proposals? We are finding out. The cat is out of the bag.

Mr. Scott writes:

I think there is real merit in trying to get the cost of money legislation through the Congress next year. I think our bill for the use of private funds should be rewritten. This is underway and as soon as we have a revised draft I will circulate it for discussion.

Mr. Hamil also has something to say about what is in the wind. He writes:

In many respects this approach to gaining local support is very similar to that which was so successful in the development of farm credit systems. I believe that many of the features of that system will win widespread support of the electric cooperatives once they realize the benefits of having a voice in their central bank and eventually becoming independent of Government financing.

Becoming "independent of Government financing" means just three things:

First. Business for bankers.

Second. Terminate 2-percent loans.

Third. Higher costs for farmers and rural people because it will mean the end of the kind of loan terms which has made possible the tremendous advance in rural electrification. We can expect higher interest rates to add fuel to the inflation, and make loans more difficult to get. None of this is calculated to help rural electrification in any way whatsoever. As a matter of fact the contrary will be true.

In the face of this, I suggest that all of us concern ourselves, Mr. Speaker, with an assignment of our own. We ought to make it our business "to straighten out the thinking of folks" over in the Department of Agriculture and restore REA to the nonpolitical status which it held before Secretary Benson and his assistants began dragging this great program into politics.

Congress has dealt with this issue of politics and lobbying by Government employees and has put laws on the books to curb this very activity. The appropriation bill for the Department of Agriculture for this year and for previous years carried this language:

SEC. 407. No part of any appropriation contained in this act or of the funds available for expenditure by any corporation or agency included in this act shall be used for publicity or propaganda purposes to support or defeat legislation pending before the Congress.

Is this language not clear? The Congress must find out why this provision has not been applicable to Ezra Taft Benson and his employees.

If that section is not adequately clear, I will now quote from title 18, United States Code, Criminal Code and Criminal Procedure, section 1913:

No part of the money appropriated by any enactment of Congress shall in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed, or written matter, or other device, intended, or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation, or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation, or appropriations which they deem necessary for the efficient conduct of the public business.

Whoever, being an officer or employee of the United States or of any department or agency thereof violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.

The Congress should investigate this matter as early as is possible, and ascertain whether Secretary Benson and his assistants are permitted to engage in the activity outlined in the memoranda. The memoranda are hereinafter set forth in full as follows:

AUGUST 26, 1958.

Memorandum for: David A. Hamil,
Administrator, REA.
Through: Ken Scott.
Subject: REA legislation.

It is my thought that it will be necessary for you to do a great deal of groundwork between now and the next session of Congress on setting the stage for the new REA legislation. As you have indicated many times, it would never be possible to get new legislation in this field until there is a fair amount of support for it at the grassroots or local cooperative level.

It would seem that there would be much that you could do between now and the time the new Congress convenes to develop support for this new legislation. One suggestion might be that you would concentrate your efforts as much as possible on just a few key States. I would like to discuss this further with you at a convenient time.

E. T. BENSON.

U.S. DEPARTMENT OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D.C., September 4, 1958.

To: The Secretary of Agriculture.
Through: Ken Scott, Director of Agricultural Credit Services.
From: David A. Hamil, Administrator, REA.

I agree fully with the thoughts expressed in your memorandum of August 26 as to the great amount of groundwork that we will have to do in order to get grassroots support for new REA legislation. Without such support I am convinced any new legislation will not be approved by the Congress.

It is my intention to take advantage of every opportunity to stimulate interest and support for such action at the local level. As I see it, electric cooperative and other local agricultural leaders first of all must be

fully informed about the changes that are taking place in the REA program and the benefits they will realize from legislative changes. Once we can get them thinking and talking freely about the facts and benefits, ideas for changes will be forthcoming from them. With the intense local interest in the REA program that I observe in every section of the country, it is obvious that these local leaders are very influential and in order to get their support they must play a part in the formulation of any legislative proposals.

In many respects this approach to gaining local support is very similar to that which was so successful in the development of the farm credit system. I believe that many of the features of that system will win widespread support of the electric cooperatives once they realize the benefits of having a voice in their central bank and eventually becoming independent of Government financing.

To carry out this approach in developing local interest and support for new legislation, we are taking the following actions:

1. In addition to talking at local cooperative meetings, I am speaking at each of the 10 regional NRECA meetings. These regional meetings will enable us to reach key representatives of about 90 percent of the electric cooperatives. In my speech, a copy of which is attached, after pointing out the changing pattern of the program, I emphasize the reasons for a change in the interest rate and for additional sources of credit. Also, I believe the speech explodes the false impression spread by NRECA that the Government has realized an interest profit on the REA program.

2. A copy of my NRECA speech is being sent to all key REA personnel to provide them policy guidance.

3. Meetings with representatives of farm organizations to explain the facts and soliciting their ideas and support.

4. Preparation of a booklet to provide program information to cooperative and agricultural leaders.

5. One entire issue of Rural Lines will be devoted to factual information on the growth and financial status of REA borrowers. This magazine goes to every borrower and each board member.

I should like the opportunity to discuss these matters further with you in order to assure that all steps you feel desirable are being taken.

SEPTEMBER 19, 1958.

DAVE: The attached statement entitled "1959 REA Legislative Plans" has been discussed this morning with the Secretary, Mr. Morse, the Assistant Secretaries, and Bob Farrington. There is agreement on these points.

There were different viewpoints regarding the extent to which the revised bill for the use of private loan funds should be pressed for enactment next year depending upon the individual ideas of how successful those efforts might be next year. There was agreement that we must proceed on carefully laid plans with due recognition of the importance of getting country support. I felt very good about the discussion and am sure you would, had you been there.

There are two things I want to mention to you since we will not be seeing each other for a couple of weeks. The fellows were pleased to hear about your stepped-up educational program. My reference to that in the outline was merely to get Department backing and active assistance for REA efforts. I think it would be advantageous for Bill Spivey to suggest to some of the top information men in the Department that they get together informally and sort of review what Bill has in mind as a stepped-up educational program. If they understand this is an activity in which you want their active support, maybe some additional thoughts can be provided that will be helpful.

It is not too early to start shaping up the redraft of the revolving fund bill. I suggest you get a copy of the revised draft and also of the draft for the central bank. I think we ought to consider taking this private financing in two steps: First, a revolving fund method that would be strictly a Government-run program; and, second, authority for a permanent bank that would be capitalized by the individual systems, have a board elected by users, and ultimately would take over the job of financing as an independent agency subject to Federal supervision.

I think we need to have a small work group of a member or two of your staff, and one or two from Tootell's staff who could think through the many important phases of such an organization. This group could be invaluable in determining whether we have ample authority provided for in the proposed legislation. Unless such a work group thinks through in considerable detail just how such a method of providing private funds would work out, we will not have the information needed to properly explain and justify the proposed legislation. This work committee is something I would suggest you get started right away.

One other conclusion that came out of the meeting is that we should get into the hands of the Farm Bureau and Grange a concise statement about the cost of money legislation and the use of private loan funds. It was the feeling that we would be justified in talking with them in terms of their considering a resolution endorsing the cost of money legislation and expressing concurrence in the objectives of ultimately using private loan funds to finance REA loan reqiurements. Since their plans for their annual meetings will be shaping up soon, I suggest you have someone get together some background material on each suggested statement for their consideration as resolution material.

[Attachment]

1959 REA LEGISLATIVE PLANS

1. A stepped-up educational program:

(a) REA to have the assistance of Department information specialists in carrying out a comprehensive educational program.

(b) Maintain frequent contacts with farm organizations, farm editors, agricultural leaders. Encourage discussion of REA affairs throughout rural areas. Support national farm organizations in establishing a credit committee to sponsor future REA legislation.

2. Administration concentrate on cost of money interest rate for all Federal loan agencies including REA.

3. The use of private loan funds:

(a) Redraft 1958 bill to provide for a revolving fund method of acquiring private loan funds with authority for REA-financed systems to capitalize a permanent bank to gradually take over job of financing. The latter to be patterned after farm credit legislation. Provide for ultimate independent status with Federal supervision.

Memorandum to: The Secretary.
From: K. L. Scott, Director, Agricultural Credit Services.
Subject: REA legislation.

This memorandum is being written at Mr. Morse's suggestion to inform you about a discussion in his office today when Charles Shuman, Dave Hamil, and I met with him. This followed a discussion during the morning when Mr. Shuman, Dave, and I discussed at length several REA matters, including possible legislative actions.

Possibly the simplest way to present this subject would be to comment separately on some of the main points presented by each of us.

Mr. Shuman's interest in REA dates back to the early organization days some 23 years ago. He has maintained close contact with the systems in his State and in recent years with the systems in other parts of the country. He feels there is a serious weakness in the type of member ownership which prevails in most of the REA co-ops. In his judgment this does not create the member interest that is essential for continued sound operation. He would correct this by encouraging these cooperatives to sell stock to their members. This would require some amendments to their incorporation papers.

Mr. Shuman intends to propose to the Grange, Co-op Council, and Farmers Union that a committee be set up by these organizations to study and make recommendations regarding certain phases of REA affairs. Member ownership, just mentioned, would be the principal point he would propose in the beginning. He believes that stronger capital structures generally among the REA co-ops is prerequisite to the successful financing of their future requirements with private loan funds. He believes that this idea of member ownership can be sold to the REA users and that it is something that Clyde Ellis will have difficulty in opposing.

As an organization, the farm bureau has not taken a stand on the administration's proposed legislation for cost of money or the use of private loan funds. Mr. Shuman indicated that these were looked upon as worthy objectives. He expressed serious questions as to the possibility of getting such legislation enacted by the Congress until support for such changes is developed among the local REA boards. It would be his purpose to move in this direction through the committee of the farm organizations which proved to be an effective method in getting the Farm Credit Administration legislation.

This is the third time that I have had an opportunity recently to talk with Mr. Shuman on REA matters. I am delighted with the sincere interest he has in this. His efforts are going to be very helpful.

I have had one meeting with Herschel Newsom and Roy Battles. Dave Hamil and I plan to set up another meeting at an early date. Our purpose will be to improve their understanding of the REA situation and strength their views for constructive legislative changes.

I think we need a stepped-up education effort. Dave has been spending practically all of his time attending meetings and visiting with leaders throughout the systems. I am sure he has done a great deal to straighten out the thinking of folks and develop some interest in sound legislative proposals. Mr. Shuman's plans will be an effective means of stepping up the educational work. Perhaps a discussion with Dave and the top information people on his staff and yours would bring to light some additional things that can be done.

I think there is real merit in trying to get the cost of money legislation through the Congress next year. I think our bill for the use of private funds should be rewritten. This is under way and as soon as we have a revised draft I will circulate it for discussion.

The most important questions that have come out of these recent discussions relate to what the administration should do during the next session of Congress about the bill to broaden the source of loan funds. We need to carefully appraise what course we should undertake during 1959 that will be most likely to advance our efforts toward the ultimate enactment of the administration's program.

Mr. Hamil's views and suggestions are set forth in the attached memorandum.

INCREASING PRODUCTION AND EMPLOYMENT IN CRITICALLY DEPRESSED MINING AND MINERAL AREAS

The SPEAKER. Under previous order of the House, the gentlewoman from Idaho [Mrs. PFOST] is recognized for 10 minutes.

Mrs. PFOST. Mr. Speaker, on May 21 I joined with eight other Members of the House Interior and Insular Affairs Committee in sponsoring identical concurrent resolutions aimed at increasing production and employment in critically depressed mining and mineral areas.

At that time, I said this country was faced with an emergeny and drastic action was needed to correct conditions which have brought mine shutdowns and mass unemployment not only in my own State of Idaho but in many other places throughout the Nation. While this has been going on, the Republican administration has callously disregarded the hardships which the miners and their employers are suffering.

Recognizing the vital importance of the resolutions, the Interior Committee's Mines and Mining Subcommittee held comprehensive hearings to determine the scope of the problem and to receive suggestions from industry, labor, and community interests on possible solutions.

I appeared before the subcommittee in support of my resolution and to urge the Congress to force the administration to act—positively and immediately—for the benefit of our mining economy.

Both the subcommittee and the full committee responded to the issue and reported one of the resolutions in July. The House approved the measure the following month, and now the Senate has just taken concurring action. This means the resolution now expresses the policy of Congress and we have an effective weapon to eliminate the administration's inertia and to set in motion the forces which I hope and pray will bring about a sound and healthy domestic mining and minerals industry.

Our resolution calls on the President to:

First. Review immediately existing Government department and agency programs so they can be used more effectively to assist our crippled mining industry.

Second. Advise the Congress at the earliest possible date as to what has been or is proposed to be done to provide this aid.

Third. Present any plans or legislative recommendations to accomplish this purpose. This will give a basis for legislation in the next session of Congress.

In the 4 months that have passed since I introduced my resolution, conditions in mining areas have worsened considerably. The thousands of unemployed miners are running out of unemployment benefits and the mineowners have almost exhausted their cash reserves which they have been using for pumping, retimbering, and other maintenance to prevent mine flooding and cave-ins.

In the meantime, foreign imports of some metals have continued to pour in and glut our market, forcing the diminishing number of domestic mines which are still operating, to continue to operate at a loss.

Prompt action by the President, however, in accordance with the provisions of the resolution, should be of material assistance in reversing this trend.

In addition, the Tariff Commission has announced it will hold hearings beginning January 12, 1960, on the current condition of the lead-zinc industry, and to determine whether additional import restrictions are needed.

I am sure the Tariff Commission hearings are an outgrowth, at least in part, of the hearings before the House Mines and Mining Subcommittee and the Interior Committee report.

With these developments, namely, passage of the resolution and the Tariff Commission hearings, I anticipate the dawning of a new day for the mining industry and its employees.

RECESS

The SPEAKER. The Chair is going to declare a recess. But before the House convenes again the bells will be rung.

The House will stand in recess, subject to the call of the Chair.

Accordingly (at 12 o'clock and 48 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 10 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9035) entitled "An act to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes."

INTEREST RATE ON SERIES E AND H U.S. SAVINGS BONDS

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 9035) to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1183)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9035) to permit the issuance of series E and H United States savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, and 7.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

W. D. MILLS,
AIME J. FORAND,
CECIL R. KING,
Managers on the Part of the House.

HARRY F. BYRD,
ROBT. S. KERR,
J. ALLEN FREAR, Jr.,
JOHN J. WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

Amendment No. 1: Section 22(b)(1) of the Second Liberty Bond Act provides that the interest rate on, and the issue price of, savings bonds and savings certificates and the terms upon which they may be redeemed shall be such as to afford an investment yield not in excess of 3.26 per centum per annum, compounded semiannually.

Under the bill, as passed by both the House and the Senate, a new section 25 is added to the Second Liberty Bond Act. Section 25 provides that in the case of any offering of United States savings bonds issued or to be issued under section 22 of the Second Liberty Bond Act, the maximum limits on the interest rate or the investment yield or both may be exceeded upon a finding by the President with respect to such offering that the national interest requires that such maximum limits be exceeded.

Senate amendment No. 1 adds a proviso to section 25 providing that in no event may the interest rate or the investment yield exceed 4¼ per centum per annum.

The House recedes.

Amendment No. 6: Under the bill as passed by the House, when so provided by regulations promulgated by the Secretary of the Treasury in connection with the issue of obligations of the United States, no gain or loss is to be recognized on the surrender to the United States of obligations of the United States issued under the Second Liberty Bond Act in exchange for other obligations issued under such Act.

Senate amendment numbered 6 struck out this provision of the House bill and substituted a new provision under which, when so provided by regulations promulgated by the Secretary of the Treasury under section 22 of the Second Liberty Bond Act, no gain or loss is to be recognized on the surrender to the United States of series E United States savings bonds in exchange for series H United States savings bonds.

The Senate recedes.

Amendments Nos. 2, 3, 4, 5, and 7: These are technical conforming amendments to amendment No. 6. The Senate recedes.

W. D. MILLS,
AIME J. FORAND,
CECIL R. KING,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, you will recall that H.R. 9035 passed the House and provided for the President, on a finding that the national interest so required, to issue series E and H bonds in excess of the ceiling fixed in law at 3.26 percent. You will recall that the bill also contained authority for the Secretary of the Treasury to provide by regulations that specified issues of Treasury obligations might be exchanged without recognition, at the time of the exchange, of gain or loss for tax purposes.

When this bill was considered by the committee of the other body, that committee in its wisdom decided to limit this tax-free exchange, or nonrecognition of gain or loss, provision to series E and H bonds. As it passed the House it was applicable to all bonds, marketable bonds as well as savings bonds.

When the bill was considered on the floor of the other body an amendment was offered to the provision permitting the President to exceed the present 3.26 percent limitation on E and H savings bonds upon a finding that the national interest required. The House provision was accepted on this point, but in addition the other body placed a limitation on this exercise of authority by the President so that he could not establish rates of interest on savings bonds in excess of 4¼ percent.

Mr. Speaker, frankly, I did not want to make any change in the bill that passed the House. The members of the conference on the part of the House felt as I did about the matter. All of us were hopeful that it would be possible for us to obtain agreement on a bill just as the House had passed it. However, it became quite evident that it was necessary for us to agree to some type of compromise with the members of the conference from the other body in order to obtain acceptance by the other body of this bill in any form.

In the resulting compromise the Senate conferees receded from their position with respect to the nonrecognition of gain or loss provision. The House receded from its position with respect to the 4¼-percent limitation.

Therefore, we have in the conference report the bill exactly as it passed the House, but with one additional provision, namely, the requirement that the President in the use of the authority given him under this bill cannot fix a rate of interest on savings bonds in excess of 4¼ percent. This means that the interest rate for savings bonds can be fixed by the President in the range between 3.26 percent and 4.25 percent.

It is the intention of the Secretary of the Treasury, if given the authority—as announced earlier before this was ever considered by the House—to sell savings bonds effective as of June 1 of this year at a rate of interest of 3¾ percent. This conference report will enable him to do that just as well as the bill that passed the House. The bill resulting from the conference, just like the orginal House bill, will tend to stop the liquidation of savings bonds held by individuals. Therefore, it will be possible under this conference report, in my opinion, for this trend of liquidations in excess of purchases to be changed, and for us to sell more bonds per month to people than they cash in.

Mr. Speaker, I feel very strongly that the House should adopt this conference report because I am greatly concerned, as I stated during the discussion on the original bill before the House, about what would happen if the Congress did nothing in the field of E- and H-bond interest rates. I would be greatly concerned about any failure to act on this subject before adjournment. I do not know what would happen if we failed to act, but I think what we have seen in the past is only a small example of the extent of the liquidations which would occur between now and the first of the year in the case of E- and H-bonds if we do not act in this session of the Congress. I urge you, therefore, to take this conference report in the spirit of necessary compromise, as we took it in the conference, as the best that could be obtained for the House in view of the parliamentary situation that prevails in the other body.

Let me point out to the membership of the House that once again the Speaker was correct in his evaluation as to what could be done on this issue in the other body. As evidenced by the 4¼-percent limitation added by the other body we found that they were not willing to go as far as the House was willing to go with respect to this proposal.

Mr. Speaker, you were eminently correct in your evaluation of the situation.

Mr. Speaker, I urge the adoption of the conference report.

Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I have never believed that I would stand before this body and be forced to take the position I do now which is, namely, to charge that we are not facing up to the legislative issue called to the attention of the Congress by the President of the United States in his message of June 8.

We are asked to approve a conference report stating that if the President and the Secretary of the Treasury find that the national interest requires that the yield on series E and H savings bonds should exceed 3.26 percent that the Congress will approve paying the holders of the bonds more interest to protect them, but not more than 4¼ percent even if the national interest requires that we exceed this second limit. This result arises from an amendment adopted in the other body stating we shall not pay to the holders of savings bonds, irrespective of national interest involved, more than 4¼ percent interest.

The foreigner who sends his dollars into the United States every day and buys Government bonds in the short-term market, is able to buy bonds guaranteed by the U.S. Government that pay him 4.7 percent and 4.8 percent—and the trend is upward.

The President of the United States months ago asked this Congress to lift the artificial interest rate limitations so that he might cause some of our debt to be placed in the less costly long-term securities market. What have we done? Have we given him anything with which to manage the debt of the United States as it should be managed? We have not. What have we done? We have imposed another limitation upon what he may do. We have said that with respect to 42 million of our friends and neighbors, holders of E- and H-bonds, even though it is discovered that the national interest requires that these bondholders be paid more than 4¼ percent interest, the Treasury may not do it. We now have a 3.26-percent ceiling and a 4¼-percent ceiling imposed one on top of the other on savings bonds.

Under this conference agreement we are instructing the Treasury to operate to the disadvantage of these bondholders because of our own failure to face facts, because we will not look ahead, because we will not stand for that which every one of us knows is right; namely, that in the national interest the little bondholder must be paid that to which he is entitled so that he may maintain confidence in the wisdom of his patriotic investment.

Indeed, we are told that of all the places where the Government borrows money that which is best from the standpoint of good debt management is the money that is invested by the worker, by the person who buys each month a $50 or $100 bond because he or she has confidence in his country and because he or she knows that in any circumstance they will get back dollars of comparable purchasing power.

That, Mr. Speaker, is the objective that the President has sought in his legislative request to the Congress. Back in June the President presented the request to the Congress, and here we are on almost the last day of the session of Congress asked to adopt a conference report which without any contradiction states that we are going to do considerably less than is required by the national interest. We are offering as an inducement to our friends and neighbors to hold the savings bonds they now hold, that we will not pay over the 4¼ percent prescribed in the conference report, while at the same time we will pay to any big investor who goes into the open market as high as 4.8 percent presently and even higher if the market so requires.

How foolish can we be? How can we go home and claim responsibility to those who hold the bonds today?

I am proud that the distinguished gentleman from Illinois [Mr. MASON] joined with me in refusing to sign this conference report, because of our conviction that the issue should have been sent back to the other body and the other body should have been called upon to make a determination as to financial responsibility.

It is no answer to say that next year we may have this subject up again.

There is another provision in this bill, an amendment which the Senate withdrew, which had to do with what is called advanced refunding. It was designed several months ago to permit the Government to issue some long-term securities and to call in the bonds that were nearing maturity and to pay interest as high as 4¼ percent. Had Congress done its duty at that time and approved a bill that allowed such advanced refunding, we could have saved some hundreds of millions of dollars. But we did not do it. It is in the bill today and the Secretary of the Treasury tells us today that it is in effect useless and that he can see no place where he can use it right now. I repeat, it will not in any sense do the good that it could have done had we acted responsibly and timely by passing this legislation when the President requested it.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the distinguished chairman of the committee.

Mr. MILLS. Does the gentleman from Pennsylvania, occupying the very high position that he does in the councils of this administration, know of any plans on the part of the administration to issue series E and H bonds at any time in the future in excess of 4¼ percent interest?

Mr. SIMPSON of Pennsylvania. I am sure that when this bill becomes law the President will be governed by it, and when he discovers that the national interest, Mr. Speaker, requires that more interest be paid than is now allowed by law he will make that finding known. He is limited, as the gentleman knows, by the rates which are put into effect today, to 4¼ percent, even though he discovers that the national interest would require 4½ or 5 percent.

Mr. MILLS. The gentleman understands, of course, that he would have preferred not to have had a limitation; but my question has to do with whether or not this limitation of 4¼ percent will, as a matter of fact, at any time in the foreseeable future, that is, the next several months ahead of us, interfere with any plans that anybody has with respect to interest rates on savings bonds during that period of time?

Mr. SIMPSON of Pennsylvania. I will answer the gentleman in this manner: The plans are not fully made. The bill is not law yet. When we leave tonight if the bill should be signed it would be law, the President could then address himself to the question of determining what was in the national interest if that national interest did not require a bond yield higher than 4¼ percent.

In the Washington Post, Mrs. Katie Louchheim, the vice chairman of the Democratic National Committee, was quoted as saying with respect to her recent trip to Europe:

> Wherever I went people expressed concern at the manner in which our Government's credit has deteriorated in the past few years, particularly measured by the constantly declining market price of Treasury bonds.

Mr. Speaker, during the House debate on H.R. 9035, the Republican Members of the House made it abundantly clear that present debt management problems comprise one of the most crucial issues to confront the Nation in many years. Debt management is a problem because for the last three decades the Congress has seen fit to authorize more spending than the Federal Government has collected in taxes in 25 of those 30 years. Because of that profligacy and propensity to spend for what we could not afford, we now have a national debt of some $290 billion which requires annual interest charges that are more than two times as much as the amount we spent for all Federal Government activity just 30 years ago.

The President of the United States and the Secretary of the Treasury early last June urged the Congress to enact legislation repealing the 3.26 percent interest rate ceiling on savings bonds and the 4¼ percent ceiling on marketable bonds. I will not take the time of the House to reiterate the record of procrastination and vacillation on the part of the Democratic majority in the Congress in dealing with this responsible request for legislation by the administration. That tragic record was stated during the House debate on the bill, H.R. 9035. Suffice it now to say that we have a conference agreement before us that represents considerably less than the House-passed version of this bill, which in itself was grossly inadequate.

Mr. Speaker, the conference committee had two basic issues before it. Both of these resulted from amendments adopted in the other body. The first of these would impose a maximum 4¼ percent ceiling on E and H savings bonds, and the second would limit the advanced refunding provision of the House bill to refunding operations involving an exchange of E-bonds for H-bonds. Under the conference agreement the House accepted the first amendment and the Senate receded on the second amendment. Now, let us look at the effect of this so-called compromise.

It will be recalled that under the House version of this legislation the Secretary of the Treasury would have been given authority to exceed the existing 3.26 percent ceiling on savings bonds if the President found that the payment of a higher yield was required by the national interest.

The Senate amendment to this House version in effect says that even if the President found the national interest required a payment in excess of 4¼ percent, the Treasury would not be permitted to pay such a yield. Another aspect of this limitation is that the Congress is saying to the holders of series E and H bonds, "We are not willing for the Treasury Department to pay you a return on your investment in the United States that is comparable with the rate of return that market conditions compel the Treasury Department to pay to holders of short-term securities." Another effect of this amendment is tied to the fact that because the Congress refused to raise the ceiling on marketable bonds, the specter of inflation is standing in the wings awaiting its cue to assume the center of the stage. We are saying to the holder of series E and H bonds, "Even though the Congress will force the Treasury to manage the debt in the most inflationary way, we will only make a token increase in the rate of interest that we will pay you on your bonds and we are going to pay you back in an inflation debased dollar." The second basic issue involved in the conference pertained to the advanced refunding provision in the House bill which the Senate limited to an exchange of E-bonds for H-bonds. The Senate conferees receded and concurred in the House position on this point. As I stated earlier, for all practical effect the Senate in truth gave up nothing because we are told that under existing economic conditions and in view of the retention of the 4¼-percent ceiling on marketable bonds there is little likelihood that the Treasury will be able to utilize the advanced refunding authority in the foreseeable future. Thus, the conference agreement brings back to the House a patently inferior bill to the version that the House approved, and I remind my colleagues that the House approved measure was in itself inadequate.

Mr. Speaker, when we consider the matter of interest rate ceilings we are in fact considering the question of whether or not the Congress is willing to give to the Executive the tools that are necessary to permit the Treasury to engage in debt operations that are least costly to our taxpayers and least inflationary in our economy. As H.R. 9035 passed the House it failed to give these tools to the administration. We were told by the Secretary of the Treasury that he would accept the responsibility for rising interest rate costs if he were given the flexibility in debt management that the President asked for in the administration's legislative request of June 8, 1959. Because the Congress has not seen fit to grant that flexibility to the Executive, it is now the Congress—and more specifically the Democratic majority in Congress—that must accept the responsibility for what will likely be rising costs of debt management and a resumption of the inflation spiral.

I have withheld my name from the conference agreement because I will not be a party to any attempt to fool the American people. I am fearful that such is the result of this legislation as approved by the conference committee. It is too little, too late, and is an invitation to fiscal crisis. Our unwillingness to give authority to the Treasury Department to finance the debt in anything but the short-term money market is fiscally chaotic and destructive of economic growth. We fool the people by

telling them that we are going to provide them a higher yield on their savings bonds and conceal from them that fact our "too-little legislation" will cause their savings bonds to be redeemed in inflation debased dollars at maturity.

Mr. Speaker, the perceptive writer and economist, Mr. Henry Hazlitt, has exposed the political hand of the Democratic inflationists in the House of Representatives who opposed President Eisenhower's request for legislation that would have helped the administration minimize the cost of maintaining our Nation's $290 billion public debt.

In commenting on the refusal of the Democratic majority in Congress to remove the statutory 4¼ percent interest rate ceiling on marketable bonds, Mr. Hazlitt said of this Democratic position:

> The practical effect is to prevent the Government from offering any long-term bonds whatever, and to force it to do all its borrowing on a hand-to-mouth basis a few months at a time. * * * The vital interest of all Americans is at stake because excessive reliance on short-term financing can have grave consequences for the purchasing power of the dollar.

Mr. Hazlitt goes on to point out that the "crowning irony" of this Democratic-created invitation to inflation is brought about the "cheap-money zealots" who would force the Government to pay double price for everything.

It must be remembered that while $42 billion of the public debt is represented by series E and H bonds, $183 billion of the public debt is represented by securities that are directly or indirectly affected by the 4¼ percent ceiling on marketable bonds.

The Democratic solution to debt management is in truth a prescription for inflation. The Democratic Party is now on record in favor of forcing the Federal Government to refinance the public debt in the money market that demands the highest interest rate; namely, the short-term market. The Democratic Party is on record of forcing the Federal Government to compete for short-term savings, thereby increasing borrowing costs to small business and American consumers. The Democratic Party is on record of forcing the Federal Government to finance the bulk of the debt in the money market that requires higher interest rates than the Democratic Party is willing to let the holders of series E and H bonds receive. The Democratic majority in the House has approved a "sit and wait" policy on responsible debt management legislation and in so doing that Democratic majority has laid the groundwork for an inflation-caused erosion of the dollar and retardation of economic growth. Let there be no doubt that the man who will bear most heavily the evil effects of this Democratic-induced inflation is the so-called little man.

Mr. Speaker, Mr. Hazlitt had this to say in his article entitled "Shortcut to Inflation" which appears in the current issue of Newsweek magazine:

> If the Democrats in Congress object to being called the party of inflation, it is hard to understand why they do so many things to earn the title. Nothing so greatly increased the probability of more inflation as the action of the Democratic leadership in the House Ways and Means Committee in shelving the President's request to remove the statutory 4¼ percent interest ceiling on Government bonds running 5 years or longer.
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> The law that set this ceiling was passed more than 40 years ago, in 1918. It did no harm as long as it remained completely academic—that is, as long as the market rate for Government bonds was well below the ceiling. But when the market rate the Government must pay is higher than the ceiling, as now, any statutory limit becomes pernicious.
>
> The President first requested Congress to remove the statutory 4¼-percent interest-rate limit on June 8. After a month, the House Ways and Means Committee replied with a transparently political solution giving the President the right, as a sort of personal favor, to disregard the interst-rate ceiling for a period of not more than 2 years if he found higher rates necessary "in the national interest." Then, suddenly, the committee decided not to recommend even this.
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> HAND TO MOUTH
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> The practical effect is to prevent the Government from offering any long-term bonds whatever, and to force it to do all its borrowing on a hand-to-mouth basis a few months at a time. If the result of such a restriction would be grave for any business concern or corporation, the evil is multiplied enormously when applied to the Federal Government, compelled to manage a national debt of almost $290 billion, and forced to borrow $85 billion in the next 12 months simply to cover maturities, redemptions, and seasonal cash needs. The President's second message of August 25 clearly described the probable consequences of this:
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> "The vital interest of all Americans is at stake because excessive reliance on short-term financing can have grave consequences for the purchasing power of the dollar. The issuance of a large amount of short-term Treasury debt would have an effect not greatly different from the issuance of new money. Because these securities are soon to be paid off, their holders can treat them like ready cash. Moreover, short-term securities are more likely to become lodged in commercial banks. When a commercial bank acquires a million dollars of Government securities, bank deposits rise by a million dollars. This is the same as a million-dollar increase in the money supply. When the money supply builds up too rapidly relative to production, inflation is the result. The piling up of an excessive amount of short-term debt poses a serious threat that may generate both the fear and the fact of future inflation at an unforeseeable time."
>
> FALSE ECONOMY
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> There are many Congressmen who sincerely believe that they are saving the Government money by forbidding the Secretary of the Treasury to offer long-term bonds at a rate to yield more than 4¼ percent. The irony is that their prohibition will have exactly the opposite of its intended effect. When the long-term market rate is higher than 4¼ percent, the Treasury is forced to do all its borrowing at short term. This concentrates the demand for funds on the short-term market, and forces up short-term rates.
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> Already, in recent weeks, the Treasury has had to pay 3.9 percent interest for 91-day borrowing, the highest since the dark days of March 1953. It has had to pay 4.5 percent interest for 182-day borrowing, the highest ever paid for this term. And it has had to pay 4.7 percent for 1-year borrowing. The belief that short-term borrowing is always necessarily cheaper than long-term borrowing is a myth.
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> And the crowning irony is that it is precisely the cheap-money zealots who have brought on the inflation that has forced the Government to pay double price for everything. They have finally created a situation that is forcing both more inflation and higher borrowing rates. For lenders seek to protect themselves against erosion of their dollar principal.

In addition to the able commentary by Mr. Hazlitt, the distinguished editor of the Wall Street Journal, Mr. Vermont Royster, has written an excellent article which appeared in the Journal pointing out the grave financial problems confronting our Nation. Mr. Royster's article describes the impending financial crisis as follows:

> FISCAL CRISIS—FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES; IKE MAY RECALL CONGRESS—SOME FEAR A "MONEY PANIC"
>
> (By Vermont Royster)
>
> WASHINGTON.—A fiscal crisis of major proportions.
>
> This is the grim prospect which the men who manage the money for the U.S. Government confess they see before them in the next 12 months—and perhaps sooner.
>
> So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.
>
> Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the crisis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.
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> NEEDED: DRASTIC STEPS
>
> Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the easy ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.
>
> The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House, and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are willing to give voice to some of the consequences they foresee if stern measures are not soon taken.
>
> Here are some of the things they see:
>
> At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.
>
> At the very least, then, a severe money shortage that will make the recent tight-money situation modest by comparison. This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.
>
> Beyond this almost certain probability, some of the best informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.
>
> A LOSS OF CONFIDENCE
>
> The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a

slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high administration official, could bring a real "money panic" which would paralyze business and bring widespread unemployment.

This is truly a grim picture, and it may be that out of their deep harassment these officials draw it too darkly. But it is drawn with equal starkness in the executive offices along the Potomac and in some of the legislative offices on Capitol Hill. And even among those in Congress who have consistently dismissed all such concerns as foolish fears, some now are beginning to wear worried frowns as they look at the hard figures that confront the U.S. Government.

Those figures, at best, do not present a cheerful picture. Here, in bare outline, is what they show:

Within the next 12 months the U.S. Government must try to borrow $78 billion merely to stay in the same place; that is, it must borrow this huge sum merely to pay off old debts it has coming due in that space of time. Actually the figure will be somewhat larger because some of the money will be borrowed on very short-term notes and bills which must be paid off by second borrowings before the 12 months have passed.

In addition to this heavy borrowing, the U.S. Treasury must somehow raise an additional $7 billion between now and Christmas to meet the spending bills that are piling up.

Thus the U.S. Government in 1 year must borrow a sum greater than the whole year's budget—a whopping $85 billion.

ONLY THE BEGINNING

But this only begins to sketch the difficulty. For these many billions must be raised in a money market already squeezed by the demands of the other borrowers—State governments, local governments, school districts, public authorities of one sort or another, plus record demands from private industrial borrowers.

How tightly the money market is stretched shows clearly in the record of the past few weeks. Last Friday the Treasury had to pay 3.9 percent interest to borrow money for only 13 weeks, the highest rate for such short-term bills since that dark March of 1933, when all the banks were closed. Its latest issue of 26-week bills drew an interest rate of 4.4 percent. This week the prices for U.S. Government bonds already on the market plummeted to their lowest prices on record and pushed the yields on these bonds (the effective interest rate) to the highest level for Government bonds since 1932.

The ordinary citizen can get a clearer idea of how high these interest rates are by reflecting that a decade ago the Government was borrowing money for 10 years on its savings bonds at a cost of 2.9 percent whereas today it pays 4.4 percent for a 26-week loan. As late as 1958 it paid 1¼ percent for one-year money; today it must pay more than 4¾ percent. The Treasury's lowest outstanding coupon rate on old bonds is 2⅛ percent; today the Government cannot borrow any money on long-term bonds at 4¼ percent, the present legal ceiling—it is simply out of the question.

This bar against long-term borrowing, if not lifted, means that the squeeze on the short-term money market will grow intense in the months immediately ahead. A 5 percent interest charge for even very short-term money no longer seems unlikely to anyone; the prime rate for commercial borrowers is already 5 percent. Some top officials expect it to soar even higher under the impact of the huge Treasury borrowings. "It's about ready to jump into the stratosphere," says one of them gloomily.

LUBRICANT FOR BUSINESS

The effect of this could be staggering. Long-term borrowers who use the money for capital investment can sometimes postpone their borrowings. But short-term loans are the lubricant for business; they are used to buy steel, to sell automobiles, to stock inventories. A short-term rate that did jump into the "stratosphere" would play havoc no only with the Treasury's money managers but with the economy generally.

It is this prospect that lends urgency to the debate over whether to call a special session of Congress. At the current session the administration asked the authority to pay more than 4¼ percent on bonds so that it could shift a portion of its debt into longer-term securities. So far this has been denied by Congress, and there is some feeling within the administration that the severity of the Treasury's money plight was not sufficiently dramatized.

A special session, particularly if it was coupled with a radio and TV talk by President Eisenhower explaining the gravity of the problem in simple language, would provide the sense of urgency. But again this—and here is what gives the administration pause—is the argument that it might also arouse public fears. And fear could set off a chain reaction to a real calamity.

For grim as is the immediate outlook for the money market, the real ghost that stalks the Treasury corridors these days is the specter of a sudden and wholesale loss of confidence in the U.S. Government's ability to meet its financial obligations without inflation.

PROBLEM FEEDS ON ITSELF

One of the highest administration officials puts it this way:

"No matter what we do, money is going to get tighter and everybody is going to be pinched. That means we have got to the point where the problem feeds on itself. The Government's huge demand for money pushes interest rates up, and the higher interest rates rise the more the Government's costs rise, which in turn means a bigger demand for money the next time 'round. And so on.

"But the real crisis will come if people ever get the idea that the U.S. Government can't, or won't, face up to the facts.

"If the Government now tries to ease the pinch on itself by having the Federal Reserve supply its needs—which is what some people in Congress tell us to do—that would serve notice on everybody that we had abdicated. Then even the high interest rates wouldn't persuade foreigners to leave their money in dollars. Can you imagine what would happen if foreigners decided they would prefer to hold guilders or pounds or something to dollars?

"Or what would happen if Americans ever got persuaded—I mean really persuaded—that their Government was going to cut out paper dollars to pay its bills?"

The "what would happen," with regard to foreigners, refers not to the gold holdings of foreign governments here, although they too might be affected, but to the more than $18 billion of short-term securities held by foreigners in this country. Of this amount almost $7 billion are held by private citizens and businesses.

All these sums are, in effect, "demand claims" on the U.S. dollar; they could be liquidated and withdrawn at any time. And they probably would be, if ever confidence were lost abroad in the U.S. dollar. Such a flight from the dollar would mean further acute tightening of our money market, and still another spur to domestic inflation if the foreign fears spread to people at home.

The situation with regard to U.S. savings bonds could be almost as precarious. Americans today hold some $50 billion of these and they are entitled any day they choose to demand cash for them. In recent months more and more Americans have been cashing in their bonds anyway, under the lure of higher interest rates elsewhere and the bitter lesson since World War II that the dollars they receive at the end of 10 years are worth less than the dollars they pay for them.

In July alone the rate of redemption on savings bonds was more than double the rate of sales. Some $775 million of these bonds were presented for cash; only $350 million were sold, and most of those were sold through automatic checkoff programs in business. This already adds to the squeeze on the Treasury's funds, but it is nothing to what the effect would be if the public really started cashing in their bonds wholesale.

Treasury officials hope that congressional permission to increase the interest rate payable on savings bonds, which may be forthcoming at this session of Congress, will help stem the tide of these cash-ins. But they are not even positive of that if at the same time interest rates generally are jumping higher and higher. "I'm not so sure," explains one official, "that the interest rate is nearly as important to the small saver as his confidence that the Government will pay him back dollars as good as those he spent for the bonds."

Confidence, then, is the key. And there is no question that some of the confidence of the men who manage the U.S. Government's money is already badly shaken.

At the Treasury there is a feeling that the Government can get through the immediate months ahead without a crisis, although not without difficulty. Treasury borrowings will be heavy between now and the year-end, and the upward pressure on interest rates will grow, but the squeeze should ease somewhat beginning in January when new tax money starts flowing in. If demands for cash aren't too high, the debt might even be reduced somewhat.

The problem of managing the debt would also be greatly eased if Congress gives the Government some better tools to work with. If the interest rate ceiling is lifted, the Treasury will probably put out some long-term bond issues, high interest rates or no, in an effort to reduce the pressure of constantly going to the money well for short-term loans.

SPENDING IS THE KEY

But there is no responsible official in the administration who pretends any of this will offer more than temporary relief if next June sees another large deficit to heap upon the $12 billion deficit of the fiscal year which ended last June. Spending is the key to the problem.

Since 1950 (to go back no farther) the U.S. Government has been running a parade of deficits of enormous proportions. The list of them tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion. In only 3 years of this decade has the Government spent less than its income, and then the difference was only small amounts. So the story is one of a cumulative demand, measured in many billions, on the Nation's money markets.

What gives administration officials here their deepest concern is what the future bill will be if the Government cannot stop its spending and is forced to resort to open and undisguised inflation on a mammoth scale. To these officials the key to the future, as well as to the past, is what happens to the Government's spending.

But though a lot of people here are plainly shaken by what lies in front of them, there is still a lot of what might be called worried confidence.

In a large and ornate office overlooking the marbled buildings of Washington, one of the best informed of the money managers meditates: "I just cannot believe that the country will refuse to face up to the fact that the picnic's over and the money's running

out. So I think we'll get through this crisis all right. But not, I suppose, until everybody recognizes that that's the word for it."

Mr. Speaker, I am for paying our savings bondholders a higher yield on their investments in dollars that have the same value at maturity as the dollars these patriotic citizens invested. This legislation will not give authority to the Treasury to accomplish this honest objective. As a consequence, I am opposed to the House approval of the conference agreement on H.R. 9035.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, Congress has appropriated billions of dollars in excess of Treasury receipts during the past decade. To get the money to pay the bills incurred by the Congress the Treasury has had to borrow. That is the reason for the ever-increasing debt of the United States and that is the reason for the present financial crisis confronting the Government and the Congress. That is also the reason we are having trouble floating long-term Government bonds under the present 4¼-percent interest rate ceiling.

President Eisenhower asked Congress several months ago to lift this ceiling so that the Secretary of the Treasury could manage our debt as efficiently and as economically as possible. The Congress has refused to do so.

This House passed a bond interest bill lifting the ceiling on E- and H-bonds, but refused to lift the ceiling on long-term bonds. This action freed the hands of the Secretary of the Treasury on savings bonds—E- and H-bonds—but still kept the shackles on him in connection with long-term bonds.

The Senate then placed a ceiling back upon E- and H-bonds, a ceiling of 4¼ percent, the same as it is upon long-term bonds, further limiting and curtailing the Secretary of the Treasury in his efforts to properly service the Nation's debt.

Mr. Speaker, that is the situation confronting this House in this conference report. That is the reason I said in conference that the majority of the Members of the other body were irresponsible in dealing with the fiscal affairs of the Nation. That is why I said we could expect a financial crisis in this Nation before next January that would force the President to call a special session this fall. In agreeing to this conference report we are inviting a special session to preserve and protect the national credit.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD on the conference report now being considered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE CONFEREES HAVE PUT A GOOD LIMITATION ON A BAD BILL

Mr. PATMAN. Mr. Speaker, I believe the conferees have done a good thing by setting a ceiling to which the President may raise interest rates on savings bonds.

As for my part, I feel very strongly there should be no increase whatever in the interest rates on savings bonds, or on any other securities. However, both the Senate and the House have expressed their will that some increase should be permitted. So while I am opposed to the bill, I am most certainly in favor of a limitation to the increase.

Without a limitation there is no predicting how high this administration will raise interest rates. It has already raised rates beyond the 42-year record on marketable Government bonds, and its appetite for higher and higher interest is plainly something that could never be satisfied.

What has created this big mess in the management of the Government's debt? It would be very hard for the administration to explain, if it were called upon to explain it.

This administration has, in a real sense, a much smaller debt than it inherited 6½ years ago; and it has, in a very real sense, a much smaller debt to manage than the previous Democratic administrations managed. The public debt is smaller both in relation to the number of people in the country and in relation to the national income of the country.

The previous Democratic administrations managed a larger public debt, and at a time when it was most difficult to keep interest rates down—during the greatest war in history. Yet throughout World War II the public debt was managed at a top interest rate of 2½ percent on long-term Government bonds.

The administration has been playing games with us. It raises one rate, or one set of rates, then cries that some rate on which there is a legal ceiling is then "not competitive," and the securities to be issued under this particular ceiling cannot be sold. After we raise that rate, the administration comes back then with some other rate on which there is a legal ceiling, crying now that this rate is "not competitive" and securities to be issued under the ceiling cannot be sold. This goes on and on, though we know full well that as soon as we raise one rate to make it competitive with another, and divert funds from another source, the administration is going to raise rates on that source.

This is what will happen as a result of raising the rate on series E and H savings bonds. We are told that the purpose of raising this rate is to stop the shift of savings over to investment sources and to divert funds back to savings bonds from time deposits, from savings accounts and from savings and loan associations. Yet the moment the higher rates on savings bonds begin to shift funds from time deposits and savings accounts, then the rates will be raised again. The State banking authorities will raise the ceiling on savings accounts and the Federal Reserve will raise the rate on time deposits in commercial banks. So the savings bonds will be in the same position as now, but with a higher level of rates all round, and we will hear more cries from the administration to lift the 4¼-percent ceiling on marketable Treasury bonds.

As I pointed out yesterday, there are reports in the financial journals, and elsewhere, that the administration is toying with a plan to pull off some dramatic stunt after Congress adjourns, so that the President may take to television and the radio with an appeal to the country for an emergency action by Congress, then call Congress back with demands that it repeal the 4¼-percent rate on the marketable bonds. These reports are believable. There is nothing about which this administration is more determined, more arrogant and more resourceful than in its constant efforts to get higher and higher interest rates. High interest is the very closest thing to its heart. There is nothing so dear to the big bankers and money lenders.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am not sure whether or not this conference report is better than nothing. It probably is not worse than nothing. I shall therefore vote for it.

I do want to say, Mr. Speaker, that this final action represents the most irresponsible action of this session of the Congress.

I would like to repeat what I have said to the House on several previous occasions. There is nothing more important to us as a people, as a nation, as a government than the preservation of the credit of the Government and the integrity of the dollar. Destroy our credit, destroy confidence in the dollar and you destroy all the savings and earnings of our people; you destroy our entire economy. Yes, Mr. Speaker, you throw the economy of the entire free world into confusion and chaos.

We hear many speeches on this floor about the need for greater Government activity in the fields of housing, public works, education, human welfare, and so forth. Let me say this—unless we can maintain the stability and integrity of our currency, we will not have the strength and ability to support any governmental programs no matter how desirable—be they for defense, for scientific advance, for housing, for public works, for education, or human welfare.

Mr. Speaker, we have today a national debt of $290 billion. We must borrow during this year more than our entire budget for a year—between 80 and 100 billion dollars.

How we manage that debt, how we provide for the financing that must be done, how we wage the battle against inflation, is all important to us and the free world. If the dollar collapses, then everything we hold dear will collapse with it.

You are dealing with dynamite, you the Congress is playing with this matter as though it were a toy.

The facts are clear. In today's money market, our financial managers are boxed in by the present statutory limit on the interest they can pay on Government obligations. We know that we have to borrow to keep this Government and its programs going, and yet this Congress is being so foolish as to deny

the Treasury Department access to the market—the institutions and people—from whom we must get the money.

It does no good to stand on the shore and order the water to recede. Certainly interest rates are high. But Government like everyone else, if it is to borrow must pay the interest rate required by those with funds to lend.

I am no expert in monetary affairs, but I think I can recognize simple facts of life. If we must borrow we must pay the going rate of interest on the money we borrow. A limitation on the rate of interest that can be paid does not change the interest rate in the market, it only limits our ability to borrow.

The only way interest rates will be reduced is by a recession which will reduce the demand for loans or an increase in the supply of money. Nobody wants a recession; only a fool would want the type of increase in money supply that would be necessary to appreciably reduce present rates. Such an increase in money supply might reduce interest rates but it would mean an increase in all the goods and services we buy. It would mean rampant inflation.

Mr. Speaker, if this Congress is to act responsibly, it will accede to the request of the President and the Secretary of the Treasury to lift the present unrealistic interest ceiling and give them the tools they need to manage our finances. Unfortunately, the legislation reported to us by this conference report is not even a gesture in this direction. It is an excuse for inaction and a very poor excuse.

I cannot understand a situation where the President and the Secretary of the Treasury, who are charged with the responsibility of managing our large debt, plead for the authority they need to manage this debt in a responsible way and the Congress turns its back on them. Yes, Mr. Speaker, the Congress is doing more than that. By this action today it is, in effect, telling them to go to Hades.

By refusing to act responsibly this Congress is asking for real trouble. The minority party has expressed its willingness to accept the responsibility for any consequences that might flow from acceding to the President's request. The majority party has refused. The majority party must therefore accept responsibility for the serious consequences that can flow from their refusal.

You are inviting, by your conduct, a collapse of the dollar and the credit of the United States. You are inviting disaster. I hope with all my heart that this will not be the result but if it does come to pass, the blood will be on your hands, not ours.

Mr. WOLF. Mr. Speaker, today we find the Republicans crying crocodile tears because we have refused the President's request to permit runaway increases in the interest rates. I, for one, would like to point out that no interest change was needed from 1919 until the last few months. During this period we suffered a great depression and two wars. Yet now we find in the last 6 years the administration has so mismanaged their public trust, the public debt, and Federal money market that increased interest rates are necessary.

Yes, Mr. Speaker, we should weep, but not for the President who demands higher interest rates and not for the moneylenders who would profit here.

We should weep for the folks who must not only pay the higher interest on the national debt, but who must also go into a competitive money market and pay higher interest on loans for homes, for farms and the many things needed for success and happiness.

It is a sad day indeed when a Member of Congress must vote higher interest rates. The Republican Party must carry the responsibility for forcing these higher interest rates.

Mr. MILLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

MY SINCERE APPRECIATION

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I want to thank the Speaker and his staff and everyone here who have been so helpful to me during this session of the Congress. I also extend my appreciation to the reading clerks, Official Reporters, the pages, the telephone personnel, those at the door for their fine help and assistance. I pay special tribute to our fine police force who guard us well.

This has been a very, very trying session of Congress, one fraught with very great danger as the security of our country has been at stake, both at home and abroad. It is remarkable, perhaps, that the Congress has come out as well as it has because of the seriousness and far-reaching effects of our legislation and when a mistake can take a terrible toll in human life and treasure.

Members of Congress never have a real vacation, particularly when the cold war is going on, but I hope you will have as much of a vacation and relaxation as you can and a happy time with your families and constituents.

My deep appreciation to all and God speed.

ACTIVITIES OF THE SELECT COMMITTEE ON SMALL BUSINESS OF THE HOUSE OF REPRESENTATIVES DURING THE 1ST SESSION OF THE 86TH CONGRESS

Mr. PATMAN. Mr. Speaker, I am presenting at this time the chairman's report covering the activities of the Select Committee on Small Business during the 1st session of this, the 86th Congress.

Shortly after the convening of the 86th Congress, the House of Representatives, by House Resolution 51, recreated the Select Committee on Small Business, specifying that it consist of 13 members, 7 from the majority party and 6 from the minority party. The committee, therefore, became unique among congressional committees as one completely bipartisan—not only in organizational structure, but also in expressions of purpose and policy. Bipartisan decisions and effort have prevailed.

Pursuant to the resolution, the following Members were appointed to serve thereon: Representative WRIGHT PATMAN, Democrat, of Texas, chairman; Representative JOE L. EVINS, Democrat, of Tennessee; Representative ABRAHAM J. MULTER, Democrat, of New York; Representative SIDNEY R. YATES, Democrat, of Illinois; Representative TOM STEED, Democrat, of Oklahoma; Representative JAMES ROOSEVELT, Democrat, of California; Representative CHARLES H. BROWN, Democrat, of Missouri; Representative WILLIAM M. MCCULLOCH, Republican, of Ohio; Representative ARCH A. MOORE, JR., Republican, of West Virginia; Representative WILLIAM H. AVERY, Republican, of Kansas; Representative H. ALLEN SMITH, Republican, of California; Representative HOWARD W. ROBISON, Republican, of New York; and Representative ALBERT H. QUIE, Republican, of Minnesota.

Representative ALBERT H. QUIE resigned from the committee on May 14 but Representative EDWARD J. DERWINSKI, Republican, of Illinois, was named by the Speaker to serve on the committee beginning July 28.

The resolution creating the committee asserted that the committee should conduct studies and investigations of the problems facing all types of small business so that the committee, among other things, could assist the Congress in enacting remedial legislation.

In carrying out its assigned mission, the committee has come to know that the competitive and economic problems facing small business are many and varied. The Members of the House, of course, know this is true because their small business constituents have written to them about these problems.

ASSISTANCE SUPPLIED MEMBERS OF THE HOUSE

During the present Congress, as well as during all prior Congresses since the committee was first created in 1941, the committee and its staff have supplied valuable assistance to the Members in their effort to help their small business constituents. Moreover, it has become a well-established policy of the committee to grant priority consideration to any such request received from any Member.

By far the greater portion of the matters presented to the committee by Members of the House involved the financial assistance program of the Small Business Administration. In some of these cases, the constituent had not yet filed his loan application and, in such cases, helpful information was advanced to the constituent, through his Representative in Congress, respecting the

procedure which he should follow in dealing with that agency. If the constituent's loan application was pending, had been declared ineligible, or declined, information was developed from the appropriate SBA official, whether he be located in Washington or elsewhere, in order to determine whether the action taken by the agency was appropriate and proper. In handling these cases frequent conferences or discussions were held with representatives of the agency and whenever deemed necessary these matters were discussed personally with the Honorable Wendell R. Barnes, Administrator. On some occasions the staff has been able to invite the attention of SBA officials to certain facts and circumstances which permitted that agency to reconsider and grant loans previously declined.

In a few instances, assistance has been supplied to constituents attempting to obtain a license from SBA enabling them to form and operate a small business investment company. In one of these cases, it so happens that the constituent's application had been rejected and the constituent told that no appeal could be considered. Thereafter, at the request of a Member of the House, one of the attorneys on the committee's staff conferred with SBA officials and this action led to the reopening of the matter. After reconsidering, SBA granted a license to the constituent.

Numerous requests have been received from Members asking the committee to assist their constituents obtain a Government contract. In handling these matters, the committee contacts an appropriate procurement official and develops the particular kinds of information that is needed by the constituent. Frequently the constituent is placed in direct contact with the key procurement officer, thereby simplifying the task confronting the party seeking to obtain the award.

As indicated, the problems of small business invade many fields and involve the application of many different laws. Some of the problems are quite simple, whereas many are complex. The committee's staff, nevertheless, is experienced in handling these matters and is able to supply assistance to the Member in a much less period of time than the information could be obtained by someone not expert or experienced in handling small business matters.

To illustrate the wide variety of situations presented to the committee by Members of the House, a few of these cases will be briefly described together with comment indicating action taken.

First. Conferred with Commissioner of Internal Revenue respecting a regulation requiring small business manufacturers of rebuilt automotive parts to pay excise taxes thereon. The regulation was later rescinded.

Second. Investigated a situation wherein small business manufacturers of containers were affected adversely by laws requiring certain containers to be produced only in certain sizes.

Third. Supplied advice and counsel respecting situations involving the refusal of large manufacturers to sell to certain small dealers.

Fourth. Assisted individuals engaged in joint agricultural-commercial activities to obtain financial assistance from the appropriate Government agency.

Fifth. Assisted small business members of the aluminum industry in connection with their charge that aluminum manufacturers allegedly had agreed to fix transportation terms and rates.

Sixth. Investigated and supplied advice respecting a complaint of small business concern that subcontractors supplying goods for the Atomic Energy Commission had boycotted the small business concern.

Seventh. Provided counsel and advice in matters involving interpretation of invitations to bid issued by various governmental agencies.

Eighth. Provided counsel and advice in matters involving the application of the law and regulations pertaining to the awarding of contracts to small business concerns located in labor surplus areas.

Ninth. Provided explanations and interpretations of the law and regulations relating to the issuance of certificates of competency and certificates of small business.

Tenth. Studied and supplied helpful advice respecting matters involving price discrimination in the sale of gasoline by refiners direct to fleet owners.

CREATION OF SUBCOMMITTEES

Shortly after the approval of House Resolution 51 creating the committee, the chairman appointed seven subcommittees and assigned to each of these subcommittees a specific field of jurisdiction. In this way those situations posing the more pressing problems facing small business were given special and concentrated attention.

Representative JOE L. EVINS was named as chairman of Subcommittee No. 1 on Organization and Operation of the Small Business Administration.

Representative ABRAHAM J. MULTER was named chairman of Subcommittee No. 2 on Small Business and Government Procurement.

Representative SIDNEY R. YATES was named chairman of Subcommittee No. 3 on Foreign Trade, Foreign Aid, and Basic Metals.

Representative TOM STEED was named chairman of Subcommittee No. 4 on Taxation.

Representative JAMES ROOSEVELT was named chairman of Subcommittee No. 5 on Distribution Problems Affecting Small Business.

Representative CHARLES H. BROWN was named chairman of Subcommittee No. 6 on Advertising and Growth Opportunities for Small Business.

The chairman also named a special subcommittee in order that special attention could be given to those problems facing the small business members of the dairy industry. Representative TOM STEED was named as chairman. Representative JAMES ROOSEVELT, Representative CHARLES H. BROWN, Representative HOWARD W. ROBISON, and Representative ALBERT H. QUIE were named as the other members. Representative EDWARD J. DERWINSKI replaced Representative QUIE, who resigned, effective July 28, 1959.

THE DAIRY INDUSTRY

A Special Subcommittee on Small Business Problems in the Dairy Industry functioned during the 85th Congress. It held a number of hearings in Washington, Dallas, and Kansas City at which considerable testimony was developed indicating that the smaller dairies operating in and near those metropolitan centers were being forced out of business because of the alleged predatory and discriminatory pricing practices of their larger competitors.

Almost immediately following the announcement of the creation of the special subcommittee during the 86th Congress, a number of complaints were received from small dairies, and from some Representatives in Congress, reporting situations practically identical with those explored by the subcommittee during the 85th Congress. These complaints, however, appeared to be even more serious than those received earlier. These new complaints made it clear that the small business members of the dairy industry were facing extinction unless remedial action was taken promptly to prevent the 8 or 10 national chain organizations from obtaining a monopoly of the dairy business throughout the entire United States. In all of these markets the small businessman sought protection from the alleged predatory and monopolistic price-cutting tactics of the dominant and more powerful members of the industry—usually these members of the industry operating a chain of 100 or more dairies in various parts of the country.

Since the beginning of the 86th Congress, the subcommittee has been requested by small business concerns, and by some of their Representatives in Congress, to investigate the threatened monopolization of the dairy business in Tulsa, Nashville, Memphis, Paducah, South Bend, Denver, Boston, and Washington. Within the past month or so additional complaints of a like nature have been received from small dairies, and some of their Representatives, requesting the Committee to investigate in Miami, Ft. Lauderdale and San Francisco. In reporting their plight to the Committee, these small businessmen have made it clear that the House Small Business Committee constituted their only hope.

The subcommittee has, or will, investigate all of the cases brought to its attention by any Member of the House, and has held hearings in several of the communities affected. These actions of the subcommittee have been successful because they have served to arrest the alleged effort to monopolize the dairy businesses in the communities in question.

The subcommittee has learned that price discrimination is the principal weapon used by the larger dairies to suppress or destroy their smaller competitors. The Federal Trade Commission is that agency of the Federal Government which the Congress holds principally responsible for preventing the application of this method of competition. This

agency performs many duties and functions and performs most of them very well, but it has not effectively curtailed the use of discriminatory pricing. It has not enforced effectively the Robinson-Patman amendment to the Clayton Act. This is true despite increased appropriations and increased personnel.

This situation in no way can be attributed to a lack of investigational power because in these respects the Federal Trade Commission is one of the more powerful agencies in the Federal Government. Its power to obtain information far exceeds that enjoyed by the Department of Justice, including the Federal Bureau of Investigation.

The subcommittee has learned, as have practically all Members of the House, that the principal reason why the Commission's efforts to eliminate discriminatory pricing has failed is because the Commission seems unable to initiate and complete its corrective actions within a reasonable length of time. The Commission's reputation for tardy action stands unquestioned.

On several occasions within the past year or two, the House Small Business Committee has recommended to the Commission that it expedite its procedural operations and has told the Commission how this could be accomplished. These suggestions were offered, not as a complete remedy, but as a means of helping the Commission improve upon a situation that has become intolerable. The Commission has not seen fit to adopt any of these suggestions so legislation must be considered.

Shortly after conducting its hearings in Nashville and South Bend, the subcommittee issued an interim report, which was approved by the full committee—House Report No. 714—and in this report it was pointed out that although the Department of Justice and the Federal Trade Commission have endeavored to prevent the monopolistic and restraining tactics of large nationwide processors and distributors of milk, unfair and monopolistic practices continue with devastating effect upon small business. An excerpt from the testimony of a small business witness is reprinted in the report:

> We are disappointed, naturally. The prairie fire is coming and we cannot put it out only through Government. I say to you, frankly, gentlemen, the law must be made so watertight that lawyers, no matter where they graduate from or what position they hold in our economy, cannot break it.
>
> Otherwise, we might just as well say that the milk industry, and I dislike to say this, will be nationalized in 15 years.

The interim report of the committee disclosed that the dairy industry recommends legislation; first, requiring publication of prices, discounts, rebates, allowances, commissions, loans, and gifts by all sellers; second, prohibiting price discriminations which would have the effect of substantially lessening competition or tending to create a monopoly; and third, providing for process under the Federal Trade Commission Act for temporary injunctive relief pending issuance of final orders in litigated cases.

In recognition of the last of the above three recommendations, Representative TOM STEED, chairman of the Special Subcommittee on Small Business Problems in the Dairy Industry, introduced recently a bill, H.R. 8841, which, if enacted would permit the Commission to issue a temperary cease and desist order that would terminate the monopolistic practices involved within a period of a few days—at most a few weeks—after the Commission had found reason to believe that these practices were being applied illegally. Representative PATMAN, chairman of the House Small Business Committee, introduced an identical bill, as did committee members Representative EVINS, Representative ROOSEVELT, and Representative CHARLIE BROWN of Missouri. Several other Members of the House—Representative JOHNSON of Colorado, Representative DAVIS of Tennessee, and Representative STUBBLEFIELD of Kentucky—have since introduced a bill identical to Representative STEED'S.

Hearings on Representative STEED'S bill are expected to be held during the early days of the 2d session of this Congress and since the small-business constituents of so many Members of the House have complained about the inability of the Commission to act seasonably upon antitrust matters, early enactment may be expected.

SUBCOMMITTEE NO. 1 ON THE ORGANIZATION AND OPERATION OF THE SMALL BUSINESS ADMINISTRATION

On March 17, 1959, the chairman of the committee named Representative JOE L. EVINS, Democrat, Tennessee, as chairman of Subcommittee No. 1 and gave this subcommittee jurisdiction over the organization and operation of the Small Business Administration. Other Members assigned to the subcommittee were Representative JAMES ROOSEVELT, Democrat, California; Representative CHARLES H. BROWN, Democrat, Missouri; Representative ARCH A. MOORE, JR., Republican, West Virginia; and Representative WILLIAM H. AVERY, Republican, Kansas.

Immediately following the above announcement, Representative EVINS announced that the subcommittee would hold hearings concerning the organization and operation of the Small Business Administration on May 11, 12, and 13, 1959. It was announced that these hearings were to be held for the purpose of inquiring generally into the operations of the Small Business Administration, but more particularly to develop information relative to the small business investment functions of the SBA performed under the Small Business Investment Act of 1958. It was recognized that the Investment Act of 1958 was new legislation—the act having been passed only last year—and that Congress had not yet had an opportunity to look into the manner in which the act was operating.

When the Small Business Investment Act was passed, it was hoped that large numbers of investment companies would be licensed for the purpose of aiding small businesses throughout the Nation. But as the months passed subsequent to the passage of the act, it became evident that the program was progressing at a slower pace than anticipated. Up until the time that the subcommittee announced its hearings—7 months after the act was passed—only two investment companies had been licensed. As a result, Subcommittee No. 1 felt that it was proper to begin the hearings by delving into the problems relating to the licensing of the small business investment companies and the further implementation of that act by SBA. Subsequent to the time that the proposed hearings were announced and prior to the beginning of the hearings, another investment company was licensed, and on the morning that the hearings opened, May 11, SBA announced the granting of licenses to three more companies.

In preparing for the hearings the subcommittee staff studied and analyzed the various complaints and suggestions which had been received from many sources. Various interviews were held with interested parties and contact was made by letter and telephone with businessmen and organizations who had expressed an interest in the functions of the Small Business Administration.

At the hearings of May 11, 12, and 13, representatives of the three investment companies which had been licensed presented testimony concerning the problems faced by them in organizing and operating their companies. In addition to these witnesses, the Administrator and staff of the Small Business Administration were heard, as was the Chairman of the Securities and Exchange Commission and his staff.

In the approximate 3 months that has elapsed since the hearings were held, 21 small business investment companies have been licensed throughout the United States by SBA. It is evident that the matters developed at the May 11–13 hearings relative to the Small Business Investment Act of 1958 have been and will be of great value to the SBA, to Congress and to all others interested in the welfare of small business. The record of these hearings was printed and distributed to about 2,000 interested parties.

Based upon a record of the hearings of May 11–13 and facts ascertained therefrom, Representative JOE L. EVINS, chairman of the subcommittee, on July 6, 1959, introduced H.R. 8096, a bill to amend the Small Business Investment Act of 1958. Representative EVINS included in this bill a number of changes to encourage and accelerate the organization of small business investment companies and at the same time insure that this program would be of the greater benefit to small business.

Representative EVINS was invited to present testimony before the Subcommittee on Small Business of the Senate Committee on Banking and Currency. He appeared before the Senate subcommittee on July 21, 1959, and presented his views regarding various amendments to the Small Business Act. His statement is documented in the hearings before the subcommittee of the Committee on Banking and Currency, U.S. Senate, beginning at page 359 of the published record of these hearings.

In addition to testimony concerning the Small Business Investment Act, Subcommittee No. 1 also received extensive testimony concerning other functions of the SBA at the hearings on May 11, 12, and 13. The subcommittee received a complete report from SBA relative to the financial assistance program including both the small business loan and the disaster loan programs. At the hearings it was developed that, as of March 31, the total small business loan commitment by the SBA was $390,164,174, and that at the present rate of applications the total maximum authorization of $500 million would probably be reached by December 1959 or January 1960. As a result, Representative EVINS introduced H.R. 8128 on July 7, 1959, which, in part, increased the revolving fund authorization for small business loans from $500 million to $700 million. Representative ARCH A. MOORE, JR., a member of the subcommittee, introduced a bill—H.R. 6925—which provided for the same increase in authorization. Representative WRIGHT PATMAN, chairman of the House Small Business Committee, introduced H.R. 8599 which, in part, provided a like increase in authorization. This would increase the total revolving fund authorization for all of SBA's functions from $900 million to $1,100 million. H.R. 8599 was passed by the House of Representatives on August 24, 1959, and has been placed on the Senate Calendar where it is awaiting possible action.

At the hearings on May 11–13, Subcommittee No. 1 also received a complete report from SBA concerning the Federal grant program under section 7(d) of the Small Business Act which authorizes SBA to make grants to the various States for research study programs relating to small business. The House Appropriations Committee subsequently recommended to the House of Representatives that the funds earmarked for these Federal grants be rescinded but Representative JOE L. EVINS, chairman of Subcommittee No. 1, as a result of the subcommittee hearings, was in a position to offer an amendment to the Appropriations Committee bill which amendment provided for restoration of $1,080,000 of these Federal grant funds in order that this program might be carried on during 1959 and 1960. This will give Congress an opportunity to see this program in action and determine at a later date if these Federal grants should be continued. Since the hearings and since the action by Congress in this matter, research studies have been established in all 50 States and are now in progress.

In addition to the above-mentioned matters, the subcommittee at the May 11–13 hearings investigated numerous problems concerning policy matters relating to small business loans and the Federal grant program. Testimony was received from Mr. Howard B. Williams, president of the Smaller Business Association of New England, Inc. Mr. Gary E. Lilly, a small businessman in Des Moines, Iowa, appeared for the purpose of explaining his attempts and failure to obtain an SBA loan. Mr. Richard Kinne, industrial director of the Missouri Resources and Development Commission, was also heard in regard to the Federal grant program. A statement was also received into the record from Hon. B. F. SISK, Representative in Congress for the 12th Congressional District of California. Representative SISK submitted a discussion of the activities of the SBA loan program in his congressional district.

On July 31, 1959, after much research and preparation by the subcommittee staff, Representative EVINS announced the scheduling of additional hearings for August 5 and 6 on the operation and activities of the Small Business Administration which were not covered by the previous hearings of May 11–13, and more especially the operations pertaining to the procurement and technical assistance program.

In announcing that the subcommittee would reconvene on August 5, Representative EVINS stated:

> The Congress, through enactment of the Small Business Act, fully recognized the necessity for insuring that small business concerns should receive a fair share of Government procurement contracts; that they should be allowed an opportunity to purchase property disposed of by the Government; and that they should not be handicapped in obtaining the benefits of research and development. Through this act, the Congress provided SBA with the tools with which to assist small business in these important fields. These hearings are for the purpose of ascertaining how this program is working and to what extent SBA has implemented the act to assure the greatest benefits to small business.

At the hearings on August 5 and 6, the subcommittee received a complete report from the Administrator and staff of SBA relative to the procurement and technical assistance program. The activities of SBA concerning the assistance given to small businesses in the field of Government procurement and disposal was completely documented. The subcommittee also delved into the problems relating to set-asides, certificates of competency, and small business size standards.

At the hearings, an up-to-date report by the Financial Assistance Division was received and documented. It was developed that SBA has established a policy whereby it sells to banks or other private institutions seasoned loans which have been processed and handled by SBA. These loans are turned over to the private institutions for the principal balance due plus accrued interest. The SBA loses the interest income from those loans after they are sold. As of June 30, 1959, 20 direct loans and 58 immediate participation loans had been sold. SBA's share of these loans totaled $1,977,563.57. A list of the loans sold has been submitted to the committee and is included in the printed record of the hearings.

Also documented and included in the printed record of the hearings is a complete list of all business loans approved and disbursed from the date of the inception of the agency on September 29, 1953 cumulative through June 30, 1959. This is broken down by congressional districts for the benefit of Members of Congress and their constituents.

The subcommittee staff is presently working on a complete report on the hearings of May 11, 12, and 13, and August 5 and 6. When completed, the report will be printed and submitted to the Congress.

In addition to preparing for and holding the above-mentioned hearings, the subcommittee staff handled many individual matters referred to the committee by Members and their constituents which fell within the jurisdiction of Subcommittee No. 1. The subcommittee staff is conducting a continuing investigation of the problems of small business relating directly to the operations and organization of the Small Business Administration. It has held and continues to hold close liaison with the Small Business Administration and the Members of Congress.

SUBCOMMITTEE NO. 2 ON SMALL BUSINESS AND GOVERNMENT PROCUREMENT

Upon completion of organization of the House Small Business Committee, Subcommittee No. 2 was appointed and organized with Representative ABRAHAM J. MULTER as chairman, and Representative SIDNEY R. YATES, Representative TOM STEED, Representative H. ALLEN SMITH, and Representative HOWARD W. ROBISON as members. The subcommittee was assigned the following general jurisdiction: Small business and Government procurement.

Congress has for many years formulated public policies which recognize the importance of small business in our American economy and in our American way of life. Congress has expressed itself on many occasions that small business must receive an equitable opportunity when competing for Government procurement. The continuing question which confronted the committee and Congress is whether these many expressions of congressional intent are being carried out by the executive agencies responsible for Government procurement.

The subcommittee determined to make a full appraisal of the effect of Government programs on small business and to find methods to remedy any procedures or situations adversely affecting small business.

The subcommittee instructed the staff to make the necessary studies in the following two major areas: First, the opportunity for small business to participate in Government procurement; and second, is the full small business potential being utilized by the Department of Defense to this end?

The studies disclosed that although the Department of Defense has contended that the future for small business in Government procurement lay in the subcontracting field because of the innovation of the new complex weapons, the only protection for an equitable share of procurement for small business is still in the prime contracting field.

The prime contract field is the only area of procurement where legislative control exists over the moneys spent. In the subcontracting field there is no legislative control over the procurement dollars and there is no method established in which Congress is able to follow and

direct the procurement dollar to ascertain how much, if any, is going to small business. Investigation has established that some prime contractors will do more, some less, but there is no equality for small business. We find in the overall procurement program of the Department of Defense that the percentage of prime contracts going to small business is continuing to decline and nothing constructive is being done to overcome this decline.

Most recent statistics published by the Department of Defense on military prime contract awards to small and big firms disclose that small-business awards are still declining. In fiscal year 1959, only 16.6 percent of approximately $22,740 million being spent by the Department of Defense went to small business. The gravity of this situation can best be judged from a study of the extent to which small business' share of military prime contracts has shrunk—from a high of 25.3 percent in 1954 to 16.6 percent in 1959. There has been no indication to the Subcommittee of any improvement or any constructive activity on the part of the Department of Defense to improve this situation.

The problem of small business in the procurement field is even more aggravated by an examination of the available statistics on research and development. The figures available at this time are through May 1959. Here we find small business receiving only 3.4 percent of prime contracts in the research and development field. Cognizance must be taken of these figures because they portend a concentration of know-how into the hands of the larger manufacturers. The dominant position of these favored manufacturers may become entrenched if they are permitted to acquire a disproportionate share of the benefits of modern research and development. In recognition of this danger and in an effort to find a remedy, the 85th Congress directed the Small Business Administration to assist small business concerns to obtain the benefits of Government research and development. The figures cited above would seem to indicate that to date the action taken by that agency pursuant to the congressional directive has been ineffective, but perhaps the agency has not been given sufficient time to bring about the improvements needed. This committee, however, will continue to watch developments in the hope that soon the Small Business Administration will be able to implement effectively the congressional intent set forth so clearly in the Small Business Act of 1958.

The Department of Defense professes that everything possible is being done to permit small business to participate in Government procurement, particularly under the weapons system concept. However, an analysis of the percentage of contracts going to small business indicates the need for improvement. The small business potential is not being utilized sufficiently by the Department of Defense or by the recipients of prime contracts. This is evident by a true evaluation of the procurement dollars spent as given above.

The staff of the subcommittee held conferences with officials of the Department of Defense and other civilian Government procurement agencies concerning the difficulties encountered by small business in Government procurement. Complaints referred to the subcommittee from small business concerns having difficulties in the field of Government procurement were investigated and documented. Despite the efforts of Congress, despite the assurances from the highest echelons of the Department of Defense, the opportunity for small business continues to decline because apparently proper implementation of the small business programs in the Department of Defense are not being carried out by either the contracting or procuring officers in the field. The subcommittee believes that there should be more joint determinations for set-asides for small business, more small business concerns placed on the qualified bidders' lists, more small business concerns considered in the planned procurements, and more small business concerns utilized in mobilization-type procurements.

Available statistics would indicate that for the fiscal year 1958 there were joint set-asides in both the military and civilian programs for small business of $1,062,454,031. In fiscal year 1959, the set-asides for both civilian and military procurement were $1,142,625,361. It is encouraging to see this increase in set-asides for small business. However, greater efforts, greater emphasis and more activity in this program would help small business.

The subcommittee has continually urged the Department of Defense to increase its purchasing through the advertised, competitive method wherein small business will have equal and more equitable opportunity to compete with big business. The subcommittee has found that under the negotiated method of purchase, so widely utilized by the Department of Defense, small business has had less of an opportunity to compete and has received a smaller percentage of the contracts.

The staff was directed to place particular emphasis in its studies and inquiries in the following areas:

First. The protection of proprietary rights of small-business concerns who develop items at their own expense.

Second. The continued use and increase of the negotiated method of procurement rather than the advertised, competitive method. The improvement of bidding procedures to guarantee that small business will receive full bid sets, including specifications, drawings, amendments, and so forth, in ample time to permit submission of responsible bids.

Third. The use of restrictive language in specifications which precludes small business from having an equal opportunity to compete.

Fourth. Qualified bidders' lists, planned procurements, and mobilization-type of procurement which exclude small business from an opportunity to compete for Government business.

Fifth. The alleged unfair competition of post exchange systems, ships' stores, and commissaries with small business.

Sixth. The activity of the Government procurement agencies in the joint-determination and set-aside program to determine if sufficient emphasis has been placed upon this program to guarantee maximum effort of utilizing the true small-business potential in this program.

Seventh. Examination of the activities by the procuring agencies in the problem of the issuance of certificates of competency and certificates of small business to determine whether small business is receiving a fair and equitable treatment and to guarantee that when small-business concerns are low bidders that they receive the contracts.

In connection with the studies by the staff, several cases were brought to the subcommittee's attention and the subcommittee was able to effect financial savings to the Government in several instances. In connection with a single purchase of radar systems by the Department of the Navy, a saving of $750,000 was effected. In connection with a procurement of a radiac system, again on a single purchase, a saving of $158,000 was effected.

Through the intercession of the subcommittee, a new policy has been established by the Government procurement agencies which now prevents the preclusion of small-business firms from bidding on negotiated procurements. As a result of the subcommittee action, procurement of radar systems by the Department of the Navy is now being made through the formal, competitive method rather than through negotiation, as formerly utilized. This has served to benefit the agency and to increase the efficiency of the procurement.

The subcommittee has developed information disclosing that good procurement administration was not being followed by the procurement agencies. As a result of the subcommittee intercession, the Comptroller has requested a reconsideration of the policy in regard to Government-furnished components by the procurement agencies. The subcommittee action led to adoption of a new policy by procurement agencies whereby small-business firms wishing to submit proposals are now afforded a more equitable opportunity to compete.

The staff, under the direction of the subcommittee, has conferred with the staff of the House Armed Services Committee concerning problems of small business in connection with post exchange systems, ships' stores, and commissaries. Numerous complaints have been received by the subcommittee in this area on the following problems: First, the alleged unfair competition by the PX's and commissaries with small-business concerns; and second, the lack of opportunity for small-business concerns to sell their merchandise to the PX's and commissaries.

Through the procurement practice of using qualified bidders' lists, lists of preferred bidders, negotiated procurement, and planned- or mobilization-type procurement, small business has been denied

the opportunity to bid, and thereby, denied an opportunity of becoming eligible for certificates of competency.

The Small Business Administration can issue a certificate only when a small-business firm is permitted to bid, is the low bidder, and is rejected by the purchasing agency because of lack of capacity or credit. In such an event, the small-business concern is eligible to apply for a certificate. Recently, the Comptroller General of the United States has reviewed this problem and determined that the elements of responsibility relating to the ability to perform, experience, know-how, and technical knowledge are included within the certificate of competency. This decision by the Comptroller General clarified the interpretation of the words "capacity and credit" and confirmed the opinion of the subcommittee that certificates of competency concerning the capacity and ability of small-business firms to perform a specific contract when issued by the Small Business Administration are conclusive.

Again, it was through the intercession of the subcommittee that a small-business concern after having received a certificate of competency was assisted in obtaining an award to which it was entitled. The subcommittee is convinced that continual vigilance is necessary in this area in order to guarantee an equitable opportunity for small-business concerns to participate in Government procurement.

In planning for future hearings, the subcommittee deems it important that small-business firms in the field be given an opportunity to tell their story to Congress. It is, therefore, contemplated that hearings may be held in the field. The subcommittee also deems it necessary not to neglect the vast field of opportunity in the subcontracting programs of prime contractors and plans to conduct on-the-spot surveys of the subcontracting programs of the major prime contractors. The subcommittee, therefore, has directed the staff to continue its studies of Government procurement in order to assure that small business is not precluded from an equitable opportunity to participate in the Government procurement program.

SUBCOMMITTEE NO. 3 ON FOREIGN TRADE, FOREIGN AID, AND BASIC METALS

Upon completion of the organization of the House Small Business Committee, Subcommittee No. 3 was appointed and organized with Representative SIDNEY R. YATES as chairman and Representative JOE L. EVINS, Representative ABRAHAM J. MULTER, Representative ARCH A. MOORE, JR., and Representative ALBERT H. QUIE as members. On May 14, 1959, Representative QUIE resigned from the committee and on July 28, 1959, Representative EDWARD J. DERWINSKI was appointed to fill the vacancy. The subcommittee was assigned the following general jurisdiction: Foreign trade, foreign aid, and basic metals.

In view of the terrific impact of the foreign trade and foreign aid programs on the American economy, the subcommittee determined to place particular emphasis during this Congress on the economic impact of these programs on small business.

With billions of dollars being spent on foreign trade programs, it was deemed necessary to inquire whether small business has been a beneficiary under the various programs conducted by the various Federal agencies and international agencies in which the U.S. Government is a major participant.

In the studies made by the subcommittee to date, it would appear that small business has not taken advantage of the profit potential in the foreign trade market and the opportunities for expansion in international trade. The subcommittee determined to learn the reasons for the failure of small business to participate in these programs.

Under the direction of the subcommittee, the staff conducted informal conferences in preparation for public hearings with the Government agencies responsible for the administration of foreign trade and foreign aid programs to determine, first, the present participation by small business in the programs of these agencies; second, the future potential of the participation by small business; and third, what improvements are necessary to improve the position of small business in these programs?

The subcommittee desired to receive information to determine whether the failure to participate by small business was due to unfamiliarity with the channels of international trade or with the inducements offered by foreign investments, or the failure of the responsible Government agencies to properly disseminate the necessary information to small business.

On July 14–15, 1959, public hearings were held by the subcommittee in Washington, D.C. The subcommittee sought to learn from the Government officials testifying at these hearings the extent of their activities on behalf of small business, the degree of participation of small business in foreign trade, the potential participation of small business in this field, and suggested corrective measures which are necessary to improve the position of small business in international trade and commerce.

The following governmental agencies participated in the hearings: Department of Commerce, Export-Import Bank, Development Loan Fund, International Cooperation Administration, and the Small Business Administration.

Substantial purchases have been made by American companies in foreign plants and private American investments abroad are continually increasing. The subcommittee deemed it necessary to learn the full consequences of the investment of American capital abroad in order to protect the interests of small business. It is important to determine whether opportunities exist in the foreign trade markets for small business and also to determine what the obstacles are that preclude small business participation.

The hearings held July 14–15, 1959, were the first phase of the studies to be made by the subcommittee. The hearings have been printed and widely distributed. Congressional interest in this subject is strong. Congressional intent has been demonstrated by section 504 of the Mutual Security Act which specifically provided that American small business was to be assisted in participating equitably in the mutual security program. Information was to be made available to suppliers in the United States and particularly to small, independent enterprises as far in advance as possible with respect to purchases and to make available to prospective purchasers in the nations receiving assistance information concerning small business.

The impact of all these programs on the American economy is apparent when the available statistics are examined. Approximately $35 billion has already been spent by this country on the mutual security program in the last 10 years. Of that total, approximately $26 billion has been spent in this country. It is necessary that the market potential of small-business concerns in the oversea market be improved.

The staff, under the direction of the subcommittee, is now preparing for future hearings at which testimony will be received from small-business concerns participating in export trade and from small-business concerns which have had difficulty in entering the export field. A letter of inquiry has been circulated to a select group of organizations in an effort to obtain specific information from firms engaged in international trade on their practical experiences. To date the replies received by the subcommittee have been gratifying and are presently being evaluated by the staff. Plans are also being formulated by the subcommittee for possible hearings at various port cities at which time small-business concerns will be given an opportunity to testify.

During the 85th Congress, Representative CHARLES H. BROWN, as chairman of a Subcommittee on Small Business Problems in the Poultry Industry, held a series of hearings at which important information was developed concerning, among other things, methods by which foreign acceptance of American broiler meat could be stimulated. At hearings held by Subcommittee No. 3 during July of this year, further testimony relating to export of U.S. broilers was developed. As a result of these hearings and in response to the invitation of Representative YATES, chairman of Subcommittee No. 3, Representative BROWN presided at a conference with representatives of the Department of Agriculture, Department of State, Export-Import Bank, and the International Cooperation Administration. This conference was held on September 3, 1959. The specific purpose of the conference was to generate activity by the executive branch of the Government that would lead to an increase in exports of U.S. broilers, turkeys, and eggs; to help American poultry men break through the trade barriers, refrigeration problems and other blocks that now restrict poultry exports. The conference led to the formation of a task force composed of representatives of the above-named Government agencies and officials of the poultry industry. This task force has been instructed by Rep-

resentative BROWN to report back to the Small Business Committee within the next 6 months.

SUBCOMMITTEE NO. 4 ON TAXATION

Following the organization of the committee, during the early days of the 86th Congress Subcommittee No. 4 on Taxation was created. Representative TOM STEED, Democrat, Oklahoma, was named chairman. The other Members assigned to the subcommittee were Representative ABRAHAM J. MULTER, Democrat, New York; Representative JAMES ROOSEVELT, Democrat, California; Representative H. ALLEN SMITH, Republican, California; Representative ALBERT H. QUIE, Republican, Minnesota. Due to the resignation of Representative QUIE from the committee on May 14, 1959, Representative EDWARD J. DERWINSKI, Republican, Illinois, was made a member of the House Small Business Committee on July 28, 1959, and was assigned to Subcommittee No. 4.

At the time of its creation, it was noted that Subcommittee No. 4 would conduct studies regarding the effects of the small business tax relief provisions contained in the Technical Amendments Act—Public Law 85-866—to determine what additional tax relief measures should be considered to stimulate the small business segment of the economy. In that connection, it had been noted that in reporting the bill which became the Technical Amendments Act, the Ways and Means Committee had announced that such legislation was not intended to provide for a disposition of all of the small business problems in the area of Federal taxation. Thereafter, the Select Committee on Small Business in its final report on January 3, 1959—85th Congress, House Report No. 2718—recommended that legislation be considered and enacted by the 86th Congress which would provide that in the case of any person engaged in trade or business there shall be allowed as a deduction for the taxable year an amount equal to at least a part of the additional investment, and thereby provide for additional tax relief for small business.

At the opening of the first session of the 86th Congress, the Honorable FRANK IKARD, Democrat, of Texas, a member of the Ways and Means Committee, introduced H.R. 2 to provide an additional program of tax adjustment for small business. That bill provides that in the case of any person engaged in a trade or business there shall be allowed as a deduction for the taxable year an amount measured by the additional investment in such trade or business for the taxable year up to 20 percent of the additional investment or $30,000, whichever is the lesser. Subsequently, the Honorable TOM STEED, Democrat, of Oklahoma, chairman, Subcommittee No. 4 of the House Small Business Committee, introduced H.R. 8604, containing provisions identical to the provisions of the Ikard bill. Representative ROOSEVELT, a member of the subcommittee, also has introduced an identical bill H.R. 6941.

Representative STEED has proceeded with his study and review of the problem of small business and taxation with a view to determining when and what hearings should be held by the subcommittee dealing with this subject. In that connection, he addressed the House on August 10, 1959—CONGRESSIONAL RECORD, page 15381—stating:

Existing tax laws must be revised to give small business room to breathe and expand.

Also, he pointed out that many Members of the House desired to aid small business and have submitted bills incorporating the reinvestment of earnings or plowback plan previously recommended by the House Small Business Committee and as contained in H.R. 2, the Ikard bill.

The Small Business Committee, and especially Subcommittee No. 4, is continuing its examination of this problem and has been closely following the trend of events in order to report to the House the pertinent facts, and to suggest meaningful remedies.

SUBCOMMITTEE NO. 5 ON DISTRIBUTION PROBLEMS AFFECTING SMALL BUSINESS

Subcommittee No. 5 of the House Small Business Committee is under the chairmanship of Representative JAMES ROOSEVELT. Its other members are Representative TOM STEED, Democrat, Oklahoma; Representative CHARLES H. BROWN, Democrat, Missouri; Representative ARCH A. MOORE, JR., Republican, West Virginia; and Representative WILLIAM H. AVERY, Republican, Kansas. This subcommittee is concerned with distribution problems of small business. Three areas have been of particular interest to the subcommittee during this past 8-month period: First, the petroleum industry; second, the opening of a study of problems of small business in the food industry; and third, the problems facing the small composers and publishers of musical compositions.

At the completion of the subcommittee's investigation in 1957 of the petroleum industry, an interim report outlined the more serious problems which had been discovered, and suggested that in the following year the industry itself attempt to correct some of these problems. During the current session of Congress, a questionnaire has been sent to the major oil companies, and to representative associations of small business retailers and jobbers in the petroleum industry to see what, if any, progress has been made.

Responses were received from the majority of the oil companies, and from associations of retailers from every part of the country.

Of particular interest to the subcommittee was the current situation as it related to small businesses, in dealer-supplier panel discussions, which permitted the problems of both to be aired in a friendly and cooperative atmosphere. Comments also were received on the reported pressure of major oil companies on retail outlets to carry their exclusive brands of tires, batteries and oil.

Questions were asked regarding the so-called overbuilding by the major oil companies and the effect of this on small businesses which are already in operation.

Of major interest was the response to questions about alleged price wars and their cause and effect. In addition to voluminous material which was submitted with the questionnaires in answer to this question, a great deal of daily mail has been received by the subcommittee about the alleged price wars which continue in all parts of the Nation.

The subcommittee was interested in the status of what is referred to as the commission type gasoline stations which are by their very nature maintained under close supplier supervision and control by the major oil companies.

Information was also requested which would permit analysis of the amount of turnover among the small operators of retail gasoline stations during the past year. This is, of course, a key to the stability of the industry, and a matter of tremendous concern to members of the Small Business Committee.

The information submitted to the subcommittee by the respondents to the questionnaire will be valuable as a guide to determining the conduct of hearings which may take place later in the year. Questions which should be explored further can be brought up during the hearings with informed witnesses.

The entire industry has been most cooperative with the subcommittee in its investigation thus far, and it is anticipated that as a result of this cooperation, constructive suggestions can be made to alleviate some of the small business problems which now exist in the petroleum industry.

Hailed as one of the most important studies of the food industry since Representative WRIGHT PATMAN'S 1935 study, "Big Scale Buying and Selling," which was completed just prior to the passage of the Robinson-Patman Act, the study of distribution problems of small business in the food industry by Subcommittee No. 3 is developing into a full-fledged investigation of food chain operations.

Initiated because of complaints received from small businessmen in the food industry concerning economic concentration of power in the hands of a few giant chains, the study covers food distribution problems from the farmer to the grocer's shelves.

One purpose of the subcommittee's study is to investigate the cause of mergers, and their resultant effect. Another purpose is to investigate the discriminatory practices which have been alleged by small operators to cause them serious economic problems.

The opening of the investigation was held in Washington with 8 days of testimony from 28 representatives of almost all segments of the food industry. Federal agencies were requested to present statistical information which expressed the importance of the food industry in our Nation's economy. The subcommittee learned that the food industry is the largest single economic segment in our country. Of particular interest to the subcommittee, however, was the information that of the 370,000 food stores in existence today, about 12 percent of them do 70 percent of the business.

Witnesses gave many examples of the distribution problems faced by small business in this gigantic industry. Evidences of economic concentration were

given about many different operations in the food field.

As a result of these hearings, further public hearings were planned to permit a more detailed inquiry into specific problems which were outlined to the committee. It is proposed that the subcommittee have an on-the-scene investigation in certain areas of the country in which discriminatory practices were described as particularly flagrant.

It was during the food hearings that the subcommittee had the opportunity of calling to the public's attention the proposed discontinuance of lamb grading by the Department of Agriculture. Following the information presented by a witness representing small operators in the meat packing industry, the subcommittee requested a representative of the Secretary of Agriculture to appear before them to explain the reasons why the Department was considering discontinuing a Federal service which was self supporting, and of great value to both the small meat operators and the consumers.

The subcommittee urged the Department to give ample notification to the public of its intended action, and was gratified to learn later that the Secretary had decided to retain Federal grading of lamb.

During the 85th Congress, the subcommittee conducted an exhaustive investigation of the policies applied by the American Society of Composers, Authors, and Publishers which allegedly were proving to be unbearable by its small composer and publisher members. Hearings were held during March and April 1958 and a record of all of the evidence thusly developed was forwarded promptly to the Antitrust Division, Department of Justice. After reviewing this evidence for a few weeks, the Antitrust Division opened negotiations with ASCAP counsel regarding the acceptance of a consent decree.

The Antitrust Division had filed a complaint against the society and obtained a consent decree in 1941. A few years later it reopened these negotiations and in 1950 obtained a consent amendment to the 1941 judgment. Believing, therefore, that the Antitrust Division was familiar with ASCAP procedures, the subcommittee expected the Antitrust Division to complete the negotiations initiated in June 1958 within a few months—a belief confirmed by reports released repeatedly by the Antitrust Division.

After negotiations had continued for 6 months, however, Representative ROOSEVELT expressed his dissatisfaction over the failure of the Antitrust Division to come to a decision. On repeated occasions during the early part of 1959, he urged the Antitrust Division to expedite its action. In January, Representative ROOSEVELT wrote to the division asking for an explanation for the delay. In May 1959, 1 year after the Antitrust Division opened the negotiations, it appearing that no progress was being achieved, Representative ROOSEVELT addressed the Members of the House about the situation, pointing out to them how indecisive the actions of the Antitrust Division had been. After waiting another month and there being nothing to indicate that the Antitrust Division was making progress, the subcommittee on June 15, 1959, announced that public hearings would be held. Officials of the Antitrust Division were invited to appear and testify concerning the matter. A few days later, Antitrust officials announced that an agreement had been obtained from ASCAP to accept an amended judgment.

In connection with consent judgments in antitrust cases, Representative ROOSEVELT, on many occasions, had urged that all interested parties be given the opportunity to present views to the court or commission before the consent decree should become final. In presenting the ASCAP consent judgment to the court, the Antitrust Division requested that interested parties be given 4 months to prepare and file their views as to the merits of the new consent decree.

It appears that the foregoing constituents the first time any such procedure has been applied and in this case, it was adopted in accordance with the recommendation of the subcommittee chairman, Representative ROOSEVELT. Certainly the Hon. Robert A. Bicks, Acting Assistant Attorney General, is to be commended for his course of action in permitting the small publisher and composer members of the Society to have the opportunity of recommending to the court that the decree be accepted, rejected or modified.

Since publication of the terms of the consent decree, the subcommittee has received many letters from the small composers and publishers asserting that it will provide no relief from the alleged oppressive and unfair policies of the Society. The staff of the subcommittee has conferred with various ASCAP members and is reviewing the provisions of the decree in order to determine whether it will remove the inequities and burdens allegedly threatening the continued existence of these smaller firms. Further hearings are possible.

SUBCOMMITTEE NO. 6 ON ADVERTISING AND GROWTH OPPORTUNITIES FOR SMALL BUSINESS

Subcommittee No. 6 is under the chairmanship of Representative CHARLES H. BROWN, Democrat, Missouri. The other members are Representative JOE L. EVINS, Democrat, Tennessee; Representative SIDNEY R. YATES, Democrat, Oklahoma; Representative WILLIAM H. AVERY, Republican, Kansas; and Representative HOWARD W. ROBISON, Republican, New York. This subcommittee is investigating the advertising and growth opportunities for small business and is in the midst of a serious study to see whether the small businessman is getting his fair share of advertising in the far-reaching showcase of television.

With the advance of television as the new American phenomena—a miniature stage that dominates living rooms across the Nation—it looms today as one of the most desirable showcases in which big and little businesses can show their wares. On national TV advertising, audiences across the whole United States can be reached and see the same product, on glittering display, almost simultaneously.

TV's advance into the news field alone—far surpassing anything radio was able to do, and now making inroads into a field formerly held exclusively by newspapers—has shown its advertising advantages.

Much more frequently in this fast-paced world, the general public is getting its news—in convenient capsule form—from its television news broadcasts, rather than the traditional long perusals of its newspapers. With its dinnertime news, and the late evening news, the public also sees some of the best advertising in the country.

And in between the Nation's favorite programs, the playhouses, the spectaculars, the top comedies and the extravagant variety shows, the public also sees products that it might never, otherwise, consider on its next trip to the market. It pays to advertise. And never before has it been done so lavishly.

For this reason, there has been a surge of applicants for TV's advertising time, and particularly for its prime time—the period between 7 and 10:30 in the evening when it commands its greatest listening audience.

More and more, recently, the small business advertiser, or the advertising agencies who handle small business accounts, are voicing the opinion that the small businessman cannot get his advertising on television, particularly during "prime time," even if he is willing to pay top prices. They contend, and perhaps with some justice, that television stations, including the limited number of network stations, are making big business firms their preference customers.

The subcommittee, investigating these allegations, has talked to advertising men, Government agencies, including the Federal Trade Commission and the Federal Communications Commission, broadcasting organizations, trade groups, and the advertisers themselves.

Small advertisers have told the subcommittee chairman that the contracts and options taken by big business were made available by television stations because television executives, like all good businessmen, realized that big business would consistently spend more for TV advertising, would be a big year-round customer, would take long-term contracts, would therefore be a 12-month source of large income for TV.

Small advertisers feel, in some instances, that the advertising on TV was obtained in under-the-counter maneuvers which prevented the small businessman from having access to availability lists. This development, of course, meant that the small businessman was precluded from even attempting to purchase "prime time."

The subcommittee, anxious to hear both sides on every question, has been endeavoring to contact all possible sources of information on the subject. It hopes eventually to document its findings so that every detail of the overall picture will be fairly presented.

Just now the subcommittee is swinging into more detailed research and investigation, trying to contact advertisers and agencies, stations, and television men who will give a much larger picture on the subject.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DINGELL, for Monday, September 14, 1959, on account of personal business.

Mr. WEAVER (at the request of Mr. HALLECK), for 10 days, on account of official duties as member of House Committee on Appropriations.

Mr. VINSON, for 10 days, on account of personal business.

Mr. BROWN of Ohio (at the request of Mr. BOW), for Monday, September 14, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, for 10 minutes, today, and on Monday.

Mr. SIKES (at the request of Mr. MATTHEWS), for 20 minutes, on Monday next.

Mrs. PFOST, for 10 minutes, today, and to revise and extend her remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DORN of South Carolina in two instances and to include extraneous matter.

Mr. OLIVER and to include extraneous matter.

Mr. LATTA.

Mr. MCCULLOCH.

Mrs. BOLTON and to include extraneous matter.

Mr. PHILBIN and to include extraneous matter.

Mr. GRIFFIN and to include extraneous matter.

Mr. MCGINLEY and to include extraneous matter.

To the following Members (at the request of Mr. HOEVEN) and include extraneous matter:

Mr. KEARNS.

Mr. PILLION.

Mr. KNOX.

Mr. SIMPSON of Pennsylvania.

Mr. BETTS.

(At the request of Mr. HARMON, and to include extraneous matter, the following:)

Mr. FASCELL.

SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTIONS REFERRED

Bills, a joint resolution, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1697. An act to amend the Mutual Defense Assistance Control Act of 1951; to the Committee on Foreign Affairs.

S. 2282. An act to amend the act of July 17, 1952; to the Committee on Ways and Means.

S. 2327. An act to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 2481. An act to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2628. An act to establish the United States Study Commission on the Development of the Rivers, Ports, and Drainage Basins (and intervening areas) of the State of Alaska; to the Committee on Public Works.

S. 2632. An act to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which threaten the oyster industry on the east coast; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 93. Joint resolution designating the first Sunday of June of each year as "Shut-Ins' Day"; to the Committee on the Judiciary.

S. Con. Res. 11. Concurrent resolution to invite friendly and democratic nations to consult with countries of South Asia; to the Committee on Foreign Affairs.

S. Con. Res. 75. Concurrent resolution favoring active participation by Federal agencies in the Fifth International Congress on High-Speed Photography to be held in Washington, District of Columbia, in 1960; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 2090. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2390. An act for the relief of the city of Madeira Beach, Fla.;

H.R. 2631. An act for the relief of the estate of Nathaniel H. Woods, deceased.

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 2978. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H.R. 3096. An act for the relief of Peony Park, Inc., and others;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3180. An act to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress;

H.R. 3410. An act for the relief of Mrs. Leonard O. Erickson;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 4656. An act to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property;

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, Eighty-fourth Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster;

H.R. 4839. An act for the relief of Peter F. de Ullmann;

H.R. 4894. An act for the relief of the Georgia Kaolin Co.;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia, with respect to a certain part of the boundary between such States;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartanouche Kalfayan;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8199. An act for the relief of James J. Manning;

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois; and

H.J.Res. 477. Joint resolution relating to the exclusion of certain aliens.

ADJOURNMENT

Mr. HARMON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 39 minutes p.m.) the House adjourned until Monday, September 14, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1373. A letter from the Administrator, General Services Administration, transmitting a report providing information on contracts negotiated for experimental, developmental, or research work during the 6-month period ending June 30, 1959, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

1374. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to provide a criminal penalty for claiming a false or fraudulent deduction for exemption, and for other purposes"; to the Committee on Ways and Means.

1375. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of such aliens; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee of conference. H.R. 9035. A bill to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes (Rept. No. 1183). Ordered to be printed.

Mr. FOUNTAIN: Committee of conference. H.R. 6904. A bill to establish an Advisory Commission on Intergovernmental Relations (Rept. No. 1184). Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report on regulation of D.C. Transit System, Inc.; without amendment (Rept. No. 1185). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 9229. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. CHENOWETH:

H.R. 9230. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Colorado:

H.R. 9231. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Colorado:

H.R. 9232. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 9233. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer to deduct for income tax purposes certain special assessments and other charges made against him or his property under local law without regard to whether they tend to increase the value of such property; to the Committee on Ways and Means.

By Mr. FERNÓS-ISERN:

H.R. 9234. A bill to provide for amendments to the compact between the people of Puerto Rico and the United States; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H.R. 9235. A bill to create a Susquehanna Watershed Commission, and for other purposes; to the Committee on Public Works.

By Mr. FULTON:

H.R. 9236. A bill to save and preserve, for the public use and benefit, a portion of the remaining and undeveloped shoreline area of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9237. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HUDDLESTON:

H.R. 9238. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 9239. A bill to authorize and direct the Secretary of the Army to convey certain property to the city of Battle Creek, Mich.; to the Committee on Armed Services.

By Mr. MACK of Illinois:

H.R. 9240. A bill to amend the Tariff Act of 1930 to authorize informal entries of merchandise where the aggregate value of the shipment does not exceed $400; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 9241. A bill to amend the Civil Service Retirement Act to include as creditable service certain service performed in the employ of a State or instrumentality thereof; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of South Carolina:

H.R. 9242. A bill to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General; to the Committee on Armed Services.

By Mr. ROBERTS:

H.R. 9243. A bill to amend title III of the Public Health Service Act to establish a National Accident Prevention Center; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMPSON of Pennsylvania:

H.R. 9244. A bill to amend the Internal Revenue Code of 1954 to provide rules for the determination of manufacturers sale prices, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON:

H.J. Res. 532. Joint resolution to amend the pledge of allegiance to the flag of the United States of America; to the Committee on the Judiciary.

By Mr. SMITH of Mississippi:

H.J. Res. 533. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

H. Con. Res. 441. Concurrent resolution to commend Project Hope as another step forward in increasing good will throughout the world; to the Committee on Foreign Affairs.

By Mr. FULTON:

H. Res. 391. Resolution to authorize payment from the contingent fund of the House for procurement of a marble bust of Speaker SAM RAYBURN of Texas, and for other purposes; to the Committee on House Administration.

H. Res. 392. Resolution to authorize payment from the contingent fund of the House for procurement of a marble bust of former Speaker JOSEPH W. MARTIN, JR., of Massachusetts, and for other purposes; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOSCH:

H.R. 9245. A bill for the relief of Emilia and Salvatore Chiarello; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 9246. A bill for the relief of Elsie M. Williams; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 9247. A bill for the relief of certain additional claimants against the United States who suffered personal injuries, property damage, or other loss as a result of the explosion of a munitions truck between Smithfield and Selma, N.C., on March 7, 1942; to the Committee on the Judiciary.

By Mr. FULTON:

H.R. 9248. A bill to authorize the Honorable WILLIAM A. BARRETT and the Honorable JAMES G. FULTON, Members of the House of Representatives, to accept and wear the Order Al Merito della Repubblica Italiana tendered by the Government of the Republic of Italy; to the Committee on Foreign Affairs.

By Mr. GRIFFIN:

H.R. 9249. A bill for the relief of Marlene A. Grant; to the Committee on the Judiciary.

By Mr. LEVERING:

H.R. 9250. A bill for the relief of Dr. Sinclair N. C. Chen; to the Committee on the Judiciary.

By Mr. PILLION:

H.R. 9251. A bill for the relief of Hsi-Mao Chen; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 9252. A bill for the relief of Mrs. Anna Caporossi Crisconi; to the Committee on the Judiciary.

By Mr. RIVERS of South Carolina:

H.R. 9253. A bill for the relief of Lt. Gen. Verne J. McCaul; to the Committee on Armed Services.

By Mr. McGINLEY:

H.J. Res. 534. Joint resolution for the relief of the Burnham Chemical Co., a Nevada corporation; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

281. By Mr. BALDWIN: Petition of the Federated Indians of California for a redress of grievances; to the Committee on Interior and Insular Affairs.

282. By the SPEAKER: Petition of Ray H. Meyer, Batesville, Ind., relative to a redress of grievance, and requesting passage of a bill for the relief of Ray H. Meyer; to the Committee on the Judiciary.

283. Also, petition of David Johnson, Draper, Utah, relative to a redress of grievance, and requesting relief from prison; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Impact of Federal Spending on the Economy and Welfare of the People of the State of New York

EXTENSION OF REMARKS
OF

HON. JOHN R. PILLION

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. PILLION. Mr. Speaker, the Republican Members of the House of Representatives from the State of New York are increasingly concerned with the harmful impact of Federal spending upon the economy and the general welfare of the people of the State of New York.

There is extensive unemployment in the State of New York. Federal defense spending has increased on the west coast, while New York State has suffered substantial cutbacks in this area. Federal aid programs increasingly siphon taxes from the people of the State of New York for redistribution to other States. The channeling of wealth out of the State of New York into other areas of the Nation is unjust per se. This process also tends to increase total taxes for New York business and allows other States to attract new industry and New York State industry with State and local tax reduction inducements.

In May 1959, the members of the Republican delegation from the State of New York unanimously agreed to request the Library of Congress to compile the pertinent facts to be used as a basis for remedial measures. The members of the Republican delegation from the State of New York are: JOHN TABER, CLARENCE E. KILBURN, DEAN P. TAYLOR, R. WALTER RIEHLMAN, KATHARINE ST. GEORGE, WILLIAM E. MILLER, HAROLD C. OSTERTAG, J. ERNEST WHARTON, FRANK J. BECKER, ALBERT H. BOSCH, STEVEN B. DEROUNIAN, FRANCIS C. DORN, PAUL A. FINO, JOHN R. PILLION, JOHN H. RAY, STUYVESANT WAINWRIGHT, EDWIN B. DOOLEY, HOWARD W. ROBISON, ROBERT R. BARRY, SEYMOUR HALPERN, JOHN V. LINDSAY, ALEXANDER PIRNIE, JESSICA McC. WEIS, and CHARLES E. GOODELL.

On July 29, the Library of Congress submitted its report to this group. This study is confined to fiscal year 1958, ending June 30, 1958. The following extracted data glaringly points up the systematic Federal extraction of the wealth and earnings out of New York State's citizens:

New York's percentage of the Nation's population: 9.5 percent.

Percentage of Federal tax collected in New York State: 19.52 percent.

Federal tax revenues, fiscal year 1958: $76.06 billion.

Federal taxes paid by New York State, adjusted on the basis of the origin of tax: $10.1 billion.

Percentage of Federal tax paid by New York State on basis of origin of tax: 13.28 percent.

Total Federal expenditures, 1958: $80.49 billion.

Federal expenditures and grants 1958 for New York State: $7,565 billion.

Percentage of Federal expenditures and grants 1958 for New York State: 9.40 percent.

Net loss in 1958 to New York State—difference between tax revenues paid by origin and Federal expenditures plus grants to New York State: $2.45 billion.

The net loss of $2.45 billion amounts to the payment by each man, woman, and child in New York State of about $155 more in Federal taxes than the average citizen of the United States. This huge sum of $2.45 billion is more than the annual total tax revenues of the State of New York. It amounts to an overpayment to the Federal Government by the citizens of New York State of an amount more than the total New York State tax.

FEDERAL GRANTS-IN-AID

New York State is particularly and severely penalized in the field of Federal grants-in-aid. The expansion of this type of Federal activity is a most serious threat to the economy and the political well-being of the State of New York.

Federal grants-in-aid in the year 1925 amounted to $124 million. Federal grants-in-aid in 1958 totaled $7.42 billion, an increase of 6,000 percent over the space of 33 years.

In 1958, Federal aid payments in New York State were $482 million out of the national figure of $7.42 billion. The percentage receipts for New York State is 6.5 percent as compared to its population of 9.5 percent and its taxpayments—by origin—of 13.28 percent.

There are 105 different grants-in-aid. Each of them have different formulas or criteria for the distribution of Federal funds. There is no uniform or central rationale or objective.

In practical effect, Federal aid is socialization on the State level. Wealth and earnings are siphoned off from one group of States and redistributed to other States.

CONCLUDING REPORT

The Republican Members of the House representing the State of New York express their gratitude to the Library of Congress and particularly to the members of the staff who worked so diligently on this thorough and exhaustive report.

A concluding report is expected to be submitted by the Library of Congress in January 1960. This report will gather the statutes, formulas, rules, regulations, and policies relating to the allocation and expenditures of Federal funds to States or other geographic areas.

Summarizing, tables I and II of this report are presented:

TABLE I.—*Estimates of Federal tax revenues by State of origin and expenditures by State of recipient or activity, fiscal year 1958*

State	Aggregate		Amount per capita		Amount per $1,000 of personal incomes [1]		State	Aggregate		Amount per capita		Amount per $1,000 of personal incomes [1]	
	Tax revenue by State of origin (see table III)	Expenditures by State of recipient or activity (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)		Tax revenue by State of origin (see table III)	Expenditures by State of recipient or activity (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)
Continental United States (total)	*Millions* $76,063	*Millions* $80,490	$447	$469	$220	$233	Iowa	*Millions* $966	*Millions* $887	$347	$316	$191	$176
							Kansas	761	1,465	362	695	199	384
							Kentucky	844	1,091	277	356	202	262
							Louisiana	966	1,079	315	349	201	225
Alabama	795	1,244	251	390	191	298	Maine	359	455	382	481	229	290
Arizona	431	603	400	543	217	303	Maryland	1,372	2,094	474	716	220	335
Arkansas	410	624	230	352	201	307	Massachusetts	2,575	2,687	533	555	227	246
California	7,671	9,653	553	684	218	275	Michigan	3,580	2,800	465	360	214	168
Colorado	723	918	435	544	217	275	Minnesota	1,305	1,103	393	330	212	180
Connecticut	1,563	1,503	689	656	246	237	Mississippi	385	668	178	307	184	319
Delaware	417	244	961	549	348	203	Missouri	1,840	1,867	434	439	223	226
District of Columbia	534	1,097	652	1,333	256	525	Montana	255	281	379	414	202	223
Florida	2,004	1,999	476	462	267	266	Nebraska	522	547	363	378	198	207
Georgia	1,102	1,664	292	438	204	308	Nevada	166	160	634	605	257	248
Idaho	234	227	363	347	224	217	New Hampshire	250	269	437	465	235	253
Illinois	5,289	4,268	545	436	224	181	New Jersey	3,054	2,869	544	505	217	204
Indiana	1,775	1,804	394	397	195	198	New Mexico	280	512	345	618	200	366

See footnotes at end of table.

TABLE I.—*Estimates of Federal tax revenues by State of origin and expenditures by State of recipient or activity, fiscal year 1958*—Continued

State	Aggregate		Amount per capita		Amount per $1,000 of personal incomes [1]		State	Aggregate		Amount per capita		Amount per $1,000 of personal incomes [1]	
	Tax revenue by State of origin (see table III)	Expenditures by State of recipient or activity (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)		Tax revenue by State of origin (see table III)	Expenditures by State of recipient or activity (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)	Tax revenue (see table IV)	Expenditures (see table VII)
	Millions	*Millions*						*Millions*	*Millions*				
New York	$10,101	$7,565	$625	$467	$247	$185	Texas	$3,484	$4,402	$380	$475	$213	$269
North Carolina	1,219	1,601	273	355	206	270	Utah	291	385	347	451	202	267
North Dakota	190	214	294	330	205	232	Vermont	151	130	408	349	241	207
Ohio	4,437	3,972	482	428	214	191	Virginia	1,318	2,539	344	654	209	403
Oklahoma	773	1,067	342	470	210	290	Washington	1,179	2,062	433	751	204	356
Oregon	711	610	408	347	210	180	West Virginia	591	534	301	272	193	174
Pennsylvania	5,325	4,472	484	404	228	192	Wisconsin	1,611	1,326	417	340	217	179
Rhode Island	406	501	474	579	237	292	Wyoming	143	174	450	546	221	271
South Carolina	529	899	223	377	189	322	Alaska [2]	66		311		115	
South Dakota	194	258	279	371	180	240	Hawaii [2]	223		363		203	
Tennessee	981	1,096	285	317	205	225							

[1] In the supporting tables, these amounts are expressed as percentages of personal incomes.

[2] Not included in total or average for continental United States. The expenditure estimates apply only to the continental area (48 States and the District of Columbia).

TABLE II.—*Percentages and index numbers for estimates of Federal tax revenues, by State of origin and expenditures by State of recipient or activity, fiscal year 1958*

State	Estimated percent of continental United States		Index numbers (U.S. average=100)				State	Estimated percent of continental United States		Index numbers (U.S. average=100)			
	Tax revenue by State of origin (see table IV)	Expenditures by State of recipient or activity (see table VII)	Per capita amount relative to U.S. average		Amount per $1,000 of personal incomes, relative to U.S. average			Tax revenue by State of origin (see table IV)	Expenditures by State of recipient or activity (see table VII)	Per capita amount relative to U.S. average		Amount per $1,000 of personal incomes, relative to U.S. average	
			Tax revenue	Expenditures	Tax revenue	Expenditures				Tax revenue	Expenditures	Tax revenue	Expenditures
Continental United States:							Missouri	2.42	2.32	97	94	101	97
Total	100.00	100.00					Montana	.34	.35	85	88	92	96
Average			100	100	100	100	Nebraska	.69	.68	81	81	90	89
							Nevada	.22	.20	142	129	117	106
Alabama	1.04	1.55	56	83	87	128	New Hampshire	.33	.33	98	99	107	108
Arizona	.57	.75	90	116	98	130	New Jersey	4.02	3.56	122	108	98	87
Arkansas	.54	.78	52	75	91	132	New Mexico	.37	.64	77	132	91	157
California	10.08	11.99	124	146	99	118	New York	13.28	9.40	140	100	112	79
Colorado	.95	1.14	97	116	98	118	North Carolina	1.60	1.99	61	76	93	116
Connecticut	2.05	1.88	154	140	112	102	North Dakota	.25	.27	66	70	93	99
Delaware	.55	.30	215	117	158	87	Ohio	5.83	4.93	108	91	97	82
District of Columbia	.70	1.36	146	285	116	225	Oklahoma	1.02	1.33	77	100	95	124
Florida	2.64	2.48	107	99	121	114	Oregon	.93	.76	91	74	95	77
Georgia	1.45	2.07	65	94	93	132	Pennsylvania	7.00	5.56	108	86	104	82
Idaho	.31	.28	81	74	102	93	Rhode Island	.53	.62	106	124	107	125
Illinois	6.95	5.30	122	93	102	78	South Carolina	.70	1.12	50	80	86	138
Indiana	2.33	2.24	88	85	88	85	South Dakota	.25	.32	63	79	82	103
Iowa	1.27	1.10	78	68	87	75	Tennessee	1.29	1.36	64	68	93	98
Kansas	1.00	1.82	81	148	91	165	Texas	4.58	5.47	85	101	97	114
Kentucky	1.11	1.36	62	76	92	112	Utah	.38	.48	78	96	92	115
Louisiana	1.27	1.34	71	75	91	96	Vermont	.20	.16	91	75	110	89
Maine	.47	.57	86	103	104	125	Virginia	1.73	3.15	77	140	95	173
Maryland	1.80	2.60	106	153	100	144	Washington	1.55	2.56	97	160	92	153
Massachusetts	3.39	3.34	119	118	103	106	West Virginia	.78	.66	67	58	87	75
Michigan	4.71	3.48	104	77	97	72	Wisconsin	2.12	1.65	93	73	99	77
Minnesota	1.72	1.37	88	70	96	77	Wyoming	.19	.22	101	117	100	116
Mississippi	.51	.83	40	66	83	137	Alaska [1]	.09		70		52	
							Hawaii [1]	.29		81		92	

[1] Not included in total or average for continental United States.

C. D. McNamee, Great Newspaperman and Outstanding Citizen

EXTENSION OF REMARKS

OF

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. GRIFFIN. Mr. Speaker, a great newspaperman, and one of Michigan's outstanding citizens recently retired as editor of the Muskegon (Mich.) Chronicle published in the Ninth Congressional District, which I have the honor to represent. Mr. C. D. McNamee steps down after he devoted 51 years of his life earning a reputation as one of Michigan's top journalists.

Mr. McNamee's distinguished newspaper career began in 1908 with the Owosso (Mich.) Press-American. He served as a reporter and editor with the Detroit Tribune from 1911 to 1917. When he left the old Detroit Tribune 42 years ago, he joined the staff of the Muskegon Chronicle, serving first as a county and city reporter, then as associate editor beginning in 1925, and managing editor beginning in 1936, and, finally, as editor since 1950.

His many readers and those who have worked for him over the years revere and respect Mr. McNamee as a man who knows his business as a newspaperman, who is firm in his convictions, and who has never hesitated to take a forthright public position on vital issues affecting his community, State and Nation.

Throughout the period of his editorship, Mr. McNamee was eminently successful in his dedicated efforts to publish a newspaper which was interesting to read, complete in its coverage of national and local affairs, forthrightly independent in its leadership in public affairs, and highly influential not only in western Michigan but throughout the State.

In addition to the long hours which he spent at his editor's desk, Mr. McNamee always found time for great

personal sacrifices in time and effort in a wide variety of civic activities. To mention only a few of his community interests, Mr. McNamee provided outstanding leadership in the organization of the West Shore Symphony, the Muskegon Civic Theater Association, the Greater Muskegon Community Chest; he has been a tireless leader in the Boy Scouts organization; and he pioneered the establishment of the commission-manager form of city government for Muskegon.

Over the years, he has been the recipient of many honors and awards for distinguished service; for example, he received the distinguished service award of the Michigan Department of the Marine Corps League, he was cited by Temple B'nai Israel in 1952 as the outstanding Christian of the year, and, more recently, a special resolution of appreciation was adopted by the Muskegon City Commission in recognition of his leadership in successful community efforts to attract new industry to Muskegon.

A few months ago, Mr. McNamee received the annual award of the Michigan United Conservation Clubs, honoring the Muskegon Chronicle as the outstanding newspaper in the State of Michigan for its reporting of conservation news.

Mr. McNamee has been active for many years in such professional organizations as the American Society of Newspapermen, the Michigan Press Association, the Associated Press Managing Editors Association, and the University of Michigan Press Association. He served as a lecturer in the University of Michigan School of Journalism.

He has always taken a particular interest and genuine pride in the training of young journalists. His cub reporters usually found him to be a rough taskmaster at the beginning, but they soon learned that his example and demanding standards provided invaluable guidelines for their own careers.

Mr. McNamee's half-century of service as a newspaperman and civic leader stands as a record of outstanding achievement worthy of the attention and recognition of Congress.

Mr. Speaker, on behalf of my colleagues in the Congress and my constituents, I warmly extend to Mr. McNamee the wish that he may enjoy many happy years of retirement and good health.

Petroleum Industry Centennial

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. KEARNS. Mr. Speaker, the 100th anniversary of the birth of the petroleum industry in Titusville, Pa., August 27, 1859, was celebrated the week of August 23 through 29, 1959.

It was indeed a great honor to have the Honorable Arthur E. Summerfield, the Postmaster General of the United States, as the speaker on the auspicious occasion of the dedication of a new postage stamp, issued in commemoration of the drilling of the first commercial oil well by Col. Edwin Drake.

As a Member of Congress from the 24th Congressional District of Pennsylvania, I consider that it was a high tribute to my district and to the oil industry to have the Postmaster General take time out of his busy schedule to make this contribution to the success of the oil centennial.

Income Tax Deductions

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. FASCELL. Mr. Speaker, I call to the attention of my colleagues in the House a bill I introduced today to allow our taxpayers a deduction for income tax purposes for all charges levied by a municipality, county or other local government. The term "charges" refers to any tax, special assessment, fee, or other service charges which is established and imposed by the local government for the performance of a service or the provision of a local improvement, which the taxpayer has no option to reject. These public services include sewage disposal, water, garbage-trash collection, utilities, recreation, roadbuilding, welfare, and other services deemed necessary or desirable.

The need for consideration of such legislation was called to my attention by a very active civic group in my congressional district. The Opa-locka (Fla.) Civic Improvement League conducted a survey of 114 cities located in 44 States to determine what services they were providing their residents and the methods used in financing the services. Results of the survey showed some cities finance public services through general revenue collections; others by imposition of service charges for the individual items; others by a combination of both methods. In all cases, there is a wide variance in the rate of taxation or assessment; one thing they all have in common: the charge is imposed by the local government, the taxpayer having no option to reject it.

Under existing law, taxes paid which tend to increase the value of the property assessed are not deductible from income tax. On the other hand, taxes paid directly under the classification of "real property taxes"—which in some cities support all or most of the public services—are tax deductible. Therefore, in those communities where the real-property tax is substantial and there is little or no use made of the so-called service charge, fee, or assessment, the taxpayers residing therein enjoy a tax deduction for these payments. In other communities where the tax rate on real property is low and the revenue to finance public services is collected through individual service charges or fees, these residents are not allowed such a tax advantage on the theory that such taxes tend to increase the value of the property assessed. This policy penalizes the citizens of those communities where the local government is forced to levy these service charges and assessments in order to equitably distribute the cost of municipal services and public improvements.

I submit the basic theory for discriminating between these two types of charges is unrealistic and outmoded. We have witnessed in the last 20 years a tremendous mushrooming of our communities with the resultant demand for more and better roads, hospitals, sewage systems, water-supply facilities, and the like. With the wide range of revenue sources already tapped by the Federal Government, local governments are hard-pressed for taxing sources with which to provide and support such services. The service-charge method therefore has been gaining in popularity, as a means to furnish necessary and needed services and improvements.

In the interest of being fair and treating all taxpayers equitably, I feel it should make no difference to the Federal Government whether or not local service and improvements are financed under the general taxation method or the special taxation method.

Congress took a step in this direction when the law was amended in 1954 to allow a deduction for taxes assessed by special districts for debt retirement and capital purposes. To be deductible, the assessment must be levied annually at a uniform rate on the same assessed value of real property in the district, including improvements, as is used for purposes of the real property tax generally. Deduction was also allowed for the amount of local taxes properly allocable to maintenance or interest charges.

With the tremendous variance in the rate of taxation or assessment and with the different methods of collection in common use, I feel the Congress should seriously consider this legislation making all charges imposed by municipalities tax deductible. Then it will be up to each local government to collect for these functions in the manner best suited to its own individual situation.

I introduced this bill today in the hope that the Ways and Means Committee will request the appropriate governmental reports on this question and that all individuals and groups who share an interest in it, will participate in the consideration of it. The bill and this statement in support of it are necessarily broad and I would expect more definitive amendments would be made to it after consideration by the committee. While it is expected that the Treasury Department will once again voice its opposition to the bill because of the anticipated loss of revenue, I feel that justice to all taxpayers and the interest that this Government certainly has in the development of our communities will far outweigh any such objection.

Savoia Lodge, Sons of Italy

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, September 12, 1959

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a recent excerpt from the celebrated Clinton Daily Item containing remarks in part which I made at the 50th anniversary celebration of the Savoia Lodge, Sons of Italy. This occasion was one of several very well arranged programs which were formulated by the able committee in charge of the lodge's 50th anniversary celebration.

The banquet was held in the imposing edifice, the Clinton Town Hall, and was largely attended by members of the organization, their families and many of their friends, including distinguished leaders of the bar, bench, and the public service.

I felt privileged indeed to add my voice to those which were raised in praise of the lodge; its members; its illustrious history, its many contributions to the country, the vital and inspiring role which citizens of Italian ancestry have played in developing the economy, strengthening of the Nation in peacetime and defending the country in time of peril. It would take many phrases indeed to elaborate adequately upon the great achievements and loyal citizenship and service of our dear friends of Italian ancestry.

Many volumes could be written on this subject, yet I was proud on this occasion to add my humble words to many that were spoken about the contributions of this outstanding group of Americans.

The people of the rich Italian heritage are very dear to me and have been a source of constant encouragement and support. I express warm gratitude to them for their inspiring loyalty and monumental achievements.

May this great, outstanding group continue to receive choicest blessings of the good Lord. May they steadfastly move into the future reinspired and rededicated to the high ideals they exemplify.

The excerpts follow:

CONGRESSMAN PHILBIN PAYS TRIBUTE TO SAVOIA MEMBERS

Speaking at the 50th anniversary of Savoia Lodge, Sons of Italy, Saturday night, Congressman PHILIP J. PHILBIN highly extolled the contributions of that body and the Italo-American group as a whole.

"The patriotism, loyalty and achievements of people of Italian blood in war and in peace in behalf of the community, State, and Nation could never be exceeded by any other group," said PHILBIN.

"The history of this great organization in our beautiful town covers a period of marked material progress and advancement never before equaled in the entire history of the world.

"But it has been a period of great stress and turmoil as well—three bloody wars and now the cold war, an uneasy peace so-called, severely testing the fiber, stamina and courage of our people.

"It has been the hard work, honest, law-abiding, God-fearing citizenship of your group, and other fine Americans like you, your faith in and devotion to basic spiritual values of religion and patriotism that has enabled you to play such a vital, constructive role in sustaining the moral integrity and the safety and security of the Nation.

"With your great reliance in the Almighty and your high purpose and determination to preserve your ideals and rich heritage, the future of your great organization is bound to be a continued and growing contribution to Clinton and the country.

"I heartily congratulate and compliment you and wish for you all very many happy, glorious, successful years of service to your fellow man and devotion to our great Nation."

Monetary Gimmicks Are No Substitute for Fiscal Integrity

EXTENSION OF REMARKS
OF
HON. JACKSON E. BETTS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, September 12, 1959

Mr. BETTS. Mr. Speaker, in the last three decades the United States has spent itself into a position of impending financial crisis. That crisis is inevitable only if we disregard the warning signs, continue the mistakes of the past 30 years, and refuse to deal forthrightly with our Nation's fiscal affairs.

The record of the past 30 years indicates that despite unprecedented tax burdens we have spent more than our income so that the public indebtedness has increased 17-fold from $16.8 billion in 1931 to upwards of $290 billion at the present time. In the last 30 years the Federal Government has had annual budgetary deficits in 25 years, or 83 percent of the time, ranging from the smallest annual deficit of $462 million up to $54 billion. It is not being a Cassandra to say that if we continue in the next 5 years the mistakes we have made in the past 30 years, we will be inviting inflation, retarding economic growth, and possibly bringing about the destruction of our free enterprise economy.

Mr. Speaker, the President of the United States has said that matters dealing with debt management are the most important legislative issues to come before the Congress in the current session. The President was not crying, "Wolf"; he was not advocating a resort to fiscal gimmicks. He was admonishing the Nation that we must face the fiscal and economic facts with realistic determination to put our house in order. The simple truths are: we cannot spend ourselves rich; we cannot pay today's bills with tomorrow's taxes; we cannot solve anything with fiscal quackery; we cannot repeal basic economic laws even if we were willing to accept totalitarian regimentation; we must govern ourselves with fiscal rhyme and monetary reason.

Mr. Speaker, I recently noticed in the RECORD that one of my distinguished colleagues was advocating what I regard as the gimmick approach to dealing with our Nation's fiscal affairs. It was alleged by this colleague that it was the administration that had raised the interest rates, and that it was the administration that had imposed higher interest rates, not only on the American people, but also on the other nations of the free world. I submit, Mr. Speaker, that my distinguished colleague was wrong in his ascribed reasons for rising interest rates, wrong in his analysis of their effect, and wrong in his proposed solution.

Mr. Speaker, this colleague stated that all that was necessary to enable the Treasury Department to sell Government bonds at 4¼ percent or less was for the administration simply to reduce interest rates. He implied that this could be done by requiring the Federal Reserve to support the Government bond market. This would mean that the Federal Reserve would stand ready, as it did for the 9 inflation-ridden years ending in 1951, to buy all Government bonds offered by holders, presumably at par.

Let us look at the plan proposed by this gimmick advocate so that it can be seen for exactly what it is—an inflation-spawning monster.

The active money supply of this country is now about $140 billion. Moreover, about $140 billion of marketable Government securities are held by private investors. What my colleague is advocating, then, is that the Federal Reserve adopt policies that could almost immediately add this additional $140 billion or so to the existing money supply. Because, if any investor, at any time and regardless of conditions, could convert his marketable Government securities into cash at par, these securities would in fact be the equivalent of money.

It does not take an expert in economic theory to realize the disastrous consequences of a doubling of the money supply in a short time. We would be doubling the flow of money to purchase available goods and services. This would have a major impact on the cost of living and would destroy meaningful economic growth. With the economy already operating at a very high level, the only possible result would be galloping inflation. This would inevitably be followed by a financial crisis involving wholesale redemptions of savings bonds—of which more than $50 billion are outstanding—and determined efforts by people both here and abroad to get rid of dollars so as to purchase property, gold, other currencies—anything that appeared safe.

This is not the whole story—my colleague who advocates that the Federal Reserve should peg the Government bond market understands full well that when the Federal Reserve buys $1 of Government securities, the purchase provides the basis for a $6 expansion in bank deposits and the money supply. So what we have here is the advocacy of a plan that could promote new money creation with a vengeance, along with the crippling inflation that would be sure to follow.

Mr. Speaker, the time is long overdue for us to call a spade a spade. To promise to all private holders of Government securities that they can always get dollar for dollar for their securities is tantamount to financing the Government's requirements by cranking up the printing press and issuing greenbacks. Why bother to issue securities in the first place. If they are to be freely convertible into cash? Why not save the cost of printing the securities by taking the direct step of printing the money?

The advocates of Federal Reserve Board support of Government bond prices point out that we had Federal Reserve support prior to 1951 and claim that things did not turn out badly then. Wholesale prices doubled during that period. I wouldn't call that an exactly happy development. It is true that during part of that time our Nation was at war but the primary fault for the inflation was the manner in which we financed the war—too much money creation, too much reliance on Federal Reserve support of the Government's securities market, too much of exactly the same type of policies that my colleague is advocating today, in a period of peace and prosperity.

My colleague who was speaking in the well of the House the other day went on to say that the so-called high interest rate policies in this country have brought about high interest rates abroad. Germany was mentioned as an example. I don't believe that any one could convince the German people—especially the older generation—which recalls the disastrous inflation of the 1920's—that sound money, even if it means high interest rates, is to be avoided. The German people know what inflation means and what it can do. They know that it wiped out their savings, paralyzed their industry, and provided the basis for a rise to power of one of the most ruthless dictatorships this world has ever known. And they know too that their phenomenal economic gain since the end of World War II could not have been possible without the discipline of sound money.

These people abroad—the Germans, the French, and many others—have learned from bitter experience that you cannot compromise with inflation. They are now showing that they are willing to accept the disciplines that are essential if integrity of their currencies is to be maintained. And they realize full well that a central bank is not a toy to be used for money creation at the whim of the easy money inflationists. Instead, the central bank must be a responsible institution that is devoted first, last, and always to the true economic well-being of all the people.

Mr. Speaker, if these advocates of printing press money and Federal Reserve Government financing want inflation, if they want a managed economy with governmental regimentation, if they want to destroy the value of the dollar, let them advocate such a position without posing in the posture of one who has an easy solution to a grave and serious national problem. In that way the American people will be able to decide what course our Nation should take—the road to inflationary disaster or the road to fiscal discipline through paying our own way.

Imports and Our Domestic Mass Production Industries

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, September 12, 1959

Mr. KNOX. Mr. Speaker, within the past few years the foreign commerce of the United States has undergone revolutionary changes of vast long-range significance to this Nation and every citizen in it. Yet, so far, only a few isolated voices have been raised to point out the tremendous problems created by this transformation in our trade.

For the first time, the emphasis in our import trade has shifted to manufactured goods produced in mass volume by some of the largest domestic industries. Automobiles are a prime example; steel is another; electrical appliances and office equipment are others.

These great mass-production industries, providing employment for hundreds of thousands of workers, are those to which the Nation will look first to provide jobs for our expanding population. In the next 10 years, our economy must create employment for 10 million to 15 million more Americans. This can only be accomplished if our largest industries set the pace for economic expansion.

However, in many instances, it is these very industries which now confront intensified competition from abroad, not only in the U.S. market but in export markets the world over. Under these conditions, can we reasonably expect industrial expansion to keep pace with the job requirements of our growing population?

American taxpayers, under decisions and commitments made by their Government representatives, have pumped tens of billions of dollars in economies abroad. The unprecedented generosity of the American people has restored the world economy, raising standards of living to new heights, opening new vistas of opportunity and prosperity to free peoples everywhere.

No thoughtful American will begrudge the fact that our friends abroad have never had it so good. As citizens of the most prosperous nation in all history, Americans faced up to the obligations of international brotherhood. Willingly, we have diverted great shares of wealth and resources to those less fortunate, so that they too could enjoy the fruits of free men's initiative, imagination, and enterprise.

However, there must be a limit to the sacrifices that a single nation, however great and prosperous, can make in behalf of its friends and allies. There must be a point of diminishing return, a point at which the cost becomes too great to justify the effort. I suggest that we have reached this point insofar as our foreign trade policies have contributed to the dynamic development of competitive economies abroad.

Two recent accounts of thriving conditions in foreign mass-producing industries underscore this fact. Both reports appeared in the magazine Business Week:

FOREIGN STEELMAKERS BOOST OUTPUT, ENLARGE THEIR SHARE OF WORLD MARKET

With the steel strike in its sixth week, executives of the struck U.S. mills are closely watching the speedy progress of steelmakers in Western Europe and Japan. Foreign steel companies are boosting their share of world steel markets—including the United States.

Steelmakers in West Germany and Japan are enjoying the liveliest boom. But steel output is also curving upward in France, Britain, and Italy.

In West Germany, steel producers are headed for a new output record of more than 30 million tons. Renewed capital investment and machinery exports have helped boost demand this year.

In Japan, the industry has been setting records all year, thanks to rising exports and a capital spending boom. With production likely to top 15 million tons this year—about 2 million tons over 1958—Japan threatens to displace France as the world's fifth largest steelmaker. Some of Japan's steel companies are getting ready to ask the World Bank for loans for a $300 million expansion program to raise capacity to 25 million tons in 1965.

In Britain, steel output has reached 80 percent of the industry's 26-million-ton capacity. While investment still remains low, an upsurge in autos and appliances is adding to steel consumption. Auto production, in fact, has been gobbling up steel so fast that a shortage of sheet is feared.

In France, steel production has climbed almost 5 percent above last year's record level. Aided by devaluation, the French industry has managed to improve its share of Europe's growing steel market by being able to offer lower prices.

In Italy, steelmakers also enjoy expanding sales because of the Common Market. One sign of expansion is the Government's proposal to establish a new 1-million-ton steel plant in southern Italy.

TRANSISTOR RADIO MAKERS WILL MARKET JAPANESE MODELS UNDER U.S. LABELS

In the past year, the U.S. electronics industry has watched Japanese manufacturers grab more than half the market here for transistor radios—largely by sales under Japanese labels. Now, some companies have decided to meet the foreign competition by marketing Japanese-made radios under their own U.S. trade names.

Latest transistor radio manufacturer to join the importers is big Emerson Radio & Phonograph Corp. Through its international bargaining subsidiary, Emerson has concluded an agreement with Tokyo's Standard Radio Corp. to import 100,000 radios in coming months. Emerson officials say it is making the move because Japanese companies are making radios and parts too small to be produced competitively in the United States. Emerson, which will sell the imports under its Jefferson Travis label, follows Motorola, Inc., as the second big radio maker to move into the Japanese import field.

Meanwhile, Tokyo's Ministry of International Trade and Industry is spurring Japanese efforts to make electronic computers. MITI plans to sponsor a company—50 percent privately owned—to produce 50 computers next year, and more than that in each succeeding year.

The American steel industry provides perhaps the classic current study of import penetration into a long-established, mass-production domestic industry. Even before the strike, imports were climbing dramatically. In the first 6 months of 1959, nearly 2 million tons of foreign steel landed here, against some 1.7 million tons in all of 1958.

With domestic manufacturers immobilized by the work stoppage, foreign steel producers are devoting every effort to gaining a strong and permanent foothold in the American market, as well as capturing American markets abroad. And regardless of the outcome of the strike, there is considerable doubt that American steelmakers will be able to regain these losses.

For instance, one of this country's largest can manufacturers is now buying tinplate from Great Britain for its factories on the west coast. Even though this tinplate is shipped thousands of miles, and through the Panama Canal, it is still 5 percent cheaper than tinplate manufactured in California.

The chief executive of a major American steel company added a new dimension to the competition facing his industry when he reported that agents of Japanese steel producers insist that American customers agree to continue buying their steel after the strike ends if they expect to receive any now.

Another problem worrying the American steel industry is the rising volume of imports of foreign products in which steel is a primary component. Automobiles are a case in point. Imports of foreign cars will probably exceed 600,000 in 1959, compared to 57,000 in 1955 and 260,000 in 1957.

Exports of American cars, on the other hand, have declined appreciably. If the present export pace continues, our auto exports will not exceed 115,000 in 1959, or less than 25 percent of the import volume. A scant 10 years ago we exported 10 cars for every 1 we imported.

Signs of crisis abound throughout our foreign trade structure. More than 2 million transistor radios will reach here from Japan in 1959; in fact, 6 of every 10 Japanese transistor sets exported find their way into the American market.

Imports of steel pipe and tubing surpassed 200,000 tons last year, upon nearly 300 percent since 1955, and so far this year imports are running some 30 percent ahead of last year's pace.

As my committee colleague from Pennsylvania [Mr. SIMPSON] informed the House a few days ago, the CONGRESSIONAL RECORD is stitched with British wire because American producers, meeting American wage standards, cannot match their competitors' prices.

In 1950 the United States imported 2,000 tons of wire rope; in the first 5 months of 1959 imports of this product exceeded 16,000 tons. Records of the Independent Wire Rope Manufacturers Association reveal that the U.S. Navy, a large buyer of wire rope, gives most of its business to foreign mills. In 1958 the Navy's General Stores Supply Office in Philadelphia bought $470,144 worth of wire rope; of this sum, 73 percent, or nearly $350,000, went to oversea manufacturers.

In the last fiscal year, the Tennessee Valley Authority, a large consumer of heavy electrical equipment, paid nearly $18 million to foreign manufacturers of turbines and generators. This was more than three times the total outlay by TVA for foreign-made goods in all previous 25 years of its existence.

It is not really necessary at this time to reexamine the reasons for the amazing upsurge of import competition. It can be summed up simply: We cannot match their prices.

And one of the major factors in our failure to remain competitive in a broad range of industries is clearly illustrated by a few uncomplicated statistics, as follows:

In West Germany the average hourly wage for nonfarm workers is 53 cents; in France, 62 cents—and that makes French workers the highest paid in the European Common Market; in Italy, 34 cents; in the Netherlands, 38 cents; in Benelux, 53 cents. Surprisingly, all of these hourly rates, pitifully low by our standards, reflect increases of 19 to 38 percent since 1955.

The American garment industry, sorely distressed by a flood of imports from the Far East, supply additional data on comparative wages. The American garment worker draws $2.12 per hour, including fringe benefits, for a 40-hour week. The Japanese garment worker receives 14 cents, including fringe benefits, for a 50-hour week; the garment worker in Hong Kong is even worse off, collecting less than 10 cents per hour. Labor costs account for about one-third of the total cost of manufacturing men's suits.

With such a disparity in wage rates at home and abroad, it is not surprising that more than 3,000 American companies, including 99 of our 100 biggest industrial corporations, are now engaged in production at overseas facilities. It is not surprising that direct U.S. private investment abroad has more than doubled since 1950. It is not surprising that American business expects sales from its foreign operations to increase at twice or more the pace of export sales in the next 10 years.

In short, the problems created by current trends in foreign commerce, especially when weighed against the urgency of creating at least 10 million more jobs at home in the next decade, seem so clear cut, so starkly defined, as to preclude all argument over their validity.

Yet that is not the case at all. We are still belabored by demands for more tariff handouts, for more relaxation of our import laws. Truly, there is precious little left to give away. In the past 25 years, in a lonely and largely futile quest for real reciprocity, the United States has pared its tariffs until they are now among the lowest in the world—as even the most ardent free trader will concede.

Moreover, the outlook is that things will get worse before they get better. A year ago the Congress saw fit, for reasons beyond my comprehension, to authorize still further cuts in our frail tariff structure. The administration was granted power to reduce tariffs by another 20 percent over the next 4 years; much of this authority will be called into play when the United States joins its partners in the General Agreement on Tariffs and Trade at the bargaining table in January 1961.

Fortunately, the GATT negotiations are still many months away. There is still time to alert the American people, to bring the facts, however distressing, to the attention of citizens across the land. There is still time to prevent another headlong sprint down the road to economic catastrophe and still time to save countless thousands of American jobs at a time when we cannot afford to lose a single one.

I know that many of my colleagues have pledged themselves to this task. I know, too, that our ranks will grow as more and more American industries become imperiled. As a nation, we are coming to our senses—slowly, to be sure, but we are getting there. We can only wonder how many more plants will close, how many more jobs will disappear, before our eyes are completely opened.

Schedule of Conferences and Visits With Residents of the Fourth District of Ohio

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EXTENSION OF REMARKS

OF

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. McCULLOCH. Mr. Speaker, I believe that a Congressman should be in his district to confer and visit with his constituents whenever official duties do not require him to be in Washington.

When Congress adjourns in a few days, I expect to return home and to be available for conferences and visits with residents of the Fourth District in the courthouse of each county seat between 8 a.m. and 4 p.m., in accordance with the following schedule:

Allen County, Lima: Wednesday, September 30.

Auglaize County, Wapakoneta: Tuesday, October 6.

Darke County, Greenville: Monday, October 5.

Mercer County, Celina: Wednesday, October 7.

Miami County, Troy: Tuesday, September 29.

Preble County, Eaton: Thursday, October 1.

Shelby County, Sidney: Monday, September 28.

No appointments will be necessary. Any problem with, or opinion concerning, the Federal Government will be proper subject for conference.

Of course, I will be glad to see residents of the district, in my Piqua office, any time that Congress is not in session, except on the days scheduled above.

Not To See but To Be Seen

EXTENSION OF REMARKS
OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. DORN of South Carolina. Mr. Speaker, patriots everywhere are saddened and alarmed over the Khrushchev invitation. The result is going to be a great political revolt in 1960. The American people are not going to stand for this appeasement with the "Butcher of Budapest."

I commend to the Congress and to freedom loving people everywhere the following broadcast by Dean Clarence E. Manion over the Manion Forum network September 6, 1959:

KHRUSHCHEV VISIT MOST SERIOUS MISTAKE IN AMERICAN HISTORY

DEAN MANION. It is undoubtedly safe to say that President Eisenhower is the most popular man in the world. Press and public, here and everywhere, respond to him with unprecedented enthusiasm.

When the President makes an obvious mistake in the administration of his high office, important, influential criticism is hard to find, and even more difficult to publicize when it is found.

This being so, we must wait for history to weigh the full gravity of Mr. Eisenhower's great mistake in inviting Nikita Khrushchev to visit this country in exchange for a subsequent visit by our President to the Soviet Union.

From my own researches into congressional feelings on this subject, I am convinced that, without the force of the President's personal persuasion, a proposal for such a visitorial exchange would have been voted down in House and Senate by a margin more than 4 to 1.

Nevertheless, when the President suddenly announced that Khrushchev was coming, all but a few of these congressional opponents shrouded themselves in silence.

Fortunately, there were notable exceptions. As soon as he could get from his sick bed to the Senate floor, the Honorable THOMAS J. DODD, of Connecticut, put the scandalous history of Nikita Khrushchev into the CONGRESSIONAL RECORD in one of the most learned, powerful and persuasive Senate speeches that has been heard in modern times. If you want the whole sordid story of the President's upcoming Communist guest of honor, read this revealing speech by Senator DODD. The Manion Forum will mail you a copy for the asking.

In Washington last week, I asked Senator DODD for a short statement to be included in this broadcast. Here it is:

"Senator DODD. I hope that during Khrushchev's visit we shall hear church bells in the land tolling their remembrance for the murdered millions behind the Iron Curtain. I hope that there will be public observance of prayer for the deliverance of the captive nations.

"I am not opposed to a meeting between the President and Khrushchev at a proper time, under proper conditions, and in a proper place, but I think it is a national disgrace to give this Red dictator a state visit as the guest of the American people at this time in our country with all the fancy trimmings."

DEAN MANION. The Honorable STYLES BRIDGES, of New Hampshire, is the ranking member of the President's own party in the Senate. He has been a Member of that distinguished body continuously since 1937. I asked Senator BRIDGES to give me his opinion of the Khrushchev invitation. Here is what he said:

"Senator BRIDGES. I have strongly opposed Khrushchev's coming to this country. I am still strongly opposed. I can foresee no good from his visit and I fear his presence here will further soften some of our more complacent citizens and discourage and dishearten people in Communist captivity as well as our own free world allies."

DEAN MANION. One of the most able, energetic and influential Members on the Republican side of the U.S. Senate is the Honorable BARRY GOLDWATER, of Arizona. I had the good fortune to see him in Washington. For the benefit of his friends in the Manion Forum nationwide radio audience, Senator GOLDWATER said this:

"Senator GOLDWATER. I believe that the invitation to Mr. Khrushchev to visit the United States is a propaganda and psychological victory for the Russians. They attempted to achieve this through the summit conference and, failing there, they were able to achieve this invitation.

"If Mr. Khrushchev comes to this country and is invited to the U.S. Senate, such as has been suggested, the junior Senator from Arizona will certainly vote against his being there, and if he is invited, the Senator is going to be conspicuous by his absence. I see no reason to be overjoyous in our welcome to this land of this murderous brand of communism that Khrushchev is spreading across the world."

DEAN MANION. One of the American ports of call arranged for Khrushchev by his managers in Washington is Des Moines, Iowa. This puts the Honorable Herschel Loveless, Governor of that great State into the position of official host to Khrushchev, whether the Governor likes it or not.

From the newspapers, I gathered the impression that the Governor of Iowa did not like it, and so, through our affiliated station KWDM, at Des Moines, I went to the Governor for verification. Here is our recorded interview:

"Governor Loveless, I understand that you are something less than enthusiastic about Khrushchev's prospective visit to the United States. Is that true?"

"Governor LOVELESS. Yes, Dean Manion, I have qualms and misgivings about the pending Khrushchev visit. I expect to receive him in Iowa as I would any foreign visitor and will try to be as hospitable as we Iowans are noted to be, but I fear the reaction on our many allies throughout the world on our receiving someone from the Communist area, and I am sure that they might be wondering just what is going on and if we are deserting them."

SOUTHERN GOVERNOR POINTS UP DANGERS

DEAN MANION. In a dispatch from the recent Governors' conference at Puerto Rico, I read that the popular and personable Governor of South Carolina, the Honorable Ernest F. Hollings, also had misgivings about the upcoming visit of Mr. Khrushchev. With the help of our affiliated station WIS, in Columbia, I obtained the following statement from Governor Hollings in South Carolina:

"Governor HOLLINGS. The foreign policy of the United States is to win over to the free world the neutral nations and promote the resistance of the captive nations. To support this policy; we have pledged that we will resist any further aggression by communism. This firm policy has created hope and courage within the neutral and captive nations.

"However, when we accept Khrushchev as a political and social visitor to the United States, we cannot help to a degree giving stature to what he stands for—tyranny, murder, and communism. The neutral and captive nations immediately lose hope and courage, and our struggle for world peace suffers irreparable harm."

DEAN MANION. One of the most respected and influential men in America is retired Adm. Ben Moreell, of Pittsburgh, former chairman of Republic Steel Corp. Admiral Moreell is now the guiding spirit of Americans for Constitutional Action, a powerful working organization of American patriots. Through our affiliate, station WCAE in Pittsburgh, I obtained the following statement from Admiral Moreell on the subject of Khrushchev's visit:

"Admiral MOREELL. Mr. Khrushchev's visit raises disturbing questions as to its political, economic, defense, and moral implications. Since we are a people whose trust is in God and whose social structure cannot endure without that direction which stems from our religious beliefs, the moral aspects of this visit overshadows all others.

"We should then ask these questions: Do we, by inviting him to our shores, give moral sanction to his past misdeeds and those of the Government he represents? Are we prepared to endorse as conforming with Judeo-Christian moral values their cruelties to the peoples of Hungary, Poland, East Germany, Latvia, Estonia, Lithuania, Tibet, and other enslaved countries?

"Do such actions conform to our concept of the nature of things as they should be? The answers are clear. Although he is an invited guest, we must not by any act of public or private acclaim indicate that we condone his inhumanity."

DEAN MANION. My friends, these are samples of responsible patriotic opinion concerning this most ominous event of our lifetime. It would take hours to evaluate all of the similar opinions that I have received and observed since the fateful announcement was on August 3.

For instance, Eugene Lyons, a newsman with long experience in Moscow and now a senior editor of Reader's Digest, said in a public speech (UPI, Madison, Wis., Aug. 26) that the invitation to Khrushchev was a political mistake which could be turned into a political catastrophe. It will add dimensions of prestige to world communism. It could spread defeatist gloom among millions of our friends and secret allies within the Communist world.

Chief Justice M. T. Phelps, of the Arizona State Supreme Court, wrote a public letter of protest in which he told the President that "your invitation involves the moral integrity of the sovereign citizens of whom you are the servant. It involves a flagrant breach of your duty to the people. You have invited and propose to break bread with the arch-murderer of all ages."

At the American Legion convention in Minneapolis, Vice President NIXON made an eloquent plea in defense of Khrushchev's visit to this country and urged the assembled legionnaires to do nothing that might upset President Eisenhower's bold plan to melt some of the ice around the cold war.

The delegates listened politely and then passed a resolution demanding an end to diplomatic relations between the United States and the Soviet Union, unless the Kremlin releases American soldiers and citizens now held behind the Iron Curtain; holds free elections in the satellite countries, and ends espionage against America.

What is wrong with these sensible, moral, and self-respecting prerequisites for continued diplomatic association with any government worthy of the name? Nothing could be better calculated to melt the ice of the cold war than the Kremlin's prompt compliance with these conditions.

Will the President, therefore, please present this resolution from his old comrades-in-arms to his upcoming guest of honor and get an official reply for all of the American people?

The wives and mothers of the 11 missing American airmen deliberately shot down by Russian fighter planes over Soviet Armenia just 1 year ago would like to know where these men are and when, if ever, they are to be returned to this country. Will these wives and mothers be permitted to speak to our distinguished guest of honor? If they are denied access to him, as they undoubtedly will be, then will not the President or the Vice President please speak for them?

NIKITA JOCKEYS IKE TO AIRPORT

The President and the Vice President have defended this unfortunate invitation by their determination to show Khrushchev the might and power of this country, lest he start a war in ignorance of our ability to strike back. Khrushchev has now let it be known that he has other ideas.

He is not looking for a balanced picture of the United States of America. On the contrary, he wants to appear before large crowds in big cities where he can expect top newspaper, radio, and television coverage.

Khrushchev is not coming here to see, but to be seen; not to learn, but to teach; not to be softened, but to further soften our already badly weakened resistance to the satanic evil of communism, of which he is the personification.

The wily conspirator has already seized the propaganda initiative from President Eisenhower. Mr. Eisenhower had explained that, since Premier Khrushchev was not the titular head of the Soviet state, that position being held by one Kliment Voroshilov, the President would not be required to greet him at the airport.

That was all Khrushchev needed to know. He immediately announced that, for the purpose of this trip, Voroshilov is deposed and Nikita himself will be the head of the Soviet state when he gets to Washington.

So, President Eisenhower must meet the big burglar at the airport after all, and ride with him through the streets of Washington. You will see it all on television. So will the enslaved people of the capitive nations—Khrushchev will take care of that.

Mrs. Khrushchev is coming, too, which will bring the official Washington hostesses into the big act—Mrs. Eisenhower, Mrs. Nixon. More pictures, more propaganda, all calculated to cause the hopes of the Communist-held slaves to curl up and die. Says the Indianapolis Star (August 27):

"After (all) this has been done, America can never look quite the same to the victims of barbarism everywhere who have looked to America as the champion of right and justice. They will feel, rightly, that America has turned its back on them and on its own great principles of liberty and justice for all."

In the Khrushchev visit, President Eisenhower is sowing a wicked whirlwind. It will take all of his great popularity to ride him through the resulting storm.

Farm Imports

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. DORN of South Carolina. Mr. Speaker, when farm imports exceed farm exports in our country with its overwhelming farm surpluses it is a national calamity and unbelievable; but, Mr. Speaker, here are the figures:

FARM EXPORTS FELL BELOW 1958 IMPORTS

In a reversal of form, the United States imported more agricultural products during the year ending July 31 than it exported.

In the previous 12-month period, the exports exceeded the imports.

Preliminary figures put exports during the year at $3,720,450,000 in value and imports at $4,005,258,000. In the preceding year, the exports were $4,001,820,000 and the imports $3,929,422,000.

Agriculture Department officials said the decline in foreign sales during the past year largely reflected a sharp drop in cotton sales. U.S. cotton prices were above world levels.

An upsurge in exports is expected during the 12-month period ending next July 1, largely on the basis that cotton has been returned to a competitive price basis in world markets.

Death Took a Holiday—in Nebraska

EXTENSION OF REMARKS

OF

HON. DONALD F. McGINLEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. McGINLEY. Mr. Speaker, Gov. Ralph G. Brooks of the State of Nebraska and the Nebraska Safety Patrol have shown the Nation that highway death does not have to go unchecked.

Governor Brooks, with the cooperation of the patrol which worked many extra hours, made an all-out drive over the Labor Day weekend to see just what could be accomplished through this kind of effort.

The result is history. Nebraska recorded one traffic death—that a pedestrian fatality in a city.

I have sent the following telegram to Governor Brooks:

Your faith in the belief that something can be done about traffic accidents and fatalities is graphically proven by Nebraska's Labor Day weekend traffic record. You, Col. C. J. Sanders and his men of the Nebraska Safety Patrol saved lives during this time just as surely as if you had been skilled surgeons at work in a hospital. This will not end suffering or sorrow from highway tragedies in the future, but it is a firm reminder to every public official that he would be remiss in his duties at whatever level of government if he did not study every possibility as to government's place in traffic safety.

The story of this shining hour in Nebraska's history, and of the work of the men who made it possible is well described in the news story which I wish to insert at this point:

[From the Lincoln (Nebr.) Star, Sept. 9, 1959]

While the rest of the Nation struggled through a Labor Day weekend shrouded with traffic deaths, Nebraska apparently found a temporary answer to the problem.

Spearheaded by Gov. Ralph G. Brooks, who personally took part in patrol duty and issued two warning tickets, the Nebraska Safety Patrol under Col. C. J. Sanders staged one of its toughest crackdowns in its history.

The Governor, his aide Robert Conrad and Col. Sanders personally manned at times the two National Guard helicopters pressed into service.

The result of the enforcement crackdown showed in the statistic book.

Not a single highway fatality was recorded during the 3-day weekend. The only death to mar the record was a pedestrian in the city of Lincoln, making Nebraska's record one of the five best in the Nation.

The 1959 Labor Day holiday was the State's best record since 1936 when there were no fatalities recorded. For each of the intervening years there have been between two and seven fatalities on the Labor Day weekend.

Colonel Sanders pressed his 160 troopers plus patrol officers into cruiser duty. Even the criminal investigation division took to patrol cars. The troopers volunteered to extend their 10-hour regular shifts to 16-hour shifts.

Conrad, who heads the Governor's traffic safety committee, tabulated these results of the weekend's efforts:

The patrol arrested 1,075 motorists, of whom 37 were drunken drivers taken off the road; 2,317 were ticketed for vehicular defects, and 1,532 were issued warning tickets.

The total number of contacts were 4,924 for an average of 1,641 for each of the 3 days, compared with an average of 476 contacts per day for the patrol during the first 7 months of this year.

The longer shifts were the equivalent of 96 additional troopers patrolling the highways in addition to the 4 airplanes and 2 helicopters.

The troopers burned a train tank car of gasoline and drove an equivalent to six times around the world during the 3 days.

Governor Brooks, Colonel Sanders, and Conrad personally kicked off the crackdown by heading the dawn patrol Saturday morning.

Governor Brooks commented Tuesday that "this is not a record of which we can be proud but it is a record for which the entire State can rejoice."

Schedule of Meetings in the Fifth Congressional District of Ohio

EXTENSION OF REMARKS

OF

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. LATTA. Mr. Speaker, I believe that a Congressman should be in his district to confer and visit with his constituents whenever official duties do not require him to be in Washington.

When Congress adjourns in a few days, I expect to return to my district and to be available for conferences and visits with residents of the Fifth District in the courthouse of each county seat between 10 a.m. and 4 p.m., in accordance with the following schedule:

October 1, Van Wert County, Van Wert.

October 2, Defiance County, Defiance.

October 3, Ottawa County, Port Clinton—until noon.

October 5, Paulding County, Paulding.

October 6, Williams County, Bryan.

October 7, Putnam County, Ottawa.

October 8, Henry County, Napoleon.

October 9, Fulton County, Wauseon.

October 10, Wood County, Bowling Green—until noon.

No appointments will be necessary. All problems which constituents have with the Federal Government will be proper subjects for discussion.

Until Congress reconvenes in January, I will be available for conferences with constituents by appointment in my district office at 304 Wood County Bank Building, Bowling Green, Ohio, except on the days scheduled above.

Maine Needs and Must Develop Low-Cost Power for Industrial Expansion

EXTENSION OF REMARKS
OF
HON. JAMES C. OLIVER
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Saturday, September 12, 1959

Mr. OLIVER. Mr. Speaker, next month, a decision may be made which can determine to a large extent the future prosperity of the State of Maine and, indeed, the industrial future of the New England States.

I refer to the forthcoming report of the Engineering and Fisheries Boards of the International Joint Commission on the great Passamaquoddy tidal power project.

There have been indications that the current engineering investigations being carried on by the U.S. Army Engineer division of New England and other agencies of the United States and Canadian Governments will result in a concrete proposal for construction of the Passamaquoddy project. A two-pool project using Passamaquoddy Bay and Cobscook Bay for water storage already has been selected for detailed design. A companion project at Rankin Rapids on the upper St. John River also has been suggested as part of the most promising and economical combined project by Brig. Gen. Alden K. Sibley of the U.S. Army Engineer division in New England.

If the October report finds Passamaquoddy feasible as a power project, Maine can look forward to the possible injection of many kilowatts of low-cost power into the State's lagging economy.

Waterpower was the basis for Maine's early industrial development. Lacking in coal, oil, or other fuels, Maine developed her industry—primarily woolen and cotton milling—early in the 19th century, with the mills located on the State's rushing streams.

So rich was our State in waterpower that an 1869 power study estimated the total energy discharged annually by the rivers of Maine as equal to the work of 34 million men working without interruption for 1 year. Many of our early leaders saw in the "white coal" of rushing water the key to a great industrial development.

But what happened?

As other regions began to develop industry, Maine lagged behind. Like other New England States, Maine has "enjoyed" some of the highest electric rates in the Nation. The rivers, for the most part, went right on flowing to the sea.

Today, our State has an estimated 1,262,600 kilowatts of undeveloped hydroelectric power in its rivers, as compared to only 500,211 kilowatts of developed hydro, according to the latest available Federal Power Commission estimate. This does not take into account the tremendous potential of 'Quoddy itself.

Many reasons could be advanced for this lag, and many have. For example, it has been said that the rugged individualism of Maine people prevented any Federal development, and that there was no market for power from 'Quoddy or any other major project, and that industry does not concern itself greatly with the cost of electric power.

I will concede at once that Maine people are independent; but a greater factor, I believe, than personal antagonism to Federal development has been the bitter opposition of private utilities, clinging to a high-cost, low-use concept of electric service.

As for the lack of market for the power, the same argument was used when Muscle Shoals in Alabama and Grand Coulee in Washington State were proposed. In both of these cases, what actually happened was that abundance of power stimulated vast industrial developments which led to greater and greater demands for power and ultimately to the great power systems of the Tennessee Valley Authority and of the Bonneville Power Administration.

There is no reason to believe that 'Quoddy cannot be the Muscle Shoals of Maine and launch a similar rebirth of industry, progress, and better living standards for our people.

The third argument—that power costs are not important to industry—can be advanced in the case of some industries. But with increasing automation it becomes apparent that electric power is an ever-growing factor in most industries. Further, there are many modern industries which locate only where large quantities of low-cost power are available. Needless to say, these have not chosen Maine.

Our State produces 25 percent of the feldspar used in the United States, but exports it to four other States for the manufacture of porcelain and pottery. Aroostook County has one of the largest deposits of low-grade manganese ore in North America. An even more challenging propect is open to Maine—the vast Labrador iron ore deposits which some day may replace the ore of the Mesabi Range of the Middle West as the major source of America's steel.

The possibility that Eastport's excellent harbor can be used for shipping the raw materials and products of great new steel mills in the vicinity of a Quoddy power project is no idle dream. It makes economic sense. It can happen, if we can only provide the energy to process the raw materials at a competitive cost.

Not long ago the Governor of Washington State reviewed the changes which have come to his State as a result of hydroelectric power development by the Federal Government. The parallel between that great northwest State and our State of Maine is very close. In the early 1930's, the Governor said, Washington's economy was based primarily on agriculture, logging, wood products manufacturing, and mining. Agriculture and logging similarly are basic industries in Maine.

Today, after the development of only a portion of Washington's hydro resources, new industries have grown up in Washington, the population has increased rapidly, and its people enjoy a high degree of electrical living. Aluminum aircraft and defense establishments have brought their payrolls to Washington State. Its people use more than 2½ times as much electricity as the average American family, enjoying many more electric servants than the average Maine family.

The Governor of Washington declared that during a recent trip east to talk with industrialists about locating in Washington—

> I was greatly impressed by the value of low-cost power to industry. * * * At a series of meetings with industrialists in Boston, New York, and Philadelphia, we presented information on the industrial advantages of our State. The point evoking the greatest comment and even surprise among the industrial leaders was the abundance and low cost of our electric power in Washington State.

Before TVA, there was a saying in Tennessee that the average farmer woke to the clang of a Connecticut alarm clock, climbed out of his Baltimore bed and into a pair of Oshkosh overalls and Sheboygan shoes and Chicago shirt. He washed his face and hands in a Pittsburgh pan, using Cincinnati soap, and dried on a Trenton towel, sat down in a Chillicothe chair to a Patterson plate, filled with St. Joe grits fried in Kansas City lard. After breakfast he put a New Bedford bridle on a Missouri mule, hitched him to a Peoria plow and, using Yankee cuss words, planted Columbus corn to satisfy a Massachusetts mortgage.

With certain variations in the menu, much the same story could be told of many farmers in my State of Maine today.

TVA has brought many changes to the valley it serves. Laboratories and factories have grown up in its industrial centers, the march of erosion has been halted, a reforestation program has renewed a once faltering lumber industry. Flocks of tourists pour into the valley to enjoy the man-made lakes, commerce moves along the inland waterways, valuable land along the rivers can be used without fear of major floods.

Will this story be told of New England 20 years from now? It is up to us.

Today, families in the New England States pay the highest average monthly electric bills in the Nation. Consider these averages for 250 kilowatt-hours of service, published in FPC's latest edition of "Typical Residential Electric Bills":

New Hampshire, highest in the Nation, $8.92.
Massachusetts, second highest, $8.91.
Vermont, third highest, $8.90.
Rhode Island, fourth highest, $8.74.
Maine, sixth highest, $8.51.

Connecticut, twelfth highest, $8.

At the other end of the scale, consider families living in the states enjoying a high degree of Federal hydroelectric development:

Washington, lowest in the Nation, $4.53.

Tennessee, second lowest, $4.84.

Oregon, third lowest, $5.40.

Alabama, fourth lowest, $5.42.

Perhaps the difference of $4 a month—close to $50 a year—is not of vital importance now to the average family. As the use of electric servants grows, however, this electric bill will become an increasingly important part of the family budget.

From industry's standpoint, power costs can be of real significance. As an example, take the private utilities serving in Maine and in upstate New York, where hydroelectric power has been developed on a large scale. An industry in Bangor, Maine, using 400,000 kilowatt-hours would pay $6,275 per month for electricity, while an industry in Niagara Falls, N.Y., would pay only $3,391 per month for the same service, according to the latest FPC figures.

These thousands of dollars could make the difference between profit and loss to many industries.

Some years ago, in 1951, the Committee on the New England Economy of the President's Council of Economic Advisers, headed by economist Leon H. Keyserling, prepared a detailed report on the New England economy which mapped the route the area could take to achieve lasting prosperity.

New England has many problems—

The report said—

but if there is one that stands out it is how to make the most of its resources, its human resources including its resources in ideas as well as its natural resources, and to facilitate the adaptation of its industrial structure to changes in its underlying competitive position.

'Quoddy is one of the most challenging ideas which Maine's human resources have come up with in many generations, just as the power of the tides is one of the State's great natural resources. We can develop both.

At another point, the report declares:

We are concerned over the failure of utilities in this (New England) area to seek larger use of power through more venturesome pricing policies. * * * In some other regions, the presence of public power has tended to force private utilities to be more venturesome in their rate policies. The use of electric power has been thereby stimulated greatly without any loss to the utilities.

In short, the injection of public power from 'Quoddy into the high-power-cost economy of Maine can stimulate a new approach on the part of the utilities. As has been shown in the TVA area and in the Northwest, low rates and the aggressive promotion of widespread power use can bring new industry a higher standard of living, and a handsome rate of return to existing utilities all in one package.

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Report to My Constituents on the 86th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mrs. BOLTON. Mr. Speaker, while the record of the Congress as a whole cannot be fully analyzed until the second session draws to a close next year, we have grappled with many problems during this first session and have seen some very noteworthy achievements take place. At this time I would like to summarize briefly some of the accomplishments as a report to my constituents.

This session will perhaps be best remembered for its passage of a strong labor reform bill. After almost 2 years of extensive investigations and exposures by the McClellan committee in the Senate, an aroused public demanded that Congress take action on legislation to cope with unscrupulous activities in the labor-management field. The result was the passage of the Landrum-Griffin bill in the House and Senate by an overwhelming majority. The first major labor legislation since the Taft-Hartley Act in 1947, this measure, signed by President Eisenhower, is prounion and propublic. It is not an antilabor bill. It guarantees many basic rights to labor-union members. Among these are equal rights to union members in the conduct of union affairs, protection against arbitrary dues increases, protection of the right to sue, free and fair union elections, safeguards against improper disciplinary action, and protection of union funds. The bill's strong ban on secondary boycotts and blackmail picketing protect the public against abuse of union monopoly powers and the provision giving State labor boards jurisdiction over disputes now refused by the National Labor Relations Board will strengthen the hand of small business in labor disputes.

When the 86th Congress convened last January, with the Democrats holding a majority of almost 2 to 1 in both the House and Senate, the trend seemed to indicate that this would be the spendingest Congress in history. Bills estimating a 5-year price tag of $117 billion were introduced in the first few weeks. It took the President several vetoes to make his point that if Congress wanted to spend more money on additional projects, it would have to raise taxes to pay for them or face the twin consequences of deficit spending and continuing inflation. By the end of the session, action or inaction by the spenders had pushed the budget figure up to nearly $79 billion from $77.1 billion submitted by the President. While they trimmed regular appropriations requests, they boosted authorizations for future spending, some of it by the back-door route which bypasses the regular appropriations committees. The so-called decreases do not cover, for example, $231 million in authorization for back-door spending not sought by the President. Fortunately, however, with the strong hand of President Eisenhower, together with the public's demand for economy, we were able to hold some of the line at least on spending. There is a chance that a balanced budget, as sought by the President, may yet be achieved before the close of the fiscal year because of revenue increases. This would indeed be a truly noteworthy achievement for the fiscal integrity of the Nation.

Of major importance to Ohio was the passage of legislation making it possible to continue the Federal aid highway program. In 1956, in response to popular demand, Congress approved the construction of a 41,000-mile system of interstate highways designed to bring highways up to acceptable standards by 1972. To finance the program Congress established a highway trust fund in which are deposited the proceeds of the Federal gasoline taxes, and certain excise taxes. At the time the highway program was adopted, it was estimated that the $25 billion to be raised for the highway trust fund would complete the system. However, in April 1958, as an antirecession measure, Congress passed an accelerated highway building program but did not provide the necessary means for financing. As a result of this action, the highway trust fund faced a deficit of $1.3 billion by July 1961 if existing commitments to the States were met. To meet this deficit and keep the program on a fiscally sound basis President Eisenhower proposed that the gasoline tax be increased by 1½ cents a gallon. After a delay of many months the Committees on Public Works and Ways and Means finally worked out a compromise calling for a 1-cent per gallon increase over a 22-month period. As a result of this action, Ohio and other States will be able to continue their highway building program without any major curtailment.

Once again this year it was necessary for Ohio Members to appear before the Public Works Committee to oppose the Lake Michigan diversion bill. This bill, if enacted, would permit Chicago to divert more water from Lake Michigan thereby causing a lowering of the level of all the Great Lakes. In spite of a valiant floor fight by Ohio and other Great Lakes congressional delegations,

the bill passed the House. However, because of the increased opposition of Canada, when the bill reached the Senate floor, it was killed for the time being by a vote to refer it to the Senate Foreign Relations Committee.

After three tries the Congress finally passed a housing bill acceptable to President Eisenhower. The President had found it necessary to veto the first two bills because of their inflationary aspects, and also because they contained provisions which he felt had no place in a housing bill, such as loans for the construction of college classrooms. The bill finally enacted provided sufficient FHA housing insurance authority to provide for early 1960 construction planning, a 2-year, $650 million urban renewal program, authorization for 37,000 public housing units, and $50 million in direct loans for housing for the elderly.

For our veterans, the Congress passed a bill making a major overhaul in the system used to determine pensions payable to veterans with non-service-connected disabilities and to their widows and children. The new bill provides a sliding scale of monthly pensions based on the needs of the veterans. Under this measure no veteran now on the rolls will have his pension reduced or taken away; however, if he qualifies for a higher pension under the bill he can elect to come under its provisions. Generally, the bill will provide higher pension rates than those now applicable.

In the field of foreign affairs, we sat many weeks in the committee on the mutual security bill. The legislation which finally emerged from the House-Senate conference provided for an authorization of $3,556,200,000 for the fiscal year 1960—a reduction of $353 million from the President's recommendations. The Appropriations Committee, which provides the funds, further reduced the amount to $3,225,813,000—some $704 million less than the administration had requested.

In the Foreign Affairs Committee we added a new section to the Mutual Security Act calling upon the Secretary of State to set up an Office of Inspector General and Comptroller to enforce fiscal responsibility in any and all mutual security programs.

Another matter of vital concern to the committee was legislation dealing with standards for the issuance of passports. On June 16, 1958, the Supreme Court ruled that the regulations of the Secretary of State denying passports to supporters of the world Communist movement were invalid because of a lack of specific legislative authority. The President on July 7, 1958, requested the Congress to enact legislation granting authority necessary to deal with this matter. The bill which finally passed the House this session authorizes the Secretary of State to deny passports to or revoke passports of persons knowingly engaged in activities intended to further the international Communist movement. Such denial or revocation is made contingent upon a finding by the Secretary that the activities or presence abroad of such persons would be harmful to the security of the United States, and any denial or revocation of a passport under this authority is made subject to judicial review.

A great historical achievement of this session was the passage of statehood for Hawaii. The 99th and 100th Senators were seated as well as an additional Member of the House. Now, for the first time in 160 years, there is no Territorial Delegate serving in the House.

As an interesting finale to the long, long session, I went with my subcommittee chairman, the Honorable WAYNE HAYS—Subcommittee on State Department Organization and Foreign Operations—to Moscow. Primarily we went to see the U.S. fair, to see for ourselves the standards set and upheld and to evaluate somewhat its effectiveness. It would be difficult to imagine any combined effort of Government, private industry, and the whole personnel group which could have done a better job. The eagerness of the visitors told the story. The hunger, on the faces of those in the book exhibit especially, in the area where they could pick up and read magazines and books somehow made the whole effort, which was a tremendous one, more than worthwhile. Mr. Harold C. McClellan and all those associated with him, young and old, in and out of Government and industry, deserve their country's grateful thanks.

The 1st session of the 86th Congress is over at last. Sine die adjournment came, as you know, at 6:21 a.m., after a long, long night. Now we have half of September, all of October, November, and December before we come back, on January 6. May we use the time well wherever the days find us.

Letter to Mr. Clyde Ellis, General Manager of the National Rural Electrification Cooperative Association

EXTENSION OF REMARKS
OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, September 12, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of a letter I have today directed to the Honorable Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association. The letter, is self-explanatory and deserves the attention of every Member of Congress.

SEPTEMBER 12, 1959.

Mr. CLYDE ELLIS,
General Manager, National Rural Electrification Cooperative Association.

DEAR MR. ELLIS: This letter is being written to you in the spirit of fair play and mutual understanding which should be manifest between your organization and the Members of Congress on strictly a nonpartisan basis if the best interest of REA, RTA, and the country as a whole are to be served.

As you well know, the rural electrification program and the expanding program as assistance in the improvement of rural telephone communications have always been the accomplishment of bipartisan support in both Houses of Congress. Democrats and Republicans have joined in advancing these programs and in voting adequate funds for their development. Under Administrators selected both by Democratic and Republican Chief Executives, the programs have prospered and expanded. The statistics clearly demonstrate that the present REA Administrator, David Hamil, for example, has given efficient and sympathetic direction to the REA and RTA programs.

Under Mr. Hamil's administration, processing of loans has been expedited; collections from borrowers have an enviable record; adequate loan funds have been kept available. In the main, relationships between REA and RTA and Members of Congress have historically been friendly and productive regardless of partisanship. It is my conviction—and I hope yours—that they should be kept that way.

I give you this brief review, Mr. Ellis, of facts with which you are, of course, familiar simply to demonstrate the importance of keeping REA and RTA out of politics and free from the sharp repercussions of partisan campaigning which should have no place in worthy programs of this type.

I mention the foregoing because of rumors reaching me that the organization which you head and which draws its support from user-sponsored cooperatives is about to "enter the field of active partisan politics." I am sure this would be a most regrettable development.

On occasion reports have reached me of speeches you have yourself given before REA and RTA groups and annual meetings or of your public writings which carry a slanted political tinge. That, in itself, is most regrettable. I have also heard that some of your associates in the field have similarly shown an increasing tendency to move in the direction of injecting political discussions and considerations into their activities. Complaints of this type continue to reach my office, both from Congressmen who feel aggrieved over an attempt to use REA and RTA for political ax grinding and from REA subscribers who resent it.

Recently, it has been reported you propose to "loan" some of your employees to Democratic candidates for Congress to serve as campaign counselors or managers with the understanding they will be reemployed by you after the elections are over. I am not clear on whose payroll they would serve but assuming they would be taken off your salary lists while so serving such a temporary severance of connection with your office would not divorce them from the serious implications involved. Such a practice would be tantamount, of course, to putting your organization directly into political activity and do serious injury to the productive and effective cooperative support of REA and RTA which has meant so much to this movement in the past and is so necessary to its future development.

As chairman of the Republican Congressional Campaign Committee, my responsibility is of course to support Republican candidates for office. All I ask for those I support is the consistent practice of fair play and the proper public identification of all political functionaries involved. Naturally, I do not want your organization or any other nonpolitical group supporting the Democratic candidates as a matter of partisan philosophy or to promote the personal political fortunes of anyone so long as it enjoys the reputation, tax advantages, and safeguards of being a nonprofit and nonpolitical organization. That is simply asking for fair play. To engage in the type of practices mentioned in this communication would, I am sure you must agree, necessitate your forfeiting the position of being a nonpolitical and nonpartisan service organization.

It is for this reason I am writing you this frank and earnest letter. I sincerely hope my reports are inaccurate but they seem sufficiently well founded to warrant this letter which I shall insert in the CONGRESSIONAL RECORD and to which I hope you can give me a categorical reply which I shall also be happy to incorporate in the RECORD. I hope your reply will contain complete assurances that I have been falsely informed and that you are not going to besmirch the concept of your organization by making it and its employees and associates the handmaiden or tool of either political party.

Sincerely yours.

The Importance of Followthrough on the International Public Health and Medical Research Year

EXTENSION OF REMARKS
OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Saturday, September 12, 1959

Mr. HUMPHREY. Mr. President, on Wednesday, September 9, the Senate soundly approved, by unanimous consent, Senate Resolution 129, 86th Congress, for the observance of an International Public Health and Medical Research Year.

This action was, I believe, of deep international significance. It reasserts American leadership in medicine and medical research.

It is an action consistent with the outstanding record of the U.S. Senate in spearheading advances in international health.

The action is a source of pride to me not simply as author of Senate Resolution 129, but as a member of the Committee on Foreign Relations and as chairman of the Senate's current international health study, as conducted by a subcommittee of the Committee on Government Operations.

PLAN NOW FOR A SOUND BASIS FOR THE INTERNATIONAL HEALTH YEAR

Certain facts should be clearly understood with regard to the proposed International Health Year.

A brief history of this project was previously presented in comments which I made in the Senate on June 5, 1959. At that time, beginning on page 8993, I traced the origins of the legislation.

I pointed out how the Senate, in August 1958, in the closing days of the 85th Congress, had unanimously approved Senate Resolution 361, which I had introduced for this purpose.

That resolution represented the first formal expression by any parliamentary or executive body anywhere in the world on this subject of what I call IHY—the International Health Year.

Senate Resolution 361 established unmistakably the U.S. origin of the concept.

Thereafter, in December 1958, at the initiative of the Soviet Ukraine—which is, incidentally, an inactive nonpaying member of the World Health Organization—the United Nations General Assembly—with U.S. support—approved the concept of the International Health Year. The U.N. General Assembly commended it to the World Health Organization.

Subsequently, at its 12th General Assembly, in May 1959, World Health Organization, while expressing deep appreciation and satisfaction in the concept of the year and while appreciating the value and importance of the year, stated that it found it necessary to postpone any action on plans for the possible year, for the present. WHO stated however, that it would take the issue up again in the World Health Assembly, convening in May 1960.

PURPOSE OF NEW RESOLUTION

The present Senate resolution is, therefore, designed to maintain the constructive momentum. It seeks to use the time period between September 1959 and May 1960 for the most constructive work possible.

Senate Resolution 129 envisions that the President of the United States will now take the lead. He will through his appropriate advisers help lay the basis for detailed planning of possible projects under the year.

By whom will this initial planning be done? By the expert Federal agencies most directly concerned with this subject, notably the Department of Health, Education, and Welfare and the National Science Foundation. Of assistance as well will be the National Academy of Sciences—National Research Council, which played so indispensable a role in the precedent for the International Health Year—the International Geophysical Year.

VITAL ROLE OF MEDICAL PROFESSION

But just as important, and indeed far more important than the role of official agencies, will be the role of private sources.

No single private source is more important than the medical community of the United States as ably represented through the American Medical Association. In addition, outstanding organizations such as the World Medical Association and specialized medical organizations such as the various academies and colleges concerned with particular medical fields will play a vital role. So, too, will the Nation's medical schools.

TWOFOLD CATEGORIES OF PROJECTS

To find the right type of projects which the United States might formally and informally recommend is a real challenge.

We must remember that the very title of the year indicates its twofold nature: (a) International Public Health and (b) Medical Research.

Category (a) indicates improved service—assistance—care-type programs.

Category (b) indicates programs aimed at new discovery.

In turn, the projects under both categories must be thought through very carefully.

THREE TYPES OF CHALLENGES TO UNITED STATES

Here, as I see it, are three types of projects:

First. Independent U.S. projects for our own people.

Second. U.S. and international collaborative projects which will concern many people.

Third. Independent foreign projects on behalf of the needs in individual foreign nations.

In other words, the International Health Year is an opportunity to raise our targets.

Targets for whom?

First. For ourselves, as one nation.

Second. For all peoples, across the board.

Third. For other individual nations and regions.

Obviously therefore, all other nations will similarly have to think through what they propose to do and can do for themselves and/or for others.

AMERICA'S PRIMARY RESPONSIBILITY

But as the leading power, no nation faces greater responsibilities or greater opportunities than ourselves.

No nation can do, has done or will do more in both public health and in medical research than ourselves.

The United States, of course, is but one of the member nations of the World Health Organization. It is not for us to attempt to tell World Health Organization what it should do. We have never presumed to do so. Rather, consistent with our past record in World Health Organization, we would simply submit to it the very best judgment which we could make available and seek to secure favorable action by the majority and if possible, all members.

THE BASIC WHO DECISIONS

So, would the other nations do likewise, WHO, would thereafter, through its able Director-General, Dr. M. G. Candau, through its executive committee and through its general assembly, decide (a) what is feasible, (b) what is desirable, (c) what is necessary, and (d) and how, when, where, and with what resources.

Let it be noted that the International Health Year will cost money. How much money will depend upon the projects to be decided upon, their nature and their scope. Neither Senate Resolution 361 of the 85th Congress, nor Senate Resolution 129 of the 86th Congress, specifically provides money.

But I am certain that when the time comes, the money will be forthcoming. It has been forthcoming for the International Refugee Year. It was generously and rightly made available for the International Geophysical Year.

NO CURE-ALL TO WORLD PROBLEMS

Here, however, let it be noted that the International Health Year is not purported to be the cure-all to the world's medical problems.

It is simply a means by which we can break through to higher levels of attack against those problems. It is a means by which we can raise the visibility of the people of the United States and the peoples of the world to the nature of health needs and resources.

Most major health problems, by their very nature, cannot be solved in a 12-month period, or an 18-month period, or

even perhaps a decade or a quarter century. But that is no reason why we should not start or proceed ahead.

The value of an intensive period of collaboration has long since been proven, notably in the International Geophysical Year.

Research, in particular, never offers a guarantee of success. No one can devise a timetable for future discoveries. The problems of cancer for example, may be solved in 1960 or in 1970 or still later. No one can be sure.

Nor can the world's shortage of doctors, nurses, and other specialists be solved overnight. Training takes time, long years.

But the time to begin is at hand.

CARRY ON EXISTING PROGRAMS

Here, too, a further fact should be noted. Nothing would be more contrary to the spirit of the International Health Year than to lag in present health programs.

In other words, we have a health job to do right now—in 1959, 1960, 1961, and in the period thereafter. We must provide every possible nickel which we can for these purposes. We must not hold back one iota, simply waiting for the International Health Year to commence in 1963 or 1964.

I point this out because the World Health Organization currently does not have sufficient financial resources to move ahead on one of its own great projects, namely: the worldwide malaria eradication program. As Dr. M. G. Candau has pointed out: Antimalaria funds must be provided right now if the present campaign is to be prosecuted to a victorious conclusion. Let us not, therefore, in preoccupation with what might be done in 1963 or 1964, forget what we must do right now.

IMPORTANCE OF HILL-FOGARTY LEGISLATION

As for U.S. congressional action, starting next January, we must not delay at all in the second session of the 86th Congress in moving ahead on international health legislation.

No single step would be more important than House approval of Hill-Fogarty legislation to create a National Institute for International Medical Research. The great coauthors, Alabama's distinguished senior Senator, LISTER HILL, and Rhode Island's devoted Representative, JOHN FOGARTY, are the leading builders of what could become the most important single institution for the International Health Year or any year.

The International Institute is not just necessary, it is indispensable. No one has more eloquently proved the case for it than its tireless champion, LISTER HILL.

TRIBUTE TO HEW DEPARTMENT

Meanwhile, fortunately, the International Health Year has been the subject of very careful consideration by outstanding authorities.

In May 1959 there was held here in the city of Washington a conference of the National Citizen's Committee for the World Health Organization. That conference heard a splendid address by Secretary of Health, Education, and Welfare, Arthur Flemming. Dr. Flemming stated his enthusiasm for the concept of the year and his words were a source of inspiration to all present.

Secretary Flemming's comments were faithfully implemented in the World Health Assembly which started shortly thereafter in Geneva. No single individual contributed more to the effort of implementation than the able Surgeon General of the U. S. Public Health Service, Dr. Leroy Burney. I wish to pay tribute to Dr. Burney and to his special assistant for international affairs, Dr. H. van Zile Hyde, for the splendid contributions which they have made in this as in other respects.

I want to state, too, that outstanding in the careful consideration of this matter has been America's most foremost medical research leader, Dr. James Shannon, Director of the National Institutes of Health.

ROLE ON INTERNATIONAL HEALTH SUBCOMMITTEE

I am pleased to report that the International Health Study which is being conducted by the Senate Committee on Government Operations has been in continuous contact with these leaders and with this entire project. Indeed, I believe it is safe to say that no single source, in or out of Congress, has initiated, or has received more contacts, not only here in the United States but throughout the world, concerning the International Health Year than has this subcommittee.

For the health year, we must not set our sights either too high or too low. We must attempt to do the possible, but must not shrink from attempting new, bold, and imaginative programs.

DR. GUNDERSEN'S SOUND COMMENTS

A welcome cue for our role has come from the American Medical Association, to which I earlier refered. I should like to point out that the distinguished past president of the American Medical Association, Dr. Gunnar Gundersen has urged that great body to offer leadership and maximum help to the proposed International Health Year.

As reported in the December 15, 1959, issue of the AMA News, Dr. Gundersen said that the health year would give medicine a chance to offer imagination on the international scene and make a contribution to world understanding.

Speaking at the opening of the 12th clinical meeting of the House of Delegates of the American Medical Association, Dr. Gundersen declared that "the time has passed for policies based on generalities, platitudes, and flagwaving." He then suggested that the association offer support and cooperation to proposals for the International Medical Year.

So, too, we look to the Nation's leaders in other life sciences—to biology and chemistry for example—for maximum contributions.

That is why I wanted to see Senate Resolution 129 enacted. What it does is flash a "green light" to the President of the United States and to the people of the United States.

It says: "Please proceed ahead. Please hold the necessary conferences and assemblies, so that the broadest thinking, the best thinking which can be mobilized is made available."

EVERYONE MUST DO HIS PART

Who should be represented in these conferences and assemblies?

Everyone who can make a constructive contribution. Doctors and laymen, civic leaders and scientific leaders. There is room for all. There is opportunity for all. Let each do what he can. That includes, for example, the voluntary health agencies and the other great organizations which represent millions of Americans in all walks of life.

The International Health Year will be a success if all of us help make it a success. Where? Right in our own backyards, so to speak, as well as throughout the world.

My words include the Congress. They include the executive branch. I include great leaders like Dr. Detlev Bronk of the National Academy of Sciences—National Research Council. I include labor and business and agriculture, women's organizations, veterans' groups, and professional organizations.

May I respectfully extend, therefore, this invitation to them. I extend it to the fine National Health Council and the American Public Health Association—which convenes next month in Atlantic City.

I extend the invitation especially to those who guard the Nation's health—our physicians to whom we look for continued guidance.

Let International Health Year meetings be held. Let problems and projects be explored. Let us get on with the task of the advance work.

I invite now the comments and reactions of the American public. They may wish to obtain copies of this legislation, together with a reprint of my June 5, 1959, comments and of a splendid article on the health year which was published in the May 29, 1959, issue of Science magazine, published by the American Association for the Advancement of Science.

I include now, an editorial from the May 12, 1959, issue of the New York Times which was published on the day of the opening of the 12th World Health Assembly in Geneva. This editorial rightly stressed the concept of continuity in health advances.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORLD HEALTH PLANNING

Another conference is opening in Geneva today. It will not be controversial, except as its members try to find ways to do a good job better. This is the annual Assembly of the World Health Organization, and its 12th meeting.

The function of this Assembly is to examine the proposals for the organization's operations next year. High on the list is the continuing fight against communicable and preventable disease. The gains made thus far are encouraging and this is the time to give fresh impetus to the various campaigns.

Part of this impetus should come from the plan to make 1961 an international "year" for medical research and its support. Appropriate legislation is before our Congress to further this plan. But in the minds of all

those who are concerned with world health planning is the larger concept of more than a "year." It can be a decade or half a century. The very existence of a World Health Organization has shown us there there can be no narrow geographical limits in this field. There are also no time limits. The good fight must be waged until the last battle is won.

The Labor-Management Reform Bill

EXTENSION OF REMARKS
OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Saturday, September 12, 1959

Mr. BYRD of West Virginia. Mr. President, I voted for the Kennedy-Ervin bill when it passed the Senate, and I also voted for the conference report when it came to the Senate. I have been criticized for my vote by a district president of the UMWA in West Virginia, and I have received from his office a resolution of condemnation, to which I have today responded by letter. I ask unanimous consent to have printed in the RECORD the resolution and a press article carrying the labor leader's attack upon the two West Virginia Senators, published in the Beckley (W. Va.) Post-Herald, on September 10, 1959. I also ask unanimous consent to have printed in the RECORD my letter of reply to the resolution of condemnation.

There being no objection, the resolution, article, and letter were ordered to be printed in the RECORD, as follows:

Whereas during the past several years in the National Congress, a group known as the Senate Labor Rackets Committee has been developing a pattern of approach designed to destroy the organized labor movement and reduce the men and women who toil to chattel slaves. It accomplished its work well in providing a forum of discussion and dissemination to the public of a garbled and distorted picture of union labor. Whenever and wherever possible this committee worked in the atmosphere of the savage passions of Washington politics and the irreconcilable conflict of personal conscience and personal ambition; and

Whereas the hour of decision came to the Congress within the past few days when against the pleading of House Speaker RAYBURN, a coalition of southern Democrats and reactionary Republicans were successful in passing the Landrum-Griffin bill—the most stringent of the three before the honorable body—a bill designed by the malefactors of great wealth and the disciples of entrenched greed to take the laboring masses back down that long road when we were nothing more than outcasts deprived of performing any meaningful function in our communities, denied the basic necessities of life including adequate health care and unable to maintain the minimum standards of decency this social stagnation made living a thing to be deplored; and

Whereas in the last political campaign we were confronted with political chameleons—lizards that change color of their skin—who uttered praise and platitudes for the greatest labor organization in all the world—the United Mine Workers of America—and swore allegiance to the cause we collectively espouse. In these allegations they gave only lipservice and we submit that to this date they have not performed one single act that may be considered constructive in performing the task they purported to perform—the slogan on their campaign posters was "Build West Virginia With RANDOLPH and BYRD."

Whereas this stab in the back will, if not taken lightly, perform a great service for our people—it will cause them to come to the realization that a politician cannot be trusted when the chips are down; it will awake in them the graveness of the situation and cause them to realize anew that their only hope is in the power and influence of our great organization and our great leader, John L. Lewis, who has toiled always with unyielding courage and persistence in their best interest. In the discharge of his duties, Mr. Lewis in his high office, has with fairness of appraisal, poise amid confusion, a kindly heart, a nobility of goodness, and the simple faith in men that all great leaders possess continued to give much of himself to make the road smoother, the trip more rewarding as we have journeyed down through the years and continue into the uncertain tomorrow; and

Whereas this good man made an appeal through our legislative agent, Bob Howe, to the several Representatives and Senators, to stand by their campaign promise and keep West Virginia building. For this only can be accomplished by keeping labor free in free America. Prior to this he appealed personally to our two Senators on behalf of the confirmation of Lewis Strauss. You know the answer as it is a matter of public record. Before Congress had barely convened in January they went contrary to our great leader on civil rights legislation. When the question arises as to what they thought is the best interests of our union—their hitting average is 100 percent against your wives and children and those yet unborn. For the far-reaching effects of this labor legislation will be here to plague us for many, many years to come if it follows the pattern of Taft-Hartley; and

Whereas during all this hour of betrayal three Representatives from West Virginia did not forget the men and women who sent them to Congress and will keep them there—Mrs. ELIZABETH KEE, Mr. HARLEY STAGGERS, and Mr. CLEVELAND M. BAILEY stood up and were counted on our side if you please. Through courage, honest devotion, and unsullied fighting spirit they proved their worth beyond question in this grave responsibility of their stewardship. Their integrity in office and faithfulness to trust has ever been their longing and aspiration—they covet and cultivate your friendship by deeds not words and promises; and

Whereas we believe that those who have been faithful to their trust should be rewarded—likewise our betrayers should receive our everlasting condemnation. We must have Representatives who realize that while their duties present a thorny and laborious problem, the reward of a task well done becomes progress toward the fulfillment of human destiny; therefore be it

Resolved, That Local Union 9375 of Tralee, W. Va., in regular meeting assembled, condemn the action of our Senators and Representatives in the National Congress who play footsie with the U.S. Chamber of Commerce, the Manufacturers Association, and all other groups who prowl the streets and buildings in our Nation's Capital seeking to prevent the people who toil in America from having some of the better things of life, and commend for high honors, KEE, BAILEY, and STAGGERS; and be it further

Resolved, That we begin to plan now to eliminate from the lawmaking body those who stood against us in the supreme challenge and put our plans into action when we go to the polls in 1960.

Fraternally submitted.

This resolution was unanimously adopted at the District 29, United Mine Workers of America Labor Day celebration held at Pineville, W. Va., Monday, September 7, 1959.

The motion to adopt the resolution was made by Fred Wooten, Local Union 6026, Coalwood, W. Va., and was seconded by Ernest Moore, Local Union 7633, Thorpe, W. Va.

[From the Beckley (W. Va.) Post-Herald, Sept. 10, 1959]

TITLER BLASTS SENATORS FOR "STAB IN THE BACK"

West Virginia's two U.S. Senators, JENNINGS RANDOLPH, of Elkins, and ROBERT C. BYRD, of Sophia, have been accused of "stabbing labor in the back" in a resolution already mailed to them and now being sent to every local union of the United Mine Workers of America in the State.

The resolution was adopted at the Labor Day celebration Monday in Pineville. George J. Titler, president of District 29, of the UMWA, repeated some of the charges made against RANDOLPH and BYRD in Pineville.

Titler said: "The labor unions and coal miners, especially in West Virginia, have been shocked and nauseated by the action of the so-called pro-labor BYRD and RANDOLPH in the 86th Congress.

"The first real stab in the back by RANDOLPH and BYRD, a stab at the coal miners of West Virginia, was when they allowed LYNDON JOHNSON to pull them around by the nose and get them to vote against Lewis Strauss when his confirmation came before the U.S. Senate for Secretary of Commerce.

"For 10 years we have been trying to get quotas on import of residual oil—and 2 months after Strauss succeeded in having this done the two Senators from West Virginia cut his throat from ear to ear. Their votes constituted the balance of power which rejected him.

"Their next two antilabor votes were for the Kennedy-Erwin bill and when they voted for the compromise Landrum-Griffin bill.

"In the last 10 years we have had three nasty thrusts of fascism in America. The first was the Taft-Hartley Act, the second the right-to-work laws in 19 States, and the third the Kennedy-Erwin and Landrum-Griffin bills."

The blunt resolution of protest came from UMWA Local 9375 at Tralee. It was unanimously adopted by those present for the celebration.

SEPTEMBER 12, 1959.

Mr. GEORGE TITLER,
President District 29, United Mine Workers of America, Beckley, W. Va.

DEAR GEORGE: I have noted the Beckley Post-Herald story of September 10, captioned "Titler Blasts Senators for 'Stab in the Back.'" The article refers to a resolution adopted at the District 29 Labor Day celebration in Pineville on September 7, and states that the resolution is being mailed to Senator RANDOLPH and to me and every UMWA local union in the State.

I have received the resolution. It came to me in an envelope mailed from Beckley and bearing your return address. I have noted the condemnation of my action, and that of Senator RANDOLPH and Congressmen HECHLER, SLACK, and MOORE, in voting for the labor-management reform bill which recently passed both Houses of the Congress.

The resolution speaks of "political chameleons" who, in the last political campaign, "swore allegiance" to the cause which the United Mine Workers of America "collective espouse." May I say that those who prepared the resolution, and I assume you took part in its preparation, might do well to remember that I stated, time and again, during the last campaign, that I intended to vote for a labor-management reform bill. I made this statement to the people several times during my appearances on television and otherwise. No individual need have been under any false impression as to where I stood, because I felt at that time, as I

feel now, that the American people as a whole wanted and deserved some legislation to prevent, as much as possible, future corruption and racketeering in the labor-management field. The rank-and-file membership of many of our unions needed protection, and I am confident that many of the labor leaders themselves throughout the country realized that something had to be done.

The resolution goes on to state, in referring to the two West Virginia Senators, as follows:

"To this date they have not performed one single act that may be considered constructive in performing the task they purported to perform—the slogan on their campaign posters was 'build West Virginia With RANDOLPH and BYRD.' "

It is to be regretted that those who seek to criticize Senator RANDOLPH and me find it convenient to overlook the many efforts we have put forth in behalf of our State and our people. We have performed not "one single act" but many acts which should redound to the best interests of our constituency. What about the Coal Research and Development Act, which was cosponsored by the two West Virginia Senators? The efforts of Senator RANDOLPH and me in urging upon our leadership and upon the appropriate committee of the Senate that action be taken on this measure, were responsible in great measure for enactment of this legislation. What about the area redevelopment legislation which passed the Senate several months ago? Have those who criticize us today forgotten that my subcommittee held hearings in West Virginia on the need for such legislation and that Senator RANDOLPH appeared and gave testimony in its behalf? What about the Youth Conservation Corps Act? This bill, which Senator RANDOLPH and I joined in cosponsoring, passed the Senate, and its enactment into law would put many thousands of young men to work. What about the public works measures which have been made possible by the work of the West Virginia Senators on the Public Works Committee and the Senate Appropriations Committee? These projects will put men to work at Summersville and Princeton and East Rainelle and at other places throughout the State. What about the appropriations made by my committee for armory construction in West Virginia? Ask our mutual friend, Congressman BAILEY, as to who was responsible for the inclusion of additional moneys for West Virginia in the military construction appropriation bill.

I could go on and on, if it were necessary, to recall the many accomplishments by the West Virginia delegation in the Congress, but I shall only touch now upon one other significant action by Senator RANDOLPH and me, inasmuch as you have been quoted in the press as alluding to the Strauss episode. You have criticized our vote in opposition to the confirmation of Lewis Strauss. You would have the rank-and-file membership of the UMWA believe that Mr. Strauss was solely responsible for the imposition of mandatory controls on imports of residual oil. You should have known that this is not the case. The voice of Mr. Strauss was only one voice, and who is there to say that his successor will not favor mandatory import quotas? In bringing up the matter of mandatory import controls on residual oil, why do you not give credit where it belongs? In my 7 years in the Congress I have been waging this fight, as have others of the West Virginia delegation. Prior to the imposition of mandatory controls this year, your two West Virginia Senators and the West Virginia Members in the House of Representatives waged a determined campaign to have the President institute such controls. We went to Acting Secretary Strauss; we met with the Director of the Office of Civil and Defense Mobilization, Mr. Leo Hoegh; we went to the Department of the Interior; we took our fight to the late Deputy Secretary of Defense, Donald Quarles; we went to Under Secretary Dillon in the Department of State; and Senator RANDOLPH and I climaxed our efforts by going direct to the President of the United States in the White House. We helped to fight the battles and carry the burden in the heat of the day, but your statement seeks to give Mr. Strauss the credit. Mr. Strauss has long since been gone from Government circles, but the import controls are continuing. Of course, I have no way of knowing how long they will remain in existence, because the New England area continues to bring considerable pressure on the President to get him to recede from his action. But the fact remains that your West Virginia Senators and your House Members were, in a very considerable measure, responsible for the import controls.

As for the unfortunate Mr. Strauss, the propaganda that was disseminated in his behalf backfired on him, and he is about as much to blame as is anyone for his own defeat. Some of the New England Senators were told that he helped to keep coal out of their States; conversely, the two West Virginia Senators were told that he was a friend of coal. So you can see that his supporters were working both ends against the middle. I voted against him because I did not feel that it was in the best interests of the country to have him confirmed, and I reached my decision after I had read the 1,128 pages of the hearings. I think I did the right thing, and I am willing to stand on my decision.

The resolution charges that the West Virginia Senators played "footsie with the U.S. Chamber of Commerce, the National Association of Manufacturers, and all other groups who prowl the streets and buildings in our Nation's Capital seeking to prevent the people who toil in America from having some of the better things of life * * *." Your two Senators have not played footsie with these groups or with any other groups. We simply do not wear anybody's collar around our necks.

The bill which passed the Congress will not hurt honest unions, and it will give added protection to the rank-and-file members in the unions. Honest union leaders have nothing to fear from the legislation. George, the flagrant disregard of the rights of the rank and file members of organized labor by men like Hoffa and Beck, and the corruption and racketeering that have been revealed in the fields of both labor and management, made it imperative that some kind of legislation be enacted. The people of this country, and this includes thousands of individuals in the ranks of labor, were determined that legislation should be written to prevent such future abuses. I came up in a workingman's home, and my sentiments have always been very friendly toward the lot of working people. I cannot condone, however, a reckless disregard of and a disrespect for the public, the Government, and the union movement itself, by those who would wreck organized labor in their efforts to build little empires for themselves. Men like Hoffa and Beck do not serve the best interests of laboring men and women generally, so I am convinced that I voted for that which was right, under the circumstances.

After the Kennedy-Ervin bill had passed the Senate, I told you, George, that labor would do well to support the Senate-passed bill—else you would get even stronger legislation before the session was over. It turned out as I said. Some people were adamant in their opposition to any kind of labor-management reform bill whatsoever, and, if I remember correctly, this represented the position of your national office. A few labor leaders even went so far as to threaten Members of Congress who supported such legislation, and their threats reacted against labor. Many of the people who wrote insisting that we support the bill and many of the people who wrote demanding that no bill be passed at all were entirely unfamiliar with any of the provisions in the bill. I would venture to say that, in various instances, many of those who wrote protesting the bill had been incited to write to us by people like you, George.

I have been a friend of labor throughout my 13 years in public service, and I am confident that fairminded working men and women will not be misled by a few individuals who, because I have not voted exactly as would have pleased them in this instance, would seek to have the union membership believe that I have betrayed labor. I have had my battles with you before, George, and I do not say this disrespectfully, but a man can be with you 99 times and vote opposite to your views once and you will crucify him as one who has betrayed labor.

If certain labor organizations had cleaned house, the people would not have demanded that the Congress do the job. I realize that unions, generally, in West Virginia have not been subjected to dishonest leadership, and I have spoken with pride upon numerous occasions concerning the honesty and fairness of most of the union leaders in West Virginia, but this does not gainsay the fact that a situation had developed in the Nation which could no longer be tolerated.

If blame must be placed somewhere, then, let it rest upon the shoulders of Hoffa and Beck and others of their stripe. Let the blame also be shared by those who publicly defended Hoffa. Your two West Virginia Senators and your House Members did not "stab labor in the back," George; labor's position was undermined by a few reckless leaders who stubbornly refused to read the handwriting on the wall.

Sincerely yours,

ROBERT C. BYRD,
U.S. Senator.

SENATE

MONDAY, SEPTEMBER 14, 1959

The Senate met at 9 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of light and love: Our lives here are so swiftly lived; as the flower that fadeth and the grass that withereth, so are we. It is ours to receive, today, the inheritance of yesterday, and to transmit it, unwasted and unsullied, to tomorrow.

For all that this National Chamber—where free speech is glorified, where the people's voice is heard, with no dictator's padlock on lips—means to the stirring life of these days of ferment, we give Thee thanks.

As another session of this body nears its close, we are grateful for the rich fellowship of minds which, although differing in viewpoint, yet are united in their dedication to great causes; we thank Thee for the joy of discovering common aspirations and sharing in combined achievements.

Save us from nursing our disappointments, from brooding over defeats, or from being haunted by ghostly regrets.

In the contacts and conversations in the momentous days just ahead, give to our national leaders who will be the mouthpieces of democracy the grace to be harmless as doves in the pursuit of a just peace, but wise as serpents in detecting hidden treachery.

In all our relationships as a nation, help us never to lose sight of the truth that liberty is indivisible, and that to bargain with slavery anywhere in the world is to jeopardize and lessen our own birthright.

Teach us, O God, that victory for the precious things we say we believe in never comes—even to those who pray for it—if they will not rise up and seize it.

We ask this in the Name that is above every name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON PROGRAM FOR DISCOVERY OF MINERAL RESERVES—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs.

To the Congress of the United States:

I transmit herewith the second semiannual report of the Secretary of the Interior prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories, and possessions by encouraging exploration for minerals, and for other purposes."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 14, 1959.*

REPORT ON OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT OF 1956—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the sixth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 14, 1959.*

RETURN OF A SENATOR

The PRESIDENT pro tempore. The Chair notes the presence of the junior Senator from Indiana [Mr. HARTKE] in the Chamber, and extends good wishes to the Senator on his return from the hospital.

Mr. HARTKE. I thank the President pro tempore.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN NATURAL RUBBER

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 470,000 long tons of natural rubber now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

CONVENTION WITH CUBA FOR CONSERVATION OF SHRIMP

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to give effect to the convention between the United States of America and Cuba for the conservation of shrimp, signed at Havana, August 15, 1958 (with an accompanying paper); to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on the District of Columbia:

"HOUSE CONCURRENT RESOLUTION 1

"Concurrent resolution supporting the aspirations of the citizens of the District of Columbia for a measure of self-government

"Whereas with the formal admittance into the Union of Hawaii as the 50th State, her people now enjoy the rights and assume the duties of full citizenship in the United States of America; and

"Whereas it is the firm conviction of the people of Hawaii that all other citizens of the United States of America are entitled to self-government and to participate fully therein; and

"Whereas the District of Columbia, which once had enjoyed home rule for 70-odd years after it became the National Capital, was disfranchised as a Federal territory in 1874; and

"Whereas for the past 85 years the people of the District of Columbia have lacked any voice in the government of the District, and have not had a Delegate to represent them in Congress; and

"Whereas the people of the District of Columbia have achieved political stability and maturity; and

"Whereas it is the belief of the people of the State of Hawaii that not only are the 826,000 people of the District of Columbia entitled to but are eminently qualified to govern themselves: Now, therefore, be it

"*Resolved by the House of Representatives of the First Legislature of the State of Hawaii in special session assembled (the Senate concurring)*, That the Congress of the United States be respectfully requested to give full support to measures which would enable the District of Columbia to govern itself; and be it further

"*Resolved*, That certified copies of this concurrent resolution be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States."

A resolution adopted by the New England Graduate Accounting Study Conferences Association, of Boston, Mass., favoring the principle of a Federal balanced budget; to the Committee on Appropriations.

A cablegram in the nature of a petition from the Okinawa Mayors Association, and the Association of Chairmen of Councils of Cities, Towns, and Villages of Okinawa, relating to economic aid to the Ryukyus; ordered to lie on the table.

A cablegram in the nature of a petition from the Ryukyu Society of Agriculture and Forestry, the Ryukyu Industrialists Federation, the Ryukyu Society of Fisheries, and the Naha City Chamber of Commerce, relating to economic aid to the Ryukyus; ordered to lie on the table.

PETITION AND RESOLUTION OF PUBLIC UTILITIES COMMISSION OF CONNECTICUT

Mr. BUSH. Mr. President, on behalf of myself and my distinguished colleague [Mr. DODD] I ask unanimous consent to have printed in the RECORD a petition and resolution of the Public Utilities Commission of the State of Connecticut concerning S. 2417, the amendment of the Interstate Commerce Commission Act.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STATE OF CONNECTICUT,
PUBLIC UTILITIES COMMISSION,
Hartford, Conn., September 9, 1959.

PETITION AND RESOLUTION OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CONNECTICUT CONCERNING S. 2417, AMENDMENT OF THE INTERSTATE COMMERCE COMMISSION ACT

It appearing, that S. 2417, introduced in the U.S. Congress, which has been referred to the Surface Transportation Subcommittee of the Senate Committee on Interstate and Foreign Commerce, proposes amendment of the Interstate Commerce Commission Act.

It appearing further, that the purpose of such amendment is to remove the present provision wherein a motor carrier lawfully engaged in operation solely within a State, is exempt from the requirement of obtaining a certificate from the Interstate Commerce Commission, when such State has established a regulatory agency with authority to issue certificates to carriers, and the carrier has obtained such certificate.

It appearing further, that enactment of this amendment will necessarily supersede the present procedure whereby a State regulatory agency, having extensive knowledge and familiarity with local intrastate transportation requirements, determines the public need for motor carrier service within its State, because the practical effect of this bill would be to transfer to the Interstate Commerce Commission this traditional area of intrastate regulation.

It appearing further, that the present procedure of registration of State-issued certificates with the Interstate Commerce Commission constitutes an effective method of harmonizing State and local regulation over the motor carrier industry, and has worked efficiently for 25 years.

Now, therefore, we the undersigned, comprising the Public Utilities Commission of the State of Connecticut, petition and memorialize Connecticut Representatives and Senators in Congress that the enactment of S. 2417 should be opposed, for the reason that the State of Connecticut has prescribed adequate and proper procedure for regulation, supervision, and issuance of certificates to motor carriers providing service within this State, and that enactment of said bill would constitute unnecessary and unreasonable interference with the right and powers of the State of Connecticut to exercise supervision and regulation over such motor carriers providing intrastate service.

We hereby direct the secretary of this commission to forward a copy of this petition and resolution to each Connecticut Representative and Senator in Congress.

Dated at Hartford, Conn., this 9th day of September 1959.

PUBLIC UTILITIES COMMISSION.
EUGENE S. LOUGHLIN.
HENRY B. STRONG.
BASIL P. FITZPATRICK.

Attest:

GEORGE J. GRIFFIN,
Executive Secretary,
Public Utilities Commission.

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. HAYDEN. Mr. President, with reference to the printing of committee activity reports for the session, as chairman of the Joint Committee on Printing, I wish to remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports, both as committee prints and in the RECORD, is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD, since the Government Printing Office will be directed not to print them both ways.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary:

William T. Sweigert, of California, to be U.S. district judge for the northern district of California; and

Myron D. Crocker, of California, to be U.S. district judge for the southern district of California.

By Mr. EASTLAND, from the Committee on the Judiciary:

Russell B. Wine, of Texas, to be U.S. attorney for the western district of Texas;

William B. West III, of Texas, to be U.S. attorney for the northern district of Texas;

M. Oliver Koelsch, of Idaho, to be U.S. circuit judge for the ninth circuit; and

Harry A. Blackmun, of Minnesota, to be U.S. circuit judge for the eighth circuit.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY:

S. 2706. A bill for the relief of John Pyris; to the Committee on the Judiciary.

S. 2707. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the last above-mentioned bill, which appears under a separate heading.)

By Mr. MURRAY:

S. 2708. A bill to provide for amendments to the compact between the people of Puerto Rico and the United States; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 2709. A bill directing the Secretary of the Interior to convey to the city of Flandreau, S. Dak., any interest remaining in the United States to certain property which it conveyed to such city by the act of August 21, 1916 (39 Stat. 524); to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Texas (for himself, Mr. JAVITS, Mr. MUSKIE, Mr. YARBOROUGH, and Mr. MORSE):

S. 2710. A bill to provide for loan insurance on loans to students in higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 2711. A bill to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. BRIDGES:

S. 2712. A bill to authorize the Administrator of General Services to convey all lands comprising Fort Dearborn, Rye, N.H., and Rye Air Force Base, Rye, N.H., to certain former owners of such lands; to the Committee on Government Operations.

By Mr. LANGER:

S. 2713. A bill for the relief of Thomas H. Hughes, Jr.;

S. 2714. A bill for the relief of David L. Gilsinn; to the Committee on the Judiciary; and

S. 2715. A bill requiring railroads to take certain action at unprotected grade crossings adjacent to schools; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. LANGER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2716. A bill for the relief of Ecaterini Karafyllis; to the Committee on the Judiciary.

COMMENDATION OF PROJECT KNOWN AS PROJECT HOPE, TO PROMOTE GOOD WILL THROUGHOUT THE WORLD

Mr. HUMPHREY submitted the following concurrent resolution (S. Con. Res. 78); which was referred to the Committee on Foreign Relations:

Whereas the need for ever-increasing peaceful, humanitarian cooperation between the peoples of the United States and the people of other nations of the world is apparent; and

Whereas under the authorization of the President of the United States the United States Navy is furnishing a mothballed hospital ship to the People-to-People Health Foundation under private charter; and

Whereas the People-to-People Health Foundation, Inc., is currently engaged in staffing and equipping the hospital ship *Consolation* as a floating medical center to be sent to Southeast Asia; and

Whereas the chief purpose of this undertaking, called Project Hope, will be to bring to the medical professions of these developing nations the latest skills and techniques developed by the American medical and dental professions; and

Whereas, the hospital ship will be staffed with medical personnel selected from among the top men and women of our medical, dental, and health professions; and

Whereas the $3.5 million needed to staff and operate this hospital ship for a year is being raised from private sources throughout the country; and

Whereas Project Hope has received the enthusiastic support of Government, industry, business, labor, the medical and dental professions, and private citizens throughout the country: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That Project Hope be commended as another step forward in increasing good will throughout the world and in bringing the people of all nations together in a bond of mutual trust, friendship, and cooperation.

AN INCENTIVE FOR EMPLOYMENT OF OUR OLDER CITIZENS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide a tax credit for an employer to cover the additional cost of hiring older employees.

One of the really grave problems which we face in America today is that of our older citizens. Thanks to the miracles of modern medicine and pharmacy, the life span of our people has increased significantly during this century. But with this progress in medicine have come new problems, among them being the employment opportunities open to our older workers.

I might say that this is far from an academic consideration. More and more of our older workers—as well as people in the middle age group—are finding job opportunities closed to them. One of the major reasons is that the added costs to employers of hiring older workers proves too great a burden, and therefore, it is the younger workers—even with a minimum of experience or training—who are hired instead.

The employer today must not only think in terms of hourly wages, but he must also think in terms of the cost he will bear for pension and welfare programs and other so-called fringe benefits. For example, the Labor Department reports that in the steel industry the employer's annual contribution to the pension fund for a worker who is employed at the age of 30 is $120 a year, as compared to an annual contribution to the pension fund for a worker who is employed starting at the age of 45, of $214. Measured in terms of additional cost per

hour per worker, this amounts to 6 cents per worker employed at the age of 30, as compared to almost 11 cents per worker employed at the age of 45.

Obviously, this amounts to a considerable amount of money which employers certainly must take into consideration in a competitive economic system such as we have.

In my opinion, it is incumbent upon the Congress to consider ways in which we in the Congress can encourage employers hiring older workers. It is for this reason that I am introducing this legislation today. It is quite a simple proposal. My bill would provide that an employer could compute the additional costs in fringe benefits which he bears for hiring older workers, as compared to the youngest age group doing comparable work, and such additional cost could be treated as a tax credit against the income tax of such employer.

For example, if a firm hires two men of comparable work—one being employed at the age of 30, and the other at the age of 50—and the firm incurs an additional cost of $200 in fringe benefits for the older worker as compared to the younger worker, such $200 in additional costs may be treated as a tax credit and the entire amount deducted from the income tax which is owed by such firm.

Under my proposal, therefore, an employer in considering hiring older workers would not have to take into consideration the added costs which would normally be entailed. I am confident that the passage of this bill would mean the hiring of many more of our middle aged and older workers. Employers know that such workers are in many cases more highly experienced, more stable, and more inclined to remain employed by the firm over a longer period of time.

It is not fair that the society should ask an individual employer to bear such additional costs which are entailed in hiring our older workers. This is a cost which the society itself should bear and should be willing to assume.

The problems of older workers and our older citizens in general demand solutions. There is no justification for a nation which is as wealthy and prosperous as ours to neglect its older citizens who have given so much toward the growth and development of our country. We have an obligation to come forth with fair and just and workable solutions. I am confident that Congress will meet such obligation and solve the problems which plague so many of our older people.

The bill which I introduce today, Mr. President, is a companion measure to one which was offered in the House of Representatives by Representative ROMAN C. PUCINSKI, of Chicago—H.R. 8695. I am hopeful that this measure will have consideration of both the Senate and the House.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The bill will be received and appropriately referred.

The bill (S. 2707) to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Finance.

RADIO PROGRAM ENTITLED "TODAY IN CONGRESS"

Mr. SPARKMAN. Mr. President, throughout this 1st session of the 86th Congress we who are privileged to serve in this body have had a unique service rendered us and I feel some recognition should be given it. I refer to Joseph McCaffrey's nightly radio program, "Today in Congress," in which Mr. McCaffrey summarized the day's developments here on Capitol Hill and informed us of the program scheduled for the following day.

What made this program unique is the fact that it is the only one of its kind on the air, a sort of Congressional Record of the Air, devoted exclusively to the workings of Congress and all the other interesting events which take place here on the Hill.

Mr. McCaffrey has spent 12 years covering Capitol Hill and knows intimately the workings of Congress. From his experience and his knowledge of the Hill, Mr. McCaffrey is able to capture and compress into his program lively and interesting comprehensive reports of the day's doings.

"Today in Congress" is sponsored each session by the Independent Airlines Association as part of its public service activities.

I know that I do not speak first for those of us immediately concerned, but for those who work in and around the Capitol, and those in other Federal departments whose jobs require them to keep an ear turned to congressional happenings, when I say that this program has been most helpful and that we are indebted to the Independent Airlines Association for making it possible.

AMENDMENT TO HIGHWAY TRUST FUND, OF MUTUAL SECURITY APPROPRIATION BILL — STATEMENT ON POINT OF ORDER

Mr. GORE. Mr. President, last Saturday evening during debate on the mutual security appropriations bill, the junior Senator from Tennessee raised a point of order against certain language in the bill.

The language against which I raised the point of order constituted a proviso found in lines 15, 16, and 17 on page 18 of the bill. The entire section of the bill which contained the objectionable language is set forth as follows:

> For repayable advances to the highway trust fund during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399) $359,000,000: *Provided*, That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this account shall be withdrawn.

My point of order was limited to the language beginning with the word "*Provided*," and continuing through the word "withdrawn."

I point out that the proviso is attached to language appropriating funds to the highway trust fund as a repayable advance under the authority of section 209(d) of the Highway Revenue Act of 1956.

The proviso which undertook to specify a date by which the sum appropriated must be repaid to the General Treasury would have modified and changed existing law found in section 209(f)(2) of the Highway Revenue Act of 1956, which specifies the conditions under which such repayable advances shall be repaid to the General Treasury. Accordingly, the proviso clearly constituted legislation on an appropriation bill in violation of the rule of the Senate.

The Presiding Officer quite properly sustained the point of order. On advice from the Parliamentarian, the Presiding Officer ruled further, however, that upon sustaining the point of order the entire section to which the proviso was attached was automatically stricken from the bill. This latter ruling was, in my opinion, erroneous.

The appropriation was clearly authorized by law. The language making that appropriation was in no way subject to a point of order. I do not know upon what basis the Parliamentarian concluded that the appropriation language must also fall.

The entire section including both the appropriation and the proviso was one of a number of committee amendments. At the time the point of order was raised, however, all committee amendments had, by unanimous consent, been adopted, with the understanding that such amendments should be considered as original text in the bill. I know of no rule of the Senate which requires that if a point of order is raised against a proviso, such point of order may, by ruling of the Chair, be extended to cover language to which the point of order was not directed, and against which a point of order would not lie.

At the time of the ruling of the Chair, I stated my disagreement. I did not further contest the ruling, however, because the senior Senator from Florida announced his intention of submitting an amendment to restore the appropriation language to the bill, without the proviso, thereby bringing about the precise result sought to be achieved by the point of order as it was raised.

Mr. President, the rules of the Senate pertaining to the form and substance of language in a pending bill are designed to promote orderly transaction of legislative business. Decisions on points of order ought not to be based in any way upon what some may consider the desirability or undesirability of the result that would be achieved.

I bring this particular matter to the attention of the Senate in order to make a matter of record my disagreement with the ruling of the Presiding Officer on Saturday. I ask Senators to examine the RECORD. It would be unfortunate, in my opinion, if this ruling of the Presiding Officer should be deemed to be a precedent for similar rulings in the future.

AMENDMENT OF COMPACT WITH PUERTO RICO

Mr. MURRAY. Mr. President, I introduce, for appropriate reference, a bill for amendments to the compact between the people of Puerto Rico and the United States. This measure is a revision of S. 2023, which I introduced on May 21, 1959, for the same purpose. My bill was a companion measure to H.R. 5926, sponsored in the House by the distinguished Commissioner of Puerto Rico, Hon. ANTONIO FERNÓS-ISERN.

Hearings were held on S. 2023 and reports of a number of executive agencies received. On the basis of these hearings and repotrs, Commissioner FERNÓS and I held a series of conferences with officers in the executive branch and have worked out this new bill which I am offering today in the nature of a substitute for S. 2023.

In the other body, also, a similar substitute measure is being offered. This is H.R. 9234, sponsored by Commissioner FERNÓS-ISERN. It is my conviction that these measures will accomplish better the intentions of Commissioner FERNÓS and myself in sponsoring the proposed amendatory legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2708) to provide for amendments to the compact between the people of Puerto Rico and the United States, introduced by Mr. MURRAY, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

TITLE TO CERTAIN LANDS WITHIN NEZ PERCE INDIAN RESERVATION, IDAHO

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill which would settle a dispute between the United States and the Nez Perce Tribe as to the ownership of 1,700 acres of land within the Nez Perce Reservation.

The land is a part of the original Nez Perce domain. It has, for almost 90 years, been used by the local Indian agency, the Indian schools, and includes the Indian tribal cemeteries. For many years there has been some doubt as to whether the land still belongs to the Nez Perce Indians or whether, in 1893, it was ceded to the United States.

As recently as 1950, the Commissioner of Indian Affairs recognized the Nez Perce Indians as owners of the land. Subsequently the Interior Department reversed itself and held that the land was exclusively Government property. The tribe brought suit against the Secretary of the Interior to get the question of title determined, but the courts refused to accept jurisdiction on the ground that this was a suit against the Government, which had not consented to be sued.

In dealing with land of similar character Congress has in a number of instances conveyed title to the Indian tribe concerned even where it was quite clear that the land was fully owned by the Government.

Further litigation would be costly both to the Government and to the tribe. If Indian agency and school lands are, as a matter of course, conveyed to Indian tribes, even where they are exclusively Federal property, this rule might well govern in settling a question of ownership between the Government and the tribe, especially where the tribe has a substantial claim that the land belongs to it anyway.

To the extent to which the Federal Government still needs the land in question here, its right to use such land will not be disturbed by my bill. The cemeteries and other lands surplus to Federal needs, however, will be turned over to the tribe for its use. However, only the beneficial interest is to be conveyed. Legal title remains in the United States and the land continues to be subject to restrictions on alienation. I have been assured that the usable portion of the land will be utilized by the Nez Perce Indians so as to bring about improvements in the economy of the Nez Perce Tribe. The tribe has also indicated its agreement to make a portion of the land available to the local school district.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2711) to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

WARNING GATES AND GUARDS AT UNPROTECTED GRADE CROSSINGS ADJACENT TO SCHOOLS

Mr. LANGER. Mr. President, recently there were two great tragedies at railroad crossings, one at Mount Lake Park, Md., where seven children were killed and numerous children were injured, some of them critically, when a school bus was struck by a train at an unprotected grade crossing, and one at Waseca, Minn., where a mother and six children were killed when their automobile was struck by a train at another unprotected grade crossing.

Mr. President, at one time there were warning gates and guards at grade crossings but they have been gradually disappearing from the scene resulting in tragedies such as the above. I am, therefore, introducing a bill that would require all of the railroad companies of the United States to erect warning gates and post a guard at all grade crossings adjacent to the schools. By doing so, I think that we will avert tragedies such as the two great tragedies which happened so close together in the sister State of Maryland which borders us and the sister State of Minnesota which borders my State of North Dakota.

I hope that Congress will give serious consideration to this bill and enact it into law early in the second session of the 86th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2715) requiring railroads to take certain action at unprotected grade crossings adjacent to schools, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

KHRUSHCHEV ON THE SHIFTING BALANCE OF WORLD FORCES—A SELECTION OF STATEMENTS AND AN INTERPRETATIVE ANALYSIS (S. DOC. NO. 57)

Mr. HUMPHREY. Mr. President, recently I had the Library of Congress prepare a study on the statements of Mr. Khrushchev in regard to his attitude toward the power balance between the Soviet Union and its satellites and the United States and our allies—or, as commonly characterized, between the East and the West. In my opinion, this study is one of the most important documents I have ever read.

When I first read the valuable study, it was a mimeographed document distributed by the Legislative Reference Service of the Library of Congress. I wanted to bring this valuable study to the attention of my colleagues on the Foreign Relations Committee and, indeed, to the attention of all the American people. Therefore, I requested of the author, Dr. Joseph G. Whelan, and also of the Legislative Reference Service, permission to have it printed as a Senate document. My request was graciously granted.

I desire to express my thanks and appreciation to Dr. Joseph G. Whelan for bringing the study up to date.

Mr. President, I ask unanimous consent that the study entitled "Khrushchev on the Shifting Balance of World Forces—A Selection of Statements and an Interpretative Analysis," be printed as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, and so forth, were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Statement on mutual security program.

By Mr. MCNAMARA:

Statement, prepared by him, relating to an interpretation of the Labor-Management Reporting and Disclosure Act.

By Mr. HUMPHREY:

Article written by him, entitled "What Khrushchev Is Like," published in the New York Post, on September 13, 1959.

Address delivered by him before the international conference on machine searching and translation, Cleveland, Ohio, on September 9, 1959; and article entitled "Macmillan Promises Science Post in Cabinet,"

published in the Evening Star, Washington, D.C., on September 11, 1959.

By Mr. MUNDT:

Article entitled "A Bill of Rights for Union Members," published in the U.S. News & World Report, on today, September 14, 1959.

By Mr. KEFAUVER:

Press release in respect to address by Senator SYMINGTON before the statewide Democratic dinner, Nashville, Tenn., September 10, 1959.

By Mr. BYRD of West Virginia:

Article written by Thurman Sensing, entitled "Consequences of Consorting With Communists," published in the Wheeling (W. Va.) News-Register, on August 11, 1959.

By Mr. SMATHERS:

Statement, prepared by him, relating to the theme of "Thanksgiving Day."

By Mr. DIRKSEN:

Statement by him on financing of political campaigns.

By Mr. KEFAUVER:

Report by himself on activities of the 1st session of the 86th Congress.

By Mr. JAVITS:

Address delivered by him, before the inaugural banquet of the American Podiatry Association, New York City, on August 31, 1959.

By Mr. KEATING:

Statement by him entitled "Realistic Looking Ahead: The Need for the Continuity of Government Program."

Statement by him entitled "Fresh Evidence of the Need for the Item Veto."

CLARIFICATION OF CONGRESSIONAL INTENT REGARDING SECTION 631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT FOR FISCAL YEAR 1960

Mr. ENGLE. Mr. President, at the time when the Department of Defense appropriation bill for the fiscal year 1960 (H.R. 7454) was recently considered by the Senate, there was considerable discussion of section 631 of that bill, which provided that certain of the funds made available for the services of the Military Air Transport Service should be available only for procurement of commercial air transportation service.

The language of section 631, as reported by the Senate Appropriations Committee, called for the restriction of commercial participation in MATS contracts to air carriers certificated by the Civil Aeronautics Board as scheduled for supplemental air carriers. Contract air carriers not certificated by the CAB as scheduled or supplemental air carriers would have been prohibited from participating in MATS business, under the provisions of the committee language. In the past, quite a number of these contract carriers have participated regularly in competitive bidding for MATS transportation business, and have in instances where justified, been awarded contracts to furnish transportation to the Military Air Transport Service. A number of these contract carriers own aircraft which they have voluntarily assigned to the Civil Reserve Air Fleet, to be available entirely to serve the military in wartime, on 48-hour call.

These contract carriers operate under the same safety regulations, administered by the Federal Aviation Agency, as do all other air carriers; and their equipment must be licensed by the CAB, just as is required of all other air carriers.

During the debate on section 631, on July 13 and July 14, I and other Senators voiced strong objections to the restrictive nature of the language for section 631 which was proposed and reported by the committee, and which would have eliminated the contract air carriers from participating in MATS air transportation business under a system of competitive bidding. On July 14, I offered to section 631 an amendment which would permit the Military Air Transport Service to procure commercial air transportation service from air carriers not holding certificates as supplemental or scheduled air carriers, but who have available equipment qualified for the Civil Reserve Air Fleet. The distinguished senior Senator from New Mexico [Mr. CHAVEZ], chairman of the Defense Appropriations Subcommittee, accepted my amendment, and stated on the floor of the Senate, "I should be very glad to take the amendment to conference." The distinguished Senator from Oklahoma [Mr. MONRONEY] also agreed to accept the amendment. This amendment was submitted to a vote by the Senate, and the amendment was agreed to.

Section 631 of H.R. 7454, as amended by the Senate committee and by my amendment on the Senate floor, was taken to conference. The House conferees insisted that the original language adopted by the House for section 631 be adopted by the conference, without change. The House language for this section, with the exception of the amount of money earmarked, was identical to the language adopted for the Appropriation Act passed in 1958.

On August 4, the distinguished senior Senator from New Mexico, in reporting to the Senate the action taken by the conference committee on the Department of Defense appropriation bill for the fiscal year 1960, stated, as shown on page 15069 of the CONGRESSIONAL RECORD of that date, in regard to the action taken by the conference on section 631:

With reference to section 631, the Senate language as amended on the floor was unacceptable to the conference committee. Instead the conference accepted the House version of section 631, which uses the terms "air transportation" and "air carrier" in accordance with the Federal Aviation Act of 1958. It was agreed that $85 million would be earmarked from MATS funds for expenditures with such air carriers.

My point is that the conferees agreed that section 631, which uses the terms "air transportation" and "air carrier" will be interpreted and applied in accordance with the Federal Aviation Act of 1958.

This statement by the distinguished senior Senator from New Mexico, in regard to the intent of the conference committee with reference to section 631, is at variance with the conference committee's intent as stated by Mr. Mahon, chairman of the House conferees, when he reported the conference committee's action to the House of Representatives, on August 4.

Furthermore, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], in making a separate statement to the Senate on August 4 regarding the action taken by the committee of conference, made no reference to the Federal Aviation Act of 1958, in reporting to the Senate his interpretation of the action taken by the conference committee on section 631. The Senator from Massachusetts stated:

Except for the dollar change, the provision this year is identical to the 1959 act and to the House bill.

Regrettably, it was not possible for me to be on the floor of the Senate at the time when the distinguished senior Senator from New Mexico made his report to the Senate on the action taken by the conference committee on the Department of Defense appropriation bill; and there was brought to my attention only recently the fact that the statement he made in regard to his interpretation of the conference committee's action on section 631 was at variance with the statements in regard to the intent of the conference committee, as reported in the House of Representatives, and as I had been advised by other members of the conference committee. I feel that the distinguished senior Senator from New Mexico will agree that the record should be clarified in regard to this matter, in order that there be no confusion or lack of clear understanding on the part of the Department of Defense in carrying out the provisions of the Department of Defense appropriation bill recently passed by the Congress.

I have been advised by Representative SHEPPARD, of California, and other members of the committee of conference that there were strong objections among the House conferees, and among some of the Senate conferees, to the Senate language for section 631, which injected the new element of possible civilian agency control over military tariffs and procurement policies; and primarily for this reason the Senate language for section 631 was rejected by the conferees, in favor of the House language for this section.

On August 4, when the conference report was made to the House of Representatives by Representative MAHON, chairman of the House Subcommittee on Department of Defense Appropriations, and chairman of the House conferees on H.R. 7454, Mr. MAHON was questioned at length and in detail as to the intent of the conference committee as to what types and classes of air carriers the Military Air Transport Service would be authorized to procure commercial air transportation services from, under the provisions of section 631. On page 15103 of the CONGRESSIONAL RECORD of August 4 it is recorded that Mr. MAHON stated positively, in answer to questioning by Mr. LANKFORD:

It can procure such transportation from any carrier which is regarded as adequate and competent by the Air Force.

Mr. MAHON also stated for the RECORD:

I realize that the organizations of air carriers want the number of those that can participate in this program restricted to those that are certificated by the CAB as scheduled and supplemental carriers. The language in the House bill does not require this, but all carriers must meet the safety regulations which are laid down by the Federal Aviation Agency.

In answer to Mr. LANKFORD'S specific question:

Then the term "air carrier" has the same meaning in this bill as it has in the Federal Aviation Act of 1958?

Mr. MAHON stated:

I believe it would not, because the authority of the Air Force and the Department of Defense is a little broader.

In referring to the House language for section 631, Mr. LANKFORD questioned Mr. MAHON further, as follows:

In other words, in order to bid in on this MATS commercial organization, would he have to be qualified as an air carrier as defined in the Federal Aviation Act of 1958?

Mr. MAHON replied:

I do not understand that he would have to be so qualified. I would like to elaborate a little more on this answer. We have the common carrier people. Now, the common carrier people would like to get all possible business that is available through this section, but there is wide latitude in the Department of Defense in the selection of contracts. As long as the air carrier can meet the requirements of safety laid down by the FAA and other requirements laid down by the Department of Defense, than he is permitted to undertake to get part of this business.

In answer to questioning by Representative ROONEY, Mr. MAHON stated:

Cargo carriers certificated by the CAB are included. The little carriers, the big carriers, the certificated carriers, the noncertificated carriers are included in this broad language.

Mr. MAHON stated further in regard to the language adopted by the conference committee for section 631:

This is the same language that was carried last year in the bill, and I am giving it the same interpretation that it received in the Department of Defense last year.

Mr. MAHON was further questioned by Mr. FLYNT as to whether or not air carriers should qualify as bona fide air carriers within the meaning of the definition as set out in the Federal Aviation Act, in order to participate in the MATS business to be provided under section 631. Mr. MAHON replied:

I would not say that. We leave a broader field of administration here for the Department of Defense. It is up to the officials of the Department of Defense to make the selection, and they have been warned before and they are warned now that they must do everything in their power, irrespective of cost, to insure reliable and safe transportation for the men and women of the armed services.

It is clear, beyond question, from the statements made for the RECORD by Mr. MAHON, in explaining in detail the intent of the conference committee in regard to section 631, that in adopting the House language for section 631, the conference committee did not intend to restrict the MATS to procurement of air transportation services only from air carriers certificated by CAB as scheduled or supplemental air carriers. It is clear, however, that the conference committee did intend that all air carriers who participated in MATS contracts for air transportation meet the safety requirements laid down by the FAA.

The only instance in which Congress has consistently urged MATS to favor and encourage any segment of the air carrier industry by granting it military contracts and business, is in regard to the segment of the air carrier industry which constitutes the CRAF. The Appropriations Committees of both Houses of Congress, and Commerce Committees of both Houses of Congress, and the House Government Operations Committee have all urged that the Department of Defense, in expanding MATS funds which have been provided and earmarked for civil air transportation, make every effort to encourage the development of a more adequate and modern CRAF. All types of air carriers contribute to this CRAF, although some carriers in each category have contributed little to this reserve fleet in new and modern equipment. The encouragement of private investment in modern efficient aircraft for allocation to the CRAF is the most important consideration which should be taken into account by the Department of Defense in allocating military air transportation business—not the favoring of any selective groups of air carriers. In discussing this very important matter of augmenting the CRAF, Mr. MAHON stated, as shown on page 15105 of the CONGRESSIONAL RECORD of August 4, in discussing the intent of section 631 with Representative HOLIFIELD, chairman of the House Military Operations Subcommittee:

I would say to the gentleman that the committee is very much concerned about this civil reserve air fleet, and we believe without exception that the Air Force should do everything reasonably possible to augment this civil reserve fleet.

Mr. MAHON stated further:

It does seem to me that the Air Force in making its contracts with these commercial carriers should undertake it with the idea of augmenting the civil reserve air fleet.

MEMORIAL TO GENERAL PERSHING

Mr. MORSE. Mr. President, on yesterday there was a military review at the Washington Monument, in honor of the memory of General Pershing, on the anniversary of his birth.

Today, I should like to pay brief tribute to a gallant officer who stands for many as the symbol of our Armed Forces of World War I. It is altogether appropriate that his memory be honored by the military review. It was my hope that the occasion could also serve as a fitting time for the announcement by the American Battle Monuments Commission that final agreement had been reached upon the design of a memorial structure to this great and revered military leader.

I am informed however, that the American Battle Monuments Commission has not been able to give final review to the architects plans, which have however been cleared by the Fine Arts Commission. It is anticipated that a poll of the Commission members can be arranged in the near future; so perhaps we can look forward to this date next year for a conclusion to this important matter. Whatever the final decision of the American Battle Monuments Commission as to the precise form of the Pershing memorial, I am confident that it will grace the site opposite the Willard Hotel as a perpetual reminder to us in the years to come of the affection and gratitude owed by the American people to a fine American and gallant officer.

REPLACEMENT OF HINES JUNIOR HIGH SCHOOL

Mr. MORSE. Mr. President, recently I had an opportunity to give a brief and, I fear, but a cursory review to the proposals by the budget office for the District of Columbia concerning the estimates to be submitted to the Congress next January.

Today I wish to mention but one of a number of curtailments which met my eye, which would seem to stand in need of painstaking justification before I could find it acceptable.

I refer to the deletion from the estimates of an amount requested by the Board of Education for the replacement of Hines Junior High School. It is a rather shocking thing, to my mind, when a structure which was obsolete decades ago, whose replacement has been urged upon the District authorities time after time, the most recent being in the course of hearings conducted by the Senator from Wisconsin [Mr. PROXMIRE], following a personal inspection of the premises, continues to stand and be used by succeeding generations of children.

I recall that in the 85th Congress, a borrowing program was authorized, and its purpose was the orderly construction of replacements for school buildings long past their efficient usefulness. That the school authorities believe Hines Junior High School to be in that class is shown by their request for funds to replace it. I ask the District authorities why do they continue, year after year, to hesitate. It is my recollection that the auditorium has been condemned for use, because it is a firetrap. I recall that the testimony indicated that the roof needed repair every year, to keep the elements from rendering the rooms even more uninhabitable, if that is possible.

I strongly suggest that if Hines Junior High School is to be abandoned, let us know of it. If it is not, let it be replaced forthwith.

DEMOCRACY IN COUNCIL-MANAGER GOVERNMENT

Mr. MORSE. Mr. President, I should like to direct to the attention of the Senate a most interesting article entitled "Democracy in Council-Manager Government," appearing in the current issue of the Public Administration Review.

The article was written by Mr. Kent Mathewson, who is the city manager of Salem, Oreg. Mr. Mathewson speaks from the knowledge garnered in the course of 14 years of practical experience as a professional in his chosen field. He has served in small, medium, and large sized cities. His thesis is that all too frequently the policymaking and power-development process is insufficiently thrown open to the public. He believes this is particularly true with respect to budgetary decisions.

It is indeed refreshing, Mr. President, to hear from a professional that:

The cause of democracy will not be served by the city manager ducking responsibility, refusing to take a stand, or assuming a milk toast personality because of a mistaken belief that making important policy recommendations will place him in an inappropriate role.

It is salutary to hear him say:

Matters of street locations, sewer needs, and other routine municipal housekeeping affairs need not be finally decided by technicians. The public usually has a keen interest and opinion about these matters, and there are elements in these decisions on which the public, not the technician is expert. While the public's desire may not always represent the technical solution, it represents nevertheless the right answer.

One can also agree with his statement:

The people of this country in choosing between democracy and efficiency have always chosen democracy. They will revolt against slide rule solutions or recommendations by experts when such action becomes oppressive or devoid of the common touch. For every pound of expertise there should be a counter portion of Jacksonian democracy.

I ask unanimous consent, Mr. President, that the article to which I have alluded be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Public Administration Review, summer 1959]

DEMOCRACY IN COUNCIL-MANAGER GOVERNMENT

(By Kent Mathewson, city manager, Salem, Oreg.)

For many years city managers and their form of government have been the darlings of the political science professors from coast to coast. In Public Administration Review of last summer, a Rackham postdoctoral fellow at the University of Michigan with wide experience in municipal research raised grave questions about the future for council-manager government. It was charged that the plan often creates a political vacuum and that if the manager allows himself to be drawn in, he becomes an autocrat. If he stays out, the city flounders from a lack of leadership. The article charges that the manager's preoccupation with efficiency makes him sterile to political considerations and—in the absence of a strong political mayor—democracy goes down the drain. Also, warnings of growing criticism of council-manager governments by political scientists were voiced at last year's International City Managers' Association conference.

Some of these views were partially confirmed last year by a report by Clarence E. Ridley who retired in 1956 after serving 27 years as executive director of the International City Managers' Association. Ridley, a strong advocate of council-manager government, received questionnaire replies from 88 city managers from coast to coast as to the importance they placed on their annual budget as a means of formulation of municipal policy. While in council-manager government, the city manager has sole responsibility for recommending the coming year's city plan through an executive budget, few managers gave it the place of importance that the budget customarily receives from elected chief executives. In fact the majority of managers reported that they work up their budgets as a "team" effort through informal meetings with their mayor and councilmen. While this assures a minimum of friction in municipal affairs, it strikes a severe blow at the democratic process. By developing the budget at "informal" meetings with the council, officials present a cut and dried budget to the public. If the citizens don't like the budget when it finally becomes public, they have an uphill job of trying for a change because the mayor, council, and manager are largely wedded to it through their informal meetings. Likewise this procedure almost completely nullifies the considerable public interest that could and should be developed in the budget.

Some council-manager cities see the matter in a different light, with the manager presenting his budget (without prior councilmanic review of the budget document) to the council and public simultaneously so that the council may feel free to change it as it sees fit in the light of public opinion. This is the democratic process that is followed at other levels of American government. The chief executive's budget is his plan, to be debated and changed in any way desired.

A key to understanding public response to council-manager government in these days of increasing complexity (in everything from home appliances to government operations), may be found in the persistent lack of enthusiasm for manager government in our large metropolitan centers. It may be that the larger the city the smaller the fraction of population that can personally know its city hall leaders, and therefore leadership at the city hall must be realized by the masses through a symbol. A strong mayor makes a much better symbol than the mayor who is part of a council-manager government. The mayor of the council-manager city cannot and does not have the opportunity or responsibility for the total operation of the city and therefore does not become the full symbol of city government as does the mayor of the mayor-council government. In the smaller city, the symbolism is not nearly so important because people see their city manager or their mayor or their councilmen or their department heads at civic club meetings, in church, and on the street, and they can deal with their city government through personal contacts rather than through symbolism expressed periodically at election time. The need for symbolism in the large city is not entirely compatible with council-manager government and undoubtedly will continue to present a problem to advocates of manager government in the large cities.

Friends of good government everywhere should be concerned about questions being raised about council-manager government because supporters and detractors alike agree that this innovation, now 50 years old, worked the most significant advance in government in the 20th century. Mayors, councilmen, and managers should carefully review their thinking on these eight points:

1. The people of this country in choosing between democracy and efficiency have always chosen democracy. They will revolt against slide rule solutions or recommendations by "experts" when such action becomes oppressive or devoid of the common touch. For every pound of "expertise" there should be a counterportion of Jacksonian democracy.

2. The larger the city the greater the need for a personality to symbolize the municipality's government—"the mayor of our town." The leadership position of the mayor in council-manager cities is usually stronger when he is elected by the public than when he is elected by his fellow councilmen.

3. The cause of democracy will not be served by the city manager ducking responsibility, refusing to take a stand, or assuming a "milk toast" personality because of a mistaken belief that making important policy recommendations will place him in an inappropriate role. He is the municipality's chief executive—while the mayor is the chief political and policy leader.

4. Every city deserves bold thinking, research, and reporting to the public on the major municipal issues of today, such as urban sprawl, downtown blight, urban renewal, and mass transit. Full-time, paid, and elected mayors in non-council-manager cities face removal if they fail to use their talents on these issues. Part-time, nonpaid mayors in council-manager cities often cannot devote sufficient time to these affairs. Recommendations on these and other vital matters, then, should be made by the full-time, paid city manager and his researchers. This should be done in the manager's annual budget message or other major "white papers" that will receive legislative and public debate. These policy recommendations should be presented simultaneously to the council and public without the deadening effect of cut and dried solutions arrived at through informal conferences with council.

5. Matters of street locations, sewer needs, and other "routine" municipal housekeeping affairs need not be finally decided by technicians. The public usually has a keen interest and opinion about these matters, and there are elements in these decisions on which the public, not the technician, is expert. While the public's desire may not always represent the "technical solution," it represents nevertheless the right answer.

6. Mayors and councilmen in council-manager cities have a pressing obligation to exert political and policy leadership to the fullest. The public and city manager should insist on their fulfillment of that role.

7. In council-manager cities the term "ward" should no longer be considered a dirty word and instead should be considered synonymous with "representative." In many council-manager cities the democratic process could be strengthened by electing councilmen from wards rather than at large.

8. Finally, caution should be exercised in embracing metropolitan or "super" government as a solution to our problems created by the multiplicity of local jurisdictions in the urban regions because "metro" can only lead to a weakening of the democratic process in local affairs. Instead, greater research and effort should first be expended on the development of intergovernmental cooperation among elected officials on a formal but voluntary basis, for meeting overlapping, uncoordinated, or undeveloped urban matters.

The academes at the first of the century who developed the council-manager plan may have succeeded too well in taking politics out of city government. Their counterparts of today are saying, "Let's put politics back in." The trick is to get the good back without the bad. To observers at the last International City Managers' Association conference this would seem far from hopeless. The key is the American city manager with a code of ethics and principles as high as the ministerial profession, expertly trained, serious, dedicated, but with an inexhaustible enthusiasm for public service and the common touch that comes from daily and intimate contact with the hometown citizens. If the city managers of the next 50 years will develop a devotion to the democratic process that outstrips their desire for job security and sterile efficiency, the trick will be turned. The first 50 years proved council-manager's efficiency; the next 50 will prove its democracy.

DISTRICT OF COLUMBIA STADIUM ACT OF 1957—MOTION TO RECONSIDER—RETURN OF BILL BY HOUSE OF REPRESENTATIVES

Mr. BIBLE. Mr. President, I ask unanimous consent to enter a motion to reconsider the vote on the passage of

H.R. 8392, to amend the District of Columbia Stadium Act of 1957 with respect to motor vehicle parking areas, and for other purposes, and that the House of Representatives be requested to return the bill with the accompanying papers to the Senate.

I have discussed the matter with the majority leader, the acting minority leader, the distinguished Senator from Oregon [Mr. MORSE], and the ranking minority member of the committee on the District of Columbia, the distinguished junior Senator from Maryland [Mr. BEALL], and they are in agreement with the request.

The PRESIDING OFFICER. Without objection, the request of the Senator from Nevada will be agreed to.

CONCLUSION OF THE SESSION

Mr. MORSE. Mr. President, over the weekend, I was called by several members of the press and radio and television correspondents in regard to the course of action I plan to follow in the Senate in what they seem to think are the closing days of the session.

Mr. President, if these correspondents had taken the time to read anything I have said about this matter in the past several days in the Senate they would have known that all I intend to do is to insist that the Senate follow the rules of the Senate. However, I discovered that many of these correspondents are laboring under the illusion that the Senator from Oregon has the intention of trying to prevent the Senate from recessing or adjourning sine die by way of a filibuster. Mr. President, such an impression of the plans of the Senior Senator from Oregon is absurd. I can think of nothing more absurd. I am at a great loss to understand why anyone would think I would adopt that parliamentary tactic. Not by the slightest implication in anything I have said in past several days is such an interpretation justified.

The Senate of the United States has the votes to adjourn whenever, within the rules, it wants to reach that decision. The position of the Senator from Oregon has been clear from the very beginning of the debate we have had from time to time during the past 10 days in regard to adjournment.

First, Mr. President, I have taken the position we should not adjourn sine die until we complete action on what I consider to be "must legislation." I have said, and repeat this morning, we are a very well-paid group. We are not in need of any immediate vacation.

I think we ought to stay here for the next couple of weeks, or, if we are going to leave now, or in the next few days, we ought to recess with the understanding that we will return in November and finish our job. I have said that over and over again in the debate of the past several days. I repeat it this morning.

I ask unanimous consent, Mr. President, to insert at this point in my remarks a list of the urgent legislative issues which I think we ought to act on before we adjourn.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

1. Minimum wage amendments (now awaiting Senate Labor Committee action). The Democratic Party promised action on this issue. It should not walk out on it.
2. Civil rights legislation (now awaiting Senate Judiciary Committee action). This session is the time to get behind us the civil rights issue by passing a fair civil rights bill.
3. Federal aid to education legislation (awaiting Senate Labor Committee action). We will cheat American schoolchildren and teachers if we run out on this major issue by not passing a Federal aid bill before adjournment.
4. Humphrey resolution on the world court. This is vital and should be acted on now in view of Berlin, Laos, and other crises (now pending in Foreign Relations Committee).
5. The plugging of tax loopholes including amendments needed on (a) 4-percent dividend credit, (b) 27½-percent oil-depletion allowance, (c) procedures for collection of interest and dividend income at the source, (d) reexamination of tax advantages under the capital gains plan, (e) nonlegitimate business expense deductions.
6. Adequate unemployment compensation legislation.
7. Adequate farm legislation.
8. A clean election law.
9. Equal rights for women constitutional amendment (Calendar No. 290).
10. Food for peace legislation. The action the Senate has taken on this issue is totally inadequate.
11. Food stamp plan. Here again the Senate has not taken adequate action.
12. Juvenile delinquency legislation. This is of vital concern to all parents in America.
13. Federal contributions in lieu of taxes.
14. Constitutional amendment to repeal the poll tax.
15. Constitutional amendment to give national representation to residents of the District of Columbia.
16. Legislation to require disclosure of income from all sources by Members of Congress and top executive officials.
17. Legislation to expand timber access roads systems.
18. Health insurance for the elderly as a part of the social security program.

The following important measures have been passed by the Senate and are awaiting action by the House of Representatives:

1. District of Columbia home rule.
2. Legislation to relieve chronically depressed areas.
3. Youth Conservation Corps.
4. Post-Korea GI benefit bill.

These bills pending in the House should be acted upon before adjournment. The national interest demands it.

Mr. MORSE. I have no illusions, Mr. President. I am well aware of the fact that a majority of the Members of the Senate do not share the point of view of the senior Senator from Oregon in regard to what we ought to do before we adjourn. They have the votes to carry out their wishes. I have the duty to make the RECORD perfectly clear as to the parliamentary course of action I think we ought to follow. If we adjourn this week, I think we ought to do it with the understanding that we will come back on a November session. It is not in my power to decide, but it is my duty, as one of the Senators from the sovereign State I represent, to make perfectly clear my position on the matter.

Mr. President, I shall not take the time to discuss the legislative issues I think we should act on before we adjourn sine die. They speak for themselves. All anyone has to do is list them, and I am satisfied most of the people of the country will say, "Yes, Congress ought to take care of those issues. They ought to do it either by staying on the job or by coming back later this fall."

My second position has been—and it is the same this morning—we should not adjourn on the very eve of the Khrushchev visit to the United States. I think we ought to stay in session at least part of the time while Mr. Khrushchev is visiting the country. I want to point out that when these discussions first started, I took that position then, and many shared my point of view. The majority leader has never taken the position that the Congress should adjourn in any way, directly or indirectly, or by implication, because of the fact that the Russian Premier is coming to the United States. However, there are many in the Congress who do hold to that point of view. We all know that the cloakrooms of the Congress have been filled with that point of view for days. Next let me say that when this debate over the adjournment first started no official decision had been made as yet in regard to a Foreign Relations Committee meeting with the Russian Premier, as it was held with Deputy Premier Mikoyan and Deputy Premier Kozlov.

The RECORD should show that the Senate Foreign Relations Committee usually confers with visiting emissaries of foreign countries, particularly when they occupy such powerful positions as the one held by the Russian Premier.

During the course of the past few days, and with the assistance of the majority leader—and I want him to have credit for it—an invitation was extended to the Russian Premier to meet with the Senate Foreign Relations Committee. This invitation was extended through the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] and through the State Department, to the Russian Embassy. The invitation proposed that the committee meet with the Russian Premier and discuss with him some of the foreign policy problems between the United States and the Soviet Union that concern us on the committee. The invitation was extended in regular course just as we did with Mr. Mikoyan and Mr. Kozlov and others. Over the weekend it was announced that the invitation has been accepted. Such a meeting will be held on Wednesday afternoon, at 5 o'clock, I believe. I shall attend, and I believe a majority of our committee will attend. It is a proper course of action for the chairman of the Foreign Relations Committee to follow and I commend him for it. It would not be in keeping with our policy if we had not extended it. The administration was entitled to the cooperation that Senator FULBRIGHT has extended through this invitation.

My last point is that I took the position at the beginning of the parliamentary discussion, some 10 days ago, that in the closing days of the session it is very important that we do our business within the rule book in accordance with the rule book. I have held fast to my position. This policy of mine has been

no reflection on the leadership of the Senate. It was never intended by me as a reflection on the leadership. I knew by experience of my last 15 years in the Senate, that the time included in the closing days of the session is the time to follow the rules of the rule book. In past years, I have seen too many mistakes made by rushing things through as the result of making exceptions to the rule book. I have held fast to my position. I intend to hold fast to it today, tomorrow, or as long as we are in session.

I am going to vote against any adjournment motion, if we adjourn today, tomorrow, or next day. We should stay on the job until we complete our work. That is the position of the Senator from Oregon. The Senate has the right, within the rule book, to adjourn sine die if it wants to adjourn before it completes the work it should complete before adjournment but I am not going to vote for it. However, I shall not try to keep the Senate in session against its will by conducting any filibuster.

INTEREST RATES

Mr. BUSH. Mr. President, as we come to the close of this session, I desire to make one final brief statement on a subject which has been debated here, but not thoroughly enough, and which came to a head last week with the passage of the interest rate bill and the adoption of the conference report.

I should particularly like to call the attention of the Members of the Senate and of the House, and others who read the RECORD, to the final debate on that subject beginning at page 19262 in the RECORD of last Saturday, September 12. In that RECORD I particularly call attention to an insertion by the Senator from Illinois [Mr. DIRKSEN], of an article in the Wall Street Journal written by Vermont Royster, the headline of the article being "Fiscal Crisis."

I should like also to call attention to the remarks of the Senator from New Mexico [Mr. ANDERSON], on page 19265, in which he refers to me and appears to agree that we should study more closely this whole question of interest rates. He suggests the Finance Committee of the Senate should do that next year. He made some insertions in the RECORD in his remarks, beginning on that page, in the form of tables involving interest rates, rates on bank discount basis for some years back, appearing on page 19265, and, on the following page, the prime commercial paper rate.

These figures should be studied in respect to the years in which these rates were prevalent and the economic conditions that existed in the country at the time these rates prevailed.

I think the Senator has made a contribution by inserting these historical tables in the RECORD.

Finally, Mr. President, I hope that as the Members of Congress go home they will discuss, at some time, with people who are competent to advise them, the subject of interest rates and the various causes for the ups and downs in interest rates. I hope they will take occasion to talk to bankers particularly, and those who operate insurance companies, and other financial institutions, so as to get as much information as possible on the subject that will aid them and us when we return in January.

In the article written by Mr. Royster he discusses a fact, which is often mentioned, under the headline "Loss of Confidence." Our friends abroad are said to be losing faith in us, and we are told that perhaps we should not discuss this matter so openly because it might alarm them. Mr. President, I repeat what I have said before. It is not the discussion of the issue which alarms them. I think a discussion encourages them to realize we are beginning to see the error of our ways. What would be very discouraging to those who watch the figures and who look at the facts would be to have no attention paid to these adverse facts and these facts which bear unfavorably upon the credit of the United States which, as I say, is the remaining bulwark of the defense of the whole free world.

FRANK C. WALKER

Mr. MANSFIELD. Mr. President, it is with deep regret that my senior colleague from Montana [Mr. MURRAY] and I note the passing of the Honorable Frank C. Walker. Frank Walker was born in Plymouth, Pa., but he spent most of his time in Butte, Mont. While he did have interests in the East and while his death was announced from New York City, we look upon Frank Walker as a Montanan. He attended Gonzaga University at Spokane. He was a graduate of Notre Dame. He was the recipient of the Laetare Medal from that institution in 1948.

Mr. Walker served as a legislator in the Montana State Legislature. He was a close friend of Franklin D. Roosevelt. He was the chairman of the Democratic National Committee. He served in the Cabinet of President Roosevelt as Postmaster General. We are all going to miss him because of the great contributions he has made to the State of Montana and to the Nation as a whole.

Mrs. Mansfield and I wish at this time to extend our condolences and sympathy to his wife, Hallie; to his son, Thomas Joseph Walker; to his daughter, Mrs. Laura Jenkins; to his sister, Mrs. J. J. McCarthy; and to all the other members of his family. He was a great and a good man. We of Montana were very proud of him. The Nation has been the recipient of many contributions on his part, and we express the hope that his soul will rest in peace.

Mr. President, I ask unanimous consent that the notice in the New York Times of this morning relative to the death of Frank C. Walker be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FRANK C. WALKER, EX-U.S. AID, DIES—POSTMASTER GENERAL UNDER ROOSEVELT HAD HELPED TO GAIN 1932 NOMINATION—WORKED BEHIND SCENES—LED DEMOCRATIC NATIONAL COMMITTEE IN 1943–44—PRACTICED LAW HERE

Frank C. Walker, former Postmaster General, died yesterday in his apartment at the Carlyle Hotel after a long illness. He was 73 years old.

Mr. Walker was Postmaster General from 1940 to 1945. He was succeeded by Robert E. Hannegan, his successor also as chairman of the Democratic National Committee in 1944.

Mr. Walker played a quiet—but important part—in the first nomination of Franklin D. Roosevelt for the Presidency and in his decision in 1940 to run for a third term.

Although most of his political work was behind the scenes—he always hated speechmaking and publicity—Mr. Walker was said to have almost as many friends throughout the country as James A. Farley. He succeeded the latter as Postmaster General in 1940.

One of the wealthiest men in the early days of the New Deal, Mr. Walker assisted Mr. Roosevelt's gubernatorial campaign in 1928. Two years later, he joined a group of other successful businessmen to give financial support to the Governor's campaign for the Presidency.

The son of poor Irish parents, Mr. Walker was born May 30, 1886, in Plymouth, Pa. When he was 3 years old, the family moved to Butte, Mont., where his father became an independent copper mine operator.

After attending Gonzaga University, Mr. Walker went to the University of Notre Dame and received a law degree in 1909. Returning to Butte, he quickly became an assistant district attorney and a member of the Montana Legislature.

In 1925 Mr. Walker moved to New York to practice law. His legal fees and his post as vice president and general counsel to Comerford Theaters, Inc., an eastern motion picture chain, contributed to his wealth.

UNKNOWN TO PUBLIC

Three years later he began contributing money to Mr. Roosevelt's political campaigns. He was virtually unknown to the public when, in 1932, he was named treasurer of the Democratic National Committee.

In the next year, President Roosevelt appointed Mr. Walker executive secretary of an executive council to coordinate the activities of the Government. Later he became chairman of the National Emergency Council, set up to coordinate the work of Government agencies dealing with the depression.

Mr. Walker returned to private business, but was called to Washington several times to help out on Government matters. Finally, in 1940, he returned there as Postmaster General.

Mr. Farley's resignation came about because of his opposition to Mr. Roosevelt's third term. Mr. Walker remained in the inner circles of the party and worked hard for the President's unprecedented nomination and election.

As Postmaster General, Mr. Walker performed his duties quietly on the whole. However, he was in charge of the huge program of handling mail for servicemen during World War II and spent months surveying military camps and embarkation points.

INVOLVED IN CONTROVERSY

Mr. Walker was involved in one controversy that made news. He revoked the second-class mailing privileges of Esquire and other magazines on the ground they were printing indecent pictures. He was overruled by a Federal court.

In 1943 Mr. Walker was elected chairman of the Democratic National Committee. He stepped out at his own request.

In 1946 Mr. Walker was an American delegate to the first meeting of the United Nations General Assembly. Thereafter he retired to private law practice and kept out of Government work except for a period in 1950 when he headed a community campaign to build industrial plants in Scranton, Pa.

Mr. Walker served as national chairman of the Notre Dame Foundation and as president of the university's board of lay trustees. In

1948 Notre Dame awarded him its Laetare Medal, given annually to an outstanding Roman Catholic layman.

A director of the Alfred E. Smith Memorial Foundation and of the Franklin Delano Roosevelt Memorial Foundation, Mr. Walker was treasurer of the Franklin Delano Roosevelt Library, Inc.

Mr. Walker had practiced law here until a few years ago. Until last May he was a director of W. R. Grace & Co., and at his death was a director of the Grace National Bank.

Surviving are his widow, Hallie; a son, Thomas Joseph Walker; a daughter, Mrs. Laura Jenkins; a sister, Mrs. J. J. McCarthy, and nine grandchildren.

Mr. Walker's body will be on view at the Frank E. Campbell Funeral Church, Madison Avenue and 81st Street, starting at 7 p.m. tonight. A solemn high requiem mass will be sung Wednesday at 11 a.m. in the St. Ignatius Loyola Church, Park Avenue and 84th Street. Burial will be in St. Patrick's Cemetery in Butte.

THE RUSSIAN MOON SHOT

Mr. SYMINGTON. Mr. President, once more the Soviet Communists would appear to have come through with a great technological achievement that has significant undertones from the standpoint of our defenses and those of the free world. Consider what this news means psychologically with respect to our standing and prestige among the uncommitted nations.

But some imply already that this latest achievement should not worry us, because, after all, they say, we have some five groups working on the conquest of space, instead of one.

The only trouble here is that at times the various groups in this country would seem to be working more against each other, so as to achieve the limelight, rather than for the projects themselves. A unanimous report of a Senate subcommittee recommended recently that this administrative deficiency be cleaned up.

There are others who imply we should not worry because of the industrial complex that has given us so many more automobiles and so many more color TV sets.

Some are prone to write off worry also because in the past our youth have been the bravest, and our capacity for mobilization after we have been attacked has always been decisive.

There is no need, they say, for us to be apprehensive about our declining strength, because we are the ablest negotiators—and we never break our word.

They believe that after our guest leaves this country he would hesitate about aggression against us because he will have seen our industrial complex; and he will know that as in the past, with our well-known efficiency, we can convert that complex to defense production in 20 months.

It might cross his mind, however, that if there is any next time in this nuclear space age, we may not have 20 minutes.

I have been following our plans for security for 20 years, and have done my best to understand the technological changes which have been incident to keeping our country secure—changes greater in the last 15 years than in the previous 1,000.

I hope the American people will now be given enough of the truth to realize the great peril in which these continuing complacent reassurances in the face of growing aggression have now placed them.

In the press this morning the Vice President is reported as saying that official proof of the Russian lunar accomplishment is still lacking; and also that the Russians failed previously three times in the past 2 weeks.

The first assertion may be true; the second, even if true, is irrelevant.

But the Vice President is also reported as saying that in science, overall, we are presently way ahead.

If the implication of this statement is that we are way ahead scientifically in defense matters, then once more I must disagree with the Vice President.

There is no justification whatever for this complacent statement.

CIVIL RIGHTS COMMISSION SHOULD BE EXTENDED BY 86TH CONGRESS

Mr. NEUBERGER. Mr. President, in 1957, Congress approved the first civil rights bill since 1875. This law created the Commission on Civil Rights. Its mandate was to investigate, to study, and to appraise the ability of minority groups to exercise their constitutional and statutory rights under existing law.

Now the Commission has submitted a report to Congress on its findings. The case presented supports earlier evidence indicating that many citizens in our country today are systematically denied their right to vote, discriminated against in housing, and refused equal protection of the laws.

These facts reaffirm the need for new Federal legislation. The Commission has made recommendations in this area. They are recommendations backed by detailed study and analysis. I think Congress should hold hearings on the proposals advanced by the Commission. A number of the Commission's suggestions are embodied in legislation now before Congress, including S. 810, introduced by the Senator from Illinois [Mr. DOUGLAS], S. 2535, introduced by the Senator from Michigan [Mr. HART], and the civil rights "package" introduced by the Senator from Minnesota [Mr. HUMPHREY]. I am cosponsor of these measures. I believe that they should be acted upon.

Mr. President, the Civil Rights Commission has performed a highly valuable function in collecting and evaluating information on protection of civil rights in this country. There remain numerous other areas—both topical and geographical—of this problem to which the Commission's searching scrutiny might be well applied.

The question raised today is a simple one: Shall we authorize a continuation of an examination into the extent and cause of discrimination against certain American citizens? But the meaning of the vote on this proposal is great. Rejection of the extension of the life of the Commission would mean a turning of our backs on efforts to eliminate from American usage the phrase "second-class citizen." Approval of extension will emphasize the desire and intent of Congress to explore fully legal lapses utilized to injure minority groups and to eliminate such abuses.

As the Washington Post and Times Herald pointed out on September 12, 1959, "To cut the Commission off after it has made so promising a beginning and finds so much territory yet to be explored would be an inexcusable blow to the cause of civil rights and good human relations."

Mr. President, I ask unanimous consent that the complete text of the editorial be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CRC LOOKS AHEAD

Before Congress passes judgment upon the Civil Rights Commission it would be highly desirable if every Member could read its report or at least the 200-page abridgment entitled "With Liberty and Justice for All." The report is humanitarian in tone, constructive in outlook, and thoroughly grounded on the basic principles of the U.S. Constitution. In no sense is it a tirade against the South. Rather, it recognizes that the struggle for attainment of the great principle of equal justice is going on in all parts of the country in one way or another. In the great majority of its observations southerners and northerners on the Commission were in full agreement.

The Commission has, of course, uncovered many unpleasant facts about discrimination in voting, in housing, and in education. This was its special assignment. On the basis of these facts, local and State governments as well as Congress and the administration should be able to correct many injustices to minorities that are a reproach to our democratic system. But there is no muckraking in the report. The Commission sees the lights as well as the shadows in the panorama it has surveyed.

It notes, for example, that the Southern States have outlawed the hooded violence of the Ku Klux Klan; that the right of minorities to vote is established in many areas of the South as well as the North; that segregation has ended in interstate transportation throughout the country and in buses and streetcars in a number of southern cities; that some Northern States are seeking to outlaw discrimination in housing. "The pace of progress during the 96 years since emancipation," says the report, "has been remarkable."

The Commission also sees that the many facets of the problem are closely related. The extension of voting rights may have disappointing results because of apathy and ignorance unless that reform is accompanied by better education and the elimination of demoralizing slums. What the Commission is pleading for is a general elevation of sights to new and challenging targets. In addition to equality under the law, it says in effect, the country needs a great creative effort that will absorb the minds and hearts of men so completely as to submerge petty prejudices and emotions rooted in the past.

Aside from this play of enlightened imagination upon a baffling national problem, the CRC has offered numerous specific recommendations in the fields of education and housing, as well as that of suffrage. Not all of these are likely to be acceptable, but they do emphasize the desirability of continuing study in this field by a group of experts chosen from many backgrounds and dedicated to the general objectives of tolerance

and human dignity. The Commission notes, moreover, that it has not yet had an opportunity to study directly discrimination in employment, in the administration of justice and in public accommodations.

To cut the Commission off after it has made so promising a beginning and finds so much territory yet to be explored would be an inexcusable blow to the cause of civil rights and good human relations. Congress must not adjourn until provision has been made for the Commission's work to continue.

PROPOSAL OF DADS' CLUB OF JAMES MADISON HIGH SCHOOL OF PORTLAND, OREG., TO CONTRIBUTE TOWARD MEMORIAL IN NATION'S CAPITAL HONORING PRESIDENT JAMES MADISON

Mr. NEUBERGER. Mr. President, as is well known, the resolution establishing a James Madison Memorial Commission has passed the Senate and is presently pending in the House. This would authorize appropriate commemorative steps to be taken honoring the memory of our fourth President of the United States, who was the principal architect of our Constitution.

To show how widespread already is national interest in this worthy undertaking, I have received a heartwarming letter from the Dads' Club of the James Madison High School in my home city of Portland, Oreg., 3,000 miles away, offering the sum of $25 from its treasury toward erecting the edifice here in our National Capital which will honor President James Madison, one of our greatest American patriots.

The letter to me from Eldon Harris, president of the James Madison High School Dad's Club and the father of a 16-year old daughter at that school, is so spontaneous and sincere that I believe it should be included in the pages of the CONGRESSIONAL RECORD.

I desire to call attention to Mr. Harris' belief that other James Madison Schools in this vast Nation will desire to make similar contributions. Mr. President, I ask unanimous consent that Mr. Eldon Harris' letter be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MADISON HIGH SCHOOL DADS' CLUB,
Portland, Oreg., August 23, 1959.

MEMBERS, JAMES MADISON MEMORIAL COMMISSION,
Senate Office Building,
Washington, D.C.

GENTLEMEN: As president of the Dads' Club of James Madison High School, Portland's newest and finest, may I offer the following suggestion in connection with your task. This club stands ready to contribute $25 to a James Madison memorial fund and to sponsor, through the student body government of our high school, a drive for contributions from the student body to add to this fund.

It is unknown to the writer how many James Madison schools there are in the Nation but it is my belief that each and every one of them would be willing, in some way, to make a material contribution to such a fund—thereby making this memorial one that would truly be a tribute to our statesman President. Should it be desired we might even find within our group, or within the PTA and other groups affiliated with the school, the needed personnel to contact these other schools to enlist their aid.

Should this idea interest you or should you find yourselves able to accept our humble offer please contact us at the above address and tell us how and where to make our contribution.

Whatever your decision may be, good luck in your quest for a proper and suitable memorial to this great President.

ELDON R. HARRIS,
President.

TRIBUTE TO SENATOR MANSFIELD

Mr. NEUBERGER. Mr. President, on Sunday Mrs. Neuberger and I had the pleasure of viewing the distinguished junior Senator from Montana [Mr. MANSFIELD] on the television program "Face the Nation." I do not think that any American could have heard the very incisive replies of the Senator from Montana to the questions which were put to him by a panel of skilled and informed reporters without being impressed by the intellectual quality and the mental vigor of the man who is the assistant majority leader of the U.S. Senate. We were favorably impressed by the moderation of his replies.

Mr. President, it seems to me, in the troubled period in which we live, with great advances and startling attainments being made in outer space by the nation which is our ideological and perhaps military rival, that the times call for moderation rather than extremism and vituperation.

I wish to commend the junior Senator from Montana for his very thoughtful performance and moderate replies on the "Face the Nation" program of the Columbia Broadcasting System on Sunday.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the Senator for the very justifiable statement he has just made. I associate myself with it, and assure him that I share his high opinion of the junior Senator from Montana.

Mr. NEUBERGER. The majority leader is certainly correct in that respect.

SIMPLIFICATION, CONSOLIDATION, AND IMPROVEMENT OF AUTHORITY OF SECRETARY OF AGRICULTURE WITH RESPECT TO LOANS TO FARMERS AND RANCHERS

Mr. ALLOTT. Mr. President, 5 years ago, I introduced the first proposed legislation in many years to completely revamp and recodify the laws in relation to farm credit in the United States.

This year, I introduced Senate bill 2144, "to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, and for other purposes."

I hold in my hand a letter, dated September 2, 1959, signed by the Secretary of Agriculture, which recommends favorable action on that bill. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 2, 1959.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: This will reply to your request of June 16 for a report on S. 2144, a bill to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, and for other purposes.

There is a need to simplify the operations of the Farmers Home Administration which have become unduly complicated by the many statutory authorities under which it operates. The Department, therefore, recommends favorable action on this bill.

Title I of the bill would replace the authority for farm purchase and improvement loans now being made and insured under title I of the Bankhead-Jones Farm Tenant Act, soil and water conservation loans made under the act of August 28, 1937, and loans for the construction and repair of farm dwellings and service buildings under title V of the Housing Act of 1949. Title II would authorize loans for operating purposes on essentially the same basis as such loans are now made under title II of the Bankhead-Jones Farm Tenant Act. Title III of the bill is designed to replace existing emergency lending authority now found primarily in Public Law 38, 81st Congress.

Consolidation of most of the real estate lending activity of the Farmers Home Administration into one title would materially simplify the administration of this phase of our lending program. All regular real estate loans would be limited to farms that are not longer than family type and could not result in a debt against the farm exceeding 90 percent of the fair and reasonable value of the farm as certified by the county committee. At present, this 90 percent limitation is applicable only to insured loans made under title I of the Bankhead-Jones Farm Tenant Act and to loans made under the Water Facilities Act of 1937, as amended. A maximum $50,000 principal indebtedness limitation would be applicable to all loans made to individuals under title I. The county average value limitation currently applicable in connection with land purchase loans would be eliminated.

Soil and water conservation loans to associations for water development, use, conservaton and drainage purposes would be continued; however, the loan limit would be increased from $250,000 to $300,000. This $50,000 increase is only slightly greater than the amount that would be needed to compensate for the increase in labor and material costs since a $250,000 limit was established in 1954.

Title II of S. 2144 establishes eligibility requirements for operating loans identical to those applicable to individual real estate loans under title I with the exception that operating loans may be made to both tenants and owner-operators. Basically, the authorities are the same as those currently in title II of the Bankhead-Jones Farm Tenant Act; however, the total indebtedness limitation has been increased from $20,000 to $30,000 and includes a provision that not more than one-fourth of the annual appropriation may be used to make loans which would increase the indebtedness of borrowers above $10,000.

Under title III the Secretary would be authorized to make emergency loans in any area

which he designates as one in which a general need for agricultural credit exists which cannot be met by other credit sources and the shortage of credit is caused by a natural disaster or severe production losses. Existing laws provide separate rules for determination of areas in which emergency loans can be made. Emergency loans would be available only to established farmers and ranchers who are citizens and to private corporations and partnerships engaged primarily in farming or ranching. They must have the experience and resources necessary to assure reasonable success and be unable to obtain credit elsewhere. Emergency loans would be authorized for all purposes specified in the bill for real estate loans under title I and operating loans under title II. The interest rate would be the same as the then current rate for regular loans for the same purposes, but not more than 5 percent. The bill provides for a maximum principal indebtedness limitation to any one borrower of $50,000. There is no monetary limitation applicable to production emergency loans under existing authority. The disaster loan revolving fund created by section 84 of the Farm Credit Act of 1933 would remain intact and would be renamed "The emergency credit revolving fund."

Title IV of the bill is addressed primarily to administrative powers and functions. Title IV would simplify the servicing of existing loans and the general administration of the lending activities of the Farmers Home Administration. This title also provides for the establishment of a Treasury account designated as "the Farmers Home Administration revolving fund," to which would be transferred the existing assets and liabilities of the current loan programs and in which collections and other receipts would be deposited. Loans could be made and expenses paid from the revolving fund only in such amounts as may be authorized in annual appropriation acts, thus preserving full congressional control of obligations from the fund through the annual appropriation process. Repayments to the Secretary of the Treasury on notes issued by the Secretary of Agriculture would also be made from the fund. The purpose of the revolving fund would be to permit the establishment of a net expenditure budget for each year which would reflect receipts from collection on loans as offsets against disbursements for loans and administrative expenses. Excluded from the operation for budgetary reasons would be the proposed emergency credit revolving fund and the proposed agricultural credit insurance fund provided for by this bill as a substitute for the existing farm tenant-mortgage insurance fund. The proposed Farmers Home Administration revolving fund would operate in the same manner as the revolving fund proposed by the Department in a letter dated January 28, 1959. The latter proposal has been introduced by you as S. 870.

The bill preserves the use of county committees in the administrative organization. The committee membership is the same as now provided, but the statutory per diem rate has been eliminated from the bill. Most of the legislative authorities for the present farmers' home admistration program would be repealed, except the amendment to title V of the Housing Act of 1949 authorizing $450 million for farm housing loans for the 5-year period terminating June 30, 1961. All of the repeals would be effective June 30, 1960, or such earlier date as the Secretary might by regulation make provisions of the bill effective.

The Bankhead-Jones Farm Tenant Act, as amended, now authorizes the investment of surplus funds of the Farm Tenant-Mortgage Insurance Fund in direct obligations of the United States. The Department recommends, therefore, that section 8(b) of S. 2144 be amended to provide for a continuation of this authorization with respect to the Agricultural Credit Insurance Fund by inserting at the end of the first sentence thereof the following: "or invested in direct obligations of the United States or obligations guaranteed as to principal and interest by the United States."

The Department suggests the following changes in the bill:

The continuing provision contained in section 38(c) should be clarified particularly with respect to the availability of loan funds heretofore authorized under title V of the Housing Act of 1949, as amended. It is suggested that a portion of the fifth paragraph of section 38(c), starting on line 10, page 28, and ending on line 23, page 28, be revised to read as follows:

"The unexpended balances of any appropriation or authorizations transferred to and all sums deposited in the revolving fund shall remain available to the Secretary until expended (1) for loans under title I of this Act not to exceed the total unobligated balances of the sums appropriated or made available for loans under title I of the Bankhead-Jones Farm Tenant Act, the Act of August 28, 1937, and not to exceed the amount apportioned by the Bureau of the Budget for loans under title V of the Housing Act of 1949, as amended, for the fiscal years 1960 and 1961, for loans under title II of this Act not to exceed the unobligated balances of sums appropriated or made available for loans under title II of the Bankhead-Jones Farm Tenant Act, and for administrative expenses under this Act not to exceed existing appropriations for administrative expenses when this Act becomes effective; (2) for the purposes".

It is suggested that a portion of section 40(a), beginning on line 1 and ending on line 5 of page 30 be revised to read as follows: "except the authorization contained in section 511 thereof and the Act of April 6, 1949, as amended, are hereby repealed effective June 30, 1960, or such earlier date as the provisions of this Act are made effective by the Secretary's regulations."

These provisions would make it clear that the substantial balance remaining in the authorizations to borrow from the Treasury for farm housing loans during the 5-year period 1957-61 under the authority of title V of the Housing Act of 1949, as amended, would not be available beyond the fiscal year 1961 as now authorized. Also, this change would make it clear that the amount of funds from this source in fiscal years 1960 and 1961 for loans under title I of S. 2144 would be limited to the amount approved for apportionment under the regular apportionment procedures. Reference to the act of August 31, 1954, has been eliminated since this act expired on June 30, 1959.

Also it is suggested that the words "interest on and" be inserted before the word "repayments" on line 1, page 29, of the bill. This change would make it clear that interest payments as well as principal repayments on notes to the Secretary of the Treasury could be made from the revolving fund.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

E. T. BENSON,
Secretary.

TRIBUTE TO R. JAMES MALLOY

Mr. ALLOTT. Mr. President, too often the words and accomplishments of our Government employees outside of the course of their regular employment go unnoticed.

I ask unanimous consent that a copy of a letter in tribute to R. James Malloy and an article about Mr. Malloy, published in the Denver Post of August 29, be printed in the RECORD.

There being no objection, the letter and the article were ordered to be printed in the RECORD, as follows:

AUGUST 10, 1959.

Mr. CAL QUEAL,
The Denver Post, Inc.,
Denver, Colo.

DEAR MR. QUEAL: We are writing this letter in appreciation of a Colorado and Denver citizen who we feel should because of his personal accomplishments in the last 4 years in the field of recreational development for the people of Colorado be given public recognition.

We refer to R. James Malloy, a respected member of practically every boating and wildlife organization in the State and who some 4 years ago was the first person to start a crusade to impound water behind Cherry Creek Reservoir. His and our dream was culminated this summer when the State parks and recreation department opened this area for the people of Colorado.

Because of the hundreds of letters he wrote to Federal agencies, State officials, and to the Colorado congressional delegation, and the many personal conferences and all concerned in pursuit of his dream that this area should be fully developed as a recreational area, he can truly be called the father of the Cherry Creek recreational development.

Coincidentally with the Cherry Creek project, he had his sights on other recreational areas that he felt should be made available to the people of Colorado. After 2 years of negotiation, on April 24 of this year, he personally negotiated a contract and agreement with the Denver Water Board to open Antero Reservoir for boating and boat fishing only, with Cheesman, Gross, and Eleven Mile Reservoirs to follow next year. The operating contract between the Denver Water Board and the State parks and recreation department was signed on July 28, 1959, and Antero Reservoir should be opened for public use no later than August 15, 1959. As a result of his efforts, future years will see thousands of Colorado families enjoying these areas. For years in his talks before boating and wildlife organizations he has stressed and pleaded for more effective planning and use of Colorado's outdoor recreation resources. A recent statement we heard him make is: "Boating, fishing, camping, hiking, skiing, and hundreds of other recreational opportunities can and must be wisely developed so that present and future Coloradans can more fully enjoy their own State—the greatest State in the Union." In collaboration with Harold Lathrop, State director, parks and recreation department, and at the request of Senator Dunkley, of Denver, he wrote Colorado's boating bill which was passed by the last general assembly. He is a hunter, fisherman, boater, and water skier. We feel that he can be called Colorado's No. 1 sportsman and boater.

He is a supervisory official of the U.S. Bureau of Reclamation and he has accomplished these things on his personal time without financial remuneration from any organization.

We feel that he is a credit to the State of Colorado and the U.S. Bureau of Reclamation who employs his services.

Because of his aggressive leadership throughout the years, we recommend him to you for proper public recognition and

your newspaper's hall of fame as Colorado's No. 1 sportsman for 1959.

Sincerely,

Patrick W. Chamberlain, representing the Rocky Mountain Boat Racing Club, Inc., Arvada, Colo.; Paul L. St. Onge, representing the Outboard Boating Club of Metropolitan Denver, Denver, Colo.; James B. Jurgens, representing the Inboard Association, Denver, Colo.; Gene Wenzinger, representing the Riviera Lake Boating Club, Denver, Colo.; Robert T. Roath, representing the Mile Hi Boat Racing Club, Denver, Colo.; Charles N. Centers, Commander, U.S. Coast Guard, Flotilla No. 2012, Denver, Colo.; Leon S. Brunner, Jr., representing the Metropolitan Wildlife Association, Englewood, Colo.; John L. Shumaker, representing the Sailboat Association, Littleton, Colo.; Wilfred Howard, Jr., representing the Denver Municipal Boating Association, Denver, Colo.; Tris Calomino, representing the Calomino Marine Co., and past president, Marine Dealers Association, Denver, Colo.

[From the Denver Post, Aug. 29, 1959]

NEW FACES IN THE GALLERY OF FAME—IN APPRECIATION FOR SOME RECENT PUBLIC OR PRIVATE ACT OF SERVICE OR BENEFACTION

For beginning the successful effort to have Cherry Creek Reservoir developed as a State recreation area. Even before this project was completed Malloy was working toward the opening of other recreation sites, and some of them have been or will be opened to the public soon. Malloy, a Bureau of Reclamation official, lives at 811 South Gilpin Street.

OREGON DUNES NATIONAL SEASHORE PARK

Mr. MURRAY. Mr. President, our friend and colleague, the junior Senator from Oregon [Mr. NEUBERGER], has been a stalwart advocate of protection of our scenic shorelines before they all are desecrated and exploited.

In the Oregonian of September 9, 1959, Senator NEUBERGER has written a most persuasive article favoring creation of an Oregon Dunes and Sea Lion Caves National Seashore Park on the lovely Oregon seacoast, with which I am personally and happily familiar.

I believe Members of the Senate will want to read this thoughtful and persuasive article from the editorial pages of the Oregonian, entitled "NEUBERGER Argues for Seashore Park," and I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEUBERGER ARGUES FOR SEASHORE PARK

(By Hon. RICHARD L. NEUBERGER, U.S. Senator from Oregon)

WASHINGTON.—Throughout America a movement is underway to preserve scenic shorelines in new national seashore parks. I am a sponsor of an omnibus bill, drafted principally by the Izaak Walton League, which would authorize 10 such reserves by name. The other bill, which I have introduced at the request of the Eisenhower administration, proposes only three seashore parks and they would be selected by the Interior Department. Some 18 Senators are interested favorably in one or another of these measures, and so are many leading conservation groups.

If the adminstration bill is enacted, I have been assured by Under Secretary of the Interior Elmer Bennett that Oregon Dunes has "an excellent prospect" of being one of the areas selected for park status. Furthermore, Oregon Dunes is listed specifically in the omnibus bill.

In many of the States where the seacoast parks would be located, widespread enthusiasm has been voiced. However, there has been some bitter opposition in Oregon, although I believe public opinion as a whole decisively favors the Oregon Dunes and Sea Lion Caves Park. Hearings are scheduled by the Senate Public Lands Subcommittee for Reedsport and Eugene during the first week of October.

Some adversaries of our Oregon Dunes national seashore insist the park is not necessary. They cite the fact that Oregon has protected its beaches up to the high-water mark, contrary to the experience in certain other States. I yield to none in admiration for the wise step of Gov. Oswald West in thus safeguarding our beaches. But what of the lakes, dunes, hills, and scenic strands which border the beaches? These are open to exploitation. The National Park Service envisions a composite of resources at Oregon Dunes, all for recreational purposes.

It also is claimed that the proposed 35,000-acre park would be too large. Yet the omnibus bill plans three shoreline parks averaging 72,000 acres each in Michigan, a State considerably smaller in size than Oregon.

I cannot emphasize too strongly that a nationwide movement exists to create these parks along our seacoasts and the Great Lakes. The omnibus bill appropriates $50 million for this purpose, the administration bill $15 million. Oregon has the most magnificent seacoast of any State. Shall Oregon be left out? The national advertising and heraldry alone of a national park would attract thousands of visitors.

Opponents of the Oregon Dunes Park complain that several hundred cottage owners would lose their homes. Each of these people would receive a fair price from the Government. Many would be allowed to occupy the dwellings for the rest of their lives. This is far more equitable than when homes are bought up for a superhighway, utility line or railroad right-of-way. Is not a national park an equally great public purpose?

There is also a charge that property would be taken off the tax rolls. The Eugene Register-Guard dispatched A. Robert Smith to study the experience at Cape Hatteras, N.C., where a national seashore park was established 6 years ago. Mr. Smith, in his illuminating series of articles, has quoted community leaders in that North Carolina region as saying the park saved them from economic ruin. A prominent banker told Mr. Smith that, while some property had gone off the tax rolls, the value of land remaining in private hands had risen 50 to 100 times as a result of the park. Since the park was created, the number of visitors has soared some 350 percent.

In addition, Mr. Smith has noted that many of the same arguments were voiced locally against Cape Hatteras as now oppose Oregon Dunes. Yet, on his survey for the Register-Guard, he found opposition virtually gone. I discovered the same situation when I recently visited Shenandoah National Park. There, over 2,000 homes were bought out. Sentiment in that Virginia area was hostile. Now, I was told by enthusiastic motel, restaurant, inn and store proprietors that the park sometimes brought over 35,000 daily to the vicinity.

I realize that some sportsmen fear the seashore may be shut off from fishing and all hunting, as applies in certain national parks. However, I have been promised by the Interior Department that regulations in the Oregon Dunes seashore would be considerably less restrictive. These are the assurances I have received:

"Fishing would be permitted in the area as would the shooting of migratory waterfowl, subject to existing State and Federal laws, except in areas of concentrated public use. The Service proposes that it be authorized to enter into an agreement with the State [of Oregon] for the continuation of migratory waterfowl hunting in such locations as agreed upon. The National Park Service believes, however, that the hunting of upland game within the national seashore area would not be consistent with the conservation and public-use objectives."

The last (and still only) national park in Oregon is Crater Lake, set aside in 1902, when the population of the State was 415,000. Now our population 1,750,000. In 1916 our national park system attracted only 400,000 visitors. Last year the total was 58 million. Surely this indicates the lure which national parks have for travelers. Yet, when Crater Lake was originally reserved, there were bitter-end opponents—just as there are today of Oregon Dunes. It was said Crater Lake Park would hurt the mining industry.

I am not going to stuff this great national seashore park down the throats of the people of my native State if they do not want it. But I would consider myself a poor Senator, indeed, if I did not express the claim of Oregon's majestic seacoast when our Government is moving to reserve national shoreline parks at many places throughout the country—places of far less beauty than where Oregon meets the Pacific's tide.

PAK JAE SEUN

Mr. MURRAY. Mr. President, I ask unanimous consent to have an article from the Silver State Post of August 28, 1959, inserted into the CONGRESSIONAL RECORD immediately following my remarks. It is written by Mr. Robert Hall, a Deer Lodge, Mont., native, and outlines his romance with a young Korean woman, Pak Jae Seun, which led to his request to me to introduce Senate bill 1104, for the relief of Pak Jae Seun.

It is a warm and touching account, and expresses the gratitude of this young man and his fiancee for the favorable action taken on and consideration given to the private immigration bill in their behalf.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ACT OF CONGRESS PERMITS 23-YEAR-OLD JAE SEUN ENTRANCE TO UNITED STATES TO MARRY DEER LODGE NATIVE

(EDITOR'S NOTE.—President Dwight Eisenhower signed into law Senate bill 1104 Tuesday—a private bill to enable a Korean girl to gain entry into the United States to marry Bob Hall, a Deer Lodge native and now a mining engineer with the Foote Mineral Co. in Kings Mountain, N.C. The President's signature culminated a sequence of events beginning February 19 when Senator JAMES E. MURRAY introduced the bill. In the story below Mr. Hall details the story of his courtship which seems en route to the traditional happy ending.)

(By Bob Hall)

Although there were a series of events that guided my fiancee Jae Seun and I together, they are unimportant in that we did meet and find a great, deep, and sincere love that has withstood the test of time, distance, and loneliness.

To begin with Jae Seun was transferred to the 16th Ordnance Company during September 1955, where she took over the duties of clerk-typist in the motor pool. Four months later she was promoted to the orderly room

of this company and has been there since. Among her duties are clerk-typist, ex-officio interpreter-translator, and also she handles personnel relations.

I was ordered into the Far East as an oversea replacement and disembarked in Inchon during November 1955. Thereupon I was sent to the 16th Ordnance Company and assigned to the motor pool as a mechanic. From our first meeting Jae Seun sensed (woman's intuition, I guess) that there was something different about me, but at the time neither of us realized what would happen to us, that we should find such a strong and sincere bond between us.

She could not speak English too well at the time, and I being no language expert, could not speak her tongue nor did I know any of the local customs or anything about this country called Korea other than some news items about the recent police action. I used a dictionary at first to make myself understood and the more I talked to Jae Seun, the better I liked her—the better I liked her, the more we talked.

As I remember those days, this was a new and strange place to me. I had to adjust myself to a completely new environment and as life became routine I found myself thinking more and more about Jae Seun. We saw each other every day, day after day. At first she did not like me because she was not sure of my intentions, too, and she knew her family would be against such a relationship between her and me, a foreigner. At the time she was 19 and I was 23 and it is now approaching 4 years since we first met.

Previous to my embarking for the Far East, Mom said it was time I was thinking of marriage and that she wanted some grandchildren. Little did I realize then that within 3 weeks I was to meet my prospective bride.

As I said, we saw each other every day and gradually we came to understand and depend upon each other. Jae Seun sang in the Korean Military Advisory Group Chapel Choir when I first came to Korea and although I had not attended church regularly for several years (this fact I am not proud of) I started attending services regularly. My first Christmas Eve in the Far East I attended services in which Jae Seun participated. Afterward I took Jae Seun aside and explained to her that it was the custom at home to exchange gifts on Christmas Eve. I presented her with a necklace which I had purchased earlier that month and I told Jae Seun some of my feeling for her. She did accept the gift and it was then she realized that I was sincere. This was the first gift that she had ever accepted from a man and it was some months before she would wear it.

During the next few months we came to be very close. I no longer needed a means of translation because she could understand me. In our leisure throughout the day we had a chance to talk of many things. I even learned to play a game of cards very similar to casino. Gradually Jae Suen overcame her shyness and she began to tell me of her feelings toward me. I had to be very patient and I wanted her to be sure for this was a very serious situation. I tried not to press any incidents and explained very carefully any misunderstandings that occurred because of language barrier.

After Jae Seun grew to like me she no longer sang in the choir but was by my side in church. This was the one time through the week that we could be alone together, even in a crowded chapel. It is because of this worshiping together that we have been able to know and understand each other as intimately as we do. As our faith in God increased so did our love.

We shared many secrets and did many things together. As I worked in the motor pool, I had more access to a recreation vehicle than personnel in other sections. With this privilege I began to teach Jae Seun to drive and in the ensuing months she learned to drive a jeep rather well. In fact, I taught her so well that when I did get a jeep Jae Seun wanted to drive it all the time. I still shudder when I think of what would have happened had the MP's caught us doing this.

The first part of June 1956 I became very sick, in fact, I spent the better part of a week flat on my back in the ward. There was not much news of me and Jae Seun, being at the company when I was taken away, became very anxious about me. It was then she knew how much she loved me and that she wanted me well again. Another hardship came upon her in September when I was transferred from the 16th and stationed north of Seoul at the 696th Ordnance Co. (ammo) located at Uijombu. For the first week of my absence Jae Seun was a lost person. We had been together so much throughout the previous months and then to suddenly be alone created a great emptiness in her life. I still cannot see any sound reason for my transfer other than possibly some personal dislike toward me by the officers.

Jae Seun and I had been seeing each other constantly day after day and as previously stated we grew to depend upon each other very greatly. And now as I look back on that situation with the constant turmoil from the Army the only thing which kept me from being neurotic was Jae Seun to whom I devoted my energies and who taught me patience. I feel that she was the indirect hand of the Almighty watching over me.

I saw Jae Seun twice after that, the first time I obtained a 3-day pass and went to see her over Veterans' Day in November. The second and last time we were together was during Christmas, 1956. I had secured a 15-day leave and went back to my old company, the 16th. For Jae Seun and I it was bitter and sweet—sweet because we were together and bitter because soon we would be parting and we did not know what the future held for us. Although we could never obtain her mother's permission which was required before any paperwork could begin, we had the understanding that we would wait for each other. I did not press Jae Seun too hard to obtain this permission because I did not want to create any family disputes which could have lasted throughout our marriage. As I had another year of school to complete my bachelor's degree in mining engineering, I felt I could return the next year as an engineer.

I returned to the States March 1957, and was honorably separated. Shortly after this I went to work for the Montana Phosphate Products Co. at Garrison as an engineer's assistant until September when I returned to school. I completed my work for the degree and became a member of the graduating class of 1958 of the Montana School of Mines. By the end of school, there was no demand for mining engineers overseas. Finally, I joined Foote Mineral Co. here, September 1958. With the steady income I felt I could save enough to return to Korea to marry Jae Seun. However, one thing after another happened and my savings were not being increased.

Last November I received a clipping in one of Jae Seun's many letters (we had corresponded regularly since I was transferred from the 16th during September 1956). It was a story of two other people in a similar situation, a Japanese girl, and an American lover, and it told of their being united again through the aid of a private bill. This was the answer to our prayers.

As soon as Congress convened for this session, I wrote to Senator JAMES E. MURRAY, of Montana, my home State, and he introduced Senate bill S. 1104 in our behalf which was passed by the Senate on July 15, 1959, and by the House of Representatives on August 11, 1959, and signed by the President August 18, 1959. This has granted Jae Seun the permission to enter this country as a visitor for 3 months during which time we must be married. All that remains now is for her to obtain a passport and for me to make the necessary transportation arrangements.

I wish to show my deepest and most sincere appreciation and gratitude to all the Members of Congress, the Senate and the House of Representatives, for the work they have done in behalf of my fiancee and me. And, in particular, to President Eisenhower, Senator James E. Murray, and Congressman Lee Metcalf, both of Montana, and Congressman Basil Whitener, of North Carolina, the Senate and House Judiciary Committees, and all other associated persons for their interest, assistance, time, and effort which has made it possible for this bill to have passed. Jae Seun and I will be eternally grateful for all that you have done to bring us together again.

May God bless you all.

ACUTE OBSERVATIONS ABOUT RUSSIA BY ALAN EMORY OF THE WATERTOWN TIMES

Mr. KEATING. Mr. President, Alan Emory, the astute Washington correpondent for the Watertown (N.Y.) Times, recently toured Russia with Vice President RICHARD M. NIXON. Upon his return he penned three interesting articles which contain acute observations about his trip and penetrating comments on the Russian people and their aspirations and goals.

I hope these pieces will be read by many people who want to know more about Russia and its people. I therefore ask unanimous consent to have these articles, which appeared on August 13, 14, and 15, printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

WATCHING AND BEING WATCHED IS PART OF SOVIET ATMOSPHERE—ROOMS OF CORRESPONDENTS WIRED, LUGGAGE SEARCHED, PASSPORTS CHECKED AND RECHECKED DURING NIXON TRIP—I

(Alan S. Emory, Washington correspondent of the Times, who visited Russia as a member of Vice President NIXON'S party, has written a series of three articles on his observations in that country. The following is the first in the series.)

(By Alan S. Emory)

WASHINGTON, August 12.—The tenants of the 12th floor of the Ukraina Hotel in Moscow between July 23 and August 2 constituted a major mystery.

The elevator never stopped at the 12th floor.

No members of the Nixon party were assigned to a 12th floor room.

The reason soon became obvious. The rooms of the Nixon group had been wired and the communications center was on the 12th floor.

This continuous watching and being watched is an integral part of the Soviet atmosphere. The visitor breathes it in along with Russian air. The only way to escape it is to escape Russia itself.

That was why cheers of relief greeted both the takeoff of the Trans World Airlines 707 jet transport from Vuknovo Airport, Moscow, August 2, and the arrival in Communist-dominated, but free, Poland a couple of hours later.

It is true that the farther one travels from Moscow in the Soviet Union the friendlier the people become and the less watched or hemmed in the visitor feels.

But it is not real escape.

Our luggage was searched outside Moscow as well as in.

Correspondents were the object of secret police harassment in Siberia and the Urals, rather than Moscow.

The only way to break out of the iron ring was to leave, and even that wasn't easy. The first thing the Russians do is to grab a visitor's passport. The only way the Nixon party could get theirs back, just before the scheduled departure for Leningrad and Siberia, was to pay a fee of around $3.

At the final departure from Moscow, even when the passports had been collected and redistributed for the umpteenth time, olive-uniformed army officers refused to let correspondents board the TWA press plane because they did not hold boarding passes. We got our boarding passes, and still entry into the plane was refused for a short while.

Eventually, each passport was checked, suspiciously, against the owner's physical appearance and the Soviet Union was left behind.

The baiting of the correspondents was extended in several ways, not only delay in transmitting news copy, part of which could have been the result of mechanical inability to handle the large press party accompanying the Vice President.

News and television film was blocked in Moscow from the start. Pan American World Airways President Juan Trippe was refused his passport, and a trip home, until his plane unloaded all news film. At another point the Russians insisted U.S. photographers use only German, Italian, or Belgian film, which would be processed by Soviets in Moscow. Then they demanded Mr. NIXON take to Siberia only 12 correspondents, the same number that had accompanied Soviet First Deputy Premier F. R. Kozlov around the United States.

They tried to make news coverage of the first Nixon-Khrushchev meeting in the Kremlin an all-Russian affair, but Mr. NIXON'S press aid, Herbert G. Klein, spotted a Tass man in the room and demanded U.S. representation too. He got it. When Soviet correspondents tried to form a ring of their own about the Vice President on his strolls in relatively restricted areas the U.S. newsmen fought their way through the ring, using some infighting tactics where necessary.

In Sverdlovsk the only good eating place we knew of was the hotel dining room, and the Russian newsmen covering the Vice President invited the American correspondents to dinner there. For one thing, the Americans had paid for the dinner in advance. For another, some of the Americans were not eager to accept the Soviets' hospitality for a variety of reasons, but they had no choice. Either they came as guests or they went hungry.

Some of the American newsmen found packages in their suitcases had been slit open, then resealed with a gummy tape. Virtually all individual film was not tampered with, though twice cameras of correspondents disappeared for a few hours and one British reporter claims a roll of film was cut out of his camera at a Siberian copper mine.

There were the lies, such as the story of the alleged NIXON bribe of a simple Soviet citizen to get a picture of a shabbily-dressed man. This was concocted out of an offer to buy tickets to the American exhibition in Moscow for ticket-hungry Russians and the fact that Jack Sherwood, a Nixon staff man, had his camera along at the time, though no pictures were taken.

This type of minor smear was tried on American correspondents also, but with notable lack of success.

In one hinterland community two newsmen were hauled up to the hotel front office by the secret police and charged with throwing things out of their hotel windows to children. The parents had complained, according to the Soviet officials. This was, of course, an unfounded lie, and press aide Klein didn't hesitate to voice the Vice President's strongest objections.

Eventually, the matter was dropped and the Soviet press made no mention of the incident.

However, later one of the Soviet interpreters assigned to us related a different version of the incident, changing locality and identity of the newsmen concerned—she even reduced the number involved to one—and claimed righteously the correspondent had confessed his fault to another interpreter.

Probably other interpreters had other versions of the story with other newsmen's names.

Yet, what the Russians could hope to gain by such petty tactics could hardly have been worth the effort.

RUSSIANS EAGER TO ADD TO KNOWLEDGE ABOUT AMERICANS—MOST QUESTIONS ASKED OF NIXON PARTY NOT CONCERNED WITH ROUTINE PROPAGANDA SUBJECTS—II

(Alan S. Emory, Washington correspondent of the Times, who visited Russia as a member of Vice President NIXON'S party, has written a series of three articles on his observations in that country. The following is the second in the series.)

(By Alan S. Emory)

WASHINGTON, August 13.—The Russian people are starved for contact with Americans. They harbor a tremendous curiosity about America, its way of life and its people.

Let an American step into a marketplace in a Russian community, particularly one away from the center of a big city, and he is automatically surrounded by hundreds of curious Soviets who fire questions with machinegun rapidity.

Most of the questions are not concerned with the routine propaganda subjects—military bases, atom bomb tests and peace treaties.

Instead, they center on the friendship between two strong peoples, how the Americans flew over to the Soviet Union, how they liked the country and what they saw.

The Government managed to see to it that many of the crowds contained "activist" hecklers, but even that proved a weapon in disguise with which to punch chinks in the Iron Curtain.

The heckler, of course, shrugged off the American answers, but the hundreds of onlookers did not. They were interested in the answers and they believed them.

They believed them if, for no other reason, because they wanted to. And in the areas like Leningrad, famed for its cultural progress, and Siberia, where a relatively simple life tended to downgrade the influence of propaganda from above, they had less suspicion of what the Americans might tell them.

The Russians had been told by their government:

Sure, the American people are friendly, but the American Government is warlike and will fight.

When Vice President NIXON, as a representative of the American Government, went around the Soviet Union proclaiming "peace and friendship," this was exactly the right note, and the Russian people ate it up. Their faces lit up, they grinned happily, they cheered and applauded.

Certainly Mr. NIXON used cliches to the full in his contacts with the Soviet workers and men in the street, but it was the cliches they were thirsting to hear to ease their worries.

And Mr. NIXON managed to handle the hecklers effectively, even though the Soviet press made it appear that he ignored or failed to answer any of the propaganda queries, which normally began with a prefatory speech starting, "As is well known."

The Vice President countered the military bases query with the comment that it was justified only if Poland, Hungary, and East Germany were parts of the Soviet Union. All sport Communist troops, though, of course, none is in the U.S.S.R.

One of the baiters more than met his match when he tackled a member of the U.S. Embassy staff and claimed the American press was not fairly reporting the goings-on in the Soviet Union. The Embassy man, Thomas Tuck, asked what American papers the Russian had read to make him feel this way.

The "simple Soviet citizen"—a favorite Russian press description for a heckler—replied, "The New York, New York."

"New York Times?" supplied Mr. Tuck.

"Yes, that's it," said the Russian. "I read it all the time."

"That's interesting," said Mr. Tuck, "I've never seen the New York Times on a Soviet newsstand anywhere."

The effect on the crowd was immediate.

"Neither have we," came a chorus from all sides.

At the atomic icebreaker *Lenin* in Leningrad the shipyard workers were eager to learn all about the jet plane that had flown the news correspondents from New York City in the record time of 8 hours, 50 minutes. Soviet papers have never reported this. The workers wanted to know who had built the plane, how it operated, and a host of other details.

The conversation was very friendly, and, although the Soviet officialdom had limited the number of correspondents who could board the icebreaker, the workers wanted us all to take a look around the project they had been so proud to take part in.

"Go take a look at it," they said. "It's our ship. Look around."

Friendship was demonstrated substantially by the crowds in Siberia, the ceremony at the Asian-European monument, where toasts were exchanged in wine, vodka, and cognac, in front of the Degtyarsk town hall, where Mr. NIXON stood on top of his car and spoke to a cheering throng.

In the Sverdlovsk marketplace I was talking to friendly people, exchanging the usual pleasantries about peace between the United States and the Soviet Union and greater contact between the nations, when a woman considerably better dressed than the others came up and started asking questions belligerently.

Why, she wanted to know, had I taken a picture of a girl with "fluffy hair." This was only showing the bad side of Russia, and our photographers were all doing this.

As it happens, I had taken a picture of an old man with a beard, but none of any fluffy-haired girl, and I explained this. Then the woman charged that the marketplace was not typically Russian, that people were abandoning the marketplace for stores—this was news to me—and I should not photograph the marketplace.

I replied that I understood the marketplace was typically Russian and that the American Embassy people I knew shopped daily in the marketplaces of Moscow.

Eventually, the conversation calmed down, with an interpreter by this time doing most of the translating, but it was evident throughout that the crowd was listening intently and believing the American's story, not that of the heckler.

As I was leaving the marketplace a man in his sixties, dressed in shabby black clothes, came up and asked a question. He was, the interpreter explained, a pensioner. Just as the man started to pose his question several pairs of strong arms came out of nowhere and whisked him away.

It was startling it happened so fast.

The interpreter gave a nervous laugh.

"He was drunk," he said with a shrug of his shoulders and an uncomfortable chuckle, "he was attacking the government."

RUSSIANS PROUD OF ACCOMPLISHMENTS—EXPECT TO DO MORE—GOALS OF 7-YEAR PLAN APPEAR TOO HIGH, BUT WILL TO ACHIEVE THEM EXISTS—III

(Alan S. Emory, Washington correspondent of the Times, who visited Russia as a member of Vice President NIXON's party, has written a series of three articles on his observations in that country. The following is the last in the series.)

(By Alan S. Emory)

WASHINGTON, August 14.—No one expects any revolution in the Soviet Union, but Vice President NIXON's brief conversations with the Russian people will pay large dividends.

The numbers of Russians who saw and listened to the Vice President, in person as well as over radio and television, could not help but become convinced in some degree of the peaceful intentions of the most powerful nation in the world.

This is significant in light of the fact that the Soviet Union, while advancing fantastically in scientific education and progressing rapidly in industry by their own standards, trails this country substantially in scope and modernization.

That is not knocking the Soviet achievement, it is just plain, cold fact.

And it does not mean the Soviet Union will not continue to advance, but the prospect is strong the country will not achieve its 7-year plan goals by 1965, though the Russians now talk in terms of 1964.

The will is there. The Russians are very proud of what they have accomplished and they expect to do a lot more.

Soviet Premier Nikita S. Khrushchev, recognizing the fascination of his own people with the American exhibition in Moscow, attempted to get around this by saying, "In 7 years we will have all of this. This is why we want you to keep on working so hard."

And the Russians work hard. The men often hold two jobs. The women do hard labor, run steamrollers and tractors, clean streets.

The Russians are not a pretty people, nor are they an ugly people. Their children are friendly and healthy. In the 12 days I was in the Soviet Union, and we traveled quite a bit, I never saw a scrawny child.

One youngster of about 7, in a marketplace in the Urals, had one of the strongest grips I've ever held, adult or child.

The major Russian cities are clean, virtually bare of litter on sidewalks or streets.

Transportation is by foot, bicycle, occasionally by car, more by small bus or larger trolley-bus, electrified by overhead wires.

For all the friendliness of the average Russian, the interpreters provided by the Intourist Bureau and the Soviet newspapermen are thoroughly indoctrinated with Communist dogma and do not hesitate to practice it.

Many conversations begin with an apparent willingness to accept, or at least acknowledge, the Western point of view, only to turn rapidly on a favorite Soviet argument that ignores everything that has been said. These verbal merry-go-rounds prove infinitely frustrating in a very short time.

The Russians I talked to were very eager to have Khrushchev visit the United States, as indeed Mr. K. is eager. And they apparently will be eyeing with great interest President Eisenhower's visit to the Soviet Union. Since Mr. Eisenhower's travels will be limited, most Russians will have to depend on what they get in the official press, and that will be strongly slanted.

However, the ice has been broken, many have seen and heard Vice President NIXON already, so the Soviet citizens may tend to take what their papers say with a grain of salt.

It probably will be hard to frighten those Russians who came in direct contact with the Nixon party and those who will meet the Eisenhower entourage with the prospect of a war encouraged by the U.S. Government.

Word of mouth and underground communications travel fast and far in the Soviet Union. We saw evidence of that almost everywhere. And this unofficial means of telling the story has brought a very un-Communist message to a lot of Russians.

Inevitably, some will believe it.

Then, there is the healthy influence of the American exhibition in Sokolniki Park, Moscow. Ramac, the IBM machine with the 4,000 questions, didn't take long to find out that Russians were interested, above almost everything else, in the American ideal, the American dream.

What did it mean? They wanted to know.

Any widely expressed interest in the basic tenet of democracy must be a hopeful sign.

There were other popular questions—how many unemployed, the average man's or woman's clothing, the average worker's earnings and what proportion of his salary paid for goods and services, the nationalities of musicians and dancers, what technical and special American magazines and books were available and whether Americans could read Russian publications.

Sometimes the Russians would argue with the answers, but not often.

The young people, as well as the old, are having a ball at the fair. They stand transfixed at the flashy, colorful fashion show under a fiberglass roof, they stare with wonder at the cutout model of a General Motors car, they gasp at the 360° movie Circarama, they mob the model house they were told no American worker could possiby buy. And when they get to the house, despite what they've been told, they want to know if the worker can buy it, how much it costs, what installment payments are.

And they don't disbelieve just because they've been told the answers aren't true.

When a heckler in Sverdlovsk complained about American press coverage of Russia, I told her to buy American newspapers and read them and she would find accounts of the friendly reception the Soviet people gave the Nixon party and how fully it had been reported.

She won't be able to get the papers, and she might not read them even if she did.

But there were hundreds of other Russians who did hear, who would read if they could.

The concept of one world that Mr. NIXON emphasized so much in Poland at the finish of his trip is beginning to break into eastern Europe and seep behind the Iron Curtain.

When the Vice President landed in Moscow July 23 he stressed the people-to-people approach. He urged Russians to ask him "any question you wish" and pledged "frank and honest discussion" on all levels. He quoted a Russian proverb, "Keeping accounts straight has never spoiled a friendship," and another: "Better to see once than hear a hundred times."

He adhered to this theme faithfully and was successful.

The Soviet leaders were not concerned over the straight talk Mr. NIXON gave them in private, but they did worry over the effect he had on the people.

For every wrinkle added to a Soviet leader's brow one must be smoothed out in the Western World.

A BOLD PROPOSAL FOR CURBING THE DISSEMINATION OF OBSCENE MATERIAL

Mr. KEATING. Mr. President, in America, an aroused citizenry is often the best antidote to any evil which besets our Nation. I am confident that will be the story with respect to the challenge of pornographic material which is today flooding the homes of our land.

The manner in which individuals, private organizations, communities, church groups, and judicial and law enforcement officials have responded to the call to arms of the Postmaster General in curbing the purveyors of obscene material has been extremely gratifying. The awareness on the part of the public of the magnitude of this danger, and the need for prompt reporting to postal authorities when material is received, will go a long way toward removing this smut from the American scene.

However, much more remains to be done. Congress needs to enact laws to permit further cracking down on those who would make a living from peddling this filth. In addition, it may be that there need to be reorganizations within the structure of the Federal Government if this great counteroffensive is to be fully effective.

In this connection, I recently received from a constituent of mine, Mr. Nathan Harrison, of Binghamton, a proposal for the establishment of an overall Federal agency to spearhead the attack on the barons of obscenity. Mr. Harrison has studied this whole problem extensively, particularly because of his work in the movie business. I have had considerable correspondence with him about his ideas, and have passed them along to various officials in the Government and to members of the Senate Post Office and Civil Service Committee. He has also testified before the House Post Office and Civil Service Committee.

I believe his proposal for consolidating all Federal antiobscene material efforts within one agency has much merit, and I hope it will be carefully considered by those who are concerned with this problem. Certainly, we must leave no stone unturned in seeking to eliminate this blight which threatens to disease the minds of so many of our young people.

Mr. President, I ask unanimous consent to have printed in the RECORD a white paper prepared by Mr. Harrison, in which he sets forth his idea for a Federal agency.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROSPECTS FOR FULL-SCALE ATTACK UPON PORNOGRAPHY, ITS PRODUCERS, DISTRIBUTORS, WHOLESALERS, AND RETAILERS

(Submitted by Nathan Harrison, Binghamton, N.Y.)

It is apparent that the fight against pornography and obscene materials to date, has had little success. This multi-billion-dollar industry is entrenched, due to the disorganized manner this menace has been fought by local, and to a slightly greater degree, by Federal agencies.

It is suggested, that in order to insure a more successful full-scale attack against this evil, we must first—either by State and Federal legislation, or otherwise (I am not a lawyer, hence cannot supply the methods) come upon an agreed definition of "pornography." Presently there prevails a "confusion of tongues at the Tower of Babel" as to what constitutes pornography.

Second, a Federal overall agency should be created to spearhead this attack. The directing officer of this agency should be

directly responsible to the Senate or House Committee presently engaged in investigating this evil. Under his directorship, this agency should be comprised of members of the Postal Service, the Federal Bureau of Investigation, the Department of Commerce, and the Customs Service. A secondary or auxiliary agency should be composed of members of the State police, representatives of film and paper manufacturers, film processing equipment and officers of theatrical labor unions and printers' unions.

A prospectus furnished to all members of these agencies shall illustrate how the combined efforts of all these groups, can, through their combined and concerted efforts ultimately wipe out the pornographic diseases.

METHODS OF ATTACK

The Director-General shall initially meet with the above-named agencies to discuss the all-embracing aspects of pornographic and obscene materials and to recommend certain legislation which will tend to combat the evil. Included in such legislation should be proposals to compel manufacturers of film and paper, to code their products. Coded film and paper, will enable the Director-General to quickly establish the sources of the material and the suppliers of these materials to the producers of filth. Detection and spotting of the initial perpetrators of this nefarious enterprise will mean the battle is half won.

It is also suggested that the Director-General shall establish a central depot, where seized films, books, and other pornographic and obscene materials may be indexed, and classified. Records shall be kept of places of seizure, performers, make of film and/or paper, producers, printers, etc. This depot shall feed information to State police, the Postal Service, the Federal Bureau of Investigation, and local police agencies throughout the Nation.

It is further suggested that this overall agency initiate a press-clipping service in order that it may be immediately informed of news regarding obscenity which may not have been reported to the Agency by the local police, nor through its other normal channels.

It is further suggested, that the Agency keep under constant surveillance, mail-order distibutors of borderline suggestive films, photos, books, and pamphlets, such as are advertised in countless popular men's magazines.

It is further suggested, that the Agency investigate all sales of Government surplus film, to determine whether such film had been purchased by producers of obscene films. Such producers will more readily use this film because of its low cost and easy availability.

It is suggested further, that the agency shall confer with publishers of off-color magazines with a view toward getting them to reject advertising of questionable products.

It is also suggested, that the agency shall cooperate with local law enforcement agencies throughout the Nation on interchange of information. Photos of performers, names and addresses of firms and of persons involved, may result not only in curtailment of this practice but a corresponding curtailment of allied traffic in white slavery, narcotics and allied vices.

It is further suggested (and here appropriate legislation will be required) that the Agency shall be authorized to impound and examine all master movie film produced by other than recognized moving picture, television and commercial producers. If the film is found to be obscene, it shall be retained by the Director of the Agency. (Foreign films apply in this case.)

CONCLUSION

The Postal Service has done a competent job of prosecuting producers of filth. However, only a small fraction of the pornographic business is sent via the mails. The greatest portion is sent via automobile, truck, rail and express, and hand-to-hand by wholesalers, distributors, and agents. Local police agencies and local courts, will mete out small fines to dealers in filth. Some retailers, and producers may even be forced out of business for a short time. But there are others to take their place. It is the purpose of these suggestions, to emphasize that only through an all-out effort by an overall agency can the source of supply to these producers be curtailed, and the evil reduced to a minimum.

TRIBUTE TO MRS. ALICE T. CURRAN

Mr. KEATING. Mr. President, one of the heartening improvements in our diplomatic machinery has been the increasing number of women assigned to positions of heavy responsibility.

We in New York State have a new cause for pride in this connection in the appointment of Mrs. Alice T. Curran as principal officer at the American Consulate at Manchester, England, where she will shortly take up her new duties.

Mrs. Curran, who comes from Cold Spring on the Hudson, New York, has served as special assistant to six Assistant Secretaries of State for Public Affairs. She came up from the ranks in the State Department, step by step, and has just completed 25 years of Government service, during which she has acted extensively and ably for the State Department on international conferences in the educational and cultural fields.

Recently, Mrs. Curran was drafted for a second term as president of the American Newspaper Women's Club.

Mr. President, I should like to extend public congratulations to Mrs. Curran on her new assignment, and to express the conviction that, on the basis of her proved ability and performance to date, this is but another step in her advancement to even higher responsibility.

MOTION TO TABLE MOTION ON VOTE BY WHICH MUTUAL SECURITY AMENDMENTS WERE AGREED TO

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the various amendments to the mutual security bill were agreed to.

Mr. HAYDEN. I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The question is on agreeing to the motion to table.

The motion to table was agreed to.

TRIBUTE TO THE MAJORITY LEADER

Mr. MANSFIELD. Mr. President, as we draw toward the end of the present session, we find that there is a great deal to be said pro and con about the Congress and the leadership which has been exhibited to date. Personally I believe that, so far as the Senate is concerned—and I know the same would apply to the House and its leadership—under the leadership of the distinguished Senator from Texas [Mr. JOHNSON] this Congress has made a good, responsible record.

I would point out that there has been a studied attempt on the part of the administration, radio, TV, and the press, to label this Congress as a spenders' Congress. I submit for the RECORD that before we are through with our labors in the first session of the 86th Congress, the reductions below the President's requests will amount to at least $1,300 million for the present fiscal year.

In my opinion the senior Senator from Texas, in spite of extreme difficulty, has been able to bring about a degree of responsibility of which Congress can be proud. I am happy to note that in the New York Journal American for September 12, 1959, there is a lead editorial entitled "A Good Leader." The editorial says, speaking of the senior Senator from Texas, the majority leader:

He could have tried to manufacture issues for the 1960 presidential election by fighting the President.

He could have concentrated on transacting the public business and submitting those issues that could not be reconciled to the voters for determination next year.

If he had chosen the first a running fight between the President and Congress could have paralyzed the Government.

Instead Senator JOHNSON has tried consistently—

And I might add responsibly—

to meet the President half way. The result may not satisfy extreme party partisans but we think it will satisfy the public.

Mr. President, I ask that this editorial, which constitutes a salute to the majority leader of the U.S. Senate, who has always put the public interest first, be inserted at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A GOOD LEADER

As we look back over this closing session of Congress the remarkable fact is that it has accomplished so much in the face of predictions that it would waste its time and energy in a partisan dog fight with the administration.

One reason why the prophets of do-nothing were confounded is the vigor and firmness of President Eisenhower. He carried the fight for an effective labor reform bill to the people. He championed the cause of the taxpayers against inflationary measures.

Yet the President, with all his influence, could not have done all this if the topheavy Democratic-controlled Congress has been in open rebellion against him. Then we really would have had legislative chaos.

There had to be a calm, astute, and reasoning influence within Congress—and those statesmanlike qualities were exemplified to the benefit of the country by Senator LYNDON JOHNSON, Democratic majority leader.

His insistence that it was of vital public interest to agree on a labor bill that would protect labor, management, and the public was a decisive factor in its enactment.

Basically the strong man from Texas faced two choices from the beginning of the session:

1. He could have tried to manufacture issues for the 1960 presidential election by fighting the President.

2. He could have concentrated on transacting the public business and submitting those issues that could not be reconciled to the voters for determination next year.

If he had chosen the first a running fight between the President and Congress could have paralyzed the Government.

Instead Senator JOHNSON has tried consistently to meet the President halfway. The result may not satisfy extreme party partisans but we think it will satisfy the public.

This is our salute to a leader who put public interest first.

Mr. JOHNSON of Texas. Mr. President, I thank my friend, the Senator from Montana.

THE FCC AND TELEVISION ALLOCATIONS: 5 YEARS OF DEAD-CENTER STALLING

Mr. MONRONEY. Mr. President, I have been critical in the past about the low quality of network televison programs. It seems to me that nothing is being done to improve the situation. Perhaps the only way that this can properly be done in the American tradition and the American system of free enterprise is to provide for competition within the possible wavelength allocations which could be made.

I have been terribly disappointed that the Federal Communications Commission, which is charged with the duty of providing the maximum of television service within the available wavelengths, has been stalling for a period of many, many years. There are nearly a score or more of major markets which have virtually no competition among television stations. In other words, where a city has only one station, it should have a maximum of three. I believe the Federal Communications Commission should finally move, after their long period of delay, toward making possible the maximum use of the wavelengths of the spectrums which are available under new, modern engineering and electronic techniques.

I should like to outline the 5 years of deadcenter stalling which have occurred:

First. In the spring of 1954, during hearings before a Senate subcommittee, the basic error of intermixing VHF and UHF facilities was disclosed.

Second. A year and a half passed before the FCC was finally moved to acknowledge the existence of the problem. On November 10, 1955, in response to congressional demands for action, the FCC announced that it was initiating an overall reexamination of television allocations (docket No. 11532).

Third. Nearly 7 months later—on June 10, 1956—the Commission released a report and order concluding that no new VHF channels could be obtained for television from other services, that this fact precluded the adoption of an all-VHF system, that an all-UHF system had much to recommend it, but that a program of expedited research and development would first have to be initiated before the FCC could determine if an all-UHF system were feasible. This research was freely called a crash program by the then Chairman of the Commission.

Fourth. In response to the Commission's request for a crash program of research, the Television Allocations Study Organization was formed. TASO never got up enough speed to crash. It was nearly 3 years before it submitted a report of its findings. Meanwhile, the Commission took no action on this matter of urgent public interest—although television service was being artificially restricted by the manifest imperfections of the present allocations.

Fifth. In the spring of 1959 TASO submitted a report concluding that UHF had serious disadvantages which would make an all-UHF system inferior to an all-VHF system.

Sixth. Soon afterward, in April 1959, the FCC reported to Senator MAGNUSON that it was again investigating the possibility of obtaining additional VHF channels from the military, a plan which it had on many prior occasions considered and rejected as impractical. At the same time, recognizing that even if additional VHF channels could be obtained many years would pass before channels could be placed in use, it announced that it would consider mileage reductions, using directional antennas and precision offsets, as a means of allocating additional VHF channels in important scarcity markets.

Seventh. Five months have passed since the FCC advised Senator MAGNUSON it was looking for more VHF channels. Plainly it has found none. It is only realistic to predict that none is to be found. Assuming the improbable discovery of new VHF's for television, it would take years—perhaps as long as a decade—before they could be utilized. That much time would be required for existing users to phase out present equipment and for the television broadcasting system to be adapted to the new facilities.

Eighth. Meanwhile, as the fruitless search for more VHF space goes on, the FCC has done nothing to expand the present system. The FCC has just returned from a vacation lasting the entire month of August. There is scant hope that the end of the vacation will mark the beginning of activity. Several members of the Commission will be away from Washington, on assignments abroad, until next year.

Ninth. The following important markets are still without competitive facilities: Providence, Louisville, Grand Rapids-Kalamazoo, Charlotte, Syracuse, Rochester, Birmingham, Wheeling-Steubenville, Johnstown-Altoona, Dayton, Champaign-Urbana, Toledo, Jacksonville, Raleigh-Durham, Shreveport, Knoxville, Binghamton, Fresno, Bakersfield, and others. In many of these markets allocation additions are possible without mileage reductions, for example: Syracuse, Rochester, Birmingham, Fresno, Bakersfield, and Shreveport.

Tenth. It has been more than 5 years since this problem of television scarcity was first recognized formally. How long must the American public wait before recognition leads to an effort toward solution of the problem of providing greater availability of more television programs, instead of trying to prevent the expansion of the television spectrum?

WHAT INDIA-CHINESE BORDER DISPUTE IS ABOUT

Mr. WILEY. Mr. President, on the eve of the visit of Premier Khrushchev to the United States, the world finds Communist aggressive actions in Asia in discord with the "peace talk" of the Soviet Premier.

As in the past, the Communists—this time from Peiping—are blaming others for their aggression. For the India dispute, they attempt to blame, not only India, but also the British; for the critical condition in Laos, they are attempting to blame, among others, the United States.

Apparently, the Red Chinese was willing to offend—even worse—to attack India, which has long attempted to maintain friendly relations with, as well as increase the stature in the eyes of the world, of the Peiping government. The fact that they are willing to go to such great ends to stir up trouble outside China, indicates, I believe, that conditions requiring such drastic, belligerent moves are serious. They would not otherwise go so far in offending a country that has attempted to befriend them as well as possibly to alienate people throughout Asia and Africa.

Naturally, it is not possible for us to turn a miscroscope on the Communist mind to learn its rationalization.

The situation, however, leads one to speculate that conditions are so serious that scrapping with a nation of lesser stature, for example, might not have taken the minds of the Chinese people off the internal failures, or provided the militancy necessary to maintain Communist control.

The criticalness of the situation requires that the world remain alert.

In attempting to understand, and deal with, such crises, it is, of course, desirable to have the benefit of all the informed thinking possible.

Recently, the Milwaukee Journal published an editorial, reviewing the historical background of the India border disputes.

I ask unanimous consent that this article be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT CHINESE-INDIAN BORDER DISPUTE IS ABOUT—ITS HISTORY

The Chinese-Indian frontier dispute is like the remake of an old movie. The setting is the same. The plot is the same. Only the characters are new.

The scene is the south slope of the Himalayas. The plot is the struggle for control of the roof of Asia—the high land that looks down on China and India and offers a gateway to both.

Men have long vied for this wild, inhospitable area. Mongols, Manchus, and Hindus struggled over it. Chinese, Russians, and British schemed about it. The native Tibetans have suffered from the foreign aggressor almost as frequently as some of Europe's cockpit countries.

Today it is Communist China versus India, with Soviet Russia watching intently. Yesterday (in history's long view) it was Manchu

China versus the British Empire, with czarist Russia doing the watching.

The Manchus appeared in the 17th century to claim Tibet as part of China. A century ago Britain, at the height of its empire, challenged. From India it demanded increasing rights in Tibet which the fading Manchus recognized in the 1890 Sikkim convention. But the Tibetans did not, nor did the Russians. And in 1902 Russia and China made a deal to squeeze the British out of Tibet.

Britain responded by sending the Younghusband expedition into Tibet in 1904. The Dalai Lama (shades of recent history) fled to China. Tibet was forced to accept the Sikkim convention and open trade with London. Later China and Russia approved this agreement and Tibet was accepted as an autonomous buffer state.

In 1910 China renewed pressure on Tibet. The Dalai Lama this time fled to India. Then came the Chinese republican revolution, the Dalai Lama returned to Lhasa, the Tibetans rose, evicted all Chinese and proclaimed their independence.

Now, finally, we come to the MacMahon line, subject of the immediate controversy. In 1913, at Simla in India, British, Chinese, and Tibetans met. British and Tibetans agreed that there should be an independent outer Tibet and an inner Tibet under Chinese authority. The British negotiator, Sir Arthur Henry MacMahon, drew a line on a map and declared it the legal boundary between Tibet, China, and British India. The Chinese refused to accept the line, said it would cost them 40,000 square miles. They refused to ratify the Simla convention, and no Chinese government has done so to this day. Chinese maps show areas south of the MacMahon line (a vague, wandering, unmarked and indefinite boundary) as Chinese territory. Indian maps, of course, show it as India.

Different actors, same setting, same plot. Yet the stakes of this drama are big. It is a new China, Communist, ambitious, aggressive. It is a new India, independent, proud, striving for larger places in the sun. The high lands between them are remote and of little use and hardly worth fighting about. But this is an old quarrel, and nationalist sensitivities about frontiers are tender. Along with talk from both sides about possibilities of arbitration go defiance and threat. Even the Russians, for all their sympathies with the Chinese, are urging both sides to handle this hot potato cautiously.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Senate will now proceed with the call of the calendar, under the order previously entered.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the call of the calendar be postponed until later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUTUAL SECURITY APPROPRIATIONS, 1960

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. KEATING. Mr. President, I ask unanimous consent that my remarks regarding the extension of the Civil Rights Commission be printed in the permanent RECORD either in the previous day's RECORD or in today's RECORD in continuity, whichever is more convenient.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield if I may have unanimous consent that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. I wish to make a personal comment to the Senator from New York. When the Senate adjourned early Sunday morning, the Senator from New York was speaking at the minority leader's seat, where we could all hear him easily. In my opinion, the Senator from New York is making an exceedingly important speech on the vital issue of civil rights. I wonder if the Senator would find it convenient to come to the well of the Senate and speak from there, where we can hear him better.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KEATING. I yield, provided I do not lose the floor.

Mr. RUSSELL. I associate myself with the request of the Senator from Oregon. I have endeavored to follow the remarks of the Senator from New York. I may be getting a bit hard of hearing, but I simply have not been able to follow his statement. It would assist me in being able to analyze the Senator's remarks if he would come a little closer to the center of the Senate Chamber, where we might be able to hear him better.

Mr. KEATING. It is always a privilege for me to occupy the minority leader's seat. Under the extreme juniority which I am enjoying, I am situated so far back that it is difficult for me, at times, to hear other Senators speak. I am delighted to come to the minority leader's seat, for it brings me closer to the distinguished majority leader.

Mr. RUSSELL. That is one of the fair aspects of the seniority rule. The older one gets, the closer he comes to the center of the Senate.

Mr. KEATING. I thank the Senator from Georgia. I hope that I shall some day be able to attain some of that seniority.

Mr. WILEY. Mr. President will the Senator yield?

Mr. KEATING. Mr. President, may I have an understanding that whenever I yield, I do not lose the floor?

Mr. MORSE. Mr. President, reserving to right to object—and this is no reflection on the distinguished junior Senator from New York—I could give no such unanimous consent. We may develop a point as to which we may wish to apply the rule that a Senator may yield for a question, and a question only. But I certainly join in the request that the Senator from New York may yield to the Senator from Wisconsin without losing the floor.

Mr. KEATING. I withdraw my request.

The PRESIDING OFFICER. Unanimous consent is granted to yield now only to the Senator from Wisconsin.

IMPROVEMENT OF ACOUSTICS IN SENATE CHAMBER

Mr. WILEY. Mr. President, I have not heard for a long time so many persuasive arguments for installing a better acoustical system in the Senate Chamber to enable us to hear better. I have said on a number of occasions that such a system was needed to enable not only Senators, but also the visitors in the galleries to hear better. When the distinguished majority leader speaks to the President Officer, we cannot hear him. I have to move up close to the majority leader. Senators sitting to the rear of the Chamber do not hear him.

When the Chair replies or rules, unless he is a Presiding Officer like the good-looking man in the Chair now, the distinguished junior Senator from Georgia [Mr. TALMADGE], we cannot hear his voice.

Mr. President, that situation calls for a remedy. I am serious about it. I believe the problem should be met head on during the coming adjournment of the Senate, so that when the transaction of business in the Senate begins at the next session, all Senators, and guests of the Senate who are in the galleries, will be able to hear what is being said.

What I am saying is no reflection on the distinguished, good-looking majority leader; it is a reflection on the Senate itself.

The Senate has not acted, up to the present time, to procure the instrumentalities which are necessary to make it an effective body. Because we are unable to hear what is taking place, we do not know what is going on. I have heard Senator after Senator complain that he does not know what is being said. This is a serious reflection upon the Senate. Of course, the next morning we can read the RECORD to learn what happened on the previous day, but that is after the event.

Mr. President, I thank the distinguished junior Senator from New York for the opportunity to state again what I believe is an important need which should be met.

Mr. KEATING. Mr. President, in my opinion, the Commission's recommendations for the most part are very moderate. Its first recommendation, for example, is that the Bureau of the Census be authorized and directed to undertake a nationwide compilation of registration and voting statistics. I thought we in this country had long passed the day when we would consider such statistic-gathering activities by the Bureau of the

Census as un-American. The Commission also recommends that voting records shall be preserved and be made public provided that all care is taken to preserve the secrecy of the ballot. This seems to me to be an eminently reasonable proposal. There also are recommendations with respect to appointment of temporary Federal registrars, for prosecution of persons who under color of law deprive individuals of an opportunity to register and vote, and for the enforcement of the Commission's present subpena powers, which certainly deserve Congress' support. The only dissent from any of these recommendations is by Commissioner Battle, the former Governor of Virginia. The other Commissioners were unanimous in their support of these proposals.

The Commission's report deals with housing and education, as well as with voting rights; and, of course, there are some differences among the various Commissioners with respect to the specific proposals made in these fields, as well. This in no way serves to undermine the importance of the Commission's report; rather, it serves to emphasize the necessity for continuing the great work in which these men are engaged, so that further light can be shed on the many difficult issues which are faced in the field of civil rights. These men, all of them distinguished Americans, are engaged in a dialogue on a subject which goes to the core of our American way of life. Discussions and reports can pave the way for an era of ever-increasing freedom and liberty for all Americans. It has always been my creed that no American can feel secure in his freedom unless the freedom of all Americans is safeguarded. This appears also to be the dominant theme of the Commission's report.

One of the great tasks facing us today is the need to protect and preserve our form of Government—to reassert to our citizens and to the peoples of the free world that our Government is designed to uphold the dignity of the individual in a pattern of law. Our Constitution is the embodiment of this principle and we are entrusted with a solemn obligation to uphold and defend that Constitution.

The right of all citizens irrespective of color, race, religion, or national origin to govern themselves by means of selecting their own representation is one of the specific safeguards of the fundamental law. The need to protect and defend these principles has required continuous vigilance.

The majority of Congress spoke on the subject of civil rights when we enacted the Civil Rights Act of 1957 and a significant part of that legislation was the creation of the Commission on Civil Rights. With the establishment of this Commission, the Congress of the United States for the first time created an independent, bipartisan agency to study and think about the great problem of protecting the civil rights of all Americans. In selecting the members of the Commission, the President chose men from different parties, different regions, different religious groups, and different races.

This was not an easy task—for these six men had to be of exceptional stature; willing to accept a controversial and difficult assignment. Although most of us are familiar with these men, let me briefly say a word about them.

The Chairman is Dr. John A. Hannah, Republican, former Assistant Secretary of Defense and president of Michigan State University.

The Vice Chairman is the Honorable Robert G. Storey, of Dallas, Tex., a Democrat. Mr. Storey recently retired as dean of the Southern Methodist Law School and is a former president of the American Bar Association.

The late J. Ernest Wilkins, a Republican and Assistant Secretary of Labor, served as the only Negro member of the Commission until his death this past January.

The Reverend Theodore M. Hesburgh, C.S.C. president of the University of Notre Dame, is a political Independent.

The Honorable John S. Battle, former Governor of Virginia, and a Democrat, is also a member of the Commission, as is the Honorable Doyle E. Carlton, former Governor of Florida and also a Democrat.

The newest Commissioner is the Honorable George M. Johnson, a Republican who was chosen to succeed the late Mr. Wilkins. Dr. Johnson was until recently dean of the Law School of Howard University.

We can easily see the great care exercised by the President in choosing the men who constitute this Commission. There are two outstanding Republicans, three outstanding Democrats, all from the South, and one Independent. Four of them are lawyers of high standing, the other two presidents of great universities. Each of these men was confirmed by the Senate, with little opposition.

Although the act was passed in September 1957, it was not until March 4, 1958, that the appointment of the members of the Commission was confirmed by this body and May 14, 1958, that the staff director's appointment was confirmed.

Being a new Commission, the usual difficulties were encountered upon organization. However, within 30 days of the appointment of the staff director, the Commission and staff had managed to develop programs of research, study, and investigation. These unavoidable delays have meant that the Commission and the staff has functioned at maximum capacity for a little more than 1 year. Prodigious effort and work on the part of the Commission and staff were required to complete its interim report on voting, housing, and education on September 9, 1959.

Because of the delays in getting organized, there has been some difficulty in obtaining staff employees. However, the Commission has been very fortunate in obtaining the services of trained and experienced personnel and in several instances I have personal knowledge of the capabilities of these people.

The Chairman has indicated on several occasions that it has been a matter of great satisfaction to the members of the Commission that they have experienced an extremely small turnover among the personnel and a very low rate of sick and annual leave.

The staff has been organized into four sections to obtain maximum efficiency, and they are:

First. The Commissioners and staff director, who assume an overall responsibility for the operation of the Commission.

Second. The secretariat and liaison office which assumes responsibility for keeping the records of the Commission meetings, arranging for public hearings, maintaining liaison between the Commission and the State advisory committees, and the like.

Third. The laws, plans, and research office, generally directing itself to the study of current laws, both on State and Federal level, pending legislation before both Houses of Congress and research as to various areas in reviewing problems of the equal protection of the laws.

Fourth. The complaints, information, and survey office does the remainder of the job required of the Commission. Specifically, it processes complaints, investigates them, and consolidates all information for eventual use and evaluation by the Commission.

The delay in confirmation of the members of the Commission and of the staff director and the consequent limitation of time, prompted the Commission to decide at the very outset to emphasize its activities in three main fields of alleged discrimination; namely, voting, which was specifically required by section 104(a)(1) of the act, housing, and education. It was thought that these three fields were the most significant areas involving problems of the equal protection of the laws and required the primary attention of the Commission.

One of the most important and effective jobs the Commission has done is the organization of State Advisory Committees in 48 of our 50 States. This task has been accomplished despite the many difficulties encountered along the way. Each committee was formed from leading citizens, who are not paid, and had to be persuaded to give of their own valuable free time. Each committee has been carefully balanced so that all views might be represented, much as the Commission itself has been balanced.

What have these committees contributed? They have served as grassroots organizations which have effectively kept the Commission in touch with local civil rights problems in the various States. They have served as forums within which problems can be aired, where lines of Communication can be kept open, where heretofore ignored civil rights problems in all sections of the country can be brought to light, discussed, and solutions suggested. Some of these committees have held meetings, conferences, and conducted studies on problems peculiar to their own area, covering the field from voting to public accommodations, from racial discrimination to religious discrimination. They are pulse feelers for the Commission, and forums for recognition and discussion of their own local problems.

Many of the committees have sent in reports which proved invaluable to the

Commission in the writing of its own report and recommendations. Recently, this past June, the Commission sponsored a National Conference of State Advisory Committee delegates here in Washington. This was a 2-day work session wherein delegates were invited to give their views and discuss major problems and alternative solutions. Every State with the exception of Mississippi and South Carolina was represented. This meeting was addressed by President Eisenhower who recognized the great importance of the work being done.

What is the caliber of the people who are serving on these committees? One committee is headed by a former Secretary of Defense, another by a nationally known newspaper editor, another includes the president-elect of the American Bar Association. Membership also includes fine people from all walks of life—over 400 of them. It would be unthinkable to disband this pool of informed, dedicated Americans willing to give their time to these problems. They have already, in many instances, performed helpful services for their State and Nation. We cannot let them terminate their activities now without sacrificing all they have gained.

What has the Commission done relative to these three areas in which it has undertaken to gather facts? In the field of voting, hearings were held in December of 1958 and January of this year in Montgomery, Ala., where much valuable information was obtained. These hearings were conducted before the full Commission on the basis of sworn complaints submitted by various individuals to the effect that they had been deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin. At all times the Commission placed emphasis on objectivity and as they viewed it, objectivity presupposed getting all the facts. The Commission did not conduct these hearings as a protagonist and their aim in such hearings has been a dispassionate evaluation and appraisal of the facts so that some sort of reason and light could be brought to bear. Alabama was not selected as the location for the first voting hearing because of any predisposition on the part of the Commission to single out the State of Alabama for censure.

It was selected because the act required investigation and at that time the largest number of complaints came from Alabama.

Vice Chairman Robert G. Storey presided over those hearings by unanimous consent of the other members. This was a difficult assignment for Dean Storey because his own father was born, reared, and educated in Alabama and the hearings were to raise fundamental questions about the political processes of an area dear to him.

Each witness subpenaed received a copy of the Commission's rule of procedure, which are patterned after the procedural rules of our own committees here in the Senate. The hearings were not conducted in an adversary fashion, and they were fully covered by the press, radio, and television.

I commend the Commission for its fairness in carrying out its difficult burden, and I commend the President for his selection of men of the highest caliber to perform this task. These men have manifested keen insight into the problems involved. In the matters they have studied they represent the ideas and attitudes of the entire Nation. They were confronted in Alabama, however, by official intransigence and a conspiracy to scuttle its work. It may be useful to read into the RECORD the statement with regard to these tactics by Commissioner John S. Battle, former Governor of Virginia. He said in part:

> The President of the United States was not in error when, in asking me to serve as a member of this Commission, he said he wanted someone with strong southern sentiments, which I have, and I accepted this assignment in the hope that I might be of some service to my country and to the Southland.

It is from this background, ladies and gentlemen, that I am constrained to say, in all friendliness, that I fear the officials of Alabama and of certain of its counties have made an error in doing that which appears to be an attempt to cover up their actions in relation to the exercise of the ballot by some people who may be entitled thereto.

The Commission has also held three hearings concerning housing. These were held in New York, Chicago, and Atlanta. The information gathered at these hearings lent important insight into this serious problem. The many ramifications of minority group housing and the need for evaluation in all areas of State, local, and Federal policies regarding availability of decent housing to all citizens is shown by the testimony produced at these sessions.

The conference on education, concerning desegregation problems sponsored by the Commission in Nashville, Tenn., last March was a "first" in this controversial area. It was a milestone of achievement. Very briefly, the Commission invited participants from all States which had undergone some desegregation. Observers were invited from those States who had not yet moved to comply with the Supreme Court decision to desegregate public schools. The participants were school superintendents from large cities, medium-sized communities, small towns, and rural counties. They brought before the Commission their many different problems encountered in desegregation, the different plans used. They openly discussed these things with the Commission and among themselves.

Opponents of this Commission have been heard to say that the Commission is a waste of time and money because the number of complaints received divided into their budget indicates an excessive cost per complaint. In all fairness let me remind those who so argue that, as is easily seen by my foregoing remarks, it is not just complaints that must be considered; it is also research by the staff, investigation, State advisory committees with more than 400 leading citizens giving of their free time, the Library of Congress contract, and on ad infinitum.

The Commission is not an enforcement agency. It is empowered only to investigate, to study, to appraise, and to make findings and recommendations. It is not empowered to be a Commission for the enforcement of civil rights. The Civil Rights Act of 1957 makes this abundantly clear. Its broad mandate is:

> 1. To investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin;
>
> 2. To study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
>
> 3. To appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

The Commission has met its responsibilities. Now it is up to Congress to meet ours.

I hope that everyone in the Senate has had an opportunity to read and reflect upon the Commission's report. It contains a wealth of illuminating information. It shows, for example, that in many Southern States less than 25 percent of the eligible nonwhite residents are registered to vote. In Mississippi only 3.89 percent of the 41 percent of the voting age population which is nonwhite, is registered. In 14 counties in Mississippi with a combined nonwhite population of voting age of 51,947, not a single Negro was registered.

Are these incredible figures the result of indifference on the part of Negro citizens in the South? Some of the facts recited in the report, the accuracy of which is unchallenged, help answer this question:

A Negro minister in Florida who suggested from the pulpit that Negroes should register and vote was subsequently denied a small bank loan despite the fact he had a highly solvent cosigner.

Negro citizens in Sunflower County, Miss., in which only 114 out of 18,949 voting age Negroes are registered, stated that when they tried to register they were turned away. A Negro public school principal in Charleston, Miss., which is in Tallahatchie County, Miss., in which not one of 9,235 voting age Negroes is registered, testified that he was discharged from his position as a principal after he attempted to register to vote.

One Negro in Forrest County, Miss., in which only 16 out of 7,406 voting age Negroes are registered, testified that he tried to register 16 times, twice a year, for 8 years. Every time the registrar simply told him he could not register.

There are many, many other similar illustrations of flagrant denials of the right to vote to Negro citizens in the South. Many of these Americans actually were fearful of recounting their experiences to Commission investigators because of fears for their physical and economic well being. One Negro man in Florida, told an investigator that he refused to be interviewed, "because they would bomb my business out of existence if I ever talked with you." Can anyone dispute the deterrent effect of such fears on Americans who want to exercise their citizenship rights? These facts should

make us all—and I know they make most of us—a little bit ashamed, because what they add up to is proof that a part of America is unable to participate in our democratic way of life.

Mr. President, extension of the life of the Civil Rights Commission is of vital importance. However, let us not forget for a moment that it is only one of many, many important measures on which this Congress should act if it is to properly deal with the problems of civil rights. I believe it is essential, for example, that we enact legislation to give the Attorney General the right to prosecute civil actions to redress denials of equal protection of the laws in any case in which the victim is unable because of financial inability or other reasons to effectively prosecute such a proceeding on his own behalf.

I have never been able to understand the deep hostility with which this measure is viewed by some Members of the Congress.

Under a host of Federal statutes the whole weight of the Federal Government, including the legal resources of the Department of Justice are made available to enforce Federal laws which certainly are no more significant to our national welfare than the provisions of the Constitution involved in equal protection cases.

The FCC, for example, will argue a case all the way up to the Supreme Court to defend the granting of a license to a broadcaster or a rate increase to the telephone company. The NLRB will exhaust every available remedy for the benefit of an employee whom it finds has been subjected to antiunion discrimination by his employer or coercion by his union. The ICC will defend shippers from unfair rate charges without any investigation of the ability of the shipper to prosecute his own claim. In all these cases, there is a public interest in the enforcement of the law which we have agreed, without too much controversy, makes it appropriate for the Federal Government to intervene. Is there any less public interest in enforcement of the law most important to our country, the Constitution?

But even an extension of the Civil Rights Commission and enactment of authority to grant the Attorney General the right to bring civil injunctive suits would not do the whole job.

Experience with the Kaspers and Faubuses in Little Rock and other cities shows a need for a Federal law to punish those interfering by force with court orders in school cases. The deplorable rash of bombings of schools, churches and synagogues, and homes in the past several years shows the need for a Federal antibombing law. The difficulties with which the Department of Justice and Civil Rights Commission have been faced in obtaining documentary material needed to evaluate cases and policies in this field shows a need for Federal laws requiring the preservation of voting records and the granting of the right to inspect, reproduce, and copy such records under court process if necessary. The difficulties which local school boards have had in attempting to carry out, on a voluntary basis, desegregation plans shows a need for a Federal grant-in-aid program to help local communities carry out such programs. The impact on the children of servicemen in areas in which the schools have been closed in defiance of Federal law, shows the need for authority to provide extra educational facilities for these innocent victims of community desegregation controversies. And finally, there is no justification for not acting on the President's request to give his Commission on Nondiscrimination Under Government Contracts, full statutory authority.

These are the outlines of a program which would justify the name "civil rights." If these proposals sound far reaching, it is only because so much needs to be done. In light of the facts which are now before us, they are in reality very moderate steps for furthering the liberty and equal opportunity of all our citizens.

On the basis of statements which have been made by the majority leader, almost since the beginning of the session, when we were debating a change in the filibuster rule, I had hoped that we would be given an opportunity to consider a real civil rights bill before adjournment.

Mr. President, let us at least be able before adjournment to point with pride to one achievement in this field—a continuation of the work of the Civil Rights Commission. There will shortly be visiting in this country the representative of a totalitarian state in which democracy is nonexistent. What more appropriate reception could we give him than a demonstration of the dynamic vitality of our own democratic institutions? The Commission on Civil Rights can serve as a great instrument for the development of our civil liberties to new and unparalleled heights. I hope that before we leave here we will have seized this opportunity and not cast it aside.

Mr. President, while I am on my feet, I wish to address to the Presiding Officer two or three parliamentary inquiries.

The PRESIDING OFFICER. The Senator will state them.

Mr. KEATING. I have at the desk amendments to H.R. 4938, which is a bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of peanuts which is now in effect.

My first inquiry is this: If the amendments which I have offered to this bill should be withdrawn, could they be offered to any other bill at the desk?

The PRESIDING OFFICER. Is that an amendment which was ordered to lie on the table and be printed?

Mr. KEATING. The amendments were ordered to lie on the table and to be printed.

The PRESIDING OFFICER. Those amendments have no parliamentary status at all, and can be offered to any legislative bill at an appropriate time when it is before the Senate.

Mr. KEATING. My next inquiry is, will the amendments lie on the table and be available to be offered to any bill at the next session of the Congress?

The PRESIDING OFFICER. The amendments will carry over to the next session; yes.

Mr. KEATING. I have read in the press certain statements about the intentions of the leadership at this session. I do not always believe everything I read in the papers, Mr. President, but I have also been informed that there is not an intention on the part of the leadership to press for any action in the field of civil rights at this session, except for the extension of the Civil Rights Commission.

I inquire of the leadership, if it is not presumptuous on my part, whether there is any intention to call up for action at this session any one of the three measures which are now on the calendar which deal, either by amendment or otherwise, with the subject of civil rights?

Would the majority leader be willing to respond to my question?

Mr. JOHNSON of Texas. I do not know to what measures the Senator refers.

Mr. KEATING. One is a discharge petition.

Mr. JOHNSON of Texas. That is the resolution of the Senator from New York. I have no intention to make a motion that it be considered.

Mr. KEATING. There were, also, amendments to S. 1617 offered by the distinguished Senator from Missouri [Mr. HENNINGS] and amendments which I offered to H.R. 4938.

Mr. JOHNSON of Texas. I know of no one who thinks that it is possible to enact civil rights legislation at this session, other than extending the Civil Rights Commission. We are having enough difficulty doing that.

Mr. KEATING. I appreciate the very frank statement made by the majority leader. Would it be possible, to help those of us who feel deeply about this matter, to determine whether we should offer amendments dealing with the subject of civil rights to the amendment to extend the Civil Rights Commission, to have any assurance from the majority leader regarding further legislation in this field during the early part of the next session?

Mr. JOHNSON of Texas. Yes. I have said to the minority leader on a number of occasions, and to each Member of the Senate who has asked me about it, that I would anticipate that as soon as the Senators are available following the Lincoln Day birthday speeches there would be a motion made in connection with the civil rights subject, in connection with either a bill that may be passed by the House or some bill on the calendar or on the resolution of the Senator from New York [Mr. JAVITS].

I doubt the wisdom of making such a motion in the latter part of January, because of the Jackson-Jefferson Day celebrations and the dinners which will be held on the anniversary of the birthday of the late President Franklin D. Roosevelt. If lengthy discussions were started, which had to be interrupted for a week or so during the Lincoln Day celebrations, I think we would have a problem. So I suggest that Senators try to agree to bring this general subject before the Senate following the Lincoln Day celebrations.

I understand that some Senators wish to make the motion in the latter part of January. I have no control over any motion to be made. I can only suggest

what I consider the most appropriate date. However, I do have some responsibility in connection with the schedule of the Senate. I would anticipate rather lengthy discussion on any motion to be made in this field; and since there would be lengthy discussion, I think the best time to have it would be following the Lincoln Day celebrations, up until Easter, if necessary.

Mr. DIRKSEN. Mr. President, let me preface what I desire to say by indicating that, first, I sponsored the administration program on civil rights, and I was glad to join with the majority leader in the views he had expressed on that subject at one time.

I sat through the meetings of the Judiciary Committee, until it became quite obvious that we could secure no action. I recall when the proposal of the distinguished Senator from New York was filed not so long ago as a proposed amendment to a bill then on the calendar.

I recall when the distinguished Senator from Missouri [Mr. HENNINGS] first filed his report, which was the subcommittee report to the full committee, containing only two items—first, the extension of the life of the Commission on Civil Rights; and second, a provision with respect to the retention of documents, papers, and ballots involving Federal elections.

I was present at every session of the Judiciary Committee. I was present when that report was submitted and was under discussion. Finally, it became quite obvious that we could obtain no action during the present session.

In the light of all that, I was quite agreeable to the consideration of any reasonable proposal, in the hope that we probably could extend the life of the Commission during the present session, and then agree upon a date, or a bracket of dates, in the second session of the present Congress, in January or February, when a bill might be brought up on motion, or when we might reconsider the motion to discharge the Judiciary Committee from further consideration of the subject.

To all this I may add that, in connection with every proposal that has been submitted there was one item common to all, and that was the proposal to extend the life of the Commission. Under the act the Commission must file its report 60 days before its expiration. That report was filed. The life of the Commission would terminate on the 9th of November, as I recall.

So, in connection with the motion of the distinguished Senator from Arizona [Mr. HAYDEN] to suspend the rule, the only problem before us is, first, whether or not we intend to suspend the rule and extend the life of the Commission and give it an additional half million dollars with which to carry on its work; and secondly, what must be regarded, of course, as informal and entirely discursive on my part, because it is a compound resulting from my conversation with the majority leader, the distinguished Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Jersey [Mr. CASE], and others, namely, the hope that we could contrive a day certain, or a bracket of dates certain, after the turn of the year, when the minority leader, on his own motion, might call up a bill to which civil-rights proposals could be offered as amendments. Of course, that can be done under the rules at any time. Inasmuch as we are not inhibited by a rule of germaneness, such an amendment could be offered to any bill.

The desire, therefore, was to arrive at some general understanding as to the date on which the proposed action would be taken. Speaking for myself, I had selected a bracket of dates, knowing the difficulty of setting a date certain, months in advance, to undertake to bring up a given proposal on motion.

I thought perhaps the week from the 18th to the 25th of January would permit some latitude and flexibility.

There has been a discussion of this subject by those who have been pioneering in the field and have been doing extensive work, including my distinguished friends the Senators from New York, and other distinguished Members on the minority side. After some discussion they gave me a memorandum a day or two ago indicating that they would like to have an understanding that such motion might be initiated by the minority leader on the 18th of January, which is a Monday.

In the course of the discussion I pointed out that we would run into a period at that time when some Members would be away. There will be observances of the anniversary of the birth of the late Franklin Delano Roosevelt. There will be the usual Jackson-Jefferson Day dinners about that time. I suggested a little later date, only to be confounded by my own lack of prescience, because when we reach the period in February beginning with the 7th and extending through the 12th and later, we pay homage and tribute to the great patron saint of the Republican Party, Abraham Lincoln.

In days gone by we contended ourselves with observances lasting 2 or 3 days. However, a tradition has developed in the country, particularly so because of the 150th anniversary of Lincoln's birth. So I apprehend that there will be dinners and celebrations, and there will be opportunities to advance good, solid Republican gospel and doctrine over the country for a period of nearly 10 days.

All these considerations I have advanced in discussions with those who have more than an ordinary interest in the subject. However, after a number of sessions they concluded that they would like to have an understanding that the minority leader bring up a bill on motion, and obtain cooperation to do so, on Monday, January 18.

Mr. JOHNSON of Texas. Mr. President, the first information I received in this connection was about 2 minutes ago. I was informed about certain arrangements which the Senators from New York sought to make with the minority leader.

I hope that the proposed arrangement will not be final until I have an opportunity to discuss the subject with the minority leader, because I was not aware of the arrangements being made with respect to the date to be set and the procedure to be employed.

I would not like to see the subject taken up for consideration until immediately after the Lincoln Day speeches. If there is some reason why the proponents wish to have the discussions interrupted by the Roosevelt birthday observance and the Jackson-Jefferson Day speeches, I should like to consider those reasons. However, on my own responsibility I suggest that we attempt to agree that a motion can be made and will be made during the period immediately following the return to the Senate of the minority leader after the Lincoln Day celebrations.

Mr. RUSSELL. Mr. President, I want to know if I am going to have an opportunity to speak on this subject. Without this assurance, I shall demand the regular order.

Mr. KEATING. I will yield to the Senator from Georgia.

Mr. DIRKSEN. Mr. President, I have only one observation. What the majority leader says is quite correct. We have had some informal discussion. He has been extremely cooperative. He did suggest sometime around the middle of February or thereafter, and in those discussions he did point out the difficulties that might ensue and the absences that we might have from the Senate because Members would be abroad in the land pursuing their own particular political faith in addressing these dinners. I did suggest to those on my own side who had discussed the matter with me that while that was purely tentative, it seemed to be the more agreeable date. It is precisely there where we left it.

Mr. JOHNSON of Texas. I should like to make one final comment. I have discussed this matter with the Senator from Oregon [Mr. MORSE], the Senator from Minnesota [Mr. HUMPHREY], and other Senators. So far as I am concerned, I have reached no agreement with anyone as to the date when this motion is to be offered. I am willing to agree that at a specific time which seems to suit a majority of the Senate a motion can be made and will be made with my knowledge and with my understanding, and that motion can be debated until a majority of the Senate can determine what it wants done.

The question is whether it shall be done January 18 or February 15. That is a matter for all Senators to consider. I will do so during the day and shall be glad to give my opinion to the minority leader and any other Senators who may care to have it.

Any Senator may make a motion at any time he wishes to; the Senator from New York can make a motion to discharge the committee today if he chooses to do so.

I hope we can all agree on a period which will suit the convenience of a majority of the Members of the Senate. I should not think that would be a time when the Democrats are out speaking at Jefferson-Jackson Day dinners or when the Republicans are out speaking at Lincoln Day dinners. There will not be a heavy schedule of appropriation bills in

the Senate at that time, before Easter, because we must wait for the House to send those bills to us.

I think the best time for all of us to consider would be about the 15th of February.

Mr. RUSSELL and Mr. MORSE addressed the Chair.

Mr. KEATING. I promised first to yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, we have heard a great deal in the last few minutes about agreements, understandings, and cooperation. I wish to make it perfectly clear that the Senator from Georgia and Senators from the much-maligned Southern States are not a party to any agreement or any understanding of any kind dealing with this matter. It would be futile to expect our cooperation in bringing up any of these so-called civil rights bills which have been under discussion.

Of course, any Senator can make a motion at any time that he can get the floor to proceed to the consideration of any one of these measures. I have heard a good deal of discussion about the Jefferson-Jackson Day dinners. Jefferson and Jackson are the patron saints of the Democratic Party. I have often spoken on such occasions, endeavoring to pay them tribute. The distinguished minority leader has mentioned the Lincoln Day observances. I have never made a political speech at a Lincoln Day observance, but I yield to no Senator in my admiration—indeed in my reverence—for the great Abraham Lincoln.

However, there is one thing in this country which is more important than paying homage to these great Americans, and that is preserving the Constitution of the United States. Whatever time is fixed, whether it is after the Jefferson-Jackson observances or after the Lincoln Day observances—or at any other time—the Senator from Georgia and those associated with him will be here undertaking to protect the Constitution of the United States from these proposed violations by statute, Executive orders, or Court decisions.

We have heard a great deal about equality and equal rights. It seems that all of these equal rights are supposed to be on only one side of the street. A great many people, in making their calculations and their plans, seem to think that the States of the South are still to be treated as if they were conquered provinces—and not entitled to have equal rights.

Let us take, for example, this alleged report that has just been handed down by the Civil Rights Commission. In it, the Commission states that its report is dedicated to equal rights. The Commission speaks about the labors that they have followed in bringing this report to Congress and how it is proposed to invoke its recommendations.

Mr. President, because some members of the Commission say that there are a few Southern States that will not mix the white and colored children in their schools and colleges, which by tradition and under the Constitution for a hundred years have been operated on the basis of the separation of the races, they want Congress to practice educational genocide and withdraw from all the States of the South any participation in the rights of American citizenship.

Talk about guilt by association. This goes much beyond that—this is guilt by residence in a State. In the name of equal rights, children who are American citizens are to be denied any rights whatever because they live in a State that does not immediately adopt the policies of Myrdal and his disciples.

That is the Stalin idea. He said to the Russian kulaks: "If you do not come in and follow the collective farm plan immediately, we will proceed to liquidate you."

Because the South is standing on the policies and principles that have been hallowed by a hundred years of sanction by the Supreme Court and the Congress of the United States and by the laws and the constitutions of the several States, they say: "You either conform and grant what we say are equal rights, or we will practice this kind of vengeance upon you and withdraw any participation whatever on your part in the taxes which you have paid into the Federal Treasury."

I wish that we could get some clear idea of the kind of bill that is proposed to be brought up. All kinds of bills have been proposed. There is a plethora of them. The Senator from Missouri [Mr. HENNINGS] has one. Both Senators from New York have their bills. Other Senators have their bills. The administration has sent up a bill. These bills have been under consideration in the Judiciary Committee.

The Commission, whose life some Senators are so anxious to extend, has now canvassed the entire field and done all it could possibly do, except perhaps for political agitation. This Commission discarded nine-tenths of all the bills that had been proposed and came up with a whole new rash of suggestions of their own about what ought to be done.

Apparently there are many who want to get in on the crusade against the South. But everybody has a different idea about how the crusade should be conducted. I suppose it is planned to have a good, old-fashioned logrolling whenever the time may come—whether it is after the Jefferson-Jackson Day or after the Lincoln Day speeches—and tie the whole thing together in one package.

Mr. President, the American people have unfortunately become the victims of slogans. We live by slogans. We live so rapidly that we cannot study and analyze all that is behind these slogans. There is not a more popular slogan anyhere—North, South, East, or West—than that of civil rights. But more crimes have been committed legislatively in the name of civil rights than any other one slogan of which I have any knowledge.

Mr. President, we from the Southern States have not been consulted with respect to this supposed agreement. I had been informed that there was likely to be one. But our agreement has not been sought. I wish to make it perfectly clear for the RECORD that if our agreement had been sought, it would not have been granted.

I can only say on behalf of some of us who still believe that the States have some rights in our system of government, that the Constitution of the United States is not altogether outmoded. It is not like a noisy accordian that can be pulled open or shut at the whim or fancy of some Members of Congress. It cannot be squeezed or contracted as they see fit. We can only say on our behalf that some of us intend to be here at whatever time it is proposed to stage this political Roman holiday.

We will fight with every weapon at our command to defend the rights of our States, the lives and happiness of our people, and the Constitution of the United States.

Mr. DIRKSEN. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. DIRKSEN. Mr. President, I should like to make one or two additional points. The first is that the act to create the Commission was signed in September 1957. It was almost 6 months before the nomination of the staff director was confirmed, as I recall. I think his nomination was confirmed in March 1958. The 2-year period, therefore, was very considerably shortened.

I shall not discuss the report which has been filed by the Commission. I simply know, first, that the Commission is a bipartisan Commission; and second, that it numbers among its members some very distinguished citizens: the president of the University of Notre Dame; the president of Michigan State College; the dean of the law school of Southern Methodist University; the former dean of the Law School at Howard University; Hon. John Battle, former Governor of Virginia; and Hon. Doyle E. Carlton, former Governor of Florida. I think, in the main, it was a pretty good selection.

The Commission has filed a long report. It covers the fields of education, housing, voting rights, and a great many other things. There have been dissents; there have been reservations to some of the recommendations which have been filed. But all of that is not before us at present.

I think, in view of the fact that Congress placed a 3-year limit on the life of the Commission, and that then there was a delay, first, in the confirmation of the nominations of the members of the Commission; and, second, in the confirmation of the nomination of the staff director, probably their active functioning period was 15 or 16 months. So the only question now before the Senate is the extension of the life of the Commission and providing the necessary funds. In so doing, we do not mean for one moment to seek any understanding which would be violative of the Senate rules. Obviously, any Senator could stand in his place and impeach any such understanding we might have, because whatever is done, must be done in accordance with Senate rules. That we know.

But I do believe that there is considerable incessant interest in this matter. We shall have to come to grips with it at some time or other. I agree that some of the bills which have been introduced go infinitely further than I would prefer to go. On the other hand, some of them are so highly skeletonized that they do not go far enough. So in order to avoid protracted controversy with respect to the motion to suspend the rules involving only one thing, namely, the life of the Commission and the necessary funds to implement its work, I had hoped that by an understanding with the majority leader we could dampen down any effort to try to amend the proposal which is before us, draw out the session, and have a running struggle on the whole field of civil rights, which involves many substantive questions.

This is, after all, not a substitute proposal; it is simply a proposal to authorize the extension of the life of the Commission which the President appointed. There was some delay in the confirmation of the nominations of the members of the Commission and of the staff director. I believe they should have ample opportunity, before the life of the Commission expires, to make a thorough investigation in this field. Then, of course, the Commission should stand to one side under the law, because I rather apprehend that there would be no effort to continue it beyond the 2-year period which is now provided for.

I think that was a very proper matter for the majority leader and me to discuss informally, in the hope that those who had intended to offer other amendments and, perhaps, to carry on an extended filibuster—I should not use that term; an extended discussion, which may sound a little euphemistic, but which I think is much better—which would even delay the proceeding further, would not do so at a time when Senators are anxious to have the Senate adjourn. All this was done in good grace, in the hope that we could have an understanding on the one point of extending the life of the Commission, getting the necessary two-thirds vote to suspend the rules, and then to set aside a day in January or February when it would be agreeable to call this matter up. At that time the whole Senate could work its will, under Senate rules, on all the proposals which have been before us or, more properly speaking, before the Senate Committee on the Judiciary.

I think the distinguished Senator from Mississippi [Mr. EASTLAND] was very kind in the matter. He was most gracious. The committee held long hearings, often starting in the morning and running all day, as has been the custom of the chairman. He did not shut off anyone. He tried to expedite the action of the committee while, at the same time, giving everyone his day in court. I simply have not had the opportunity until now to salute him. While we disagree almost violently on this subject, we do so with perfect understanding and in the best of grace, because I esteem the Senator from Mississippi not only as a friend, but as a great chairman, whose committee has the greatest work volume of any committee of the Senate, and as one who gets the business of the committee done.

Mr. EASTLAND. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. EASTLAND. I thank the distinguished Senator from Illinois for his very kind statement, but I think the RECORD should show that the Senator from Mississippi cooperated with everyone who was willing to have a full, thorough discussion of the bill. Since the reports of the Commission have been filed, I think they are a matter for a full and deliberate discussion and consideration in the committee. I do not think any bill should be brought up after the Lincoln Day recess next year because the committee will want to consider such bills thoroughly.

Mr. DIRKSEN. The chairman of the committee has been most cooperative.

I want to add this statement; then I will bow out of the discussion. I think I made clear to the distinguished Senator from Georgia [Mr. RUSSELL] what this is all about. I am trying to help to expedite the exodus of this great deliberative body, if I can. I was persuaded, of course, that there would be action on a civil rights bill which contained many substantive issues; but the proposal in the bill before us is a "must," otherwise the Commission will die. Perhaps I may disagree with some of the Commission's recommendations. I had at least a chance to go over the excerpts, but it is a rather formidable report.

Mr. RUSSELL. It contains 680 pages.

Mr. DIRKSEN. It will take a long time to study it. So the proposal in the bill is a minimum one to keep the Commission alive and to provide funds; and in the doing, I thought we could contrive, in an informal understanding, after the first of the year to address ourselves to this matter.

I have become a compassionate instrument. I am only too glad to initiate the action, whatever it may be, and whatever course shall be followed, simply because I feel there are occasions when I must perform the task for this administration.

Mr. RUSSELL. The Senator from Illinois, in the first part of his discussion, after he had made a brief statement, inferred that I was making some attack upon the personnel of the Civil Rights Commission.

Mr. DIRKSEN. Oh, no.

Mr. RUSSELL. By and large, I consider it to be one of the ablest commissions which has been designated around Washington in my time. I said, when the bill was under consideration, that we could not expect members of a commission who must carry on their jobs of running great universities or handling large law offices and practices to devote all of their time to this kind of work.

I said that in the last analysis, it is the staff—perhaps insidiously—and without the Commission being aware of it, that would write the report.

I made that statement when the bill was pending—in an effort to have the staff strengthened. The worst fears that I expressed then have now been justified by the report. When we talk about extending the life of the Commission, it should be remembered that the staff has cunningly worked into the report suggestions that they take over quasi-judicial duties and a great many other administrative functions which would make the Commission a permanent agency of the Federal Government. Of course, that is only natural. In connection with matters of employment and otherwise, continued existence is the first law of nature. So it is to be expected that staff members will try to continue the Commission in order that their jobs will be continued.

When Dr. Hannah was before a committee on the other side of the Capitol this spring, he was asked whether the Commission could complete the report contemplated by Congress by the September 9 deadline. This was his reply:

> Well, I suppose if we had more time, it could be more comprehensive. But since we knew from the time when we began our work that this deadline was in the act itself, we have planned our work and our hearings and our programing upon the assumption that the Commission was going out of business, out of existence, in September. And we will have a pretty good report, a much better report than we thought possible when we started to work effectively last May.

Of course, he was followed on the witness stand by the staff director, Mr. Tiffany, who stated that it would be impossible for the Commission to get through.

If Congress extends the life of this Commission, 2 years from now the Commission members or its staff will still be testifying that there are other areas of study that it will be necessary for them to examine before they will have completed their labors. In fact, they never will conclude their labors if the decision is left up to the staff.

Before it grows too large or becomes too well entrenched, I think it best to get rid of the Commission; that is particularly true in view of some of the findings in the report.

The Good Book says, "Vengeance is mine, I will repay, saith the Lord."

I do not believe that the members of the Commission clearly understood the import of the proposal by some of the members to punish and to visit vengeance upon the innocent young people of the Southern States because their fathers refused to kneel down and surrender to the attempt of the Supreme Court to change the law of the land and to amend the Constitution by its 1954 decision.

I do not believe the Commission would have approved a proposal of that sort—which the Commission did not have time to study—or the remainder of the mess of pottage which was cooked up by its staff.

It is only natural that fanatics and special pleaders will gravitate into a staff of that kind. In looking over the list of the Commission's $50-a-day consultants, I found included among them the man who wrote the infamous Truman civil-rights report of 1948, from which some parts and ideas contained in this report were drawn.

So, Mr. President, in view of the fact that there are all kinds of congressional committees which can consider these

matters, and in view of the existence of the courts and our written Constitution to protect any valid rights of all the citizens of this land, there is no need to waste money and to stir up the country by permitting further reports such as the one recently made in an attempt to punish the innocent young people of a vast section of the country because their fathers have not jumped immediately to dispense with the only way of life they have ever known.

Mr. President, let me say it is a way of life that has proven beneficial to both races. When some of our colored citizens in the South have moved to other areas they have demonstrated that our way of life does have a valid purpose and intent. Under it, many Negro citizens, in the enjoyment of their constitutional rights, have accumulated more than $1 million, established large banking institutions, and built up big businesses. Where else are they found to be making such progress under any other system? In the South many thousands of them own their own homes and their own farms, operate their own businesses, and follow their chosen professions, in the enjoyment of all their constitutional rights.

But some persons are not satisfied. Some political "do-gooders" continue to agitate this question and continue to undertake to crucify the people of the South in their attempt to reform our social order. Their system, based on race mixing, has failed wherever it has been tried.

This Commission should be terminated now. There is no valid reason to continue it.

Mr. MORSE. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER (Mr. McGEE in the chair). Does the Senator from New York yield to the Senator from Oregon?

Mr. KEATING. I shall be glad to yield in just a moment.

First, I wish to say that I appreciate the remarks which have been made by the distinguished majority leader and the distinguished minority leader.

It is very important to those of us who have amendments ready to offer to the pending amendment, to have some definite assurance—if the other matters are going over to the next session of Congress—in regard to precisely when and how we shall come to grips with this problem.

I have the impression that many of the provisions of the amendments which I have at the desk and which other Members have at the desk would be held by a majority of the Members of the Senate to be germane to the pending amendment. The Chair already has ruled that that decision will be made by the Senate, by a majority vote.

Of course, it is important to have thorough debate on this matter, as in connection with any other matter. Certainly there is no disposition on the part of the junior Senator from New York in any way to have the Senate take any arbitrary or precipitate action; but I have a very strong determination to see to it that, if not now, then at a fixed time early in the next session we definitely shall come to grips with this problem.

Mr. JOHNSON of Texas. Mr. President——

Mr. KEATING. Mr. President, since the distinguished majority leader wishes to say a word at this time, I yield now to him; and then I shall yield to the Senator from Oregon.

Mr. JOHNSON of Texas. Mr. President, the first I heard that this date apparently had been agreed upon by the Senator from New York and the Senator from Illinois was when the Senator from Illinois came to the floor a few moments ago.

When we return in January, the majority leader plans to bring up by motion proposed legislation that is on the calendar or that may come from the House or that may be reported by committees. Any other Senator will be perfectly within his rights at any time to offer an amendment or to call up any motion.

I think all of us would be criticized by every group and bloc and all other Members of the Senate if we did that without ample preparation and without knowledge and notice to all the Members. I believe the best way to give that notice is on the floor of the Senate.

That is why I recommend—since this subject is going to be considered, and since motions are going to be made, and since some Senators are determined that such bills will be considered—that we try to agree on a date which would be convenient to most Senators, not only to Senators who are sponsoring such legislation or Senators who oppose such legislation, but to all Senators.

My recommendation for the date would be immediately following the return of the minority from the Lincoln Day dinners. I am willing to have any other Senator express his views and make any motion he may desire to make; but I believe that is the best time, and I believe it would suit better the convenience of the Members.

I do not wish to express the opinion that all other Members will support such a motion at that time. I know some of them will resist it, and resist it strongly.

But so far as the majority leader is concerned, he will be in his place, bringing up bills, by way of making motions; and he expects that on the civil rights subject various proposals will be made in the form of amendments or in the form of a bill reported by the committee, or in the form of a bill passed by the House. What form such proposals will finally take, I do not know now. But I am willing to agree that on the return from the Lincoln Day dinners, a bill will be brought up by motion, or that amendments which are at the desk may be offered, if no such bill has been reported or if the Senator from New York does not at that time desire to call up, by motion, his proposal.

Several Senators addressed the Chair.

Mr. KEATING. Mr. President, I promised to yield next to the Senator from Oregon; and at this time I yield to him.

Mr. MORSE. Mr. President, the Senator from Texas has just now covered some of the points I was going to cover in the remarks I had planned to make. I will only say this: I know of no understanding that has been entered into, formally or informally, on the part of anyone in regard to what shall be done with civil rights legislation in the next session of Congress. I know of no proposal that the majority leader has made to any of my associates or my friends here in the Senate who have discussed informally this matter with me. He has never made any proposal to me for any understanding.

Mr. JOHNSON of Texas. If the Senator will yield, I have made no such proposal to anyone.

Mr. MORSE. Only because my name became involved in this discussion a few minutes ago, I want this RECORD perfectly clear the senior Senator from Oregon has had no proposal for an understanding submitted to him for any date or dates for a discussion of the civil rights legislation in the next session of Congress. If any such proposal had been made to him, he would have rejected it.

I take the position that we should cover this matter in the ordinary procedure of the Senate, without any such agreement. I happen to be of the opinion that we should cover it now. I happen to be of the opinion that now, the present time, is the time to consider civil rights legislation. We have the issue before the Senate, anyway.

I do not know of anything so important that we should not stay and consider it. The children and grandchildren are already back in school. We have not any vacation time left, for a good many of us, that we could particularly enjoy now, anyway. I do not know of any foreign trip any Senator really has to make that is more important than staying here and transacting the people's business.

As I said this morning, I am also a realist about this matter. I have a pretty good idea what is going to happen. Senators can vote in accordance with their convictions of what the program should be. I shall vote against adjournment, because I think now is the time to have civil rights legislation. I am against any understanding or agreement, formal or informal, as to when we shall take it up in the next session of Congress.

I think we have come to exaggerate out of all proportion the necessity for Senators being away for Jackson, Jefferson, or Lincoln birthday celebrations. I think those celebrations would be just as good if we stayed here. I think the best way we could honor those great patriots of our history would be to stay right here and do the work of the Congress of the United States. Usually those events occur on a weekend, any way. With modern transportation, jet airplanes for example, the Senator from California can speak in San Francisco on Saturday night and be back here Monday morning. I can speak in Portland, we can speak anywhere we want in the country, on Saturday, and be back here on Monday. I am not at all moved by the talk that there is going to be a lot of absenteeism on Lincoln's birthday, Jefferson's birthday, and all the

rest. Here is the place to do our business.

I only want to say, we are going to be confronted in the next session of Congress, if we do not do the job now, of a move to discharge the Judiciary Committee from consideration of civil rights legislation. We will take that up in the course of time and events. But we have the civil rights issue before the Senate now. We have a quorum. If we stay on that issue, we will keep a quorum. Nobody will go out of Washington when we have a civil rights issue before us.

So I will say to the Senator from New York I shall do my best to have that issue discussed. I shall abide by the majority. As I said earlier this morning, I have no intention of engaging in a filibuster on this matter. I think it would be quite improper. I will protest. I will offer my amendments. If the Senate adjourns, I will leave at the desk, for consideration next January, a list of civil rights amendments I intend to offer today, hoping that at the earliest possible moment at the next session of Congress we will take action on then.

What else can one do? Let us stop kidding ourselves or the public about this situation. I think what is going to happen is that the Senate is going to vote on the suspension of the rule motion of the Senator from Arizona [Mr. HAYDEN]. We shall see what that result will be. If the suspension of the rule is sustained, the life of the Civil Rights Commission will be extended. We are going to get rid of a few bills on the calendar. Then those that think we should stay in session are going to get snowed under. We shall come back in January. Then let us proceed next January, in keeping with the rules of the Senate, to bring up civil rights legislation if and when we can get it before the Senate. Let us do our work today, tomorrow, next day, if we are still in session, and act on the Hayden motion.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KEATING. I just want to say I agree with the Senator from Oregon in this respect: This is the time to act on civil rights. I am also practical. I feel if we are not going to act now, it is highly important that we have assurance that on a fixed date in the next session the proposed legislation will be brought up and the matter will be discussed, debated, and acted upon.

I yield to the minority leader [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, the majority leader has a difficult job, to say the least, and he has done it superbly, in my judgment. I take my hat off to him.

Practically speaking, when we start off in September he has to think what has to be done that can be done conveniently, and to expedite it, and accede to the desires of the Members of the Senate to go home if they can. That means looking at the list, the bond interest bill, housing, and everything else; and there is civil rights. When one talks about agreements and understandings, it does not mean a formal agreement; but actually the majority leader has to speak for the majority in setting negotiations afoot, and I think the minority leader has to do the same thing for his side. So when we had this informal discussion to see whether or not we could, within the limitations of time, get all these matters disposed of, the suggestion was made, "Could we extend the life of the Commission and let it go at that, and then take up these other matters after the turn of the year?" That matter was informally discussed; and there was no agreement. I want to say to the Senator from Georgia [Mr. RUSSELL] he is eminently correct, and we should not for a moment let the RECORD stand in such fashion as to convey the idea that he or his associates or anybody else were parties to any part of an understanding or agreement.

Mr. RUSSELL. Mr. President, let me thank the distinguished minority leader for joining me in seeing that the RECORD is corrected.

Mr. DIRKSEN. Quite so, but, mainly, here was the discussion. These things have to be done by the leadership. I felt free to go before my policy committee when I had 29 out of 34 members at lunch and say, "Now, this looks like the lineup." We came to civil rights. My distinguished friend from New York raised some inquiry. He said if we could get a date he would be agreeable. There one gets the nucleus of an idea that one hopes he can spin into something practical. That now expresses itself in terms of the discussion we have had this morning—whether or not we can pin down a date or a date within a bracket when this matter can come up at the turn of the year—that is, that there will be no cumbersome motions to suspend, that there will be merely this move to extend the life of the Commission, which will thereby shorten the discussion and make it possible for this august body to ultimately terminate its labors.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. KEATING. Mr. President, I will yield to the distinguished Senator from New Mexico, who I understand desires to present a conference report, with the understanding that I shall not lose my right to the floor.

EXTENSION OF AUTHORITY OF SURGEON GENERAL WITH RESPECT TO AIR POLLUTION CONTROL—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. RANDOLPH. Mr. President——

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am grateful for the courtesy of the gracious Senator from New Mexico, the chairman of the Committee on Public Works, in providing me the privilege of making a few observations and directing some questions in reference to the report.

Mr. President, the report includes section 8, which was adopted by the Senate on April 29, 1959.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Mr. President, has the conference report been made the pending business?

The PRESIDING OFFICER. The conference report is not yet under consideration.

Mr. KUCHEL. Mr. President, is there any objection?

Mr. RANDOLPH. I have no objection.

Mr. KUCHEL. Mr. President, may the Senate proceed to consider the report?

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The Senator from West Virginia may continue.

Mr. RANDOLPH. Mr. President, I have in my hand the report of April 15 from the Committee on Public Works in reference to the matter of the extension of the Federal air pollution control law. I invite the attention of our esteemed colleague [Mr. CHAVEZ], the chairman of the committee, to the language in the report:

> The provision of the bill relating to the prevention and control of air pollution arising from any installation or other property under the jurisdiction of any Federal department or agency would confirm what is now established Federal executive policy, as outlined in Executive Order 10779. We believe that the inclusion of this provision would strengthen that policy and make clear the intent of Congress on this subject.

I presume the reference is to section 8.

Mr. CHAVEZ. To section 8.

Mr. RANDOLPH. My reason for requesting this opportunity to discuss the problem with our chairman is that we who represeent West Virginia in the Senate serve the people of the largest bituminous coal producing State in the Nation, and we hope for a clarification of the intent of the conferees

I am bringing to the Senator's attention our desire for a clarification of the language, because I am hopeful there will be no indication, in regard to any Federal installation, of an inclination in the operation of the Federal building or facility to discriminate in any way against the use of bituminous coal for heating purposes.

Mr. CHAVEZ. I am very happy that the able Senator from West Virginia is so alert in regard to the use of our natural resources. Particularly, the Senator has keen observation of their use and preservation in the State of West Virginia, and great understanding of what it means to the economy of that fine State.

I will say to the Senator from West Virginia, since he is talking about bituminous coal, that the Senator from New Mexico represents a State which has possibly the largest deposits of bituminous coal in the entire West. We also have anthracite coal, which is the hard coal.

All that is intended by the section cited is to cover any nuisance which may be brought about to make the air unpleasant. We provided that something would be done, not by preventing the use of bituminous coal, but in the manner taken with respect to what was done in St. Louis some years ago.

Mr. RANDOLPH. And in Pittsburgh.

Mr. CHAVEZ. There was no intention whatsoever to deprive any State of its right to produce coal, and no intention to prevent the industries in the States or the States themselves from using bituminous coal produced in West Virginia, Pennsylvania, in New Mexico, in Colorado, and in a number of other States.

Mr. CLARK. And Pennsylvania.

Mr. CHAVEZ. I mentioned Pennsylvania.

Mr. RANDOLPH. And in Kentucky, Illinois, and other States.

Mr. CHAVEZ. Yes.

The language of the proposed legislation is the result of the history of the use of bituminous coal. There is not a reference to the fact that coal is consumed, but there is a provision to take care of a nuisance. It would be possible to do what was done in Pittsburgh and also in St. Louis.

Another part of the proposed legislation is to make sure that if the Federal agencies in any way create a nuisance, by polluting the air, then they themselves will be held responsible. That is why we say:

> It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area.

That was done with the idea of placing responsibility upon the Federal agencies. We do not want to make the private industries comply with the law and then have a Federal agency violate the law.

Mr. RANDOLPH. Mr. President, the assurance given by the Senator from New Mexico is not only comforting but, I am sure, is factual, and indicates a very sincere desire to treat this subject matter fairly.

Mr. CHAVEZ. That is correct.

Mr. RANDOLPH. The Senator always conducts himself in that manner with regard to all such matters.

Mr. CHAVEZ. I thank the Senator.

Mr. RANDOLPH. The always diligent senior Senator from Pennsylvania [Mr. CLARK], who now stands beside me, knows that in Pennsylvania, as well as in West Virginia, we must be careful and alert to make sure that language is not incorporated which might be interpreted as excluding use of bituminous coal rather than correcting pollution. I am sure that in this respect I speak not only for myself but also for my esteemed colleague from West Virginia [Mr. BYRD] and the Senator from Pennsylvania [Mr. CLARK].

Mr. CHAVEZ. There is no such intention whatever.

Mr. RANDOLPH. We know that on Capitol Hill, in the past, in connection with the construction of office buildings, there has been some indication of a desire to eliminate the possible use of coal as a fuel.

Mr. CHAVEZ. That is correct.

Mr. RANDOLPH. We know there are improved methods of stoking, as well as modern mechanical and electrostatic dust collector and precipitator installations, which frankly bring coal not only into competition with other fuels from the standpoint of long range overall cost but, also, to the point where the use of bituminous coal has no worse effect in regard to air pollution than the use of oil. That is very important. Coal, in most major use areas, has met the antipollution requirements adequately and admirably. Perhaps other fuels might need to be placed to the same test if air pollution control is to be thorough and uniform. Proper control equipment can be up to 99 percent effective in curbing pollution from any fuel.

Mr. CHAVEZ. I am in complete agreement with what the Senator from West Virginia has said.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CLARK. I should like to associate myself with the comments made by my good friend from West Virginia. I hope that there is a great future ahead for heating with bituminous coal, which is produced not only in my State and his State, but elsewhere throughout the country.

Mr. CHAVEZ. Efforts are being made every day in the week, in every line of endeavor, to learn how to do the job better; and I am sure that that is true in the case of bituminous coal.

Mr. KUCHEL. Mr. President, about to be adopted is one of the most important pieces of domestic legislation confronting the present Congress. It is a continuation of the air pollution research legislation originally enacted in 1955, a piece of legislation of which, incidentally, I was very happy to be the author.

I congratulate the senior Senator from New Mexico for bringing back a wise and effective conference report. With great regret I observed that the House of Representatives chopped in two what we had done. The House of Representatives said, "We will continue this proposed 5-year program for another 2 years." It bordered on the ridiculous to assume that in the next 2 years we could make satisfactory progress in air pollution control.

The able senior Senator from New Mexico was able to negotiate a 4-year extension, and I congratulate him for it. With respect to the language upon which the Senator from West Virginia [Mr. RANDOLPH] had some questions, it has been indicated that we want Federal buildings or Federal installations to be operated on the basis that what should be done will be done, in cooperation with air pollution control agencies created under local government. Is that correct?

Mr. CHAVEZ. The Senator is correct.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. RANDOLPH. I share the view expressed by the energetic Senator from California. The questions raised, and which I indicated were important to those of us representing the bituminous coal-producing States, have been answered. There is no desire to thwart the valuable efforts of the Senate and House conferees. I merely wished reassurance, as it were, and that has been given in the affirmative.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CLARK. I should like to associate myself with the remarks of my good friend from California. In his State, as well as in my State, people have died as a result of air pollution.

It is of the greatest possible importance that this legislation be enacted. I am just as much interested in controlling air pollution as in any of the other aspects of the bill, or even more interested. In indicating my advocacy of the additional use of bituminous coal, I did not intend to indicate anything other than complete support of what the Senator from New Mexico has done. Also, I salute my friend from California for his leadership in this connection.

Mr. KUCHEL. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

WABASH VALLEY COMPACT

Mr. JOHNSON of Texas. Mr. President, the distinguished junior Senator from Indiana [Mr. HARTKE] was the author of a Senate bill dealing with the granting of consent and approval of Congress to the Wabash Valley compact, and for related purposes. The bill passed the Senate and went to the House. Instead of reporting the Senate bill and considering it, the House chose to report its own bill, namely, H.R. 5711, which is substantially the same, with but a few minor differences. The House has passed H.R. 5711.

I therefore move that the Senate proceed to the consideration of H.R. 5711, and that the Chair lay the bill before the Senate.

Mr. MORSE. Mr. President, will the Senator yield for half a minute?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I have no objection to the bill, and shall support the motion. But in supporting the motion I should like to say that I am sure every Member of the Senate welcomes the distinguished junior Senator from Indiana back to the floor today. He has been in the hospital, ill. We have been very much concerned about him. We are very happy to see him back in, obviously, the best of health. We hope that he will use good judgment in taking care of himself, to see that he suffers no relapse, and that he will have a wonderful vacation if, as, and when we adjourn sometime in the future.

Mr. JOHNSON of Texas. Mr. President, I share the hope of the Senator from Oregon. As can be observed, the junior Senator from Indiana is already on the job, getting his work done.

Mr. HARTKE. Mr. President, I thank the Senator from Oregon and the Senator from Texas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Presiding Officer (Mr. McGEE in the chair) laid before the Senate the bill (H.R. 5711) granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes, which was read twice by its title.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5711) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. KEATING obtained the floor.

Mr. JAVITS. Mr. President, will my colleague yield to me?

Mr. KEATING. I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, I acknowledge the parentage, which has been attributed to me by the minority leader, of the proposal for handling the civil rights problem at this particular stage in our proceedings.

With the permission of my colleague, I should like very briefly to state how I see this problem.

We need legislation on the subject. I thoroughly agree with the Senator from Oregon [Mr. MORSE] that we should remain here and legislate. Life's realities, however, being what they are, everyone knows that if we remain here upon that theory, in my opinion, the civil rights legislation itself will suffer, and the things that need to be done may not be done, not because the proposals lack merit, but because of the sheer strain of the desire to get away from here.

Certain questions would be shunted aside, and decided upon an inadequate basis, merely on the theory that they would not have to be decided again, which would be a great shame. Some of them are very desirable.

There exists what might be termed a balance of convenience, and a balance of view, in terms of what is best for this legislation, as between both sides of this issue.

The advocates of civil rights legislation may, if they choose, offer amendments to the pending measure, and, as the Chair has already noted, notwithstanding the personal view of any particular occupant of the Chair, the Senate will decided what is a germane amendment.

In my opinion any amendment which goes to the power of the Civil Rights Commission is a germane amendment; and there are many civil rights measures which, in my view, would be germane. In any case, as the majority leader has often stated, this is an opportunity for the majority to work its will. The majority of the Senate can do what it desires to do in this field.

We therefore have a choice, if there is to be an opportunity to do this job in connection with civil rights at a time when we believe the best job can be done for civil rights—not the best that can be done for going home; not the best that can be done in order to be here when Khrushchev is here, but the best that can be done for civil rights. We can stay our hand from proposing amendments, or we can vote against them, on the theory that we shall have an opportunity on another occasion. If, on the other hand, there is no such opportunity, we shall be exactly where we are today.

I could, at an appropriate point in the proceedings—and there will be one today or tomorrow—rise and move for the consideration of my resolution, which is on the calendar, to discharge the Judiciary Committee. My colleague from New York could move for the consideration of a bill with respect to which he has very important civil rights amendments. So could the Senator from Missouri [Mr. HENNINGS] or any other Senator.

The Senate would be free to work its will. The question is, What is the best course of action for this issue? In our view—and perhaps this arrives at the point of mutuality with those who are against civil rights and would just as soon see consideration of the subject postponed—under the circumstances, consideration of this subject should be postponed until the next session.

During the war I was in the Army Chemical Warfare Service. Neither side used gas, which is a very effective and lethal weapon. Why? Because it suited them not to do it.

Of course, the Senator from Georgia has not agreed, nor has the majority leader or the minority leader; yet this plan seems to us to be indicated as the right thing to do.

As to the appropriate time for consideration of this subject, at this particular moment I do not believe that we ought to consider it any later than the middle of January. When we come to February, we begin to get legislation on the floor of the Senate, and there is what amounts to competition of legislation. In January our eye is single with respect to a particular issue with which we are to deal. The best example of that was the debate in connection with the proposal to amend rule XXII, in which the majority leader took such an important part. The debate was concluded within a reasonable time, and action—whether right or wrong—was consummated.

I think there is less likelihood of extended debate in the middle of January than there would be immediately after Lincoln Day celebrations, at which time, in my opinion, we shall begin to be pushed by other legislation. That is especially true, in view of the fact that next year is a Presidential election year, and we shall probably be leaving Washington in July in order to attend the political conventions.

I am grateful to my colleague for indulging me for so long. In summary, I believe that the wise thing, in behalf of civil rights legislation, is to deal with this question not later than the middle of January, and extend the life of the Commission now. I hope very much that this will be the way the question will be decided. That feeling can be expressed by either the majority leader or the minority leader. It is entirely practicable. That would be the most orderly way, and every Senator would have full notice. It would be entirely practicable and orderly, and in full accord with the way the Senate operates, for the minority leader, for example, to say that he will feel obliged, on such-and-such a day in January, to move for the consideration of this legislation, by whatever means he chooses.

Senator Knowland brought the subject up on motion in connection with a House bill. Our present minority leader may bring it up on motion in connection with my resolution to discharge the Committee on the Judiciary from further consideration of the subject. It can be brought up in connection with my colleagues' amendments or those of the Senator from Missouri, on any bill that may be chosen.

So if we can leave here today, having extended the life of the Commission and having obtained an assurance which is entirely satisfactory to us, and with an entirely unilateral expression of the intention of the majority leader or the minority leader that this subject will be brought before us in the middle of January, I think we shall have well served the cause of civil rights, in which my colleague and I are so much interested.

Mr. CLARK. Mr. President, in my opinion, meaningful civil rights legisla-

tion is more important than the adjournment of the Senate. In my opinion, the mere extension of the life of the Civil Rights Commission, important though it is, is not meaningful civil rights legislation. In my opinion, if a majority of the Senate wishes to adjourn within the next day or two, we should bring the civil rights matter up as soon as we come back into session in January. In my judgment, adequate civil rights legislation is more important than any Jefferson-Jackson Day dinner, than any Roosevelt Day dinner, than any Lincoln Day celebration.

I agree completely that the sooner we get at this important legislation, with respect to which my party has firm commitments, which have not been met, the better it will be for the country and for all of us who are happy to be called politicians, although we are also Members of the Senate. I thank my friend from New York for yielding.

Mr. KEATING. Mr. President, I only wish to add that I believe it would be paying the greatest honor we could pay to these distinguished patriots, whom we will honor early next year, to have enacted civil rights legislation prior to the celebrations honoring them, or to be considering it in Congress at that time. After all, Abraham Lincoln can be said to be the father of all civil rights legislation. Certainly if he were here to speak for himself, I know he would expect that we would be doing our duty by enacting legislation rather than in paying homage to him, if that becomes necessary.

Therefore I share the view, if we are not going to come to grips with this problem now, which is my first preference, that we take it up in a very early part of the next session in January. I hope that later in the day the leaders on both sides will have further conferences to the end that those of us who have amendments pending may know definitely what the program is in order that we may govern ourselves accordingly.

Mr. President, I yield the floor.

Mr. JOHNSTON of South Carolina. Mr. President, this is a matter which is very close to my heart. What hurts me most with respect to the whole affair is that we keep following the matter and keep on having investigations with regard to it.

I hold in my hand a book which contains 606 pages, and I have not been able to find in it anything on which the Commission itself is unanimous. It shows that when investigations are made, the kind of report which is going to be made depends upon who the investigators happen to be.

The fact that this book contains 606 pages reminds me that we used to have a medicine called 606, which was supposed to cure certain diseases. Today it is claimed that it does not do so. I think we find the same thing is true with this report of 606 pages. If I had the time to take it up line by line and paragraph by paragraph, I could show the Senate where it would not cure anything either.

In this book the Commission winds up by showing that where integration is taking place, there is trouble between the white and the colored at the present time.

So, Mr. President, in considering the issue of whether or not to extend the life of the Commission on Civil Rights, I cannot help but wonder if the proponents of such a move have pondered the fact that the Commission has made its study, printed its hearings, reached its conclusions, made its recommendations, and therefore has no more business to conduct.

There is no recommendation under the sun that this, or any future commission, to my knowledge, could possibly make that has not already been made; except perhaps to abolish State boundaries, State governments, and State elections. I seriously doubt if the most archfederalists of our Nation's history could come up with any group of proposals that would ever be more far-reaching, more unconstitutional in nature, and more prejudiced than those found in the final report of the existing—for not too long, I hope—Civil Rights Commission. Therefore, I cannot understand why Congress, or even the Commission itself, would want to prolong the life of the Commission. It would only be a waste of money, time, and energy to duplicate the same prejudiced, unconstitutional, and unreasonable preconceived ideas on how to run the country which have already been expressed by the present Commission.

Mr. President, the Civil Rights Commission, by its own admission, and as we can find in the statutes under which it was created, was expressly set up to do the following:

First. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

Second. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

Third. Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution. The Commission was further instructed to submit to the President and the Congress a report of its activities, of its findings, and to make recommendations not later than September 9, of this year.

Mr. President, in my opinion, the Commission on Civil Rights has not confined its duties to the limits provided by the statute under which it was created. The most obvious, glaring abridgment of its authority was the making of so-called proposals which supplemented its so-called recommendations.

Mr. President, the Members of this Senate are not so foolish as to accept anything a minority of the Commission had to say to be a "proposal" by the entire Commission even though some of the liberal press may be inclined to do so. The staff which prepared this report has confused the facts and confused the recommendations and so-calleed proposals until the average person, at first glance, would think everything appearing in the report was a unanimous agreement by the Commission, or at least by a majority of the Commission.

This report, as I charged earlier, is a hodgepodge of conclusions derived from preconceived ideas based primarily on imagination and very little on fact. There are separate statements, supplementary statements, proposals, recommendations, general statements, and minority statements. When we in the Congress dissent with the opinion of a majority of a committee or subcommittee, we submit what we call a minority report containing minority views. There is always a separate and distinct difference between the two, and on many occasions the minority and majority reports appear under separate covers to avoid confusion. The full report of the Commission contains 557 pages plus an appendix, making a total of 606 pages. In addition, to confuse things, it has issued an abridgment of the report which contains 201 pages. To further confuse the issue, the Commission published what is called "excerpts" containing approximately 38 or 40 pages from the full report.

Mr. President, I charge that the report, the abridgment of the report, and even the excerpts from the report were prepared so as to confuse anyone reading them and to lead them to believe that every conclusion or recommendation contained in them was something of a unanimous nature, or something which carried the opinion of the commission as a whole.

Mr. President, for example, on page 534 of the full report we find a section entitled "Findings and Recommendations—Housing the Problem."

For two pages we are greeted with broad, general, trite phrases regarding hand-me-down clothing, leftovers of others' food, secondhand housing, and so forth, and then are greeted by a statement entitled "Findings." These findings are followed by another section entitled "Recommendation No. 1." Then we find some more findings after which we run into recommendations 2 and 3. Then we have more findings and recommendation No. 4, and more findings and recommendation No. 5, and more findings and recommendation No. 6.

At the end of recommendation No. 6, the reader of this document would have concluded that these were unanimous findings and recommendations of the whole Commission, or, at the very least, a majority of the Commission. However, if one reads on further, one finds what is entitled "Supplement Statement on Housing" by Vice Chairman Storey and Commissioners Battle and Carlton.

Mr. President, there are only six members of the Commission; therefore, the first six findings and recommendations obviously could not be the recommendations and findings of all six members of the Commission, but only of three, and therefore these six so-called recommendations are as much a minority or supplement statement on housing as is the statement by Vice Chairman Storey and commissioners Battle and Carlton.

Then we find another supplement statement on housing by Commissioners Hesburgh and Johnson. Nowhere in the report is it stated that the first six recommendations and findings are those of the majority of the Commission, the full Commission, or only the three commissioners who did not submit supplement statements. It could be that even some of those who did not submit supplement statements did not conclude and find what was in the first six recommendations and conclusions. They could be the recommendations and conclusions of the staff members who wrote the report, for all I know.

Mr. President, so it goes in nearly every section of the three documents I have mentioned. In fact, the pages of the excerpts from the report of the Commission on Civil Rights do not correspond with the full report of the Commission on Civil Rights, and, therefore, double the effort necessary to sift out fact from fancy, truth from opinion, and reality from conjecture.

Mr. President, my general observation of these reports is that they are all a part of a systematic effort to mount confusion upon confusion. The three volumes published by the Civil Rights Commission are alleged to contain its recommendations, findings, reports, and other statements and ideas. Frankly, they remind me of a Dagwood sandwich into which has been thrown a little bit of everything in the icebox. The only difference is that the civil rights sandwich which the Commission expects us to digest contains everything except a little bit of the truth. I am afraid we will get a bad case of legislative indigestion if we swallow this report in toto.

Mr. President, I do not know whether to refer to the Civil Rights Commission report as "the report" or "the reports," so if I occasionally refer to "them" instead of "it," you will understand it is only because of the confusion.

On page 47 of the full report—and for the benefit of those who use the abridgment of the report, on page 41—there is a table entitled "Table 7 in the Full Report." It is "Table 6 in the abridgment of the report." This table refers to South Carolina's population, voting population, and percentage of registered voters.

For some reason the Commission states that its source of information found in this table on this page was obtained from an article published in the Columbia State of May 25, 1958, purported to be figures released by the Secretary of State of South Carolina to the press.

Mr. President, for the information of the Senate and the Civil Rights Commission, there is no Columbia State newspaper in South Carolina. By some chance the Commission may have been referring to the State newspaper, which is published in Columbia, S.C. I have great respect for the State, if that is the newspaper the commission is referring to, as a newspaper which genuinely attempts to be as accurate as is humanly possible. However, as anyone will acknowledge, there is many a possible slip between what the secretary of state of a State issues and what appears in a newspaper. It is, in a sense, hearsay evidence. This is true because, first, a reporter gathers the information, then he types it up from his notes, then it goes to a city desk to be edited, then it is sent to a proofroom to be proofed, then it goes to a linotype operator to be set in type, and so on until it appears in print.

The Civil Rights Commission apparently did not obtain the information direct from the secretary of state. If it had done so, it would have obtained the correct information, which it obviously did not. The Civil Rights Commission reports that on May 10, 1958, the total number of registered voters in South Carolina was 537,689.

Mr. President, the secretary of state of South Carolina has personally advised me in writing that on May 10, 1958, there were actually 538,915 registered voters in South Carolina. Very obviously the error in the total number of registered voters made by the Commission affects every other statistic and figure on that page referring to my State. This table concerning South Carolina's registered voters is presented in an attempt to demonstrate that Negroes have been prevented from registering because of race, creed, or color. This is not correct.

The Commission used the 1950 census upon which to base the State's population and various percentages, but it used the 1958 registration figures. What the Commission failed to report is the fact that South Carolina requires registration by every voter every 10 years, and the anniversary date for reregistration happened to be 1958. It began in January.

This is just one instance of the bias of the members of the Commission, as reflected in the report. The fact is that in 1958, white registration in South Carolina was down by 30 percent over that of the preceding year. This is because we had entered upon a new registration period, and many citizens had not yet registered. So the conclusion on that page that Negroes were not registering in great numbers, because of refusal to register them on account of race, creed, or color is a false conclusion. There is no reason in the world why Negro registration should not be off, just as white registration was off in 1958.

Mr. President, if I were allowed ample time to prepare a full criticism of the Commission's report, it could not be completed before next January. My comments would probably fill the Library of Congress, in order to cover the instances of inconsistency, error, and the false conclusions contained in the Commission's report.

Mr. President, I must admit the Civil Rights Commission's report has done one meritorious service: It has brought to my attention that South Carolina has 47 counties. It reported this as a definite statement of fact. I have been running for public office in South Carolina for 36 years, but since 1922 I have never campaigned in more than 46 counties in South Carolina. I am appalled that I have never sought the votes of the people in that 47th county; and I hope the Civil Rights Commission will bring to my attention the name of South Carolina's 47th county, and give me its location, so I will not fail to campaign there in future elections.

Mr. President, this error cannot be charged off by the Commission as a typographical error, because the Commission not only states as a matter of fact, in the final paragraph of this chart, "South Carolina has 47 counties," but it follows up this statement with a table—which I hold in my hand—describing the percentages and types of registered voters in those counties under each category. It lists certain details, and then adds up all the counties, and again reaches a total of 47. Is this, then, the factual report Congress is supposed to accept as a basis for intelligent action?

Mr. President, the very nature of the errors involved indicates carelessness, lack of consideration for fact, and an overzealous attempt to intimidate the Congress with propaganda second only to that produced by the Kremlin.

I hold the report in my hand. I wish the Commission had shown how racial problems have moved into other sections of the country. But the Commission failed to call attention to that fact.

For instance, the report states that 28.1 percent of those who registered in Arkansas in 1958 were nonwhites; and in Florida, 13.2 percent.

Mr. President, the colored people are leaving the southern part of the country, and are going elsewhere; and other sections are going to have this problem.

I notice in the report that for Georgia, the percentage of nonwhites is listed as 25.8; for Louisiana, 13.8; for North Carolina, 28.7; for South Carolina, 33.9 of those of voting age. I note that in all other Southern States the percentages have decreased.

At one time—not so long ago, perhaps 25 or 30 years ago—60 percent of the people of South Carolina were colored. But many of them have moved elsewhere. So the people of South Carolina will not be the ones who will be troubled with the fight that is going on.

So I am warning some of the Members of the Senate that the problem which the report claims to exist only in the South, or primarily in the South, is rapidly spreading to other parts of the country.

Furthermore, Mr. President, an examination of the report shows that all the charts or tabulations it includes relate only to the Southern States, and set forth figures in regard to the voters and the number of persons registered only in the Southern States. The Commission does not include in the report such figures in regard to other States—but only in regard to the Southern States.

Mr. President, I realize that many of these factual discrepancies will appear insignificant when standing alone—and especially so to the Commissioners.

However, it is of utmost importance to remember that the conclusions and recommendations, and, yes, even the proposals, rest solely on a foundation of factual errors such as these. I have examined only the material relating to my native State of South Carolina con-

tained in this one table. It will be interesting to note how many other discrepancies appear in tables relating to other States. Perhaps the Senators from the various States can sift, for the benefit of the Senate, fact from fancy in the report where it refers to their native States. But if we have to find the facts for the Commission, then we, the Members of the U.S. Senate, are making the report for the Commission and the Commission loses its usefulness.

Mr. President, the simple fact is there never was a need for a Civil Rights Commission. The very report, with its conflicts and errors of fact, makes it obvious that Congress committed a grave mistake when it created the Commission. We should never repeat such an error again.

Mr. President, the administration, through the Attorney General of the United States, when it requested the creation of the Civil Rights Commission, declared that such a study or congressional inquiry fairly conducted would "tend to unite responsible people in a common effort to solve these problems." The Attorney General in testimony declared:

> Investigation and hearings will bring into sharper focus the area of responsibility of the Federal Government and the States under our constitutional system. Through greater public understanding, therefore, the Commission may chart a course of progress to guide us in the years ahead.

Mr. President, in the first place I charge that the Commission has done nothing to bring into focus the area of responsibility of the various States in controlling their own modes of existence as provided for in the Constitution of the United States. If it had, or if I thought it could further fairly define Federal-State responsibility, I would certainly be in favor of extending the life of this Commission. Certainly the Attorney General, of all people, could use some guidance in distinguishing between State and Federal rights.

But it is obvious that the Commission, as reflected in its report, has brought to the Congress and to the President nothing but preconceived ideas concerning integration and further federalization of the various States. All that anyone can do to determine the respective responsibilities of the Federal and State governments is to read the 10th amendment of the Constitution which declares:

> The powers not delegated to the United States by the Constitution, nor prohibited to it by the States, are reserved to the States respectively, or to the people.

That is the Constitution of the United States speaking.

This very fact, weighed against the administration's alleged justification for this Commission, should be sufficient evidence to the Congress that there is really no need for this Commission. The Commission has not brought any State right into focus, but, on the contrary, has magnified federalization to the point that it overshadows everything in the report. It delegates to the Federal Government all States' rights in all fields it enters into. In the second instance, the Attorney General's contention that existance of a Civil Rights Commission would tend to unite the people and help solve these problems has been completely and entirely refuted. To the contrary, in the past 2 years, since the Commission was created, racial tensions have continued to mount until they have reached the crisis level in many of the large cities across the Nation. While the Civil Rights Commission points its political tentacles at the South, the North has become a jungle of bitter racial groups which fight among themselves, commit murder and other violence, and continue to break down all legal and moral order. If the Congress were to use the same logic as some of the Commissioners have used in arriving at their conclusions and recommendations, then we would be justified in concluding that the rising racial tensions of the Nation have resulted from the very existence of the Civil Rights Commission and the efforts of others who favor forced integration.

Mr. President, with all due respect to everyone involved in this controversy, I cannot help but reach the conclusion that hearings held by the Commission were nothing but window dressing and that most of the Commissioners had preconceived notions, ideas, or psychological theories at the time they were appointed and that these things have been reflected in their report.

Not one hearing was held by the Commission on Civil Rights for the purpose of determining what makes Negroes and whites live peacefully in the segregated South while they war among themselves in the integrated North. Let that sink in. Not one hearing was designed to demonstrate the tremendous progress that all citizens of all races, creeds, and colors have made in our Nation, and particularly in the South. Let that sink in.

Mr. President, not once did the Commission attempt to demonstrate the good that is contained in the practice of segregation in the South. The Commission did not mention that thousands upon thousands of Negroes holding college degrees are now teaching in the schools of South Carolina and other States and that many Negro children of South Carolina and other segregated States enjoy schools far more modern and more expensive and more adequately equipped than do many white children. The Commission did not report the great efforts and the great progress being made by citizens all across the United States who believe in segregation to insure that equal facilities and equal opportunities to people of both races exist.

The newspapers are replete with statements, comments, petitions, and other expressions of members of the Negro race in many areas of the country demanding and insisting upon segregated existence. It is curious to me that the Civil Rights Commission attempted, at no time, to set up hearings to permit these citizens, regardless of race, creed, or color, to be heard in defense of the mode of life we call segregation.

For your information, Mr. President, the Subcommittee on Constitutional Rights of the Committee on the Judiciary, on which I happen to serve, held hearings for about 3 or 4 months, but we had this question before us from January until July. We had bills before the committee for that long. Then we had the matter discussed. I think I still have the floor in the Senate Judiciary Committee on the bill that is pending here. We are still discussing pro and con in the committee the civil rights issue, and whether or not the life of the Civil Rights Commission should be extended, or what to do. We have never reached a conclusion in the Judiciary Committee yet.

Nearly every statement and conclusion of the Commission except for the statement of Gov. John S. Battle, of Virginia, has been directed at devices to force integration. The Commission has heard from a few dissenters who favor integration, but has bypassed the multitude which prefers segregation. The contented and happy vast majority, by arbitrary action of the Commission, have been whirlpooled into a loftily languaged, highly erroneous report against their will. I have only but to quote Commissioner Battle to back up the charge that this report is filled with preconceived ideas and is not based upon fact. I wish to read Commissioner Battle's statement:

> I have stated my objections to certain specific recommendations contained in the report.
>
> In addition thereto, and without in any way impugning the motives of any member of the Commission, for each of whom I have the highest regard, I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Mr. President, that is the only thing in the Civil Rights Comission's report with which I believe I could say I fully agree.

Under the subject of "Voting" the Civil Rights Commission finds "there is a general lack of reliable information on voting according to race, color, or national origin, and there is no central repository of the fragmentary information available." The Commission stated further that lack of such information made its study of voting rather difficult.

Mr. President, the lack of this information and these facilities to enable the Commission to make such a study is not available for one obvious reason: The Constitution of the United States gives unto all States the right to establish voting requirements for its citizens and to conduct the elections in each State. There are no Federal elections in these United States: there are only statewide elections. Even when we elect a President the various States elect presidential electors who then go to cast their ballot for their State's presidential choice.

I remember well reading the history of South Carolina. In 1876 our electors, when voting for President, cast their votes for a man who would get the troops out of South Carolina though he was not the people's choice. Their votes were among the necessary votes to elect a President in 1876.

Therefore, there could be no Federal repository for information concerning voting according to race, color, or national origin. The very lack of this information, to me, would be a strong indicator that there is little if any discrimination in this field. If there was discrimination, there would have to be some master file or index on each voter's race, color, or national origin to enable officials to apply prejudice.

Mr. President, recommendation No. 1 of the Civil Rights Commission seeks to charge the Bureau of the Census with the duty of compiling in the next national census a complete list of registration and voting statistics of every individual, according to race, color, and national origin.

Mr. President, such a storehouse of information housed in the Federal Government's bureaucratic structures in Washington would really set the stage for the worst kind of discrimination and prejudice this Nation has ever seen.

Made accessible to a tyrannical administration, this information housed in the Federal Government's bureaucratic structures in Washington would really set the stage for the worst kind of discrimination and prejudice this Nation has ever seen or ever could see.

Made accesible to a tyrannical administration, this information about each voter's race, color, creed, and national origin could become a pandora's box that would haunt our Nation as long as it exists. I shudder to think how this compilation of every individual's race, creed, and color in America could be used in a spirit of prejudice, which it would be. Hitler did not even have such a file available for his use when he persecuted millions in Nazi Germany because of race and creed.

Mr. President, the Commission reports found lack of uniform provision for the preservation and public inspection of all records pertaining to registration and voting. It further charged that this lack of uniform provision hampers and impedes investigations of alleged denials of the right to vote by reason of race, color, religion, or national origin.

The Commission did not state that it did not find this information stored anywhere in the North or in any other State. We are led to believe it is only in the South that this situation prevails. However, I want Senators to know this information is not stored anywhere at the present time.

For the information of the Civil Rights Commission, it should be pointed out here that the provisions of any State looking toward the preservation of voting and registration records are designed by the individual States to facilitate registration and secret and expedient balloting. They were not designed to be convenient for some Federal bureau that wants to pry.

It happened that I had a chance to look at a publication containing voting laws of every State. Attention was not brought to these laws by the Commission. I saw that South Carolina required only about a half a page, with reference to voting qualifications and registration, and then I turned to New York and saw that New York required about four pages. The Commission did not say anything about these laws.

A system that is suitable for the people of one State may not be as suitable to the people of another State. Simply because a Federal Commission wants to come in and pry does not mean that we should be required to revamp all State laws pertaining to voting and registration for the convenience of the Federal Commission.

I have been informed that in Russia the voting system has been so smoothed out and federalized, as apparently the Civil Rights Commission is seeking to do, that when a person goes to vote at the Russian polls, he does not have to do anything, not even decide for himself for whom to vote. I fear that if we begin to systemize everything along a streamlined Federal system as the Commission desires we will lose the basic American principle of privacy and individualism.

I cannot see where the preservation of such records would have anything to do with whether or not a person was impeded in registering or voting.

That is one thing the people have been crying for, the right to vote. It has been said that the people will know how to vote. In this instance the Federal Government wants to tell everybody how everybody votes.

If one were impeded from these processes, then one would not be in the records. So what is the purpose of maintaining these records? The charge that one was denied the right to register and vote is a charge which stands upon itself. There could be no record of this charge contained in the registration or voting records of a State because those records are records of people who exercised those rights.

Mr. President, if what the Commission meant in its second recommendation is that the voting records should be preserved in cases of alleged fraud where one had exercised his right to vote, but through a fraudulent act his vote was not counted, that is a different matter. This is an entirely different situation. Fraud is a punishable offense in every State in the Union. In my own State of South Carolina there have been instances in which fraud was charged; and always, to my knowledge, the voting and registration records involved were available for the proper officials to examine.

Mr. President, the Civil Rights Commission recommends that all registration and voting records shall be made public records and be preserved for 5 years. During this time they shall be subject to public inspection, provided that all care be taken to preserve the secrecy of the ballot.

Mr. President, here again we run into one of those dreamy-eyed proposals that are about as practical as a soupspoon with a hole in the middle of it. How can any State, or the Federal Government, or any agency thereof, preserve voting and registration records that are to be made public records, and yet preserve the secrecy of the ballot? To me, this is an impossibility. How an individual votes is the most secret and private thing that a citizen can have under our form of government. People guard their voting records more privately and personally than they do almost anything else.

Mr. President, in my opinion the Civil Rights Commission is tampering with one of the most important belongings of the American people, and it is attempting to get the Federal Government to legislate in a field which is purely a State matter. This requirement to preserve voting records under a Federal statute, in my opinion, violates more than half a dozen rulings by Federal courts on this issue.

I should like to cite a few of the cases which substantiate my position. I think when they read them they will agree with the findings in those cases.

Among them are *McPherson* v. *Blacker*, 146 U.S. 869; *Minor* v. *Happersett*, 88 U. S. 627; *Breedlove* v. *Suttles*, 302 U.S. 277; and *Pirtle* v. *Brown*, 188 F. (2d) 218.

Mr. President, from the little I can make out of the Cvil Rights Commission's report, what the Commissioners and proponents of such legislation are after is for the States to eventually wipe out all registration requirements. They would have us throw the door open on election day and declare that everybody may come in and vote, whether he is a criminal, a non compos mentis, or regardless of what he is. The Commission proposes that no State should have the right to bar anyone, for any reason, from voting. The recommendations go far beyond any race, creed, or color differences that may be involved.

Mr. President, the Civil Rights Commission also seeks the power to subpena witnesses by directly going to a district court instead of going through the Attorney General to obtain such a subpena. The Commission says that the normal procedure is "a needlessly cumbersome" one and is not "a sound system of administration."

Mr. President, one of the problems of this country today is that we have made it too easy for the Federal Government to reach down and delve into matters which are solely of a State nature. If the Commission seeks to speed up the procedures for obtaining true justice, it would probably prefer that the States do away with the jury trial in criminal cases, and eliminate the right to appeal. I do not think that the quickest way is the best way. On the contrary, it is a dangerous substitute.

Mr. President, I noticed that the Commission, in recommendation No. 5 under the subject of "voting" is suggesting that whenever the President of the United States receives sworn affidavits by nine or more individuals from any district, county, parish, or other political subdivision of a State, alleging that the affiants have unsuccessfully attempted to register with the duly constituted State registration office, the President shall refer such affidavits to the Commission on Civil Rights. Following that, the Commission will first investigate the allegations, and subsequently overrule the local registration boards whenever, in the Commission's opinion, it feels any of the affiants qualified to register. I have never heard of a more baldfaced attempt to destroy the rights of a State to govern itself.

I am wondering, first, why the Commission picked the figure "nine or more." Why should nine people, if so-called justice is to be rendered by the Commission, be the criteria? Why not "one or more"? Could it be that "nine" was a figure that is resting on the minds of some of the Commissioners, such as the nine members of the Supreme Court?

The more I delve into this report, the more I believe the Civil Rights Commission would like to be constituted as a permanent quasi-judicial Federal body with the unofficial title of "The Junior Supreme Court."

This recommendation even goes much further than I have described, for it provides that the President shall designate an existing Federal officer or employee in the given area from whence the complaints came to act as a registration officer. I wonder what Federal officer it would choose to operate the registration certification program in Columbia, S.C., or in my hometown, Spartanburg, S.C.

Mr. President, I do not believe the people living in South Carolina had to face conditions worse than those recommended by the Civil Rights Commission, back in the Reconstruction era, when carpetbaggers took over our State government and robbed our treasury, ransacked our laws, and stole our civil rights.

Mr. President, the proposal of the Civil Rights Commission in this instance would deprive the people of my State, and the people of any other State involved, of a basic right—the State right, if you please, to control its own registration and election machinery.

Any attempt to place Federal control over such machinery is an obvious violation of several court rulings in this respect. These cases have upheld the time-honored constitutional provision that there is no Federal election; that all elections are State elections, and that those elected are representatives of the State, and not the Federal Government. Therefore, the Federal Government has no business meddling with the registration and voting systems of the various States.

In this respect, let me quote from *Minor* v. *Happersett*, 88 U.S. 627, at page 629, where Justice Waite declared:

> The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for the electors of the most numerous branch of the State legislature.

Mr. President, I believe the dissent by Commissioner Battle to the recommendations of the other Commissioners on Federal confiscation of voting and registration machinery in the various States should be read into the RECORD at this point:

> I concur in the proposition that all properly qualified American citizens should have the right to vote but I believe the present laws are sufficient to protect that right and I disagree with the proposal for the appointment of a Federal registrar which would place in the hands of the Federal Government a vital part of the election process so jealously guarded and carefully reserved to the States by the Founding Fathers.

Mr. President, no one could appraise the so-called recommendations of the other Commissioners any finer than Commissioner Battle has done.

Mr. President, as to the proposal for a constitutional amendment to establish universal suffrage made by Chairman Hannah and Commissioners Hesburgh and Johnson, I believe it is adequate to state that the proposed amendment violates the very concepts of the preamble of the Constitution. However, one cannot argue with the right of any American to propose any amendment to the Constitution. It should be of great importance to the Senate, however, that three of the Commissioners opposed this so-called recommendation. Let us bear in mind that there are only six. Once again the authors of the Civil Rights Commission report have inferred that a recommendation by three members of the Commission is a recommendation by a majority of the Commission, while, in fact, it is simply a minority view expressed by one-half of the Commissioners.

As I read the contentions of the Civil Rights Commission in the field of education, I was appalled at the inconsistencies and contradictions contained in the report. However, I was not surprised to find all through this report an attempt to enlarge upon the Supreme Court rulings in this area and to find a very definite flavor of prointegration in the report.

In the first instance, I do not believe the Civil Rights Commission had any proper right to go into the field of education. It is not what I would consider a civil rights problem. It is a matter which has been and always will be a controversy of States' rights against Federal rights. The people of various States feel that school systems and educational facilities, because they are supported with local tax funds and are controlled by local school boards, should not be tampered with by Federal intervention. The Supreme Court in its 1954 decision ruled that it was unlawful for any school to practice segregation where the people desired to integrate, but, it should be made plain, the Supreme Court did not say that segregation in itself was illegal.

To say that the Supreme Court's interpretation on any part of the Constitution is the law of the land is an incorrect conclusion. Such a conclusion would place the Supreme Court above the Constitution and above the people. I want to make it plain that I oppose the Supreme Court's 1954 ruling in its entirety and, although I am a Senator charged with upholding the Constitution of the United States, I am obliged to say that I will do everything in my power to reverse the ruling of the Supreme Court as it is applied in the field of education.

The Civil Rights Commission in its report adheres to the theory that the Constitution, as interpreted by the Supreme Court, is the supreme law of the land. Mr. President, I wish to quote that again for the Senate. The Civil Rights Commission in its report said:

> The Constitution, as interpreted by the Supreme Court, is the supreme law of the land.

Mr. President, this statement is a fallacious, misleading conclusion and the Constitution itself contains the language to bear me out. Let me quote from the Constitution. Article 6, section 2, of the Constitution declares:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land * * *.

Mr. President, there is no question but that the Constitution is the supreme law of the land and needs no help from the Supreme Court on this score. Article 6, section 2, makes no mention of the Supreme Court of the United States, and when the Supreme Court makes an interpretation that is erroneous, I say the supreme law of the land is still the Constitution and not the interpretation made by the Supreme Court.

The proposal by the Civil Rights Commission to direct the U.S. Office of Education, in cooperation with the Bureau of the Census, to conduct an annual school census would be a wasteful, ridiculous, and downright absurd program to follow. Such a census would reflect no true picture as regards to whether or not integration or segregation is being practiced in accordance with the so-called Supreme Court ruling of 1954. This is especially true because in many areas of the Nation segregation is practiced voluntarily by both groups and any statistical report by the Bureau of the Census or the Office of Education would not reflect the feelings and desires of the people. However, it would possibly present an invitation to agitators and outsiders to come into a segregated area and attempt to force integration upon unwilling people. This would even be contrary to the wild and ridiculous 1954 decision of the Supreme Court which, in effect, placed the practice of integrated or segregated schooling on a voluntary basis. The Commission itself, quite inadvertently I am sure, used this interpretation in one of its findings by citing *Briggs* v. *Elliott*—132 Federal Supplement 776). In that decision the late Judge John J. Parker, of the U.S. Fourth Circuit Court of Appeals, declared:

> What it (the Supreme Court) has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches.

The Supreme Court's biased 1954 decision without precedent is exceeded only in deceitfulness by the biased Commission's 1959 report which is a finding without fact.

As Vice Chairman Storey and Commissioners Battle and Carlton declared concerning the educational recommendations:

> The text preceding the findings and recommendations is to a large extent argumentative and colored by the authors' views of the sociological and philosophical aspects of the school integration problem.

Here again is a divided opinion on a field of study that the Commission should have never even entered.

Any man who is unbiased in his thinking, I think, will surely admit that education is a State matter and certainly does not fall in the category of a Federal civil right.

Mr. President, I shall not spend a great deal of time on the Civil Rights Commission's housing recommendations for they, too, are for the most part nothing but attempts to promote further federalization and integration.

It is evident from the Commission's report that housing problems arise in large cities. In the South there are very few cities equal in population to the crowded cities of the North. Therefore, I feel that housing is not a problem which we face in the South. I trust that the true purpose of this Commission is to prevent further racial difficulties. After reading the report, I fear that this has not been their purpose.

There have been, to my knowledge, no racial problems because of segregated housing in the South. This statement cannot be made by the large integrated cities of the North. Thus, another point of attack on the southern way of life has failed because no problem exists.

The Commission's report clearly states that the housing problems are caused to a great extent by migration. It says that many people who are unable to afford good housing in the suburbs migrate to the cities filling existing slums and creating new slum areas. It goes further and makes this clear observation in regard to these slum conditions causing housing problems:

> This is true irrespective of race or nationality.

Thus, the Commission admits that any problem of housing is not due to segregation. The only racial problems in the housing field are found where integration exists.

Mr. President, as I look through the final report of the Civil Rights Commission, I am reminded of an often quoted line of Shakespeare. Hamlet, who was reading a book, was asked by a friend, "What do you read?" Hamlet, in utter disgust, replied, "Word, words, words." My colleagues, it is with utter disgust that I make the same observation regarding this report: the efforts of 2 years investigation. It is 683 pages of "words, words, words."

I honestly believe that an extension of this Commission on Civil Rights will produce for us at great expense only one thing: another volume of trite phrases, preconceived findings, and lawless recommendations. I defy the Senate to show me one thing this Commission has accomplished other than a volume of "words, words, words."

Mr. President, to vote against this proposed legislation will be the easiest vote of the year for me to cast. I have always opposed foreign aid and I have always opposed civil rights legislation. I oppose foreign aid so strongly that even if I were an advocate of continuing the Civil Rights Commission, I would still vote against this measure. But, to have both civil rights legislation and foreign aid legislation wrapped up in the same package makes it possible for me to vote to kill two birds with one stone.

I believe tacking on civil rights legislation to the foreign aid bill is a flagrant violation of the orderly procedures of the Senate and a direct assault upon the Judiciary Committee of the Senate. The precedent being established here in bypassing the Senate Judiciary Committee is a far-reaching step that will open the door to other such moves in other fields and may start the general deterioration of all Senate rules and order. We cannot legislate from the floor of the Senate in an intelligent manner by suspending the rules at every turn and at every time the leadership predetermines he has the power to do so. To do this is to turn the Senate into a body run by dictators.

Except for the direct appropriation, the Committee on Appropriations has no right to legislate in this field. It is a question for the Committee on the Judiciary of the Senate to handle. I can imagine the furor that would emit on the floor of the Senate if the Judiciary Committee attempted to tack onto some legislation an appropriation measure not cleared by the Appropriations Committee.

If the Senate sustains the motion to suspend the rules and considers the Civil Rights Commission extension amendment, then a terrible precedent will have been established which will return to haunt this body forever. It will amount to dictatorship of the Judiciary Committee by the Committee on Appropriations in a field of legislation that is entirely the business of the Judiciary Committee.

The business of the Appropriations Committee is to report out appropriations bills to provide funds to pay for expenditures already authorized by the Congress. It is not the business of the Appropriations Committee to write authorizations in appropriations bills and that is what is being done here in the Senate now. The Appropriations Committee should not consider appropriations for extending the life of the Civil Rights Commission until and unless Congress has previously voted to extend the life of the Commission and made proper authorizations.

Also, it is highly inappropriate, to say the least, to tack appropriations onto a foreign aid bill that provides for a strictly domestic program. Although, I guess if money is to be wasted on civil rights studies such as the extension of the life of the Civil Rights Commission, it could not be in better company than the foreign aid bill. It is a matter that is foreign to the Constitution of the United States and it is a waste of the people's tax money, so in those two categories I presume civil rights and foreign aid do have common denominators.

Mr. President, the rules of the Senate do the same for the Senate as the laws of the Nation do for our land. Law brings order out of chaos for our Nation, and rules bring order out of chaos for the Senate.

The Supreme Court on many occasions in recent years has suspended the laws of the land in many fields and brought chaos out of order.

The U.S. Senate would be setting a very bad example to the rest of the Nation if it now suspends its rules and brings chaos out of order just to satisfy the political desires of a few for the moment.

Mr. President, I hope the Members of the Senate will not vote to suspend the rules of this body, but will vote to maintain law and order.

It is quite that simple.

Mr. ROBERTSON. Mr. President, when the Senate had under consideration the Civil Rights Act of 1957, I opposed it generally, and objected specifically to part I, which established a Commission on Civil Rights.

I said such a Commission would be political in nature and disruptive in its effect; that its hearings and reports could be manipulated with an eye on minority blocks of votes in pivotal States, and that it would lead only to harassment of the States in their efforts to administer their internal affairs.

The 1959 report of the Commission, authorized in 1957, has confirmed those fears; and I am more than ever convinced that it does not, and cannot, serve a useful purpose, and that the extension of its life would be a waste of money and a disservice to the people of the Nation.

We have the authoritative statement of one of the Commissioners, former Gov. John S. Battle, of Virgina, that the report "is not an impartial factual statement, such as I believe to have been the intent of Congress, but, rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations."

At the time of its establishment, this Commission was represented as a fact-finding body which would do a temporary job, investigating charges of violations of civil rights and assembling impartially weighed evidence which would be useful when proposals for future legislation in this field were considered.

The departure from the intent of Congress is disclosed in the Commission's report not only by its argumentative nature, referred to by Commissioner Battle, but also by open pleas for its continuance, not merely for an additional period during which to complete studies which have been started, but also as a permanent agency, with regularly assigned administrative functions.

The report recommends that after Federal registrars have been appointed to usurp the State function of determining qualifications of voters, the Commission shall investigate the validity of charges that voting rights have been denied, and shall certify to the President and to the Federal registrars affidavits which it considers well founded. That

assignment presumably would continue so long as there were a possibility that any would-be voter might file a complaint that he was discriminated against because of race, color, religion, or national origin.

The report also recommends that the Commission serve as a clearinghouse to collect and make available to States and to local communities information on programs and procedures to bring about desegregation of schools—another assignment of lengthy and indefinite duration.

A third bid to make permanent the jobs of the Commission staff and to add future employees is contained in the recommendation that the Commission be requested by the President "to continue to study and appraise the policies of Federal housing agencies, to prepare and propose plans to bring about the end of discrimination in all federally assisted housing and to make appropriate recommendations."

So, Mr. President, the real question to be decided by Congress is not whether we shall extend the Commission for another 2 years, and let it spend an additional $500,000, but whether we are willing to accept it as a new bureaucratic agency, a source for administrative patronage, an adjunct to political campaign organizations, and a constant irritant against national unity and voluntary racial cooperation.

Let us make no mistake: If we allow the professional organization which handles the detailed work of this Commission, on behalf of its part-time volunteer members, to entrench itself during another 2 years, it will find so many ways to make itself politically useful that it will be extremely difficult to dislodge thereafter.

But those who might benefit from its operations at one period, might become the victims at another. The Commission was aimed at the Southern States, which have had the major problem of dealing with racial minorities of large proportions. But that problem is spreading to metropolitan centers in other areas.

A politically motivated organization which continues to delve into the fields of voting, education, and housing, and which exhibits, as the report of this Commission has, an utter disregard for the fundamental principles of the Constitution and a willingness—as a protesting half of its members have recognized—to "ignore historical fact and disregard the development of constitutional law," poses a threat to all, including its original sponsors.

I shall not take the time on this occasion to analyze the Civil Rights Commission's report and to point out its unreliable and irresponsible nature, but I want to give just one illustration of what amounts to outright dishonesty in citing the Constitution of the United States.

In the chapter devoted to findings and recommendations on the subject of voting, the report says (p. 135):

> Article I, section 2 of the U.S. Constitution has long stood for the proposition that, while the qualifications of electors of Members of Congress are governed by State law, the right to vote for such representatives is derived from the U.S. Constitution. Article I, section 4, authorizes Federal protection of voting in Federal elections against interference from any source.

The report will be read by many persons not familiar with the text of the Constitution; and they will accept these statements at face value. But what does the Constitution say?

Article I, section 2, says this, and no more:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

What words in that sentence stand for the proposition that the right of an individual to vote is derived from the Constitution? Actually, the wording of that section, and more especially its history, as revealed in the Constitutional Convention debates, State ratifying convention debates, and the Federalist papers, make it clear that the purpose was to leave to State decision the question of who should be qualified to vote in State elections, and then to allow the same persons, and no others, to vote in Federal elections.

Let us look now at article I, section 4. It says:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

That is the complete text. How can its limited grant of reserve power to the Federal Government to alter "times, places, and manner of holding elections" be interpreted as authorization for "Federal protection of voting in Federal elections against interference from any source"?

The Commission report goes on to say correctly that the 14th amendment affords protection against State interference with equality of opportunity to vote; that the 15th amendment prohibits interference by the United States or a State with the right to vote, because of race, color, or previous condition of servitude, and that the 19th amendment prohibits State interference with the right to vote, because of sex.

But the misstatement about article I, section 2 is repeated when the report says:

> The 17th amendment provides that a person possessing State qualifications has a right to vote which is derived not merely from the Constitution or the laws of the State from which the Senator is chosen, but has its foundations in the Constitution of the United States.

Mr. President, the 17th amendment merely says the Senate shall be composed of two Senators from each State, "elected by the people thereof," and then repeats the language of article I, section 2:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

This language, reaffirmed and repeated after a century of experience under the Constitution, makes no pretense of conferring voting rights on individuals, but simply extends the right to vote in Senatorial elections to those who have qualified to vote in State elections.

It is on the basis of this twisting of constitutional language that the Commission recommends appointment of Federal registrars who would pass on qualifications of voters, and thereby, as Commissioner Battle said, "place in the hands of the Federal Government a vital part of the election process so jealously guarded and carefully reserved to the States by the Founding Fathers."

Mr. President, even Alexander Hamilton, the arch advocate of a strong Central Government, would have been shocked by this proposal, for Hamilton himself said in the 59th Federalist paper:

> Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarranted transposition of power and as a premeditated engine for the destruction of State governments?

Mr. President, the Civil Rights Commission can be an engine for the destruction of State governments. I am opposed to the authorization to extend its existence, and I am opposed to the appropriation to continue its operations.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1845. An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes;

S. 2181. An act to amend the Mineral Leasing Act of February 25, 1920;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act;

S. 2504. An act to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes;

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States; and

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related

agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. HARTKE. Mr. President, I was extremely impressed as I read, while confined in the Bethesda Naval Hospital, the report of the U.S. Commission on Civil Rights. I was impressed with the factual nature of the report and its very fair analysis of a difficult problem, one often fraught with emotion.

It is interesting to note, Mr. President, that the Commission found no geographic section of our country offering full opportunity and rights of citizenship to all Americans, regardless of race, creed, or color.

Of all the rights Americans hold dear, the keystone of all is the right to vote. It is interesting to note that all the Commissioners have agreed that this right should be protected and extended to all citizens, even though among them there may be some differences as to how this should best be done.

I applaud, Mr. President, the excellent manner in which the Commission has proceeded with its business, as well as the report coming from its investigations and deliberations. It is proof positive that the issues which seem to divide us as a Nation are not insoluble.

When I came to the Senate, last January, it was my profound hope that in this session we would be able to write a meaningful civil rights bill—a law which would recognize basic rights of all Americans, indeed all human beings, and would protect and insure these rights for all citizens. Unfortunately, we have been faced with so many problems and with so many obstructions in this divided Government that we did not give this matter the attention on the floor of the Senate that it should have had. Unfortunately, too, we did not receive the report of the Commission until the 11th hour before adjournment.

Mr. President, I wholeheartedly support the move to continue the life of this Commission of reasonable Americans who earnestly are seeking a common ground on which to unite all Americans and to see that everyone in this blessed land receives an equal opportunity for housing, education, employment, and voting.

Furthermore, Mr. President, it is my sincere hope that the Senate will, when it meets again, next January, turn its attention to consideration of these recommendations as some of the first items of business. It seems to me that protection and extention of voting rights for all Americans should be one of the very first things we do next January.

Without such action, we cannot truthfully say that every citizen has a voice in his Government. With such action we can proudly say that we are making representative democracy work for all Americans, no matter what race, creed, or color. Thereafter, we may look forward with the hope and expectation that the full, unalienable rights called by our Founding Fathers, "life, liberty, and the pursuit of happiness," will truly be enjoyed by all our citizens.

Mr. HILL. Mr. President, I rise in opposition to the attempt to extend the life of the U.S. Commission on Civil Rights. I do so out of a sense of devotion to the people of Alabama, the South, and the Nation, and out of a sense of devotion to the Constitution which the Founding Fathers bequeathed us.

We are all now familiar with the report of the U.S. Commission on Civil Rights, and I think the report itself should in large measure determine the merits of this debate.

There is nothing in that report to merit the approbation of a free people. I am against it, and I believe the report itself is an unanswerable argument in favor of permitting the Commission to die its natural death. The report of the Commission constitutes, in my judgment, one of the most indefensible and irresponsible statements of a public agency that I have ever read. The recommendations and alleged "findings" of some of the members of the Commission, if accepted generally, would be a grave threat to the rights guaranteed by the Constitution and the liberties sought to be held forever sacrosanct by the Bill of Rights.

At this time, when all of us need to get back to our people to ascertain their thoughts, their desires, their aspirations, and once more be invigorated by the spirit of grassroots democracy which has made our Nation indestructible, we find ourselves squandering our time, our energies, and the people's money on this debate to extend the life of the U.S. Commission on Civil Rights.

In order that the record may be clear as to my position in opposition to the extension of the life of this Commission, I wish now to consider the incredible recommendations of the Commission.

First of all, the Commission, in the report of its study on voting, recommends a census of voting by race, color, and national origin. The alleged "findings" of the Commission are as follows:

> The Commission finds that there is a general deficiency of information pertinent to the phenomenon of nonvoting. There is a general lack of reliable information on voting according to race, color, or national origin, and there is no final repository of the fragmentary information available. The lack of this kind of information presents real difficulties in any undertaking such as this Commission's.

The Commission, which has spent so much of our people's money so fruitlessly, next proceeds to make a recommendation that would accomplish nothing but a sure waste of the taxpayers' hard-earned dollars. The Commission then makes its "recommendation No. 1," as follows:

> Therefore, the Commission recommends, that the Bureau of the Census be authorized and directed to undertake, in connection with the census of 1960 or at the earliest possible time thereafter, a nationwide and territorial compilation of registration and voting statistics which shall include a count of individuals by race, color, and national origin who are registered, and a determination of the extent to which such individuals have voted since the prior decennial census.

Mr. President, such a recommendation, if put into effect, would accomplish nothing toward contributing to life, liberty, and the pursuit of happiness of our people. This is but an illustration of the irresponsibility of the Commission in making its report and in endeavoring to justify its 2-year existence.

After recommending this waste of the taxpayers' money, the Commission proceeds into the field of States rights and proposes Federal intrusion therein by making a recommendation in favor of the preservation and inspection of voting records of the States and of the people.

The so-called findings of the Commission are as follows:

> The Commission finds that lack of uniform provision for the preservation and public inspection of all records pertaining to registration and voting hampers and impedes investigation of alleged denials of the right to vote by reason of race, color, religion, or national origin.

The Commission then makes its recommendation No. 2, as follows:

> Therefore, the Commission recommends that the Congress require that all State and territorial registration and voting records shall be public records and must be preserved for a period of 5 years, during which time they shall be subject to public inspection, provided that all care be taken to preserve the secrecy of the ballot.

I ask, Mr. President, how is it humanly possible to preserve all voting records for a period of 5 years and hold those records up for public inspection and at the same time preserve the secrecy of the ballot.

It cannot, in my judgment, be done.

At first appearance, this recommendation of the Commission would seem to be a further effort to encroach on the rights of the States only, but a close scrutiny of the proposal reveals it to be an effort on the part of the Federal Government to desecrate one of our most precious inheritances—the right to a secret ballot.

The right of a citizen to cast his ballot in all secrecy is one of the greatest bastions of human liberty that the mind of man created. This right, like the right of trial by jury, is an indispensable component of American democracy. Once this right is infringed upon, our concept of American democracy will have been drastically altered, for it will never be the same. Once this right is infringed upon, we would have to adjust ourselves to a new mode of self government, for the enlightened concept of government of the people, by the people, and for the people will have been seriously abridged.

There is no substitute for the secret ballot. No procedural device ever conceived can take its place. It is unique. There is nothing like it that has ever been engendered. The secret ballot alone is the sure protector of the continued preservation of our American democratic way of life. Once that is lost all that we hold dear may well be lost.

This right is so jealously guarded and is so dearly prized by the American people that I devoutly believe any attempt to abrogate it will be renounced at once as an outrage to which an enlightened people will never acquiesce.

How, Mr. President, can this Senate give its stamp of approval to a public agency which has made such an indefensible recommendation?

The Commission, in its report, then proceeds to launch into a further assault on State sovereignty by its finding, as follows:

The Commission finds that the lack of an affirmative duty to constitute boards of registrars, or failure to discharge or enforce such duty under State law, and the failure of such boards to function on particular occasion or for long periods of time, or to restrict periods of functions to such limited periods of time as to make it impossible for most citizens to register, are devices by which the right to vote is denied to citizens of the United States by reason of their race or color. It further finds that such failure to act is arbitrary, capricious, and without legal cause or justification.

The Commission then makes its recommendation No. 3, as follows:

Therefore, the Commission recommends that part IV of the Civil Rights Act of 1957 (42 U.S.C. 1971) shall be amended by insertion of the following paragraph after the first paragraph in section 1971(b):

"Nor shall any person or group of persons, under color of State law, abritrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote, and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives, Delegate or Commissioner for the territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

This recommendation typifies some of the ambiguity of the Commission's report, which, if so construed by the courts, could possibly be fraught with interpretations that would harass and surely undermine the honest efforts of local citizens to manage their governmental affairs. Is it not possible that this recommendation, if enacted into law, could mean that a local registrar who sought to resign his job for reasons of health, or of business, or for any good cause, would be guilty of a violation of this section, in the event any individual or group of individuals brought charges against him for his failure to register them to vote? The mere possibility that this is true dooms such a recommendation to ultimate failure and renounces the desirability of continuing the existence of any public agency which conceived the recommendation.

In its next recommendation, the Commission would arrogate unto itself judicial powers which I think have never before been given to a purely investigative body.

The Commission "finds," as follows:

The Commission finds that the necessity for securing the aid and cooperation of a separate agency of the Federal Government in order to discharge the Commission's responsibilities under law is a needlessly cumbersome procedure. It is not a sound system of administration. Full and effective implementation of Commission policy in the discharge of Commission responsibilities under law requires full and exclusive control of any necessary report to the courts by the Commission itself.

The Commission's "recommendation No. 4" follows:

Therefore, the Commission recommends that in cases of contumacy or refusal to obey a subpena issued by the Commission on Civil Rights (under sec. 105(f) of the Civil Rights Act of 1957) for the attendance and testimony of witnesses or the production of written or other matter, the Commission should be empowered to apply directly to the appropriate U.S. district court for an order enforcing such subpena.

Not satisfied with having the full resources and authority of the Office of the Attorney General of the United States to enforce their subpena powers, the Commission now comes forward and asks for the unrestricted right to go into the Federal courts and invoke the contempt processes thereof to compel the testimony of witnesses who have been hauled before it to answer harassing questions and to do the bidding of this select and powerful body.

This recommendation illustrates one of the reasons why I was so opposed to the establishment of this Commission. This demonstrates the perennial truth that, when there is established an agency for bureaucrats who have no legitimate end to serve, they will spend their time and the taxpayers' money in an effort to justify their existence and to reach out and grab more and more power. As Thomas Jefferson expressed it, they cast anchors ahead to grapple for more power.

One of the worst recommendations of the Commission is recommendation No. 5 on voting. It reads as follows:

Therefore, it is recommended that, upon receipt by the President of the United States of sworn affidavits by nine or more individuals from any district, county, parish, or other recognized political subdivision of a State alleging that the affiants have unsuccessfully attempted to register with the duly constituted State registration office, and that the affiants believe themselves qualified under State law to be electors, but have been denied the right to register because of race, color, religious, or national origin, the President shall refer such affidavits to the Commission on Civil Rights, if extended.

A. The Commission shall:

1. Investigate the validity of the allegations.

2. Dismiss such affidavits as prove, on investigation, to be unfounded.

3. Certify any and all well-founded affidavits to the President and to such temporary registrar as he may designate.

B. The President upon such certification shall designate an existing Federal officer or employee in the area from which complaints are received, to act as a temporary registrar.

C. Such registrar-designate shall administer the State qualification laws and issue to all individuals found qualified, registration certificates which shall entitle them to vote for any candidate for the Federal office of President, Vice President, presidential elector, Members of the Senate or Members of the House of Representative, Delegates or Commissioners for the territories or possessions, in any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

D. The registrar-designate shall certify to the responsible State registration officials the names and fact of registration of all persons registered by him. Such certification shall permit all such registrants to participate in Federal elections previously enumerated.

E. Jurisdiction shall be retained until such time as the President determines that the presence of the appointed registrar is no longer necessary.

The dissent by John S. Battle, a former distinguished Governor of the State of Virginia, demolished the validity of any argument in favor of this recommendation when he stated, "I disagree with the proposal for the appointment of a Federal registrar which would place in the hands of the Federal Government a vital part of the election process so jealously guarded and carefully reserved to the States by the Founding Fathers." The dissent by Commissioner Battle continues:

I concur in the proposition that all properly qualified American citizens should have the right to vote but I believe the present laws are sufficient to protect that right and I disagree with the proposal for the appointment of a Federal registrar which would place in the hands of the Federal Government a vital part of the election process so jealously guarded and carefully reserved to the States by the Founding Fathers.

In my judgment, Mr. President, the proposal to have a Federal registrar to supplant the duties, functions, rights and privileges of State and local registrars is wholly unconstitutional.

It is in violation of section 2 of article I of the Constitution, and the 17th amendment which reserves exclusively to the States the right to determine the qualifications of electors.

It is in violation of the 10th amendment to the Constitution, which states:

The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people.

It is in violation of the ninth amendment to the Constitution, which states:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others pertaining to the people.

It contravenes the spirit of the sixth amendment to the Constitution, which states:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of Counsel for his defense.

It is in violation of the spirit of the sixth amendment, Mr. President, because it would remove a local registrar from his duties and, in effect, condemn him as being guilty of a crime—the crime of unlawfully denying a qualified person of the right to exercise his franchise as a voter in violations of sections 241 and 242 of title 18 of the United States Code. Regardless of whether or not such registrar should ever be prosecuted, he shall forever remain an accused who did not enjoy the right to a speedy and public trial, an impartial jury of the State and area wherein the crime allegedly was committed. He shall have been denied his constitutional right to be informed of the nature and the cause of the accusations brought against him. He shall

have been denied the right to be confronted with witnesses against him. He shall have been denied the right to have compulsory process for obtaining witnesses in his favor.

And whether or not he employed the assistance of counsel will make no difference, for he shall have had no defense nor any right to present his defense.

When the representatives of the free, independent, sovereign American colonies met in Philadelphia in 1787 to determine what form of government would succeed the tyranny of the British Crown they had, for their benefit, the benefits of the works and labors of great thinkers, philosophers, statesmen, and writers. They had the rich traditions of Montesquieu, John Locke, and all the thoughtful historians and warriors for liberty that preceded them in the vast concourse of history. But that was not enough. It was only through the great assemblage of patriots—deeply devout, dedicated men, dedicated to God and country—that they were able to pen the most nearly perfect legal document that has ever been drafted, the Constitution of the United States.

They had so many questions to answer, so many issues to determine. It was their task to determine whether or not we should have a parliamentary system of government, or a centralized system of government, or a confederated government, or a Federal system in which the rights and sovereignty of the people would be carefully divided between the State and local governments on the one hand and the National Government on the other.

They fortunately chose the latter. They did so after carefully considering, studying, and evaluating the blessings and shortcomings of each system that had theretofore been conceived by the mind of man.

And what was their foremost consideration in implementing this governernment—in effectuating every detail of its mechanism? Their foremost consideration, Mr. President, was not how much of the sovereign rights of the people they desired to yield. It was not how much of those precious rights they, as individual men, were willing to yield. The sole consideration was how much of those precious rights and that sovereignty which had been won at such cost and sacrifice, they would have to yield in order to establish a stable society that would secure the blessings of liberty to themselves and to their posterity.

Madison's notes clearly point up the jealousy and the great reluctance with which they yielded every power to the Federal Government. The great Madison himself, who has so aptly been honored as the "Father of the Constitution," frequently spoke in protest against the efforts of some of the delegates to yield to the Federal Government unwarranted powers.

When that magnificent assemblage of patriots wrote the Constitution and drafted the mechanics of our form of government their every consideration, therefore, was not how much power they would give away to the Central Government, but rather, how much of the liberty of the people the necessities of time and circumstances demanded that they entrust to this one coordinate branch of our Government.

We recall that two of the foremost patriots of the revolution could not, in all good conscience, affix their signatures to this noble document. Patrick Henry, who sounded the tocsin of war and gave us the battle cry of the revolution, and George Mason, who wrote the Virginia bill of rights which gave birth to our Federal Bill of Rights and to almost every State bill of rights—both these great patriots who had done so much to win our independence from the British Crown, to lift the mantle of despotism from the backs of our people, to win our freedom, opposed the ratification of the Constitution. They felt, as did many of their compatriots, that ratification of the Constitution might mean too great a surrender of sovereignty on the part of the States, that there might have been too much yielding of power and authority to the Federal Government.

I emphasize these facts because the history of the ratification of the Constitution shows clearly that our Federal Government, as we know it, would never have come into existence if the sovereignty of the States and the rights of the people had not been positively recognized in the Constitution itself.

Indeed, there were many who were the special champions of the Constitution who would never have been such champions had they not had the absolute assurance that the Bill of Rights would soon be made a vital, living part of that great document. Jefferson, Madison, Hamilton, and other inspired leaders insisted that the Bill of Rights would shortly be made a part of the Constitution.

Of all the liberties which the Founding Fathers enshrined in the first 10 amendments they specifically designated articles IX and X as the impregnable guardians of the sovereign rights of the States and of the people.

The ninth amendment declares:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The 10th amendment declares:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Our progenitors of that day insisted that as a condition of their ratification of the Constitution, it should contain the ninth amendment which retained in them absolutely the rights not specifically enumerated as the rights, powers, and authority of the Federal Government.

But they did not stop there. The people went further and demanded that the 10th amendment be included as a part of their basic, legal protection. No language could be stronger, more definitive, more absolute in safeguarding and protecting the rights of the States and of the people from encroachment by the Congress, by the Federal judiciary, or by the executive branch of the Central Government than the 10th amendment.

The 10th amendment has been appropriately described as "saying what it means and meaning what it says."

No one sentence ever penned by the hand of man could be more lucid. Those few simple words rise up out of the book and speak loudly, clearly, intelligently, and unanswerably to all the Nation. They speak one single, cogent thought which no man, in all honesty, can deny. They say that the rights of the States and of the people are to be preserved at all cost. They say that any effort to usurp those rights is greatly to be abhorred, that it is condemned by the Constitution itself and that the conscience of the country would not tolerate any attempt by anyone, directly or indirectly, to change this basic concept of a government of freemen.

Not satisfied with the recommendation to substitute a Federal registrar for State and local registrars, three of the Commissioners go even further and recommend a constitutional amendment which would destroy the rights of the States to set any qualifications for voters, except age and residence requirements. This proposal is set out in the report as follows:

PROPOSAL FOR A CONSTITUTIONAL AMENDMENT TO ESTABLISH UNIVERSAL SUFFRAGE

(By Chairman Hannah and Commissioners Hesburgh and Johnson)

The Commission's recommendation for temporary Federal registration should, if enacted by Congress, secure the right to vote in the forthcoming national elections for many qualified citizens who would otherwise, because of their race or color, be denied this most fundamental of American civil rights. But the proposed measure is clearly a stopgap.

In its investigations, hearings, and studies the Commission has seen that complex voter qualification laws, including tests of literacy, education, and interpretation, have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.

Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.

Therefore, as the best ultimate solution of the problem of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

An important aim of this amendment would be to remove the occasion for further direct Federal intervention in the States administration and conduct of elections, by prohibiting complex voting requirements and providing clear, simple, and easily enforcible standards.

The proposed constitutional amendment would give the right to vote to every citizen who meets his State's age and residence requirements and who is not legally confined at the time of registration or election.

Age and residence are objective and simple standards. With only such readily ascertainable standards to be met, the present civil remedies of the Civil Rights Act should prove more effective in any future cases of discriminatory application. A court injunction could require the immediate registration of any person who meets these clear-cut State qualifications.

The proposed amendment is in harmony with the American tradition and with the trend in the whole democratic world. As noted in the beginning of this section of the Commission's report, the growth of American democracy has been marked by a steady expansion of the franchise; first by the abandonment of property qualifications and then by conferral of suffrage upon the two great disfranchised groups, Negroes and women. Only 19 States now require that voters demonstrate their literacy. Michigan, New Hampshire, Pennsylvania, Tennessee, and Vermont have suffered no apparent harm from absence of the common provisions disqualifying mental incompetents. With minor exceptions, mostly involving election offenses, Colorado, Maine, Massachusetts, Michigan, Pennsylvania, Utah, Vermont, and West Virginia have no provisions barring certain ex-convicts from the vote, and of the States which do have such provisions, all but eight also provide for restoration of the former felon's civil rights. In only five States is the payment of a poll tax still a condition upon the suffrage.

The number of Americans disqualified under each of these categories is very small compared with the approximately 90 million now normally qualified to vote. It is also small in relation to the numbers of qualified nonwhite citizens presently being disfranchised by the discriminatory application of these complex laws. The march of education has almost eliminated illiteracy. In a Nation dedicated to the full development of every citizen's human potential, there is no excuse for whatever illiteracy that may remain. Ratification of the proposed amendment would, we believe, provide an additional incentive for its total elimination. Meanwhile, abundant information about political candidates and issues is available to all by way of television and radio.

We believe that the time has come for the United States to take the last of its many steps toward free and universal suffrage. The ratification of this amendment would be a reaffirmation of our faith in the principles upon which this Nation was founded. It would reassure lovers of freedom throughout a world in which hundreds of millions of people, most of them colored, are becoming free and are hesitating between alternative paths of national development.

For all these reasons we propose the following 23d amendment to the Constitution of the United States.

"ARTICLE XXIII

"Section 2

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

"Section 2

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. President, this destructive proposal would permit criminals, incompetents, and others deprived of voting rights by State laws for any reason, to vote along with all the duly qualified electors.

This proposal would destroy one of the last vestiges of State sovereignty by depriving the people through their State governments of the right to set the qualifications for the electors who choose State and local public officials. I recognize that this outrageous recommendation was made by only three of the Commissioners, but it points up lucidly the dangers that are inherent in a continuation of such an irresponsible public agency. This recommendation alone should foredoom the Commission to expire.

The recommendations in the field of education are equally obnoxious and they appear to represent a preconceived advocacy by certain members of the Commission to force the integration of the races upon the people of the South and of the Nation.

First of all, the Commission requests, not only that the Congress extend its life, but that it be given additional authority by permitting the Commission to serve as a "clearinghouse to collect and make available to States and to local communities information concerning programs and procedures" to integrate the races in the public schools.

The Commission also asks that it be authorized to establish "an advisory and conciliation service" to implement the forced integration of the races in the public schools.

Its findings and recommendations in this regard are as follows:

FINDINGS

1. The case of adjustment of a school system to desegregation is influenced by many factors including the relative size and location of the white and Negro population, the extent to which the Negro children are culturally handicapped, segregation practices in other areas of community life, the presence or absence of democratic participation in the planning of the program used or preparation of the community for its acceptance, and the character of the leadership in the community and State.

2. Many factors must be considered and weighed in determining what constitutes a prompt and reasonable start toward full compliance and the means by which and the rate at which desegregation should be accomplished.

3. Desegregation by court order has been notably more difficult than desegregation by voluntary action wherein the method and timing have been locally determined.

4. Many school districts in attempting to evolve a desegregation plan have had no established and qualified source to which to turn for information and advice. Furthermore, many of these districts have been confused and frustrated by apparent inconsistencies in decisions of lower Federal courts.

Recommendations Nos. 1(a) and 1(b)

Therefore, the Commission recommends:

1. (a) That the President propose and the Congress enact legislation to authorize the Commission on Civil Rights, if extended, to serve as a clearinghouse to collect and make available to States and to local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof.

(b) That the Commission on Civil Rights be authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements and local conditions; and to mediate and conciliate, upon request, disputes as to proposed plans and their implementation.

Mr. President, the granting to the Commission of the authority to establish "an advisory and conciliation service" in the field of race relations would be but an exercise in futility. If this proposal has as its purpose the mediation of disputes or misunderstandings between persons of the different races, as apparently it does, it fails to recognize the inescapable lesson of history that disputes between man and man, or among members of a community, can voluntarily be resolved not by strangers whose very presence is resented but only by the working out of an accommodation by the persons involved. The creation of such a function for the Commission would be a waste of public funds and would contribute nothing to the betterment of racial relations.

Next, the Commission recommends that the spending of the public moneys be shared by another agency of the Federal Government, the Office of Education of the Department of Health, Education, and Welfare, for the purpose of conducting an annual school census which could serve no useful purpose.

Three members of the Commission, as a climax to its recommendations in the field of education, recommend a proposal to require the integration of the races as a condition precedent to the granting of Federal funds to higher education.

They state:

We recommend that Federal agencies * * * be authorized and directed to withhold funds in any form to institutions of higher learning, both publicly supported and privately supported, which refuse, on racial grounds, to admit students otherwise qualified for admission.

The other three members of the Commission absolutely rebut this argument with the statement that "the findings and recommendations," in the field of education, are "to a large extent argumentative and colored by the author's views of the sociological and psychological aspects of the school integration problem."

They further state:

We cannot endorse a program of economic coercion as either a substitute for or a supplement to the direct enforcement of law through the orderly processes of justice, as administered by the courts.

In the field of housing the findings and the recommendations of the Commission are equally to be condemned.

The report written by the staff of the Commission relating to housing is even more drastic and sweeping. It recommends the integration of all federally assisted housing, including housing constructed with the assistance of Federal mortgage insurance or loan guarantees as well as federally aided public housing and urban renewal projects.

This recommendation prompted Vice Chairman Storey and Commissioners Battle and Carlton to denounce such parts of the report as being keyed to integration rather than housing, and as suggesting a fixed program of mixing the races anywhere and everywhere regardless of the wishes of either race. They further declare that if such suggestions were carried out in full, they

will result in delay and in many cases defeat of adequate housing.

These recommendations of the staff are repugnant to the fundamental constitutional and legal concept that Americans should have the freedom to select their own associates. They would be likely to foredoom to failure federally assisted housing programs because they would divert such programs from the primary objective of providing adequate housing for American families to the objective of forcing the mixing of the races as a result of such housing programs.

As Senator ERVIN, the able and distinguished senior Senator from North Carolina, declared in his powerful and masterful address of Saturday night:

> When all is said, the report of the Commission leaves me with the abiding conviction that the staff of the Commission is inseparably wedded to the propositions that Americans ought not to have the freedom to select their own associates, and that all possible governmental powers ought to be diverted from their primary functions to that of compelling the involuntary association of the races.

All of the recommendations represent, in my judgment, the personal predilections of certain members of the Commission in favor of forcing the integration of the races on the people of the South and the country. I agree wholeheartedly with the statement of Governor Battle in his final dissent:

> I must strongly disagree with the nature and tenor of the report. In my judgment, it is not an impartial, factual statement, such as I believe to have been the intent of Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

At this time of danger and of decision when we must be united as a Nation, when there is so much that needs to be done, so much good that can be done, so much wrong that must be undone, and so much work that our people demand to be done, it is regrettable that we must digress from high purposes and good works and concentrate our attention and energies on extending the life of a bureaucratic agency which has made such drastic, sweeping, and indefensible proposals.

Let us be done, Senators, with this measure brought here under the pressure of political expediency, which distracts and misguides our people and which separates and divides us. Let us be done with this measure.

Let us stand united, strong, and resolute in our unity. Let us support squarely the rights of the people of the United States and the rights of the States of the United States that our Government may be preserved. Let us stand squarely upon the Constitution of the United States—rock of freedom, ageless and enduring foundation of our rights, our hopes, and our democratic faith.

Mr. EASTLAND. Mr. President, I am opposed to the suspension of the rules for the purpose of legislating an extension of the life of the Civil Rights Commission on the mutual security appropriation bill. I am opposed to the extension of the life of the Civil Rights Commission by legislation in any manner, form or character. I am opposed to the appropriation of even one thin dime of public funds to finance any further activity on the part of this Commission. Its life should not only be terminated but the corpse should also be buried very deep. When a creature of this Congress places before us recommendations and proposals which, if adopted, would completely transform and destroy our established systems of government in this country, from the smallest of our local communities through the cities, counties, and States and on into Federal framework, it is time for serious thought, consideration and action. The first action should and must be the immediate demise of the Commission.

Mr. President, I do not know who wrote the text of the 668-page report that the Commission sent to Congress. After scanning the manuscript, I turned to the acknowledgments to see if Gunnar Myrdal, the Swedish social engineer, had been retained as a consultant or given any credit for assisting on the project. His name did not appear. I then turned to the selected bibliography to see if the name Gunnar Myrdal or his book "An American Dilemma" were mentioned or noticed. They were not. My conclusion is that the U.S. Supreme Court has more courage than did the Civil Rights Commission. The Court at least admitted that its integration decision was based on the alleged modern scientific authorities in the fields of sociology, anthropology, and psychology such as Myrdal and his ilk. The Civil Rights Commission, both in the fields of constitutional interpretation and the pseudo sciences, needs no authorities other than the facile minds of the Commission staff.

Congress created the Civil Rights Commission as a factfinding body. I see nothing in the Civil Rights Act of 1957 that either directs or authorizes the Commission to concern itself with the legal assignment of interpreting or reinterpreting the Constitution of the United States and the history of judicial decisions of this country. I see nothing in the act that either authorized or directed the Commission to write a new and revised history of the United States. Both of these tasks, and many others, have been performed by the Commission with vengeance. They so drip with bias, prejudice, animosity, and even downright hatred toward the South and southern people that imagination itself is staggered.

In the 1957 hearings before the Senate Judiciary Subcommittee on the Civil Rights Act, Attorney General Brownell was asked by Senator HENNINGS to give the committee a little bit of his philosophy about the proposed Commission. Senator HENNINGS asked the Attorney General further:

> You have read everything from the Gunnar Myrdal survey, "An American Dilemma," in two volumes. Myrdal is the well-known Swedish sociologist.
>
> You have read the Gunnar Myrdal survey, I am sure.
>
> Now here we have the report of the President's Committee on Civil Rights. It is dated Washington 1947, and of course as you repeat with much better phraseology than I can devise or use or come by, by any means "the American heritage comes from freedom and equality."
>
> All these things are fine, but don't we all know—you are familiar with this volume, are you not, Mr. Attorney General?
>
> Mr. BROWNELL. Yes, I am.
>
> Senator HENNINGS. I would like to inquire as to just what such a commission would do.
>
> We have seen these commissions come and go to the point where learned men sit around tables every now and then when they can get themselves together and hire somebody to make a report and they make a report and that is put away in the archives.
>
> Don't you think what we need is legislation?
>
> Don't we need action rather than another study?
>
> What are we going to study, Mr. Attorney General, if I may inquire?
>
> Mr. BROWNELL. I think the difference between a study like the Myrdal study and what we have in mind here is that that is really a collection of opinions. What we would really like to have for the benefit of our work would be a factual study where testimony could be taken under oath from people as to any patterns or practices which exist in any area of discriminations based on color, religion——
>
> Senator HENNINGS. But if we have all the legislation we should have, do we need to have any more testimony taken under oath?
>
> Mr. BROWNELL. I think we would probably find, it would be my hope and in fact my belief, that a bipartisan commission of this kind with authority to subpena witnesses and study the facts would be able to bring back sworn specific testimony which would not only be of benefit to us in the area of law enforcement, but would be of vital benefit to the Congress in determining the need for additional legislation.

Mr. President, if legislative history has any meaning or purpose, the Attorney General has herein stated the exact heart of what he and President Eisenhower intended for the legislation to authorize the Commission to do. The result of the Commission's study has achieved the exact opposite purpose from that which was intended. The Commission, insofar as the report is concerned, is damned in the words of one of the six Commissioners. Commissioner Battle says:

> In my judgment it [the report] is not an impartial factual statement, such as I believe to have been the intent of Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Part 1 of the report is entitled "Constitutional Background of Civil Rights." Chapter I is styled "The Spirit of Our Laws." The very first noun employed departs so far from the field of fact that we enter the realm of metaphysics. Just what does this word "spirit" mean, Mr. President? Here is what Webster says:

> 1. The breath of life; life, or the life principle, conceived as a kind of vapor animating the body, or, in man, mediating between body and soul.
>
> 2. The life principle viewed as the "breath" or gift of deity; hence, the agent of vital and conscious functions in man; the soul.
>
> 3. In the abstract, life or consciousness viewed as an independent type of existence.
>
> 4. One manifestation of the divine nature; the Holy Spirit.
>
> 5. Any supernatural being, esp. one able to possess a person, an apparition; a specter; also, sometimes a sprite; elf.

Mr. President, I do not know what connotation the Commission desired to place on the word "spirit." But regardless of the application of the word "spirit" to our laws, I am at a loss to see what possible purpose it can have with a factfinding survey. Then, too, when they speak of our "laws" they are obviously referring to our basic charter—the U.S. Constitution. So by transposition we start the report with "The Spirit of the Constitution." While the Commissioners and Myrdal arrive finally at the same conclusions as to race mixing, at least three of the Commissioners violently disagree with Myrdal on constitutional interpretation.

Myrdal charged that the Constitution of the United States was "impractical and unsuited to modern conditions" and its adoption was "nearly a plot against the common people." Commissioners Hannah, Hesburgh, and Johnson reverse Myrdal and predicate the entire report on the amazing assertion that the right to vote and the right of all persons to equal protection of the laws are implied in the original Constitution itself. Instead of my replying to this fantastic predicate and assertion, I now offer as my witnesses, Commissioners Storey, Battle, and Carlton. They say in a footnote on page 1, titled "Exception to the Statement of the Constitutional Background of Civil Rights," that—

> We take exception to this and all succeeding passages to the effect that a provision on the equal protection of the laws properly may be implied in the original Constitution itself. Such assertions ignore historical fact and disregard the development of constitutional law pertinent to recognition of the human dignity of the individual in our democratic society.

There then follows a seven-point analysis of their position.

Mr. President, as amazing as it may sound coming from me, I say with confidence that even the presently constituted U.S. Supreme Court will agree with Commissioners Storey, Battle, and Carlton. And the most puzzling point to me in this whole business is this: Why, when a six-man Commission is split 3 to 3, do three of the Commissioners have their constitutional opinions taken as the Holy Writ and placed in the body of the text of the report while the other three are relegated to the small print of the footnote? I do not know the answer to this question, but I do know this—every single recommendation and proposal which this Commission has made to Congress is squarely based on this fundamental and false interpretation or opinion as to the meaning of the U.S. Constitution. Further, in order to sustain this premise the Commission was forced to declare the U.S. Supreme Court unconstitutional in a line of decisions stretching from the infancy of the Republic to the present.

Mr. President, in 1957 the then Attorney General, Mr. Brownell, declared that the Commission's study should be objective and free from partisanship, broad and at the same time thorough, and that such a study, if fairly conducted, would tend to unite responsible people in a common effort to solve these problems. If that solemn objective had been followed by the Commission and reflected in its report, there would be few who could quarrel with that basic approach.

I am sure that every well-intentioned Member of Congress who voted in 1957 to create this Commission expected such aims to be carried out and reflected in any report submitted by this body to the Congress. Unfortunately, this is not the case. I challenge any fair-minded person who has made a careful study of the report and recommendations to say that the report is objective, free from partisanship, broad, or thorough. It is not objective. There runs through the 668-page dissertation the utopian theme that the world owes everyone a living, irrespective of one's ability, intellectual capacity, or ambition. The premise appears to be that the Government is to be an absolute insurer of everyone's well-being.

The lack of objectivity is apparent from the very first page of the report, whereby the Commission arrogated to itself its own definition of what Congress intended by creating that body.

The report states that its first concern is with the right of citizens to vote and the right of all persons to equal protection of the laws. Certainly, the Congress was concerned with the right to vote, but, as the Commission failed to state, it is the right of qualified citizens as declared by the Constitution and the laws of the sovereign States. The report starts out on the lofty note of the right of all citizens, ignoring the plain delegation of section 2, of article I of the Constitution, that the States themselves shall determine the qualifications of its voters. From this untenable premise the report runs the gamut of the Declaration of Independence, the Constitution, the Bill of Rights, the Supreme Court decisions, Patrick Henry and DeTocqueville. From this collection of authorities are selected only those ideas and statements that lend assistance and fortification to the basic theme that this is to be a new pattern for life in America declared by this Commission to be superimposed over all our citizens.

If this is the objective, it has achieved one purpose, in that it will tend to unite those who firmly believe that this Nation can only exist so long as our form of government, as we have known it, is based upon the idea that the National Government exercises those powers granted to it by the Constitution and all other powers reserved to the individual States.

The framers of this report, by attempting to impress a new ideology, have brought into sharp focus the basic difference between those who believe that all powers should vest in the Central Government and those who believe, on the other hand, as the framers of the Constitution wrote into that document, that the States should have coequal authority with the Federal Government.

Those who prepared the report ignored the plain mandate of the Congress that the primary duty and function of the Commission was to gather facts. Those who participated in the actual drafting of the report either did not care or did not wish to take the trouble of reading the hearings on the nominations of the Commissioners themselves, who stated under questioning that the act itself called for a factfinding body and not a vehicle created to disseminate ideas alien to our American way of life.

Recommendation No. 5 of the Commission, providing for the Federal voting registrars, is thoroughly unconstitutional and would constitute a violation of article I, section 2, clause 1, and section 3, clause 1, of the Constitution, as amended by the 17th amendment, in that the Federal Government, through registrars, Federal officials, would be taking over from State officials and contrary to State law the determination of who were and were not qualified electors in that State for members of the most numerous branch of the legislature of each State.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. RUSSELL. I point out to the distinguished Senator from Mississippi that that is the only language in the Constitution of the United States which appears in two places in identically the same words. It appears where the Senator has stated, in section 2 of article I; and in the 17th amendment, providing for the popular election of Senators, the identical language appears again.

There are those who like to contend that the 15th amendment somehow was a restriction upon section 2 of article I of the Constitution. That, of course, cannot be true since the 17th amendment, which was ratified some years after the 15th amendment, repeated the earlier language of the Founding Fathers in article I and is the latest expressed of the will of the people in the writing of their Constitution.

Mr. EASTLAND. The distinguished Senator from Georgia is certainly correct. It goes to the qualifications of the members of the Commission, who are recommending to Congress that we destroy the basic charter of our liberties—our Constitution.

The determination of who possesses the qualifications required of qualified electors in each State is part and parcel of the qualifications of those electors. One cannot become a qualified elector in a State and entitled to vote for the members of its most numerous branch of the legislature without having evidenced his qualifications in accord with State law.

This recommendation would destroy this and other features of the electoral processes in each State. The persons qualified to vote for Senators and Representatives are by the said section of the Constitution asserted by it to be those who are qualified to vote for the members of the most numerous branch of the State legislature. This recommendation makes the Federal Government the arbiter of who is and who is not qualified to be and become a member of the legislature of each of the States, because members of the legislature of each State must be qualified electors in and of that State.

If as many as nine persons in a district, county, parish, or other political subdivision of a State make oath that they believe each is qualified under the law of the State of their residence to be electors but have been denied the right to register because of their race, color, religion, or national origin and deliver these affidavits to the President of the United States, he is then required, without any discretion on his part, to refer those affidavits to the Civil Rights Commission. Upon receipt of them by the Commission, it is required mandatorily to investigate the allegations of the affidavits and if they find that the allegations of any affidavits are well founded, they shall then certify such affidavits with their findings, to the President, and to such temporary registrar as he may designate.

Upon receipt of such certificate and the affidavit so certified to him, the President is mandatorily required, with no discretion on his part, to then appoint any Federal officer or employee in the area from which such complaints are received, as a temporary registrar. Such registrar shall then take over and administer the State qualification laws and determine who are and who are not qualified electors under the State laws and determine who are, and who are not, qualified to register under the State law. Those found to be qualified he will register. Such registrar shall then certify to the State authorities the names of the persons he has registered. Such registrar shall issue a certificate to all persons registered by him and such certification shall permit all such registrants to participate in Federal elections mentioned in the act, being all primary, general, and special elections for the election of presidential electors, Senators, and Representatives. Such registrar shall remain in office and discharge his function as long as the President in his discretion thinks the registrar should remain in power.

The criterion adopted by this recommendation by which all State laws and officers may be displaced in the determination of who is qualified to register and vote is as ridiculous as it is invalid. Under it all State control over the registration and the determination of who are qualified electors eligible to vote for the members of the most numerous branch of the State legislature and thusly to vote for Senators and Representatives, is not who is in fact qualified to register and who is in fact qualified to vote, but on the other hand, is whether as many as nine persons believe that they are qualified electors and believe that they have been denied the right to register because of race, color, religion, or national origin. There is no certainty and no objectivity whatever in the test of an individual belief. What an intelligent man may believe may perplex an ignorant man. What an ignorant man may believe may be immediately rejected by an intelligent man. What a man may believe who has no real knowledge or understanding of the State law requirements of registration certainly would not be the same belief there as to which would be entertained by a person who did understand the State law requirements. What one person may believe would constitute a denial of the right to register because of race, color, religion, or national origin, may or may not be what another person would believe upon the same facts. In this connection I have read many cases wherein people of both races have believed in their own mind that they were discriminated against because of race or color but both Federal and State courts disagreed with them when the facts were disclosed.

The criteria here permit every man in his own mind to be both the judge and the jury. How can any person say what another believes? I can think of many instances in which I could say that a person's belief in a certain thing was well founded—but at the same time, on the same facts, I would know that his belief, however sincere or insincere it may be, was erroneous and incorrect.

This recommendation shows the extent to which its advocates are willing to go in order to satisfy certain pressure groups in this Nation and to destroy the basic principles of this Government in the Federal and State relationships, and actually the provisions of the Constitution of the United States.

This recommendation usurps all power and authority under the franchise and election processes now vested in the State and Federal judiciary. The enactment of this recommendation would prevent any court, Federal or State, from dealing with or passing upon any question in connection with the franchise and the electoral processes in the election of the officers specified. It is conclusive evidence that the Civil Rights Commission wishes to actually control the most vital features of the Federal and State Governments. The Commission under this provision would be the most powerful agency in the U.S. Government. The States and the President would be subservient to its findings.

Actually, in addition to the foregoing, the recommendation is totally without any of the safeguards required by the rules of due process of law, and therefore it is invalid and unconstitutional. Presidential electors are officers of each State, and, as such, the qualifications of the persons who register and vote for them are vested exclusively in each State.

No provision in the Constitution of the United States or no amendment thereto in any way authorizes Congress to legislate with reference to religion, or national origin, in connection with the franchise or voting; and, therefore, Congress would have no right so to do.

This recommendation is, I say, squarely held to be unconstitutional by the decisions of the Supreme Court of the United States, in *McPherson* v. *Blacker*, 146 U.S. 1, 36 L. ed. 869; *Minor* v. *Happersett*, 88 U.S. 162, 22 L. ed. 627; *U.S.* v. *Cruikshank*, 92 U.S. 942, 23 L. ed. 588; *Breed Love* v. *Suttles*, 302 U.S. 276, 82 L. ed. 252; *In re Green*, 134 U.S. 337, 33 L. ed. 951; *Walker* v. *U.S.*, 93 Fed. 2nd, 383; *U.S.* v. *Classic*, 313, U.S. 298, 85 L. ed. 1368.

From the outset it is apparent that the Commission ignored the mandate of Congress to study facts and report those facts. To the contrary, it is attempting to interpret the Constitution and our judicial decisions in accordance with its own views, not of what the law is, but of what the Commission thinks the law should be.

Commissioner Battle very forthrightedly stated his disagreement with the nature and tenor of the report. I concur in his criticism that this report is not an impartial, factual statement, but rather, is an argument in advocacy of preconceived ideas in the field of race relations.

For the life of me, I cannot understand how members of this Commission, fully cognizant of the duties placed upon them by the Congress in this important field, could so blithely ignore the plain meaning of the Constitution, in the various recommendations and conclusions set out in this report. To justify its recommendations, the Commission makes a strained interpretation of the Constitution and interprets Supreme Court opinions to suit its own purposes.

The report, in dealing with voting, and the recommendations based on the Commission's study, reveal just how far its framers seek to go in making the National Government supreme in the voting field, to the utter exclusion of the States. Chapter IX on voting makes the statement that few Americans would deny, at least in theory, the right of all qualified citizens to vote, but then qualifies that statement by stating that a significant number differ as to which citizens are qualified, and then observes that the goal of universal adult sufferage has not yet been achieved in this country.

It is obvious that recommendations on voting, which have the endorsement of Commissioners Hannah, Storey, and Hesburgh, cavalierly disregard the fact that, throughout our history, regulation of voting has been traditionally and appropriately a function of the States, and that the intrusion of the Federal Government into the regulation of voting has been generally considered unconstitutional, except in the instances precisely defined in the 14th and 15th amendments.

These voting recommendations, which attempt to confer universal sufferage by taking from the States their traditional and constitutional right to determine the qualifications of their own voters, fly squarely in the face of the consistent holdings of the Supreme Court that the States alone are to determine the qualifications of their voters. Disregarded is the declaration of the Supreme Court in *Minor* v. *Happerset*, 88 U.S. 162, page 170, wherein the Court said:

> Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be.

Ignored are the words of our highest Court in *Breedlove* v. *Suttles*, 302 U.S. 277, page 238, wherein the Court said:

> Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

Commissioners Storey, Carlton, and Battle oppose the recommendation for a constitutional amendment which would take from the States the power to fix the qualifications of their voters. They do so because such a proposal would alter the longstanding Federal-State relationship, and should not be proposed in the absence of clear proof that no other action will correct an existing evil; and they conclude that no such proof is apparent.

The attempt to foist this proposal of universal suffrage in the guise of a "reaffirmation of the faith in the principles upon which this Nation was founded" demonstrates the clever way that the writers of the report distort our constitutional principles. No greater principle has been observed over the past 150 years—and this principle was in effect long before our Constitution was drafted—than the principle that the States, themselves, are to determine the qualifications of voters. Yet, three of the Commissioners state that universal suffrage, as determined by the Federal Government, is a principle upon which the Nation was founded. Nothing could be farther from the truth. Article I, section 2, of the Constitution would thus be nullified by the Commissioners who espouse such action.

This proposal of universal suffrage is advocated by Commissioners Hannah, Hesburgh, and Johnson as "in harmony with the American tradition and with the trend in the whole democratic world." I thoroughly disagree that such a proposal is in harmony with our American tradition. If these gentlemen are seeking to march the United States down the road to totalitarian government, this report is an apt vehicle to carry out their purpose.

Mr. President, it is fairly evident that those who framed this report are seeking to accomplish and bring about total and complete integration, mixing, and amalgamation of the races in this Nation. This aim is demonstrated very clearly in the recommendations in regard to the fields of education and housing.

Among other things, Commissioners Hannah, Hesburgh, and Johnson would have the Federal Government withhold Federal funds, not only from public educational institutions of higher learning, but also from private and religious institutions of higher learning, who refuse to integrate and mix the races. Commissioner Johnson went even further, and recommended that this policy be extended to the elementary and secondary schools.

The sum and substance of this proposal to cut off all public funds from any schools which deny admission on the grounds of race is that this proposal strikes right at the heart of our educational system as it has existed in this country. It strikes in two ways: First, it disrupts the heretofore autonomous authority of local agencies over the conduct of its own school systems; and, second, it strikes a blow at schools which need the grants for these special programs of education, which would not be possible without aid from the Federal Government. This effort to exert economic pressure to compel integration in not only public but private schools will inevitably destroy our school system in America, if carried out. This proposal is certainly alien to our thinking, and is absolutely contrary to the history and development of our educational system, as it exists today. This proposal, if carried out, will run counter to what the Commission states in its own report is necessary if the American system of public education is to be preserved without impairment. Certainly the denial of public funds to educational institutions will irreparably harm programs which could not be sustained except for these Federal grants. Our public school system in America has been the great factor in the dominance of America over other Nations in the world. Any diminution of our educational system, therefore, will weaken our power in world affairs. The further step now advanced, and directed toward one section of the country and its educational system, can only create chaos.

I feel that all serious-minded Americans who are concerned with the necessity of higher education for our children will oppose any plan which has for its purpose the forcing of State and local educational systems to bow to the will of the centralized Government. The past few years have amply demonstrated the feelings of the States and local communities about legislative proposals whereby control over education would be taken from local authorities and would be placed in the Federal Government. This proposal will engender the same animosity, in that what is here proposed is coercion from the Federal Government over the States and local educational bodies by forcing those institutions and school boards to compel integration or else to suffer the loss of needed Federal grants.

This proposal was opposed by Commissioners Storey, Battle, and Carlton. Their opposition, in my opinion, was based on very strong grounds. They stated that they could not endorse a program which would undermine the preservation and improvement of our educational system. These Commissioners very cogently observed that this serious and social problem of integration in the public schools cannot be solved by hasty or precipitous action, but must have the careful and sympathetic consideration of all, and that due regard must be given to the way of life of large numbers of loyal Americans.

Commissioners Storey, Battle, and Carlton further opposed this idea of denying public funds as a program of economic coercion, as a substitute for, or a supplement to, direct enforcement of law through the orderly processes of justice, as administered by the courts. In view of the fact that problems of equal protection pertaining to education fall within the purview of the 14th amendment, an area long since preempted by the courts, they cannot support this proposal.

I submit that such a proposal as the one here espoused in the report could more be expected to be raised in a totalitarian state rather than here in America.

The use of economic pressure, no matter for what purpose, has long been condemned as distasteful to our form of government. Yet, in the report we are being told that schools must either integrate or must be cut off from Federal funds. If this proposal were to be adopted, the cause of education would be set back 100 years.

Mr. President, the housing recommendations of the Commission constitute a blueprint for forced integration in America. In substance, the report declares that the Federal Government should insure, in its public housing program, that that program will continue to aid only low-income families in America, if integration of the races takes place. In other words, Congress must cease to disburse public funds in the housing field, unless integration takes place.

While these housing recommendations have the concurrence of all members of the Commission, Commissioners Storey, Battle, and Carlton depart from their fellow brethren on the Commission and make it readily apparent that they cannot subscribe to the philosophy that the Government owes everyone a house. I think that their supplementary statement on the housing recommendations is worthy of being noted at this point:

> We yield to no one in our good will and anxiety for equal justice to all races, in the field of housing as elsewhere. A good home should be the goal of everyone regardless of color, and the Government should aid in providing housing in keeping with the means and ambitions of the people. Government aid is important where public improvements have displaced people and where slums become a liability to the community. This does not mean, however, that the Government owes everyone a house regardless of his ambition, industry, or will to provide for himself. When generosity takes away self-reliance or the determination of one to improve his own lot, it ceases to be a blessing. We should help, but not pamper. But there remains a financial limit beyond which the Government cannot go.

The recommendations on housing and education put forth by the Commission clearly disclose a pattern that is proposed by the Commission to be superimposed over our present way of life. The objective sought to be accomplished is integration of the races. It is to be carried out through economic pressures exerted by the Federal Government. The report proposes that the Federal Government deny to its own citizens, in the respective States, funds for housing and educational grants, unless integration of the races takes place.

I submit that these proposals advocated in this Commission report go far afield, and extend far beyond, the authority delegated by the Congress to this Commission, under the Civil Rights

Act of 1957. Rather than being a statement of facts presented to the Congress, the report is an ideological and social discussion in the field of race relations. This is a far cry from the then Attorney General Brownell's statement that the Commission was necessary in order to make a study to bring out the facts and to unite responsible people of good will in a common effort to solve these problems.

Mr. President, the report of the Civil Rights Commission categorically condemns the governments of the sovereign States of the South and the elected officials, representatives, and appointees therein. They charge that these officials, representatives, and appointees have acted arbitrarily, capriciously, and without legal cause or justification in an alleged denial of voting rights to certain individuals within the States. They propose to turn over to Federal officials the business of registering voters under State law, and to let the postmaster tell the county registrar or election board who can or who cannot vote. The Commission reasons that, since no one yet has been registered through civil remedies under the Civil Rights Act of 1957, the Federal district courts are ineffective for this purpose. Then, too, the Commission charges that lawsuits have rarely been successful, courts act too slowly, and litigation often proves fruitless. The simple solution the Commission proposes is to bypass the courts and extend the life of the Commission, and then the Commission will register the qualified voters.

At page 61 of the report, Jefferson Davis County, Miss., is referred to as being 55 percent Negro, with an alleged 3,923 Negroes of voting age, and 1,038 registered. The report states:

> Most of the sworn complaints were filed by Negroes who were registered voters until 1956, when their names were removed from the registration books.

The Commission does not state, and the report does not mention at any place, top, side, or bottom, that under the Civil Rights Act of 1957, a suit was filed by Negro residents of Jefferson Davis County. Nowhere in the Commission report do I find mention of the fact that a three-judge constitutional court, after full and complete hearings, found both for an individual plaintiff and for a class that there was no discrimination against Negroes, as such, in being denied the right to vote in Mississippi.

Clarence Mitchell, of the NAACP, in testifying in 1957 before the House Judiciary Subcommittee on Civil Rights, offered, as part of his testimony, what he called specific examples of persons denied the right to vote in Mississippi. One of these examples was an affidavit submitted by one H. D. Darby, which says:

To Whom It May Concern:

I, Rev. H. D. Darby of Post Office Box 116, Prentiss, Miss., did on the 29th day of June 1956 go to the Jefferson Davis County courthouse and the office of the circuit clerk for the purpose of restoring my name to the roll of registered voters. After having filled out the required form for registering, I presented it to the circuit clerk, who looked at the form and promptly said, "I have to turn you down."

I had been given the 123 section of the Mississippi constitution to interpret to the satisfaction of the circuit clerk.

I had been a qualified elector for 4 years before the county supervisors called for a reregistration under the State's new constitutional amendment.

I hereby affirm that the above statement is true.

Rev. H. D. Darby.

[SEAL] Margaret A. Lewis,
Notary.

My commission expires April 10, 1958.

Please note particularly the polished and correct language that is utilized in this affidavit. On the basis of the evidence which I will submit, I charge categorically that the affidavit was not prepared by Darby. The NAACP simply had him sign it.

The complete story can best be understood from an examination of the long and comprehensive opinion in the case of H. D. Darby, on behalf of himself and others similarly situated, against James Daniel, circuit clerk of Jefferson Davis County, Miss., and Joe T. Patterson, attorney general of the State of Mississippi. The case was brought in the U.S. District Court for the Southern District of Mississippi. It was heard by a three-judge constitutional panel. The others similarly situated involved individuals who were also used as examples by Clarence Mitchell in his NAACP testimony before the House Judiciary Subcommittee in 1957.

The suit sought an injunction under the Civil Rights Act of 1957, and other pertinent statutes. The opinion states that the gravamen of the plaintiff's complaint is that he and other Negro citizens have been denied the right to register in order that they might vote, solely because of their race and color, through the enforcement of a policy of discrimination against Negro voters, the enforcement of unconstitutional voting requirements and the discriminatory administration of valid requirements.

Prior to January 1, 1954, Plaintiff Darby was a qualified elector in Jefferson Davis County and exercised his right to vote in various elections between 1950 and 1955. In February 1956, the board of supervisors of Jefferson Davis County ordered a new registration. Darby presented himself before defendant Daniel in June 1956, was given a questionnaire, then completed part of the written examination, signed his name and left.

The opinion states:

He (the plaintiff) had consulted the attorney now representing him and had written a letter of complaint to the President of the United States some weeks before that, which resulted in an investigation of Defendant Daniel being made by the Federal Bureau of Investigation. About October 1, 1956, defendant Daniel received a letter from the U.S. attorney in Jackson, Miss., requesting that Daniel come to his office for conference. He responded to the request, going in company with the county attorney to the office of the U.S. attorney. There he was advised that the Department of Justice took the position that persons who, like Plaintiff Darby, had been registered prior to January 1, 1954, were required to take only the oral examination covering the qualifications as set forth in the original section 244 of article 12 of the Mississippi constitution. Daniel left the U.S. attorney and went to the attorney general of Mississippi, who advised him in writing October 12, 1956, that no person registered prior to January 1, 1954 was required to take the written examination provided by the amendment. Thereafter, Daniel pursued the policy of giving all applicants of Darby's class the option to take the oral examination provided by the original section or the written examination provided by the amendment.

Notice here that from the outset the U.S. attorney was advising Darby, the Department of Justice was advising Darby what to do and what not to do, and the FBI was investigating defendant Daniel and the operation of his office.

The question of a written or oral examination was resolved by Darby being given an oral examination. He failed. He again presented himself for an oral examination and again failed. According to the opinion:

> A short time thereafter the FBI made a further examination into Daniel's operation of his office in which Daniel explained freely what happened.

Next, Darby came back and asked that he be given the written examination. It was given to him on forms furnished to Daniel by the State officials, and again Daniel ruled he had not qualified for registration.

Mr. President, at this time I do not proposed to review the constitutional and statutory provisions of Mississippi law which are involved in this controversy. They are fully covered in the opinion, for which I now ask unanimous consent to have inserted in the Record immediately following my remarks.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(See exhibit 1.)

Mr. EASTLAND. Mr. President, it is sufficient for my present purpose to only say that Darby attempted in every way to qualify and was denied by the application of the law. The important thing is what the court actually found in regard to Darby's capacity and ability to meet the standards for voter registration. Here is the finding and opinion of the court:

According to the testimony of his attorney, Plaintiff Darby approached him in April or May 1956, about the time he wrote to President Eisenhower. The attorney called the NAACP, which, sometime later, agreed that its legal fund would pay the attorneys and the expense of any litigation which might be brought by Reverend Darby.

This was before his first written application of June 29, 1956, in which he stated that he was a farmer. The application was signed by him but was not filled in. It is not claimed that, in this application or the oral tests which came after it, Plaintiff Darby showed himself qualified to register. The entire case is predicated on the sworn written application of June 22, 1957, which he took under his attorney's advice and direction. This document, read in the light of the testimony of Plaintiff Darby, reveals several deficiencies.

He made no answer to question 14 inquiring if he had ever been convicted of the crimes enumerated in the question; consid-

erable portions of the answers written by plaintiff are illegible. In response to question 18 calling upon him to copy section 123 of the Constitution of Mississippi,[1] he wrote six lines not called for by the question and not possessing marked coherence. In giving his reasonable interpretation of that section he wrote, "the Govenner govends all the works of the state and he is to see that all the voilatores be punished and als he can pardon out the penetenter ane pherson." In answering question 20 which directed him to write his understanding of the duties and obligations of citizenship under a constitutional form of government, he wrote five lines which could hardly be called accurate or responsive to the question.[2]

The court found as a fact that Darby did not compose and write the letter of protest to the President. I now ask you to find with me, in view of the court's finding as to Darby's degree of literacy, that he did not compose and write the affidavit previously quoted from the House hearings. Please note also that the court found that Defendant Daniel, while dealing with Darby, knew that he was under constant surveillance by Federal officials and that he was dealing with a party who was acting under advice of counsel.

As to other Negro witnesses who were called as having been denied the right to register and vote, the court said:

Plaintiffs served subpenas on 25 Negro witnesses, of whom 15 were placed upon the stand. Despite the principles last above quoted and such cases as *Reddix* v. *Lucky* (5 Cir., 1958) 252 F. 2d 930, 938, holding that "obviously the right of each voter depends upon the action taken with respect to his own case," we permitted this testimony to be introduced over objection to give plaintiffs a chance to show that there was a class whose rights they might carry if they established their own case, and also that the testimony might be considered as furnishing circumstantial evidence of discrimination in favor of the case of plaintiffs. Although some of the written applications exhibited in connection with the testimony of these witnesses were sufficient to raise an issue of fact as to their qualifications, it is not our providence to set ourselves up as registrar of voters.

Some of the testimony certainly demonstrated the absence of qualifications of the applicants. For example, when called upon by question 18 to copy section 198 of the Mississippi constitution, Johnnie B. Darby, Plaintiff Darby's wife, wrote: "I have so agreed to be as good a citizen as I possibly can I have not yet read the constitution of Mississippi I do try to abide by truth and right as the Almighty God provide the understanding and wisdom."

Another witness called upon to copy section 16 of the constitution [3] wrote: "Ex post facto laws or laws impaitring obligations contrace St. Shall Be passed." Interpreting that section this same witness wrote: "a man must pay pold tax befor he eagable to voat." This witness gave his occupation as that of teacher.

None of these witnesses took appeals from Daniel's ruling declining to permit them to register. Four of the fifteen passed the written examination, and of those who failed, the wives of two passed. He gave the test to some of the witnesses as many as four times and he invited Plaintiff Dillon to come back and try again. The testimony of these witnesses adds little to the solution of the problem before us.

Then the court said:

The essence of the action before us, therefore, is discrimination on the part of the Defendant Daniel—discrimination against plaintiffs, Negroes, and in favor of white persons. After listening to the oral testimony and examining the documents carefully we are unable to find any tangible or credible proof of discrimination. There is no proof that any white person was ever treated in any manner more favorably than plaintiffs or any other Negroes. The mere showing that of 3,000 qualified voters in Jefferson Davis County only 40 to 50 are Negroes is not sufficient. Plaintiffs carry the burden of showing that plaintiffs have been denied the right to register because they are Negroes, and that white people similarly situated have been permitted to register. This record contains no such proof. The disparity between numbers of registrants, as has been so often pointed out, results doubtless from the fact that one race had a start of several centuries over the other in the slow and laborious struggle toward literacy. This record does not, in our opinion, show that defendant has practiced discrimination. From our observation of his demeanor during the trial and while on the witness stand and of the evidence generally we are convinced that he has shown himself to be a conscientious, patient, and fair public official, exerting every effort to do a hard job in an honorable way.

As to the constitutional principles involved in the Darby case, the court held:

We are importuned to rule without proof that, on its face or by reason of its unrevealed sinister purpose, the constitutional amendment is void. The showing before us wholly fails to warrant serious consideration of so condemning a whole people, which is what we would have to do if we accepted plaintiffs' argument. Neither proof nor judicial knowledge tend to sustain plaintiffs' position.

Even if we had such knowledge by some sort of occult power of divination, we would not have the competence to do what plaintiffs advocate. No case is cited as a precedent for such action, and no proof is offered to sustain it. If we should imagine ourselves possessed of such omniscience and omnipotence, we would find ourselves confronted by a vast array of authority which forbids questioning the motives even of a legislature, certainly of a sovereign people.

(b) Commenting upon the immunity of State legislators from having their motives scrutinized, Judge Learned Hand exclaims: "But of all conceivable issues this would be the most completely 'political,' and no court would undertake it." He also quotes Chief Justice Taney's statement in *The License Cases*, 5 How. 504, 583: "Upon that question the object and motive of the States are of no importance, and cannot influence the decision. It is a question of power." Mr. Justice Douglas, in *Ferandez* v. *Wiener*, 326 U.S. 340, quoted the language of Chief Justice Stone in *Sonzinsky* v. *United States*, 1937, 300 U.S. 506, 513: "Inquiry into the hidden motives which may move Congress to exercise a power constitutionally conferred upon it is beyond the competency of the courts." Upon a principle so unquestionable it is sufficient to add to the cases already cited a list of more recent decisions affirming it.

We hold, therefore, that plaintiffs have wholly failed to establish that the amendment to section 244 of the Mississippi constitution of 1890 is void on its face or because it was the product of base motives. We hold, on the other hand, that said amendment and the statutes passed in connection with it are valid on their face and, in fact, and are a legitimate exercise by the State of its sovereign right to prescribe and enforce the qualification of voters.

Finally, and most significant, no appeal was taken from the decision of this three-judge constitutional court to the U.S. Supreme Court. It is final—it is complete. Mississippi's constitution and statutes in regard to registration and voting requirements meet the demands of the U.S. Constitution.

Mr. President, it was always my understanding in the operation of our system of government, both State and Federal, that the courts were the final arbiters in interpreting the respective constitutions, laws, and statutes adopted by the several legislatures and the U.S. Congress. We now find a Commission arrogating unto itself the power and right to overrule the solemn judgments of courts. The Commission denies the court's conclusion that the Mississippi constitution and statutes in regard to registration and voting requirements meet the demands of the U.S. Constitution. In addition to all of its other constitutional deficiencies, the Commission's recommendation to establish Federal registrars in local communities is a gross invasion on the part of the executive branch of the Federal Government against the judicial branch. It upsets completely the scheme of checks and balances in the division of powers. The Commission is asking this Congress to constitute it as the court to determine who has or has not been denied voting rights. Not even in the days of reconstruction was a more monstrous plan devised to destroy and emasculate the constitutional rights and powers of the sovereign States.

Those who advocate and approve the recommendations and proposals of the Commission, together with the reasoning and support thereof, predicate them upon many unsound, erroneous, and fallacious facts, interpretations of the Constitution, and nonexistent powers and policies of the Federal Government; among such theories, principles, and erroneous constructions are the following:

That the Federal Constitution, either specifically or impliedly, provides for and requires it to assure and guarantee to all citizens of the United States and of the States equal protection of the laws;

That the principle that all persons in the United States, including citizens, have equal rights granted by the Constitution to everything in every phase of voting, education, housing, and other fields of social and political life in this Nation;

That the privileges and immunities of a citizen of the United States include the right of suffrage;

That the States are required to establish only what the Federal Government considers to be reasonable qualifications or restrictions on the right to vote;

That universal suffrage and total equality are basic requirements for every person under the Constitution of the

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[1] The Governor shall see that the laws are faithfully executed.

[2] A citizen is persn has in been in the U.S.A. all his days, and is not been convicted of enny crimes and has been loyal, to his country and pase all his tax.

[3] Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed.

United States and that such is guaranteed unto them by the Constitution;

That if integration and total equality in every respect has not been granted to and received by every citizen of each State and this Nation by the courts, then the courts should be bypassed and all questions of qualification of voters should be withdrawn from the courts and placed in the hands of the Civil Rights Commission;

That it is proper and within the provisions of the Constitution that the executive department of the Government perform judicial functions;

That the Constitution, and particularly the 14th and 15th amendments, are designed to make the "nonwhite" race in this Nation members of the privileged class and give to them rights and privileges not given or secured to members of the white race.

There are many provisions of the report in advocacy and support of the recommendations and proposals which sustain the foregoing statements but the following are selected for your immediate consideration:

To show the fallacy and incorrectness of the foregoing, we must review some of the historical facts surrounding the drafting of the Constitution and the status of the franchise at the time of the drafting and adoption of the Constitution, and the pronouncements of the Supreme Court of the United States and other Federal Courts since 1788.

At the time of the adoption of the Constitution the various States had their own requirements which must have been met for a person to be a qualified elector. Among them were property requirements, financial worth, age, and residence. Only males were permitted to vote. During the Constitutional Convention each State refused to give up the right to set the qualifications of its electors. Efforts were made by Gouverneur Morris and others to permit the Federal Government to set the qualifications of the electors in each State measured by the qualifications of State electors for members of the most numerous branch of their respective State legislatures—this was overwhelmingly defeated. Nowhere in any State law, as it then existed, was there any idea of or requirement of equality among all the people as to all things. The right of suffrage was most unequal.

The selection of the people or the class of people qualified to vote for representatives was as set out in article I, section 2. Senators were to be elected according to article I, section 3, clause 1, by the State legislatures. The selection of presidential electors was left exclusively to the States, with the exception of the time and day on which the electors were to cast their ballots for President and Vice President.

Until the adoption of the 14th amendment the State could condition suffrage as each State saw fit. This amendment did not grant the franchise to any person. It merely recognized the difference between citizenship in the United States or national citizenship and State citizenship; it further made all Negroes citizens of the United States; it further required that the laws of each State be applied equally to all persons therein.

As to voting we find the source of the franchise, whom it may be exercised by, what is the true meaning of the words "right to vote," and to whom it is given, and the correct meaning of the 14th and 15th amendments well stated in various cases from the Supreme Court of the United States and other Federal courts.

The right of suffrage is not one of the privileges and immunities of national citizenship; it is not one of the privileges and immunities of State citizenship. In *Minor* v. *Happerset*, 21 Wall. 627, 22d Law Ed. 162, we find, page 629:

> The United States has no voters in the state of its own creation. The elective offices of the United States are all elected directly or indirectly by State officers.

Speaking of the 14th amendment, the Court said:

> The amendment did not add to the privileges and immunities of the citizen, it simply furnished an additional guaranty for the protection of such as he already had.
>
> It is clear, therefore, we think, that the Constitution has not added the right of suffrage to the privileges and immunities of citizenship as they existed at the time it was adopted.

The Court holds that the franchise is not a privilege and immunity of State citizenship.

As to the true meaning of the 14th amendment as interpreted by the *Slaughterhouse Cases*, 83 U.S. 16, Wall. 36, 21 L. Ed. 394, and as to the right of suffrage as effected by the 14th and 15th amendments, we find as follows in *McPherson* v. *Blacker*, 146 U.S. 1, 36 L. Ed. 869–878:

> This Court held that the first clause of the 14th article was primarily intended to confer citizenship on the Negro race; and secondly, to give definitions of citizenship of the United States, and citizenship of the States, and it recognized the distinction between citizenship of a State and citizenship of the United States by those definitions; that the privileges and immunities of citizens of the States embrace generally those fundamental civil rights for the security and establishment of which organized society was instituted, and which remain, with certain exceptions mentioned in the Federal Constitution, under the care of the State governments; while the privileges and immunities of citizens of the United States are those which arise out of the nature and essential character of the National Government, the provisions of its Constitution, or its laws and treaties made in pursuance thereof; and that it is the latter which are placed under the protection of Congress by the second clause of the 14th amendment.
>
> We decided in *Minor* v. *Happersett*, 88 U.S. 21 Wall. 162 (22: 627), that the right of suffrage was not necessarily one of the privileges or immunities of citizenship before the adoption of the 14th amendment, and that that amendment does not add to these privileges and immunities, but simply furnishes as additional guaranty for the protection of such as the citizen already has; that at the time of the adoption of that amendment, suffrage was not coextensive with the citizenship of the State; nor was it at the time of the adoption of the Constitution; and that neither the Constitution nor the 14th amendment made all citizens voters.
>
> The 15th amendment exempted citizens of the United States from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. The right to vote in the States comes from the States, but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States, but the last has been. *United States* v. *Cruikshank*, 92 U.S. 542 (23: 588); *United States* v. *Reese*, 92 U.S. 214 (23: 563).
>
> If because it happened, at the time of the adoption of the 14th amendment, that those who exercised the elective franchise in the State of Michigan were entitled to vote for all the presidential electors, this right was rendered permanent by that amendment, then the second clause of article II, has been so amended that the States can no longer appoint in such manner as the legislatures thereof may direct; and yet no such result is indicated by the language used nor are the amendments necessarily inconsistent with that clause. The first section of the 14th amendment does not refer to the exercise of the elective franchise, though the second provides that if the right to vote is denied or abridged to any male inhabitant of the State having attained majority and being a citizen of the United States, then the basis of representation to which each State is entitled in the Congress shall be proportionately reduced. Whenever presidential electors are appointed by popular election, then the right to vote cannot be denied or abridged without invoking the penalty, and so of the right to vote for representatives in Congress, the executive and judicial officers of a State or the members of the legislature thereof. The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State. There is no color for the contention that under the amendments every male inhabitant of the State being a citizen of the United States has from time of his majority a right to vote for presidential electors.

At page 879 of the Law Edition, report of McPherson, we find the Court pointedly summing up the 14th amendment insofar as equal protection of the laws is concerned.

> It merely requires that all persons subject to such legislation shall be treated alike, under like circumstances and conditions, both in the privileges and in the liabilities imposed.

The Court further held in McPherson that the fact that the constitution and laws of the State of Michigan did not grant the franchise to women, did not prevent the State of Michigan from having a republican form of government. This holding squarely contradicts the assertions of the Commission's report to the effect that in order to have a republican form of government there must be universal suffrage and that everyone must have equal right to everything at the same time.

The case of *Pope* v. *Williams*, 193 U.S. 621, 48 L. Ed. 817, squarely refutes and condemns the statement in the report at page 5, that:

> It was understood then (referring to the time when the Constitution was adopted) as now, that States could establish reasonable restrictions on the right to vote saying in effect that the Federal Government had the power to require the States to prescribe only what the Federal Government thought were reasonable restrictions on the right to vote.

Here the Court dealt with the contention of a former citizen of the District of Columbia who had become a citizen of Maryland but who had not registered with the circuit clerk of the county of his residence, at least 1 year before he offered to register and vote, and who claimed that such was an unreasonable qualification. The Court rejected his contention that the Federal Government had a right to determine whether such requirement was reasonable or unreasonable. The Court held the Federal Government had no right to determine that question but as long as a requirement did not violate the Constitution, the State had the exclusive right to determine whether the requirement was reasonable or unreasonable at page 822 of the law edition, as follows:

We are of the opinion that the statute does not violate any Federal right of the plaintiff in error which he seeks to assert in this proceeding. The statue, so far as it concerns him and the right which he urges, is one making regulations and conditions for the registry of persons for the purpose of voting. It was only for the purpose of thereafter voting that the plaintiff in error sought to be registered, and it was the denial of that right only which he can now review. His application for registry as a voter was denied by the board of registry solely because of his failure to comply with the statute. Whatever other right he may have as a citizen of Maryland by reason of his removal there with an intent to become such citizen is not now in question. So far as appears no other right, if any he may have, has been infringed by the statute. The simple matter to be herein determined is whether with reference to the exercise of the privilege of voting in Maryland, the legislature of that State had the legal right to provide that a person coming into the State to reside should make the declaration of intent a year before he should have the right to be registered as a voter of the State.

The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States (*Minor* v. *Happersett*, 21 Wall. 162, 22 L. Ed. 627). It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals, in violation of the Federal Constitution. The State might provide that persons of foreign birth could vote without being naturalized, and, as stated by Mr. Chief Justice Waite in *Minor* v. *Happersett*, 21 Wall. 162, 22 L. Ed. 627, such persons were allowed to vote in several of the States upon having declared their intentions to become citizens of the United States. Some States permit women to vote; others refuse them that privilege. A State, so far as the Federal Constitution is concerned, might provide by its own constitution and laws that none but native-born citizens should be permitted to vote, as the Federal Constitution does not confer the right of suffrage upon any one, and the conditions under which that right is to be exercised are matters for the States alone to prescribe, subject to the conditions of the Federal Constitution, already stated; although it may be observed that the right to vote for a Member of Congress is not derived exclusively from the State law. (See Fed. Const. art. 1, sec. 2; *Wiley* v. *Sinkler*, 179 U.S. 58 L. Ed. 84, 21 Sup. Ct. Rep. 17.) But the elector must be one entitled to vote under the State statute. Id., Id. (See also *Awafford* v. *Templeton*, 185 U.S. 487, 491, 46 L. Ed. 1005, 1007, 22 Sup. Ct. Rep. 783.) In this case no question arises as to the right to vote for electors of President and Vice President, and no decision is made thereon. The question whether the conditions prescribed by the State might be regarded by others as reasonable or unreasonable is not a Federal one. We do not wish to be understood, however, as intimating that the condition in this statute is unreasonable or in any way improper.

The Court further held in Pope that the reasons which may have caused the State legislature to enact the statute in question were matters solely for its determination and that the Federal Court, and thus the Federal Government, had no concern with them.

In the case of Lassiter against Northampton County Board of Electors, decided June 8, 1959, the Supreme Court of the United States sustained the validity of the literacy tests of the State of North Carolina against the contention of the Negro plaintiff that they were invalid and violated the Constitution of the United States, including the 14th and other amendments thereto. The Court at pages 6, 7, and 8 of the opinion said:

Section 2 of the 14th amendment, which provides for an apportionment of representatives among the States according to their respective numbers, counts the whole number of persons in each State (except Indians not taxed), speaks of the right to vote, the right protected, refers to the right to vote as established by the laws and constitution of the State. (*McPherson* v. *Blacker*, 146 U.S.)

Residence requirements, age, previous criminal record (*Davis* v. *Beason*, 133 U.S. 333, 345–347) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise. (Cf. *Franklin* v. *Harper*, 205 Ga. 779, appeal dismissed 339 U.S. 946.) It was said last century in Massachusetts that a literacy test was designed to insure an independent and intelligent exercise of the right of suffrage. (*Stone* v. *Smith*, 159 Mass. 413–414.) North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.

Commissioners Battle, Storey, and Carlton in the footnotes at pages 1 and 2 of the report say that equality was not made part of our fundamental law.

The contents of the report in advocacy of the recommendations and proposals rely upon the Declaration of Independence and many sociological and historical documents together with the Dred Scott decision. As to such contents of the report, I think it sufficient to say that the Constitution of the United States supersedes all documents prior thereto and, of course, the 14th amendment was passed for the purpose of overriding the doctrine and holding in the Dred Scott decision.

The Commission's report is no more and no less overall than a complaint, or advocacy, respectively, as indicated: a complaint that under the Constitution of the United States as interpreted by its courts, it is impossible for the Federal Government, Congress, the President, or the courts to order, direct, or require integration and mixing of the races in every phase of the life of this Nation; a complaint that the courts have refused to depart from the true meaning of the Constitution; the report advocates recommendations and proposals, on the basis laid in the reasoning and language thereof which would cause integration and mixing of the races in every phase of the life of this Nation; the report advocates that the nonwhites in this Nation should be made members of a privileged class and given rights and privileges not enjoyed by members of the white race; the report advocates that the Federal Government should by executive or legislative power bypass the courts if such is necessary to bring about integration and mixing of the races; the report advocates a constitutional amendment which would permit criminals, mental incompetents, illiterates, and so forth, to be given the right to vote in all elections for State officials and for Senators and Representatives in the U.S. Congress, thus destroying the basic principle of State power and Federal power under the Constitution of the United States and denying to the States the rights and powers which they have enjoyed since 1788, a period of 171 years, and even before that from the time of the organization of the respective States which adopted the Constitution; the report advocates the enactment of Federal statutes patently unconstitutional in order to accomplish integration and mixing of the races; it advocates jeopardizing the right of most Negroes and most white persons to choose associates and the right to select voluntarily with whom they shall mix and mingle; and to give to the members of the nonwhite races in this Nation the over-riding power to determine who everybody else will associate with and mix with.

All recommendations are either unnecessary, unwise, or unconstitutional.

Voting recommendation No. 2 would require preservation of all State registration and voting records for a period of 5 years, that they be public records and subject to public inspection.

Any act of Congress requiring the above would be absolutely unconstitutional and void. It would violate the provisions of article I, section 2, clause 1, and article I, section 3, clause 1, together with many cases decided by the Supreme Court of the United States. It cannot be justified under article I, section 4, clause 1, or any other provision of the Federal Constitution.

Recommendation No. 3 proposes that the Federal Government cast burdens upon State officers without the consent of the State and seeks to exercise Federal control over the selection of presidential electors who are State officers;

it seeks to extend Federal authority and power in control and regulation of State officers and vests in the Federal courts jurisdiction of matters which are not otherwise within the scope and sphere of Federal power.

Mr. President, since the days of Reconstruction the white and Negro people of the South, slowly and laboriously evolved a pattern of life that gave to each race the maximum opportunities for progress and advancement and promoted mutually respected, peaceful, and harmonious relations between the two races. You are never, either by commission reports or statutes, going to force the white people of the South into social relationships with the Negro race. What can be done, and is fast being done, is the destruction of the harmonious relationships and the erection of a wall that prevents and prohibits communication between the races, mutual trust and confidence.

Mr. President, let me say that the rape, the murder, the other crimes, and the filth in New York and in other great metropolitan areas of the country are due to the attempts at racial integration; but the newspapers in those areas will not tell the public the truth.

It is on the sidewalks of the cities of the North, East, and West that terror stalks the streets—where rape, murder, assaults, crime, and violence of all kinds now run rampant. In the South, we do not have juvenile delinquency, gang rule and gang murder. We do not have those things, because we have a segregated society that has been built throughout the years.

The fundamental cause of this deplorable situation is the continual agitation for the intermingling of the races on a social plane. You cannot put white and Negro children in school together and not have social contacts result. When Negro families move into white neighborhoods, the whites are either going to move out, as they usually do, or social intermingling will result. What will happen in the North, East, or West may be problematical. In the Deep South there is no doubt or question—the races are not going to be intermingled.

Mr. President, no geographic area of the United States contains a higher proportion of population whose lineal ancestors were living in this country prior to the Revolutionary War than does the South. When we speak of a birthright, we speak of and through our fathers, grandfathers, and grandsires who lived, fought, bled, and died to create and build this great country. When we speak of our Founding Fathers, we are calling them fathers, as such, and not referring to them as abstract symbols for metaphysical fulminations. When we speak of the Constitution we are talking about a document which means exactly what these men of life and blood intended it to mean and we refuse to accept or consider the monstrous misinterpretations placed on this charter by modern-day witch doctors who would pervert it into an instrument for the destruction of the white race of the South

If the South is forced to stand again today, where it once stood in the dark and hopeless days of Reconstruction, I remind my colleagues that they are dealing with a people who hold the same ideas of freedom and liberty under law their fathers held before them. They will meet today both the description and challenge so eloquently stated by Henry W. Grady in 1889, when he said:

If there is any human force that cannot be withstood, it is the power of the banded intelligence and responsibility of a free community. Against it, numbers and corruption cannot prevail. It cannot be forbidden in the law, or divorced in force. It is the inalienable right of every free community. It is on this, sir, that we rely in the South. Not the cowardly menace of mask or shotgun, but the peaceful majesty of intelligence and responsibility, massed and united for the protection of its homes and the preservation of its liberty.

EXHIBIT I

IN THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, JACKSON DIVISION—H. D. DARBY, ON BEHALF OF HIMSELF AND OTHERS SIMILARLY SITUATED, PLAINTIFFS, *v.* JAMES DANIEL, CIRCUIT CLERK OF JEFFERSON DAVIS COUNTY, MISSISSIPPI AND JOE T. PATTERSON, ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI, DEFENDANTS—CIVIL ACTION NO. 2748

Before Cameron, circuit judge, and Mize and Clayton, district judges.

Cameron, circuit judge:

The case before us, with some of the facts, is thus stated in plaintiff's brief: "This is an action for a declaratory judgment and injunction brought by plaintiff on behalf of himself and others similarly situated. The gravamen of plaintiff's complaint is that he and other Negro citizens of Jefferson Davis County, Miss., have been denied the right to register in order that they might vote, solely because of their race and color, through the enforcement of a policy of discrimination against Negro voters, the enforcement of unconstitutional voting requirements, and the discriminatory administration of valid requirements. The plaintiff also seeks to enjoin enforcement of a State statute which makes it a crime, punishable by imprisonment for 1 year, for him to accept financial and legal assistance in the prosecution of this action and for his attorneys and others to give such assistance.

"The plaintiff in this case is an adult Negro citizen of the United States and of the State of Mississippi, residing in Prentiss, Jefferson Davis County, Miss. since 1947. He is not an idiot, an insane person, or an Indian who is not taxed, and is more than 21 years of age. His occupation is that of a minister of the Gospel. He has never been convicted of any crime enumerated in the Mississippi constitution as grounds for disqualification as a voter. He has paid his poll tax for the years 1956 and 1957. He was a duly qualified and registered voter of Jefferson Davis County prior to January 1, 1954, and exercised his right to vote in various elections held in the county between 1950 and 1955, having registered for the first time in the early part of 1950.

"In 1954 the Legislature of the State of Mississippi proposed that section 244 of the Mississippi constitution of 1890 be amended, and after the proposed amendment was ratified by a vote of the electorate, it became law in 1955." Defendant Daniel was and is circuit clerk and registrar of Jefferson Davis County and will be referred to as defendant unless otherwise noted.

The qualifications of electors are set forth in article 12 of the Mississippi constitution of 1890, as amended, titled "Franchise," and the article embraces sections 240–243, inclusive.

The sections of the article, other than section 244 which is challenged by plaintiff, grant the right to vote to inhabitants of the State, except idiots, insane persons and Indians not taxed, who are citizens of the United States, 21 years old or over, with certain residence requirements, who have duly registered as provided in the article and who have never been convicted of certain listed crimes and who have paid all poll taxes legally required of them before February 1 of the year in which they offer to vote. Section 249 provides: "And registration under the constitution and laws of this State by the proper officers of this State is hereby declared to be an essential and necessary qualification to vote at any and all elections."

Section 244 of article 12, prior to the amendment attacked, was in these words:

"§ 244. On and after the first day of January, A.D. 1892, every elector shall, in addition to the foregoing qualifications be able to read any section of the constitution of this State; or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof. A new registration shall be made before the next ensuing election after January the first, A.D. 1892."

Amended section 244[1] reads as follows in its pertinent portions:

"SEC. 244. Every elector shall, in addition to the foregoing qualifications be able to read and write any section of the constitution of this State and give a reasonable interpretation thereof to the county registrar. He shall demonstrate to the county registrar a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government."

Following the quoted language the amended section goes on to provide that a person applying to register shall make a sworn written application on a form to be prescribed by the State board of election commissioners, and concludes with these words: "Any new or additional qualifications herein imposed shall not be required of any person who was a duly registered and qualified elector of this State prior to January 1, 1954. The legislature shall have the power to enforce the provisions of this section by appropriate legislation."

In February 1956 the Board of Supervisors of Jefferson Davis County ordered a new registration and due notice thereof was given by publication as required by law. This new registration was in line with the practice which had been followed in the county for a number of years, new registrations having been had in the years 1906, 1923, 1934, and 1949.

Defendant Daniel first became circuit clerk and registrar of Jefferson Davis County January 1, 1956. Without dispute and based upon his opinion that, since a new registration had been ordered and forms had been sent to him by the State election commissioners, he was so obligated, he began the practice of requiring all applicants, regardless of color, to take the examination provided by the amendment and covered by the questionnaire, which policy he pursued until about October 15, 1956. Plaintiff Darby first entered his office to register on June 29, 1956, and Defendant Daniel handed him the questionnaire to be completed pursuant to the custom then universally followed by him. No discussion was had between plaintiff and defendant. Plaintiff completed a part of the written examination and signed his name and left.

[1] In 1954 the Legislature of Mississippi proposed that section 244 of the constitution of 1890 be amended, and after the proposed amendment was ratified by a vote of the people it became a part of the constitution in 1955.

He had consulted the attorney now representing him and had written a letter of complaint to the President of the United States some weeks before that, which resulted in an investigtion of Defendant Daniel being made by the Federal Bureau of Investigation. About October 1, 1956, Defendant Daniel received a letter from the U.S. attorney in Jackson, Miss., requesting that Daniel come to his office for conference. He responded to the request, going in company with the county attorney to the office of the U.S. attorney. There he was advised that the Department of Justice took the position that persons who, like Plaintiff Darby, had been registered prior to January 1, 1954, were required to take only the oral examination covering the qualifications as set forth in the original section 244 of article 12 of the Mississippi constitution. Daniel left the U.S. attorney and went to the attorney general of Mississippi, who advised him in writing October 12, 1956, that no person registered prior to January 1, 1954, was required to take the written examination provided by the amendment. Thereafter, Daniel pursued the policy of giving all applicants of Darby's class the option to take the oral examination provided by the original section or the written examination provided by the amendment.

About November 2, 1956, Plaintiff Darby again presented himself for registration and was given the oral examination. He did not pass in the opinion of Daniel and was so advised. Neither Darby nor Daniel remembered what section of the constitution Darby was called upon to interpret. About June 8, 1957, Darby came to Daniel's office again to register and was given the oral examination, and again failed to pass. A short time thereafter the FBI made a further examination into Daniel's operation of his office in which Daniel explained freely what happened.

On June 22, 1957, Plaintiff Darby again presented himself to Defendant Daniel, this time requesting that he be given the written examination as provided by the amendment. Without dispute, Plaintiff followed this course on the advice of his attorney, whom he had first consulted more than a year before. He was given the written examination on the forms furnished to Daniel by the State officials, and again Daniel ruled that he had not qualified for registration.[2]

[2] After the Court had concluded the hearing of this action July 22–25, 1958, Rutha Dillon presented a motion to intervene served and filed September 16, 1958, setting forth that she had testified as a witness for Plaintiff Darby and that her interest "may not be adequately represented by plaintiff and applicant may be bound by a judgment in this action." The application was filed by the attorneys already representing Plaintiff Darby and with it was filed a memorandum brief in which she claimed that she was filing the application under rule 20(a) and rule 24(b)(2) FRCP. Her application asked that she be permitted to intervene upon her testimony already given and upon the testimony introduced at the hearing. Her desire to intervene was grounded on her apprehension that Plaintiff Darby might not represent her inasmuch as she had not registered prior to January 1, 1954, whereas Darby had registered prior to that time and had requested and taken the written examination provided by the amendment to section 244, although not required so to do.

The defendants resisted the requested intervention, taking the position that the application came too late and that Plaintiff Darby, having volunteered to take an examination he was not required to take, was not in position to maintain the action brought by him. The amendment provides that Darby should not be "required" to submit to its terms, but contains no prohibition against his voluntarily doing so. Both he and Defendant Daniel proceeded in the written examination before us in obedience to the terms of the amendment, and we do not pause to resolve this question, arising as it does afer all of the briefs have been submitted and much study given to the fundamental issues involved.

We see no harm to ensue from granting the application to intervene and have entered an order permitting the requested intervention upon the terms set forth. The intervenor will be referred to hereafter as a plaintiff.

Plaintiff Darby appealed, as provided by law, from the ruling of Defendant Daniel rejecting his written application (he had not appealed from the other three rejections), and the evidence shows that in so doing he was guided by one of his attorneys of record who had been employed by the NAACP legal defense and educational fund. His attorney filed with the registrar a writing bearing the heading "Appellant's Contentions."[3] Plaintiff Darby and his attorney appeared at the office of Daniel on October 7, 1957, but there was no meeting of the commissioners scheduled or held at that time.[4] Said plaintiff and his attorney were advised that the commissioners would meet at the registrar's office on the Tuesday after the third Monday in March 1958; Plaintiff Darby testified that Daniel told them of a March meeting. No provision is made for notice to persons desiring to present contests of the actions of the registrar and we do not find that Defendant Daniel made any agreement to give any notice to plaintiff or that such an agreement, if made, would have any legal effect. The appeal, apparently begun as a test of the provisions of the constitution and statutes here under attack, was not prosecuted, but this civil action was filed 4 days before the election commission met in Jefferson Davis County. The appeal is still pending before them.

Other portions of the testimony will be referred to under the discussion of the several points raised by the parties.

From the written contentions so filed on the appeal, the averments of the complaint and plaintiff's brief it appears that the attack on the Mississippi Constitution and implementing statutes is based upon three grounds: that section 244 is unconstitutional and void on its face because it betows upon the registrar "an uncontrolled discretion to determine who is able to interpret the constitution of * * * Mississippi" and who is able to demonstrate an understanding of the duties of citizenship; that the section is unconstitutional and void because the purpose of said provisions was to enable the registrars to "discriminate against otherwise qualified Negroes;" and that said section is being administered "in such a manner as to discriminate against Rev. H. B. Darby and other Negroes otherwise qualified, solely because of their race and color."

The complaint specifies that the uncontrolled discretion referred to results from the amendment's vague and uncertain language which fails to set up a standard of reasonableness capable of objective measurement. The precise prayer of the complaint asks an injunction restraining defendant from enforcing those parts of said constitutional and statutory provisions which require an elector to give to defendant a reasonable interpretation of a provision of the Constitution of the State of Mississippi and which require that an elector demonstrate to defendant a reasonable understanding of the duties and obligations of citizens under a constitutional form of government. The allegations of unconstitutionality are predicated upon the due process clause of the 14th amendment and the provisions of the 15th amendment.

I

(1) Any consideration of the constitutionality of the challenged portions of this amendment begins with the fundamental fact that, under our constitutional system, the qualification of voters is a matter committed exclusively to the States. The Supreme Court has spoken on the subject in language as clear as it is decisive. Witness, for example, what it said in *Pope* v. *Williams*, 1904, 193 U.S. 621:[5]

"The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States (*Minor* v. *Happersett* (21 Wall. 162)). It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper * * *. The State might provide that persons of foreign birth could vote without being naturalized, and, as stated by Mr. Chief Justice Waite in *Minor* v. *Happersett*, *supra*, such persons were allowed to vote in several of the States upon having declared their intentions to become citizens of the United States. Some States permit women to vote; others refuse them that privilege. A State, so far as the Federal

[3] This document set forth that Plaintiff Darby had appealed to the board of commissioners within 5 days from the refusal of Defendant Daniel to register him, that section 244 of the Mississippi constitution as amended "is unconstitutional and void on its face since it bestows upon the registrar of voters an uncontrolled discretion to determine who is able to interpret the constitution of the State of Mississippi and who is able to demonstrate an understanding of the duties and obligations of citizenship in a democratic form of government," and allegation being applied also to the Mississippi statutes implementing the constitutional provision. The document further set up that the constitutional and statutory provisions "are unconstitutional and void because the purpose of said provisions was to enable the registrar of voters to discriminate against otherwise qualified Negroes, solely because of their race and color," and that said provisions were being administered by Defendant Daniel "in such a manner as to discriminate against Rev. H. B. Darby and other Negroes otherwise qualified, solely because of their race and color." The document further contended that since Plaintiff Darby had registered prior to January 1, 1954, the new provisions were not applicable to him.

[4] This appearance by Plaintiff Darby and his attorney resulted, no doubt, from the language of section 3226 of the Mississippi Code of 1942 providing that the commissioners should meet "on the first Monday in October after appointment." The commissioners had been appointed in 1956 and had held the October meeting that year. No provision being made in that section for meeting in any year except that of their appointment, the Mississippi Legislature in 1938 passed a statute appearing as section 3240 of the Mississippi Code of 1942 providing that: "On the Tuesday after the third Monday in March, A.D. 1939, and every year thereafter the commissioners of election shall meet at the office of the registrar."

[5] The Court was then composed of Chief Justice Fuller and Associate Justices Harlan, Brewer, Brown, White, Peckham, McKenna, Holmes, and Day, and the decision was unanimous.

Constitution is concerned, might provide by its own constitution and laws that none but native-born citizens should be permitted to vote, as the Federal Constitution does not confer the right of suffrage upon anyone, and the conditions under which that right is to be exercised are matters for the States alone to prescribe, subject to the conditions of the Federal Constitution, already stated. * * * The question whether the conditions prescribed by the State might be regarded by others as reasonable or unreasonable is not a Federal one. * * *

"* * * The right of a State to legislate upon the subject of the elective franchise as to it may seem good, subject to the conditions already stated, being, as we believe, unassailable, we think it plain that the statute in question violates no right protected by the Federal Constitution.

"The reasons which may have impelled the State legislature to enact the statute in question were matters entirely for its consideration, and this Court has no concern with them" (pp. 632–634).

Like language was used by the Court in a case so much relied upon by plaintiffs, *Guinn et al.* v. *United States* ((1915), 238 U.S. 347). In striking down the grandfather clause of the Oklahoma Constitution the Court fixed its eyes upon certain principles as the lodestar which should furnish the light by which it would be guided:

"It [the United States] says State power to provide for suffrage is not disputed, although, of course, the authority of the 15th amendment and the limit on that power which it imposes is insisted upon. Hence, no assertion denying the right of a State to exert judgment and discretion in fixing the qualification of suffrage is advanced and no right to question the motive of the State in establishing a standard as to such subjects under such circumstances or to review or supervise the same is relied upon, and no power to destroy an otherwise valid exertion of authority upon the mere ultimate operation of the power exercised is asserted. And applying these principles to the very case in hand the argument of the Government in substance says: No question is raised by the Government concerning the validity of the literacy test provided for in the amendment under consideration as an independent standard since the conclusion is plain that that test rests on the exercise of State judgment, and, therefore, cannot be here assailed either by disregarding the State's power to judge on the subject or by testing its motive in enacting the provision (pp. 359–360).

* * * * *

"Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals" (p. 362).[6]

[6] To the same effect see *In Re Slaughter-House* cases, 1873, 16 Wall. 36; *Minor* v. *Happersett*, 1874, 21 Wall. 162, 88 U.S. 162; *United States* v. *Cruikshank*, 1875, 92 U.S. 542; *United States* v. *Reece*, 1875, 92 U.S. 214; *State of Virginia* v. *Rives*, 1879, 100 U.S. 313; *Snowden* v. *Hughes*, 1944, 321 U.S. 1. And cf. *McPherson* v. *Blacker*, 1892, 146 U.S. 1, 35: "The question before us is not one of policy but of power," and Annotation 153 A.L.R., pp. 1066 et seq.

(2) Plaintiffs base their argument that the constitutional provisions under attack are void on their face chiefly upon four Supreme Court decisions: *Yick Wo* v. *Hopkins, Sheriff*, 1886, 118 U.S. 356; *Guinn et al* v. *United States, supra; Lane* v. *Wilson*, 1939, 307 U.S. 268; and *Schnell et al* v. *Davis*, 1949, 336 U.S. 933. Analysis of those cases will reveal that they do not apply to the constitutional and statutory provisions before us.

Yick Wo involved the constitutionality, as administered by the board of supervisors, of an ordinance of the city and county of San Francisco making it unlawful to establish or maintain a laundry without the consent of the board of supervisors unless such laundry "be located in a building constructed either of brick or stone." Two Chineses nationals were convicted of violating the ordinances and the two cases wherein they sought habeas corpus were consolidated and decided by the Supreme Court. One was Yick Wo's petition for habeas corpus denied by the Supreme Court of California, and the other a like petition by Wo Lee, on practically identical facts, denied by the circuit court of the United States for the San Francisco district. The facts in both cases were without dispute.

Of the 320 laundries in San Francisco, about 310 were constructed of wood, and about about 240 were owned and conducted by subjects of China. The board of supervisors followed the policy of issuing permits for laundry operation to all Caucasians and denying it to all Chinese even though in the cases presented to the court the premises of the Chinese had been inspected and approved by the fire wardens, the health officers, and other city officials. The Supreme Court of California thought that the statute was a proper exercise of the police power, and the U.S. circuit court, in the other case, thought otherwise, expressing the opinion that the ordinances as administered violated provisions of the 14th amendment and a treaty between the United States and China. In deference to the decision of the Supreme Court of California, however, and contrary to its own opinion, the circuit court discharged the habeas corpus writ as the Supreme Court of California had done.

The Supreme Court rejected the decision of the California court, holding that the ordinances "seem intended to confer, and actually do confer, not a discretion to be exercised upon a consideration of the circumstances of each case but a naked and arbitrary power to give or withhold consent, not only as to places, but as to persons. * * * The power given to them is not confided to their discretion in the legal sense of that term, but is granted to their mere will. It is purely arbitrary, and acknowledges neither guidance nor restraint (pp. 366–367). The final conclusion of the Supreme Court is epitomized in graphic words copied in the margin.[7] The quotation from the Supreme Court's opinion as applied to the facts there refutes the argument the case is called upon to furnish here. The case will be discussed further in our analysis of Schnell, infra. The constitution and statutes of Mississippi do not contain any license for the exercise of arbitrary power. Plaintiffs are entitled to relief here if they can show the discrimination which was admitted there.

Guinn brought in question the constitutionality of the "grandfather clause" inserted by amendment into the constitution of Oklahoma. That amendment established literacy tests, but exempted from such tests every person "who was, on January 1, 1866, or at any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation." The exemption was made to apply also to the lineal descendants of such persons. The court held that the language of the Oklahoma amendment was indisputably aimed directly at the 15th amendment with palpable intent of destroying the effect of that amendment. Its course of reasoning ran thus:

The 15th amendment provided that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." The Oklahoma constitution fixed a date, January 1, 1866, as the crucial date, at which time the 15th amendment had not been passed and no Negro possessed the right of suffrage. By its terms, therefore, the exemption from the literary test was denied to all Negroes, and was vouchsafed to all others. This being true, the Oklahoma amendment—and the Supreme Court so stated—could have no other purpose, under its very language, than to abridge the right of Negroes to vote by requiring them to pass a literacy test from which all non-Negroes were exempted.

Lane v. *Wilson* dealt with an act of the Oklahoma Legislature passed at a special session immediately following the invalidation of the constitutional amendment in *Guinn*, which act the Supreme Court decided was directed solely at a circumvention of the Guinn decision. The scope and reach of *Lane* v. *Wilson* can best be evaluated by quotations from the Supreme Court's opinion set forth in the margin.[8]

[7] (Pp. 373–374) "Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

* * * * *

"The present cases, as shown by the facts disclosed in the record, are within this class. It appears that both petitioners have complied with every requisite, deemed by the law or by the public officers charged with its administration. * * * No reason whatever, except the will of the supervisors, is assigned why they should not be permitted to carry on, in the accustomed manner, their harmless and useful occupation, on which they depend for a livelihood. And while this consent of the supervisors is withheld from them and from 200 others who have also petitioned, all of whom happen to be Chinese subjects, 80 others, not Chinese subjects, are permitted to carry on the same business under similar conditions. The fact of this discrimination is admitted. No reason for it is shown, and the conclusion cannot be resisted, that no reason for it exists except hostility to the race and nationality to which the petitioners belong, and which in the eye of the law is not justified. The discrimination is, therefore, illegal, and the public administration which enforces it is a denial of the equal protection of the laws and a violation of the 14th amendment of the Constitution."

[8] "Those who had voted in the general election of 1914 automatically remained qualified voters. The new registration requirements affected only others. * * * The crux of the present controversy is the validity of this registration scheme, with its dividing line between white citizens who had voted under the 'grandfather clause' immunity prior to *Guinn* v. *United States, supra*, and citizens who were outside it, and the not more than 12 days as the normal period of registration for the theretofore proscribed class" (p. 271).

"When in *Guinn* v. *United States, supra*, the Oklahoma 'grandfather clause' was found violative of the 15th amendment, Oklahoma was confronted with the serious task of devising a new registration system

It is clear that the Supreme Court thought that it was impossible to construe the Oklahoma legislation as having any efficacy which did not perpetuate as a favored class the white citizens, who were the only ones permitted to vote in 1914,[9] and to lay a heavy burden on Negroes aspiring to register under discriminatory requirements which they were forced to meet only because they had been wrongfully excluded from voting right under the unconstitutional provisions of the grandfather clause.

The last case relied upon by plaintiffs is the per curiam opinion of the Supreme Court in *Schnell et al.* v. *Davis et al.*, which reads as follows:

"The judgment is affirmed. *Lane* v. *Wilson*, 307 U.S. 268; *Yick Wo* v. *Hopkins*, 118 U.S. 356. Cf. *Williams* v. *Mississippi*, 170 U.S. 213."

A three-judge district court for the southern district of Alabama had written a lengthy opinion and had based its decision upon a number of grounds including a finding that the Boswell amendment there under consideration "has, in fact, been arbitrarily used for the purpose of excluding Negro applicants for the franchise, while white applicants with comparable qualifications were being accepted."[10] From the concluding words of the district court's opinion[11] it appears that the judgment it entered was to grant an injunction in favor of Schnell et al. The Supreme Court did nothing more than to affirm that judgment, not indicating which of the several grounds it adopted as the basis for the affirmance.

Viewed most favorably to the contentions of the plaintiffs here, it would be assumed that the Supreme Court decided that the Boswell amendment placed final and arbitrary powers in the hands of the board of registrars, which power the board had in fact exercised arbitrarily in favor of white applicants and against Negro applicants. As shown above, this was the ground common to Lane and Yick Wo, the two cases forming the predicate for the Supreme Court's action in Schnell.

It is important to note that the Supreme Court, after citing these two cases, directed a comparison with *Williams* v. *Mississippi*, 1898, 170 U.S. 213. There, the literacy tests of the Mississippi Constitution of 1890 were upheld and, as demonstrated infra, the Court held categorically that the doctrine of Yick Wo did not apply. The clear meaning of the reference to the three cases by the Supreme Court was that in contrast with the valid requirements of the Mississippi Constitution, the Boswell amendment involved in Schnell came under the condemnation of the two cases wherein the Supreme Court had pointed out specifically that arbitrary power granted and discriminatorily used could not stand the test of constitutionality.

II

(1) In considering whether amended section 244 is unconstitutional on its face, it is important to bear in mind that plaintiffs concede that the voting provisions of the Constitution of 1890 were valid. They could not, of course, do less because the Supreme Court of the United States specifically approved them in *Williams* v. *Mississippi*, 1898, 170 U.S. 213.[12]

Sections 241, 242, and 244 of the constitution of 1890 were attacked by motion (20 So. at 840) as being violative of the due process and equal protection clauses of the 14th amendment. The motion was grounded on the allegation that the constitutional convention of Mississippi was composed of 134 members, of which only 1 was a Negro; "that the purpose and object of said constitution was to disqualify, by reason of their color, race, and previous condition of servitude, 190,000 Negro voters." It was contended before the Supreme Court, 170 U.S. at page 215, that, "under prior laws, there were 190,000 colored voters and 69,000 white voters;" and "that sections 241, 242, and 244 of the constitution of this State are in conflict with the 14th amendment to the Constitution of the United States, because they vest in administrative officers the power to discriminate against citizens by reason of their color; and that the purpose of so investing such officers with such power was intended by the framers of the State constitution to the end that it should be used to discriminate against the Negroes of the State." The contentions there made bear a marked resemblance to those now made before us. Responding to them, the Supreme Court of Mississippi said (20 So. 840–841):

"At this point in the investigation it is sufficient to say that we have no power to investigate or decide upon the private, individual purposes of those who framed the constitution, the political or social complexion of the body of the convention. * * * We can deal only with the perfected work—the written constitution adopted and put in operation by the convention. * * *

"We find nothing in the constitutional provisions challenged by the appellant which discriminate against any citizen by reason of his race, color, or previous conditions of servitude. * * * All these provisions, if fairly and impartially administered, apply with equal force to the individual white and Negro citizen. It may be, and unquestionably is, true that, so administered, their operation will be to exclude from the exercise of the elective franchise a greater proportionate number of colored than of white persons. But this is not because one is white and the other is colored, but, because of superior advantages and circumstances possessed by the one race over the other, a greater number of the more fortunate race is found to possess the qualifications which the framers of the constitution deemed essential for the exercise of the elective franchise."

Affirming the decision of the Mississippi Supreme Court in Williams, the Supreme Court of the United States considered at length *Yick Wo* v. *Hopkins, supra*, more than half of the opinion being devoted to a study of and quotations from that case. The Court quoted what it had said in Yick Wo, which quotation—set forth supra—is the portion of Yick Wo so vigorously urged by plaintiffs before us. But concerning said quoted language the Supreme Court of the United States, after stating "We do not think that this case is brought within the ruling in *Yick Wo* v. *Hopkins*" 170 U.S. at 225, said:

"This comment is not applicable to the constitution of Mississippi and its statutes. They do not on their face discriminate between the races, and it has not been shown that their actual administration was evil, only that evil was possible under them."

The Court, in that decision, quoted and discussed all of the important provisions of the Mississippi constitution governing the right to vote, and also quoted the contention there made that the constitution vested in the registrar "the full power, * * * to ask all sorts of vain, impertinent questions, and * * * reject whomsoever he chooses, and register whomsoever he chooses, for he is vested by the constitution with that power. Under section 244 it is left with the administrative officer to determine whether the applicant reads, understands, or interprets the section of the constitution designated. The officer is the sole judge of the examination of the applicant, and even though the applicant be qualified, it is left with the officer to so determine; and the said officer can refuse him registration."

It is of determinant significance that the Supreme Court in Williams rejected all of those contentions and upheld the constitutionality of section 244 as originally written.

(2) It is pertinent to observe at this point that plaintiffs, having thus conceded the validity of the original 244, make the identical argument that amended 244 is unconstitutional because (a) its language is so vague and indefinite as to furnish no ascertainable standard of action, and (b) it invests the registrar with arbitrary and uncontrolled powers.

(a) The obvious answer to the ground first stated is that the words used in amended section 244 are the identical terms used in the 1890 constitution—"read," "reasonable," "interpret," "understand." Every one of those words was used in the original section which plaintiffs find no difficulty in comprehending. The language above quoted shows that the identical contention was made by Williams in his appeal and was rejected by the Supreme Court. It is further clear that the responsible State official was invested with exactly the same powers under the constitution of 1890 that he has under the amended section.

It is plain that what plaintiffs complain of is, not that the words used in the amendment are vague and indefinite, but that the literacy test imposed by the amendment is slightly more onerous and exacting than that of the original. They complain that the amendment requires an applicant for registration to read and write a section of the constitution. Certainly the original requirement was more rigorous

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consonant with her own political ideas but also consistent with the Federal Constitution. We are compelled to conclude, however reluctantly, that the legislation of 1916 partakes too much of the infirmity of the 'grandfather clause' to be able to survive (p. 275).

* * * * *

"But this registration was held under the statute which was condemned in the *Guinn* case. Unfair discrimination was thus retained by automatically granting voting privileges for life to the white citizens whom the constitutional 'grandfather clause' had sheltered while subjecting colored citizens to a new burden" (p. 276).

[9] In its decision of *Lane* v. *Wilson* the Circuit Court of Appeals for the 10th Circuit, 98 F. 2d 980, 984, stated: "It may be, and we take it as true, that inasmuch as the so-called grandfather clause in the Constitution of Oklahoma had not been declared void as violative of the 15th amendment until 1915 no Negroes voted at the 1914 election."

[10] Fundamental factual differences differentiate Schnell from the case before us. The Alabama amendment invested the registrars with rigid and arbitrary powers, not requiring that their judgment be reasonable. It contained no requirement that the examination be in writing or that a record be made of it so that it might be subjected to review. The decision makes no mention of any right of appeal from the decision of the registrars. State agencies took active leadership in campaigning for its adoption, stating openly in writing that the object of the amendment was to curtail Negro registration. As applied, the tests were not required of whites, only Negroes being subjected to them. Not one of these criticisms applies to the Mississippi amendment under the facts presented to us.

[11] 81 F. Supp. 881.

[12] The Supreme Court there affirmed the decision of the Supreme Court of Mississippi in *Williams* v. *State*, 1896, 20 So. 1023, in which case a memorandum opinion only was written. That memorandum opinion referred to the decision of Chief Justice Cooper in the companion case of *Dixon* v. *State*, 20 So. 839; and consideration of the Dixon decision is necessary to an understanding of the effect of the Supreme Court's decision in Williams.

at the time of its enactment than was the amendment when it was adopted.

The constitution of 1890 was passed when Negroes had just emerged from complete illiteracy—cf. the Supreme Court's language in *Brown* v. *Board of Education*, 1954, 347 U.S. 483, 490 "Education of Negroes was almost nonexistent and practically all of the race were illiterate"—and when both Negroes and whites had passed through two decades of the tragedy of Reconstruction when efforts at education were close to the vanishing point. After six decades of an increasingly competent educational system [13] it seems moderate indeed for the electorate to lay upon itself the obligation of being able to read and write the basic law of the Commonwealth. Understanding and interpretation formed a part of the original section 244 and they seem all the more proper in this time of general enlightenment.

The same can well be said of the sentence added by the amendment requiring an applicant to demonstrate "a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government." In assaying the reasonableness of such requirements it is well to note that the provision of the Oklahoma constitution, which the Supreme Court found unexceptionable in *Guinn*, supra (238 U.S. at 357), required the applicant to both read and write, and that the Court rejected the grandfather clause only because it was not able to discover any reason for its arbitrary exemption of those possessing certain qualifications on a specified date except one which flew in the face of the 15th amendment (238 U.S. at pp. 364–365). Such is not the case here. At a time when alien ideologies are making a steady and insidious assault upon constitutional government everywhere,[14] it is nothing but reasonable that the States should be tightening their belts and seeking to assure that those carrying the responsibility of suffrage understand and appreciate the form and genius of the Government of the country and of the States.

(b) Literacy tests for prospective voters have been in effect in this country for a century, and no case has been brought before us holding that the people of a State have placed themselves under too heavy a burden in setting the standards which will earn the right to vote, and none condemning a literacy test as such. In *Lassiter* v. *Taylor*, U.S.D.C. E.D. N. Car., 1957, 152 F. Supp. 295, 297–298, attention is called to the fact that 19 States, only 7 of which are Southern States, prescribe literacy tests, and those States and the laws prescribing the literacy tests are listed. Plaintiffs concede that it is proper for Mississippi to enact reasonable literacy requirements for voting. That concession is bound to include the unquestioned concept that it is the States which have plenary and exclusive power to determine what is reasonable. See the language of the Supreme Court opinions in part I supra. Plaintiff's idea that a literacy test may properly embrace one facet but not two (or two facets but not three) is without sanction of either law or reason. In *Trudeau* v. *Barnes*, 65 F. 2d 563, certiorari denied 290 U.S. 659, the fifth circuit court of appeals approved Louisiana constitutional requirements embracing both reading and interpreting its constitution and that of the United States.

(c) To attack the language of amended section 244 as being too vague and indefinite is to ignore a long and unbroken line of decisions approving legislative enactments whose phraseologies are far more nebulous and difficult of ascertainment than the relatively simple terms before us. A few recent examples will suffice. The Supreme Court has recently [15] approved a Federal and a State statute which made criminal the dissemination of literature which was "obscene, lewd, lascivious, filthy, indecent," although it was necessarily left to 12 laymen constituting the jury to determine whether such dissemination had "a substantial tendency to deprave or corrupt the readers by inciting lascivious thoughts or by arousing lustful desires." The Labor Board is given power [16] to examine protracted negotiations between representatives of employers and employees and to determine therefrom whether there has been "bargaining in good faith."

In *Screws* v. *United States*, 325 U.S. 91, the Supreme Court upheld a criminal statute making it unlawful to deprive any inhabitant of a state "of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States * * * by reason of his color, or race." Those rights, privileges, and immunities are legion and are being defined and expanded every day.[17] The Court justified its decision by holding that conviction under the statute can ensue only when the jurors find, under proper instructions, that the rights violated are rights belonging to Federal citizenship as distinguished from those inhering in State citizenship. It should be remembered also that every juror in a criminal case is forced to apply his common sense in determining what is or is not a "reasonable" doubt; and jurors trying personal injury suits are required to fashion largely out of their own experience standards of "reasonable" care and "reasonable" prudence upon which to base their verdicts.

(3) To charge that the discretion vested in the registrar is arbitrary and uncontrolled is to ignore the procedures provided by Mississippi law. Administrative appeal to a board selected by the State board of election commissioners is given de novo and, on such appeal, the judgment of the registrar is so highly tentative and lacking in finality that it is not even prima facie correct. In every instance his judgment must be one based upon reason, and absolute right of appeal to the courts is also provided. This administrative machinery has the explicit approval not only of Williams, supra, but of *Peay et al* v. *Cox, Registrar*, 5 Cir., 1951, certiorari denied 342 U.S. 896.

It would be hard to conceive of constitutional provisions which safeguard the rights of applicants for suffrage as well as do the ones under attack. A permanent record is made on forms prepared by State officers and applying uniformly to all applicants, so that anything smacking of discrimination can easily be checked by examination of the public records. This provides a more certain insurance against discrimination than the requirements of original section 244—providing for oral examination—which bears the stamp of plaintiffs' approval. Right of appeal is given not only to rejected applicants but to any member of the public who may think that any applicant has been too generously dealt with.

(4) (a) In an attempt to prove that the purpose, i.e., motive, of the people of Mississippi in amending section 244 of the Mississippi constitution was an evil one, plaintiffs sought to introduce in evidence six photostatic copies of newspaper articles expressing the opinion that the object of the constitutional amendment was "aimed at stemming the tide of Nergo voters that is growing up in the State." [18] The amendment was voted upon at an election for various officials, State and Federal. No effort was made to prove that the copies offered were in fact copies of newspapers published at the time and no proof was offered to show that the statements attributed to various individuals were made, or that the opinions were actually expressed.

These articles were permitted to be inserted in the record for whatever value they might have toward proving what the plaintiffs called climate. No statements were attributed to State officers and the articles purported to express only sentiments which were alleged to be entertained by the private citizens to whom they were attributed. The articles possessed little, if any, probative value.

(b) Plaintiffs also obtained by subpena copy of an issue of the Clarion Ledger, a newspaper published in Jackson, Miss., containing an article by Charles M. Hills in which the number of Negroes supposedly qualified and registered in various counties of the State was discussed. The article showed that Jefferson Davis County had, in 1954, 1,221 registered Negro voters. Hills was offered by plaintiff as a witness and asked as to the correctness of his figures. He replied that he had no personal knowledge at all and no information except what he had obtained, as the article set forth, from the Mississippi Citizens' Council. The figures could have been nothing but an estimate, as the registration records omit entirely any reference to the race of a registrant; but the article was received as a part of the record for whatever probative value it might have.

If the article should be accepted as dependable and as competent proof, some interesting comparisons might be made. In Jefferson Davis County 926 electors cast their ballots in favor of the constitutional amendment [19] and 278 against it. Plaintiffs' newspaper article showed that 54 Negroes were registered voters in Itawamba County; in voting on the amendment, 228 citizens of that county voted for the amendment and 1,248 voted against it. The article reflected that 4 Negroes were registered in Pontotoc County; the vote in that county was 339 for the amendment and 1,371 against. Specu-

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[13] Last year 268,246 Negroes attended the public schools of Mississippi and 281,684 whites. See Bulletin S.D. 58, Mississippi Department of Education.

[14] Blazoned across the front of the October 3, 1958, issue of U.S. News & World Report, are these words in red letters: "Today's War—How the Reds Are Operating in 72 Countries."

[15] *Roth* v. *United States*, 1957, 354 U.S. 476.

[16] *Labor Board* v. *Truitt Manufacturing Co.*, 1956, 351 U.S. 149.

[17] In *Adamson* v. *California*, 332 U.S. 46, it is demonstrated by the four exhaustive opinions that the Judges of the Supreme Court differ radically as to what the quoted words mean.

[18] Five of these were assumed copies of one daily newspaper, including two excerpts from editorials, two news stories about the impending election, and one news story about the formation of a citizens' council in a Mississippi county. Each contained the expression of the opinion that the amendment was intended to limit Negro registration. This quotation from one of the editorials is typical:

"The second proposed amendment would tighten up the State's voter-registration requirements to curb registration of near-illiterates. * * * The proposed change is wise, desirable, and very timely. * * * Adoption of this amendment, and fair and uniform application of the new voter-registration requirements, over the years would steadily raise the average educational qualifications and intelligence of our citizens. It would also curb the registration of members of groups most likely to engage in bloc voting and we believe that adoption of this amendment would, over a long period, help win the fight to retain our separate school system and social institutions."

The remaining newspaper article was a news story in another newspaper dealing largely with activities of citizens' councils.

[19] The figures are obtained from Mississippi Official and Statistical Register, 1956–60, p. 397.

lation engendered by the article would lead to the conclusion that the adoption of the amendment by well over a 2 to 1 majority statewide did not follow at all the pattern of race registration which plaintiffs attempt to ascribe to it.[20]

(c) Plaintiffs, pursuing further the argument that the purpose of amending section 244 was to fashion tools the better to discriminate against Negro applicants, list a number of statutes passed by the Mississippi Legislature in 1954, 1955, and 1956 dealing with the public schools and with other aspects of what plaintiffs term "the State's declared policy of preserving segregation." If we should be tempted to accept guilt by association as a proper basis for condemning State action, it would not apply here, because the attack plaintiffs make here is basically upon a constitutional amendment enacted by vote of the people themselves. It was submitted at a time when only one other amendment was on the ballot and that had to do with a technical point applying to corporate procedures. The argument, like those which precede it, is lacking in force.

(5) (a) Having failed to produce any tangible proof to sustain this position, plaintiffs finally call upon us to supply the lack by judicial notice. In other words, we are importuned to rule without proof that, on its face or by reason of its unrevealed sinister purpose, the constitutional amendment is void. The showing before us wholly fails to warrant serious consideration of so condemning a whole people, which is what we would have to do if we accepted plaintiffs' argument. Neither proof nor judicial knowledge tend to sustain plaintiffs' position.

Even if we had such knowledge by some sort of occult power of divination, we would not have the competence to do what plaintiffs advocate. No case is cited as a precedent for such action, and no proof is offered to sustain it. If we should imagine ourselves possessed of such ominiscience and omnipotence, we would find ourselves confronted by a vast array of authority which forbids questioning the motives even of a legislature, certainly of a sovereign people.

(b) Commenting upon the immunity of State legislators from having their motives scrutinized, Judge Learned Hand,[21] exclaims: "but of all conceivable issues this would be the most completely 'political,' and no court would undertake it.'[22] He also quotes Chief Justice Taney's statement in the *License* cases (5 How. 504, 583): "Upon that question the object and motive of the States are of no importance, and cannot influence the decision. It is a question of power." Mr. Justice Douglas, in *Fernandez* v. *Wiener*, 326 U.S. 340, quoted the language of Chief Justice Stone in *Sonzinsky* v. *United States* (1937, 300 U.S. 506, 513): "Inquiry into the hidden motives which may move Congress to exercise a power constitutionally conferred upon it is beyond the competency of the courts." Upon a principle so unquestionable it is sufficient to add to the cases already cited a list of more recent decisions affirming it.[23]

We hold, therefore, that plaintiffs have wholly failed to establish that the amendment to section 244 of the Mississippi constitution of 1890 is void on its face or because it was the product of base motives. We hold, on the other hand, that said amendment and the statutes passed in connection with it are valid on their face and in fact, and are a legitimate exercise by the State of its sovereign right to prescribe and enforce the qualification of voters.

III

(1) This brings us to the contention that plaintiffs, along with other Negroes, were actually discriminated against in the administration of the constitution and laws of Mississippi by defendant Daniel. If such discrimination was practiced against plaintiffs, the actions of defendant would certainly come under the condemnation of the 15th amendment, or the 14th amendment, or both. Plaintiffs put on the witness stand a number of other Negroes, but we look first to their own testimony to determine if either plaintiff proved that he was qualified to register under the constitution and laws of Mississippi and was denied registration because of his race.

Plaintiff Dillon, conceding that she was properly given the written test provided by the amendment, failed to produce a copy of that test for the court's inspection. She did not demonstrate in her oral testimony the possession of the qualifications provided in the Mississippi constitution and statutes, and there is no proof at all, therefore, that she had any status to maintain this action.

According to the testimony of his attorney, plaintiff Darby approached him in April or May 1956, about the time he wrote President Eisenhower. The attorney called the NAACP which, sometime later, agreed that its legal fund would pay the attorneys and the expense of any litigation which might be brought by Reverend Darby.

This was before his first written application of June 29, 1956, in which he stated that he was a farmer. The application was signed by him but was not filled in. It is not claimed that, in this application or the oral tests which came after it, Plaintiff Darby showed himself qualified to register. The entire case is predicated on the sworn written application of June 22, 1957, which he took under his attorney's advice and direction. This document, read in the light of the testimony of Plaintiff Darby, reveals several deficiencies.

He made no answer to question 14 inquiring if he had ever been convicted of the crimes enumerated in the question; considerable portions of the answers written by plaintiff are illegible. In response to question 18 calling upon him to copy section 123 of the Constitution of Mississippi,[24] he wrote six lines not called for by the question and not possessing marked coherence. In giving his reasonable interpretation of that section he wrote, "the govvener govends all the words of the state and he is to see that all the vollatores be punished and als he can pardon out the penetenter ane pherson." In answering question 20 which directed him to write his understanding of the duties and obligations of citizenship under a constitutional form of government, he wrote five lines which could hardly be called accurate or responsive to the question.[25]

That he could not write legibly is exemplified by examination of the several documents in the record written by him, and is further attested by the fact that the letter he sent the President was written entirely by someone else, including the signature. He did not attempt, while on the witness stand, to demonstrate that he could read. Every other Negro witness he placed on the stand was given a section of the Mississippi Constitution to read before the Court, but plaintiff himself did not attempt to show his ability to read. The evidence does not, therefore, support the burden imposed on the plaintiffs to show that they were qualified to be registered as voters. A fortiori it does not establish that defendant, Daniel, did not act in good faith or exercise a sound discretion when he made his decision that plaintiffs had not passed the examinations given them.

In passing judgment on this phase of the case we cannot leave out of view that defendant, Daniel, knew that he was under surveillance by Federal officials and that he was dealing with one party who was acting under advice of counsel.

It is fundamental that plaintiffs must stand or fall on the merits of their own case. The Supreme Court stated the principle in *McCabe* v. *A.T. & S.F. Ry. Co.*, 1914, 235 U.S. 151, 162, in these words:

"But we are dealing here with the case of the complainants, and nothing is shown to entitle them to an injunction. It is an elementary principle that, in order to justify the granting of this extraordinary relief, the complainant's need of it, and the absence of an adequate remedy at law, must clearly appear. The complainant cannot succeed because someone else may be hurt. Nor does it make any difference that other persons, who may be injured are persons of the same race or occupation. It is the fact, clearly established, of injury to the complainant—not to others—which justifies judicial intervention." (Citing a number of Supreme Court cases.[26])

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[20] Plaintiffs seek to draw an unfavorable inference against defendants from the fact that Governor Coleman declined to honor a subpena issued by them. This was in keeping with the general law and the traditional policy of Governors in Mississippi and in States generally. The Court offered to have Mr. Patterson, a member of the same Commission with the Governor, submitted to examination by plaintiffs, but plaintiffs did not choose so to proceed. It was clear that the testimony which plaintiffs sought to elicit from the Governor was hearsay and undependable because the figures were derived from a letter poll made of registrars which turned out to be incomplete. Plaintiffs had ample opportunity to attempt to make the desired proof by the registrar of Jefferson Davis County in 1954, or to proceed by interrogatories, request for admission, or the other avenues provided in F.R.C.P., but they did not do so.

[21] The Bill of Rights, supra, p. 46.

[22] Citing *McCulloch* v. *Maryland*, 4 Wheat. 316, 423; *Doyle* v. *Continental Ins. Co.* 94 U.S. 535, 541; *Weber* v. *Freed*, 239 U.S. 325, 330; *Arizona* v. *California*, 283 U.S. 423, 435; *Daniel* v. *Family Insurance Co.*, 336 U.S. 220, 224.

[23] *Cohen et al.* v. *Beneficial Industrial Loan Corp.*, 1949, 337 U.S. 541, 552; *Goesaret* v. *Cleary*, 1948, 335 U.S. 464, 467; *Oklahoma ex rel. Phillips* v. *Atkinson*, 1940, 313 U.S. 508, 528; *United States* v. *Darby*, 1941, 312 U.S. 100, 115; *Child Labor* case, 1922, 259 U.S. 20, 39; *Daniel* v. *Family Insurance Co.*, 336 U.S. 221; and *Doyle* v. *Continental Insurance Co.*, 94 U.S. 535.

[24] "The Governor shall see that the laws are faithfully executed."

[25] "a citizen is persn has in been in the USA all his days. and is not been convicted of enny crimes and has been loyal. to his country and pase all his tax."

[26] The cases on the subject are collected in an opinion by Chief Judge Hutcheson of the Court of Appeals of the Fifth Circuit in *Brown* v. *Board of Trustees* (1951), 187 F. 2d 20, 25, where he quoted from several Supreme Court cases. This language is applicable to the case before us: "All of these considerations, however, are completely beside the mark here, for plaintiff has wholly failed to plead or prove any deprivation of his civil rights and it is elementary that he has no standing to sue for the deprivation of the civil rights of others.

* * * * *

"It is the individual who is entitled to the equal protection of the laws, and if he is denied * * * a facility or convenience * * * which, under substantially the same circumstances, is furnished to another traveler, he may properly complain that his constitutional privilege has been invaded.

"Cf. *Sweatt* v. *Painter*, 339 U.S. 629, 635, 70 S. Ct. 848, 851, where the Court said: 'It is fundamental that these cases concern rights which are personal and present. * * * petitioner's right was a personal one. It was as an individual that he was entitled to the equal protection of the laws.'"

(2) Plaintiffs served subpenas on 25 Negro witnesses, of whom 15 were placed upon the stand. Despite the principles last above quoted and such cases as *Reddix* v. *Lucky* (5 Cir., 1958), 252 F. 2d 930, 938, holding that "obviously the right of each voter depends upon the action taken with respect to his own case," we permitted this testimony to be introduced over objection to give plaintiffs a chance to show that there was a class whose rights they might carry if they established their own case, and also that the testimony might be considered as furnishing circumstantial evidence of discrimination in favor of the case of plaintiffs. Although some of the written applications exhibited in connection with the testimony of these witnesses were sufficient to raise an issue of fact as to their qualifications, it is not our province to set ourselves up as registrar of voters.

Some of the testimony certainly demonstrated the absence of qualifications of the applicants. For example, when called upon by question 18 to copy section 198 of the Mississippi constitution, Johnnie B. Darby, Plaintiff Darby's wife, wrote: "I have so agreed to be as good a citizen as I possible can I have not yet read the constitution of Mississippi I do try to abide by truth and right as the Almighty God provide the understanding and wisdom."

Another witness called upon to copy section 16 of the constitution[27] wrote: "Ex post facto laws or laws impaitring obligations contrace St. Shall Be passed." Interpreting that section this same witness wrote: "a man must pay pold tax befor he eagable to voat." This witness gave his occupation as that of teacher.

None of these witnesses took appeals from Daniel's ruling declining to permit them to register. Four of the 15 passed the written examination, and of those who failed the wives of 2 passed. He gave the test to some of the witnesses as many as four times and he invited plaintiff Dillon to come back and try again. The testimony of these witnesses adds little to the solution of the problem before us.

(3) Plaintiffs introduced one bound volume containing 78 original applications. The documents do not show whether the applicants were white or colored. It seems probable that the purpose of introducing this volume was to show that, during this period, all applicants were required to take the written examination, whereas under the constitutional amendment those who were registered voters on January 1, 1954, were required to take only the oral test habitually given under the original constitution. This does not prove anything which was not readily admitted by Defendant Daniel. From the time Daniel came into office January 1, 1956, until the attorney general of Mississippi advised him of his error he had been using the forms furnished him by the State election commissioners and testing all applicants by written examination. As far as the testimony goes none had objected. The point of this testimony, however, is that undisputedly white and colored were treated exactly alike. Since, according to the undisputed proof, there were only 40 to 50 Negro voters registered in the county, the 78 applicants, all of whom passed necessarily included some white people.

The wrongful interpretation or the misapplication of Mississippi law alone would not give this Court jurisdiction or amount to deprivation of any constitutional rights. Under this phase of the case discrimination alone resulting from the fact that plaintiffs are Negroes can justify maintaining the action or granting the relief sought. The Supreme Court announced the principle in explicit terms in Snowden v. Hughes, et al. 1944, 321 U.S. 1, 8 (a case in which Williams v. Mississippi, supra, was cited with approval) where the dismissal of an action for want of jurisdiction was approved where a candidate for office sought equitable relief against party, officials who refused to certify him as a candidate. The language quoted in the margin controls here.[28]

The essence of the action before us, therefore, is discrimination on the part of the defendant Daniel—discrimination against plaintiffs, Negroes, and in favor of white persons. After listening to the oral testimony and examining the documents carefully we are unable to find any tangible or credible proof of discrimination. There is no proof that any white person was ever treated in any manner more favorably than plaintiffs or any other Negroes. The mere showing that of 3,000 qualified voters in Jefferson Davis County, only 40 to 50 are Negroes is not sufficient. Plaintiffs carry the burden of showing that plaintiffs have been denied the right to register because they are Negroes, and that white people similarly situated have been permitted to register. This record contains no such proof. The disparity between numbers of registrants, as has been so often pointed out, results doubtless from the fact that one race had a start of several centuries over the others in the slow and laborious struggle toward literacy. This records does not, in our opinion, show that defendant has practiced discrimination. From our observation of his demeanor during the trial and while on the witness stand and of the evidence generally we are convinced that he has shown himself to be a conscientious, patient, and fair, public official, exerting every effort to do a hard job in an honorable way.

IV

Plaintiffs aver in their complaint that they have a right to maintain this action without exhaustion of the administrative remedies provided under Mississippi law. They base this contention upon the provisions of 42 United States Code Annotated, paragraph 1971(d), upon their charge that "where the plaintiff challenges the constitutionality of a State statute or policy, a Federal court will not require the exhaustion of administrative remedies;" and upon their assertion that "plaintiff here seasonably attempted to exhaust his administrative remedies and was unable to obtain a decision by the board of election commissioner." These contentions will be discussed in reverse order.

(1) Mississippi's election machinery is under the supervision of the State board of election commissioners, consisting of the Governor, the secretary of state, and the attorney general.[29] This board is required,[30] 2 months before every general election of Representatives in Congress, and of electors of President and Vice President of the United States * * * [to] appoint the commissioners of election for each county." The absolute right of appeal to the county board is given in words reproduced in the margin.[31] Hearings on appeal are provided for by section 3227 of the Mississippi Code (appearing first in the Mississippi Code of 1892) entitled "Appeal Heard De Novo:"

"All cases on appeals shall be heard by the boards of election commissioners de novo, and oral evidence may be heard by them; and they are authorized to administer oaths to witnesses before them; and they have power to subpena witnesses, and to compel their attendance; to send for persons and papers; to require the sheriff and constables to attend them and to execute their process.

The decisions of the commissioners in all cases shall be final as to questions of fact, but as to matters of law they may be revised by the circuit and supreme courts. The registrar shall obey the orders of the commissioners in directing a person to be registered, or a name to be stricken from the registration books."

Sections 3228, 3229, 3230, and 3231 provide for hearing of the appeal by the circuit court of the county. The right of appeal to the supreme court is given.

The evidence does not show that plaintiff Darby "was unable to obtain a decision by the board of election commissioners." It does show that he seasonably appealed to the county board of election commissioners, thus electing to proceed by statutory appellate procedures, but that he failed to follow them through. On the other hand, he began this civil action 4 days before the first meeting of the board held after his appeal. The appeal is still pending and undisposed of.[32] Plaintiffs' first assigned reason is, therefore, without merit.

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[27] "Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed."

[28] "But not every denial of a right conferred by State law involves a denial of the equal protection of the laws, even though the denial of the right to one person may operate to confer it on another. * * * And where the official action purports to be in conformity to the statutory classification, an erroneous or mistaken performance of the statutory duty, although a violation of the statute, is not without more a denial of the equal protection of the laws.

"The unlawful administration by State officers of a State statute fair on its face, resulting in its unequal application to those who are entitled to be treated alike, is not a denial of equal protection unless there is shown to be present in it an element of intentional or purposeful discrimination. * * * But a discriminatory purpose is not presumed, Tarrance v. Florida, 188 U.S. 519, 520; there must be a showing of 'clear and intentional discrimination,' Gundling v. Chicago, 177 U.S. 183, 186."

[29] Mississippi Code of 1942, sec. 3204.

[30] Ibid., sec. 3205.

[31] Ibid., sec. 3224 provides that: "Any person denied the right to register as a voter may appeal from the decision of the registrar to the board of election commissioners by filing with the registrar, on the same day of such denial or within 5 days thereafter, a written application for appeal."

Sec. 3225 provides: "Any elector of the county may likewise appeal from the decision of the registrar allowing any other person to be registered as a voter; but before the same can be heard the party appealing shall give notice to the person whose registration is appealed from, in writing, stating the grounds of the appeal; which notice shall be served by the sheriff "

[32] Meetings of the board are fixed by three Mississippi statutes: Section 3239 of the Mississippi Code of 1942, first passed in 1880, provides for a meeting "On the first Monday of October preceding a general election, and 5 days before any other." There was no general or other election in Mississippi during 1957. Section 3226 first passed in 1892, provides for meetings on the first Monday in October after appointment. The reason for this statute is that the time of appointment of the board is indefinite under section 3205, supra. The board had been appointed in 1956 and had held a meeting in October of that year. This statute does not apply to any year except the year of their appointment.

The Mississippi Legislature of 1938 passed a new statute, now section 3240 of the code, requiring that the board meet every year on the Tuesday after the third Monday in March, and this is the general meeting. The statutes provide an understable and reasonable time for the meeting of the board so that an elector desiring to register may not miss any election, and plaintiff and his attorney were advised by the statutes and by the word of the Registrar of the date the board would meet. Instead of attending the

(2) The cases cited by plaintiffs [33] do not sustain their contention that it is not necessary to exhaust administrative remedies where the claim is asserted that constitutional rights have been violated.

There are decisions [34] holding that, where an appeal presents only matters of law, the court may intervene without awaiting action by the intermediate administrative board which had no power to pass upon legal questions. But such cases do not control here. The written appeal of Plaintiff Darby on June 24, 1957 was a general appeal, and the writing which accompanied it, states that he had on June 22, 1957 presented himself to the registrar, making application to register as a voter "whereupon such instance notwithstanding that I did then and do now possess the necessary qualifications to register, I was denied registration." A letter from his attorney dated September 21, 1957 states that "He has been denied the right to register to vote, notwithstanding that he was then and is now possessed wih the necessary qualifications for same." The formal "contentions" filed by said plaintiff October 7, 1957 raised constitutional questions, but also reiterated the questions of fact theretofore relied upon, to wit: that Defendant Daniel was administering the constitutional and statutory provisions of Mississippi in such a manner as to discriminate against him, and that he was a duly qualified and registered voter in Mississippi prior to January 1, 1954, and was entitled to registration without complying with the additional qualifications contained in the amendment to the Constitution. In this state of the record and under the complaint, it is clear that plaintiffs' challenge did not relate to questions of law only. We repeat what the court of appeals for the fifth circuit said in *Peay* v. *Cox, supra:* [35] "The commissioners are sworn officers and presumably will give them a fair hearing. They may easily think the petitioners are right in their construction of the Mississippi constitution. * * * If they hold otherwise on that point but that a discrimination is practiced, they may correct that. The registrar is bound to obey them." The second ground asserted by plaintiffs is, therefore, untenable.

(3) Finally, plaintiffs, claim to be exempted from Mississippi procedural laws relating to registration and appeal therefrom, basing their contention upon the act of Congress approved September 9, 1957 (Public Law 85–315, pt. IV, sec. 131(d)) [36] Plaintiffs would construe the words "shall have exhausted any administrative or other remedies that may be provided by law" as permitting interception of the State remedy of appeal already begun and carried through by Darby to a point just short of hearing before the county commissioners; and as relieving Plaintiff Dillon of having taken the first step toward appeal, or having made any move at all until more than 2 years after her application had been rejected by the registrar.

The mechanics set up by Mississippi to determine which applicants are qualified to register embrace three steps: written application, which is passed upon by the registrar; appeal from his ruling by the applicant or any other citizen and full hearing before the county board; and appeal to the circuit court of the county. The Court of Appeals for the Fifth Circuit, in *Pey* v. *Cox, Registrar* (190 F. 2d at p. 126; certiorari denied, 342 U.S. 896), classified even the step carrying the controversy before the courts as administrative under the authority of *Federal Railroad Commission* v. *General Electric Co.* (281 U.S. 464). To short-circuit the admittedly administrative proceedings short of a hearing and decision by the county board would be not only to deny exhaustion of administrative remedies, but to stop them before they had begun. Such a conclusion is compelled if two key words of the new Federal statute, "remedy" and "exhaust," are given their normal meaning.

"Exhaust" means to "use up, to expend completely." [37] "Remedy" is defined as "something that corrects, counteracts or removes an evil or wrong; relief; redress." [38] To sustain plaintiffs' position would be to shut off all State action aimed at providing a remedy, at redress. But the words of the statute contemplate that the State be given a chance to "correct" the asserted "wrong." It is difficult to perceive how these words of the statute can be given any efficacy at all or how the constitutional scheme can be fulfilled if Federal competence is to be construed as displacing State power in this vital field before the State is permitted to take the first step toward furnishing an administrative "remedy."

The meaning of the quoted words must be determined in the light of State and Federal competence as established by the Constitution as construed by the Supreme Court. In balancing the rights of a plaintiff to the protection of the Constitution and the power of a State over suffrage, it is well to keep in mind what the Supreme Court said in Guinn, supra, to the effect that "without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rests would be without support and both the authority of the Nation and State would fall to the ground." The State of Mississippi had plenary and exclusive power to fix the qualifications of voters. More than that, it had and must have the power to provide machinery for its enforcement. The machinery provided by it contemplates the relatively ministerial act of registration by the registrar. The heart of Mississippi's machinery lies in the right of any person to appeal to the county election commission. That body alone has the power to have a hearing, to consider evidence, to give the time and study incident to a considered conclusion. Its findings and orders are absolutely binding upon the registrar. To take from this administrative scheme the duties conferred on this Board would be to render sterile the undoubted exclusive power of a State over suffrage.

The Supreme Court of the United States has throughout its history recognized the rule that administrative proceedings must be exhausted, and it has been particularly punctilious in requiring the exhaustion of administrative remedies provided by the States.

We are confronted here with the necessity of deciding the point at which a Federal court would be warranted in interrupting administrative procedures—that is, what the statute under consideration means by exhaustion of administrative remedies. The Supreme Court, in handling an action for declaratory judgment in a district court under the Renegotiation Acts, used this language concerning administrative remedies, affirming the act of the district court in declining jurisdiction.[39] "Ordinarily of course issues relating to exhaustion of administrative remedies, as a condition precedent to securing judicial relief, and to the existence of jurisdiction in equity are either separate or separable matters, to be treated as entirely or substantially distinct. The one generally speaking is simply a condition to be performed prior to invoking an exercise of jurisdiction by the courts. The other goes to the existence of judicial power in the basic jurisdictional sense. * * *

"* * * The doctrine, wherever applicable, does not require merely the initiation of prescribed administrative procedures. It is one of exhausting them, that is, of pursuing them to their appropriate conclusion and, correlatively, of awaiting their final outcome before seeking judicial intervention."

The solicitude habitually manifested by the Supreme Court in its traditional dealing with State matters before administrative agencies is well illustrated by the language used in *Alabama Public Service Commission et al.* v. *Southern Railway Company,* 1951, 341 U.S. 341, 349–350: "As adequate State court review of an administrative order based upon predominantly local factors is available to appellee, intervention of a Federal court is not necessary for the protection of Federal rights. Equitable relief may be granted only when the District Court, in its sound discretion exercised with the 'scrupulous regard for the rightful independence of State governments which should at all times actuate the Federal courts,' is convinced that the asserted Federal right cannot be preserved except by granting the 'extraordinary relief of an injunction in the Federal courts.' Considering that '(f)ew public interests have a higher claim upon the discretion of a Federal chancellor than the avoidance of needless friction with State policies,' the usual rule of comity must govern the exercise of equitable jurisdiction by the District Court in this case. Whatever rights appellee may have are to be pursued through the State courts."

And in *Hecht Co.* v. *Bowles,* 1944, 321 U.S. 321, 329–330, the Court upheld the refusal of a District Court to grant an injunction using this language: "We cannot but think that if Congress had intended to make such a drastic departure from the traditions of equity practice, an unequivocal statement of its purpose would have been made.

"* * * We do not believe that such a major departure from that long tradition as is here proposed should be lightly implied.

"* * * Neither body [that is, administrative and court] should repeat in this day the mistake made by the courts of law when equity was struggling for recognition as an ameliorating system of justice; neither can rightly be regarded by the other as an alien intruder."

It seems reasonable that, as applied to the Mississippi statutes under the facts of this case, the exhaustion of administrative remedies provided in the quoted Federal statute should, in any event, be held to exist only after the appellate proceedings before the county election commissioners have been completed. Such a course would give full protection to the rights of plaintiffs, affording them remedy in the Federal courts at the

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meeting of the board and prosecuting the appeal they had begun, they filed this civil action.

Plaintiff Rutha Dillon testified that she did not appeal at all.

[33] E.g., *Gibson* v. *Board of Public Instruction of Dade County,* 5 cir., 1957, 246 F. 2d 913, which holds premature the contention that schoolchildren did not pursue administrative remedies where the Florida constitution made nonsegregated schools illegal.

[34] E.g., *Bruce et al.* v. *Stilwell et al.,* 5 cir., 1953, 206 F. 2d 554.

[35] 1951, 190 F. 2d 123, 126, certiorari denied 342 U.S. 896.

[36] The section now codified as 42 U.S.C.A., par. 1971(d), reads as follows: "The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have *exhausted* any administrative or other *remedies* that may be provided by law." [Emphasis added.]

[37] Webster's New World Dictionary, p. 509.

[38] Ib., p. 1230.

[39] *Aircraft & Diesel Corp.* v. *Hirsch,* 1947, 331 U.S. 752, 764, and 767; and cf. *United States* v. *Abilene & So. Ry. Co.,* 265 U.S. 274; *United States* v. *Sing Tuck,* 194 U.S. 161; and *Gonzales* v. *French,* 164 U.S. 338.

point where the administrative process is by Mississippi statutes committed to the courts. That is consistent with the holding of the Supreme Court in *Lane* v. *Wilson, supra.*[40] "To vindicate his present grievance the plaintiff did not have to pursue whatever remedy may have been open to him in the State courts. Normally, the State legislative process, sometimes exercised through administrative powers conferred on State courts, must be completed before resort to the Federal courts can be had. * * * But the State procedure open for one in the plaintiff's situation * * * has all the indicia of a conventional judicial proceeding and does not confer upon the Oklahoma courts any of the discretionary or initiatory functions that are characteristic of administrative agencies. * * * Barring only exceptional circumstances, * * * resort to a Federal court may be had without first exhausting the judicial remedies of State courts." The exercise of such a discretion comports with the holdings of a long line of decisions of the Supreme Court.[41] And compare the language and action in Lane, supra, with that in Alabama Public Service Commission, supra.

We think the foregoing reasoning is sound, but we do not have to rest this phase of the decision upon it because it is quite clear that this case is not governed by the quoted provisions of the act of September 9, 1957. By its terms it applies only to "proceedings instituted pursuant to this section." Subsection (d) appears as a part of the Civil Rights Act of 1957 bearing the heading: "Section 131." That section creates procedures theretofore unknown and vests the Attorney General of the United States with power to institute legal proceedings for private individuals. It is manifest that subsection (d) applies only to actions so instituted. It follows that plaintiffs cannot maintain this action for the additional reason that they failed to pursue the reasonable and adequate administrative remedies provided by Mississippi law.

Plaintiffs attack the constitutionality of the Mississippi statutes covering champerty and maintenance, section 2049–01 through section 2049–08 of the Mississippi Code of 1942, this portion of the action being directed chiefly against defendant Patterson, attorney general of Mississippi. The complaint alleges that the defendant attorney general threatens to enforce as against the plaintiffs and their attorneys the provisions of these statutes and that, as the result of said threats, plaintiffs and their attorneys are suffering irreparable injury. Plaintiffs' evidence wholly failed to sustain these charges of the complaint. In fact, that evidence showed without dispute that no such threats had been made and that no action was taken or within contemplation which could in any way affect the welfare or the rights of plaintiffs or their attorneys. The statutes have not been passed upon by the courts of Mississippi. Since the evidence fails to establish that any controversy exists between plaintiffs and either defendant with respect to said statutes, and in view of the long line of Supreme Court decisions committing such matters at least primarily to State court action, *Amalgamated Clothing Workers of America* v. *Richmond Bros.*, 348 U.S. 511; *Stefanelli* v. *Minard*, 342 U.S. 117; *Douglas* v. *City of Jeanette*, 319 U.S. 157; and *Watson* v. *Buck*, 313 U.S. 387, and cf. 28 U.S.C.A. No. 2283, plaintiffs cannot maintain this phase of their complaint.

It results from the foregoing views that plaintiffs are not entitled to any of the relief sought. We are, therefore, entering an order dismissing the complaint.

Dismissed.

(This opinion issued Nov. 6, 1958.)

[40] 307 U.S. at 274.

[41] *Burford et al.* v. *Sun Oil Co. et al.*, 1943, 319 U.S. 315; *Railroad Commission of Texas* v. *Pullman Co.*, 1941, 312 U.S. 496; *Meyers* v. *Bethlehem Shipbuilding Corp.*, 303 U.S. 41; *Prentis et al.* v. *Atlantic Coast Line Co.*, etc., 1908, 211 U.S. 210, and cases cited. And see also *Peay* v. *Cox, supra*; *Cook* v. *Davis*, 5 Cir., 178 F. 2d 595; and *Bates* v. *Batte*, 5 Cir., 187 F. 2d 142.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2319) for the relief of Sergiusz Rudczenko.

The message also announced that the House had agreed to the amendments of the Senate to the amendment of the House to the bill (S. 2162) to provide a health benefits program for Government employees.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption; and

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 1436. An act to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869);

S. 2230. An act to amend the National Cultural Center Act;

S. 2445. Authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended; and

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. McNAMARA. Mr. President, many of us in the Senate—I like to think it is a majority—had hoped that we would come to grips during this session with definitive legislation in the civil rights field.

It was our desire to build upon the foundation we laid in the Civil Rights Act of 1957 to erect new safeguards for the basic civil and human rights of all Americans.

Unfortunately, on the eve of adjournment, it is obvious that our desire is not going to be fulfilled this year.

I would not like the Nation to feel, however, that this failure to act in the civil rights field resulted from any lack of interest or purpose on our part.

Rather, it resulted primarily from the same parliamentary obstacles that, until 1957, had prevented legislation to insure civil rights for nearly 90 years.

There is first the great obstacle of getting committee action on civil rights bills. And even should that achievement be obtained, there is still the threat of the filibuster, despite the token change this year in the filibuster rule.

Thus we are permitted this year to act only on the relatively simple task of extending the Commission on Civil Rights for another 2 years.

And even that rather innocuous proposal is being greeted with sharp and extended debate.

To my mind, however, the debate on extension of the Civil Rights Commission is achieving two meritorious goals.

First, it has drawn assurances from the Senate leadership that the full Senate definitely will have the opportunity next year to express its will on the subject of civil rights legislation.

So, while we regret that we did not have the opportunity for action this year, we at least have the satisfaction of knowing that next year we will be able to present our case to the Congress and to the country.

We hope, of course, that this opportunity will come at a very early date, after Congress reconvenes on January 6, 1960.

The other achievement of this debate, as I see it, is that it has called much-deserved attention to the Civil Rights Commission, its work in recent months, and its report.

I have the feeling that had not the issue of extending the life of the Commission come up, the report would have been noted briefly, and then forgotten.

In reading portions of this report, I have been pleased with the manner in

which it grasps the interlocking nature of civil rights problems.

It notes, for example, that solving one problem does not automatically clear up others. The report states, in part:

If the right to vote is secured, but there is not equal opportunity in education and housing, the value of that right will be discounted by apathy and ignorance. If compulsory discrimination is ended in public education, but children continue to be brought up in slums and restricted areas of racial concentration, the conditions for good education and good citizenship will still not obtain.

If decent housing is made available to nonwhites on equal terms but their education and habits of citizenship are not raised, new neighborhoods will degenerate into slums.

Particularly impressive, too, is the call upon the leadership of America in the report's statement that:

To eliminate discrimination and demoralization, some dramatic and creative intervention by the leaders of our national life is necessary. In the American system much of the action needed should come from private enterprise and voluntary citizens' groups and from local and State governments. If they fail in their responsibilities the burden falls unduly on the Federal Government.

To me, this means that all America, from the White House on down, must take a much more active and constructive part in meeting these problems than has been the case in the past.

I should like to take this opportunity to congratulate Dr. John A. Hannah, president of Michigan State University, for the fine job he has done as Chairman of the Civil Rights Commision.

A NATION OF ECONOMIC ILLITERATES

Mr. BUTLER. Mr. President, as a member of the Joint Economic Committee, I have become increasingly concerned with the lack of a basic understanding of the American free enterprise system on the part of our younger people. Recently an article on this subject by the well-known columnist, Sylvia Porter, appeared in the Washington Evening Star. It is so clearly directed to the problem which confronts all of us that I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION OF ECONOMIC ILLITERATES

(By Sylvia Porter)

In Congress today policies vitally affecting the survival of our economic system are being made by economic illiterates.

In business board rooms and union meeting halls across the Nation decisions directly involving jobs are being made by men who have only the vaguest idea of what creates a job.

In high schools and colleges the future leaders of America are being taught either nothing about our economic system or are being given courses woefully superficial, dreadfully inadequate.

We are a nation of economic illiterates.

The vast majority of American adults are not only ill-informed on economic issues; worse, they don't care about being better informed.

Most lawmakers are loaded with misconceptions about the economic issues on which they are passing laws.

And this indictment goes to the very top of our Nation at a time when understanding of the American economy is imperative if we are to meet the challenge of the Soviet economy.

Harsh words, yes. And even harsher ones are being spoken by groups which are taking the trouble to dig into the extent of our ignorance—such as the highly respected, nonpolitical Committee for Economic Development, the Ford Foundation, the Carnegie Corp.

So seriously does the CED view our illiteracy that the last meeting of its 160 trustees (consisting of the Nation's leading industralists and scholars) was devoted to the question, "Can a free economy survive its own economic ignorance?" and out of the conference came general agreement that it well may not be able to. Consider:

Less than 5 percent of America's high school students have been taking the equivalent of even one course in economics; eight times as many students enroll in music as in economics.

Even those who do take courses get inferior training—for fewer than 10 percent of elementary school teachers and fewer than 25 percent of high school teachers have had as much as one-quarter course in economics.

At the college level the situation isn't much better. Not more than 15 percent of students in colleges of liberal arts take courses in economics. Even at the schools of business most of the education is in practical stuff and only a tiny part of it is devoted to the basic makeup of our system.

At the adult level it's unlikely that 1 in 20 today has had any formal training in economics, and so great is the lack of understanding that in one recent survey adults placed the whole field of social studies (which includes economics) on a par with such subjects as training in driving a car.

It's downright awful, and the CED's trustees believe the situation is now urgent enough to warrant an all-out attack.

At the high school level, the CED is planning to expand its support of the Joint Council on Economic Education—the 10-year-old headquarters for work on the problem of economic illiteracy. The joint council is pioneering in training economics teachers, preparing objective and quality material in economics for use by teachers and students.

At the college level the Ford Foundation and Carnegie Corp. are now completing studies on illiteracy which hopefully will become the basis for a national policy to strengthen economic education in the colleges.

At the adult level the CED is promoting the establishment of CED Associates in 20 major centers to help local leaders of business and education promote the widest understanding of our economy.

It's a beginning at least. I salute it with a prayer, for I've always feared that if our system ever dies it will be because in our ignorance, we didn't know it was dying—or we were killing it.

THE EGG MARKET

Mr. MCCARTHY. Mr. President, this has been a bad year for the American farmer, and unfortunately there is no promise of a bright future ahead.

I think the record should show where the responsibility lies. The Republicans are still blaming the surpluses and the cost of the farm program on the control and support policies of the Democratic Party, and we are still being told that if Mr. Benson could have his way, all problems would be solved.

Mr. Benson has been in office nearly 7 years, and the responsibility for the existing program is largely his. Over the years the Congress has given him essentially the authority he has asked for. The attempts of the Congress to write major farm bills independently of Mr. Benson's wishes have been stopped by Presidential vetoes. Since the Democratic Party again became the majority party in 1954, two major farm bills and several for specific crops have been vetoed—and the Congress has had to settle for what Mr. Benson wanted.

Yet, Mr. President, the official statistics show that as Mr. Benson has gotten more and more of what he sought, the condition of the farm economy has become worse and the size of the surpluses has increased. The total income of the American farmers has been $20 billion less in the last 6 years than it was in the 6 years preceding his taking office—and this is true despite the fact that farm production last year was 15 percent greater than in 1952.

The value of the commodity credit inventories went up from $1.2 billion early in 1953 to nearly $7 billion in January of this year; and it is estimated that the surpluses will reach $9 billion in 1960.

In 1952, farm prices averaged 100 percent of parity. For the first eight months of this year they were 81.5 percent, and in August they had dropped to 80 percent. Not since 1940 have farm prices averaged as low as 81 percent, but unless there is an unexpected upward swing, this seventh year of Mr. Benson's administration will mark the lowest level of farm prices in 20 years.

This year also the cheap feed policies of the administration are being reflected in overproduction in the poultry and livestock industry. Egg prices reached their lowest level since 1940 several months ago, and the buildup in hogs and cattle is already underway. The 1958 crop of hogs was 94.7 million head, but it is estimated that this year the number will be about 10 million more. This overproduction has already caused a sharp price decline in hogs, and the market price to farmers has dropped to $12 a hundred at some midwest markets.

What this means, Mr. President, is that we are beginning the full harvest of the crop that Mr. Benson has sown. I am not optimistic that much can be done about a revision of the farm program until after the 1960 Presidential election, but I believe that we in the Democratic Party should begin work now on a comprehensive farm program. I am not suggesting that we should return to the past program and readopted it uncritically. The farm program of the Democratic Party served well, but the changing conditions in agriculture and the international scene requires us to reappraise it and go forward.

I should like to take a few minutes now to point out a particular problem in the egg industry. As Members of the

Senate know, the egg producers have been going through a crisis for several months. The average price of eggs nationally fell below 60 percent of parity for several months in 1959, while in Minnesota the price of eggs for many weeks was around 40 percent of parity. There has been the usual fall improvement, but prices are still at an emergency level. The present parity price is 47 cents per dozen; the Minneapolis market on September 8 was, "large, 30 to 31 cents; medium, 17 cents; grade B, 17 to 20 cents; pullets, 8 to 12 cents."

A number of Minnesota producers have written me, asking for information on the manner in which the daily price of eggs is set. There is considerable evidence that the Chicago and New York markets are not operated in keeping with the modern means of producing, transporting, and retailing eggs. The daily movements of the market price often seems arbitrary, with no clear relationship to production. The question has been raised as to whether the New York market is really responsive to production trends and whether it is geared to providing a fair return to the primary producer.

The September issue of the Farm Journal has an article entitled "The Men Who Set Your Egg Prices," written by Claude W. Gifford, economics editor of the magazine. Mr. President, I ask unanimous consent that it be reprinted in the RECORD at the conclusion of my remarks.

The account give by Mr. Gifford is that of a market which is wholly inadequate and one which can scarcely be expected to provide producers with a fair return.

If the account given by Mr. Gifford is reasonably accurate, then it seems to me that the Department of Agriculture has been negligent in its duty. If it does not have authority to exercise any better control under the Commodity Exchange Act, then it should have recommended legislation to the Congress to give it sufficient authority. The gross income to farmers from eggs was over $2 billion from 1947 through 1953, with the exception of 1950. While returns this year will be somewhat below that, it is still a major source of farm income. Mr. President, that an operation of this size should hinge on such an inefficient market as the one Mr. Gifford describes is inexcusable. I have written to the Committee on Agriculture, asking the committee to make inquiries into the egg market; and if the system is in fact as inadeqate as Mr. Gifford describes, to conduct a full investigation.

Mr. President, I ask unanimous consent that excerpts from an article by Dr. Ralph H. Gifford, a distinguished American historian, which appeared in the study, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO SETS EGG PRICES?

This is hard to believe, but a handful of traders—who operate in a few crusty old buildings near the New York waterfront—pretty much set the price that you get for eggs.

And these men get "the word" from one man—either bespectacled, courtly Gordon Urner, or nephew Frank. Each day, one of them prowls the wholesale center and mercantile exchange and names the egg price.

Throw in the Chicago egg market—which has even more glaring shortcomings—and the two markets play the tune that egg producers dance to almost everywhere in the country, except in the Far West.

It's incredible, but true. I've just been to New York to watch the process. Care to go along on a word tour?

The people we'll meet are mainly wholesale "middlemen," brokers and speculators who deal in eggs on the exchange and in the wholesale center.

These firms receive eggs trucked in from nearby and from as far away as Mississippi and Minnesota. They usually pay for these eggs on the basis of New York prices on the day of arrival. The eggs then go to jobbers who in turn distribute to hotels, restaurants, small stores and the like.

They provide very few eggs to the biggest outlets of all—the chainstores.

The crumbling wholesale market center—where these people operate—is a jungle of little offices and partly cooled "egg holding floors." These are tunneled into dilapidated buildings that are jammed into a half-dozen short blocks. This is what the trade calls the "street." It's the kind of a place where you wouldn't want to be caught at night, for it's only a baseball throw from the tough docks that line the Hudson River.

"Thirty years ago, this was a bustling center handling big trainloads of eggs that arrived from the West," relates David Meierfeld, egg dealer at 11 Jay Street. "Most of the eggs for the huge New York City population came through this center—and it took nearly 200 big wholesalers to handle the job.

"Then the chainstores started to bypass us and buy out in the country. Their trucks roll from the henhouse right to the store. Today, there aren't more than 10 big receivers surviving in this entire wholesale center."

Add just two more things, and you got the picture of this antiquated marketing setup that still wields tremendous power: The Mercantile Exchange in the heart of the "street"; and the private, 102-year-old Urner-Barry price-reporting service that issues the daily "word" on egg prices.

I called on John Clagett, executive director of the exchange. He pointed out that members have been trading eggs on the "board" since 1872. The 400 members also trade in butter, potato futures and, oddly enough, platinum.

"This is a cash, spot market for eggs," Clagett explains. "It brings together all the forces of the Nation's egg market. Eggs sold on the board are graded, delivered and paid for by 2 p.m. of the same day."

Clagett says that a bid on the exchange—even if there are no takes (which often happens)—will set prices, since an unfilled bid shows that someone is willing to pay that price.

"It's almost 10:30 a.m. now, opening time for the egg board," Clagett said. "It's open for 15 minutes of trading a day. Let's go down and see it."

We walked onto the exchange floor and found a dozen egg traders idly chatting in front of high blackboards that list 12 different grades and types of eggs—ranging from "Near-By-Fancy Heavy Whites" to "Pullets" and "Peewees."

A bell rang at 10:30 to open trading. I expected to see a commotion. Instead the traders continued to exchange greetings, pleasantries and "trade talk" as if nothing had happened. And frankly, nothing had.

Ten minutes later, at 10:40, a trader finally shouted a bid to a "board boy" standing at the blackboard; he rapidly scribbled down a 41-cent bid for two 25-case units of Near-By Extra Fancy Heavy Whites. Nothing happened. The trader upped the bid to 42 cents. Somebody shouted that he'd sell him 50 cases.

The same bidder came back with a 41½-cent bid for another 50 cases; then a 42-cent bid. He got no takers this time—I noticed that there were only two other bids—and no takers—on the other 11 grades and types of eggs. Then the bell rang again—it was 10:45 and trading was ended.

I was told that it was normal for traders to use only 5 of the 15 minutes allotted daily, as had just happened.

Only 50 cases had been sold on an admittedly slow day. Was this, I wondered, bringing together "all the forces of the Nation's egg market," as Clagett had claimed?

But wait, something else was happening. The traders were now gathering around the Urner-Barry blackboard at the side of the exchange floor to see what the official price would be. In a few minutes, Frank Urner posted the prices: one flat price for each grade, including 41 cents for the Near-By Extra Fancy Heavy Whites. This, despite the 42-cent exchange transaction and the unfilled bids of 41½ and 42 cents, which "somebody was willing to pay," as Clagett had pointed out.

The price that Urner-Barry picked became the New York price, accepted as gospel by the traders, who hurried back to their places of business to use these prices as the basis for paying for the farmers' eggs they handled that day.

Traders in other cities across the country did the same as the wire service flashed the prices across the Nation.

"Even most of the chainstores use Urner-Barry New York quotations as the basis of their prices to farmers," says Dr. Alfred Van Wagenen of the Northeastern Poultry Producers Council.

Again next day I went back to watch exchange dealings. This time 33 bids were made on 7 of the 12 grades; 5 deals were completed in 2 grades. In each of the 7 grades where bids were offered or deals made, Gordon Urner quoted an official price 1 to 2 cents under the exchange.

"How come?" I asked Gordon Urner.

"We've been in this business 102 years," he replied, "and we've learned that the egg trade wants one flat price—not a range of several cents for the same grade (such as the USDA reports). The single price saves time and trouble in making deals. Over the years, we've supplied the price, and the trade has accepted it."

"But how do you arrive at one flat price that's used almost the country over?" I questioned.

"We watch the supply and demand daily; we have instant contact with Chicago and Boston. Each morning we go down the street and size up the egg movement here in New York by talking with several wholesale firms. Finally, we go to the Exchange and watch the trading. Then, based on our judgment and years of experience, we settle on a price."

"But," I persisted, "why do you quote prices ½ to 2 cents lower than sales or bids on the Exchange, such as I've just seen?"

"We do our best to prevent unnecessary daily price variation—that's part of our function. We don't like to be thought of as price regulators," said Urner, "but you can't get away from some of that."

What's wrong with this system? Ask those who know most about it and they'll point out that:

New York conditions are not typical of the national egg market.

The wholesale center handles only a piddling amount of the national egg supply. Firms are influenced almost solely by their own supplies related to their small share of the New York City market.

It's estimated that one large chain store in New York handles more eggs than the entire wholesale center.

A couple of extra truckloads of eggs on the New York "street" can throw the market in a tizzy. Because of the high market costs, less than 1 percent of the eggs received are shipped out again to other cities to clear local supplies.

"Supply and demand out in producing areas may not change, but New York prices do," charges USDA egg market chief, H. A. Rust.

2. Urner-Barry's quoted prices don't necessarily show what's happening in New York, even. Almost always there's a premium paid over the quoted price; sometimes there's a discount. But this information is not fully and clearly reported—nor understood by buyers and farmers around the country.

The eggs that a farmer sells to a country buyer by grade, or which are packed in cartons or delivered, are different from the bulk eggs that are used to set base prices in New York.

3. Exchange trading is exceedingly thin, artificial, inadequate.

Members don't rely on the exchange to buy or sell their supplies. Partly because of exchange fees and redtape, it's cheaper and easier to buy and sell on the street. They go to the exchange primarily to test the market and to protect their own margins.

A market this thin can easily be pushed up or down on any one day. "It's highly susceptible to manipulation with a few cases of eggs when it's an extreme market going up or down," says L. C. Giffin, USDA market reporter. "Often exchange trading runs opposite to what I find on the street."

Prices in New York change about once every 2 trading days.

4. The system puts too much power in one man's hands.

"Nobody is that good," says Henry Broad, one of the market's biggest receivers. "But still I base my entire operation on Urner-Barry prices, for lack of anything better."

Actually, Urner-Barry picks up little information from the street on prices, since most of the firms are using the price that Urner-Barry selected.

Even worse, the Chicago Mercantile Exchange price is reported by a private service that usually isn't even present. It calls an exchange employee who relates what happened.

"The nub of the trouble is that the central egg markets are dying," says USDA's egg price specialist, Norris T. Pritchard. "Yet the trade clings to central market prices by long habit, actually lets them set prices by default."

What can be done about it? Here are three suggestions that you hear:

Get egg co-ops and private handlers to aggressively price their own eggs and cut down on price gyrations.

In the Los Angeles area, large egg producers and farm groups negotiate for prices. The contracts are tied to retail store prices. Instead of fluctuating once every 2 days, prices change on the average of only once every 2 weeks. And the margins between farm and customer are among the smallest in the country.

The Poultry Producers of Central California—a farm co-op—has brought similar stability to the San Francisco area; as has the Washington Cooperative in the Pacific Northwest.

Other groups could follow this lead—but even nationwide co-ops couldn't hope to alter seasonal or yearly price fluctuations.

Improve the Government market reporting system.

The USDA is working on this now—but needs support. It wants to get more complete information on egg movements from country points, prices that retail stores pay, the volume moving at different prices and a national picture.

Broaden exchange trading.

Seats now cost $4,000 in New York, and the rules, in effect, restrict trading to eggs that are already on the market.

But the northeast egg co-ops have taken a bold step: They've formed an association that wholesales in New York and buys and sells on the exchange. "The trade will agree that we've stabilized prices on this market—and this has helped poultrymen everywhere," says manager Wyn Geghan.

It's plain that what farmers really need is a new way to price eggs.

THE FAILURE OF THE FPC

Mr. McCARTHY. Mr. President, the failure of Federal regulatory agencies to carry out their congressional mandate has become an increasingly severe problem in recent years. These agencies were created by Congress to insure that the public interest would be protected in such vital areas as communications, transportation, and power. We have lately become all too familiar with the fact that some regulatory Commissioners have exercised extremely poor judgment in their relations with the industries which they are supposed to regulate, at times, unfortunately, engaging in practices that were both immoral and illegal; bills to raise the ethical standards of conduct for regulatory Commissioners are now pending before this Congress. Yet, the problem raised by the inadequate ethical standards of some Commissioners, though more spectacular, is not nearly so serious as the problem raised by Commissioners who, apparently unconvinced of the necessity or the desirability of the statute under which they operate, administer that statute in such a way as to frustrate and defeat its very purpose. None of the regulatory agencies provides a better example of this unfortunate development than the Federal Power Commission in the exercise of its duties under the Natural Gas Act.

The purposes of Congress in enacting the Natural Gas Act was, as the courts have noted time and time again, to assure the consumers of this country that they would pay no more than a just and reasonable rate for the natural gas they use to heat their homes and cook their meals. In normal sequence, the flow of natural gas passes through three stages before it reaches the consumer—it is produced primarily in gas-producing areas of the Southwest and sold at the wellhead by the producers to the long lines interstate pipeline companies; the pipelines in turn transmit the gas to the consuming areas and resell it at the city gate to the local gas distributing companies, who in turn sell it to the ultimate consumer. The sale by the distributing company has historically been regulated by the State or municipal utilities commission; in 1938 we enacted the Natural Gas Act to provide regulation of the two interstate portions of the journey—the sale by the producer to the pipeline, and the sale by the pipeline to the distribution company. All three segments are, or are supposed to be, regulated on a cost basis, and any increase obtained by the producer is immediately passed on by the pipeline to the distributor, and by the distributor to the consumer.

For many years following passage of the National Gas Act, the Power Commission took the position that the act did not require regulation of the first sale—the sale by the producer to the pipeline. This restrictive view was challenged by the Public Service Commission of Wisconsin, and in 1954, in the famous Phillips decision, the Supreme Court reversed the FPC and held that the Gas Act not only authorized but required the Federal Power Commission to regulate producers—otherwise a gap in the regulatory processes from wellhead to consumer would be created. We have since 1954 seen two attempts to reverse the Supreme Court's decision and to exempt producers from regulation. The first of these, the Harris-Fulbright bill, was ultimately defeated as a result of the illegal and criminal pressure tactics employed by certain producers in their zealous drive to obtain votes in the Senate. The second attempt, the Harris-O'Hara bill of the 85th Congress, met with the approval of the House Commerce Committee, but never reached the floor of either House. The consumer interests have thus been successful, not only in requiring a reluctant Federal Power Commission to assume jurisdiction over producer rates, but also in beating back attempts by the producers to gain exemption from such regulation.

But what has actually happened with producer regulation as administered by the Federal Power Commission? The Commission, as I have previously noted, was reluctant to admit the existence of such jurisdiction; that question was resolved by the Supreme Court's Phillips decision in 1954. Since then, the Commission has proven even more reluctant to exercise its powers under the Natural Gas Act, and has let producer and pipeline rates run riot, to the detriment of all users of natural gas. Thus, although the entire purpose of the Natural Gas Act was to have the Power Commission protect the consumers, it has been necessary time and time again for the consumer interests to take the Federal Power Commission to court in order to prevent the Commission's illegal dissipation of its statutory mandate. Far too often, the lineup has seen the consumers on one side and the pipeline, the producers, and the Power Commission on the other.

A few weeks ago, on Monday, June 22, the Supreme Court once again reversed the Federal Power Commission in its failure to protect the consumer interest. Once again the Supreme Court held that the Federal Power Commission was exercising too little regulation. And once again the reversal came at the instance of a public agency representing the consumer, the Public Service Commission of the State of New York, assisted by two local gas distribution companies—Long Island Lighting Co., and Public Service Electric & Gas Co. To understand the significance of this decision as well as the extent of the Power Commission's dereliction of its duty, it is necessary to trace what has been happening to the price

of natural gas in the field. For many years following the enactment of the Natural Gas Act, the price charged by producers posed no special problem, even though the Power Commission was at that time insisting that it lacked authority to regulate such prices. Gas was in plentiful supply, and between 1938 and 1950, its price ranged between 4 cents and 7 cents per thousand cubic feet. Beginning in 1950, however, and under the impact of the many new pipelines which had been built to provide an outlet for natural gas, the price in the field rose sharply from 6½ cents in 1950 to slightly under 10 cents in 1954. It was this sudden and rapid increase which made the Supreme Court's Phillips decision in 1954 so welcome to the consumer interests. However, the Commission has repeatedly urged Congress to repeal Phillips, and although Congress has not done so, the Commission itself has ignored our mandate to regulate, and has created a de facto repeal. I mentioned a moment ago that in 1954, when the Phillips decision was handed down, the average price of gas sold in interstate commerce was slightly under 10 cents per thousand cubic feet; in the 5 years that have elapsed since then, the Federal Power Commission has permitted this price to rise to approximately 14½ cents, its highest level in history, and this increase has been allowed in the absence of any clear showing by the producers that an increase in their rates is necessary. The price of gas has thus increased well over 100 percent since 1950, and the major portion of this increase has taken place since 1954 when the Federal Power Commission was specifically directed by the Supreme Court to regulate producers. Such a steep rise in price would be remarkable for any commodity; when such an increase occurs in a regulated commodity it raises disquieting suspicions as to the ability and intentions of the regulatory agency. Furthermore, it must be remembered that the producers normally sell their gas in interstate commerce under 20-year contracts; even today most of the gas which is being sold was discovered and dedicated to the interstate market many years ago. This fact alone would be expected to preclude any rapid rise in prices.

How, then, has this increase come about? It has come about because the producers have demanded higher and higher prices for the gas which they sell to the transmission companies. The transmission companies, knowing well that any price they pay can be passed along to the distributing companies and in turn to the consumers, have been willing to bid the price up to levels which would have been considered incredible only a few short years ago. When the Harris-Fulbright bill was being debated a little over 4 years ago, we heard a great deal about the fact that the producer received only 10 cents a thousand cubic feet for his gas. Yet, in the few short years which have elapsed since then, the producers have demanded a price of 17 cents, then 20 cents, and most recently 24 cents for the gas they sell, and in case after case, the Commission has authorized sales at these levels. Two years ago, in the celebrated Catco case which was reversed last week by the Supreme Court, the Federal Power Commission authorized the Catco companies, a combination composed of four major oil and gas producers—Continental Oil, Atlantic Refining, Tidewater Oil, and Cities Service Production Co.—to sell their gas produced from leases in the Gulf of Mexico off the Louisiana shore to Tennessee Gas Transmission Co. at what was then the unprecedented high price of 22.4 cents per thousand cubic feet. This the Commission did, although in no rate case under the Gas Act has any producer ever been able to prove that his costs of production plus a fair return were anywhere near that high; this in the face of the Commission's knowledge that no producer in the entire Southwest had ever demanded such a high price for his gas; this in the face of the Commission's own finding that the rate level proposed was not in the public interest. The precipitous upward surge of producer prices, epitomized by the Catco case, is assuredly unknown in a regulated industry. Fortunately for the consumers of this country, it was not necessary to place total reliance on the Federal Power Commission. The Public Service Commission of the State of New York and two distributing company customers of Tennessee Gas Transmission, the pipeline purchasers from Catco, aware of the impact that the Federal Power Commission's Catco decision would have upon their consumers, took an appeal. Last June the third circuit, in a unanimous decision, reversed the Federal Power Commission's order, and last week, the Supreme Court unanimously affirmed the judgment of the third circuit and likewise reversed the Federal Power Commission's order.

In plain and simple language the Court held, as it has so often held in the past, that the purpose of the Natural Gas Act was to underwrite just and reasonable rates to the consumers of natural gas. Accordingly, the Court ruled that, in passing upon proposed new sales such as those involved in the Catco case, the Power Commission must give responsible consideration to the price demanded by the producer. The Court found that the 22.4-cent price, if allowed to stand, would become a floor for future contracts in the area. This, it went on to say, "has been proven by conditions in southern Louisiana where prices have now vaulted from 17 cents to over 23 cents per thousand cubic feet. New price plateaus will thus be created as new contracts are made and unless controlled will result in exploitation at the expense of the consumer, who eventually pays for the increases in his monthly bill."

The consumers have thus won another and an important victory, and gas prices will be the lower for it. But it should be a matter of great concern to this body that the consumers must win victories in the courts, since the Power Commission, if left alone, will apparently bend every effort to concede to the industry it is supposed to regulate. The serious nature of the Power Commission's dereliction of its duty is demonstrated by the fact that every major interstate pipeline in this country presently has pending, and in most cases is collecting, an increase in rates; in almost every case these increases have been caused by the fact that the pipeline must pay more for the gas they purchase from the producers at the wellhead. And in 5 years, the Power Commission has failed to conclude a rate investigation against a single major producer of gas. In 1943, 5 years after the enactment of the Natural Gas Act, the Power Commission, in response to a request by the then chairman of the House Commerce Committee, filed a report on the first 5 years under the Natural Gas Act. That report, though it is now 16 years old, is still an important document; in it the Commission traces the progress it had made between 1938 and 1943 in protecting the consumer. The Commission's concern for the consumer, and with assuring just and reasonable rates for the consumer, is evident in every paragraph and table of that report. If the Power Commission were asked to prepare a similar report covering the first 5 years of producer regulation under the Phillips decision, I am afraid it would tell us little more than the fact that the Commission does not like that decision, and that, failing in its efforts to obtain a statutory repeal of the decision, it has rendered it ineffectual through the administrative subversion of the act we have directed it to administer.

Mr. President, I ask unanimous consent that at the conclusion of these remarks three articles, one from the Wall Street Journal, one from the New York Herald Tribune, and one from the New York Times, all of June 23, 1959, may appear in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 23, 1959]

HIGH COURT ORDERS FPC TO GUARD AGAINST EXCESSIVE GAS RATES—IT UPSETS PREVIOUS POLICY OF PERMITTING NEW SALES WITHOUT CHECK ON PRICES

WASHINGTON.—The Supreme Court ordered the Federal Power Commission to guard against excessive rates in considering applications by independent producers to provide new natural gas service.

The unanimous ruling, which affirmed a pair of lower court orders, upsets FPC's policy of allowing new gas sales without first approving the rates to be charged. FPC reasons new gas service should not be slowed up by drawn-out rate arguments that can be dealt with at later hearings.

Justice Clark's majority opinion does not require a full rate probe before new gas service can be approved, but it directs FPC to take steps to prevent excessive rates on the new gas sales.

This apparently means the FPC, without passing on the reasonableness of proposed initial rates, must reject those that are excessive on their face. The agency can either refuse to issue certificates for new gas service because of excessive rates or attach rate ceilings to the certificates issued.

NONPIPELINE INDEPENDENTS INVOLVED

The producers involved in the controversy are independents who do not own pipelines. The rates at issue are on sales from these independents to pipeline companies. Integrated companies, on the other hand, both produce gas and own pipelines. Most appli-

cations to provide new gas service, however, come from the independents. For example, at one point last year, the FPC counted 1,356 independent producer filings out of a total of 1,678 applications.

The immediate effect of the Supreme Court's gas ruling is to upset an FPC order permitting Tennessee Gas Transmission Co., a pipeline, to pay an initial price of 21.4 cents per thousand cubic feet on new gas bought from four independent producers—Atlantic Refining Co., Cities Service Production Co., Continental Oil Co., and Tidewater Oil Co.

The case now goes back to FPC which already has issued three orders on it. Twice the agency refused to authorize the producers to sell gas at the proposed initial rate. After the producers refused to supply the gas at a lower rate, FPC approved the sales at the 21.4-cent rate.

The FPC was not directly involved in the case before the High Court. The suits were brought against Tennessee Gas by the New York State Public Service Commission and a couple of local distributing companies. The FPC however, filed a brief urging the Court not to rule on the broad issue of whether rates must be considered at certification proceedings.

Justice Clark, nevertheless, told the FPC the law does not require a full-scale rate investigation as a prerequisite to the issuance of certification for new gas sales. But, he declared, adequate consideration by the FPC of a new application "requires a most careful scrutiny and responsible reaction to initial price proposals of producers * * *."

Prices are not the only factor having a bearing on the public convenience and necessity, the opinion said. But, it stressed, "where the application on its face or on presentation of evidence signals the existence of a situation that probably would not be in the public interest, a permanent certificate should not be issued."

[From the New York Herald Tribune, June 23, 1959]

NATURAL GAS PRICE RISE HERE BARRED—HISTORIC RULING HAILED BY PSC

Gas consumers in the New York metropolitan area reportedly won a "historic victory" yesterday when the U.S. Supreme Court in Washington unanimously rejected Federal approval of a contract affecting the price of natural gas transmitted here from the Gulf of Mexico.

The court invalidated an order by the Federal Power Commission that would have permitted the Tennessee Gas Transmission Co. to be charged an initial rate of 21.4 cents a thousand cubic feet for gas bought from four producers in the gulf area. The highest previous rate paid by Tennessee Gas Transmission was 18 cents.

TWO MILLION EIGHT HUNDRED THOUSAND CONSUMERS

The Tennessee firm furnishes gas to the three main power companies in the New York area—Consolidated Edison, Brooklyn Union Gas, and Long Island Lighting. The 3 serve a total of 2,800,000 consumers.

The description of the Court decision as a "historic victory" for consumers in this area came from James A. Lundy, chairman of the New York State Public Service Commission, which was one of the parties that challenged the proposed new rate.

A spokesman for the commission said the decision could result in savings running into "millions and millons" of dollars. He said it was hard to tell at present whether the ruling will result in an immediate reduction in gas rates, but he added that the rates "won't go up so easily."

"If the decision had gone the other way," he commented, "the sky was the limit."

Mr. Lundy said the decision "marks the culmination of 5 years of unremitting effort by the New York commission to halt the skyrocketing of producer rates for natural gas." He gave particular praise to Kent H. Brown, counsel to the commission, "who bore the brunt of this contest."

The Court decision, given by Justice Tom C. Clark, held that the Federal Commission should not issue a permanent certificate approving a new contract "where the application on its face or on presentation of evidence signals the existence of a situation that probably would not be in the public interest."

The proposed contract would have been the first from the new gas fields under the gulf. It represented the largest reserve ever committed in a single sale. The four gulf producers involved, known as the Catco companies, are Cities Service Production Co., Atlantic Refining Co., Tidewater Oil Co. and Continental Oil Co.

Under the Court decision, the case will be sent back to the FPC for new hearings.

[From the New York Times, June 23, 1959]

HIGH COURT OVERTURNS ORDER BY FPC ON NATURAL GAS RATES

WASHINGTON, June 22.—Gas consumers in the East won a round in the Supreme Court today in litigation over the price for gas piped from the Gulf of Mexico. The High Court unanimously overturned a Federal Power Commission order permitting Tennessee Gas Transmission Co. to pay an initial rate of 21.4 cents a thousand feet for gas bought from four producers.

The producers are Atlantic Refining Co., Cities Service Production Co., Continental Oil Co. and Tidewater Oil Co.

The Supreme Court's action sends the matter back to the FPC for further proceedings.

In previous proceedings the producers were once told the initial rate had to be cut to 17 cents, with the right given the producers to file requests for an increase up to 21.4 cents after they began deliveries to Tennessee Gas.

SALES WERE BEGUN

The producers refused to accept the cut and the Commission later approved the gas sale at an initial rate of 21.4 cents. The Commission made the 21.4 rate subject to investigation as to reasonableness. In June 1959, the producers began sales to Tennessee Gas under this FPC authorization.

Before the service to Tennessee Gas began, however, the Public Service Commission of New York State, and the Long Island Lighting Co. and the Public Service Electric & Gas Co. appealed the Commission's last action. Their appeals were filed with the U.S. circuit court in Philadelphia.

The circuit court on June 30, 1958 held that the Commission's first finding—that there was insufficient evidence of reasonableness for the proposed rate of 21.4 cents—barred the Commission on rehearing from removing the original rate reduction requirement solely because the producers threatened to withdraw their gas from the interstate market.

ORDER SAID TO BE IN ERROR

Justice Clark, who wrote the Supreme Court's opinion, said the FPC order granting unconditional certificates was in error.

The Court's examination of the record, Justice Clark said, "indicates that there was insufficient evidence to support the finding of public convenience and necessity prerequisite to the issuance of permanent certificates."

Justice Clark said that proposals before the Commission like that of Tennessee Gas had to be supported by evidence showing their necessity to the present or future public convenience before permanent certificates could be issued.

This is not to say, the Justice added, that rates are the only factor bearing on the public convenience and necessity, for a section known as 7(E) of the Natural Gas Act requires the Commission to evaluate all factors bearing on the public interest.

"The fact that prices have leaped from one plateau to the higher levels of another, as is indicated here, does make price a consideration of prime importance," Justice Clark stated.

"This is the more important during this formative period when the ground rules of producer regulation are being evolved. Where the application on its face or on presentation of evidence signals the existence of a situation that probably would not be in the public interest, a permanent certificate should not be issued."

Argument for the producers was made before the High Court by David T. Sears of Houston; for Tennessee Gas Transmission Co., by Harry S. Littman of Washington, D.C.; for the Public Service Commission of New York by Kent. H. Brown of Albany; for Long Island Lighting and Public Service Electric and Gas by Edward S. Kirby of Newark, N.J.

NO EFFECT SEEN HERE—COURT DECISION IS TERMED FAVORABLE TO CONSUMER

Rate experts at the Public Service Commission said yesterday that the Supreme Court decision in the Tennessee Gas Transmission Co. case would have no immediate effect on customers of the three companies in the metropolitan area which buy gas from Tennessee.

The companies are Consolidated Edison, the Brooklyn Union Gas Co. and the Long Island Lighting Co. They also buy gas from the Transcontinental Gas Transmission Co. and the Texas Eastern Gas Transmission Corp. for 2,800,000 customers in New York City, Long Island, and Westchester County.

Spokesmen for Consolidated Edison and Brooklyn Union could see no immediate gain to their customers as a result of the Supreme Court decision. Long Island Lighting called the decision "a definitely favorable one from a consumer's standpoint."

The spokesman for the Long Island company explained that the decision would force the Federal Power Commission to act immediately if the price of gas appeared too high. It said the Commission had hoped to put off the question of price for a few years until a formal rate investigation would have been completed.

James A. Lundy, chairman of the public service commission, said the decision marked the end of 5 years of efforts by his group to halt the skyrocketing of producer prices for natural gas. He gave credit for the victory to the commission's counsel, Kent H. Brown.

THE ROLE OF PARLIAMENT IN THE PROTECTION OF THE RIGHTS OF THE INDIVIDUAL—ADDRESS BY SENATOR CHURCH

Mr. CHURCH. Mr President, on Saturday, September 12, 1959, the distinguished Senator from South Dakota [Mr. CASE] entered some preliminary remarks into the RECORD concerning the Interparliamentary Union, which took place in Warsaw, from which we have but recently returned.

As one of the delegates from the U.S. Senate to attend the conference, where 56 nations of the world were represented, I regret that time does not permit me to give a full or detailed report. The Senate is now in the rush of closing business on what may be the final day of our session.

Nevertheless, since this conference was the first to be held in a country located behind the Iron Curtain, it offered those of us who represented free nations an incomparable opportunity to speak up for the free way of life. One of the major topics on the agenda of the conference was "The Role of Parliament in the Protection of the Rights of the Individual." I need hardly emphasize that this subject proved an excellent vehicle for contrasting the principles and procedures of a free society with those of a Communist state.

Mr. President, it was my privilege to address a general session of the Interparliamentary Union upon this subject. I ask unanimous consent that the text of my remarks on that occasion be published in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ROLE OF PARLIAMENT IN THE PROTECTION OF THE RIGHTS OF THE INDIVIDUAL

(An Address by Hon. FRANK CHURCH, U.S. Senator, from Idaho, before the Inter-Parliamentary Union in general session at Warsaw, Poland, September 2, 1959)

I am grateful and honored to speak before so distinguished a group of parliamentarians from so many lands, on the subject to which my country has always attached supreme importance—the protection of human rights.

Here at the Inter-Parliamentary Union, for the past several days, we have been largely occupied with the grave and momentuous problem of preserving the peace. The United States covets peace, and seeks to secure it in all the world in every proper way. My countrymen want peace, but they would never trade their freedom for it. My countrymen love peace; but they love their freedom even more.

Nearly 200 years ago, when we were but Colonies, a great patriot of ours, Patrick Henry, urged his fellow Virginians to fight for their independence with these immortal words: "Is life so dear and peace so sweet as to be purchased by chains and slavery? Forbid it, Almighty God.

"I know not what course others may take, but as for me, give me liberty or give me death."

The people of the American Colonies chose liberty before peace, they fought to establish a government of their own making, that would function "by the consent of the governed" within a free society in which all men would stand equal before the law, endowed with certain natural and inalienable rights:

(1) The right to speak, to publish, and to read, having full access to all the learning of the ages, without censorship by the government, or fear of reprisal.

(2) The right to worship, or not to worship, according to one's own beliefs, without compulsion or direction from the Government.

(3) The right to a fair public trial, should one be accused by the State of the commission of a crime, in which the question of guilt or innocence is decided by a jury of fellow citizens, chosen by lot.

(4) The right to acquire and privately own both real and personal property, which may not be seized, even by the Government, except upon payment of its just value.

(5) The right to travel freely within one's country, without need of papers, passports, or permission of the Government, and the right to choose one's field of work, undirected by the Government, and to change that work by free choice, without need for obtaining the permission of the employer.

(6) The right to self-government, to majority rule as established in regular, open, and honest elections, in which an organized opposition to the party in control of the Government has full access to the ballot, and unrestricted opportunity to present and argue its case before the people at large.

Mr. President, should anyone protest that my country, the United States, has failed to extend all of these freedoms to all of our people all of the time, I would readily agree. We were not the first country to aspire to freedom, and perhaps we are not the country that has most perfectly achieved it. But we understand individual rights as I have attempted to define them, and our history records our unremitting effort to extend and perfect these rights, and to make them meaningful and real for all our people.

What, then, Mr. President, is the role of Parliament in the protection of these individual rights? I cannot give you the official view of my Government as to this question. If there is one, I have not inquired as to what it may be. I can only give you my own personal view, as one free citizen.

It is evident, of course, that the role of any given parliament in protecting individual rights depends, fundamentally, upon the extent to which that parliament in fact exercises genuine power. If it is a parliament that meets only for ceremonial reasons to give routine and perfunctory endorsement to programs fashioned elsewhere within the government, then it can have no significant role at all, in protecting individual rights. There is no nourishment to be found in an empty vessel.

If, on the other hand, the parliament in question is, in fact, the lawmaking body of the government, then its role in protecting individual rights is most significant, indeed.

The Congress of the United States possesses the lawmaking power. Our Constitution, which is our highest law, contains the guarantees of basic rights for all individuals and it is the responsibility of the Congress to implement these guarantees, as occasion may require, with appropriate legislation. It is, in turn, the function of our courts, which are independent of either the executive or legislative branches of our Government, to administer the laws by giving remedy to those aggrieved by their violation.

Now just as the manager of a factory concentrates his attention upon what is going wrong rather than upon what is going right, so the Congress in the United States has concentrated its attention upon those areas where individual equality and freedom has not yet been fully realized.

So it was that Congress approved the Civil Rights Act of 1957, extending more effective judicial remedies to Negro citizens who, in some parts of our country, may be denied the right to vote. Before this session of Congress is over, the Senate of the United States is scheduled to take up proposed amendments to this Civil Rights Act designed to better protect Negro children in the exercise of their constitutional right to attend fully integrated public schools.

Within the past 2 years, the Congress has completed the extension of equal rights to our citizens in Alaska and Hawaii. For many years while these lands were Territories of the United States, the people were granted extensive rights of self-government as to local matters, but they did not share in the government of the Nation. Now, upon the petition of the people, Congress has granted statehood to both Territories, making them integral parts of the United States, and conferring upon the people of each, equal rights to share in the National Government. Indeed, Mr. President, it was just last week that I witnessed the ceremonies welcoming into the Congress the newly elected delegation from our 50th State of Hawaii. One Senator is of Chinese ancestry, the other is a Caucasion. The Congressman, who will serve in the House of Representatives is of Japanese origin.

These are examples, it seems to me, of how a parliament of real powers can legislate to extend, promote, perfect, and protect the rights of individual citizens. It is an unending process, for perfect freedom lies always beyond the reach of imperfect men.

Yet we are proud of the progress we have made in the United States. We enthusiastically endorse the draft resolution before this conference, relating to the role of parliament in protecting of individual rights.

We do so in the hope that freely elected representative parliaments will grow in stature everywhere, possessing the power to work their will, so that added momentum will be given to the building of a world where freedom presides and peace endures.

THE DISMISSAL OF POSTAL CLERK WALTER NOREEN

Mr. McCARTHY. Mr. President, on Saturday last my colleagues from Minnesota [Mr. HUMPHREY] addressed the Senate regarding the arbitrary dismissal from the postal service, in the Post Office at St. Paul, Minn., of Mr. Walter Noreen. The charge upon which he was dismissed was that he had made remarks which tended to bring disrepute upon the Post Office Department.

Mr. President, I am sure that most Members of the Senate would agree that to call upon a man to answer charges that his remarks had tended to bring disrepute upon the Post Office Department is to call upon him to do that which is almost impossible. This was the burden of the argument which was raised by my colleague last Saturday.

The dismissal has been of concern to me for the better part of this year. I have been in communication with the Post Office Department, trying to get them to specify their charges so that Mr. Noreen might answer. So far as I can discover, they say there is no question about his integrity; nor is there any question about the work record of Mr. Noreen in the Post Office Department.

Mr. Noreen has been an active member of the Postal Clerks Union, but this union, if not approved, at least has been tolerated by the Post Office Department. He has also been active in the general trade union movement, but according to my information this is not contrary to the Hatch Act or contrary to the regulations of the Post Office Department itself.

They say, in effect, that, while none of the remarks which he has made over a number of years, taken apart and separately, seem to be sufficient cause for his dismissal, taken all together they finally led them to decide that he should be arbitrarily dismissed from the Post Office service. Evidently the sum of the parts in this case amounts to more than the whole, and so this action has been taken.

He has his case under appeal through the Civil Service, but it is my opinion that the matter is of such seriousness that it should be the concern of the Senate and the House, particularly of committees which have the special responsibility with regard to the Post Office and with regard to the rights of people

who work in the Post Office or any of the other departments and agencies of the Government.

One of the charges, as I have said, is that he has contributed to bringing disrepute upon the Post Office Department. I might say that to charge that any one postal clerk has brought disrepute upon an agency as extensive as the Post Office Department, a Department which has been under the direction of Mr. Summerfield for nearly 7 years, is a most extensive charge.

They do say that in a public statement Mr. Noreen charged that the regional offices of the Post Office Department were full of Republican partisan appointees. I think that this was perhaps a misstatement. If he had said the regional offices have been filled up with Republican appointees, that would have been accurate, because not everyone in a regional office is a partisan appointee. Or if he had said that the offices are half full of partisan appointees, I think that his statement would have been quite accurate.

It is my opinion that statements of this kind do not provide an adequate base or justification for firing a man who for 16 years has performed admirably all of his responsibilities, and fulfilled all of the duties according to civil service regulations.

Mr. President, I ask unanimous consent that a number of documents and communications bearing upon this particular dismissal from the Post Office Department be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the St. Paul Pioneer Press, Dec. 6, 1958]

HOLIDAY HIRING AT POST OFFICE RAPPED—POST OFFICE CRITICIZED BY LABOR LEADER FOR HIRING PERSONS FOR CHRISTMAS HELP WHO HE SAID HAVE FULL-TIME JOBS IN PRIVATE INDUSTRY

Walter Noreen, president of the St. Paul Postal Clerks Union, said he would ask the St. Paul congressional delegation to help end a most vicious antilabor practice by the present Republican administration in charge of postal operations.

"With over 8,000 unemployed in St. Paul in October (and the November figures yet to be released will show a further increase) the first Christmas help hired are people who have full-time jobs in private industry and come into the post office 'moonlighting' during the evening hours," Noreen said.

He noted that regular employees extra time had been cut 50 percent.

"Because of orders emanating from the regional office," said Noreen, "this year we are beginning the worst Christmas operation in our memory."

(Case No. 89856–C)

POST OFFICE DEPARTMENT,
OFFICE OF INSPECTOR,
St. Paul, Minn., February 20, 1959.

Mr. WALTER O. NOREEN,
Regular Clerk, care of Postmaster,
St. Paul, Minn.

DEAR MR. NOREEN: In accordance with the provisions of section 14 of the Veterans' Preference Act, this is advance notice to you of at least 30 days that it is proposed to remove you or take such other disciplinary action as may be determined to be appropriate.

The Department wishes to make it crystal clear to you that the following charges are not an attempt to muzzle honest criticism but result from statements made by you which you know to be inaccurate.

The reasons for the proposed actions are as follows:

CHARGE NO. 1

As a result of an inquiry of you by the Department concerning the effect of a film recording made by you which was telecast in St. Paul, Minn., on September 9, 1957, you wrote the Department on December 11, 1957:

"I wish to assure you that I, as an individual, and as president of local 65, will, as I have previously assured you, take particular precaution in any public statements made by me. You can be sure that I shall never willfully or intentionally make any statements either publicly or privately for the purpose of bringing the postal service into disrepute."

Part 744.12 of the Postal Manual—To Be Subject to Higher Requirements—reads as follows:

"Postal employees are servants of the general public and their conduct, in many instances, must be subject to more restrictions and to higher standards than may be for certain private employments. Employees are expected to conduct themselves during and outside of working hours in a manner which will reflect favorably upon the postal service."

You have submitted an affidavit dated January 6, 1959, to the effect that you are familiar with the Civil Service regulations and the Veterans' Preference Act. You are aware of the fact that the Veterans' Preference Act and the appropriate Civil Service regulations are the result of an act of Congress and that such law and regulations were in effect previous to this administration and are in effect today. You are aware this act governs the operation of the Post Office Department.

Despite this knowledge gained as a postal employee, as a representative of a postal employee organization, and from discussion and correspondence concerning your telecast on September 9, 1957, on December 6, 1958, you furnished a newspaper, The St. Paul Pioneer Press, a publicity release which states in effect that you would ask the State congressional delegation to help end "a most vicious antilabor practice by the present Republican administration in charge of postal operations." The part of the preceding statement in quotation is from your statement issued to the St. Paul Pioneer Press. This reflected unfavorably upon the Post Office Department and tended to bring it into disrepute.

CHARGE NO. 2

With full knowledge of the existence of the above cited statement of December 11, 1957, of your obligation under part 744.12 of the Postal Manual, and of your obligations as a career postal employee, in the same publicity statement cited in the preceeding paragraph, you stated "because of orders emanating from the regional office this year we are beginning the worst Christmas operation in our memory." This statement was made prior to the beginning of the Christmas season, was not based on facts, and reflected unfavorably upon the Post Office Department, and tended to bring it into disrepute.

You are hereby given 5 days from the receipt of this letter of charges within which to reply personally and in writing and to furnish affidavits or other evidence in support of your reply. If additional time is needed, it will be considered upon written application to us showing the necessity. After the expiration of this period, all of the facts in your case, including your reply and affidavits, if any, will be given careful consideration and you will be advised of the decision reached.

Sincerely yours,

P. L. FRANTZ,
R. E. MONROE,
Postal Inspectors.

QUESTIONS ASKED BY INSPECTORS

1. Were you quoted correctly in the newspaper article?

2. Are you not aware that by civil service regulations promulgated under the Veterans Preference Act the St. Paul post office is required to give preference to veterans in selecting Christmas assistants regardless of whether or not such veterans have other employment?

3. Are you not aware that the St. Paul post office is handling the employment of Christmas assistants this year in exactly the same manner as was the case last year and in accordance with Civil Service Regulations and the instructions set forth in the Postal Bulletin dated September 19, 1957?

4. If answers to the foregoing are in the affirmative, what is your explanation of the newspaper quotations in the light of the assurances given by you in writing to the Assistant Postmaster General, Bureau of Operations, under date of December 11, 1957?

AFFIDAVIT BY WALTER O. NOREEN

STATE OF MINNESOTA,
County of Ramsey, ss:

I, Walter O. Noreen, being first duly sworn, depose and say: That I give the following answers to the four questions which Inspectors Monroe and Frantz have requested that I answer in my conference with them on January 5, 1959.

I state that for the purposes of clarity I shall answer questions No. 1 and No. 4 together because they relate to the same subject matter and are closely associated in other respects.

Because No. 1 refers to an article which appeared in the St. Paul Pioneer Press of December 6, 1958, I state that first of all I had nothing to do whatever with the boldfaced headline on said statement. I further state that I had nothing to do or made no statement relative to the first paragraph of said article; and I further state that paragraph No. 2 is in error if said paragraph infers that I was speaking solely as president of the St. Paul Post Office Clerks Union, because the fact is that I was speaking for the labor movement in St. Paul, which involves, of course, the St. Paul post office employees. I have no way of knowing whether or not that portion of paragraph 2 in quotation marks is an actual quotation from a statement made by me. It is obviously a statement taken out of context inasmuch as it appears that there were preceding words to the beginning of said sentence as quoted in the newspaper. I have no way of knowing whether paragraph 3 is an actual quote of what I said. Paragraph 4, of course, is not a quotation, and again I am not sure whether or not paragraph 5 actually quotes my statement.

I further state that before I issued a statement which resulted in this article I took every precaution possible to be sure that what I said or what I was about to say would not in any way bring disrepute upon the Post Office Department. In order to insure me that anything I said would not bring disrepute upon the Post Office, I checked with the following people for their advice: My attorney, Joseph J. Dudley; Mr. Adolph Togler, business representative of the St. Paul Trades and Business Assembly; Mr. Jerome Schaller, director of public relations for the State AFL–CIO and now administrative assistant to the Honorable JOSEPH KARTH, Congressman from Ramsey County; and the office of the Honorable EUGENE J. MCCARTHY, U.S. Senator from Minnesota, several of my

fellow employees, and others whose names I do not recall at this time. Each of them felt, of course, as I did strongly, that the truth should be stated but that they could see no reason why any reasonable person should construe any of the statements that I made as bringing disrepute upon anybody or anything.

I also wish to state that I was serving at that time as vice president of the Minnesota State Federation of Labor, I also served as president of the St. Paul Trades and Labor Assembly, and as president of the St. Paul Post Office Clerks' Union. I served in these capacities with full knowledge and consent of my superiors in the Post Office Department. As most everyone knows that anyone in these capacities, particularly as president of the St. Paul Trades and Labor Assembly, I have a duty to call to the attention of the public all matters which members of unions feel are bad labor practices.

In this respect I remember well the letter of December 11, 1957, which I wrote to the Post Office Department, attention of J. M. McGibbon, which is question No. 4. For that reason, among others, I made the careful checks before issuing any statement in this regard. I found in checking this matter that it was the unanimous opinion with everyone with whom I checked that honest criticism in itself does not bring disrepute. I found many of those with whom I checked that felt that every honest criticism should be made and not withheld and that it would be an act of disrepute if it could be construed that I refused to issue a statement because of fear of reprisals from the Post Office Department. I felt then as I now feel that the Post Office Department does not want to give the impression that honest criticism brings disrepute upon itself. Since my conference of January 5 with Inspectors Monroe and Frantz I have further checked this matter with others to find out whether or not reasonable minds could feel that this statement should bring disrepute upon the Post Office Department or the Government and have found no one that feels it does and I have been advised by my attorney that he has also checked in this regard and can find no reason to believe that any statements attributed to me could be construed as bringing disrepute upon the Post Office Department.

I further state, therefore, that I cannot answer question No. 1 categorically because I have been unable to find any copy of what I actually said, although I have searched for one. My answer to question No. 4 is that I have not said or done anything willfully or intentionally to bring disrepute upon the Post Office Department. I further state that I shall continue to observe the assurances given in that letter.

For my answer to question No. 2 I state that I am generally familiar with the civil service regulations and the Veterans Preference Act and I am generally familiar with the view that there are many interpretations of these regulations and this act. I have no quarrel with either the civil service regulations, the Veterans Preference Act, or any of their interpretations, and I see nothing in the statement attributed to me that involves these matters in any sense. This statement was given solely because the labor movement in St. Paul felt that it was unfair and wrong for the Post Office Department to deny the amount of overtime that the employees had anticipated because of past practices and why people on the outside who had full-time jobs were hired while at the same instant over 8,000 people within the city limits of St. Paul were without a job. It was this general subject that I objected to on behalf of the labor movement and nothing else. In this respect I wish to state that I checked the number of unemployed with Mr. Frank Starkey, Commissioner of the Bureau of Employment and Security in St. Paul, Minn., and he informed me that there were more than 8,000 people within the city limits of St. Paul without a job. I received the information relative to the number of overtime hours which the employees of the post office in St. Paul could expect in 1958 as compared with 1957 from Mr. S. A. Bertelsen, the postmaster at St. Paul, and I might say that it is my distinct recollection that he also disagreed with the policy which was objected to in my statement.

My recollection is that the number of hours less our post office employees could expect in overtime in 1958 as compared with 1957 was an approximate reduction of close to 50 percent.

I made my statement based upon information given to me by what I consider most reliable sources, namely, the postmaster at St. Paul and the director of employment and security of the State of Minnesota, and I reported only the feelings of the labor movement in St. Paul relative to this general matter. These were not expressions of my own opinion; these were expressions of the labor movement of St. Paul which I am dutybound to report.

My answer to question No. 3 is as follows: I state that I assumed that Christmas assistants in 1958 were hired in accordance with civil service regulations and instructions set forth in the Postal Bulletin dated September 19, 1958. Again I wish to restate what I have previously said that I have no objection to this and the labor movement has no objection to this and the statement which I issued in no way objected to this practice. The sole objection which the labor movement had and which I reported was that the postal employees early in December were notified that they were to receive much less overtime pay during the Christmas season of 1958 than they had expected and relied upon based on previous years' operations. My examination of the final analysis of the hours of overtime given in St. Paul this year bear out categorically the objection which we in the labor movement registered in the statement attributed to me of December 6, 1957.

I also want to state emphatically that my loyalty to the Post Office Department has been demonstrated in my years of service. It has always been my policy to endeavor to bring credit and respect on the Post Office Department and the labor movement in all my activities in the city of St. Paul. I carried out my duties as were imposed upon me in my capacities as president of St. Paul Trades and Labor Assembly and vice president, Minnesota Federation of Labor. The Post Office Department is well aware of the duties imposed upon me by these offices and most of all I want to assure them as I have assured the Post Office Department on December 11, 1957, that I never have and shall never willfully or intentionally make any statement either publicly or privately for the purpose of bringing the postal service into disrepute.

——— ———.

Subscribed and sworn to before me this — day of ——— 1959.

——— ———.

Hon. ARTHUR E. SUMMERFIELD,
Postmaster General,
Post Office Department, Washington, D.C.:

I would like to be kept fully informed of the proceedings against Walter Noreen, who is employed in the St. Paul, Minn., post office, under case No. 89865–C announced February 20, 1959.

Mr. Noreen, of course, should be required to justify any statement relating to the facts. What he said undoubtedly reflected somewhat unfavorably upon the Post Office Department as would any criticism. It is difficult for me to see how you can have any honest criticism which does not reflect unfavorably upon the Post Office Department. It was certainly not the intent of Congress to set such restrictive limitations upon the freedom of speech of Government employees.

I assume that this disciplinary action, which you indicate is likely to follow, will be based upon whether or not Mr. Noreen's statements have tended to bring the Post Office Department into disrepute rather than Mr. Noreen being required to prove that it has not been brought into disrepute.

I have represented the Fourth District of Minnesota in Congress, which included the city of St. Paul, during the period which you say statements made by Mr. Noreen have brought the Post Office Department into disrepute. I have seen no evidence that any statements made by him have had this effect in the public mind.

EUGENE J. MCCARTHY,
U.S. Senator, Minnesota.

(Same wire to P. L. Frantz, Office of Inspector, St. Paul Post Office, St. Paul, Minn.)

JULY 16, 1959.

The Honorable ARTHUR E. SUMMERFIELD,
Postmaster General,
Washington, D.C.

SIR: We wish to express our appreciation to your Department and your Assistant Postmaster General Eugene J. Lyons and First Deputy Assistant Postmaster General Bert B. Barnes for the cooperation which was accorded us at a meeting this morning concerning the proposed disciplinary action against Postal Clerk Walter O. Noreen, of St. Paul, Minn.

We are, however, greatly concerned over this proposed disciplinary action because of the fact that it seems far too harsh an action for the charges made against him. This is particularly true, in our opinion, because the Post Office Department has never previously penalized Mr. Noreen by way of suspension or other serious disciplinary action. Moreover, the charges against Mr. Noreen were first made in December of this year, and it appears to us that a lapse of almost 8 months between the time of charges and the proposed disciplinary action is excessive indeed.

We are appealing to you in this case because of your knowledge of the necessity of cooperative action between the executive and legislative branches of the Government in the appointive and administrative functions of the Post Office Department, a department unique in the Government in this respect.

It appears that the charges brought against Mr. Noreen are somewhat unusual since it is alleged that he has tended to bring disrepute to the Post Office Department and it would appear to us that in situations of this kind in which an individual is facing an entire department of the U.S. Government, it is difficult to prove that an individual's action, such as occurred in this case can bring or have brought such disrepute as is alleged.

We shall most sincerely appreciate your personal review of this case before any such disciplinary action as was outlined to us this morning is executed. We look forward to hearing from you on this matter at your earliest convenience.

Very truly yours,

EUGENE J. MCCARTHY.

RESOLUTION ON FIRING OF WALTER O. NOREEN

Whereas Walter O. Noreen, newly elected first vice president of the National Postal Clerks Union, and a clerk with 16 years of meritorious service, was removed on July 24, 1959, for allegedly bringing the service into disrepute; and

Whereas this is a catch-all phrase, undefined in existing regulations, which has been used whenever it suited the purposes of departmental officials to harass employees and, in particular, active unionists who have displeased them; and

Whereas the charges against Noreen were based on supposed statements issued by him in his capacity as president of the St. Paul Trades and Labor Assembly, and as president of the St. Paul Postal Clerks Union; and

Whereas these statements, which appeared in the St. Paul daily press, although not precisely as issued, nevertheless criticized the Post Office Department's Christmas hiring policies; and

Whereas these statements were not only borne out by events, but also were in fact the opinions of those Noreen represented; and

Whereas his removal places in jeopardy the right of American citizens to speak against injustice, and in particular, the rights of postal employees to organize and express their needs through their elected representatives; and

Whereas Brother Walter O. Noreen personifies the kind of honest, aggressive, and legitimate trade union activity to which this local and the National Postal Clerks Union is dedicated: Therefore be it

Resolved, That the executive board of the Staten Island Post Office Clerks Union, in meeting assembled on August 24, 1959, condemns the action of the Post Office Department in firing Brother Noreen, as a completely unjustified, arrogant, antilabor action, and pledges all-out support in the fight to restore him; and be it further

Resolved, That copies of this resolution be sent to Senator Kenneth B. Keating and Senator Jacob K. Javits, of New York; Congressman John H. Ray; the National Postal Clerks Union; Rocco Siciliano, special assistant to the president for personnel; Director John W. Godbold, Ninth Civil Service Region, St. Louis, Mo.; Roger W. Jones, the Chairman of the U.S. Civil Service Commission; Senator Hubert H. Humphrey and Senator Eugene J. McCarthy, of Minnesota; Congressmen Joseph E. Karth, John A. Blatnik, Minnesota; Chet Holifield, California; Victor L. Anfuso, New York; Charles O. Porter, Oregon; and Congresswoman Kathryn E. Granahan, Pennsylvania.

PROPOSAL TO CHANGE THE NAME OF THE DALLES DAM ON THE COLUMBIA RIVER

Mr. NEUBERGER. Mr. President, on September 10 I received a letter from Hon. Edward J. Whelan, secretary of the Multnomah County Labor Council, AFL-CIO, who is also a member of the Oregon State House of Representatives, requesting my introduction of legislation to change the name of the Dalles Dam to Franklin D. Roosevelt Dam.

Following the receipt of this letter I wired a cross section of community and civic leaders from The Dalles and Wasco County so that I might gage local public opinion in the area where the dam is located. I did not want to introduce legislation of this importance without first contacting community leaders regarding the proposal to change the name of the Dalles Dam.

I sent wires to Hon. John J. Howe, mayor of The Dalles; Hon. James H. Hunt, Wasco County judge; Hon. Vernon Burda, chairman, Wasco County Democratic Central Committee, Hon. Joseph D. Kelly, chairman, Wasco County Republican Committee, Mr. John W. Sischo, secretary, Mid-Columbia Labor Council, AFL-CIO; Mr. W. S. Nelson, manager, The Dalles Chamber of Commerce; and Mr. Alf Wernmark, president, The Dalles Industrial Club.

As of this time I have received communications from the mayor of The Dalles, the editor of the daily newspaper, The Dalles Chronicle, and Mr. Alf Wernmark. I have also received a copy of The Dalles Chronicle for September 11 which reports the opposition to proposed name change by the chairman of the Democratic County Central Committee, but Mr. Vernon Burda's letter has not as yet been received by me. The chamber of commerce is meeting today—Monday—on this question.

Mr. President, I ask unanimous consent to place at the conclusion of my remarks in the RECORD copies of the telegrams and letter I have received on this matter together with an article, "Dalles Dam Name Change Proposal Stirs Opposition," from The Dalles Chronicle of September 11, 1959.

There being no objection, the telegrams, letter, and newspaper article were ordered to be printed in the RECORD, as follows:

THE DALLES, OREG., *September 11, 1959.*
Senator RICHARD NEUBERGER,
Senate Office Building, Washington, D.C.:

We would strongly oppose any change in name for the Dalles Dam. Any change, we feel would lose our community identity with the dam an identity of which we are most proud. We believe the community supports our belief that the dam is well named and that the name is a great and tangible asset to our city. We understand that there is a movement in Portland to name the dams in the Columbia River system for the late President Franklin Roosevelt. We believe that the more logical memorial to the late President would be to change the name John Day Dam to Roosevelt Dam since John Day will be the largest and key project in the entire system. A point of history must also be preserved since the Dalles Dam now stands at the site named Les Dalles by the Voyaguers and retaining the name preserves an important phase of our regions history. We solicit your support in retaining the name "the Dalles Dam."

BOB PAULOS,
The Daily Chronicle.

THE DALLES, OREG., *September 11, 1959.*
Senator RICHARD NEUBERGER,
U.S. Senate, Washington, D.C.:

Dalles City would be violently opposed to renaming the Dalles Dam. Would suggest you rename the John Day Dam after Mr. Roosevelt inasmuch as the name John Day has no significance and it will be the key dam in the entire Columbia River development.

JOHN J. HOWE,
Mayor, Dalles City.

THE DALLES, OREG., *September 11, 1959.*
Senator RICHARD NEUBERGER.

DEAR DICK: Enclosed find newspaper clippings which I think will tell our story.

I think that a dam should be named after our great President.

We hope to see you at the Dalles Dam celebration October 10.

Thanking you.

Your truly,

ALF WERNMARK,
The Dalles Industrial Club.

[From The Dalles (Oreg.) Chronicle, Sept. 11, 1959]

DALLES DAM NAME CHANGE PROPOSAL STIRS OPPOSITION

A proposal by the Multnomah County Central Labor Council that the name of the Dalles Dam be changed to Franklin D. Roosevelt Dam produced a storm of opposition here today.

First inkling that such a proposal had been advanced was received here today by civic, political and other leaders in the community in a telegram from Senator RICHARD L. NEUBERGER, Democrat, of Oregon.

NEUBERGER reported by telegram that the labor council has asked him to introduce legislation to change the name of the Dalles Dam.

"Because this project is located so close to The Dalles," NEUBERGER said, I desire to collect representative local views before taking any action."

The views of various local persons and groups were made known promptly—and firmly.

VIOLENTLY OPPOSED

"Dalles City would be violently opposed to renaming the Dalles Dam," Mayor Jack Howe wired the Senator after taking an unofficial poll of available city council members. "Would suggest you rename John Day Dam for Mr. Roosevelt inasmuch as the name John Day has no significance and it will be the key dam in the entire Columbia River development."

Vernon L. Burda, who also received a telegram from NEUBERGER, told the Senator that he felt a change of name for the Dalles Dam would be inadvisable. Burda is Wasco County Democratic Central Committee chairman and a member of the Party's State executive committee.

Burda said he pointed out to NEUBERGER in a letter that the Dalles Dam is closely integrated with the city and is a continuing source of publicity for the community. He said any change in name would be a serious thing for the city of The Dalles.

Burda also suggested that John Day Dam be renamed for the late President Franklin Roosevelt. He said John Day was named only for an individual and isn't even on the John Day River.

Bob Paulos publisher of the Daily Chronicle, told the Senator by telegram he feels The Dalles "would lose the community's identity with the dam, an identity of which we are most proud" if the name were changed.

"We believe the community supports our belief that the dam is well named and that the name is a great and tangible asset to our city," Paulos said. He also expressed the opinion a change in name of John Day Dam would be more appropriate.

HISTORY CITED

Paulos pointed out that the Dalles Dam is located in a section of the river referred to as "Les Dalles" by the early French Voyageurs, and thus the retention of the Dalles as the name of the dam "would preserve an important phase of our region's history."

Alf Wernmark, head of the Dalles Industrial Club, also received a telegram of inquiry from NEUBERGER.

United Press International reported today that the labor council in Portland made the suggestion to NEUBERGER in a letter from Ed Whelan, council executive secretary.

Whelan's letter to the Senator said the council though the renaming was a good idea because "foresight and leadership demonstrated by the then President Franklin D. Roosevelt made development of the Columbia River a reality."

ASSIGNMENT OF AMBASSADOR LODGE AS ESCORT FOR PREMIER KHRUSHCHEV

Mr. GORE. Mr. President, I noticed in the morning press that Ambassador Lodge has been chosen as an escort for the Russian Premier during his visit in this country, and the newspaper reported that he was to be assigned the duty of replying to statements that might be made.

I am not advised whether the newspaper report is accurate. If so, I think it is an ill-advised action. The Ambassador has been strangely inept in such matters and, in some respects, his previous conduct would tend to raise question as to his qualifications.

I call to the attention of the Senate an article which appeared on the front page of the Washington Post under date of February 25, 1953, a portion of which I should like to read. It refers to a meeting of the United Nations. It is an Associated Press dispatch and reports upon a meeting of the United Nations at which Mr. Vishinsky, Foreign Minister of the Soviet Union, was present. The paragraph I should like to read is as follows:

Ambassador Henry Cabot Lodge, Jr., President Eisenhower's new chief delegate to the U.N., avoided shaking hands with the gray-haired Russian. Lodge almost came on the section where Vishinsky was greeting delegates when he suddenly turned back and walked across the back of the hall and down a far aisle to his seat. Asked by a U.N. aid if he intended to shake hands with Vishinsky to observe the formalities for photographers, Lodge replied, "Certainly not. Don't you know there is a new administration in Washington?"

Mr President, on the following day there appeared on the front page of the Washington Post this story, which I should like to read:

Senator ALBERT GORE last night sharply rapped Henry Cabot Lodge, Jr., President Eisenhower's chief delegate to the United Nations, for his refusal to shake hands with Soviet Foreign Minister Andrei Y. Vishinsky at Tuesday's opening of the seventh session of the U.N. Assembly.

Speaking at a meeting of Montgomery County Historical Society at the Columbia Country Club, GORE described Lodge's conduct as crass and crude. The Tennessee Democrat said he sympathized with the U.N. delegate's personal feelings toward Vishinsky, but declared Lodge shouldn't permit his feelings to interfere with his official functions.

"If Mr. Lodge's refusal to shake hands with the representative of Russia would end the Korean war, then I'd be all for it," said GORE. "But instead of contributing to an understanding, or opening a door for negotiation, such conduct would tend to worsen the situation."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Washington Post of February 27, 1953.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WITHHELD HAND

Senator ALBERT GORE is on firm ground in our opinion in his chiding of Ambassador Lodge for his refusal to shake hands with Mr. Vishinsky. The Ambassador seemed to be acting as if he were Mr. Lodge. To most Americans in their private capacity, no doubt, Mr. Vishinsky is not the sort of fellow one warms to spontaneously, especially if one remembers his part in the great purge trials of the 1930's. At one time or another Mr. Vishinsky has shaken in all heartiness the hands of all those unhappy old Bolsheviks whom he helped to send to the cellars of the Lubyanka where they had bullets put into the backs of their necks by the plug-uglies of the GPU. In our photographic files we find a picture, taken at the United Nations less than 2 years ago, which shows Mr. Vishinsky linked happily arm in arm with the late Vladimir Clementis who was hanged by his Communist comrades not long ago at Prague. A superstitious person might surmise that to shake hands with Mr. Vishinsky would be inviting bad luck.

Still, we think Mr. Lodge could have avoided a distasteful experience, without having been quite so ostentatious about his refusal and thereby making it seem so much like an open diplomatic affront. He might, for example, when the pose with Mr. Vishinsky was suggested, have shaken his head shyly and have murmured some excuse. Instead, he snapped out angrily: "Certainly not. Don't you know there's been a change of administration in Washington?" as though it were not so much a matter of personal repugnance as of official policy.

Two hundred years ago, perhaps, two diplomats meeting in comparable circumstances, might have exchanged short and frigid and silent bows and passed on to their respective places at the council table. Indeed, enemy diplomats were told to indulge in that kind of salutation when they happened to meet at the courts or at official residences in neutral countries in the Second World War. Sometimes we think it a pity this custom has been allowed to perish. The handshake, no doubt, is more in the spirit of our democratic age, but the formal bow has the advantage of being at once courteous and noncommittal and of avoiding any disagreeable personal contact. And with a little practice one can learn to make it as stiff as the occasion may require.

Mr. GORE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD some remarks by the senior Senator from Oregon [Mr. MORSE] made on the floor of the Senate February 27, 1953.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR MORSE

AMBASSADOR HENRY CABOT LODGE

Now, Mr. President, I turn to another matter, and then I shall be through for the day. I wish to give a little advice to Henry Cabot Lodge, the Ambassador of the United States to the United Nations.

I share the views expressed by the Senator from Tennessee [Mr. GORE], which I read in the press this morning, that he did not think the conduct of our former colleague was very tactful, and that he did not think he was very diplomatic when he refused to shake hands with Vishinsky. I did not think so either. I believe it would be well if Ambassador Lodge registered for some Emily Post course in diplomacy and ambassadorial courtesy. I dislike Vishinsky as much as he does, but I believe we have to separate our personal feelings from our public responsibilities and diplomatic duties. I am of the opinion that in our actions we should keep in mind the judgment of those countries in the world in which Russia has made greater progress with her vicious propaganda than we would like to admit. Mr. Lodge is reported to have justified his conduct with the question, "Don't you know there is a new administration in Washington?" I do not believe he truly represents the administration in that attitude. I should not like to think so. Good manners should even be expected from a Lodge from Massachusetts. Such pique as he displayed is good ammunition for the vicious Russian propagandists to shoot at us in India and the rest of Asia as well as in other parts of the world where the fight for freedom is taking place.

Mr. President, I wish Mr. Lodge well, but I wish he would be more tactful in his relations with the diplomats from other countries, even though we do not believe they are either tactful or diplomatic. I never knew that even in this kind of a situation two wrongs make a right.

I trust that this little fatherly and brotherly advice of mine may be of some help to the former Senator from Massachusetts, now the Ambassador of the United States to the United Nations.

Mr. GORE. Mr. President, this action and statement of Ambassador Lodge, was out of the pattern of the political propaganda that the Democrats were soft on Communists. I think the administration has come a long way, and I am ready to participate as a Member of the Senate in extending the amenities of the occasion to the Russian Premier upon his visit here. However, I think the Senate should be mindful that some people have been trying to parlay both sides of the Communist street politically.

Mr. KEATING subsequently said: Mr. President, I simply cannot sit here and listen to an attack on our former colleague, the Honorable Henry Cabot Lodge, and remain silent. In my opinion Ambassador Lodge is an ideal person to accompany Mr. Khrushchev on his trip around this country.

Ambassador Lodge has combined firmness with diplomatic courtesy at all times. One of the great dangers of this visit by Mr. Khrushchev is that our people might be lulled into some sense of complacency. If a man like Henry Cabot Lodge is at the side of Mr. Khrushchev, to challenge any statement which the visiting Premier should make, it will be all to the good, in my opinion. I could not think of anyone better for this position, if I were making the selection.

THE FHA LOAN PROGRAM

Mr. GORE. Mr. President, a few days ago I placed in the CONGRESSIONAL RECORD an FHA commitment which showed that in order to obtain a loan on a house, guaranteed by the Federal Government, it was necessary for a workingman to pay a 6-percent discount in addition to other fees and charges. A news report of this fact appeared on the front page of the Nashville Tennessean. The facts were questioned by some.

I have received a letter from a real estate man in Lawrenceburg, Tenn., who is also a member of the Legislature of the State of Tennessee, which I shall read at this time:

HOUSE OF REPRESENTATIVES,
STATE OF TENNESSEE,
Nashville, Tenn., September 11, 1959.

Hon. ALBERT GORE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR GORE: I have watched the papers this week with much interest with reference to your speech on the floor of the Senate with regard to FHA Loans. I

also saw in the paper where some of the finance people were stating that this was not true.

I wish to say that the things you said on the floor was an understatement. Things are a lot worse than you think.

I am in the real estate business and I have seen the discounts go higher and higher and higher as time goes on. We in Lawrenceburg are now paying an 8½ percent discount on all FHA loans in addition to a 1-percent service charge and all the other charges that are made.

An FHA loan in the amount of $14,700 in Lawrenceburg would cost approximately $1,600 in discounts and charges today. We are told by the finance people that they may go even higher. The discount in Lawrenceburg in most cases is about 3 percent higher than in Nashville.

I appreciate the things you have said for they are in the interest of the workingman and I can see no cause for the excess charges that are now being made.

Sincerely yours,

BUFORD EVANS.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from a letter I have received from a lawyer in Nashville, Tenn., who represents both lenders and borrowers, and which also sustains the facts I stated on the floor of the Senate.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SEPTEMBER 9, 1959.

In re FHA program.
Senator ALBERT GORE,
Senate Office Building,
Washington, D.C.

DEAR ALBERT: I read in the morning's paper the statement that you made to Congress. I know you are exactly correct, for this office represents builders, subdividers and investors, and we have an intimate knowledge of this business.

When a mortgage loan is made and insured by FHA and purchased by an investor for 94, on each $10,000 loan somebody has made $600, and somebody has lost $600. From my knowledge, the builder may have to give up a little of his profit, but the major portion of this loss is suffered by the home owner. The major portion of the profit is made by the investor. Insurance companies and savings institutions are literally making billions each year right out of the pocket of the home owner.

It is so easy for appraisers and estimators in such a market as we have now to inflate the FHA appraisal, a few points. Then, too, the builder is able to cut a few corners, and in the end the ultimate buyer, whether he be a veteran or not, gets a house worth $600 less than the appraisal.

* * * * *

Many Federal savings and loan associations do not buy FHA mortgages, and I would venture the statement that 50 percent of FHA mortgages are held by the 20 large savings institutions and insurance companies, the major portion being in the hands of insurance companies. A glance at their financial statements so indicates.

It is a thing that can be controlled and should be controlled. The home owner is being "milked dry," to the unjust enrichment of these investors.

Obviously, if you were running a large insurance company, you would take advantage of the market to get the best investment for your stockholders and policyholders as you could. But it is just as obvious to me that matters should be and could be controlled.

It is no answer to say that such a control would be socialism, for the Government insuring these investments is a socialistic benefit to the investors.

I am amused a great many times when I hear our citizens criticizing only that part of national controls which are detrimental to them, and praising that part of the same control which is advantageous to them.

I think that the Banking Committee should hold an investigation. It would be a very simple matter to call the head of the FHA before the committee and develop the things that I have brought to your attention above.

INSURANCE BY FEDERAL GOVERNMENT OF LOANS TO COLLEGE STUDENTS

Mr. JOHNSON of Texas. Mr. President, we are going through a period in which three important events have come together.

Congress is in the process of adjourning.

Our children and young people are returning to school.

The Soviet Union claims to have hit the moon with a rocket shot.

It is too early to assess the full impact of the Soviet achievement, but assuming that the facts are as represented, it will go down in history as a tremendous feat. It underscores the significant fact that there are fields of science in which we have been bested, and we have a lot of catching up to do. We had better do it. These events all emphasize the need for action in a specific field. This field is improving the brain power of our people.

For many months, the Committee on Labor and Public Welfare has been working on school construction legislation. This measure has been approved by the committee but is not yet ready for floor consideration.

I am introducing today, for consideration by the same committee, a bill directed to another aspect of the education problem. It would provide for insurance by the Federal Government of loans to college students, on the model of Federal Housing Administration mortgage insurance.

My motive in introducing this bill at this time is that I wish it to be available to the educators of our country during the fall months. I have always gone on the principle that the collective judgment of the best minds is better than the individual judgment of any single mind.

I am hoping that there will be plenty of time to digest this measure so that early and meaningful action can be taken in the next session.

There are already, in certain specific fields, Government loan programs for college students. These, however, provide for direct Government loans which require appropriations and are an annual charge on the budget.

The bill that I am offering would not put a charge on the budget. The Federal Government's only part would be to insure the repayment of the loans to the colleges or to the financial institutions by the students themselves.

The measure I offer today would provide for Federal Government insurance of 100 percent of the risk on loans by college-grade institutions to students, up to $1,000 a year in any 1 year and up to a total of $4,000.

This bill would authorize insurance of new loans up to $100 million per year. But I stress that this does not mean $100 million a year out of the Treasury.

The risk on such loans would be negligible. I can conceive of no safer loan than a loan for $4,000 for a college education, which, according to the most recent statistics, is worth to the student over his lifetime at least $100,000.

So far as the student is concerned, this measure could be described as a work now, pay later program. What he would be offered is the opportunity of financing his college education out of future earnings.

Our Government is willing to insure housing loans on a similar basis. We have come to the conclusion that there is a national need for such housing insurance. But the national need for housing insurance pales into insignificance when compared to the national need for trained brainpower.

We must face frankly the fact that higher education today is in bitter financial trouble. A study made on the costs of education just 2 years ago demonstrated that students' total living costs then averaged about $1,500 a year at public institutions and $2,000 a year at private schools.

Since 1957, those averages have risen 10 percent more.

At this rate, it is only a matter of time until education will become the province of the rich only.

Furthermore, the heavy costs of higher education at the present time fall upon parents at a crucial period in their lives. Consider the case of a father between 40 and 50 with three children going to college, and possibly to a professional school.

According to the Department of Education, that parent must be prepared to spend from seven thousand to ten thousand dollars for each child's college education. For three children, the total burden would be from $21,000 to $30,000—all of this after taxes and none of it tax deductible.

Even if the parent pays only half of this burden, it is still a crushing load at a period of life crucial for the accumulation of capital.

This bill does not give anybody anything except opportunity. What it proposes is that about half of the cost burden be borne by the student himself and be paid out of future earnings. The student would have free choice of his education and could select whatever institution would accept him.

There is another point I would like to make. This bill would insure 100 percent of the loan. But it would not insure 100 percent of the cost of an education. The student and his family would still have to turn to other sources to make up the difference between the insured loan and the total financial burden of an education.

The case for this bill does not rest upon the need to outstrip the Soviet Union. But it would be foolish to ignore the fact that we are in bad need of educated brainpower in the modern world.

Only yesterday, the Soviets claim to have hit the moon. This would indicate a possession of scientific techniques which, at the present time, we cannot match.

We will continue to lag behind in certain fields until we bring up the overall level of our educated people.

This bill is not charity in any sense. If anything, it would promote a higher degree of self-reliance and individual initiative among our people. And it is based upon a concept that has been tried and proven sound.

The Federal Housing Administration is 25 years old. During that entire 25 year period, the loss to the Government on insured mortgages of the FHA was thirty-three one-hundredths of 1 percent, on a total volume of $55 billion in loans.

The FHA loans, of course, are secured by homes. But when it comes to security, I think that the character of American youth is far sounder security than a piece of real estate.

This belief is based upon the fact that private colleges have carried on astonishingly successful loan programs for many years.

This bill would provide that the loans be made directly to individual students by the colleges. In practice, I would anticipate that the colleges themselves would obtain the funds for these loans by discounting with banks and other financial institutions.

This measure would not interfere with any other now before the Congress. It is an effort to meet a specific need. It seeks to ease, partially, the difficulties facing those who have the talent and the ability but not the personal financial resources to acquire a higher education.

I do not claim that this bill is perfect. But there is plenty of time for its consideration before Congress launches the second session.

Mr. President, my mother was the granddaughter of a college president—the second president of Baylor University in Texas. I began my adult career as a school teacher in Cotulla, Tex., giving underprivileged Latin American children the opportunity of education. It was the most rewarding experience of my life.

I hope that through a measure such as this, we can open the doors of opportunity for millions of young people who otherwise would be denied the right to make their fullest contribution to our country.

I send to the desk the bill referred to, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2710) to provide for loan insurance on loans to students in higher education, introduced by Mr. JOHNSON of Texas (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I am delighted to yield.

Mr. JAVITS. I wish to compliment the majority leader on his bill. I should like to offer him some help, if he feels that he can use some.

I had a similar provision in S. 1722, introduced on March 14, 1957, which ultimately became the loan bill which we passed. It was the best we could do.

I could not agree more with the majority leader about the FHA plan of Federal aid to pupils in higher education. We made a survey of colleges which I shall be more than glad to make available to the majority leader.

The fact that the majority leader sponsors such a measure is, as he very well knows, one of the important factors in favor of passage of the bill. We have found that this plan is not only highly desirable, but would work. If the majority leader can obtain any aid from our studies, we shall be more than glad.

If the majority leader would welcome me, I should like to examine the bill. Perhaps he would accept me as a cosponsor. I thoroughly believe in the idea.

Mr. JOHNSON of Texas. The Senator pleases me very much by his statement. I welcome his support and assistance. I know that he has been very much interested in this field throughout his public career.

I shall be delighted to receive any statistics or studies the Senator may have. I urge him to give the bill his consideration during the intervening months before the Congress reassembles in January, in the hope that with his support, the support of the Senator from Alabama [Mr. HILL], the Senator from Michigan [Mr. MCNAMARA], and others interested in education, we can correct any deficiencies which may exist in the draft I have presented, and attempt to evolve some workable and highly constructive plan in the Committee on Labor and Public Welfare during the next session.

I thank the Senator for his fine statement. I appreciate it very much.

MAJORITY LEADER COMMENDED BY SENATOR RANDOLPH; FEDERAL AID TO EDUCATION IS SUPPORTED

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. RANDOLPH. The majority leader has presented a logical and a significant statement in behalf of the appropriate legislation which he has introduced. As a member of the Senate Committee on Labor and Public Welfare I join with the active Senator from New York [Mr. JAVITS], who is also a member of that committee, in commending the Senator from Texas. The Senator from New York indicated to the majority leader that upon the convening of the second session of the 86th Congress the proposed legislation, which has been brought in this effective manner to the attention of Members of this body, will be promptly considered.

I indicate to the majority leader that a very vexing and urgent problem exists, because it is conservatively estimated that by 1975 our college enrollment will double, or perhaps treble, the enrollment at present.

Also I believe it is important to indicate that between 1870 and 1955 there was an increase in population in this Nation from 40 million to 165 million. But whereas there was an advance of four times in the general population, in our public schools we have had an increase of 80 times in enrollments.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Passing the School Buck," published in the Martinsburg, W. Va., Journal of September 2, 1959; also a letter which I have written to the editor of that newspaper in connection with the need for Federal aid for education.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the Martinsburg Journal, Sept. 2, 1959]

PASSING THE SCHOOL BUCK

West Virginia's Senator RANDOLPH calls for action at this session of Congress on legislation to provide Federal aid for school construction. In so doing he of necessity either embraces the doctrine that public education is a responsibility of the Federal Government or pleads inability of the States to finance a school system.

Not even the most vehement advocates of Federal aid to education have argued that public education is a Federal function. Indeed, all of them have been careful to declare that this responsibility is a local one and to write into their aid proposals meaningless declarations that the Federal Government is not to interfere in school management by virtue of any financial contribution it might make.

The argument for Federal aid, then, must rest on the assumption that the States are not able to finance the schools themselves. This is an unsupported assumption. There isn't a State in the Union incapable of providing an adequate system of public education. There isn't a State financially unable to build all the schools its children need today and will need tomorrow. In fact there isn't a State in the Union in anything like the financial straits the Federal Government finds itself in.

Federal aid may seem the easier route because such spending is more difficult to resist and because money from Washington may have the deceptive appearance of something for nothing. Washington hasn't anywhere to go for money not available to the States themselves. But when Washington provides the money Washington calls the tune. So if men like Senator RANDOLPH have their way we will not only continue paying the full price for whatever is spent on the schools, plus the line loss as the money moves from the local level to Washington and back again, but we will see the control of our school system pass gradually to the Central Government.

U.S. SENATE COMMITTEE ON
LABOR AND PUBLIC WELFARE,
September 9, 1959.

Mr. GILBERT MCKOWN,
Editor, the Martinsburg Journal,
Martinsburg, W. Va.

DEAR GILBERT: My attention has been called to the Journal editorial of September 2, 1959, under the headline "Passing the School Buck." Inasmuch as I have been singled out in this editorial condemning Federal assistance for school construction, I deem it a privilege and a duty to present additional information which seems pertinent to the problem.

The problem, stated without embellishment, is that the pupil census is growing so much faster than classroom additions that the educational process is facing an emergency.

By conservative estimate—as stated in the authoritative Rockefeller report—there is a current national shortage of 142,000 classrooms, not counting an even greater number of substandard classrooms which should be abandoned. But even this figure is overshadowed by the long-range trend in our school population.

For example, from 1870 to 1955 our population grew from 40 million to 165 million. During this same period, while our general population increased four times, our public school population increased approximately 80 times.

Under our present rate of population development the bulge of the future will press even more heavily on our already burdened facilities. The elementary school enrollment of 22 million of the year 1957–58 will rise to about 34 million by 1960–61. By 1969 our high schools will be flooded with 50 to 70 percent more students than they can now handle. And by 1975 our colleges and universities will face a doubling and in some cases a tripling of enrollment.

In a statement I released—to which you took editorial exception—I declared that action should be taken during this session of Congress to provide Federal assistance for school construction. I am the cosponsor of such a measure and the point which it is pertinent for me to impress is that I have considerable company on the part of Senators on both sides of the aisle. There is nothing of which I am more convinced than the fact that interest in the Congress and the State of West Virginia is bipartisan concerning the need for Federal aid for school construction.

There were several bills on this subject before the Senate Committee on Labor and Public Welfare for consideration. These accentuate the fact that there is a problem beyond the capacity and ability of local school units to meet adequately, and this is testified to eloquently by highly placed Republicans, as well as Democrats, in the Senate. For example, there is S. 1016, to authorize a 5-year program of Federal assistance to school districts. I repeat: a 5-year program; and who is the chief sponsor? The answer is that the bill was introduced by Senator THRUSTON MORTON, Jr., who is not only one of Kentucky's Senators but, also, is chairman of the Republican National Committee. Cosponsors of the Morton bill, incidentally, include Senator HUGH SCOTT, of Pennsylvania, a former chairman of the Republican National Committee; three conservative Republican Senators from New England, BUSH, of Connecticut, SALTONSTALL, of Massachusetts, and PROUTY, of Vermont, as well as Republican midwestern Senators MUNDT, of South Dakota, YOUNG, of North Dakota, and ALLOTT, of Colorado.

Also under consideration in the committee was S. 2637 by Republican Senators COOPER, of Kentucky, and JAVITS, of New York—a measure which would authorize Federal grant assistance to school districts in financing a 4-year program of construction "of urgently needed elementary and secondary public school facilities."

But when the Senate Committee on Labor and Public Welfare reported a bill to the Senate it chose a 2-year program embodied in a proposal (S. 8) by Democratic Senators MCNAMARA and HART, of Michigan.

It should be noted for emphasis that one of the Republican-sponsored Federal aid bills proposes emergency assistance over a 5-year period and the other over a 4-year period.

Notwithstanding the editorial comment that it is an "unsupportable assumption" to declare legislatively or otherwise that "the States are not able to finance the schools themselves," there is ample evidence that "conservative" Republican Senators as well as "liberal" Democratic Senators believe the problem of classroom shortages does exist and that the Federal Government must be put in a position to be able to help the school districts at the local level in the financing of construction to overcome these deficiencies.

There is published, too, in your editorial the statement that advocates of Federal aid to education "write into their aid proposals meaningless declarations that the Federal Government is not to interfere in school management by virtue of any financial contribution it might make." Your terming such declarations in legislation to be "meaningless" is an obvious exaggeration which shows lack of faith in the ability of the democratic process to administer our laws properly and adequately.

In any event, the Morton bill, in which the Republican national chairman is joined by seven of his senatorial colleagues on his side of the aisle, and the Cooper-Javits measure, as well as the McNamara-Hart proposal, all contain a section entitled "Assurance Against Federal Interference in Schools," and each of the three bills contains identical language in this respect, to wit:

"In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system."

This country has provided by law for substantial Federal aid to schools in numerous forms for many years. Our great land-grant universities were established with Federal funds realized from the sale of Federal lands in the middle of the last century. And the sole measure of Federal control is such that the land-grant universities must maintain a Reserve Officers Training Corps. More recently the Federal Government has entered the field of education in a variety of ways—from the tuition payment program of the GI bill to grants-in-aid and the underwriting of research programs at many of our colleges and universities.

I cannot subscribe to the thesis that Federal assistance would be absolutely followed by Federal control over local administration or curriculum. History proves this to be a false assumption.

With kind regards and best wishes, I am,

Sincerely yours,

JENNINGS RANDOLPH.

Mr. MORSE. Mr. President, as a member of the Committee on Labor and Public Welfare, and as one interested in education matters, I am very glad the Senator from Texas has introduced this bill. As a member of that committee I shall urge the earliest possible hearings in January on the bill, and by that I mean I hope the committee will go to work on it within the first 2 weeks, because the objective of the bill of the Senator from Texas should be a part of any education program the committee reports to the Senate next year.

In this matter I find myself in such complete agreement with the Senator from Texas that I want the RECORD to show I highly compliment him for the educational statesmanship which he has portrayed in the bill which he has just introduced.

Mr. JOHNSON of Texas. Mr. President, I thank my friend from Oregon. I hope when we return in January the committee of which he is a member will immediately hold hearings and try to improve the bill in any way that seems necessary.

Mr. KEATING. Mr. President, I desire to add a word of commendation to our distinguished majority leader for the introduction of this measure dealing with loans to college students.

I have felt for some time that this is the appropriate and the best way to be of assistance to our young people in furthering their education. I was particularly impressed with the distinguished majority leader's reference to the building of character, because while we are helping these people to get an education, we can build their character.

I wish to add to the comment made by the distinguished majority leader that I introduced a measure somewhat akin to this some 6 or 8 months ago. I had a considerable survey made of the results of private learning institutions, and it was found that these private institutions, similar to the strong Foundation located in the city of Washington, which have loaned funds to young people to get an education, have had a surprisingly good return. Practically never have they had a loan go bad. The young people over a period of time do pay back these loans, which are made on modest terms, and most of them have told me that when they pay them back they are grateful for the feeling engendered in them that they have been responsible for getting their own education.

I shall be delighted to work with the majority leader in any small way I can to try to bring about enactment of a measure along the lines he has outlined.

Mr. JOHNSON of Texas. I deeply appreciate the statement of the Senator from New York. I welcome his assistance.

Mr. McCARTHY. Mr. President, I wish to join with my colleague in commending the majority leader on the program he has just outlined to the Senate, to indicate my support of the program, and to express the hope that we will proceed early in the next session to final action in the Senate.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the bill may remain at the desk for the remainder of the day, so that any Senator who desires to support or cosponsor it may have the privilege of doing so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I prepared the bill several months ago. I had planned to present it and had hoped it would be considered during this session. But during that time my colleague the able junior Senator from Texas [Mr. YARBOROUGH] had prepared a bill which I helped to bring before the Senate. It was a rather comprehensive education bill. Due to the above situation and the fact that the Senator from Michigan [Mr. MCNAMARA] had a bill which was being considered in the committee, I thought it the better part of wisdom to introduce my bill today, with the thought that it could be studied by the educators during the fall. When we return in January, we will have an adequate opportunity to consider it with

thorough hearings, and then, perhaps, report the most effective bill possible some time early in the spring.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. JAVITS. Mr. President, I shall not detain the Senate long. I feel that there is so much to be said about the position which appears to be shaping up on the floor of the Senate. Because I have been so identified with what is called the civil rights fight, it is only fitting that I should make a few remarks on the situation as we find it today; that is, as to the way in which we propose to handle the civil rights legislation now and early in the next session.

Also, I think it is very important to emphasize the international aspects of the so-called civil rights struggle, which have not been very much emphasized in the debates so far.

Finally, I believe it is important to examine the reasonableness of the proposals which are made by the so-called civil rights advocates. I think that with the issuance of the report of the Commission on Civil Rights, there can be very little argument about that. The factual basis is being laid, in my opinion, in an impregnable way.

First, as to our situation on the floor of the Senate, it has already been made clear in the respective colloquys today what is now proposed, assuming the Senate agrees—and I devoutly hope it will—is to extend the Civil Rights Commission for 2 years and then to fix a date certain very early in the next year in which all the proposals for civil rights legislation may be explored. These include the proposal of the Commission, dealing specifically with voting, housing, and education—we may then vote them up or down, as soon as we can vote, but enough time will be allowed by our schedule and the exigencies of the country and the world so that at that one time early in the year, before we are under the pressure for other business, this matter may be completed.

The length and extent to which others may wish to debate the civil rights issue will be something which we can decide when we reach that time. We will cross that bridge when we come to it.

But I would be less than frank if I did not call the attention of my colleagues to the following fact: We will have a vote today—perhaps late today or early in the morning—on a question of suspending the rules. To suspend the rules will require a two-thirds majority vote. I urge every Senator to search his conscience in determining his vote upon this issue, because he should be very clear upon the fact that the size of the majority will not only relate to what we shall be doing here—to wit, suspending the rules—but the size of the majority will also relate to what we will do in January or February, after we come back for the next session.

Let us remember that if it is necessary to impose cloture in respect to this situation, under the amended rule XXII cloture may also be imposed by a vote of two-thirds of the Senators present and voting. That is the very same number which is required to suspend the rules. I do not believe that the lesson of a heavy majority in the two-thirds category, which may be registered upon the vote today or early tomorrow, will be lost upon those who may be attempting a plan to provide colleagues by a very extended debate, and what we feel is a fair, open, and free debate, with every opportunity to explore the subject.

I make this point because we all know that we are in a period when muscles are being tested. So I think this is an extremely important indicator of the amount of sentiment which there is in the country for reasonable civil rights legislation. I hope very much that Senators will not allow themselves to be distracted by extraneous considerations in casting their votes, but will understand that upon this motion they will be manifesting a general position on the likelihood of effective and meaningful civil rights legislation being passed either at this session or at the next session. I respectfully believe that this is the most important consideration which can be mentioned in connection with this vote.

Another point, which I think is fully as important, is to recognize the international aspects of what we are doing in respect to civil rights in the Senate. We have an object lesson of that in yesterday's events, as described in this morning's newspapers, for the time differentials in fields of human progress are pointed up in the most dramatic—indeed, somewhat ironic—fashion by the event of the Russian hit by a rocket upon the moon. The Soviets have been boasting a lot about their leadership in missiles, rocketry, and space exploration. Assuming, as I think we all assume, that the rocket actually hit the moon, I think we have a real reason again, as we did at the time the first sputnik went up, to take very serious notice of what is going on in our world.

There is a real analogy between the votes we shall cast today on civil rights, with the significance, as I have explained it, going far beyond a suspension of the rules upon the narrow question of extending the life of the Civil Rights Commission. There is a very real connection between that and the Russian hit on the moon, for if the Russians choose to spend their substance in a particular massing of effort and scientific capacity to attain a sensational result with which to dazzle mankind, in terms of their military capability, I think it would be a very serious mistake to underestimate the even more decisive impact, in my opinion, upon all mankind if we will mass our resources and our efforts and score a marked and world-significant breakthrough in respect of the conditions under which people live with one another in the United States without regard to their color.

Let us never forget that 1 billion people of the free world—two-thirds, roughly, of the free world—are people whose skins are yellow or brown or black. It is by now almost an axiom that how they go, so freedom will go. It is almost an axiom because almost all of us who have studied their press and their public expressions know that they look with the greatest care upon what we do about civil rights in this country, in order to determine whether the United States has the capacity for governing itself in accordance with its promise; and second, whether the United States has the moral capacity to lead mankind to freedom; whether we can be trusted with that leadership; and whether, if we are trusted with that leadership, it will be used beneficially and equitably, and with an even hand, regardless of the color of those in the world whom it leads.

So as we debate the issue, let us not forget that it is a vital, critical element in the struggle for peace. It will be a major factor in determining whether the least developed areas of the free world, especially the two-thirds of the free world whose peoples are colored, will follow us or will doubt the validity and the moral significance of our leadership.

Remarkable as may be the Soviet Union's scientific achievements which have been put into space, we must never be blinded by the false system which produced them. Let us remember that men and women throughout the world wish, more than anything else, to live under decent conditions themselves, and their imaginations will not be nearly so much affected by the sensational achievements in rocketry if they know that the people of the United States hope for proper treatment of their fellow human beings and proper recognition of the dignity of all men, by means of proper handling of the race-relations field.

Mr. President, let us remember that the United States has an excellent record in almost every field except that of racial relations in the United States, although in that field our country has made great progress, even though a great deal remains to be done.

Aside from the suppression by the Soviet Union of the so-called captive nations—with 100 million people of eastern, northern, and southern Europe being forced to live under effective slavery—the Soviet Union has also ruthlessly stamped out its own minorities. All of us have read about, and know about, the transportation, in the most ruthless and cruel way, in the course of World War II, of six separate ethnic groups from the Soviet Union: The Chechen-Inguish, the Kalmyks, the Karachi, the Balkans, the Crimean Tartars, and the Volga Germans. Furthermore, we have only to read yesterday's newspapers and today's newspapers to learn about the fact that there is still anti-Semitism of a major character in the Soviet Union, and that it exists there to a very important and considerable extent, as a result of the way in which the operations of the Government of the Soviet Union are conducted.

So, Mr. President, as we debate this issue, let us not for even one moment

overlook the international aspects of what we are about.

As for the work of the Commission itself—which will be encouraged and maintained by the extension for 2 years—let me say that when Congress voted, in 1957, to create a bipartisan Commission to conduct a comprehensive, impartial investigation in this field, Congress considered 2 years as the minimum length of time necessary in order to have the study conducted along the lines prescribed by Congress. But 8 months passed, following enactment of the Civil Rights Act of 1957, before the Commission was able to begin its work; and thus the Commission had only 16 months in which to complete the work Congress had prescribed for it.

So in seeking an extension of time for the Commission, we are seeking only to make it possible for the Commission to carry out the original intent of Congress, part of which was based on the sincere belief that the work of the Commission would go far beyond studies in the fields of voting, education, and housing, and would extend to the fields of the use of public buildings, recreation, and—very important—the administration of justice. Many of us who voted for the creation of the Commission expected that by this time it would have reached into those fields.

However, I do not believe such an extension of the life of the Civil Rights Commission should be considered in itself to amount to meaningful and effective civil rights legislation; and I would not wish anyone to believe that to be the case. A minimum, reasonable civil rights program, for enactment by the Congress—and now I come to the fourth aspect of the matters I said I would discuss, namely, the reasonableness of our proposals—would, in my opinion, include, first and foremost, implementation of the findings of the Commission on Civil Rights with respect to voting; second, provision of some opportunities for the United States to help communities which wish to meet the requirements of the public-school-desegregation mandate of the Supreme Court, by means of technical assistance, some financial aid, and actually backing the school systems for Federal personnel which are desegregated, in areas where that is not now the case or is not likely to be the case for some time to come.

Another group of matters which require urgent attention includes dealing with the spate of hate bombings which have occurred in an effort to intimidate those in certain areas of the South who wish an end to come to racial restrictions on voting and other racial restrictions, including racial restrictions in regard to public-school attendance.

In addition, and this is also very important, an effort should be made to tighten up on the general laws of the United States in regard to the administration of justice in this particular field of racial living.

Mr. President, we also witnessed recently—and very, very unhappily—after a period of years in which there had not been a similar incident, a lynching. There, too, there seems to be real urgency for a Federal antilynching law of a kind which has long been proposed, even though the efforts to obtain the enactment of such a law have been kicked around for a long time. Certainly such a law is needed in order to permit the Federal authorities to lend their weight and their strength to attempts to take proper action in such situations.

In that connection, I call attention to a newspaper article, carried by the United Press, which was published in the New York Daily News of September 13. In brief, the article states that a Mississippi prosecutor said that the report of the FBI on the Poplarville, Miss., case of the lynching of the Negro, Mack Charles Parker, is hearsay, and will be considered as such when a grand jury takes up the case. He said, in short, that of course the FBI could present its own evidence to the grand jury, but he would not present it as evidence that any crime had been committed.

That is but another illustration of the limitations that are encountered in connection with carrying out the constitutional guarantees with respect to the protection of life, liberty and property, when, very unhappily, as I have said—and now very rarely, but still very tragically—there are encountered limitations which deny that the Federal Government should be entitled to have, and to follow, its own procedures in connection with such cases, rather than to have half-hearted actions taken in States in which racial intolerance still persists.

Mr. President, there is no reason why lynching should not be stated in the law as being what it really is, namely, a crime against the maintenance of proper, reasonable human relationships—as lynching is regarded throughout the world, and as it should be specifically stated in our law.

There is also the question of the poll tax. Regardless of how the poll tax is viewed in various States, the fact is that it must be eliminated from the States as an archaic and vestigial remnant from other days which should speedily be forgotten.

In this connection, I am constantly reminded of the eloquent words of the majority leader of the Senate, who, in stating why he voted for the Civil Rights Act of 1957, said:

> I voted for the civil rights bill because I believe that the right to vote is the most important instrument for securing justice. I was convinced that steps were needed to safeguard that right.

Mr. President, one of the most urgent steps needed to safeguard that right is to remove from it the shackles of the archaic and vestigial remnant of a long since dead past which is incorporated in the poll tax.

I should like to conclude by reference to the report of the Civil Rights Commission itself. I say that because if we are going to extend the life of the Commission, as we should, in the interest of our country, we want to appraise quite honestly the dispassionate quality of its work, the objectivity, as well as its skill and thoroughness. The single most extraordinary thing about this report is the real lack of difference in respect of the basic findings of the Commission. Only one of the Commissioners, John S. Battle, out of the six, criticized the general character of the report, notwithstanding two other Commissioners than Mr. Battle, to wit Governor Carlton and Mr. Storey, come from the South. His remarks are found on page 551.

I should like to read them, because they are so important. He was the only one who dissented to the report as a whole. He said:

> I have stated my objections to certain specific recommendations contained in the report.
>
> In addition thereto, and without in any way impugning the motives of any members of the Commission, for each of whom I have the highest regard, I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Without criticizing the quality of this dissent, which I do not think anyone would call it a particularly violent dissent, taking it at full force and saying it is a complete dissent, let us note it is the only one. When we get a vote of 5 to 1 here in the Senate, we think there has been an overwhelming victory for the winning side. I think very definitely that is what is demonstrated by this report.

I hasten to add that it is an objective and reasoned and very moderate document, as attested to by the fact that two of the southern members joined in it. I do not say these two members were any less devoted to the particular point of view they sought to reflect on this Commission than Commissioner Battle was, but I think it is a tribute to the moderate and objective character of the report, and the hard facts which intruded upon the consciences of the members of the Commission, that the report was adopted by 5 to 1, and that two out of the three southern members felt in good conscience they had to subscribe to it.

This report is powerful backing in fact—not in theory or in idea, but in fact—of the urgent need for additional civil rights legislation. I refer to page 141 of the report. One of the findings not dissented to by any Commissioner specifically, but dissented to by Commissioner Battle's general dissent, reads as follows:

> The Commission finds that substantial numbers of citizens qualified to vote under State registration and election laws are being denied the right to register, and thus the right to vote, by reason of their race or color. It finds that the existing remedies under the Civil Rights Act of 1957 are insufficient—

Mr. President, I repeat that word "insufficient"—

> are insufficient to secure and protect the right to vote of such citizens.

I believe it fair to say that the overwhelming majority of the Members of the Senate were agreed in 1957 that if they did not want to do anything else

about civil rights, they certainly wanted to safeguard the right to vote. And here is a finding, by a vote, of at least 5 to 1, that the Civil Rights Act of 1957 is insufficient to secure and protect the right to vote of such citizens.

It seems to me, therefore, this bears, beyond a peradventure, on the most urgent level, on the need for the kind of legislation which is referred to in this report, which those of us who are fighting this battle feel Congress should be considering.

Finally, one of the recommendations in this report most vexing and argued about by the opponents of civil rights legislation has been the recommendation for the appointment of temporary Federal registrars. May I say here and now that it is my full intention to offer an amendment to carry out that recommendation when, as, and if we consider civil rights legislation.

It is very significant that the Commissioner include also a very strong condemnation of discrimination in housing patterns, which affects great cities like my own city of New York and other great American cities, which we understand, and which we are doing our utmost to do something about in view of the recommendations in which five of the six Commissioners concurred, including two Commissioners from the South, the only dissent being entered by Commissioner Battle on all these matters to which I have referred. So it is by no means a report as to the shortcomings in the South. It affects us all and criticizes us all when and where we deserve it.

I believe one of the very fundamental points which should be made in this whole civil rights issue is the dispassionate way in which the report makes findings and recommendations without regard to section, for just as it is true that we have our problems in the North as those in the South have them, so it is equally true that at least in the North the lay commissions of the communities, the whole governmental machinery, are directed toward doing something about the matters. Unhappily, there are sections of the South where we find now, after 100 years, it is being urged to just let matters rock along, they will take care of themselves, that everything is nice and quiet, and why disturb them?

Well, Mr. President, everything may be nice and quiet, but it is also very quiet in a tomb or a concentration camp. I do not compare the two in any way, but I do make the point that the test of its being quiet is no test of justice or order or the progress of a community, or the likelihood that that community is doing its best or contributing its most to the general welfare.

Mr. President, I ask unanimous consent that there be incorporated in the RECORD as a part of my remarks the tables which are found in the report of the Commission on Civil Rights, from page 42 to page 51, inclusive.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 2.—ARKANSAS

(Source: 1950 census; 1958 registration figures from State auditor: Arkansas has no registration as such. Payment of poll tax is equivalent of registration. The following figures are official poll tax payments.)

The total 1950 voting-age population of Arkansas was 1,108,366. Of this total, 880,675 were white and 227,691 were nonwhite. Thus nonwhites were 20.5 percent of the total voting-age population.

In 1958 the total number of registered voters in Arkansas was 563,978. Of this total, 499,955 were white and 64,023 were nonwhite. Thus nonwhites were 11.4 percent of all registered voters.

The number of nonwhites registered in 1958 represented 28.1 percent of the total 1950 population of voting-age nonwhites.

Arkansas has 75 counties. In six counties, nonwhites were a majority of the 1950 voting-age population. In all of these counties some nonwhites were registered to vote in 1958.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	*Number of counties*
No nonwhites registered	[1] 14
Some, but fewer than 5 percent	1
5 to 25 percent	28
25.1 to 50 percent	28
More than 50 percent	4
Total	75

[1] Nonwhite population of voting age in these 14 counties in 1950 was 83.

TABLE 3.—FLORIDA

(Source: 1950 census; 1958 registration figures from Florida secretary of state, published regularly.)

The total 1950 voting-age population of Florida was 1,825,513. Of this total, 1,458,716 were white and 366,797 were nonwhite. Thus nonwhites were 20.1 percent of the total voting-age population.

In 1958 the total number of registered voters in Florida was 1,593,453. Of this total, 1,448,643 were white and 144,810 were nonwhite. Thus nonwhites were 9.1 percent of all registered voters.

The number of nonwhites registered in 1958 represented 39.5 percent of the total 1950 population of voting-age nonwhites.

Florida has 67 counties. In one county, nonwhites were a majority of the 1950 voting age population. In this county, 13.2 percent of the 1950 voting-age nonwhites were registered to vote in 1958.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	*Number of counties*
No nonwhite registered	[1] 3
Some, but fewer than 5 percent	3
5 to 25 percent	12
25.1 to 50 percent	30
More than 50 percent	19
Total	67

[1] Nonwhite population of voting age in these three counties in 1950 was 2,944.

TABLE 4.—GEORGIA

(Source: 1950 census; 1958 registration figures from official county reports released by Secretary of State of Georgia, published in Atlanta Constitution, September 29, 1958.)

The total 1950 voting-age population of Georgia was 2,178,242. Of this total, 1,554,784 were white and 623,458 were nonwhite. Thus nonwhites were 28.6 percent of the total voting-age population.

In 1958 the known total of registered voters in Georgia was 1,291,597. Of this total, 1,130,515 were white and 161,082 were nonwhite. Thus nonwhites were 12.5 percent of all registered voters.

The number of nonwhites registered in 1958 represented 25.8 percent of the total 1950 population of voting-age nonwhites. Georgia has 159 counties. In 29 counties, nonwhites were a majority of the 1950 voting-age population. In two of these counties, no nonwhite was registered to vote in 1958. In 11 of the other 27 counties, the number of nonwhites registered in 1958 was fewer than 5 percent of the county's 150 voting-age nonwhite population. In one, nonwhite registration figures were unavailable.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1959 voting-age population figures):	*Number of counties*
Nonwhites registered	[1] 2
Some, but fewer than 5 percent	22
5 to 25 percent	53
25.1 to 50 percent	50
More than 50 percent	28
Total	159

[1] Nonwhite population of voting age in these 6 counties in 1950 was 3.141.

TABLE 5—LOUISIANA

(Source: 1950 census; 1959 registration figures from Louisiana secretary of state, pulished regularly.)

The total 1950 voting-age population of Louisiana was 1,587,145. Of this total 1,105,861 were white and 481,284 were nonwhite. Thus nonwhites were 30.3 percent of the total voting-age population.

In 1959 the total number of registered voters in Louisiana was 961,192. Of this total, 828,686 were white and 132,192 were nonwhite. Thus nonwhites were 13.8 percent of all registered voters.

The number of nonwhites registered in 1959 represented 27.5 percent of the total 1950 population of voting-age nonwhites.

Louisiana has 64 parishes (i.e., counties). In 8 parishes, nonwhites were a majority of the 1950 voting-age population. In 4 of these no nonwhite was registered to vote in 1959.

Nonwhite registration by parishes

Percentage of nonwhites registered in 1959 (based on 1950 voting-age population figures):	*Number of parishes*
No nonwhites registered	[1] 4
Some, but fewer than 5 percent	9
5 to 25 percent	18
25.1 to 50 percent	14
More than 50 percent	19
Total	64

[1] Nonwhite population of voting age in these 4 parishes in 1950 was 20,330.

TABLE 6.—NORTH CAROLINA

(Source: 1950 census: 1958 registration figures from replies of official county boards of elections in 79 of North Carolina's 100 counties to questionnaire of Commission's State advisory committee.)

The total 1950 voting-age population of North Carolina was 2,311,081. Of this total, 1,761,330 were white and 549,751 were nonwhite. Thus nonwhites were 23.8 percent of the total voting-age population.

In 1958 the total registered voters in the 79 counties reporting was 1,547,822. Of this total, 1,389,831 were white and 157,991 were nonwhite. Thus nonwhites were 10.2 percent of all registered voters in these counties.

The number of nonwhites registered in 1958 in these 79 counties represented 28.7 percent of the State's total 1950 population of voting-age nonwhites.

North Carolina has 100 counties. In the 21 counties not reporting there were 111,475 voting-age nonwhites in 1950.

In 6 counties, nonwhites were a majority of the 1950 voting-age population. In at least 4 of these, some nonwhites were registered to vote in 1958. In 2, the number of nonwhites registered was fewer than 5 percent of the county's 1950 voting-age nonwhite population. Two counties did not report.

Nonwhite registration by counties reporting

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	Number of counties
No nonwhites registered	0
Some, but fewer than 5 percent	3
5 to 25 percent	29
25.1 to 50 percent	18
More than 50 percent	29
Total	79

TABLE 7.—SOUTH CAROLINA

(Source: 1950 census; 1958 registration figure released by secretary of state of South Carolina as of May 10, 1958, published in Columbia State, May 25, 1958.)

The total 1950 voting-age population of South Carolina was 1,150,787. Of this total, 760,763 were white and 390,024 were nonwhite. Thus nonwhites were 33.9 percent of the total voting-age population.

In 1958 the total number of registered voters in South Carolina was 537,689. Of this total, 479,711 were white and 57,978 were nonwhite. Thus nonwhites were 10.8 percent of all registered voters.

The number of nonwhites registered in 1958 represented 14.9 percent of the total 1950 population of voting-age nonwhites.

South Carolina has 47 counties. In 15 counties, nonwhites were a majority of the 1950 voting-age population. In one of these counties, no nonwhite was registered to vote in 1958. In four of the other 14 counties, the number of nonwhites registered in 1958 was fewer than 5 percent of the county's 1950 voting-age nonwhite population.

Nonwhite registration by counties

Percentage of nonwhites registered in 1959 (based on 1950 voting-age population):	Number of counties
No nonwhites registered	[1] 1
Some, but fewer than 5 percent	6
5 to 25 percent	40
25.1 to 50 percent	0
More than 50 percent	0
Total	47

[1] Nonwhite population of voting age in this county in 1950 was 2,625.

TABLE 8.—VIRGINIA

(Source: 1950 census; 1958 registration figures obtained from Virginia secretary of state by the Commission's State advisory committee.)

The total 1950 voting-age population of Virginia was 2,036,468. Of this total, 1,606,669 were white and 429,799 were nonwhite. Thus nonwhites were 21.1 percent of the total voting-age population.

In 1958 the total number of registered voters in Virginia was 958,342. Of this total, 864,863 were white and 93,479 were nonwhite. Thus nonwhites were 9.8 percent of all registered voters.

The number of nonwhites registered in 1958 represented 21.7 percent of the total 1950 population of voting-age nonwhites.

Virginia has 100 counties.[1] In 8 counties, nonwhites were a majority of the 1950 voting-age population. In all of these counties some nonwhites were registered to vote in 1958.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	Number of counties
No nonwhites registered	[2] 3
Some, but fewer than 5 percent	1
5 to 25 percent	67
25.1 to 50 percent	27
More than 50 percent	2
Total	100

[1] There are in addition 34 "independent cities," figures on which are included in the Appendix.

[2] Nonwhite population of voting age in these three counties in 1950 was 910.

TABLE 9.—ALABAMA

(Source: 1950 census; 1958 registration figures from survey by The Birmingham News, published February 17, 1959: "Some were official estimates, but most represent actual counts.")

The total 1950 voting-age population of Alabama was 1,747,759. Of this total, 1,231,514 were white and 516,245 were nonwhite. Thus nonwhites were 29.5 percent of the total voting-age population.

In 1958 the known total of registered voters in Alabama was 902,218. Of this total, 828,946 were white and 73,272 were nonwhite. Thus nonwhites were 8.1 percent of all registered voters.

The number of nonwhites registered in 1958 represented 14.2 percent of the total 1950 population of voting-age nonwhites.

Alabama has 67 counties. In 12 counties, nonwhites were a majority of the 1950 voting-age population. In 2 of these counties, no nonwhite was registered to vote in 1958. In 7 of the other 10 counties, the number of nonwhites registered in 1958 was fewer than 5 percent of the county's 1950 voting-age nonwhite population.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	Number of counties
No nonwhites registered	[1] 2
Some, but fewer than 5 percent	12
5 to 25 percent	34
25.1 to 50 percent	9
More than 50 percent	10
Total	67

[1] Nonwhite population of voting age in these 2 counties in 1950 was 14,730.

TABLE 10—MISSISSIPPI

(Source: 1950 census; and (1) statewide figures from 1954 survey made by then Attorney General (now Governor) James P. Coleman, hearings, House Judiciary Subcommittee, 85th Cong., 1st sess., 1957, pp. 736–739; (2) county figures from master's thesis, Negro Voting in Mississippi, by James Barnes, graduate student, University of Mississippi, 1955, based on interviews with officials and/or examination of county records. See also CONGRESSIONAL RECORD, vol. 103, pt. 7, pp. 8602–03; State Times of Jackson survey of Negro registration in 13 counties in fall of 1956, published Oct. 29–Nov. 1, 1956.)

The total 1950 voting-age population of Mississippi was 1,208,063. Of this total, 710,709 were white and 497,354 were nonwhite. Thus nonwhites were 41 percent of the total voting-age population.

In 1954 the total nonwhite registered voters in Mississippi was 22,000. White registration figures were unavailable.

The number of nonwhites registered in 1954 represented 3.89 percent of the total 1950 population of voting-age nonwhites.

Mississippi has 82 counties. In 26 counties, nonwhites were a majority of the 1950 voting-age population. In 6 of these counties, no nonwhite was registered to vote in 1955. In 18 of the other 20 counties, the number of nonwhites registered in 1955 was fewer than 5 percent of the county's 1950 voting-age nonwhite population.

Nonwhite registration by counties

Percentage of nonwhites registered in 1955 (based on 1950 voting-age population figures):	Number of counties
No nonwhites registered	[1] 14
Some, but fewer than 5 percent	49
5 to 25 percent	17
25.1 to 50 percent	2
More than 50 percent	0
Total	82

[1] Nonwhite population of voting age in these 14 counties in 1950 was 51,947.

TABLE 11.—TEXAS

(Source: 1950 census; registration figures from the Long News Service of Austin, which made actual counts on poll tax and exemption lists (equivalent of registration) in 165 of State's 254 counties, and for the remaining counties gave various kinds of estimates based on interviews with officials or on sampling.)

The total 1950 voting-age population of Texas was 4,737,734. Of this total, 4,154,790 were white and 582,944 were nonwhite. Thus, nonwhites were 12.3 percent of the total voting-age population.

In 1956–58 the known total registered voters in Texas was 1,716,336. Of this total, 1,489,841 were white (1956) and 226,495 were nonwhite (1958). Thus, nonwhites were 13.5 percent of all registered voters.

The number of nonwhites registered in 1958 represented 38.8 percent of the total 1950 population of voting-age nonwhites.

Texas has 254 counties. In no counties were nonwhites a majority of the 1950 voting-age population.

Nonwhite registration by counties

Percentage of nonwhites registered in 1958 (based on 1950 voting-age population figures):	Number of counties
No nonwhites registered	[1] 14
Some, but fewer than 5 percent	1
5 to 25 percent	59
25.1 to 50 percent	134
More than 50 percent	46
Total	254

[1] Nonwhite population of voting age in these counties in 1950 was 42.

Mr. JAVITS. Mr. President, these tables show, as closely as the Commission can estimate them, the pattern which results when a minor percentage of nonwhites in most of the Southern States is registered voters, as compared with a percentage, generally speaking, twice as great for whites.

Mr. President, as men of sophistication, all of us know, when we see a pattern of that kind consistently maintained, there is a reason. Mr. President, that reason, in my view, is intolerable to the domestic and international position of the United States. Mr. President, it is our duty, as a Congress, out of solicitude for our country, to make the necessary correction.

I believe by supporting a motion to suspend the rule and an amendment to extend the life of the Civil Rights Commission, based upon the solid expectation, as will be disclosed from the precise points made upon the floor as to the time and the place when we will undertake to legislate further in regard to civil rights, we shall make a marked measure of progress in correcting these grave injustices under which our country suffers.

Mr. President, my assistant points out to me—and I think it is very worthy of note, in order to show the character of the work of the Commission—that in the State of Texas, which is the home State of our distinguished majority leader, 12.3 percent of the total voting population were nonwhites, whereas 13.5 percent of the registered voters were nonwhites as well, which is different from the pattern in others of the Southern States. I make that point in order to show that the Commission made every effort to present every part of the picture.

Mr. President, I yield the floor.

REINSTATEMENT AND VALIDATION OF OIL AND GAS LEASE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 931, H.R. 8437.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8437) to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. McNAMARA. Mr. President, may we have an explanation of the bill?

Mr. ANDERSON. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from New Mexico.

Mr. ANDERSON. This bill involves a payment to the Bureau of Land Management. The Bureau of Land Management notified the individual lessee what his bill would be for the rental. The lessee paid what he was told to pay. Later the discovery was made that the lessee had paid approximately $20 less than he should have paid. The mistake was a mistake of the Bureau of Land Management. There is no way to rectify the mistake other than to pass the bill.

The bill is recommended by the department, and apparently there is no objection to it.

Mr. McNAMARA. How much money is involved? Did the Senator say $20?

Mr. ANDERSON. I am not sure that is the correct amount, but it is approximately that. The lessee paid less than the rental figure should have been. He did this innocently. I think the bill is a proper bill, and should be passed.

The Senator from Colorado and I have checked into this matter very carefully.

Mr. JOHNSON of Texas. The amount which was billed was $56, when it should have been $80.

Mr. McNAMARA. I have no objection.

Mr. ALLOTT. There was approximately a $20 difference.

Mr. ANDERSON. The Senator from Colorado has been very helpful in regard to these matters.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 8437) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF BANKRUPTCY ACT, RELATING TO VERIFICATION OF PLEADINGS

Mr. EASTLAND. Mr. President, I ask that the Chair lay before the Senate the message from the House on the bill S. 1944 to amend the Bankruptcy Act in regard to the verification of pleadings.

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1944) to amend the Bankruptcy Act in regard to the verification of pleadings, which was, to strike out all after the enacting clause and insert:

That subdivision c of section 18 of the Bankruptcy Act is amended to read as follows: "c. Petitions for both voluntary and involuntary bankruptcy shall be verified under oath."

Mr. EASTLAND. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1960

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of House bill 8385, the mutual security bill, which was displaced a moment ago when I moved that the Senate proceed to the consideration of another bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. THURMOND. Mr. President, I am convinced beyond any shadow of a doubt that the Senate is making no contribution to the welfare of the country by even considering an extension of the Civil Rights Commission. The consideration of such an extension would have been even more unfortunate had it been undertaken without having available to us the report of the Civil Rights Commission.

In reading the report of this Commission, Senators should keep in mind that this is the report of a Commission which was promoted as a group which would deal exclusively with voting rights. I do not believe that any of us were deceived in 1957, and I know that I was not so deceived. The Commission has, of course, presumed to enter into a discussion of race relations in the fields of education and housing, as well as voting. Obviously, the information on which the Commissioners base their discussion could not be dignified by calling it a study.

I shall review briefly what I can only describe as the illogical ramblings and babblings of unsound thinking; and from time to time, I shall also note with pleasure that there are those among the Commissioners who indicate by their individual opinions and statements contained in the report that they, unlike the staff and the other Commissioners, have not completely lost touch with reality.

In the field of voting the Commission made a total of five so-called findings and recommendations. I shall merely note at this point that Commissioner Battle's dissent on all five findings and recommendations indicates that the Commission was not without a rational thinker among its group, had it chosen to follow the leadership of good judgment and clear thinking.

The first finding of the Commission in the field of voting is believable to me. Obviously, the Commissioners who joined in the remaining findings and recommendations in the voting area did not believe it themselves, however, for if they had, they could have drawn no conclusions whatsoever—much less any recommendations.

I quote the first two sentences of the first finding of the Commission:

The Commission finds that there is a general deficiency of information pertinent to the phenomenon of nonvoting. There is a general lack of reliable information on voting according to race, color, or national origin, and there is no single repository of the fragmentary information available.

It is obvious that if one believes that this finding of the Commission is correct, it would be senseless to attach any credibility to any additional part of the Commission's report on voting.

The Commission recommends that the Bureau of Census undertake a nationwide compilation of registration and voting statistics to include a count of individuals by race, color, and national origin who are registered and the frequence of their voting in the past 10 years.

Mr. President, I heartily endorse this recommendation. I do not believe that anyone could conceive of a more practical and a more suitable replacement for the Civil Rights Commission than the census suggested by the Commission itself. It should be quite apparent that until the information which the Commission finds to be practically nonexistent can be compiled, no sensible study nor logical conclusion can be accomplished.

Mr. President, had the Commission stopped at this point in its report, it

would have accomplished more good than I have ever conceived that it could do. I say this with full awareness that the Commission's conclusion, arrived at after 2 years of existence, could have been reached by any logical man after a few casual inquiries. Unfortunately, the Commission did not stop at this point; and in the remainder of the report, those of the Commission who advance specific proposals confirm beyond a doubt that this Commission has contributed and is contributing more to racial unrest, tension, and bad relations than any other force or factor which has been conceived by Congress in modern times.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Mississippi.

Mr. EASTLAND. The distinguished Senator has said that the Commission has caused unrest. The distinguished Senator knows that when the Commissioners' nominations were being considered, for confirmation, the Commissioners testified that they had no authority to make recommendations in the field of education, yet they have pointed the finger at the South. Does the Senator agree with that statement?

Mr. THURMOND. The Senator is eminently correct. Everyone knows that the jurisdiction of the Commission, so to speak, is to be confined to voting, but the Commission has gone into sundry other fields.

Mr. EASTLAND. In fact, the report is a very highly prejudiced and a dishonest report against the Southern States. Would the Senator agree with that statement?

Mr. THURMOND. The Senator from South Carolina concurs wholeheartedly with the statement of the distinguished Senator from Mississippi.

Mr. EASTLAND. I should like to read to the Senator an Associated Press dispatch from New York City, which came over the wire this afternoon:

SEPTEMBER 14, 1959.

NEW YORK.—Picketing, and a stay-at-home boycott by at least a fourth of the white pupils in the Glendale-Ridgewood area of Queens, greeted the arrival today of Negro and Puerto Rican pupils transferred from Brooklyn.

In addition large signs saying "blacks go home" appeared in front of one school during the night. They were painted out before the students from Brooklyn's poverty-stricken Bedford-Stuyvesant area arrived in the school for opening day.

Most of the 363 pupils scheduled for transfer showed up, and they entered the five schools involved without difficulty. White parents picketed in front of three of the schools, however.

The schools are in an almost entirely white area of Queens, and had a total registration of about 2,300 excluding the transfers from Brooklyn. More than 900 pupils stayed at home, authorities estimated.

That shows that the question of school integration is national in scope, and that white people all over the country are determined to maintain their racial identity and oppose politicians who would destroy the white race in this country. Does the Senator agree with that statement?

Mr. THURMOND. The Senator is eminently correct. However, if New York or any other State wishes to have integration, I think that is a prerogative of the particular State.

Mr. EASTLAND. Does not this dispatch show that New York does not want integration? Is not that one of the points brought out by the dispatch?

Mr. THURMOND. The dispatch clearly shows that. However, the point I make is that the people of South Carolina should not attempt to dictate to the people of any other State, whether they want integration or segregation. On the other hand, we do not want to be dictated to, as to what we shall do in South Carolina. We think it is our prerogative under the Constitution to have integration if we want it, or to have segregation if we want it. If our people choose segregation, as they have done, we feel that as a sovereign State we have the right do do it.

Mr. EASTLAND. Is it not true that in the North, in large measure there is de facto segregation?

Mr. THURMOND. That is my understanding of the situation; and from the news items I have been reading recently, undoubtedly that is the case.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from New York.

Mr. JAVITS. I thank my colleague for his always unfailing courtesy. I doubt very much whether I, or anyone else who thinks as I do, could persuade our distinguished colleague from Mississippi to change his views.

Also I doubt very much whether his assertion that the people of the State of New York want segregation in their public schools will be accepted as a conclusive finding of fact. I am confident that we shall have ample opportunity to show the facts in detail as to New York.

We have argued this question many times before. I do not see much point in raising the argument again, but I could not stand by when the statement was made in my hearing, and allow it to stand.

Mr. EASTLAND. The point is that the distinguished Senator from New York should attend to his own knitting in New York State, and not attempt to export New York's deplorable social conditions into areas where peace and harmony prevail. He has plenty to do in Brooklyn, Queens, the Bronx, and Harlem, instead of picking on people who have harmonious racial relations.

Mr. THURMOND. In reply to the Senator from Mississippi, I must say that from all the news items I have been reading in newspapers from New York, it would appear that there is a great opportunity up there for missionary work to be done in certain quarters. I presume that all States have their weaknesses, and that New York is not the only State, but from the items in the newspapers, I am sure that there is a vast field there for a great deal of good work to be done.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. THURMOND. I yield to the distinguished Senator from New York.

Mr. JAVITS. I assure the Senator that my devout wish would be that the distinguished Senator from Mississippi would be working at cultivating the great field in his State as assidiously as I—and, I am confident, my colleague, Mr. KEATING—are working at cultivating the same field in our State.

It is a fact, as the Senator from Mississippi and the Senator from South Carolina have pointed out, that this is a national question, just as foreign policy, highways, and a dozen other things are national questions upon which we must legislate. The Senator from Mississippi and the Senator from South Carolina feel a certain way about civil rights; and any of us would die in defense of their right to express their views, a right which all Senators enjoy.

Mr. THURMOND. I wonder if I can make the Senator from New York a proposal. Inasmuch as he feels that we have so many shortcomings in the South, and the newspapers show that there are so many of them in his own State, I wonder if we could agree that he go back to his State and take care of his problems, and allow us in the South to take care of our problems. We assure him that we will not disturb or interrupt him in any way whatsoever, or cast any reflections on the way he handles his local problems, if he will give us the same assurance.

Mr. JAVITS. I trust that question was settled forever by the heroes in both blue and gray, from 1861 to 1865. I abide by their verdict.

Mr. THURMOND. In reply, let me say that the question was settled when the Constitution was written. The Constitution of the United States provided that all powers not delegated to the Federal Government are reserved to the States. The field of education has never been delegated to the Federal Government, and many other fields have not. Therefore, they are reserved to the States, and they are still within the jurisdiction of the States. We expect to follow the Constitution.

Mr. JAVITS. Mr. President, will the Senator further yield?

Mr. THURMOND. I am happy to yield to the Senator from New York.

Mr. JAVITS. I think we will agree that the 14th amendment is a part of the Constitution. That amendment gives every citizen equal protection under the law—in education and in every other phase of human activity that comes within that fundamental charter That amendment is just as much a part of the Constitution as that part which was adopted by the Founding Fathers in the latter part of the 18th century.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield.

Mr. EASTLAND. Does it not seem to the Senator that, inasmuch as South Carolina has peace and harmony, with

no gangs roaming the streets indulging in knifings, cuttings, murder, rape, crimes of violence, and filth, the Senator from New York should devote his attention to correcting the deplorable condition in his own State, among his own people, rather than taking this floor day in day in and day out and telling what the South is doing. He tells us that the South does this, or the South does that. There has not been a word about juvenile delinquency, murder, and rape in his own neighborhood, in his own town.

Mr. THURMOND. In reply to the Senator from Mississippi, I think it is clear that down South we are having no racial disorders. We are having no racial tensions. We are not having crime or juvenile delinquency. We have a segregated life which both races enjoy.

Mr. EASTLAND. Is not the segregated way of life a better life? Is not that the law of nature?

Mr. THURMOND. Well, that is the way God made the races. I presume it is.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. THURMOND. At the same time under the Constitution—and I am fighting for constitutional government—under the Constitution I believe New York has a right to have integration if it wants it. The only thing I want New York to do is to let South Carolina alone. We will let New York have its integration. They can integrate just as much as they want to if they will just let us alone in South Carolina. Our people are happy. Both races are happy. Our schools are just as good for the colored race as for the white race.

We have just as good schoolbuses. We pay the teachers the same, and the opportunities are equal. We are doing everything we can. The Negroes in my State vote. All who are qualified there vote, and there is a big vote among the Negro people.

We treat the Negro people right. We get along with them well; but if other people from other sections are going to send agitators down there to start trouble, I can visualize that in the future we could have trouble.

We are just hoping that the States which are now having trouble will not go jumping on the South and trying to hide their own troubles at home. We cannot help but feel that some people from other States who are jumping on the civil rights bill and who claim they are fighting for civil rights are forgetting their own dastardly conditions right in their own backyards.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. THURMOND. I will be pleased to yield to the Senator from New York.

Mr. JAVITS. Mr. President, the other points which have been made by the Senator from Mississippi and the Senator from South Carolina have been argued many times on the floor, and they will be again. I do not have to repeat those arguments. But I am very much interested in what I consider to be quite a red herring drawn across this trail—the rapes and the murders and the terrible things that are going on in New York.

Mr. President, this would be a rather interesting argument even though slightly rhetorical, if it were true. However, very unfortunately for that position, the facts are just the other way. "The Uniform Crime Reports for the United States," published by the Federal Bureau of Investigation, show that the ratio per hundred thousand of offenses committted in many of the Southern States far exceeds the ratio of those offenses—and they include all of the offenses mentioned by my colleague from Mississippi—in New York.

We are not proud of the ratio we have, but we are not calling any other States which have a worse problem names. We are terribly sorry about it. We are ashamed of it for ourselves. We are ashamed of it for the whole Nation. But it is certainly no valid argument against the points we are making, especially when it is just not so upon the facts.

I ask unanimous consent to have printed in the RECORD at this point a table entitled "Index of Crimes by Standard Metropolitan Areas," from "Uniform Crime Reports," issued by the Federal Bureau of Investigation, September 2, 1959.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Index of crimes by standard metropolitan areas from "Uniform Crime Reports," issued by the Federal Bureau of Investigation September 2, 1959

[Rate per 100,000]

New York-northern New Jersey	1,145.3
(All cities listed for the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Virginia.)	
Asheville, N.C.	1,006.5
Atlanta, Ga.	812.0
Birmingham, Ala.	[1] 1,212.2
Charleston, S.C.	[1] 1,382.8
Charlotte, N.C.	[1] 1,462.2
Columbia, S.C.	[1] 1,365.2
Columbus, Ga.	816.5
Durham, N.C.	669.2
Fort Smith, Ark.	794.1
Gadsden, Ala.	762.4
Greensboro-High Point, N.C.	749.7
Greenville, S.C.	[1] 1,419.9
Hampton-Newport News-Warwick, Va.	[1] 1,540.3
Jackson, Miss.	593.4
Jacksonville, Fla.	[1] 2,004.4
Little Rock-North Little Rock, Ark.	[1] 1,570.3
Macon, Ga.	1,049.5
Miami, Fla.	[1] 2,303.3
Mobile, Ala.	[1] 1,162.9
Montgomery, Ala.	1,078.6
New Orleans, La.	[1] 1,720.7
Norfolk-Portsmouth, Va.	[1] 1,609.1
Orlando, Fla.	[1] 1,544.6
Pensacola, Fla.	[1] 1,784,7
Raleigh, N.C.	[1] 1,400.8
Richmond, Va.	[1] 1,325.9
Savannah, Ga.	[1] 1,675.4
Shreveport, La.	760.0
Tampa-St. Petersburg, Fla.	[1] 1,320.3
West Palm Beach, Fla.	1,080.0
Winston-Salem, N.C.	802.6

[1] Exceeded by.

Mr. JAVITS. Mr. President, the facts are—and I offer them for the RECORD—that in a long list of cities, comparing the ration in other cities with the New York and northern New Jersey area, the rate per hundred thousand of offenses in New York and northern New Jersey was 1,145. The ratio in a whole list of cities in South Carolina—and I will not embarrass my colleague by reading the names of the cities—because I do not believe this is to the point——

Mr. THURMOND. The Senator cannot embarrass me, because our cities are the finest cities in the world. People in our cities can walk the streets in safety. Women can go out at night without being raped.

Mr. JAVITS. I believe that is true in New York, too, and the facts bear it out. If the Senator wishes me to say it, in Charleston, S.C., the rate is 1,382, as against 1,145 in New York. In Columbia, S.C., the rate is 1,365. In Greenville it is 1,419; and so on.

Mr. President, as I said, I am not making this point. I do not believe it has any bearing upon our situation. I am only pointing out that it is not an argument the other way, either. Whatever may be the reasons for the crime statistics, I am just as much ashamed of them for my own city as I am for any city in the country. All of us have full responsibility for it. It is nevertheless a fact that it should not be dragged across this discussion on civil rights, on States rights, or on the constitutional points we have been arguing, when it is not borne out by the facts.

Mr. THURMOND. We have some crime, I am sure, in our State, as any State has. Of course we have some military installations there, and people do come there from other States, from the North and other places, and our people are so friendly with them that probably they are not as tight with these people in punishing them for crime as they should be. But we are glad to have these folks down there from other sections. We welcome them, and we hope in the future that they will learn to conduct themselves as well as our own people. [Laughter.]

Mr. EASTLAND. Of course the distinguished Senator knows that the crime rate is due to the large proportion we have of one race to the other race in the South. That is true, is it not?

Mr. THURMOND. If the Senator will look at the record, I think he will find that is probably so.

Mr. EASTLAND. The point I am getting at is that the Senator from New York has made a statement on the floor of the Senate and he has arraigned the Southern States and the Southern people time and time again, but he has never attempted to clean up his own back yard.

Mr. THURMOND. I think the record will show among which race crimes are committed, but I say that the crime rate in the Southern States is certainly a low rate of crime. However, I still say that no one is in jeopardy in riding on the highways in our State as compared to some States. No one is in jeopardy in walking on the streets compared with some States, or when going to church or going to school; and even among the

children in the schools we do not have the trouble that some other States have.

Mr. EASTLAND. Will the Senator yield for a question? How many gangs are there in South Carolina?

Mr. THURMOND. I do not know of any gangs in my State.

Mr. EASTLAND. How many juvenile gangs are there in South Carolina?

Mr. THURMOND. I have not read about any in the newspapers.

Mr. EASTLAND. As a matter of fact, the Senator knows that there are no juvenile gangs.

Mr. THURMOND. There are none that I know of in my State, and if there were any, I am sure there would have been articles in the newspapers about it.

Mr. EASTLAND. How many times in the State of South Carolina today in the schools do the police patrol the corridors of the schools to prevent violence and rape? Is there a single instance of that in the State of South Carolina?

Mr. THURMOND. There is not a school in South Carolina that has a policeman in it to maintain order, or that has had to place a policeman in it to maintain order.

Mr. EASTLAND. How many rapes have there been in the schools of South Carolina?

Mr. THURMOND. None.

Mr. EASTLAND. How does that compare with New York State?

Mr. THURMOND. Oh, I would be afraid to state. That would cause embarrassment to some people I know. [Laughter.]

Mr. JAVITS. Will the Senator yield for a question?

Mr. THURMOND. I will be pleased to yield to the Senator from New York.

Mr. JAVITS. One thing might be very interesting, based upon what the Senator from Mississippi has just said about the density of the races in these States. According to my recollection, in his own State of Mississippi there is the largest proportion of Negroes to whites in any Southern State, and yet from the analysis which I have, there is one Mississippi city here—and I believe it is quite indicative of the State—in which the crime rate is very low. Indeed, the crime rate there is much lower than it is in the New York-New Jersey area.

Mr. EASTLAND. Mr. President, will the Senator yield? That is exactly what I have been saying. The crime rate there is lower because it is a segregated society.

Mr. JAVITS. Well, the crime rate in other segregated societies is so much higher that it more than makes up for it.

Mr. President, I have never used the crime rate as a reason for arguing against a segregated society. I have used the Constitution, the moral right, the economic and moral strength of the country and elementary justice, and the only time the crime rate has been used is to argue against those who would argue against segregation, and I say that is wrong. It is not a fact, and it is not borne out by the figures. That is all I say.

Mr. THURMOND. I would like to ask the Senator from New York a question. May I ask him a question?

Mr. JAVITS. Oh, of course.

Mr. THURMOND. Would he favor integration, or segregation?

Mr. JAVITS. There is no question about my favoring integration in all things in which a person has a civil right to have equal facilities and equal opportunity with every other.

I am not going to get into a philosophical discussion as to whom one should invite to dinner or whom one's daughter should marry. That is each person's business. I am only talking about going to school and getting a job and housing and the right to vote and the fundamental rights to which the Constitution of the United States relates. That is all I am talking about. That is all I ever talk about in this connection. That is what I am talking about; that is all I have ever talked about.

Mr. THURMOND. If schools were maintained on a segregated basis, with as good opportunities for one race as for the other, why would the Senator object?

Mr. JAVITS. I would object for the very reason that the Supreme Court—incidentally, by a unanimous opinion—has stated that inherent in segregated schools is a feeling on the part of the individual who is segregated that he is less desirable as a citizen, and as such a person has less opportunity than all citizens. This is wrong. This is not the way our country was organized to operate. This is contrary to the fundamental concept and principle of the Founding Fathers and of the United States. There is a national responsibility, and we must, with reason, intelligence, and justice, do what we can to uphold that responsibility.

Mr. THURMOND. Then I shall ask the Senator this question: Down South, in some of our schools, it has been found advisable to have separate high schools for girls of the same race and separate high schools for boys of the same race. Does the Senator object to that?

Mr. JAVITS. There we get into a question of opinion as to the relative educational merits or standards. I would not wish to express an opinion on that, because I am not an educator. But I do not believe it is similar at all because there the distinction is not based strictly upon color. It is not the same distinction at all. There a distinction is made upon the basis of physical activity in which young people can engage; in particular studies in which they may be interested; and other traditional pedagogical standards, whether right or wrong. It does not involve the same question as when people are separated solely by reason of color.

There are many laws upon the books of the States and of the United States in which special care is taken with respect to the hours of employment and conditions of work of women and children. Those considerations are built into our law. Certainly that does not represent any derogation of the civil rights of those persons. As I have just pointed out, it is not a distinction which is based upon what I consider to be, and what the Supreme Court has considered to be, and what I think the overwhelming opinion of the majority of Americans is, a distinction based upon color, which is contrary to the Constitution.

Mr. THURMOND. The Senator would not insinuate, would he, that because children are segregated because of sex, one sex is inferior to the other?

Mr. JAVITS. No. I think I made myself very clear on that score.

Mr. THURMOND. The Supreme Court held, I believe, that if a child is denied the right to associate with other children, that would not be equal opportunity and would not be due process. In some schools, for instance, the fifth grade might be so large that it would not be possible to put all the fifth-grade children in one class, and it would be necessary to have two fifth grades in the school. That would be segregation, would it not?

Mr. JAVITS. Mr. President, I think I have made clear my views upon this subject very precisely. The point is that there are many distinctions which are made in our law, and many distinctions are made in our practice about people, with respect to physical frailty, sex, or their particular location at a particular time, and many other things.

Mr. THURMOND. I believe the Supreme Court held that it would be discrimination to segregate. I ask the Senator, if there are equal opportunities, such as good teachers, good buildings, and everything else is equal, how can such equality be termed "discrimination"?

Mr. JAVITS. I believe it is not equality, and therefore it is discrimination.

Mr. THURMOND. It is not equality simply because both races are not allowed to participate?

Mr. JAVITS. It is not equality.

Mr. THURMOND. Suppose everything else is equal, except that one race goes to school here and one goes to school there. Is that discrimination?

Mr. JAVITS. I am not God, and neither is the Senator from South Carolina. The way this country was ordered, this great experiment in Government for all of us, we thought collectively, a long, long time ago—and I believe it has been demonstrated conclusively by our experience since—that the best way to raise a society of justice, intelligence, and productiveness is not to make a distinction between citizens on the ground of color. It is that concept which I believe is sacred to our Constitution and our institutions. Some of us, I think the majority of the country, are trying to carry that out, again, I repeat, with reason and discretion, and with deliberate speed, not, as we are often charged, overnight.

Mr. THURMOND. Does not the Senator feel that it would be better to raise little children in the pattern of life they are going to follow later?

Mr. JAVITS. The Senator from New York hopes that the pattern of life which little children will follow later will be a pattern in which opportunity in education, in housing, in voting, and similar civil rights will be enjoyed in compliance with the U.S. Constitution by everybody as citizens of the same class.

Mr. THURMOND. I ask the Senator from New York why there should be forced integration if it is not to be followed up soon by mixed-race marriages?

Mr. JAVITS. The Senator from New York does not have anything to say about that whatever. I have already made clear that whom a person marries or whom he invites to dinner is his business. It is in no way related to civil rights under the Constitution of the United States. I believe there is a reasonable right to expect that if we get started along the lines of giving citizens equal opportunity in respect to what are their civil rights, we will get to the point within a reasonable period of time when people will, together, enjoy those rights without distinction as to color.

If I were prepared to freeze into permanence the practices which are now pursued, what would this argument be all about? I am not, because the Constitution expresses exactly the contrary.

Mr. THURMOND. In reply, I may say that the Senator from New York must admit that in much of his own State there is segregation. There is segregation in housing. Tremendous sections of the Senator's State are segregated by race. There is segregation in some of the schools.

The article which the Senator from Mississippi [Mr. EASTLAND] read a few minutes ago states clearly that white people in New York were objecting to Negro children attending the same schools.

Since there is a tremendous amount of segregation in his own State now, does not the Senator from New York believe he has his hands full? Does he not feel that he has a big responsibility to go back home and work on integration in his own home State, and let the poor South alone?

Mr. JAVITS. In the first place, I do not believe the "poor South" is a proper characterization. I think the South is a productive, important, vital part of our country. I am not a bit patronizing, as far as the South is concerned. I have the most friendly, warm feelings for its people, whatever may be said about this matter on the floor.

As to segregation in my own State, certainly there is some segregation in my own State in housing. I do not believe there is any segregation in a willful way in terms of education. But I point out to the Senator from South Carolina what I have pointed out many times in my own State: All the machinery of law, all the public conscience, and a great part of the public activity, is devoted to eradicating it. Much of it has already been eradicated. We are constantly eradicating more. The whole force of public policy is against it. It seems to me that that represents the difference between my State and some of the other States of the Union, where exactly the contrary is true.

As to the Senator from New York going back to New York to attend to his own knitting, I am very much pleased to observe that 3½ million people of the State of New York voted to send me to the U.S. Senate. It would have taken many fewer to send me to the State Senate in Albany. They did not choose to do so. Therefore, so long as I am a Member of the U.S. Senate, I shall try to legislate nationally upon every subject which is the proper care of the Nation, which imperils my Nation, and which imperils, in my opinion, the free world. I shall not be deterred from doing so by being told to go back where I came from, as many other people are told to go back where they came from. That is not American, and nobody knows it better than I.

Mr. THURMOND. If the Senator from New York follows the course he has set out upon, he is going to attempt to reform the whole United States. We think he has enough work back home, in his own State, among his own people. When he attempts to try to reform the rest of the States, when they have the right under the Constitution to do what they are doing, then we think he had better go back and renew his study of the Constitution, which he learned in law school years and years ago. I believe it would help him very much now to refresh his memory on constitutional law.

Mr. JAVITS. I may say to the Senator from South Carolina that I am a constant student of constitutional law, and I think I am fully well up on the cases. I think, if a vote were taken in the Senate, probably a majority would vote as I do, too. I do not believe I have been derelict in my homework since law school.

So what I have said today is, in my judgment, and I believe in the judgment of the great majority of the people of the country, entirely abreast of constitutional law as it stands today. I respect the right of the distingiushed Senator from South Carolina and his colleagues to differ, of course. That is why we are here—to expose our points of view. But I cannot accept the statement that my point of view is rooted in inadequate knowledge of constitutional law.

Mr. THURMOND. I should like to ask the Senator from New York a question which I think is very important. He said he was sent to the Senate to legislate nationally, and that he was not sent to the Senate to legislate for any one State. I wish to ask him a question, as a matter of frankness and candor: Is it not a matter of fact that the reason why he and some of the other Members of Congress who are taking the positions he and they are taking is, not so much because they love the Negro people—because we in the South have done far more for the Negroes than those Senators and their States have—but because, so I understand, in New York the Negroes constitute about 7 percent of the population, but they vote as a bloc, and that the Senator from New York is afraid of that bloc, and, therefore, he is catering to that bloc of votes in order to save his own political hide?

Mr. JAVITS. Well, I suppose the Senator from South Carolina has made his speech, but he has not asked me a question.

Mr. THURMOND. I said, "Is it not a fact?" [Laughter.]

Mr. JAVITS. Of course, I could be very cruel, by asking the Senator from South Carolina what proportion of the population of his State he is serving by his position because of its decided political views. But I will not; I would not insult the Senator.

Mr. THURMOND. In my State the Negroes are voting, and they can vote. But they have sense enough to know that segregation is the only practical way of life in South Carolina.

Mr. JAVITS. I shall not discuss the psychology of the Negroes in South Carolina. But I will say that, in my opinion, in New York the Negroes vote for either party. It is said that a very large proportion of them vote for the party which is not my party—in other words, vote for the Democratic Party. Bearing in mind the voting pattern of the population of New York City, obviously that is true.

Although of course I would tell the Senator from South Carolina that what he has said is not true and is not borne out by the facts, that is not very important. What is important is this: What is there to the argument the Senator from South Carolina is making that in any way answers the fundamental point that the constitutional rights of people are the care of the Congress, and must be preserved? Why is the Senator's argument that I am "demagoging," a substantial argument directed to the merits? Is it directed to the merits? Does it prove anything as to the correctness or the incorrectness of this cause?

Mr. THURMOND. We believe in the Constitution of the United States; and the Constitution reserves those powers to the States. We expect to exercise those powers.

We believe that if some people in other sections of the country believed truly in the Constitution, and did not attempt to get the Congress to pass legislation in violation of the Constitution, and if we could prevent the executive branch and the legislative branch and the judicial branch from usurping the Constitution, this country would be far better off. So long as I remain a Member of the U.S. Senate, I expect to fight for the Constitution.

If some wish to amend the Constitution, that is another matter. If the Senator from New York wishes to change the way of life of the American people in the field of education, in the field of marriage, and in various other fields not now permissible for the Congress to legislate on, he has the prerogative to institute and initiate action toward that end. But at the present time the Federal Government does not have that authority; and we are standing foursquare on the Constitution, because we are confident that it is best for this Nation.

Mr. JAVITS. I should like to say that what the Senator from South Carolina has just now said is an answer. I do not accept it as a good answer; but it is an answer.

But again I point out that the motives with which the Senator from South Carolina has charged me—and I am his friend, anyhow—are not an answer; that is all.

Mr. THURMOND. In reply, I wish to say that what I said was not directed personally at the Senator from New York. But is not that true of most of the Members of Congress who come from

States in which the minority blocs control the elections; and, therefore, the candidates, or most of them, feel that they are obligated or that they have to do that, in order to get elected?

Mr. JAVITS. I think we have fully explored that question. I do not believe we could cast any more light on it. I only say to the Senator from South Carolina that I believe in my heart in the sincerity of others who espouse the same views; I believe they are fully as sincere as I am.

Mr. ELLENDER. Mr. President, will the Senator from South Carolina yield to me?

The PRESIDING OFFICER (Mr. CANNON in the chair). Does the Senator from South Carolina yield to the Senator from Louisiana?

Mr. THURMOND. I yield.

Mr. ELLENDER. I wish to ask a question. A moment ago the Senator from New York discussed crime, and tried to compare the crimes committed in New York and other States with the crimes committed in the South.

I remember that recently the crime wave in New York was based on racial differences; the Puerto Ricans and the Negroes banded together—and they are still doing it—and fought the gringos, on the one hand, and the white Americans, on the other. Is not that a correct statement?

Mr. THURMOND. The Senator from Louisiana is eminently correct. Any crime that has occurred in the South has not occurred because of racial disorders or racial differences. But the crimes which have occurred in the North—according to the newspaper and magazine reports—are directly the result of racial troubles.

Mr. ELLENDER. That is the point I wanted to clear up.

Mr. THURMOND. I thank the Senator from Louisiana.

Mr. President, let us look at other so-called findings and recommendations of the Commission, concerning which the Commission has admitted there is practically no information available on which to base any finding or recommendation. Some of the Commissioners made a finding that there is a lack of uniformity of laws with respect to the preservation of voting records. Mr. President, this is indeed a profound revelation. It is profound in spite of the fact that it is what our forefathers and the drafters of the Constitution intended in the first place, and what is basically inherent in our whole system of government, in the second place. The very fact that we do not yet have a totalitarian Government should have been enough in itself to indicate that the States still had the right to have differences in their laws on a subject which is exclusively within the sovereign power and authority of each of the several States.

It is in the recommendation, Mr. President, that either the utter irresponsibility or the abysmal ignorance of the Commissioners who joined in this recommendation stands out. These Commissioners recommended that the Federal Government enact legislation which would require the maintenance of all voting records for a period of 5 years and that such voting records be open to public inspection. Such a statute would obviously be unconstitutional, but the remainder of this report proves unquestionably that such a consideration played no part in the judgment of the avid integrationist members of the Commission.

The third item listed as a recommendation under the discussion of voting is, to say the least, a confusing compilation of words lacking not only a complete thought, but any thought at all. The discussion called "background," when combined with the so-called findings, convey a rather hazy impression that the Commission is lamenting the fact that some private citizens do not choose to serve on registration boards.

This discussion mentions the fact that, in some instances, some members of the boards have resigned their post, and that the State officials responsible for filling the vacancies have delayed in doing so. The Commission concludes that such conduct, presumably by the resignees and the States officials, is arbitrary, capricious, and without legal cause or justification. To remedy the situation, if indeed the Commission has any particular situation in mind, the Commission recommends that an additional section be added to part IV of the so-called Civil Rights Act of 1957 to prohibit any person from being a nonfeasor under color of State law, arbitrarily, without legal justification or cause, if any such nonfeasance results in somebody being unable to register. Consideration of the lack of constitutional authority for the Federal Government to interfere in State matters is again belied by this so-called recommendation.

The next discussion of the Commission included under the topic of voting has nothing whatsoever to do with voting—and this, incidentally, is in line with the organization of the rest of this report and the thinking which spawned it. At this point the report goes into the matter of witnesses who decline to testify before this insidious body. As in so many instances, the so-called recommendations have, not surprisingly, attempted to justify expanded authority for the Commission. In this particular instance, those of the Commission who joined in this recommendation, would have the Commission authorized to apply directly to the appropriate U.S. district court for orders enforcing subpenas where the subpenaed person declined to testify.

After this diversion into matters more extraneous even than the other parts of the report, the Commission returned to a discussion of persons declining to serve on registration boards. At this point, there is an additional so-called recommendation which surpasses by a considerable extent in complete disregard of the Constitution and our federated republican form of government anything that has come previously in the report. This proposal is for the appointment of a Federal registrar who would determine what persons under the terms of State law were eligible to vote and would dictate the registration lists to the State boards of registration. Such a proposal would not only be unconstitutional, but would, in fact, establish a Federal dictatorship—if indeed it could be enforced. One would think that the authors of such a proposal were existing mentally in reconstruction days and writing regulations for the conduct of civil affairs by the occupying Union troops. It might come as a surprise to the authors of this proposal and others of a similar mind, but the fact is that the South is no longer a conquered province. Further, the South has never been, nor will it ever be, conquered by the enactment of such proposals.

Next, the report, apparently for the first time, acknowledges the existence of the U.S. Constitution and, even more surprisingly, the acknowledgment is by the three most avid integrationist commissioners. Their acknowledgment, however, is only in passing and for the sole purpose of "zeroing in" on the target they forewith propose to destroy. Their proposal for destruction embodies a constitutional amendment which would transfer all substantial control and authority over the eligibility of voters from the States, where it now resides, to the Federal Government, where it can only reside in tyranny.

I would note at this point that three of the Commissioners opposed the proposal of such a constitutional amendment, and it is to their everlasting credit that they recognize the inherent danger of such a proposal.

Before passing from this particular proposal, it is worthy to note, in connection with the rationale which prompted the proposal, how the three avid integrationists justified the elimination of any literacy tests from voting eligibility requirements.

First, the Commission noted that the march of education has almost eliminated illiteracy. This they followed with the following unbelievably unrealistic rationale:

> In a nation dedicated to the full development of every citizen's human potential, there is no excuse for whatever illiteracy that may remain. Ratification of the proposed amendment would, we believe, provide an additional incentive for its total elimination. Meanwhile, abundant information about political candidates and issues is available to all by way of television and radio.

Such shallowness of mental process could only stem from the deepest of bias.

Mr. President, before turning to the next portion of what someone, in a fit of delusion has mistitled a "report," I would remind the Senate that the first so-called finding under the voting section recognizes that there is an almost complete absence of information on this particular subject. Nothing could better prove the truth of this first so-called finding than the remainder of the section on voting.

In the portion of the report which purports to deal with the field of so-called civil rights and education, the Commission does not find, but certainly indicates by its language, that there is also a dearth of knowledge—in the minds of those who wrote this report, at least—on this particular feature. The initial so-called finding on education by some Commissioners—again, there is no

way of telling how many—is to the effect that there is no "guidance" for those communities or school officials who might desire to integrate their schools. This is followed by what is titled a "recommendation" that the Civil Rights Commission be authorized to collect and make available various schemes for integrating the races in the public schools, in addition to authorizing the Civil Rights Commission to establish an "advisory and conciliation service" for school integration.

Mr. President, in my State at least, I can assure the Senate that there is no desire—much less demand—for the advice or conciliation efforts, nor for the integration schemes, of this or any other Federal commission. I doubt seriously whether any such desire exists anywhere. This is just another of those self-serving, self-perpetuating, empire-building justifications.

The only other proposal which is titled a "recommendation" in the field of education is to the effect that the Office of Education and the Bureau of Census conduct a school census to show the number and race of students in public schools. This proposal is included as an answer to the surprising finding that in agencies of the Federal Government and in most State agencies, the records are not kept separate on the basis of race so that there is no way in which to tell how many of the students are of what color. The agitators in the race relations field have long demanded, and apparently finally achieved, the abolition of a most practical and realistic device—the indication of a person's race on his record. Rather than acknowledge that the abolition of this practice was a mistake in the first place, the race agitators would now have the records duplicated with the accent on race by a Federal agency. Quite frankly, Mr. President, such mental gymnastics repulse me.

Once again, Mr. President, the three avid integrationists on the Commission take off on their own proposals on education at this point in the report. In effect they would have all financial assistance of the Federal Government tied to integration practices in "both publicly and privately supported" institutions of higher education. Even if the 14th amendment did apply in such a way that public segregated schools could not be maintained and this is emphatically not the case—even the errant and constitutionally unconscious occupants of the Supreme Court admit that the 14th amendment applies only to State action; and indeed in the discussion of their own proposal, these three Commissioners parrot the words "only State action," but apparently without the slightest understanding of the meaning of this phrase.

The remaining three members of the Commission wrote their best dissent on this point, stating that they could not "endorse a program of economic coercion" and that this proposal, which dealt with institutions of higher education, was completely without the jurisdiction of the Commission under the terms of the act by which it was created. The dissent also reveals that the staff studies of the Commission were limited exclusively in the field of education to elementary and secondary public schools, not private at any level, nor institutions of higher education, whether public or private. This is but another indication, if indeed any additional indication is necessary, that the entirety of the report is a matter of conjecture rather than any intelligent studious approach.

On the subject of housing, I gather that although there are a number of proposals which are entitled "recommendations" contained in this section of the report, none of them has the support of a majority of the Commission, and therefore, could hardly be considered recommendations. The proposals themselves are confusingly worded, ineptly expressed, and hazy in content.

One of the so-called findings which should be of particular interest to the Congress is the fact that the Federal Government plays a major role in housing. I am happy to note that by virtue of this body's action recently, the Federal Government will play a slightly less major role in housing this year than was earlier supposed.

The proposals themselves are easily summarized. They would have the President issue Executive orders to enforce integration of the races in housing in which the Federal Government had any part or participation. In addition, the proposals would have the Federal Government go much further into the fields of public housing and urban renewal.

These proposals are no surprise to me. I have long realized that the race agitators propose to use housing as a tool to mix the races. The three members of the Commission who dissented summed up the proposals quite aptly as suggesting "fixed programs of mixing the races anywhere and everywhere regardless of the wishes of either race." In their proposals the avid integrationists on the Commission spell out the methods by which housing can be used to integrate the races. These are interesting to note because their use is more often by surreptitious means, and here we have them spelled out in the open. For instance, they would adopt a policy of "scatteration" in public housing by sprinkling public housing units throughout residential areas and installing in them persons of a race different from those living in the community. In this connection it is interesting to note that these Commissioners are as much concerned with the problem of getting white people to live in all-Negro units as they are with getting some Negroes to live in all-white units. They recognize, it seems, that the members of neither race ordinarily desire to force themselves on the other.

Mr. President, the policy of "scatteration" is nothing new to the Congress of the United States. I distinctly recall that such a policy was incorporated in the omnibus housing bill reported by the Banking and Currency Committee of the Senate in 1958 but was deleted by an amendment I offered on the floor.

Mr. President, this report should be read by every Member of this body before he votes on the question of continuing the existence of this Commission. A knowledge of what recommendations were made generally or, indeed, whether there were recommendations at all, is not sufficient. There is much revealing language in this report for all its confusion and obscurity. I would like to give two illustrations.

As I mentioned when I was reviewing the section of the report which purported to deal with voting, the report took a diversion to lament the fact that some citizens were disinclined to serve on State registration boards. In this discussion the report attributes to such persons as one reason for their refusal to serve the "fear of being 'hounded' by the U.S. Civil Rights Commission." What further proof could be needed that the Commission itself is a principal instrument of racial strife and voting difficulties?

Even more revealing with regard to the attitude of some of the more avid integrationists on the Commission itself is a statement by Commissioner Hesburgh. I do not believe I have ever heard the Marxist philosophy more succinctly stated than in the words of Commissioner Hesburgh in his comments near the end of the report, where he said:

> Again, the use of public money for the benefit of all, equal opportunity, is a cardinal principle.

The question before this body is whether to continue an ill-conceived instrument of racial strife, wielded under the influence of philosophies alien to all that true and patriotic Americans hold dear.

When the so-called civil rights bill of 1957 was considered by this body, I opposed the bill, including the creation of the Civil Rights Commission. Although I spoke at some length concerning the defects of the proposal to create such a body, my objections fell largely on emotion-closed ears. I would like to recall to the Senate some of my comments on what was at that time a proposed Civil Rights Commission. On that occasion, I said:

> Mr. President, I am opposed to the creation of a Commission on Civil Rights as proposed in part I of H.R. 6127.
>
> To begin with, there is absolutely no need or reason for the establishment of such a Commission. If there were any necessity for an investigation in the field of civil rights, such an investigation should be conducted by the States or by an approprate Committee of the Congress, acting within the jurisdiction of congressional authority. It should not be done by a Commission.
>
> I also object to part I of H.R. 6127 because of the fact that it places duties upon the Commission and endows it with powers which no governmental commission should have.
>
> In fact, Mr. President, the language of the bill proposing to establish this Commission is so broad and so general that it may encompass more evils than have yet been detected in it.
>
> Under its duties and powers the Commission would be able to subpena citizens to appear before it to answer questions on many subjects outside the scope of elections and voting rights.
>
> Section 104(a) provides the Commission shall—
>
> "(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote

counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;"

Mr. President, the bill, in part IV, contains an additional protection of the voting right of citizens above and beyond present State and Federal laws. Provision is made for enforcement of part IV, and there were already sufficient enforcement provisions to carry out the intent of the existing State and Federal laws. I do not see how a Commission could enhance the investigative powers of law-enforcement officers nor the enforcement and punitive authority of the courts.

I can see no valid reason why a Commission should be created, in addition to the legal enforcement procedures, unless the purpose is for the Commission to stir up litigation among our people.

This bill has been advertised, promoted, and ballyhooed as a right to vote bill. However, I want to cite two paragraphs which give broad authority for investigations other than alleged violations of a person's right to vote.

Section 104(a) provides the Commission shall—

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

Instead of limiting the power of the Commission, these two paragraphs provide it with carte blanche authority to probe into and meddle into every phase of the relations existing between individuals which the Commission and members of its staff could conjure up.

I want to call particular attention to a divergence in language between paragraphs 2 and 3. Paragraph 2 refers to a study of "legal developments constituting a denial of equal protection." Paragraph 3 says "appraise the laws and policies of the Federal Government with respect to equal protection."

The significant thing here is the omission of the specific intent of paragraph 2. Although the language of paragraph 2 is obscure and omits a governmental reference, it obviously must refer to State and local governments, else it would be redundant and have no meaning at all.

Also, as I pointed out, investigations conducted under paragraphs 2 and 3 could go far afield from the question of voting rights. The Commission could exert its efforts toward bringing about integration of the races in the schools, and elsewhere, under the authorization of these two paragraphs. Combining its authority to investigate on an unlimited scale and its authority to force witnesses to answer questions, the Commission would have a powerful weapon.

Mr. President, I do not believe the people of this country realize the virtually unlimited powers of inquiry which would be placed in the hands of this political Commission. While the Commission would have no power to implement its desires, I do not believe the people of this country want such a totalitarian type of "persuasion" imposed upon them.

Part I of H.R. 6127 purports to create a Civil Rights Commission. Actually, it would create a traveling investigation commission.

Section 103(b) of part I also would place tremendous power within the grasp of the Attorney General with reference to members of the Commission "otherwise in the service of the Government." The clear implication is that whoever drafted this scheme to send traveling agents over the country intended to make use of certain members of the executive branch of the Federal Government. I don't believe it would be necessary to look farther than the Justice Department to determine where Commission members already in Government service would be secured. By placing his employees on the Commission, the Attorney General would transform the traveling agents into an additional investigative arm of the Justice Department.

Mr. President, I next call attention to the potential abuse found in section 102(g) under the innocuous title, "Rules of Procedure of the Commission." That section provides that:

"No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year."

In an editorial of July 26, 1957, the Washington Post very correctly pointed out how this section could be used to imprison reporters and other citizens for disclosure of what a witness might voluntarily tell them. This editorial provides a penetrating and enlightening criticism of this section. Because of its pertinency and fine analysis, I shall read the last three paragraphs of the editorial which is entitled "Open Rights Hearings," which states:

"The bill contains an invitation to the Commission to operate behind closed doors. It provides that if the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall * * * receive such evidence testimony in executive session. Some closed sessions may be necessary to avoid unfair reflections upon individuals, but these should certainly be an exception to the general rule. In our opinion, this section ought to be rewritten in a more positive vein to provide that sessions of the Commission should be open to the public, unless it should find that closed hearings were essential to avoid unfairness.

"The House also wrote into the bill a dangerous section providing for the fining or imprisonment for not more than one year of anyone who might 'release or use in public,' without the consent of the Commission, any testimony taken behind closed doors. If the Commission should choose to operate under cover, without any valid reason to do so, newspaper reporters and other citizens could be jailed for disclosure of what a witness might voluntarily tell them. This is a penalty that has been shunned even in matters affecting national security. Such a provision is an invitation to abuse and a serious menace to the right of the people to know about the activities of governmental agencies.

"It is well to remember that this would not be merely a study Commission. In addition it would be under obligation to investigate allegations that persons were being deprived of their rights under the 14th and 15th amendments. It could subpena witnesses and documents and appeal to the courts for enforcement of such edicts. Its powers would be such that it should be held to scrupulous rules of fairness. To encourage the Commission to operate in secret, and then to penalize news media and citizens for disclosing what should have been public in the first place, would be the sort of mistake that Congress ought to avoid at the outset."

Mr. President, I think the points made in the editorial are clear and valid. Secrecy in the activities of such a Commission could only lead to a denial of the rights of an individual rather than to protection of his rights.

Another subject which must not be passed over is the subpena power of the Commission. Section 105(f) provides that "subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission."

Mr. President, many of the committees and special committees of the Congress do not have this power. The Truman Commission on Civil Rights did not have it. The subpena is a punitive measure, generally reserved for penal process whereby powers are granted to force testimony which would not otherwise be available. If the proposed commission were simply a factfinding commission and nonpolitical, the extreme power to force testimony by the use of a subpena would not be needed.

Neither would the power contained in section 105(g) which provides that Federal courts shall have the power, upon application by the Attorney General, to issue "an order requiring" a witness to answer a subpena of the Commission and "any failure to obey such order of the court may be punished by said court as a contempt therof."

The power of subpena in the hands of a political commission and the additional power to enforce its subpenas by court order diverge from the authority of the traditional American factfinding commission.

I look with suspicion upon such a commission so endowed with authority, and I object to its establishment.

Mr. President, I want to discuss another reason, briefly, why I would be opposed to the establishment of the commission proposed in part I of H.R. 6127. Every appropriation bill which has come before the Senate this year has been reduced by the Senate below the budget request. The people of this country have called upon the Members of Congress to reduce the costs of Government, not to increase them by creating new agencies or commissions.

The advocates of the commission might argue that the cost of its operation would not be great, but nowhere in the records of the hearings have I found an estimate of what the total cost would be. If the commission were to exist only for the 2 years provided in the bill, the compensation and per diem allowance of commission members would amount to more than a quarter of a million dollars, not counting their travel allowances.

Since there is no limitation on the number of personnel which might be appointed by the commission, there is no way to estimate the ultimate cost of personnel salaries and expenses. Since the commission is designed to travel over the country at will, very heavy travel expenses undoubtedly would be incurred.

The taxpayers would never know how many of their tax dollars were wasted by virtue of the seemingly innocuous langauge in section 105(e). Unknown, concealed costs are not, however, the only dangers lurking in that subsection. A serious departure from sound legislative procedure is also involved.

In the past, when creating an agency or commission, Congress retained control of its creation by the appropriation power. This is a wonderful check, Mr. President, against the abuse or misuse of commission authority. Scrupulous care should be taken to preserve it.

However, section 105(e) provides that: "All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties."

Thus the Civil Rights Commission could call on the other governmental agencies to perform many of its tasks. Congressional control over the Commission would be much less than if the Commission had to depend on its own appropriations and would not be permitted to use the resources of other agencies. Once the Commission is created, only another law can check its activity during the period of its existence.

Another thing that concerns me about this Commission is the fact that once a Government agency or commission is established, nothing else on earth so nearly approaches eternal existence as that Government agency or commission. Mr. President, I fear that the 2-year limitation placed upon the Commission in this bill would simply be a starting point, and the people of this country should realize that at this time.

With further reference to section 104(a), I want to point out the use of the mandatory word "shall." This word requires the Commission to investigate all sworn allegations submitted to the Commission of any citizen allegedly being deprived of his right to vote.

But the provision neglects to require that such allegations be submitted by parties in interest—not simply by some meddler who seeks to create trouble between other persons. This is another provision of this bill similar to section 131(c) which would permit the Attorney General to make the United States a party to a case without the consent of the party actually involved.

Another objection to 104(a) is that under this provision a person could make an allegation to the Commission, against a person who was not even a citizen of the same State. Even so, under the mandatory language of section 104(a), the Commission would be required to make an investigation of the charges.

Since the Commission is limited by section 102(k) to subpenaing witnesses to hearings only within the State of residence of the witness, there would be no opportunity in such a situation for the accused to confront his accuser. Charges against a person should not be accepted by the Commission unless the accuser is a citizen of the same State as the person he is charging with a violation of the law.

Also, Mr. President, once the Commission has received the sworn allegation, there is no requirement that other testimony received relating to the allegation be taken under oath. Failure to make all persons giving testimony subject to perjury prosecutions in the event they testify to falsehoods would surely destroy the value of any such testimony received.

The Commission could and might adopt a rule to require sworn testimony; but I should not like to see the Senate leave that point to the discretion of the Commission because, in my judgment, the Congress should require that practice to be followed.

Mr. President, as I stated earlier, it is my view that an inquiry into the field of civil rights, or so-called civil rights, is entirely unnecessary at this time. The laws of the States and the Federal laws are being enforced effectively.

Should there come a time when information might be needed on this subject, the Congress should not delegate its authority to a commission. In such a delicate and sensitive area, the Congress should proceed with deliberation and care. The appropriate committees of the Congress itself should hold hearings limited to the jurisdiction of the Congress, and the Congress should make its own determination as to the need for legislation.

There is no present indication that any such study will be needed.

Following these remarks, Mr. President, I discussed the constitutional objections to such a Commission. Prior to the creation of the Commission, I was bothered by grave questions as to the constitutionality of such an investigatory group. Passage of time since its creation has strengthened and reinforced my position against the constitutionality of the Commission.

I did not and do not perceive from the debate on the so-called Civil Rights Act of 1957 that there was any intention by Senators to subject the Commission to provisions of the Administrative Procedure Act. Had they dared, I strongly suspect that the proponents of the act would have specifically negated the applicability of the Administrative Procedure Act. The proponents of the 1957 act wanted all they could get in the way of authority for their vicious unit of disharmony. They dreamed of a true "star chamber," cloaked with arbitrary persecution powers. In their obsession with agitating the race issue, they evidenced no concern whatsoever with true civil rights, or as I prefer to call them, individual liberties. Their extreme fanaticism on the issue of race was paramount and exclusive—without objectivity, without balance, and without respect for the "supreme law of the land."

My conclusions are not products of speculation or conjecture, Mr. President. Section 102 of the Civil Rights Act of 1957 deals rather exhaustively, for an act of this type, with the rules and rulemaking authority of the Civil Rights Commission. A perusal of this section reveals that it is designed almost exclusively as a grant of power to the Commission, rather than a limitation for the protection of the rights of individuals. The text of this section is as follows:

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105(f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session, or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Mr. President, I invite the particular attention of the Senate to subparagraph (c) of section 102:

Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

Mr. President, seldom has a subsection been drafted by any Congress which has been so pregnant with basic deprivations and exclusions of the historical standards of fair play which permeates our jurisprudence, and which we loosely refer to as due-process. Let us examine some of those procedural safeguards which are denied by this section. First, the right of a person appearing before the Commission to be represented by counsel is negated. Substituted for representation by counsel is the right—if it can be so broadly denominated—to be accompanied by counsel. Moral support is no substitute for an active defense. Such a provision can best be compared to allowing an accused person to have a few sympathizers in the audience when he is sentenced.

But there is more. The ridiculous is made fantastic. The right to be accompanied by counsel is itself—weak as it is—limited to one exclusive purpose—that of advising the witness on his constitutional rights. Not on his legal rights, Mr. President, but only on his constitutional rights. I wonder, Mr. President, if the drafters of this language contemplated a monitoring of the advice of the accompanying counsel to assure that counsel would not go astray and speak to the witness concerning some statutory right which might accrue to the benefit of the witness.

Does this subsection indicate a concern with individual liberty, or does it rather have the appearance of a deceitful gloss that gives an impression of preserving due process while actually emasculating it?

The proponents of this legislation also wanted to insure that the accompanying counsel could be prevented from conducting themselves as conscientious attorneys, Mr. President—thus, was included subsection (d) which reads:

The Chairman or Acting Chairman may punish breaches of order and decorum and

unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

Judging from the overall import of section 102, the "un" which prefixes "professional" in subsection (d) must have been included by oversight. Consistency belies its inclusion.

Subsection (g) established the "star chamber" session of the Commission. This subsection so completely ignores constitutional safeguards contained in the Constitution and imposed by the people for the protection of individual liberties, that one would logically conclude that its proponents had formerly existed in a vacuum, rather than in a democratic society. It is completely incompatible with freedom of speech and the press. It precludes the right of confrontation of accuser by the accused, as well as the right of cross-examination. Its purport is reinforced by subsection (i), which specifies that a witness may purchase a copy of his own testimony, but omits any authorization for a witness to even see the testimony of an accuser.

Mr. President, I would be the first to admit—nay, assert—that the requirements of "due process" vary considerably, depending on the proceedings to which they are applied. The requirements are most strict when applied to a criminal prosecution. In some proceedings, where no basic right of the individual is involved, little, if any, application of due process safeguards are demanded by the Constitution nor required by good conscience.

It should be clear, however, that a criminal prosecution includes more than the formal trial itself. Indeed, historically, much of the concern which the courts have evidenced over the application of due process in criminal prosecutions has been in the pretrial area of apprehension, and preparation of the prosecution case against the accused. This is the precise area into which the investigations of the Civil Rights Commission were intended to, and in fact, did, fall.

By the terms of the act itself, investigations by the Commission must be predicated on a complaint that either a statute or the Constitution has been violated. The Commission was given, and has exercised, the power to subpena those accused. Part II and part III strengthened the machinery for prosecution of violations established by the Commission.

There can be but one logical conclusion. The Civil Rights Commission is unconstitutional.

If there be any doubts—and I can conceive no basis for doubt—of the unconstitutionality of this Commission, stemming specifically from the rulemaking power granted in section 102, consider the rules of the Commission. They are as follows:

1. Under Public Law 85–315, section 105(f), the Commission on Civil Rights may hold hearings and issue subpenas or authorize a subcommittee to hold hearings and issue subpenas under the following conditions:

The Commission or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matters may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

2. All such hearings of the Commission will be governed by the following statutory rules of procedure provided in section 102 of Public Law 85–315:

(a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105(f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

3. In addition to these statutory provisions, the Commission has adopted the following supplementary Rules of Procedure:

(a) All the provisions of section 102 of Public Law 85–315, incorporated in rule 2 above, shall be applicable to and govern the proceedings of all subcommittees appointed by the Commission pursuant to section 105 (f) of Public Law 85–315, incorporated in rule 1 above.

(b) At least two members of the Commission must be present at any hearing of the Commission or of any subcommittee thereof.

(c) The holding of hearings by the Commission or the appointment of a subcommittee to hold hearings pursuant to the provisions in rule 1 above must be approved by a majority of the members of the Commission or by a majority of the members present at a meeting at which at least a quorum of four members is present.

(d) Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued over the signature of the Chairman of the Commission by the chairman or by the chairman upon the request of a member of the Commission.

(e) Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued over the signature of the chairman of a subcommittee appointed pursuant to the provisions of rule 1 above by the Chairman or by the Chairman upon the request of a member of the subcommittee.

(f) An accurate transcript shall be made of the testimony of all witnesses in all hearings, either public or executive sessions, of the Commission or of any subcommittee thereof. Each witness will have the right to inspect the record of his own testimony. A transcript copy of his testimony may be purchased by a witness pursuant to rule 2(i) above. Transcript copies of public sessions may be obtained by the public upon payment of the cost thereof.

(g) Any witness desiring to read a prepared statement in a hearing shall file a copy with the Commission or subcommittee 24 hours in advance. The Commission or subcommittee shall decide whether to permit the reading of such statement.

(h) The Commission or subcommittee shall decide whether written statements or documents submitted to it shall be placed in the record of the hearing.

(i) Interrogation of witnesses at hearings shall be conducted only by members of the Commission or by authorized staff personnel.

(j) If the Commission pursuant to rule 2(e), or any subcommittee thereof, determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall advise such person that such evidence has been given and it shall afford such person an opportunity to read the pertinent testimony and to appear as a voluntary witness or to file a sworn statement in his behalf.

(k) Subject to the physical limitations of the hearing room and consideration of the physical comfort of Commission members, staff, and witnesses, equal and reasonable access for coverage of the hearings shall be provided to the various means of communications, including newspapers, magazines, radio, news reels, and television. However, no witness shall be televised, filmed or photographed during the hearing if he objects on the ground of distraction, harassment, or physical handicap.

4. Public Law 85–315, section 105(g), provides that in case of contumacy or refusal to obey a subpena of either the Commission or a subcommittee thereof, any district court of the United States or the United

States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Mr. President, these are the rules as approved and adopted by the Commission July 1, 1958. They are beyond question responsive to the terms of the act which created the Commission. They emphasize by implementation and expansion the unconstitutionality of the act creating the Commission.

I am not alone in my assertions as to the constitutional implications of this statute, Mr. President. For instance, the State of Arkansas, through its attorney general, filed a brief with the Federal district court in Louisiana, which said in part:

The Civil Rights Commission is extraordinary, if not unique, in that it intends to function much the same as a congressional investigating committee and if its apparent intepretation of the law creating it (Civil Rights Act, Public Law, 85–315, title 42, U.S.C.A. sec. 1957 et seq.) is sustained it possesses all the power and authority of a "star-chamber" undertaking. It is the assumption by the Commission or the delegation by the Congress of this power and authority which gives rise to the serious question of the Committee's legal existence. If the Civil Rights Commission is not subject to the provisions of the Administrative Procedure Act (5 U.S.C.A. secs. 1001 et seq.), then that portion of the Civil Rights Act creating the Commission is invalid as a violation of article I and amendments 5, 6 and 9 of the Constitution of the United States.

I. THAT PORTION OF THE CIVIL RIGHTS ACT CREATING THE CIVIL RIGHTS COMMISSION IS AN UNCONSTITUTIONAL DELEGATION OF AUTHORITY BY THE CONGRESS AND IT DEPRIVES WITNESSES BEFORE IT OF THEIR RIGHTS AS GUARANTEED BY THE CONSTITUTION OF THE UNITED STATES

The right of Congress to investigate through its own agency is unquestioned. This right is derived from its determination or duty to legislate upon particular subject matter. It may be well to point out here that in the field assigned to the Civil Rights Commission there was companion remedial legislation (42 U.S.C.A. sec. 1971) thoroughly covering the subject matter the Commission was supposed to investigate. One may obliquely inquire at this point as to what further legislation could be contemplated based on any investigation and finding made by the Civil Rights Commission. It is true that in *U.S.* v. *Rains* (172 F. Supp. 557, sec. 1971, par. (c)) was held unconstitutional but the remedy, if any, for that deficiency will be found in constitutional legislation, not further Commission investigation.

It is well to keep in mind that this Commission is greatly dissimilar to the great body of regulatory agencies which possess investigative powers. Those regulatory agencies investigate with a view to determining facts in relation to violations, compliance, etc., with the law they administer. The Civil Rights Commission investigates for the sake of investigation. There is no framework of law in which the Commission operates; in fact, there is no law to administer and no authority to regulate. As pointed out in complainants' trial brief, the Commission is not limited to the investigation of voting deprivations committed or caused by State officers or even where an individual acting under the guise of State authority deprives some person of his voting privilege, but extends to every possible situation irrespective of the authority of Congress to legislate with reference to that situation. This fact in itself is sufficient to render the act unconstitutional. See *McGrain* v. *Daugherty* (273 U.S. 135); *Kilbourn* v. *Thompson* (103 U.S. 168); *U.S.* v. *DiCarlo* (102 F. Supp. 597).

If this Commission has been clothed with all the power and authority of Congress, and the law creating the Commission is very reminiscent of a House or Senate resolution creating a special investigating committee of its members, it must, of course, be bound by at least the same ground rules and constitutional limitations. If it can be successfully argued that the Civil Rights Commission is not subject to the Administrative Procedure Act, then an inquiry must be made into what rules, regulations and laws do apply to the Commission's proceedings. The only place one can find the answer is in the act itself, and even a casual reading of the act indicates that there is no answer. To examine these provisions in the light of what the Commission considers the limitations are, is to be startled if not shocked by the ignoring of the constitutional rights of individuals who may be called before it. The rules of the committee reflect the validity of this statement. The authority to make these rules must be inferred from the provision of section 1975a (there is no express grant of such authority).

Section 1975a(c) does allow witnesses to be accompanied by counsel "for the p rpose of advising them concerning their constitutional rights." It does not provide that a witness may assert his constitutional rights before the Commission. If this last appears to be an unworthy observation it is no less unworthy than the Commission's conclusion regarding a witness' right to be informed of the nature of the investigation or his right to cross-examine other witnesses. The Commission's power to investigate must be exercised with due respect for the rights of witnesses appearing before it. See *Sinclair* v. *U.S.*, 279 U.S. 263. The Commission by its rules and attitude has indicated that it considers itself and its activities above the requirements of the Constitution and the restriction of fairplay. The real difficulty here is that Congress has not provided any standard or means of accomplishing the Commission's somewhat hazy mission. Such a standard or means must necessarily be present in order to validate the Commission's existance. See *U.S.* v. *C. Thomas Stores*, 49 F. Supp. 111; *U.S.* v. *Wright*, 48 F. Supp. 687. The Civil Rights Commission, under the guise of declaring procedural rules and investigative policy, has legislated substantive laws out of existence. If the Commission is correct in this assumption of such broad rulemaking power, then Congress has delegated legislative authority which even Congress itself may not possess. It is no answer to the problem posed here to say that the complainants or other witnesses may assert their rights when denied by the Commission through resort to the Court. To single out every invalid rule which has or might be promulgated by the Commission would place an insurmountable burden on those subject to appearance before it.

II. THE CIVIL RIGHTS COMMISSION IS SUBJECT TO THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT

The Civil Rights Commission is operating and acting with the expressed sanction of the Congress behind it and as such, is an agency of the Government. *Laster* v. *Guy F. Atkinson Co.*, 176 Fed. 2d 984; *Donahue* v. *George A. Fuller Co.*, 104 F. Supp. 145. As an agency of the Government, the Commission's function is subject to the Administrative Procedure Act, unless excepted. The exceptions to the Administrative Procedure Act are few and simple and a consideration of the exceptions set forth in the act show that the only possible way in which the Civil Rights Commission could be excepted is through a proper and express delegation of authority by law. There is nothing in the Civil Rights Act creating the Commission that even hints of an exception.

"Exemptions from the terms of the Administrative Procedure Act are not lightly to be presumed in view of the statement in section 12 of the act that modifications must be expressed" (*Marcello* v. *Bonds*, 349 U.S. 302).

The protection afforded by the Administrative Procedure Act should be equally available to protect personal rights as well as property rights. *L. A. Tucker Truck Lines* v. *U.S.*, 100 F. Supp. 432. The intended course of the Commission under its rules and pronouncements as reflected in the complaint virtually strips the complainants of all the protection sought to be afforded by the Procedure Act. This is exactly the sort of conduct the Administrative Procedure Act was intended to prevent:

"The Administrative Procedure Act was framed as a check upon administrators whose zeal might otherwise carry them to excess not contemplated in the legislation creating their offices. It creates safeguards even narrower than the constitutional ones, against arbitrary official encroachment on private rights" (*U.S.* v. *Morton Salt Co.*, 338 U.S. 632).

It is not necessary to engage in extensive analysis of the terms of 42 U.S.C.A., section 1975. The Civil Rights Commission is so obviously an agency of the Government that argument to the contrary is facetious. It is equally obvious that there is no statement exempting the Commission from the provisions of the Administrative Procedure Act and any rules making authority the Commission may possess must be exercised only within the limitations placed upon it by the Administrative Procedure Act.

Mr. President, the Attorney General of the sovereign State of Arkansas is referring in this brief to the body which the Congress created in 1957, and into which it is proposed that we now breathe life for another 2 years.

Mr. President, we have more than assertions of unconstitutionality to face in assessing this proposal to extend the life of the Civil Rights Commission. We have a finding of the Court—not a State court—but a Federal court, mind you. The finding of the court to which I refer is in the decision of the U.S. District Court for the Western District of Louisiana in the case of Margaret M. Larche against John A. Hannah, rendered July 12, 1959. The order of the court is as follows:

RULING ON APPLICATIONS FOR TEMPORARY RESTRAINING ORDERS

We are called upon here to pass tentatively upon one of the burning issues of our time—the propriety and validity of the rules and proceedings of the Civil Rights Commission, as established by Congress in September 1957.

That Commission now proposed to hold a hearing, in the Federal courtroom at Shreveport, La., on July 13, 1959, to investigate purported violations of the civil voting rights of some 67 persons, who are said to have

filed sworn complaints with the Commission. Pursuant to, and in implementation of, its plans, the Commission has caused subpenas, and subpenas duces tecum, to be served upon the plaintiffs in these suits, commanding them to be present and give testimony at the hearing, and requiring the 16 registrars of voters, who are plaintiffs in civil action No. 7479, to bring with them, for inspection and copying by the Commission, a large number of records from their offices.

These suits, brought against the members of the Commission, and the Commission itself, were filed on July 10, 1959, and are addressed to the equitable powers of this court. They seek to stay the effectiveness of the Commission's subpenas and subpenas duces tecum, and to restrain and enjoin the conduct of the proposed hearing itself, which, plaintiffs aver, under the rules of procedure adopted by the Commission, would violate their fundamental constitutional rights and cause them immediate and irreparable damage. Moreover, praying that a three-judge court be convened for that purpose, the registrar-plaintiffs ask that the act creating the Commission be declared violative of the Federal Constitution, and thus unenforcible.

Detailing their complaints, supported by sworn affidavits and exhibits attached (and here briefly paraphrased), the registrar-plaintiffs, in civil action No. 7479, allege that between June 29, 1959, and July 6, 1959, each of them was served with subpenas and subpenas duces tecum, issued by the Chairman of the Commission, commanding them to appear and testify before the Commission on July 13, 1959, and to bring their records with them; that they have not been informed of the nature of the complaint or complaints against them, nor have they been assured that they will be confronted with the complaining witnesses; that the Commission repeatedly has informed the attorney general of Louisiana, verbally and in writing, that it would not under any circumstances, furnish plaintiffs with, or permit them to examine the written complaints filed against them, nor would it divulge the name or names of the secret complainants, all of which is arbitrary and unreasonable, and in violation of plaintiffs' fundamental rights.

They further aver that they, at all times, have complied with the laws of the State of Louisiana, but that the subpenas served upon them would require them to violate such laws, in that the registrars' records legally may not be removed from their offices, except upon an order of a competent court, criminal penalties being provided for violations of these statutes; and that the Commission is not a competent court. Hence, they say, to comply with the subpenas, they would be violating the State laws, and subjecting themselves to the penalties thus provided.

These plaintiffs further allege that, attached to the subpenas served upon them, was a mimeographed document entitled "Rules of Procedure for Hearings of the Commission on Civil Rights" in which appears the following: "(i) Interrogation of witnesses shall be conducted only by members of the Commission or by authorized staff personnel;" and that thereby plaintiffs are deprived of their constitutional right to cross-examine witnesses who may testify against them. They contend that the Commission and its members thus are acting in an ultra vires manner in (1) attempting to force the plaintiffs to testify at the proposed hearing without first advising them of the nature of the complaint or complaints existing; (2) without allowing plaintiffs to be confronted by the complaining witnesses; (3) not allowing plaintiffs to have counsel empowered to fully represent their interests in such hearing; (4) not allowing cross-examination of the complaining witnesses; and (5) causing irreparable damage to plaintiffs by requiring them to violate the laws of Louisiana, which would subject them to serious criminal penalties. In their brief, they also urge, as a direct incident of the hearing itself, with unnamed and unknown witnesses testifying against them, not subject to cross-examination by plaintiff's counsel, that they will be wrongfully accused of violations of both Federal and State laws, without adequate opportunity to disprove such accusations, and thus be held up, by the Commission's actions, to public opprobrium and scorn, all to their irreparable injury and damage.

They further contend that the Commission, being an agency of the executive branch of the Federal Government, is subject to the provisions of the Administrative Procedure Act and, as such, is required to state explicitly the charges against plaintiffs, to permit them to be confronted with the witnesses against them, and to allow their counsel fully to cross-examine such witnesses. Accordingly, these plaintiffs seek the relief hereinabove outlined.

In general, the plaintiffs in civil action No. 7480, who are individual citizens of Louisiana, make the same allegations and contentions as those in No. 7479, except that they have not been called upon to produce any official records. They do not challenge the constitutionality of the act creating the Commission, but otherwise their prayer for relief is substantially similar to that in No. 7479.

Several days prior to July 10, 1959, we were advised by plaintiffs' counsel that they would file these suits on the date indicated. While, as a general rule, applications for temporary restraining orders are considered ex parte, solely on the face of the verified complaint and any attached documents, because of the national importance of the matters involved, we immediately notified counsel for the Commission, and its vice chairman, Hon. Robert G. Storey (a personal friend of the court of long standing), of our information, and invited them to be present for a hearing on the applications. The suits were filed at 1:30 p.m. on July 10, and at 2 p.m., in open court, these gentlemen, and counsel for plaintiffs, being present, we convened court, but immediately recessed in order to give the Commission's representatives opportunity to study the complaints and briefs filed by plaintiffs. At 3:30 p.m. we reconvened and heard oral arguments, from both sides, until 5:20 p.m., at which time the matter of the restraining orders was submitted for decision on the oral arguments and briefs filed by the proponents and opponents of the applications. We have considered the able arguments, studied the respective briefs and authorities cited, and now proceed to our ruling. Necessarily, because of the time element, we have been compelled, under great pressure, to consider the questions rather hastily, and we reserve the right to alter our views, if necessary, after more mature deliberation.

The Court has jurisdiction (28 U.S.C.A. secs. 1331, 1332, 2201, 2282, 2284. *Jones* v. *Securities Commission*, 298 U.S. 1, 56 S. Ct. 654, 80 L. Ed. 1015).

We are not strongly impressed with the registrar-plaintiffs' contention that the subpenas duces tecum, if complied with, would subject them to criminal penalties under Louisiana law. Literally, of course, if they directly complied without more, they are correct in their understanding of the State law. Practically, however, another and different aspect is presented, for under the Civil Rights Commission Act they can refuse to produce the records, without penalties of any kind, and the only recourse the Commission would have would be to request the Attorney General of the United States to apply to this court, under 42 U.S.C.A. 1975d(g) for an order requiring their production. Plaintiffs then would be protected against State prosecution by the very terms of LSA–R.S. 18:236, as well as by LSA–R.S. 18:169, for this court clearly is a "competent court," within the meaning of those statutes.

Likewise, plaintiffs would suffer no immediate Federal penalties under the act for refusal either to appear or to testify, but would be subject to an enforcement order from this court, which would see to it that their constitutional rights against self-incrimination are adequately protected. Moreover, under the act, since their counsel are entitled to be present, they could be advised, at each step of the proceedings, whether to claim the protection of the fifth amendment, even though, in this day, the general public has come to consider such a claim as tantamount to a plea of guilty, particularly in response to "loaded" questions.

We are strongly of the opinion, however, that plaintiffs' remaining grounds for immediate relief are well taken:

First, it appears rather clear, at this juncture, that the Civil Rights Commission is an "agency" of the executive branch of the United States, within the meaning of that term as defined at 5 U.S.C.A. section 1001(a). See also 42 U.S.C.A. section 1975(a). It performs quasi-judicial functions in its hearings, its fact findings, its studies of "legal developments constituting a denial of equal protection of the laws under the Constitution," and its appraisal of "the laws and policies of the Federal Government" in the same respect. It "adjudicates" by its rulings upon the admissibility of evidence at its hearings and by its determinations of what is or is not the truth in matters before it. Thus, we think that the Commission is subject to the provisions of section 4 of the Administrative Procedure Act, which requires, among other things that persons affected by agency action "shall be timely informed of the matters of fact and law asserted." Here that would encompass the nature of the charges filed against plaintiffs, as well as matters of fact and law wherein the complainants' voting rights allegedly have been violated. The Commission also is subject to section 6 which would require it to grant plaintiffs the right "to conduct such cross-examination as may be required for a full and true disclosure of the facts." This, by its rules, the Commission refuses to do, and in so doing, regardless of its well-intentioned motives, it violates the terms of that act. Plaintiffs are entitled, therefore, to protection against these rules, which would deprive them of their plain rights under the act.

Second, while the statute creating the Commission inferentially permits it to adopt reasonable rules, 42 U.S.C.A. section 1975(b), there is no provision whatsoever in the law to the effect that such rules may include those here complained of, which plainly violate plaintiffs' basic rights to know in advance with what they are charged, to be confronted by the witnesses against them, and to cross-examine their accusers. We cannot believe that Congress intended to deny these fundamental rights to anyone, and because of such belief it is our opinion that these rules of the Commission are ultra vires and unenforcible. Therefore, plaintiffs are entitled to immediate relief against them.

Third, entirely aside from the statutory questions just discussed, the courts of the United States, and their Anglo-Saxon predecessors, always have seen to it that, in hearings or trials of all kinds, persons accused of violating laws must be adequately advised of the charges against them, confronted by their accusers, and permitted to search for the truth through thorough cross-examination. In *Jones* v. *Securities Commission*

(298, sec. 1, 27, 57 S. Ct. 654, 80 L. Ed. 1015), the Supreme Court said:

"A general, roving, offensive, inquisitorial, compulsory investigation, conducted by a commission without any allegations, upon no fixed principles, and governed by no rules of law, or of evidence, and no restrictions except its own will, or caprice, is unknown to our Constitution and laws; and such an inquisition would be destructive of the rights of the citizen, and an intolerable tyranny. Let the power once be established and there is no knowing where the practice under it would end.

"The fear that some malefactor may go unwhipped of justice weighs as nothing against this just and strong condemnation of a practice so odious.

"The philosophy that constitutional limitations and legal restraints upon official action may be brushed aside upon the plea that good, perchance, may follow, finds no countenance in the American system of government. An investigation not based upon specified grounds is quite as objectionable as a search warrant not based upon specific statements of fact. Such an investigation, or such a search, is unlawful in its inception and cannot be made lawful by what it may bring, or by what it actually succeeds in bringing to light."

In *Morgan, et al.* v. *United States, et al.* (304 U.S. 1, 14, 20, 25, 58 S. Ct. 773, 82 D. Ed. 1129), involving an administrative hearing the Court said:

"The first question goes to the very foundation of the action of administrative agencies entrusted by the Congress with broad control over activities which in their detail cannot be dealt with directly by the legislature. The vast expansion of this field of administrative regulation in response to the pressure of social needs is made possible under our system by adherence to the basic principles that the legislature shall appropriately determine the standards of administrative action and that in administrative proceedings of a quasi-judicial character the liberty and property of the citizen shall be protected by the rudimentary requirements of fair play. These demand 'a fair and open hearing,' essential alike to the legal validity of the administrative regulation and to the maintenance of public confidence in the value and soundness of this important governmental process. Such a hearing has been described as an 'inexorable safeguard.'

"The answer that the proceeding before the Secretary was not of an adversary character, as it was not upon complaint but was initiated as a general inquiry, is futile. It has regard to the mere form of the proceeding and ignores realities.

"Those who are brought into contest with the Government in a quasi-judicial proceeding aimed at the control of their activities are entitled to be fairly advised of what the Government proposes and to be heard upon its proposals before it issues its final command."

In the most recent decision on this subject, handed down by the Supreme Court on June 29, 1959, *Greene* v. *McElroy*, No. 180 October 1958 Term — U.S. —, — S. Ct. —, — L. Ed. —, 29 L. W. 4528, 4534, 4538, and speaking through Chief Justice Warren, the following language is found:

"Certain principles have remained relatively immutable in our jurisprudence. One of these is that where governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, the evidence used to prove the Government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue. While this is important in the case of documentary evidence, it is even more important where the evidence consists of the testimony of individuals whose memory might be faulty or who, in fact, might be perjurers or persons motivated by malice, vindictiveness, intolerance, prejudice, or jealously. We have formalized these protections in the requirements of confrontation and cross-examination. They have ancient roots. They find expression in the sixth amendment which provides that in all criminal cases the accused shall enjoy the right 'to be confronted with the witnesses against him.' This Court has been zealous to protect these rights from erosion. It has spoken out not only in criminal cases, e.g., *Mattox* v. *United States*, 156 U.S. 237, 242–244; *Kirby* v. *United States*, 174 U.S. 47; *Motes* v. *United States*, 178 U.S. 458, 474; *In re Oliver*, 333 U.S. 257, 273, but also in all types of cases where administrative and regulatory action were under scrutiny. E.g., *Southern R. Co.* v. *Virginia*, 290 U.S. 190; *Ohio Bell Telephone Co.* v. *Commission*, 301 U.S. 292; *Morgan* v. *United States*, 304 U.S. 1, 19; *Carter* v. *Kubler*, 320 U.S. 243; *Reilly* v. *Pinkus*, 338 U.S. 269. Nor, as it has been pointed out, has Congress ignored these fundamental requirements in enacting regulatory legislation. *Joint Antifascist Committee* v. *McGrath*, 341 U.S. 168–169 (concurring opinion)."

Professor Wigmore, commenting on the importance of cross-examination, states in his treatise, 5 Wigmore on Evidence (3d Ed. 1949) section 1367:

"For 2 centuries past, the policy of the Anglo-American system of evidence has been to regard the necessity of testing by cross-examination as a vital feature of the law. The belief that no safeguard for testing the value of human statements is comparable to that furnished by cross-examination, and the conviction that no statement (unless by special exception) should be used as testimony until it has been probed and sublimated by that test, has found increasing strength in lengthening experience.

"Where administrative action has raised serious constitutional problems, the Court has assumed that Congress or the President intended to afford those affected by the action the traditional safeguards of due process. See, e.g., The *Japanese Immigrant* case, 189 U.S. 86, 101; *Dismuke* v. *United States*, 297 U.S. 167, 172; *Ex parte Endo*, 323 U.S. 283, 229–300; *American Power Co.* v. *Securities and Exchange Commission*, 329 U.S. 90, 107–108; *Hannegan* v. *Esquire*, 327 U.S. 146, 156; *Wong Yang Sung* v. *McGrath*, 339 U.S. 33, 49. Cf. *Anniston Mfg. Co.* v. *Davis*, 301 U.S. 337; *United States* v. *Rumely*, 345 U.S. 41. These cases reflect the Court's concern that traditional forms of fair procedure not be restricted by implication and without the most explicit action by the Nation's lawmakers, even in areas where it is possible that the Constitution presents no inhibition."

These authorities, therefore, clearly establish additional reasons why plaintiffs should be granted immediate relief.

Fourth, there is every reason to believe, considering that the Commission has announced its receipt of complaints from some 67 persons, that those persons will testify that plaintiffs have violated either the State or Federal laws, or both. Plaintiffs thus will be condemned out of the mouths of these witnesses, and plaintiffs' testimony alone, without having the right to cross-examine and thereby to test the truth of such assertions, may not be adequate to meet or overcome the charges, thus permitting plaintiffs to be stigmatized and held up, before the eyes of the Nation to opprobrium and scorn. Moreover, not knowing in advance the exact nature of the charges to be made against them, some of the plaintiffs, whose official domiciles are at varying distances up to 250 miles from Shreveport, may not be able physically to obtain the presence of witnesses of their own, who might negative or disprove the claims of the complaining witnesses, especially since the Commission has announced that its hearing will last only 1 day.

These are further solid reasons, showing possible or probable irreparable injury to plaintiffs, which justify their being granted immediate relief.

Fifth, and finally, plaintiffs raise very serious questions regarding the validity—the constitutionality—of the very Act which created the Commission. We do not intimate here any opinion as to the constitutionality of the statute, for that is a matter to be decided by the three-judge court to be convened by the chief judge of this circuit. However, the seriousness of the attack must be noted in considering whether a temporary restraining order should be issued, to stay the effectiveness of the statute until its validity vel non can be determined by the three-judge court after hearing on plaintiffs' application for an interlocutory injunction. See *Ohio Oil Co.* v. *Conway*, 279 U.S. 813, 49 S. Ct. 256, 73 L. Ed. 972, where the Supreme Court stated, in a per curiam opinion:

"The application for an interlocutory injunction was submitted on ex parte affidavits which are harmonious in some particulars and contradictory in other. The affidavits, especially those for the defendant, are open to the criticism that on some points mere conclusions are given instead of primary facts. But enough appears to make it plain that there is a real dispute over material questions of fact which cannot be satisfactorily resolved upon the present affidavits and yet must be resolved before the constitutional validity of the amendatory statute can be determined.

"Where the questions presented by an application for an interlocutory injunction are grave, and the injury to the moving party will be certain and irreparable if the application be denied and the final decree be in his favor, while if the injunction be granted the injury to opposing party, even if the final decree be in his favor, will be inconsiderable, or may be adequately indemnified by a bond, the injunction usually will be granted. *Love* v. *Atchison, Topeka & Sante Fe R. Co.*, 185 Fed. 321, 331–332."

In *Crockett* v. *Hortman*, 101 F. Supp. 111, 115, at page 115, Judge Wright, of the Eastern District of Louisiana, dealing with the constitutionality of a State statute, said:

"Whereas here the questions presented by an application for a temporary injunction are grave, and the injury to the moving parties will be certain and irreparable if the application be denied and the final decree be in their favor, while if the injunction be granted the injury to opposing parties, even if the final decree be in their favor, will be inconsiderable, the injunction should be granted. *Ohio Oil Co.* v. *Conway*, 279 U.S. 813, 49 S. Ct. 256, 73 L. Ed. 972.

"The determination of the grave constitutional issues presented in this case should not be decided without a trial on the merits, *Polk Co.* v. *Clover*, 305 U.S. 5, 59 S. Ct. 15, 83 L. Ed. 6, and a temporary injunction should be issued in order that the status quo may be preserved until that time."

To the same effect, see also *Burton, et al.*, v. *Matanuska Valley Lines, Inc.*, 244 F. 2d 647.

This, then, is another ground upon which plaintiffs are entitled to the immediate relief they seek.

For these reasons, the application for temporary restraining orders will be granted.

Thus done and signed, in chambers, at Shreveport, La., on this the 12th day of July 1959.

Mr. President, how can we, in the face of this court order, extend the life of the Civil Rights Commission without violating the oath of each of us to up-

hold the Constitution? Would not such an extension necessarily imply congressional endorsement of the rules of the Commission, and of the Commission's disinclination to act pursuant to the Administrative Procedure Act? We need to remind ourselves that we are here to uphold the Constitution and represent the people of the several States—not to vent our emotions in legislation or advance our personal political fortunes.

The fact that an appeal from the District Court decision is now pending before a three-judge court does not mitigate against my point, Mr. President. In fact, it emphasizes its validity. The court on appeal could not ignore the action of Congress in extending the life of the commission. Necessarily and properly, the court would have to assume that Congress acted with full knowledge of the order of injunction.

Mr. President, for what purpose do the proponents of this measure propose that Congress so flagrantly violate the Constitution? What is the nature of the goal which is so imperative that individual liberty must be trampled in the dust?

We can only judge the proposed future of the Civil Rights Commission on its past actions and record. It has functioned for a long enough period to appraise its worth. In 1957, the proponents of the so-called civil rights bill predicted that the Commission would uncover the most dire and tragic situations existing in the field of voting rights. The record shows how wrong they were. As of June 30, 1959, the Commission had received a total of only 1,036 complaints, sworn and unsworn. Out of these complaints, on any subject within the jurisdiction of the Commission, only 254 were by sworn affidavits.

The number of complaints in the voting field is even more indicative of the lack of need for the Commission. Out of the millions of voters in this country, the Commission has received but 315 complaints, sworn and unsworn. In my own State of South Carolina there were three complaints, not a one of which was sworn. Even were there no constitutional question involved in the proposed extension of the Commission's existence, we could not justify, from a simple policy standpoint, the expenditure of the funds necessary to sustain this useless agency.

No one knows the uselessness of the Commission, nor the folly of continuing it, better than those who served as members of the Commission. Their statements, although guarded, indicate an extreme lack of enthusiasm which belies any sense of accomplishment. As Dr. Hannah, the Chairman of the Commission, expressed it, that in the period he had tried it, he had found "there is no right answer to all sides." His attitude is evidently shared by his fellow Commissioners who have been reported as expressing reluctance to serve beyond the legal life of the Commission as established in 1957.

It is obvious, Mr. President, that the attempt to extend the Commission is a propaganda effort, done in defiance of the Constitution.

Mr. TALMADGE. Mr. President, We Americans pride ourselves upon being a nation of charitable, understanding and tolerant people motivated by sincere concern for the welfare of humanity.

Yet for the second time in 2 years we in Congress find ourselves giving serious consideration to a proposal that it give its sanction to an agency of government which, by its own report, denies each of those noble impulses.

The Commission on Civil Rights is the antithesis of everything for which we Americans claim to stand.

It knows no charity.

It makes no pretense at understanding.

It is steeped in intolerance. Its report is a calculated insult to the people of the entire southern region of our Nation and to those of us who have the privilege to serve their interests in the Senate of the United States.

As I contemplate this Commission, the doubtful motives of its sponsors and its alarming portent for evil and tragic results, I find it almost more than I can do to sustain the Christian charity to suppress the resentment which swells within me.

As one who has the honor to represent in part a conscientious and God-fearing people I would be derelict in my duty if I did not express to this Senate in the most emphatic terms at my command the virtually universal sense of outrage and indignation of the citizens of Georgia at being tied to the national whipping post year after year to be ridiculed, castigated, and punished for the political pleasure and gain of those whose stock in trade is racial demagoguery agitation and exploitation.

We in Georgia yield to no one in the sincerity or intensity of our adherence to the principles of justice, decency, and fair play for all.

We have no apologies to make to anyone for what we profess or practice.

To be sure we have our problems and our shortcomings, but we are trying to do something about them.

We make no pretense at being perfect.

Neither do we presume to sit in judgment on the imperfections of others.

In Georgia all children are receiving equal educational opportunities in a modernized public school system for which Georgians are paying 53 cents out of every tax dollar.

In Georgia all qualified citizens, including more than 160,000 colored citizens, are freely exercising the right to vote.

In Georgia economic opportunities for all citizens are being dramatically improved as the result of an industrial revolution which is reshaping our entire economy.

We are proud of the progress which all of our citizens are making working together and we are looking forward to achieving a future of better lives and greater prosperity for all Georgians.

Members of both races are living and working together in harmony and understanding and I am confident that, barring outside interference, that attitude of mutual trust and respect will continue and be enhanced to the benefit of all.

Georgians ask nothing more of the remainder of the Nation than to be left alone to work out our own destiny among ourselves in accordance with the wishes of all the people of Georgia and following the normal course of human relations.

We do not feel that we should be held up to public scorn and ridicule and made the targets of vicious and punitive attacks simply because some people in some States may take issue with our ideas about human relations—ideas which are enthusiastically shared by at least 95 percent of all our citizens.

That Georgia is succeeding in accordance with those ideas in giving the real and meaningful civil rights to all our citizens is attested to by no less a personage than Dr. John A. Hannah, Chairman of the Commission on Civil Rights.

In that connection I should like to read to the Senate the following colloquy between Dr. Hannah and the Honorable PRINCE PRESTON, Representative in Congress from the First District of Georgia which took place in hearings before the House Subcommittee on Departments of State and Justice, the Judiciary and related agencies appropriations on last April 30:

Mr. PRESTON. Dr. Hannah, what conclusions did you reach in Atlanta about housing?

Mr. HANNAH. Well, sir, we concluded that there was a story in Atlanta that could well be told to the country. Of course, there is some pretty poor Negro housing in Atlanta, as there is poor housing for Negroes and white folks in other sections of the country, but the Atlanta story is a very interesting story and the progress that has been made in providing an opportunity for Negroes to acquire middle-class, and high-class, housing—while it is true they are segregated in areas—they have some very fine communities. This has been a cooperative effort worked out voluntarily by the Negroes and the white people and the city leaders and the mayor and so on.

Frankly, I was surprised and pleased at what we found in the housing area in Atlanta, not because you happen to be a native of Georgia, but there is a better opportunity provided for middle-class and high-class housing for at least some of these Negroes in Atlanta than in many cities in my part of the country.

* * * * *

Mr. PRESTON. Have you found generally in the State of Georgia that the Negro population has no problem about registering and voting?

Mr. HANNAH. Well, from personal investigation, certainly in Atlanta and in many other areas that were brought into our discussions there, that is true.

I think there were some indications that perhaps there were some of the isolated rural areas where that might not be true, but I have no firsthand knowledge of that. It is my general impression the voting situation in Georgia is pretty good and getting much better.

Mr. PRESTON. In my own district there are one or two counties who have more Negro registered voters than white.

Mr. HANNAH. The Congressman recognizes that there are many counties in the South with large populations of Negroes where there is not even one registered.

Mr. PRESTON. You would not find that to be true in Georgia.

Mr. HANNAH. That is correct.

Mr. PRESTON. Georgia is one of the most progressive States in the Union and one of the most liberal States in the Union.

Mr. HANNAH. I believe that is right.

There, Mr. President, is the impression gained by one of our Nation's most able and respected educators about the status of human relations in my State of Georgia. I am sure there is no Member of this Senate who would presume to dispute the conclusion of so capable and disinterested an observer of the Georgia scene.

It is also most revealing, Mr. President, to study an analysis of the sources of the complaints received by the Commission on Civil Rights.

Statistical tables supplied me by the Commission show that, as of last June 30, of the 315 voting complaints received by the Commission from its inception through that date only one came from the State of Georgia and that one was unsworn. A comparison with some of the States from which much criticism of Georgia's ideas on human relations have come shows that twice as many complaints were received from the States of Illinois, Indiana, Missouri, Pennsylvania, and Wisconsin and an equal number from the States of New York and New Jersey.

On the basis of those figures, Mr. President, it is only fair to conclude that if any problem with relation to voting exists in the State of Georgia, the situation is twice as bad in the States of Illinois, Indiana, Missouri, Pennsylvania, and Wisconsin and equally as bad in the States of New York and New Jersey.

In the area of rights other than voting, the Commission reported to me that of the 664 complaints received only 19 came from Georgia. That figure, the agency disclosed, compares with 66 complaints from New York, 45 from California, 32 from Ohio, 25 from Pennsylvania, 24 from Illinois, and 22 from Missouri.

On the basis of those figures, Mr. President, it is only fair to conclude that if any problem with relation to civil rights other than voting exists in the State of Georgia, the situation is more than three times as bad in the State of New York, more than twice as bad in the State of California, more than one-and-a-half times as bad in the State of Ohio, and to lesser degrees worse in the States of Pennsylvania, Illinois, and Missouri.

I ask unanimous consent, Mr. President, to have printed herewith in the RECORD as a portion of my remarks the statistical tables furnished me by the Commission on Civil Rights analyzing the complaints received by the Commission from the time of its establishment through the end of the 1959 fiscal year last June 30.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

COMMISSION ON CIVIL RIGHTS,
Washington, D.C.

Grand total all complaints received 1957–59	979
Voting	315
Regular	664
Total voting complaints received since Apr. 30, 1959	5
Total regular complaints received since Apr. 30, 1959	52
Total all complaints received since Apr. 30, 1959	57
Grand total voting complaints received 1957–59	315
Sworn affidavits in 13 States	254

JUNE 30, 1959.

Voting complaints, by States, June 30, 1959

State	Total	Sworn	Unsworn
Alabama	119	104	15
Arkansas	6		6
Florida	15	12	3
Georgia	1		1
Illinois	2	1	1
Indiana	2	1	1
Kansas	1		1
Kentucky	2		2
Louisiana	95	88	7
Maryland	1	1	
Massachusetts	1		1
Mississippi	41	40	1
Missouri	2	1	1
Nebraska	1		1
New Jersey	1		1
New York	1	1	
North Carolina	3	2	1
Oklahoma	2	1	1
Pennsylvania	2		2
South Carolina	3		3
Tennessee	7	1	6
Texas	1		1
Virginia	3		3
West Virginia	1	1	
Wisconsin	2		2
Total	315	254	61

COMMISSION ON CIVIL RIGHTS,
Washington, D.C.

Total complaints, other than voting, by States, June 30, 1959 (not required to be sworn)

Alaska	1
Alabama	23
Arizona	1
Arkansas	4
California	45
Colorado	3
Connecticut	7
Delaware	3
Florida	28
Georgia	19
Idaho	0
Illinois	24
Indiana	11
Iowa	6
Kansas	4
Kentucky	11
Louisiana	13
Maine	1
Maryland	5
Massachusetts	7
Michigan	16
Minnesota	2
Mississippi	6
Missouri	22
Montana	3
Nebraska	2
Nevada	1
New Hampshire	2
New Jersey	13
New Mexico	2
New York	66
North Carolina	13
North Dakota	0
Ohio	32
Oklahoma	5
Oregon	3
Pennsylvania	25
Rhode Island	1
South Carolina	13
South Dakota	2
Tennessee	16
Texas	24
Utah	2
Vermont	0
Virginia	18
Washington	10
Washington, D.C.	15
West Virginia	4
Wisconsin	8
Wyoming	1
Foreign countries	4
Puerto Rico	3
Subtotal	550
Illegible, anonymous, abusive, etc.	114
Total	664

Mr. TALMADGE. Georgians are proud of the fact that this official record proves that the overwhelming majority of the citizens of our State are satisfied with our present concept of human relations and the manner in which it is being translated into practical benefit for all.

Georgians are proud of the fact that our State, which is pursuing without ostentation, programs of uplift for all our citizens, has been found far less wanting in the provision and protection of real civil rights than many of the States outside the South which make a fetish of promising bigger and better synthetic rights while failing to produce fulfillment of the meaningful ones.

Georgians are proud of the fact that there have been no news stories about rapes, riots, and suicides in our public schools and no lengthy magazine articles about "powder keg" racial tensions in malodorous slum jungles.

In Georgia we do not have any conditions comparable in any respect to those described in an article featured in the August 3, 1959, issue of U.S. News & World Report under the heading: "Is New York Sitting on a Powder Keg?—Racial Unrest Forces Its Way to the Surface."

Mr. President, because the conditions described in this article stand in such sharp contrast to those which prevail in my State of Georgia, I ask unanimous consent that the full text of it be printed herewith in the RECORD as a portion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS NEW YORK SITTING ON A POWDER KEG?—RACIAL UNREST FORCES ITS WAY TO THE SURFACE

(Tension is boiling to the surface in New York. Tempers, building up, can lead to real trouble between the races. Negro boycotts have developed. There are clashes between police and demonstrators. Harlem is in an angry mood. A member of the board of editors of U.S. News & World Report, at the scene, brings the explosive situation into focus.)

NEW YORK CITY.—Concern is growing here over a wave of racial unrest that threatens to engulf America's biggest and richest city.

New Yorkers are being warned by Police Commissioner Stephen P. Kennedy that "a race riot could cause more destruction of community relations than an atom bomb."

Harlem, the unofficial "Negro capital of America," is being described by one city official as "in an angry mood." Each night, crowds of Negroes gather on street corners to listen to soapbox orators who preach black supremacy and the downfall of the white man.

These and similar developments are coming into focus as a result of a single incident that took place on the sultry afternoon of July 13.

That trouble developed when two white policemen arrested a Puerto Rican woman accused of creating disorder in a Harlem restaurant. While she was being taken to the police station, the police car crashed into a safety island.

Within a matter of minutes, a crowd of angry Negroes, estimated at more than 200, gathered menacingly around the police. In the ensuing melee, the two policemen were hit by a bullet accidentally fired from one of their own revolvers.

In the hours that followed, 88 additional policemen were sent to Harlem, and police were reinforced in other Negro areas of the city.

A NEGRO OUTBREAK?

This incident, however, is only one of many in recent weeks in what New York's leading Negro newspaper hails as the outbreak of the "revolt of the Negro"—a revolt that some say will far surpass in scope and tension the bus strike of 1956 in Montgomery, Ala.

Here are some of the events taking place:

Ralph J. Bunche, a prominent Negro diplomat and educator, recently inquired about a membership for his son in the West Side Tennis Club, at Forest Hills, site of the U.S. championships and Davis Cup matches. Mr. Bunche stated that he was informed by the club's president, Wilfred Burglund, that Negroes and Jews were not admitted to membership.

In the wake of strong criticism from city officials and newspapers, Mr. Burglund resigned his post. The club has explained that its membership rolls are open to members of racial and religious minorities.

In Harlem, 40 tenement dwellers are staging a "rent strike" against white landlords who, they say, have refused to make sanitary repairs to rat-infested buildings.

Negroes are boycotting white-owned liquor stores in Harlem which refuse to buy wholesale supplies from Negro salesmen. Under pressure of Negro picketing, seven store owners have signed agreements stating: "I will refuse to continue doing business with any wholesaler who will not send as a representative a Negro salesman."

Thirteen other liquor stores have capitulated without waiting for pickets to show up. Now the New York chapter of the National Association for the Advancement of Colored People is promising to extend this drive to liquor stores in Negro areas across the city—and, eventually, to retail stores of every type that are located in Negro areas.

BOYCOTT OF BUSES

Another boycott is being threatened against the Fifth Avenue bus line after complaints from Negro passengers that they were getting discourteous and discriminatory treatment from white busdrivers.

The Negro revolt also is moving into New York City's public schools.

Last year, nine Negro parents refused to send their children to predominantly Negro schools on the ground that such schools were inferior in quality of teaching and curriculum. A court ruling last December upheld the parents' contentions that the schools were inferior and that the parents were within their legal rights in keeping their children out.

Now a drive is underway in Harlem to stage a mass sitdown of Negro parents next September unless Negro youngsters are permitted to enroll in predominantly white elementary and junior high schools of their choice. As a result, New York City is facing the possibility that some Negro children will be sitting out next year's school term.

Politically, a campaign is underway, led by Representative ADAM CLAYTON POWELL, Democrat, of New York, to force the Democratic machine—Tammany Hall—to give one in every three patronage jobs in New York City to a Negro or Puerto Rican.

NEGRO POWER GROWING

These separate developments, Negro leaders say, are not part of an organized push. But they are seen as proof of a growing population and of growing power of Negroes in this city.

An unofficial census in 1957 showed that 948,000 Negroes were living within the city. Today, their number is estimated at more than 1 million—more than in any other city in the world. Negroes now account for about 15 percent of the city's population, as against only 5 percent in 1940.

A Negro, Hulan E. Jack, is president of the Borough of Manhattan. This job is generally rated second in importance only to that of mayor of New York City. Top-ranking jobs in many city departments are held by Negroes. There are a dozen or so Negro judges in city and State courts here. Altogether, Negroes hold an estimated one-third of the jobs in public transit and about 20 percent of the jobs in the city welfare department.

TROUBLES OF AN OPEN CITY

Until recently, this growth in power went relatively unnoticed in a city that takes pride in its reputation for racial tolerance.

New York City's officials openly promote the concept of an open city—a place where opportunity is provided equally for all races. Integration is the official policy, backed by a dozen State and city laws that forbid racial discrimination in jobs, public facilities, and housing. These laws are sternly enforced.

Last year, the city put into effect a revolutionary law—one that prohibits discrimination again apartment and homeseekers on grounds of race or religion. In the first 14 months of operation, 325 complaints of violation of this law have been made, and the claim is made that the law is helping many Negroes find apartments and homes once barred to them.

Yet many Negro leaders are saying now that these steps are only the beginning of measures to bring full equality to Negroes, and some say that New York City is entering on a phase of racial tension that is the most difficult yet encountered in this city.

EAST SIDE, WEST SIDE

Negroes are flowing out into every borough of the city—east side, west side, all around the town. More than 300,000 live in Brooklyn, about 125,000 live in Queens, and almost as many in the Bronx.

It is in Manhattan, however, and especially in Harlem, that most of the Negroes are to be found and that most of the trouble is developing. One reason for this, according to city officials, is that middle and upper-income Negroes more and more are moving out of Harlem tenements into better parts of the city. What they have left behind is an exceptionally high proportion of low-income Negroes—many of them chronic troublemakers and criminals.

Along with that, Harlem tenements are described as among the worst in the city. Wide publicity is given day by day to the overcrowding of 122,000 people within an area only two-thirds of a square mile—an area where people often live 8 and 10 to a room and where police get daily reports of children bitten, sometimes seriously, by rats.

It is against this background that trouble is developing between Negroes and the police force in Harlem.

CHARGES, COUNTERCHARGES

Charges are heard that Negroes taken into custody are beaten up at police stations, that Negro women are slapped and kicked, that white policemen break into the homes of law-abiding Negroes without search warrants.

Officials at police headquarters acknowledge that some such instances have taken place and do take place. They also say that offending policemen are punished by demotion, fines, or both, upon proof of such offenses. But most such charges, they say, show up as groundless upon investigation.

Last year, 126 complaints of police brutality were filed in New York City—by whites as well as Negroes. A special hearing panel in the police department, after hearing these complaints, preferred charges against the policemen involved in nine cases. Seven of the nine were found guilty of brutality.

The July 13 outbreak of trouble between Harlem Negroes and police was not the first of this kind—nor, informed Negro leaders say, is it likely to be the last. One Negro says: "There is no doubt about it. People here don't like the police, they are suspicious of the police."

On at least two other occasions in the last 4 years threatening crowds of Negroes have gathered to protest police brutality. On a smaller scale, policemen who arrest a drunk or disorderly person in Harlem often find themselves the target of jeers from gatherings of anywhere from a handful to several dozen bystanders.

SEEKING COOPERATION

Police officials at this time are engaged in an intensive community relations campaign in Harlem. Efforts are being made to secure the support of law-abiding Negroes in reducing Harlem's crime rate. Meetings are held periodically with Harlem leaders. Recently Police Commissioner Kennedy warned:

"It (Harlem) is an extremely difficult area to police and the policemen themselves must have the support of the community. If they have to work in a community that is noncooperative, where prisoners are taken from them, it makes the policing problem that much more difficult."

Individual policemen are discouraged from making any comments that might stir up racial controversy. Privately, however, many of them express bitterness at what they describe as a lack of cooperation by Negroes, often in situations where their own lives are in jeopardy.

NEGRO "MUSLIMS"

What adds to this difficulty is a growth of a black nationalist movement that stirs up hatred of the white man.

This movement is spearheaded by a so-called Muslim sect, which claims a quarter of a million members among U.S. Negroes. Its leader calls himself Elijah Muhammad. He maintains headquarters in Chicago, but here in Harlem his chief lieutenant is a Negro who is known as Malcom Little but who also calls himself Malcom X.

On his periodic visits to Harlem, Muhammad draws crowds of 2,000 to 3,000 Negroes eager to hear the message of the spiritual leader of America's Muslims.

These listeners are being told that the white man is the greatest drunkard, greatest seducer, greatest murderer, greatest adulterer, greatest deceiver on earth. Negroes are promised that they will soon gain control of New York City—and that white rule in the United States will be overthrown by 1970. The sect's official magazine is headlined, "The Earth Belongs to the Black Nation—the First and the Last."

Nobody knows just how many New York Negroes belong to this sect. Conservative estimates run to somewhere between 7,000 and 10,000. The Muslims maintain a restaurant, along with a temple, where every person entering is searched.

Beyond these numbers, however, tens of thousands of Negroes are geting the racist message of Muhammad. Each night, crowds of Negroes gather at street corners in Harlem to listen to zealous young Muslims preaching from soap boxes. During the incident of July 13, one such orator picked up his box and, along with several dozen of his listeners moved down the street to incite further Negroes who were demonstrating against the two white policemen.

DANGEROUS FOR WHITES

Officially, this sect claims to deplore violence. But one Negro newsman reports that whites found on the outskirts of such gatherings are told by Negroes to move along if you don't want trouble—you're in our territory now. This newsman reports that, at such times, it is very definitely dangerous for whites to be in the area.

Many responsible Negroes in Harlem and other parts of New York City discount the influence of this sect, which, they say, enlists support mainly from unimportant Negroes here. But Negro newspapers give prominent coverage to the statements of Muslim leaders, and many leading Negro business and professional men are known to make substantial contributions to the sect.

What many fear is developing out of the revolt of the Negro here is growing tension between the races on both sides of the racial fence, white as well as black.

The move to hasten integration of New York City's schools by transporting elementary and junior high school students from Negro neighborhoods into less crowded schools in predominantly white neighborhoods is meeting opposition from white parents.

DON'T TREAD ON US

A few weeks ago, a group of white mothers from the Glendale section of Queens marched around City Hall carrying placards protesting the plan to transport about 1,000 children, most of them Negro or Puerto Rican, from overcrowded schools in Brooklyn to schools in Glendale.

Among the signs the white mothers carried was this: "Don't tread on us."

At the same time, in the same vicinity, Negro mothers also were picketing City Hall with signs such as this one: "This is New York City—not Little Rock."

White homeowners and apartment dwellers in many parts of the city are moving out as Negroes spread out from Harlem. In Queens, one estimate is that it takes about 3 years for a neighborhood to change from white to black after the first Negro moves in.

In residential areas, New Yorkers are becoming more aware of their race problem than ever before. A white householder in Queens says:

"We're beginning to feel a coldness between the races. The other day, a Negro told me that his white neighbor doesn't talk to him now. My wife and I, in the past, have had Negroes to dinner in our home—and we still do. But now we look around to see if the neighbors notice it."

DIFFICULT SCHOOLS?

Top-rated teachers are bitterly protesting proposals that school officials assign them, regardless of their desires, to teaching posts at difficult schools which are composed mainly of Negro and Puerto Rican children. At present, such posts are filled on a voluntary basis, and many teachers have said they will seek employment elsewhere rather than be assigned to such schools.

Also stirring resentment among whites is the dispersal of Negroes across the city by means of public housing.

It is now the official policy of the city to discourage location of any public-housing projects in areas occupied mainly by Negroes and Puerto Ricans. Such projects, it is felt, will only build up ghettos, since 40 percent of all public housing for low-income families is occupied by Negroes and another 15 percent by Puerto Ricans.

As a result, about three-fourths of these families in public housing now live in racially integrated projects in predominantly white neighborhoods.

In such projects, white tenants and nearby residents are complaining of a rise in crime, juvenile delinquency, and dilapidation. White families are tending to move out of integrated projects. A Brooklyn project that was equally divided between whites and other groups only a few years ago, now is two-thirds Negro.

COST OF CRIME

New Yorkers are becoming aroused by the mounting costs of crime and welfare that have come to the city with the growth of this Negro population.

Unofficial estimates are that Negroes, with about 15 percent of the city's population, account for a third of its serious crimes. Many of these crimes are committed far beyond the borders of Harlem and other Negro areas. In some categories, such as rape and narcotics violations, the percentage of Negroes involved is believed to be considerably higher than for other offenses.

Negroes, together with Puerto Ricans, are estimated to account for about half of the city's welfare costs—and for a far bigger percentage of the aid to dependent children.

The answer of Negroes, and many white officials in this city, is that these problems can be solved only by providing Negroes and Puerto Ricans with better housing, better schools, and more job opportunities.

Negroes now are embarked on a revolt to gain those objectives. The result at this time is to bring New York City's racial troubles into the foreground, and fears are being expressed that these troubles are going to mount in the months ahead.

Mr. TALMADGE. I hope for the illumination of the Senate and the Nation, Mr. President, that the two eloquent and distinguished Senators from New York [Mr. JAVITS and Mr. KEATING]—both of whom are advocates of legislation to put the citizens of my State of Georgia in jail without jury trials merely for trying to shield white and colored citizens alike from conditions and situations such as prevail in New York—will address themselves to this subject and tell us just how such conditions and situations serve to advance the civil rights of the constituents they represent.

Mr. President, I believe it would be a fair and accurate summation of the attitude of the vast majority of Georgians to state that they feel it is an unconscionable act of hypocrisy for representatives of States and metropolitan areas which are unable to cope with their own worsening problems of human relations to attempt to force their discredited concepts of sociology upon other States and areas where those problems are virtually nonexistent and people of all races live together in harmony and mutual respect.

In that regard, I think all of us in this Senate could be best guided by the words of the Son of God when He said:

Judge not, that ye be not judged.

For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.

And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?

Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?

Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye (Matthew 1: 1–5).

Mr. President, it is incomprehensible to the people of Georgia why the Congress of the United States must waste its time and the money of the American taxpayers seeking to enact contrived and unworkable solutions to problems which are not significant factors in our State when our country is confronted with so many real and pressing problems which demand thoughtful and effective solutions from Congress.

Georgians feel that Congress could do far more to justify its existence and to earn the confidence and respect of the Nation by doing something concrete to eliminate, or at least contain, the threat to present and future generations posed by the presence of increasing quantities of strontium 90 in the atmosphere and food supplies of the country; provide a realistic and meaningful national farm program which will guarantee the farmers of America their proportionate share of the national income; protect the jobs of American industrial workers from destruction as the result of indiscriminate imports of foreign-made goods manufactured at slave-wage levels; curb ever-increasing inflation, reverse the ever-mounting cost of living and restore the value and purchasing power of the American dollar; balance the Federal budget, hold Federal spending within the bounds of Federal income and begin a systematic program of reduction of the national debt; stimulate scientific and medical research to find and perfect as soon as humanly possible cures for and preventives of the dread killers and cripplers of mankind like cancer and heart disease; put an end to Government programs and policies which attempt to do for people in other countries what the United States either is unable or unwilling to do for our own citizens here at home; confine the Federal Government to programs and activities in those areas delegated to it by the Constitution and leave the management of all other affairs to local people on the local level; make the United States so secure militarily and economically that any nation daring to attack us invites not retaliation but annihilation; prevent any further encroachment upon the inalienable right of each citizen to be left alone to run his own affairs and to enjoy the fruits of his own labor.

Mr. President, in so acting, Congress could do more to promote the real civil rights of the American people than it ever could hope to achieve by passing a million force bills.

Mr. President, the American people have a right to ask of this Congress why it is concerning itself with legislation of the nature of the pending measure when so much of legitimate concern to all citizens has been left undone.

There is no more convincing argument against extending the life of the Commission on Civil Rights than the experience of the Commission itself.

Since its inception the Commission has been hard pressed to find enough evidence of deprivation of anyone's civil rights anywhere to keep its 69 full-time employees, 7 consultants, and 6 Commissioners busy. As noted in the tables which I have had inserted in the RECORD, despite all the publicity attendant to its establishment and authorized function, the Commission had received as of the end of the 1959 fiscal year only 979 complaints from throughout the Nation and its territories.

This fact prompted close questioning on the part of Congressman JOHN J. ROONEY, of New York, chairman of the House Appropriations Subcommittee, to which I have previously referred, at the hearing held by his subcommittee last April 30 on the Commission's requested appropriation for the current fiscal year.

The transcript of Representative ROONEY's questions and the replies by Commission Chairman Hannah and Commission Staff Director Gordon Tiffany is most illuminating. I read as follows from page 1196 of the printed record of the subcommittee's hearings for this year:

Mr. ROONEY. On the face of it, it does not look as though the Commission has had very much to do; is that a fair statement?

Mr. TIFFANY. When you consider that all these complaints call for field research in most instances and we have men out checking——

Mr. ROONEY. I am not talking about what you do when you get complaints. I am talking about the number you have received.

Mr. TIFFANY. I can only say that the mail file system calls for the numbering of each piece of mail that comes in. My best recollection is that in a recent week that number has been over 9,000.

Mr. HANNAH. I should point out, Mr. Chairman, the Commission has other responsibilities than to answer complaints.

Mr. ROONEY. We understand that, Doctor. I think you mentioned four responsibilities a while ago, did you?

Mr. HANNAH. Yes, sir.

Mr. ROONEY. I cannot help but be impressed by the small number of complaints that you have here. If my impression is wrong, I wish you would dispel it.

Mr. TIFFANY. We attach great significance, Mr. Chairman, to the denial of the right to vote in any single instance. We believe the numbers are shocking and that is all that I can say.

It is further most interesting to note, Mr. President, on page 1191 of the same hearings the statement by Chairman Hannah that "the work of the Commission is centered around its report which will be given to the Congress on or before September 9, 1959."

Thus, Mr. President, it is obvious that the Commission report which we of this 86th Congress have received embracing recommendations affecting the lives, liberty, and property of 177 million Americans is based solely upon, first, what Mr. Tiffany believes; and, second, a mere 979 complaints—of which at least 114 admittedly are the work of cranks and motivated busybodies and only 254 were made in the form of sworn affidavits.

Mr. ERVIN. Mr. President, will the Senator yield for a short question?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from North Carolina.

Mr. ERVIN. The Senator has mentioned statements which were made by officials of the Civil Rights Commission when they applied to the House committee for an appropriation for the Commission. I should like to ask the Senator whether the testimony then presented by the officials of the Civil Rights Commission showed these things: First, that they had a staff at that time of 75 employees, who were receiving an average annual salary of between $7,000 and $7,500; and that the Commission was receiving verified voting rights complaints at the rate of one-half complaint per month for each of those employees.

Mr. TALMADGE. The Senator is approximately correct. I recall that there are 69 employees with the Commission at the present time. I thank the Senator for his contribution.

Mr. President, it is inconceivable that this Congress and the responsible men and women who comprise it will rely on so flimsy and contrived an excuse to enact legislation which would strike at the vitals of American liberty under the guise of protecting American citizens from bogeymen conjured up in the imaginations of appointed bureaucrats.

Why, Mr. President, I receive more mail in 2 months than the Commission on Civil Rights has received in 2 years, and I would point out to this Senate in all modesty that with the help of a staff only one-seventh the size of that of the Commission I am able, with very few exceptions, to reply to each letter I receive on the same day I receive it.

Therefore, Mr. President, I submit to the Senate that the only course of action indicated by the experience of the Commission on Civil Rights is to permit it to die the natural death contemplated for it by the law creating it. It has proved itself to be surplus property unneeded by either the Federal Government or the American people.

The cost of this Commission to the American taxpayers, as of June 30, was $977,000, which, according to the Library of Congress, included a transfer of $200,000 from the President's emergency fund in fiscal 1958, a fiscal 1959 appropriation of $750,000, and a supplemental appropriation of $27,000.

A little simple arithmetic shows this amounts to a cost of $997.96 for each complaint which the Commission has received and, I believe, even the most partisan observer will have to admit in honesty that there is a pretty steep price tag for investigating any complaint of any nature. I am sure that any of our law enforcement agencies would be overjoyed to receive an appropriation of one-tenth of that amount for each case they are called upon to investigate and process.

And, as if that were not enough, Mr. President, this Congress already has appropriated another $288,000 to carry the Commission through its November 8, 1959, expiration date and it is now proposed that Congress, in voting to extend its life, also approve an additional appropriation of $500,000 for the remainder of the 1960 fiscal year.

To those in the Senate who are interested in economy in Government, I would suggest that here is an excellent place to start practicing what is being preached.

Fortunately for the Nation the Commission to date has been composed of honorable and sincere men and I shudder to think of the witch hunts to which the American people could have been subjected during the past 2 years had such not been the case.

And I also shudder to think what likely will happen should the life of the Commission be extended and the at least four members of it who have stated that they plan to resign in such an eventuality are replaced by a second string of motivated zealots.

The fact that at least four of the present honorable members of the Commission do plan to quit can be construed as nothing less than their repudiation of the sham which the Commission is and of their desire to cease lending it the respectability of their names and prestige.

More eloquent than the report which Mr. Tiffany wrote for the Commission is the statement of Dr. Hannah, as reported in the Washington Star of March 16, 1959, that he is going to quit because he has found—and I quote him—"there is no right answer to all sides."

The article in the Star, published under the heading "Four on Rights Board To Quit After November," and written by Star staff writer, Howard L. Dutkin, gives a significant insight into the thinking of a majority of the members of the Commission in this regard.

I ask unanimous consent, Mr. President, to have the article printed in the RECORD at this juncture in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOUR ON RIGHTS BOARD TO QUIT AFTER NOVEMBER

(By Howard L. Dutkin)

At least four out of five members of the Civil Rights Commission as originally appointed plan to quit their posts as soon as possible after the life of the Commission expires in November, even though Congress may extend it another 2 years.

Chairman John A. Hannah said, "There is no question we would like to be freed of our responsibility if Congress extends the Commission."

The members recognized when they accepted the Presidential appointments in 1957 that "it was a tough assignment and that chances were pretty good for a lambasting from both sides," Dr. Hannah said.

However, he said, he decided to "try it for 2 years." In that time, he said, he has found "there is no right answer to all sides."

Dr. Hannah is president of Michigan State University. He was interviewed by telephone from his office in East Lansing.

SOME MIGHT STAY BRIEFLY

While stating that "my guess is that the Commissioners won't be around" after next November, Dr. Hannah indicated some of them might help out for a while longer if a brandnew Commission "finds the going tough."

Commissioner Robert G. Storey also said he would not wish to continue with the Commission after November. He said he accepted the post with the understanding that it would be a 2-year job. He said his other responsibilities preclude his staying longer. Commissioner Storey is dean of the Southern Methodist University Law School, Dallas.

Another Commission member, the Reverend Theodore M. Hesburgh, definitely said he would not continue to serve even though the Commission is extended and the President asks him to. Father Hesburgh is president of Notre Dame University.

"TIME CONSUMING"

"We are all extremely busy men with commitments apart from Commission work," Father Hesburgh said.

The work of the Commission, he said, is "time consuming" and an added "pack on

our backs." He said the Commissioners all have been "working like mad" to finish the report on the civil rights picture involving racial discrimination in several fields, including education, voting, and housing.

Doyle E. Carlton, a former Governor of Florida and a member of the Commission, said he feels as the others do about desiring to wind up the task and devote themselves to other affairs this fall.

Senate delay in confirming the Commissioners and Staff Director Gordon E. Tiffany hampered the group's activities at the outset.

The Commissioners were sworn in by the President in January 1958. Two months elapsed before confirmation. Mr. Tiffany was nominated for the post in February 1958, but was not confirmed until May.

The other original member, former Gov. John S. Battle of Virginia, was not available for comment. It was reported, however, that he also would not serve longer than the original term.

It was understood that Dr. George M. Johnson, former dean of Howard University, appointed to the Commission last week will continue to serve if he is confirmed by the Senate and the life of the Commission is extended 2 years as requested by the administration.

Dr. Johnson succeeded J. Ernest Wilkins, who died several months ago.

Mr. TALMADGE. It is ironic to note, Mr. President, that the Commission on Civil Rights—even though composed of honorable and respected men—has found it necessary to spend more time attempting to justify its own right to exist than in investigating complaints of denial of the civil rights of individual citizens.

It is most interesting, Mr. President, to compare the warnings uttered on this floor about the dangers inherent in the creation of such a Commission and the actual results of the Commission's activities since its creation in the face of those warnings.

That the fears which were expressed in 1957 were not without foundation have been given official judicial recognition in the order issued exactly 2 years to the day later—on July 12, 1959—by U.S. District Judge Ben C. Dawkins, Jr., in the U.S. District Court for the Western District of Louisiana enjoining the Commission on Civil Rights from holding contemplated hearings in that State.

In order that a comparison might be made between what was predicted and what has happened, I ask unanimous consent, Mr. President, that the conclusions of Judge Dawkins' order be printed at this point in the RECORD as a portion of my remarks.

There being no objection, the conclusions were ordered to be printed in the RECORD, as follows:

CONCLUSIONS OF U.S. DISTRICT JUDGE BEN C. DAWKINS, JR., OF U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA, IN RULING ON APPLICATIONS FOR TEMPORARY RESTRAINING ORDERS JULY 12, 1959, IN CASE OF MRS. MARGARET M. LARCHE ET AL. *v.* JOHN A. HANNAH ET AL.

We are strongly of the opinion, however, that plaintiffs' remaining grounds for immediate relief are well taken:

First, it appears rather clear, at this juncture, that the Civil Rights Commission is an "agency" of the executive branch of the United States, within the meaning of that term as defined at 5 U.S.C.A. section 1001(a). See also 42 U.S.C.A. section 1975 (a). It performs quasi-judicial functions in its hearings, its fact findings, its studies of "legal developments constituting a denial of equal protection of the laws under the Constitution," and its appraisal of "the laws and policies of the Federal Government" in the same respect. It "adjudicates" by its rulings upon the admissibility of evidence at its hearings and by its determinations of what is or is not the truth in matters before it. Thus we think that the Commission is subject to the provisions of section 4 of the Administrative Procedure Act, which requires, among other things that persons affected by agency action "shall be timely informed of the matters of fact and law asserted." Here that would encompass the nature of the charges filed against plaintiffs, as well as the matters of fact and law wherein the complainants' voting rights allegedly have been violated. The Commission also is subject to section 6 which would require it to grant plaintiffs the right "to conduct such cross-examination as may be required for a full and true disclosure of the facts." This, by its rules, the Commission refuses to do, and in so doing, regardless of its well intentioned motives, it violates the terms of that act. Plaintiffs are entitled, therefore, to protection against these rules, which would deprive them of their plain rights under the act.

Second, while the statute creating the Commission inferentially permits it to adopt reasonable rules, 42 U.S.C.A. section 1975(b), there is no provision whatsoever in the law to the effect that such rules may include those here complained of, which plainly violate plaintiffs' basic rights to know in advance with what they are charged, to be confronted by the witnesses against them, and to cross-examine their accusers. We cannot believe that Congress intended to deny these fundamental rights to anyone, and because of such belief it is our opinion that these rules of the Commission are ultra vires and unenforceable. Therefore, plaintiffs are entitled to immediate relief against them.

Third, entirely aside from the statutory questions just discussed, the courts of the United States, and their Anglo-Saxon predecessors, always have seen to it that, in hearings or trials of all kinds, persons accused of violating laws must be adequately advised of the charges against them, confronted by their accusers, and permitted to search for the truth through thorough cross-examination. In *Jones* v. *Securities Commission,* 298 U.S. 1, 27, 57 S. Ct. 654, 80 L. Ed. 1015, the Supreme Court said:

"A general, roving, offensive, inquisitorial, compulsory investigation, conducted by a commission without any allegations, upon no fixed principles, and governed by no rules of law, or of evidence, and no restrictions except its own will, or caprice, is unknown to our Constitution and laws; and such an inquisition would be destructive of the rights of the citizen, and an intolerable tyranny. Let the power once be established, and there is no knowing where the practice under it would end.

"The fear that some malefactor may be so unwhipped of justice weighs as nothing against this just and strong condemnation of a practice so odious * * *

"The philosophy that constitutional limitations and legal restraints upon official action may be brushed aside upon the plea that good, perchance, may follow, finds no countenance in the American system of government. An investigation not based upon specified grounds is quite as objectionable as a search warrant not based upon specific statements of fact. Such an investigation, or such a search, is unlawful in its inception and cannot be made lawful by what it may bring, or by what it actually succeeds in bringing to light."

In *Morgan et al.* v. *United States, et al.* 304 U.S. 1, 14, 20, 25, 58 S. Ct. 773, 82 L. Ed. 1129, involving an administrative hearing, the Court said:

"The first question goes to the very foundation of the action of administrative agencies entrusted by the Congress with broad control over activities which in their detail cannot be dealt with directly by the legislature. The vast expansion of this field of administrative regulation in response to the pressure of social needs is made possible under our system by adherence to the basic principles that the legislature shall appropriately determine the standards of administrative action and that in administrative proceedings of a quasi-judicial character the liberty and property of the citizen shall be protected by the rudimentary requirements of fair play. These demand 'a fair and open hearing'—essential alike to the legal validity of the administrative regulation and to the maintenance of public confidence in the value and soundness of this important governmental process. Such a hearing has been described as an 'inexorable safeguard.' * * *

* * * * *

"The answer that the proceeding before the Secretary was not of an adversary character, as it was not upon complaint but was initiated as a general inquiry, is futile. It has regard to the mere form of the proceeding and ignores realities.

"Those who are brought into contest with the Government in a quasi-judicial proceeding aimed at the control of their activities are entitled to be fairly advised of what the Government proposes and to be heard upon its proposals before it issues its final command."

In the most recent decision on this subject, handed down by the Supreme Court on June 29, 1959, *Greene* v. *McElroy* (No. 180, October Term — U.S. —, — S. Ct.—, — L. Ed. —, 29 L. W. 4528, 4534, 4538), and speaking through Chief Justice Warren, the following language is found:

"Certain principles have remained relatively immutable in our jurisprudence. One of these is that where governmental action seriously injures an individual, and the reasonableness of the action depends on fact-findings, the evidence used to prove the Government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue. While this is important in the case of documentary evidence, it is even more important where the evidence consists of the testimony of individuals whose memory might be faulty or who, in fact, might be perjures or persons motivated by malice, vindictiveness, intolerance, prejudice, or jealousy. We have formalized these protections in the requirements of confrontation and cross-examination. They have ancient roots. They find expression in the sixth amendment which provides that in all criminal cases the accused shall enjoy the right 'to be confronted with the witnesses against him.' This Court has been zealous to protect these rights from erosion. It has spoken out not only in criminal cases, e.g., *Mattox* v. *United States* (156 U.S. 237, 242–244); *Kirby* v. *United States* (174 U.S. 47); *Motes* v. *United States* (178 U.S. 458, 474); *In re Oliver* (333 U.S. 257, 273), but also in all types of cases where administrative and regulatory action were under scrutiny, e.g., *Southern R. Co.,* v. *Virginia* (290 U.S. 190); *Ohio Bell Telephone Co.* v. *Commission* (301 U.S. 292); *Morgan* v. *United States* (304 U.S. 1, 19); *Carter* v. *Kubler* (320 U.S. 243); *Reilly* v. *Pinkus* (338 U.S. 269). Nor, as it has been pointed out, has Congress ignored these fundamental requirements in enacting regulatory legislation. *Joint Anti-fascist Committee* v. *McGrath* (341 U.S. 168–169) (concurring opinion).

"Professor Wigmore, commenting on the importance of cross-examination, states in

his treatise, 5 Wigmore on Evidence (3d Ed. 1940) section 1367:

" 'For two centuries past, the policy of the Anglo-American system of evidence has been to regard the necessity of testing by cross-examination as a vital feature of the law. The belief that no safeguard for testing the value of human statements is comparable to that furnished by cross-examination, and the conviction that no statement (unless by special exception) should be used as testimony until it has been probed and sublimated by that test, has found increasing strength in lengthening experience.'

"Where administrative action has raised serious constitutional problems, the Court has assumed that Congress or the President intended to afford those affected by the action the traditional safeguards of due process. See, e.g., *The Japanese Immigrant* case, 189 U.S. 86, 101; *Dismuke* v. *United State*, 297 U.S. 167, 172; *Ex parte Endo*, 323 U.S. 283, 299–300; *American Power Co.* v. *Securities and Exchange Comm'n*, 329 U.S. 90, 107–108; *Hannegan* v. *Esquire*, 327 U.S. 146, 156; *Wong Yang Sung* v. *McGrath*, 339 U.S. 33, 49. *Cf. Anniston Mfg. Co.* v. *Davis*, 301 U.S. 337; *United States* v. *Rumely*, 345 U.S. 41. These cases reflect the Court's concern that traditional forms of fair procedure not be restricted by implication and without the most explicit action by the Nation's lawmakers, even in areas where it is possible that the Constitution presents no inhibition."

These authorities, therefore, clearly establish additional reasons why plaintiffs should be granted immediate relief.

Fourth, there is every reason to believe, considering that the Commission has announced its receipt of complaints from some 67 persons, that those persons will testify that plaintiffs have violated either the State or Federal laws, or both. Plaintiffs thus will be condemned out of the mouths of these witnesses, and plaintiffs' testimony alone, without having the rights to cross-examine and thereby to test the truth of such assertions, may not be adequate to meet or overcome the charges, thus permitting plaintiffs to be stigmatized and held up, before the eyes of the Nation to opprobrium and scorn. Moreover, not knowing in advance the exact nature of the charges to be made against them, some of the plaintiffs, whose official domiciles are at varying distances up to 250 miles from Shreveport, may not be able physically to obtain the presence of witnesses of their own, who might negative or disprove the claims of the complaining witnesses, especially since the Commission has announced that its hearings will last only 1 day.

These are further solid reasons, showing possible or probable irreparable injury to plaintiffs, which justify their being granted immediate relief.

Fifth, and finally, plaintiffs raise very serious questions regarding the validity—the constitutionality—of the very act which created the Commission. We do not intimate here any opinion as to the constitutionality of the statute, for that is a matter to be decided by the three-judge court to be convened by the chief judge of this circuit. However, the seriousness of the attack must be noted in considering whether a temporary restraining order should be issued, to stay the effectiveness of the statute until its validity vel non can be determined by the three-judge court after hearing on plaintiffs' application for an interlocutory injunction. See *Ohio Oil Co.* v. *Conway*, 279 U.S. 813, 49 S. Ct. 256, 73 L. Ed. 972 where the Supreme Court stated, in a per curiam opinion:

"The application for an interlocutory injunction was submitted on ex parte affidavits which are harmonious in some particulars and contradictory in other. The affidavits, especially those for the defendant, are open to the criticism that on some points mere conclusions are given instead of primary facts. But enough appears to make it plain that there is a real dispute over material questions of fact which cannot be satisfactorily resolved upon the present affidavits and yet must be resolved before the constitutional validity of the amendatory statute can be determined.

* * * * *

"Where the questions presented by an application for an interlocutory injunction are grave, and the injury to the moving party will be certain and irreparable if the application be denied and the final decree be in his favor, while if the injunction be granted the injury to opposing party, even if the final decree be in his favor, will be inconsiderable, or may be adequately indemnified by a bond, the injunction usually will be granted. *Love* v. *Atchison, Topeka & Santa Fe R. Co.*, 185 Fed. 321, 331–332."

In *Crockett* v. *Hortman*, 101 F. Supp. 111, 115, at page 115, Judge Wright, of the eastern district of Louisiana, dealing with the constitutionality of a State statute, said:

"Where as here the questions presented by an application for a temporary injunction are grave, and the injury to the moving parties will be certain and irreparable if the application be denied and the final decree be in their favor, while if the injunction be granted the injury to opposing parties, even if the final decree be in their favor, will be inconsiderable, the injunction should be granted. *Ohio Oil Co.* v. *Conway*, 279 U.S. 813, 49 S. Ct. 256, 73 L. Ed. 972.

"The determination of the grave constitutional issues presented in this case should not be decided without a trial on the merits, *Polk Co.* v. *Glover*, 305 U.S. 5, 59 S. Ct. 15, 83 L. Ed. 6, and a temporary injunction should be issued in order that the status quo may be preserved until that time."

To the same effect, see also *Burton et al* v. *Patanuska Valley Lines, Inc.*, 244 F. 2d 647.

This, then, is another ground upon which plaintiffs are entitled to the immediate relief they seek.

For these reasons, the applications for temporary restraining orders will be granted.

Thus done and signed, in chambers, at Shreveport, La., on this the 12th day of July 1959.

Mr. TALMADGE. Mr. President, the order of Judge Dawkins, portions of which I have inserted in the RECORD, should leave no doubt but that there exist substantial constitutional questions not only as to the procedures followed by the Commission on Civil Rights but also as to its very existence.

It is obvious, therefore, that even should the life of the Commission be extended by this 1st session of the 86th Congress, the major portion of its efforts for the next year or more will of necessity have to be directed toward defending both its rules and its existence before Federal courts of both original and appellate jurisdiction. Consequently, it goes without saying that any useful purpose which the Commission might by any stretch of the imagination have served has been hopelessly impaired by the legal attacks being made upon it.

Mr. President, it would be an affront to the American taxpayers to extend the life of this Commission when it has been shown conclusively by its own experience that its existence is not justified by the small number of actual cases of deprivation of civil rights in any section of our country and when substantial legal and constitutional questions regarding the validity of its existence are being pressed in the Federal courts.

An even more compelling reason for allowing this Commission to expire as scheduled is the arrogant and cynical bid for power over the lives and liberties of all Americans which its staff has written into the Commission's report.

That report is confirmation of the worst fears of those of us who opposed the creation of the Commission 2 years ago.

The effect of carrying out its proposals would be to perpetuate that agency as an unconstitutional instrument of meddling and intimidation from which no facet of the lives, fortunes and sacred honor of the American people would be immune.

The variance between the drastic tenor of the report and the soft words of the public utterances of the Commission members prior to its issuance affords no conclusion but that the report is not the work of the Commissioners but rather of a radical Commission staff—a staff headed by a man about whom I expressed grave misgivings when confirmation of his nomination was before this Senate on May 14, 1958.

I stated at that time that "if the nominee for Commission staff director is any indication of what is to come then we had best prepare for the worst."

I declared on that occasion:

> The position of staff director is a crucial one, and how its duties are carried out will determine whether the Commission becomes an instrument of tyranny and oppression or whether it is conducted as its more thoughtful adherents desire it to be.
>
> It is a fundamental truth that the shape and direction of part-time commissions are often determined in large part by their full-time staff personnel, who prepare the agendas, establish the procedures, ask the questions, and ultimately prepare the reports which, generally, are accepted by the change of only a word or two or the striking or addition of a few sentences or words.

I would point out to this Senate, Mr. President, that the eventuality of which I warned more than a year ago has now come to pass.

How else can one reconcile the conciliatory words of Chairman Hannah before the Commission report was released with the arrogant and radical recommendations for force legislation, executive dictatorship and unlimited Commission power set forth in the Commission report?

I submit to you, Mr. President, that the names signed to the Commission report may be Hannah, Hesburgh, Johnson, Storey, Carlton and Battle, but the work is that of Gordon MacLean Tiffany—a man who, when hearings were being held on his nomination, stated he felt it is proper for the Federal Government to send armed troops into a sovereign State to force a new social order on its people.

What is it that Mr. Tiffany now wants to do?

He wants to turn the Commission on Civil Rights into a national board of election registrars which could move into any State or political subdivision, register whomever it might please and force State and local officials to permit those persons to cast ballots regardless of whether they could meet the qualifica-

tions set forth by State law—qualifications which, incidentally, clearly are adopted by the Federal Government by the language of paragraph 1, section 2, article 1 of the Constitution of the United States.

He wants to turn the Commission on Civil Rights into a national school board which could go into any area and attempt to force classroom integration, regardless of whether the races in that area wanted to be integrated or whether the Federal courts had acted in the matter.

He wants to turn the constituent agencies of the Federal Housing and Home Finance Agency into instruments for forcing integration of residential neighborhoods throughout the Nation. He would accomplish that by withholding FHA and VA loans from builders and individuals who do not comply with his notions of sociology, by turning the public housing and urban renewal programs into a grandiose scheme for blockbusting with no concern for the wishes of property owners or the effect upon property values, and by setting up satellite commissions in all the major cities of the country to force and police integration in housing.

Mr. President, since at least four—and possibly five—members of the Commission already have indicated that they intend to resign, the only man who stands to benefit from the power which is proposed to be bestowed upon the Commission is Mr. Tiffany himself.

I submit to you, Mr. President, that the power which he has requested for the Commission is of such magnitude that I would not trust it in the hands of any one man or group of men—and most certainly not in the hands of Gordon MacLean Tiffany.

Mr. President, I am confident that if the American people knew of the dictatorship and tyranny proposed in the report of the Commission on Civil Rights they would rise up in righteous indignation and demand as one that this Congress not only not extend the life of the Commission, but, rather, abolish it immediately.

It is a report which is best summarized in the words of the dissenting report of Commissioner John S. Battle, as follows:

> In my judgment it is not an impartial factual statement, such as I believe to have been the intent of Congress, but, rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Mr. RUSSELL. Mr. President, will my colleague yield to me?

Mr. TALMADGE. I am delighted to yield to my distinguished senior colleague.

Mr. RUSSELL. I have read various reports by committees and commissions of one kind or another, in the years during which I have served in legislative bodies; but the report of this Commission is the most cunningly drafted report I have ever seen. In the cases on which the Commission was divided equally—as it did on most of the important findings presented in the report—whoever wrote the report sought to make it appear that the three Commissioners who were in favor of the most vindictive and punitive measures against the white people of the South were the Commission, and that the other three, who also were members of the Commission, were just some outsiders who interposed a little objection.

Mr. TALMADGE. My colleague is entirely correct.

Mr. RUSSELL. The report is the most amazing demonstration of the use of words to obscure what really took place that I have ever seen.

Mr. TALMADGE. I agree wholeheartedly with my distinguished senior colleague.

Mr. RUSSELL. Anyone who reads the report would think, as he reads the parts of the report in which some very violent recommendations are made, recommendations on which the committee members were divided 3 to 3, that the three members who stood in favor of the most drastic measures to destroy the rights of the States and the social order of the South were—and that only they were—the legitimate, recognized members of the Commission, and that the three members who stood, in the old-fashioned way, for maintenance of the Constitution of the United States were, in some way, interlopers.

Mr. TALMADGE. I agree entirely with the conclusions of my senior colleague from Georgia.

As he knows, if any legislative group is divided equally—no matter whether it is divided 3 to 3, 6 to 6, or 50 to 50—no action is taken. So I seriously doubt that the Commission had any right to take the action it took in issuing the report, when a majority of the Commission could not be obtained to support the ideas or the proposals of some.

Mr. RUSSELL. That is entirely true of this Commission; and that goes to show how cunningly devised are the recommendations contained in the report.

Mr. TALMADGE. Mr. Tiffany did that very skillfully, as my colleague has said.

Mr. RUSSELL. Is it not also interesting to note that although the Commission's staff obviously went to very great lengths in their attempts to obtain complaints on which the Commission could act—traveling here and there and "beating the bushes" in their efforts to obtain large numbers of complaints—only 974 complaints have been filed with the Commission thus far?

Mr. TALMADGE. Yes; 974 complaints were the most they could obtain, despite the most valiant efforts they could contrive.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield to me for a question?

Mr. TALMADGE. I am glad to yield to my distinguished friend, the Senator from North Carolina.

Mr. ERVIN. Is not the report tantamount to an attempt to make it appear that the jury reached a unanimous verdict, whereas, in truth and in fact, the jury was deadlocked, three to three?

Mr. TALMADGE. The Senator from North Carolina, distinguished jurist that he is, is entirely correct; and he knows, too, that when a jury is equally divided, the jury should be discharged—which is exactly what should be done with the Civil Rights Commission.

Mr. THURMOND. Mr. President, will the Senator from Georgia yield to me?

Mr. TALMADGE. I yield to my friend, the Senator from South Carolina.

Mr. THURMOND. I wish to commend the Senator from Georgia for the outstandingly able address he is delivering.

Mr. TALMADGE. I thank the Senator from South Carolina. Let me say that it was a pleasure to me to listen, a few minutes ago, to the admirable address he delivered. I believe he devastatingly pointed out the fallacies in the arguments made by some of our friends who come from other States, and who, although they do not have the answers to the serious problems which exist in their own States, pretend that they know the answers to the problems of the entire Nation.

Mr. THURMOND. Certainly that is the case.

I ask the Senator from Georgia whether it is true that the Civil Rights Act of 1957 dealt only with voting, and not with other fields?

Mr. TALMADGE. That is entirely my recollection.

Mr. THURMOND. But has not the Commission done now what the distinguished Senator from Georgia and I and others predicted it would do—namely, gone into the field of racial tensions, and come out with a report which is very warped, very integrationist, very anti-South, and certainly very un-American?

Mr. TALMADGE. The Senator from South Carolina is correct. The Commission has tried to set itself up as the final arbiter of voting, education, and housing, and is making recommendations that the executive branch of the Government do by Executive order that which Congress has no authority to do.

Mr. THURMOND. And was not one of the arguments that was made in favor of the establishment of the Commission that it would be in operation for a period of only 2 years, and then would end? But in this case has not the same thing happened that happens whenever a Federal agency is created for a brief time, namely, it finally becomes, or endeavors to become, a permanent agency?

If we extend the life of this agency, is it not likely that there will be a desire on the part of some to extend it further, and eventually to make it a permanent agency?

Mr. TALMADGE. That is entirely correct. I do not recall any Federal agency that ever was created that did not seek to be extended again and again, and forever, and did not want more funds, more authority, and more personnel. That is exactly what this agency is requesting.

Mr. THURMOND. This agency is requesting half a million dollars a year, is it not?

Mr. TALMADGE. Yes, in fact, in excess of half a million dollars a year.

Mr. THURMOND. Did not the Senator from Georgia say that in today's newspapers there appears an article by one member of the Commission's staff

who advocates that the Commission be allotted double that amount, so it can go further into these questions and these issues, with the result of creating racial tensions and racial hatreds?

Mr. TALMADGE. That is correct.

In fact, if the proposed extension is permitted, it will not be very long before the Commission will even try to delve into family units, in an attempt to determine whether the mother and the father of the children discriminate against the children. That is the ultimate goal of every arbiter of human relations—to regulate the family.

Mr. THURMOND. I wish to congratulate the Senator.

Mr. TALMADGE. I thank my distinguished friend from South Carolina.

In order that all might be familiar with these alarming recommendations, Mr. President, I ask unanimous consent that they—as contained in the publication "Excerpts From Report of the U.S. Commission on Civil Rights"—be printed herewith in the RECORD as a portion of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Therefore, the Commission recommends that the Bureau of the Census be authorized and directed to undertake, in connection with the census of 1960 or at the earliest possible time thereafter, a nationwide and territorial compilation of registration and voting statistics which shall include a count of individuals by race, color, and national origin who are registered, and a determination of the extent to which such individuals have voted since the prior decennial census.

Therefore, the Commission recommends that the Congress require that all State and territorial registration and voting records shall be public records and must be preserved for a period of 5 years, during which time they shall be subject to public inspection, provided that all care be taken to preserve the secrecy of the ballot.

Therefore, the Commission recommends that part IV of the Civil Rights Act of 1957 (42 U.S.C. 1971) shall be amended by insertion of the following paragraph after the first paragraph in section 1971(b):

"Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate or Commissioner for the territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

Therefore, the Commission recommends that in case of contumacy or refusal to obey a subpena issued by the Commission on Civil Rights (under sec. 105(f) of the Civil Rights Act of 1957) for the attendance and testimony of witnesess or the production of written or other matter, the Commission should be empowered to apply directly to the appropriate U.S. district court for an order enforcing such subpena.

Therefore, it is recommended that, upon receipt by the President of the United States of sworn affidavits by nine or more individuals from any district, county, parish, or other recognized political subdivision of a State, alleging that the affiants have unsuccessfully attempted to register with the duly constituted State registration office, and that the affiants believe themselves qualified under State law to be electors, but have been denied the right to register because of race, color, religion, or national origin, the President shall refer such affidavits to the Commission on Civil Rights, if extended.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

Therefore, the Commission recommends:

1(a) That the President propose and the Congress enact legislation to authorize the Commission on Civil Rights, if extended, to serve as a clearing house to collect and make available to States and to local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof.

1(b) That the Commission on Civil Rights be authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements and local conditions; and to mediate and conciliate, upon request, disputes as to proposed plans and their implementation.

Therefore, the Commission recommends: That the Office of Education of the Department of Health, Education, and Welfare, in cooperation with the Bureau of the Census of the Department of Commerce, conduct an annual school census that will show the number and race of all students enrolled in all public educational institutions in the United States, and compile such data by States, by school districts, and by individual institutions of higher education within each State. Further, that initially this data be collected at the time of the taking of the next decennial census, and thereafter from official State sources insofar as possible.

More than $2 billion a year of Federal funds go for educational purposes and to educational institutions. The principal recipients of these funds are the Nation's colleges, universities, and other institutions of higher education. Whether tax-supported or privately financed, they receive Federal grants and loans both for their general support and capital improvements as well as for research projects, special programs, and institutes.

The Commission recommends that an appropriate biracial committee or commission on housing be established in all cities and States with substantial nonwhite populations. Such agencies should be empowered to study racial problems in housing, receive and investigate complaints alleging discrimination, attempt to solve problems through mediation and conciliation, and consider whether these agencies should be strengthened by the enactment of legislation for equal opportunity in areas of housing deemed advisable.

That the President issue an Executive order stating the constitutional objective of equal opportunity in housing, directing all Federal agencies to shape their policies and practices to make the maximum contribution to the achievement of this goal, and requesting the Commission on Civil Rights, if extended, to continue to study and appraise the policies of Federal housing agencies, to prepare and propose plans to bring about the end of discrimination in all federally assisted housing, and to make appropriate recommendations.

That the Administrator of the Housing and Home Finance Agency give high priority to the problem of gearing the policies and the operations of his constituent housing agencies to the attainment of equal opportunity in housing.

Therefore, the Commission recommends that, in support of State and city laws the Federal Housing Administration and the Veterans' Administration should strengthen their present agreements with States and cities having laws against discrimination in housing by requiring that builders subject to these laws who desire the benefits of Federal mortgage insurance and loan guarantee programs agree in writing that they will abide by such laws. FHA and VA should establish their own factfinding machinery to determine whether such builders are violating State and city laws, and, if it is found that they are, immediate steps should be taken to withdraw Federal benefits from them, pending final action by the appropriate State agency or court.

Therefore, the Commission recommends that the Public Housing Administration take affirmative action to encourage the selection of sites on open land in good areas outside the present centers of racial concentration. PHA should put the local housing authorities on notice that their proposals will be evaluated in this light. PHA should further encourage the construction of smaller projects that fit better into residential neighborhoods rather than large developments of tall high rise apartments that set a special group apart in a community of its own.

Therefore, the Commission recommends that the Urban Renewal Administration take positive steps to assure that in the preparation of overall community workable programs for urban renewal, spokesmen for minority groups are in fact included among the required citizens participation.

Mr. TALMADGE. Mr. President, I reiterate my previously stated conviction that the kindest thing Congress could do with this Commission would be to allow it to be interred in history at the time contemplated by the act which created it. To allow it to expire as scheduled not only would relieve both the Federal Treasury and the Federal Judiciary of not-inconsiderable burdens, but also would rid our country of a divisive influence at a time when our greatest national need is for unity among all Americans of all races, all faiths, and all places of residence.

Mr. President, another Georgian in another day also was confronted with a so-called civil rights bill while serving in Congress. He was Alexander H. Stephens—the Vice President of the Confederacy and one of the most brilliant men of our history.

Although he was known affectionately to his fellow Georgians as Little Alex, he was an intellectual giant. The account of his opposition to the measure which radicals attempted to force through Congress following the War Between the States is one of great interest in the light of its parallel to present-day events.

The book, "Life of Alexander H. Stephens," gives this direct quotation from Mr. Stephens' address before the House of Representatives:

Interference by the Federal Government, even if the power were clear and indisputable, would be against the very genius concept of our whole system. If there is one truth which stands out prominent above all others in the history of these States, it is that the germinal and seminal principle of American constitutional liberty is the absolute, unrestricted right of State self-govern-

ment in all purely internal municipal affairs. The first Union of the Colonies, from which sprung the Union of the States, was by joint action to secure this right of local self-government for each. It was when the chartered rights of Massachusetts were violated by a British Parliament, the cry first went up from Virginia, "The cause of Boston is the cause of us all." This led to the declaration and establishment of the independence not of the whole people of the united Colonies as one mass, but of the independence of each of the Original Thirteen Colonies, then declared by themselves to be, and afterward acknowledged by all foreign powers to be, 13 separate and distinct States.

It is not my purpose at this time even to touch upon any of the issues involved in the late war, or the chief proximate cause which led to it, or upon whom devolves the responsibility of its direful consequences. But, taking it for granted that the chief proximate cause was the status of the African race in the Southern States, as set forth in the decision of the Supreme Court to which I have first referred, suffice it to say on this occasion that that cause is now forever removed. This thorn in the flesh, so long the cause of irritation between the States, is now out for all time to come. And since the passions and prejudices which attended the conflict are fast subsiding and passing away, the period has now come for the descendants to return to the original principles of their fathers, with the hopeful prospect of a higher and brighter career in the future than any heretofore achieved in the past. On such return depends, in my judgment, not only the liberties of the white and colored races of this continent, but the best hopes of mankind. And if any breach has been made in any of the walls of the Constitution, in the terrible shock it received in the late and most lamentable conflict of arms, let it be repaired by appeals to the forums of reason and justice, wherein, after all, rest the surest hopes of all true progress in human civilization. If, "in moments of error or alarm" we have "wandered" in any degree from the true principles on which all our institutions were founded, in the language of Mr. Jefferson, "let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty and safety."

* * * * *

In the workings of our complex system under our Federal Republic, each State is a distinct political organism, retaining in itself all the vital powers of individual State government and development; while to all the States, in joint Congress assembled, are delegated the exercise of such powers, and such only, as relate to extra-State and foreign affairs. The States are each perfect political organisms, with all the functions of perfect government in themselves, respectively, on all matters over which they have not assigned jurisdiction to the Federal head, or on which they have not restrained themselves by joint covenant in mutual prohibitions upon themselves. Under this system, adhered to, no danger need be apprehended from any extent to which the limits of our boundary may go, or to any extent to which the number of States may swell. For the maintenance of this model and most wonderful system of government, in its original purity and integrity, every well-wisher of his country should put forth his utmost effort. No better time for an effort on this line than now, right here in this House.

Let us not do, by passage of this bill, what our highest judicial tribunal has said we have no rightful power to do. If you who call yourselves Republicans shall, in obedience to what you consider a party behest, pass it in the vain expectation that the Republican principles of the old and true Jeffersonian school are dead, be assured you are indulging a fateful delusion. The old Jeffersonian, Democratic, Republican principles are not dead, and will never die so long as a true devotee of liberty lives. They may be buried for a period, as Magna Carta was trodden underfoot in England for more than half a century; but these principles will come up with renewed energy, as did those of Magna Carta, and that, too, at no distant day. Old Jeffersonian, Democratic, Republican principles dead, indeed. When the tides of ocean cease to ebb and flow, when the winds of Heaven are hushed into perpetual silence, when the clouds no longer thunder, when earth's electric bolts are no longer felt or heard, when her internal fires go out, then, and not before, will these principles cease to live—then, and not before, will these principles cease to animate and move the liberty-loving masses of this country.

Mr. President, there is nothing which I might say which can add to the eloquence or eternal truth of those words of a great Georgian and a great American—a man who was above rancor and who could rise from the depth of defeat to plead on the floor of the lower House of this Congress for the preservation of the principles of constitutional Government and human freedom upon which our Nation was founded and survived even the divisive bitterness of fracticidal conflict.

Although almost a century has elapsed since "Little Alex" Stephens uttered those immortal words, they are even truer and more urgent today than then. He spoke the language of Georgians in 1874 and his words speak the language of Georgians today.

I can think of no better way in which to summarize the point I have been endeavoring to make to this Senate than by reiterating and endorsing his plea that—

> The period has now come for the descendants to return to the original principles of their fathers, with the hopeful prospect of a higher and brighter career in the future than any heretofore achieved in the past. On such return depends, in my judgment, not only the liberties of the white and colored races on this continent, but the best hopes of mankind. And if any breach has been made in any of the walls of the Constitution let it be repaired by appeals to the forums of reason and justice, wherein, after all, rest the surest hopes of all true progress in human civilization. If, "in moments of error or alarm," we have "wandered" in any degree from the true principles on which all our institutions were founded, in the language of Mr. Jefferson, "let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I wish to commend very heartily the splendid address made by the Senator from Georgia, a man who gives great thought and consideration to the subject and who speaks with great earnestness and practicality in regard to this very important subject.

Mr. President, with reference to the motion to sustain the rules on the question of the extension of the so-called Civil Rights Commission, I think for several reasons it is very unfortunate that this matter is presented to the Senate in this way and at this time.

Mr. President, the report of the Commission has been published only since last Monday, 1 short week ago. During that time Senators have been in sessions of the Senate day and night, 6 days a week.

This is a very voluminous report, of more than 653 pages. The condensation thereof itself is almost 200 pages long.

There has not been a chance, in this very brief time, for anyone to really have any opportunity to make any reasonable study of the major points involved. This is particularly true when one considers that the Commissioners themselves are divided three ways on every single major recommendation which is made.

Mr. President, it is certainly not in keeping with the sound legislative practices to bring before the Senate in the last days of the session, when there is an appropriation bill pending, a motion to suspend the rules in an effort to tack onto an appropriation bill the creation of or the extension of a legislative commission. That is contrary to all known sound rules of legislative integrity. So far as I know, it is simply not done unless it be a matter of very, very minor importance, almost insignificant, or something which is an extraordinary emergency.

The third point is the relatively large amount of money which has been expended by the Commission in such a short time. Certainly this has not been pursued or analyzed nor studied with the customary efficiency and completeness usual in regard to matters which come before this body.

I was amazed, Mr. President, to find that the Commission now has 67 employees, and large monthly expenses. For instance, in July the expenditures were some $70,000. In addition to the regular staff of 67 employees, there are listed on page 789 of the Senate hearings some 20 consultants who are paid at the rate of $50 a day.

I make no reference except one of commendation for these consultants. I do not know who they are. I assume they are people of character, integrity and ability. The very idea of having 20-odd consultants, who are paid at the rate of $50 a day, with reference to the relatively slight and not involved investigation made by this group, certainly is a flag, on its face. It should cause the Senate, the legislative body, to move with caution and restraint and certainly to make a complete analysis.

Mr. President, with reference to the report itself, one of the most accurate descriptions made was made by Commissioner John S. Battle, a distinguished citizen and former Governor of the sovereign State of Virginia.

In the report itself Governor Battle had this to say:

> In my judgment it is not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of racial relations.

I do not believe that in all my public life I have read words like that from a fine, intelligent public servant such as Governor Battle, a member of the Commission which had been considering the subject matter and was filing a report. I am sure I have never heard such an accusation and charge, when he said that in his judgment, the statements in the report were not impartial factual statements, but an argument in advocacy of preconceived ideas.

When we run through the pages of the report, we find that that is certainly a sound and accurate analysis of the trend with reference to the entire subject matter. That is emphasized by the fact, too, that the Commissioners were unable to agree upon the major points reflected in the report, even though there is some clever writing which tends to show almost a unanimity on certain points.

The length of the report and the many immaterial and misleading arguments on race relations advanced therein make it apparent that no Member of the Congress has had any real opportunity to study the full report and obtain anything worthwhile from it.

I have had an opportunity to carefully review the references to my home State of Mississippi made in the report and have found them to be highly inaccurate and misleading and a prejudiced attempt to wrongly indict the people of my State. Only one side of the story has been told and that side is completely unverified. I shall not undertake to mention the many instances in which the report is completely inaccurate, both in direct fact and implications. I will mention, however, the statements made on page 59 where it is stated that Negro residents applying for registration to vote were given application blanks by the registrar and were directed to write a section of the constitution of Mississippi, giving a reasonable interpretation of the section which they had written.

The implication, of course, is made that this standard is applied only to Negro residents. In truth and in fact, any applicant for registration to vote, whether he be a member of the white race or the Negro race, is required to prepare an application, in his own handwriting. This is uniformly applied in Mississippi. The application is required by section 244 of the Mississippi constitution and is a very simple one. Generally, the applicant gives only the date of the application, his full name, age, and date of birth, occupation, place of business, name of employer, information concerning length and place of residence, and convictions of crime. Then the applicant is requested to write and copy a section of the Mississippi constitution, designated by the registrar and is instructed to write a reasonable interpretation of that section.

There is nothing unusual in any of these requirements and the Supreme Court of the United States has upheld that similar requirements in other States are reasonable and proper.

Written applications for registration are also required in Maine, Virginia, Louisiana, Alabama, and South Carolina. The ability to read and write must be demonstrated in New York, Oregon, Georgia, and North Carolina. In Alaska, Arizona, California, Connecticut, Delaware, Massachusetts, New Hampshire, Washington, and Wyoming, an applicant must be able to read any section of his State constitution.

Mississippi is not unusual in this respect since it is apparent that any applicant must satisfy similar requirements in other States.

Mr. President, this information is not new. It was available to the Congress several years ago. In fact, several witnesses testified to this effect before the House and Senate subcommittees considering civil rights legislation in 1957.

What useful purpose, then, has the Commission served in this regard? The answer is obvious. None.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I congratulate my friend on the able speech he is making. I ask the distinguished Senator from Mississippi if he has read the so-called constitutional amendment which the Commission recommended be adopted for the registration of voters in all the States of the Union?

Mr. STENNIS. Yes. I carefully read the proposed constitutional amendment.

Mr. TALMADGE. The distinguished Senator is a former judge, and a good one. I hope one of these days his outstanding talents will be recognized and that he will grace the U.S. Supreme Court bench.

Is it not true that under the constitutional amendment which has been recommended, if the Congress were to submit it and the States were to ratify it, lunatics, imbeciles, and insane people would be permitted to vote?

Mr. STENNIS. The Senator is correct. That is an illustration of the looseness with which it is drawn, and, with all respect, the lack of knowledge on the part of those who proposed it.

Mr. TALMADGE. Is it not also true that if someone were in the penitentiary for murder or treason, awaiting execution at a particular date and hour, and if he were able to break out of the penitentiary on election day and find his way to the polls, he would be entitled to vote under the proposed constitutional amendment?

Mr. STENNIS. That would be the solemn law of the land, enacted by two-thirds of the Members of the Congress and ratified by three-fourths of the States.

Mr. TALMADGE. I thank the Senator.

Mr. STENNIS. I thank the Senator for his contribution.

Continuing with reference to the written application——

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. LANGER. A moment ago the Senator mentioned a number of consultants who receive $50 a day. I did not catch the number.

Mr. STENNIS. It is either 19 or 20. They are listed on page 786 of the hearings before the Senate Appropriations Committee.

Mr. LANGER. Does that include expenses as well?

Mr. RUSSELL. Mr. President, if the Senator from Mississippi will yield, I am glad the Senator from North Dakota asked that question. I was about to ask the Senator from Mississippi to point out the $50 a day was only a part of the expense.

One of the consultants consulted for 140 days, at $50 a day. He received $7,100, and $1,141.44 for transportation, to come in and out to do his consulting. He received $358.48 for other expenses. His per diem remuneration, on top of the $50 a day, was $1,542. So he received about half as much again, in addition to the $50 a day, as expenses.

Mr. LANGER. What other employees are there besides the 20 consultants?

Mr. STENNIS. Sixty-seven. As of July the number of employees was 67, and the monthly expenses were about $70,000.

Mr. LANGER. As I recall, when this matter came before the Subcommittee of the Judiciary Committee the report was not even ready.

Mr. STENNIS. I believe the Senator is correct. All the facts and figures are set out beginning at page 786 of the Senate Appropriations Committee hearings, and extending to page 791.

Mr. LANGER. The Senator from Missouri [Mr. HENNINGS] was chairman of the subcommittee which reported the bill to extend the life of the Commission.

Mr. STENNIS. Yes.

Mr. LANGER. At that time we could not get the report.

Mr. STENNIS. That is true. I thank the Senator for his questions and for his interest.

Mr. LANGER. Is there a limit on the number of consultants that can be employed?

Mr. STENNIS. It seems that the Commission has authority to employ the consultants it has employed. That is what was claimed in the hearings. I have not had time to check back to see whether that is correct or not.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. RUSSELL. So far as I know, there is no limit, except in the appropriation.

Mr. LANGER. I understand that, in addition, in every State in the Union there is a civil rights commission. In my State there are six or eight members.

Mr. STENNIS. That is true.

Mr. LANGER. Are they paid their expenses? What is the provision with respect to them?

Mr. RUSSELL. I cannot answer the question.

Mr. STENNIS. I am sorry that I cannot answer the Senator's question. They are termed advisory commissions, but I

am not certain whether there is compensation.

Mr. RUSSELL. I do not believe they receive compensation, but I assume that their expenses are paid when they meet.

Mr. STENNIS. Probably so.

If carried out, the proposals in the report of the Commission would effectively destroy the relationship between the States and the Federal Government in the field of suffrage, even providing for registration of voters by Federal officials in some instances. The Federal Government would assume virtually complete control in the field of education. And further, there would be complete Federal control over all housing for which any Federal funds have been used in any way in years past, as well as in the future.

The only step remaining to assure complete federalization of the Nation would be enactment of a FEPC bill to bring all employment under Federal control.

In education, the role of the Federal Government has been one of leadership and assistance, with some financial aid in limited fields. As outstanding examples, we can point with pride to our land-grant colleges, our extension service and vocational education, as well as grants for research.

Yet the Commission recommends that we reverse completely this role of leadership and assistance to one of bribery, coercion and punishment, resulting in the absolute destruction of these worthy programs. Coercion in the field of education has never been—and I trust it never shall be—the policy of the Congress.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. As an eminent lawyer, I know that the distinguished Senator from Mississippi has been greatly impressed by the paradox which is presented by the report. What the authors of the report say is that under the 14th amendment everyone is entitled to equality. The 14th amendment does not mention color, race or creed; it mentions only citizens of the United States. It is said that States might discriminate against a citizen—and of course the question "What is discrimination?" is really the crux of the whole matter—by not permitting Negro children to go to school with the whites, and that if that happens in a State, there should be denied to all children, both white and black, any assistance from the Federal Government, and all schools should be closed down. It is a form of educational genocide they would wage against particular States. In my opinion, the equality they would provide is the greatest inequality that has ever been seen in the several States of the Union. It is the most vicious and vindictive proposal that has ever been made.

So far as I know, neither Thad Stevens nor Sumner, or any of the others who waved the red shirt in the days of reconstruction, ever advocated taking away from dependent children allowances they might get in one State because the State government would not adopt the policies of Myrdal; neither did they advocate the taking away from old people their old age assistance payments which they receive from the Federal Government because the State would not accede to the demands of the social reforms these people say should be instituted. That is what some of the consultants have been advocating for a long time.

In my opinion, if the life of the Commission is extended, we will find that these people will then advocate, as these consultants have advocated in other reports, that the Southern States be placed outside the pale of the law. As a matter of fact, some of these people, if they had their way, would declare an open season on every person in the South who does not accept their ideas in any manner that they might desire. That is what they would advocate unless the people accepted the notions of these advocates as to the social order that should be adopted.

Mr. STENNIS. I thank the Senator from Georgia. He has pointed out clearly and vividly more than one of the major faults in the recommendation, and has applied his practical common sense to show how far it would go.

Another point the Senator has made is that the report in a great measure reflects the preconceived ideas of some of these consultants—ideas which have been rejected by the American people over a period of years. I now yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I call the Senator's attention to a report which some people say is a factual report. Certain statements in it show that the members of the Commission, or at least the staff members, have not read the report.

On page 302 of the unabridged edition of the report it mentions the fact that the North Carolina Legislature adopted a statute allowing the school boards the discretion to assign pupils to schools, and it says in the fourth paragraph on that page:

> So far as the Commission has been able to ascertain, the school boards of North Carolina unanimously exercised this discretion by assigning all white students to white schools and all Negro students to Negro schools.

On pages 224, 225, 226, and 227 of the report, it is pointed out that in certain cities of North Carolina, including Charlotte, Winston-Salem, and Greensboro, the school boards had assigned some Negro children to previously white schools. So the report contains absolutely contradictory statements concerning the same matters insofar as North Carolina is concerned. As to what extent there may be contradictory statements of facts in other parts of the report I have not been able to determine.

Mr. STENNIS. I thank the Senator, and it is a striking illustration of the many instances where, when put under the microscope of analysis, this report will not stand up and is erroneous and misleading. I have not had a chance to look into that part pertaining to the Senator's State.

Mr. ERVIN. So the report says at one place there is absolutely no integration in North Carolina schools, and in another place that there has been some integration in North Carolina. This being true, the report permits anyone who has certain ideas on this subject to find in it what he wants to find.

It reminds one of the schoolteacher who applied for a job teaching geography back in the days when people argued whether the earth was round or flat. The school board asked the applicant what he taught on that subject whether he taught that the earth was flat or round. He replied: "I will leave that to the school board. I teach either system." [Laughter.]

So we can find in the report two diametrically opposite statements concerning my State of North Carolina.

Mr. STENNIS. I thank the Senator.

Mr. President, the most shocking recommendation of all of those made by the Commission is the proposal to authorize Federal officers to act as temporary registrars in a State and to permit them to administer the oath of registration to applicants. This proposal is so ridiculous that certainly it will not be seriously considered now or at any other time by Congress. The qualifications of persons to vote are matters clearly reserved to each State under the Constitution. If this proposal is carried out, it would effectively destroy the relationship between the States and the Federal Government relating to suffrage. It would displace local officials elected by the voters of their respective counties and in effect replace these locally elected officers with persons appointed by Federal officials with no responsibility at all so far as the local level is concerned.

Mr. President, I wish to pass on and mention a subject matter of great concern to me, and that is our schools.

We read reports that schools are deteriorating in other areas of the Nation. I can continue to point with pride to the real progress that we are making in Mississippi, both in the enrichment of our school program and in the construction of necessary classrooms. Although Mississippi is a relatively poor State financially, we believe in the real merit of investment in educational opportunity. Since 1957 alone we have completed or now have under contract a total of 276 school buildings. Of this number 177 are for the use by members of the Negro race.

Of course these are the most modern and advanced facilities and include not only adequate classrooms but also necessary auditoriums, gymnasiums, cafeterias, science, libraries, clinics, homemaking rooms, shops, and other facilities.

Mr. President, I wish to point out two striking illustrations here that were reported in the daily press by the United Press International, and I am reading a news item from Jackson, Miss., dated September 7, 1959. It concerns a colored

man in my State who once applied to enter the University of Mississippi. His qualifications were found to be adequate to meet the test of entrance there, but he later moved to California. Not long ago he wrote a letter from Los Angeles and gave it to the press.

Mr. President, I ask unanimous consent that an article entitled "Clennon King Tells Regrets—Negro Who Tried Entry at Ole Miss Is Bitter at California," published in the Memphis Commercial Appeal of September 8, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CLENNON KING TELLS REGRETS—NEGRO WHO TRIED ENTRY AT OLE MISS IS BITTER AT CALIFORNIA

JACKSON, MISS., September 7.—Negro Clennon King said in a letter received here Monday that racial conditions he found in California made him regret that "I deliberately antagonized Mississippians" by trying to integrate the University of Mississippi.

King moved to Los Angeles from Gulfport, Miss., last year after failing in a try to enroll at the all-white university.

The former professor and minister sent a letter from Los Angeles to Editor Hodding Carter of Greenville, Miss., and mailed a copy of it to United Press International here. In it, King said his family moved to California because many Negroes considered it a new and better place to live.

FAR MORE OMINOUS

"But what I have found makes me sorry, in a way, that I deliberately antagonized Mississippians as I did, for Negro Mississippians' racial concerns are more basic than school integration," King said.

"The California type containment of the Negro is far more ominous than that of Mississippi because it is so much more efficient and professional and consequently that much more to be hated," said King.

"My brief experience in Mississippi soundly taught me one thing, that despite all the hullabaloo there is far more genuine bilateral concurrence there (in Mississippi) than the current racial propaganda admits."

King said Los Angeles has the highest per capita rate of major crime in the Nation and he said most of it is committed by Negroes. But he said "unfavorable racial matters and disliked racial thinking are made hush-hush" in California while "soiled reports from the South get predominant top billing."

HYPOCRISY SCORED

"My resented observation is the hypocrisy," said King. "How, for instance, the excessive crime figures of 'liberal and progressive' California compare with those of 'reactionary and backward' Mississippi.

"Even among my own people the Mississippi figures don't come anywhere near those here (in California). Yet there is no national nor international alarmed concern. One's calling attention to such things, when the North is again forcibly converting the South to its way of handling Negro affairs, is considered out of place by gullible Negroes and white liberals."

Mr. STENNIS. Mr. President, the substance of the letter is that, even though Mr. King found the laws of California to read more favorably to him than he thought the situation was in Mississippi, in reality they did not operate in that way. I say that with no discredit to California, but simply to offset many of the news items which appear in the American press, which are always holding up the thought, and are stating it as a fact, of the arbitrary discrimination against and mistreatment of those who are of the colored race.

Mr. President, I have another item in the field of education. This item was published as a United Press dispatch from Des Moines, Iowa. It is dated 2 years ago. The article is entitled "Negro Professor Says Pressure Is Worse in North." It reads:

DES MOINES, IOWA.—A Negro educator predicted Negroes will be happier "anywhere in the South" than in cities of the North within 15 years.

Dr. Alvin D. Loving, 49, Flint, Mich., said "the southern white knows the Negro's potential. In the North this is not always so."

Loving is an associate professor at Flint College of the University of Michigan. He spoke here at a number of observances of Brotherhood Week.

Loving said racial pressures of the North are centered in the suburbs, where minority groups are excluded under gentlemen's agreements.

"I would advise you not to be concerned so much about what is happening in the South as what is not happening in the North," Loving said.

He also said the racial situation in the South "would get worse before it gets better."

Mr. President, I call attention to statements like that, and emphasize them, not to discredit any State or any city or even the efforts of the fine people in the communities, but to offset the constant stream of stories and misinformation which are highly misleading with reference to conditions in our Southland, against which the Commission's report is primarily directed.

By contrast, I call attention to an educational institution in my State. A report was made to a meeting of Methodists in Dallas, Tex., last week, by the Honorable O. B. Triplett, an attorney of Forest, Miss. I know Mr. Triplett. He is a lawyer, a fine, upright gentleman, a graduate of Yale University Law School, and one of the foremost citizens in the entire country in laymen's work in the Methodist Church. He tells the true story of his home town.

Mr. President, I ask unanimous consent that the entire article, which includes Mr. Triplett's statement, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Jackson (Miss.) State Times, Sept. 9, 1959]

THE HAWKINS SCHOOL STORY SHOULD BE TOLD

(By Oliver Emmerich)

People of America who are searching for an example of racial harmony can turn to Forest, Miss. There to be observed is the case of E. T. Hawkins High School.

The E. T. Hawkins High School, built for Negro children, is the best school, white or black, in Scott County. This is what people in Scott County say about it.

O. B. Triplett, attorney of Forest, told the story of his Mississippi school to a meeting of Methodists in Dallas last week. Below we quote directly from Mr. Triplett's remarks.

"We have had as our Negro school superintendent for 26 years, Prof. E. T. Hawkins, who holds a master of arts degree from the University of Minnesota.

"His school plant was built before 1954 and his people named it in his honor—E. T. Hawkins High School. The vocational department of his school, in contests sponsored by the New Farmers of America, represented the State in the national contests 10 out of the 15 years vocational training has been taught in the school, and won first place in numerous events.

"Three times their school competed in public speaking on the national level, receiving one third-place award. They have also won first honors in choral music in State contests.

"For 15 years their football team, three times State Champion, never finished lower than third place in competition with other schools in the State. Their basketball teams won 10 State championships.

"The record of this school has been so outstanding that on an occasion when their high school chorus presented a chapel program at our white school, the white students without prompting, rose to applaud in appreciation of a fine performance.

"It is little wonder that in celebration of this 25th year as superintendent of our Negro school, an entire issue of our weekly newspaper was devoted to Professor E. T. Hawkins and his school, an honor never received by any white person. Among thoughtful people in both races, he is regarded as Forest's most indispensable citizen.

"Could anyone for a moment think that the students at E. T. Hawkins High School are put to a psychological disadvantage by having their own separate school? I asked Professor Hawkins, who is a leading Negro educator in our State, what percentage of the Negroes in his school district was opposed to integration. His reply was, 'At least 99 percent'—and, he added, 'This is true all over the State.'

"Our population is almost equally divided between the two races and we have found that the policy of separate but equal opportunities fits the conditions under which we live and commends itself to the reason and conscience of good men of both races.

"Men of good will, of course, recognize and deplore the injustices of discrimination; and we freely acknowledge that forced segregation has often worked hardships due to our failure many times in the past to furnish equal educational opportunities.

"But forced integration will work a hardship on many more people of both races."

The E. T. Hawkins school was built in 1953. It burned to the ground in 1957. The following day an architect was given orders to immediately make plans for a new school. A spokesman for the Mississippi State Department of Education says that the Hawkins school was rebuilt faster than any other Mississippi school on record.

A significant fact about Mr. Triplett's interest in this field is that he is scheduled to be in New York City on September 22 to appear before the executive committee of the general board of education of the Methodist Church. His purpose is to plead with the committee to adopt the policy of presenting in an atmosphere of freedom and Christian thinking both sides of the segregation controversy in Methodist literature. Several prominent Methodists of the higher echelon have agreed to join him in this plea. Dr. Henry Bullock, editor in chief of Methodist publications, has advised Mr. Triplett that he will be in New York and that he will make this recommendation.

The Methodist Church is a farflung, worldwide Christian organization. It is right and proper that it should be willing to present both sides of this controversial subject. It is significant that a number of Methodist leaders have joined in this effort.

The public in general and Methodists in particular, will be interested in the outcome of the September 22 meeting of the executive committee of the general board of education of Methodists. This problem is too

far reaching and too significant to limit the publication of only one side of this globe-shaking controversy.

Mr. STENNIS. Mr. President, there is the testimony of two outstanding citizens of this little city, who have lived side by side for 25 years. They have worked in harness, morning, noon, and night, for the betterment and benefit of all the people of that community, and have re-received national recognition for the school to which Mr. Triplett refers as the Hawkins High School. That is not an institution which is supported by outside aid. It is not supported by the church. It is not supported by a philanthropic association of any kind. It is simply one of the many public schools in my State which can boast of such records as that.

I shall refer to a few more items pertaining to my State which bring out facts altogether different from those which are represented by the report of the Civil Rights Commission. In my opinion, speaking as one in public life, the certain way to stir up and destroy the relations which Mr. Triplett mentions; the certain way to stop this progress and cooperation, is to try to force those schools to coalesce or go together. That is just as true as that night follows day. It is true now and will be true in the decades to come.

I point out with pride, and I hope with modesty, that I believe my State, numbers considered, is not exceeded by any State in the Union in what it is doing for its Negro citizens. Mississippi has the highest percentage of colored people of any State in the Nation. At the same time, Mississippi has the lowest crime rate in the Nation. I am referring to the uniform crime rate report for the United States for the calendar year 1958, a report issued annually by the Federal Bureau of Investigation, U.S. Department of Justice. I quote from the figures of the FBI the total offenses on the basis of 100,000 inhabitants.

In Mississippi, the total offenses were 335. That is the second lowest number in the United States. The lowest is for North Dakota, where, for each 100,000 inhabitants, there were 327 total offenses. The report, on page 56, reflects the figures I am giving.

For the Nation, the average number of crimes per 100,000 inhabitants is 897. That means that the average for the Nation is more than 225 percent higher than the average in my State.

I am not boasting about my State having some crime. I am sorry it has any. But on the average, the amount is a little less than 40 percent of the national average. Still, Mississippi is the State having the highest percentage of colored people of any Sate in the Union.

The certain way to destroy all the harmony, peaceful relations, cooperation, and continued existence on the part of the outstanding members of both races, who are willing to try to help the body politic in the community—the certain way to undermine and totally destroy those relations in that effort is to enforce the provisions of the report of the Civil Rights Commission.

Mr. President, I regret very much that it is necessary to call the attention of the Senate to the many vicious slayings and incidents of violence in these large cities. I know that the authorities there are anxious to cope with the situation and find a solution. At the same time, the civil rights of these cities are being violated and ignored every day. If any one of these incidents had occurred in my State, no doubt there would have been an immediate call from some of the race agitators living in these very cities for the paratroopers to be dispatched immediately.

The dispatch of Federal troops, of course, is not the answer to these problems. The Civil Rights Commission has not provided an answer, after 2 years of study and 668 pages of a printed report.

If given another 2 years and another 668 pages, the Commission will not make any useful recommendations, if past experience is any guide. The answer lies in the individual States, with the local people working together in their own way to find a solution.

Mr. President, I want to make it absolutely clear that I am wholly opposed to the extension of the Civil Rights Commission. It is no secret that for many months now members of the Commission have been entirely dissatisfied with the work which was being accomplished by this group and were anxious to resign. They apparently know that no useful purpose is being served by the Commission. It is unreasonable to continue to stir up people of the various States by having the Commission go into these States and hold hearings which will never solve anything. These problems can only be solved by the people directly affected.

I can assure my colleagues that the people of both races in Mississippi are anxious to live together in peace and harmony and want to do so, without outside agitation. Mr. President, some make it appear that the two races are squared off, eternally in opposition to each other.

During the past few years, we have made outstanding progress in the training of our teachers and the construction of school facilities for the children of all races. Everyone is satisfied. As an example, I would like to call the attention of the Senate to an editorial which appeared in the Jackson Daily News on April 26, 1958, which refers to an editorial by Percy Greene, editor of the leading Negro newspaper in Mississippi, the Jackson Advocate. I ask unanimous consent that this editorial be printed in full at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEGRO EDITOR BLASTS NAACP

Percy Greene, editor of the Jackson Advocate, said in an editorial this week that the National Association for the Advancement of Colored People is badly in need of replacement as the leader in promoting the progress of Negro citizens in this country.

Greene, a Negro editor who recognizes the communistic influences which have dominated the NAACP, cites the national Negro crime wave as a challenge to racial leaders to quit demanding and start doing something to uplift the morals of the race.

"The Negro masses are in a psychological turmoil resulting from repeated emphasis on Negro civil rights, with Negroes themselves coming to have less and less respect for the civil rights of others while pressing for their own civil rights" is a sound piece of wording by Greene.

Citing the recent turnabout article by Time magazine on how the Negro crime rate has proven a failure in integration, Greene says that conspiracy of concealment (hiding the facts on crime and other factors) "is one of the evidences of the practice of Negro leaders telling the masses of Negroes what they want to hear rather than tell them the truth." Greene says despite the challenge to perform good for the race, Negro leaders are taking a "more profitable course."

Percy Greene writes as if he knows whereof he speaks.

Mr. STENNIS. Still, Mr. President, we are asked to act on this measure in the dying days of a long session, not to act on the merits of the measure, but to act on it as a rider and an amendment to an appropriation bill.

Mr. President, I can think of nothing in my public life that would do more harm to the great areas of the Nation and not to do good to any, than to try to carry out the recommendations of this Commission. It ought not have the encouragement of having the breath of life blown back into it, after such a record and after such a report, which is contrary to the facts of life and experiences of mankind.

Mr. President, I do not wish to detain the Senate; other Members wish to speak. But I speak with great deference, now, to everyone, both in the Senate and elsewhere. However, all the efforts to reform and do good and bring about idealistic conditions elsewhere in the Nation, by some of our friends from other areas of the Nation, brought very vividly to my mind a speech which I read many years ago. It was delivered by an Indian chief. The short speech he made is contained in a collection of the world's most famous orations, and is to be found in volume 8 of that work, a few pages of which are devoted to orations by North American Indians.

It seems that a missionary by the name of Cram in 1805 made an appeal, in a sermon, to the Council of Chiefs of the Six Nations. The chief who spoke for them later was Red Jacket. He is said to have been born about 1752, and died in 1830. His nation were the Senecas; and his home was near Geneva, N.Y. The name "Red Jacket" came from an embroidered scarlet jacket which had been presented to him by a British officer during the War of the Revolution. Red Jacket saw service on the American side in the War of 1812.

After this sermon, which must have been a powerful one, an appeal to the Indians to desert their concept of the Great Spirit, and worship our God—and that appeal was presented by that very fine missionary—the Indians held council and decided what they should do, and reached their conclusion, and authorized Red Jacket to speak for them.

I shall not read all of his reply, which is 3 pages in length; I shall read only the last, summarizing, as follows:

Brother, we are told that you have been preaching to the white people in this place. These people are our neighbors. We are acquainted with them. We will wait a little while and see what effect your preaching has upon them. If we find that it does them good, makes them honest, and makes them less disposed to cheat Indians, then we will consider again what you have said.

These words came from an Indian who we say was uncivilized, unlettered, untutored, unlearned. He never sat in the Council Halls of this Nation, as we do. But he spoke a great truth, not on racial matters, but on the great, important matters of life, even up into the spiritual realm.

So, Mr. President, with the greatest deference to our friends, let us observe them a while longer—in the East, in the North, in the West, in the South—anywhere. Let us see what the doctrine they preach does in their own areas. Let us have a chance to work along the lines we think are practical and valid—at least for a time; and we will observe their conditions again, and then we will take counsel with them again, to see whether we shall desert our plan and adopt theirs.

Mr. President, I appeal to the second reasoning, the second thought, of the membership of this body. Let us not carry on a thing that in race relations is usually a farce. Instead, let us get back to the fundamentals of life, as mentioned by Red Jacket, and move forward. Let us all move forward together on these racial matters, as they affect education, as they affect suffrage, as they affect other rights. That is the only way progress can be made.

Mr. President, I had told the Senator from Pennsylvania I would be glad to yield to him. However, I believe he has left the Chamber.

Mr. President, I yield the floor.

EXECUTIVE PRIVILEGE

Mr. MONRONEY. Mr. President, on Saturday, during the consideration of the amendment offered by the Senator from Virginia [Mr. ROBERTSON], the senior Senator from Oregon [Mr. MORSE] discussed with his usual thoroughness the constitutional basis of and limitations on executive privilege.

In reviewing his comments, and the background material which he inserted in the RECORD, I felt that it would be helpful to Senators to have additional background material on the specific question involved in the Robertson amendment, that is, the assertion of executive privilege to contravene a specific statutory direction that the information be furnished.

I believe that the most complete analysis of this problem which has been undertaken in the Congress is that made by the Moss Subcommittee on Government Information—at the direction of Chairman WILLIAM L. DAWSON, of the House Committee on Government Operations—in connection with its investigation of the refusal of the Air Force to furnish information to the Comptroller General.

I therefore ask unanimous consent to have printed at this point in the RECORD a number of memoranda from the hearings and report of the Moss subcommittee.

There being no objection, the memoranda were ordered to be printed in the RECORD, as follows:

EXHIBIT IV–A

U.S. GENERAL ACCOUNTING OFFICE,
OFFICE OF GENERAL COUNCIL,
Washington, D.C., November 4, 1958.

MEMORANDUM ON RIGHT OF THE COMPTROLLER GENERAL TO ACCESS TO A REPORT OF THE INSPECTOR GENERAL OF THE AIR FORCE ENTITLED "SURVEY OF MANAGEMENT OF THE BALLISTIC MISSILES PROGRAM"

The basic statutory authority of the Comptroller General for access to records of departments and agencies is set forth in section 313 of the Budget and Accounting Act, 1921 (31 U.S.C. 54). Section 313 provides:

"All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistant or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the revised statutes."

It will be noted that the only exception in section 313 relates to expenditures made under section 291, revised statutes (31 U.S.C. 107), which authorizes the Secretary of State to account for certain confidential expenditures in connection with intercourse or treaties with foreign nations by certificate where, in his judgment, he may think it advisable not to specify the details of such expenditure. Since that is the only exception stated and following the legal maxim that the specific setting forth of one type of exception precludes others from arising, it seems clear that the Comptroller General may require, and the departments are required to furnish, documents, etc., as to any other transaction or activity. Also, the language of section 313 itself (except as to the expenditures under 291 R.S.), in requiring the departments to furnish such information as the Comptroller General "may require of them" and its requirement that he be given access to any documents of the departments, clearly gives him access to all such documentation. If he has access to any document, he has access to all. The legislative background of the Budget and Accounting Act, 1921, makes no qualification as to what records can be required; the provision itself apparently being considered sufficiently specific. The legislative reports do bring out that one of the principal functions of the Comptroller General is to enable the Congress to be kept advised as to expenditures of the Government, and that the Comptroller General is expected to criticize extravagance, duplication, and inefficiency in executive departments. There is no doubt, in passing the act, the Congress did not intend that the executive agencies could, or would, withhold any books, documents, papers, or records needed by the Comptroller General. Otherwise, the very purpose of the act would be nullified.

The authority and duty of the Comptroller General was amplified by section 206 of the Legislative Reorganization Act of 1946 (31 U.S.C. 60), which authorized and directed him to make expenditure analyses of each agency in the executive branch of the Government which "will enable Congress to determine whether public funds have been economically and efficiently administered and expended" and to make reports thereon from time to time to the Committees on Government Operations, and Appropriations and other committees having jurisdiction over legislation relating to the operation of the agencies involved. The work of the Comptroller General, together with the activities of the Committees on Government Operations, were to serve as a check on the economy and efficiency of administrative management. See pages 6 and 7, Senate Report No. 1400 on the Legislative Reorganization Act of 1946.

The Congress has also directed that the Comptroller General in performing his duties give full consideration to the administrative reports and controls of the departments and agencies. The Government Corporation Control Act specifically provides in section 301 (a) (31 U.S.C. 866), "That in making the audits * * * the Comptroller General shall, to the fullest extent deemed by him to be practicable, utilize reports of examination of Government corporations made by a supervising administrative agency pursuant to law." The legislative reports on that act, Senate Report 694, page 10, contains the following significant language:

"The audit provisions are intended to give the Congress the independent audit reports of its agent, the Comptroller General, as to the operations and financial condition of every Government corporation in which the Government has a capital interest. * * * If the audit by the Comptroller General is to be a truly independent audit, he must not be restricted in such a way as to prevent him from examining into and reporting the transactions of any Government corporation to the extent deemed by him to be necessary.

"The Comptroller General has stated that in making his audits he will give full consideration to the effectiveness of the existing systems of internal accounts, procedures, and controls and of external examinations by an administrative supervisory agency. The bill includes a specific provision requiring the Comptroller General in making his audits to utilize, to the fullest extent deemed by him to be practicable, reports of examinations of Government corporations by a supervising administrative agency pursuant to law."

The Budget and Accounting Procedures Act of 1950 requires each executive agency to maintain systems of accounting and internal control and provides, in section 117(a) (31 U.S.C. 67(a)), that the Comptroller General in determining auditing procedures and the extent of examination to be given accounts and vouchers give consideration to "the effectiveness of accounting organizations and systems, internal audit and control, and related administrative practices of the respective agencies."

The Comptroller General is required to audit the activities of the executive departments and agencies; to make expenditure analyses to determine whether funds have economically been expended; and to give consideration to the departments' internal audit and control and related administrative practices. To perform these duties he is given the clear statutory authority to require information of the departments and agencies regarding their organization, activities, and methods of business, coupled with the right to access to any books, documents, papers, or records of any such establishment (except as to the confidential State Department funds).

There have been no court cases construing the statutes giving the Comptroller General

access to records. However, in 1925, the Attorney General in an opinion to the Secretary of War (34 Op. Atty. Gen. 446), concerning a request by the Comptroller General for information relative to an award of a contract showing that the lowest bid was accepted, or if otherwise, a statement for the reasons for accepting other than the lowest bid, advised, in part, as follows:

"It will be observed that the Comptroller General states that this requirement is made necessary in order that a satisfactory audit may be made. What papers or data he should have to make such an audit would seem to be a matter solely for his determination. Moreover, section 313 of the Budget and Accounting Act provides (p. 26):

"All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment."

Questions as to whether the General Accounting Office has a right to access to records claimed to be confidential for security or other reasons have arisen from time to time and the General Accounting Office has always taken the position that it has the right to the information, even though certain provisions of law relating to disclosure might be applicable to it.

The General Accounting Office recognizes that certain of the functions of the inspectors general, such as criminal and personnel investigations, are of a confidential nature and it will normally accept summaries of facts contained in such reports to the extent they are needed in connection with its work. However, the inspectors general also have as a part of their respective missions and duties responsibility for conducting inspections, surveys, and examinations of the effectiveness of operations and overall efficiency of a command, installation, or activity. These functions may be performed on a periodic or special basis as directed by competent authority. The performance of these functions constitutes an important part of the process of management evaluations and internal reviews as distinguished from criminal or personnel investigations. They provide officials and appropriate personnel of authority with an independent appraisal of the effectiveness of operations and overall efficiency. Moreover, a very considerable part of the inspections and reviews made by the inspectors general involve reviews of procedures and policies and as such are an important segment of the internal reviews and control which the General Accounting Office, under section 117(a) of the Budget and Accounting Procedures Act of 1950 is required to consider and recognize in determining the audit procedures to be followed in its reviews.

The scope of inspection and survey programs of the inspectors general is similar in character to much of the work the General Accounting Office has scheduled in requirements, procurement, supply management, and research and development areas. The programs of the Deputy Inspector General for Inspection of the Air Force covering the period July 1, to December 31, 1958, include (1) a survey of Air Force procurement methods (advertising versus negotiation); (2) a survey of procurement quantitative and qualitative program changes; (3) a survey of procurement of commercial communications and utility services; (4) a survey of contract cost overruns; (5) a survey of maintenance programs; (6) a survey of modification programs; (7) a survey of the application of electronic data processing systems and other like subjects. All of these subjects represent internal and management evaluations which would clearly be a part of internal audit and control within the meaning of section 117(a) of the Accounting and Auditing Act of 1950. It is essential that such reports be made available to the General Accounting Office in order that it can evaluate the effectiveness of the department's system of internal control and to preclude unwarranted and unnecessary duplication of effort in the internal audit and the independent review made by this Office. The Air Force Inspector General's report on the ballistic missiles program clearly falls within the term internal audit and control.

The Secretary of the Air Force in refusing the Comptroller General access to the Inspector General's report on the ballistic missiles program stated that the Inspector General's reports are prepared solely for the use of responsible officials within the Air Force, and that the objective of self-criticism can be obtained only if the Inspector General's organization has the assurance that its reports will, without exception, be kept within the Department. The Secretary also stated that the report in question concerned the internal management of the Department, and was prepared solely for the benefit and use of those officers and employees of the Department who are responsible for its administration, and that the release of such reports to persons outside the Department would have a serious effect on the effective administration of the Department. The Secretary concluded that these considerations compelled him to conclude that the public interest would best be served by not releasing the report.

It is our understanding that the position of the Secretary is premised on paragraph 151(b)(3) of the Manual for Courts-Martial (1951) which was prescribed by the President on February 8, 1951, through Executive Order 10214, pursuant to the act of May 5, 1950 (64 Stat. 107), and on the general basis that the heads of executive departments have the right to withhold information or papers which they deem confidential, in the public interest.

The Manual for Courts-Martial, 1951, Executive Order 10214, dated February 8, 1951, was issued pursuant to article 36 of the act of May 5, 1950 (64 Stat. 120). Article 36(a) provides:

"The procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals may be prescribed by the President by regulations which shall, so far as he deems practicable, apply the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the U.S. district courts, but which shall not be contrary or inconsistent with this code."

Article 151(b)(3) of the Manual for Courts-Martial provides:

"The inspectors general of the various Armed Forces, and their assistants, are confidential agents of the Secretaries of the military or executive departments concerned, or of the military commander on whose staff they may be serving. Their investigations are privileged unless a different procedure is prescribed by the authority ordering the investigation. Reports of such investigations and their accompanying testimony and exhibits are likewise privileged, and there is no authority of law or practice requiring that copies thereof be furnished to any person other than the authority ordering the investigation or superior authority. However, when application is made to the authority by court-martial certain testimony, or an exhibit, accompanying a report of investigation, which testimony or exhibit has become material in a trial (to show an inconsistent statement of a witness, for example), he should ordinarily approve such application unless the testimony or exhibit requested contains a state secret or unless in the exercise of a sound discretion he is of the opinion that it would be contrary to public policy to divulge the information desired.

"In certain cases, it may become necessary to introduce evidence of a highly confidential or secret nature, as when an accused is on trial for having unlawfully communicated information of such a nature to persons not entitled thereto. In a case of this type, the court should take adequate precautions to insure that no greater dissemination of such evidence occurs than the necessities of the trial require. The courtroom should be cleared of spectators while such evidence is being received or commented upon, and all persons whose duties require them to remain should be warned that they are not to communicate such confidential or secret information.

Since the Manual for Courts-Martial was issued pursuant to the authority of the President to prescribe procedure for such trials, and article 151(b) MCM by its language is addressed to procedures of such courts, it obviously does not affect access by the General Accounting Office to inspectors general's reports determined by the Comptroller General to be necessary to the performance of his work, particularly where the report requested is not one dealing with personnel or criminal investigations.

Air Force Regulation 120-3, paragraph 9, October 11, 1954, and similar regulations provide:

"Disclosure of or access to matters pertinent to an inquiry or investigation will be limited to persons whose official duties require such knowledge. The Manual for Courts-Martial, 1951, states that inspector-general investigations are privileged information. The same privileged status applies to inquiries and investigations conducted under this regulation. Also paragraph 3, AFR 190-16, July 29, 1954, excludes investigative reports and reports of inspectors general and base inspectors from release to the public as information. Reports by investigators will not be released or disclosed outside the Air Force without approval of the Secretary of the Air Force."

Presumably these regulations were issued pursuant to section 161, Revised Statutes, title 5, United States Code, section 22, or similar authority, authorizing the head of a department to issue regulations, not inconsistent with law, for the conduct of his department and the custody and use of its records. Since under section 313 of the Budget and Accounting Act the Secretary is required to give the Comptroller General access to the records, any construction of the Air Force regulation denying the Comptroller General access is improper, and the regulation, to that extent being inconsistent with law, has no effect.

With reference to the right or privilege of the head of the executive branch of the Government to refuse to the legislative and judicial branch of the Government free access to records in the custody of the executive departments, support for such claim of right or privilege is found in 25 Op. Atty. Gen. 326, 40 Op. Atty. Gen. 45, and cases referred to therein.

Assuming, arguendo, that such right or privilege does exist, we do not believe it warrants an executive agency denying to the Comptroller General information or access to its documents in view of section 313 of the Budget and Accounting Act, which clearly provides that "all departments * * * shall furnish * * * information" required by the Comptroller General and that he shall have "access to and the right to examine any * * * documents of any such department." The opinion of the Attorney General in 1925, 34 Op. Atty. Gen. 446, discussed earlier, clearly

recognizes the prerogative of the Comptroller General to determine what papers he should have to enable him properly to perform his audits and that the departments are required to furnish them.

The right or privilege asserted from time to time by the executive branch was considered in a study by the staff of the House Committee on Government Operations entitled "The right of Congress to obtain information from the executive and from other agencies of the Federal Government," committee print dated May 3, 1956, and in great detail by the House Committee on Government Operations in connection with Public Law 85–619 approved August 12, 1958, as were the court cases cited and relied upon by the Attorney General. See House Report No. 1461, 85th Congress, 2d session. Also, there was there considered a line of later decisions starting with *McGrain* v. *Daugherty*, 273 U.S. 135 (1927) which upheld the power of Congress to require information sought for legislative purposes. None of the cases relied upon by the Attorney General involved demands by the Congress for information from the executive agencies. This was considered in a study on the matter furnished the committee by the Attorney General. See page 2938 of the printed hearings before a subcommittee of the House Committee on Government Operations on June 20 and 22, 1956, on "Availability of Information From Federal Departments and Agencies" wherein, after citing and quoting from numerous court decisions, he stated, "None of the foregoing cases involved the refusal by a head of department to obey a call for papers or information. There has been no Supreme Court decision dealing squarely with that question."

As indicated, the precise question of whether the Congress has a right to obtain information from the Executive which it refuses to furnish because of its confidential nature has not been the subject of a court decision. Where information sought by Congress by an executive department has been refused, the Congress has, at times, succeeded in bringing sufficient pressure to bear to obtain the information, or the executive department has, upon reconsideration, relented and furnished it. At other times the Congress has not pressed the matter—possibly because of its feeling that the President was in such a position that he should know whether the information should be withheld, or that the Congress had no machinery to force his compliance—and the information was not furnished. But, regardless of whether such right or privilege exists, it is clear that the Congress in passing on future appropriations and other legislation has a right to know whether the funds appropriated are being properly and efficiently used for the purposes it intended and that any information available in that regard should be available to the Comptroller General.

In view of the above, and in the absence of any judicial determination specifically dealing with the rights of the Comptroller General under section 313, we do not believe that the position of the Secretary of the Air Force that the report in question can be legally withheld is proper.

ROBERT F. KELLER,
General Counsel.

EXHIBIT IV–B

GAO BRIEF OF CASES CITED IN 40 OP. ATTY. GEN. 45 (1941)

1. *Marbury* v. *Madison*, 1 Cranch 137 (February 1803):

William Marbury was issued a commission as justice of the peace for the county of Washington (Washington, D.C.). President John Adams signed the commission and the seal of the United States was affixed. James Madison, Secretary of State, refused to deliver the commission. Application was made to the Secretary of State inquiring as to whether or not the commission was signed. Explicit and satisfactory information was not given in answer to the inquiry, and Marbury, along with others similarly situated, brought action against Madison to show cause why a mandamus should not issue commanding him to deliver the commission.

The court laid down several constitutional principles in this ruling. Particularly of importance to the matter in issue was that the party who was acting as Secretary of State when the transaction took place could not be made to relate matters to the court which he had learned in his official capacity and which he felt were confidential. See page 144 of the report. Also, the court ruled that there was no power in the court to control an act of discretion by the President or his delegates. See page 165. See also at page 179 the court's ruling that any law repugnant to the Constitution is void.

All of the above-related principles have a general relation to the matter in issue. However, it must be remembered that what we are here concerned with is not a suit by a private citizen to force executive disclosure of information, as was the case in *Marbury* v. *Madison*, but it is an attempt by an agency of the Congress, in its official capacity, to obtain information that is needed to enable it to carry out its statutory duty.

2. *Totten, Administrator*, v. *United States*, 92 U.S. 105 (October 1875):

Case involved a suit by a private claimant for salary allegedly due claimant's intestate for services rendered pursuant to a secret contract between one William A. Lloyd and President Lincoln. Lloyd was hired by the President as a spy for the Federal forces during the Civil War. The court dismissed the petition because of the confidential nature of the contract. The reason given was that public policy forbids the maintenance of any suit the trial of which would inevitably lead to the disclosure of matters which the law itself regards as confidential.

3. *Kilbourn* v. *Thompson*, 103 U.S. 168 (October 1880):

An action for false imprisonment brought against the Clerk, Sergeant at Arms, and Speaker of the House of Representatives. A subpena was issued to Kilbourn to appear before a committee of the House of Representatives. He was commanded to bring with him certain papers. Kilbourn refused to produce the papers he was ordered to deliver. Kilbourn was taken into custody by the Sergeant at Arms and was placed in the district jail. During the time Kilbourn was subpenaed and arrested there was then pending in the District Court for the Eastern District of Pennsylvania an action concerning the subject matter over which the Congress had initiated its investigation. The court held that the subject matter of the investigation was, therefore, judicial, not legislative, and that the House of Representatives lacked power to compel Kilbourn to testify on the subject, or to present the papers demanded.

Of course, this case is one of the basic rulings on the matter of the separation of powers and the lack of authority in any one of the three branches to interfere with a function of another. Be this as it may, the ruling is premised on the basis of interference by the legislature with a matter pending before the judiciary. The matter at hand concerns a legitimate function of an agency of the Congress carrying out its statutory function; on this basis the Kilbourn case is distinguished from proper application.

4. *Vogel v. Gruaz*, 110 U.S. 311 (February 4, 1884):

Action brought to recover damages for the speaking and publishing of false, malicious, scandalous, and defamatory words, charging the plaintiff with being a thief and with having stolen the money of the defendant. Case goes to the privileged communication between attorney and client. The words complained of were spoken by the defendant when he approached the State's attorney and told him of his charge against the plaintiff. The court ruled that the defendant was seeking professional advice as to his right, and that of the public through him, to have a criminal prosecution commenced by the State's attorney. The court went on to say that "it is the duty of every citizen to communicate to his Government any information which he has of the commission of an offense against its laws; and that a court of justice will not compel or allow such information to be disclosed, by the informer himself, or by any other person, without the permission of the Government, the evidence being excluded not for the protection of the witness or of the party in the particular case, but upon general grounds of public policy, because of the confidential nature of such communications."

Here again we have a suit between private parties, and the case does not involve the availability of executive department records to the Congress or an agency of the Congress.

5. *In re Quarles and Butler*, 158 U.S. 532 (May 20, 1895):

The petitioners had conspired to do bodily harm to one Henry Worley because in his reporting them to the authorities for violating the internal revenue laws. The petitioners had been accused of carrying on the business of a distiller without having given bond as required by law. One of the principles laid down in the case is that a citizen has a constitutional right to inform the authorities of a violation of law and that any information thus given is a privileged and confidential communication. Case involves a suit by private parties, and does not in any way involve right of Congress or its delegates to executive information.

6. *Boske* v. *Comingore*, 177 U.S. 459 (April 9, 1900):

Action was instituted in a county court of Kentucky by the Commonwealth of Kentucky against Elias Block & Sons for the purpose of ascertaining the amount and value of a large amount of whisky which, it was alleged, the defendant had in their bonded warehouses for a named period, but had not been listed for taxation, and of enforcing the assessment of payment of State and county taxes. The collector of internal revenue had certain books and papers on file in his office that could prove to be of value to the Commonwealth in its action. A Treasury Department regulation forbade the dissemination of this information. When ordered to produce the books and records the collector refused and was fined and ordered to jail for contempt. The Supreme Court held that the regulation in question was proper under section 161 of the Revised Statutes giving the departments authority to issue regulations not inconsistent with law for the use and custody of its papers, and the collector was bound thereby and justified in his refusal to give out the information. The question of access to documents between Federal departments was not involved.

7. *In re Huttman*, 70 F. 699 (November 1, 1895):

Federal collector of internal revenue was called upon to testify in a State court with reference to something that transpired in his office between him and a citizen that related to enforcement of the revenue laws. The citizen had filed for a retail liquor dealer's stamp. Although the State did not attempt to secure the actual papers that were compiled incident to the application, the State did attempt to obtain testimony from the Federal officer which would disclose the information incorporated in the papers which

by regulation could not be made available outside the Internal Revenue Service. It was held that the fact the information sought was felt necessary for the proper enforcement of the State's prohibitory liquor law could furnish no ground for ignoring a Federal regulation prohibiting departmental officers from disclosing records, and that if the records were not for disclosure, the information therein also was not for disclosure.

As in the *Boske* v. *Comingore* case, the matter in issue here was not a question involving the Congress and the executive agencies but dealt with the supremacy of laws and regulations having the effect of laws of the Federal Government over State laws.

8. *In re Lamberton*, 127 F. 446 (July 28, 1903):

A Federal deputy internal revenue collector refused to answer a question asked him in an action in a State court where the State was seeking information to enable it to punish persons for the violation of State laws. The Federal collector refused to answer these questions because he obtained the information sought by virtue of his official capacity and he was not allowed to disclose such information because of directives from his superior. The court held that the collector could not be forced to testify as to things he learned in his official capacity.

The case did not involve Congress seeking information from the executive department.

9. *In re Valecia Condensed Milk Co.* v. *Warner*, 240 F. 310 (February 6, 1917):

The secretary of a State tax commission was served with a subpena to appear before a referee in bankruptcy to testify and produce all reports, etc., in the possession of the commission relating to the bankrupts. The secretary appeared and answered that the only papers of the kind required were the income tax returns of the respective bankrupts and that a State statute prohibited him from permitting such return to be examined by anyone and he refused to produce them. Court reversed the district court's ruling that the secretary was in contempt. This involved a suit against a State official. It did not involve an attempt by the legislature to secure the papers of the executive.

10. *Elrod* v. *Moss et al.*, 278 F. 123 (November 1, 1921):

In an action for alleged unlawful arrest and illegal search of a vehicle on suspicion that a man was transporting unlawful whisky, a sheriff testified he communicated to the defendant, Moss, a State constable, that plaintiff was transporting liquor. Case holds that the lower court properly refused to require the sheriff to disclose the source of this information, citing the *Vogel* v. *Gruaz* and *Quarles* cases. The case does not involve the right, or lack of a right, of the Congress to have access to executive papers.

11. *Arnstein et al.* v. *United States*, 296 F. 946 (February 5, 1924):

Appellants were indicted for a conspiracy for bringing into the District of Columbia stolen stock in violation of section 836(a) of the District Code. They were convicted and alleged error. Case holds, among other things, that statement made to an assistant district attorney in his official capacity while investigating a crime are privileged and disclosure cannot be compelled without the consent of the Government.

The case does not involve an attempt by the Congress or its agent to obtain papers belonging to or under the control of the executive.

12. *Gray* v. *Pentland*, 2 Sergeant & Rawles (Pennsylvania) 22 (September 1815):

Case arose because of a deposition made by Gray in which he alleged that Pentland was unfit to perform the duties of the officer of prothonotary of the court of common pleas because of his frequent intoxication. The deposition was sent to the Governor and the court attempted to make the Governor deliver the deposition. The Governor refused.

The court in effect ruled that the Governor best knows the circumstances under which the deposition had been delivered to him and consequently he should exercise his own judgment with respect to the propriety of producing the writing.

The case does not involve a congressional attempt to obtain papers from the executive.

13. *Thompson* v. *The German Valley Railroad Company*, 22 N.J. Equity Reports 111 (October 1871):

Governor of New Jersey failed to deposit a private bill with the secretary of State. A subpena duces tecum was served upon him ordering him to appear and to produce an engrossed copy of the bill. This the Governor refused to do stating by letter that although he had respect for the court he did not feel that they could force his compliance. The court held that the Governor cannot be examined as to his reasons for not signing the bill. No order was made upon the Governor to appear. If the Governor felt that he should testify he could do so of his own volition. The court could hardly entertain proceedings upon him by adjudging him in contempt. The court went on to say that there may be cases where the court might proceed against the Governor for contempt if he, without sufficient or lawful reasons, refused to appear and testify but such was not the case in the proceedings at hand.

The case did not involve an attempt by the legislature to obtain copies of papers in the possession of the executive.

14. *Worthington* v. *Scribner*, 108 Mass. 487 (March 1872):

Plaintiff was engaged in importing books into the United States. It is alleged that the defendants reported to the Treasury Department of the United States that the plaintiff had purchased books with the intention of bringing them into the United States at a fraudulent undervaluation. The plaintiff requested advice of the defendants if such was reported to the officials of the Treasury Department and if so, to state fully all that was done, and requested copies of all written communications, and the substance of all oral statements.

Court held that it was discretionary with the Government to decide whether or not to produce the information requested on grounds of public policy and that the discovery of documents which are thus protected from disclosure upon grounds of public policy cannot be compelled, either by bill in equity or by interrogation at law.

Case did not involve attempt by Congress to obtain executive papers.

15. *Appeal of John F. Hantranft, Governor of the Commonwealth, et al.*, 85 Pa. 433 (November 1, 1877):

A subpena was issued against the Governor of Pennsylvania and other State officials to appear before a grand jury that was investigating a riot that occurred incident to a conflict between the State National Guard and a group of strikers in the employ of the Pennsylvania Railroad Co. in July 1877.

The State officials refused to comply with the subpena for the reason that any information which they might have that would be of value to the grand jury could be privileged.

The court held that the Governor is the absolute judge of what official communication to himself or his department, may or may not be revealed and is the sole judge of what his official duties are. Also, it was held that the Governor is exempt from the process of the courts whenever engaged in any duty pertaining to his office and his immunity extends to his subordinates and agents when acting in their official capacity.

This was an attempt by the grand jury to get the information. It did not involve an attempt by the legislative to obtain the papers of the executive.

16. Volume 2, Robertson, Trials of Aaron Burr (pp. 533–536) (summer term of 1807):

This case involved the trial of Aaron Burr, former Vice President of the United States, arising from the so-called Burr Conspiracy.

Burr wanted to have produced into evidence a certain letter in the possession of the President which he felt might be of value in his defense. The President did not refuse to deliver the letter but simply turned it over to the U.S. attorney with the advice that he use his discretion as to what part, if any, of the letter should be produced. The U.S. attorney allowed part of the letter to be used but withheld other parts because he felt that those parts were confidential.

The court ruled that although generally the President may be subject to the general rules applicable to others, he may have sufficient motives for declining to produce a particular paper and those motives may be such as to restrain the court from enforcing the production of the papers which the President saw fit to withhold.

The President in the Burr case gave no reason at all for withholding the paper called for. The court said, "The propriety of withholding it must be decided by himself, not by another for him. Of the weight of the reasons for and against producing it, he is himself the judge. It is their operation on his mind, not on the minds of others, which must be respected by the court."

This case, of course, involved the trial of Aaron Burr for treason. It did not involve an attempt by the Congress to obtain papers from the executive.

EXHIBIT IV–C

THE AUTHORITY AND DUTY OF THE COMPTROLLER GENERAL TO INQUIRE INTO EFFICIENCY AND ECONOMY IN THE GOVERNMENT DEPARTMENTS AND ESTABLISHMENTS AND A REPORT THEREON TO THE CONGRESS AND ITS COMMITTEES

The General Accounting Office unquestionably has the right and duty to inquire into the efficiency and economy in the use of public funds and property in Government departments and establishments and to make reports thereon to the Congress and its Committees on Government Operations and Appropriations. Such authority is spelled out in section 312 of the Budget and Accounting Act, 1921 (42 Stat. 25, 31 U.S.C. 53), and section 206 of the Legislative Reorganization Act of 1946 (60 Stat. 837, 31 U.S.C. 60), and the legislative history of those provisions.

Section 312(a) of the Budget and Accounting Act provides:

"The Comptroller General shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the General Accounting Office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures."

House Report No. 14, 67th Congress, 1st session, on the bill H.R. 30, which with some modification became the Budget and Accounting Act, clearly indicates that criticism of wastefulness and inefficiency in the Government departments and agencies was the most cogent reason for creating the General Accounting Office. On pages 7 and 8 of the

report the Select Committee on the Budget stated:

"The bill creates an independent establishment known as the General Accounting Office, * * *. Under the present plan the Congress has no power or control over appropriations after they have once been made. It has no knowledge as to how the expenditures are made under these appropriations, and inasmuch as the Comptroller of the Treasury and the six auditors owe their appointment to the President, they could not hope to hold their positions if they criticized wastefulness or extravagance or inefficiency in any of the departments. * * *

"The only way by which Congress can hold a check on expenditures is to continue a control and audit of the accounts by an independent establishment. * * * The creation of this Office will enable it to furnish information to Congress and to its committees regarding the expenditures of the Government. He [the Comptroller General] could and would be expected to criticize extravagance, duplications, and inefficiency in executive departments. He could do this without fear of removal. Under the present plan, neither the Comptroller of the Treasury nor the six auditors make such criticism. The reasons why they do not are apparent, yet opportunity for wholesome criticism abound in every department."

The debates on H.R. 9783, 66th Congress, an earlier form of the Budget and Accounting Act which was passed by the Congress but vetoed by President Wilson for reasons not connected with section 312 of the Budget and Accounting Act, indicate that section was intended to provide authority for inquiries as to inefficiencies in the use of public funds by Government agencies. Section 13 of that bill, prior to its amendment on the floor of the House, contained the phrase "receipt and disbursement of public funds" in the two places where the phrase "receipt, disbursement, and application of public funds," appear in section 312 as finally enacted. Congressman Luce expressed the view that, although the committee report stated that the Comptroller could and would be expected to criticize extravagance, duplication, and inefficiency, the bill did not tell him to do so. In the course of the debate, he stated:

"All I am asking is, if you mean to authorize this man to criticize, to study, and investigate for the purpose of securing economy, that the committee shall, if they do not approve my way of directing it, suggest some way of their own, so that no man when he goes into that office can rely upon the statute and say, 'This law imposed on me but a purely ministerial function, made me a human adding machine, and my only duty is to total up the figures that are laid before me and transmit them to the Congress.' "

Congressman Luce therefore offered an amendment to change the language of the phrase to its present form. After a full discussion of the matter, appearing at 58 CONGRESSIONAL RECORD (pt. 7) 7291–7293, in which the intent of the Congress was fully explained the amendment was agreed to. The language as thus perfected was carried to the conference report and, following the Presidential veto of that bill, included in identical import in section 312 of the 1921 act.

A few selected remarks from the House debate on H.R. 9783 are attached.

Section 206 of the Legislative Reorganization Act of 1956, supra, is explicit in its direction that the General Accounting Office shall make inquiries concerning the economy and efficiency with which public funds have been administered or expended. That section reads as follows:

"SEC. 206. The Comptroller General is authorized and directed to make an expenditure analysis of each agency in the executive branch of the Government (including Government corporations), which, in the opinion of the Comptroller General, will enable Congress to determine whether public funds have been economically and efficiently administered and expended. Reports on such analyses shall be submitted by the Comptroller General, from time to time, to the Committees on Expenditures in the Executive Departments, to the Appropriations Committees, and to the legislative committees having jurisdiction over legislation, relating to the operations of the respective agencies, of the two Houses."

The legislative history pertaining to the act indicates that section 206 was a part of the comprehensive reorganization of the Congress itself. Numerous witnesses appearing before the Joint Committee on Reorganization advocated that the Congress establish more effective machinery for the surveillance of budgetary estimates as well as execution of the laws, and advocated among other measures that the General Accounting Office be used to greater advantage for this purpose. For example, the following colloquy between Vice Chairman Monroney and Senator Burton, discussing the Heller report on strengthening the Congress, appears at page 825 of the transcriptive hearings before the joint committee on the organization of Congress pursuant to House Concurrent Resolution 18, 79th Congress, 1st session:

"The VICE CHAIRMAN. I agree we need a great many more auditors and accountants to help the committees, but I think the individual Members are in need of help through such agencies as the Comptroller General, so as to have access to inside reports as to the wisdom with which the money has been spent. * * *

"Senator BURTON. I do wish to commend the work of the Comptroller General. I think it is helpful and should be extended."

Particularly noteworthy also is Mr. Robert Heller's discussion of his report on page 856 of the hearings, as follows:

"Recommendation IX: Congress should insure that the General Accounting Office is an effective instrument for control of executive expenditures.

"1. By giving it audit power over all Federal Agencies, Departments, and Corporations.

"2. By insisting on current and useful reports from the Office.

"3. By establishing a Joint Committee on Public Accounts to insure action on these reports.

"A joint committee to review and obtain action on reports emanating from the General Accounting Office is favored, rather than having the Office report direct to the several regular standing committees for the following reasons:

"1. Since the joint committee would have no other duties, consideration of new legislation and other matters would not interfere with analysis of audit reports."

* * * * *

See, also, the comment on pages 7 and 8, 33, 525–550, particularly 536, 775, 984, and 1,000, of the hearings.

The bill resulting from these hearings, S. 2177, 79th Congress, provided for such a plan, except that, instead of a joint committee, the Committee on Expenditures in the Executive Departments[1] in each House was given the specific duty to receive and review reports of the Comptroller General and to study the operation of Government activities at all levels with a view to determining its economy and efficiency. To insure that these and other committees would receive necessary information, provision was made in section 206 for the making of expenditure analyses by the General Accounting Office, upon which such determinations could be based. This relationship is made clear on page 6 of Senate Report 1400, 79th Congress, which in pertinent part reads:

"A third group of provisions in the bill is designed to strengthen congressional surveillance of the execution of the laws by the executive branch. Congress has long lacked adequate facilities for the continuous inspection and review of administrative performance. * * *

"To remedy this situation, S. 2177 would authorize the standing committees of both Houses to exercise continuous surveillance of the execution of the laws by the administrative agencies within their jurisdiction. Armed with the power of subpena and staffed with qualified specialists in their respective provinces of public affairs, these committees would conduct a continuous review of the activities of the agencies administering laws originally reported by the legislative committees. * * *

"As a further check upon the financial operations of the Government and its care in handling public funds, the bill authorizes and directs the Comptroller General to make administrative management analyses of each agency in the executive branch, including Government corporations. Such analyses, with those made by the Bureau of the Budget, will furnish Congress a double check upon the economy and efficiency of administrative management. Reports on such analyses would be submitted by the Comptroller General to the expenditures, appropriations, and appropriate legislative committees, and to the majority and minority policy committees of the two Houses."

The Budget and Accounting Procedures Act of 1950 in no way lessened the responsibility of the General Accounting Office to make inquiry concerning efficiency in the use of public funds and property. On the contrary, section 117(a) of the act (31 U.S.C. 67(a)) specifically provides that:

"Except as otherwise specifically provided by law, the financial transactions of each executive, legislative, and judicial agency, including but not limited to the accounts of accountable officers, shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States."

Mr. Taylor, October 18, 1919:

"They will have to be cold blooded and cut down appropriations in every direction that they deem proper and eliminate duplication and any superfluous employees and antiquated methods and antiquated people and inaugurate efficiency and up-to-date business methods, and they have very great and far-reaching responsibilities, and they must have a free hand to properly perform their very great duties."

Mr. Hawley, October 18, 1919:

"Yes, he is our officer, in a measure, getting information for us, to enable us to reduce expenditures and to keep advised of what the spending departments are doing. If he does not do his work properly, we, as practically his employers, ought to be able to discharge him from his office."

Mr. Fess, October 18, 1919:

"The auditing, then, is entirely independent of the spending departments."

Mr. Purnell, October 20, 1919:

"The third step, and a most important one, is the audit and control of the expenditures of the Government. Heretofore the executive branch of the Government has occupied the awkward position of auditing its own accounts. All are agreed that this is wrong in principle. It was the unanimous judgment of the committee that the power of audit and control should be lodged with the legislative rather than the spending branch of the Government. We propose to clothe the executive with full power to survey and determine the financial needs of

[1] The designation of each of these committees has since been changed to Committee on Government Operations.

the Government as well as make estimates therefor. We reserve to the Congress the power of making the appropriations and of seeing that the money is properly spent. This bill provides for an officer to be known as the Comptroller General, whose duty it shall be to audit and pass upon the legality of all Government expenditures. He shall be responsible only to Congress and shall be removable by Congress alone, and then only for cause. He and his assistant are to be appointed by the President, with the approval and consent of the Senate."

Mr. Good, October 21, 1919:

"The ideal system of Government finance, so far as appropriations and expenditures go, embraces two distinct and separate functions. In the first place, it is the duty of the office that pays out the money to make an estimate of what its requirements will be. Congress acts upon that estimate. Then comes this separate and distinct office, semijudicial in character, which determines whether or not expenditures made are legal, and then audits the account. That department is intended as a check against extravagance. That department is intended to have a reflex influence upon the Bureau of the Budget. The Bureau will know at all times that that department is watching it, and that for every appropriation that is made there will have to be a legitimate use."

Mr. Williams, October 20, 1919:

"The bill then provides for the appointment of an official termed the 'Comptroller General,' whose duty it is to follow every appropriation made by Congress and see that the money is properly spent. This will be of invaluable service to Congress, as this official, being entirely independent of every other branch of the Government, is directly responsible to Congress."

Mr. Lanham, October 20, 1919:

"The primary dual purpose of the proposed act is evidently to foster and promote economy and to discover and prevent duplication both in governmental effort and governmental expenditure. Conflicting claims and overlapping of functions is an expensive incident of our administrative system.

"It seems to me that the adoption of some such method as that here suggested will likely insure economy by enabling the discovery of duplication and extravagance."

Mr. Bland, October 21, 1919:

"Did not the committee contemplate that the Comptroller General might not only be brought into conflict with the executive department and with the executive branches of the Government, but sometimes with one side or the other of the aisle in Congress, and possibly both sides, in the impartial discharge of his duties?"

Mr. Good, October 21, 1919:

"Absolutely. That department ought to be independent and fearless to criticize wrong expenditures of money wherever it finds them. It ought to criticize inefficiency in every executive department where inefficiency exists, and one of the troubles with our present system is that the auditors dare not criticize. If they criticize, their political heads will come off."

EXHIBIT IV–D

MEMORANDUM OF LAW—RIGHT OF ACCESS BY THE COMPTROLLER GENERAL (AN AGENT OF THE CONGRESS) TO AN AIR FORCE INSPECTOR GENERAL'S REPORT ENTITLED "SURVEY OF MANAGEMENT OF THE BALLISTIC MISSILE PROGRAM"

(Prepared for the Special Subcommittee on Government Information of the Committee on Government Operations, House of Representatives)

I. JURISDICTION OF SPECIAL SUBCOMMITTEE ON GOVERNMENT INFORMATION

The Special Subcommittee on Government Information was chartered on June 9, 1955, by Congressman WILLIAM L. DAWSON, chairman of the Committee on Government Operations of the House of Representatives. He directed the subcommittee to study charges that Federal executive and independent agencies have withheld pertinent and timely information from the Congress, the press, and the public. His chartering letter to Congressman JOHN E. MOSS, subcommittee chairman, stated that the subcommittee's study was to cover the operations of "the executive branch at all levels" to determine the "efficiency and economy of such operation in the field of information." He stated that the subcommittee's reports should "fully and frankly disclose any evidence of unjustifiable suppression of information or distortion or slanting of facts" and concluded that the subcommittee was to "seek practicable solutions for such shortcomings, and remedies for such derelictions, as you may find and report your findings to the full committee with recommendations for action." (Subcommittee hearings, p. 20.)

II. SECRETARY OF THE AIR FORCE DENIES THE COMPTROLLER GENERAL ACCESS TO AN INSPECTOR GENERAL'S REPORT ENTITLED "SURVEY OF MANAGEMENT OF THE BALLISTIC MISSILE PROGRAM"

The Secretary of the Air Force has refused to give access or make available to the Comptroller General a final, official report made by the Inspector General of the Air Force entitled "Survey of Management of the Ballistic Missile Program." The Secretary has stated that "Inspector General's reports are prepared solely for the use of responsible officials within the Department of the Air Force."

"In addition, the report which you requested is a report concerning the internal management of this Department, and it was prepared solely for the benefit and use of those officers and employees of this Department who are responsible for its administration. The release of such reports to persons outside the Department would have a serious adverse effect on the effective administration of the Department.

"These considerations compel me to conclude that the public interest would best be served by not releasing the report which you have requested." [2]

III. QUESTIONS OF LAW

This withholding of information by the Secretary of the Air Force from the Comptroller General raises some pertinent questions which warrant precise legal analysis. These questions involve:

1. The constitutional duties and functions of the Congress and the President.

2. The authority of the head of a department, created by Congress, to ignore, act contrary to, or to refuse to act in accordance with a law enacted by the Congress and signed by the President.

3. The authority of the head of a department to deny "access to, and the right to examine, any books, documents, papers, or records," to an agent of the Congress (the General Accounting Office) and an agent of the President (Bureau of the Budget), both specifically authorized by act of Congress for the purpose of securing such information.[3]

4. The authority of the head of a department considering the importance of the law here involved to act without seeking specific advice and instruction from the President of the United States who has the constitutional responsibility to "take care that the laws be faithfully executed."

5. The authority of the head of a department to ignore an opinion of the Attorney General specifically interpreting this law.

6. The authority of the head of a department to decide what books, documents, papers, or records are necessary to the proper performance of the duties and functions of an independent officer of the Government vested with the authority to make such determinations by statute.

7. The authority of the head of a department to prevent an independent review of matters "relating to the receipt, disbursement and application of public funds" under the control of the department head with the result that there is no review of the performance of that organization (Inspector General).

IV. NO SECURITY QUESTION, NAMES OF CONFIDENTIAL INFORMANTS, PERSONNEL OR CRIMINAL INVESTIGATIONS INVOLVED

It is important before proceeding with this legal analysis to note that the Secretary of the Air Force does not base his withholding of access to the Inspector General's Report on Executive Order 10501. Hence, there are no matters of security or national defense involved concerning the availability of this report to the Comptroller General. The chairman of the subcommittee requested the following question be answered in writing prior to this hearing:

"Does your refusal of access to the report stem in any way from the fact that the report is classified under Executive Order 10501? If so, explain fully and cite the statutory authority for withholding from the GAO on those grounds."

The Department of the Air Force replied:

"No. The Secretary of the Air Force did not base his refusal to furnish the report to the Comptroller General on the ground that it was classified under Executive Order 10501.

In addition, the chairman was specific in his question relative to the names of confidential informants as follows:

"Does the report include the names of confidential informants?"

The Department of the Air Force replied:

"The report does not include the names of confidential informants."

With respect to personnel or criminal investigations the chairman asked:

"Does the report involve a personnel or criminal investigation?"

The Air Force replied: "No." [4]

It is significant to note that in this particular instance no claim has been made or referred to relating to the President's unique role as Commander in Chief of the Army and the Navy.[5]

V. CONSTITUTIONAL GRANTS OF POWERS, DUTIES, AND RESPONSIBILITIES TO THE CONGRESS

For the purpose of this legal analysis it is deemed advisable to consider the grants of power, duties, and responsibilities conferred by the Constitution on the Congress and to ascertain if the Congress has made laws to carry out its responsibilities. The sections of the Constitution which are considered to be pertinent to this subject matter (withholding of information by Air Force Secretary) and the availability of information to the Comptroller General are as follows:

(a) "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives"; [6]

(b) "All bills for raising revenue shall originate in the House of Representatives"; [7]

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[2] See letter of July 30, 1958, from Secretary of the Air Force to the Comptroller General (p. 3572).

[3] Public Law 13, 67th Cong., Budget and Accounting Act, 1921 (42 Stat. 20).

[4] See letter to chairman, Government Information Subcommittee, Committee on Government Operations, dated Oct. 27, 1958, and attachment (p. 3740).

[5] Constitution of the United States, art. II, sec. 2.

[6] Constitution of the United States, art. I, sec. 1.

[7] Id., sec. 7.

(c) "Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States"; [8]

(d) "The Congress shall have power to lay and collect taxes, duties, imports, and excises, to pay the debts and provide for the common defense and general welfare of the United States"; [9]

(e) [The Congress shall have the power] "To make rules for the government and regulations of the land and naval forces"; [10]

(f) [The Congress shall have the power] "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." [11]

(g) "No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time." [12]

To perform its constitutional responsibilities as set forth in the above-quoted sections of the Constitution and "to make the laws," it is absolutely essential that Congress have access to or establish the means to obtain, information and that such information should be accurate, pertinent, factual, timely, and authentic. No one will deny that most of the information needed by Congress to enable it to perform its legislative functions on "appropriation" and "expenditure of the public money" must necessarily come from departments and agencies of the Government. Congress has provided the necessary laws and machinery for the President and for itself to obtain the information on which to base recommendations or legislative proposals. It is not for the heads of Federal departments and agencies, all created by Congress, to determine what information the Congress needs or requires to perform its constitutional functions. Under the Constitution, it is incumbent and mandatory upon the President and the heads of departments and agencies to comply with and take care that laws enacted by the Congress be executed in accordance with the law.

VI. CONGRESS MAKES THE LAW—"BUDGET AND ACCOUNTING ACT, 1921"

The Congress in 1921, and in accordance with the above-quoted paragraphs (a) and (f) of its constitutional powers, enacted the Budget and Accounting Act, 1921, entitled, "An act to provide a national budget system and an independent audit of Government accounts, and for other purposes." [13] The legislative history of this act makes it abundantly clear that its main purpose was to establish Presidential and congressional duties and responsibilities which should lead to greater economy and efficiency in the administration and operation of Government departments and agencies.

By this act the Congress provided the necessary law and machinery to enable it to carry out the constitutional grants of powers as quoted above in paragraphs (b), (d), (e), and (g). For example, section 201 states:

"The President shall transmit to Congress * * * (a) estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing year; * * * (c) the expenditures and receipts of the Government during the last completed fiscal year; (d) estimates of the expenditures and receipts of the Government during the fiscal year in progress; * * *."

Section 202(a) provided:

"If the estimated receipts for the ensuing fiscal year contained in the budget * * * are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the estimated deficiency."

It is interesting to note that with respect to the budget preparation the Congress provided the necessary means and machinery for the President to execute the law and obtain all the necessary information, books, documents, papers, or records, to carry out its direction. Section 207 of the act created a Bureau of the Budget and stated:

"The Bureau, under such rules and regulations as the President may prescribe, shall prepare for him the budget."

In addition, section 209 provided:

"The Bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular services, or (4) the regrouping of services."

The Congress to insure that this law was to be properly executed and to enable an executive agent of the President to have access to all information provided in section 213:

"Under such regulations as the President may prescribe (1) every department and establishment shall furnish to the Bureau such information as the Bureau may from time to time require, and (2) the Director and the Assistant Director, or any employee of the Bureau when duly authorized, shall for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment."

Note that the law does not provide for any exceptions in departments and agencies; it specifically states "every." Neither does the law provide that the head of any department or agency may decide or judge what information the Bureau "may from time to time require" to perform its statutory functions prescribed in accordance with law. Nowhere in the entire legislative history of this act did any Member of Congress object or question these sections of the act, nor did the President.

Now consider the position the Secretary of the Air Force has taken as set forth in his letter of July 30, 1958, to the Comptroller General, as compared with the law, the "Budget and Accounting Act, 1921." The Secretary states that the report is entitled "Survey of Management of the Ballistic Missile Program." Such a report clearly falls within section 209 of the act. It certainly must contain items connected with the budget and with "economy and efficiency" in the Department of the Air Force. Yet, the Secretary writes to the Comptroller General: "Inspector General's reports are prepared solely for the use of responsible officials within the Department of the Air Force." Does he mean by this statement that such reports would not be made available to the Bureau of the Budget or that even the President cannot have access to this "Survey of Management of the Ballistic Missile Program"? Every head of a department is responsible for knowing the law he administers, and its legislative history. He is also under oath to support the Constitution, including the recognition that "This Constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land." [14] In this case the law is crystal clear: No exception has been made for inspector general's reports. Legally there is but one inescapable interpretation or conclusion; namely, said report should and ought to be made available outside the Department of the Air Force, if it is requested by proper authority.

The attention of the President and all officials in the departments and agencies of the Government should be directed to another section of this act. Section 212 reads:

"The Bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request."

This language is clear and concise. It was enacted without any qualification by either House of Congress or any objection from the President of the United States. The legislative history is devoid of any criticism by any Member of Congress or executive official. It is also to be noted that the language in this section does not give any discretion to the Bureau of the Budget to withhold any information it possesses from the proper congressional committees. Only the Congress and its committees can decide what information they desire from the Bureau of the Budget. Thus Congress unequivocally established its right to obtain from the Bureau of the Budget all of the information it empowered the Bureau to secure.

VII. CREATION OF THE GENERAL ACCOUNTING OFFICE

The Budget and Accounting Act, 1921, created the General Accounting Office, and section 301 specifically stated: "There is created an establishment of the Government to be known as the General Accounting Office, which shall be independent of the executive departments and under the control and direction of the Comptroller General of the United States." As well as other functions, duties, and responsibilities, the act specifically enumerated statutory requirements which are germane to the subject matter under consideration, namely:

"SEC. 312. (a) The Comptroller General shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the General Accounting Office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

"(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The Comptroller General shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

"(c) The Comptroller General shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

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[8] Id., sec. 7.
[9] Id., sec. 8.
[10] Id., sec. 8.
[11] Id., sec. 8.
[12] Id., sec. 9.
[13] Public Law No. 13, 67th Cong., approved June 10, 1921, 42 Stat. 10.
[14] Constitution of the United States, art. VI, clause 2.

"(d) He shall submit to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts.

"(e) He shall furnish such information relating to expenditures and accounting to the Bureau of the Budget as it may request from time to time."

We have already considered how Congress by law created the necessary means and machinery for the Bureau of the Budget and the President to have access to information. books, documents, papers, or records, of any department or establishment. Let us now consider the law on this subject as it pertains to the Comptroller General. In language almost identical to that relating to the Bureau of the Budget, the law reads as follows:

"SEC. 313. All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes."

The difference between section 313 and section 213 is significant and should be noted. Section 213 limits the Bureau of the Budget's access to information by the phrase "such regulations as the President may prescribe." It does not, however, limit the President. On the other hand, section 313 does not limit the Comptroller General's access to information by Presidential regulation; rather it imposes a duty on all departments and establishments to furnish information which "he [the Comptroller General] may from time to time require of them."

VIII. LEGISLATIVE HISTORY

In addition to the statutory law, any legal analysis without a full and thorough study of the legislative history and intent of the Congress would be incomplete and could be misleading. With respect to the availability of and access to, any books, documents, papers, or records of any department or establishment, by the General Accounting Office and the committees of Congress, the record is demonstrably clear. (The only exception being to sec. 291 of the Revised Statutes, applying to confidential State Department funds.) It should be noted here that there is a legal maxim applicable, viz, expressio unius est exclusio alterius.[15] It must be emphasized that every Member of Congress and the President was in accord with this provision of the law (sec. 313). The chairman of the select committe on page 7085, CONGRESSIONAL RECORD dated October 17, 1919, with reference to the establishment of the Comptroller General's position stated:

"At present Congress has no power or control over appropriations after they are once made. This control passes to the executive departments, and these departments practically audit their own expenditures, and the legality of expenditures by an executive department is passed upon by an official appointed, and who can be removed at any time, by the Executive. After appropriations are once made by Congress, the control over expenditure of the money appropriated passes from Congress. * * * The position is a semijudicial one and the tenure of office is made secure so long as the official performs his work in a fearless and satisfactory way. * * * Congress and its committees will at all times be able to consult with officials of this department (GAO) regarding expenditures and from it will be able to obtain the most reliable information regarding the use to which any appropriation has been put or the efficiency of any department of the Government. * * * If duplication, inefficiency, waste, and extravagance exist as the result of any expenditure, the President will be held responsible therefor if he continues to ask for appropriations to continue such practices. The knowledge on the part of every executive and bureau chief that such an independent and fearless department exists, and that every act and deed they perform will come under the closest scrutiny of this department, will in itself force a much higher degree of efficiency in every department of the Government. * * * The creation of an independent auditing department will produce a wonderful change. The officers and employees of this department will at all times be going into the separate departments in the examination of their accounts. They will discover the very facts that Congress ought to be in possession of and can fearlessly and without fear of removal present these facts to Congress and its committees."

Another Member of Congress, Mr. Madden, of Illinois, on page 7094, CONGRESSIONAL RECORD dated October 17, 1919, stated:

"I predict that with this measure enacted into law economy in Government expenditures will result, system will be inaugurated where chaos now reigns, and opportunity for information to the American people, such as has never been afforded before, will be at the disposition of any man who cares to know about the finances of his country. And there can be no doubt that a system of economy is bound to result when we throw the limelight of publicity upon the acts not only of the Congress and of its individual Members, but on the President and every man who owes allegiance to him in the executive branches of the Government. I thank you."

One of the most pertinent exchanges which took place during the debate on this act and which emphatically shows the legislative intent in creating the General Accounting Office appears on page 7132, CONGRESSIONAL RECORD dated October 18, 1919:

"Mr. CLARK of Missouri. The chiefs of departments, the heads of bureaus, and all that kept exceeding the appropriations here until Congress had to pass a law making it a criminal offense for them to do it.

"Mr. GOOD. Yes; that is true.

"Mr. CLARK of Missouri. Is this Comptroller General, or whoever or whatever he is going to be, supposed to be more economical than the rest of these departments?

"Mr. GOOD. Absolutely so. This department is created to put a stop to that sort of thing in the executive department, and the only way you can do it is to have men going out through these other departments 365 days in the year to bring the Congress the information as to the real status in those departments. That is, in part, the purpose of this department."

The importance of the position of the Comptroller General and the requirement that he have access to all the information he determines is necessary and that Congress intended he should have such information is amply set forth on page 7136, CONGRESSIONAL RECORD, October 18, 1919:

"Mr. FESS. How independent do you make the auditing system?

"Mr. HAWLEY. Absolutely independent from the spending departments. We give it a judicial status. It examines questions as a court examines questions, upon the law and upon evidence. * * * Yes; he is our officer, in a measure, getting information for us, to enable us to reduce expenditures and to keep advised of what the spending departments are doing."

Mr. Hawley emphasized the point further on page 7138, CONGRESSIONAL RECORD, October 18, 1919, by stating:

"With the independent auditing system, we can get immediate information. Every committee will have in the auditor's department a staff that can be put, in case of need, to gathering information quickly. We will not have to introduce a resolution in the House, have it considered, send it down to a department, and, after waiting a time, politely inquire whether or not they received our letter; and then, when we do get the information, have it practically of no value. We will have an expert accounting department that will quickly submit authentic information. That will increase the power of Congress over appropriations, but at the same time it will increase our responsibility in the matter of making appropriations."

Mr. Andrews, of Nebraska, on page 7199, CONGRESSIONAL RECORD, October 20, 1919, during his discussion of this act stated:

Efficiency

"This idea of efficiency is an indispensable factor in correct accounting. The primary duty of the accounting system is to enforce a strict abservance of legal methods in the collection and disbursement of public revenues. The proper discharge of that duty make it necessary for the officers and clerks entrusted with that business to possess clear, accurate knowledge of statutes, regulations, and methods of public business. These facts cannot be repeated too frequently or emphasized too strongly, because a great many public officials act upon the assumption that the accounting offices are chiefly, if not exclusively, engaged in the posting of debts and credits that have been previously journalized by someone else. They do not seem to think that a knowledge of law, regulations, and Government business is of any consequence whatever. But whether they do or not those who are charged with the development of ways and means to promote the efficiency of the service should take into account actual conditions and facts and formulate plans accordingly."

Again Mr. Parrish, on page 7204, CONGRESSIONAL RECORD, October 20, 1919, stated his views concerning the Comptroller General and his duties:

"In other words, under the present system Congress makes appropriations and the money is turned over to the heads of the various departments of Government, and unless expensive investigation is ordered, Congress does not know whether the money was expended according to its wishes or not, but under the auditing system there will be made by the Comptroller General a careful audit of all expenditures of the Government, and the effect will be to advise Congress and the people whether or not those intrusted with the expenditures of public money have carried out the wishes of Congress and the people, and it goes without saying that this check, no doubt, will encourage caution and economy in the public expenditures."

During consideration of the bill in the House, Representative Byrns, of Tennessee, ranking minority member of the House Select Committee on the Budget, which had initiated similar legislation in the preceding Congress, and later chairman of the Committee on Appropriations, majority leader, and Speaker of the House, said:

"The Comptroller General is the representative of Congress. He does not represent the Executive in any sense of the word, and the whole idea of the Budget Committee was to make him absolutely and completely independent of the Executive" (61 CONGRESSIONAL RECORD 1081).

The above-quoted statement by Congressman Byrns to the effect that the Comptroller

[15] *U.S.* v. *Barnes*, 222 U.S. 513 (the expression of one thing is the exclusion of another.)

General is to be an arm of Congress was categorically emphasized and affirmed by Congressman Good (chairman, Select Committee on the Budget, in charge of the bill on the floor of the House), as follows:

"Under the law it is his duty to come to the committees of Congress that have jurisdiction over appropriations, expenditures, and revenues, and explain to them at all times when there is any inefficiency, when there is a waste or a lack of economy; and when the Commissioner from the Bureau of the Budget, or the President's staff, come and explain the budget, sitting right there they are brought to face the Comptroller General of the United States; and if a representative of the Bureau of the Budget states something that is not true, if he fails to state the whole truth, the Comptroller General sits there with the Committee on Appropriations as an arm of Congress and can supply the desired information" (61 CONGRESSIONAL RECORD 982).

Congressman Bankhead stated:

"This office of Comptroller General which we are seeking to establish is not a constitutional one. It is clearly within the jurisdiction and province of the Congress to establish an office of this character, and it may be that without any constitutional restraint Congress itself could name the official to administer the law. But be that as it may, it is a safe provision to allow this man who is to perform the great duties of Comptroller General to be absolutely free and independent of any restraint by Executive interference. If he is to exercise the functions of that office independently, if he is to carry out the will of Congress as proposed in this House bill, and protect the Treasury and interest of the taxpayers, he should be free and untrammeled from any sort of interference from any source" (61 CONGRESSIONAL RECORD 986).

IX. PRESIDENT WILSON VETOES H.R. 9783 AND STATES REASON

H.R. 9783 was the original Budget and Accounting Act. In his veto message, the only objection raised by the President concerned the constitutionality of the removal authority pertaining to the Comptroller General's position. President Wilson's message, contained on page 8610, CONGRESSIONAL RECORD, June 4, 1920, states:

"To the House of Representatives:

"I am returning without my signature H.R. 9783, an act to provide a national budget system, an independent audit of Government accounts, and for other purposes. I do this with the greatest regret. I am in entire sympathy with the objects of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional. This is the provision to the effect that the Comptroller General and the Assistant Comptroller General, who are to be appointed by the President with the advice and consent of the Senate, may be removed at any time by a concurrent resolution of Congress after notice and hearing, when, in their judgment, the Comptroller General or Assistant Comptroller General is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

"The effect of this is to prevent the removal of these officers for any cause except either by impeachment or a concurrent resolution of Congress. It has, I think always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it, as an incident, the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal derived from the Constitution * * *. I am returning this bill at the earliest possible moment with the hope that the Congress may find time before adjournment to remedy this defect.

"WOODROW WILSON.

"THE WHITE HOUSE, *June 4, 1920.*"

The message of the President does not object to any other provisions in the bill. It must be assumed, without fear of contradiction, that all other duties and responsibilities vested by the bill in the President, the Bureau of the Budget, and the General Accounting Office were acceptable. In fact, the language of the President gives every indication that all other features in the bill were perfectly acceptable, including the provisions relative to "access to any books, documents, papers, or reports."

The objection raised by President Wilson was considered by the Congress and the section was changed to provide for a joint rather than a concurrent resolution of Congress. This particular section 303 now reads in the Budget and Accounting Act, 1921, as follows:

The Comptroller General or the Assistant Comptroller General may be removed at any time by joint resolution of Congress after notice and hearings, when, in the judgment of Congress the Comptroller General or Assistant Comptroller General has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment."

The legal effect of a joint resolution of Congress is that such a resolution is sent to the President for approval. With this minor modification the Budget and Accounting Act, 1921, was enacted and sent to President Warren G. Harding who approved it on June 10, 1921. Thus we find two Chief Executives, Presidents Wilson and Harding, approving section 313 of the act as written.

X. ATTITUDE OF PRESIDENT WILSON

President Woodrow Wilson, who was one of the greatest supporters of the establishment of a national budget system and who had the opportunity to consider and object to this law concerning the availability of information to the Congress, its communities, and its agent, the Comptroller General, believed in the principles established in this act. His attitude is significant because research fails to reveal any instance wherein he ever refused or denied access to information requested by Congress although he was the Chief Executive during World War I. As recently as 1953 the United States Supreme Court in *United States* v. *Rumely*,[16] quoted President Wilson as follows:

"Unless Congress has and uses every means of acquainting itself with the acts and disposition of the administrative agencies of Government, the country must be helpless to learn how it is being served and unless Congress both scrutinizes these things and sifts them by every form of discussion the country must remain in embarrassing and crippling ignorance of the very affairs it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function."

XI. ADDITIONAL ACTION BY CONGRESS CONCERNING THE COMPTROLLER GENERAL

Twenty-five years after the enactment of the "Budget and Accounting Act, 1921," Congress again clearly set forth its intention on the duties and functions of the Comptroller General in the Legislative Reorganization Act of 1946, section 206 of Public Law No. 601, enacted August 2, 1946 (79th Cong., 2d sess.) provides:

"The Comptroller General is authorized and directed to make an expenditure analyses of each agency in the executive branch of the Government (including Government corporations) which, in the opinion of the Comptroller General, will enable Congress to determine whether public funds have been economically and efficiently administered and expended. Reports on such analyses shall be submitted by the Comptroller General from time to time, to the Committees on Expenditures in the Executive Departments, to the Appropriations Committee, and to the legislative committees have jurisdiction over legislation relating to the operations of the respective agencies, of the two Houses."

During the hearings before the Joint Committee on the Organization of Congress, 79th Congress, 1st session, the following statement was made by Comptroller General Lindsay C. Warren (p. 530):

"And by increasing use of the General Accounting Office on particular matters relating to the expenditure and application of funds, the Congress could better inform itself as to how expenditures have been made and as to the soft spots in the organization or activities of the agencies requesting funds. This information would be available for use when the agencies appeared before the Appropriations Committees requesting funds. In other words the committee would have both sides of the story. While the present manpower situation and the tremendous job the General Accounting Office now has, due to war expenditures and the new corporations audit work enjoined upon us by the George Act, would make it impossible for the General Accounting Office to undertake the job immediately on a governmentwide basis, this function could be developed gradually and, I sincerely believe, would in time become a great aid to the Congress and its committees dealing with appropriations and expenditures."[17]

Congress thus reaffirmed and thereby strengthened the statutory authority of the Comptroller General. The Congress in no way authorized the President, the head of a department or any officer of the Government to decide what information the Comptroller General should have to perform his statutory duties.

The Congress by Public Law No. 784, enacted September 12, 1950, amended the act, and reiterated and reemphasized a congressional intent of 29 years. The Budget and Accounting Procedures Act of 1950 provided in section 111:

"It is the policy of the Congress in enacting this part that—

* * * * *

"(d) The auditing for the Government conducted by the Comptroller General of the United States as an agent of the Congress be directed at determining the extent to which accounting and related financial reporting fulfill the purposes specified, financial transactions have been consummated in accordance with laws, regulations, or other legal requirements, and adequate internal financial control over operations is exercised, and afford an effective basis for the settlement of accounts of accountable officers."

The House Committee on Expenditures in Executive Departments, under Chairman William L. Dawson, issued House Report No. 2556, to accompany H.R. 9038, which became the public law stated, at page 2 thereof:

"The auditing of the Federal Government's financial transactions will continue to be conducted by the Comptroller General of the United States, as an agent of the Congress, under provisions permitting more comprehensive and more selective audits, to be developed in line with improved agency accounting systems, internal controls, and related administrative practices."

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[16] *U.S.* v. *Rumely*, 345 U.S. 41.

[17] H. Rept. No. 1884, 85th Cong., 2d sess., p. 231.

And at page 16, under the heading "Conclusions," it was stated:

"The continuation of the functions of the General Accounting Office, as an agency of the Congress, is essential to the maintenance of adequate appropriation and expenditure control by the Congress over the Federal Government * * *.

"It is also the opinion of your committee that there is an urgent need for the improvement of budgeting, accounting, and financial reporting of the Government. These fields should be simplified, modernized, and made effective to the maximum extent possible * * *. While H.R. 9038 provides the means for accomplishing these objectives it does not in any way lessen the control over public expenditures which is exercised by the Congress itself and by its agent, the General Accounting Office."

During the debate on H.R. 9038, the following statement was made by Congressman HOLIFIELD, a member of the committee:

"The bill incorporates all of the recommendations of the Hoover Commission report on budgeting and accounting with a single exception, that for the appointment of an Accountant General in the executive branch with authority over the prescribing of accounting systems and the supervising of accounting operations. That recommendation is contrary to a consistent congressional policy that the Comptroller General, as agent of the Congress, prescribe accounting requirements for the executive agencies so that appropriate audits may be made of the agencies and that Congress may exercise control over appropriations and expenditures.

"We know because that has been attempted before. In 1932 and 1937, I believe, such a proposal was attempted legislatively and was turned down by Congress. We members of the committee knew that the Congress would not relinquish this arm of the Congress, and the Comptroller General is the arm of the Congress, the watchdog of the Congress on expenditures in the executive departments." [18]

The importance of this legislative history must not be overlooked or minimized by anyone because section 313 of the Budget and Accounting Act, 1921 has remained intact and unchanged throughout 37 years. Research fails to reveal any attempt by a Member of Congress or an executive officer of the Government to recommend that section 313 be amended or modified in any way. It is also significant to note at this point that no exception has been made or even claimed for Inspector General's reports. Later in this memorandum of law we will discuss the fact that there is an Attorney General's opinion specifically interpreting the Budget and Accounting Act, 1921 for the then Secretary of War.

XII. CONSTITUTIONAL GRANTS OF POWERS, DUTIES, AND RESPONSIBILITIES TO THE PRESIDENT

We have considered the constitutional responsibilities and duties of the Congress and the law enacted in compliance thereof and also the legislative history establishing the intent of the Congress. Now we should consider the constitutional responsibilities and duties of the President which directly relate to the withholding of access to an Air Force Inspector General's report from the Comptroller General by the Secretary of the Air Force. The following sections of the Constitution are considered pertinent:

(h) "The executive power shall be vested in a President of the United States of America." [19]

(i) "he may require the opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the duties of their respective offices,". [20]

(j) "He shall from time to time give to the Congress Information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." [21]

(k) "He shall take care that the laws be faithfully executed." [22]

To attempt to define or enumerate all the "executive power" vested in the President is beyond the scope of this memorandum. We are not concerned with such matters as emergency powers, or where Congress has taken no legislative action and a void exists which the President may attempt to fill by executive power, or where a legislative act needs "filling in." Rather we are concerned here with the Budget and Accounting Act in which the Congress has established specific rules by law for the guidance of the President and the Comptroller General, a statute which needs no "filling in." More specifically, we are concerned with the exercises of "executive power" as it relates to section 313 of the Budget and Accounting Act, 1921. In this context we should consider the constitutional grants set forth above in paragraphs (h), (i), (j), and (k).

The Supreme Court in the Neagle case interpreted the "executive power" with respect to the take-care clause in the following language:

"The Constitution, section 3, article 2, declares that the President 'shall take care that the laws be faithfully executed,' and he is provided with the means of fulfilling this obligation by his authority to commission all the officers of the United States, * * * The duties which are thus imposed upon him he is further enabled to perform by the recognition in the Constitution, and the creation by acts of Congress, of executive department, * * * the heads of which are familiarly called Cabinet ministers. These aid him in the performance of the great duties of his office, and represent him in a thousand acts to which it can hardly be supposed his personal attention is called, and thus he is enabled to fulfill the duty of his great department, expressed in the phrase that 'he shall take care that the laws be faithfully executed.' " [23]

The Neagle case was decided in 1889 and was quoted extensively by the Supreme Court in *Myers* v. *United States,* handed down in 1926. In the Myers case, Mr. Chief Justice Taft, speaking for the Court, concerning the "executive power," stated:

"The vesting of the executive power in the President was essentially a grant of the power to execute the laws. But the President alone and unaided could not execute the law. He must execute them by the assistance of subordinates. This view has since been repeatedly affirmed by this Court." [24]

In this same case Mr. Chief Justice Taft stated that the "executive power" was not an unlimited grant in these words:

"The executive power was given in general terms, strengthened by specific terms where emphasis was regarded as appropriate, and was limited by direct expressions where limitation was needed." [25]

Thus, the sections and clauses quoted above in paragraphs (h), (i), (j), and (k) are specific terms where "emphasis was regarded as appropriate." The sections and clauses quoted in paragraphs (a) through (g) in section V of this memorandum are direct expressions "where limitation was needed." Consequently, we find that the "executive power" is limited by the Constitution with respect to the President's own duties as well as by those enumerated in article I of the Constitution.

As recently as 1952 the Supreme Court in the Youngstown Steel seizure case set forth in no uncertain terms the limit of executive power and the effect of an "Executive order" which is most appropriate for the matter under consideration, namely, access to information, documents, and records. The Court stated:

"And it is not claimed that express constitutional language grants this power to the President. The contention is that presidential power should be implied from the aggregate of his powers under the Constitution. Particular reliance is placed on provisions in article II which say that 'The executive power shall be vested in a President'; that 'he shall take care that the laws be faithfully executed'; and that he 'shall be Commander in Chief of the Army and Navy of the United States.' * * * In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make the laws which the President is to execute. The first section of the first article says that 'All legislative powers herein granted shall be vested in a Congress of the United States.' After granting many powers to the Congress, article I goes on to provide that Congress may 'make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.' " [26]

With respect to the "Executive order" which the President had issued in the Steel Seizure case and which is quite similar to the position taken by the Department of Defense when it issued DOD Directive 7650.1 dated July 9, 1958 (to be discussed later in this memorandum), the Supreme Court stated:

"The President's order does not direct that a congressional policy be executed in a manner prescribed by Congress—it directs that a presidential policy be executed in a manner prescribed by the President. The preamble of the order itself, like that of many statutes, sets out reasons why the President believes certain policies should be adopted, proclaims these policies as rules of conduct to be followed, and again, like a statute, authorizes a Government official to promulgate additional rules and regulations consistent with the policy proclaimed and needed to carry the policy into execution. The power of Congress to adopt such public policies as those proclaimed by the order is beyond question. * * * The Constitution does not subject this lawmaking power of Congress to presidential or military supervision or control." [27]

The Court in this opinion emphasized the fundamental basis of the Constitution and

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[18] Ibid. at p. 231.

[19] Constitution of the United States, art. II, sec. 1.

[20] Constitution of the United States, art. II, sec. 2.

[21] Constitution of the United States, art. II, sec. 3.

[22] Ibid.

[23] In re Neagle, 135 U.S. 63.

[24] *Myers* v. *U.S.*, 272 U.S. 117; *Wilcox* v. *Jackson*, 13 Peters 498, 513; *United States* v. *Eliason*, 16 Peters 291, 302; *Williams* v. *United States*, 1 Howard 290, 297; *Cunningham* v. *Neagle*, 135 U.S. 1, 63; *Russell Co.* v. *United States*, 261 U.S. 514, 523.

[25] Ibid., at p. 118.

[26] *Youngstown Sheet & Tube Co., et al.* v. *Sawyer*, 343 U.S. 587, 588.

[27] Ibid. at p. 588.

hence the very core of our system of government in these words:

"The founders of this Nation entrusted the lawmaking power to Congress alone in both good and bad times. It would do no good to recall the historical events, that fears of power and the hopes for freedom that lay behind their choice." [28]

Mr. Justice Douglas in his concurring opinion in the Youngstown case relative to the sections and clauses of the Constitution quoted above in paragraphs (h), (j), and (k) of this memorandum made the following relevant statement:

"Article II which vests the 'executive power' in the President defines that power with particularity. Article II, section 2 makes the Chief Executive the Commander in Chief of the Army and Navy. But our history and tradition rebel at the thought that the grant of military power carries with it authoriy over civilian affairs. Article II, section 3 provides that the President shall 'from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.' The power to recommend legislation, granted to the President, serves only to emphasize that it is his function to recommend and that it is the function of the Congress to legislate. Article II, section 3 also provides that the President 'shall take care that the laws be faithfully executed.' But, as Mr. Justice Black and Mr. Justice Frankfurter point out, the power to execute the laws starts and ends with the laws Congress has enacted." [29]

The statements of Mr. Justice Jackson, a former Attorney General, in his concurring opinion in the Youngstown case have particular significance with respect to the refusal of the Secretary of the Air Force to give the Comptroller General access to the Inspector General's report. After referring to himself as one "who has served as legal adviser to a President in time of transition and public anxiety." [30] he stated:

"When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive presidential control in such a case only by disabling the Congress from acting upon the subject. (Footnote omitted.) Presidential claim to a power at once so conclusive and preclusive must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system." [31]

Thus we find the Supreme Court interpreting the "executive power" grant in the Constitution and stating unequivocally that the President does not have an unlimited discretionary power. The President is bound to faithfully execute the law as enacted by the Congress under its constitutional authority.

XIII. EXECUTIVE PRIVILEGE PLEADED

In this particular case the Secretary of the Air Force is refusing the Comptroller General access to a document or report not on the basis of any statutory law or judicial precedent. In fact the decision of the Secretary is bordering closely on action contrary to law. The Secretary bases his action on a nebulous claim of so-called executive privilege. This claim is allegedly "derived from the constitutional power of the President, which we are claiming now. We are claiming it by and through the authority of the President." [32] This language implies that the Secretary of the Air Force is acting in this matter as an agent of the President; the language does not convey the understanding that the decision to refuse access to the report was done at the specific direction of the President or that the matter was even submitted to the President for his consideration. Therefore, we must assume that this decision to refuse the Comptroller General access to the report was made by the Secretary in his capacity as an officer of the Government charged with the duty "to take Care that the Laws be faithfully executed." The validity and weight which should be accorded "the myth of executive privilege" [33] has been amply described by Mr. Justice Jackson, in the Youngstown case, in his statement:

"The Solicitor General lastly grounds support of the seizure upon nebulous, inherent powers never expressly granted but said to have accrued to the office from the customs and claims of preceding administrations. The plea is for a resulting power to deal with a crisis or an emergency according to the necessities of the case, the unarticulated assumption being that necessity knows no law.

"Loose and irresponsible use of adjectives colors all nonlegal and much legal discussion of Presidential powers. 'Inherent' powers, 'implied' powers, 'incidental' powers, 'plenary' powers, 'war' powers, and 'emergency' powers are used, often interchangeably and without fixed or ascertainable meanings.

"The vagueness and generality of the clauses that set forth Presidential powers afford a plausible basis for pressures within and without an administration for Presidential action beyond that supported by those whose responsibility it is to defend his actions in court. The claim of inherent and unrestricted Presidential powers has long been a persuasive dialectical weapon in political controversy. While it is not surprising that counsel should grasp support from such unadjudicated claims of power, a judge cannot accept self-serving press statements of the attorney for one of the interested parties as authority in answering a constitutional question, even if the advocate was himself. But prudence has counseled that actual reliance on such nebulous claims stop short of provoking a judicial test." [34]

XIV. 34 OPINIONS ATTORNEY GENERAL 446 (1925) V. DOD DIRECTIVE 7650.1

Bearing in mind the above-quoted words of Mr. Justice Jackson, we should now consider the evidence and circumstances which resulted in an opinion of the Attorney General specifically interpreting section 313 of the Budget and Accounting Act of 1921. Although research fails to reveal any judicial decision concerning this act, we have available a 1925 Attorney General's opinion. This opinion is a construction of the statutory law and is most important because in the exact words of the distinguished General Counsels of the Department of Defense, including the Air Force, an Attorney General's opinion "is controlling within the executive branch." These words are:

"The Attorney General is the legal adviser to the President under title 5, United States Code, section 306, and on the basis of selective requests as distinguished from day-to-day operating advice, he is the adviser to the heads of departments under title 5, United States Code, section 304. On matters of the President's powers his opinion is controlling within the executive branch." [35]

We should now consider whether an opinion of the Attorney General is in fact "controlling within the executive branch." In a letter dated January 2, 1925, from the Secretary of War to the Attorney General the Secretary asked:

"Since the statutes governing the purchase of supplies and engagement of services under the War Department repose judgment and discretion in the contracting officers in procuring supplies to the extent that they 'shall be purchased where the same can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered' (act of June 30, 1902, 32 Stat. 514), and, as to Quartermaster supplies, that 'the award in every case shall be made to the lowest responsible bidder for the best and most suitable article' (act of July 5, 1884, 23 Stat. 109), it seems to this Department that the accounting officers may not assume to exercise in any degree a supervision over the exercise of such judgment and discretion as appears to be contemplated by the Comptroller General's decisions. There appears to be no more justification for the review of such matters in the General Accounting Office than there would be for a like review or supervision of other matters purely of administration such as the prescribing of specifications or the receipt of supplies and their application to Government uses. Will you, therefore, oblige me with your opinion as to whether, according to law, I am bound to furnish to the General Accounting Office the information relative to the awarding of contracts by officers under this Department, as indicated in that part of the Comptroller General's decision of March 8, 1924." [36]

The Secretary enclosed with his letter an opinion of the Judge Advocate General, which concludes:

"This office is clearly of the opinion that the General Accounting Office has no authority to review the decisions of the contracting officers under the War Department made in the exercise of their judgment and discretion in connection with making of awards for contracts, and that consequently the Comptroller General had no power to require the furnishing of data necessary for such review. In order, however, that the controversy may be authoritatively disposed of, it is recommended that this question be submitted to the Attorney General for his opinion." [37]

On March 21, 1925, the Attorney General specifically laid down the rule of law, for the guidance of the heads of departments, relative to section 313 of the Budget and Accounting Act (31 U.S.C. 54) in these cogent words:

"You request an opinion 'as to whether, according to law,' you are bound to furnish this information.

"It will be observed that the Comptroller General states that this requirment is made necessary in order that a satisfactory audit may be made. What papers or data he should have to make such an audit would seem to be a matter solely for his determination. Moreover, section 313 of the Budget and Accounting Act provides (p. 26):

"'All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment.'

"Respectfully,

"JOHN G. SARGENT." [38]

[28] Ibid. at p. 589.
[29] Ibid. at pp. 632, 633.
[30] Ibid. at p. 634.
[31] Ibid. at pp. 637, 638.
[32] Hearing record (p. 3691).
[33] DAILY CONGRESSIONAL RECORD, 85th Cong., 2d sess., p. A7448.
[34] 343 U.S., at pp. 646, 647.
[35] Hearings, pt. 7, Department of Defense, 2d sec., p. 1981.
[36] See exhibit IV–E, p. 3791.
[37] Ibid. at p. 3796.
[38] 34 Op. Atty. Gen. 446, exhibit IV–E, p. 3796.

It has been contended that this Attorney General's opinion was a very limited decision as indicated by the following colloquy:

"Mr. MITCHELL. On the question Mr. FASCELL just asked you—there is a law involved. The Comptroller General has a statutory responsibility under that law. We had testimony that this law had been interpreted by the Attorney General who stated:

" 'You requested an opinion as to whether, according to law, you are bound to furnish this information. It will be observed that the Comptroller General states that this requirement is made necessary in order that a satisfactory audit may be made. What papers or data he should have to make such an audit would seem to be a matter solely for his determination.'

"And then the opinion goes on to quote the access section 313, of the Budget and Accounting Act. In view of the lack of any other ruling, by a court or otherwise, is that not a compelling interpretation of the Budget and Accounting Act?

"Secretary DOUGLAS. I am sorry. I do not hear the whole question and Mr. Golden said he would like to answer it.

"Mr. GOLDEN. May I?

"Mr. MITCHELL. Yes.

"Mr. GOLDEN. You are talking about an opinion of Attorney General in 1925?

"Mr. MITCHELL. Yes.

"Mr. GOLDEN. The Attorney General was there asked a very limited question which involved the situation where a low bidder had been rejected. The Comptroller General wanted to know the reason for the rejection of the low bidder and the award to the second low bidder. The Comptroller General did make the statement you said. However, there was no assertion of any executive privilege in this case. It was a limited situation involving the property of award of a contract. We routinely give this kind of information to the General Accounting Office every day." [39]

We submit that even a casual reading of the Secretary of War's letter, the attached Judge Advocate General's opinion and the resulting Attorney General's opinion clearly refutes the contention that the decision was in any way limited. The question arises here as to whether the Department of Defense and the Secretary of the Air Force are relying solely on the Attorney General's opinion on its face for their interpretation of the decision. If the letter of the Secretary of War and the attached Judge Advocate General's opinion were not considered, then the construction of the Attorney General's opinion is unfortunate and inexcusable.

We should now consider if the Department of Defense adequately considered this Attorney General's opinion before DOD Directive 7650.1 was issued on July 9, 1958. On June 16, 1958, the Committee on Government Operations considered and approved House Report No. 1884 relative to information practices in the Department of Defense. Included in this report is a staff memorandum entitled: "Statutory Authority of the General Accounting Office in Relation to Information from Executive Departments and Agencies" (pp. 228–234). On July 9, 1958, the very day the directive was issued the Hébert subcommittee of the House Armed Services Committee specifically questioned Mr. Robert Dechert, General Counsel of the Department of Defense relative to this 1925 Attorney General's opinion and the following colloquy ensued: [40]

"Mr. HÉBERT. Was that opinion taken—rather, that opinion of the then Attorney General taken into consideration, Mr. Dechert, when you were figuring out a way how you were going to supplement the law, or implement the law, or circumvent the law? We will use all the words to be sure we cover everything.

"Mr. DECHERT. Yes, sir. The situation which is presented in that opinion is one in which we follow exactly the lines there laid down. That opinion arose from a question of whether the proper person had received a contract.

"But the problems inherent in this new directive, and particularly amendment to the other directive on the question of security information (to which Mr. Courtney was directing my attention), are vastly beyond that limited situation.

"Mr. COURTNEY. But, under the directive 7650.1, which was signed today, dealing with unclassified information, you would have the right, whether it be intended to be exercised or not—you would have the right to withhold the very information which Attorney General Sargent said the Comptroller General had the full responsibility for determining?

"Mr. DECHERT. Yes, sir."

It is evident that the Department was aware of the Attorney General's decision as written, but what about the Secretary of War's letter and attachment thereto?

The Secretary of Defense by his action in issuing DOD Directive 7650.1 severely impeded and prevented the Comptroller General from carrying out his statutory duties, as required by law, and the Comptroller General so notified the Secretary on June 26, 1958, prior to the issuance of the directive.[41] Since an Attorney General's opinion is "controlling within the executive branch" the least that one could expect before such a directive is issued would be for the Secretary to seek the advice of the Attorney General. The issue of the right of an independent officer of the Government to "have access to and the right to examine any books, documents, papers, or records" as provided by law, was not an emergency situation, and if any doubt existed concerning the 1925 opinion, clarification should have been sought from the Attorney General. No evidence has been made available that such advice was sought or obtained.

On March 10, 1958, and before this directive was issued, Mr. Robert Dechert, General Counsel of the Department of Defense, testified before the Hébert subcommittee concerning the General Accounting Office as follows: [42]

"Mr. COURTNEY. Let me ask you specifically: We are interested for the record here, as to the interpretation of the Department, specifically, of the statute relating to the General Accounting Office.

"Its authority is initially from the Budgeting and Accounting Act of 1921, and I refer specifically to section 53, which is a mandate to the Comptroller General, and says:

" 'To .nvestigate at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds.'

"Now do I take it within the interpretation which you have given that the matter of relevancy in relation to such an inquiry would be determined, in your opinion, within the Department or would the question of relevancy never arise?

"Mr. DECHERT. The question of relevancy, I hope, would never arise. If it did arise, it would be a matter of joint determination.

"Mr. COURTNEY. Is the matter of relevancy in your opinion, and as you conduct your office now, a matter to be determined within the Department of Defense?

"Mr. DECHERT. I think this issue hasn't arisen, Mr. Courtney, and therefore I think I cannot answer it.

"Mr. HÉBERT. May I suggest you be responsive to the question?

"Mr. DECHERT. I say, I think this hasn't arisen and therefore I can't answer from the point of view of precedent.

"Mr. HÉBERT. We have asked you for an opinion. Now what is your opinion?

"Mr. DECHERT. I want to be sure I get it correctly.

"As I understand it, the question is, Suppose that an issue arose between the General Accounting Office and the Department of Defense as to whether a particular paper was or was not relevant?

"I think if the Department of Defense, after a joint consultation, felt that its view was correct, the only thing it could do would be to refer it to the President."

In view of this testimony and the fact that the Comptroller General had requested the Inspector General's report on June 13, 1958, we can only conclude that DOD Directive 7650.1 was ill-advisedly issued. In this context we should consider and ponder the words of Mr. Justice Jackson.

"But I have no illusion that any decision by this Court can keep power in the hands of Congress if it is not wise and timely in meeting its problems. * * * If not good law, there was wordly wisdom in the maxim attributed to Napoleon that 'The tools belong to the man who can use them.' We may say that power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers.

"The essence of our free Government is 'leave to live by no man's leave, underneath the law'—to be governed by those impersonal forces which we call law." [43]

The Congress did not let the legislative power slip through its fingers in this case, because it had enacted clear and precise rules for the preparation and submission of the national budget and at the same time created an independent officer of the Government, the Comptroller General, as an agent of the Congress to "have access to and the right to examine any books, documents, papers, or records of any such department or establishment. In no sense of the word was there an emergency connected with the issuance of the directive unless it be a self-serving one. It is interesting to note that the official request of the Comptroller General for access to the Inspector General's report titled "Survey of Management of the Ballistic Missile Program" was made to the Secretary of the Air Force on June 13, 1958. The DOD Directive 7650.1 restricting access to Inspector General's reports was issued on July 9, 1958.[44] The official refusal of access, relying on this directive, was made by the Secretary of the Air Force in a letter to the Comptroller General dated July 30, 1958.[45]

XV. DOD DIRECTIVE 7650.1 BASED SOLELY ON EXECUTIVE PRIVILEGE

There is no doubt that the DOD Directive 7650.1 was based on executive privilege. The directive itself does not cite any statutory authority. In fact, the directive itself makes not the slightest claim to so-called constitutional, Presidential, or Secretary of Defense powers, implied, inherent or whatever word might best fit a self-serving document which by its very issuance over the signature of the Secretary of Defense should be binding on officers and employees of the Defense Establishment.

During the course of the subcommittee's hearings with the Secretary of the Air Force on this subject matter, the chairman finally pinpointed the alleged authority as being executive privilege in the following colloquy:

"Secretary DOUGLAS. May I just say one word on that. I think the regulation which

[39] Hearing record, pp. 3690–3691.

[40] Hearings, Special Subcommittee No. 6 of the Committee on Armed Services, p. 194.

[41] Hearing record, exhibit VI–A through J, p. 3799 through p. 3827, specifically p. 3826.

[42] Hearings, Special Subcommittee No. 6 of the Committee on Armed Services, p. 19.

[43] 343 U.S. at p. 654.

[44] Hearing record, exhibit VI–A, p. 3799.

[45] Hearing record, p. 3572.

says that the reports will not be released except with my approval rests solely for its validity on executive privilege.

"Mr. Moss. Would you quote for me the pertinent section of the Constitution?

"Mr. Golden?

"Mr. GOLDEN. We are relying primarily—and I think it would be almost impertinent for me as General Counsel, not to so rely—upon the opinions of the Attorney General in this matter.

"We rely upon the well-known opinion of the Attorney General—40th Opinions of the Attorney General, page 45. We also rely on the May 17, 1954, letter, which had enclosed with it, as you know, a memorandum to the President from the Attorney General.

"Now, both of these are based upon the constitutional power of the President.

"The Attorney General has ruled that this privilege exists. I certainly, as General Counsel of the Air Force, am bound by his interpretation of the law and his ruling on the law. I am also bound by the President's acceptance of that interpretation.

"Mr. Moss. Can you quote the pertinent section of the Constitution?

"Mr. GOLDEN. I can quote the pertinent section of the Constitution that the Attorney General relies upon.

"Mr. Moss. Would you do so, please?

"Mr. GOLDEN. Those sections of the Constitution are that an executive power is vested in the President and that the President shall take care that the laws are faithfully executed.

"Mr. Moss. We are talking now about a law that has been written, and it says that the Comptroller General shall have access to all records.

"Mr. GOLDEN. You are now asking about the rationale of the Attorney General's decision and how he concludes from those provisions what the law is?

"Mr. Moss. No. You are now testifying and giving the Secretary's views as counsel to the Secretary of the Air Force.

"Mr. GOLDEN. Yes, sir.

"Mr. Moss. I don't think he has sought an Attorney General's opinion in that instance.

"Mr. GOLDEN. No.

"Mr. Moss. I would be interested in what you are relying upon, particularly what constitutional provision.

"Mr. GOLDEN. The Attorney General's opinions that deal with questions of legal principles do not have to be reiterated in every case that arises.

"Mr. Moss. Well—

"Mr. GOLDEN. I might add that when the President accepted the Attorney General's opinion on May 17, 1954, and recognized the confidential nature of communications among the employees of the executive branch, it seems to me to fit this case like a glove.

"Mr. Moss. This is not a communication. This is an official report reflecting an official judgment.

"Secretary DOUGLAS. Mr. Chairman, if you are requesting the authority for the Defense Department regulation, there is every reason to take that up with the Secretary of Defense and with the General Counsel of the Defense Department.

"I have no difficulty myself in reading the regulation issued by the Secretary of Defense and saying that I am given the authority, in operating the Air Force under his direction and control, to withhold Inspector General's reports. The regulation does not even state it on the basis that I can withhold; the regulation is on the basis that they shall not be given unless I approve their release.

"Mr. Moss. I am quite conscious of that, Mr. Secretary.

"Secretary DOUGLAS. Right.

"Mr. Moss. And I might also say that I am in sharp disagreement with the basis for the authority. I am mindful of the statement of the courts in the *Youngstown Sheet & Tube* v. *Sawyer:*

"'In the framework of our Constitution the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The founders of this Nation entrusted the lawmaking power to the Congress alone in both good and bad times.'

"We are talking now of a law which says that this information shall be available, and here we have departments laying down the rules and saying what you can have.

"How broad is the authority to withhold, notwithstanding a clear statutory expression by Congress?

"Secretary DOUGLAS. I would not like to go into the problem of personal appraisal of the scope of Presidential discretion.

"I might express the view that I would think it complete. But I don't have to do that, because I have a very clear authority given to me with respect to this kind of a report.

"I will try to exercise it as I am, as reasonably as possible." [46]

It is appropriate at this time to recall to mind the words of Mr. Justice Story in the Orono case.

"For the executive department of the Government, this court entertains the most entire respect; and amidst the multiplicity of cares in that department, it may, without any violation of decorum, be presumed, that sometimes there may be an inaccurate construction of law." [47]

XVI. JUDICIAL DECISIONS AND OTHER COMMENTS ON THE MYTHICAL DOCTRINE OF EXECUTIVE PRIVILEGE

We have already noted the statements of Mr. Justice Jackson in the Youngstown case which are pertinent to the claim of executive privilege in political controversy. The Justice also stated that such claims are unadjudicated. He also cautioned that actual reliance on such nebulous claims stops short of provoking a judicial test. The Justice is factually accurate when he states that such claims have never been adjudicated on the Federal level probably, because of the exercise of good judgment by the parties concerned and the fact that a specific statutory law has rarely, if ever, been involved as it is in this particular case.

The Justice was probably unaware of a 1951 decision of the Supreme Judicial Court of Massachusetts. This case arose out of an attempt by an executive official to withhold a report from the Senate of Massachusetts on the basis that "the legislature may not attempt to interfere with action taken by the executive department, which includes the department of labor and industries and the Massachusetts Development and Industrial Commission set up therein." [48] This claimed privilege of the executive to a power to withhold documents from the legislature (or in the case we are dealing with, an independent officer, as an agent of the Congress) on the ground of official privilege was squarely presented to a court. The court expressly repudiated the gratuitous assumption of such a power in the executive to frustrate the senate's access to a report in these words:

"None of the reasons given by Del Monte (chairman, Massachusetts Development and Industrial Commission) for not producing the report was valid. The attempt of the senate to secure such information as might be contained in the report was not an interference with the executive department of the government. It was a permissible exercise of an attribute pertaining to legislative power. If the legislative department were to be shut off in the manner proposed from access to the papers and records of executive and administrative departments, boards, and commissions, it could not properly perform its legislative functions." [49]

No contention has been made that the Congress when it enacted section 313 of the Budget and Accounting Act was not exercising a permissible attribute pertaining to legislative power.

There exists a fallacious theory running rampant throughout the executive departments today that availability or access to Government information, papers, documents, and reports is an interference with the executive duty to take care that the laws be faithfully executed. This is probably due to the legally unsupportable—and as Mr. Justice Jackson said, unadjudicated—claims of executive privilege set forth by President Eisenhower in his letter to the Secretary of Defense on May 17, 1954, and the attached memorandum by Attorney General Brownell, at the time of the Army-McCarthy hearings. In fact, the Secretary of the Air Force and his counsel have specifically relied on this very questionable document as authority to withhold the Inspector General's report from the Comptroller General. The exact statement is:

"We also rely on the May 17, 1954, letter, which had enclosed with it, as you know, a memorandum to the President from the Attorney General.

"Now, both of these are based upon the constitutional power of the President.

"The Attorney General has ruled that this privilege exists. I certainly, as General Counsel of the Air Force, am bound by his interpretation of the law and his ruling on the law. I am also bound by the President's acceptance of that interpretation." [50]

It is to be noted that the instance which caused the issuance of the May 17, 1954, letter did not concern an interpretation of any statutory law. Furthermore, the occasion pertained basically to conversations among executive officials about which a Senate subcommittee was endeavoring to have the General Counsel of the Army testify. From a legal point of view it is most important to note that the matter was submitted to the President on a specific point, on a specific occasion, with reference to a specific subject matter and his direction was to a specific person. What is more important is the fact that the President himself has subsequently clarified his letter in words which are extremely significant and have particular relevance to this case; namely, the Comptroller General's access to the Inspector General's report. The President said:

"If anybody in an official position of this Government does anything which is an official act, and submits it either in the form of recommendation or anything else, that is properly a matter for investigation if Congress so chooses, provided the national security is not involved." [51]

In this case national security is not involved, by admission of the Secretary of the Air Force.[52] What is involved is a final, official act by the Inspector General [53] in a report strictly concerned with the expenditure of public funds appropriated by the Congress.[54]

In addition, Gerald D. Morgan, special counsel to the President, stated in a letter:

"In so writing to Secretary Wilson, and in further amplifying these principles, the

[46] Hearing record, pp. 3691–3693.

[47] The Orono, 18 Fed. Cas. No. 10,585 (Cir. Ct. D. Mass. 1812).

[48] Opinion of the Justices, 328 Mass. 656.

[49] Ibid., at p. 661.

[50] Hearing record, p. 3692.

[51] Hearings, House Government Information Subcommittee, pt. 7: Department of Defense, second section, p. 1988.

[52] See hearing record, p. 3641.

[53] See hearing record, p. 3652.

[54] See hearing record, pp. 3683–3684; also exhibit I–C, p. 3711.

President was exercising a right, which is his, and his alone, to determine what action is necessary to maintain the proper separation of powers between the executive and legislative branches of the Government." [55]

Without admitting that such alleged right exists in the President, we must point out that the question of access to this Inspector General's report was not, insofar as the subcommittee has been able to ascertain, submitted by the Secretary of Defense or Secretary of the Air Force to the President for decision. It is strongly doubted that the President was made aware of the facts involved in this case or the fact that access to the report is specifically provided for by section 313 of the Budget and Accounting Act. It must also be recognized that the President was asked very general questions at a press conference which alluded to this subject matter. There is, however, no record that this entire matter was presented to him for his decision.

Since in this section of this memorandum we are concerned with the question of executive privilege, it is deemed appropriate to consider some remarks made on the subject on the floor of Congress. Congressman GEORGE MEADER, a distinguished member of the Committee on Government Operations, who has represented the Republican minority at hearings of this subcommittee and who, before his election to Congress, served as chief counsel for the Senate War Investigating Committee, has made some cogent remarks concerning executive privilege which warrant our consideration. Congressman MEADER said:

"Mr. Speaker, last Thursday, the Attorney General of the United States, the Honorable William P. Rogers, appeared before the Senate Judiciary Subcommittee on Constitutional Rights to present his views on the power of Congress to obtain information from the executive branch of the Government. His statement asserted a privilege in the executive branch of the Government to withhold information from the Congress in such broad terms that it should not go unanswered.

"Increasingly, in recent years, as the executive bureaucracy has grown in power and in numbers of officials, there has been a parallel tendency to assert limitations and restrictions upon the investigative power of the Congress and its committees with respect to documents, papers, and information in the possession of the executive branch of the Government.

"I fully realize that silence on the part of Congress has no legal significance in fortifying these executive assertions. Yet such statements, often enough repeated, create a public impression of congressional acquiescence.

* * * * *

"The net effect of the Attorney General's statement is that the executive branch of the Government will give to the Congress or its committees such information as the executive branch chooses to give, and no more.

"I wonder if the American people and their elected representatives in Congress appreciate the significance of this latest pronouncement of the executive branch of the Government. If this is sound constitutional doctrine, then it is permissible, without amending the Constitution, for the huge executive bureaucracy we have built up over the years to become the master, not the servant of the people. It places within the sole and unfettered discretion of an organization of well over 2 million persons in the executive branch of the Government the power either wholly to deny Congress access to facts about the public business, or to make known only on such terms, at such times, and under such conditions as the Executive sees fit, those portions of the total picture which the Executive wants the public or the Congress to know. The latter course makes possible a rigged, distorted, slanted factual foundation for the formulation of public opinion, and thus grants the Executive greater power over policymaking than is healthy under a system of self-government by the people.

* * * * *

"Mr. Speaker, it is difficult to prove that a nonexistent thing does not exist. That is the dilemma with the so-called Executive privilege. The burden of proof should be upon those who assert that there is Executive privilege which, of course, is nowhere mentioned in the Constitution or in any court decision in any controversy concerning the investigative power of the Congress.

* * * * *

"When, therefore, there is an attempt to destroy, impair, or weaken the investigative power of the Congress, the capacity to legislate intelligently is undermined. Asserting an Executive privilege to deny to Congress facts and information which Congress in its legislative judgment believes it needs, is to attack the legislative power itself.

"It is amazing to me that a nonexistent, imaginary, so-called Executive privilege, nowhere recognized in the Constitution, in statutes or in court decisions, can seriously be advanced to destroy the expressly vested legislative power, as well as the investigative power which inheres in it, so clearly established in the Constitution and in an unbroken line of court decisions throughout the entire history of our Government.

* * * * *

"The doctrine of separation of powers can have no relationship to the problem at hand unless it is assumed that the power of Congress to obtain information is an invasion of the powers and prerogatives of the executive branch of the Government. Congressional access to information within the possession of the executive branch would not seem, in and of itself, to interfere in any way with the orderly discharge of the responsibilities and duties of officials of the executive branch. The mere possession of information is not tantamount to making administrative decisions, directing and supervising officials in the executive branch, employing or discharging subordinates, or performing any of the functions commonly associated with executive or administrative authority. It is difficult to see how mere knowledge of facts within the possession of the executive branch—not associated with any further action whatever on the part of Congress—could constitute legislative invasion of executive power.

* * * * *

"As to the latter, it is clear that what the Congress created by statute, it may destroy or modify. Frequently, in statutes creating agencies, a provision is included that reports be made to the Congress from time to time. The validity of such provisions has never been challenged, to my knowledge. If the Congress may create an agency in such form as it desires, it obviously can provide as a feature of the agency it creates that the files, records, and papers in its possession should be available to the Congress and its committees upon such terms as the Congress may specify. The Congress can repeal or amend any statutes creating agencies and specifically provide for congressional access to information in the agency's possession. I see no reason why, if it should be necessary, Congress could not pass a general statute applicable to all agencies created by statute specifying that, and the terms upon which, the Congress and its committees should have access to information in the possession of such agencies. This power resides in the Congress wholly aside from its power, through subpena or otherwise, to make inquiries.

* * * * *

"The Attorney General, whose statement I am now analyzing, succeeded me as chief counsel for the Senate War Investigating Committee, and then stayed on with the Senate after the expiration of that special committee and served as chief counsel for the Investigations Subcommittee of the Committee on Expenditures in the Executive Departments.

"We all know of the important role a committee counsel plays in the preparation of committee reports.

"While Mr. Rogers, the present Attorney General, was chief counsel for the Investigations Subcommittee, a report was filed September 4, 1948, on an investigation of Federal employees loyalty program. On page 19 of that report—Senate Report No. 1775, 80th Congress, 2d session—is the following interesting passage:

"'*Nondisclosure policy of the executive branch on loyalty information*

"'Under our constitutional form of government, Congress has the duty to enact laws for the public welfare. To perform this duty intelligently, it must have the complete facts upon which to base its judgment. Congress is entitled to learn by direct investigation whether present laws are satisfactory or, if not, then in what respects they fail. Under our system of checks and balances Congress should not be placed in the position of enacting legislation merely at the request of the executive branch of the Government and solely for reasons advanced by it. Congress is entitled to know the facts giving rise to the requests and to satisfy itself by firsthand information that the reasons furnished are valid. Any other course blinds the legislative branch and permits action only when the President provides a "seeing-eye dog" in the form of a request for legislation desired by the Executive. Good legislation and ignorance of the facts are incompatible. President Truman, in discussing the importance of congressional investigations on the floor of the Senate when he retired as chairman of the War Investigating Committee, forcefully emphasized this basic fact by saying: "An informed Congress is a wise Congress; an uninformed Congress surely will forefeit a large portion of the responsibility and confidence of the people."'" [56]

To paraphrase the above question, Congress, with respect to the National Budget System, has through the Budget and Accounting Act and the Comptroller General provided for a "seeing-eye dog" and has by this law attempted "to satisfy itself by firsthand information" that the requests for, control of, and expenditure of public funds is valid.

XVII. RULES APPLICABLE TO DEPARTMENT OF DEFENSE

The Congress, when it enacted the Budget and Accounting Act, 1921, did not except the Army and the Navy from the provisions of the laws. Neither did it except the Department of Defense and the Department of the Air Force after they were created. In fact, as the law states, it is applicable to "all departments and establishments" of the Government. In this context we should consider the quote set forth in paragraph (e), section V of this memorandum and with particular reference to the applicability of section 313 of the Budget and Accounting Act.

[55] Hearings, House Government Information Subcommittee, p. 47; Department of Defense, 2 ed., p. 1989.

[56] CONGRESSIONAL RECORD, volume 104, part 3, pp. 3848–3854.

Mr. Justice Jackson, in the Youngstown case, summed up the rule of law which is applicable in this manner:

"There are indications that the Constitution did not contemplate that the title Commander in Chief of the Army and Navy will constitute him also Commander in Chief of the country, its industries, and its inhabitants. He has no monopoly of 'war powers,' whatever they are. While Congress cannot deprive the President of the command of the Army and Navy, only Congress can provide him an Army or Navy to command. It is also empowered to make rules for the 'Government and regulation of land and naval forces,' by which it may to some unknown extent impinge upon even command functions." [57]

The law and the legislative history of the Budget and Accounting Act, and amendments, sharply indicate that Congress meant the Comptroller General to have access to any books, documents, papers, or records necessary for him to carry out his statutory duties and responsibilities. Since the Department of Defense Establishment was not excepted from the provisions of the law, the Congress was exercising its constitutional responsibility to make rules for the "Government and Regulation of land and naval Forces." This law is one of the rules it has established.

XVIII. VOLUME 40 OPINIONS OF THE ATTORNEY GENERAL, PAGE 45 (APRIL 30, 1941)

This opinion was also referred to as authority to support the theory of Executive privileges.[58] The opinion was concerned with the availability of investigative reports of the Federal Bureau of Investigation. The Secretary of the Air Force has not contended that the Inspector General's report in any way concerns the FBI files nor that this report is of the investigatory type, such as personnel security or criminal investigations.[59] In fact, the report is entitled "Survey of Management of the Ballistic Missile Program." With respect to the relevancy of the court cases relied upon by the Attorney General in this opinion we are at a loss to comprehend their significance because none of them pertains to information or records as far as availability to Congress, or its agent, is concerned. The General Accounting Office has furnished the subcommittee with an analysis of each of the cases cited and relied upon by the Attorney General in his opinion.[60]

Although this particular opinion has no relevancy with respect to the right of access to the Inspector General's report, as established by statutory law, we should consider it because the opinion has not withstood the supreme test of judicial review. In this opinion one of the broadest claims for Executive privilege was made in these terms:

"This discretion in the executive branch has been upheld and respected by the judiciary. The courts have repeatedly held that they will not and cannot require the Executive to produce such papers when, in the opinion of the Executive, their production is contrary to the public interest. The courts have also held that the question whether the production of the papers would be against the public interest is one for the Executive and not for the courts to determine." [61]

The author of this statement in 1941, when he was Attorney General, was none other than Mr. Justice Jackson, who, in the Youngstown case in 1952, practically obliterated and repudiated his own words.[62] (Already quoted in this memorandum.) Furthermore, Mr. Justice Jackson in 1953 in the leading case of *U.S.* v. *Reynolds* [63] concurred with the statement of Circuit Judge Maris, who spoke for a unanimous court in these words:

"Moreover we regard the recognition of such a sweeping privilege against any disclosure of the internal operations of the executive departments of the Government as contrary to a sound public policy. The present cases themselves indicate the breadth of the claim of immunity from disclosure which one Government department head has already made. It is but a small step to assert a privilege against any disclosure of records merely because they might prove embarrassing to Government officers. Indeed it requires no great flight of imagination to realize that if the Government's contentions in these cases were affirmed, the privilege against disclosure might gradually be enlarged by Executive determinations until, as is the case in some nations today, it embraced the whole range of governmental activities.

"We need to recall in this connection the words of Edward Livingston: 'No. nation ever yet found any inconvenience from too close an inspection into the conduct of its officers, but many have been brought to ruin, and reduced to slavery, by suffering gradual imposition and abuses which were imperceptible, only because the means of publicity had not been secured.' And it was Patrick Henry who said that 'to cover with the veil of secrecy the common routine of business, is an abomination in the eyes of every intelligent man and every friend of his country.' " [64]

In addition, Dean Wigmore flatly rejected the above-quoted statement in these words:

"But the solemn invocation in the precedents above chronicled, of a supposedly inherent secrecy in all official acts and records, has commonly been only a canting appeal to fiction. It seems to lend itself naturally to mere sham and evasion. * * * But the vast extension, in modern times, of administrative laws regulating the affairs of the individual citizen, is presenting a large scope for this claim of privilege. The possibilities of such abuse are plainly latent in this supposed privilege. * * * The menace which this supposed privilege implies to individual liberty and private right will justify us in repudiating it before it is solidly entrenched in precedent." [65]

The best summation which can be made with respect to this Attorney General's opinion is to refer to the famous case of *Jencks* v. *U.S.* decided in 1957.[66] The issue in this case dealt squarely with the problem of access to files of the Federal Bureau of Investigation. There is no need in this memorandum to set forth any facts or belabor the point we are considering, namely, the so-called unlimited discretion in executive officials, based on a claim of Executive privilege, to withhold access to a Government report. This case was decided on June 3, 1957, and within a matter of weeks the Attorney General, Mr. Brownell, appealed to Congress for a statutory law to protect the FBI files. Congress acted promptly and enacted Public Law 85-269.[67] This act provided for an orderly procedure for the production of statements and reports of witnesses. The law did not state that the files of the FBI or any other agency could be kept from disclosure by virtue of a claim of "Executive privilege."

To paraphrase the words of Mr. Justice Story, we think the Secretary of the Air Force is inaccurate in his citation of this Attorney General's opinion.

XIX. CITATION OF MANUAL OF COURTS-MARTIAL 1951

The Air Force cited the Manual of Courts-Martial in support of their refusal to make available the Inspector General's report.

The irrelevance of this citation was established by this colloquy:

"Mr. MITCHELL. Mr. Golden, I have a couple of detailed questions about your citation of the Courts-Martial Manual.

"Paragraph 151(b)(3), Manual of Courts-Martial, 1951, has been cited as an authority for refusing information to the General Accounting Office (exhibit III-A, reply to question 10). The paragraph states that the Inspectors General are confidential agents of their departments and that reports of their investigations are privileged. The Manual for the Courts-Martial prescribes procedures for military trials, including investigations. How does the prohibition against disclosing investigative reports apply to the ballistics missile survey, which is a review of management operations and does not deal with criminal or personnel operations?

"Mr. GOLDEN. In the first place you note our primary reliance is on the Attorney General and we cite 40 Opinions of the Attorney General No. 8.

"We cited just before the paragraph to which you referred the President's letter to the Secretary of Defense, May 17, 1954, which enclosed another Attorney General's memorandum of law. All we are saying is that the treatment of this report in the Manual of Courts-Martial is in consonance—we were referring to Inspector General reports generally—it is in consonance with the Attorney General's opinions cited above.

"We had just referred to the Attorney General's opinion, the President's letter, and the reference to the memorandum of law of the Attorney General's support for our action in our discretion. And then I cited it.

"We wanted to show the special nature of the Inspector General report. This was a reference to one particular type of Inspector General's report and we so indicated when we referred to the Manual for Courts-Martial.

"Mr. MITCHELL. But it does not involve this particular case whatsoever?

"Mr. GOLDEN. No; it does not. We wanted to show how the Inspector General's reports were treated by the Manual for Courts-Martial approved by the President.

"Mr. MITCHELL. The Manual for Courts-Martial was laid out by Congress in an act; was it not?

"Mr. GOLDEN. I believe so.

"Mr. MITCHELL. It is in 64th U.S. Statutes at Large, page 107. Executive Order 10214 was issued under another law of Congress. Is the GAO under the jurisdiction of the Department of Defense with respect to courts-martial?

"Mr. GOLDEN. I almost do not have to answer that, Mr. Mitchell. I think your statement answers the question itself.

"Mr. MITCHELL. Well; what is the answer?

"Mr. GOLDEN. Certainly not.

"Mr. MITCHELL. I think that disposes of the answer to the chairman with respect to this.

"Mr. GOLDEN. Yes." [68]

XX. MAY 17, 1954, LETTER AND ATTACHED MEMORANDUM BY THE ATTORNEY GENERAL [69]

The completely irrelevant, inadequate, legally unsupportable and unadjudicated position of the Department of Defense and the Secretary of the Air Force in reliance on the May 17, 1954, letter and the attached memorandum from the Attorney General

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[57] 343 U.S., at pp. 643, 644.

[58] Hearing record, pp. 3962-3694, also exhibit III-A, p. 3741.

[59] Hearing record, exhibit III-A, p. 3740.

[60] Hearing record, exhibit IV-B, pp. 3757 through 3761.

[61] 40 Ops. Atty. Gen. 49.

[62] 343 U.S. at pp. 646-647.

[63] 345 U.S. 1.

[64] *Reynolds* v. *U.S.*, 192 F. 2d 995.

[65] VIII Wigmore on Evidence, 3d edition, secs. 3267, 3279. Also earlier sections.

[66] 353 U.S. 657.

[67] 71 Stat. 595.

[68] Hearing record, p. 3205.

[69] Hearing record, House Government Information Subcommittee, Pt. 7: Department of Defense, 2d section, p. 1981.

has already been made manifest in this memorandum of law. However, for record purposes we should consider some pertinent facts.

1. This document is not an opinion of the Attorney General in the legally considered sense of an Attorney General's opinion. It is simply and solely what it purports to be: "a memorandum from the Attorney General for the President." [70]

2. The President did not even make reference to it in his letter of May 17, 1954, to the Secretary of Defense, nor did he dignify it by directing the attention of the Secretary of Defense to it. Actually, we can only presume it may have been attached to the letter.

3. The memorandum fails to cite any court decisions or even refer in any way to any legally supportable claims of privilege.

4. The memorandum is nothing more than recitations of instances where previous Presidents have withheld information or records from Congress.

5. The memorandum is absolutely incomplete because it fails to set forth the instances wherein Congress has demanded information and records from past Presidents and received them.

6. The reference in the memorandum to so-called historical precedents as a legal basis for any Presidential powers or claims of executive privilege implied from the Constitution, has been thoroughly repudiated by the Supreme Court in the Youngstown Steel Seizure case.

7. The memorandum fails to cite a single incident wherein a statutory law requiring access to reports or records was involved when any President refused information to Congress. In fact the memorandum is silent with respect to any statutory law.

8. The memorandum "was lifted almost word for word from a law review article which had appeared some years previously." [71]

9. The document on which the memorandum relies for alleged authority was transmitted by the then Deputy Attorney General, Mr. Rogers, to the Special Subcommittee on Government Information voluntarily [72] on June 18, 1956, and is entitled, "Is a Congressional Committee Entitled To Demand and Receive Information and Papers From the President and the Heads of Departments Which They Deem Confidential, in the Public Interest?" [73] This same document speaks for itself in these words: "None of the foregoing cases involved the refusal by a head of a department to obey a call for papers or information. There has been no Supreme Court decision dealing squarely with that question." [74]

XXI. "MARBURY V. MADISON" [75]

This famous case of *Marbury* v. *Madison* seems to be the cornerstone for all the fallacious claims for "Executive privilege" advanced by the individuals who seem to think that such a doctrine exists. This case involved an original mandamus proceeding in the Supreme Court by Marbury to require Mr. Madison, then Secretary of State, to deliver a commission signed by President Adams which showed his appointment, under an act of Congress dated February 27, 1801, as justice of the peace for the District of Columbia, "to continue in office for 5 years." The act contained no provision concerning removal. The Court considered Marbury's right to demand the commission and affirmed it. In this case Mr. Chief Justice Marshall said:

"It is, therefore, decidedly the opinion of the Court, that when a commission has been signed by the President, the appointment is made; and that the commission is complete when the seal of the United States has been affixed to it by the Secretary of State."

The Court then went on to determine that mandamus was a proper remedy but that such action does not lie within the province of the Supreme Court.

The Court did lay down one rule of law which is applicable to the matter we are considering. Research fails to reveal where the following principle has ever been overruled by a court and we consider it to be decisive for the instant issue:

"But where he is directed by law to do a certain act affecting the absolute rights of individuals, in the performance of which he is not placed under the particular direction of the President, and the performance of which the President cannot lawfully forbid, and therefore is never presumed to have forbidden;". [76]

One of the basic rulings of *Marbury* v. *Madison* is that "The President cannot authorize a Secretary of State to omit the performance of duties which are enjoined by law." [77]

The Budget and Accounting Act has imposed upon the Secretary of Defense and the Secretary of the Air Force the duty by an act of Congress to make available and give access to the Comptroller General the Inspector General's report. The statutory law and its legislative history is such that the President cannot lawfully forbid access to the report.

For the purpose of emphasis we quote Mr. Chief Justice Marshall who laid down the underlying philosophy of our form of government. He stated:

"The Government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."

In our opinion the statutory law established in the Comptroller General a vested legal right to the Inspector General's report.

XXII. U.S. V. RUMELY [78]

The case of *U.S.* v. *Rumely* was raised in the course of the hearings with the Secretary of the Air Force. A mere recitation of the facts involved will show that it has no relevancy concerning the Comptroller General's access to the Inspector General's report. The facts as stated by the Court are:

"The respondent Rumely was secretary of an organization known as the Committee for Constitutional Government (a nongovernmental organization) which, among other things, engaged in the sale of books of a particular political tendentiousness. He refused to disclose to the House Select Committee on Lobbying Activities the names of those who made bulk purchases of these books for further distribution." [79]

Rumely was a private citizen, not an executive officer of the Government, as contrasted with the matter we are considering.

XXIII. CONCLUSIONS OF LAW

The foregoing material of this memorandum of law has demonstrated clearly the validity of these conclusions:

1. The Special Subcommittee on Government Information of the Committee on Government Operations is clearly within its legislative jurisdiction to investigate and consider this particular withholding from the Comptroller General of access to an Air Force Inspector General's final, official report.

2. The Congress when it enacted the Budget and Accounting Act of 1921, and in particular section 313, was exercising its constitutionally granted legislative powers set forth in article I as quoted.

3. The Congress when it enacted the Budget and Accounting Act of 1921 laid down specific directions for the President and all executive officers within the Government.

4. The Congress when it enacted the Budget and Accounting Act of 1921 created as its agent an independent officer of the Government, the Comptroller General, established his specific statutory responsibilities, and provided the statutory means for him to carry out his duties.

5. There exists no legal authority for the head of a department, created by Congress, to ignore, act contrary to, or to refuse to act in accordance with a law enacted by the Congress and signed by the President.

6. The President cannot legally direct the head of a department to ignore, act contrary to, or permit him to refuse to act in accordance with a law.

7. There exists no legal authority for the Secretary of Defense or the Secretary of the Air Force to deny "access to, and the right to examine, any books, documents, papers, or records" which the Comptroller General determines may be necessary for the performance of his statutory duties.

8. The President, the Secretary of Defense, and the Secretary of the Air Force have the constitutional duty to "take care that the laws be faithfully executed."

9. The Secretary of Defense and the Secretary of the Air Force act as agents of the President and as such can exercise no power in their own right except from the President.

10. There exists no legal authority for the President, the Secretary of Defense and the Secretary of the Air Force to decide what "books, documents, papers, or records" are necessary to the proper performance of the duties and functions of an independent officer of the Government (the Comptroller General) who is vested with the authority to make such determinations by statute.

11. There exists no legal authority for the Secretary of Defense and the Secretary of the Air Force to prevent an independent review of the performance of the Inspector General's organization.

12. The constitutional duties and functions of the Congress and the President are such that the President may not, contrary to the expressed direction of a validly enacted law, interfere with congressional direction concerning the availability of information to an independent officer of the Government.

13. The power of the head of a department is restricted by the Constitution to the observance of such laws as Congress validly enacts.

14. The Budget and Accounting Act of 1921 requires that information requested by the Comptroller General from any department or establishment be furnished (with one exception as noted).

15. The Attorney General in 1925 specifically interpreted the Budget and Accounting Act of 1921 as requiring the departments to furnish information which the Comptroller General determined was required. This determination is binding on all executive officers of the Government.

16. The Congress by the Budget and Accounting Act of 1921 has determined that it is in the public interest to make "any books, documents, papers, or records" available to the Comptroller General which he determines necessary for the proper performance of his statutory duties.

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[70] Hearings, House Government Information Subcommittee, p. 47, Department of Defense, 2d ed., p. 1981.

[71] See Bishop, 66 Yale Law Journal 477, 478 (1957) and Wolkinson, 10 Federal Bar Journal 103, 223, 319.

[72] Hearing record, House Government Information Subcommittee, Pt. 12: Panel Discussion With Government Lawyers, p. 2694.

[73] Ibid., at p. 2892.

[74] Ibid. at p. 2938.

[75] 1 Cranch 1.

[76] Ibid., at p. 171.

[77] Ibid., at p. 137.

[78] 345 U.S. 41.

[79] Ibid., at p. 42.

17. The Congress has determined that disclosure to the Comptroller General of a report is the public interest and no head of a department has any discretion to declare as a basis for withholding that such disclosure would not be in the public interest.

18. In the only court case of record we have been able to find, where the issue involved access by the legislature to an executive report, it was decided in favor of the legislature. It was determined that securing of information in a report was not an interference with the executive department of the Government (Opinions of the Justices, 328 Mass. 661 (1951)).

19. The mythical doctrine of "Executive privilege" itself is not supported by law. The court decisions discussed in this memorandum reject the existence of such a claim. In addition Dean Wigmore flatly repudiates such a claim as "Executive privilege." The court cases cited by the proponents of this "Executive privilege" do not support their contention.

20. The citation of the Attorney General Opinion (40 Ops. Atty. Gen. 45 (1941)) is irrelevant and has not withstood the test of judicial review.

21. The citation of the Courts-Martial Manual is irrelevant as applying to the Comptroller General, and is so admitted by the Air Force.

22. The President and the Secretary of Defense have no constitutional or legal authority to issue DOD Directive 7650.1 restricting access of the Comptroller General to Inspector General's reports, documents, or papers.

23. The issuance of DOD Directive 7650.1 was ill advised and based on an incorrect construction of the ruling in 34 Opinions of the Attorney General 446 (1925).

(24). The promulgation of DOD Directive 7650.1 is not based on statutory authority or on powers delegated to the Secretary of Defense and contravenes a validly enacted statutory law; viz, the Budget and Accounting Act of 1921.

25. The Comptroller General has determined that in order to perform his statutory duties, as required by law, he should have access to the Inspector General's report and he alone can make such a determination.

26. The May 17, 1954, letter and the memorandum reciting historical precedents has no validity in law and is an incongruous attempt to establish an alleged claim of "Executive privilege."

JOHN J. MITCHELL,
Chief Counsel, Special Subcommittee on Government.

EXHIBIT IV–E

Contracts—Lemmond—pz/red—J.A.G. 163

JANUARY 2, 1925.

The Honorable the ATTORNEY GENERAL.

MY DEAR MR. ATTORNEY GENERAL: Under a decision of the Comptroller General of March 8, 1924 (3 Comp. Gen. 604), subsequently adhered to in a decision dated November 6, 1924, a copy of which is among the enclosures herewith, this Department is called upon by the General Accounting Office to furnish information relative to contracts, such information to show to the satisfaction of the accounting officers either that the lowest bid was accepted, or if otherwise, a detailed statement of the reasons for accepting other than the lowest bid. Under section 3743, Revised Statutes, a copy of all contracts involving Government expenditures is required to be deposited in the General Accounting Office and it is in connection with such copy of contracts that the Comptroller General asserts that it is competent for his office to prescribe the papers which shall constitute or accompany the contract so deposited, including a statement in detail of the reasons for not accepting the lowest bid in cases where other than the lowest bid was not accepted. Since the statutes governing the purchase of supplies and engagement of services under the War Department repose judgment and discretion in the contracting officers in procuring supplies to the extent that they "shall be purchased where the same can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered" (act of June 30, 1902, 32 Stat. 514), and, as to Quartermaster supplies, that "the award in every case shall be made to the lowest responsible bidder for the best and most suitable article" (act of July 5, 1884, 23 Stat. 109), it seems to this Department that the accounting officers may not assume to exercise in any degree a supervision over the exercise of such judgment and discretion as appears to be contemplated by the Comptroller General's decisions. There appears to be no more justification for the review of such matters in the General Accounting Office than there would be for a like review or supervision of other matters purely of administration such as the prescribing of specifications or the receipt of supplies and their application to Government uses. Will you, therefore, oblige me with your opinion as to whether, according to law, I am bound to furnish to the General Accounting Office the information relative to the awarding of contracts by officers under this Department, as indicated in that part of the Comptroller General's decision of March 8, 1924, reading as follows:

"The acceptance by an administrative officer of other than the lowest bid would ordinarily not be questioned if the reasons assigned for that action appeared satisfactory, but the action in that respect by administrative officers is not conclusive on the accounting office. It appears, therefore, that a satisfactory audit of expenditures, whether pursuant to formal or informal contracts, requires at least an affirmative showing that the lowest bid was accepted, or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid.

"The information thus considered necessary may be provided either by furnishing the accepted proposal and all rejected proposals or copies thereof, or by furnishing the accepted proposal and an abstract of rejected proposals, or by a certificate on the voucher by one having knowledge of the facts that the accepted bid, attached or otherwise deposited, was the lowest bid, if that be a fact, or if the fact be otherwise, a detailed statement as to the reasons for accepting other than the lowest bid. Such requirement appears to be reasonable and is deemed necessary to a proper audit of the expenditures; therefore, the items here in question will be continued in suspension for a reasonable period of time awaiting receipt of the necessary information."

For your information, attention is invited to the enclosed opinion of the Judge Advocate General on the subject.

Sincerely yours,

———— ————,
Secretary of War.

2D IND.—WAR DEPARTMENT, J.A.G.O., 29 DEC. 1924, TO THE ADJUTANT GENERAL

(Contracts—Lemmond—pz/red—J.A.G. 163)

1. Reference 1st Indorsement, 160 (11–26–24) (Misc.) AGO, December 4, 1924, to this office on QM 161 A–G (General) Office of the Quartermaster General, November 26, 1924, subject: "Decisions of Comptroller General—data in connection with contracts: *Lowest* bidder, and lowest *responsible* bidder."

2. You have referred to me for remark the Quartermaster General's communication and inclosures relative to a recent decision of the Comptroller General to the effect that as to all contracts involving expenditures, executed on and after November 15, 1924, the General Accounting Office will require an affirmative showing that the lowest bid was accepted, or if otherwise, a detailed statement of the reasons for accepting other than the lowest bid.

3. On March 8, 1924, the Comptroller General rendered a decision (3 Comp. Gen. 604) in connection with the audit of certain open-market purchases by the Public Printer in which he held (quoting the syllabus):

"A satisfactory audit of expenditures pursuant to formal or informal contracts, requires an affirmative showing that the lowest bid was accepted, or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid."

This decision appears to be based upon the following provision of section 3743, Revised Statutes, as amended (made applicable to the General Accounting Office by section 304 of the Budget and Accounting Act, 42 Stat. 24):

"SEC. 3743. All contracts to be made, by virtue of any law, and requiring the advance of money, or in any manner connected with the settlement of public accounts, shall be deposited promptly in the offices of the auditors of the Treasury, according to the nature of the contracts."

The Comptroller General's reasoning and conclusions were thus stated:

"The requirement of section 3743, Revised Statutes, as amended, that all contracts shall promptly be deposited in this office is obviously for the purposes of a satisfactory audit of the expenditures pursuant thereto, and in connection therewith it is competent for this office to prescribe the papers which shall constitute or accompany the contracts to be so deposited.

"The acceptance by an administrative officer of other than the lowest bid would ordinarily not be questioned if the reasons assigned for that action appeared satisfactory, but the action in that respect by administrative officers is not conclusive on the accounting office. It appears, therefore, that a satisfactory audit of expenditures, whether pursuant to formal or informal contracts, requires at least an affirmative showing that the lowest bid was accepted, or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid.

"The information thus considered necessary may be provided either by furnishing the accepted proposal and all rejected proposals or copies thereof, or by furnishing the accepted proposal and an abstract of rejected proposals, or by a certificate on the voucher by one having knowledge of the facts that the accepted bid, attached or otherwise deposited, was the lowest bid, if that be a fact, or if the fact be otherwise, a detailed statement as to the reasons for accepting other than the lowest bid. Such requirement appears to be reasonable and is deemed necessary to a proper audit of the expenditures; therefore, the items here in question will be continued in suspension for a reasonable period of time awaiting receipt of the necessary information."

Pursuant to the said decision, the General Accounting Office proceeded to call upon the Quartermaster General of the Army, by numerous letters, to supply information relative to the awarding of contracts to the "lowest responsible bidder," each such letter containing the following statement:

"The contract bears a certificate signed by the contracting officer to the effect that the award of the contract was made to the lowest responsible bidder, but it is not shown however that the lowest bid was actually accepted. An affirmative showing should be made that the lowest bid was accepted, or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid should be furnished. See 3 Comptroller

General 604 as to the information considered necessary to meet the above requirement.

"Prompt compliance with the requirement is requested in order to avoid suspension of payments in the disbursing officer's account."

The Quartermaster General replied by letter to the General Accounting Office dated October 24, in which, after referring to the laws and regulations under which the existing practice had become established of showing only by certificate that award was made to the lowest responsible bidder, he said:

"It is generally admitted that the making of a contract is purely an administrative function, and that appropriate exercise of administrative discretion is a matter not open for review by the accounting officers. The laws and regulations relative to the business of the Quartermaster Corps provide, generally, that contracts shall be made with the lowest responsible bidder for the best and most suitable article. Determination in this respect can only be regarded as an administrative function. In conformity with requirements an appropriate certificate by the contracting officer is appended to the number of the agreement to be furnished to the General Accounting Office. Distinction must be made between the terms 'lowest responsible bidder,' as applied to the Quartermaster Corps, and 'lowest bidder', as may be prescribed by law pertaining to some other branch or branches of the Government service. Therefore, it is regarded that certificates furnished with the contracts, and as has been followed in long established practices, meet requirements and ought to be sufficient for the General Accounting Office.

* * * * *

"It is the policy of this office to cooperate with the General Accounting Office, and in view of the explanation set forth above request is made that such exceptions as you have taken to the contracts in question, as well as any similar ones noted before consideration of this letter, be withdrawn."

To the latter communication the Comptroller General replied, in a letter to the Secretary of War, November 6, 1924, that the provision of the act of July 5, 1884 (23 Stat. 109), requiring that awards for the purchase of Quartermaster supplies be made to the "lowest responsible bidder" is but declaratory of the general requirement applicable alike to all, though not expressly required of all; and further—

"The fact that a showing as to the acceptance of the lowest bid, or a statement of the reasons for accepting a higher bid, was required only in specific cases is no reason why the accounting officers could not have made that a general requirement as to all purchases. I believe that the requirement as announced in 3 Comp. Gen. 604, is a salutary one, in the interests of the United States, reasonable, and with full warrant in law; and must be adhered to.

"You are advised, however, in view of the past practice, the time will be extended so that the requirements generally will be insisted upon only as to contracts executed on and after November 15, 1924, unless a particular need therefor arises in specific cases."

4. In order to protect, for the time being, contracting and disbursing officers the Quartermaster General has issued instructions that the information thus required by the Comptroller General be furnished; and in submitting this matter to The Adjutant General for examination and such further action as may be deemed advisable, he states that the requirements thus set up by the Comptroller General are regarded by his office as "an unwarranted encroachment upon the administrative prerogative and not essential to the audit of accounts," and he suggests whether in case the Comptroller General's ruling be acceded to there will not follow efforts to assume jurisdiction over other administrative features in contract matters. In this connection he further states:

"(e) It appears to be well settled that the making of contracts is an administrative function—one with which the accounting officers have nothing to do; and that the accounting officers are concerned only to the extent of the legality of the contract for the purpose of passing payments thereunder, and that the agreement contains terms adequately set forth so as to admit of proper audit. With those points in view, and giving consideration to the language of the law of 1884, it is regarded by this office that determination as to who is 'the lowest responsible bidder for the best and most suitable article' is purely an administrative function, and that certificate by the contracting officer in that respect, and as to advertising for proposals (in accordance with the blank therefore upon the approved contract form) is all that should be required by the General Accounting Office. Similar information should be submitted in cases of informal contracts awarded after competition."

5. The Comptroller General does not base his decision upon any express authorization in section 3743, Revised Statutes, or any other statute. He states that the requirement of that section (R.S. 3743) is obviously for the purpose of satisfactory audit, and that in connection therewith it is competent for his office to prescribe the papers which shall constitute or accompany the contract. It may be granted that the General Accounting Office is entitled to have furnished to it all information necessary for a proper audit of accounts; but without undertaking to say what would constitute a proper audit of contract accounts, I think the authorities are clear to the effect that the accounting officers have not the duty or the responsibility of reviewing, for purposes of approval or disapproval, matters of administration or the decision of questions requiring the exercise of judgment and discretion. All purchases and contracts for supplies or services for the military service are required to be made by or under the direction of the Secretary of War (R.S. 3714), and he has a responsibility to see that contracts are properly made and faithfully executed (*U.S.* v. *Adams*, 7 Wall. 465, 477). Pursuant to the act of April 10, 1878 (20 Stat. 36, as amended by the act of March 3, 1883, 22 Stat. 487) Article I, Army Regulations, 1913, embodies the rules prescribed for the government of contracting officers. The following paragraphs are pertinent for consideration here:

"541. Proposals will be opened and read aloud at the time and place appointed for the opening (bidders having the right to be present), and each proposal will then and there be numbered and entered on an abstract, the articles being entered, after the reading of all proposals, and with the least practicable delay, in the order in which they are to appear on the returns. Articles to be procured by contract will be abstracted separately from these to be procured on written acceptance. If the number of proposals is large, those relating to specific articles or classes of articles may be entered on separate abstracts. The number of each proposal, with the quantities and prices of articles offered and dates of delivery, will appear in the proper columns, and a copy of the advertisement or notice under which the proposals are received, with a copy of the specifications, if any, will be attached to the upper left-hand corner of the abstract. When two or more sheets are used for the abstract, they will be properly fastened together and paged on the upper right-hand corner.

* * * * *

"543. When proposals are received at a post, unless by an officer authorized to make the award, as in cases involving small expenditures, they and the abstract will be forwarded to department headquarters, with the recommendations of the receiving officer and the post commander as to the person to whom the award should be made. When a purchasing officer, acting under the direct supervision of a chief of bureau, has invited and received proposals, he will make the award and execute the necessary papers, unless otherwise directed by the chief of bureau.

"544. When proposals for supplies for the general service of a department are received at its headquarters, the chief officer of that branch of the staff to which they pertain will submit them to the department commander, and, under his supervision, will make the award and execute the necessary papers, unless under existing orders the action of higher authority is necessary.

"545. Except in rare cases, when the United States elects to exercise the right to reject proposals, awards will be made to the lowest responsible bidder, provided that his bid is reasonable and that it is in the interest of the Government to accept it.

"546. Slight failures on the part of a bidder to comply strictly with the terms of an advertisement should not necessarily lead to the rejection of his bid, but the interests of the Government will be fully considered in making the award.

"547. When no guaranty is required, bidders must, if called upon by the awarding officer, furnish satisfactory evidence, before the award is made, of their ability to carry their proposals into effect.

"548. The accepted quantity and price will be noted on the abstract of proposals in the column of 'Remarks,' opposite the name of the bidder. If a bid is rejected and one at a higher price accepted, the reason for the rejection will be written in the column of remarks. When contracts are made, the fact will be stated in the abstract.

"549. Abstracts and duplicate numbers of proposals will be forwarded to the proper bureaus of the War Department when specially directed by the heads of such bureaus or required by the regulations thereof.

* * * * *

"564. The number of the contract for the Auditor for the War Department will be sent to him by the head of the bureau to which the contract pertains, and in case of a purchase made by an officer of the Quartermaster Corps after public notice of 7 days or more, this number must be accompanied by a copy of the advertisement, a certificate of the contracting officer as to the time and manner of its publication, and his certificate that the award was made to the lowest responsible bidder for the best and most suitable article."

The Act of June 30, 1902 (32 Stat. 514), provides that, except in cases of emergency or where it is impracticable to secure competition, the purchase of all supplies for the use of the Army shall only be made after advertisement, "and shall be purchased where the same can be purchased the cheapest, quality, and cost of transportation and the interests of the Government considered." An earlier statute (Act of June 5, 1884, 23 Stat. 109) requiring purchases by the Quartermaster and Commissary Departments to be made only after public notice except in case of emergency, provides that:

"The award in every case shall be made to the lowest responsible bidder for the best and most suitable article * * *."

There are other statutes regulating purchases, including section 3709, Revised Statutes, but they are all to the same intent and in furtherance of the same policy (28 Ops. Atty. Gen. 384, 388). Under these statutes the contracting officer has to consider sev-

eral factors other than the price bid, and his decision, in good faith, involves the exercise of his judgment and discretion. These are the decisions that the Comptroller General would have reviewed and approved or disapproved in the General Accounting Office. That the accounting officers have no authority to exercise any such supervision over contracting officers' decisions of this character is, I think, conclusively established by numerous decisions and opinions, some of which will be here cited.

In *United States* v. *Speed* (8 Wallace 77), the validity of a contract was attached on the ground that the statute (now R.S. 3709) requiring advertisement for bids had not been complied with. The Supreme Court said:

"But that statute, while requiring such advertisement as the general rule, invests the officer charged with the duty of procuring supplies or services with a discretion to dispense with advertising, if the exigencies of the public service require immediate delivery or performance. It is too well settled to admit of dispute at this day, that where there is a discretion of this kind conferred on an officer, or board of officers, and a contract is made in which they have exercised that discretion, the validity of the contract cannot be made to depend on the degree of wisdom or skill which may have accompanied its exercise."

The case of *United States* v. *Jones* (59 How. 93), involved the right of the accounting officers to review and disapprove the action of the Secretary of Navy in exercising his discretion in providing for the medical care and treatment of a naval officer in France. In deciding that the accounting officers had no such authority the Supreme Court said, inter alia:

"The Secretary of the Navy represents the President, and exercises his power on the subjects confided to his Department. He is responsible to the people and the law for any abuse of the powers contracted to him. His date and decisions, on subjects submitted to his jurisdiction and controlled by the constitution and laws, do not require the approval of any officer of another department to make them valid and conclusive. The accounting officers of the Treasury have not the burden of responsibility cast upon them of revising the judgments, correcting the supposed mistakes, or annuling the orders of the heads of departments."

To the same effect is *United States* v. *Johnston* (124 U.S. 236, 252).

In *United States* v. *Waters* (133 U.S. 208, 215), the Supreme Court in considering the powers and duties of the accounting officers, said:

"The Comptroller of the Treasury Department decides whether or not the items are authorized by statutes, and are legally chargeable. He has no power to review, revise, or alter items expressly allowed by statute, nor items of expenditures or allowances made upon the judgment and discretion of other officers charged with the duty of expending the money and making the allowances. His duty extends no further than to say that the officers charged with that duty have authorized the expenditures or made the allowances."

In 1853 Attorney General Cushing held (6 Ops. Atty. Gen. 226):

"A head of a department advertising according to law for proposals for stationery is the competent and only judge of the matters of fact involved in the acceptance and rejections of any of the proposals. In a matter which the law confides to the pure discretion of the executive the decision by the President or proper head of the department of any question of fact involved, is conclusive, and is not subject to revision by any other authority in the United States."

In 1894 the Attorney General, in an opinion (21 Ops. Atty. Gen. 57) rendered to the Secretary of the Navy, in the matter of an award for supplies, said:

"The lowest bidder who fills the other requirements is entitled to an award of the contract, although you are the person charged with the duty of ascertaining the facts in this regard, and your decision is not reviewable in any court."

The same principle has been applied by the Comptroller of the Treasury in 3 Comptroller's Decisions 242, it was held that in the absence of evidence to the contrary the accounting officers will, in the settlement of salary accounts assume that the civil-service law and rules have been complied with by the officer having the power of appointment. To the same effect is 4 Comp. Dec. 72. The same authority held that the question whether a contractor has properly complied with the terms of his contract in executing the work thereunder is one of fact upon which the decision of the head of the department made in good faith is conclusive (2 Comp. Dec. 242).

6. By section 3744, Revised Statutes, Congress has made provision for safeguarding the Government against fraud in connection with the making of Government contracts by requiring information in regard to such contracts to be filed in the Returns Office, Department of the Interior, and by section 3745, the contracting officer is required to make a sworn statement as to his good faith in making the contract. Speaking of this statute, Attorney General Wickersham said (29 Ops. Atty. Gen. 297):

"The purpose of the statute with reference to making returns (act of June 2, 1862, 12 Stat. 411), was, as the title thereof stated, 'to prevent and punish fraud on the part of officers entrusted with making of contracts for the Government.' This object Congress aimed to accomplish by requiring the data with respect to the making of such contracts, bids, offers, proposals, and advertisement to be filed with the contract, and making the whole of it open to inspection. Such an inspection would show whether the provisions of law governing the making of any such contract had been complied with.'

If it had been the intention of Congress that similar information should be filed in the General Accounting Office, it is reasonable to suppose that legislation to that effect would have been enacted.

7. This Office is clearly of the opinion that the General Accounting Office has no authority to review the decisions of the contracting officers under the War Department made in the exercise of their judgment and discretion in connection with making of awards for contracts, and that consequently the Comptroller General has no power to require the furnishing of data necessary for such review. In order, however, that the controversy may be authoritatively disposed of, it is recommended that this question be submitted to the Attorney General for his opinion. A draft of a letter to the Attorney General, for the signature of the Secretary of War, is enclosed.

J. A. HULL,
Major General, The Judge Advocate General.

[34 Op. Atty. Gen. 446]

DEPARTMENT OF JUSTICE,
March 21, 1925.

The SECRETARY OF WAR.

SIR: Your letter of January 2, 1925, states that under a decision of the Comptroller General your Department is called upon by the General Accounting Office to furnish information relative to contracts showing that the lowest bid was accepted or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid.

The decision referred to is that of March 8, 1924 (3 Dec. Comp. Gen. 604). In it reference is made to the statute providing that all contracts requiring the advance of money or in any manner connected with the settlement of public accounts shall be deposited in the General Accounting Office (R.S. 3743, sec. 304, Budget and Accounting Act of June 10, 1921, 42 Stat. 24), and it was said (p. 605):

"The requirement of section 3743, Revised Statutes, as amended, that all contracts shall promptly be deposited in this office is obviously for the purposes of a satisfactory audit of the expenditures thereto, and in connection therewith it is competent for this office to prescribe the papers which shall constitute or accompany the contracts to be so deposited.

"The acceptance by an administrative officer of other than the lowest bid would ordinarily not be questioned if the reasons assigned for that action appear satisfactory, but the action in that respect by administrative officers is not conclusive on the accounting office. It appears, therefore, that a satisfactory audit of expenditures, whether pursuant to formal or informal contracts, requires at least an affirmative showing that the lowest bid was accepted or, if otherwise, a detailed statement of the reasons for accepting other than the lowest bid."

You request an opinion "as to whether, according to law," you are bound to furnish this information.

It will be observed that the Comptroller General states that this requirement is made necessary in order that a satisfactory audit may be made. What papers or data he should have to make such an audit would seem to be a matter solely for his determination. Moreover, section 313 of the Budget and Accounting Act provides (p. 26):

"All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment.

"Respectfully,

"JOHN G. SARGENT."

MEMORANDUM OF LAW

CASES INVOLVING ATTEMPTS TO CONTRAVENE, MODIFY, OR AMEND STATUTES BY EXECUTIVE ACTION [79]

This memorandum of law discusses the chief legal issue relative to the controversy which has arisen concerning the right of access by the Comptroller General to an Air Force Inspector General's report entitled "Survey of Management of the Ballistic Missile Program." The fundamental legal questions involve whether the Secretary of Defense may promulgate and publish a directive which, by its terms, is binding on all employees of the Department [80] if the directive—

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[79] This memorandum supplements memorandums entitled "Right of the Comptroller General to Access to a Report of the Inspector General of the Air Force Entitled 'Survey of Management of the Ballistic Missiles Program'" and "Right of Access by the Comptroller General (an Agent of the Congress) to an Air Force Inspector General's Report Entitled 'Survey of Management of the Ballistic Missile Program,'" hearings, pt. 16, exhibits IV–A and IV–D, pp. 3753 and 3764.

[80] Ibid. at p. 3799.

(1) was issued without statutory authority;

(2) before issuance, was objected to in writing by an independent officer of the Government, the Comptroller General; and

(3) has the effect of contravening and modifying a statute enacted by Congress, thus preventing the Comptroller General from fulfilling his statutory responsibility and duties.

The Department of Defense and its component agencies are of statutory origin and in no way can the Department be considered to be of constitutional origin. The Constitution states that Congress shall have the power "To raise and support armies * * * to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces."[81] Hence, the Secretary of Defense's only powers flow from statutes and delegations of authority contained therein. The Congress has delegated authority to the Secretary of Defense and the Secretaries of the military services to prescribe "rules and regulations."[82] Only Congress has the authority to amend or modify a statute and can delegate that authority to the President or officers of the executive branch only by legislative action.

There have been numerous attempts on the part of the President and officers of the executive branch to contravene, modify, and amend duly enacted statutes by proclamation, Executive order, or rules and regulations—just as the Department of Defense in its directive is attempting to contravene and modify a statute. The following cases were submitted by the Special Subcommittee on Government Information to the General Accounting Office and were summarized by James Masterson, GAO attorney:

I. Cases involving attempts by executive officials with statutory authority to promulgate rules and regulations for the conduct of their offices to use such rules and regulations to contravene, modify, or amend statutes

Gilchrist et al. v. *Collector of Charleston* (10 F. Cas. 355, No. 5420): Case involved a writ of mandamus against a customs inspector at the Charleston, S.C., port.

The ship *Resource* arrived in Charleston port at a time when a lengthy stay could result in the destruction of its bottom by worms which infested that harbor during the summer months. An embargo that would detain the ship was in effect and an attempt was made to secure cargo which would justify the ship sailing to a more northern port (Baltimore) where the worms would not be a danger. A cargo of cotton was obtained. The ship needed ballast to enable safe negotiation; so it was agreed that it would take on 140 barrels of rice, freight free, to enable it to make its northern voyage. The customs inspector refused debarkation papers on the suspicion that the rice transport was an attempt to circumvent the law. Mandamus was sought and granted. The act under which detention was sought was to prevent a sailing to one American port under the subterfuge of sailing to another. Here the inspector knew and believed that Baltimore was the port of destination. The instruction of the President which allowed detention for some other purpose was of no effect. The court said, "All instructions from the Executive which are not supported by law are illegal, and no inferior officer is bound to obey them." The Treasury Department instruction was to detain (1) if the cargo of a ship was for a port where the cargo was not needed for consumption and (2) for a port that usually exports that article. This instruction did not follow the law and therefore lacked authority of law.

McElrath v. *United States* (102 U.S. 426): After allegedly going a.w.o.l. McElrath, a Marine Corps lieutenant, tendered his resignation. The Secretary of the Navy refused to accept the resignation and McElrath was dismissed. The President nominated one Haycock to vice McElrath. Haycock was appointed by and with the consent of the Senate. Thereafter, McElrath obtained a letter from his commanding officer saying he was not a.w.o.l. but was granted permission to leave his ship. The Secretary of the Navy revoked the dismissal and accepted the resignation as of the date of McElrath's appeal. Suit was for the pay for the intervening period; i.e., from the dismissal to the accepted resignation.

The court did not allow payment for the intervening period. It was held that at the date the Senate approved the Haycock appointment the allowed number of Marine lieutenants was complete and that the attempted subsequent restoration and acceptance of resignation of McElrath by the Secretary of the Navy was of no effect.

Muir v. *Louisville and Nashville R.R. Co.* (247 F. 888): This was an action in tort against the L. & N. by the administrators of the estates of persons killed in a train accident. The railroads had been seized by the United States, so one of the defenses was that the United States must be a party to the action and, as the United States had not consented to suit, the action could not lie.

The court in its opinion stated that while Congress may authorize heads of executive departments or other officials to make regulations within certain limits—and when made within those limits such regulations have the force and effect of law—the delegation of authority to make regulatory orders gives no power to add to, take from, or modify the limitations prescribed by Congress. As the act only authorized the President to take possession of and assume control of the transportation system through the Secretary of War and made no provision for a Presidential proclamation providing an elaborate scheme of control, such proclamation had no force as law.

Panama Refining Co. v. *Ryan* (293 U.S. 388): Suit was brought by the owners of oil refining companies to restrain Federal officials from enforcing a regulation prescribed by the Secretary of the Interior under the National Industrial Recovery Act.

The act established no guide for the President for his use in issuing his Executive orders. The court said that this was an unauthorized delegation of legislative power to the President. Therefore, the Executive order and regulations under it did not have constitutional authority.

United States v. *Ashley Bread Co.* (59 F. Supp. 671): A statute provided that the power of allocation shall be exercised "in such manner, upon such conditions, and to such extent as he [the President] shall deem necessary or appropriate in the public interest and to promote the national defense."

A regulation was issued pursuant to this statute which provided that no bakery products could be "resumed" by a bakery. An informaton was issued stating that the defendant "did * * * willfully resume possession of * * * bread previously manufactured by the said defendant."

The court held that this regulation was beyond the authority of the War Food Administrator to establish and therefore was invalid.

United States ex rel. Hirshberg v. *Cooke* (336 U.S. 210): A sailor was in a Japanese prison camp and was detailed to work fellow prisoners. He was discharged from the Navy and then reenlisted. About a year after his reenlistment he was charged in a court-martial proceeding with the maltreatment of two fellow prisoners.

The court held that when the enlistment in which the alleged wrong was done terminated all military control over his action ended. The Navy could not reopen the case in a subsequent enlistment, it being generally the law that a court-martial proceeding will not lie against a person discharged from the service. The Army and Navy regulations on this matter differed, although their statutes were substantially the same. The court said that Congress had not intended to allow the various military units to make their own rules in regard to this matter. The Congress must set the standards.

II. Cases involving attempts by the President or other executive officers to contravene, modify, or amend statutes by proclamation, Executive order, directive, or rules and regulations

Little et al. v. *Barreme* (2 Cranch 169): Case involved an award of damages to the owner of a Danish ship after it had been captured by two ships of the United States.

The capture was made because it was assumed that the Danish vessel was proceeding in a manner in conflict with the act of February 9, 1799 (an act for the suspension of all intercourse between France and the United States.)

The court held that a commander of a ship of war of the United States in obeying his instructions from the President acts at his own peril and if those instructions are not strictly warranted by law, he is answerable in damages to any person injured by their execution. The act did not authorize the seizure upon the high seas of any vessel from a French port; it provided for the seizure of vessels of the United States "* * * bound or sailing to any port or place within the French Republic, or her dependencies." Therefore, the orders of the President could not justify a seizure of a ship coming from a French port upon suspicion of a violation of the "nonintercourse legislation."

Gelston et al. v. *Hoyt* (3 Wheat. 246): Suit of an alleged trespass for taking and carrying away the ship *American Eagle.*

The defense to the action was that this ship was attempted to be armed for employment in the service of a foreign state, that it was being outfitted for the service of the Petion forces of St. Domingo against the Christophe forces of St. Domingo and that the seizure was pursuant to Presidential direction.

The act complained of was an actual seizure of the vesel. The court said that the seventh section of the act of 1794 (ch. 50), was not intended to apply, except to cases where a seizure or detention could not be enforced by the ordinary civil power, and it was necessary in the President's opinion to employ naval or military power. The court went on to say that it could not have been the intention of Congress that such a power should be allowed as a shield to the seizing party, in cases where that seizure might be made by the ordinary civil means.

Ex parte Milligan (4 Wall. 2): This is the famous habeas corpus case arising from an action of a military tribunal against a citizen of the United States during the Civil War.

Milligan was a citizen and resident of Indiana. He was tried and convicted by a military board under the auspices of martial law. The argument was made by the Government that the President had judged that, under the circumstances, a military tribunal alone could safely act.

The court held for Milligan because Congress had not specified for a military trial where civil courts were functioning and the lack of trial by jury was, in Milligan's case, unconstitutional.

Blake v. *United States* (103 U.S. 227): Statute provided for appointment of officers of the Army—"by and with the consent of the Senate."

[81] Constitution of the United States, art. I, sec. 8.

[82] Hearings, pt. 11, pp. 2588–2589.

An Army chaplain submitted a letter which was construed as a resignation. The resignation was accepted by the President. Later it developed that the chaplain was not of sound mind when the resignation was submitted. The President attempted to reinstate after the resignation by an Executive order. The court said, "He was not entitled to pay as post chaplain from the date his successor took rank. Having ceased to be an officer in the Army, he could not become a post chaplain except under a new appointment, which by law had to be 'by and with the advice and consent of the Senate.'"

In re Schuster et al. (192 N.Y.S. 357): A statute provided that only the President could authorize the naturalization of alien enemies.

The statute provided for the investigation and recommendation to the President by the Department of Justice. The President tried, by Executive order, to delegate his personal supervision of applications to the Justice Department.

The court held that the act provided for the personal determination by the President, in each case, of whether an alien enemy shall be excepted from a certain classification, which power is clearly of a judicial character and the execution of which cannot be delegated.

United States v. *Western Union Tg. Co.* (272 F. 311, affirmed 272 F. 893; 260 U.S. 754): Western Union had entered into a contract with a British firm to make a connection with a submarine cable off Cuba. The Federal Government by Executive action refused to allow Western Union to go beyond the 3-mile limit. The court said that the President is without constitutional power, in the absence of authority from the legislature, to prohibit the landing of a cable from a foreign country on the coast of the United States or otherwise connect with its internal system. While conceding that the Congress had, by long acquiescence, impliedly given authority to the Executive to prevent such a landing by a foreign corporation, the court said that authority does not extend to a domestic corporation which had a Federal franchise under the Post Roads Act and which for many years had operated cables between Florida and Cuba constructed by the express provision of the act and over which Congress had at various times exercised its authority directly and through the Interstate Commerce Commission, in regulating rates over both its internal lines and its cable connections.

Hood Rubber Co. v. *Davis* (151 N.E. 119): Case held that since the Lever Act conferred upon the President powers to regulate the prices and the distribution of coal as a war measure, an Executive order, that was in no way connected with war but restored a suspended order of the Fuel Administration of January 1918 regulating contracts for coal, was beyond the powers conferred.

Johnson v. *Keating ex rel. Tarantino* (17 F. 2d 50): An immigration case of an alien returning to the United States from Italy. He was excluded upon his return. The Court held that the power given the President by the War Act to impose by proclamation additional restrictions on the departure of persons from and entry into the United States continued in effect "until otherwise provided by law," and those powers were terminated as to immigrants by a subsequent act which carefully revised the immigration laws.

United States ex rel. Swyston v. *McCandless* (24 F. 2d 211, 33 F. 2d 882): An alien was ordered to be deported because his visa had not been properly signed by an official. The Court held that the alien had been in the United States for more than 3 years and under the statute could not be deported. A proclamation of the Chief Executive required a visa and proclaimed deportation as the consequence of a failure to comply with that requirement. However, the act under which the President issued that proclamation had not been kept in force as to the authority to deport so the order of deportation was not lawful.

United States v. *Pan-American Petroleum Co.* (55 F. 2d 753, 287 U.S. 612): Case involved the Teapot Dome scandal. That part of the Court's ruling that is akin to the problem at hand in the other cases digested here is the Court's upholding a lower court ruling that the Executive order of May 31, 1921, attempting to transfer the administration of the naval petroleum reserves from the Secretary of the Navy to the Secretary of the Interior, was invalid in view of the act of June 4, 1920, which directed the Secretary of the Navy to take possession of all properties within naval petroleum reserve which are or may become subject to the control and used by the United States for naval purposes.

Zeiss v. *United States* (23 C.C.P.A. 7 (U.S. Court of Customs and Patent Appeals)): When Tariff Commission did not confine its investigation to the differences in the cost of production of foreign and similar domestic optical instruments of the class or type used by the Armed Forces as stated in its public notice, but went further and included the differences in costs of production of instruments suitable for use by the Armed Forces, its findings were without authority of law. Also, the proclamation of the President containing no finding that the binoculars were of a class of type used by the Armed Forces, was without authority of law because the Senate resolution under which the investigation was made restricted the investigation to those "used by" the Armed Forces.

United States ex rel. Von Heymann v. *Watkins* (159 F. 2d 650): An alien German was brought to the United States from Costa Rica and interned under an act which gave the President authority to remove where an alien refused or neglected to depart. The court held that this restraint was unlawful insofar as voluntary departure was interfered with by the Government and the alien had not refused nor neglected to depart for reasons other than the forced detention by the authorities.

Schechter Corporation v. *United States* (295 U.S. 495): In the Schechter case, the Congress, by the enactment of the National Industrial Recovery Act, delegated to the President the power to approve various codes of fair competition. The act provided for the creation by the President of administrative agencies to assist him, but the action of reports of such agencies were to have no sanction beyond the will of the President who would accept, modify, or reject their suggestion as he pleased.

The court held that this act was an unconstitutional delegation of legislative power to the Executive.

Youngstown Sheet & Tube Co. v. *Sawyer* (343 U.S. 579): The President by Executive order directed the Secretary of Commerce to seize and operate the steel mills. The order was not based upon any statutory authority. The Congress had provided other methods through the Taft-Hartley Act to handle such a need.

The court held that the Executive order was not issued pursuant to the Constitution or to a statute, and it was, therefore, of no effect. Moreover, in its consideration of the Taft-Hartley Act the Congress refused to authorize governmental seizures of property as a method of preventing work stoppages and settling labor disputes.

Cole v. *Young* (351 U.S. 536): The 1950 act provided for the dismissal of security risks where employees were on classified work. The President, pursuant to the act, by Executive order, extended it to all Government jobs. The defendant was not on classified work, and he did have veteran's preference. He was restored because the standards prescribed by the Executive order and its application by the Secretary were not in conformity with the act.

III

The following statements from Supreme Court decisions clearly enunciate the law with respect to the powers of the President and other executive officers to exercise an unexpressed constitutional power for the promulgation of a directive, such as the Department of Defense directive, which attempts to contravene, modify, or amend an existing statute. In the famous case of *Marbury* v. *Madison*, Chief Justice Marshall said: [83]

"By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders.

"In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which Executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political. They respect the Nation, not individual rights, and being intrusted to the Executive, the decision of the Executive is conclusive. The application of this remark will be perceived by adverting to the act of Congress for establishing the Department of Foreign Affairs. This officer, as his duties were prescribed by that act, is to conform precisely to the will of the President. He is the mere organ by whom that will is communicated. The acts of such an officer, as an officer, can never be examinable by the courts.

"But when the Legislature proceeds to impose on that officer other duties; when he is directed peremptorily to perform certain acts; when the rights of individuals are dependent on the performance of those acts; he is so far the officer of the law; is amenable to the laws for his conduct; and cannot at his discretion sport away the vested rights of others."

Again, in *U.S.* v. *Kendall*, the Supreme Court said: [84]

"The executive power is vested in a President; as as far as his powers are derived from the Constitution, he is beyond the reach of any other department, except in the mode prescribed by the Constitution through the impeaching power. But it by no means follows that every officer in every branch of that department is under the exclusive direction of the President. Such a principle, we apprehend, is not and certainly cannot be claimed by the President.

"There are certain political duties imposed upon many officers in the executive department, the discharge of which is under the direction of the President. But it would be an alarming doctrine, that Congress cannot impose upon any executive officer any duty they may think proper, which is not repugnant to any rights secured and protected by the Constitution; and in such cases the duty and responsibility grow out of and are subject to the control of the law, and not to the direction of the President."

In the present case the statements of Mr. Justice Jackson, a former Attorney General, in his concurring opinion in the Youngstown Steel Seizure decision have particular significance with respect to the power of the President and those who seek to claim his

[83] Cranch 165.
[84] Peters 610.

authority for their acts. After referring to himself as one "who has served as legal adviser to a President in time of transition and public anxiety," [85] he stated: [86]

"When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for them he can reply only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive Presidential control in such a case only by disabling the Congress from acting upon the subject. [Footnote omitted.] Presidential claim to a power at once so conclusive and preclusive must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system."

Mr. Justice Douglas in his concurring opinion in the Youngstown case referred to the Constitution and stated: [87]

"Article II which vests the 'executive power' in the President defines that power with particularity. Article II, section 2 makes the Chief Executive the Commander in Chief of the Army and Navy. But our history and tradition rebel at the thought that the grant of military power carries with it authority over civilian affairs. Article II, section 3 provides that the President shall 'from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.' The power to recommend legislation, granted to the President, serves only to emphasize that it is his function to recommend and that it is the function of the Congress to legislate. Article II, section 3 also provides that the President 'shall take care that the laws be faithfully executed.' But, as Mr. Justice Black and Mr. Justice Frankfurter point out, the power to execute the laws starts and ends with the laws Congress has enacted."

CONCLUSIONS OF LAW

I. No executive officer can use his statutory authority to prescribe rules and regulations for the conduct of his office to issue a directive, rule, or regulation which contravenes, modifies, or amends a statute.

II. No executive officer can use the alleged constitutional power of the President, either by expressed or assumed delegation, to issue a directive, rule, or regulation which contravenes, modifies, or amends a statute.

III. A proclamation or Executive order issued by the President is invalid if it contravenes, modifies, or amends a statute.

Mr. MONRONEY. I also ask unanimous consent that the last phrase of the suggested amendment which appears as the third paragraph in the first column on page 19258 of the CONGRESSIONAL RECORD for Saturday, be corrected so as to read "the limitation on the use of funds provided in subsection (d) shall be applicable, notwithstanding the certification by the President."

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL RESEARCH

Mr. STENNIS. Mr. President, it has been brought to my attention that scientists in the Department of Agriculture have made a major breakthrough in basic agricultural research. It is my understanding that this discovery, made at Beltsville, Md., is receiving exciting interest throughout the scientific world.

Researchers for the first time in history have identified and isolated the chemical substance that controls plant growth. This discovery will have far-reaching implications and will set the stage for revolutionizing research in the field of plant growth. Much of this will be basic studies that will help scientists gain a more complete understanding of how a plant grows and its reaction to light and other growth factors.

With increased knowledge of pigments, research workers believe they will be able to modify plants at will and thereby influence fruiting habits and other basic characteristics. I visualize this as giving scientists a new tool to fit scientific needs and provide means for higher yields, improved quality and insect and disease control. It will lead to better food, fiber and raw materials and in all probability greatly reduced cost of production.

Mr. President, this new discovery is an important milestone for agricultural research and reconfirms my strong belief that funds spent for research are our soundest investment. I request unanimous consent that the news release published by the Department of Agriculture be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

USDA SCIENTISTS FIND HOW LIGHT CONTROLS PLANT DEVELOPMENT

The triggering mechanism for all plant development has just been found by U.S. Department of Agriculture scientists. The discovery promises to be the key to man's complete control of plant growth from seed germination through plant flowering and fruiting.

The scientists have recovered the pigment forms from corn plants and have removed some of the impurities. The material isolated is a protein, and functions as an enzyme. The pigment forms can be converted from one to the other outside of the plant, and this action can be detected by laboratory instruments. In the past conversion of one form to the other was detected only by plant response. Now the presence of each can be detected by absorption of red or far-red light.

As the pigment forms are purified further, the scientists believe that they will be able to identify and modify them at will, and thereby influence the character of plant growth.

For scientists the discovery opens the door to further research on this triggering action to enable man to tailor make plants for his needs. Possible results are crops of special heights for better harvesting, flowering of plants at times convenient to man, or for better control of plant pests.

Dr. Byron T. Shaw, Administrator of USDA's Agricultural Research Service, hails the discovery as an outstanding basic research achievement. "It is the kind of discovery envisioned when the Department's new pioneering research laboratories were established. It provides means for the better control of plant development for specific purposes—for better food, fiber, and industrial raw material," he said.

Drs. Harry A. Borthwick and Sterling B. Hendricks, at the Agricultural Research Center, Beltsville, Md., made the discovery in studying the effects of differences in the color and intensity of light on growth responses such as flowering, seed germination, elongation, and color production. Associated in the research also were Harold W. Siegleman, of the Agricultural Research Service, and Carl Norris and Warren Butler, both of the Agricultural Marketing Service.

It has long been known that light controls the reddening of apples by governing the formation of the coloring material. The side of the apple facing out from the tree is usually redder than the side facing the center of the tree.

Recently the scientists found the critical range of light for apple coloring to be in the red region of 6,200 to 6,900 Angstrom units. Above this region the amount of reddening of the apple declines rapidly as the wavelength of light increases toward far-red.

With soybeans growing on short days and long nights, an extremely short exposure to red light during the night will prevent the plant from flowering. Conversely, an equally short period of far-red light causes the plant to flower. However, if the intensity of far-red light is increased 100 times, the plant again fails to flower.

Drs. Borthwick and Hendricks have found growth responses to be governed by a reversible chemical reaction that is controlled by the color and intensity of light acting upon two pigment forms present in plants in invisible quantities.

One form of the pigment absorbs red light and the other far-red light. The pigment form that predominates in a plant depends upon the color of light to which the plant is exposed. The form produced by the action of red light regulates plant growth and can absorb far-red light. However, if this form absorbs far-red light it is converted back to the red-absorbing form that does not regulate plant growth.

To obtain the various colors of light for the experiment, the scientists directed white light from a high-intensity electric arc through a prism to break it into all the colors of the spectrum as is a rainbow. The portion of light used in this work was the red part of the spectrum from yellow (5,800 A) to far-red (near the limit of visible red light (7,000 to 7,500 A.), which is near the range of infrared or heat energy). An Angstrom unit, a measure of wavelength of light, is one millionth of a centimeter.

Colors in the yellow and orange range of 5,800 to 6,300 A. are absorbed largely by the red-absorbing pigment form, moving the photoreaction toward the production of the growth regulating form.

The red-absorbing form can utilize more light in the 6,300 to 6,700 A. region, red-orange to red than in other ranges. Therefore, this is the range requiring the least amount of light energy to convert this pigment form to the regulating pigment. Both pigment forms are present in this range of colors, but the regulating type predominates.

Both forms of pigment are present in about equal amounts in the 6,700 to 7,200 A. (red) region, with the midway point in the reaction about 6,950 A. At longer wavelengths the reaction moves toward the red-absorbing form and the shorter wavelengths (toward yellow) stimulate the production of the growth regulating form.

In the far-red region of 7,200 to 7,800 A. light absorption by the regulating form of pigment is at maximum, moving the reaction toward the reformation of the red-absorbing form.

It is the selective absorption of the various colors of light by the two pigment forms that apparently governs many phases of a plant's development, including flowering, germination, and elongation, and that promises to add even more knowledge of plant development.

[85] *Youngstown Sheet & Tube Co. et al.* v. *Sawyer*, 343 U.S. 634.

[86] Ibid. at 637, 638.

[87] Ibid. at pp. 632, 633.

Maximum suppression of germination of Great Lakes lettuce seed takes place near 7,000 A. The scientists also found that elongation of the lettuce root was controlled by the color of light. Elongation was found to be suppressed at 6,100 A. (orange) and stimulated by exposure to light in the far-red region of 7,500 A.

The intensity of light also has a marked effect on the germination of lettuce seed. Exposed to light of 7,500 A., for example, an intensity of 0.8 microwatts per square centimeter results in about 70 percent germination. An increase to 2 microwatts gives about 35 percent germination, while 30 microwatts reduces the germination to almost zero.

These differences, the scientists point out, vary according to the wavelengths of light being used in the experiment. Below wavelengths of 6,800 A. there are no appreciable differences in germination between the three levels of light intensity (0.8 to 30 microwatts).

LONGER TERM LEASES OF CERTAIN INDIAN LANDS—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. GORE. Mr. President, I voted for the civil rights bill in 1957. I did so with a deep conviction that the passage of that moderate civil rights bill constituted progress in a vexatious field of human relations in which the existence of injustice and discrimination would no longer permit inaction, but in which we must beware of the dangers of using force to push beyond the tolerance of public conscience and acceptance.

I thought passage of the civil rights bill of 1957 was a victory for the forces of reason and moderation, and a defeat for the forces of extremism. I voted for it with a deep conviction that the problems could not and should not longer be ignored by Congress, and that a public examination of the facts and conditions affecting the civil rights of all citizens would serve well the cause of freedom, equality, and justice throughout the United States.

I think it is a grave error, Mr. President, for Senators to regard civil rights as strictly a sectional problem. The problem is a national one. It exists in one form or another and in varying degrees of acuteness in many States. Moreover, there are some disturbing signs that tensions between groupings of our people may be tending to increase rather than abate. Perhaps these indications are misleading. I hope so; but prudence and a decent social conscience require recognition and action.

The Civil Rights Commission has now submitted its report to the Congress and to the President. To me, this report is disappointing. The Commission has included in its report statements which are obviously based on hearsay evidence and which, indeed, are admittedly unverified. This applies to some statements in the report with respect to conditions in the State of Tennessee. I would like to make it plain that I believe every qualified citizen should not only be permitted to vote, but should be encouraged to vote. The prevalence of contrary conditions in some communities, however, does not justify the publication of untrue, hearsay evidence or unverified rumor.

The Commission has included in its report recommendations of far-reaching import. The fact that several of these recommendations do not have the endorsement of the majority of the Commission indicates immature, if not hasty, conclusions.

Even so, the report is not without merit. Some of the suggestions merit serious consideration by the Congress and the American people. The Commission quite properly concerned itself with the question of State laws relative to the qualifications of voters and has undertaken to examine administration of such laws, to ascertain whether discrimination exists. Please permit me to repeat my oft-stated conviction that the right to vote is one which should not be denied to any qualified citizen, regardless of race, religion or economic condition. Moreover, I believe every citizen is entitled to equal protection of the law, both Federal and State. Some of the Commissioners, however, have recommended a constitutional amendment which would have the practical effect not only of denying to the States the right to determine and require reasonable qualifications for voting, but which would operate to abolish all qualifications other than those of age and residence, however reasonable those qualifications might be, and by whatever level of government they might be imposed. I do not believe that the responsibility incident to exercising the right to vote can be so lightly regarded.

Fortunately the Congress is free to consider the recommendations of the Commission and is equally free to accept or reject them. The Commission has no power other than to inquire, report and recommend.

If I were to determine my position on continuing the Commission solely upon the basis of the quality of its initial report, my vote would be in the negative. It cannot be viewed so narrowly, however, for the problems remain unresolved. Discrimination does, unfortunately exist. The challenge to our democratic institutions will not permit us to cease our pursuit of means of assuring justice and equality before the law. It is in this spirit that I support the pending motion.

Mr. LONG of Louisiana. Mr. President, the activities of the U.S. Commission on Civil Rights since it came into being a little over a year ago do not justify its continuance as an independent agency of our Government. After a year of harassment of southern officials, the Commission has recently issued its report containing the most ridiculous and unsound recommendations that have ever been made by an official Government agency.

After studying this report, it is obvious that its recommendations are not the result of factual analysis, but simply a rehash of preconceived ideas in race relations. The Commission does not seem to understand that it is not possible to force one person to like another or to compel a man to respect another. Affection and respect result from a person's actions, not from laws. If a man is prejudiced against another, tolerance, understanding, and sympathy are better achieved by means of education and persuasion than by efforts to legislate tolerance and goodwill.

The way to improve the lot of the Negro is not to compel him to mix at every level with the whites, but to try and provide an opportunity for him to improve himself. It is not necessary for the Negro to be pushed into previously segregated schools, recreational facilities, and social clubs to improve his economic position in our society.

We in Louisiana are very proud of the tremendous strides that our Negro citizens have been making in every field in recent years. Progress has been made in the State of Louisiana in bringing equal and improved educational opportunities to the colored children of that great State. It is this kind of rapid progress, desired and fostered by the progressive, sensible, and intelligent citizens of Louisiana, which actions the Civil Rights Commission and their recommendations threaten to impede, halt, or even reverse. We have made too much progress by cooperation, understanding, and good will among the races in the South to turn back the clock in the manner that we could expect if the recommendations of the Civil Rights Commission are to be attempted. These measures would defeat their own purpose.

I ask unanimous consent to place in the RECORD at this point a statement of advancement in Negro education during the past 10 years in Louisiana, which was prepared by Mr. L. L. Kilgore, the director of Negro schools for the Louisiana State Department of Education.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROGRESS REPORT ON EDUCATION FOR NEGROES IN LOUISIANA

(By L. L. Kilgore)

The statistical report on "Improvement in the Program of Education for Negroes in Louisiana" presents a clear picture of the progress that has been made over the past 10 or 11 years in providing educational opportunities for Negroes in the State. The parish school boards, superintendents, supervisors, principals, and teachers, as well as the lay public, are to be commended for providing this kind of program for the education of the children of Louisiana. In this narrative report, an attempt will be made to point out some of the more significant phases in which outstanding progress has been made.

In the matter of consolidation, which also includes transportation, buildings, and facilities, outstanding progress is shown. The total number of Negro schools has been reduced from 1,535 to 530. The number of 1-room schools has been reduced from 729 to 20. The number of buses for transportation of Negro pupils has been increased from 234 to 1,298. The number of pupils being transported has been increased from 14,911 to 121,714. The value of school property including sites, buildings, and facilities for Negro schools has been increased from $11,386,859.83 to $108,174,368.40. In practically every parish and city system, new modern school buildings have been provided by local bond issues or building taxes, the only exception being in a few military areas where Federal funds have been made available for buildings and facilities.

The program of consolidation in the Negro schools of the State of Louisiana has been accomplished in a highly professional manner. In practically every parish in the State, survey teams consisting of members of the State department of education and/or members of the staff from the local school board office have completed studies and made recommendations for the consolidation of schools. These recommendations have also included the type of buildings to be built and the kind of transportation to be provided.

It has been said that best results insofar as pupil progress is concerned can be obtained from schools with enrollments that are neither too small nor too large. The attached tabulation shows that a majority of the Negro schools in Louisiana fall in the category of optimum size for adequate instruction and economical operation.

Louisiana is recognized as having one of the outstanding school lunch programs in the Nation. All except 8 of the 530 Negro schools serve hot lunches to the children. The number of children receiving lunches has increased from 31,288 to 174,706. The school lunch program is educational as well as nutritional.

The number of State-approved high schools has been increased from 87 to 169, and the number of high schools approved by the Southern Association of Colleges and Secondary Schools from 5 to 35. The number of pupils enrolled in high school, grades 9 through 12, has been increased from 12,965 to 45,891, while the number of high school graduates has been increased from 2,525 to 8,462. This indicates a tremendous increase in the holding power of the schools. A similar picture could be presented from grades 1 through 12. Outstanding progress has been made in upgrading the elementary schools, resulting in a great majority of these schools being approved by the State department of education.

The number of Negro teachers employed has been increased from 4,693 to 8,368. The average salary for teachers has been increased from $1,536.38 to $4,470 and the average retirement benefits from $1,036 to $2,774.40. The number of teachers holding college degrees has been increased from 2,218 to 6,563. We do not present here any figures to show the number of teachers holding master's degrees, but reports coming to the State department of education indicate that large numbers of teachers each year are obtaining master's degrees.

While most of the improvements shown above are quantative in nature, they are necessary and a prerequisite to quality. Similar progress can be shown in the improvement in the quality of instruction. More attention is being given to supervision of the Negro schools than at any time in the past. More careful selecting of qualified teachers by superintendents, supervisors, and principals is in evidence. Inservice programs in the form of workshops and faculty studies, including self-evaluation with visiting committees, have been designed to improve the quality of instruction.

It is our feeling that all of the people of Louisiana take justifiable pride in the public schools of the State.

Size of Louisiana Negro schools, session 1958–59

(By L. L. Kilgore)

COMBINATION SCHOOLS

[Schools including grades 1–12]

Enrollments	1 to 100	100 to 300	300 to 600	600 to 900	900 to 1,200	Over 1,200
Number of schools	2	16	61	43	21	17

ELEMENTARY SCHOOLS

Enrollments	1 to 100	100 to 300	300 to 500	500 to 800	800 to 1,000	Over 1,000
Elementary schools only	88	126	51	44	23	23
Elementary departments of combination schools	8	39	51	38	16	8

HIGH SCHOOLS

Enrollments	Under 50	50 to 75	75 to 150	150 to 300	300 to 500	500 to 800	800 to 1,000	Over 1,000
High schools only	0	0	0	2	4	3	1	5
High school department of combination schools	5	9	33	60	29	10	3	5

Improvement in the program of education for Negroes in Louisiana

(Prepared by L. L. Kilgore, State director of Negro schools)

	1947–48	1958–59
Total number of schools	1,535	530
1-room schools	729	20
Number State-approved high schools	87	169
Number high schools approved by Southern Association of Colleges and Secondary Schools	5	35
Number high school teachers (9–12)	639	2,681
	Gain 2,042	
Number pupils enrolled in high school (9–12)	12,965	45,891
	Gain 32,926	
Number high school graduates	2,525	8,462
	Gain 5,937	
Number schools with lunch programs	531	522
Number of children participating in lunch program	31,288	174,706
	Gain 143,418	
Total number of teachers	4,693	8,368
	Gain 3,675	
Average salary	$1,536.38	$4,470.00
	Gain $2,933.62	
Retirement benefits (for a teacher with approximate maximum experience)	$1,036.00	$2,774.40
	Gain $1,738.40	
		1957–58
Number of teachers with 4 years' college or bachelor's degree	2,218	6,563
	Gain 4,345	
Transportation: Number of buses	234	1,298
	Gain 1,064	
Number of children transported	14,911	121,714
	Gain 106,803	
Index of school buildings and facilities, value of school property	$11,386,859.83	$108,174,368.40

Mr. LONG of Louisiana. Mr. President, these facts do not leave any doubt that in the last 11 years the people of Louisiana have made tremendous strides in improving their educational program. The same is true in public welfare and voting rights.

Rather than benefiting the Negroes in Louisiana, which is what the Civil Rights Commission presumably wants to do, the inflammatory report which they have issued will have just the opposite effect. The un-American recommendations contained in the report will provide impetus for radical-minded people to form organizations dedicated to resisting the recommendations, forcibly if necessary. That is the kind of thing which would be started by this report.

Why cannot the people who sincerely want to improve the lot of all our citizens realize that this is not the way to do it? There is no doubt in my mind that the Civil Rights Commission report is the thinking of its appointed staff members. Those people are radical extremists. Most fairminded people would not agree with a single suggestion of these radicals.

I do not know where the idea originated that forced integration was necessary. It simply will not work. People resent it. When we force people to do things in which they do not believe, we are inviting violence—the bombing of

churches and synagogues, the closing of schools.

The Commission has not brought us any new facts or any new solutions to meet the troublesome problems of interracial relations. About all the Commission has been able to recommend is more forceable measures for compulsory racial integration and amalgamation in the field of education.

The Commission is able to recommend nothing other than cutting off all Federal aid for schools, both public and private, unless racial integration is achieved in those schools. This in itself is enough to show us that the Commission's program has no good features and would do a great amount of harm. Such a recommendation is no more than the suggestions of an irresponsible extremist. It fails to point out what the result of such a course of action would be in the South.

Surely, even the wild-eyed integrationists who compose the Commission staff must know that all States of the Deep South would gladly forego any Federal aid for anything before they would accept racial integration. In fact, the probabilities are the people of Southern States would prefer to let their children grow up in ignorance rather than accept compulsory racial integration. The proposal in this respect, as in others, helps no one and hurts everyone.

The proposal by the majority of the Commission would even deny Negro children the right to acquire a good public education in forcing an end to public education. The Commission's recommendations would mean that most Negro children would receive no education whatever in the Southern States, toward which the Commission's recommendations are directed. Sometimes I wonder how foolish people can get, when, under the guise of acquiring a better education for a colored man, they make recomdendations which would deny him any education at all. A majority on the Commission have convicted themselves of being either irresponsible or foolhardy when they make such a recommendation without pointing out the obvious consequences which will follow from a serious effort to carry out the recommendations.

In the field of housing, the Commission recommends that there should be no Federal housing program unless steps are taken to insure racial integration in the field of housing every step of the way. Mr. President, I am one of those who voted for the housing bill which recently became law. I voted for it with the conviction that Congress could not possibly be so misguided as to apply the Commission's recommendations to the housing program. If the recommendations by the majority of the Commission are to be applied in such a fashion that a person cannot obtain a veteran's loan or a FHA loan without agreeing to accept racial integration, then southern people will simply decline to accept the loan and southern Senators and Representatives will vote against future Federal aid in the housing field. The determined opposition of the South, together with the votes of those who oppose various Federal housing programs, would eventually mean that there would be an end to Federal aid to housing.

For a number of years I have wondered why more had not been done to assure better housing, better hotels, better motor hotel facilities, by means of low interest loans or some type of subsidy if necessary, to provide facilities for Negroes in all respects as good as those which are available to others. Yet this has not been the direction in which the proclaimed civil rights exponents wish to go. They seem to prefer no housing to the idea of better housing unless unacceptable conditions of racial integration are put into effect.

Perhaps some day persons will realize that few, if any, Negroes really want to marry persons who are not a member of their race. It is a law of nature that persons of any given race find their opposite members of the same race more attractive than those of a different race. This fact may seem strange and unacceptable to the kinds of persons who compose the staff of the Civil Rights Commission, but it is nevertheless true. I, for the life of me, cannot come to the honest conclusion, for example, that an oriental person is more desirable or appealing than a caucasian. Nor does a normal oriental find the average person of my race so attractive as one of his own. This may be a sad fact of life for the members of the Civil Rights Commission but the good Lord must have planned it that way because it has remained true throughout the history of mankind.

I had entertained the hope that the Civil Rights Commission might come up with fundamental thinking which might contribute to better racial relations. A white man does not desire to deny a colored man good housing nor a good education. The great majority of white persons in the South would certainly like to bring about those objectives for the Negro. The Negro—certainly a majority of Negroes—prefer to be among their own kind just as the whites feel more comfortable among members of their own race. Neither has any basic desire to deny the other person that privilege.

The real problem here is that a Negro does not want it suggested to him that he is not invited somewhere on the basis that he is not good enough.

I know of nothing anywhere in Christian teachings to suggest that one should insist upon being in the presence of those who do not desire them around. While it may be wrong to dislike a person and it is ordained that one should love his enemies as well as his friends, I know of no suggestion that there is any recourse available against a person who does not love or admire one except perhaps to leave him alone. When it is suggested that persons would force themselves in the company of those who do not want them around, this goes contrary to the entire theory that one should so conduct himself that he will be respected and admired, with the result that persons will want him around.

So I say, Mr. President, all the present Civil Rights Commission has been able to bring to us is the thought that we should proceed with forced integration regardless of the resistance that it will meet, and that the Government should exhaust all means of denying rights and opportunities to persons who do not agree with the integration philosophy, even if this should mean similar and even greater denials to those who happen to agree with it.

As Commissioner Battle has so well pointed out, the Commission brings no new thoughts, no new ideas, merely more arguments of preexisting conclusions. If the recommendations of the Civil Rights Commission are to be carried out and thus end public education in many Southern States, it points toward more bombings, violence, hatreds, and misunderstanding.

In time the program of the Commission will lead to organizations bent upon forced resistance to forced measures.

It is extremely regrettable that the Commission was unable to bring us some suggestions and recommendations which might have made possible better understanding and a feeling of Christian brotherhood among men. Undoubtedly, there are a great number of things which could be done to advance the economic and social position of the Negro, things which men of good will of all races would have readily embraced. The present Civil Rights Commission has achieved little more than to increase controversies, to broaden the battlefield and to heighten the intensity of the fight. Hence, the life of the Commission should expire in the hope that perhaps at some future date there may be constituted a group above politics, able to resist the pressures and exhortations of persons who get elected by putting upon prejudices. Such a group might be able to point the way to a solution of the difficult problems that try our consciences.

Mr. SPARKMAN. Mr. President, on September 9, I spoke briefly on the Senate floor in opposition to the continuation of the Civil Rights Commission. At that time, I spoke directly to one of the Commission's recommendations which relates to the appointment of temporary Federal registrars by the President, and stated that I would have more to say about the Commission and its dangerous recommendations at a later date.

Today, I want to review and to comment further on the Commission's recommendation that the President be given authority to appoint registrars. Also, I intend to discuss other unwise recommendations made by the majority.

TEMPORARAY FEDERAL REGISTRARS

I pointed out last Wednesday, September 9, that the Commission has advocated that a law be enacted whereby when nine people in a political subdivision of a State feel that they have not been registered to vote soon enough—without specifying when or under what circumstances the application shall be made—the President of the United States shall have the authority to appoint a so-called temporary registrar to register persons to vote in Federal elections and to continue in that office so long as the President shall desire.

Such a proposal is in direct conflict with the Constitution of the United States. That the States have long been held to have broad power to determine the conditions under which the right of suffrage may be exercised should be well known to the members of the Commission. It certainly is well known to this Senate. *Lassister* v. *North Hampton County Board of Elections*, 360 U.S. 45; *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335.

Article I, section 2, of the Federal Constitution, in its provision for the election of the House of Representatives, and the 17th amendment, in its provision for the election of Senators, provide that officials shall be chosen by the people. Each provision goes on to state that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Moreover, the right to vote "refers to the right to vote as established by the laws and constitution of the State." *McPherson* v. *Blacker*, 146 U.S. 1, 39.

The members of this Commission would be well-advised to read the case of *Pope* v. *Williams*, 193 U.S. 621, 632:

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. * * * It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Notwithstanding the clear wording and intent of the Federal Constitution, as uniformly interpreted by the courts, this Commission would have the Congress turn over to the Federal Government the process of registering voters in the various States for Federal elections. It seeks to undermine the entire fabric of our system of government and asks this Congress deliberately to violate the Constitution.

It is no mere "happenstance" that the conduct of elections has been left to the States rather than vested in the Federal Government. The importance of this doctrine has been stressed by the Supreme Court in innumerable cases. It is well expressed in *Guinn* v. *United States*, 238 U.S. 347. There the Supreme Court characterized the power of the State governments over suffrage as one "which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground."

These are strong words, and were not lightly spoken. The power of the States over suffrage, which must include the power to register voters, is undoubtedly, as the Supreme Court stated it was basic to the foundations of our Government.

The majority of these Commissioners asks us to destroy our system of government and, in effect, to turn the matter of voter registration over to the President of the United States. No one could have imagined that even this Commission would have made such a proposal. To call it devastating, is to use understatement. For this proposal would allow nine temporarily frustrated applicants for registration to undermine the plenary power which the Constitution has accorded the States over all elections, State, and Federal.

These Commissioners tell us that the Founding Fathers were wrong; that the Supreme Court has been wrong throughout our history in holding that the plenary powers of State governments over the suffrage was essential to the continued existence of both State and national authority under the Constitution; and that this Congress should overturn it all and allow complete Presidential control over the election machinery of the various States in Federal elections at the behest of nine frustrated applicants.

As for myself, I prefer to abide by the Constitution, and to leave suffrage, and the regulation of it, where it has always belonged. Nor can I in good conscience support the continued existence of a Commission which advocates that the Federal system be torpedoed.

The excuse given by the Commission for this proposed revolutionary departure from the Constitution of the United States is the experience of 17 persons in Macon County, Ala., who sought to be registered after they had appeared as witnesses before this Commission's hearings in Montgomery, Ala. No other specific example is cited, other than the recitation that suits are pending in Georgia and Louisiana.

This Commission would leave the Senate with the impression that there is no legal way for persons in Macon County, Ala., to present themselves for registration. But this is a gross distortion of the actual situation.

What the Commission did not tell this Congress is the basis upon which the Macon County suit was terminated. The United States had brought an action against the State of Alabama, in violation of the act of this Congress, and had taken the further unprecedented course of suing registrars who had gone out of office. In dismissing the complaint, the Fifth Circuit Court of Appeals, through one of the most distinguished Federal jurists, Judge Hutcheson, laid down the clear course which these Macon County applicants should follow. *United States* v. *Alabama*, 267 F. 2d 808, 812:

> [T]he remedy * * * lies in taking appropriate action under Alabama law to compel those authorized to, and responsible for, constituting and filling vacancies in the membership of the Board of Registrars to fill those offices.

Contrary to the assertion in this Commission's report, there is an orderly and constitutional process for effecting the registration of voters for State and Federal elections. But apparently the orderly judicial processes which for 170 years have safeguarded the constitutional rights of the citizens of this country, are not satisfactory to this Commission. It would have this Congress, in direct violation of the Constitution of the United States, turn over the entire election machinery, insofar as registration is concerned, to the President of the United States.

Let us not be fooled by the camouflage of "temporary". There is no specification in the Commission report as to the circumstances under which the existence of so-called temporary Federal registrars shall be terminated. It would be naive to assume that such immense power, once conferred upon the President, would ever be relinquished.

The key to this unconstitutional and revolutionary proposal, and perhaps to other proposals as well, is found in the statement of Commissioner Johnson:

> The public interest is not best served if private citizens and organizations are left to vindicate constitutional rights of national significance through litigation in the Federal courts. The development of public law should not be left primarily to private litigation (Commission report, p. 190).

This astounding statement is at war with the entire constitutional development of a Nation which has been a model for freedom throughout the world. I do not know what this Commissioner means by "constitutional rights of national significance." For me, all constitutional rights are of national significance and transcendent importance. I cannot—and I am sure the Members of this Senate cannot—pick and choose among the various rights safeguarded by our Constitution, and say that some are important and others are not, and that some are of national significance and others are not.

Moreover, the entire body of our constitutional law has, as a matter of constitutional requirement, developed through the medium of private litigation in the courts. This is how our "public law"—insofar as it is constitutional law—has emerged. And this must be so because article III, section 2, of the Constitution of the United States confers jurisdiction upon the Supreme Court and the lower Federal courts where there is a real and substantial case or controversy between parties to a lawsuit. *Aetna Life Insurance Company* v. *Haworth*, 300 U.S. 227; *Muskrat* v. *United States*, 219 U.S. 346; and many other cases.

This is hornbook law, known to lawyers and laymen alike. It is the very essence of the great common law heritage which has come to us from England. And it has served throughout our history as a pole star which has guided the Supreme Court of the United States in the myriad of cases in which it has decided "constitutional rights of national significance."

It is difficult to believe that this Commission seriously asks this Congress deliberately to violate the Constitution of the United States because the constitutional requirements for orderly adjudication of disputes in the courts, the Commission says, is inadequate. I be-

lieve that the constitutional rights of our citizens are best safeguarded under our Constitution as it has emerged throughout its long existence. And I say that a Commission which seeks to overturn the fundamental basis of our Government should not be continued.

Let us end forthwith this abortive attempt to subvert our Constitution.

PROPOSAL TO ESTABLISH WHAT THE COMMISSION TERMS "UNIVERSAL SUFFRAGE"

Mr. President, another recommendation made by three of the six Commissioners, could be equally as disastrous.

I refer to the proposal which advocates a constitutional amendment fixing the qualifications for voting in Federal elections, and thereby taking from the States a power which has existed since the founding of this Nation. The proposed amendment is as follows:

SECTION 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

SECTION 2

The Congress shall have power to enforce this article by appropriate legislation.

In our constitutional democracy, the ultimate repository of power is in the people. This power is exercised at the ballot boxes. It is there that the people decide whether their Governments—State and Federal—have so conducted themselves as to be worthy of continuance in office.

Equally important, our Government is founded upon a system of checks and balances. Inherent in this system is the principle that State governments and the National Government—in a Federal system—shall balance one another, and check excessive exercises of power.

It is precisely because of the awesome enormity of the ultimate power at the ballot box that our Founding Fathers, even in Federal elections, conferred upon the States the power and authority to impose qualifications upon voters. Of course, these powers are subject to restrictions imposed by other provisions in the Federal Constitution.

Analysts of our Federal system have recognized that this diffusion of power over the qualifications for voters in Federal elections was a keystone in the great constitutional democracy which we have built. It is part of the genius of the Federal system.

The Supreme Court, too, has recognized this basic principle of our constitutional democracy. In *Guinn* v. *United States,* 238 U.S. 347, 362, the Court said:

[The 15th amendment] does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground.

Moreover, the Supreme Court there said:

Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both.

This proposed amendment would produce the awesome result which the Supreme Court foresaw in the Guinn case. Apparently, the proponents of this proposal would risk the destruction of both the authority of the Nation and the States. And they propose to do so in the name of preserving civil rights.

And what is the stated reason for this invitation to disaster? It is the objection of these Commissioners to literacy tests imposed in order to determine whether prospective voters are qualified to vote.

According to my information, 19 States now impose such tests. Five—Arizona, California, Delaware, Maine, and Massachusetts—require that a voter be required to read a section of the State or Federal Constitution and write his own name. Five—Alabama, New Hampshire, North Carolina, Oklahoma, and South Carolina—require that an elector be able to read and write a section of the State or Federal Constitution. Two States—New York and Oregon—require that the voter be able to read and write English. Wyoming and Connecticut require that a voter read a constitutional provision in English, and Virginia requires that the voting application be written in the applicant's hand before the registrar and without aid, suggestion or memorandum. Washington requires that a voter be able to read and speak the English language. Georgia insists that a voter be able to read intelligently and write legibly a section of the State or Federal Constitution. Louisiana and Mississippi have similar requirements.

These States, representing numerically more than a third of the Union and a cross section of the entire Nation, have seen fit to require this minimum in literacy and understanding as a prerequisite for exercising the precious privilege of voting. Have they trampled upon the civil rights of their citizens in so doing?

The Supreme Court of the United States as recently as June 8, 1959, thinks not. In *Lassiter* v. *North Hampton County Board of Elections,* 360 U.S. 45, the Court upheld the literacy tests imposed by the State of North Carolina. It commented that the States have wide scope for exercise of their jurisdiction to determine who may vote, in State and Federal elections.

It commented (360 U.S. 52):

[I]n our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise.

In the earlier *Guinn* case (238 U.S. 347, 366), the Court dismissed summarily the contention against the impropriety of literacy tests. It said:

No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

Moreover, the present Supreme Court in the Lassiter case rejected the notion, put forward by the proposals in the report of this Civil Rights Commission, that literacy tests and similar qualifications for voting, undermined the civil rights of our citizens. The Court said of such tests:

That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot.

The proposal of this Commission regarding a constitutional amendment to strip the States of their powers to set voter qualifications in Federal elections demeans the high purpose of the States which have attempted to elevate the intelligence and understanding of their electorates. It has refused to recognize "while the right of suffrage is established and guaranteed by the Constitution it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers has imposed"—*Lassiter* v. *North Hampton Board of Elections,* 360 U.S. 45, 51.

These Commissioners have rejected the long-established fabric of our constitutional Union. Compare this revolutionary proposal with the traditional philosophy of our system of voting as expounded in *Pope* v. *Williams,* 193 U.S. 621, 632:

The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. It may not be refused on account of race, color, or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

Such patent disregard from the basic concepts of our Government is more than reason enough for the termination forthwith of the existence of this Commission. This proposal disregards the very foundation of a Federal system of Government. It impugns the motives of 19 States who have prescribed what the Supreme Court during its term just past has characterized as fair methods of raising the standards of all people who cast the ballot.

Moreover, the proposal exhibits a complete inability to comprehend the function of a Constitution itself as the organic law of our Nation. The brevity of our Constitution, and its vigor and strength, have been universally praised. It is not really so important what these Commissioners feel about literacy tests. What is of overriding importance is their

willingness to seek to amend the Constitution because they do not approve of this method of determining who shall vote. I would remind these Commissioners, in the waning hours of their existence, that our great Chief Justice John Marshall once said:

It is a Constitution we are expounding (*McCulloch* v. *Maryland,* 4 Wheat, 316).

No less startling than the sweeping nature of this revolutionary proposal, is the flimsy evidence upon which it is based. When this Commission held hearings in Montgomery, Ala., its chairman stated that it had the duty "to determine what the facts are about voting in the United States and to report those facts to the President and to the Congress"—hearings, page 4.

The chairman continued that objectivity on the part of the Commission "presupposes getting all of the facts"—hearings, page 4.

This Commission did not even seek to get all of the facts about one State—Alabama—in which it conducted investigations into voting. It heard from a small number of witnesses in 5 counties of the State, out of 67 counties. These counties were small, rural counties all located in one section of the State. They included none of the large metropolitan areas of the State, or in any way a cross section of the State. Moreover, a handful of witnesses from these five counties were heard from. The hearing was characterized by the chairman as "a serious attempt to determine what the facts are about voting in Alabama"—hearings, page 4.

No reasonable man could have hoped to get the real facts about voting in Alabama from the testimony which was presented during the hearings held in Montgomery. It is difficult to be charitable about the motives which must have prompted this so-called investigation. Yet on the basis of this inaccurate evidence, this Commission seeks not only to blacken the name of Alabama but to advocate sweeping and revolutionary changes in the very Constitution of this country. I say that the injudicious nature of this Commission and of its procedure, and the demonstrated lack of understanding of what a Federal system of Government means, is an affront to this Congress and to the people of the country.

PRESERVATION OF REGISTRATION AND VOTING RECORDS

The Commission has recommended that registration and voting records be kept open to public inspection for 5 years. It adds, I am thankful to say, that "all care be taken to preserve the secrecy of the ballot"—Commission report, page 89.

But the report is strangely silent as to recommendations for preserving the secrecy of the ballot. Nowhere does the Commission recommend standards and conditions for inspection of voting records. Yet the Commission purports to deal with one of the most sacred of the rights of our citizens.

Elaborate safeguards have been built around the protection of income tax records, for example. Circumstances under which they may be obtained are severely limited. And a court subpena or complicated procedure following request from other taxing authorities is necessary to obtain them.

In private corporation law, stockholders may look at corporate records only at convenient times and under proper circumstances. Similar safeguards surround the records of our myriad of administrative agencies.

But apparently the Commission is not at all sobered by the thought that the secret ballot—the very essence of democracy—may be undermined by its proposal that voting records be kept on public display for 5 years.

CONCERNING CENSUS OF VOTERS BY RACE, COLOR, AND NATIONAL ORIGIN

The Commission has proposed that this Congress authorize the Bureau of the Census and direct it to undertake in connection with the census of 1960 an investigation into the voting habits, and registration, of our citizens on the base of their race, color, and national origin Thus Federal officers who come and knock on the doors of the private homes of our citizens can seek to pry into some of the most private, and certainly most treasured, secrets of our citizens.

Should a government do this? Should Government representatives call on people and ask them about their voting habits? I say this is a private matter—a matter which must remain private if we are to have the safeguards which distinguish us from totalitarian nations.

Our Constitution assures us that private citizens have the right to shut the door on officials of the State unless their entry is under proper authority of law—see *Frank* v. *Maryland,* 359 U.S. 360 and many other cases. No matter who the officer is or what his mission, a Government official cannot invade a private home unless he has been ordered to do so by a court, or unless an immediate major crisis in the performance of his duty affords neither the time nor the opportunity for him to apply to a magistrate.

But suppose we are told that this is not an arrest or an investigation into the homes of our private citizens, but merely a call by a census taker which seeks to determine information about a person's voting habits. My answer is that the Government has no right under our Constitution, nor should it, to send its officials to the homes of our citizens and inquire into their methods of registration and voting, into their desires, habits, and aspirations in this regard. This is a private matter which in a democracy must remain private. Secrecy of the ballot, in all of its aspects, is an essential ingredient of a democracy.

As said by Judge Prettyman in *District of Columbia* v. *Little,* 178 F. 2d 13, 17:

This right of privacy is not conditioned upon the objective, the prerogative, or the statute of the intruding officer. His uniform, badge, rank, and the bureau from which he operates are immaterial. It is immaterial whether he is motivated by the highest public purpose or by the lowest personal spite.

I will not vote to undermine this precious safeguard of our democracy—not even for the President's Commission on Civil Rights.

Mr. President, I have already expressed my unqualified opposition to the report of the Commission on Civil Rights, and I have also expressed my hope that its life and functions will not be continued.

Today I wish to point out briefly in an objective manner the insidious designs of the findings and recommendations of this Commission in a field which is very close to my heart and one to which I have dedicated a large part of my service in this body, namely, housing.

In the first place, I feel that the Commission, established as it was by the Civil Rights Act of 1957 to investigate alleged deprivations of voting rights and legal developments constituting a denial of equal protection of the laws under the Constitution, committed a grave error in going into the field of housing. I feel also that it committed an inexcusable error in exploring this field on the surface with preconceived notions and not presenting the true picture from a well-rounded viewpoint, as it really is, or may be, in the hundreds and thousands of localities, not only in the South but all over the United States in varying degrees as each State and locality seeks to cope with this delicate and flammable subject.

My examination of the detailed report, rather than the condensed one already summarized in the RECORD, leads me to a feeling of commendation for the able and scholarly former Governor of Virginia, John S. Battle, a member of the Commission, whose short statement on page 551, rings like a bell in characterizing the report. I quote:

I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Governor Battle struck the Achilles heel with these true words and I want to say here and now, Mr. President, that I do not want such a report to be used as an instrumentality in the hands of those who would like to kill the great housing program on which we have worked all these many years, to accomplish their purposes which I will fight at every turn of the road.

If you want to kill housing, this is the way to do it. Take the findings and recommendations of this Commission in the field of housing, based as they are on cursory spot checks in a few areas in the Nation, and you will find that in practical operation they would result in an ever-increasing amount of Federal control and an overemphasis of racial feelings that would not exist unless the NAACP and bodies like the Civil Rights Commission stirred them up.

The first recommendation that biracial committees or commissions to hear complaints and study the problem be established in every city and State throughout the land with a substantial nonwhite population is innocuous enough on its face. I note, however, that the proposal of two of the six Commissioners in this regard would add that such

local bodies be clothed with the public interest and bound by the so-called mandates of public life or State and local governmental action. This would accelerate what the Commission is getting at anyway and that is more control and less local governmental autonomy. It is my belief that whatever is done in this field of biracial committees should be done in a positive manner "in keeping with the requirement at the local level," to use the words of Vice Chairman Storey and Commissioners Battle and Carlton, whose supplemental statement discusses this very point.

Recommendations two and three would dignify this subject within the executive branch of the Government by an Executive order of the President, and place the Civil Rights Commission, if extended, in a vague but powerful position with respect to advising or forcing the Housing and Home Finance Agency as to how to conduct its own affairs. This would be just a further case of a Government agency superimposed on another Government agency for the purpose of enforcing a preconceived policy. It would lead to added confusion, more redtape, and more avoidance of responsibility. I would not like to see HHFA subjected to the dictates or whims of this Commission.

Recommendation No. 4 is a flagrant violation of our traditional concept, that within the spheres wherein they are empowered to act under the Constitution, States and local governing authorities may make their own laws and determine when and where they are violated. This recommendation would direct Federal agencies to determine through their own factfinding and administrative machinery whether individuals or corporations are violating State and local laws and to take immediate action prior to final action by the appropriate State agency or court. Whether these laws have been violated is a matter for State and local determination and I do not subscribe to the theory of a Federal administrative court or regional agency making these local determinations and thereby placing local bodies in a secondary position with respect to their own laws.

The other recommendations deal with racial matters in the field of public housing and urban renewal, and in a broad sense urge greater minority group participation. In this I defer to the supplementary statement on housing made by Vice Chairman Storey and Commissioners Battle and Carlton, found on page 540 of the report:

> In dealing with the problem of housing, we must face realities and recognize the fact that no one pattern will serve the country as a whole. Some parts of the foregoing report are argumentative, with suggestions keyed to integration rather than housing, and if carried out in full will result in delay and in many cases defeat of adequate housing, which is our prime objective. The repeated expressions, "freedom of choice," "open housing," "open market," and "scatteration" suggest a fixed program of mixing the races anywhere and everywhere regardless of the wishes of either race and particular problems involved. The result would be dissension, strife, and even violence evident in sections where you would least expect it.

Yes, Mr. President, to carry out the programs suggested directly or indirectly by this Commission would lead to strife, dissension, and violence. Moreover, the innuendo of this report is that State and local governing bodies are not competent to enact their own laws and rules. The inference is that the people at the local level who live with this problem every day cannot deal with it. All State laws that had forced integration provisions were commended by the Commission, and those States and localities that had no such laws were criticized directly or indirectly. The remaining choice would appear to the Commission to be force from above by the Federal Government.

Mr. President, here is where I draw the line. My record in the Senate on States rights has been consistent for that principle. I believe in the principle and believe in it firmly and sincerely. I also believe in the help to the needy and the instigation of progress in this great land of ours by the Federal Government under the general welfare clause of the Constitution. I have supported Federal aid to education without Federal controls and have recognized the value and progress of the programs begun by the Morrill Act of 1862 and augmented by the Smith-Lever Act of 1914, for extension work aid, the Smith-Hughes Vocational Education Act of 1917, and the many Federal enactments in our present generation in this great field. I have supported housing legislation and believe that this Nation is well on its way to see the aims and purposes of the Housing Act of 1949 for "a decent home and a suitable living environment for every American family" realized. But with this, Mr. President, I do not advocate arbitrary Federal controls. I believe that to subject our great housing program to the dictates of the Civil Rights Commission would move in that direction and I am against it.

I believe that the Civil Rights Commission has gone far afield from what was intended, even under the legislation that was enacted in 1957. Many of its recommendations and many parts of its report deal with subjects which I am sure were never intended when it was established. We know not how far afield it might go if given an extended life. I am against it. I believe it should be allowed to die, and that this Congress would be making a great mistake if it should be continued for 2 years, as proposed by the amendment.

Mr. MORSE. Mr. President, it is a matter of considerable regret to me that Congress finds itself leaving town at a time when a most notable document has been received by the President and in turn by Congress for its study and for what I had hoped would be constructive action in this session of Congress. That document is the report of the U.S. Commission on Civil Rights.

The report covers 3 areas in which discrimination, largely on racial grounds, needs attention from a Nation which says that it is dedicated to the proposition that all men are created equal. All that the Senator from Oregon has sought to do during his service in the Senate is to put that professing into practice.

These areas are voting, education, and housing.

It is my view that the recommendations contained in this report are of such importance and significance that they justify the first session of the 86th Congress remaining in session until they are considered and acted upon.

Probably the most fundamental of the areas covered in this report is the area of discrimination in the exercise of the franchise. Deny a person the right to vote and we have denied to him the power to gain not only political justice but economic and social justice. Of course I do not doubt that that is exactly why the colored people in some parts of the country are denied the right to vote. That they are so denied is one of the basic findings of the Commission.

VOTE GUARANTEE SET FORTH IN CONSTITUTION

I have listened with great interest to some of the discussions which have taken place on the floor of the Senate in regard to the matter of the right of the people, irrespective of the color of their skin, to enjoy the equality of voting privilege. I have listened to some very interesting interpretations of the court decisions which have been handed down. Some of those decisions, of course, were handed down long before the Supreme Court's series of decisions in the so-called school cases, the first of which, at long last in the jurisprudence of this country, called the attention of the American people to an undeniable fact set out in the Constitution.

I have not heard a discussion of even one great decision which in any way denies the legal soundness of the Supreme Court's decision in the school segregation cases insofar as the decision involves an interpretation of the Constitution of the United States.

It is particularly fitting that there be read once again into the debate the language of the Constitution from which none can escape, as far as the real meaning is concerned, as interpreted by the U.S. Supreme Court.

I shall not take the time to review at length the speeches which I made previously in the Senate in years gone by on the constitutional history of the 14th and 15th amendments, to the effect that in this country there is, from the standpoint of constitutional history, no denying the fact of the equality of rights under that Constitution.

Nor shall I take the time—because I am perfectly aware of the realistic situation which confronts the Senate—to review again that great landmark decision of 1803, rendered by the Chief Justice of the United States speaking for the Supreme Court—that great Virginian, Chief Justice Marshall—in the case of Marbury against Madison, in which he made undeniably clear that the authority to determine the constitutional rights of the people of this country vests in the Supreme Court, and that if we do not like it, we must amend the Constitution. If those who would take away from the colored people of this country the equality of justice and right in respect to the voting privilege do not like the decision

in Marbury against Madison, why do they not propose to try to accomplish that purpose by way of a constitutional amendment?

In fact, to my knowledge there is only one Senator who has faced the matter, and that is the Senator from Georgia [Mr. TALMADGE], who has offered a constitutional amendment, as a frank and forthright way of approaching this problem.

Mr. President, I am perfectly willing to have Congress render its decision on that proposed amendment. I am perfectly willing to let those in this country who advocate a continuation of the discrimination which is practiced against the colored people get their answer from the people of the United States on any proposal which in effect would repeal either the 14th or the 15th amendment to the Constitution.

I will not be diverted one inch from the constitutional road which I believe we must stay on with respect to this whole civil rights issue. Therefore, I believe that there ought to be read into the RECORD once again this answer which our constitutional fathers and those in our country who at the time the amendments were adopted have emblazoned in this organic law, guaranteeing to all people, irrespective of race, color, or creed, equality of legal rights. I read only a part of the 14th amendment, which says:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Mr. President, I do not know how the English language can be used more clearly than it is used in that part of the 14th amendment to the Constitution which I have read. Likewise, similarly crystal clear language was written into the 15th amendment. This is my answer to the argument just made by the Senator from Alabama [Mr. SPARKMAN] and others, who have argued the same thesis in recent days on the floor of the Senate.

The 15th amendment states:

> The Congress shall have power to enforce this article by appropriate legislation.

The Senator from Alabama [Mr. SPARKMAN] and his colleagues who have been arguing the same thesis on the floor of the Senate to the effect that Congress is without power to guarantee all people in this country, including the colored people, the same privileges to vote in Federal elections, should read the 15th amendment. The Civil Rights Commission has obviously read it, and I respectfully submit that the recommendations of the Civil Rights Commission in regard to this matter of guaranteeing voting rights to the colored people are based upon the 15th amendment.

Mr. President, if any State denies to a colored person the equality and the right and the opportunity to vote, the Civil Rights Commission is correct in its recommendation that Congress, the Federal Government, has a duty to see to it that that constitutional right is not denied; and it is a duty under the 15th amendment, to use the language of the amendment, to pass appropriate legislation to see to it that it is not denied.

That is what this great civil rights fight, in part, is all about. We are not going to rationalize this one away. We are not going to be able to run away from it, either, because this civil rights issue will not be solved until it is solved right.

It cannot be solved right until the precious privilege of free franchise, guaranteed by the 15th amendment, is effectuated by the necessary Federal legislation in order to carry it out.

My friends who are opposing me on this proposal can argue until doomsday. They cannot change the fact that under the 14th and 15th amendments to the Constitution of the United States these civil rights are guaranteed to all Americans. These two great amendments at least write into the Constitution the doctrine that second-class citizenship in this country for anyone cannot be reconciled with basic constitutional rights.

I speak most respectfully when I say that if any individual or any State believes that a denial of these constitutional rights can long be endured, I think they are mistaken, because time is marching far beyond that provincial point of view. The events of the day in which we live make perfectly clear that the American people will have to come to grips with this great problem. I happen to believe that the important thing is to get behind it. We are doing no service to the health of our body politic by keeping this problem constantly stirred up, short of a decision.

The decision which is needed is legislation which will carry out the unanswerable theory of constitutionalism laid down so long long ago by Chief Justice Marshall in Marbury against Madison, and implement the great decisions of the Supreme Court of the United States with respect to the so-called school cases.

CONGRESS HAS DUTY TO ACT NOW ON CIVIL RIGHTS

That is why I have taken the position that we ought to stay in session long enough to pass legislation which will put into legislative practice the major recommendations of the Civil Rights Commission. But I realize we are not going to do it. So I say now, at the early part of my speech, that as of the close of my speech I shall have something to say about the parliamentary practicalities which confront us tonight. I shall then introduce for appropriate reference a series of bills dealing with the civil rights problem and ask that they be referred, serving notice that when we come back, whether it be later this fall or in January, I will continue, as I have for 15 years in this body, to fight for the adoption of implementing legislation which will give legal effect and meaning to the 14th and 15th amendments, because that is what this controversy is all about.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield with the understanding I do not lose my right to the floor.

Mr. JAVITS. I do not believe anyone doubts, no matter what position the Senator from Oregon or Congress decides we must take, that the Senator from Oregon has been and will continue to be sincerely—and I know there are very few Negroes in his State, relatively speaking—and from the depths of his convictions an ardent advocate of the rights of individuals, and that all should have the same treatment under the law, the same class of citizenship, and the same opportunities of civil rights.

I want the Senator to know, whatever might be anybody's difference of view on procedure, how long we ought to be here, whether we ought to act now, in January, or early in February, that there is no question that the Senator from Oregon is in the forefront of this struggle. He has been for many years, is now, and, I know, will continue to be.

Mr. MORSE. I consider it a privilege to serve side by side and shoulder to shoulder with the distinguished Senator from New York in this great historic controversy, in which some of us are seeking to strengthen the Union by putting into legislative effect the 14th and 15th amendments. The Senator from New York has been one of the gallant warriors in this great constitutional fight. I am sure he shares my view that we weaken the Union, and do not strengthen the Union, so long as we fail to take the legal steps which are necessary to guarantee first-class citizenship to all the people who have citizenship rights in this country.

Mr. JAVITS. I thoroughly agree with the Senator from Oregon. I thank him for yielding.

Mr. MORSE. Mr. President, the denial of equality in education and in housing are serious enough, but so long as the suffrage remains, the individual and the group are not without recourse. But where the vote is denied, recourse is denied.

I remind Senators that next year is a presidential year. It is said that promises will be exacted on the floor which will guarantee to Congress the opportunity to consider civil rights legislation early next year. I think our discussion this morning makes very clear that the majority leader has no intention of guaranteeing any legislative course of action. He made perfectly clear this morning that there have been informal discussions of what our course of action should be next year on the civil rights issue, and he simply served notice, as was his duty as majority leader, that, come next year, in the absence of the passage of any civil rights legislation prior thereto, it is his expectation that rather early in the session it will be called up.

But that is not by way of any promise; it is not by way of any agreement; it is simply by way of serving notice to the full membership of what he, as majority leader, happens to know are the plans of a good many Senators who will insist, if

they can, within their parliamentary rights, upon getting some action on this issue early in the next session.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I hope for the Senator from Oregon himself and for the rest of us that we will do much better. I rather feel that before we are through with this debate, we will.

Mr. MORSE. Let me say to the Senator from New York that I am sure we can do much better if we insist upon exercising our parliamentary rights and if we insist upon running the Senate within the rule book.

I want to make very clear that my determination to run the Senate within the rule book will not come to an end when this session is adjourned sine die tonight or tomorrow or the next day, or whenever we do adjourn. If anything has been demonstrated during the last 10 days, it has been demonstrated first, that we can transact public business in an orderly way, within the rule book; second, it has been demonstrated that following the rules is the best way to stop any steamroller attempt to rush through legislation which has not been fully and carefully considered.

Third, I think we have also demonstrated, I may say to the Senator from New York, that the business of the Senate can be transacted without the common practice of having unanimous-consent agreements which limit time for debate or which fix certain times to vote. If we have accomplished nothing else by the parliamentary procedure which has been followed in the last 10 days, we have accomplished those things.

Mr. President, I have said that next year will be a presidential election year. If we are lucky, I suppose that will mean a speedy hearing on the report of the Civil Rights Commission, if we proceed to the consideration of civil rights legislation early in the next session of Congress.

If we are even luckier, it will mean some modest legislation. But the fact that 1960 is an election year, makes it imperative, in my opinion, that we consider this matter in 1959, not in 1960. We should consider it now, either by remaining in session long enough now to take it up, or by agreeing to take a recess until November, and to take it up in November.

Civil rights is as crucial, as "hot," a political issue as any in this country. In a presidential election year, this issue takes on proportions even larger than its real dimensions.

The possible effects upon the presidential primary and the general election campaigns of a civil rights battle in Congress would be so far-reaching that the issue itself, which is important in its own right, would become blown up. Men take views and express views on civil rights which probably would never have occurred to them, were not the Presidency, or a Senate seat, or a House seat, in the offing.

Of course, the issue is critical both in the North and the South. Whenever a civil rights issue is raised, it is said by some that it is all being done by some northern politician who is looking for a few votes. Southern politicians do not look for votes, I suppose; or, if they do, they never look for them in the realm of civil rights.

Time and again, I have heard the accusation that northerners used civil rights as a political issue.

Does anyone think it is not a political issue in the South? Does anyone think there are not votes to be made in the South, as well as for integrationists in the North, from this issue?

It has become the position of the defenders of the status quo that to have dirt under the rug is not a crime, but for someone to pick up the rug and point it out, is a political crime. I think that those of us who advocate full enjoyment of every constitutional right by every American should stop being intimidated by that argument. The political defender of segregation is playing politics just as hard and fast as is the opponent of segregation; and because both sides are even on that score, the entire argument about politicians playing for votes on this issue should be dropped.

But the fact remains that a presidential election year is just about the worst possible time for real progress to be made on civil rights legislation. Positions are hardened, and both sides will see their futures at stake. I believe that the cool fall of the year preceding the election is a much more propitious time to take up this matter.

I also remind the Senate that what we have under consideration is primarily the right to vote. Can we wait until the year of a presidential election to act on this matter, and expect to have our machinery in order in time for anyone to make use of it by the first of November 1960?

If we were to stay here now, consider these Commission recommendations, establish the system of Federal registrars in accord with the Commission proposal, and enact the statutory and constitutional safeguards contained in this outstanding report, we might find that a year from now, some of those whose voting privilege we want to safeguard would actually be able to exercise it, in keeping with their rights as first-class citizens.

It is my opinion that by putting off this matter until next year, we are virtually assuring that any colored person who is not voting now will not be voting in 1960, either. That is not only sad; it is shameful.

It has occurred to me that these Commission recommendations might have been brought before the Senate as amendments to the pending bill. Not all of them are new. Some are already contained in proposed legislation which I have either sponsored or cosponsored, and, hence, are pending before various Senate committees.

PROPOSAL FOR CONSTITUTIONAL AMENDMENTS

For example, three of the Commissioners recommend a constitutional amendment fixing uniform voting qualifications.

On July 9, 1959, I introduced Senate bill 2359, to accomplish by legislation exactly the same result.

My bill states that—

> No State shall impose any poll tax, property tax or any property ownership qualification or property tax, or any literacy or intelligence test as a condition of the right of any citizen to vote at any election for a Federal officer.

As I read the language of the proposed constitutional amendment, I think it is probably superior to the language of my bill, because instead of trying to proscribe a list of voting qualifications, the proposed constitutional amendment states only two which may be imposed by the States—namely, age, and length of residence within the State.

Specifically, it reads as set forth in the Commission's report:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

The stated reason for this recommendation by Commissioners Hannah, Hesburgh, and Johnson virtually sums up the findings of the Commission in the area of voting. They state in their report—and I quote from page 97 of the abridged report:

> In its investigations, hearings and studies the Commission has seen that complex voter qualification laws, including tests of literacy, education and "interpretation," have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.
>
> Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.
>
> Therefore, as the best ultimate solution of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

The other three Commissioners—Messrs. Storey, Carlton, and Battle—disagree with the need for such a constitutional amendment, and state that the right to vote is already sufficiently protected by the Constitution. They feel that if the other recommendations contained in the report were effectuated, there would be no need for a constitutional amendment.

In passing, Mr. President, I note that that is an admission—at least, at that point in the report—by those three Commissioners that the Constitution does guarantee that right. It is good to have that admission a matter of record. But, of course, the right is of little value to the voter unless it can be exercised; and it cannot be exercised—as the other Commissioners have pointed out in their report—if, in the case of the election of

Federal officers, the election registrars or voting registrars, in carrying out the restrictions upon the right to vote, follow some of the discriminatory policies that have been adopted by some States—which, for example, require the applicant to give correct answers to very complex questions which, if uniformly asked of all who seek to vote, would result in the discovery that a great many persons whose skin is not black would not be able to answer the questions, either.

So we simply have to come to grips with what is happening in practice in regard to disqualifying prospective voters from voting, simply because it is alleged that they did not successfully answer some very complex questions which were put to them—questions which supposedly were designed, by law, to determine whether they had the requisite qualifications to vote.

In recognition of these practices, I introduced Senate bill S. 2359. There is also pending a constitutional amendment to abolish the poll tax, sponsored by the Senator from Florida [Mr. HOLLAND] and 60 other Senators, including myself. That is almost enough to adopt it, right now. I suggest that we ought to get that amendment before us before we adjourn, and proceed to vote on it. These measures bespeak the fact that we know the suffrage should be extended to persons not now able to enjoy it.

We have legislation which has already been introduced on this subject, and we have a series of recommendations from the Civil Rights Commission on extension and protection of the suffrage. Why wait any longer to act? Senators say we will just wait until next year, but I say if we wait until next year, we are really waiting for 2 years in the case of congressional elections and for 4 years in the case of the presidential election before the persons who may be enfranchised will have an opportunity to cast a vote.

DESTRUCTION OF RECORDS CALLS FOR PROMPT ACTION

One recommendation of the Commission should certainly be enacted now. It is the recommendation that Congress require all State registration and voting records to be public records, and to further require that they must be preserved for a period of 5 years, during which time they shall be subject to public inspection.

This recommendation is based upon the finding that lack of uniform provision for the preservation and public inspection of all records pertaining to registration and voting hampers and impedes investigation of alleged denials of the right to vote.

We are proposing to extend the life of this Commission for 2 years. Here is an obstacle to its work which the Commission says should be corrected by congressional action. If the Commission is worth extending, certainly the obstacles which it says "hamper and impede" its work should be considered at the same time—which means now, which means tonight and the days immediately to follow.

It was not so long ago that this floor rang with denunciations of individuals who destroyed certain records which were needed by an investigating body in order to determine whether money had been misused.

We heard that the officers of unions, principally of the Teamsters Union, were destroying union financial records, thereby impeding a congressional investigation.

As I made perfectly clear, Mr. President, if that were true, there was no possible justification for that kind of action on the part of any union or its officials. In fact, only 2 or 3 days ago, Senators will recall, the Senator from Arkansas [Mr. MCCLELLAN] came before the Senate and asked for permission that the select committee of which he is chairman be authorized to turn over to the district attorney of Philadelphia certain records which the committee had in its possession and which related to alleged violations of the law on the part of a local teamsters union in Philadelphia. Those records were sought by the district attorney of Philadelphia for presentation to a grand jury.

The senior Senator from Oregon, after asking the Senator from Arkansas [Mr. MCCLELLAN] certain questions which made it perfectly clear that the committee had a perfect right to those records, and that they were obtained by subpena in the first instance, took the position that those records should be made available to the district attorney of Philadelphia.

We cannot have the proper administration of justice in this country if records which are necessary to administer the law are denied to law enforcement officers.

It has also been my position, Mr. President, that if we want to maintain a government by law there is no justification for countenancing the destruction of records necessary for the administration of law.

The labor reform legislation which included a prohibition against the destruction of union records and the imposition of criminal penalties for such destruction became a "must" item of legislation in this session of Congress, and such provisions were included in the labor bill I cosponsored. These provisions were never at issue.

It is very interesting to recall that certain of my colleagues in the Senate from the South were very anxious to have legislation of that type passed, and I agreed with them that it should be passed.

Mr. President, this works both ways. If it is a sound principle that we ought to have legislation providing for legal action in case a union destroys records which are needed by law enforcement officers to carry out their public duty, then it is also important that registrars not be allowed to destroy voting and registration records needed for a determination of the question of fact as to whether the protection of the 14th amendment and the 15th amendment are being denied the colored people of America.

The Civil Rights Commission dealt with this problem. I say that when the Civil Rights Commission reports the same problem of the destruction of records in the field of voting registration, corrective legislation should have equal priority with legislation which seeks to correct abuses within the American labor movement with respect to the destruction of records needed for the administration of justice on a uniform basis.

The Commission reports that in one State where voting procedures were being investigated, the State legislature had passed a bill permitting the destruction of application forms of persons denied registration.

Such forms are essential to any investigation of a charge of the denial of the right to vote. What I have said is taken directly from the Commission report. If there is any doubt as to this problem of implementing the equal-protection-of-the-laws doctrine of the 14th and 15th amendments, we should take a look at that finding of the Civil Rights Commission. If one wants to know how far we have been going in this country, in some places, in denying colored people the right to vote, we have this finding of the Civil Rights Commission to the effect that one State legislature went so far as to pass a law authorizing the destruction of its registration records.

I ask, why? My surmise and suspicion is that the course of action followed by the registrars of that State could not stand the light of public inspection. That is why the State legislature passed the law.

I also want to say, Mr. President, that in my judgment, and insofar as Federal elections are concerned, a State legislature has no constitutional right to pass such legislation. If it does enact such a law, and if we are going to see that the guarantees of the Constitution are carried out, then it is the duty of Congress, in accordance with the 15th amendment, to pass appropriate legislation to correct that injustice on the part of State legislatures and, if necessary, to send in Federal registrars to protect the records.

NO INVASION OF STATE RIGHTS INVOLVED

I am not the least bit moved by all of the argument heard in the Senate in the past few days about an invasion of States rights, because such a law would be no invasion of States rights. I repeat, any law which the Congress passes and which is constitutional cannot be an invasion of States rights, because no State has any rights outside the framework of the Federal Constitution in respect to matters which fall within the authority of the Federal Government. I am sick and tired of listening to the argument of States rights from people who raise that hue and cry every time the Federal Government seeks to exercise its constitutional power.

I have said many times in this debate to my southern friends, "Come on, tell me what is unconstitutional about any proposal to implement the 14th and the 15th amendments. Unless you can show that some proposal violates the guarantees of the Constitution, there is no States rights argument which has any legal weight."

What is meant in many instances—I was about to say "most," and I am not so sure I would be statistically wrong if I said "most", but I will modify it to say "many"—when we think the eagle up there in that glass ceiling is about to flap his wings and fly away under the barrage of oratory about States rights which we hear on the floor of the Senate, is that the person arguing really means he thinks that as a matter of public policy the legislation being debated should not be adopted.

But that is a far different thing from the conclusion that the Senator would have us adopt; namely, that the legislation violates States rights. The legislation cannot violate States rights unless the proponent of the argument can show that the proposal is unconstitutional.

That is quite a different thing. What most of these gentlemen mean is that they think as a matter of public policy some of this proposed legislation should not be adopted. That is a reasonable argument, and I am willing to meet them on that plane, but they should eliminate from their argument, the fallacies, and the nonsequiturs they keep perpetrating in debate on the floor of the Senate, that those of us who are in favor of carrying out the 14th and 15th amendments are in fact violating States rights.

I say, most respectfully, the people of those regions of the country who take that position should make up their minds that they ought to come back into the Union, because they are outside the Union, argumentatively speaking, every time they argue that we should not give effect to the 14th and the 15th amendments.

FURTHER DELAY IN PROTECTING VOTE CANNOT BE EXCUSED

So I say that when we get a finding as serious as the finding set forth by the Civil Rights Commission, that one State legislature passed a law authorizing the destruction of the records of registration of voters in Federal elections, Congress had better face up to the fact that it has a solemn duty to pass the necessary Federal legislation to carry out the 14th and 15th amendments, even if it means the appointment of Federal registrars.

It seems to me that such a finding as this finding of the Commission is so serious as to require congressional consideration now, not at some possible time in the future, if ever.

This is the exercise of suffrage that the Commission is talking about. This is a right which is supposedly conferred and protected by the Constitution of the United States; yet the evidence of its denial is being systematically destroyed, and Senators say tonight, "Wait until next year, and we will look into it then."

I have become accustomed to that dilatory tactic. I have been accustomed for 15 years to know that when some group does not wish to face up to its legislative responsibilities, they argue, "We will have time in the next session to look at it."

We know full well what that means. That is a passing-of-the-buck technique to Father Time. That is adopting the argument, "Let us postpone it. Perhaps we will be in a little stronger position later to meet the arguments of those in the Senate who are pressing for the Senate to do its duty now."

That is a duty for which we were elected. We were not elected to procrastinate. We were not elected to postpone doing our duty. We were elected to meet these problems as they arise in the Congress.

What are we waiting for? More information? Do we need to know more about what the problem of civil rights in this country is, or what is happening in the denial of full voting privileges to all our citizens?

In 1957, when I voted against the civil rights bill and took a good many spankings for doing so, one of the arguments for enacting the toothless bill was, "We are to have a Civil Rights Commission. We ought to postpone action until the Civil Rights Commission is appointed and makes its finding."

The fact is that the Civil Rights Commission has not brought forth any finding that has not been pretty well known for a long time. So I said in 1957, as the CONGRESSIONAL RECORD will show—and I paraphrase my argument—"There are files in Washington, D.C., already accumulating dust, as to what the problem is in regard to carrying out the 14th and 15th amendments, and we ought to act now."

Now we have the report, and it is again proposed that we postpone action. Come next January, February, March, April, May, or June, the same argument will be made on the floor of the Senate. I can almost give it verbatim now. Time will tell whether or not I am right.

The argument will be to this effect: "We have so many problems confronting us; we have these conventions about to take place," and so forth. I can hear, in the Democratic cloakrooms, the argument, "Let us not get into a great public washing of the problems of the Democratic Party. Let us let this matter go over until next year after election."

There is no end to the argument of the procrastinators. They win every time we yield to their dilatory tactics. We have been yielding year in and year out in the Senate. I say to the American people, "When are you going to bring your politicians to an accounting in this matter? It is about time to make clear to the politicians that you want the Constitution of the United States put into effect in this field of human liberty, involving the most precious right that free Americans have, the right to vote." It must not be denied further to any American under such conditions as the Civil Rights Commission has brought out in its report.

I remember that in 1957, when the heat was on me not to be the only northern Democrat to vote against the 1957 so-called civil rights bill, I was told, "We are going to have a special person named in the Department of Justice to handle civil rights cases."

Now we have him. But I said then, and I repeat tonight, that that was window dressing, because under the Constitution of the United States it is the duty of the Attorney General anyway to protect Americans in respect to their constitutional rights.

When I was in the Department of Justice it was the Criminal Division of the Department of Justice that handled such cases. We did not need, as justification or rationalization for the 1957 law, to insert a provision that someone in the Department of Justice should be designated to handle civil rights cases. It was a responsibility which fell to the Attorney General of the United States anyway.

I was not greatly moved by that argument. I said to my colleagues then, "I will vote for your bill when you put title III back in it." Title III was the section which really provided some teeth in the matter of backing up the Congress in protecting the constitutional rights of American citizens, irrespective of race, color, or creed.

At this session of Congress I have been proud again to join my colleagues in urging the passage of legislation which would provide, in effect, title III of the 1957 bill, which was stricken out as part of a compromise in order to have any bill passed in 1957. I said then, and I repeat tonight, that there are points beyond which we cannot go in the matter of legislative compromise if we are to protect the rights of the American people in respect to their constitutional privileges. We are face to face with the same issue again tonight. I do not agree with this compromise.

AMERICAN RACIAL POLICIES HURT STANDING ABROAD

I do not believe that we should postpone action further. But I know that that is what will happen. I know that my fight tonight urging action before we adjourn will be snowed under. It will not be the first time I have had a "snow" job done on me. But I do not freeze easily, either. I shall continue to fight.

As a member of the Foreign Relations Committee of the U.S. Senate I know that in making a civil rights fight in the Senate, I am fighting to settle an issue that will have to be settled—and, in my judgment, without very much more delay—if we are not to lose further our standing and prestige in those parts of the world where the fight for freedom will have to be won in the next half century if America is to survive.

Let us not forget that the color of the skins of many millions of people in those countries—many times greater than the total population of the United States—is not white. It is black and yellow and red, brown and various tinges thereof.

Mr. President, the failure of the people of the United States through their Congress to face the civil rights issue and protect fellow citizens in this country irrespective of the color of their skin is doing us tremendous damage in the field of American foreign relations. These people in these parts of the world, whom we must win over to the side of freedom, are growing a little weary of

the lack of progress in America in respect to our professings about human dignity, human rights, and individual liberty.

They know we cannot square those professings in some respects with our record. We cannot do it in the field of civil rights, and yet I know all the progress we have made in this field and I am proud of the progress we have made. The fact is, Mr. President, they are not going to buy any longer the rationalization of spokesmen for the United States who say, "But we are getting better," because they are saying right back into our teeth, "Oh, but we thought you proclaimed that in the United States there is uniformity of liberty, there is uniformity of legal rights, there is equality of justice."

If anyone questions my statement, let him attend these international conferences, as I have, and listen to these spokesmen of the people from many of the so-called colored countries of the world make their devastating criticisms of the United States because of our failure to date to square our professings with our practices in the field of civil rights.

FAILURE OF STATE REGISTRATION OF NEGROES

Evasion of registration responsibilities is dealt with in the Commission's recommendation No. 3. It found:

The lack of an affirmative duty to constitute boards of registrars, or failure to discharge or enforce such duty under State law, and the failure of such boards to function on particular occasions or for long periods of time as to make it impossible for most citizens to register, are devices by which the right to vote is denied to citizens of the United States by reason of their race or color. It further finds that such failure to act is arbitrary, capricious, and without legal cause or justification.

The Commission recommends, therefore, an amendment to the Civil Rights Act which shall read:

Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate, or Commissioner for the Territories or possessions, at any general, special or primary election held solely or in part for the purpose of selecting or electing any such candidate.

Specifically, the Commission found that in counties where it conducted its investigation, boards of registrars did not function as boards to register Negroes on scheduled dates for registration. It also cited occasions when one or more members of the boards, enough to preclude the existence of the majority required for registration, resigned their posts; yet State officials having the responsibility to appoint new members delayed doing so although the registration boards had become inoperative for lack of a majority.

FEDERAL REGISTRARS NEEDED IN MANY STATES

It was because of all these practices and all these instances of evasion of duty on the part of State officials that the Commission made its recommendation for the use of Federal registrars as a last resort.

It is a simple but basic finding of this Commission that at the writing of its report, "no one had yet been registered through the civil remedies of the 1957 act," although one suit is pending and another which was dismissed is on appeal. A third suit was dropped.

Oh, how well I remember that fateful night here in the Senate when the great urging was upon us that we ought to pass the 1957 act because it dealt with this matter of a special assistant in the Department of Justice.

The RECORD will show that I warned at that time that I did not think that was enough to justify a vote for that bill, and here the Commission itself points out that practically nothing has been accomplished in this field in connection with the problem of getting colored people registered. I point out that as far as bringing legal action is concerned, one suit was dropped, another is pending, and another which was dismissed is on appeal. Some record.

Let me say to my friends in the Senate that that is what we can expect when we pass a toothless bill.

The report continues:

Class suits on behalf of a number of Negroes to obtain registration have rarely been successful. The courts have inclined to the view that these suits are of an individual nature, with the result that a vast number of suits may be necessary.

The delays inherent in litigation, and the real possibility that in the end litigation will prove fruitless because the registrars have resigned make necessary further remedial action by Congress if many qualified citizens are not to be denied their constitutional right to vote in the 1960 elections.

NINETEEN HUNDRED AND FIFTY-SEVEN ACT HAS NOT PROTECTED VOTE

In making the recommendation that Federal registrars be used where the State officials do not carry out their functions, the Commission cites a finding which strikes a chord that takes me back to 1957, when I cast my vote against the Civil Rights Act of 1957 on final passage.

I cast that vote because I believed the Civil Rights Act of 1957 would not advance the right to vote, and the fact of its passage would be used to prevent the enactment of legislation which really would advance the right to vote and to have one's vote counted.

Two years later, the Commission finds that no one has yet been registered through the civil remedies of the 1957 act. And it further finds:

Substantial numbers of citizens qualified to vote under State registration and election laws are being denied the right to register, and thus the right to vote, by reason of their race or color. It finds that the existing remedies under the Civil Rights Act of 1957 are insufficient to secure and protect the right to vote of such citizens.

Well, I am sorry that it took 2 years more of study by this Commission to find out that what I tried to tell the Senate 2 years ago was true, and which, I am satisfied, everyone knew was true. Maybe they will believe it when they hear it from this Commission when they would not believe it from the senior Senator from Oregon, and perhaps that is some accomplishment.

But we have wasted 2 precious years. For 2 more years, no one has been able to vote who did not vote in 1957.

I do not mean to dismiss or belittle the work and the recommendations of the Commission. I salute its members, and recommend their report as required reading for every American who is interested in the exercise of the rights and privileges of citizenship.

But if these 2 years are to mean anything, if the establishment of the Commission meant anything, if its work is to result in any progress at all, let us consider its recommendations now.

Let us have committee hearings in the next few weeks on the proposal for the use of Federal officials to register prospective voters when the President receives a request for them, in the form of sworn affidavits from citizens unable to register with State officials. Let us take up legislation this fall to provide for such a procedure.

I submit that if we put it off until next year, even if we do enact this provision in the face of a political struggle enhanced by the impending presidential election, which is highly unlikely, there will not be sufficient time before November for anyone to make use of it.

Before this Federal machinery can be invoked, the applicants must first have been denied the opportunity to register with State officials. After that, they must file sworn affidavits with the President that they have unsuccessfully attempted to register, and have been denied the right to register because of their race or color.

After that, the Civil Rights Commission must investigate the validity of the allegation.

Those found to be well taken are then certified to the President, for reference to such registrars as he may appoint in the community. These Federal registrars would be Federal officials already engaged in a Federal activity, such as postmasters, Federal court officers, Federal marshals, and the like.

Such officers already have their full-time duties. To set up a registration procedure is not something they could accomplish overnight. They would be charged with administering the State voting laws and applying them to applicants. To do that, they would have to familiarize themselves with the law and with its application, presumably while still carrying out their regular duties.

Obviously, this is a time-consuming procedure. I think it is probably a sound one, but it is not one that can be enacted in February or March, and enable people who have been denied the ballot for all their adult lives to cast their ballots for President in November of the same year.

RECOMMENDATIONS IN THE FIELD OF EDUCATION

I turn now to the work of the Civil Rights Commission in the field of de-

segregation in the public schools. In this area, the Commission found the need for some kind of assistance to the States to help them work out orderly compliance with desegregation orders. Its first recommendation was that the Commission itself be empowered by law to serve as a clearinghouse to collect and make available to States and local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof.

In support of this recommendation, the Commission cited the finding that many school districts have had no established and qualified source to turn to for information and advice on the evolvement of a desegregation plan. Some school districts, and in fact some States, have worked out remarkably effective desegregation plans. Such information should be available to others who may ask for it, and the Commission suggests that it be permitted to collect and distribute such information.

Second, the Commission urges that there be created as one of its arms an advisory and conciliation service to assist local school officials directly in the development of desegregation plans; and to mediate upon request, disputes as to proposed plans and their implementation.

Something of this kind is already in legislative form in the bill introduced last year and again this year by the Senator from Illinois [Mr. DOUGLAS]. I am glad to be a cosponsor of that bill, S. 810.

Our bill assigns these functions to the Department of Health, Education, and Welfare. In either case, if there is to be anything on the statute books to ease the strain of desegregation by next fall, I think it should be enacted this fall.

FINDINGS ON HOUSING DISCRIMINATION

This is by no means an exhaustive recital of the findings and recommendations of the Civil Rights Commission. In the field of housing it finds extreme conditions of discrimination in most of the major cities of the North.

I have always taken the position that the North needs to put its civil rights house in order, too, because I think it is just as bad to have any discrimination with respect to any civil rights in the North or anywhere else in the country north of the Mason-Dixon line as it is south of the Mason-Dixon line.

Its recommendations are directed to municipal and State governments, and to executive agencies rather than to Congress, for the removal of racial codes and restrictions upon occupancy of public or publicly assisted housing.

I do note with some pride that as its first finding in its chapter headed "City and State Laws, Policies, and Programs," the Commission states:

> In New York City, as in Pittsburgh and in four States—Colorado, Connecticut, Massachusetts, and Oregon—there are far-reaching laws against discrimination in the sale or rental of multiunit private housing, and all publicly assisted housing.

But the bulk of the report deals with what remains to be done, and it is a big job.

In short, it seems indisputable to me that the findings and recommendations of the Commission in the areas of voting in particular, but also in education, are important enough for Congress to consider this year. To delay until next year is to throw civil rights protections into the maw of a presidential election, where the chances for constructive and dispassionate action are slim indeed.

As I have indicated, it had occurred to me in extending the life of the Commission for 2 years, it would also be appropriate to offer as amendments to the appropriation bill, amendments embodying the recommendations of the Commission.

I decided against that because the senior Senator from Oregon has long championed the procedure of giving Senate committees an opportunity to consider and act upon a proposal and to advise the Senate about it. Of course, not all of these Commission proposals are new. Several are already in legislative form and have been pending before Senate committees since early in the session. I have not offered them as amendments because I think the proper course for Congress is to remain in session and consider them as the regular order of business. The subject matter justifies it.

INFORMATION ON DESEGREGATION SHOULD BE AVAILABLE

However, there is one Commission recommendation which I believe is of a nature which can properly be considered at this time, in connection with the extension of the life of the Commission. It is the request of the Commission for authority to collect and make available to States and local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate on desegregation.

It would seem to me that the Commission would have this authority without further legislation. But apparently it feels it does not, or it would not have recommended legislation giving it this power.

There is no substantive power involved in this proposal. It is authorization for the Commission to collect and make available information on how various school districts have sought to comply with court orders.

If the Commission is to be in existence for 2 more years, it only makes sense to permit it to share with communities struggling with desegregation problems the solutions which other communities have found to the same problems.

Although the Commission proposed language making such a function mandatory, I thought for a time I would propose my amendment to make it permissive. There is nothing secret about the information now. The school district which really goes to the effort can probably learn a lot about desegregation plans which have worked out well in other communities.

In fact, as a member of the Committee on the District of Columbia, I am very proud of the great piece of work which has been done by the school authorities and by the District of Columbia governmental authorities in respect of the matter of desegregation in the District of Columbia schools.

A good many local school districts could obtain valuable information from the procedures which have been followed in the District of Columbia. And, Mr. President, if the Commission is to be in existence, it seems to me it should be permitted to systematize this type of information and supply it to the school districts which ask for it.

Therefore, it was my plan to offer the amendment which is identified as amendment "F," and is now at the desk. That amendment, if adopted and enacted into law, would have made specific provision, by this Congress, of this authority for the Civil Rights Commission.

But I wish to inform the Senate, for the record, what has happened in regard to that plan of mine.

First, as I said a few moments ago, I prefer to have the Senate pass proposed legislation on any substantive matter, by first having it reported from a committee, unless we find that the course of action followed by the committee is such as to justify the making of a motion to discharge the committee from the further consideration of the bill.

If I were to offer the amendment as a rider, so to speak, on this appropriation bill, I would be confronted with a parliamentary situation which I wish to state frankly to the Senate. In that event, the amendment would be subject to a question of germaneness; and, under the Senate rule, that question is to be put to the Senate for a vote; it cannot be decided by the Presiding Officer. Of course I know very well, as a parliamentary realist, what would happen to that amendment of mine tonight.

My proposal is a sound one. But, Mr. President, although I could make a record on the amendment, I am not interested in form; I am interested in substance. I do not have to make any further record, in addition to the one I have made over the years, as to the merits of the case or my position on civil rights; they are fairly well known, both in this body and elsewhere in the Nation.

Furthermore, I would not like to offer my amendment and then have it defeated—as I am sure it would be—on a technicality as to whether it was germane to the Hayden amendment, because that would give all Senators who voted against the amendment an "out." I do not propose to give my colleagues any "outs" in connection with this matter; instead, I intend to hold them to the grindstone, so to speak; I prefer to follow a course which eventually will enable me to have the amendment voted on on its merits and its substance.

So I have decided not offer the amendment tonight, because to offer it tonight would be just an empty gesture and a matter of form; and I will not proceed on that basis.

Therefore, I now serve notice on the majority leader and on my other colleagues in the Senate that I shall not offer, by way of a motion to suspend the rule, the two amendments I filed on Saturday night—and for the same reason.

COMMISSION PROPOSALS IN LEGISLATIVE FORM

But I shall now ask unanimous consent to introduce—and then I shall be through, I say to the Senator from Arizona—a series of bills, for appropriate reference, so they will be before the Senate when it reconvenes, in the early part of October or November, in a special session. I think there is a probability that the Senate may so reconvene. I have in my intuitive bones the feeling or the "hunch" that the Senate may return in session in October or November. I hope that happens, because let us not forget that if the Senate does reconvene in special session, its proceedings during the special session cannot be limited to any specific piece of proposed legislation. The President may reconvene Congress for a particular purpose; but once the Congress reconvenes in special session, the legislative sky will be the limit, if the Members of Congress wish to assume their responsibilities.

So I desire to introduce these bills; but before I introduce them, I wish to read into the RECORD two telegrams.

The first telegram comes from Monroe Sweetland, of Milwaukie, Oreg.; David Robinson, of Portland, Oreg.; and R. Joe Beereman, of Eugene, Oreg.; and their telegram reads as follows:

PORTLAND, OREG.,

Senator WAYNE L. MORSE,
Senate Office, Washington, D.C.:

On behalf Oregon Advisory Committee, U.S. Civil Rights Commission, meeting Portland yesterday we transmit urgent appeal to support strongly recommendations for renewal of Commission authority. We especially urge this so studies now under way be continued and legal actions already instituted be pursued, to the end of protecting civil rights of Oregon citizens wherever they go in United States, and to upgrade rapidly the uniform enjoyment of civil rights of all Americans.

MONROE SWEETLAND,
Milwaukie, Oreg.
DAVID ROBINSON,
Portland, Oreg.
R. JOE BEEREMAN,
Eugene, Oreg.

The second telegram which I have received comes from Harry Ward, president of the National Association for the Advancement of Colored People, in Portland, Oreg., and his telegram reads as follows:

PORTLAND, OREG., *September 12, 1959.*
Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.:

If at all possible we hope you will make every endeavor to extend the tenure of the Civil Rights Commission for at least 2 years before the adjournment of the present Congress.

HARRY WARD,
President, National Association for the Advancement of Colored People.

Mr. President, I ask unanimous consent to introduce at this time a series of bills which effectuate most of the legislative recommendations of the Civil Rights Commission, which constitute a program which I believe the Congress should remain in session to consider. I ask unanimous consent that the bills be appropriately referred, and be printed in the RECORD as part of my remarks on the civil rights issue which I have discussed during the last few minutes.

The first bill would permit citizens who are denied the right to vote in Federal elections on account of their race, religion, color, or national origin to be registered to vote in such elections by a Federal registrar.

The PRESIDING OFFICER. Without objection, the bill will be received, appropriately referred, and will be printed in the RECORD.

The bill (S. 2719) to permit citizens who are denied the right to vote in Federal elections on account of their race, religion, color, or national origin to be registered to vote in such elections by a Federal registrar, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Elections Voting Rights Act".

SEC. 2. For the purposes of this Act—

(a) The term "Federal election" means any general or special election held solely or partially for the purpose of electing any individual to, or any primary election held solely or partially for the purpose of selecting any individual as a candidate or nominee for, any of the following Federal offices:

(1) The office of President or Vice President of the United States;

(2) The office of elector for President or Vice President of the United States;

(3) The office of Member of the United States Senate;

(4) The office of Member of the House of Representatives of the United States; or

(5) The office of Delegate or Commissioner of any territory or possession of the United States representing such territory or possession in the House of Representatives of the United States.

(b) The term "registration district" means a county, parish, district, or other political subdivision of a State which, under State law, is authorized to provide for the registration or qualification of voters living within such county, parish, district, or other political subdivision.

SEC. 3. Any individual who—

(1) believes that he is qualified, under the laws of the State in which he lives, to vote in Federal elections held in such State;

(2) within one year before the date of filing a petition under this section, has been denied the right to register to vote in such elections after having attempted to do so in the manner and at the time and place provided for by the laws of such State; and

(3) believes that the sole reason he was denied such right was because of his race, religion, color, or national origin,

may file a sworn statement with the President of the United States alleging that he has been denied the right to vote in such elections solely because of his race, religion, color, or national origin and petitioning the President to appoint a temporary Federal registrar for his registration district. Such sworn statement shall be filed in such form and manner as the President may by regulations prescribe and shall contain a detailed account of the facts upon which the allegations contained therein are based.

SEC. 4. Whenever there shall, within a period of not more than one year, have been filed with the President not less than nine petitions under section 3 by individuals from the same registration district, the President shall refer such petitions to the Commission on Civil Rights (hereinafter referred to as the "Commission").

(b) The Commission shall conduct an investigation with respect to any such petitions referred to it for the purpose of determining whether or not the allegations contained in such petitions are true. If the Commission, on the basis of its investigation of such allegations, determines that citizens of the United States living in the registration district of the petitioners are being deprived of the right to vote in Federal elections solely because of their race, religion, color, or national origin, the Commission shall certify that fact to the President. The Commission shall also certify to the President and to any temporary Federal registrar who may be appointed for such district the names of any petitioner living in such district whom the Commission believes to be entitled, under the laws of the State in which such district is situated, to vote in Federal elections held in such State.

(c) Upon receipt of a certification from the Commission under subsection (b) with respect to any registration district, the President shall appoint, from among Federal officers or employees living in or near such district, an individual to serve as a temporary Federal registrar for such district. Any such Federal registrar shall serve until such time as the President determines that citizens living within the registration district for which such registrar was appointed are no longer being denied the right to vote in Federal elections solely because of their race, religion, color, or national origin.

SEC. 5. The Federal registrar for any registration district shall accept vote registration applications from all individuals living within such district who allege that they are being denied the right to register to vote in such district solely because of their race, religion, color, or national origin. All applicants whom the Federal registrar finds to have the qualifications requisite, under the laws of the State wherein such district is situated, for electors of the most numerous branch of the legislature of such State shall be registered by him as being qualified to vote in Federal elections held in such district, and the Federal registrar shall certify to the appropriate elections officials of such State the name of all applicants registered by him and the fact that such applicants have been so registered.

SEC. 6. Any individual who is registered under this act by a Federal registrar to vote in Federal elections shall have the right to cast his vote and have such vote counted in any Federal election, and any election official who willfully denies him such right shall be fined not more than $——— and imprisoned for not longer than ———, or both.

SEC. 7. Section 104 (b) of the Civil Rights Act of 1957 is amended by striking out "two years from the date of the enactment of this act" and inserting in lieu thereof "———."

Mr. MORSE. Mr. President, my second bill would authorize the Commission on Civil Rights to collect information concerning programs and procedures used to effectuate desegregation of public schools and to make such information available to the States and political subdivisions thereof, and to render advisory and conciliation services to assist the States and political subdivisions thereof.

I introduce that bill, and make the same request in connection with it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2720) to authorize the Commission on Civil Rights to collect information concerning programs and procedures used to effectuate desegregation of public schools and to make such information available to the States and political subdivisions thereof, and to render advisory and conciliation services to assist the States and political subdivisions thereof, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of the Civil Rights Act of 1957 is amended by inserting after section 104 the following new section:

"ADDITIONAL DUTIES OF THE COMMISSION

"SEC. 104a. (a) The Commission is authorized to collect information concerning programs and procedures used by the various States and political subdivisions thereof to comply, voluntarily or pursuant to orders of the courts, with the decisions of the Supreme Court of the United States with respect to desegregation in public education. Such information shall include data as to the known effect of such programs on the quality of education in the State or political subdivision concerned and the cost of such programs. Upon the request of any State or political subdivision thereof, the Commission shall make available to such State or subdivision the information and data collected by it pursuant to this subsection.

"(b) The Commission is authorized to establish an advisory and conciliation service—

"(1) to assist the States and political subdivisions thereof to develop plans which will meet the requirements of the decisions of the Supreme Court of the United States with respect to desegregation in public education and which, at the same time, take into consideration local conditions and problems; and

"(2) upon the request of any State or political subdivision thereof, to mediate and conciliate disputes as to proposed plans for compliance by the State or subdivision with the decisions of the Supreme Court with respect to desegregation in public education, and methods for implementation of such plans."

Mr. MORSE. Mr. President, my third bill will effectuate the statements I have made in the course of my speech—namely, it will amend the Civil Rights Act of 1957 so as to protect the rights of individuals to register and vote in national elections.

I introduce the bill, and make the same request in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2721) to amend the Civil Rights Act of 1957 so as to protect the rights of individuals to register and vote in national elections, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part IV of the Civil Rights Act of 1957 (42 U.S.C. 1971) is amended by inserting the following paragraph after the first paragraph in section 1971(b):

"Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate or Commissioner for the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

Mr. MORSE. Mr. President, my last bill provides for the preservation of all registration and voting records for a period of 5 years after the making thereof.

I introduce that bill, and make the same request.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2722) to provide for the preservation of all registration and voting records for a period of 5 years after the making thereof, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every officer of election shall retain and preserve, for a period of five years from the date of any general, special, or primary election at which candidates for public office are voted for or selected, all records and papers which come into his possession relating to any application, registration, payment of poll tax or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that if a State designates a custodian to retain and preserve such records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 2. Any person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by the first section of this Act to be retained and preserved shall be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 3. Any record or paper required to be retained and preserved by this Act shall, during the time it is so required to be retained and preserved, be available to public inspection, but only in such manner and to such extent as not to violate the secrecy of the ballot of any individual.

SEC. 4. As used in this Act, the term "officer of election" means any person who, under color of any Federal, State, territorial, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general, special, or primary election at which candidates for public office are voted for or selected.

Mr. MORSE. Mr. President, as I am about to close, I wish to make the RECORD perfectly clear that the bills I have just now introduced do not represent the totality of the proposed legislation which I believe should be passed before we adjourn, or passed while we are in a special session; or, if we can do no better, passed early in the next session. I also stand on all the civil rights bills which have been introduced, of which I am a cosponsor, or—in case I may not be a cosponsor of any one—in regard to which I have announced my support.

I think we must come to grips at the earliest possible moment with this matter of giving legal effect to the 14th and 15th amendments, to the constitutional guarantees of which I have addressed myself in this speech.

Mr. ENGLE. Mr. President, I am convinced that no additional argument will change very many votes here in the U.S. Senate with reference to this important matter which is now pending, but I do not want the RECORD closed without my own statement with respect to the issue currently before the Senate, and I ask unanimous consent to insert at this point in the RECORD, my remarks with respect to the current pending legislation and the situation generally with respect to civil rights.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ENGLE ON CIVIL RIGHTS

It is with deep regret that I am forced to accept the conclusion that significant civil rights legislation cannot be enacted in this session of the Congress guaranteeing to the people of this country their constitutional rights without regard to race, creed, or color.

It is unfortunate that this civil rights issue was not brought at an earlier date to the floor of either the House or the Senate. In saying that, I do not disparage the efforts of those who struggled to get that done. I have in mind particularly the efforts of the senior Senator from Missouri [Mr. HENNINGS], who heads up the Subcommittee on Constitutional Rights, which held long and detailed hearings on the subject of civil rights. That subcommittee reported a two-part bill to the Senate Judiciary Committee, but no bill was ever reported from the full committee. As a consequence, the Senator from Missouri tried other methods and other procedures to submit a comprehensive proposal to the Senate, and those efforts also failed. I have in mind also Congressman CELLER, of New York, who finally got a bill out of the Judiciary Committee of the House. This bill languishes in the House Rules Committee. It shows no chance of moving. A discharge petition on the desk of the Speaker has obtained less than half the number of signatures required to discharge the Rules Committee from further consideration of the measure. By this process weeks and months have elapsed and we have not been able to make the kind of progress we want to make toward a meaningful civil rights proposal.

I assume now that the only course left for us is to extend the life of the Civil Rights Commission, with a firm commitment that

early in the next session—and I mean early—action will be taken on civil rights. A possible advantage will be the time allowed to give full study to the recent report by the Civil Rights Commission. This document reveals some deplorable conditions in the United States, and they are not limited to the Southern States.

I feel that a Democratic Congress will be remiss in its duty if, having extended the life of the Civil Rights Commission, we do not at the earliest possible date take up the report of that Commission and enact adequate and substantive legislation to guarantee civil rights to all the people of this country.

The 14th amendment to our Constitution states that "no State shall deny to any person within its jurisdiction the equal protection of the laws." In too many areas of this country neither the letter nor the spirit of this provision of the Constitution is being observed. Now is the time to shorten the gap between our pretensions and our performances in the field of civil rights. We will be guilty of grave dereliction if we default on legislation urgently needed to buttress the plain language of the Constitution of the United States.

VOTING RECORD IN THE SENATE OF SENATOR BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, in the Biblical parable of the pounds, a certain nobleman went into a far country to receive for himself a kingdom. Before departing he left his money in the keeping of his servants. Upon his return the nobleman demanded an account of stewardship from those who had received the pounds and we are familiar with the rewards and punishments that were accorded on the basis of the services rendered.

As I approach the end of my first year in the U.S. Senate, I feel it incumbent upon me to give an account of my legislative stewardship. This will complete my 13th year as a public servant, having been elected twice to the West Virginia House of Delegates, once to the West Virginia Senate and three times to the U.S. House of Representatives. My statement must, of necessity, not be overly long. It will, however, report my position on various subjects and issues in a way that my people will have an understanding of the way I have voted and of my philosophy of representative government.

ATTENDANCE ON ROLL AND QUORUM CALLS

I pride myself upon having a good attendance record throughout my 13 years of service to the people of West Virginia, and I believe it to be appropriate for me to report my attendance record throughout all of these years. During my 6 years in the West Virginia House and Senate, I attended 1,563 out of 1,600 roll and quorum calls. During my 6 years in the House of Representatives I attended 862 out of 963 roll and quorum calls. During my first year in the U.S. Senate, I have attended 211 out of 216 rollcalls, which is an attendance record of 97.6 percent on rollcalls, and I have an attendance record of 100 percent on quorum calls.

CORRESPONDENCE

I am proud of the reputation that I have made in rendering personal attention to the correspondence received in my office. During my 7 years in Congress, I have read every letter that has gone out of my office in reply to correspondence received. This has required a tremendous amount of time on my part, but I have always felt that I should give my personal attention, insofar as it is possible, to the personal problems of my constituents. No problem has been too unimportant to receive my attention, and no correspondent, however old or young, however great or small, has ever found me inattentive to his or her correspondence. I have accorded the same genuine interest to the correspondence of the schoolchild as I have accorded to the correspondence of the executive. I have spent countless laborious hours in trying to be of service to my constituents in their personal problems, and I have attempted at all times to be courteous, sympathetic, and understanding.

AID TO DEPRESSED AREAS

In view of the unemployment and economic distress prevalent in many parts of my State, I have devoted much effort in behalf of so-called aid to depressed areas legislation. I cosponsored S. 722, the area redevelopment bill, which provided for the stimulation of new industry in stricken regions. As a member of the Subcommittee on Industrial Production and Stabilization of the Banking and Currency Committee, I was authorized to conduct 3 days of public hearings in West Virginia. The hearings were held at Charleston, Beckley, and Morgantown, and the ample evidence received was used subsequently in several arguments for the passage of the area redevelopment bill. Senator RANDOLPH did much fine work on the bill, and I was pleased that the bill finally passed the Senate. I am disappointed that the House of Representatives has not taken action thereon. However, the House may yet act in the next session of Congress.

COAL RESEARCH

Realizing that the recent and continuing unemployment in West Virginia has largely been due to depressed conditions in the coal industry, I joined in cosponsoring the Coal Research and Development Act of 1959. I believe that a program of well-organized and intensive research might greatly stimulate the coal industry through the discovery of many new uses for coal, and the creation of new coal markets. This bill has passed both Houses of Congress, and it would create a new, independent three-member agency, the Coal Research and Development Commission.

As another approach to aid the coal industry and the thousands of West Virginians dependent upon it, I worked during my 6 years in the House of Representatives to impose mandatory restrictions upon the flood of imported cheap residual fuel oil which was pouring into America and competing against our domestic coal. Together with my colleague, Senator RANDOLPH, and other members of the West Virginia congressional delegation, I continued these efforts here in the Senate. We sought audiences before several high administration officials in order to plead for enforced curbs on the oil. We had conferences with the Director of the Office of Civil and Defense Mobilization; the Under Secretary of State; the Acting Secretary of Commerce; officials of the Interior Department; the Deputy Secretary of Defense, and, finally, Senator RANDOLPH and I went direct to the President at the White House. Shortly after our talk with President Eisenhower, the administration established mandatory controls on imports of foreign oil. The entire West Virginia delegation deserves high commendation for its exemplary work which led to this successful conclusion.

FORESTRY

Feeling that increased forestry work would provide wholesome jobs for the unemployed, and would, at the same time, yield the myriad of benefits that come with improved forest lands, I have worked, during this session, toward several goals in forestry. I joined in cosponsoring the Youth Conservation Corps bill, believing that putting unemployed young men to work in the forests would be an ideal way to insure our country of better and more productive citizens and would, at the same time, control and preserve our timberlands, watercourses, recreation areas, watersheds, and valuable woodland topsoil. My colleague, Senator RANDOLPH, is due tremendous credit for his great work on this bill. I believe that its passage by the Senate can be attributed, in large measure, to his work. I also co-sponsored the National Wilderness Preservation Act, to help achieve similar ends.

As a member of the Senate Appropriations Committee, I worked in the committee to include moneys for a national forest program with special emphasis to be given to regions of high unemployment. I am very proud of this program which has been initiated by my committee, believing that it will inure to the conservation and upbuilding of our forest, soil, and water resources. I intend to work for an enlargement of this program because it will provide wholesome employment for many persons, and it will improve the economy and inure to the better security of our country.

SOCIAL SECURITY AGE

As I have done for several years, I introduced again this year a bill to lower the voluntary social security retirement age from 65 to 60 for both men and women. The bill which I introduced would not make retirement mandatory, but it would merely give persons the option of retiring at 60, if they desire to do so. I believe that the enactment of such legislation would provide additional employment opportunities for some of our younger citizens. The Congress gave only limited study, during this session, to proposals to amend the Social Security Act, and there is considerable opposition to the idea of lowering the eligibility age. Inasmuch as a lowered age requirement would result in an increased payroll tax, action on such legislation would normally be initiated by the Ways and Means Committee in the House of Representatives. I shall continue to be interested in an improvement of this program.

EDUCATION

In the field of education I have given my support to Federal aid for school construction so as to eliminate the growing shortage of classrooms. I am firmly convinced that an adequate education of the Nation's youth is absolutely vital to the security of our country. I maintain that there must be local control of the educational system, but, where the States are unable or unwilling to provide proper facilities for the training of our boys and girls, I submit that the Federal Government should take proper steps to see that the need is attended to.

I joined in cosponsoring a bill to provide Federai aid to the States for school construction and teacher salaries. This bill would have given West Virginia, as its portion of aid, a total of nearly $130 million dollars in Federal funds during the next 4 years, thus creating many new school construction jobs in West Virginia. The bill has not been enacted in this session.

PLANT STIMULATION

During this session I cosponsored a bill which would stimulate the construction of industrial plants in depressed areas, by waiving corporate income taxes for up to 5 years for firms employing more than 200 persons and locating in such regions of high unemployment. The bill has thus far failed to gain congressional approval.

ARMORIES

In previous Congresses I have worked with others in my delegation to have armory projects authorized for Beckley, East Rainelle, Fairmont, Ripley, Weirton, Keyser, Princeton, Ronceverte, Buckhannon, Logan, Gassaway, Weston, and Clarksburg. This year, several of the projects were included in the President's budgetary requests. I was successful, during the consideration of the military construction bill by the Senate Appropriations Committee, in getting moneys, over and above the budget estimate, to permit construction of the Logan, Gassaway, Weston, and Clarksburg armories. This was significant in view of the fact that, out of the 86 additional projects in 30 States made possible by an appropriation above the budget estimate, 4 of the additional armories are to be built in West Virginia. With the passage of the military construction bill by the Congress, funds now have been provided for all of the pending West Virginia armory projects.

PUBLIC WORKS PROJECTS

In the Senate Appropriations Committee, I sought to include certain West Virginia flood prevention projects in the 1959 supplemental appropriation bill. I was unable to get this done, but I worked to include many important West Virginia projects in the 1960 public works appropriation bill. The bill was vetoed by the President, but the Congress enacted, over his veto, a second bill which includes the following projects and moneys for West Virginia:

Public Works Appropriation Act of 1960—West Virginia projects

Surveys:	
Buckhannon River	$21,937
Cheat River	34,125
Deckers Creek	14,625
Twelve Pole Creek	9,750
Construction and planning:	
Belleville lock and dam	121,875
Dam 8, Pennsylvania and West Virginia	706,875
East Rainelle	487,500
Hildebrand lock and dam	1,246,050
New Cumberland lock and dam	6,630,000
Pike Island lock and dam	3,414,500
Princeton	487,500
Summersville Reservoir	1,950,000
Sutton Reservoir	3,331,575
Williamson	69,225
Maintenance:	
Bluestone Reservoir	89,700
Elkins	6,825
Kanawha River	493,350
Lock and dam No. 3, Big Sandy River	48,750
Sutton Reservoir	34,125
Tygart River Dam	54,600

AIRPORTS

Believing that air transportation is especially important to West Virginia, where our rugged terrain is, to some degree, an impediment to surface transportation, I joined in cosponsoring a bill to expand the Federal program of assistance to airports. I also worked within the Appropriations Committee to secure funds for five West Virginia airport and air navigation facilities. The moneys were for the operation of a control tower at Tri-State Airport at Huntington, approach light systems at Charleston and Wheeling, and short-range navigation facilities in Pendleton and Pocahontas Counties.

FOREIGN AFFAIRS

In regard to America's foreign aid program, I voted against the bill to authorize an expenditure of $3,543,320,000 during fiscal 1960. When the foreign aid appropriation bill was being considered in my committee, I offered two amendments, one to cut the appropriation by $150 million, and the other to reduce the appropriation by $50 million. On the floor, I supported amendments to further reduce the amount. I voted for the mutual security appropriation bill this year because the Congress had held the line against administration pressures, as I have been advocating. The Senate appropriation bill was $1,148,182,000 under the President's request for the mutual security program, and it was $261,507,000 under the previously passed authorization bill. The mutual security bill also carried additional supplemental appropriations for the Office of Civil and Defense Mobilization, the Department of Commerce, the Coast Guard, the Commission on Civil Rights, the Federal Aviation Agency, and it provided moneys for the employment of 100 additional policemen in the District of Columbia.

Although not a member of the Senate Foreign Relations Committee, I expressed myself upon several occasions in regard to various aspects of America's foreign policy. I urged a more cautious and firm attitude in our dealings with Communist countries, and a more frugal, less paternalistic attitude in our dealings with friendly nations. In regard to the coming visit by Premier Khrushchev to this country, I spoke out in opposition to suggestions that he be invited to address a joint session of the Congress. I have not looked with favor upon his being invited to America, as I fear that it may cause a weakening of purpose among Americans and our allies in NATO, and it may cause disillusionment among the enslaved peoples in Communist-dominated countries who look to America as the symbol of world freedom. Concerning diplomatic recognition of Red China, I again spoke out in opposition. I argued that such a move would weaken the West, and strengthen the Communists, in the struggle for Asia, and urged, instead, a reduced program applicable to fewer foreign countries. When the foreign aid spending bill came up for a final vote—still at the ludicrously high figure requested by the administration—I voted against it, in hope of obtaining a more moderate measure. Earlier in the session, I also cosponsored a bill which would have required that the foreign aid program be put on a sound, fiscal budgetary basis, as are all other forms of Government spending.

MY VOTING RECORD

Mr. President, I feel that it is my responsibility and duty to give this account of my stewardship to the people of West Virginia who elected me to represent them in the U.S. Senate. The activities I have already mentioned are but a few in which I have engaged. These, combined with the thousands of individual matters which have poured into my office through the daily delivery of mail, have occupied my attention during the past 8½ months. I have worked well into the nights, 6 days a week, week in and week out, including many Sunday afternoons, since the beginning of the session. Serving on two full committees and nine subcommittees, I have been forced to decline hundreds of invitations to speak and make appearances in my State, but I have welcomed the opportunity for service to my people.

I ask unanimous consent to have printed following these remarks a compilation of my votes during my first year of service in the U.S. Senate.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

Vote No.	Subject	Voted
1	Johnson motion to adjourn until Jan. 8	Yea.
2	Johnson motion to table Anderson motion dealing with cloture (limitation of debate)	Yea.
3	Douglas amendment to permit majority of Senate to invoke cloture	Nay.
4	Morton-Cooper-Anderson-Scott amendment to permit three-fifths of Senate to invoke cloture	Nay.
5	Amendment to permit two-thirds of Senators present to invoke cloture	Yea.
6	Administration substitutef or Housing Act of 1959	Nay.
7	Capehart amendment to drop authorization for construction of 35,000 low-rent housing units	Nay.

Vote No.	Subject	Voted
8	Capehart amendment to reduce number of housing units to be started in 1960 from 35,000 to 17,500	Nay.
9	Capehart amendment to reduce urban renewal program authorization from $2,100,000,000 to $1,500,000,000	Nay.
10	Clark amendment to reduce urban renewal program from $2,100,000,000 to $1,800,000,000, etc	Yea.
11	Monroney amendment to freeze interest rates on veterans' housing loans at 4¾ percent, etc	Yea.
12	Passage of Housing Act of 1959	Yea.
13	Schoeppel-Cotton-Morton substitute for Federal Airport Act	Nay.
14	Cotton amendment to restrict grants to airports	Nay.
15	Morton-Cotton-Schoeppel amendment to reduce authorizations for airports	Nay.
16	Passage of Federal Airport Act	Yea.
17	Passage of supplemental appropriation for National Aeronautics and Space Administration	Yea.
18	Case amendment to create Commission on Military Manpower	Nay.
19	Morse amendment to limit extension of universal military training to 2 years	Nay.
20	Passage of 4-year extension of UMT	Yea.
21	Passage of statehood for Hawaii	Yea.
22	Reference of Lake Michigan water diversion bill to Senate Committee on Public Works	Yea.
23	Amendment to cause increased contributions to International Monetary Fund, etc., to be charged against 1960 budget	Yea.
24	Passage of International Bank—Monetary fund bill	Yea.
25	Administration substitute for depressed areas bill	Nay.
26	Scott substitute for aid-to-depressed-areas bill	Nay.
27	Bush-Bennett-Keating-Javits amendment to restrict aid to depressed areas	Nay.
28	Passage of aid-to-depressed-areas bill	Yea.
29	Amendment to extend temporary unemployment compensation program 15 months	Yea.
30	Amendment to extend TUC program 3 months	Yea.
31	Amendment to make Rural Electrification Administration an independent agency	Nay.
32	Passage of bill retaining REA as part of Department of Agriculture	Yea.
33	Confirmation of Christian A. Herter as Secretary of State	Yea.
34	Ervin amendment to restrict provisions of labor-management reform bill	Nay.
35	Dirksen amendment to labor-management reform bill	Nay.
36	McClellan amendment to add bill of rights to labor-management reform bill	Nay.
37	Goldwater motion to table motion to reconsider previous vote	Nay.
38	McClellan-Curtis-Allott amendment to give States jurisdiction over some labor disputes	Nay.
39	Prouty substitute for "no man's land" amendment, allowing State courts to take jurisdiction	Nay.
40	Cooper-Javits-Morse substitute giving State courts jurisdiction in some instances	Yea.
41	Ervin amendment to bar "recognition picketing"	Nay.
42	McClellan amendment to provide criminal penalties as a bar to picketing for organizational or bargaining purposes	Nay.
43	McClellan amendment to broaden prohibition against secondary boycotts	Nay.
44	Prouty-Keating amendment to bar some types of organizational and recognition picketing	Yea.
45	Dodd amendment to permit 1-year union trusteeships over locals	Nay.
46	Eastland amendment to require secret-ballot approval of strikes by workers	Nay.
47	McCarthy amendment to permit unions or employers to pay costs of defense in cases of indictment	Nay.
48	Kuchel amendment modifying bill-of-rights amendment	Yea.
49	Holland amendment allowing States to regulate or prohibit public utility strikes	Nay.
50	Passage of Labor-Management Reporting and Disclosure Act of 1959	Yea.
51	Confirmation of Clare Booth Luce as Ambassador to Brazil	Nay.
52	Ratification of treaty with Sultan of Muscat and Oman	Yea.
53	Motion to override President's veto of REA bill	Yea.
54	Douglas amendment to eliminate $283,550 earmarked for New Senate Office Building	Nay.
55	Douglas amendment to eliminate $4,000,000 for Senate subway terminal and rebuilding Senate steps	Nay.
56	Ellender amendment to reduce funds for Development Loan Fund from $200,000,000 to $100,000,000	Yea.
57	Passage of 2d supplemental appropriation bill	Yea.
58	Confirmation of Potter Stewart to be Associate Justice of Supreme Court	Yea.
59	Motion to recommit bill for California irrigation project	Nay.
60	O'Mahoney amendment to restrict mergers of banks	Nay.
61	Long motion to reconsider vote on conference report on 2d supplemental appropriation bill	Nay.
62	Passage of international health and medical research resolution	Yea.
63	Humphrey amendment to limit to $35,000 per farm on any 1 price-supported crop	Nay.
64	Williams-Bush amendment to limit to $35,000 per farm on all price-supported crops	Yea.
65	Humphrey amendment to set wheat price supports at 85 percent of parity for farms reducing acreage 20 percent	Nay.
66	Capehart amendment, substitute to wheat support program	Nay.
67	Douglas amendment to drop funds for Washington Parkway	Paired for.
68	Passage of District of Columbia appropriation bill	Announced for.
69	Johnston amendment to eliminate $37,400,000 from Post Office appropriations	Paired against.
70	Clark amendment to increase funds for Internal Revenue Service by $12,500,000	Announced for.
71	Passage of Treasury-Post Office-Tax Court appropriations	Announced for.
72	Williams amendment to drop $150,000,000 from 1960 agricultural conservation program	Nay.
73	Williams amendment to drop $75,000,000 from 1960 soil bank authorization	Nay.
74	Passage of agriculture and farm credit bill	Yea.
75	Passage of appropriation authorization for National Aeronautics and Space Administration	Yea.
76	Ratification of a convention with Cuba for the conservation of shrimp	Yea.
77	Passage of appropriation for Interior Department	Yea.
78	Dirksen amendment to restrict Federal Airport Act	Nay.
79	Monroney substitute extending Airport Act 2 years	Yea.
80	Williams-Douglas amendment reducing number of voyages subsidized by Maritime Administration	Nay.
81	Committee amendment increasing number of voyages subsidized by Maritime Administration	Yea.
82	Douglas-Williams amendment to drop $1,250,000 for 2 superliner passenger vessels	Nay.
83	Passage on appropriations for Commerce Department	Yea.
84	Passage of appropriations for legislative branch for 1960	Yea.
85	Confirmation of Lewis L. Strauss for Secretary of Commerce	Nay.
86	Adoption of conference report on Housing Act of 1959	Yea.
87	Johnson motion on wheat support program	Yea.
88	Javits amendment to increase by $500,000 U.S. payment to International Media Guarantee Fund	Nay.
89	Passage of appropriation for State-Justice-Judiciary Departments	Yea.
90	Passage of appropriation for independent offices	Yea.
91	Dirksen motion to recommit appropriation bill for Labor, HEW, and related agencies	Nay.
92	Passage of appropriation for Labor, HEW, and related agencies	Yea.
93	Douglas amendment to reduce number of supergrades at White House	Nay.
94	Passage of appropriation for general Government matters	Yea.
95	McCarthy amendment to repeal 4 percent tax credit on dividends from domestic corporations	Yea.
96	Clark amendment to limit to $1,000 tax deduction for entertainment	Yea.
97	Smathers motion to table Lausche motion to reconsider vote repealing 10 percent transportation tax	Yea.
98	Douglas amendment to reduce depletion allowance on oil and gas	Nay.
99	Long amendment to increase Federal funds for aid for the needy aged, blind, disabled, etc	Yea.
100	Neuberger amendment to increase gasoline tax by 1½ cents	Nay.
101	Gore amendment to divert additional money to the highway trust fund	Yea.
102	Passage of corporate-excise tax extension	Yea.
103	Conference report on corporate-excise tax extension	Nay.
104	Passage of military construction authorization	Yea.
105	Motion to table appeal from ruling of the Chair	Nay.
106	Johnston amendment barring aid to countries confiscating U.S. property	Yea.
107	Ellender amendment to keep Development Loan Fund authorization on 1-year basis	Yea.
108	Ellender amendment to reduce military assistance abroad by $550,000,000	Nay.
109	Ellender amendment to reduce military assistance by $300,000,000	Yea.
110	Ellender amendment to reduce funds for defense support abroad by $235,000,000	Yea.
111	Dodd amendment to include Foreign aid military assistance in regular defense appropriations	Yea.
112	Gruening amendment requiring Foreign aid program to operate from detailed budget	Yea.
113	Church amendment to reduce defense support funds by $83,500,000	Yea.
114	Morse amendment to reduce special assistance funds by $44,620,000	Yea.
115	Ellender amendment to reduce President's contingency fund by $30,000,000	Yea.
116	Bridges-Johnston amendment to suspend aid to countries confiscating American property	Yea.
117	Morse amendment barring aid to countries practicing racial or religious discrimination against Americans	Yea.

Vote No.	Subject	Voted
118	Passage of foreign aid authorization bill	Nay.
119	Cotton motion to recommit TVA financing bill	Yea.
120	Williams motion to recommit public works bill	Nay.
121	Passage of Public Works bill	Yea.
122	Symington amendment to increase by $233,900,000 for Army modernization	Yea.
123	Thurmond amendment to reduce by $20,000,000 funds for Military Air Transport Service	Nay.
124	Passage of defense appropriations bill	Yea.
125	Case amendment to bill granting "home rule" to District of Columbia	Nay.
126	Ratification of International Wheat Agreement	Yea.
127	Passage of Inter-American Development Bank Act	Yea.
128	Passage of Federal employee health insurance	Yea.
129	Long amendment providing educational grants to post-Korean veterans	Yea.
130	Passage of Veterans Readjustment Act	Yea.
131	Ratification of International Sugar Agreement	Yea.
132	Dirksen motion to table Javits amendment to National Defense Education Act	Yea.
133	Javits amendment regarding loyalty oath as a prerequisite for benefits under NDEA	Nay.
134	Bush motion to table Javits motion to reconsider previous vote	Nay.
135	Long motion to recommit National Defense Education Act	Yea.
136	Allott amendment placing Coal Research and Development Commission under Bureau of Mines	Nay.
137	Passage of bill to increase use of agricultural products for industrial purposes	Yea.
138	Passage of Federal ship mortgage insurance for floating drydocks	Yea.
139	Dirksen-Ervin amendment to permit corporations to appeal to district courts in regard to subpenaed evidence	Nay.
140	Young motion that the Senate recede from its position in increasing civil defense funds by $15,000,000	Nay.
141	Magnuson motion that Senate insist on increase in civil defense funds of $15,000,000	Yea.
142	Adoption of conference report on military construction authorization	Yea.
143	Adoption of conference report on appropriation for Labor, HEW, and related agencies	Yea.
144	Ratification of amendment to Convention on Inter-American Institute of Agricultural Sciences	Yea.
145	Ratification of Pan American Union Convention on Civil Strife	Yea.
146	Passage of supplemental appropriation bill	Yea.
147	Passage of appropriation for Atomic Energy Commission	Yea.
148	Adoption of conference report on defense appropriations	Yea.
149	Allott motion to recommit Alaska oil leasing bill	Nay.
150	Motion to override President's veto of Housing Act	Yea.
151	Morse motion to recommit Illinois land conveyance bill	Nay.
152	Ratification of regulations signed at Geneva in 1958	Yea.
153	Ratification of a convention with Norway modifying 1949 double taxation convention	Yea.
154	Passage of Youth Conservation Corps bill	Yea.
155	Kerr-Gore-McCarthy substitute in regard to veterans pensions	Yea.
156	Morse amendment to veterans' pension bill	Nay.
157	Passage of veterans' pension bill	Yea.
158	Adoption of conference report on public works bill	Yea.
159	Robertson amendment to drop $50,000,000 loan program to colleges	Nay.
160	Bush amendment to transfer authorization for $50,000,000 college loan program	Nay.
161	Bennett amendment for 2-year extension of FHA mortgage insurance authorization	Nay.
162	Frear amendment to reduce public housing units from 37,000 to 25,000	Nay.
163	Bennett amendment to delete requirement for purchase of Wherry rental housing at military installations without Capehart housing	Nay.
164	Bennett motion to recommit Housing Act	Nay.
165	Passage of Housing Act	Yea.
166	Kerr motion to table amendment to provide for a study of State taxation of interstate commerce	Nay.
167	Dirksen motion to reconsider previous vote	Nay.
168	Recurrence of vote No. 166	Nay.
169	Talmadge amendment to eliminate tax exemption for foreign corporations	Yea.
170	McCarthy amendment to restrict study of State taxation of interstate commerce	Nay.
171	Sparkman amendment to limit study of State taxation of interstate commerce	Nay.
172	Carroll motion to postpone further action until Mar. 1, 1960, on study of State taxation of interstate commerce	Nay.
173	Johnson motion to table Dirksen motion to recommit FNMA mortgages resolution	Yea.
174	Dirksen motion to table FNMA mortgages resolution	Nay.
175	Bennett motion to postpone consideration of FNMA mortgages resolution until 1960	Nay.
176	Gore amendment to add language to FNMA mortgages resolution expressing Senate economy intent	Yea.
177	Saltonstall amendment to strike all of FNMA resolution except Gore amendment	Nay.
178	Passage of FNMA mortgages resolution	Yea.
179	Passage of appropriation for military construction	Yea.
180	Yarborough motion in regard to tariff on wood moldings	Yea.
181	Mansfield motion to table motion to defer consideration of motion to take up Lake Michigan water bill	Yea.
182	Mansfield motion to take up Lake Michigan water bill	Yea.
183	Aiken motion to table Lake Michigan water bill	Nay.
184	Mansfield motion to recess Senate until August 29	Yea.
185	Mansfield motion to table motion to refer Lake Michigan water bill to Foreign Relations Committee	Yea.
186	Case motion to refer Lake Michigan water bill to Foreign Relations Committee	Nay.
187	Butler motion to refer Lake Michigan water bill to Foreign Relations Committee	Nay.
188	Adoption of conference report on Labor-Management Reporting and Disclosure Act of 1959	Yea.
189	Motion to override Presidential veto of housing bill	Yea.
190	Amendment providing for a 3-year extension for title I and title II of Public Law 480	Yea.
191	Amendment to provide $1,500,000,000 annually for title I loans	Nay.
192	Amendment authorizing storage of surplus foods in foreign countries	Nay.
193	Amendment creating food stamp plan to provide assistance for needy families in United States	Yea.
194	Amendment to repeal credit on dividends and to dedicate certain percentage of excise tax on automobiles to highway trust fund	Yea.
195	Amendment to alter tax rate on passenger automobiles	Nay.
196	Amendment to repeal dividend credit and transfer certain collections of excise taxes to the highway trust fund	Yea.
197	Amendment to eliminate provision which would weaken Federal highway roadside protection standards	Yea.
198	Vote on passage of Federal-Aid Highway Act of 1959	Yea.
199	Amendment to put food stamp allotment plan on pilot-project basis	Yea.
200	Amendment to provide that shipments of surplus agricultural commodities to foreign countries be delivered to export vessels at U.S. ports	Yea.
201	Amendment directing Secretary of HEW to purchase supplementary foods in addition to surplus commodities for distribution to needy families	Yea.
202	Extension of Agricultural Trade Development and Extension Act of 1954	Yea.
203	Amendment permitting increase to and placing ceiling of 4¼ percent on E- and H-bonds	Yea.
204	Passage of bill to permit issuance of E- and H-bonds at interest rates above existing maximum	Yea.
205	Passage of second bill making appropriations for civil functions, 1960	Yea.
206	Extension and amendment of housing and urban renewal laws	Yea.
207	Conference report on amendment to H.R. 4002 to authorize use of Great Lakes vessels on the oceans	Yea.
208	Passage of bill to authorize increased grants for construction of sewage treatment works	Yea.
209	Vote to override Presidential veto of public works appropriations bill, 1960	Yea.
210	Passage of bill providing assistance to fishing industry	Yea.
211	Bill to permit sale of strategic materials to Communist-controlled countries	Nay.
212	Amendment to reduce foreign aid appropriations by $100,000,000	Yea.
213	Amendment earmarking $50,000,000 for a specific country	Nay.
214	Motion to suspend the rules to permit consideration of civil rights amendment	Yea.
215	Amendment to extend life of Civil Rights Commission	Yea.
216	Passage of mutual security appropriation bill	Yea.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I voted for the mutual security program during my first 5 years in Congress. I voted against it last year. The program has not changed during these last 12 months, nor have I seen any evidence that would tend to prove the worth of all these vast expenditures.

Quite the contrary. The accumulating mountains of testimony on the foreign aid program suggest strongly that it is poorly conceived, too big and improperly administered.

I intend to vote for the mutual security appropriations bill which is presently before us. I am supporting it for a number of reasons. First of all, supplemental appropriations for various Federal agencies are included. There are moneys in this bill which will provide for the employment of an additional 100 policemen in the District of Columbia. There are moneys in this bill for the Department of Commerce, the Civil Rights Commission, the Federal Aviation Agency, the Department of Labor, and various other Federal departments. Moreover, the bill has met one of my primary objections in that it presents a scaling down of the foreign aid appropriation.

The bill is $1,148,182,000 under the President's request and it is $261,507,000 under the previously passed authorization bill. I believe that there should have been further cuts in the program, and I wish to state that I offered two amendments in the Appropriations Committee which would have further reduced the amount by $200 million, and I supported all other amendments to reduce the appropriation.

I wish to say that I have voted for the bill reluctantly, inasmuch as I believe that it is still too much money, but I have been willing to support it in view of the great reductions we have made, in view of the moneys that are included for domestic purposes, and in view of the fact that I believe that the program is vitally necessary to our security as it pertains to some countries, though not all. I do not think that we should continue to scale down the program, that we should be more selective in choosing the nations to be aided, that we should not give military assistance to certain dictatorships in Latin America where the military assistance cannot be of much importance to our own security and where it is, in reality, used to keep in power the dictators involved.

I also believe that we ought to send only the most capable and best trained individuals abroad to carry out the program, and I think that we should continue to hammer away at the waste and maladministration of the program.

I have been a strong critic of the program, although I have, as I say, very reluctantly voted to support it much of the time I have been in Congress. Having served on the Foreign Affairs Committee of the House of Representatives before coming to the Senate, I have had an opportunity to witness the operation of the program in many countries, and I feel that I am justified in my criticism of it. Criticism can be helpful in improving the program, and I believe that progress can only be made in the right direction if and when the people of our country are adequately informed about the program. Consequently, I wish to state briefly my attitude toward one or two features of the mutual security bill, particularly with regard to the Development Loan Fund.

Mr. President, I am not an isolationist. The world is here to stay and I see no possibility that we Americans can withdraw our attention from Germany or the Far East or any of the other places where we are deeply involved today. The United States cannot sit in the corner, bite its nails and watch the rest of the world go by. If it did so, it would place its security and well-being in extreme peril. We are still the world's most powerful nation and have a major share of the responsibility for preventing the Sino-Soviet bloc from slicing away parts of the free world. Foreign aid, mutual security—whatever you want to call it—is certainly necessary if we are to build the kind of military strength that is needed to put up an effective roadblock to the Soviets. But this does not mean that our present aid program should be supported willy-nilly.

This Mutual Security Act goes far beyond the limits of what I believe can be justified on the grounds of national security. Look at the figures. Out of a total of more than $3 billion, only $1.3 billion is slated for direct military asistance. Just about half of the whole appropriation is for various kinds of economic aid. It goes by different labels—defense support, special assistance, development loans, technical cooperation and several other smaller categories—but all this is really economic aid. Military arms and ammunition that we supply to certain allied governments are obviously a contribtution to the security of our own interests overseas. It helps our friends to deter and meet Communist aggression where this danger exists.

But, I do not believe we can justify the multitude of economic aid programs in this clear and convincing way. The administration still repeats the old and wornout slogans that economic development will stop communism and build democracies. But these arguments are less convincing now than they were 8 or 9 years ago. We have all had time to learn that communism is not simply the result of poverty and that democracy does not automatically ride in on the back of economic development. It is equally unconvincing to argue that defense support and special assistance aid will maintain internal security. American economic grants are poor extinguishers to use on the raging fires of nationalism that have consumed the stability of many a less-developed country in recent years. Of course, there will be particular crises where our grants may have these desired results. But 90 percent of the time, economic aid has got to be justified on a more convincing basis.

I have thought long and carefully about the purposes of foreign aid. It seems to be that the most realistic single reason for providing economic and technical aid is simply to help the new or resurgent nations toward a more human standard of living. Many of the Asian and African peoples receiving our economic aid have per capita gross national products of less than $200. Our income in the United States is more than 10 times that amount. The desire to help these peoples help themselves is obviously a commendable one. But I question seriously whether this can be the effective justification for approximately a billion and a half dollars in a bill labeled "mutual security." This aid should most properly come from individual donations. If it is to come through Federal legislation it should at least be presented on its true humanitarian grounds so that it can stand or fall on its own merits. It should not come before this body in legislation that is labeled "mutual security."

It is a bitter irony that the administration which cranks out these mutual security economic aid requests each year is the same administration that refuses to push the economic development of these United States. Why is it good to support low cost public housing in Asia, but not in this country? Why should the President veto domestic housing legislation that called for $900 million in urban renewal or slum clearance grants at the same time he is urging Congress to appropriate $835 million for defense support grants and economic aid to foreign governments? The irony is even more striking when you find low cost housing listed among the projects to be paid for with defense support grant aid. If President Eisenhower favors appropriations for public housing abroad, why not for the poorer people of the United States?

I do not say that we must wait until every American becomes a member of the affluent society before we consider helping foreign peoples raise their living standards. I do say that it is improper for the administration to favor billions for the economic progress of less developed lands abroad and at the same time to deny this aid to depressed areas of the American economy. If the national debt is getting so high that the United States cannot afford adequate low cost public housing for its own people, then we should not be spending American dollars for public housing in Asia and Africa.

The Development Loan Fund is highly touted because it supposedly replaces this grant aid with loans for foreign economic development. But the American people are being hoodwinked if they really believe this. Loans from the Development Loan Fund are really economic grants in disguise and the arguments against grant aid apply just as strongly to these so-called loans. Indeed Development Loan Fund loans are even worse than grants in some respects because their true nature is so cleverly disguised.

First we are told by the Administration that these are indeed business loans because the receiving country must prove to our satisfaction that it can make repayment. And then we are told of the long process of deciding on a loan so that everyone will make a vital contribution to the economic development of the receiving nation. All very fine.

But it is only after you turn the page and look behind the word "loan" that you find out what really happens when the United States gives some foreign country a loan from the Development Loan Fund. It is only then you see that

these so-called loans are usually repaid in the currency of the borrowing country. Only 20 percent of the Development Loan Fund loans made so far is supposed to be repaid in dollars. And no one believes that this figure is going to increase very much in the years to come. In the case of all the rest, or 80 percent of the loans, the United States will get back Indian rupees, Spanish pesetas, Chinese yen and other soft foreign currencies in return for dollars.

We already own or jointly control more than $2½ billion worth of these and other foreign currencies. What are we going to do with the additional billions that we keep accumulating under the Development Loan Fund and the assortment of other programs that generate this soft local currency? Only a tiny portion can be used up in paying for embassy expenses and our other housekeeping jobs in those countries. The rest just sits there and grows unless we reloan it or simply give it to the local foreign government because there is not much else we can do with it. The United States cannot buy anything with this money in our foreign currency accounts and take it out of the country unless we first get the permission of the local government. How is that for a business loan? Would anyone consider that he had made a sound loan to someone if he first had to sign an agreement not to take the repayments out of the lender's house without first getting his permission? I certainly would answer "No." Yet, this is exactly what we are doing under the terms of the Development Loan Fund.

Look for a moment at the size of these soft local currency accounts. The Treasury Department has estimated that if all the repayments in local foreign currency are reinvested in more loans continuing only through the next 5 years, the United States will have a claim on the resources of other countries in the year A.D. 2000 of almost $37 billion. But if these loans do not stop in 5 years and if we continue to make them at even the present rate and then reloan the local currency proceeds when they are repaid, the cumulative obligations to the United States in the year 2000 will be worth almost $154 billion. Every one of the world's less developed countries will be mortgaged to the hilt and the United States will hold all the mortgages. I do not think this would help improve our foreign relations.

The International Cooperation Administration people are beginning to see these problems themselves. But the solution that they offer is one more colossal proof that loans from the Development Loan Fund are really grants in disguise. Under Secretary of State Dillon stated in his testimony before the House Appropriations Committee—page 321—that we should consider giving these local currencies away to promote economic development in places where there is little prospect that we can make use of these funds ourselves.

Now we see the whole train of changes that lock together. First we have sound loans from the Development Loan Fund. Then we see that most of them will be repaid in soft foreign currencies. Finally it comes out that there probably is not much we can do with these repayments in some countries except to turn around and give the funds back to the borrower. Most of them are not convertible; we do not need much foreign currency for our own embassies abroad; we cannot buy things and take them back home to the United States without special permission. All we can do is give the repayment back to the borrower. This, my colleagues, is the sad tale of the decline and fall of the great Development Loan Fund that was to stop giveaway grant aid.

Defense support is another part of the foreign-aid program that is traveling under an assumed name. This was foisted on Congress almost 10 years ago, when the Communist threat seemed to take an overtly military turn with the invasion of South Korea. The administration thought that Congress would buy any package that had military or defense on its label. But the truth is that most of this so-called defense support aid is just plain old economic stabilization or development aid. For a long time, however, the administration witnesses would not admit this. They kept on telling us that everything from malaria eradication to fisheries development was vital to support the defense effort of our allies amongst the poorer countries of the free world.

Two years ago, in 1957, Congress tried to stop this obvious misuse of funds by amending the Mutual Securty Act to read that defense support was specifically designed only to sustain an increased military effort. But apparently that was not enough. This year the administration witnesses finally acknowledged that much of the defense support aid would be needed even if these countries were not building up their armed forces. And if that was not enough to make us see the light, look at the administration's testimony on the development loan for a new water system in Saigon, South Vietnam. When asked whether this same project could not have been financed from defense support money, Under Secretary of State Dillon answered:

> Yes. This kind of project would be eligible for financing under defense support, but the executive branch thought that it would be better to lend them the money.[1]

In other words, you can take your choice—call it defense support, or a development loan—it is all the same.

Since the foreign aid officials themselves admit these facts, I ask why this Congress should continue to appropriate funds to a program that is a blatant misrepresentation. The amendment to this year's Mutual Security Act incorporated under the leadership of the distinguished junior Senator from Montana [Mr. MANSFIELD] is a step in the right direction. It provides that the President must include plans with next year's foreign aid recommendations for reducing and terminating this defense support aid. There are enough unspent funds in the foreign aid treasury right now to operate those projects that truly are designed to support the allied defense effort. And next year the President can send Congress recommendations for a much smaller defense support program that is restricted to supporting the defense effort. Then Congress can vote for the program on its true merits.

Mr. President, the foreign aid program is poorly conceived and much of it gives the American people a totally incorrect idea of what the administration is doing abroad with their tax dollars. I have tried to show that the officially stated purposes for much of the economic aid are based on totally unrealistic ideas about the nature of man and social change. Communism cannot be stopped with economic aid handouts, nor does economic development assure the growth of democracy. Let us label this economic aid for what it really is—a humanitarian program to help others help themselves. Then let us put it on a private voluntary basis if Congress and the American people are not willing to support it with Federal appropriations. We will see what the administration is willing to support to help our own depressed areas and spur economic development where it is needed in the United States. This will help the American people to make up their minds as to what this country can afford to help foreign countries.

I have tried to show that most of the Development Loan Fund loans are really economic grants in disguise and that we should stop this misrepresentation. Defense support aid is also a misrepresentation because most of it is economic stabilization and development aid. The mutual security program should concentrate on our military security.

Mr. NEUBERGER. Mr. President, my native State is justly proud of its record in the field of civil rights. Oregon adopted a Fair Employment Practices Act in 1949—the sixth State to take such action. Today in Oregon it is a civil right to have the opportunity to secure employment without discrimination because of race, religion, or national origin.

Additional legislation has been passed in Oregon since that time prohibiting discrimination in public housing; private, professional, or trade schools; and public facilities.

Today Oregon has a continuing Advisory Committee on Civil Rights. Duties of the commission are to study problems of discrimination; attempt to foster good will, cooperation, and conciliation; and make recommendations to the commissioner of labor for correcting abuses.

Many private organizations in Oregon have contributed to the advancement of the protection of civil rights in my State. Their efforts in exposing inequalities continue to be a major and essential spur to reevaluation of existing laws which are designed to insure nondiscriminatory treatment for all of Oregon's citizens.

[1] U.S. Congress, House, Committee on Appropriations, hearings, mutual security appropriations for 1960 (and related agencies). 86th Cong., 1st sess., 1959. P. 1100.

Mr. President, the concern of the groups which I have mentioned is not directed toward Oregon alone. They have also worked for adoption of national legislation which will aid us in eliminating discrimination. Rpresentatives of a number of these outstanding groups have wired me urging extension of the Civil Rights Commission. I ask unanimous consent that these telegrams be printed in the RECORD at this point. I also subscribe to the views expressed by Mrs. Ralph H. Mont regarding the undesirability of serving liquor on commercial airplanes.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.,
September 12, 1959.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.:

Respectfully urge you use your influence to have term for Civil Rights Commission extended. Understand it is being submitted as an amendment to another bill. Also we want liquor on planes bills brought out of committee on to floor before close of session.

Sincerely,

MRS. RALPH H. MORT,
Legislative Chairman, United Church Women of Oregon.

PORTLAND, OREG.,
September 11, 1959.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.:

On behalf Anti-Defamation League Oregon board urge you vote extension existence Civil Rights Commission.

HY SAMUELS,
Acting Chairman.

PORTLAND, OREG.,
September 12, 1959.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.:

On behalf Oregon Advisory Committee U.S. Civil Rights Commission meeting Portland yesterday we transmit urgent appeal to support strongly recommendations for renewal of Commission authority. We especially urge this so studies now underway be continued and legal actions already instituted be pursued, to the end of protecting civil rights Oregon citizens wherever they go in United States, and to upgrade rapidly the uniform enjoyment of civil rights of all Americans.

MONROE SWEETLAND.
DAVID ROBINSON.
R. JOE BEEREMAN.

PORTLAND, OREG.,
September 12, 1959.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.:

If at all possible we hope you will make every endeavor to extend the tenure of the Civil Rights Commission for at least 2 years before the adjournment of the present Congress.

HARRY WARD,
President, National Association for the Advancement of Colored People.

THE VISIT TO THE UNITED STATES OF PREMIER KHRUSHCHEV

Mr. BYRD of West Virginia. Mr. President, Premier Khrushchev will reach America tomorrow. As I have stated upon the floor of this Senate several times, I have never looked with favor upon his visit. History will decide whether his visit will have been good or bad for us. Looking at past history, I am constrained to believe that the invitation will prove to have been a mistake. Nevertheless, we can now only hope for the best, and I trust that my fears will not prove to be true.

I wish to state again for the RECORD my objections to a visit by Mr. Khrushchev to this country. First of all, while I believe that a free exchange of people between the United States and the U.S.S.R. will result in a better understanding and a possible solution, in the long run, to our differences, I do believe that such an exchange between President Eisenhower and Premier Khrushchev will have this effect. Actually, such an exchange will mean exactly what the Kremlin wants it to mean. The basic aim of communism has not changed one iota, and the present Kremlin leaders strive toward the same goal of world domination as did Stalin and Lenin. Let us briefly review the statements by a few of these proponents of communism in order that we might view the forthcoming visit against a proper background.

In 1923, Lenin, the high priest of Communist strategy, had this to say:

> There cannot be the slightest shadow of doubt what the final outcome of the world struggle will be—the final victory of socialism (communism) is fully and absolutely assured.

On December 26, 1922, in his report to the 10th All-Russian Congress of Soviets, Stalin declared that the decision to form a Union of Soviet Republics was "another decisive step toward the amalgamation of the toilers of the whole world into a single world Socialist republic." A few years later, Dimitri Manuilsky stated the objectives as follows:

> War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

The handbook of Marxism sets forth the Communist objective in the section on the program of the Communist International. It says:

> Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved * * * uniting the whole of mankind under the hegemony of the international proletariat organized as a state.

Lenin outlined the modus operandi for this objective of world domination. He said:

> First we will take eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

And Stalin supported the view:

> For the victory of the revolution in one country, in the present case Russia * * * is the beginning of and the groundwork for the world revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny. He said:

> We know firmly that the victory of democracy and socialism throughout the world is inevitable.

More recently, Mr. Khrushchev has said to us:

> Whether you like it or not, history is on our side. We will bury you yet.

He has also said:

> Those who expect us to abandon communism will have to wait until a shrimp learns to whistle.

Mr. Khrushchev did not speak lightly when, in June 1957, he stated before a nationwide American television audience:

> I can prophesy that your grandchildren in America will live under socialism.

Let us, then, be alert to the bald faced ambitions of those with whom we are locked in struggle.

With this background of statements by leading Communists, and remembering the long record of broken promises and violated agreements by the Communists, I cannot, then, believe that Mr. Khrushchev's visit to America will be used by him for anything other than to further his own nefarious purpose. I think that we have played into his hands.

Many people think that the visit will enable Mr. Khrushchev to see how powerful we are. They believe that he will then be more cautious in dealing with us and less prone to commit an aggressive act. A little thought ought to convince Americans that Khrushchev cannot be uninformed as to our military might. Consider the size of the Soviet Embassy staff in Washington; consider the mass of reports that are sent to Moscow by the Communist international secret intelligence mechanism which is intensely working in our own country; consider the ease with which information concerning our military power can be obtained from a mere reading of the newspapers. It is very likely that Mr. Khrushchev already knows more about the actual military strength of this Nation than does any single Member of the U.S. Congress. He certainly knows more than he will be able to learn in a brief trip around the country, and I have no reason to believe that he will be so impressed with our military strength. After all, he has more than 10 modernly equipped divisions for every division that we presently have. Within 30 days he can double the number of divisions in the field. He has 10 times as many submarines as Hitler had in World War II. The Soviet Union is already producing more coal than we are producing. The U.S.S.R. has landed an 860-pound missile on the moon, which means that Soviet scientists have again scored a major technological triumph. Is there any reason to believe that in the face of

Soviet eminence in rocketry Mr. Khrushchev will be impressed by anything he sees on his visit here? I am not impressed by this argument. As a matter of fact, he may see, during his visit, much which would lead him to believe that he can, with growing impunity, make new and greater demands in the future.

Khrushchev's visit to the United States will tend to lend him respectability and prestige, and this will be at the expense of the oppressed, enslaved peoples of Europe and Asia. I have no doubt that he will press every propaganda advantage from this visit and that this will serve to discourage and demoralize the captive population, particularly in Eastern Europe.

Another reservation which I have concerning the Khrushchev visit rests in my belief that it will result in a new wave of complacency in our own country. I remember the complacent attitude which followed in the wake of the 1955 Geneva summit conference. Our people got the mistaken idea at that time that we could let up in our plans for military preparedness. The result was a lessening of effort on our part, while the Russians moved ahead with intensified activity and produced Sputnik I. I fear that the NATO nations will also be prone to slacken their activities, if a general atmosphere of complacency should prevail, and the military goals of NATO will be thereby projected and delayed farther into the future.

There are those who argue that it is better to talk than to fight. I agree. But it is completely illogical to assume that we have only these two alternatives. The act of talking will not necessarily prevent war. We were talking with the representatives of Japan when Pearl Harbor was bombed. The Communists like to talk in order to gain time. They talk and talk and talk to throw the rest of the world off guard, while they, meanwhile, continue to build their strength in preparation for a time when they hope to have the upper hand. I am in favor of continuing discussions, and I wish to make this emphatically clear. However, there are ample channels through which such discussions can be conducted at the present time. Discussions may be had on the ambassadorial and foreign minister levels. Discussions and debates may be conducted in the United Nations. So, we do not lack the media through which we might carry on talks with the Russians. I say that it is a mistake to provide the stage from which Khrushchev may put on a propaganda play for all the world. This is exactly what we will be doing when Khrushchev comes here, and the crucial drama will be observed by all peoples everywhere.

We often hear the argument that the invitation to Khrushchev to visit America may contribute to a relaxation of tensions. Those who state this position forget that communism thrives in an atmosphere of tension. It is because of this that the Communists have consistently followed a pattern of creating crisis after crisis. It is the desire of the Communists that the world be kept in tension and turmoil. The Communists feel that only by keeping tensions high can the will to resist, on the part of free peoples, be undermined and weakened. So, I maintain that the Communists do not want a relaxation of tensions, and, if they did, they could have such a relaxation by taking unilateral action. Khrushchev precipitated the Berlin crisis, and he could just as easily remove the threat to peace by retracting his demands. The Communists create a crisis and when it begins to subside they create a new crisis somewhere else. If they wanted a relaxation of tensions, they would only need to quit creating crises and quit playing the part of "Peck's bad boy."

Finally, Mr. President, there is one thing particularly that I try to keep in mind: that is, that Khrushchev, being an avowed Communist, is, like all other Communist leaders and followers, an atheist. He denies the existence of a God. He denounces any religion and professes no belief, faith and trust in a Divine Being. I am convinced that one can never fully trust and believe the words and promises and agreements uttered and entered into by one who professes no fidelity to or fear of a Supreme Being. Belief in a God is the basis of all justice and order, the basis of every moral code. Therefore, knowing that we are dealing with an infidel who fears no future retribution beyond this life for evil deeds committed here, I can never become complacent as to the dangers involved. Talk is all right in its place, but I do not want to pay homage to a man who has repudiated God and upon whose hands is the blood of thousands of men and women and innocent children who fell in the streets of Poland and Hungary. The Scriptures admonish us in this fashion:

> Be ye not unequally yoked together with unbelievers, for what fellowship hath righteousness with unrighteousness and what communion hath light with darkness?

The Prince of Peace left these words which we might well consider in this crucial moment:

> Give not that which is holy unto the dogs, neither cast ye your pearls before swine, lest they trample them under their feet, and turn again and rend you.

I fear, Mr. President, as I have stated on this floor before, that we may be casting our pearls before swine and that the time may come when he will turn again and rend us.

Let us, then, act with our eyes and ears open, and let us pray that God will give us the wisdom to protect our liberties and to avoid the pitfalls that lie in wait. America will remain free only so long as she remains strong: only so long as our people understand the enemy we face, and only so long as we place our faith in the omnipotent Creator, He who governs the destiny of men and nations.

> Except the Lord build the house, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.

PURPORTED VETO OF HOUSE BILL 2717

Mr. KEATING. Mr. President, I rise to propound a parliamentary inquiry: On March 17, 1959, the House of Representatives passed, and on August 27, 1959, the Senate passed, House bill 2717, for the relief of Eber Bros. Wine & Liquor Corp.

The bill was sent to the White House on August 31, 1959. However, I am informed that it was not brought to the President's personal attention, by his staff, until approximately 5 days ago. The President has today disapproved the bill and returned it here.

In view of the fact that the bill was delivered to the White House on August 31—more than 10 days ago—my first inquiry is whether more than 10 days have expired since the bill was presented to the President within the provisions of article I, section 7, of the Constitution.

The PRESIDING OFFICER. In response to the parliamentary inquiry, the Parliamentarian advises that, under the practice, if a bill is delivered to the President as of this date, the time would commence to run as of midnight tonight, in other words, counting tomorrow as the first day, Sundays excluded.

Mr. KEATING. In other words, if the bill was delivered to the White House before midnight, August 31, 10 days would have expired by now?

The PRESIDING OFFICER. The time would start the next day after the 31st. That date would be the first day. The Chair does not have a calendar available here.

Mr. KEATING. The ruling of the Chair is in accordance with my understanding. Do I understand from that statement that we are not operating under a procedure whereby if the staff of the President held a bill and presented it to him personally at some later time, the 10 days would start running then?

The PRESIDING OFFICER. That is not a matter for the Chair to determine.

Mr. KEATING. My second parliamentary inquiry, Mr. President, is whether the bill which was delivered to the White House on August 31, and has today been disapproved and returned here, automatically became law upon the expiration of the 10-day period, excluding Sundays, without being returned by the President to the Congress.

The PRESIDING OFFICER. The Chair is advised that the Constitution is clear on that point. Anything beyond what the Chair has answered is a matter for the courts to decide. The Chair has already said that if the bill is delivered before midnight, the first day would start on the day after midnight, and Sundays are excluded from the computation.

Mr. KEATING. May I propound a third and final parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. My question is whether the status of a bill passed by the Congress is affected in any way by the President's purported veto of the bill this morning, more than 10 days after it was delivered at the White House.

The PRESIDING OFFICER. The Chair states that if the President has vetoed the bill, it being a House bill, it will go back to the House for further action. If the House overrides the veto, it will be submitted to the Senate, and

there will be an opportunity to act upon it.

Mr. KEATING. But my inquiry is whether the action of the President more than 10 days after the bill was delivered to him is an action which will be recognized by the Congress.

The PRESIDING OFFICER. The Senate is unable to act until the House has acted upon the matter. If the House overrides and sends the bill to the Senate with the message that the House has overridden the veto, that would be a matter for the Senate to determine.

Mr. KEATING. My inquiry, which the Chair may be unwilling or should refrain from responding to, is this: Is any action by the Congress necessary if the President retains a bill for more than 10 days before he acts on it?

The PRESIDING OFFICER. According to the Constitution, the bill should become a law if it has not been acted upon within 10 days after it has been presented to the President. The matter of whether 10 days have elapsed is a question for legal determination, and not for the Chair to determine.

INSURANCE LOANS TO STUDENTS IN HIGHER EDUCATION

Mr. YARBOROUGH. Mr. President, I desire to be listed as one of the cosponsors of the bill introduced by the distinguished majority leader in regard to the College Loan Fund Act of 1959, under which provision would be made for the lending of $100 million to college students.

Mr. President, the landing of the Russian rocket on the moon further demonstrates the educational and scientific lag in America. This scientific lag has resulted from the educational lag.

The figures show, Mr. President, that this fall there will be a shortage of 130,000 classrooms in the schools of America, and that there will be a schoolteacher shortage of 195,000 teachers. This teacher shortage is brought about by the low pay for schoolteachers in this country.

For the elementary schools and the high schools we need a stepped-up construction program. We need higher pay for the teachers, so that we can attract more educated people to the teaching profession to fill this great void and vacuum. American schools must meet this challenge of today. The moon shots should speed us forward. A College Student Loan Act is proposed today; the GI cold war bill has passed the Senate. The teachers in high schools and colleges must get parallel treatment. Teachers' salaries must be adjusted to current costs and needs. We have a growing shortage of qualified teachers.

Mr. President, last year we passed the National Defense Education Act of 1958, which included a loan program for college students, in an effort to qualify more teachers, but the Department of Health, Education, and Welfare has worked assiduously to cut down the program. Mr. President, the National Defense Education Act of 1958, with regard to the student loan portion, has been made partially ineffective because the Department of Health, Education, and Welfare has written to the colleges and asked them to cut down on the amount of money request for the students to borrow. Then the Department has taken the figures which have resulted, which have been very low figures, to the Congress and has stated, "The colleges do not need as much money as we originally estimated. The colleges have said they did not need it." In that way they have helped to cripple the program.

The administration this year fought the college classroom loan program, by which we would have loaned money to colleges which needed money to build college classrooms in which to teach their students.

We now have pending before the Congress the bill introduced by the Senator from Michigan [Mr. McNAMARA] to lend money to school districts, so that they can build the school buildings they need. I think it is high time we passed such a bill.

The American people were warned of our educational lag at the time the Russians launched Sputnik No. 1 in October of 1957. Americans were then warned that they had to do something about the educational lag in this country. We have not yet done it. Two more years have rolled by, and now the Russians have landed the first rocket upon the moon.

Dr. Teller, the man who is credited with being the inventor of the H-bomb, has stated that we have such a severe lag in education that if we do not step up our education, Russia will lead us in science in 10 years. I hope we will follow his advice.

Mr. President, I wish to thank the distinguished Senator from Alabama, who has done so much for the college classroom program this year. The Senator twice brought that program to the Senate from the committee in the housing bill. The President twice vetoed the provision of the bill which called for loans for college classrooms. Thus it is the responsibility of the executive department alone, not of the congressional branch, that we have no provision for college classrooms in America this year, from this Government, despite the great anticipated increase in college enrollment and the great shortage of college classrooms.

We need and want the opinion and assistance of an awakened America to aid both students and teachers in this educational crisis. Let us give our teachers and students the tools and the ammunition, the fuel in the tanks, that a great democratic fighting force deserves. Then we will no longer be second in space and second on the moon. When we put education first, we will be first.

Mr. President, I am glad to join as a cosponsor of the bill, through I personally prefer scholarships to loans.

THE ROLE OF THE MAJORITY LEADER IN THE SENATE

Mr. BYRD of West Virginia. Mr. President, during this session it has been my aim, as a new Senator serving his first term in this august body, to sit in silence, for the most part. I have thought in the part of wisdom to do so because this attitude lends itself to understanding and absorbing the customs, traditions, and, yes, even the atmosphere of this greatest parliamentary instrument which the world has ever seen.

I have, Mr. President, learned many things in this long, exhaustive, and grueling session which is about to conclude. I am well aware that all of you, particularly my seniors on this floor, have long ago absorbed these same lessons and it is not my desire this evening to test your patience by telling you something you already know.

I hope, however, you will spare me one comment about one matter whose importance to the effective functioning of democratic government has become more and more apparent to me as each month has gone by.

This is the crucial importance of the role of the majority leader of the Senate. If my friends across the aisle will forgive me for the intrusion of a party matter, good government depends largely upon how the majority is led. It is, I know, equally vital to the minority that it be treated by the majority leader with fairness, consideration, and unending courtesy. It is not for me, as a member of the majority, to suggest that the majority leader has fully met the highest standards in this respect. I would think so, but it would be graceless for me to say so.

Nor is it my purpose to dwell upon the needs of the Nation, in these terrible times, for patience and understanding between the two branches of the National Government, particularly when they are held by differing political parties. The simple, single test here is patriotism. Each man, I would suppose, would define the word "patriotism" a little differently than others. But, however we define it, or quarrel about the fine print of the definition, all of us here today instinctively know whether a man in the position of majority leader has or has not met this patriotic test of devotion to his country.

I would, Mr. President, instead comment on something else which the last 8 months of experience has brought home to me every day more and more forcibly. And that is how a majority leader must be the cohesive, the centrifugal force by which the majority is held together.

We Democrats are a varied lot, Mr. President. We come from widely scattered regions. We are strongly represented here by every section of the country whether South, Middle West, Far West, or East. All of us have different regional problems, strongly opposing pressures to which we are subject.

It is a very easy thing for one of us to forget the country in our absorption with our regional needs.

We represent all trades, all classes, all sections of this great Nation. The workingman and the farmer more and more have found their haven in the Democratic Party. The small businessman of the East comes under this same broad tent as the reclamation worker of the

West. The man from Mississippi is here as well as the man from Wisconsin.

It is occasionally, Mr. President, a wonder to me that the majority has not scattered in a thousand fragments as all the diverse and varied, the imposing, and inconsistent problems of this huge country finally center here on this floor.

The simple reason, Mr. President, for my statement here today is to affirm to all of you my growing and now complete conviction that the single most important reason why this has not happened is because of the qualities of the majority leader of this body.

I have for many years admired him as a Senator. I have long understood his great ability. I know him today as a friend.

But it was not until I sat on this floor for 8 long months and came to an understanding of the complications and the processes of this body that I realized that one of the cohesive forces holding the Democratic Party together in these difficult times is LYNDON JOHNSON. His understanding of the needs and the desires of every section and every region, his appreciation of the ultimate necessity that in some way these conflicting regional needs must be compromised for the national good and, above all, his insistence that something must be done, that it is more important to act than to talk have, in my opinion, made him one of the greatest parliamentary leaders this country has ever seen.

The machinery of democracy is its parliaments. But democracy must act, must function, must create while it protects all other traditions. This I have come to understand and have realized that the one man who understands it far better than most of us is LYNDON JOHNSON.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. KEFAUVER. Mr. President, when the Senate considered establishing the Civil Rights Commission, I voted for it because I believed that these are very serious problems which deserved careful and considered study.

The right of every qualified American citizen to vote is basic and sacred. Any intelligent investigation of voting privileges of any of our citizens is worthwhile. I hope that the Civil Rights Commission will get back on the track of investigating the matter of voting and, at the same time, will get out of some of the other fields into which it has wandered.

The Commission has been established, and we have before us its first report. I must say this report is not a very satisfactory one. I am aware of the limitations of time under which the Commission worked, but that is really no excuse for either careless staff work or half-baked proposals. The report shows the results of both.

I am most familiar, of course, with conditions in my own home State of Tennessee. I am glad to note that the Commission recognizes that in 93 of the 95 counties of Tennessee there is no question whatsoever of the right of any one to vote. We are proud of that.

In two counties there is a problem, and that is something with which the thoughtful people of Tennessee, including those in the two counties, are concerned. But in one of those counties—Haywood—the Commission report shows the result of its inept staff work.

I wish to read a portion of what the Commission report said about Haywood County:

> Representatives of this Commission were told that Negroes in the county own more land and pay more taxes than white persons but that their rights are sharply limited: They must observe a strict curfew.

That, my colleagues of the Senate, is not true. I know it is not true; and I have received a telegram from Alex Gray, Haywood County attorney, who is personally known to me and in whose veracity I have not the slightest doubt, saying it is not true.

They are not permitted to dance or to drink beer.

That is not true.

> They are not allowed near the courthouse unless on business.

All Senators know that on my political journeys about Tennessee I have visited every courthouse in the State, not once but many times. I have never been to the Haywood County courthouse when I have not seen quite a few Negroes. That statement of the Commission is not true.

I think such careless handling of the facts by a Federal commission is inexcusable. I resent it all the more concerning Haywood County, because it is the home county of my late beloved mother, and I have many close relatives and personal friends there.

Many of the recommendations of the Commission are as carelessly conceived. The recommendation for a Federal registrar for voting is most unfortunate. These are problems which we must solve locally—they are not problems for which the solution can be imposed from above.

Mr. President, as I said in opening my remarks, I voted for the establishment of this Commission in the first place because I thought these are serious problems which deserve careful study and consideration and which require some soundly conceived proposals for solution.

What I said then is still true. I think the study is needed. Certainly if some Members of the Senate, whose only real concern can be the writing of such laws as will protect the rights of all our citizens, feel they must legislate in this field, they could responsibly do so only against a background of careful and reasoned study.

As the report of the Civil Rights Commission tragically indicates, such a study has not yet been made. Indeed, it may be that a careful and understanding investigation of the problems here involved would prove to this Congress that new Federal legislation, far from resolving inequities, may compound them. It would at least be my hope that the Commission, pursuing a genuinely responsible investigation, would produce findings whose apparent wisdom would preclude the passage by this Senate or the other body of any legislation the reasonable people of the South would interpret as punitive.

It is apparent to anyone here in the Senate that a majority of the Senators are currently in favor of much more drastic legislation than the extension of the Civil Rights Commission. Several proposals which are now before the Senate might easily be characterized as punitive.

While I am highly displeased with much of the Commission's report, I believe that a continuation of the study with a revamped Commission may be the best defense against drastic or even punitive legislation. While the study is going on, a telling argument can be made against the enactment of any such legislation. Therefore, extension of the Commission's life may be the best way to prevent legislation which could be harshly unfair to the South.

For this reason, and with hope that the Commission will enjoy the benefit of some new thinking, preferably by some new Commissioners and a revamped staff, I feel I must vote to extend the Commission's life. It is a vote motivated more by conviction of the need for a thorough study and a hope that it will be made than by any great respect for the first report of the present Commission.

In casting this vote, I hope also that the Commission will concentrate in the future on its main function—that is, the right to vote, which is vital to the solution of the entire civil rights program.

I think the excursion into the field of housing needlessly aggravates an already difficult issue. I think the punitive proposals to withhold educational funds are a potential hindrance to education—not a help.

If the South opposes even a study of the problems involved, then I am afraid we may reap a whirlwind. Punitive legislation which will be not only bad for the South but bad for the country, could easily pass.

As Commissioner Battle, a distinguished former Governor of Virginia, has said, we need to have considerably more discussion of the problems of human relations before legislative action is taken. What we need, as he recommended, is conciliation.

Mr. DODD. Mr. President, throughout this year the Nation has been celebrating the 150th anniversary of the birth of Abraham Lincoln.

A stirring and unforgettable ceremony was held on February 12 by Congress. On television and radio, in the press, and in cities and town all across the Nation, there were impressive observances in memory of the Great Emancipator.

The words have all been said; the tributes have all been paid.

But one thing is lacking that is necessary to give these words, these tributes, these ceremonies real meaning. And that is action by Congress which would advance the cause most associated with Lincoln's life—the enlargement of human rights.

If we of this Congress go home this year without doing something more substantial than merely extending the life of the Civil Rights Commission, all of the words and tributes and ceremonies this past year in honor of Lincoln will have availed nothing.

I fear that such words as civil rights, desegregation, discrimination, are such commonly used terms that they have lost much of their meaning and significance.

The heart of this question is that millions of our fellow Americans, most but not all of them Negroes, are being denied basic rights and opportunities which most of us take for granted.

They are denied the right to equal use of public facilities which means, among other things, the right to the same quality of education that is made available to other Americans.

They are effectively denied the full rights of American citizenship, the right to vote, the right to sit on juries, the right to run for elective office.

They are frequently denied the sacred right of the equal protection of the laws, whether the issue be their rights as defendants in a court action, or their rights to full protection from crimes of violence.

They are denied the right to buy the kind of home in the kind of neighborhood they want and are able to afford.

They are denied the right to obtain a job, to make progress in that job, to achieve success in a variety of professions or careers on the basis of their merit.

Everywhere they turn they find doors of opportunity closed to them. It is impossible even to comprehend, let alone exaggerate, the manifold injustices that spring from this burden of discrimination in the fundamental business of making a daily living.

In short, these Americans are being denied the basic rights, the fundamental opportunities that our Government was instituted to protect, the inalienable rights to life, liberty, and the pursuit of happiness.

For millions of Americans these inalienable rights have been alienated. For them, these self-evident endowments of our Creator are being denied and set aside by a complex fabric of discriminatory actions by individuals, by local governments, and by State governments.

Many of the rights which are being denied Negroes and other minorities in this country are constitutional rights, rights which we in this body are sworn to uphold.

The 14th amendment of the U.S. Constitution reads in part as follows:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Those of us who are advocating comprehensive civil rights legislation at this session of Congress urge the U.S. Government act to make the 14th amendment a living, vital part of our Constitution. We are merely trying to reaffirm that these old words mean what they say, that the 14th amendment to the Constitution is not just a meaningless scrap of paper.

We want Congress to go on record to the effect that racial segregation in public schools violates the equal protection of the laws guaranteed by the 14th amendment.

We propose an orderly, systematic program through which the Federal Government can encourage and assist local governments in carrying out desegregation.

We advocate authority for the Attorney General of the United States to seek civil court remedies to bring about public school desegregation in those areas where a reasonable plan of desegregation is resisted by public authorities.

We offer legislation authorizing the Attorney General to seek civil court remedies in behalf of individuals who are being denied the equal protection of the law on the basis of race, color, religion, or national origin.

We support Federal antilynching legislation.

We seek to abolish the poll tax.

We want to put teeth in present protection of voting rights by requiring that records, papers, and ballots are to be retained and preserved under penalty of criminal law and that these records must be made available for inspection by the Attorney General.

We ask that all voting tests, questions and answers, must be printed or in writing, to prevent arbitrary and discriminatory tests with respect to voting qualifications.

We want to extend the Civil Rights Commission by giving it until January 31, 1961, to file its final report on the state of civil rights in this country.

We seek to assist local law enforcement against terroristic bombings by making it a Federal crime to flee across a State line to avoid punishment for damaging or destroying any building or vehicle.

And we ask that the Federal Government furnish educational facilities for children for members of the Armed Forces in those areas where public schools are closed.

There is nothing immoderate, nothing arbitrary, nothing dictatorial in these provisions. We do not seek to establish radical new rights; we seek only to preserve old rights, rights as old as mankind itself.

The most controversial of the measures which I have briefly mentioned are those to protect voting rights, to speed up the process of school desegregation, and to permit the Federal Government to give legal assistance to those whose legal rights are denied.

It should not be difficult to prove to the objective listener the need for Federal action to safeguard the right to vote. Voting is our most fundamental political right. Yet, the Negro in the South finds a formidable array of artificial devices standing between him and the ballot box. The poll tax has been an obstacle. So have the various forms of intimidation, ranging from physical violence to the more subtle forms of reprisal. So has the fraudulent manipulation of voting qualification tests. All these have combined to reduce the number of Negro voters to about 25 percent of the adult Negro population in the 11 States of the Deep South.

As an absolute minimum, we in this free country have got to insist on the right of every reasonably qualified American citizen to vote; and to play his part in the political life of the community, the State, and the Nation. If we do not stand for this, we do not stand for anything.

More controversial than the provisions protecting voting rights are the provisions which would effectively speed up the process of school desegregation and allow the Attorney General to enter court cases in behalf of those who claim their rights are being violated because of race, color, religion, or national origin.

The deep-dyed opponents of any civil rights progress are fighting all advances. But there is a significant and perhaps decisive group which, while supporting legislation to safeguard voting rights, believes we should stop there.

This group holds that reforms cannot be forced upon the South, that we can achieve only those things for which there is significant acceptance in the South itself. And the second argument offered in support of this approach is that once Negroes are given the full right to vote, they will thereby receive the weapon with which, in time, they can win their other rights through the process of evolution, as have other minority groups.

There is a certain appeal and attractiveness to these arguments. Indeed this approach has won the approval of some enlightened national columnists.

However, I must reject this view. The implacable resistance to the Supreme Court desegregation decree in many localities and States makes action by the Federal Government to uphold the law more advisable, not less. The argument for delay, for slow evolution made sense 100 years ago, but not today.

Justice has been already too long delayed. The enjoyment of basic rights, guaranteed by the Constitution, should not be dependent upon the prejudices of the dominant group in any particular State or locality. The Supreme Court has told us unanimously that the Constitution requires the end of school segregation. This decision admits of no equivocation or compromise.

It admits of delay. It admits of gradualism. But it does not admit of the outright defiance of some eight State governments which have refused to take even a single step toward desegregation and have instead concentrated their energies on inflaming and arousing opposition to the Supreme Court and its decisions.

Those who talk in terms of what the people of the South will or will not accept also conveniently overlook the fact that the Negroes make up a large portion of the people of the South. In fact, in those very areas where Negro rights are the most outrageously suppressed, they are often in a numerical majority.

It is often said that we cannot legislate racial harmony. That may be true. We cannot eliminate prejudice, bigotry, and discrimination merely by

passing laws; but we can eliminate illegal manifestations of discrimination, we can eliminate the denial of basic constitutional rights.

What of the argument that if we remove the restrictions against full voting rights from minority groups, the Negroes, like other minorities before them, will win for themselves other rights and opportunities now denied them?

Examples of the Irish, the Italians, the Jews, the Greeks, the Poles, and other minorities are cited. It is said that if other underprivileged minorities have made their way to full acceptance without the help of special legislation by the Federal Government, why should an exception be made in the case of Negroes?

My reply to this is that if other minorities have had to struggle over long periods of time to gain what should have been theirs in the beginning, if other groups have been forced to apply bloc pressure at the ballot box and in other places to achieve what was their just due, this is nothing to be proud of. Each of these episodes was a disgrace to the Nation, not a model which remaining minority groups must follow.

Nor need the members of accepted minorities, feel any smugness, any satisfaction that they have managed to gain full acceptance as Americans. We did not have to make one-tenth of the fight that our Negro friends have had to make and have to make today.

Our Government, we all agree, was founded upon the proposition that each man receives certain basic rights from the hand of God, and that it was the fundamental purpose of government to preserve and safeguard those rights.

To quote the Declaration of Independence, "to protect these rights governments are instituted among men, deriving their just powers from the consent of the governed."

Every American, every human being, ought to receive these precious rights at birth as a heritage.

So I have little sympathy with those who believe that the best that the United States Government can do is to give the Negroes a license to go out and fight for their God-given rights while it stands idly by the ringside to see if they can win them.

Our Federal Government cannot be a neutral, a mere onlooker in the struggle for the basic rights of man. It must do much more and much better than that.

It was established and maintained for the primary purpose of protecting these rights and seeing to it that no individual, no municipality, no State interferes with them.

That is what our Constitution is all about. That is what the concept of the Federal Government is all about.

I believe it is true that if the Negro's right to full voting privileges is granted, he will in time win, one by one, his other rights—in a generation or two or three. But at what cost? How many millions of unfulfilled lives? How much needless injustice? How much discredit to the Nation in the eyes of the world?

I am one of those who believe that the Federal Government should join actively and immediately in the fight against denial of the equal protection of the laws.

Since the Supreme Court decision of 1954, a great variety of legalistic dodges and calculated evasions has been worked out by State legislatures. The object of these dodges and evasions is not gradual compliance, not eventual compliance, but permanent, uncompromising evasion and defiance.

If the Constitution, if the law of the land is to retain its majesty, this situation can be tolerated no longer.

That is why many of us have joined in proposing legislation under which the Federal Government would outline a plan of desegregation. It would offer technical and financial assistance to help local communities carry out that plan; it would give every encouragement to those segments of the community which seek to abide by the law. Should all this fail, we would give the Federal Government power to compel enforcement of the Supreme Court decree.

Six Southern States have passed antibarratry laws which seek to prevent, under criminal penalty, the victims of discrimination from seeking or accepting the legal advice and counsel and assistance of groups such as the NAACP.

Even before this astonishing series of laws, it always seemed proper to me that the strong arm of the Federal Government should uphold the cause of those whose rights are denied. It has never quite made sense to me that a man whose basic rights were being denied, a humble, poor, frightened, perhaps ignorant man, should be compelled to stand up alone against the legal power of the State and against all the reprisals which bigots know how to mete out, while the Federal Government stood by as a sort of disinterested onlooker.

Certainly the Attorney General's office should provide assistance. And with antibarratry laws preventing such private assistance as has in the past enabled many victims of injustice and intolerance to have their day in court, it is not only right, it is essential that the Attorney General be empowered to intervene in these cases.

When I came to the Senate in January, it was my hope that at this session of Congress, something decisive would be achieved in the long struggle to advance civil rights.

There have been a great many disappointments in this session but none more shameful than the treatment which civil rights has received thus far.

From the beginning, every delay, every obstacle, every dilatory device was placed in the way. Senator HENNINGS has told us of the long months through which he tried futilely and, at last with success, to get even a skeleton civil rights bill reported out of the Constitutional Rights Subcommittee, a subcommittee that should be dedicated to the protection of those rights.

I know from my own experience as a member of the Judiciary Committee of the calculated attempt by a minority of that committee to prevent any action whatever in this field.

The Judiciary Committee had a trust to perform. It had a task to carry out for the Senate. It has not met that trust. It has refused to carry out its task.

The Judiciary Committee has failed, failed completely, failed abjectly. It has forfeited any further right to have its prerogatives considered by the Members of this body with respect to civil rights legislation.

Having failed in its clear duty, it ought to be discharged from that duty. I applaud the action of Senator HENNINGS, Senator KEATING and Senator JAVITS, in laying before the entire Senate alternative methods by which we can bypass the Judiciary Committee to bring civil rights legislation directly to the floor.

If illness had not caused my absence from the Senate, I would have joined with them at the time they made their proposals.

It is the consensus of informed opinion that the delaying action has worked. We are supposed to be in the final day or two of this session. Advocates of civil rights legislation are now put in the position of preventing the adjournment of the Senate.

If adjournment must be delayed, let it be delayed. Our work is far from finished.

I support those who say we should stay here until Christmas if necessary to pass a decent civil rights bill.

I say let us stay here and keep on staying, this year, next year, and every year until we fill our responsibility to the Constitution and to the millions of Americans who are being treated as a second-class citizens.

I hope that the Senate of the United States will not, by adjourning now, say to the Nation and to the world that we do not have time to take up the constitutional rights of our people.

A nation that does not have time to safeguard the rights guaranteed by its own constitution cannot give the full measure of leadership required in the struggle to protect human freedom and human dignity everywhere.

Mr. ELLENDER. Mr. President, I feel deeply that I would be derelict in my duty to those who entrusted me with high office if I did not outline to the Senate in some detail the reasons why I oppose this effort to breathe an additional 2 years of life into the Civil Rights Commission.

I opposed the creation of this agency. I fought it with logic, facts, and predictions, and I lost. But the truth is, Mr. President, that those of us who were in opposition to the creation of this agency were, and still are, correct, and the recent recommendations of the Commission reinforce the justice of our position.

Senators will recall that the Civil Rights Commission was designed to fulfill three purposes. These were: First, to investigate deprivation of the right of citizens of the United States to vote by reason of their color, race, and similar factors; second, to study and collect information relating to the legal developments which constitute a denial of

equal protection of the laws under the Constitution; and, third, to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Last week, the Civil Rights Commission rendered its first report to the Congress. Frankly, Mr. President, I looked forward to this report. I felt that if the Commission endeavored to look into the areas it was charged to evaluate in a fair, impartial, and realistic manner, it would find that many of the cries raised by the National Association for the Advancement of Colored People and other similar pressure groups were without merit.

I might as well have hoped for 90° weather in January here in Washington. The report filed by the Commission is anything but unbiased. It is anything but factual. It is anything but fair. It is based upon evidence which would be excluded by any self-respecting court in the United States, State or Federal. It is loaded with weighted data, slanted statistics, and biased conclusions. Its recommendations, particularly in the field of voting rights, would be ridiculous if they had been promulgated by any other group than one created by the Congress and vested with the authority of the Government of the United States.

As a matter of fact, Mr. President, I cannot believe that the members of the Commission had their minds on their business when they drafted some of these recommendations. If they did, then a second Commission—a "keeper" Commission—should be created in order to prevent the Civil Rights Commission from making itself fair game for a lunacy hearing.

At the risk of imposing upon the Senate's valuable time, and at the added hazard of perhaps making several of my colleagues miss their scheduled departure dates, I would like to review just briefly a few of the factors which have prompted me to reach the conclusions I have outlined earlier.

First, as to the lack of objective evidence cited to reinforce the Commission's conclusions. Senators will recall that I pointed out earlier that little, if any, of this so-called evidence would be admitted by any self-respecting court in the land. For example, on page 29 of the Commission's report, Harper's Weekly is quoted, apparently as an authoritative work. Yet, the footnote to this quotation reveals that it is not Harper's Weekly which is being quoted, but, rather, a 1943 book entitled "The South in American History," which purports to quote Harper's Weekly to the conclusion sought to be obtained by the Commission. A similar example is found on page 30 of the report, where the New York Tribune is quoted, but here, again, the footnote reveals that the compilers of the Commission's report did not take the trouble to verify the quotation selected, but, instead, relied upon a book written by C. Vann Woodward, entitled "Origins of the New South." As a matter of fact, Mr. President, the full and complete Commission report is replete with similar examples, examples of the Commission making a flat statement of fact, with the statement supported only by a quotation from some other printed work.

Now, Mr. President, a practice of this kind might be appropriate in some quarters, but I most respectfully submit that it has no place in a report to the Congress of the United States, by an arm of the executive branch of the Government. We are entitled to original source material, just as much as a court is entitled to original source material. We are entitled to know the qualifications of those whom the report quotes as experts. Also those factors upon which the Commission relied in accepting the statements incorporated in its report.

I fear, Mr. President, that since the Commission has fallen into the easy habit of citing secondary sources as the origin of outright statements of fact in that section of the report covering the history of suffrage in the Nation, then it may well have fallen into the same sloppy habits in other sections of its report, too. As a matter of fact, I feel sure that if a considered effort were made to trace to their sources the bulk of the statements made about, and charges levelled against, the South in this volume, it would be found that they are based upon the rankest kind of hearsay evidence, on conclusions reached by individuals whose qualifications would not qualify them to appear as experts on the subject at hand.

The writers of the report did not hesitate to indulge in ridicule, either. For example, in both the full report, and in the companion volume entitled "An Abridgement of the Report of the U.S. Commission on Civil Rights," a half-tone, full-page copy of an affidavit purporting to have originated in my own State of Louisiana is printed in an effort to ridicule a deputy registrar of voters of Washington Parish, Curtis Thomas. If Senators will turn to page 83 of the abridged report, they will find that facsimile. On page 82, the following statement is made, referring to challenges of voters:

> The most common basis for these challenges was alleged errors in spelling on the application forms. Investigation revealed that the challengers themselves misspelled words when filling out the challenging affidavits. For a sample in which the voter seems to be charged with an error in "spilling" with names of voter and challengers "maked" out, see next page.

Now, the Lord only knows how many such forms the Commission's eager-beaver staff had to comb through before finding one suitable for the allegedly horrible example cited in the report, but I am willing to wager there were quite a few. Yet, while citing only one such form, the Commission's report nevertheless charges that "the challengers themselves misspelled words." If the one form cited was found to be sufficient basis for a shotgun blast such as that discharged by the Commission in its report, then I am forced to conclude that insofar as other such charges may be concerned, the supporting evidence is bound to be similarly minute.

In addition, it is interesting to note that the Commission is not willing to accord the deputy registrar of voters of Washington Parish, La., the benefit of the doubt. It does not take into consideration that perhaps the misspelling referred to is the result of an honest mistake, an error in writing, instead of being an indication of the deputy registrar's inability to spell. The lack of such consideration becomes particularly graphic when it is noted that in the very next line of the Commission's sarcastic comment upon the deputy registrar's spelling ability, the word "masked" is spelled "m-a-k-e-d." Applying the same logic to the Commission, as the Commission seeks to apply to the deputy registrar of voters of Washington Parish, La., I am led to the inescapable conclusion that the president of Michigan State University, the president of Notre Dame University, the dean of the Southern Methodist University Law School, a former Governor of the State of Florida, a former Governor of the State of Virginia, a former attorney general of the State of New Hampshire, and a host of other Commission employees are unable to spell the word "masked."

In addition to containing flat statements of fact with little or no objective, firsthand information recited to support such statements, in addition to using isolated instances in order to ridicule State officials in the performance of their official duties, the Commission's report positively exudes an atmosphere of bias.

For example, on page 76 of the abridged report begins a chapter headed "Louisiana Roadblock." The gist of this chapter is that neither the attorney general of the State of Louisiana, nor a Federal district court judge for the western district of Louisiana, would permit the Civil Rights Commission to run roughshod over the legal prerogatives of State officials, and the basic rights of private individuals. The Commission is apparently particularly perturbed because Judge Ben C. Dawkins, a judge of the U.S. District Court for the Western District of Louisiana, ruled that the Commission's activities were subject not only to the Administrative Procedure Act, but to the basic rules of fair play.

The report discusses Judge Dawkins' ruling, and then, in an effort to render the coup de grace, it turns from the lawbooks, from the Constitution, from the rules of fair play, to that great source of unbiased comment on racial matters, to that fount of judicial, political, legislative, and other kinds of knowledge, the Washington Post. Can yon conceive of the audacity of this Commission, Mr. President? It seeks to refute the ruling of a Federal judge by quoting from a Washington Post editorial. It is absolutely ridiculous. Needless to say, of course, the Washington Post and Judge Dawkins are in disagreement. Judge Dawkins held that the Civil Rights Commission was bound to observe the standards of the Admiinstrative Procedure Act. The Washington Post, speaking through one of those anonymous individals who periodically don judicial robes and render their own opinions of the law, or perhaps what they believe the law ought to be, has held, however, that—and I quote:

> The Administrative Procedure Act was intended to apply to agencies which make rules

or adjudicate cases. The Civil Rights Commission does neither, of course.

Mr. President, after reading this report, I wonder if the Commission is not beginning to believe that we may not need Federal courts at all. I would not be surprised to find the Commission recommending that the Federal court system be abolished, and the task of adjudication be turned over to the Washington Post. Evidently the Commission believes that the Post editorial page is equivalent in authority to the voice of a Federal judge. That was the Commission's authority.

Am I charging that the Commission is biased? I most certainly am, Mr. President, and I think that charge is based upon sound logic.

Senators might be interested to know that on page xi of the complete Commission report are outlined some of the qualifications of those who hold responsible staff positions on that Commission. There we find that "George M. Johnson resigned as dean of the Howard University Law School to join the staff as Director of Planning and Research."

This statement, Mr. President, lets the cat out of the bag. It is one clue as to why the Commission's report could be nothing but biased, slanted, and anti-South.

Life magazine of June 13, 1955, published and article entitled "Chief Counsel for Equality." I quote from Life magazine:

> Marshall had only a small staff and limited funds, but every time a crucial case came up, he had—and still has—the enormous benefit of Howard University's dry runs. These are arduous, all-day rehearsals at the law school, where Marshall and his assistants try their arguments on a simulated Supreme Court made up of professors. Nine of them sit at a long table, and each one tries to act as much as possible like a specific Supreme Court Justice, sticking the lawyers with tough questions that might crop up in the Court itself. Law students form the audience and are encouraged to ask rough questions too.
>
> The value of such sessions has been proven repeatedly. During one dry run in preparation for a Supreme Court hearing on discrimination in housing, a student asked a question no one present could answer. At the end of the session a group of lawyers and professors met to seek the solution. Hour after hour they argued over it; finally at 5 a.m. they decided on the answer. Only a few minutes after the Supreme Court opened its hearings Justice Felix Frankfurter asked the very question posed by the students. The answer agreed on at Howard did the trick.

Johnson, it will be noted, was dean of the Howard University Law School. The chief legal counsel of the National Association for the Advancement of Colored People. Thurgood Marshall, has boasted on quite a few occasions that both the faculty and student body of the Howard University Law School assist the NAACP in performing its research, and in other tasks relative to preparing cases for presentation before various Federal and State tribunals.

In other words, the commander in chief of the NAACP's corps of part-time law clerks was given the job of directing Commission plans and research. I presume that the Commission knew full well that if a full-time employee of the NAACP had been given this job, even the so-called liberal press would have agreed that the staff lacked objectivity. Thus, in order to accomplish the same result, without heralding to the world what it had in mind, the Commission merely selected an indirect employee of the NAACP in order to do its dirty work.

The point I want the Senate to understand is that the Commission staff was not constituted in such a way as to be able to conduct an objective investigation, to consider fairly and objectively any conditions which it might look into, or to assist in rendering an unbiased report to the Congress. On the contrary, the entire mechanism, from Commission membership down through Commission staff, was deliberately set up in order to present to the Nation a slanted viewpoint of some of the most serious internal conflicts confronting the people of our country.

Yes, Mr. President, the Commission was a factfinding body. It deliberately set out to find facts which would bolster its own previously conceived notions of what it should find, what it should recommend, what it should advocate.

Earlier, I referred to the Commission's recommendations. I pointed out that they would be ridiculous, if they had not been rendered by an agency of the Federal Government. I now propose to discuss some of those recommendations and to demonstrate the reasoning behind my conclusions.

Actually, Mr. President, the recommendations dealing with voting rights are the most important, because the franchise is basic to the existence of any free government. Under our Constitution, the right of franchise is and should remain primarily a State function.

The Commission offered five recommendations with regard to voting.

The first would require that a special census be taken in order to compile registration and voting statistics including a count of individuals by race, color, and national origin who are registered, and a determination of the extent to which such individuals have voted since the last decennial census.

This would seem to be an innocuous recommendation, Mr. President, but a needless one, as well. Actually, it is a patent effort to get around various State laws which are designed to preserve the sanctity of the ballot. The Commission, because it has been refused a hunting license to search through State records, now seeks to shift the burden of that task to the Census Bureau.

The information thus gathered would, I assume, be compiled by census takers, none of whom are usually experts in the law, and few, if any, of whom would be qualified to evaluate whether or not the information given them was accurate. The census, I submit, was designed primarily as a "head count" in order to determine the number of persons living in our country at stated intervals. During more recent times, the Census Bureau has been authorized to provide statistical data covering other areas of our national life, particularly our national economic life. In no instance has it ever been empowered to become an investigatory arm of the Federal Government. In addition, the census survey proposed by the Commission would, since it is designed to cover the extent to which voting has taken place, involve the acceptance of unsworn, unchecked testimony—testimony which would be reduced to numbers and, clothed with the mantle of accuracy which has enveloped census reports during past decades. Data would be offered as facts while, as a matter of reality, they would be based upon subjective, as opposed to objective standards—and, in addition, would be the fruits of opinion, beliefs and attitudes.

Furthermore, there is no indication as to the cost of such a special census. However, it would obviously require census agents to visit every dwelling in the United States, since each voter, or person of voting age, would have to be questioned. Under these circumstances, I do not believe it would be incorrect to state that the cost of such a special census would approximate the cost of a regular dicennial census.

According to the Census Bureau, the 1950 Decennial Census cost $90,618,000. The 1960 census will probably cost much more than that; our Nation has grown tremendously during the last 10 years, and the cost of nearly everything has increased. This increase will doubtless affect the cost of the census.

Thus, I do not believe it is farfetched to state that the cost of the proposed special census would probably exceed $100 million.

In other words, the Civil Rights Commission is proposing a thoroughly needless census, to cost over $100 million. This is done without any qualms at all, and on the basis of a statement, otherwise unsupported by factual data, by the Commission, to the effect that information on voting turnout in the United States is incomplete.

The Commission's second voting recommendation involves a request for congressional legislation requiring that all State and Territorial voting records be made public records, and requiring further that they be preserved for a period of 5 years, during which time they would be subject to public inspection.

Now, Mr. President, the practical effect of this proposal would be to make such records Federal records. They would, for all practical purposes, be removed from the power of the States, and placed under the purportedly benevolent guardianship of the Federal Government.

But there are other defects, as well. First, the States would be put to a prohibitive expense in order to preserve such records for 5 years. This would be an unnecessary expense amounting to a Federal tax upon the States, a tax for which there is neither excuse nor justification.

Second, the preservation of such records, coupled with the requirement that they always be open to public inspection, would impose a burdensome duty upon the State officials involved, if, indeed, the proposed statute would impose requirements upon such registrars which

would be additional to those now imposed. Actually, Mr. President, there is no need for such a statute. In my own State of Louisiana, for example, applicable State law presently requires that certain voting records be preserved permanently, and that such records be available to the public.

The only restriction is that should persons want to copy or reproduce such records, application for such purposes must be made by 25 or more registered, qualified voters of the parish involved—see Louisiana Revised Statutes, title 18, section 91 to section 94.

Mr. President, what the Commission has in mind is not what the proposed statute would lead one to believe. What the Commission wants is carté blanché authority to haul away and copy as many of the voting records as it may desire. This intent is made crystal clear by language appearing on page 92 of the abridged report, to the effect that Louisiana has interpreted provisions for examination of the State registration and voting records as prohibiting such examination by the Commission staff.

As I understand the situation, Mr. President, objections were raised by the State of Louisiana, and affected registrars of voters, not to the examination of such records, but to the Commission's attempt to compel registrars of voters to bundle up such records and bring them to a hearing many miles from the parish seat of the parishes involved.

At this point, I wish to refer again to the decision rendered in the case of Larche against Hannah, civil action No. 7479, the opinion of which was written by Judge Ben C. Dawkins of the U.S. District Court for the Western District of Louisiana. This ruling resulted in the issuance of a temporary restraining order against the Civil Rights Commission, restraining the Commission from holding a proposed hearing in Shreveport, La.

It will be noted that Judge Dawkins points out that—

> The Commission has caused subpenas and subpenas duces tecum to be served upon plaintiffs in these suits, commanding them to be present and give testimony at the hearing and requiring the 16 registrars of voters, who are plaintiffs * * * to bring with them, for inspection and copying by the Commission, a large number of records from their offices.

Thus, Mr. President, while the Commission complains in its report that the State of Louisiana refused to permit the Commission to examine State voting records, the facts seem to be that objection was raised to the Commission's demand that such records be transported for considerable distances to a place of hearing, selected by the Commission, where such records were to be used in the nature of evidence against registrars of voters in an effort to harass and embarrass them, without opportunity for cross-examination, confrontation of accusers, or other basic rights of individuals.

What the State of Louisiana has objected to has been star-chamber hearings, and the wholesale examination of voting records on a "fishing expedition" basis.

Mr. President, I believe the evidence is clear that the Commission desires the enactment of the statute it has recommended in order to accord to the Commission the right to take over, lock, stock, and barrel, the official functions of elected State officials of the State of Louisiana, and all other States as well.

What the Commission has in mind is a second reconstruction. The recommendations it is offering, the legislation it is demanding, would, if placed on the statute books, result in the reenactment of the so-called Federal election laws of reconstruction days.

I think this result becomes obvious when the Commission's next two recommendations are considered. Recommendation No. 3 involves the enactment of the following statute:

> Nor shall any person or group of persons, under color of State law, arbitrarily and without legal justification or cause, act, or being under duty to act, fail to act, in such manner as to deprive or threaten to deprive any individual or group of individuals of the opportunity to register, vote and have that vote counted for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate or Commissioner for the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

Does this language strike a familiar chord in the memories of Senators? It should, for it is very close both in tone and in language to a section of the Federal election laws, enacted in 1870, but repealed in 1893, because not only were such laws burdensome, but because they actually had brought about more corruption and election fraud than ever before thought possible.

Here is section 2005 of the Revised Statutes, a part of the old Federal election laws, repealed in 1893:

> When, under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are charged with the duty of furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, every such person and officer shall give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote.

Compare the language of these two sections of law, and it will be obvious, Mr. President, that the intent of both is the same. Of course, the clever draftsmen of the Civil Rights Commission staff changed the words a little bit. They had to. After all, they are part and parcel of a devious effort, and the very nature of their work requires that they adopt devious means. It would be unthinkable for them to come forward honestly, and admit that they propose to reenact a section of one of the Reconstruction Acts.

Senators may think I am straining logic a little—that perhaps the staff and members of the Civil Rights Commission did not really mean to ask Congress to enact the Reconstruction days' Federal election law.

Yet, Mr. President, if we proceed to the fifth recommendation of the Commission, the objective of the Commission becomes clear and indisputable.

That recommendation proposes that under certain circumstances the Federal Government, that is, the President of the United States, would be required to dispatch a separate, Federal registrar of voters to a given area, and that such Federal official would have the power to register voters under State law, despite contrary findings by an elected State official.

Under the Commission's proposal, whenever nine persons certified to the Commission that they had been denied an opportunity to register to vote, and that they nevertheless believed themselves qualified, despite such denial, the Commission would sit as a factfinding body to evaluate the complaints referred to. If any and all affidavits were found to be justifiable, that fact would be certified to the President, who would then be directed to appoint a Federal registrar of voters to administer State registration laws.

In other words, Mr. President, the Civil Rights Commission wants to be given power to tell the President of the United States to displace selected State officials. The President would be denied any discretion in the matter of appointing such registrars. There would be no appeal from the decision of the Civil Rights Commission. That Commission would sit as a grand and glorious super legislature, super court, super executive—supreme in power over all in view—superior to the States, superior to the Congress, superior to the courts, and empowered to direct the President of the United States to perform an executive duty. In effect, the only function retained by the President in this area would be the purely ministerial function of naming a Federal registrar of voters when the Commission wanted one named. All the President could do would be to hop when the Commission said "frog."

In my opinion, Mr. President, this suggestion goes even further than the 1870 Federal election laws. Under that statute, Federal courts were empowered to appoint election supervisors, in order to more or less oversee elections. However, they were not vested with power to issue a mandate to the President of the United States to displace State-elected officials.

Be that as it may, Mr. President, I believe the obvious similarity between the now-defunct 1870 Federal election laws and the statutes proposed by the Civil Rights Commission in recommendations 3 and 5 of its report are clear to all who would like to take the time to look.

With this in mind, it is only logical for the Senate to examine into the operation of the 1870 Federal election statute, in order to see how it functioned, what results it accomplished, and why it was repealed.

We should begin to look at history, in an effort to keep from making the same mistake twice.

Well, Mr. President, if the record is examined, it will be found that the experience of the Nation under the Federal election laws was sad, indeed—so much

so that after an investigation of practices in New York City, the Congress, in 1893, determined that these laws should be repealed. Remember, Mr. President, although the Federal Election Act of 1870 was directed at the South, although this was one of the Reconstruction statutes designed to maintain the Southern States as vassals of an all-powerful Federal Government, operations under that statute were so putrid in the State of New York that the election law was repealed.

Listen to a portion of House Report No. 18 of the 53d Congress, 1st session, on H.R. 2331, "Repeal of the Federal election laws."

The object of legislation should be to prevent conflicts between the State and Federal authorities. These statutes have been fruitful in engendering them. Enacted in reconstruction times, when it was deemed necessary to carry out those measures, the purpose for which they were framed having happily passed away, we feel that they cannot be too quickly erased from the statute books.

But we regard these statutes as chiefly inimical to the best interests of the people because they are in effect a vote of lack of confidence in the States of the Union. The inference is irresistible that they were enacted because of a lack of confidence in the honesty if not in the ability of the States to conduct their own elections. With such an intention plainly on their face, with what consideration could they be met by the people for whom they were intended except that of distrust and suspicion? Would the U.S. Government suffer less by the prevalence of fraud in elections than the States whose officers we sent to represent it in the Government of the United States? Is fraud in elections any less contemptible because it emanates from the people of the States without Federal interference? Or is it any less dangerous to the people of the States because it lacks Federal supervision?

Let every trace of the reconstruction measures be wiped from the statute books; let the States of this great Union understand that the elections are in their own hands, and if there be fraud, coercing, or force used they will be the first to feel it. Responding to a universal sentiment throughout the country for greater purity in elections many of our States have enacted laws to protect the voter and to purify the ballot. These, under the guidance of State officers, have worked efficiently, satisfactorily, and beneficently; and if these Federal statutes are repealed that sentiment will receive an impetus which, if the cause still exists, will carry such enactments in every State of the Union. In many of the great cities of the country and in some of the rural districts, under the force of these Federal statutes, personal rights have been taken from the citizens and they have been deprived of their liberty by arrest and imprisonment. To enter into the details in many cases where citizens have been unjustifiably arrested and deprived of their liberty would be useless in this report.

We content ourselves in referring to Report No. 2365 of the second session of the 52d Congress on this subject, where many such instances are detailed.

Finally, these statutes should be speedily repealed because they mix State and Federal authority and power in the control and regulation of popular elections, thereby causing jealousy and friction between the two governments; because they have been used and will be used in the future as a part of the machinery of a political party to reward friends and destroy enemies; because under the practical operations of them the personal rights of citizens have been taken from them and justice and freedom denied them; because their enactment shows a distrust of the States, and their inability of indisposition to properly guard the elections, which, if ever true, has now happily passed away; and last, but not least, because their repeal will eliminate the judiciary from the political arena, and restore somewhat, we trust, the confidence of the people in the integrity and impartiality of the Federal tribunals.

In addition to this admonition, Mr. President, issued over three-quarters of a century ago, it would seem pertinent at this point to read to the Senate some of the other remarks advanced by the author of that report, with regard to the supervisors of elections—those 1870 counterparts of the Federal registrars of voters proposed by the Commission on Civil Rights in the year of our Lord 1959. I quote from page 6 of the House report:

The States for a hundred years and more have provided election laws, appointed officers for their proper execution, and provided the machinery of election. They have prescribed duties for such officers, and have imposed penalties for the failure to discharge these duties. This machinery and these officers, without distinction as to the character of the election whether it be State or Federal, have the same duties imposed upon them in all essential qualities. With this state of things we find these statutes which are sought to be repealed create officers whose duties it shall be to supervise, scrutinize, and watch every act of the officers of the States. This of itself must create friction, and the history of the country since the enactment of these laws, has demonstrated their unwisdom in this respect. The power to guard, scrutinize, and inspect implies the power to correct or prevent that which is scrutinized. The power to supervise implies the power to compel the doing or to prevent the doing of the thing which is the subject of the supervision. How then can the United States, by its supervisors and deputy marshals, supervise an election under a law which it has not enacted or scrutinized the registration (a condition of suffrage in many of the States) when the right of suffrage emanates from the State itself and the State alone can determine it?

Later, on page 7, the report had this to say:

Many of these statutes also impose penalties upon the election officers of the States, in the conduct of elections, for a violation of the State laws. Was ever a more monstrous proposition written on the statute books of a free country? The power to make laws is a sovereign power. It carries with it the power to punish for the violation of such laws, but the two powers must be coordinate. The power that creates the law can inflict punishment for its violation, but no power can inflict punishment rightfully for the violation of a law which it never made. To attempt it, as has been done in the past, has resulted only in irritation, contention, and criticism of the government that has proposed it.

Thus, Mr. President, if it is the intent of the Senate to preserve and continue the Civil Rights Commission, I think that intent should be coupled with an understanding of what is proposed to be done. I think it behooves the Senate to realize that it will be doing more than merely continuing a factfinding group. It will, in effect, be endorsing, at least indirectly, recommendations which propose the imposition of a second reconstruction upon the Southern States, nay, upon the Nation.

The Civil Rights Commission, by the very terms of its report, has served notice that it is leading, and will continue to lead, the attack upon our Federal structure, as now constituted. It has practically told the Congress that it desires to throw overboard the basic concepts upon which the Constitution rests, and has recommended that the federalist system devised by our founding fathers be supplanted by a monolithic government modeled after the government of some well-known totalitarian states. It has even gone so far as to recommend the appointment of Federal commissars to determine who will, or will not, be permitted to vote.

If the Senate wishes to give this group a vote of confidence, that is the Senate's business, but I believe Senators should understand what they are endorsing before they sign their names on the dotted line and rush off for the airport to return home.

If any doubt remains as to the direction in which the Civil Rights Commission wants to push the course of our Government, it is dispelled by the position of those three members of the Commission who advocate a constitutional amendment dealing with qualifications of voters. Three members of the Civil Rights Commission—one-half of the total membership—believe that the Constitution should be amended to prohibit the application of any voting qualifications by the States except those relating to age and residence.

What the Commission wants to do, it says, is to make State laws more or less uniform. What they have in mind would certainly do just that, but, by limiting voting standards which States could impose as to age and length of residence, three members of the Commission want to open the door to the most ridiculous, yet critical and serious set of circumstances ever witnessed by this Nation.

It is difficult to quarrel with the desire for universal suffrage, Mr. President, but the cold fact remains that any suffrage, in order to be effective, must take into consideration factors other than merely age and length of residence.

Under the Commission's recommendations a proposed constitutional amendment would give the right to vote to every citizen who meets his State's age and residence requirements, and who is not legally confined at the time of registration or election.

What about incompetents, Mr. President? Would they be permitted to vote under this scheme? Evidently they would, provided they are not confined. Yet, in my own State of Louisiana, there exists an unconfined class of incompetents—persons unable to contract, persons whose affairs are placed under the supervision of guardians, or tutors, to use the more precise civil law terminology. Such persons are termed "interdicts." Under Louisiana voting laws, these persons cannot vote, and this prohibition is based upon real and basic considerations. The logic is simple, and, in my opinion, correct—namely, that if persons have been found to be unable to conduct their own affairs, they should

not be placed in a position to assist in conducting affairs of government.

Yet, three members of the Civil Rights Commission would insist upon extending the right of franchise to persons such as these.

Let me outline some of the other classes of persons in Louisiana who are denied the franchise, under Louisiana voting law, but who three members of the Civil Rights Commission would like to see participating in the affairs of government.

First, convicted felons who have not been subsequently pardoned.

Mr. President, I suppose it might be argued that this is in the nature of further punishment meted out to those who flaunt the laws of their State, and that such additional punishment is too severe, yet, why should such persons have the right to vote? Note that the prohibition in Louisiana extends only to persons convicted of a felony, a serious crime against the peace and dignity of the State. Is it too farfetched to imagine that persons who deliberately commit an offense against their government would maintain a serious and realistic interest in properly molding the course and fortunes of that government? Of course not, but three members of the Civil Rights Commission believe otherwise. "Open the jail doors," they cry, "and hand the ballot to all the felons you may release—the arsonists, the rapists, the murderers, and even to those who might have been convicted of treason."

If this is the kind of thinking the Senate of the United States wants to perpetuate in office, if this is the kind of recommendations the Senate believes should be bought and paid for by the American taxpayers, then the Senate is not true to the trust imposed upon it by the Constitution.

Here is another group of persons denied the vote in Louisiana: deserters from military service, until they have returned to the command from which they deserted, made good the time lost in desertion, and served out the term of their original enlistment.

Why should deserters from military service be given the right to vote, Mr. President? Can the three members of the Commission who want to extend that right really believe that a citizen who *shirks his* duty to defend his country against all enemies, both domestic and foreign, and who willfully breaches his solemn contract with his government, is fit to participate in the electoral process? If they do, then may the Lord have mercy upon our Nation, for we have come upon evil days, and leadership has fallen into bad hands.

What about another class of persons denied the right to vote in Louisiana, namely, persons dishonorably discharged from the Louisiana National Guard, or from the military service of the United States, unless reinstated? Should these be permitted to vote? Should persons found to be rendering dishonorable service to their government be permitted to help pass judgment on the course of action of that government? I believe the question answers itself.

Oh, of course, the three Commissioners who demand this proposed constitutional amendment say they are worried about literacy—they do not like some State laws which deny the franchise to illiterates.

Well, they might be right, but let us weigh this proposition against just two factors, and then see just how meritorious the proposition of the three Commissioners may be.

First, illiterates cannot read a ballot, hence, when exercising the right to vote, must be accompanied by some other person.

Second, since illiterates cannot read in the first place, they have no way of knowing whether or not the person, or persons, demonstrating how their ballot should be marked, are, indeed, following the will of the voter.

Can Senators visualize just what complete elimination of the literacy requirement would do in the way of opening the doors to election fraud? I hope they can, because, obviously, the three Commissioners who advocate such a proposal cannot.

It may well be that the Commissioners involved are merely expressing concern about what they believe is a wrongful denial of the right to vote in some areas, but the manner in which this concern is expressed casts a curtain of doubt over the judgment of three of the six members of this Commission to which the task of examining factors operating in the civil rights area has been entrusted.

I submit, Mr. President, that it would be a mistake of the first magnitude for the Senate to vote to perpetuate the Civil Rights Commission. As I have tried to point out, the Commission's report, standing alone, offers reasons in abundance why the Commission should be disbanded.

Of course, Mr. President, I am realistic enough to understand that much of the data contained in the Commission's report, along with some of the attitudes expressed therein, were perhaps highly colored by the background and beliefs of the members of the Commission's staff, as well as the members of the Commission, themselves.

For one thing, Senators will note that, in addition to recommending that Federal power and authority be greatly expanded—even at the cost of amending the Constitution, among other things—the Commission has made sure that it would receive an abundant share of the new power which it proposes to vest in the central Government, plus a long and perhaps perpetual life.

As a matter of fact, of the Commission's 14 recommendations, more than one-third—a total of 5, to be precise—contemplate Congress giving the Civil Rights Commission not only permanent status, but a greatly expanded role in the area of Federal-State relations.

I need not remind Senators that the Civil Rights Commission was created as a factfinding body. I have already paid my respects to its "factfinding" ability.

However, to the best of my recollection, at the time the Commission was created, the Congress envisioned it as a kind of quasi-legal task force, designed to accomplish three specific functions, which I have already enumerated, to present their findings vis-a-vis those functions to the Congress, and then to disband itself.

If further proof of this is required, I direct Senators to page 12 of the Senate Judiciary Committee Hearing held on S. 83 and related bills during the months of February and March 1957. The Attorney General of the United States, Mr. Brownell, who has boasted that he conceived the Civil Rights Commission, stated:

> Above and beyond the need for improving the legal remedies for dealing with specific civil rights violations is the need for greater knowledge and understanding of all of the complex problems involved.
>
> The proposal before you would create a bipartisan executive commission for the express purpose of making a full-scale study of the problem and of reporting within a 2-year period.

Later, on page 15, Mr. Brownell testified:

> This is only a 2-year Commission.

But I suppose, Mr. President, that it was too much to expect that this Commission would do its assigned job, and then quietly follow the mandate of the Congress, and disband. Actually, I had hoped that such would be the case, but it obviously is not.

Instead of actually being disbanded, the Commission is sought to be continued, not only at the behest of the Congress, but at the instigation of the Commission itself. I presume this is understandable. The staff members are very anxious to preserve their jobs. They are getting good pay. They are advancing the purposes of the National Association for the Advancement of Colored People with full and complete immunity, and are doing so under the protection and authority of the Federal Government. It is only natural, I suppose, for them to want to remain on the Federal payroll.

But, their desires to the contrary and notwithstanding, I state here and now that it is time for the Congress to cut short their ambitions, before we wake up and find that the creeping tentacles of this governmental octopus have become so firmly affixed to our body politic that they are impossible of removal.

A few moments ago, I referred to the 14 recommendations submitted by the Commission, and pointed out that 5 of them envisioned an expanded role for the Commission. Let us take these in order.

First, as to voting, the Commission is dissatisfied with the present scope of its subpena power. Not only does it want to preserve the power of subpena, but the Commission wants to be authorized to apply directly to the appropriate U.S. district court for an order enforcing a subpena, in the event of contumacy, or refusal to obey such a subpena. The Commission finds it burdensome to have the Attorney General to enforce its subpena power.

Now, is not that just too bad, Mr. President?

In all seriousness, the Commission apparently has in mind setting itself up as

a separate little kingdom answerable to no one—except perhaps the NAACP and other organizations—similar, if not superior, in status to the Justice Department. It even wants authority equivalent to that presently vested in the Attorney General to apply for the enforcement of its subpena powers.

This demand, Mr. President, should most emphatically be denied. There has been no showing that the Commission's existing authority is insufficient, other than the statement of the Commission itself. I indeed hope that the Senate will not accord this extraordinary power to the Commission. The fact that the Commission has the power to subpena is bad enough; let us not compound an existing legislative mistake by vesting unchecked enforcement power in the Commission.

In recommendation No. 5, under the heading "Voting Rights," which I have already discussed in some detail, it will be noted that the Commission wants itself set up as a Jehovah-like board of inquiry, empowered to look into alleged denials of the right to register to vote, to make findings of fact thereon, and, acting upon those findings, to direct the President of the United States to appoint Federal registrars of voters in any chosen area of our country.

A number of factors immediately stand out:

First, as I have stated, the Commission, in effect, wants to vest itself with judicial power, in that it wants authority to receive and evaluate allegations of denial of the right to register to vote.

Second, it desires to obtain that power, completely free from any safeguards or standards whatsoever. There is no indication that such proceedings would be adversary in nature, despite the fact that there might well be another side to the question. The registrar, or, for that matter, the State, about which complaint was made need not be accorded an opportunity to be present at any hearings which might be held, to present evidence, to cross-examine complainants, or to have any other rights which the Constitution demands and the rules of fair play require.

As a matter of fact, there is no assurance that there would be a hearing at all. The factfinding proposed to be performed by the Commission could well be done summarily, in executive session, on an ex parte basis.

Third, there are no standards set forth by which the Commission would be guided in making its determination. The complaints involved might well be the result of an honest error on the part of a registrar, but there is no guarantee that if, indeed, such should happen to be the case, the Commission would not decide to require the appointment of a Federal registrar of voters in the appropriate area, or areas.

Along these same lines, it should be noted that nine complaints would have to be received by the Commission before it could initiate action. However, these complaints could originate in any district, county, parish, or other political subdivisions of a State.

Let us see what might well happen, Mr. President, in the Third Congressional District of Louisiana, which happens to be my home district.

This district consists of eight parishes. A group of nine dissidents, perhaps acting at the instigation of the Civil Rights Commission, could file affidavits with the Commission—with eight of these affidavits originating in eight different parishes, and one in a municipality located within any parish in the district. Any or all of these nine complaints could be determined to be "well-founded," to use the language of the Commission.

Upon such a finding the Commission could certify to the President that Federal registrars should be appointed in each of the eight parishes of this congressional district.

In this connection, it should be noted that there would be no appeal from the Commission's finding. On the contrary, as outlined in the Commission's recommendation, that finding would be conclusive.

It should be further noted that, as I have already pointed out, the President would not have any discretion once the Commission certified its findings to him. To use the Commission's language:

> The President upon such certification shall designate an existing Federal officer or employee in the area from which complaints are received, to act as a temporary registrar.

In other words, Mr. President, the Commission's nonappealable certification would impose upon the President the absolute duty to appoint a temporary registrar. Even the President would have no discretion. He would be compelled to bend to the Commission's demands.

I submit, Mr. President, that a procedure of this kind is tailor-made for despotism. If ever the day came that a President desired to perpetuate himself in office, this is how it would be done:

First, repeal the two-term limit on Presidential terms.

Second, appoint a Civil Rights Commission whose membership would be subject to the President's wishes.

Third, through the agents of this Commission, ferret out a sufficient number of individuals within a political subdivision of a State willing to provide the necessary affidavits, and initiate a proceeding before the Commission.

Fourth, prevail upon the hand-picked membership of the Commission to find that the complaints or any requisite number thereof were well founded.

Fifth, see to it that the necessary certification was made to the President.

Sixth, appoint a temporary registrar of voters of the appropriate political persuasion, and,

Seventh, sit back and count the votes at the next election.

Through such a procedure, Mr. President, it would be possible for an unscrupulous Chief Executive to perpetuate himself in office. As a matter of fact, under this procedure, the members of the Civil Rights Commission could well become a board of super-Presidents, since they would have the practical say-so about whether or not a Federal registrar was to be named, under what conditions, and where.

Where is any safeguard against such arbitrary action to be found? Is it found in our history? I submit it is not. On the contrary, one of the gravest faults of the 1870 Federal election laws was the fact that they accommodated themselves to the grasping greed of unscrupulous politicians.

Is such a safeguard found in the courts? It is not, because there would be no appeal from the Commission's findings, or certification.

Is there a safeguard provided by way of standards which the Commission would be bound to follow? There is not. The only standard I can find in the Commission's recommendation is the proposal that the complaint be "well founded." This standard, Mr. President, has no parallel to my knowledge, unless it be the standard sometimes applied by Federal judges in determining whether a complaint filed under the Federal rules of civil procedure should be dismissed pursuant to a motion to dismiss.

Is there a safeguard in the President's discretion? There most certainly is not because the President has no discretion.

Once the Commission's certification reaches his desk—then he shall appoint the temporary registrar. In this connection, it might be well for Senators to note that as few as one well-founded complaint could result in the appointment of a Federal registrar throughout a political subdivision of a State. The Commission's proposal states that any and all well-founded complaints are to be certified to the President. "Any and all" could well mean one such complaint.

Is there a safeguard provided as to the duration of time for which such temporary registrars would be appointed to serve? Absolutely not. The Commission's proposal states that "Jurisdiction shall be retained until such time as the President determines that the presence of the appointed registrar is no longer necessary."

Mr. President, the procedures I have outlined, the lack of safeguards in the Commission's recommendation No. 5 under the heading "voting," offer the Nation a roadmap to despotism. This proposal is not only dangerous, it is not only a blueprint for totalitarian rule, but it serves as ample evidence of the fact that either the members of the Commission must have drifted into a state of temporary incoherence while compiling their report or they comprise, indeed, the largest and most powerful conglomeration of unrealistic, impractical, dreamy-eyed schemers it has been the Nation's misfortune to have created for quite some time.

In any event, the recommendation I have just discussed is another brick in the solid structure of evidence that the Civil Rights Commission, under the terms of the recommendations it has submitted, wants to constitute itself not only as a supreme judge of the Nation's morals, but as one of the most, if not the most, powerful element in our governmental structure.

I would remind Senators that these are only two of the five recommendations which attest to that fact.

Two more are found under the heading "Public Education," and appear on page 133 of the Commission's abridged report. They are:

That the President propose and the Congress enact legislation to authorize the Commission on Civil Rights, if extended, to serve as a clearinghouse to collect and make available to States and to local communities information concerning programs and procedures used by school districts to comply with the Supreme Court mandate either voluntarily or by court order, including data as to the known effects of the programs on the quality of education and the cost thereof.

That the Commission on Civil Rights be authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements and local conditions; and to mediate and conciliate, upon request, disputes as to proposed plans and their implementation.

These, too, Mr. President, contemplate not only an expansion of the Commission's authority, but also the breathing of perpetual life into this group. Perhaps even more dangerous in the long run is that these recommendations would give the Commission a foothold in the operation of our school systems, through the creation of a "mediation and conciliation service." If such a service were created, I fear for the end results, particularly in the light of some of the other harebrained schemes concocted by this Commission and its staff of well-paid agitators.

The Commission is not satisfied to recommend that it be given almost total authority over the electoral process plus a growing toehold in the public education, it also wants to get its fingers into housing. I quote recommendation No. 2 of the Commission, under the heading "Housing":

That the President issue an Executive order stating the constitutional objective of equal opportunity in housing, directing all Federal agencies to shape their policies and practices to make the maximum contribution to the achievement of this goal, and requesting the Commission on Civil Rights, if extended, to continue to study and appraise the policies of Federal housing agencies, to prepare and propose plans to bring about the end of discrimination in all federally assisted housing, and to make appropriate recommendations.

Again, I remark, Mr. President, that the situation confronting the Senate would be laughable if it were not so serious. Here we have a Commission, created for a 2-year term, directed to perform certain specific functions, in certain specific fields, proposing to extend itself into three major and important aspects of American life—that is, elections, schools, and housing—on a permanent basis, with power that no single agency of government should ever have, if indeed, it should be necessary to vest such powers in the Federal governmental structure at all.

Mr. President, during recent months the Senate has been receiving complaint after complaint from the executive branch about the magnitude of proposed Federal expenditures. The President has not hesitated to use his veto power in an effort to impose his views as to what course the Federal budget should take, ranging over areas from housing, through water resources projects.

The Civil Rights Commission offers a grade A opportunity to save the taxpayers a substantial amount of money. Yet, the President not only has no objection to this scheme, but is actually supporting it.

According to my figures, the Civil Rights Commission expended, through June 30, 1959, a total of $725,390. To carry the Commission through its present termination date, November 9, 1959, an additional $280,000 has been made available. To finance the Commission's operations through June 30, 1960—that is, through the remainder of the 1960 fiscal year—would require an additional $500,000. It is proposed to couple this $500,000 appropriation with new legislative authority to extend the life of the Civil Rights Commission.

Mr. President, I believe it is only fair that the Congress balance the accomplishments of this so-called Commission against the more than $1,000,000 it will have spent by November 9, 1959.

What are these accomplishments?

I have already mentioned the report of the Commission. I presume that this could be referred to as an accomplishment, although it might more aptly be termed a discredit to the people and the Government of the United States.

The distinguished Senator from North Carolina [Mr. ERVIN] has already discussed another so-called accomplishment of this Commission. He has dramatized the wholesale waste of taxpayers' money by this roving band of star-chamber inquisitors. On last Saturday evening, the Senator from North Carolina pointed out:

Under the act, the Commission was authorized to investigate only verified complaints, that is complaints on oath or affirmation alleging a denial of voting rights. The Commission received—down to April 30 of this year—only 253 verified voting-rights complaints which were sworn to and which the Commission was authorized to investigate under the statute which created the Commission. Down to the time when the Commission had received the 253 voting-rights complaints, from 25 States, the Commission's total expenditures were $762,500. In other words, averaging the cost of the operation of the Commission for the voting-rights complaints, the only thing it was authorized to investigate—it was authorized to make some studies, but not to investigate anything else—it cost the American taxpayers $3,013.83 for each voting-right complaint it received.

Now it is being asked that the life of the Commission be extended. The voting rights complaints which the Commission received to April 30, 1959, have cost the taxpayers $3,013.83 per complaint. I do not think the taxpayers' money should be dealt with in that fashion.

Some objections were raised to the Senator's analysis, on the basis that the Commission's grant of power permitted it to go beyond the field of voting rights in its investigations. Frankly, Mr. President, I believe that any fair interpretation of the law creating the Commission would amply support the position of the Senator from North Carolina, but I must respectfully submit that even if, indeed, the Commission were justified in investigating problems other than voting, the costs of such investigations have been unjustifiably high.

The records show that through August 25, 1959, the Commission had received a grand total of 1,048 complaints dealing with the three factors it had chosen to investigate—that is, voting, housing and education. Of these 1,048 complaints, 342 dealt with voting rights. Of this amount 280 were sworn complaints and 62 unsworn. Under the law the Commission can only look into sworn complaints.

Thus, the Senate must bear in mind that the voluminous report submitted by the Commission, the recommendations based on that report, and the barefaced proposal that the Federal Government in effect take over the entire electoral process, were all based upon no more than 280 voting complaints.

The housing complaints and the education complaints were not required to be sworn, thus, if the total of such complaints—that is, 706—be added to the total of sworn complaints dealing with voting, it will be seen that the Commission, during its 2 years of operations, has had before it less than 1,000 complaints from a total population of 176 million people.

Put another way, Mr. President, the complaints received by the Commission through August 25 came from less than one-two hundredths of 1 percent of our total population. Based on the estimated total expenditure of the Commission through its present termination date of about $1 million, it will be seen that it has cost the taxpayers of this country approximately $1,000 to process each and every complaint received thus far by the Civil Rights Commission.

Mr. President, this strikes me as an unconscionable expenditure, an absolute waste of public funds. Certainly the people of the United States deserve more value for their money than has been received thus far. It is morally, as well as politically, wrong for one-two hundredth of 1 percent of our total population—including, no doubt, quite a few political agitators—to be handed $1 million of scarce tax dollars on more or less a silver platter.

Here is an area where we could assist the President in achieving assurance of a balanced budget in fiscal year 1960.

I would also remind the Senate that the $1 million which the Commission has cost the Government is only the direct cost of its operations. The indirect cost occasioned by the existence of this roving group of biased factfinders is doubtless tremendous. We have no breakdown of how much the Commission's operations may have cost the Justice Department, for example, or the Civil Service Commission, which is charged with investigating the qualifications of individuals hired by the Commission.

There is no sum available as to the cost imposed upon the States or upon the judicial branch of the Federal Government. I have not been able to obtain an estimate as to how much the proceedings attempted by the Commission in my own State of Louisiana cost the taxpayers

of Louisiana, or how much was expended to finance the court proceeding conducted by Judge Dawkins of the U.S. District Court for the Western District of Louisiana, to which I referred earlier. It strikes me, however, that such costs must have been considerable. If these are added to the Commission's expenses, along with the cost of similar proceedings in Alabama and elsewhere, I feel sure that the figure is considerably in excess of the $1 million in direct costs this Commission has cost the taxpayers of this country.

Mr. President, if the Senate, if the Congress, is indeed anxious to assist the President of the United States in reducing Federal expenditures, I cannot think of a better place to start than right here. Actually, Mr. President, in many ways it is most appropriate for the Civil Rights Commission request for funds to have been lodged in the pending bill. The mutual security program is the most wasteful single program presently financed by the Federal Government. Here we have before us legislation which accounts for much, if not most, of the waste presently found in Federal expenditures. Here, in one bill is found nearly $1½ billion for military assistance, $600 million of which will be provided to countries of Western Europe. This is certainly waste. The bill carries vast sums for grant economic aid to a multitude of countries throughout the world. Much of this is waste.

It is poetic justice that the proponents of an extended Civil Rights Commission should choose to nestle away, among other wasteful expenditures, the proposed appropriation of $500,000 for the Civil Rights Commission. I advise the Senate, Mr. President, that if it wants to strike a blow for a balanced budget, the first thing that should be done is to vote down this entire proposal—foreign aid and the Civil Rights Commission together.

I also want to point out to Senators that the Commission consists of an unjustifiably large number of lawyers. According to figures supplied by Mr. Gordon Tiffany, Director of the Commission, in testimony before the Senate Committee on Appropriations this year, some 66 persons were on the Commission's payroll as of August 25. Of this number, 22—or exactly one-third—were attorneys.

During the prior period for which I have figures, that is, the period December 29, 1957, through June 30, 1958, a total of 31 lawyers were on the payroll of the Commission.

If the function of the Commission is merely to investigate and evaluate conditions existing with regard to voting, housing, and public education, why are so many lawyers needed, Mr. President?

The truth of the matter is that this is not merely an investigatory, or an evaluating body; it is a quasi-grand jury, and it will continue to employ hordes of lawyers and investigators to harass the elected officials of the 50 States of this Union unless it is permitted to die a natural death.

Mr. President, I have already spoken much longer than I originally intended, but as I indicated at the beginning of my address, I believe I would be derelict in my duty if I failed to call to the Senate's attention the harm which is inherent in the proposal to breathe further life into the Civil Rights Commission. I realize that those of us who oppose this scheme are, in reality, voices crying in the wilderness. This session of the Congress is quickly drawing to a close. The Senate is anxious to go home. There is every evidence that if this matter is pressed too far a petition will be presented to invoke cloture and stifle free debate.

In closing I want to remind the Senate that it must, in considering extending the life of the Civil Rights Commission, weigh the desirability of such an extension against the attitudes assumed and the opinions expressed by the Commission in its report to the Congress.

I repeat, Mr. President, this report is a blueprint for depotism. It completely ignores the admonition of one of the Founding Fathers of our great Republic, Thomas Jefferson, who declared:

> In questions of power let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

Mr. JOHNSON of Texas. Mr. President, on the question of agreeing to the motion to suspend the rule, I ask for the yeas and nays.

The PRESIDING OFICER (Mr. MUSKIE in the chair). Is there a sufficient second?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] to suspend paragraph 4 of rule XVI, for the purpose of proposing a certain amendment.

Mr. JOHNSON of Texas. Mr. President, I anticipate that the vote will be taken very soon.

At this time, I yield to the distinguished Senator from Kentucky [Mr. MORTON] who, I understand, desires to address the Senate.

Mr. MORTON. I thank the majority leader.

Mr. President, much has been made of the fact that so few voting complaints have been made to the Commission. This point utterly ignores the significance of the complaints. These complaints are symptoms of a disease in our democracy.

If I were a physician, and if, after examining a patient, I found only three red spots and a couple of white spots at the back of the tongue, would I therefore be justified for a failure to treat a case of diphtheria? Or if I were a surgeon, and I found on my patient but one small malignant growth, should I therefore be excused for a failure to operate upon a cancer?

In the case of these voting complaints, it is said there are only 95 in Louisiana. What is the significance of these complaints? It is just this:

The legislature in Louisiana has raised and appropriated money for a joint legislative committee to preserve the principles of segregation. The chairman of this committee, who until recently was also president of the citizens councils in Louisiana, has instituted a statewide purge of Negro voters in the State. In concert with the citizens councils, an organized purge of Negro voters is now underway in Louisiana. Citizens council members are acting as challengers of voters in the various parishes within that State, and it is the open boast of the chairman of the joint legislative committee on segregation that they will reduce the number of Negro voters in Louisiana from 130,000 to 13,000. That is why 95 voting complaints are important, even if they be considered small in number—a consideration with which I do not agree; and that is why it is important for this Commission to continue its work to disclose objectively the facts and the patterns which may be corrected and need correction if we are to function as a true democracy.

This investigation and hearing were recently enjoined in the courts. The case is still pending. An appeal would not be decided, in all probability, until after the life of the Commission would cease, under existing law. This reason alone—to finish unfinished business—is a sufficient reason for extension of the life of the Commission.

In addition, let us remember that the investigation of complaints is only one-third of the statutory duties of this Commission, which is primarily a commission to study and collect information generally on the denial of equal protection of the laws—both at the State and the Federal level. This is a painstaking and time-consuming job. It is not yet finished. But to say that all of this money is being spent on complaints is patently not true.

We should extend the life of the Commission. We should give it the modest sum which the Budget Bureau requested for the balance of the year, and we should call a halt to the dilatory tactics, and should let the Commission get on with the job.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] that paragraph 4, of rule XVI, be suspended.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. Mr. President, I announce that the Senator from Oklahoma [Mr. KERR], the Senator from Hawaii [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Montana [Mr. MURRAY] are absent on official business.

I also announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

On this vote the Senator from Hawaii [Mr. LONG] and the Senator from Wyoming [Mr. O'MAHONEY] are paired with

the Senator from Arkansas [Mr. McCLELLAN], if present and voting, the Senator from Hawaii [Mr. LONG], and the Senator from Wyoming [Mr. O'MAHONEY] would vote "yea," and the Senator from Arkansas [Mr. McCLELLAN] would vote "nay."

I further announce that if present and voting, the Senator from Oklahoma [Mr. KERR], and the Senator from Montana [Mr. MURRAY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Kansas [Mr. SCHOEPPEL], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. MARTIN] are absent on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Utah [Mr. BENNETT], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The yeas and nays resulted—yeas 71, nays 18, as follows:

YEAS—71

Aiken	Dworshak	McGee
Allott	Engle	McNamara
Anderson	Fong	Magnuson
Bartlett	Frear	Mansfield
Beall	Gore	Monroney
Bible	Green	Morse
Bridges	Gruening	Morton
Bush	Hart	Moss
Butler	Hartke	Mundt
Byrd, W. Va.	Hayden	Muskie
Cannon	Hennings	Neuberger
Capehart	Hickenlooper	Pastore
Carroll	Hruska	Prouty
Case, N.J.	Humphrey	Proxmire
Case, S. Dak.	Jackson	Randolph
Chavez	Javits	Saltonstall
Church	Johnson, Tex.	Smith
Clark	Keating	Symington
Cooper	Kefauver	Wiley
Cotton	Kennedy	Williams, N.J.
Curtis	Kuchel	Williams, Del.
Dirksen	Langer	Yarborough
Dodd	Lausche	Young, Ohio
Douglas	McCarthy	

NAYS—18

Byrd, Va.	Holland	Smathers
Eastland	Johnston, S.C.	Sparkman
Ellender	Jordan	Stennis
Ervin	Long, La.	Talmadge
Fulbright	Robertson	Thurmond
Hill	Russell	Young, N. Dak.

NOT VOTING—11

Bennett	Long, Hawaii	O'Mahoney
Carlson	McClellan	Schoeppel
Goldwater	Martin	Scott
Kerr	Murray	

The PRESIDING OFFICER (Mr. MUSKIE in the chair). On this vote there are 71 yeas and 18 nays. More than two-thirds of the Members of the Senate present having voted in the affirmative, the motion of the Senator from Arizona [Mr. HAYDEN] is agreed to, and the rule is suspended.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 20, after line 11, it is proposed to insert the following:

COMMISSION ON CIVIL RIGHTS

Salaries And Expenses

For an additional amount for "Salaries and expenses", $500,000: *Provided*, That section 104(b) of the Civil Rights Act of 1957 is amended by striking out the words "two years" and inserting in lieu thereof "four years".

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President——

SEVERAL SENATORS. Vote! Vote! Vote! Vote!

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Is the amendment subject to amendment?

The PRESIDING OFFICER. The amendment is subject to amendment, in the appropriate way.

Mr. JAVITS. Mr. President, I will state to the leadership that one of the reasons why amendments are being withheld—although I have some amendments and other Senators have some amendments, and we all know it—by those of us who would otherwise offer them is because we feel there will be a day certain next year when this subject may be opened up and debated with a view toward legislating on it. There was a great deal of colloquy on this subject this morning. We have not heard it mentioned since.

Mr. President, if the opportunity goes by to offer amendments to this particular amendment, we will require a new suspension of the rules should we desire to submit an amendment, if no such understanding is forthcoming, so far as all of us are concerned. So I should like to address a query to the minority leader, to my own leader, as to when he feels that he will, in the next session of Congress, bring up the question of an amendment to a bill or the question of a motion to discharge the committee, or take some other action to make available to those of us who have amendments at this time the opportunity for debating and for acting upon what is called civil rights legislation?

Mr. President, it seems to me that in order to reach an understanding we ought to have some particular date before us at this time. This is the moment when the subject should be discussed with respect to this measure.

Mr. DIRKSEN. Mr. President——

Mr. HENNINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. For what purpose does the Senator rise?

Mr. HENNINGS. I ask the Senator to yield.

Mr. DIRKSEN. Mr. President, I think the inquiry was addressed to the minority leader.

Mr. HENNINGS. I should like to make an inquiry of the Senator from New York.

Mr. DIRKSEN. Yes.

Mr. JAVITS. Mr. President, I first yield to my minority leader, since I asked him a direct question. Then I shall be happy to yield to other Senators. I should like to yield first to my own leader.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. HENNINGS. I will abide by that decision, certainly.

Mr. DIRKSEN. Mr. President, this morning we had an extended colloquy on this matter. In the main I think the difficulty lies in the selection of a date when the matter might be taken up for further action, after the turn of the new year.

I wish to say that the majority leader has been most cooperative about this. I think there is some agreement now that such could be done on or after the 15th day of February. I think a specific date at that time would certainly be most agreeable to my distinguished friend from New York.

If the Senator will permit, I think I ought to refer the matter to the majority leader, because in his capacity as the majority leader he is in a position, of course, to make a better determination of that matter, and I think he can inform the Senate on that point at this time.

Mr. JOHNSON of Texas. Mr. President——

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. If the Senator wants to speak I will yield.

Mr. HENNINGS. Mr. President, having shared some considerable interest in this proposed legislation over a period of some years, having been the chairman of the subcommittee which held the hearings and reported the bill, and having been a member of the committee with the distinguished minority leader, I simply want to say that the distinguished majority leader and the distinguished minority leader have been exceedingly cooperative.

I stated my position on Saturday night, by placing my statement in the RECORD. I did not make a lengthy speech because I did not think the speech would change one vote on this floor on this subject.

I am willing to rely upon the good faith of the minority leader and of the majority leader with respect to the proposed legislation and an opportunity to bring it before the Senate without undertaking to commit the leadership to a day certain.

The distinguished minority leader has suggested February 15 or some day thereafter. The Senator might find it more convenient to bring up the matter before that time, or thereafter, but I think we can all agree that no further hearings are required, and little if any further speeches are required upon the subject. There might be some speeches on some of the amendments. I have offered some amendments and have asked to have them lie on the table.

I think my colleague, the Senator from New York, has done likewise.

I thank the Senator from New York.

Mr. JAVITS. I thank my colleague.

Mr. President, I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I thought we had covered this matter several times in the last few days. We discussed it at some length this morning. I expressed my views then, and I will repeat them now.

Each Senator is within his rights to offer any motion he may desire to make to have the Senate proceed to consider proposed civil rights legislation, or any part of any civil rights bill, at any time he may choose to do so. I think it is pretty generally accepted that it is not desirable or wise to make such a motion at this time, because I do not think such a motion would be in the interest of passing any kind of a civil rights bill. I think most of the Members of the Senate are of that opinion.

I stated this morning what I have said on other occasions, that when we return next year I have no doubt that a motion will be made in regard to considering a bill which has been passed by the House, if such a bill should be passed by the House; or a motion will be made to consider the resolution now on the calendar, which was offered by the Senator from New York; or a motion will be made to amend some House bill which has been passed and is on the calendar. That could be done at any time after we are reassembled in January.

When would be the best time to do that to suit the convenience of a majority of the Members of the Senate? That is a question each Member can determine for himself.

I said earlier today that I did not think anyone interested in passing a civil rights bill would knowingly bring up the subject a week or 2 weeks before many Members of the Senate would leave the Senate to speak at the Jefferson-Jackson Day dinners in the latter part of January, during the period of President Roosevelt's birthday. If they did, we would discuss the subject for a week or 10 days, and a substantial number of Senators would leave for the Jackson-Jefferson Day dinners, to reassemble after they were concluded. In 3 or 4 days Senators would be leaving for the Lincoln Day dinners.

So I suggested that the minority leader tell us when his Senators would be back in the city following the Lincoln Day dinners. At that time we could give notice to Senators. We would bind no one by agreement, but we would inform ever Senator that a motion would be made in regard to a civil rights bill, and that all Members could be present and be on notice that it would be made, so that they would have ample opportunity to debate it.

The minority leader tells me that that date would be February 15, and that date is agreeable to me.

I serve notice on all Members that on or about 12 o'clock on February 15, I anticipate that some Senator will rise in his place and make a motion with regard to the general civil rights question. I presume several motions in that connection will be made. Any Senator might make such a motion before February 15.

I should say that it would be the better part of wisdom to try to arrange to have an agreement that such a motion would be made on February 15, February 14, or February 16—whenever the minority leader's Members are back in the city following the Lincoln Day dinners. Then we could remain with the subject until some action was taken.

I hope that will satisfy the Senator from New York.

Mr. JAVITS. It does. I am very grateful to the majority leader.

I now ask my own leader whether the 15th of February may not be stated by him as being the date.

Mr. DIRKSEN. If the Lord is willing and I am alive.

Mr. JAVITS. Mr. President, I ask the indulgence of the Senate. This is a body whose Members are pretty rugged. I believe that if Members will consult one another quietly they will agree with me that what has just transpired is in the interest of the whole debate, and in the interest of fairness to the country, whatever may be one's views on the subject.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I thank the Senator from New York for his perseverence and persistence. I appreciate the statements of both the minority leader and the majority leader. The majority leader had previously outlined the situation. At this hour he makes it all the more clear. I, for one, agree——

Mr. MANSFIELD. Mr. President, was not an agreement made earlier in the day between the majority leader and the minority leader?

Mr. JOHNSON of Texas. Mr. President, persistence and perseverance had nothing whatever to do with fixing the date. The date was arrived at to suit the convenience of a majority of Senators. We stated earlier today that as soon as the Lincoln Day dinners were over, we would come in, and this motion would be made. Any Senator could make the motion.

Mr. HUMPHREY. Mr. President, I had no intention of being unfair to the Senator from Texas.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. KERR], the Senator from Hawaii [Mr. LONG], the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Montana [Mr. MURRAY] are absent on official business.

I further announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

On this vote, the Senator from Hawaii [Mr. LONG] is paired with the Senator from Arkansas [Mr. McCLELLAN]. If present and voting the Senator from Hawaii would vote "yea," and the Senator from Arkansas would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Kansas [Mr. SCHOEPPEL], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. MARTIN] are absent on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Utah [Mr. BENNETT], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 71, nays 18, as follows:

YEAS—71

Aiken	Dworshak	McGee
Allott	Engle	McNamara
Anderson	Fong	Magnuson
Bartlett	Frear	Mansfield
Beall	Gore	Monroney
Bible	Green	Morse
Bridges	Gruening	Morton
Bush	Hart	Moss
Butler	Hartke	Mundt
Byrd, W. Va.	Hayden	Muskie
Cannon	Hennings	Neuberger
Capehart	Hickenlooper	Pastore
Carroll	Hruska	Prouty
Case, N.J.	Humphrey	Proxmire
Case, S. Dak.	Jackson	Randolph
Chavez	Javits	Saltonstall
Church	Johnson, Tex.	Smith
Clark	Keating	Symington
Cooper	Kefauver	Wiley
Cotton	Kennedy	Williams, N.J.
Curtis	Kuchel	Williams, Del.
Dirksen	Langer	Yarborough
Dodd	Lausche	Young, Ohio
Douglas	McCarthy	

NAYS—18

Byrd, Va.	Holland	Smathers
Eastland	Johnston, S.C.	Sparkman
Ellender	Jordan	Stennis
Ervin	Long, La.	Talmadge
Fulbright	Robertson	Thurmond
Hill	Russell	Young, N. Dak.

NOT VOTING—11

Bennett	Long, Hawaii	O'Mahoney
Carlson	McClellan	Schoeppel
Goldwater	Martin	Scott
Kerr	Murray	

So Mr. HAYDEN'S amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The LEGISLATIVE CLERK. On page 23, between lines 8 and 9, it is proposed to insert the following new title:

TITLE VI—INTERAGENCY COMMITTEE ON UNDERDEVELOPED REGIONS IN THE UNITED STATES

SEC. 201. (a) There is hereby established in the executive branch of the Government

an interagency committee to be known as the Interagency Committee on Underdeveloped Regions in the United States (hereinafter referred to as the "Committee").

(b) The Committee shall be composed of seven members as follows:

(1) Two members to be appointed from the Department of Commerce by the Secretary of Commerce; one of whom shall be from the Office of Area Development and shall serve as Chairman; and one of whom shall be from the Bureau of Public Roads;

(2) Two members to be appointed from the Department of Agriculture by the Secretary of Agriculture, one of whom is an expert in matters pertaining to agriculture and one in matters pertaining to forestry;

(3) One member from the Department of the Interior to be appointed by the Secretary of the Interior;

(4) One member from the Corps of Engineers to be appointed by the Chief of Engineers; and

(5) One member from the Federal Aviation Agency to be appointed by the Administrator of that Agency.

(c) Any vacancy in the Committee shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(d) Four members of the Committee shall constitute a quorum for the transaction of business.

(e) Members of the Committee shall not receive additional compensation by reason of their service on the Committee but shall be entitled to reimbursement of travel and other necessary expenses incurred by them in carrying out the duties of the Committee.

SEC. 202. (a) It shall be the duty of the Committee to undertake a cooperative investigation and study of the ways and means for developing the potentialities for economic growth of underdeveloped regions in the United States. As used in this title the term "underdeveloped region" refers to any region within the United States which the Committee determines to be economically underdeveloped and may include several counties or municipalities and the whole or parts of one or more of the several States. The Committee shall select, for the purposes of its initial investigation study and recommendation, such area or areas of the United States as it may determine to be representative of underdeveloped areas. Based upon its experiences in such investigation and study, the Committee shall establish criteria for the designation of "underdeveloped regions" including such factors as chronic unemployment, per capita income, the absence or inadequacy of transportation, flood protection, and industrial and agricultural activity, as related to the appropriate national levels.

(b) The study and investigation authorized under the preceding subsection shall be undertaken by the Committee with a view to formulating basic plans utilizing existing Federal, State and local programs and agencies for developing the economic potential of underdeveloped regions. Such plan or plans shall contain both immediate and long-range recommendations for the development of such regions and particularly in the areas of—

(1) basic communication systems, including roads and airports;

(2) improvement of agricultural resources by technology suitable for the particular area, including soil conservation and utilization;

(3) forest conservation and utilization;

(4) the reclamation and irrigation of land, including drainage;

(5) flood control and prevention, and the provision of domestic and municipal water supplies;

(6) industrial development;

(7) other beneficial and useful purposes not herein enumerated.

Such plans may include recommendations for action by the Federal Government; the States, either singly or by interstate compact, and by local governmental units and may also contain recommendations for action by private groups.

(c) The Committee shall submit its recommendations in a report to the President and the Congress by July 1, 1960. A preliminary report shall be submitted by March 1, 1960. Such reports shall be printed as House or Senate documents.

SEC. 203. (a) The Committee may, in carrying out its duties, hold such hearings, take such testimony, sit and act at such places and times, and incur such expenditures within the limit of available appropriations as the Committee deems necessary. Any member of the Committee may administer oaths or affirmations to witnesses appearing before the Committee. The Committee may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such experts, consultants, and other employees, as it deems necessary to assist it in carrying out its duties under this title.

(b) The Committee is authorized to utilize the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the Government which it deems necessary to carry out its duties under this title. Each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the Committee upon request made by the Chairman. The Committee shall reimburse each such department, agency, and instrumentality for the services of any personnel utilized.

SEC. 204. The Committee shall cease to exist within ninety days after the date of its submission to the President and the Congress of its final report as provided in section 202(c). All property, assets, and records of the Committee shall thereupon be turned over to such agency or agencies in the executive branch as the President shall designate.

SEC. 205. Effective as of the date on which the Committee is duly constituted, there is hereby appropriated to the Committee the sum of $100,000 to carry out its functions under this title.

Mr. COOPER. Mr. President, let me say that I know my amendment is subject to a point of order. However, the chairman of the Appropriations Committee has been kind enough to permit me to make a brief statement before a point of order is made. Even if the amendment were not subject to a point of order, I would not press at this time for its adoption, because I do not think it is wholly relevant to this bill.

But I wanted at this time to call to the attention of the Senate, and also to the attention of the executive branch of the Government, the issues to which my amendment relates.

If my amendment were in regular order and were adopted and enacted into law, it would establish an interagency committee from the departments and agencies of the Federal Government on the underdeveloped areas and depressed areas in the United States. During the last year our country has made a remarkable recovery from the recession of 1958. Our Nation has reached new peaks in the gross national product, in total employment, in wages and personal income, peaks which the country has never before known. Yet it remains a fact that many areas of the country continue to be depressed, with large numbers of unemployed; and many other areas of the country can properly still be called underdeveloped.

The Senator from Illinois [Mr. DOUGLAS] and other Senators, including myself, joined in 1958 and 1959, in the introduction of the depressed areas bill. The bill has not been passed by the House of Representatives.

Other bills, having for their purpose the assistance of the depressed areas, such as the community facilities bill, have been introduced, have not been passed by both Houses of the Congress, and have not been favored by the administration.

The amendment before the Senate, which I shall subsequently introduce in the form of a bill, would ask the administration to establish an interagency committee, composed of seven members, with two representatives from the Department of Commerce, one being from the Bureau of Public Roads, one from the Department of the Interior, one from the Department of Agriculture, one from the Corps of Engineers, and one from the Federal Aviation Agency. The Interagency Commission, in connection with the States and local bodies, would study and make a preliminary report to the President and Congress by March 1, 1960, on means by which the underdeveloped areas in the United States could advance their economic growth.

As we consider tonight aid for underdeveloped countries throughout the world, I press for action at home very sincerely, because I do not believe we can forget that in our own country there are many areas in which serious unemployment exists, and for which long-term plans for development should be established. At least the minimum necessities of such areas—roads, airports, water for industry, agriculture and forestry, industrial development—could be planned, by the cooperative efforts of the Federal Government, State, State compacts, and private bodies.

The Commission could select typical areas, such as the Appalachian regions, of which Kentucky, West Virginia, and Tennessee are parts, and where there is need for basic development.

I wanted to bring this matter to the attention of the Senate, and particularly to the attention of the administration, so that progress can be made before the next session begins. I believe that within the scope of existing programs such as Federal aid for roads, airports, agriculture, forestry, water development, and parks, long-range programs can be worked out to assist the underdeveloped regions and the depressed areas in the United States.

Mr. President, I thank the distinguished Senator from Arizona for his consideration in permitting me to submit the amendment. I know the amendment is subject to a point of order.

I now withdraw my amendment.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays ordered on final passage?

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed,

the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The yeas and nays having been ordered on final passage of the bill, the clerk will call the roll. The question is on the passage of the bill.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. KERR], the Senator from Hawaii [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Montana [Mr. MURRAY], are absent on official business.

I further announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. KERR] is paired with the Senator from Hawaii [Mr. LONG]. If present and voting, the Senator from Oklahoma would vote "nay," and the Senator from Hawaii would vote "yea."

The Senator from Arkansas [Mr. MCCLELLAN] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Arkansas would vote "nay," and the Senator from Montana would vote "yea."

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Kansas [Mr. SCHOEPPEL], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. MARTIN] are absent on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON] would vote "yea."

The Senator from Utah [Mr. BENNETT] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 64, nays 25, as follows:

YEAS—64

Aiken	Church	Hickenlooper
Allott	Clark	Holland
Anderson	Cooper	Humphrey
Bartlett	Cotton	Jackson
Beall	Dirksen	Javits
Bridges	Dodd	Johnson, Tex.
Bush	Douglas	Keating
Butler	Engle	Kefauver
Byrd, W. Va.	Fong	Kennedy
Cannon	Gore	Kuchel
Capehart	Green	Lausche
Carroll	Hart	McCarthy
Case, N.J.	Hartke	McGee
Case, S. Dak.	Hayden	McNamara
Chavez	Hennings	Magnuson
Mansfield	Neuberger	Symington
Monroney	Pastore	Wiley
Morse	Prouty	Williams, N.J.
Morton	Proxmire	Yarborough
Moss	Randolph	Young, Ohio
Mundt	Saltonstall	
Muskie	Smith	

NAYS—25

Bible	Gruening	Smathers
Byrd, Va.	Hill	Sparkman
Curtis	Hruska	Stennis
Dworshak	Johnston, S.C.	Talmadge
Eastland	Jordan	Thurmond
Ellender	Langer	Williams, Del.
Ervin	Long, La.	Young, N. Dak.
Frear	Robertson	
Fulbright	Russell	

NOT VOTING—11

Bennett	Long, Hawaii	O'Mahoney
Carlson	McClellan	Schoeppel
Goldwater	Martin	Scott
Kerr	Murray	

So the bill (H.R. 8385) was passed.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay down that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MUSKIE in the chair) appointed Mr. HAYDEN, Mr. CHAVEZ, Mr. ELLENDER, Mr. MAGNUSON, Mr. HOLLAND, Mr. JOHNSON of Texas, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. MUNDT conferees on the part of the Senate.

HOLDING OF INTERNATIONAL EXPOSITION IN THE UNITED STATES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 828, Senate Resolution 169. I invite the attention of the Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations, and the Senator from New York [Mr. JAVITS], to the motion.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States.

The motion was agreed to; and the Senate proceeded to consider the said resolution.

Mr. FULBRIGHT. Mr. President, I should like to have the attention of the Senators from New York [Mr. JAVITS and Mr. KEATING], because we have discussed the resolution before.

As I have announced previously, I had hoped to have motioned up for consideration Senate Resolution 169, which is for the purpose of helping the administration to establish an orderly procedure for going forward with plans for a U.S. World's Fair to be held in 1962.

The resolution does not favor any one city over another. It requests the President to appoint a Commission immediately to select whatever city, in the Commission's judgment, would best serve the interest of the United States as a site for a world's fair.

There has never been such an orderly procedure in the past, but it is felt that such a procedure is necessary because, if we want to hold such a fair, the Government of the United States must make a recommendation on the matter to the International Bureau in Paris when it meets this November.

The procedure outlined in the resolution seems to both the State Department and the Committee on Foreign Relations to be the most sensible way to proceed.

This is an administration resolution. It is not my resolution. It has been approved by the leadership on both sides of the aisle.

So far as I can determine from discussing the matter with Senators on both sides of the aisle, the only opposition to it appears to come from the Senators from New York. If they persist in this opposition, there may be no world's fair at all in the United States. The International Bureau in Paris, which regulates such fairs, has made it clear that it will not talk to individual cities. It will only talk to the Government of the United States, speaking through diplomatic channels.

The administration thinks the resolution is important. The Foreign Relations Committee thought it was sufficiently important to report it unanimously. Time is limited today. If the Senators from New York wish to assume responsibility for killing the resolution by the threat of extended debate, then the RECORD should indicate this clearly.

I am now prepared to ask that the resolution, which has been made the unfinished business, be considered immediately in order to give the President and the State Department Senate guidance and support on handling the matter in the way in which they think it should be handled. If the Senators from New York wish to debate the resolution for a reasonable period of time so that the Senate can proceed with its other important business, I am prepared to have them do so. If they wish to assume responsibility for killing it, the only conclusion to be reached is that they do not wish the matter to be left to the impartial judgment of a group of distinguished citizens to be appointed by the President, who is the leader of their own party.

If the Senators from New York succeed in killing the resolution by threatening to hold up the business of the Senate, I express the hope that the President and the State Department will follow the sense of the resolution anyway. I hope that the President will appoint a commission immediately and will proceed with the determination expressed in the resolution. I know that I express the sentiments of the Committee on Foreign Relations when I say this, and it is my opinion that I also express the sentiments of an overwhelming majority of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the Record a detailed explanation of the resolution, which I have prepared.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

PURPOSES OF THE RESOLUTION

Its purpose is to ask the President to explore three questions with respect to holding the next International Exposition in the United States:

1. Will it serve our national interest to be the host nation to the next International Exposition?

2. If so, should we join the International Exposition Bureau which regulates such expositions? This would apparently require Senate ratification.

3. If we decide that it does serve our national interest to hold such an exposition, we ask the President to appoint a Commission to recommend to him where it should be held.

These are responsibilities of the executive branch but since the Senate would have to act on ratifying our becoming a signatory of the convention, the State Department thought this resolution would be helpful guidance to the executive branch and would expedite the making of necessary decisions.

WHAT IS THE BUREAU OF INTERNATIONAL EXPOSITIONS?

It is a committee of 22 nations which was originally formed in Paris in 1928 by the signing of a convention.

Originally, 35 nations joined. In 1948, after the war, 20 nations reformed the organization. They include the major industrial countries of Western Europe.

This Bureau establishes the standards and regulations under which these events are conducted. The nations which belong to it agree that they will not exhibit in any exposition whose regulations do not conform to the standards and requirements set forth by this Bureau.

SHOULD THE UNITED STATES JOIN THE BUREAU?

Whether we should join the Bureau is a decision for the Secretaries of State and Commerce and the President. That is not for the Senate to decide unless it is presented by the President.

However, if we are to have an exposition, the President must so advise the Bureau in November when it meets, and must begin negotiations with the members of the Bureau which will result in the approval of the exposition which the Government of the United States intends to sponsor.

My resolution, which has been approved by the Department of State, sets up an orderly procedure for the selection of a site and will enable the executive branch of the Government to exercise the control and responsibility necessary to receive Bureau approval, whether we decide to join or not.

IMPORTANCE OF INTERNATIONAL EXPOSITIONS

In the present world atmosphere, these expositions are of major importance to the exchange of ideas and the demonstration of cultural achievements between peoples. They are major instruments of national policy. They are no longer merely local promotional events created to bring tourists to the nightclubs and restaurants of any city. The character of a World's Fair today must reflect the character of the entire nation sponsoring the fair. It must draw upon the energies, ideas, and the culture of the entire people of the nation.

It cannot reflect merely one segment of our national life, or one section of our Nation, but must truly reflect as honestly as possible our total way of life.

That is why the selection of a site must be placed in the hands of individuals who have no personal stake in the decision. They must be able to view the decision as a matter of vital interest to not only the people of the United States but also to all the people of the free world. The considerations of any one locality must not be allowed to influence a decision of such major national interest.

Twenty years ago these considerations were not important. Any city that had the initiative to promote a World's Fair and bring millions of tourists to its bars and restaurants was entitled to the results of its initiative. Today such local interest must not and cannot be the dominant factor in arriving at a decision on a matter which involves so much to many millions of people both in this country and around the world.

If we are going to sell ourselves to the world we must sell ourselves at our best.

Mr. FULBRIGHT. Mr. President, do I correctly understand that the resolution is the pending matter before the Senate?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The Senator from Arkansas is correct. The resolution is the pending business before the Senate.

EXTENDING FOR 2 YEARS THE DEFINITION OF "PEANUTS"

Mr. JOHNSON of Texas. Mr. President, the Senator from Florida [Mr. HOLLAND] must leave the Chamber in order to attend the conference on the appropriation bill which was just passed. Objection was made on the call of the calendar to Order No. 656, H.R. 4938, to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect.

I am informed that my friend, the Senator from New York, in light of the understanding stated earlier this evening, is willing to allow that bill to be passed, without objection.

Mr. KEATING. Mr. President, will the majority leader yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Texas yield to the Senator from New York?

Mr. JOHNSON of Texas. I yield.

Mr. KEATING. This bill, to which I did not object during the calendar call, but to which objection was made on the majority side, during the calendar call, would continue the definition of the word "peanuts" under the Agricultural Adjustment Act. Mr. President, I had stated the intention of offering to this bill certain amendments having to do with civil rights.

In light of the colloquy which occurred tonight and the assurance that civil-rights proposed legislation will be before us on February 15, 1960, and in light of the Chair's ruling that the amendments which I have sent to the desk will be applicable to any measure regarding which I might wish to offer them, I shall not offer them at this time to the House bill 4938.

Mr. HOLLAND. I thank my distinguished friend, the Senator from New York.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 656, House bill 4938.

Mr. JAVITS. Mr. President, a parliamentary inquiry: If the motion is agreed to, will it displace the measure which now is the pending business?

Mr. JOHNSON of Texas. Only for about 30 seconds.

Mr. JAVITS. Very well.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4938) to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 4938) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HOLLAND. I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

SPECIAL COMMITTEE TO REPRESENT THE SENATE AT CEREMONIES COMMEMORATING THE ADMISSION OF HAWAII INTO THE UNION

Mr. JOHNSON of Texas. Mr. President, on behalf of myself and the distinguished minority leader [Mr. DIRKSEN], I submit, and send to the desk, a resolution for which I request immediate consideration.

The PRESIDING OFFICER. The resolution will be read, for the information of the Senate.

The resolution (S. Res. 198) authorizing the Vice President to appoint a special committee to represent the Senate at ceremonies to be held at Honolulu, Hawaii, on November 26, 1959, was read, as follows:

Resolved, That the Vice President is authorized to appoint seven Members of the Senate as a special committee to represent the United States Senate at the ceremonies to be held at Honolulu, Hawaii, on November 26, 1959, commemorating the first official observance of the admission of Hawaii into the Union as a State, and to designate the chairman of said special committee.

Resolved further, That the expenses of the committee, including staff members designated by the chairman to assist the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, this resolution is identical with one which was adopted in the case of Alaska.

I ask that the question on agreeing to the resolution be put.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 198) was agreed to.

EXPRESSION OF APPRECIATION TO THE MAJORITY LEADER, THE MINORITY LEADER, AND THE SENATE STAFF

Mr. FREAR. Mr. President, if I may be yielded to for only 30 seconds, I desire to bring to the attention of the Senate a most important matter.

Mr. President, the junior Senator from Delaware welcomes this opportunity to express a word of deepest appreciation to our dedicated and selfless majority leader. If the past months have been difficult and frustrating to many of us as individual Senators, they have surely been all the more so, to the man who has borne the responsibility of directing our overall legislative program. That he has done so with such effectiveness is a tribute to his understanding of the manifold issues that have come before us and his recognition of the particular interests and problems which all of us have to confront in undertaking to represent our respective constituencies. The record of Congress during this past session is a most constructive and fruitful testimonial to the ability and able guidance of Senator JOHNSON. Despite the diversity of opinion among many Members of the Senate, the majority leader has, through limitless personal effort and endless hours of conferences, succeeded in bringing about an enviable degree of unity in thought and in action on matters of greatest import to the Nation and the world. I feel, Mr. President, that Senator JOHNSON richly deserves the accolades of the American people for his high sense of duty to their interests and their welfare. We look forward to a continuation of his great leadership, along with that of his youthful and courageous assistant, the Senator from Montana [Mr. MANSFIELD], during the next session of the 86th Congress.

And, Mr. President, may I express similar sentiments of appreciation to the able and persuasive Senate minority leader [Mr. DIRKSEN], whose eloquence and enlightened understanding have contributed so much to this first session of the present Congress. I am proud to count Senator DIRKSEN as one of my good personal friends, and to say that the people of Illinois can be proud of all he has done and continues to do to serve their needs, the needs of his colleagues here in the Senate, and, through them, the people of the United States.

Finally, Mr. President, may I add a very personal expression of thanks to all of those who assist the Members of the Senate here on the floor and in related duties around the Capitol. These people implement the decisions of the Senate in a very real sense; and, along with our membership, they labor diligently and for many long hours to see that the legislative action that is taken here is put into motion.

I know that all of us will welcome the opportunity for a respite, and one taken in the satisfaction of a job well performed.

Mr. President, I appreciate the courtesy of the Senator in yielding, so as to permit me to make this statement at this time.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (H.R. 8392) to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes.

HOLDING OF INTERNATIONAL EXPOSITION IN THE UNITED STATES

Mr. BUTLER obtained the floor.

Mr. JOHNSON of Texas. Mr. President——

Mr. BUTLER. Mr. President, have I been recognized?

The PRESIDING OFFICER. The Senator from Maryland has been recognized.

Mr. BUTLER. Mr. President, I shall be glad to yield for any purpose to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I appreciate the courtesy of the Senator from Maryland, and I hope the Chair will take due notice of it. I am very grateful to the Senator from Maryland for his courtesy in yielding to me, so that we may move forward with some pressing business.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States. The consideration of that resolution was displaced when the Senate considered House bill 4938, the bill in regard to the definition of "peanuts."

Mr. JAVITS. Mr. President, on that motion, I wish to address the Senate.

Mr. BUTLER. Mr. President, have I the floor?

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. BUTLER. Mr. President, I wish to compliment the Senator from Arkansas [Mr. FULBRIGHT], for his excellent statement in connection with the pending measure.

Mr. President, it seems to me that amidst considerable controversy about a world's fair in the United States in 1964, the resolution of the distinguished Senator from Arkansas sounds a note of calm reason. Representatives of the Nation's Capital, Los Angeles, and New York have all come forth with pointed suggestions that their respective cities would prove the best location for a world's fair, 5 years hence. Each group has its own ax to grind, and, in anticipation of the profit it would make in the grinding, cannot be expected to be dispassionate. But the resolution of the Senator from Arkansas would take the matter out of their hands, and would entrust it to a group of citizens, selected by the President, who would recommend a site for the international exposition. Both the President, in selecting the Commission, and the members of the Commission, in their choosing of a site, would be motivated by only one thing: What is best for the country, not for a particular area.

But, Mr. President, I must be honest, and plead prejudice in connection with this matter. I believe that one certain area of this country would be more representative than any other for a world's fair. I would, therefore, like to recommend that the metropolitan area of Washington be given the most serious consideration as a site for an international exposition in 1964.

Metropolitan Washington is adjacent to highways, railroads, and airports, including the excellent jet-plane facilities of Friendship International Airport, only 30 minutes away. Washington itself is admirably equipped to handle millions of visitors to a world's fair, as it has handled millions of tourists to the Nation's Capital for many years. In addition, the city is close to the center of America's population; and within a radius of 350 miles live 60 million people, as compared with only 52 million near New York, and 12 million near San Francisco.

For these reasons, and because, after all, this city is the capital of the free world, Metropolitan Washington would seem to be an excellent and logical location for a world's fair in 1964. And if it happens that not enough land is available within the cramped confines of the District of Columbia, I feel confident that nearby suburbs of Maryland would find room for such a demanding and yet rewarding international exposition.

Mr. FULBRIGHT. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I appreciate very much the remarks of the Senator from Maryland. As he has stated, the entire purpose of the resolution is to encourage the President to appoint a commission to consider applications from all parts of the United States, and not to permit one committee to foreclose the consideration of other applications in connection with the question of where the situs of the next world's fair is to be.

I thank the Senator from Maryland for his support, which is in accord with the desires of the administration.

Mr. BUTLER. Let me say to the Senator from Arkansas that I hope the fair will be located in Maryland.

Nevertheless, I favor the appointment of a nonpartisan commission which, as the Senator from Arkansas has said, will have in mind only the best interests of the Nation.

Mr. FULBRIGHT. I thank the Senator from Maryland.

Mr. JAVITS. Mr. President, I should like to address myself to the specific questions which were asked by the distinguished chairman of the Foreign Relations Committee, and also to the position on this subject of New York City.

First and foremost, the Senators from New York cannot be intimidated, and will not be intimidated, by the fact that they will assume—if they do—responsibility for no action on this resolution.

I believe that an important matter in connection with the resolution which seems—as the Senator from Arkansas has said—to have gone unquestioned is the fact that the implications of the resolution have not been explained.

But, more than that, for the information of the Senate, I wish to state—and I shall state it advisedly; and I ask the Senator from Arkansas to be kind enough to listen very closely to what I shall say——

Mr. FULBRIGHT. I shall do so if I am able to hear the Senator from New York; but there is so much noise in the Chamber that it is practically impossible for me to hear what the Senator from New York is saying.

The PRESIDING OFFICER. The Senate will be in order. Senators will resume their seats, and will cease conversations, so that the business of the Senate can be transacted.

Mr. JAVITS. I say advisedly that the resolution is unnecessary. With respect to anything which the President and the State Department may wish to do in respect to the world's fair for New York or any other city, the President can make any requests he chooses, or the State Department in his name can do so, to the Bureau International which is referred to in the resolution. The President, if he chooses, may appoint a commission to choose the site. He may pick a city or may not choose to pick a city to which the United States will lend its aid and comfort for having a fair.

Hence, the resolution does not add to anything, but it takes something away. That is the reason why New York welcomes the opportunity to acquaint the Senate with what it takes away.

It takes away two things. First, it gives the President a set of directions which, if he follows them, would get into such a long procedure that no city would qualify before the international body in Paris.

I shall examine in detail for my colleagues the terms of the resolution which demonstrates that fact. Unless the President disregards this resolution, he is going to be tied up in so much redtape that neither Washington, nor New York, nor any other city in the United States will qualify in time. If he disregards the resolution, as indeed he must, what do we need it for?

That brings me to the second point. This resolution has been widely advertised as a "stop New York" resolution. Whether the advertisers are right or wrong, that is the impression that has gone out. In view of the fact that any resolution, to be successful, has to get the support of a tremendous body of business and other elements in the United States and of countries all over the world, the fact that a resolution will have gone through the Senate which will be heralded as a "stop New York" resolution is going to be very bad for a world's fair in New York.

For that reason, we in New York have a right to be against it. New York is not seeking any Federal help to finance the fair from the U.S. Government. Let us have that point absolutely nailed down. It is seeking no Federal aid from the U.S. Government. The only thing New York asks the Federal Government is, if New York does have a fair which the Federal Government considers fair, appropriate, and representative, that the Federal Government will invite other countries to participate, which, by law, the Federal Government alone must do. If we changed that law tomorrow, New York would be very glad to do it itself, and everybody knows the job it would do would be all right. But, under the law, the Federal Government must do it.

We had an exactly analogous situation to this in 1939. There was not one world's fair in 1939; there were two, one in New York and one in San Francisco.

Without "balling up the works," which is all that is going on, if Washington would come in with the same kind of resolution New York came in with—and I shall explain it and the reason for it, I would be delighted to support it and knock myself out trying to get it passed.

New York is not trying to shut out Washington, San Francisco, Chicago, or any other place. We will not cross them. They have as much right to a fair as we have. We do not want to get tied up in a lot of redtape, and we do not want it advertised all over the world that this is a "stop New York" resolution. It is for those reasons, not out of any tyranny of weakness, that my colleague from New York [Mr. KEATING] and I felt both New York and Washington and every other city would be better off by following this procedure.

Someone got up on the floor the other day and talked about Los Angeles. The Senator from Minnesota talked about the Twin Cities. There are Senators here from every State in the Union. All of them have a right to feel, quite properly, that perhaps a city in their State can mount a world's fair, whether in 1964 or any other year. This is not exclusively for New York alone, or for New York and Washington.

To come to Senate Resolution 169, which is being urged upon us by the chairman of the Committee on Foreign Relations as coming out of that committee, it states:

Resolved, That it is the sense of the Senate that the executive branch of the United States Government should examine the desirability of adherence by the Government of the United States to the convention of November 22, 1928, creating—

A certain international bureau which we have not joined for about 30 years, and which, so far as I know, we are not negotiating to join now.

In short, it introduces a note of a new international organization which we are to consider joining—which we are not negotiating to join, and which the State Department has not suggested we join.

I do not know the reason why it is in there, but I cannot think of a fact that in itself will not complicate the process by putting into the mind of the international organization that the United States should join before any city gets the authority to have a world's fair.

That is point 1, but much more serious is the following. The resolution sets up a specific procedure. It states, first, the executive branch of the U.S. Government should determine whether in its view the public interest would be served by seeking to arrange to hold an international exposition.

After that is decided, they communicate that view to the Senate. Then the resolution goes on that if, having communicated that view to the Senate—

the President should appoint a Commission of citizens representative of business, labor, education, and science to recommend a suitable site in the United States for such exposition and to recommend to the President and the Congress such other action as might be necessary to arrange for the holding of such an exposition in the United States.

Does anybody in his right mind believe that the President of the United States has administrative machinery in the U.S. Government which will by November 1959, which is but 2 months away, even if we could wait until then, without giving people advance notice of what was coming, first, make up the Executive's mind as to the holding of a fair; second, set up the Commission, and third, have the Commission report?

After the Commission reports, what then? The resolution does not say. All the resolution provides for is a report to the President and Congress. Any city, if it is to qualify at all, must qualify before this international body in November of 1959.

Hence, it seems very clear, from the machinery which the resolution sets up, that the first thing the President and the study group which has to be made have to do is decide they are going to pay no attention to it. In other words, and I am only advancing my opinion, the genesis of this resolution was as follows: Somebody had an idea that New York was going to run off with this world's fair, and that something had to be done about it. So they induced somebody else, perhaps in the State Department, to draft this sort of "stop New York" resolution, to stop things from going too far and too fast and to stop the New York resolution from being passed.

Then they woke up to the fact that this would not do; that it would tie the Government up in knots if they tried to complicate it. So they came to the conclusion that though it was unnecessary, it would do no harm to get passed. But it will do great harm, because of the way it has been advertised, and because of the fact, that if it is passed, it will block everybody and destroy everybody's chances for having a world's fair.

The record is a pretty good indicator as to what we may expect in a particular situation. We have never had a resolution of this character for any world's fair. In 1936 Congress passed two resolutions, one for San Francisco and one for New York, which resolutions I should like to read to the Senate, because the resolutions are exactly identical with the resolution which my colleague from New York [Mr. KEATING] and I introduced in this body to get a world's fair for New York.

Let me read the 1936 resolution. This is a joint resolution, incidentally, and not a Senate resolution. The resolution now pending, of course, is a Senate resolution.

Whereas there is to be held at New York City during the year 1939 a world's fair, which has for its purpose the celebration of the one hundred and fiftieth anniversary of the inauguration of the first President of the

United States of America and of the establishment of the National Government in the city of New York; and

Whereas, because of its location and purpose, its scope and aims, said world's fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein.

Mr. President, that is what the resolution says. It did not do anything such as appointing a commission or having the President make a choice which would, incidentally, embroil him in a very tough political decision. Perhaps it would embroil us in all sides of this question when we consider selection of a specific city, similarly. The resolution says only that the President is authorized to invite and respectfully requested to invite, by proclamation, foreign countries and nations to such proposed world's fair with the request that they participate therein.

Mr. President, a similar resolution was passed for San Francisco in 1936, and San Francisco went right ahead and had a fair.

I submit that exactly the same procedure can and should be followed now. Exactly the same procedure could be followed by the city of Washington as is being sought to be followed by the city of New York.

By engaging in debate on Senate Resolution 169, which is sought to be taken up for consideration, all we are doing is a vain act which the administration does not need. This will get us into a lot of redtape, and it will be advertised all over the world as the passage of a resolution on the basis of "stop New York from having a world's fair."

Mr. President, I should like to read now, in that regard, the resolution which I introduced with my colleague from New York [Mr. KEATING] in order to show to the Senate that it is completely identical in intent with the 1936 resolution which culminated in the World's Fair in New York. Our resolution is Senate Joint Resolution 131. It is, incidentally, a joint resolution, as was the New York City resolution and the Washington resolution in 1936. It reads as follows:

JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO INVITE FOREIGN COUNTRIES TO PARTICIPATE IN A WORLD'S FAIR, NEW YORK, 1964

Whereas there is to be held at New York City during the year 1964 a world's fair which has for its purpose the commemoration of the three hundredth anniversary of the establishment of the city of New York; and

Whereas through the city of New York, since its establishment in 1664, the peoples, sciences, cultures, and products of all nations have passed into this continent and the United States of America, and said city has served as a beacon for freedom and democracy as exemplified in the Statue of Liberty, donated by the peoples of France to the peoples of the United States and whose torch lights the way into the harbor of this great city; and

Whereas, because of its location and purpose, its scope and aims, said World's Fair is deserving of the support and encouragement of the Government of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper and appropriate, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein and to take such steps as may be appropriate to secure such participation.

In short, Mr. President, this is precisely and exactly and to the letter the same intent that was embodied in the resolution which was passed in 1936 both for New York and for San Francisco.

Mr. President, I wish to emphasize to my colleagues that this world's fair is to commemorate the 300th anniversary of the establishment of New York as a city.

Mr. President, many of my colleagues attended the world's fair in 1939. I ask my colleagues whether that was an example to be encouraged or discouraged? I ask my colleagues whether they believe that New York can very adequately portray to the world and to the other countries of the world, which are very much interested in our prestige and how we stand in matters of this character, the posture of the United States as a great industrial and a great humanitarian power? I ask my colleagues whether New York should be discouraged, frustrated, and denied the opportunity—not the realization, but the opportunity—to have the fair?

Mr. President, I think this is a very unfair procedure.

Mr. President, I should like to make some comments with regard to the basis for the opposition, and I invite the attention of the Senator from Arkansas, if the President Officer will maintain order in the Chamber. I should like to have the distinguished Senator from Arkansas hear my comments.

Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. Mr. President, we feel that all cities—New York, Washington, D.C., and every other place—will be better off with resolutions specifically offered for each city. We feel they will get by much better that way and will be able to manage to do all the things necessary, which each of the cities needs to do, if these cities are really serious about having a fair. These cities would be better off with no resolution at all, and would be worse off if the resolution before the Senate is passed.

For those reasons, Mr. President, I respectfully feel that we will be better off if the resolution is dropped, in view of the fact that the Committee on Foreign Relations has not seen fit to report the New York resolution and that the backers of Washington, D.C., have not seen fit to offer a resolution for Washington, D.C.

That amazes me very much. If there is really a serious intention by the city of Washington, D.C., to have the fair—and I believe there is—and if the same representation can be made to the Congress that New York makes—that New York is not looking for Federal money to enable it to conduct the fair—then it seems to me that Washington, D.C., could and should, through its supporters in the Senate, offer the same kind of resolution which we offered.

But, Mr. President, that has not been done. That only adds to the general impression which is abroad that the resolution—which, I repeat, is unnecessary; and I state advisedly that the State Department knows it to be unnecessary, since it can do everything it needs to do without the resolution—is a "stop New York" resolution.

It seems to me, Mr. President, therefore, that passage of the resolution will only add to the belief of those who will be customers for a world's fair, both in the United States and throughout the world, that it is a "stop New York resolution."

I should like to say to my friend from Arkansas that as one Senator from New York I am perfectly willing to take the responsibility, whatever responsibility there is, in seeing the resolution not acted on at this session of Congress, for I am confident that New York City, Los Angeles, the Twin Cities of Minnesota, Washington, D.C., and all other cities which have any pretensions of interest in a world's fair can do everything they need to do to endeavor to qualify without the passage of the resolution.

For those reasons, as I say to the Senator from Arkansas, I am willing to take the responsibility which the Senator laid at our door, if, as a result of what happens in the Chamber tonight, the resolution is dropped.

Several Senators addressed the Chair.

Mr. JAVITS. Mr. President, I have the floor.

I will yield first to the Senator from Maryland [Mr. BEALL].

Mr. BEALL. I wonder how much Federal money would be used in New York to construct the proposed world's fair.

Mr. JAVITS. I have no idea what the Senator means by "Federal money," but I have stated authoritatively to the Senate—and I state it again—New York is not seeking any Federal help in the financing of the fair. I think that is very clear and very explicit. I know of no way in which to say it more clearly.

I yield further.

Mr. BEALL. Does the Senator from New York know that if the world's fair is held in the District of Columbia there will be no Federal money used?

I should like to submit for the RECORD a letter from the President of the Board of the Commissioners in the District of Columbia, in which he says that there will be no Federal money used to promote the fair if the Nation's Capital is picked as the site.

Mr. JAVITS. I should like very much to have that letter placed in the RECORD.

I ask unanimous consent that the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 14, 1959.

Hon. J. GLENN BEALL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BEALL: As you are no doubt aware, the Board of Commissioners is interested in the efforts that are being made to organize an international exposition to be held in or near the District of Columbia in the year 1964. The plan that has been developed would require no capital outlay by the Federal Government, other than any strictly national pavilion or facilities of the type that the Federal Government might provide at an international exposition held in any country in the world.

Our plan is unique in that it includes permanent construction which would continue in use after the expiration of the international exposition, as a permanent trade fair. The need for such a trade fair has been demonstrated clearly by the interest shown by leading industrial and commercial interests in this country in participating both in the international exposition and the trade fair which would succeed it. The leases and contractual arrangements to be negotiated with such business leaders guarantee the self-liquidating feature of our plan.

I have been advised that you have shown an interest in this aspect of the plan, and I should be glad to confer with you further if you wish any additional information.

Respectfully,

ROBERT MCLAUGHLIN,
President, Board of Commissioners,
District of Columbia.

Mr. BEALL. I shall not take the time to read the letter, but I should like to have the distinguished Senator know that no Federal money would be involved. This letter is signed by Robert McLaughlin, President of the Board of Commissioners of the District of Columbia.

Mr. JAVITS. That is fine; but it only bears upon my point of a minute ago. I think there is nothing mutually exclusive, as between Washington and New York. I point out that in 1939 there were two fairs, one in San Francisco and one in New York.

One of the major vices of this particular resolution is that it seeks to permit the President and the whole country to choose as between the cities of the country. I do not think that is fair to Washington.

One of the specific vices of this resolution is that it requires the President and the Commission and the U.S. Government to choose one American city over another. New York City is opposed to an exclusive franchise for a world's fair in 1964, for itself or for any other city in the United States. It says that is unnecessary.

I point out that New York City is seeking to have a fair to commemorate the 300th anniversary of its founding. It is our largest city. It is the home of the United Nations. It has a great many attributes which we may tonight have an opportunity to tell the Senate all about.

New York City is not seeking an exclusive franchise, and therefore, it has one fundamental objection to this resolution, which seeks a procedure to give some city—New York or some other city—an exclusive franchise. That we think is unfair.

In addition, what particular significance to New York has the year 1964?

Mr. BEALL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BEALL. First, I am not picking any particular city. I can understand the Senator's admiration for his home State. I have an equally deep admiration and affection for my own home State. It has been very good to me over the years. But I am not asking that any State be designated.

I ask the Senator whether he objects to a nonpartisan commission being appointed, and letting the people of the United States select the location.

I had the pleasure of spending a week at the New York World's Fair, and I enjoyed it. As a mountaineer and countryman, I thought it was terrific. It was the greatest thing I had ever seen. But I believe that with the Fulbright resolution, under which a commission would be appointed from all over the United States, a proper selection could be made. After all, I am not pro-District of Columbia. I am not anti-New York. I am for a commission being appointed to select the city for this world's fair.

Mr. JAVITS. The Senator from New York will state his position very succinctly.

I feel very strongly that the idea of preempting a world's fair in a particular year, 1964, for any particular city in the United States is fundamentally unfair to my city. Therefore I am against it. It is just that simple.

I have no desire to foreclose any other city than New York from having a world's fair, but I do not want New York shut out, either. So I am against the fundamental concept of this resolution, which is that one city in the United States, in the single year 1964, will be the only city which will be allowed to have a world's fair. There are the years, 1960, 1961, 1962, 1963, 1965, 1966, 1967, 1968, 1969, 1970, and on into infinity. Why do we have to have an exclusive and only choice by a commission of the United States for the 1 year 1964, which is the 300th anniversary of the city in which I had the honor to be born. Why is that fair?

Mr. BEALL. I am a little surprised that New York is celebrating her 300th anniversary. Maryland is just a little older than New York City. We have great admiration for the largest city in the world. It is a place to which I enjoy going. I am asking the Senator a question. After all, I interrupted him to ask a question.

Is the Senator afraid to have a nonpartisan commission decide where the fair shall be held?

Mr. JAVITS. The Senator from New York has answered that question several times, and will be glad to answer it again. I am afraid to give any one city in the United States an exclusive franchise for the world's fair in 1964. I think that is very unfair. That is the whole purpose of the resolution.

Mr. BEALL. The Senator is asking for it.

Mr. JAVITS. We certainly are not. Let us get this very straight and clear. The fact that it is charged that I am asking for it does not make it so.

New York has a resolution exactly the same as it had in 1936. In 1936 San Francisco had exactly the same kind of resolution. New York invites the same type of resolution for Washington or any other city. If unanimous consent is requested tonight to have a resolution for Washington, phrased exactly as the one for San Francisco was phrased in 1936, and phrased exactly as the resolution for New York was phrased in 1936, I shall not object to such unanimous-consent request. I shall be very glad to see it done. Washington should have an opportunity to submit a resolution.

Mr. KEATING. Or any other city.

Mr. JAVITS. Or any other city that desires to do so. What we are against is the exclusiveness which is set forth, and which is the whole purpose and intent of the resolution.

I point out one thing further to my colleagues from Maryland, a Senator for whom I have affection as profound as I have for any other Member of this body—so there is nothing personal about it—that if the President of the United States and the Government of the United States are to start machinery in motion for the purpose of deciding, first, if there is to be a world's fair in this country in 1964, second, to appoint a commission to select a city, and, third, to wait until the commission reports to the President and the Congress, obviously that will take them past November 1, which is the deadline for the qualification of any city with the international body in Paris. Then no one will have anything.

What will happen? The administration will obviously disregard the resolution completely. I have already stated—and I have not been contradicted—that the President and the State Department do not need this resolution. They may want it, but they do not need it. Therefore, under those circumstances, if the resolution is adopted in the closing hours of the session, it can only work mischief by being advertised to the world as a resolution to stop New York. Hence, that would spoil or affect adversely the chances for successfully mounting a world's fair by my city, and I certainly would not be much of a Senator, having that conviction, if I backed water at this particular stage of the game; and I have no intention of doing so. I can assure the Senate and the Senator from Arkansas to that effect.

Mr. KEATING. Mr. President, will my colleague yield to me?

Mr. JAVITS. I yield.

Mr. KEATING. I have not seen the letter from the President of the Board of Commissioners of the District of Columbia. I apprehend that, despite what they say, there is a much greater likelihood that there would be an application for Federal funds if this fair is held in Washington than there would be if it were held in almost any other city, particularly New York.

I call attention to the fact that when New York held the 1939 fair, the only Federal participation in the way of appropriations was for the financing of the

Federal building at the fair. In all other respects it was completely financed either by private interests or by the State of New York.

I also invite the attention of my colleagues to what I think is a very practical consideration. If my colleagues got what they want and if a Presidential Commission was set up which voted for Washington as the site of the next world's fair, there would be a very large influx of people coming from the various States into this city which would probably not be capable of handling such a large number of people.

Personally, I try to help my constituents in every way I can—I know my colleague does—but I am not particularly anxious to spend all of the year 1964 making hotel and motel reservations for various New Yorkers who might be coming to Washington to attend the world's fair. I am quite sure that the former occupant of the Chair, the distinguished Senator from Alaska [Mr. BARTLETT], is no more anxious; nor are any other of the Members of the Senate anxious to spend all of their time making reservations for constituents at local hotels and motels. I am quite certain that that would be the situation unless we were able to transfer this duty to our dear friend and distinguished colleague from Maryland, who is always so generous about helping everyone from Maryland and anyone from every other State. If we could turn this over to him, people from Alaska to Hawaii and from Maine to Florida and all over the country Senators could get in touch with him to make the appropriate reservations for all of our constituents if we hold this fair in Washington. If we do this, I might have a different view of Senate Resolution 169.

These are simply some very practical considerations which we must take into account. I intend to discuss the merits of this resolution in more detail at a later time.

Mr. BEALL. Will the Senator yield?

Mr. KEATING. I see that our distinguished friend who represents Chicago is on his feet and that our friends from the west coast are on their feet. Knowing this and while my colleague has the floor, I do not want to speak any further at this time.

Mr. DOUGLAS. Will the senior Senator from New York yield with the understanding that he does not lose his right to the floor?

Mr. JAVITS. That will require unanimous consent.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Senator from New York may have the privilege of yielding to me with the understanding that he does not lose his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. May that unanimous-consent request include the Senator from Minnesota also? He has something he wants to put in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. FULBRIGHT. For what purpose is the request being made? Is it to make a speech?

Mr. HUMPHREY. It is for the purpose of making an insertion in the RECORD.

Mr. FULBRIGHT. Reserving the right to object, I believe the motion, which is the pending business before the Senate, should be decided first. I may ask the Senator from New York what his purpose is. Is it his purpose to talk the bill to death and not to permit it to come to a vote?

Mr. JAVITS. The Senator from New York will state to the Senator from Arkansas that he will not talk the bill to death. I think the bill deserves to be taken off the calendar. The Senator from New York will attempt to explain his position for as long as it will take to do so.

Mr. FULBRIGHT. There is no doubt about the position of the Senator from New York. I have no doubt about it. I do not believe anybody has any doubt about it, except one thing, and that is whether or not the Senator intends to filibuster on the motion to the point where it must be taken down. Is that the Senator's intention?

Mr. JAVITS. The Senator from New York will address himself to this question for as long as it takes in his judgment to inform the Senate as to the real issue.

My colleague asked a question in the beginning: Will I take the responsibility for my colleague from New York—and of course my colleague must speak for himself—in these late hours of the Senate session to see the resolution go by the boards because it cannot be acted on in time, and whether that would be in the interest of having a world's fair held in the United States. My answer to both questions is decidedly "Yes." I am perfectly willing to take the responsibility to lay the resolution aside if it will help some city in the United States get the world's fair.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, would the Senator be willing to temporarily lay aside the resolution to act on another measure?

Mr. JAVITS. No, I do not think so, and for this reason. I shall be very frank with the Senator from Texas. There is no use wearing us out. If the intention is to lay it aside anyhow, it might as well be now.

Mr. JOHNSON of Texas. There is no such intention. The intention is to try to get action on a bill on which I am informed there is no objection. It will take about 30 seconds to dispose of it.

Mr. JAVITS. I never deny the majority leader anything. [Laughter.]

Mr. President, will the majority leader get the necessary unanimous consent so that I do not lose the floor?

LEASING OF CERTAIN LAND TO UNION TOWNSHIP OF LA PORTE COUNTY, IND.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the distinguished Senator from New York may yield to me for the purpose of making a unanimous-consent request to take action on Order No. 1050, without his losing his right to the floor.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2655) to authorize the Secretary of the Army to lease a portion of the Kingsbury Ordnance Plant at Kingsford Heights, Ind., to Union Township of La Porte County, Ind.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. JOHNSON of Texas. Mr. President, this bill, as amended, would authorize the Secretary of the Army to credit against rental of military property at Kingsford Heights, Ind., the reasonable costs incurred by the lessee for the installation of a new boiler and heating system in the property leased.

EXPLANATION

In September of 1958 an elementary school at Kingsford Heights, Ind., was destroyed by fire. This school was attended largely by children whose families had moved in this area to work at the Kingsbury Ordnance Plant, a defense facility.

After the fire, the local officials subleased idle space at the plant from the American Safety Razor Products Corp., the operator of the plant for the Department of the Army. The defense contract between the American Safety Razor Corp. and the Department of the Army was terminated in 1958. After the termination of this contract, the Department of the Army established the fair market rental of the property used for school purposes at $2,325 per year. Union Township has been paying annual rental in this amount to the Department of the Army.

To avoid the excessive costs that would result from operating the central heating facility at the ordnance plant, Union Township has recently installed a new boiler and heating system for the space used for classrooms. The cost of this installation was about $2,500. Since this cost was incurred primarily for economy in the use of the classrooms instead of for the convenience of the Government, the Department of the Army has considered that the cost of the installation was not justifiably an offset to the rental.

Union Township now has a new elementary school under construction and it seems unlikely that use of the ordnance facilities will be required beyond the current school year. After the township vacates the premises, the boiler and heating system will remain installed in the ordnance plant and will become the property of the Government. For this reason and also because the committee has recently reported two other measures, H.R. 2449 and H.R. 8315, that proposed to authorize rent free leasing of military property for school purposes, this bill would permit an offset of the cost of installing a boiler and heating plant against the rental required under the existing lease.

COST

The Government would not incur any cost because of this bill. A rental payment of $2,325 otherwise due would be waived but the newly installed boiler and heating system presumably enhance the value of the Government-owned property.

DEPARTMENTAL RECOMMENDATION

There has not been time to secure the views of the executive branch on this bill as introduced or on the committee amendments. In reporting on H.R. 2449, a bill similar in purpose to S. 2655 as introduced, the Department of the Army indicated that the extent of Federal responsibility in providing school facilities is currently under consideration by the Congress, but that if available space at military installations is to be furnished at no expense to the school district, the policy should be applied uniformly. Since the Government will own the recently installed boiler and heating system upon termination of the lease involved by this bill, the committee has acted favorably on the measure.

Mr. MORSE, Mr. KEATING, and Mr. KEFAUVER addressed the Chair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. KEATING. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. If there is to be an objection, I withdraw the request. I thought it would be helpful to some of my colleagues to pass the bill. I do not wish to interfere.

Mr. KEATING. I should like to point out to the majority leader that I have no personal objection, but there has been filed with me an objection. Mr. President, I withdraw any objection. The objection has been withdrawn.

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to make a brief statement. I have discussed the matter with the Senator from Indiana, and I ask that I be allowed to make a brief statement I have prepared, which states that the bill in no way violates the Morse formula.

I have talked with representatives of the Department of the Army, and I have been informed that the property cannot be used by the Army or any other Federal agency until the boiler is installed. If the Army does not rent the property to the school district, the Army would have to go to the expense of paying for the boiler, and the cost is estimated to be about $2,300. The school district will use the property for 1 year. The rent will be treated as having been paid in the form of paying for the boiler, and the Army will take over the property and have the use of the boiler for a good many years. The Army assures me that the cost of the boiler, of about $2,300, is more than the fair market rent would be for the property for the same period of time. Therefore I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized and directed to credit against the rental required to be paid under any existing lease between Union Township of La Porte County, Indiana, and the United States all reasonable costs incurred by the said Union Township for the installation of a new boiler and heating system in connection with the premises under lease to the said Union Township at the Kingsbury Ordnance Plant, Kingsford Heights, Indiana.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind."

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HARTKE. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. JAVITS. Mr. President, I will not yield the floor for a parliamentary inquiry or anything else unless I have unanimous consent, in view of the disposition shown by the Senator from Arkansas.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that my distinguished friend from New York, without losing the floor, may yield to me, so that I may insert a number of things in the RECORD.

Mr. FULBRIGHT. Mr. President, I cannot hear the unanimous consent request.

Mr. DIRKSEN. It is for the purpose of making some insertions in the RECORD.

Mr. FULBRIGHT. I have no objection.

SUMMARY OF MAJOR LEGISLATION

Mr. DIRKSEN. Mr. President, it has been customary for many years for both the majority and minority leaders of the Senate, at the close of a session of Congress, to put into the CONGRESSIONAL RECORD and have printed as a Senate document their respective statements on the record of Congress.

At this time, I ask unanimous consent to have printed such a statement from the minority side in the CONGRESSIONAL RECORD and to have the same printed, with any necessary revisions and corrections after the adjournment of Congress, as a Senate document, and also to print, after the adjournment of Congress, as a Senate document, a summary of major legislation of general interest.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF A STADIUM IN THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, will the Senator from New York yield for a unanimous consent request?

Mr. JAVITS. I yield.

Mr BIBLE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield for a unanimous consent request to the Senator from Nevada.

Mr. BIBLE. Mr. President, I thank the Senator from New York. I ask unanimous consent that the motion to reconsider the vote on the passage of H.R. 8392, the engrossment, and the third reading be respectively agreed to, and that the amendment be disagreed to.

I may say that I have conferred with the ranking minority member of the Committee on the District of Columbia, that I have consulted with the majority leader and the minority leader, and that I have also consulted with the Senator from Oregon. This is the so-called stadium bill, which I discussed earlier today with the members of the Committee on the District of Columbia.

This action becomes necessary to clear up a parlimentary situation which is before the House.

Mr. President, I ask unanimous consent that a statement which I have prepared in connection with the bill, together with the supporting documents, be incorporated in full just prior to placing the bill for final passage.

Mr. JAVITS. Mr. President, I have the floor. I was not aware of the type of unanimous consent request which the Senator from Nevada was about to make. I ask unanimous consent that I might yield to sundry Senators for incidental business without losing my right to the floor.

Mr. FULBRIGHT. I object.

Mr. BIBLE. May I inquire either of the Presiding Officer or the Senator from New York what happened to my particular motion?

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. In view of the fact that I did not yield for the purpose specified by the Senator from Nevada, is not the request of the Senator from Nevada out of order?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the question was in order.

Mr. JAVITS. Reserving the right to object, would the Senator get unanimous consent, in view of the objection of the Senator from Arkansas, so that I may not lose the floor? If the Senator's request is acted on, that is business.

Mr. BIBLE. Yes. I am happy to make that unanimous consent request and ask that my motion for the passage of this little bill, which might be of assistance to the District of Columbia, may be passed.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I do not object to the bill; I do object to the Senator from New York holding up the Senate by endless talking and not permitting

the Senate to proceed to its regular business. I object to his farming out time. I think he ought to yield the floor and permit the Senate to move forward. I do not object to the bill which the Senator from Nevada is proposing. I do object to the tactics of the Senator from New York. I do not propose to let him hold the floor and permit him to farm out time to Senator after Senator.

Mr. BIBLE. Mr. President, I have requested this procedure on the bill because of the parliamentary situation that has developed in the House.

H.R. 8392, as amended, passed the Senate on Thursday, September 10, 1959. The amendment provided that the armory board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids. This bill, as passed by the House, provided for such construction by a negotiated contract in the event the board desired to do so.

The author of the bill, Representative HARRIS, of Arkansas, has advised me that he has consulted with the members of the District of Columbia Armory Board. They have advised him that despite the language of the bill as passed by the House, they will advertise for construction bids on a competitive basis. This would bring their actions into conformity with recommendations of the Comptroller General, such recommendations having been incorporated in the bill as passed by the Senate.

Further, the armory board under date of September 12, 1959, unanimously adopted a resolution binding itself to the oral agreement whereby bids for construction of the stadium would be advertised for on a competitive basis.

I ask unanimous consent that a letter addressed to me by the Armory Board containing this agreement be made a part of my remarks.

In view of all of these factors, it is my recommendation that the Senate adopt the House version of the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA ARMORY BOARD,
Washington, D.C., September 12, 1959.

The Honorable ALAN BIBLE,
Chairman, Senate Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: The District of Columbia Armory Board has examined H.R. 8392 as passed by the House of Representatives on August 10, 1959. This bill provided that section 2 of the District of Columbia Stadium Act of 1957, as amended, be amended so that the District of Columbia Armory Board could enter into negotiated contracts, as distinguished from public bidding contracts for the construction of the stadium.

The District of Columbia Armory Board has also examined H.R. 8392 as amended and passed by the Senate on September 10, 1959, and Senate Report No. 921, accompanying said bill.

In the amended Senate bill it is stated in substance that the District of Columbia Armory Board shall not have the right to negotiate a contract for the construction of the stadium, but should provide for such construction by contract entered into after advertising for competitive bids subject to the conditions contained in the Senate amendment to the bill.

In the light of this situation, please be advised that on September 12, 1959, the District of Columbia Armory Board passed the following resolution:

"It is hereby unanimously

"*Resolved,* That irrespective of any language which may appear in any act, the District of Columbia Armory Board will not negotiate for the construction of the stadium with any contractor, but in carrying out its authority to construct said stadium will advertise for competitive bids in conformity with the intent of the language of the Senate amendments to H.R. 8392 as passed by the Senate and as set forth in Senate Report No. 921, as well as with the opinion of the Comptroller General of the United States, dated August 19, 1959, as set forth in said Senate Report No. 921."

Very truly yours,
DISTRICT OF COLUMBIA ARMORY BOARD.
GEORGE F. SHEA, *Chairman.*

Attested:
H. T. KEITH,
Secretary.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the request previously made by the Senator from Nevada [Mr. BIBLE] was agreed to, the bill was ordered to a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, I thank both the Presiding Officer and the Senator from New York, and also the Senator from Arkansas. I am very sorry that I interfered with their business.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry: Did not the Senator from New York lose the floor? I objected to his yielding without securing unanimous consent, and he did yield.

Mr. JAVITS. Mr. President, may I be heard upon that matter?

Mr. MORSE. Mr. President, a point of order.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER. The Chair will attempt to answer the question propounded by the Senator from Arkansas. The Chair is advised by the Parliamentarian that the Senator from New York did not lose the floor.

Mr. FULBRIGHT. Mr. President, how can he keep the floor and then yield for this purpose, which he has? I objected to his unanimous-consent request that he retain the floor. I asked a second time. I was on my feet. I was objecting to his yielding. I objected to his filibustering the bill in the late hours of the night. He can either continue speaking or give up the floor. That is the point. I do not see how he can have it both ways.

The PRESIDING OFFICER. The Senator from Nevada made a unanimous consent request. The Chair heard no objection.

Mr. FULBRIGHT. I objected to the Senator from New York. The Senator from New York asked unanimous consent to yield without losing the floor. I objected. The RECORD, I think, is very clear that I objected. Now we have proceeded to pass a bill. I cannot see any other result except that the Senator from New York has lost the floor.

Mr. JAVITS. Mr. President, may I be heard on that point?

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. As I understand the situation, I ask unanimous consent to yield to other Senators, the matter of the Senator from Nevada having been consummated. It is at that point, as I understand, that the Senator from Arkansas objected. Therefore, I would not yield to other Senators except for questions.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is it not true that the Senator from New York is entitled to speak twice on the pending legislation and twice on any amendment which might be offered to the pending legislation? His powers of imagination are such that I presume he knows the possibilities are innumerable, and therefore he has not been put to any parliamentary disability.

He could call for a reading of the transcript of the RECORD, because I am inclined to believe that the transcript will show that the Senator from Arkansas is right in the position he took.

I respectfully request that if we cannot get the Senator from New York to agree, that he will make a second speech on this matter later, and that with his two speeches, with a series of amendments, which I am sure his imagination is great enough to conceive and present to the Senate, we can go on and get our insertions in the RECORD and transact business.

But I am serious when I say that I think the Senator from Arkansas is entitled to have the transcript read to determine whether his objection was made. If my ears did not betray me, I think he did object, and I think he is entitled to have the transcript.

I ask for a reading of the transcript as a point of order.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Chair will request the Official Reporter to bring in the transcript and read from it.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair cannot recognize any Senator until the official transcript has been read.

HOW TO MAKE A MOVIE OUT OF "THE UGLY AMERICAN"

Mr. FULBRIGHT. Mr. President, may I be recognized to make a unanimous-consent request?

The PRESIDING OFFICER. The Senator from Arkansas is recognized to make a unanimous-consent request.

Mr. FULBRIGHT. I ask unanimous consent to have printed in the body of the RECORD a very devastating analysis of the book "The Ugly American." The analysis was written by Mr. Thomas W. Wilson, Jr., and has come to my attention. The article was published in the June issue of Harpers magazine. I recommend a reading of the article to my colleagues.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO MAKE A MOVIE OUT OF "THE UGLY AMERICAN"

(By Thomas W. Wilson, Jr.)

(The guest in the "Easy Chair" this month lived abroad for some 12 years (in the United Kingdom, Europe, and the Mideast) as a newspaperman and businessman, and as a U.S. official, chiefly with ECA. He is now in Washington on the staff of the Committee for International Economic Growth and is editor of its monthly newspaper called Economic World.)

Offhand, "The Ugly American" looks like a natural for the screen. It has at least four big assets.

First of all, the story is presold. It was a Book of the Month Club selection; it has been on the best seller lists for months; and it was serialized by the Saturday Evening Post. So almost everyone knows that "The Ugly American" deals mainly with the shenanigans of delinquent Americans who represent the U.S. Government overseas.

Second, there is a carload of colorful characters to work with—good and bad. The principal bad guys include the oaf who is the American Ambassador to Sarkhan; the ignoramus who is Counselor of Embassy; the moron who heads the U.S. Information Service; the numskulls who run the economic-aid missions; the Chinese servants who spy for the Communists; and the ever-so-clever Russians who make fools out of the Americans bumbling about in Asia and elsewhere. The good guys include a Catholic priest who conquers both dysentery and the local Communists; a poultryman who does good work in the hinterlands—at least for a while; an Air Force colonel who plays a mouth organ and works out horoscopes; a hard-working American Ambassador who seriously tries to serve his country; a tough-minded labor negotiator who for some unaccountable reason conducts a conference on atomic weapon installations; and the Ugly American whose uncouth physiognomy and dirty fingernails suggested a title fortuitously reminiscent of Graham Greene's "The Quiet American."

Third, there is plenty of dramatic conflict in the story because everybody who tries to do any good has to beat his brains out against the stupidity, arrogance, trickery, indolence, bureaucracy, rascality, or other flaws of American officials in the field or at home.

And finally, the story is laid in Southeast Asia, which offers plenty of exotic background stuff like temple dancers, golden pagodas, jungle scenes, and other grist for Technicolor.

The only obvious deficiency in the story is that there isn't much of a sex angle, but it shouldn't be too hard to put some pizzazz into that insipid secretary to the Ambassador.

With all these assets, "The Ugly American" might appear to be a cinch for adaptation to the screen. But it's not that easy.

The screen writers may have trouble developing a story line and picking a hero. The difficulty is that the book is a collection of episodes which are only loosely related to each other and would tend to clutter up the continuity. Besides, most of the good guys don't quite add up as heroes. The Catholic priest is around for only one chapter and then is abandoned by both the authors and the American Embassy; the Air Force colonel never gets to influence policy by reading the king's horoscope because the counselor of embassy goofs off; the good Ambassador gives up hope of making sense out of the U.S. Government and throws in the towel; the labor leader's good work gets him nowhere because a Navy captain on his negotiating team falls for a local Communist girl to the detriment of his daytime reflexes; and the poultryman is bought off by a wily French Ambassador with an expense-free junket through the fleshpots of Asia and Europe.

By a process of elimination scenarists probably will have to settle for the ugly American himself as the hero, because he is the ony character who succeeds in doing any good for the U.S.A.—and then only by insubordination. The ugly American, of course, is the earthy engineer who disappears into the sticks of an Asian country with his equally earthy wife and—despite the disapproval of his American superiors—makes a hit with the natives by inventing a bamboo pump operated by a bicycle pedal to raise irrigation water.

Right here I want to make a minor suggestion to the screen writers. It is this: Try to figure out something else for the ugly American to invent, because the Asians themselves seem to have invented pedal-operated pumps about 10 centuries ago, though there is some historical evidence to suggest that they stole the idea from the ancient Egyptians. As for the use of bamboo, a Filipino tried to sell that idea a few years ago to both his own government and to the Indian Government, but it was turned down because it doesn't work very well and only works at all on shallow wells. And all the bright engineers—Asians and Americans alike—are trying to help the villagers out there to put down deep wells in place of shallow wells which are unsanitary and have other drawbacks.

As alternative ideas for the ugly American, you might consider the invention of a coffee roaster made from a gasoline drum; or an improved stove that burns less fuel and doesn't smoke up the hut; or a manual washing machine made out of wood; or a ten-dollar walter filter for village wells; or even an inexpensive gasoline pump. All these things have been cooked up by Americans in the field and they work fine.

STAY AWAY FROM THOSE FACTS

But these are details. The first big suggestion I want to make to the script department is this: Don't do any research on on this story. There is plenty of material available and it's easy to come by. But it spoils the whole theme of "The Ugly American."

Take the bit about the poultryman, for example. In the book he quits in disgust because his chief has a fixation about big projects like dams and irrigation works and can't be bothered with unglamorous, picayune stuff like improving barnyard stock. If you make the mistake of poking around into the facts, you would find that there are 58 Americans currently overseas in 43 countries helping farmers to improve their poultry and livestock. In Iran, for example, the U.S.-sponsored poultry program has benefited the farmers of some 30,000 villages and produced some 10 million cross-bred chickens which weigh twice as much as the old Iranian stock and lay three times as many eggs. And in Lebanon the poultry program is so well known that large eggs on the market are called point 4 eggs. This kind of information would spoil the whole story, so it is much better just to go along with the authors of the book and ignore it.

This advice is essential because one of the main points of the book is that our foreign-aid program doesn't do any of the little things that touch the plain people. And if you started messing around with research you would find all kinds of little projects—like the substitution of steel plow tips for wooden plow tips. Or instructions on how to deworm pigs. Or lessons on the prevention of childhood dieases. Or training schools for rural nurses. Or village programs to teach people how to read and write. Or self-help housing projects which are now underway in Guatemala, Costa Rica, Nicaragua, British Honduras, Surinam, Trinidad, British Guiana, Turkey, Korea, and Taiwan. Or the work-while-learning agricultural school for young farmers in the Philippines. Or the distribution of foods that have eased the twinges of hunger in at least 60 million bellies, mostly Asian. Stuff of that kind. It just doesn't add up to a bestselling story.

Another reason why it's important not to do any research is that a second major point of "The Ugly American" is to show what jerks we are, compared to the Russians. While the United States is represented in Sarkhan by an insensitive political hack, the Russian Ambassador is so dedicated that he not only dieted 40 pounds off his middle in deference to local predilections for slim-waisted diplomats but he learned to play the native nose flute as well. While American supplies, labeled as gifts from the U.S.A., never seem to spark any graitude, the Russians become heroes by furtively stenciling the hammer and sickle on a few bags of our rice.

But even more important is the evidence presented in the book that the Communists not only beat us hands down but they do it with far less money and never, never make a mistake. The screen writers of "The Ugly American" would do well to take all this on faith. Otherwise, they might find out that the Communist countries have extended credits for some $2.5 billion worth of economic aid and are putting more money and technicians into some countries than we are. What's more, they might stumble across some disturbing stories of booboos by the Communist masterminds—like how they offended the Burmese by buying their rice and then selling it in competition to Burma's own customers; or how they overcharged the Indonesians for inferior jeeps; or how they sent a beet-sugar mill to Java instead of the cane-sugar mill that was ordered; or how a team of technicians from Indonesia spent 9 months in Czechoslovakia without learning anything because their Communist instructors couldn't speak the language.

How would the audience get the word that the Russians are taking the shirts off the Americans if you show the Russians making mistakes like that? So this is my first line of advice to the screen writers: Stick with the episodes in the book and leave the facts alone. They muck up the story.

PUNCHERS AND QUITTERS

The second helpful hint is this: Don't be confused by a lot of little contradictions in the book. For example, the book says that Americans working overseas should get out and live and work in the villages where the people are; but it also says that Americans should cuddle up to students, intellectuals, labor leaders, opinion-makers, and the kind of folks who obstinately prefer to live in the cities. Then the book keeps preaching about how we should concentrate on the simple, inexpensive things that the people understand; but it also says that we should do things that will have a big dramatic impact, like the Russian offers to build a hospital and a sports stadium. The book says that we should send out only Americans who are steeped in knowledge of the language, history, religion, politics, economics, culture, and folkways of the country to which they are assigned; but it also suggests that our envoys should be down-to-earth folks ready to work with their hands in the fields and repair shops. The book suggests that our representatives should be disciplined professionals in the service of our cause; but the authors' sympathies run to insubordinate and peevish types who quit when they can't have their way, give the old heavo-ho to visiting American Senators, and punch other Americans on the nose—the kind of colorful individualist with a very low survival value in any organization, public or private.

But, as I say, don't be confused by such minor contradictions. Chances are the movie audiences will never notice a thing.

The third—and most important—bit of advice to the screenwriters is this: Don't go trying to make any sense out of the "big message" of the book. The "big message" is that the United States is consistently losing to communism all over the world and that there is an easy solution to this problem.

The solution is set down as plain as day in the final chapter of the book—rather curiously entitled "A Factual Epilogue." It says this:

"We do not need the horde of 1,500,000 Americans—most amateurs—who are now working for the United States overseas. What we need is a small force of well-trained, well-chosen, hardworking, and dedicated professionals. They must be willing to risk their comforts and—in some lands—their health. They must go equipped to apply a positive policy promulgated by a clear-thinking government. They must speak the language of the land of their assignment, and they must be more expert in its problems than are the natives."

This is the kind of statement that is impregnable to everything but analysis.

For one thing, the "horde of 1,500,000 Americans—mostly amateurs" includes well over 1 million members of the U.S. armed services. The authors do not recommend any reduction in Armed Forces, so presumably the desired reductions would be made from the professional-level people who man the Embassies and aid missions in the sixty-odd nations in which we are represented. Certainly some of these would have to mind the store in the capitals which remain the political, economic, financial, and cultural centers of the world and where official business between representatives of governments still is conducted. And given the fact that there are somewhere between 3 and 5 million villages in the world, one wonders how the remaining Americans would manage to get out and live with the plain people as they are urged to do.

Of course, no reasonable person would quarrel with the authors' edict that the refurbished American teams must "go equipped to apply a positive policy promulgated by a clear-thinking government." But it does imply that overseas representatives—no matter how rigorously trained—cannot be much better than the policies of the government they represent.

Again, none can object to the plea for language qualification, which experts agree is one of the four or five most important assets of representatives serving abroad. In fact it is so unassailable that even the Government had sense enough to expand its language training programs several years ago.

As for the suggestion that Americans should be more experts than native experts in the problems of their own countries, it just wouldn't pay to think about the likelihood of this ever happening.

SOME NATIVE ALLERGIES

But it isn't what is said in the big message that is really troublesome. It's what isn't said.

For example, it isn't pointed out anywhere in the book that Communist parties everywhere are manned—not by Russians or other foreigners—but by bona fide nationals of the country in which they live. Nor is it recognized anywhere in the book that Americans do not and cannot have representatives in the cabinets or parliaments of other nations or even run elections in foreign countries; that Americans do not and cannot publish newspapers or control other means of public persuasion; that Americans cannot have and do not have decisive influence over any of the centers of political power in any society outside of the United States.

Nowhere does the book mention that in almost every nation in Asia, the Middle East, Africa, and Latin America the dominant political force is nationalism rather than communism; and that the trademark of nationalism is a sensitive allergy to the exercise of any influence by any foreigner over any aspect of national life—least of all by foreigners who happen to be white and Western.

Nowhere does the book refer to the fact that our basic concept of relations with friendly nations precludes our representatives from throwing their weight around—even if they could; and prevents them from going behind the backs of host governments to deal directly with the people; and requires them to work out aid programs on the basis of agreed projects and mutual cooperation—with the result that, rightly or wrongly, Americans just don't wander around in the barrios and boondocks cooking up spot projects with the headmen of the villages.

Nowhere does the book point up the fact that the major enemies of social and economic reform are not so much the Communists as the conservative and reactionary elements in most societies. Nowhere does the book hint at the responsibility of foreign governments to lead in the conduct of their own affairs—nor at the existence of national leaders capable of doing so.

Speaking more generally, all that is left out of the book is a recognition that societies in the less developed areas of the world are caught up in the whirlwinds of concurrent revolutions—social, economic, ideological, and technological; that old institutions are crumbling right and left without new ones to take their places; that populations in many places are growing faster than resources; that communism—for all its sins—waits alertly to capitalize on turmoil not of its own making; and that there is a desperate lack of capital, of know-how, of management, and of the institutions needed to guide preindustrial and predemocratic societies through the agonies of violent change—quickly enough to meet aspirations and smoothly enough to avoid political retrogression. And people who worry about such things tend to suspect that this may be just about the toughest, most complicated, subtle, and sophisticated problem that anyone has ever faced.

But the screenwriters of "The Ugly American" should not boggle at this kind of thing. Stick with the big message. Stick with that small band of elite Americans—concocted of one part scholar, one part paratrooper, and one part handyman. In the book, the reader is left to imagine just how they would go about making Asia, Africa, and other parts safe for democracy. It would be well to leave it to the imagination of the movie audience as well.

The whole point underlying all my advice is that the big message in "The Ugly American" is absolutely foolproof just the way it is. There are at least three reasons for this.

(1) As the authors assure us, the episodes in the book are only fictionalized versions of events that actually took place, and the characters in the book are based on people who actually exist. Thus the stories are essentially true—just as true as the fact that the U.S. Congress includes a handful of rascals and freeloaders, or that American business has its quota of incompetents and fools, or that American youth includes delinquents and Beatniks.

(2) The authors of "The Ugly American" have the impressive credentials of the man-who-was-there-and-saw-it-with-his-own-eyes. As they put it: "We have shared in the events of southeast Asia." And as the book itself makes clear in the incident involving Senator Brown, the man-who-was-there is infallible, even when he is wrong.

(3) The big message of "The Ugly American" is foolproof because it offers a simple, easy cure-all for violent, complex, intangible problems. Any nostrum is bound to be popular because it offers a substitute for thinking. People love easy answers. So I just suggest that the screenwriters dish up "The Ugly American" the way it was written in the book. You can't miss.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I wonder whether it might be agreeable to the Senate if I ask unanimous consent that the Senate proceed to the consideration of executive business, inasmuch as it will take only a few minutes to handle the nominations on the Executive Calendar. I so request, Mr. President.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Twenty-three postmaster nominations.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the calendar will be stated.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the U.S. Coast Guard.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Coast Guard nominations be considered en bloc.

The PRESIDING OFFICER. Is there objection?

There being no objection, the nominations were considered and agreed to en bloc.

COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of James H. Blumer to be an ensign in the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of Charles M. Merrill, of Nevada, to be U.S. circuit judge, ninth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HUMPHREY. Mr. President, I should like to ask a question. Under the heading of "U.S. Circuit Judge," does the majority leader intend to call up the nomination of the judge for the eighth circuit?

Mr. JOHNSON of Texas. Yes. I ask unanimous consent that it be in order to consider, later, all the nominations at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remaining nominations on the calendar will be stated.

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of John O. Henderson, of New York, to be U.S. district judge for the western district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Girard E. Kalbfleisch, of Ohio, to be U.S. district judge for the northern district of Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ATTORNEYS

The Chief Clerk read the nomination of Donald G. Brotzman, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Harry W. Hultgren, Jr., of Connecticut, to be U.S. attorney for the district of Connecticut for the term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. DODD. Mr. President, the Senate has confirmed the nomination of Harry W. Hultgren, Jr., of Connecticut, for appointment as U.S. attorney for the district of Connecticut. In Mr. Hultgren, the President of the United States has selected a man of high character and of wide experience.

After serving his country in the U.S. Navy for a period of some 5 years and after the completion of his studies, Mr. Hultgren entered the private practice of law in Hartford, Conn. In 1954 he was appointed assistant U.S. attorney for the district of Connecticut, serving in that capacity until July 1958, at which time he was made acting U.S. attorney. He served with distinction in both offices.

Mr. Hultgren combines all of the qualification necessary to make a successful U.S. attorney and judging by his past record he will perform these important duties creditably.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the postmaster nominations be considered and confirmed en bloc.

Mr. JOHNSTON of South Carolina. Twenty-three postmaster nominations were reported today; and I should like to have those nominations considered, also.

Mr. JOHNSON of Texas. I should like to see the list of those nominations; and, later, I shall ask unanimous consent that those nominations be considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas that the postmaster nominations on the calendar be considered en bloc?

There being no objection, the nominations were considered and agreed to en bloc.

U.S. ATTORNEYS

The Chief Clerk read the nomination of Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Walter E. Alessandroni, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for a term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

BOARD OF PAROLE

The Chief Clerk read the nomination of Richard A. Chappell, of Georgia, to be a member of the Board of Parole for the term expiring September 30, 1960.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. PATENT OFFICE

The Chief Clerk read the nomination of Herbert Magil, of the District of Columbia, to be an Examiner in Chief, U.S. Patent Office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters which had been received September 11, 1959.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these postmaster nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE AIR FORCE

The Chief Clerk read the nomination of Col. Robert F. McDermott, 9782A, Regular Air Force, for appointment as dean of the faculty, U.S. Air Force Academy, under the provisions of section 9335, title 10, of the United States Code, with rank of brigadier general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS

The Chief Clerk read the nomination of Verne J. McCaul, to be lieutenant general in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Robert E. Hogaboom, to be lieutenant general in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the 1st day of January 1960.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

AIR FORCE AND REGULAR ARMY NOMINATIONS PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read 3,232 nominations for promotion in the Air Force and 234 nominations for promotion in the Regular Army, which had been placed on the Vice President's desk.

The PRESIDING OFFICER. Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ATTORNEYS

The Chief Clerk read the nomination of Russell B. Wine, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of William B. West III, of Texas, to be U.S. attorney for the northern district of Texas for the term of 4 years, vice Heard L. Floore, resigned.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. CIRCUIT JUDGES

The Chief Clerk read the nomination of Harry A. Blackmun, of Minnesota, to be U.S. circuit judge for the eighth circuit, vice John B. Sanborn, retired.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of M. Oliver Koelsch, of Idaho, to be U.S. circuit judge for the ninth circuit, vice James Alger Fee, deceased.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of Myron D. Crocker, of California, to be U.S. district judge for the southern district of California, vice Gilbert H. Jertberg, elevated.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of William T. Sweigert, of California, to be U.S. district judge for the northern district of California, vice Edward P. Murphy, deceased.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the

23 postmaster nominations which have been reported be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. JOHNSON of Texas. Mr. President, I thank my colleagues for their indulgence.

Mr. DIRKSEN. Mr. President, there has been some concern, and certainly some solicitude, on the part of Senators with respect to nominations which have been sent to the Senate by the President of the United States, and particularly in the case of nominations for the judiciary and for U.S. marshals and matters related to our judicial system.

I also know that there has been some criticism over the delay that ensued. Having been identified with this matter so long, I feel dutybound to say at least two things: First of all, to bestow a compliment upon the distinguished Senator from Mississippi [Mr. EASTLAND], the chairman of the Judiciary Committee, who has been so patient, so forbearing, and so cooperative in undertaking to get these nominations resolved before the session closed. I can testify on that point, and I think all other members of the Judiciary Committee can do likewise.

I think Senator HRUSKA, who held a good many of the hearings, as a member of the subcommittee, and I think other Senators who served in that capacity, can also testify to that effect.

Finally, Mr. President, I wish to say in behalf of the majority leader that he, too, has been most cooperative in this matter.

I am not unmindful of the fact that when a nomination comes, a hearing has to be held; and difficulties develop.

So we have approached the job rather patiently; and we have not been in too much of a hurry.

This whole matter was dramatized not so long ago when a nominee for a district judgeship withdrew his name; and the correspondence between him and the White House appeared in the daily press, and out of it there came some criticism. I am familiar with the whole matter. I think I saw the files on both sides. I think I had perhaps more to do with the interchanges between the Department of Justice, the Attorney General, the Deputy Attorney General, and those who were charged with that responsibility at the White House, than perhaps any other person.

So, Mr. President, I am going to pay testimony right now to the majority leader for being forbearing in the matter. He has been gentlemanly in every sense of the word. These delays have not been extraordinary, in my judgment. I am delighted to be able to report that nearly all the nominations for the Federal judiciary, for positions as U.S. marshal and as U.S. attorney, have now been consummated, with very few exceptions. I think I can report that to my colleagues with a feeling of delight and I think with a feeling of appreciation to the majority leader for his kindly cooperation.

I yield the floor.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1473. An act to repeal the act of May 27, 1912, which authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.;

S. 2282. An act to amend the act of July 17, 1952;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project; and

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. CANNON, Mr. TABER, and Mr. RHODES of Arizona were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. Commissioners for purposes of such act;

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam;

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 2068. An act for the relief of Howard F. Knipp;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the County of Sacramento, Calif.;

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 2386. An act to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land;

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 2982. An act to fix the official station of retired judges assigned to active duty;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service;

H.R. 3735. An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children;

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 3792. An act to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 4134. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim or claims, of Scotty James, of Sitka, Alaska;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, La Feria division;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 5004. An act authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters;

H.R. 5067. An act to repeal section 217 of the Merchant Marine Act, 1936, as amended;

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 5477. An act to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 5896. An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens;

H.R. 6128. An act to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe, and for other purposes;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6809. An act for the relief of Lt. (jg.) James W. Little;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 6888. An act to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended;

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7935. An act for the relief of Father Kenneth M. Rizer;

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the General Edgar Jadwin Dam and Reservoir;

H.R. 8277. An act for the relief of Harold William Abbott and others;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8409. An act to extend the International Wheat Agreement Act of 1949;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8609. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes;

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes;

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that act will take effect;

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes;

H.R. 9035. An act to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd;

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week;

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year;

H.J. Res. 403. Joint resolution granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency;

H.J. Res. 446. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

RACIAL DISORDER IN NEW YORK CITY RESULTING FROM FORCED INTEGRATION OF SCHOOLS

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk and bring to the attention of the Members of the Senate a news item from New York City concerning racial disorder resulting from forced integration of schools.

Mr. President, this article reports how parents of white students in the Queens Borough, Glendale-Ridgewood section of New York City today kept more than 1,000 children from going to school because of racial unrest. The article says the unscheduled boycott resulted as a protest by the white parents against the transfer of Negro and Puerto Rican students to five predominantly white schools. The news item said there was mass picketing and counterpicketing by opponents and supporters of the transfer experiment.

As I understand the situation, this transfer of Brooklyn students to the other areas is an attempt to force integration in an area where mixed students do not even live. As the news story reports, school attendance dropped tremendously in four out of five schools involved. The article further relates that policemen were on hand to enforce order and prevent incidents.

Mr. President, I trust the great liberal press of Washington will carry this news screaming across its front pages in big, bold, black type, as they did when mass picketing against forced integration was conducted at Little Rock, Ark.

I trust this is some of the peace and tranquility that has been brought to our Nation as a result of the long study made by the Civil Rights Commission.

I trust this is the harmony that was referred to by the Attorney General of the United States when he urged the Civil Rights Commission to be created.

I trust that the 17 so-called race relations experts who released a report this morning in New York City which declared that it was for them, the race experts, "exciting and inspiring" to look into and review all the racial integration that has transpired over the past 10 years. I hope these race experts and the national association of intergroup relations officials will have a lengthy study soon to report how proud they are of the results of integration in New York City. I am sure they would be inspired if they were on hand this morning to see these 1,000 schoolchildren stay home while parents boycotted the pros and cons of forced integration.

Mr. President, contrary to the headline on an article which appeared in the Washington Daily News this afternoon, entitled "integration here is inspiring," I believe that integration here and elsewhere, as in New York City, to be demoralizing. I trust the Members of the Senate will consider these questions and these underlying problems of forced integration that have come to New York City and Washington, D.C., before they vote to pass legislation to continue the life of the Civil Rights Commission.

I wonder if the President of the United States at this point will call out troops and send them to New York City to see to it that the Negro and Puerto Rican students, who are riding halfway across the town in public school buses, are admitted without incident to the various schools involved.

I wonder if the Attorney General of the United States has called on the President or advised the President to send troops into New York City to enforce integration, where mass picketing is being conducted and where more than 1,000 schoolchildren are being kept from school.

I wonder if the President would not consider himself prejudiced if he does not use troops to enforce integration in New York, since he did likewise in Little Rock.

Mr. President, these are some of the questions that I think should be answered, and some of the problems that should be studied by the Senate of the United States.

Mr. President, I ask unanimous consent that this news item from New York City be placed in the body of the RECORD, together with my remarks.

There being no objection, the news item was ordered to be printed in the RECORD, as follows:

NEW YORK.—Hundreds of white residents today staged an unscheduled boycott to protest the transfer of Negro and Puerto Rican students to five predominantly white schools.

Parents kept more than 1,000 children home from four or five schools in the Queens Borough Glendale-Ridgewood section. A few orderly pickets were on hand when buses brought the Negroes and Puerto Rican children in from Brooklyn's Bedford-Stuyvesant area.

Announcement of the planned transfer had led to mass picketing by some white parents earlier this year, and counterpicketing by supporters of the transfer experiment.

Only 500 of 787 pupils enrolled showed up today at Public School No. 81, school official said. At Public School 91 it was 150 of 406, at Public School No. 68, 271 of 610, and at Public School 77, 290 of 494.

Attendance at the fifth school involved in the transfers, Public School No. 88, was reported at 95 percent of registration, regarded as normal for an opening day.

Small groups of pickets were outside three of the Queens schools. Patrolmen in radio

cars assigned to the schools said there were no incidents and no attempts were made to prevent the children from entering.

RECOGNITION OF THE NATION'S FARMWORKERS

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the RECORD at this point a statement entitled "The Voice of the Disinherited." This excellent résumé was brought to my attention by the National Sharecroppers Fund.

A great humanitarian and former Member of the U.S. Senate, Frank P. Graham, is chairman of the national board of the National Sharecroppers Fund. A statement emanating from an organization of which the highly respected Frank Graham is a member certainly deserves the consideration of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE VOICE OF THE DISINHERITED—A BRIEF HISTORY OF THE AGRICULTURAL WORKERS UNION 1934–59

In July 1934, 18 sharecroppers met in an abandoned school on the Fairview cotton plantation near the town of Tyronza, Ark., to found the Southern Tenant Farmers Union. Eleven of the men were white and seven were Negro.

The impetus for the formation of this interracial organization of people at the bottom of the agricultural ladder came as a direct result of the adoption of the New Deal farm program, the Agricultural Adjustment Administration, under the aegis of Henry Wallace, Secretary of Agriculture. The sharecroppers were convinced that if they were to share equitably in the benefits of AAA along with the plantation owners, they must have an organization to represent them.

Early in the fall of 1934, a number of sharecroppers on the Fairview plantation received notices that because of the reduction in crops, their services were no longer required. However, a section of the AAA contract provided that each landloard must maintain the same number of tenants on his land and permit them to use part of the Government rented acreage to produce food for their families and livestock. The first action of the union was to secure the services of an attorney and to file suit in the U.S. district court against the owner of the Fairview Plantation to prevent his eviction of 40 sharecroppers, all members of the Union. In an effort to enlist the support of Henry Wallace in their plight, the union next sent a delegation of five men to Washington to ask Mr. Wallace to enforce the AAA contract and prevent the plantation owner from evicting the sharecroppers. Mr. Wallace met with the group, promised to investigate and to consider intervening in their lawsuit. An investigator was sent to Arkansas. She was Mrs. Mary Connor Myers whose report was never made public, but it was learned that her findings substantiated the union's charge that sharecroppers were being evicted by the thousands as a result of the AAA program.

Gardner Jackson, Jerome Frank, and others then in the Department of Agriculture sought to persuade the Secretary to enforce the rights of sharecroppers and tenant farmers and to become a party to their lawsuit. Mr. Wallace refused to do so, and Judge Frank, Gardner Jackson, and several others were ousted from the Department in what was known as the purge of AAA early in 1935. The Southern Farmers Union's suit was thrown out by the U.S. district court on the technicality that since sharecroppers were not direct parties to the contract between the Department of Agriculture and the landowner, they had no legal rights under it.

Soon after the court acted local law-enforcement officers began arresting and jailing union leaders on the basis that they were violating such laws as "enticing laborers," "barratry," and other obscure statutes. A young Methodist minister, Ward Rodgers, engaged in teaching WPA adult education classes, was jailed on charges of anarchy and blasphemy. He had addressed one of the Negro leaders as "mister" at an open union meeting. With the help of the American Civil Liberties Union and outstanding Americans, such as Norman Thomas, the union lawyer was able to get the men released from jail. Mr. Thomas made several trips to Arkansas and, in appearances on radio and public platforms, forcibly called attention to the plight of the sharecroppers. Early in 1935 a reign of terror was unleashed in Arkansas by plantation interests operating as night riders. Homes of union members were shot into, meetings were broken up, two men were killed, dozens were beaten, others had to leave the State.

Nevertheless, the union continued, and during the fall of 1935, led a successful strike of cottonpickers which resulted in a substantial wage increase. The union was again able to operate openly in Arkansas, and organization spread to other States. Thousands of sharecroppers and wageworkers joined its ranks. In the spring of 1936 there was another strike of cottonfield workers. Again union meetings were broken up; picket lines were attacked by mobs; unionmen were arrested and forced to work on plantations owned by their jailers. A woman social worker from Memphis and a minister from Little Rock were flogged by a band of plantation owners. A mob attacked the president of the union in a county courthouse and almost lynched him. Rev. James Myers, of the Federal Council of Churches, on an investigation trip into Arkansas, along with several other out-of-State ministers, was held for questioning. Dr. Sherwood Eddy and a party met similar treatment in another area.

The March of Time made a two-reel movie of the events that occurred. This movie was shown throughout the country. National magazines and newspapers such as the New York Times ran articles on the embattled sharecroppers in Arkansas. The Governor of Arkansas sent in the National Guard and the strike was broken. However, U.S. Attorney General Homer Cummings sent investigators and special prosecutors into the area. One of the chief offenders, a local deputy sheriff, Paul D. Peacher, of Earle, Ark., was tried and convicted of peonage.

President Roosevelt appointed a Commission on Farm Tenancy the same year. An officer of the union served on this Presidential Commission. Out of the report of the Presidential Commission came the recommendations for the Farm Security Administration and its program for resettlement and rehabilitation of low income farm families. The union's representative on the Farm Tenancy Commission filed a minority report calling for cooperative farm projects. If there had not been a union in existence and widespread interest aroused by its activities, it is doubtful whether there would have been either a Presidential Commission on Farm Tenancy or a Farm Security Administration program.

In 1937 the Southern Tenant Farmers Union, believing that it could be more effective, sought affiliation with the CIO. John L. Lewis put the Southern Tenant Farmers Union in the CIO Cannery and Agricultural Workers Union led by Donald Henderson, a member of the Central Committee of the Communist Party of the United States of America. Henderson attempted to oust the native southern leadership and take over the Southern Tenant Farmers Union for its political party, After nearly 2 years of internal strife, the STFU withdrew from the CIO union with its membership decimated. The CIO expelled the Henderson union 10 years later as dominated by Communist.

Early in 1939, a demonstration occurred in southeast Missouri. Several hundred Negro and while families evicted from the plantations camped out on the highways in protest against the change being made by plantation owners who were substituting wagework for the age-old sharecropping system. The union appealed to Mrs. Roosevelt, requesting her help in getting relief for the families camped on the Missouri highways. She asked the President to have the National Guard in Missouri provide tents to shelter the people from the winter weather and, in her column, called on the public to send food and clothing to those who were hungry and homeless. Aubrey Williams, then head of the National Youth Administration, asked Mrs. Roosevelt to see H. L. Mitchell, then secretary of the Southern Tenant Farmers Union, who told her about the people camped on the highways in Missouri.

The families on the highway were removed by local authorities and scattered about in churches, vacant houses and barns on the back country roads just before the National Guard trucks arrived from Jefferson City with the tents. Some weeks later a delegation from the union called on Dr. Will Alexander and proposed that a permanent labor homes project be established in southeast Missouri by the Farm Security Administration. Within a year the Delmo labor homes were built by FSA and 600 families, many of whom had once camped on the highways, were provided with comfortable homes. In 1943 when the Farm Security Administration was under attack by the farm bureau, the union enlisted the help of a group of citizens in St. Louis, among them Bishop Scarlett, and 550 of the Delmo labor homes were saved. The houses are still in use and are now owned by white and Negro farm worker families, many of them migrants who follow the crops each year.

During World War II the Southern Tenant Farmers Union slowly rebuilt its membership in Arkansas and other States. It sent its unemployed members out of the South to work on seasonal jobs on farms and in food processing plants. Unemployed farmworkers were recruited by the union in cooperation with the War Manpower Commission and the Farm Security Administration and sent to Arizona, California, and Texas to pick the long staple cotton needed by the Army for barrage balloon manufacture, and others went to Florida to help harvest fruits and vegetables. Soon Congress passed a law prohibiting use of Government funds for recruiting and transporting farmworkers to jobs outside their home counties. This law stopped the union workers from being recruited and transported by the Government agencies to out-of-State jobs. But the union set up an organized migration plan with the assistance of another union which had contracts in food plants and on the large Seabrook Farms in New Jersey. During World War II, 2,000 or more adult workers secured jobs in New Jersey and other Eastern States for 2 and 3 months each year. This organized migration program has been conducted intermittently ever since, and it is believed that here in embyro is a plan that will eventually provide a solution to the migrant labor program.

Largely because of the success of this organized migration program, in 1946 the American Federation of Labor was persuaded to accept the union as one of its affiliated national unions. The following year, with AFL encouragement and financial assistance from some of its more enlightened unions,

a campaign was launched in California to organize farmworkers. The 12,000-acre Di Giorgio Fruit Corp. ranch was organized. The employer refused to bargain with the union and 1,100 workers went on strike. The strike lasted 2 years. There was an attempt to wipe out the local union leadership. A strike meeting was fired into and the local union president was injured severely. The corporation then secured injunctions under the new Taft-Hartley Act and prohibited the union as well as other unions from boycotting the Di Giorgio products. Strikebreakers, Mexican nationals legally imported under contract, were used at first and, when the A.F. of L. succeeded in stopping their use, illegal aliens from Mexico, known as "wetbacks," were employed by Di Giorgio. In spite of the loss of this strike, the union persisted in California, establishing local organizations in every important agricultural area in the State. A strike affecting 40,000 cottonpickers in California was won and an informal contract with the principal employers agreed upon.

By 1949, hundreds of thousands of illegal workers from Mexico were crossing the border into the United States each year. Native Americans, the majority of whom were of Mexican descent, found it increasingly difficult to earn a living from farmwork. Entire rural communities were abandoned as more and more Mexican wetbacks arrived to replace the resident farmworkers.

In a final desperate effort to stem the tide, the union turned to the Imperial Valley in southern California, seeking to stop the influx of illegal workers at its source. A demonstration by 6,000 local farmworkers led by the union in Imperial County was almost successful. With assistance from unions in Mexico, the border was manned by picket lines of union men from both countries and the loopholes were temporarily plugged. One of the union organizers also had an idea which involved the duty of citizens who see a crime being committed to make a "citizens' arrest." Soon all the union members were arresting Mexican wetbacks and turning them in to the immigration authorities for deportation across the border. The Imperial Valley was cleaned out of illegal workers, but the U.S. Department of Labor refused to return 4,000 legally imported contract workers still employed, and Secretary Tobin permitted additional thousands to be brought in to harvest the crops.

Recalling how the farm tenancy problem had been improved, the union proposed to President Truman that he appoint a Presidential Commission to investigate the farm labor problem. With the help of others, including Mr. Green of the A.F. of L. and Mr. Murray of the CIO, President Truman was prevailed upon to establish the President's Commission on Migratory Labor in Agriculture. This Commission made its report in 1951. In the ensuing political campaign of 1952 and the election of President Eisenhower, nothing much was done about this significant report on migratory labor. The President's Commission report did help bring an end to the wholesale employment of Mexican wetbacks on the farms of the southwestern States. After Senator DOUGLAS, of Illinois, secured passage of a bill in the Senate to penalize employers (though the legislation was killed in the House of Representatives) the administration acted to enforce the immigration laws. However, an agreement was made whereby the corporation farmers stopped employing illegal aliens and were assured of all the Mexican workers they wanted. Instead of wetbacks, they secured contract workers legally imported from Mexico under conditions not much better than those prevailing for illegal aliens.

Meanwhile, in the Southern States the agricultural economy was changing rapidly. During World War II, thousands of new industries were located in the South. The plantations were being mechanized and larger crops of cotton were produced on smaller acreages. Many former cotton plantations became livestock farms. Nearly all sharecroppers became casual wageworkers, finding only a few weeks work in the spring and fall months each year. Some become migratory farmworkers, following the crops with the sun. Others left the land permanently for nearby cities and the industrial centers of the North and far West. By 1948, plantation owners in Arkansas and other delta cotton States began importing seasonal workers from Mexico. A task force of approximately 25,000 contract workers from Mexico is imported each year to work in cotton in Arkansas. With this force of foreign laborers available, it was found possible to reduce wages for cotton chopping (weeding) and picking from the wartime levels attained by the union. An anomalous situation is now found where native Americans are often paid 30 cents to 40 cents an hour for the same work for which imported contract workers from Mexico are guaranteed not less than 50 cents an hour. Few white workers remain in the cotton country. Most of them left for war jobs in the forties. Only the young and aged remain to work on the cotton plantations at low wages. However, the union continues in over 100 communities in the mid-Southern States.

In 1952, the union assisted over 3,000 small farmers in Louisiana to form a combination local union and cooperative to market the early crop of strawberries. These little farmers, many of them Italian-Americans, had an average of three acres of strawberries in cultivation. For 2 years the cooperative union's orderly marketing of strawberries brought better prices to the growers with no increase in cost to the consumer.

In the political campaign the strawberry farmers mobilized and voted for Adlai Stevenson. As soon as the Eisenhower administration started, trouble began for the Louisiana strawberry farmers. The new administration's first successful prosecution under the Sherman Antitrust law was directed against the 3,000 little strawberry farmers. The local cooperative union was fined heavily and five of its local officers and a representative of the national union were not only fined but given suspended prison sentences for conspiracy to violate the antitrust law. Their union ceased to exist. Three years later nearly all of the strawberry farmers were working in construction trades and industries in the expanding industrial development taking place in Louisiana. Less than 2,000 were still producing strawberries. California strawberries produced with cheap Mexican contract labor were being shipped into Louisiana for processing at a lower price than the local farmers could produce the crop.

At approximately the same time strawberry farmers were operating their successful union, the workers on the nearby sugar cane plantations began organizing. The union of plantation workers received ecouragement from the rural priests working in the New Orleans Archdiocese of the Roman Catholic Church. When the plantation workers simply requested the sugar corporations to meet with them to discuss wages and working conditions, the corporations refused and the workers were forced to strike. For 4 weeks the 2,000 plantation workers held out for recognition of their union. But the strike was broken when their employers secured broad injunctions from the State prohibiting strikes during the harvest season as an irreparable damage to an employer engaged in producing a principal crop. These injunctions were based on a theory first advanced by RICHARD M. NIXON when he was a Member of Congress, which is "that since farm workers were excluded from the National Labor Relations law, they are therefore forbidden to organize and to act in concert."

The State supreme court in Louisiana upheld the injunctions. Having lost 5,000 members within a year, the National Agricultural Workers Union was unable to finance an appeal to the U.S. Supreme Court. Nevertheless, an appeal was made on a pauper's oath and the highest Court in the land ordered the injunctions vacated 2 years after the strike of the plantation workers was lost.

When the A.F. of L. and the CIO were merged into a single labor federation and the program for organizing the unorganized was announced, officers and members of the National Agricultural Workers Union were hopeful that at last the Nation's farmworkers would be organized.

The AFL–CIO is now committed to a program to assist farmworkers by helping secure better enforcement of existing laws, securing new legislation, mobilizing public opinion to create a favorable political climate wherein improvements can be made, and finally, to assist the workers in organizing their union.

The above statement, though long, is necessarily a brief account of the trials and tribulations of this union for a period of 25 years.

The major accomplishment of the union has been in keeping the plight of first the sharecropper and now the hired farmworker on the conscience of the public and of organized labor. In doing this, it has succeeded in bringing about a temporary improvement in the lives of many, and permanent benefits to a few.

ERRONEOUS VOTING RECORDS PUBLISHED BY NEW YORK TIMES

Mr. MORSE. Mr. President, turning to another matter, the New York Times for Monday, September 14, 1959, contains what is designated as "the detailed record of the 12 most significant votes in the Senate in the first session of the 86th Congress now ended."

This compilation of votes, so far as it relates to my voting record, establishes once again that the New York Times is not infallible.

In the first place, in listing "key roll-call votes" at page 24–C, the Times for September 14 has listed House votes in the compilation where Senate votes should appear and Senate votes in the compilation where House votes should appear.

Furthermore, the New York Times for September 14 made incorrect statements concerning my voting record in 4 out of 12 so-called key issues.

The first of the erroneous listings of my voting record relates to what the Times designates as "labor reform." Under this caption, the Times referred to the McClellan amendment to add to the labor bill a new section providing a bill of rights. The Times stated that I voted "yea" on the McClellan amendment. The truth is I voted "nay" on that amendment.

The second erroneous report made by the Times on my voting record dealt with what the Times described as "Rural Electrification Administration." Under this caption, it covered Senator LYNDON JOHNSON'S motion to pass the bill S. 144 over the President's veto. The Times

reported that I voted "nay" on the motion to override. The truth is I voted "yea" on this motion.

The third misstatement of my voting record by the New York Times on September 14 related to the nomination of Lewis L. Strauss to serve as Secretary of Commerce. The Times indicated that I voted "yea" on the Strauss nomination. The truth is I voted "nay" on that nomination.

The fourth erroneous report of my voting record in the September 14 issue of the New York Times related to the issue labeled "Wheat" by this newspaper. The Times reported that I voted "nay" on Senator LYNDON JOHNSON'S motion to accept the House version of the wheat support program. The truth is I voted "yea" in this instance.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me? How does it say I voted on my own motion? [Laughter.]

Mr. MORSE. I have not looked it up.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me without losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Will the Senator from Wisconsin answer the question?

Mr. PROXMIRE. I would like to answer the question of the majority leader. The New York Times shows six tabulations. On the rural electrification vote, Senator JOHNSON'S motion to pass the bill over the veto, the New York Times reports that the Senator from Texas voted against his own motion. [Laughter.]

Mr. MORSE. Mr. President, if the Senator will yield, I just checked this wonderful table in the New York Times, which is a masterpiece of erroneous reporting, and I ask unanimous consent that the full table be printed at this point in the RECORD. The Senator from Wisconsin is right. The article shows the Senator from Texas voted against his own motion.

Mr. RUSSELL. Mr. President, reserving the right to object, does the Senator think the table should go into the RECORD? I am likewise recorded erroneously there on two or three occasions. If the Senator puts the table in the RECORD, it will cause great confusion.

Mr. MORSE. Not with these comments about it, it will not cause any confusion. [Laughter.]

I think it ought to be preserved for posterity. [Laughter.]

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I think at least every Senator ought to have an opportunity to add to his statement to point out the error of his own record as published in the article. Otherwise a reader of the RECORD would think the Senator from Oregon and the Senator from Texas were the only ones who were erroneously recorded, and I see very few Senators today who are not complaining bitterly about the fact that they are being misrepresented in the table of the New York Times.

Mr. MORSE. I hope the Senator will not object to my putting in the table, because after we get through nobody will take it seriously.

Mr. RUSSELL. I shall not object if each Senator can have 2 days or until the next RECORD is printed to insert into the RECORD his own appraisal in criticism of the article from the New York Times.

Mr. MORSE. I am delighted to have that understanding.

Mr. PROXMIRE, Mr. HOLLAND, and Mr. DOUGLAS addressed the Chair.

Mr. PROXMIRE. Mr. President, will the Senator let me complete my statement? I was halfway through my explanation of the majority leader's position. I would like to complete it, and later I would like to clarify my own position.

The majority leader was also recorded on rollcall No. 8 as having voted against the Johnson motion to accept the House version on the wheat bill.

There are further inaccuracies in the majority leader's vote and in the junior Senator from Wisconsin's vote, but I will get to them later.

Mr. HOLLAND. Mr. President, let me say the Senator from Oregon has referred to one vote in which I, too, was incorrectly shown, except I was shown in the reverse. I voted "nay" on the wheat motion, and I was shown as having voted "yea," whereas the distinguished Senator from Oregon voted "yea" and was shown as having voted "nay."

Whoever set this up must have been enjoying life at the time he did it. [Laughter.]

Mr. MORSE. Mr. President, I do not think the majority leader had completed his statement.

Mr. JOHNSON of Texas. Mr. President, I simply wish to point out that in the two instances cited by the Senator from Wisconsin I was incorrectly recorded. I saw some other parts of the article which I thought were equally inaccurate. To set the RECORD straight, the New York Times has recorded me inaccurately on four votes. Vote No. 5 shows me as not voting on the amendment of the Senator from Arkansas [Mr. MCCLELLAN] when in fact I voted against that amendment: Vote No. 6 shows I voted against my own motion to override the President's veto of the Rural Electrification Administration bill. Vote No. 7 shows me voting in favor of the confirmation of Lewis L. Strauss. In fact I voted against that nomination. On vote 8 I am shown as voting against my own motion to accept the House version of the wheat bill. Of course I voted in favor of my own motion. But Mr. President, I am accustomed to seeing inaccuracies appear in a great many newspapers.

Mr. MORSE. I will say to the Senator, "You and me both."

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I will say that in general the New York Times is extraordinarily accurate. I do not know of any newspaper in the world which has a larger volume of news and which on the whole reports that news more accurately. I do, however, want to correct certain vital errors which were made about my votes [laughter] because in the table which has been referred to the newspaper made four errors with regard to my voting record [laughter.]

First, the table in the newspaper has me voting "yea" on the McClellan amendment to the Kennedy labor bill, when I was absent for that vote.

Mr. FREAR. Was that inaccurate?

Mr. DOUGLAS. That was inaccurate; yes. I was absent for that vote. I was then in Canada conferring with the Prime Minister of that Commonwealth on a very important matter in connection with my official duties; namely, the Lake Michigan water diversion bill. In fact, I was paired against that amendment. I later voted for a revised form of the amendment.

Second, the table in the New York Times has me paired against on the vote to override the President's veto of the REA bill, when I in fact voted "yea," or voted to override the veto.

Third, the table in the New York Times has me recorded as voting "yea" on the question of the confirmation of the nomination of Lewis Strauss, when in fact I voted "nay" and against the confirmation of the nomination.

Fourth, the table in the New York Times has me recorded as voting "nay" on the motion to accept the House version of the wheat bill, when in fact I voted "yea."

As I say, we all have a high opinion of the accuracy of the New York Times.

Mr. MORSE. Strike the word "all." [Laughter.]

Mr. DOUGLAS. Well, I have a high opinion of the accuracy of the New York Times. I think this experience shows that even Jove nods at times.

The PRESIDING OFFICER. The Senator from Illinois will suspend. The Chair wishes to announce that the occupants of the galleries are guests of the U.S. Senate. While they are guests of the U.S. Senate they should and must act in accordance with the rules of the U.S. Senate.

The aids of the Senate who are present in the Chamber must refrain from engaging in conversation while on the floor.

The present occupant of the chair did not ask for the job this evening. The present occupant of the chair is determined to have order.

The Chair wishes to request the cooperation of our guests in the galleries, the cooperation of the aids on the Senate floor, and above all the cooperation of other Senators.

The Senator from Illinois may proceed.

Mr. DOUGLAS. Mr. President, I urge the New York Times, which is usually very accurate, to correct its record, and to correct it in such a manner that the correction will be given even more prominence than the initial erroneous table, for I have learned that it takes a long time for truth to catch up with such mistakes as these.

I believe, since the New York Times is regarded to be a most reliable source, these mistakes should be corrected immediately.

Several Senators addressed the Chair.

Mr. MORSE. Mr. President, I will yield first to the Senator from Alaska, and then I will yield to the Senator from Tennessee.

Mr. BARTLETT. Mr. President, I suggest that the table ought to be printed in the RECORD, without any explanatory statements whatsoever. This is a rare opportunity for double mileage.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, the mistakes in the reporting of the voting record of the Senator from Illinois are about the same mistakes which are made in connection with the reporting of my votes. It is quite apparent that there has been a bad typographical error.

The New York Times, which usually does such a remarkable job, should not be held up to ridicule because of some typographical mistakes. I would respectfully ask the Senator not to place the table in the RECORD, but to give the New York Times an opportunity to correct the record.

Mr. MORSE. The persuasion of the Senator from Tennessee, and of the Senator from Georgia is so effective that, if it meets with no objection, I will withdraw my request that the highly erroneous voting record table of the New York Times be printed in the RECORD, but ask that there be printed only our comments correcting the mistakes in the table.

Mr. RUSSELL. Mr. President, I wish to thank the distinguished Senator from Oregon. Of course, other Senators who have talked have only been misquoted in regard to their votes, and have had their votes misrepresented, by being carried as having voted "yea" when they actually voted "nay," or vice versa. The Senator from Georgia suffered an even greater indignity. The Senator from Georgia was erroneously reported as not having voted at all on two occasions, which is much more harmful than having been reported erroneously.

Mr. MORSE. The majority leader [Mr. JOHNSON of Texas] has pointed out that not only is the table inaccurate, but even the story is inaccurate. I think making the corrections will suffice.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. KEATING. As a New Yorker I must express gratification that so many Members read the New York Times.

Mr. MORSE. We have to read it, in self-defense. [Laughter.]

Mr. KEATING. I share the views expressed by the distinguished Senator from Tennessee, that the New York Times is usually quite accurate. My distinguished colleague from New York [Mr. JAVITS] and I also had our votes inaccurately described in the table. [Laughter.] We have sent a telegram to the New York Times today suggesting to the newspaper that it print a new box score. When the table becomes accurate it may be desirable at that time to have it printed in the RECORD.

Mr. MORSE. I would be delighted to put in the RECORD anything which is accurate.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I want to commend the senior Senator from Oregon for having done what he has done. It is very, very important that the record be corrected, because all over the country the New York Times is the newspaper of record. In libraries and universities everywhere the New York Times is kept on file. It is referred to as the accurate, authoritative, definitive proof of what actually transpired. This newspaper is the source for political candidates, including prospective opponents of Members of the Senate at the present time.

I think it is very important that the lead taken by the Senator from Oregon be followed up. I should like to do that now by saying that on rollcall No. 5, labor reform, in today's New York Times, page 24c, in which the junior Senator from Wisconsin is recorded in the tabulation as having voted for the McClellan amendment, I voted "nay" not "yea."

On the rural electrification vote, on which the junior Senator from Wisconsin is recorded in the table as having voted against the Johnson motion to pass the bill over the President's veto, I voted "yea" instead of "nay" as recorded by the New York Times.

On the question of the confirmation of the nomination of Lewis L. Strauss, the table shows the junior Senator from Wisconsin as having voted "yea." I voted "nay."

On the wheat amendment, the Johnson motion to accept the House version, the table shows the junior Senator from Wisconsin as being recorded as voting "nay." Actually I voted "yea."

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MORSE. I am happy to yield to the Senator from Texas. I am ready to yield the floor, but I yield.

Mr. YARBOROUGH. Mr. President, I wish to thank the distinguished Senator from Oregon for having brought to the attention of the Senate these erroneous reports, because it is hard enough to keep up with the CONGRESSIONAL RECORD. The New York Times is a newspaper which is read by many people.

I should like to correct the record in regard to my votes. The newspaper shows 4 of those votes as being contrary to the way I actually voted, as recorded in the CONGRESSIONAL RECORD.

The newspaper shows that on April 22 I voted for the McClellan so-called bill of rights. It shows I voted "yea," when I actually voted "nay."

The newspaper shows that on April 28, in regard to the Rural Electrification Administration, I voted "nay" on the motion of Mr. JOHNSON of Texas to pass the bill over the President's veto. I voted "yea." The New York Times stated that I voted "nay."

The newspaper shows in regard to confirmation of the nomination of Lewis L. Strauss on June 19 I voted "yea" when I actually voted "nay."

And on the motion of the Senator from Texas [Mr. JOHNSON] with regard to the wheat, to accept the House version, the newspaper shows that I voted "nay" when I actually voted "yea."

While the New York Times is correcting the votes, I wish the newspaper would go a little bit further and correct the editorial which it published condemning the GI education bill of rights, 1959.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair hands to the clerk a transcript of the proceedings, to be read in accordance with the request of the Senator from Oregon.

The Chief Clerk read as follows:

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. JAVITS. Mr. President, I will not yield the floor for a parliamentary inquiry or anything else unless I have unanimous consent, in view of the disposition shown by the Senator from Arkansas.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that my distinguished friend from New York, without losing the floor, may yield to me, so that I may insert a number of things in the RECORD.

Mr. FULBRIGHT. Mr. President, I cannot hear the unanimous-consent request.

Mr. DIRKSEN. It is for the purpose of making some insertions in the RECORD.

Mr. FULBRIGHT. I have no objection.

SUMMARY OF MAJOR LEGISLATION—SENATE DOCUMENT

Mr. DIRKSEN. Mr. President, it has been customary for many years for both the majority and minority leaders of the Senate, at the close of a session of Congress, to put into the CONGRESSIONAL RECORD and have printed as a Senate document their respective statements on the record of Congress.

At this time, I ask unanimous consent to have printed such a statement from the minority side in the CONGRESSIONAL RECORD and to have the same printed, with any necessary revisions and corrections after the adjournment of Congress, as a Senate document, and also to print, after the adjournment of Congress, as a Senate document, a summary of major legislation of general interest.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF A STADIUM IN THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, will the Senator from New York yield for a unanimous consent request?

Mr. JAVITS. I yield.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield for a unanimous consent request to the Senator from Nevada.

Mr. BIBLE. Mr. President, I thank the Senator from New York. I ask unanimous consent that the motion to reconsider the vote on the passage of H.R. 8392, the engrossment, and the third reading be respectively agreed to, and that the amendment be disagreed to.

I may say that I have conferred with the ranking minority member of the Committee on the District of Columbia, that I have consulted with the majority leader and the minority leader, and that I have also consulted with the Senator from Oregon. This is the

so-called stadium bill, which I discussed earlier today with the members of the Committee on the District of Columbia.

This action becomes necessary to clear up a parliamentary situation which is before the House.

Mr. President, I ask unanimous consent that a statement which I have prepared in connection with the bill, together with the supporting documents, be incorporated in full just prior to placing the bill for final passage.

Mr. JAVITS. Mr. President, I have the floor. I was not aware of the type of unanimous consent request which the Senator from Nevada was about to make. I asked unanimous consent that I might yield to sundry Senators from incidental business without losing my right to the floor.

Mr. FULBRIGHT. I object.

Mr. BIBLE. May I inquire either of the Presiding Officer or the Senator from New York what happened to my particular motion?

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. In view of the fact that I did not yield for the purpose specified by the Senator from Nevada, is not the request of the Senator from Nevada out of order?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the question was in order.

Mr. JAVITS. Reserving the right to object, would the Senator get unanimous consent, in view of the objection of the Senator from Arkansas, so that I may not lose the floor? If the Senator's request is acted on, that is business.

Mr. BIBLE. Yes. I am happy to make that unanimous-consent request and ask that my motion for the passage of this little bill, which might be of assistance to the District of Columbia, may be passed.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I do not object to the bill; I do object to the Senator from New York holding up the Senate by endless talking and not permitting the Senate to proceed to its regular business. I object to his farming out time. I think he ought to yield the floor and permit the Senate to move forward. I do not object to the bill which the Senator from Nevada is proposing. I do object to the tactics of the Senator from New York. I do not propose to let him hold the floor and permit him to farm out time to Senator after Senator.

Mr. BIBLE. Mr. President, I have requested this procedure on the bill because of the parliamentary situation that has developed in the House.

House Resolution 8392, as amended, passed the Senate on Thursday, September 10, 1959. The amendment provided that the Armory Board, in carrying out its authority to construct the stadium, shall provide for such construction by contract entered into after advertising for competitive bids. This bill, as passed by the House, provided for such construction by a negotiated contract in the event the Board desired to do so.

The author of the bill, Representative HARRIS, of Arkansas, has advised me that he has consulted with the members of the District of Columbia Armory Board. They have advised him that despite the language of the bill as passed by the House, they will advertise for construction bids on a competitive basis. This would bring their actions into conformity with recommendations of the Comptroller General, such recommendations having been incorporated in the bill as passed by the Senate.

Further, the Armory Board under date of September 12, 1959, unanimously adopted a resolution binding itself to the oral agreement whereby bids for construction of the stadium would be advertised for on a competitive basis.

I ask unanimous consent that a letter addressed to me by the Armory Board containing this agreement be made a part of my remarks.

In view of all these factors, it is my recommendation that the Senate adopt the House version of the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA ARMORY BOARD,
Washington, D.C., September 12, 1959.

The Honorable ALAN BIBLE,
Chairman, Senate Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: The District of Columbia Armory Board has examined H.R. 8392 as passed by the House of Representatives on August 10, 1959. This bill provided that section 2 of the District of Columbia Stadium Act of 1957, as amended, be amended so that the District of Columbia Armory Board could enter into negotiated contracts, as distinguished from public bidding contracts for the construction of the stadium.

The District of Columbia Armory Board has also examined H.R. 8392 as amended and passed by the Senate on September 10, 1959, and Senate Report No. 921, accompanying said bill.

In the amended Senate bill it is stated in substance that the District of Columbia Armory Board shall not have the right to negotiate a contract for the construction of the stadium, but should provide for such construction by contract entered into after advertising for competitive bids subject to the conditions contained in the Senate amendment to the bill.

In the light of this situation, please be advised that on September 12, 1959, the District of Columbia Armory Board passed the following resolution:

"It is hereby unanimously resolved that irrespective of any language which may appear in any act, the District of Columbia Armory Board will not negotiate for the construction of the stadium with any contractor, but in carrying out its authority to construct said stadium will advertise for competitive bids in conformity with the intent of the language of the Senate amendment to H.R. 8392 as passed by the Senate and as set forth in Senate Report No. 921, as well as with the opinion of the Comptroller General of the United States, dated August 19, 1959, as set forth in said Senate Report No. 921."

Very truly yours,

GEORGE F. SHEA,
Chairman.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, I thank both the Presiding Officer and the Senator from New York, and also the Senator from Arkansas. I am very sorry that I interfered with their business.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry: Did not the Senator from New York lose the floor? I objected to his yielding without securing unanimous consent, and he did yield.

Mr. JAVITS. Mr. President, may I be heard upon that matter?

Mr. MORSE. Mr. President, a point of order.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER. The Chair will attempt to answer the question propounded by the Senator from Arkansas. The Chair is advised by the Parliamentarian that the Senator from New York did not lose the floor.

Mr. FULBRIGHT. Mr. President, how can he keep the floor and then yield for this purpose, which he has? I objected to his unanimous-consent request that he retain the floor. I asked a second time. I was on my feet. I was objecting to his yielding. I objected to his filibustering the resolution in the late hours of the night. He can either continue speaking or give up the floor. That is the point. I do not see how he can have it both ways.

The PRESIDING OFFICER. The Senator from Nevada made a unanimous consent request. The Chair heard no objection.

Mr. FULBRIGHT. I objected to the Senator from New York. The Senator from New York asked unanimous consent to yield without losing the floor. I objected. The record, I think, is very clear that I objected. Now we have proceeded to pass a bill. I cannot see any other result except that the Senator from New York has lost the floor.

Mr. JAVITS. Mr. President, may I be heard on that point?

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. As I understand the situation, I asked unanimous consent to yield to other Senators, the matter of the Senator from Nevada having been consummated. It is at that point, as I understand, that the Senator from Arkansas objected. Therefore, I would not yield to other Senators except for questions.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is it not true that the Senator from New York is entitled to speak twice on the pending legislation and twice on any amendment which might be offered to the pending legislation? His powers of imagination are such that I presume he knows the possibilities are innumberable, and therefore he has not been put to any parliamentary disability.

He could call for a reading of the transcript of the RECORD, because I am inclined to believe that the transcript will show that the Senator from Arkansas is right in the position he took.

I respectfully request that if we cannot get the Senator from New York to agree, that he will make a second speech on this matter later, and that with his two speeches, with a series of amendments, which I am sure his imagination is great enough to conceive and present to the Senate, we can go on and get our insertions in the RECORD and transact business.

But I am serious when I say that I think the Senator from Arkansas is entitled to have the transcript read to determine whether his objection was made. If my ears did not betray me, I think he did object, and I think he is entitled to have the transcript.

I ask for a reading of the transcript as a point of order.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Have I the floor?

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, it seems to me that the first thing I would like to answer is the question on filibustering.

We have discussed far more insignificant matters for hours on end; and, as I see the clock, I actually talked about the world's fair situation for about 35 minutes. I do not think that is any filibuster, or delaying the business of the Senate.

This particular matter has been on the calendar for some days; and if my recollection serves me correctly—

Mr. President, may I have order?

The PRESIDING OFFICER. The Senator from New York has requested order. The Chair will endeavor to secure order.

The Senator from New York may proceed.

Mr. JAVITS. This resolution has been on the calendar since August 26, 1959. It came up on the call of the calendar, and was objected to and passed over. I made it very clear that I opposed it. It is now September 14. It is being brought up tonight. I did not bring it up tonight, nor did I have anything to do with its not being brought up before tonight. Therefore, in view of the fact that I did not choose this time to bring it up, it seems to me that it is not quite in order to say that I am trying to filibuster the resolution in the last hours of the session.

In addition, as I have pointed out, there is a great deal at stake for my native city. In my opinion the resolution would force a political decision upon the President of the United States which would be embarrassing to him.

Let me state, while a great many Members are present, the central point at issue. We in New York say, let any city which can do so mount a world's fair, in accordance with the traditional practice of the President of the United States in matters of this kind, which practice has been followed consistently.

This is the first time there has been a variance from it. In accordance with this traditional practice followed constantly, any city which can show that it can do the job and can mount an appropriate world's fair has had the cooperation of the President. In 1939 we had two world's fairs, one in San Francisco and one in New York. Now New York says, "Let that situation continue."

What this resolution does is to endeavor to get a commission appointed for the purpose of picking a single site. In other words, it is a winner-take-all proposition, quite apart from the objection to it that it will take so long that nobody will qualify by November, which is the time when a city must qualify before the international body.

The concept which this adopts is the concept of cutting out other cities except the one chosen by this commission. We say that that has never been done. No city should take a chance on it. Why?

The city of New York has already pledged itself in a very public and open way all over the world for a world's fair in 1964. Is the whole thing now to be up in the air until a decision is taken by a commission on a one-shot basis to pick one city in the United States to have a world's fair?

Mr. President, New York is not being capricious. 1964 is the 300th anniversary of the founding of the city. Whether any of my colleagues are friendly or unfriendly to New York having a world fair, I certainly think that we would all subscribe to the fact that this is certainly a suitable occasion, that we are not picking an arbitrary date.

Again I emphasize, as I say, while so many of my colleagues are here, we are not trying to cut anybody out.

Mr. President, I yield for a question to the majority leader.

Mr. JOHNSON of Texas. Mr. President, it appears to me that it is unlikely that we will be able to take favorable action on the pending business this day, and unless the minority leader desires to make an observation at this point, I am going to ask consent——

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the minority leader.

Mr. DIRKSEN. I have conferred on this matter with my distinguished friend from New York [Mr. JAVITS], and I also conferred with my distinguished friend from New York [Mr. KEATING]. Both of them expect to be heard at length. I can only say that this does have the approval of the State Department, and the resolution that is——

Mr. JOHNSON of Texas. Does the Senator mean speaking at length, or the bill?

Mr. DIRKSEN. It could be both, but in the particular instance the resolution before us which was brought up by the distinguished chairman of the Committee on Foreign Relations does have the approval of the State Department. In that sense, of course, it is an administration measure. However, I am in no position to quarrel with my esteemed friends from New York, who have deep and durable convictions on the subject and believe that those convictions ought to be well ventilated and well labored, to make sure that the full impact of the argument is not lost upon the Senate.

So beyond that there is not very much I can say. I hope that the question can go to a vote. However, I am not insensible to the fact that over a long period of years there have been other measures which have not gone to a vote because Senators had wanted to be heard in extenso.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield first to the majority leader.

Mr. JOHNSON of Texas. I wish to make a motion.

Mr. KUCHEL. Mr. President, I regret that I will not have a chance to vote in favor of the resolution offered by the Senator from Arkansas. Nevertheless, I recognize that my two brethren from New York have a right to speak at such length as they believe appropriate in opposition to the resolution. The fact that the resolution is now about to be set aside ought not to be misinterpreted so far as the Senate is concerned. I trust that neither the executive branch nor the legislative branch, or anyone else, will determine by our inability to vote it up or down tonight that we favor one municipality in America over another with respect to a world's fair in 1964.

Mr. MORSE. Mr. President, will the Senator from Texas yield for 30 seconds.

Mr. JAVITS. I yield first to my colleague from New York.

Mr. KEATING. Mr. President, I had prepared some rather cogent reasons, in my opinion, for the defeat of the resolution which is before the Senate. I ask unanimous consent that if the program outlined by the majority leader does not permit the presentation of the statement orally, I may be permitted, prior to his moving to proceed to some other matter, to give the Senate the benefit of the observations which I intend to make by having my remarks printed in the RECORD.

Mr. JOHNSON of Texas. I have no objection.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

In order properly to consider the resolution before us today, it is necessary that we understand the process by which a city is selected as the site for a world's fair. For this reason, I want to preface my remarks today with a description of this process.

The site of a world's fair is determined by the Bureau of International Expositions. The Bureau, which is located in Paris, was founded in 1928 and is currently composed of 22 European nations. The United States is not a member. Since its founding, the Bureau has closely controlled the selection of sites for world's fairs and for other major international expositions of world's fair stature.

The Bureau holds two meetings each year, one in the spring and one in the fall. It is at these meetings that the decision is made as to the location of major international expositions. The term "world's fair," is reserved for the largest and most important of these expositions. A world's fair is held approximately every 5 years. In selecting the host city for this event, the Bureau decides about 4 years in advance which of the countries interested would be best suited as the host for the next world's fair. At the ensuing semiannual meeting, a particular city within that country is officially designated as the site for the next fair. I want to make it clear that in the case of nonmembers of the Bureau, not the country involved, actually makes the decision as to which city in the host country the fair shall be held.

Although making application under this selection process is straight forward in the case of member nations, it is complicated from the American point of view in that the United States is not a party to the 1928 convention which established the Bureau of International Expositions. The basic reason for our not having joined this body relates to the differences in the administration and management of world's fairs between the United States and most European nations. In the United States, world's fairs are traditionally sponsored by private groups of citizens of the city in which a particular international exposition is held. On the other hand, in Europe such events are usually sponsored by the government involved, as was the case of the Brussels world's fair held last year. The convention establishing the Bureau of Internation Expositions adheres to the European tradition and calls for bids or applications from member nations which themselves desire to sponsor a world's fair. It is mainly because the U.S. Government does not actively participate in the sponsorship of international expositions held in this country, that we have been reluctant to become a member of the Bureau of International Expositions. As a member, the U.S. Government would have the primary responsibility for deciding which American city interested in sponsoring a world's fair is best suited to do so.

An essential question which must be answered at this point is, if the U.S. Government is not a member of the Bureau of International Expositions, how is it possible

that two world's fairs and several major international expositions have been held in this country since 1928 when the Bureau of International Expositions was founded. The question is easily answered. First of all, every member of the Bureau agrees under the convention of 1928 not to participate in an international exposition of which the Bureau does not specifically approve. Thus, all that is required for an American world's fair is the approval of the Bureau that its member nations may participate. This is an important point. The Bureau does not require the United States to directly and specifically adhere to the provisions of the Convention of 1928 in order for a world's fair to be held in the United States. On the contrary, the Bureau simply determines whether or not its member governments, as governments, can participate in a given international exposition. In sum, the Bureau is able to indirectly sanction or disapprove of an American world's fair without the American Government becoming directly involved.

The only official requirement of the U.S. Government is that the President, as the Head of State, invite foreign countries to participate in a world's fair to be held in one or another American city. Once an American site is agreed to by the Bureau of International Expositions, it is, of course, unlikely that there would be any difficulty involved in getting the President to issue a proclamation inviting the participation of other governments.

Having reviewed the process whereby the site for a world's fair in the United States is selected, I want to state my position on Senate Resolution 169 which is before us today. This resolution, as most of us are aware, sets up a Presidential Commission of citizens to decide on the advisability of a world's fair in the United States and, if it is found advisable, to select an American site for this event.

I am strongly opposed to this resolution. First of all, in charging the citizens' commission with the responsibility for determining "whether the public interest would be served in seeking to arrange an international exposition in the United States" (and I use the wording of the report on Senate Resolution 169), the resolution backhandedly implies that maybe we shouldn't have an American world's fair at all. Secondly, the selection process which Senate Resolution 169 sets up is entirely unnecessary since it merely duplicates a procedure traditionally carried out by the Bureau of International Expositions. Furthermore, and this is my most important point, the rather cumbersome administrative apparatus which Senate Resolution 169 calls for is likely to delay, rather than expedite, action with regard to the bid to have the next world's fair in this country. Such a delay could conceivably result in the selection of a world's fair site outside of the United States.

I believe that the probability of an American world's fair in 1964 would be greater if, instead of proceeding under Senate Resolution 169, we permit the various competing American cities to seek their objective through normal diplomatic channels. Why not simply have the State Department within the next few days indicate to the Bureau of International Expositions that several American cities are interested in and are actively working for a 1964 world's fair? We would hope that shortly thereafter the United States would be preliminarily designated as the host country for a fair in which the member nations of the Bureau of International Expositions would be allowed to participate. Thereupon, at its next regular meeting, the Bureau would make the final determination as to the particular American city in which the fair should be held.

Let me briefly summarize my position. By allowing interested cities recourse to normal diplomatic channels, we avoid having a Presidential Commission duplicate the selection process traditionally and ably performed by the Bureau of International Expositions. Similarly, we avoid bringing about confusion and delay which could lead to a decision on the part of the Bureau that the next world's fair should be held in some country other than the United States. With regard to the resolution before us today, I should like to ask this question. Why do we need "newfangled" world's fair site selection machinery for the United States when the existing machinery which the entire world relies upon is considered to be highly effective?

I want to make it clear that I do not speak for New York City alone in urging the defeat of Senate Resolution 169. I firmly believe that the established procedure for selecting an American site for a world's fair is superior to the proposed new procedure contained in Senate Resolution 169. It is not only better for New York, but it will be better for all of the American cities interested in being selected as the host city for the next world's fair.

My colleague, the senior Senator from New York, and myself several weeks ago urged the Senate to accept a resolution which we introduced expressing the sense of Congress that the President should invite foreign nations to participate in a New York City world's fair. This is the most sensible and flexible approach. I know that I speak for myself and for my distinguished New York colleague when I say that we would be more than willing to support a similar resolution for any other American city.

I want to emphasize that it is with considerable reluctance that I have concluded that no action at all would be more desirable than the bill which is before us today.

I hope that I have made my argument clear. I want very much to have the next world's fair in this country. As a New Yorker, I especially want a New York world's fair in 1964. I firmly believe that no city in the world is as well qualified as New York to be the site for the next world's fair. For this reason, I would be greatly disturbed if Congress were to act in such a way as to hinder, rather than improve, the chances that the next world's fair will be held in New York City—or for that matter in any other American city.

Let us look at the facts. Eight international expositions of world's fair stature have been held in the United States. Two have been held in the three decades since the Bureau of International Expositions was founded.

The first of these was the Chicago Century of Progress Exposition held in 1933. The second was the New York World's Fair of 1939–40. The latter may well have been the largest international exposition ever held. Three million more people visited the New York world's fair than visited the 1958 fair in Brussels, which attracted approximately 42 million persons.

Its cost, $155 million, was met almost entirely from proceeds and from the contributions of private citizens in the New York area. This is an important point. Congress, to say the least, has not been in an appropriating mood over the past few months. This can be expected to be just as true when the time comes to make arrangements for a forthcoming American world's fair. It is therefore of the highest importance that the city selected for this honor be fully able to cover most of the heavy costs of sponsoring a world's fair. New York City has paid its own way in the past, and will pay its own way in the future.

The city selected as the host for a world's fair must have within the immediate vicinity a population large enough to support such an event. New York, the largest city in the world, has 15 million people within a 45-mile metropolitan area. Moreover, as the home of the United Nations, New York City regularly plays host to representatives and private citizens from every major country of the world. Thus, it would be relatively easy for nations to participate in and have their representatives attend a New York City world's fair. Furthermore, New York's great international air terminal and its unexcelled harbor facilities make it easily accessible for all of the nations of the world. Sixty-three nations participated in the 1939–40 New York World's Fair, and more would be expected to take an active part in the next one.

It is also important that the city selected as the site for a major international exposition have an area large enough to accommodate all of the many exhibition halls and facilities which would be needed. Not only must the fair grounds be large enough, but it must also be readily accessible to the city by private and public transportation. Again, New York City fills the bill. Flushing Meadows Park, the site of the 1939–40 world's fair, is still available. It covers over 1,200 acres, and is easily reached by car or public transportation. This site is eminently well suited for a world's fair. Many of the buildings constructed for the last fair are still standing. Facilities such as roads, sewers, power, and landscaping have already been constructed. What is more, a few weeks ago the city undertook a $100,000 survey of the site. This survey will involve a comprehensive study of the facilities and buildings available, and of the approximate cost of constructing the new and additional facilities which will be needed.

Besides being able to finance a fair and having an ideal site available on which construction can be started at any time, New York City has countless other assets which, in my mind, make it the best qualified entrant in the world competition to be selected as the host city for the next world's fair.

An important and often overlooked asset that New York City can boast is ample accommodations for visitors. As the tourist center of the United States, if not of the world, New York City provides accommodations for millions of persons annually. It is well known that this is an exceedingly important requirement for the host city of a world's fair.

Among other of the assets which make New York City an ideal location for the next world's fair are: A pleasant and comfortable summer climate, accessibility to the great cities of the eastern seaboard and to the lovely summer resort areas of New England and the New Jersey coast, and many great cultural attractions in the way of the performing arts, museums, and educational institutions of world renown. New York's world famous shops and stores would provide an additional incentive to persons interested in attending a world's fair. Similarly, the city's strategic role as a center of commerce and finance would make it easy for companies from the United States and abroad to participate in a New York world's fair.

As if all of this is not enough, the year 1964 marks the 300th anniversary of the founding of the city of New York. What could be more fitting than a world's fair exemplifying to the entire world the prominence of our Nation's largest city as a center of trade, culture, diplomacy, and as a center in man's crusade for peace. The history of the city, from its establishment to the present time, accurately reflects the growth of the United States from a colonial trading outpost to the strongest and key nation of the free world. New York City is truly a living symbol of America's freedom and of America's

growth on this, the eve of the 300th anniversary of its founding. It is therefore altogether fitting that the group of enthusiastic New Yorkers which is now busily making the preliminary arrangements for another New York fair have chosen as their theme, the phrase, "peace through understanding."

Having just referred to the citizens who have already begun working toward the selection of New York as the site for the next world's fair. I think it would be fitting at this point to comment briefly on the accomplishments and aims of this devoted and hard working organization, known officially as the New York City World's Fair 1964 Corp. The corporation is composed of 25 eminent citizens of the New York area and is responsible for planning and making the initial preparations for another New York City world's fair. This group has been hard at work for many months. They have made considerable progress as evidenced by the survey of Flushing Meadows Park now under way and by the overwhelming enthusiasm of New Yorkers for another world's fair.

I commend the officers and members of the 1964 New York World's Fair 1964 Corp. for their vigorous efforts on behalf of New York City. I certainly hope that they are successful.

In summing up my remarks on the selection of a site for the next world's fair, I want to make three points. First, I definitely and enthusiastically want and support another American world's fair. Second, I strongly urge that Congress turn down the Fulbright resolution, thereby permitting interested American cities to compete for the honor of being host to the next world's fair through normal diplomatic channels. And, thirdly, as a stanch and loyal (and perhaps stubborn) New Yorker, it is my firm belief that New York City—the largest city in the world and the home of the United Nations—is best qualified to be the host city for the next world's fair.

Mr. MORSE. Mr. President, will the Senator from New York yield me 30 seconds?

The PRESIDING OFFICER. Does the Senator yield further; and if so, to whom?

Mr. JAVITS. I yield to the majority leader.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 921, and I invite the attention of all Members of the Senate to the motion. First I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Before we complete this last matter, I ask unanimous consent to insert a letter from the Department of State regarding this resolution, and I would only like to observe that we have now witnessed a classic case of a filibuster which has succeeded completely.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., August 27, 1959.

The Honorable J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of August 24, 1959, enclosing a copy of Senate Resolution 169 which you introduced on August 21, 1959, "Concerning the desirability of holding an international exposition in the United States."

The Department of State supports this resolution and offers the following comment:

An ad hoc interdepartmental committee of representatives of the Department of State, the Department of Commerce, and USIA has considered the desirability of adherence by the U.S. Government to the 1928 convention creating the Bureau International des Expositions (BIE). This committee does not believe that it would be advisable for the United States to adhere to the 1928 convention as presently constituted. One reason is that adherence to the convention would mean that the executive branch of the Government would have to certify the request of one group of its citizens to hold an international exposition of the type classified as "category 1" by the BIE. The ad hoc committee suggests that this can be best done only after the choice of a site has been made by an ad hoc Presidential Commission such as proposed in Senate Resolution 169.

Another reason for nonadherence by the United States to the 1928 convention is that this convention presupposes that international expositions of the class 1 category are sponsored by the Federal Government and that the Federal Government accepts financial responsibility for the undertaking. This supposition is correct in terms of European experience, but it is not a concept which has yet been adopted by the United States. In the United States the Federal Government has never sponsored or financed such an international exposition. The Federal Government has participated both at home and abroad in many such expositions but always as an invitee.

There are other problems related to the 1928 convention, as presently constituted, which might make it unacceptable to the United States. There are, for example, limitations on the duration and frequency of general expositions of the first category. These clauses attempt to limit world expositions to 6 months' duration and specify that cities of the same country of the same world zone may not hold them more frequently than every 15 years. Another clause of the convention states that countries cannot participate in world international expositions sponsored by nonmember countries without reference to the International Bureau. This is an understandable provision from the Bureau's point of view. It is however, considered debatable whether the United States is prepared to accept this limitation in view of the fact that the U.S.S.R. as well as many Latin American, African, and Asian nations are not members of the BIE. There are, in addition to these restrictions, certain articles concerning the waiver of customs duties and taxes, the release fom bond, etc., of goods for foreign exhibits which require further study before it can be determined whether the U.S. Government is able to accept them.

In any consideration of accession by the U.S. Government to the 1928 convention it should be recognized—quite apart from the wording of the convention—that it might not be practicable to join the BIE unless the United States created some mechanism or quasi-government organization to enable the Federal Government to meet its responsibilities in this field.

Although the ad hoc committee of the executive branch does not at the present recommend adherence to the convention, the committee recommends and the Department believes that it would be desirable to have conversations through appropriate diplomatic channels with the BIE. The Department of State understands that the BIE may be in the process of revising certain articles of the convention. The Department would, therefore, like to inform the BIE that, while the United States does not think that it can appropriately adhere to the convention, as presently constituted, it wishes to cooperate with the BIE and to discuss plans such as those envisaged by Senate Resolution 169 to hold international expositions in the United States. As to the second resolution contained in Senate Resolution 169, the Department of State favors the holding of such international expositions and considers it would be in the public interest if at least one exposition properly organized were to be held in the United States in the mid-1960's.

The Department of State has found it difficult for two reasons to comment on individual resolutions calling upon the President to designate various cities as a site for proposed world fairs: First, the Department does not believe it appropriate for it to make any statement which might be interpreted as a judgment on the merits of competing city groups. Second, resolutions by their nature do not present sufficient information to determine the adequacy of planning involved. For these reasons the Department of State approves of the final resolution of Senate Resolution 169 whereby the decision as to the location of such an international exposition would be made by a Presidential Commission of the character specified.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. MORSE. I wish to say to the Senators from New York that I am very, very disappointed that I am not going to have the privilege of receiving the full edification of their discourse, but I think something is to be gained because I welcome both of them now to the fraternity which believes in full debate in the Senate. I think the motion about to be made is going to give me some new members to the fraternity. So I will listen with interest to this one.

Mr. FULBRIGHT. I ask unanimous consent to insert at this point in the RECORD a résumé of the activities of the Committee on Foreign Relations.

There being no objection, the résumé was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR J. W. FULBRIGHT, CHAIRMAN

Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of these brief remarks a summary of the legislative activities of the Committee on Foreign Relations during the first session of the 86th Congress.

This summary speaks for itself, and I shall not take the time of the Senate to expand upon it. The record would be incomplete, however, if I did not refer briefly to several important activities of the committee which are not reflected in a simple summary of legislation.

At the beginning of the year, under the leadership of the then chairman, now the distinguished chairman emeritus, the beloved senior Senator from Rhode Island [Mr. GREEN], the committee held a series of hearings on the general posture of the United States in the world. Witnesses included the late Secretary of State, Mr. John Foster Dulles; Secretary of Defense Neil McElroy; the Chairman of the Joint Chiefs of Staff, Gen. Nathan Twining; Under Secretary of State C. Douglas Dillon; and the director of the Central Intelligence Agency, Mr. Allen W. Dulles.

Throughout the year, the committee sought information and understanding from distinguished private citizens, through formal hearings and informal meetings. We heard from scholars such as Prof. Hans J. Morgenthau, of the University of Chicago,

and from diplomats such as former Ambassador George Kennan. Harland Cleveland, Gerald J. Mangone, and W. W. Kulski, of Syracuse University, gave us the benefit of their study of "The American Overseas" and thereby helped to keep in perspective a very difficult and important problem which had been seriously distorted in the best-selling book, "The Ugly American." We received informally such distinguished foreigners as Soviet Deputy Premiers Anastas Mikoyan and Frol Kozlov, British Prime Minister Harold Macmillan, West Berlin Mayor Willy Brandt, Miss Barbara Ward, of Great Britain, Tom Mboya, of Kenya, and Prime Minister Fidel Castro of Cuba. We are looking forward to receiving Soviet Premier Khrushchev on Wednesday of this week.

The committee made a total of 21 contracts with some of the leading universities and other research institutions of this country for studies of various aspects of foreign policy problems. The first of these—on the impact of economic problems by the Corporation for Economic and Industrial Research—has already been published, and others will follow in due course. The committee also sought help from retired Foreign Service officers, and a summary of their trenchant and provocative comments was published in June.

Various subcommittees of the committee have also been active. In this connection, particular mention should be made of the continuing studies of the Subcommittee on Disarmament, under the chairmanship of the distinguished Senator from Minnesota [Mr. HUMPHREY]; the thorough study of our relations with Latin America by the Subcommittee on American Republics Affairs under the chairmanship of the able Senator from Oregon [Mr. MORSE], and the work of the Subcommittee on State Department Organization and Public Affairs under the leadership of the eminent Senator from Montana [Mr. MANSFIELD]. This last subcommittee has been particularly active. It is responsible for the far-reaching amendments to the Foreign Service Act embodied in S. 2633, which passed the Senate on September 9, and is also conducted the committee's inquiry into administration of the mutual security program at Vietnam.

Mr. President, this has been a long and gruelling session of Congress. The regular meetings of the Committee on Foreign Relations are held on Tuesday mornings, but more often than not it has been necessary for the committee to meet at other times during the week, afternoons as well as mornings. Members of the committee have been conscientious and diligent in attending to their duties. Each of them has made his contribution, and I take this opportunity to record my gratitude to each of them for it. We have had our differences, but they have not been along party lines and we have generally acted with a substantial degree of unanimity. Officers of the Department of State, the International Cooperation Administration, and other executive agencies have been unfailingly cooperative and helpful to the committee.

Finally, Mr. President, I want to pay a special tribute to my immediate predecessor, our colleague from Rhode Island. Senator GREEN served with ability and distinction as chairman of the Foreign Relations Committee throughout 1957 and 1958, two difficult and trying years. On January 30, 1959, over the unanimous protest of the members of the committee and of the majority leader, he announced his irrevocable decision to resign as chairman. The Senate ratified this decision February 6, and the committee promptly designated Senator GREEN as chairman emeritus. He has been a constant source of help and inspiration to me in the crowded days which have followed.

SUMMARY OF ACTIVITIES OF COMMITTEE ON FOREIGN RELATIONS, 86TH CONGRESS, 1ST SESSION

TREATIES APPROVED

1. Double Taxation Convention between the United States and Norway (Ex. D. 85–2; Ex. Parte. 10, 86–1): This convention, which relates to tax treatment of corporate dividends, modifies and supplements the convention of June 13, 1949 between the two countries which related to the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Approved August 12, 1959, by a vote of 93 to 0.

2. Treaty of Amity, Economic Relations, and Consular Rights between the United States and the Sultan of Muscat and Oman and Dependencies (Ex. A, 86–1; Ex. Rept. 1, 86–1): This treaty, superseding a similar treaty of friendship and commerce signed in 1883, provides for the regulation of general economic relations with Muscat, as well as serving as a basis for an agreement to reopen a United States consulate in the area. Approved April 28, 1959, by a vote of 89 to 0.

3. Convention between the United States and Cuba for the Conservation of Shrimp (Ex. B, 86–1; Ex. Rept. 3, 86–1): This convention, following the general pattern of fisheries conventions to which the United States is a party, is designed to provide the means for joint and coordinated action by the two countries to develop and maintain the productivity of shrimp resources of common interest in the waters of the Gulf of Mexico off the coast of Cuba and the Florida coast of the United States. Approved June 4, 1959, by a vote of 80 to 0.

4. Protocol of Amendment to the 1944 Convention on the Inter-American Institute of Agricultural Sciences (Ex. C, 86–1; Ex. Rept. 7, 86–1): The main purpose of the protocol is to reorganize and strengthen the Inter-American Institute of Agricultural Sciences in accordance with recommendations of the Inter-American Committee of Presidential Representatives that the Institute's Board of Directors be reconstituted so as to include more agricultural experts and that the Institute's method of financing be revised. Approved July 30, 1959, by a vote of 83 to 0.

5. International Sugar Agreement of 1958 (Ex. D, 86–1; Ex. Rept. 6, 86–1): This agreement is patterned after the 1953 Sugar Agreement, as amended by a 1956 Protocol. Primarily designed to stabilize the world price of sugar, it will operate through the assignment of quotas to exporting countries and through the agreement of importing countries to limit their imports of sugar from nonparticipating countries. Approved July 21, 1959, by a vote of 85 to 2.

6. International Wheat Agreement of 1959 (Ex. E. 86–1; Ex. Rept. 5, 86–1): This agreement is the successor to the 1956 International Wheat Agreement. Within the price range ($1.50 to $1.89, inclusive) importers are obligated to purchase certain percentages of their total commercial imports from exporters, while at the maximum price ($1.90) exporters are obligated to make certain quantities of wheat available for purchase. Approved July 15, 1959, by a vote of 92 to 1.

7. Protocol to the 1928 Convention on the Duties and Rights of States in the Event of Civil Strike (Ex. F, 86–1; Ex. Rept. 8, 86–1). The purpose of the protocol is to clarify, supplement, and strengthen the principles and rules stipulated in the 1928 convention, under which the parties thereto are obligated to prevent the use of their territory for fomenting civil strife in the territory of another party. Approved July 30, 1959, by a vote of 81 to 0.

8. Telegraph Regulations (Geneva Revision, 1958) with Final Protocol (Ex. G, 86–1; Ex. Rept. 9, 86–1). These telegraph regulations, serving to revise those contained in the 1949 Paris revision, were formulated pursuant to the provisions of article 12 of the 1952 International Telecommunication (Buenos Aires) Convention to which the United States is a party. Approved August 12, 1959, by a vote of 93 to 0.

BILLS AND JOINT RESOLUTIONS APPROVED BY BOTH HOUSES OF CONGRESS

1. Foreign decoration acceptance (S. 252, S. Rept. 576; passed Senate July 29, 1959; approved): This act authorized Colonel Philip M. Whitney, U.S. Army, retired, to accept and wear the decoration tendered him by the Government of France.

2. Bretton Woods Agreements Act (S 1094, S. Rept. 109; passed Senate March 19, 1959, by a vote of 73 to 10; approved June 17, 1959, Public Law 86–48): This act amended the Bretton Woods Agreements Act of 1945, as amended, which authorizes U.S. participation in the International Monetary Fund and in the International Bank for Reconstruction and Development. The new amendments make possible an increase of $1,375 million in the U.S. quota in the Fund and an additional U.S. subscription to 31,750 additional shares of capital stock (with a par value of $100,000 each) in the Bank.

3. Mutual Security Act of 1959 (S. 1451, S. Rept. 412; passed Senate July 8, 1959, by a vote of 65 to 26; approved July 24, 1959. Public Law 86–108): This act served to amend the Mutual Security Act of 1954, as amended, extending the mutual security program for another year. The amount authorized to be appropriated for the various categories of foreign aid was $

4. Relief of the Government of Iceland (S. 1590, S. Rept. 593; passed Senate August 3, 1959; approved August 24, 1959, Public Law 86–181): This act authorized payment of 88,000 Icelandic Krónur, or $5,378.98 by the United States to the Government of the Republic of Iceland in satisfaction of claims arising from accidents involving U.S. Armed Forces personnel stationed in Iceland during the period 1941–47, under the terms of agreements between the two countries.

5. Organization of the Department of State (S. 1877, S. Rept. 292; passed Senate May 20, 1959; approved July 30, 1959, Public Law 86–117): This act permits the President, with the advice of the Secretary of State, more flexibility in connection with the assignment to the second- and third-ranking officers of the Department of State of the duties and responsibilities relating to political and economic affairs.

6. Inter-American Development Bank (S. 1928, S. Rept. 487; passed Senate July 15, 1959, by a vote of 89–3; approved August 7, 1959; Public Law 86–147): This act provided for U.S. acceptance of the agreement establishing the Inter-American Development Bank which was signed on April 9, 1959, by representatives of 21 American Republics. The act also authorizes an appropriation of $450 million.

7. Passports (S. 1973, S. Rept. 685, passed Senate August 19, 1959; approved): This act extended the validity of the passport to 3 years.

8. Foreign Decoration (H.R. 2067, S. Rept. 577; passed Senate, July 29, 1959; approved August 7, 1959; Private Law 86–91): This act authorized the Honorable Thomas F. McAllister, judge of the United States Court of Appeals, to accept and wear the decoration tendered him by the Government of France.

8. Pan-American Games (H.R. 2575, S. Rept. 152; passed Senate April 13, 1959; approved April 27, 1959, Public Law 86–15): This act authorized the appropriation of $500,000 for the purpose of promoting and insuring the success of the third Pan-American games to be held in Chicago this year.

9. Bridge across the Rio Grande at El Paso (H.R. 4538, S. Rept. 515; passed Senate

July 24, 1959; approved August 4, 1959, Public Law 86–132): This act authorized El Paso County, Tex., to construct, maintain, and operate a bridge across the Rio Grande at or near the city of El Paso.

10. Construction projects in Michigan (H.R. 3180, S. Rept. 980; passed Senate September 10, 1959; approved, Public Law 86–): This act extended for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects authorized by the Congress.

11. Foreign decorations (H.R. 6587, S. Rept. 578; passed Senate July 29, 1959; approved August 7, 1959, Private Law 86–94): This act enabled Generals George C. Marshall, Douglas MacArthur, and Omar N. Bradley to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments.

12. Century 21 Exposition (H.R. 8374, S. Rept. 686; passed Senate August 21, 1959; approved, Public Law 86–): This act amended Public Law 85–880, which authorized the participation of the United States in the Century Exposition at Seattle, Washington.

13. Bridge Across the Rio Grande (H.R. 8582, S. Rept. 980; passed Senate September 11, 1959; approved, Public Law 86–): This act authorized the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.

14. Bridge across the Rio Grande (H.R. 8694, S. Rept. 980; passed Senate September 11, 1959; approved, Public Law 86–): This act authorized the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.

15. Statue in Uruguay (H.R. 8911, S. Rept. 984; passed Senate September 11, 1959; approved, Public Law 86–): This act provided for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay.

16. 1964 Olympic games (S.J. Res. 73; S. Rept. 119; passed Senate March 24, 1959; approved April 3, 1959, Public Law 86–9): This joint resolution extended an invitation to the International Olympic Committee to hold the 1964 Olympic games at Detroit, Mich.

17. 1959 Pacific festival (H.J. Res. 281, S. Rept. 816; passed Senate September 9, 1959; approved, Public Law 86–): This joint resolution authorized and requested the President to issue a proclamation with respect to the 1959 Pacific festival.

SENATE RESOLUTIONS

1. Additional professional and clerical assistants (S. Res. 30, S. Rept. 17, agreed to by Senate February 2, 1959): This resolution authorized the Committee on Foreign Relations to employ 2 additional professional and 3 additional clerical assistants.

2. Study of foreign policy (S. Res. 31, S. Rept. 2, agreed to by Senate February 2, 1959): This resolution continued the Committee on Foreign Relations' authority to make a study of foreign policy, with special reference to Latin American and Canadian affairs and problems of world disarmament, and authorized $500,000 therefor.

3. Parliamentary activities (S. Res. 32, S. Rept. 3, agreed to by Senate February 2, 1959): This resolution provided for assistance to Members of the Senate in the discharge of their responsibilities in connection with visiting foreign dignitaries and authorized $5,000 for expenses.

4. Suspension of nuclear weapons tests (S. Res. 96, S. Rept. 206, agreed to by Senate April 30, 1959): This resolution expressed the sense of the Senate that the United States should continue to negotiate for an international agreement for the suspension of nuclear weapons tests.

5. Commonwealth Parliamentary Association meeting (S. Res. 114, S. Rept. 238, agreed to by Senate June 12, 1959): This resolution authorized the attendance of a delegation from the Senate at the meeting of the Commonwealth Parliamentary Association.

6. International health and research activities (S. Res. 129, S. Rept. 905, agreed to by Senate Sept. 9, 1959): This resolution expressed the sense of the Congress in favor of continued efforts by all nations to strengthen cooperation in health and research activities.

7. Additional expenditures (S. Res. 149, agreed to by Senate, August 7, 1959): This resolution authorized an additional $10,000 to meet the expenses of the Commitee on Foreign Relations.

8. Printing resolutions (1) (S. Res. 110, agreed to by Senate, April 30, 1959): This resolution authorized the printing of a report by Senators MANSFIELD and HICKENLOOPER on their observations of the United Nations; (2) (S. Res. 132, agreed to by Senate, June 15, 1959): This resolution authorized the printing of 1,800 copies of part I of the Mutual Security Act of 1959 hearings; (3) (S. Res. 133, agreed to by Senate, June 15, 1959): This resolution authorized the printing of 1,800 copies of part II of the Mutual Security Act of 1959 hearings; (4) (S. Res. 186, agreed to by Senate September 11, 1959): This resolution authorized the printing of the study "Tensions in Communist China," as a Senate document; (5) (S. Res. 189, agreed to by Senate, September 9, 1959): This resolution provided for the printing as a Senate document of 1,500 copies of the report entitled "Rio Grande International Storage Dams Project—Report on Proposed Diablo Dam and Reservoir."

CONCURRENT RESOLUTIONS

1. Consultation with south Asian countries (S. Con. Res. 11, S. Rept. 594, passed Senate September 10, 1959): This concurrent resolution requested the President to extend an invitation to friendly and democratic nations to establish an international mission for consultation with the countries of south Asia on economic development and assistance programs over the next 5 years.

2. Second Strasbourg Conference (S. Con. Res. 23, S. Rept. 205, passed Senate May 20, 1959): This concurrent resolution provided for the appointment of 14 Members of the U.S. Congress, 7 from the Senate and 7 from the House of Representatives, to participate in a Second Strasbourg Conference of the Council of Europe. The resolution further provides for the payment of expenses of up to $15,000 for each delegation from the contingent funds of the respective Houses of Congress.

3. Attendance at meeting of Commonwealth Parliamentary Association (S. Con. Res. 29, S. Rept. 238, passed Senate June 12, 1959): This concurrent resolution provided for the appointment of four Members of the Senate and four Members of the House of Representatives to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Australia in early November 1959. Not to exceed $15,000 is authorized for the expenses of the respective delegations, to be paid from the contingent funds of the House and the Senate.

4. Reduction of armaments (S. Con. Res. 48, S. Rept. 575, passed Senate August 6, 1959): This concurrent resolution expressed the sense of the Congress that upon the achievement of agreement with other nations on the reduction of armaments, the United States would be prepared to commit the resultant savings to the continuation and expansion of its works of peace throughout the world.

5. Inter-American Development Bank (S. Con. Res. 67, passed Senate July 28, 1959): This concurrent resolution authorized a change in the enrollment of the bill S. 1928 to provide for the participation of the United States in the Inter-American Development Bank.

6. North Atlantic Treaty Parliamentary Conference meeting (H. Con. Res. 34, S. Rept. 189, passed Senate April 30, 1959): This concurrent resolution requested the chairman of the United States delegation to the North Atlantic Treaty Parliamentary Conference to invite the Conference to hold its annual meeting for 1959 in Washington, D.C.

7. Greetings to the Parliament of Nepal (H. Con. Res. 299, passed Senate July 16, 1959): This concurrent resolution extended the greetings of the Congress of the United States to the Parliament of the Kingdom of Nepal upon its being convened in July 1959 for the first time following the first free elections in the history of Nepal.

BILLS PASSED BY SENATE BUT NOT BY HOUSE

1. Appointment of an Assistant to the Secretary of State (S. 455, S. Rept. 188, passed Senate April 30, 1959): This bill would provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs.

2. Foreign Service annuities (S. 1502, S. Rept. 837, passed Senate Sept. 9, 1959): This bill would provide for adjustments in the annuities under the Foreign Service retirement and disability system.

3. Mutual Defense Assistance Control Act (S. 1697, S. Rept. 599, passed Senate Sept. 12, 1959): This bill would amend the Mutual Defense Assistance Control Act of 1951 so as to permit the President to give economic or financial aid to any nation or area, including Communist nations and areas (except the U.S.S.R. and Communist-held areas of the Far East), and to continue aid to friendly countries which trade (other than in war materials) with such nation or area.

4. Payment to the Government of Japan (S. 2130, S. Rept. 631, passed Senate Aug. 24, 1959): This bill would authorize a payment of $6 million to the Government of Japan in full settlement of the claims of Japanese nationals who formerly resided in the Bonin Islands which have been used by the United States since 1945 for security purposes.

5. Inter-American Children's Institute (S. 2231, S. Rept. 990, passed Senate Sept. 11, 1959): This bill would amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended.

6. Foreign Service Act (S. 2633, S. Rept. 880, passed Senate Sept. 9, 1959): This bill would amend the Foreign Service Act of 1946 by providing for numerous changes in the administration of the Foreign Service, especially relating to Foreign Service staff officers and to the Foreign Service retirement system.

LEGISLATIVE RECORD

Treaties:

Held over from previous Congress	9
Submitted during 86th Cong., 1st sess	14
Total pending during 86th Cong., 1st sess	23
Advice and consent given	8
Total pending at end of 86th Cong., 1st sess	15

Bills and joint resolutions:

Referred to the committee	73
Enacted	19
Passed Senate	6
Provisions included in other legislation	17
Still pending	31

LEGISLATIVE RECORD—Continued

Senate and concurrent resolution:	
Referred to the committee	52
Passed Senate	19
Provisions included in other resolutions	6
Still pending	36
Nominations confirmed:	
Ambassadors and ministers	25
Department of State (including ICA and DLF)	14
United Nations	16
Advisory commissions	4
International Bank for Reconstruction and Development	2
Foreign Service	1,126
Total	1,187

ROLLCALL VOTES ON FOREIGN POLICY MEASURES

Income tax convention with Norway: 93 to 0.

Treaty of amity, economic relations, and consular rights with Muscat and Oman: 89 to 0.

Convention with Cuba on conservation of shrimp: 80 to 0.

Protocol amending the convention on the Inter-American Institute of Agricultural Sciences: 83 to 0.

International Sugar Agreement of 1958: 85 to 2.

International Wheat Agreement, 1959: 92 to 1.

Protocol to Convention on Duties and Rights of States in the event of Civil Strife: 81 to 0.

Telegraph Regulations (Geneva revision, 1958): 93 to 0.

Nomination of Christian A. Herter to be Secretary of State: 93 to 0.

Nomination of Mrs. Clare Booth Luce to be Ambassador to Brazil: 79 to 11.

Bretton Woods Agreements Act amendments: 73 to 10.

Participation in the Inter-American Development Bank: 89 to 3.

Mutual Security Act of 1959: 65 to 26.

Amendments to the Mutual Defense Assistance Control Act: 49 to 40.

SERVING OF OLEOMARGARINE OR MARGARINE IN NAVY RATION

Mr. JOHNSON of Texas. Mr. President, I withdraw the motion I had made in connection with the world fair for reasons which have been evident, and I now move that the Senate proceed to the consideration of Order No. 921, and as soon as that motion is acted upon I will make a unanimous-consent request in connection with this measure.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2168) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

Mr. WILEY. Mr. President, may I be heard on that motion?

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. KEATING. Is the motion of the distinguished majority leader subject to debate?

The PRESIDING OFFICER. The motion is subject to debate.

Mr. JOHNSON of Texas. I should like to say that the Department of the Navy and the Bureau of the Budget recommend the deletion of section 2 of the bill in order that the Navy may have the same flexibility as is enjoyed by the other Armed Forces.

Mr. President, I should like to propose a unanimous-consent agreement that we have 1 hour debate on this bill, and 30 minutes to each side.

Mr. PROUTY. Mr. President, I object.

Mr. JOHNSON of Texas. I ask the Senator from Arkansas if he has any suggestions.

Mr. FULBRIGHT. This is the second bill of mine called up, both of them supported by the administration, and both of them subjected to a filibuster by opponents of the bills. I believe we ought to have a reasonable debate on this bill and come to a vote.

This is a matter which has been before the Senate for a long time—for many years. I cannot imagine why Senators would not permit action to be taken on the matter. I do not want to waste the time of the Senate if the bill will be discussed at any length.

Mr. WILEY. It will be. [Laughter.]

JUVENILE DELINQUENCY CONTROL PROBLEMS

Mr. JOHNSON of Texas. Mr. President, I am due in a conference committee now. I desire to set some pending business for Senators to discuss, but not to discuss at length. Therefore, if objection will be made to Calendar 921, S. 2168, then I move that the Senate proceed to the consideration of Calendar No. 819, S. 694.

I am informed by the Senator from Oregon [Mr. MORSE], who is deeply interested in this measure, that he will discuss the bill, but will not discuss it at any great length.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 694) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Mr. DIRKSEN. Mr. President will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the distinguished minority leader.

Mr. DIRKSEN. I offer my complete support and my feeling of solicitude for my esteemed compatriot from Arkansas, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. First he advances a resolution, which has the approval of the administration, with respect to the format for the selection of a site for a world's fair, and perforce, circumstances and imperatives being what they are, the resolution had to be withdrawn.

Now my distinguished friend comes along with a bill which has the approval of the Department of Defense and the approval of the Navy Department, provided section 2 is deleted.

The Senator from Arkansas has been carrying the flag, it seems to me, for the administration. If, for any reason, he should founder with the flag, I want to extend my sincere sympathy and come to his support in his distress as best I can.

Mr. FULBRIGHT. No one deserves that sympathy any more than I do. I thank the Senator for commending me for carrying the flag for the administration, but this is what has happened.

Mr. JOHNSON of Texas. Mr. President, has action been taken on my motion?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Juvenile Delinquency Act of 1959".

Findings and policies

SEC. 2. (a) The Congress hereby finds and declares that juvenile delinquency diminishes the strength and vitality of the people of our Nation; that such delinquency is increasing in both urban and rural communities; and that its prevention, control, and treatment require intensive efforts on the part of private and governmental interests.

(b) The policy of the Federal Government shall be to assist in the prevention, control, and treatment of juvenile delinquency.

TITLE I—DEMONSTRATION AND STUDY PROJECTS

SEC. 101. (a) For the purpose of demonstrating and developing improved methods, including methods for the training of personnel, for the prevention, control, and treatment of juvenile delinquency, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1960, and for each of the four succeeding fiscal years such sum, not to exceed $5,000,000, as the Congress may determine.

(b) The sums appropriated under this title shall be available for grants or contracts to carry out projects for demonstrations and studies which, in the judgment of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary") hold promise of making a substantial contribution to the discovery, the development, or the evaluation or demonstration of the effectiveness, of techniques and practices, including techniques and practices for the training of personnel, for the prevention, control, and treatment of juvenile delinquency. The Secretary may make such grants to States and municipalities and to other public and private nonprofit agencies, including institutions of higher learning or research: *Provided*, That the Secretary shall require each grant recipient to contribute money, facilities, or services to the extent the Secretary deems appropriate. He may enter into contracts for such projects with public or private organizations or agencies or with any individuals.

(c) Payments under this title may be made in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds ncessary to carry out the purposes of this title.

TITLE II—TECHNICAL ASSISTANCE SERVICES

SEC. 201. (a) The Secretary shall make studies, investigations, and reports with respect to matters relating to the prevention, control, and treatment of juvenile delinquency, including the effectiveness of programs carried out under this Act, cooperate with and render technical assistance to States and municipalities and other public and private agencies in such matters, and provide short-term training and instruction

in technical matters relating to juvenile delinquency.

(b) The Secretary shall, in connection with all grants and contracts provided for in title I, collect, evaluate, publish, and disseminate information and materials for agencies and personnel engaged in programs concerning juvenile delinquency.

TITLE III—NATIONAL ADVISORY COUNCIL ON JUVENILE DELINQUENCY

SEC. 301. (a) There is hereby established in the Department of Health, Education, and Welfare a National Advisory Council on Juvenile Delinquency (hereinafter referred to as the "Council"). The Council shall be composed of the Secretary or his designee, who shall be Chairman, and twelve members appointed without regard to the civil service laws by the Secretary. The appointed members of the Council shall be persons (including persons from public and voluntary organizations) who are recognized authorities in professional or technical fields related to juvenile delinquency or persons representative of the general public who are leaders in programs concerned with juvenile delinquency. The Council shall advise the Secretary on the administration of this Act.

(b) Before any grant or contract is made under title I, the Council shall review the project involved and shall submit its recommendation thereon to the Secretary. The Council may also recommend to the Secretary projects initiated by it. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to this Act for such periods, in addition to conference periods, as he may determine.

(c) Appointed members of the Council, while attending meetings of the Council or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provision of law the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence).

(d)(1) Any member of the Council is hereby exempted with respect to such appointment, from the operation of sections 381, 283, 284, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) shall not extend—

(A) to the receipt of payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment; or

(B) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

TITLE IV—GENERAL PROVISIONS

SEC. 401. (a) The Secretary is authorized to make regulations governing the administration of this Act.

(b) The Secretary shall include in his annual report a full report of the administration of this Act.

(c) There are hereby authorized to be included for each fiscal year in the appropriation for the Department of Health, Education, and Welfare such sums as are necessary to administer this Act.

(d) The term "State" in this Act includes the District of Columbia, Virgin Islands, Puerto Rico, and Guam.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I wish to express my solicitude and concern for the predicament of the distinguished Senator from Arkansas [Mr. FULBRIGHT], my good friend, and the able and outstanding chairman of the Committee on Foreign Relations.

Even had the Senator had only one bill of great merit—he had two measures, one a resolution of great merit, the second, a bill of dubious merit—to have carried the burden of endorsing these proceedings tonight with the lack of support which seems to come from the administration side of the aisle is even more than the illustrious Senator from Arkansas can undertake. I commend him on his good work. He has proved that extended debate does not need to be extended if one picks the right time.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield the floor. The Senator can seek recognition in his own right.

Mr. CLARK. Mr. President, I seek recognition.

The VICE PRESIDENT. The Chair recognizes the Senator from Pennsylvania.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. THURMOND. Do I correctly understand that there has been no unanimous-consent request in connection with this bill?

Mr. CLARK. That is correct.

Mr. THURMOND. The bill will be debated at length. I merely wanted to inform the Senate to that effect. I will object to any unanimous-consent request to limit debate.

Mr. CLARK. Mr. President, may I have the floor?

The VICE PRESIDENT. The Senator from Pennsylvania has the floor.

Mr. CLARK. Mr. President, this is a bill to create a very small appropriation in support of studies for juvenile delinquency. The bill has been cosponsored by the distinguished senior Senator from Alabama [Mr. HILL] and myself. I shall not debate it at any length, other than to say that it was reported by the Committee on Labor and Public Welfare by a unanimous vote. I hope the Senate will approve the bill, because, as I understand, there is no serious objection to it from that committee.

I am happy to yield, now, to the Senator from Alabama, so that he may express his support of the proposed legislation, which I hope will be approved.

Mr. HILL. Mr. President, the Senator from Pennsylvania was the chairman of the subcommittee which held hearings on the bill. He knows how convincing and conclusive was the testimony which the subcommittee received as to the need for the legislation.

The bill does not go as far as some members of the committee felt it should go. Certainly I think the feeling is that we should at least take the step provided in the bill.

Mr. CLARK. Mr. President, the bill was cosponsored by the Senator from Alabama and myself. I yield the floor.

Mr. MORSE. Mr. President, before I discuss the problem of juvenile delinquency, I may say that the Senator from Arkansas [Mr. FULBRIGHT] has a delightfully refreshing sense of humor. I am sure he need not be the least bit surprised at the course of action taken in regard to the two measures. I am sure his sense of humor is such that he will chuckle at and enjoy the fact that he was on the receiving end of a little ironical justice in regard to the matter of full debate in the U.S. Senate. But he has many colleagues who usually stand with him on issues in which full debate is generally had.

I think it is rather good for the Senate to find out that the rules of the Senate permit it in regard to some other issues, too.

Needless to say, I have been sitting here not at all displeased with the course of action of the last few minutes. It may be that under the operation of the rules we still may be here tomorrow afternoon at the rate we are going. If so, I do not think that would be bad, any more than I think it would be bad if we were here a week from tonight, continuing to take care of some of the very important items of business, which are now being laid aside, by the application of the rule of full debate.

Turning to S. 694, I have had the privilege of serving as a member of the Subcommittee on Juvenile Delinquency. This subcommittee has had before it the testimony of many distinguished witnesses who have described in detail the problem of juvenile delinquency confronting our Nation today.

My view is that the most important job to be done in this field is the training of police officers, probation officers, and others charged with duties for the prevention of juvenile delinquency. The bill reported by the committee, however, places major emphasis on special projects for demonstration and studies to develop improved techniques for the prevention and treatment of juvenile delinquency. No one would deny the need for greater Federal leadership and assistance in stimulating projects of this kind. The bill also provides for an increase in technical assistance services by the Department of Health, Education, and Welfare. More help of this kind is long overdue. I am especially glad that my colleagues have seen fit to include provision for the Department to provide short-term training programs and instruction in technical matters relating to juvenile delinquency.

I have no question, therefore, about this bill as far as it goes. But it does not go far enough.

In 1956, the Senate passed a bill sponsored by Senator LEHMAN, of which I was proud to be a supporter. In my

judgment, the Lehman bill faced up to the totality of this problem, and faced up to the serious nature of the growing cancer of juvenile delinquency in our body politic. It provided what the experts at that time thought was a reasonably adequate program for the start of an attack on juvenile delinquency, as far as Federal contribution and participation were concerned.

Juvenile delinquency has not decreased since 1956. On the contrary, it has steadily mounted. It is an even larger problem now than it was in 1956, when the Lehman bill was passed by the Senate.

I am very much of the opinion that the great need in the field of juvenile delinquency is for qualified, trained help—qualified, trained personnel. It is to this need that I urge my colleagues of the Senate to give further consideration.

The facts speak for themselves. For this reason, I want to present to the Senate some of the evidence that has convinced me that Federal participation in training in the field of juvenile delinquency should not be postponed.

First, I want to read statements made by committees of the Senate which have given attention to the needs in the field of juvenile delinquency, even before the problem loomed as large as it does today.

In 1955, the Senate Judiciary Committee, in its interim report on its study of juvenile delinquency in the United States, said:

> The training of greater numbers of qualified personnel to staff prevention and treatment agencies means both expanding certain training programs and the launching of new ones. Schools of social work, law schools, sociology and psychology departments all provide training which partially prepares people for work in the delinquency field. Almost without exception, however, the training offered needs to be supplemented in terms of content and, in some instances, in methodology to qualify personnel for certain functions within the field.
>
> For still other positions such as that of institutional house-parents or, in the vast majority of States, of juvenile police officers, there are no resources for training. Many institutions and police departments attempt to provide some on-the-job training and orientation and although such training is valuable, it is no substitute for the intensive and comprehensive training needed for persons charged with the crucial task of protecting and rehabilitating children in trouble.
>
> To remove the bottleneck to improving the Nation's attack upon juvenile delinquency imposed by the lack of trained and qualified personnel to man its defenses, the subcommittee recommends the establishment of a program, to be administered by the Children's Bureau under which grants would be made to States, selected educational institutions and students to extend, establish, and further the training of personnel for work in the prevention and treatment of juvenile delinquency.
>
> However, since the training of personnel for work in the field of juvenile delinquency is, in the opinion of the subcommittee, of such prime importance, the subcommittee also recommends that, for no more than 2 years, the Children's Bureau itself be authorized to provide, or arrange for the provision of short-term courses of training for those working in the field. The subcommittee views this function, insofar as the Federal Government is concerned, as a temporary and emergency activity designed to relieve an acute shortage and as an aid to the States in getting their own training programs underway. (S. Rept. No. 61, 84th Cong., 1st sess., p. 103–104.)

In 1956, in reporting the Lehman bill, the Senate Committee on Labor and Public Welfare said:

> Major reasons why delinquency problems remain so serious are the great shortages of personnel to work with delinquent youth and the small percentage of those now so employed who have had special training for such work. The bill, therefore, provides, for 8 years, for grants to the States and to nonprofit institutions of higher learning for paying the costs of training personnel employed or preparing for employment in programs for the diminution, control, and treatment of juvenile delinquency.
>
> No single State has an overall picture of its training needs for police, probation, parole, and institutional work. A primary use to which State and local agencies would put Federal grants for training would be to survey the quantity and variety of training required for present staff and for expansion of services. A job of tremendous size must be done in developing more courses and institutes in appropriate educational institutions as well as in on-the-job training; in preparing and disseminating training materials; in coordinating training programs. Funds are needed for stipends to enable trainees to attend courses and for traineeships that will attract more young people into these service fields.
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> * * * * *
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> Such training needs are not limited to any one section of the country or to any type of community, but are found, to greater or lesser degree, across the country. A concerted attack on them, nationwide, stimulated by the grants authorized by this bill, can be one of the most salutory contributions to the control and diminution of juvenile delinquency. (S. Rept. No. 2765, 84th Cong., 2d sess., pp. 10–12.)

These statements give the Senate a brief picture of the situation 3 and 4 years ago. The training needs today are even greater than they were then.

Mrs. Katherine B. Oettinger, Chief of the Children's Bureau, testified before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare on May 4, 1959. She presented some of the most recent information the Children's Bureau has about problems and needs in the field of juvenile delinquency. With respect to training, she said:

> We are confronted with an almost total lack of training on the part of personnel already employed in serving delinquent youth. Additionally, the absence of a pool of trained personnel to fill existing vacancies, and the inadequacy of training resources constitute a major roadblock in improving the quality of existing services.
>
> The seriousness of the problems related to training of personnel are highlighted by the following facts:
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> 1. Only 1 out of 10 juvenile probation officers has completed social work training. More than 4 out of 10 lack a college degree and are not eligible for professional training. The same serious shortage exists for parole or aftercare workers who follow up on planning and supervision after the child has been given a start in rehabilitation at an institution.
>
> 2. Six out of ten of our State training schools do not have a staff psychiatrist either full or part-time; 4 out of 10 have no full or part-time psychologist on their staff; 3 out of 10 do not even have a full- or part-time social worker. These are the clinical staff essential to the proper functioning of an institution. In addition, many of the institutions have poorly prepared cottage parents and other types of nonclinical personnel who need inservice training. Many lack sufficient numbers of this kind of staff. Inadequate trained personnel too often limit care to a custodial emphasis rather than a treatment program geared to understanding the child and providing him with the individual help he needs to restore him to a wholesome way of life.
>
> 3. Carefully designed in-service training programs are universally desirable since police deal with more juvenile delinquents or potential juvenile delinquents than any other agency. At the present, there are few facilities, sparsely located, for providing training for the highly specialized responsibilities of handling juvenile offenders. (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and S. 1341—April 27, 28, May 4, 26, and June 4, 1959—p. 156.)

The impact of the shortage of trained personnel is felt throughout the country. Mr. Jack Glass, director of the Lane County, Oreg., Juvenile Department and Skipworth Home, submitted a statement giving a graphic picture of what is happening in one county in my own State of Oregon, as follows:

> The level of training of juvenile probation officers throughout the United States is a scandal. This also applies to workers in other aspects of juvenile corrections and allied welfare services. One would never think of placing a loved one in need of medical attention in the hands of an unskilled practitioner without some type of medical training. This is a common occurrence when it comes to the diagnosis and treatment of complex problems underlying juvenile delinquency. Everyone of the 10 juvenile counselors, i.e., juvenile probation officers in the Lane County Juvenile Department are required as a minimum standard to have a bachelor's degree plus two factors beyond which can be either in graduate study or experience or a combination of both. Experience to date shows that a worker who has completed training in social work leading to an M.S.W. degree and who is also adapted to working in an authoritative agency produces the most effective work. These workers are in extremely short supply and difficult to recruit. As a substitute, workers of a lesser standard of training are recruited. Even these workers take a long time to recruit on a nationwide basis. The Lane County Juvenile Department conducts an on-the-job training program. This is of particular importance to new workers who either have no social work training and who have had no related experience. It is to be noted that such on-the-job training is not a substitute for training in a recognized college or university. In a recent 3-day field visit by Mrs. Alice M. Low, training consultant, Juvenile Delinquency Service Division, U.S. Children's Bureau, the consultant indicated that it's difficult to conduct an on-the-job training program effectively without the assistance of a training specialist and that even an agency of the size of the Lane County Juvenile Department could support a full-time training person. It is to be noted that in round numbers the total staff of the juvenile department and its components numbers 40 persons. The addition of a training worker whose services are estimated at $7,500 per year would pay for itself a hundredfold." (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and

S. 1341, April 27, 28, May 4, 26, and June 4, 1959, p. 403.)

Mr. CLARK. Mr. President, will the Senator from Oregon yield?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. MORSE. I yield.

Mr. CLARK. I should like to say that I agree completely with everything the Senator from Oregon has said. It is quite true that we should have in this juvenile delinquency study bill a provision for training. The unfortunate thing is that the administration has opposed it; and in the committee—and I think I speak for my good friend, the Senator from Alabama [Mr. HILL], as well as for myself—we have thought that if we could get half a loaf, if we could get a foot in the door, if we could get the Federal Government committed, by making a small start in the way of studies of juvenile delinquency, that would be the wise thing to do while we had the support of the administration for the present bill.

Therefore, in agreeing with everything the Senator from Oregon has said, I wish to state that I hope this particular bill will be passed; and at the next session of Congress we can act on the badly needed provisions for training, which the Senator from Oregon has advanced.

Mr. MORSE. I wish to state to the chairman of the subcommittee [Mr. CLARK], and I wish the RECORD to show, that, in my judgment, no bill would have come out of the committee at this session if it had not been for the leadership in the subcommittee of the Senator from Pennsylvania [Mr. CLARK] and the leadership in the full committee of the chairman of the full committee, the Senator from Alabama [Mr. HILL].

Mr. President, I am not going to delay the passage of this bill, inadequate though I believe it is. I think it does contain some good provisions. But we need much more legislation on this subject; and I am making this speech tonight because I want to lay the foundation for a much broader bill, come next January, in case this bill passes in the closing hours of this session.

Mr. CLARK. Mr. President, will the Senator from Oregon yield again to me?

Mr. MORSE. I yield.

Mr. CLARK. I hope very much that at the next session of Congress, we shall be able to do what the Senator from Oregon desires.

But I hope—although perhaps it is an idle hope—that we shall pass this bill, in order to get this work started.

Mr. MORSE. I am sure that the Congress will pass it; and I favor having the Congress remain in session long enough to pass it. After all, what is 1 week or 2 weeks, if the people's business calls for action? So let us remain in session long enough to get the people's business attended to.

Mr. JAVITS. Mr. President——

Mr. MORSE. Mr. President, at this time I wish to yield to another member of the committee, the Senator from New York [Mr. JAVITS]. I wish to say that, on the basis of his performance in our committee, he deserves to be included in the tributes I have already paid to the Senator from Pennsylvania [Mr. CLARK] and the Senator from Alabama [Mr. HILL].

So, without losing my right to the floor, I yield at this time to the Senator from New York.

Mr. JAVITS. Mr. President, I should like to join my colleague from Oregon in his very gracious commendations of the Senator from Pennsylvania [Mr. CLARK] and the Senator from Alabama [Mr. HILL], who, I believe, really did this almost by themselves, although of course the Senator from Oregon [Mr. MORSE] himself played no small part in this effort; and if the bill becomes law, I shall take great satisfaction in his very active participation in that connection.

I, myself, have been the author of a juvenile delinquency bill, for many years, even when I was in the other body. I agree with the Senator from Oregon that what is needed, in addition to the provisions of this bill, is also aid to the municipalities and States, and especially to voluntary organizations.

I may say to the Senator from Oregon that I have had many occasions to refer to the singular study, which was made in the State of New York, at a time when I had the honor to be an official of New York State—in regard to juvenile delinquency and youth crime. That is a subject with which we can deal; and we can make immeasurable progress with it if we provide for the needed funds and the necessary effort.

That, I think, is what the Senator from Oregon has been trying for and what I have been trying for. I, too, believe this bill goes a very small way. It allows only for a pilot project to test out different methods, when, as a matter of fact, it should be going into the operative stage, which is so urgently needed in my city and State and other places in the country.

Also, it deals with training of personnel in a limited way because of problems which are involved, mainly financial. I wish to compliment the Senator from Alabama [Mr. HILL] and the Senator from Pennsylvania [Mr. CLARK], who led in the effort to get this bill. The reason I believe it is a sound bill is the following language:

> The policy of the Federal Government shall be to assist in the prevention, control, and treatment of juvenile delinquency.

Without delaying the Senator further, I should like to say that I hope we will all join as brothers in arms in the effort to make that policy meaningful, because I think the fact that the Federal Government has not asserted any real leadership in this field has given rise to a sense of disparate treatment in different places in the country. I think by the Federal Government saying, in this bill, "We will give some leadership, some national prestige in the efforts to deal with this problem," the authors of the bill are making the best single step forward which can practically be made at present.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I yield only for a question or with the understanding that I do not lose my right to the floor by yielding.

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me without losing his right to the floor.

The PRESIDING OFFICER (Mrs. SMITH in the chair). Is there objection? Without objection, it is so ordered.

Mr. CLARK. Madam President, I should like to commend my good friend from New York for the comments he made about this bill. He was most helpful in the deliberations of the committee in determining what bill we should bring forward. We held hearings on April 27 and 28, May 4 and 26, and June 4. Statements were filed. It was felt that training should be provided for in the bill. While I was in accord with that, and so was the Senator from Oregon, we felt as a practical matter, since the Eisenhower administration opposed any training provision in the bill, we ought to get our foot in the door and take half a loaf and pass a bill. I want to commend my friend from New York and also my friend from Oregon for being willing to go along. I hope very much that as a start we are getting this program on the road and that the bill which was sponsored by the distinguished Senator from Alabama will be passed tonight. The chairman of our committee, the distinguished Senator from Alabama [Mr. HILL], filled an important need in bringing this bill before the Senate.

Mr. MORSE. There is no doubt about it.

Mr. CARROLL. Madam President, will the Senator yield?

Mr. MORSE. For what purpose?

Mr. CARROLL. To ask a question and to make a distinction.

Mr. MORSE. I yield to the Senator from Colorado for a question, but in case his enthusiasm extends him and carries him beyond asking a question, I wish to yield without losing my right to the floor.

Mr. CARROLL. If any enthusiasm extends me as much as the enthusiasm of the Senator from Oregon, it will be great indeed.

I should like to ask if this is not also a subject for the Subcommittee on Juvenile Delinquency.

Mr. MORSE. Yes, and it is doing a good job.

Mr. CARROLL. The question was put to me, Why did not this matter come before our subcommittee? I have answered, and I put the question to the Senator from Oregon, "because the bill now before the Senate is a preventive measure." This is a measure that seeks to determine the cause of juvenile delinquency. The measures that come before the Judiciary Committee are measures having to do with punitive treatment and punishment.

Mr. MORSE. The Senator is making a sound distinction.

Mr. CARROLL. I say to the Senator from Oregon, the Senator from Alabama, and the Senator from Pennsylvania, who have sponsored such legislation, that they are to be commended, because it is far easier on the taxpayer to spend a

preventive dollar than it is to spend punishment dollars that are building up in the penal institutions. I hope we can enact this legislation.

Does the Senator from Oregon desire to comment on this point?

Mr. MORSE. My comment is that the Senator is absolutely right. I think the reason our committee is handling this particular bill is because it is a matter of public welfare.

Mr. CARROLL. Because it is a question of education and public welfare.

Mr. MORSE. It deals with the question of a pilot training program.

Mr. CARROLL. And the Senate Judiciary Committee proposes the enactment of laws to punish people who commit juvenile delinquency acts after it is too late.

Mr. MORSE. That is correct.

Mr. CARROLL. Would the Senator, therefore, say that the junior Senator from Colorado has not extended himself too much in this discussion?

Mr. MORSE. He has not at all. In fact, the Senator from Colorado has made a great contribution. I wish he would extend himself. The Senator from Colorado is always welcome to participate in debate.

ORDER OF BUSINESS

Mr. MORSE. Madam President, I understand that the Senator from Wisconsin [Mr. PROXMIRE] wishes me to yield to him so that he may make a parliamentary inquiry, and I will do so only with the understanding that if I do so, I shall not lose my right to the floor.

Mr. PROXMIRE. Madam President, I ask unanimous consent that the Senator from Oregon may yield to me under those circumstances.

Mr. MORSE. Without losing my right to the floor.

Mr. PROXMIRE. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROXMIRE. Madam President, just before this bill was called up on motion, the Senate had considered Calendar No. 921, S. 2168, the oleomargarine bill. My inquiry is, Did that bill revert to the calendar, or is it pending and will it automatically come before us after this bill is acted on?

The PRESIDING OFFICER. The motion to call up that bill was withdrawn, and it takes its place on the calendar.

JUVENILE DELINQUENCY CONTROL PROBLEMS

The Senate resumed the consideration of the bill (S. 694) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Mr. MORSE. A much greater number than come to the attention of juvenile courts—perhaps as many as 1.7 million children—are dealt with by the police for misbehavior. Yet, because of the great training needs, police work with juvenile leaves much to be desired. Sheriff Joseph D. Lohman, of Cook County, Ill., submitted to the Senate Committee on Labor and Public Welfare the following information about police services in reporting on a research study on juvenile delinquency, made by his staff:

Police juvenile bureaus have developed helter-skelter in response to two general and opposing pulic sentiments. The first is the pressure that the public exerts to have the police treat youthful offenders in a manner which distinguishes them from adults. On the other hand, the second is the demand of the public that the police apprehend young hoodlums or juvenile wolfpacks. Thus police juvenile bureaus are, in part, composed of personable young officers whose function it is to serve as public relations agents in the departments' speaker's bureaus. They seek to reconcile these contradictory aims by addressing meetings for and about youth, in response to the sentiment for differentiating juvenile from adult offenders. But, in fact, the police juvenile bureau acts to arrest and detain juvenile law violators just as the department as a whole acts toward older law violators.

The juvenile bureau is usually the stepchild of the whole police department. Its ranks are usually swelled by older or infirm officers too young to retire, the disciplinary problems of other branches in the police department and a miscellaneous assortment of policemen selected because they like kids. The haphazard result of such a personnel policy, or rather lack of policy, for the selection of officers to deal with maladjusted youths can only produce contempt for the police in the minds of the youthful offenders.

In addition to the problem of the quality of juvenile specialists, there is the further problem of their limited number. In McNeil's Statistical Review of Police Services for Juveniles, reporting on the allocation of juvenile officers in cities of 25,000 population and over, we find the following distributions:

Juvenile officers per 100,000 population and number of jurisdictions

Less than 1.9	40
2 to 3.9	64
4 to 5.9	37
6 to 7.9	16
8 or more	17

This lack of juvenile personnel is further aggravated by a lack of policewomen to deal with female juvenile offenders. When policewomen are assigned to juvenile bureaus their main functions are usually restricted to clerical and custodial tasks. The lack of personnel and the indifferent quality of the personnel that is assigned produces a woefully weak agency that must in its work deal with all of the delinquents and predelinquents that come to its attention or the attention of any other agency. (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and S. 1341, April 27, 28, May 4, 26, and June 4, 1959, p. 275.)

Top experts in the field of juvenile delinquency have testified that the training of personnel should have first priority in a Federal program looking toward the solution of the Nation's juvenile delinquency problem. Mr. Will C. Turnbladh, director of the National Probation and Parole Association, wrote to the Subcommittee on Juvenile Delinquency, as follows:

We would place greatest stress on Federal aid to the States with respect to the training of probation officers. There are approximately 3,500 probation officers serving in juvenile courts, most of them without the essential professional training in a school of social work. The need is for no less than 20,000 officers, properly trained. The committees should consider that our criminal courts also have jurisdiction over youthful offenders. The number and training of probation officers in these courts are as far from the need as is the situation with respect to juvenile court officers. It is clear that since these courts deal with the most disturbed young offenders in our communities, the training of probation officers should receive top priority consideration. (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and S. 1341, Apr. 27, 28, May 4, 26, and June 4, 1959, p. 309.)

Judge Donald Long, whom I consider one of the top 10 people in the United States in the field of juvenile delinquency, said in testifying before the subcommittee:

In my opinion the training provision in the Green bill and in the other Senate bills is much more important than the provisions of providing for development of techniques and demonstrations. We have a severe lack of qualified personnel in the United States dealing with these problems. We need to do something about the need.

We have 3,000 juvenile courts in the United States, many of them county judges. Half of all the counties in the United States that are dealing with juvenile delinquency have no probation services whatsoever.

There was a study made by the National Probation and Parole Association several years ago and I think they have previously testified that there is a need for some 15,000 probation officers dealing with these problems and assisting juvenile courts.

At that time we only had in the United States 2,100 probation officers dealing with children alone, 3,400 serving both juveniles and adults. Out of this number only 1 out of 10 completed his social work training. Many of them were qualified but it is staggering that they had not the skills and the training that they should have in my opinion in dealing with the behavior problems of the children coming to the various juvenile courts.

And that is the reason, I feel, that priority first should be given to a training program to assist the volunteer organizations to assist the States and local communities in providing under HEW an efficient program of training. (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and S. 1341—April 27, 28, May 4, 26, and June 4, 1959—p. 213.)

Mr. John R. Ellingston, representing the Minnesota Legislative Interim Commission on Juvenile Delinquency, Adult Crime, and Corrections, and the law school of the University of Minnesota, made the following statement to the subcommittee:

There is another large group of people whose need for education in human motivation and behavior is immediate and urgent and who, once educated, can provide a leaven to spread understanding throughout our society. I mean all those whose jobs in one way or another give them control over delinquent children—policemen, probation officers, judges, county attorneys, visiting teachers, a variety of welfare workers, recreation leaders, training school staffs, parole agents, visiting nurses. Since most chronic delinquency and other maladjustment stems from a failure in person-to-person relationships, treatment and rehabilitation has to

be a function of person-to-person relationships. People are all-important in rehabilitation. Consequently, the selection and training of all personnel who deal with delinquent children becomes indispenable to rehabilitation and prevention. Only as each of them gets some understanding of themselves and of the forces that make them behave as they do are they likely to be effective in changing the attitudes and behavior of delinquent children. This is the group with which education in the dynamics of human behavior must begin. To stimulate and facilitate the teaching of this group seems to me to offer the greatest opportunity in this area to the Congress. (Hearings before the Subcommittee on Juvenile Delinquency of the Senate Committee on Labor and Public Welfare, 86th Cong., 1st sess., on S. 694, S. 765, S. 766, S. 1090, and S. 1341—April 27, 28, May 4, 26, and June 4, 1959—pp. 235–236.)

In the face of testimony such as I have just quoted, I cannot in good conscience refrain from urging in the strongest terms that the Senate add to the bill as reported out provisions for Federal assistance to aid in meeting the current shortages of trained personnel in the field of juvenile delinquency.

I think it should be said, Madam President, when our schedule indicated a couple of weeks ago that we might reach consideration of this bill at an earlier date, the senior Senator from Oregon took the position as the Senator from Pennsylvania [Mr. CLARK] well knows, that we ought to consider some amendments to the bill at this session. Madam President, at this late hour I think it would be unreasonable and unfair for me to insist on a consideration of those amendments, because if I did that it would doom the bill tonight. Therefore, I am not going to press those amendments, but I say to the two chairmen, the Senator from Alabama [Mr. HILL] and the Senator from Pennsylvania [Mr. CLARK], that next January, on bended knee, if necessary—and I do not bend my knee very easily, except in prayer—I am going to plead with the Senator from Alabama and with the Senator from Pennsylvania for early hearings on the proposals to extend the provisions of the bill to a training program which the group of experts and authorities in the field of juvenile delinquency supported almost in one voice in testimony at our hearings. They said that, after all, it is the training program which in the opinion of the experts is the most important of all.

Mr. CLARK. Madam President, will the Senator yield?

Mr. MORSE. I will be glad to yield, provided I do not lose my right to the floor, before I turn to another subject.

Mr. CLARK. Madam President, I am sure that I can say on behalf of myself and my good friend, the Senator from Alabama, that it will be quite unnecessary for the Senator from Oregon to get down on bended knees in order to make it possible for us to go into the training features of the bill.

Mr. MORSE. Just the thought of it, I think, is good.

Mr. CLARK. The thought is fine. Although the thought is fine, it is perhaps unnecessary.

If the bill should be defeated tonight—and it may be—I think it should be made very clear indeed that its defeat will not be due to any action by any member on either side of the aisle of the Committee on Labor and Public Welfare, because the members of our committee, both Republicans and Democrats alike, who have really studied the situation involved in this proposal, are unanimous in support of the present measure.

Mr. MORSE. Madam President, I had prepared, with the expectation that there would be time for me to deliver it in full, a speech on another subject.

Mr. RUSSELL. Madam President, will the Senator yield to me, on another matter, with the understanding that it will not affect the Senator's right to the floor.

Mr. MORSE. I am always delighted to yield to the Senator from Georgia.

TRIBUTE TO JOHN D. RHODES

Mr. RUSSELL. Madam President, in what we hope will be the closing hours of the session I sometimes think we treat rather casually the valued and dedicated services of some of those who have been with the Senate over a long span of years. All Senators, of course, know Mr. John D. Rhodes, who is one of the Official Reporters of Debates of the Senate. Mr. Rhodes has now passed 40 years of service to the Senate in that capacity. Over that long period of years Mr. Rhodes has seen Senators come and Senators go, and has recorded their remarks—sometimes brilliant, oftentimes commonplace, and I fear at times even some which might have seemed a little stupid. Through it all Mr. Rhodes has served the Senate well. He became a member of the staff of the Senate as a reporter during Woodrow Wilson's administration, and he launched his career by reporting one of the most historic of all debates in the Senate, that with regard to the proposed entrance of the United States into the League of Nations. He had been a reporter prior to that time, but not in a regular capacity. He had engaged in reporting before important Senate committees, since the administration of President Theodore Roosevelt.

Mr. Rhodes is a learned and scholarly man. He has been a member of the bar since 1904, and is a member of the bar of the U.S. Supreme Court.

During the First World War Mr. Rhodes served as a captain in the Judge Advocate General's Department of the U.S. Army.

I am proud, Madam President, to have this privilege of saluting a faithful servant of our country for over 40 years of service in the Senate.

Mr. HILL and Mr. CLARK addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and, if so, to whom?

Mr. MORSE. I will yield first, provided I do not lose my right to the floor, to the Senator from Alabama, and then I will yield to the Senator from Pennsylvania.

Mr. HILL. Madam President, I wish to join the distinguished Senator from Georgia in the very richly deserved tribute he has paid to Mr. Rhodes, for Mr. Rhodes' long, fine, efficient, and devoted service to the Senate. I surely join with the Senator from Georgia in saluting Mr. Rhodes and wishing him many, many more years of service in the Senate.

TRIBUTE TO JAMES W. MURPHY AND STAFF

Mr. CLARK. Madam President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Pennsylvania, with the understanding that I shall not lose my right to the floor.

Mr. CLARK. I, too, would like to join in the kind words said about our mutual friend, Mr. Rhodes.

I am sure my friend from Georgia will agree with me when I ask him to join me in paying tribute to Mr. Rhodes' associate, Mr. James W. Murphy, who has been the senior member of the Senate Official Reporters for many a year. As a young and junior Senator, I came to know and to revere him. Mr. Murphy is very ill at home tonight, and I am sure it would give him a feeling of very great pleasure and a terrific lift to know that on this occasion, as the Senate is about to adjourn, we have all paid our tribute to a fine American gentleman who tried very hard to be present during these closing days to help the other reporters, but who, under doctor's orders, was unable to be with us.

Mr. RUSSELL. Madam President, I certainly share the very high opinion of Mr. Murphy expressed by the distinguished Senator from Pennsylvania. He has served beyond the call of duty. He has endangered his health in the discharge of his important duties.

Madam President, Mr. Murphy has corrected more errors that have been made by Senators than any other two or three men in the history of this country. He has relieved, I believe, nearly all of us, at one time or another, from the embarrassment of grammatical errors and misplaced verbs and pronouns. He has been one of the most valued servants of the Senate.

I am sure that I express the sentiment of the 100 Members of this body when I say that we all earnestly hope and pray for his early and complete recovery.

Mr. KUCHEL. Will the Senator yield?

Mr. RUSSELL. I yield to the Senator from California.

Mr. KUCHEL. Madam President, here is a truly deserved tribute to a dedicated public servant, Mr. Rhodes, and beyond that, to a dedicated profession of public servants uniquely honored by the very able and distinguished Senator from Georgia [Mr. RUSSELL], himself one who loves the Senate and its traditions, and whose conduct here gives us all an impeccable monument of what the Senator has demonstrated in his zeal for service.

Mr. RUSSELL. I thank the Senator from California [Mr. KUCHEL], and I wish that I might deserve that very high compliment.

Mr. KUCHEL. I say to him as one of my seniors that I am most proud of the opportunity to pay my respects to

Mr. Rhodes, whom I am proud to call a friend, and to Mr. Murphy, whose regard has been suggested on the part of the Senator from Pennsylvania.

We pray in common for his speedy recovery and, beyond that, express our appreciation to all these who even at this late hour continue with the perfection that has marked their labors day in and day out since the Senate came into existence.

Mr. THURMOND. Will the Senator yield?

Mr. KUCHEL. I yield to the Senator from South Carolina, with the consent of the Senator from Oregon.

Mr. MORSE. I yield to the distinguished Senator from South Carolina.

Mr. THURMOND. Madam President, I would like to associate myself with the remarks of the distinguished Senator from Georgia in paying tribute to very faithful and capable public servants, Mr. Rhodes, Mr. Murphy, and the entire staff.

Mr. MORSE. Madam President, I want to join with the Senator from Georgia [Mr. RUSSELL] in expressing our thanks to those in charge of the office and to the entire reporting staff of the Senate. They do a remarkable job, Mr. Rhodes and Mr. Murphy, and all the rest, and we are greatly indebted to them.

I am also sure, Madam President, that the Senate, if it knew the facts, would be appreciative of my including in this expression of thanks a tribute to Mr. Placidino Zagami, known to all of us as "Dino," who is the liaison officer, shall we say, between the official reporters and Senators. I have been advised that he is seriously ill, although the diagnosis has been very favorable. However, I know that Senators would want to join me in expressing in the RECORD tonight to "Dino" our very best wishes for a very fast and complete recovery and that we want him to know that we are looking forward to that smiling countenance of his when we come back here in January, and we hope by then he will have fully recovered his health.

Madam President, I yield to the minority leader with the same understanding that I will not lose my rights to the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Madam President, long ago when I first encountered the expression "They also serve who only stand and wait," it perhaps made no great impression on me, and it may be that its significance was entirely lost. However, I have come to appreciate the worth of that expression over the years, with particular reference to those who work behind the scenes and make this the vital and virile institution that it really is.

Tonight it was pleasure to be host to the Senate staff, to the staff of Reporters, to the staff of the Labor Committee as well as of the Judiciary Committee, the policy staff, to the staff of the majority leader and a good many others, because I felt that they were the people who in the language of an old poem were "unknell'd, uncoffined and unknown," as they went in their quiet, obscure, and self-effacing way to do their daily chores in making it possible for this institution, the U.S. Senate, to function. I reaffirm what I said tonight, that we salute every one of them for tasks well done. I single out very particularly, of course, the staff of the Senate Reporters of Debates.

As has been said tonight, between the Murphys and the Rhodes they have been going on with the U.S. Senate, making this RECORD readable and reasonably authentic and quotable, for nearly 100 years. It is a great tribute to them that that should be done, and it is a great tribute to their versatility and capacity to make it readable. We have an amazing capacity, I think, to start off on a theme and suddenly digress on some kind of etymological tangent and then let it hang on a floating preposition and forget that there is such a thing as a verb in the English language. For all we know it may be on the end of one of these missiles which go from the launching pad at Cape Canaveral, but the Reporters will never find it unless they isolate it and put it in its right place and make it a readable RECORD. What a test that really is and what a great service to the Senate and to the country.

I am not insensible of the fact that when I was a high school student and when we students were debating such world-shaking issues as the independence of the Philippines and woman suffrage, the place to go for authentic data and material, the place to go for well-rounded phrases and forensic eloquence, was the CONGRESSIONAL RECORD. Every high school student who was on the debating team or who had some interest in the general subject of speaking and debating would take himself to the local library, endowed by one Andrew Carnegie, and there under feeble light at night would search through this pamphlet, this brochure, so familiarly known to us as the CONGRESSIONAL RECORD. There we would find what Senator So-and-so had said, and in a little while we could reconstruct the pros and cons of nearly every issue that shook this very Republic almost to its foundations—I accept the intrusion of that word by my friend from New York [Mr. KEATING] to its vital foundation. It was readable and it sounded so eloquent and it seemed so beyond the general capacity of a high school student. We never realized, of course, that sitting here in Washington, then as now, was a dedicated group of people who would take what we said, look at it, and consider it something of a language blur, which had to be analyzed and separated, the phrases and clauses divided and the misused words properly corrected, in order to put the emphasis where it belonged, the punctuation very precisely placed where it ought to be, and then it sounded so good and so readable, so eloquent and so persuasive. It is a wonderful thing; and yet we forget all that.

I recall that in my House days a certain Member serving in the House—and I shall not designate him by State, but Madam President, I am sure from my description, will remember from her House days who it was—would go off into the blue, shouting with wild gesticulations.

He would wonder where the money was coming from in order to keep this Government going. He was as insensible to prepositions and conjunctions and verbs, I suppose, as we are to Lunik II which may, for all I know, have caused a little pimple on the moon, if the allegations and contentions of our Soviet neighbors are correct.

So what a job it was to pull this mad scramble of language together and make it readable; and when we read it in the RECORD the next morning, it had punch, it had persuasion, it had all those nice cadences of language. It had that lovely forensic touch as if it had fallen from the eloquent lips of Henry Fountain Ashurst himself, one of the most eloquent men who ever graced the Senate of the United States.

What a great breed, what a great group, and what a great band of dedicated people these reporters are. They are never quite in the headlines. They are doing their daily stint, working long, hard hours; and it is a grueling task, believe me, to keep up with the Senate, with rapid fire discussion and with long sessions.

So I salute them, every one, and I am delighted that we could have them tonight as our guests merely to express in a very simple but in a tangible way our appreciation for the services they render, not merely to the Senate, not merely to the individual Senators, but to the country and, Madam President, to posterity, because all these words are embalmed.

Whatever the embalming fluid is, it seems to last a long time, because I have discovered on occasion when I have taken a certain posture on some particular bill, someone would rise on the floor and pull out a RECORD 18 or 20 years old, and confront me with my iniquities, with my sins of omission and commission, and with my foibles and failures of 20 years ago.

So this haunting RECORD must be a good one because it is there for a long time to come.

I salute the reporters, and I am grateful to my distinguished friend from Oregon for permitting me this feeble and humble apostrophe to a great group. [Applause.]

Mr. COOPER. Madam President, will the Senator yield?

Mr. MORSE. Madam President, the Senator from Illinois has just given us a very fair demonstration of the great eloquence of bygone days to which he referred.

I yield to the Senator from Kentucky without my losing right to the floor.

Mr. JAVITS. Madam President, will the Senator from Oregon get unanimous consent to yield to me so that I may do the same after the Senator from Kentucky has finished?

Mr. COOPER. Madam President——

Mr. MORSE. I yield to the Senator from Kentucky for the purpose that he has in mind of introducing bills if I do not lose my right to the floor. Is the Senator from Kentucky finished?

Mr. COOPER. No; I am not. I have not started yet.

Mr. JAVITS. Madam President, I ask unanimous consent that the Senator from Oregon may yield to me on the same conditions at the conclusion of the remarks of the Senator from Kentucky.

Mr. MORSE. I will decide that after I hear what the Senator from Kentucky has to say.

Mr. DIRKSEN. Madam President, a parliamentary inquiry. May I inquire what is the pending business before the Senate at the hour of 12:45?

Mr. MORSE. A very appropriate subject—juvenile delinquency.

Mr. DIRKSEN. Oh, fine.

Mr. MORSE. Very appropriate.

Mr. COOPER. I thank the senior Senator from Oregon for yielding.

I hesitate to break the spell which the distinguished junior Senator from Illinois has just been weaving, but I join with others too in a word of appreciation to those who are the Official Reporters of the Senate. They are always courteous and faithful. They are very important from the standpoint of their learning, syntax and grammar.

I particularly think of Mr. Murphy, who has been ill, and of Mr. Rhodes and all the others.

PRESENTATION CEREMONY AT APOSTOLIC DELEGATION OF LATIN VERSION OF LINCOLN'S GETTYSBURG ADDRESS

Mr. COOPER. Madam President, recently an impressive ceremony, attended by members of the diplomatic corps and representatives of our Government, was held at the apostolic delegation in Washington. The Right Reverend Edwin Ryan, D.D., of White Plains, N.Y., at that time presented to the apostolic delegate his Latin translation of Lincoln's address at Gettysburg. The document, engrossed on vellum, has been presented to His Holiness, Pope John XXIII, for exhibition in the Vatican Library.

Msgr. Edwin Ryan has long been known to Latinists here and abroad for his writings on the history of the Latin language. That his Latin version of Lincoln's address is now among the treasures of the Vatican Library is an honor to American scholarship. It is also recognized by the broadcasts of the Latin version over the Voice of America.

In order that Monsignor Ryan's scholarly work may be more widely available to libraries and to persons interested in the study of Latin, I ask unanimous consent that the Latin translation, as published in the Cosmos Club Bulletin for June 1959, be included in the RECORD.

Madam President, I ask unanimous consent that there also be included in the RECORD a statement of the ceremony held at the apostolic delegation in Washington on June 17, at the time the Latin translation of Lincoln's Gettysburg address was presented to the apostolic delegate to be forwarded to the Vatican Library.

There being no objection, the remarks and the translation were ordered to be printed in the RECORD, as follows:

PRESENTATION REMARKS BY SENATOR JOHN SHERMAN COOPER, CHAIRMAN, LINCOLN SESQUICENTENNIAL COMMISSION

YOUR EXCELLENCY: During the year of 1959 our Nation and, in fact, the whole world, is honoring a great and good man on the 150th anniversary of his birth. Abraham Lincoln's wisdom and faith in his country enabled him, as 16th President of the United States, to lead the Nation safely through a civil war which united forever the people of our country. He led a nation at war, but it has been said "he was the only man in history who ever led an army into battle loving his enemies more than he loved himself."

We honor Lincoln today as the Lincoln Sesquicentennial Commission presents to you this classical translation in Latin of the historic Gettysburg Address, to be added to other rare documents in one of the world's largest and most unusual archives—the Vatican Library. These words of Lincoln, which speak of government by the people, were translated into the Latin by the Right Reverend Edwin Ryan of Stepinac School, White Plains, N.Y., and are engrossed and illuminated on fine parchment.

The address, made by President Lincoln on the occasion of the dedication of the National Soldiers' Cemetery at Gettysburg, Pa., November 19, 1863, is presented to the Vatican Library in the hope that it will recall to all who view it, and read it, the ideals and life of Lincoln.

His humanity and his humor, his humility born in the hard struggles and disappointments of life, his perseverance, have made the peoples of the world remember Abraham Lincoln. They know instinctively that he is one with them—that he understood their sorrows, their struggles, and their hope of better things.

Your Excellency, it is my honor as chairman of the Lincoln Sesquicentennial Commission to present this document to you for presentation to His Holiness, Pope John XXIII, and the Vatican Library.

ABRAHAM LINCOLN APUD GETTYSBURG PRONUNTIATA CONTIO

Octoginta et septem abhinc jam annos rempublicam novam, libertate inceptam atque hominibus natura paribus dedicatam, majores his in regionibus ediderunt. Nunc bello intestino ac tremendo illaqueatis oritur norbis percontatio num civitas aliqua tali spiritu informata diutina perdurare valebit. Loco insigni luctationis, ad partem campi consecrandam in sepulcrum eorum qui animas ad patriae vitam conservandam hic posuerunt, confluximus. Congruit omnino decetque peragere haec, sensu tamen altiore hanc terram dedicare, consecrare, sanctificare, nobis non competit, quoniam fortes qui hic proeliati sunt, sive superstites manent sive interfecti jacent, facultatem exiguam nostram aut amplificandi consecrationem aut imminuendi magnopere superaverunt. Effata nostra haec paululum animadvertentur homines atque ea brevi obliviscentur, id tamen quod hice confecerunt nullo pacto de memoria dilabetur. Nobis adhuc in vita versantibus immo vero potius incumbit operi incompleto dedicari quod in hac pugna fortissimi hactenus tam praeclare provexere. Remanet ut huic penso nos conferamus, nempe, ex his defunctis coronatis studium corroboratum haurire muneri fungendo cui illi ex imo corde sese obtulerunt, hic mentibus elatis statuere necem his observatis illatam non fore irritam. Quo fiet ut civitas haec Deo adjuvante libertati renascetur, et ditio in populo fundata, a populo gesta, ad populi salutem directa, nequaquam de mundo tabescens interibit.

REMARKS BY THE RIGHT REVEREND EDWIN RYAN, ARCHBISHOP STEPINAC HIGH SCHOOL, WHITE PLAINS, N.Y.

In offering to the Vatican Library my Latin version of Lincoln's immortal address, the Lincoln Sesquicentennial Commission is seeking to demonstrate that America's consecration to freedom in the order of nature is a prelusion to the belief in freedom in the order of grace. Lincoln has expressed succinctly the truth that human freedom is based upon human equality. While recognizing the inequalities of bodily vigor, of intellecutal endowment, he reminds us that beneath those inequalities lies a fundamental equality, an essential concomitant of human nature. He declares that whatever be the diversity of gifts, "men are created equal."

That is in perfect accord with the teaching of Christ's church. She has ever insisted that the inequalities that are obvious, and even the inequalities in the distribution of grace, do not contravene the essential equality of men, of all men, as human beings. It is that doctrine that is the basis of the church's insistence on human dignity. She reminds us that when a man loses his freedom he loses what makes him fully and completely a man, that no man, no group of men, no government, has a right to attack human freedom, that even God Himself, though He goes to almost inconceivable lengths to free us from sin, will not deprive us of freedom, since the only service an intelligent being can render to God is a service that is free.

It is our hope that this document in the language of the Roman Patriarchate will remain in the Eternal City as a testimony to the fundamental harmony that is heard when Abraham Lincoln proclaims in the order of nature what St. Paul proclaims in the order of grace—that the freedom for which the heroes at Gettysburg gave the last full measure of devotion must advance hand in hand with that freedom for which the church's martyrs, following their Master, have laid down their lives, "the freedom wherewith Christ has made us free."

ACCEPTANCE REMARKS BY HIS EXCELLENCY EGIDIO VAGNOZZI, APOSTOLIC DELEGATE TO THE UNITED STATES

Mr. Chairman, your Excellency, Monsignor, and distinguished representatives of different countries, I consider it a privilege and an honor to receive today this copy of the Latin translation of the famous Gettysburg Address by the American President, Abraham Lincoln. The address is one of the greatest documents ever issued by man. It is a great American document; it is a great human document, and I might truly say that it is a great Christian document.

I accept it with great pleasure from your hand, Mr. Chairman, and I will send it to the Holy Father to be kept in the Vatican Library.

I want to thank you, the Commission, and the American people for this presentation.

COOPER AMENDMENT TO PUBLIC LAW 480

Mr. COOPER. Madam President, I send to the desk a statement regarding the amendment to Public Law 480 which was approved by the Senate last week, sustained by the Senate-House conference and adopted by the Congress, making it mandatory upon the Secretary of Agriculture to supply needy people in the United States with food before this surplus food is sold abroad for foreign currencies. I ask that there be inserted

also in the RECORD a list of the surplus foods which have been sold for foreign currency under title I of Public Law 480, but which were not supplied to needy peoples in the United States. I do so because I believe that under my amendment many of these foods will, from now on, also be supplied to needy families in the United States—as they should be.

There being no objection, the statement, letter, and tables were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I am glad that the Congress adopted last Friday my amendment to give first priority in the disposal of surplus food to the needy people of our own country.

I believe this amendment to Public Law 480, which makes its mandatory upon the Secretary of Agriculture to supply, insofar as it is practicable to do so, the needs of unemployed men and women, their children, and older people in this country before selling surplus foods abroad for soft currencies, will be of great help. Almost immediately, it should make possible the addition of protein and fats—in the form of beans and cooking oils, at least—to the starches now being distributed from surplus Government stocks.

My amendment reverses the existing priorities, as claimed by the Department of Agriculture, so that the needs of our people must be considered above those of sales abroad for local currencies.

It expresses the sense of the Congress that a better variety of foods should be made available in the domestic food distribution program, to the extent that it is practical to do so.

It clearly directs the Secretary of Agriculture to make the bountiful food production of our farmers available to needy people of this country before undertaking title I, Public Law 480 sales.

It authorizes the costs necessary to acquire and donate to the domestic food distribution program, surplus foods which may not, at a particular time, be held in Government inventory. While many Members of Congress have insisted that the Secretary already has this authority, the amendment gives him separate authority.

In working to obtain first consideration in the disposal of surplus foods for the needy people of our country, I have not wished to draw the contrast between their needs and the amount of food which have been sent abroad as surplus in recent years. But now that my amendment has been enacted, I think it is proper to publish the facts. I think they make very clear the need for my amendment, and the reasons I worked for it.

I will therefore insert in the RECORD these facts, as I have received them from the Department of Agriculture. I have obtained from the Department a list of some of the surplus foods sold for soft currency under title I to other countries. I point out that these particular items—the foods listed—were all surplus foods which were not made available in any part of that entire fiscal year to the people of our own country. There were other sales for soft currency of foods which were not at that time being made available to needy families in this country, but which some time during the fiscal year were distributed domestically to some degree.

I emphasize that I strongly support Public Law 480 sales. I am glad that we can share our abundance with other countries. I only point out that these foods should have been made available to needy families in the United States at the same time.

Under my amendment, I am sure they will be in the future.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 14, 1959.

Hon. JOHN SHERMAN COOPER,
Committee on Labor and Public Welfare, U.S. Senate.

DEAR SENATOR COOPER: This is in response to your letter of September 10, 1959, requesting information concerning surplus food commodities included in title I, Public Law 480 agreements which were not, at the time of the agreement, donated to needy persons in family units in the United States.

The enclosed tables should furnish the information you desire. Discussions by FAS officials with your office indicate that to expedite preparation of the material we need not show ocean transportation costs. The tables list the agreements by dates, and commodities are shown which were not donated to needy persons in the United States during the particular fiscal year. Also, a list of foreign currency balances for individual countries as of June 30, 1959, would satisfy your need for information on currencies.

If further information is desired, please let us know.

Sincerely yours,

CLARENCE L. MILLER,
Assistant Secretary.

Food commodities sold under title I, Public Law 480, but not donated to needy persons in family units in the United States

Country	Date of agreement	Commodity	Description of commodity	Unit	Approximate quantity	Export market value
					Million units	*Million dollars*
Fiscal year 1955:						
Austria	June 14, 1955	Corn	No. 2 or better	Bushel	3.2	4.5
Chile	Jan. 27, 1955	Wheat	do	do	1.3	2.2
Colombia	June 23, 1955	do	do	do	.8	1.6
Greece	June 24, 1955	do	do	do	3.6	6.1
	do	Corn	do	do	1.1	1.5
	do	Oats	No. 3 or better	do	1.3	.9
	do	Evaporated milk		Pound	8.4	1.1
Israel	Apr. 29, 1955	Wheat	No. 2 or better	Bushel	1.9	3.3
	June 15, 1955 (amendment)	do	do	do	1.2	1.9
	do	Barley	No. 3 or better	do	.4	.5
	Apr. 29, 1955	Grain sorghums	No. 2 or better	do	1.5	1.5
	June 15, 1955 (amendment)	do	do	do	1.2	1.2
Italy	May 23, 1955	Wheat	do	do	.9	1.5
	do	Corn	do	do	1.9	2.6
Japan	May 31, 1955	Wheat	do	do	13.7	21.3
	do	Barley	do	do	3.5	3.5
Peru	Feb. 7, 1955 (amended June 25, 1955).	Wheat	No. 2 or better	Bushel	3.7	6.0
Spain	Apr. 20, 1955	Corn	do	do	2.0	3.0
Turkey	Nov. 15, 1954	Wheat	do	do	3.7	6.3
	do	Barley		do	6.7	8.0
	do	Oats		do	3.4	3.0
Yugoslavia	Jan. 5, 1955	Wheat	do	do	15.6	28.4
	May 12, 1955	do	do	do	3.8	6.5
Fiscal year 1956:						
Austria	Feb. 7, 1956	Fruit	Dried prunes, raisins and apricots; canned fruit cocktail, cranberries, RSP cherries, orange and lemon juice.	Pound	1.3	.2
Burma	Feb. 8, 1956	do	Dried prunes, apricots and raisins; canned fruits and juices or any or all: figs, apricots, peaches, pears, purple plums, sweet and RSP cherries, fruit cocktail, cranberries, orange and lemon juice.	do	.8	.1
	do	Condensed milk		do	6.6	1.4
	do	Evaporated milk		do	4.4	.6
Finland	Mar. 26, 1956	Fruit	Dried prunes and fresh pears	do	8.6	1.2
Germany	Dec. 23, 1955	Poultry	Chickens, turkeys or ducks, whole or parts, canned or frozen.	do	4.5	1.2
Israel	Feb. 10, 1956	Beef	Frozen carcass beef in quarters	do	24.8	10.0
Korea	Mar. 13, 1956 (amended by exchange of notes Jan. 7, 1957).	Dry whole milk		do	.2	.1
	do	Pork	Canned pork or pork sausage	do	15.0	8.0
Paraguay	May 2, 1956	Dry whole milk		do	.9	.4
Spain	Feb. 29, 1956 (amended Sept. 15, 1956).	Beef	Frozen carcass beef in quarters	do	5.0	2.0
	do	Potatoes		do	50.8	1.4
Fiscal year 1957:						
Brazil	Dec. 31, 1956	Cottonseed/soybean oil		do	7.3	1.5
China	Aug. 14, 1956	Condensed milk		do	1.8	.4
	do	Dry whole milk		do	1.4	.9
	do	Evaporated milk		do	1.1	.2

Food commodities sold under title I, Public Law 480, but not donated to needy persons in family units in the United States—Continued

Country	Date of agreement	Commodity	Description of commodity	Unit	Approximate quantity	Export market value
					Million units	*Million dollars*
Fiscal year 1957—Con.						
Ecuador	Feb. 15, 1957	Cottonseed/soybean oil		Pound	9.6	1.7
Greece	Aug. 8, 1956	Evaporated milk		do	4.7	.6
	do	Cottonseed/soybean oil		do	33.0	5.7
Iceland	Apr. 11, 1957	do		do	.6	.1
	do	Fruit	Dried prunes, figs, and dates; fresh pears; lemons; canned peaches, pears, fruit cocktail, and cranberries.	do	5.8	.6
Italy	Oct. 30, 1956	Poultry	Frozen whole turkeys and chickens, and whole cut-up and parts of chickens.	do	1.4	.5
	July 5, 1956 (amendment)	Cottonseed/soybean oil		do	29.1	5.5
	Oct. 30, 1956	do		do	199.0	27.8
Pakistan	Aug. 7, 1956 (amended Sept. 7, 1956).	do		do	13.9	2.2
Poland	June 7, 1957	do		do	2.3	.3
Spain	Sept. 15, 1956 (amendment)	Beef	Frozen carcass beef	do	7.5	2.0
	Oct. 23, 1956	do	do	do	50.3	11.8
	Mar. 5, 1956 (amended Sept. 15, 1956).	Cottonseed/soybean oil		do	44.3	7.0
	Oct. 23, 1956	do		do	152.1	25.5
	Mar. 26, 1957	do		do	45.6	7.2
Turkey	Nov. 12, 1956	Beef	Frozen carcass beef	do	14.6	4.4
	Jan. 25, 1957	Cottonseed/soybean oil		do	23.1	3.9
United Kingdom	June 27, 1957	Fruit	Fresh lemons, oranges, and grapefruit; canned grapefruit sections; fresh pears; canned lemon juice.	do	26.2	2.2
Fiscal year 1958:						
Burma	May 27, 1958	Cottonseed/soybean oil	do	do	11.1	1.8
China	Apr. 18, 1958	do	do	do	10.3	1.3
Colombia	Mar. 14, 1958	do	do	do	15.0	2.5
Ecuador	June 30, 1958	do	do	do	3.1	.5
Finland	Feb. 21, 1958	Fruit	Dried prunes and fresh lemons	do	5.4	1.0
Greece	Dec. 18, 1957	Evaporated milk		do	8.4	1.2
Iceland	May 3, 1958	Fruit	Dried prunes, figs and/or dates, canned peaches, pears, fruit cocktail and cranberries, fresh apples and pears, and fresh lemons.	do	4.0	.4
Israel	Nov. 7, 1957	Dry whole milk		do	.5	.2
	do	Cottonseed/soybean oil		do	10.4	1.7
	do	Fruit	Dried prunes	do	.8	.1
Italy	Mar. 7, 1958	Poultry	Whole frozen turkeys and chickens and whole cut-up chickens.	do	1.4	.5
Poland	Feb. 15, 1958	Cottonseed/soybean oil		do	57.8	8.2
Spain	Jan. 27, 1958	do		do	276.6	42.7
	June 30, 1958 (supplemental)	do		do	108.6	13.8
Turkey	Jan. 20, 1958	Poultry	Whole frozen chickens and turkeys	do	6.9	2.2
	do	Cottonseed/soybean oil		do	120.3	21.4
Turkey	June 25, 1958 (supplemental).	do		do	32.8	5.0
United Kingdom	Feb. 3, 1958	Fruit	Canned lemon juice. Canned grapefruit sections, fresh lemons, dried prunes, canned peaches, fruit cocktail and cranberries.	do	69.6	8.0
Yugoslavia	Feb. 3, 1958	Cottonseed/soybean oil		do	86.3	11.4
Fiscal year 1959:						
Argentina	June 12, 1959	do		do	165.3	25.6
China (Taiwan)	June 9, 1959	Dry whole milk		do	.7	.4
	do	Cottonseed/soybean oil		do	5.0	.7
Finland	Dec. 30, 1958	Fruit	Fresh lemons	do	1.1	.1
Iceland	Mar. 3, 1959	Cottonseed/soybean oil		do	.7	.1
Israel	Nov. 6, 1958	do		do	18.1	2.4
Pakistan	Nov. 26, 1958	do		do	47.8	7.0
	May 21, 1959 (supplemental)	do		do	20.4	3.4
Poland	June 10, 1959	do		do	33.6	4.7
Spain	Oct. 31, 1958 (supplemental)	do		do	84.6	11.8
	Jan. 13, 1959	do		do	449.9	50.9
Turkey	Feb. 13, 1959	do		do	207.9	30.2
United Arab Republic	May 5, 1959 (supplemental)	do		do	26.7	3.2
	do	Poultry	Frozen whole chickens and turkeys	do	1.4	.5
Yugoslavia	Dec. 22, 1958	Cottonseed/soybean oil		do	79.2	9.9

Title V, Public Law 480—U.S. dollar equivalent of foreign currencies on hand [1] *(as of June 30, 1959)*

Country and unit of currency	*Thousands of dollars*
Argentina (peso)	19,349.5
Austria (schilling)	14,238.7
Brazil (cruzeiro)	20,002.3
Burma (kyat)	17,779.0
Ceylon (rupee)	3,373.8
Chile (peso)	6,912.8
China (N.T. dollar)	4,671.1
Colombia (peso)	6,143.8
Ecuador (sucre)	1,003.4
Finland (finmark)	5,469.4
France (franc)	14,062.0
Germany (deutschemark)	17.0
Greece (drachma)	8,389.5
Iceland (kronur)	2,045.5
India (rupee)	452,947.7
Indonesia (rupiah)	90,370.8
Iran (rial)	1,623.8
Israel (pound)	26,564.6
Italy (lira)	32,832.8
Japan (yen)	10,267.9
Korea (hwan)	8,800.1
Mexico (peso)	13,555.4
Netherlands (guilder)	0
Pakistan (rupee)	84,049.6
Paraguay (guarani)	91.3
Peru (sol)	1,771.1
Philippines (peso)	2,870.9
Poland (zloty)	132,953.2
Portugal (escudo)	1,909.1
Spain (peseta)	131,441.4
Thailand (baht)	2,090.9
Turkey (lira)	21,384.7
United Kingdom (pound)	29,775.7
Uruguay (peso)	3,521.4
United Arab Republic (pound)	32,953.5
Vietnam (piastre)	4,189.7
Yugoslavia (dinar)	146,413.8
Total	1,355,837.2

[1] Balances in U.S. Disbursing Officer's Accounts. These balances either allocated by the Bureau of the Budget for use or earmarked for use under the title I agreement.

VISIT OF KHRUSHCHEV TO THE UNITED STATES

Mr. COOPER. Madam President, from time to time during the last week I have heard that we are in session because of the insistence of the senior Senator from Oregon that we remain here until Mr. Khrushchev arrives. I think the Senator from Oregon was right when he said several days ago that the Senate of the United States and the House of Representatives should remain here until Mr. Khrushchev arrives.

This question has nothing to do with whether or not we approve of the visit. Certainly it does have nothing to do with approval of the record or the policies of Mr. Khrushchev.

I am glad that we have not given the appearance of fleeing his arrival. I would say that as far as I am concerned I think the senior Senator from Oregon

was correct in his views, and that as we look back on this long session, we will not regret that we have remained here.

For weeks now the country and the Congress have been preoccupied with the visit of Mr. Khrushchev, its effect on United States-Soviet relations and, consequently, on the security and peace of the world. At times it may seem that we have been preoccupied even more with how he should be received. Many in our country have voiced doubts about the exchange of visits between Mr. Khrushchev and President Eisenhower. And if we look only to the past, and to the inflexible policies and objectives of the Soviet Union, our doubts are justified.

I believe it a more affirmative approach to look to the future, and to support President Eisenhower in his effort to secure from Mr. Khrushchev modifications of Russia's inflexible position regarding Berlin, disarmament, and other issues. For as long as they remain unsettled, they will threaten the peace of the world. Whatever the results of these meetings, the world will know that the President and the people of the United States have made their fullest and best efforts for just settlements, and for peace.

Concurrent with the visit of Mr. Khrushchev, Russian scientists have succeeded in sending a rocket to the moon. It is a scientific achievement of the greatest importance, for which Russian scientists and Russia must be accorded the congratulations and credit it deserves.

If it were not for the troubling doubts about Soviet policies, the world would hail this scientific achievement as a tremendous stride in man's progress. But we know, as we knew about sputnik, despite any whistling in the dark, that the ability of the Russians to develop the thrust and power to hurl a rocket weighing over 800 pounds 240,000 miles to the moon, and with amazing accuracy, is a somber reminder that the same scientific knowledge is undoubtedly being applied to the development of missiles capable of striking our country.

My point today is that the visit of Mr. Khrushchev, and the moon rocket, cannot relieve the United States of its duties and obligations. We cannot control what Mr. Khrushchev may do. Neither can we stop, if we desired to do so, the forward march of Russian scientific achievement. I do not believe we should stop scientific achievement anyway. My point is, rather, that these events should cause the administration, Congress, and the people of the United States, to assume their resonsibilities in fullest measure.

These events demand that we assure, immediately, the best organized and most effective Defense Establishment that it is possible for us to have. They demand that we make greater efforts in research, both scientific and applied, and toward higher standards of education. For it is upon education and research that military security, economic growth, and any possibility for continued world leadership will depend.

All of us will remember our concern 2 years ago when the Russians sent sputnik into space. We talked a great deal then about defense reorganization, about research, about education. We have made progress. But I believe most will agree that we have never made the full effort that the world situation demands, or our capabilities permit.

I recognize that it is easy for Members of the Congress, Members who do not have full information, to make proposals for better defense measures, and for better research and educational programs. Nevertheless, it is a duty to raise continually these issues, and to ask committees of the Congress, the administration, and private bodies, to examine again and again our defense system, our research programs, our educational system, and our mutual security arrangements—and to insist that they be made more and more effective.

I think this Congress can be termed a standpat Congress, and I believe that it has reflected the mood of the country. If the issues that President Eisenhower and Mr. Khrushchev will discuss—and now Russia's new scientific achievement—with all their potentialities, cannot shake this standpat atmosphere, and lead to increased efforts in these fields necessary for survival and growth, I would say the outlook for our country is grim indeed.

So tonight, even though it is the end of the session of Congress, and because I recognize that it will not be long until we convene again, I offer two measures dealing with education, and one which goes to the effectiveness of our Defense Establishment.

The first measure, which I send to the desk on behalf of myself and the senior Senator from New York [Mr. JAVITS], deals with Federal aid for school construction. We submitted it before the Subcommittee on Education, and in the full Committee on Labor and Public Welfare, as a substitute for S. 8, the bill which was reported Saturday by the committee, and which bears Calendar No. 1049.

We said at the time we would offer it in the Senate because we considered it a better bill, and one which could be enacted. I now submit the amendment, and ask that it lie on the table for the consideration of those interested in providing educational facilities in districts which, without assistance, will lack adequate schools.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

ADVISORY COUNCIL ON EDUCATION

Mr. COOPER. Madam President, I come now to a proposal to which I have given much thought. I send to the desk for myself, and on behalf of the senior Senator from New York [Mr. JAVITS], the senior Senator from Michigan [Mr. MCNAMARA], the senior Senator from New Jersey [Mr. CASE], the senior Senator from Oregon [Mr. MORSE], and the junior Senator from Massachusetts [Mr. KENNEDY], a bill to establish an advisory council on education.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2727) to make the Committee on Education, established by the act of July 26, 1954, advisory to the President and available to the States for consultation on means of improving the quality of education, introduced by Mr. COOPER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. COOPER. Madam President, I ask unanimous consent to have printed at this point in the RECORD a statement explaining the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I introduce for myself, the senior Senator from New York [Mr. JAVITS], the senior Senator from Michigan [Mr. MCNAMARA], the junior Senator from Massachusetts [Mr. KENNEDY], the senior Senator from New Jersey [Mr. CASE], and the senior Senator from Oregon [Mr. MORSE] a bill to establish an Advisory Council on Education. The purpose of my bill is simple. It is to improve the quality of education in the United States.

We all admit the necessity for the improvement of educational facilities in our public school system. It is known that despite tremendous expenditures for schools in recent years, there is a great need for classrooms, for physical educational facilities of all kinds.

I believe there is an even greater need to raise the standards and improve the quality of education in the United States.

Since World War II, and particularly since sputnik, it has been made increasingly clear that the security of our country and the growth of our economy, as well as the full development of the individual, depend upon the quality of education. Since sputnik, we have speculated about comparisons of our standards of education with those of Russia. If the Russians have shot the moon, as I have no reason to doubt they did yesterday, there will be renewed speculation. But long before sputnik and lunik, it had been widely recognized that higher standards of educational achievement are essential to the defense of our country, to the development of its economy, and most fundamentally to the fuller development of individual capabilities.

For years we have talked about better schools, about attracting better teachers, and about Federal aid to education to help provide a minimum education for all our youth. Very little has been done. Federal aid-to-education bills directed to facilities and teachers' salaries are introduced by the dozen each session of Congress, and languish in committee. Only today, the Senate received, too late for action or even debate, a report on an aid-to-education bill, voted out last week by the Senate Committee on Labor and Public Welfare.

The National Defense Education Act of 1958 was a start toward the selection of pupils in the highest levels in secondary schools. But it does not go far toward improving the quality of education in the schools themselves. It simply picks out the best, produced by our present system.

Despite the urgency of the need, little has been done in the 3 years since the awakening by sputnik. There have been dozens of surveys and studies. The Committee for the White House Conference on Education, the Rockefeller Brothers Fund, the President's Economic Advisory Committee, have made outstanding reports. Hundreds of leading educators and distinguished scientists have

written and spoken about the necessity of raising standards of education. But outside the limited efforts of a few States and communities, no decisive action has been taken to raise the quality of education.

The bill I introduce today does not call for elaborate schemes, complex organizations or great outlays of money. It is devoted solely toward urging the improving of curricula, raising the standards of scholarship expected of students, and improving the quality of teaching in our schools.

It proposes a means by which we could make the effort to raise standards of educational achievement. The means would be simple, yet I believe would be most effective. My bill would make the experience and counsel of distinguished educators and scientists, appointed by the President of the United States to an Advisory Council on Education, available upon request to Governors, to the chief educational officers of the States, and to officials of our colleges and universities.

Similarly, the advice, counsel, and experience of the State officials, and of the heads of our great universities and colleges, gained by the Council in such consultations would, I am certain, be helpful to the President—both in formulating policy at the national level and in mobilizing public opinion for improving the quality of education.

Now this may seem too simple to those who look for complex organizations, large Federal appropriations, or elaborate studies. My bill does not call for any more studies. It would simply put to work, at last, the outstanding studies we have already had.

We have had an abundance of studies. We already have the advice of the greatest minds in the United States—and they are among the great minds of the world—such as Dr. James B. Conant, Dr. James R. Killian, Rear Adm. Hyman G. Rickover, Dr. John A. Hannah, Dr. Lee DuBridge, Dr. Theodore M. Hesburgh, Dr. Frederick L. Hovde, and many others. What is needed now is to put these studies and this advice to use—in decisive action on the part of the States and communities to improve their educational standards.

The only way this will be done is through the prestige of the President, and through the prestige and knowledge of his having as advisers the ablest men in the country, ready to share their vast knowledge and experience with State and local educational leaders. Such men could bring the facts home. They could make known to State and local educational leaders the vital importance of their tasks—that the country will face grim days, militarily, economically, and in the field of ideas, on which all progress is based, unless local schools and colleges take the steps necessary to assure improved curricula, better teaching, and higher standards of educational achievement.

An Advisory Council such as I propose could not help the States, local school bodies, and the heads of great unversities put the knowledge we already have to use. It could provide a center of knowledge and experience upon which the States could draw whenever they chose to do so. My bill simply calls for the schools themselves to raise their standards of curricula, teaching, and scholarship—for them to make the effort to lift themselves by their own bootstraps.

Many State and local bodies throughout the country are making an effort to raise educational standards, not only for the security of the country, the achievement of the Nation as a whole, and for the future of its youth, but also for the sake of education itself. But they need support. A distinguished body such as I suggest, appointed by the President, could inform public opinion and gain this support.

The effect of such an effort would be that local educational bodies themselves would gradually raise their standards—in public elementary schools, high schools, and in colleges. Nothing in this proposal would take away from the American system of education, or from our tradition of local initiative and control. It would add to that tradition, for it would encourage local initiative and responsibility, and help to focus these efforts toward recognized goals.

It is clear that we need to lift the problem of improving the quality of education in the United States out of the bog. We must help education keep pace with the needs of the day. For today we must set our sights literally on the stars.

My bill would establish an Advisory Council on Education, appointed by the President, composed of 12 members, a majority of whom must be leaders in the field of education and science. It would make the abilities of this distinguished group of educators and scientists available to Governors, and to the officials responsible for education in their States. The States need not draw on the knowledge and experience of the Council, but it would be available whenever they chose to do so.

The powers of the Council I propose would be strictly limited. I set them forth as follows: The Council shall be available to assist in efforts to improve the quality of education through consultation on—

(1) Means of improving curriculum, with emphasis on the sciences, languages, and humanities.

(2) Means of raising the standards of scholarship expected of students.

(3) Means of improving the quality of teaching in our schools.

(4) Other means of raising levels of educational achievement.

Further, the Council would be available to the President as an expert body knowledgeable in the means of improving the quality of education. And it would make to the President and the Congress regular reports which could be extremely helpful.

Mr. President, the mechanization for such an Advisory Council is already available. In 1954 I reported from the Labor and Public Welfare Committee and managed in the Senate, at the request of the administration, a bill which became Public Law 532. That act established a National Advisory Committee on Education composed of nine members, to be named by the Secretary of Health, Education, and Welfare. Its function was to initiate studies in the field of education. While the bill became law, it has never been implemented.

The bill I offer today simply amends Public Law 532 of the 83d Congress. It gives the power of appointment to the President and it gives the tremendous prestige of his Office to that body. It increases the membership of the body from 9 to 12. It names the body a "Council" and makes its first purpose to consult. It announces, in effect, that there is little need for additional studies on the quality of education, but a great need to make the findings of studies already made available to the States.

This bill would cost very little money. It would not intervene in State or local affairs because members of the Council would consult with State and local officers only at their request. It would not prescribe national standards because responsibility for raising standards would continue to rest with State and local officials.

It is my view that if this bill could be passed, and the President would appoint a board of the greatest educators and scientists and ablest men and women of the country, the Council would have such prestige that its advice would be sought, and its recommendations would carry great weight. Further, the establishment of such a Council, its consultation with State educational leaders, its reports to the President and to Congress, would have influence on public opinion. It would make our country more aware that decisive steps must be taken at every level of our school system, if we are to have the quality of education that is needed to meet the new demands of science and technology, to do the basic research upon which advancement in science and technology depend, to bring forth the new ideas which our democratic Government needs to keep pace with the expanding world civilization, and to prepare the children of this country to more fully meet their responsibilities as citizens.

Mr. President, 2 years have passed now since sputnik, if we want to think in terms of the security of the Nation. But even without sputnik, and without the Russian shot to the moon, if the United States is to continue to be a great country we must have the best educational system, and one of the highest quality. Now is the time to put into effect a Presidential Advisory Council on Education, and to encourage efforts to improve the quality of education.

I am sure that such a group of distinguished educators, who know the education crisis of the Nation, would enter this work with enthusiasm.

I believe State and local educators would be happy to have the benefit of their advice and counsel, and that many would act. For they are the only ones who can act, and they deserve the best help we can give them.

I am sure that such a distinguished group, reporting directly to the President, would keep the urgency of this problem before the Nation.

Finally, I am sure that improving the quality of education is an absolute requisite for our security, for the growth of our economy, for the fullest expression of our democratic system, and for the best development of individual life in this country.

Mr. COOPER. Madam President, the sole purpose of the bill is to advance the quality of education in the United States. Dozens of studies of our educational system have been made since World War II. Two years ago when Russia sent sputnik into space and we became so aroused about Soviet scientific achievement, that achievement was followed by a spate of surveys. The President's Advisory Commission on Education, the Rockefeller studies on education, and many others, have made the best advice and information available to us. There is no need for further investigations as to what our country ought to do to improve its educational system.

The proposal we offer in the simple bill I have introduced may sound to some to be too simple. It does not call for an expenditure of a large sum of money or for a complex organization, it simply provides that the President shall appoint 12 distinguished educators and scientists, in many of them, we would hope, outstanding men who have participated in these studies, to an Advisory Council on Education. By reason of the prestige which would obtain because the President named them, and because of their own prestige and experience, they could, in consultation with Governors and the heads of educational systems in the States, and together with the presidents of colleges and universities, help the State educational leaders to raise the standard of education in the States through the improvement of curricula, through higher requirements for scholarship, and through insistence upon higher educational standards.

We would hope that in that way the local bodies could raise their standards, and thus raise the quality of education

in the United States. I think such a proposal is worth trying. I believe it has the possibility of great use.

Madam President, I introduce the bill and ask that it be printed in the RECORD. I would like to add, Madam President, that I was assisted in the development of this bill, and of the school construction bill among other work, by Miss Wendy Marcus, a senior at Smith College, and by Mr. William Yohn, a law student at Yale, who devoted their summer to work in my office. Miss Marcus lent charm and spirit to the office as well, and Mr. Yohn's intelligence and fresh insight were of real assistance.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2727

A bill to make the Committee on Education established by the Act of July 26, 1954, advisory to the President and available to the States for consultation on means of improving the quality of education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Advisory Council on Education Act of 1959".

DECLARATION OF FINDINGS AND PURPOSE

SEC. 2. The Congress declares that developments in technology and science have made it clear that the security as well as the strength of the economy and the happiness of the Nation depends upon the education of its citizens.

The Congress recognizes that education must keep pace with the needs of the future.

The Congress finds that public and private studies since World War II have established the increasingly urgent need for improving the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of the curriculum, on higher standards of scholarship, and on the effectiveness of teaching.

The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educational authorities, and to provide for the exchange of information toward improving the quality of education in the United States.

Therefore, it is the purpose of this Act to establish a Presidential Advisory Council on Education.

AMENDMENT OF ACT OF JULY 26, 1954

SEC. 3. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533) is amended to read as follows:

"That, in order to (1) provide an advisory body which will be available for consultation on means of improving the quality of education, and (2) secure for the President of the United States the advice of a group of distinguished educators and citizens on means of improving the quality of education in the United States, there is hereby established in the Department of Health, Education, and Welfare, an Advisory Council on Education (hereinafter referred to as the 'Council').

"SEC. 2. The Council shall be composed of twelve members appointed by the President, with the advice and consent of the Senate, from among individuals who are not otherwise in office under or in the employ of the Federal Government, a majority of whom shall be leaders in the field of education and science. The President shall designate the chairman from among such members. Each member shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of members first taking office after the date of the enactment of the Advisory Council on Education Act of 1959 shall expire as follows: Three shall expire with the close of the first calendar year which begins after such date of enactment, three shall expire with the close of the second such calendar year, three shall expire with the close of the third such calendar year, and three shall expire with the close of the fourth such calendar year, as designated by the President at the time of ration of the term for which his predecessor appointment. The Secretary of Health, Education, and Welfare shall be a member of the Council by virtue of his office.

"SEC. 3. The Council shall—

"(1) For the purpose of assisting in efforts to improve the quality of education, be available for consultation with Governors, the chief officials of State or local educational agencies, and the heads of institutions of higher education, on—

"(A) means of improving the quality and content of curriculums, with emphasis on the sciences, languages, and the humanities,

"(B) means of raising the standards of scholarship expected of students,

"(C) means of improving the quality of teaching, and

"(D) other means of raising levels of educational achievement; and

"(2) from time to time, recommend to the President the initiation of studies of national concern in the field of education and shall propose to the President appropriate action indicated by such studies; and

"(3) transmit to the President and the Congress annually a report of its activities under the provisions of this Act and any such action taken with respect to any of the Council's recommendations under such provisions.

"SEC. 4. (a) The Council shall meet at the call of the President, the Secretary of Health, Education, and Welfare, or the chairman, but not less often than three times each calendar year.

"(b) The Council may appoint, without regard to the civil service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

"SEC. 5. Members of the Council appointed as such by the President shall receive no compensation for their services, but while away from their homes or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"SEC. 6. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

Mr. COOPER. Madam President, I also ask unanimous consent that the first part of the report issued on May 24, 1959, by the President's Science Advisory Committee, entitled "Education for the Age of Science" which contains an excellent statement on educational goals and needs, and an excerpt from a foresighted article entitled, "The Shortage In Education," written by Walter Lippmann, and published in the Atlantic Monthly of May 1954, be printed at this point in the RECORD.

There being no objection, the statement and excerpt were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT'S SCIENCE ADVISORY COMMITTEE: EDUCATION FOR THE AGE OF SCIENCE

CHAPTER I. INTRODUCTION

This report on science and engineering education in the United States has been prepared under the auspices of the President's Science Advisory Committee. It presents the views of scientists and engineers, along with educators specifically concerned with science and engineering education, as to ways in which our education can be strengthened so that it will more fully meet the requirements of this age of science, and best serve the Nation in this period when the security of the free world and the defense of human freedom are inescapable responsibilities of the of the United States. This report attempts to set forth national goals for strengthening science and engineering education and urges support by all our people to meet these goals.

No one in the United States denies that we should have a first-class system of formal education. But not everyone realizes that the strength and happiness, even the survival, of our democratic society will be determined primarily by the excellence and the appropriateness of our educational patterns. Nor is everyone aware that learning, though it begins during the school years, is a lifelong venture; that education is a part of life, not merely a preparation for it.

A modern educational system should not only sharpen the intellectual capacities and curiosities of each new generation, should not only extract the essential core from ever-accumulating stores of knowledge, should not only find ways to produce new leaders equipped to add to these stores and to create all the new tools that the civilization requires; it must also produce citizens and leaders who will know how to use the knowledge and tools to advance social and cultural life.

We ought not speak of our educational tasks solely in terms of buildings or budgets or even of curriculums. These, indeed, are necessary means to the end. But we must think of the end itself. The end is clear: to introduce the growing child, the youth, and the adult to the best and most essential elements of the intellectual and cultural experience of previous generations; to do this in such a way that we stimulate curiosity and encourage each individual to look forward, not backward, to develop his own talents to their maximum, and to continue this development throughout his life.

No social activity is, therefore, more important than education. It is right and it is necessary that we should expend great effort and resources in order that every American child shall have the opportunity for the 10, the 15, or even the 20 years of formal educational experience required to give him full command of his intellectual powers and enable him to live a rich and fruitful life, both as an individual and as a citizen. It is right, too, that we should take stock of our educational achievements from time to time, and especially that we should measure them honestly and objectively against our ideals and ambitions.

The premises of the American system

The educational needs and problems of each nation have their own peculiar flavor. No nation can copy another. The American problem is conditioned by our traditional dedication to the proposition that most of our children shall have a long educational experience, that no child shall be deprived of the fullest opportunity to develop his own talents, and that the people of each local community shall, to a large degree, be autonomous in the decisions they make about the education of their own children. In theory we intend that the brilliant child shall be able to develop brilliantly; that the

slow or backward child shall be nurtured patiently; that the artisan shall not be considered inferior to the intellectual because he is an artisan, if only he is a good one; that no one shall be condemned to a lowly position or elevated to a high one by the mere circumstance of the wealth, power or prestige of his ancestors.

These are our premises and most of our educational policies are based upon them, yet there are inconsistencies. Very few Americans, for example, would insist that the words of the Declaration of Independence require that all Americans be equally competent in intellectual matters and that they should, therefore, automatically pass together from grade to grade in school. Yet occasionally this seems to be our policy.

Americans do not really think that educated people are dangerous or silly—yet the terms "egghead" and "intellectual" are not always terms of approbation. We occasionally act as though we feared the word "excellent," especially as applied to mental achievement; as though we felt there was something strange about the "straight A" student.

In short, we cannot always assume that our practices live up to our ideals. Hence, it is profitable every now and again to examine our educational system and to note where it fails to match the highest ideals we have set.

Varieties of talents

Men have always displayed a wide range of physical and mental talents. Different societies have placed different values on these talents—now honoring the holy man, now the warrier, now the poet, now the plutocrat, or the athlete, or occasionally the philosopher. The more primitive societies tend to honor the athlete, the warrier and the mystic; the more sophisticated ones recognize also the important place played by the intellectual.

Today in America we need a very wide variety of human talents. We need not only farmers and artisans, and clergymen and lawyers; we need also painters, sculptors, nuclear scientists, business leaders, engineers, architects, economists, bankers and politicians. We need a host of other kinds of people, each with special training but all with a broad background and point of view. Furthermore, as knowledge advances in each generation, and as innovations accumulate, new kinds of skills emerge and students must be trained in new professions to cope with new problems. In the United States of a century ago the average person may have needed only elementary instruction in the three R's, plus a grain of common sense in order properly to discharge the duties of citizenship. But today the three R's and common sense alone are not enough. In the modern world everyone is, to some extent, a specialist. Yet each specialist in a democracy must also be able to deal with problems for which his specialty does not concretely prepare him.

A successful democratic society, in short, must have millions of well-educated citizens who can comprehend what the specialists and the leaders are proposing, and who have a chance to judge these proposals wisely.

The changing times are also changing the role of women in our society. For more than a century there have been some distinguished career women in the advanced societies. But now modern technology has provided a release from domestic drudgery which offers many women more time, even while they are young mothers, to devote to creative pursuits. Earlier marriages advance the age at which married women can look forward to very substantial commitments of time outside the family. Women therefore constitute an enormous potential resource for research, scholarship and teaching which we have not even begun to tap. We should begin conscious efforts to assist them to make the contributions of which they are capable.

Ferment, not chaos

Because we are struggling to meet this multiplicity of rapidly changing aims through continual alterations in our educational system, it is perhaps not surprising that our educational world is in a continual ferment. But this ferment, though it is far-reaching, does not necessarily mean chaos. A modern and rapidly changing society inevitably must have a diverse and a rapidly changing educational system. Our society will be shocked from time to time by unexpected and startling events throughout the world. Such events may stimulate us to reexamine our educational procedures. But we cannot amend our educational system overnight, or suddenly remove our educational deficiencies. Our system must be kept on an even keel, our educational goals must be kept clear; we need to work steadily and not impulsively, constantly to improve our system and to accept change as inevitable and desirable.

[From the Atlantic Monthly, May 1954]

THE SHORTAGE IN EDUCATION

(By Walter Lippmann)

I must now remind you that this disparity between the educational effort and the public task is in fact greater than the figures suggest. For in this half century there has been a momentous change in the structure of American society, and it has added greatly to the burden upon the schools.

The responsibility of the schools for educating the new generation has become very much more comprehensive than it used to be. Ever so much more is now demanded of the schools. For they are expected to perform many of the educational functions which used to be performed by the family, the settled community, the church, the family business, the family farm, the family trade.

This is a very big subject in itself—much too big for me here—except to mention it as a reminder and the comparison between our real educational effort and our real public need is less favorable than the figures of 1 to 2 in 1900, as against 1 to 6 today. For the school today has a much larger role to play in the whole process of education than it needed to play in the older American society.

Can it be denied that the educational effort is inadequate? I think it cannot be denied. I do not mean that we are doing a little too little. I mean that we are doing much too little. We are entering upon an era which will test to the utmost the capacity of our democracy to cope with the gravest problem of modern times, and on a scale never yet attempted in all the history of the world. We are entering upon this difficult and dangerous period with what I believe we must call a growing deficit in the quantity and quality of American education.

There is compelling proof that we are operating at an educational deficit. It is to be found in many of the controversies within the educational system. I am not myself, of course, a professional educator. But I do some reading about education, and I have been especially interested in the problem of providing education for the men and women who must perform the highest functions in our society—the elucidation and the articulation of its ideals, the advancement of knowledge, the making of high policy in the Government, and the leadership of the people.

How are we discussing this problem? Are we, as we ought to be doing, studying what are the subjects and what are the disciplines which are needed for the education of the gifted children for the leadership of the Nation? That is not the main thing we are discussing. We are discussing whether we can afford to educate our leaders when we have so far to go before we have done what we should do to provide equal opportunities for all people.

Most of the argument—indeed the whole issue—of whether to address the effort in education to the average of ability or to the higher capacities derives from the assumption that we have to make that choice. But why do we have to choose? Why are we not planning to educate everybody as much as everybody can be educated, some much more and some less than others?

This alleged choice is forced upon us only because our whole educational effort is too small. If we were not operating at a deficit level, our working ideal would be the fullest opportunity for all, each child according to its capacity. It is the deficit in our educational effort which compels us to deny to the children fitted for leadership of the Nation the opportunity to become educated for that task.

So we have come to the point where we must lift ourselves as promptly as we can to a new and much higher level of interest, of attention, of hard work, of care, of concern, of expenditure, and of dedication to the education of the American people.

We have to do in the educational system something very like what we have done in the military establishment during the past 15 years. We have to make a breakthrough to a radically higher and broader conception of what is needed and of what can be done. Our educational effort today, what we think we can afford, what we think we can do, how we feel entitled to treat our schools and our teachers, all of that is still in approximately the same position as was the military effort of this country before Pearl Harbor.

In 1940 our Armed Forces were still at a level designed for a policy of isolation in this hemisphere and of neutrality in any war across the two oceans. Today the Military Establishment has been raised to a different and higher plateau, and the effort that goes into it is enormously greater than it was in 1940.

Our educational effort, on the other hand, has not yet been raised to the plateau of the age we live in. I am not saying, of course, that we should spend $40 billion on education because we spend that much on defense. I am saying that we must make the same order of radical change in our attitude as we have made in our attitude toward defense. We must measure our educational effort as we do our military effort—that is to say, we must measure it not by what it would be easy and convenient to do, but by what it is necessary to do in order that the Nation may survive and flourish. We have learned that we are quite rich enough to defend ourselves, whatever the cost. We must now learn that we are quite rich enough to educate ourselves as we need to be educated.

There is an enormous margin of luxury in this country against which we can draw for our vital needs We take that for granted when we think of the national defense. From the tragedies and the bitter experience of being involved in wars for which we were inadequately prepared, we have acquired the will to defend ourselves and, having done that, having acquired the will, we have found the way. We know how to find the dollars that are needed to defend ourselves, even if we must do without something else that is less vitally important.

In education we have not yet acquired that kind of will. But we need to acquire it and we have no time to lose. We must acquire it in this decade, for it, in the crucial years which are coming, our people remain as unprepared as they are for their responsibilities and their mission, they may not

be equal to the challenge, and if they do not succeed, they may never have a second chance to try.

REORGANIZATION OF DEPARTMENT OF DEFENSE

Mr. COOPER. Madam President, I come now to my third proposal which I hope will provide the basis at least, for constructive action at the next session of Congress. I introduce a bill to provide for a further reorganization of the Department of Defense. Since World War II, a number of reorganization bills have been passed. While none of them was perfect; all have made progress. Last year a bill was passed which addressed itself chiefly to the Joint Chiefs of Staff and to command functions.

The bill I introduce tonight is based upon recommendations which have been made time and again by outstanding organizations which have studied the administrative structure of the Department of Defense. The Hoover Commission, the Rockefeller Commission, and former Secretary of Defense Lovett all have pointed to the separate, autonomous departments under the Department of Defense—the Departments of the Army, the Navy, and the Air Force—and have recommended that the Secretaries of those Departments should be placed firmly under the authority of the Secretary of Defense, by making them Under Secretaries of Defense. My bill would do that.

Furthermore, it would secure greater economy in the Department of Defense by establishing in the Department of Defense a Director of Procurement immediately responsible to the Secretary of Defense, with authority over the procurement for all of the Departments.

Finally, the bill would give greater authority to the existing Director of Research and Engineering, so as to assure greater coordination of the separate research programs now being carried on in the three military departments—the Army, the Navy, and the Air Force.

Madam President, I close by saying that the cost of our defense program mounts every year. Including the military construction program and the military aspects of the foreign-aid program, its cost amounts to approximately $43 billion this year.

The American people will pay anything for the defense of the country—if they believe their money is being used effectively and economically. But they will revolt against waste, duplication, and inefficiency. I believe that much of the funds for defense are not being used as effectively as they should be, and I believe that much of the work is not being done as efficiently as it should be.

But, beyond that, Madam President, the very security of the Nation depends upon effective organization and administration of the Department of Defense. So, although my proposal may not yet be the ideal one, Madam President, it has been recommended by able organizations which have studied the question of the civilian organization of the Department of Defense.

I hope that before the Congress meets again, the Department of Defense and the President—and the President knows more about this subject than anyone else—will give consideration to this proposal and other proposals to improve the organization of the Department of Defense, so as best to defend our country, and at the same time to avoid wasting the tremendous amounts of money which now are being spent for the defense of the United States.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2728) to amend the National Security Act of 1947 to provide for more unified administration and control of the military departments of the Department of Defense; to provide for the conduct of research, development, and procurement activities of the Department of Defense with greater efficiency and economy; and for other purposes, introduced by Mr. COOPER, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. COOPER. Madam President, I expect to present my ideas on this subject more fully at a later time. At this time I simply wish to thank my friend, the Senator from Oregon, for his patience and his courtesy in permitting me to make this brief statement tonight.

Mr. MORSE. I have been glad to yield.

TRIBUTES TO THE MINORITY LEADER, MINORITY WHIP, CHAIRMAN OF THE REPUBLICAN CONFERENCE, SECRETARY OF THE REPUBLICAN CONFERENCE, MAJORITY LEADER, AND MAJORITY WHIP

Mr. BRIDGES. Madam President, as the senior Member of this body on this side of the aisle, and as chairman of our policy committee, I have no doubt that I can speak for the 35 Republican Senators in a very special and deserving tribute to our floor leadership. A number of my colleagues have asked me to set forth their opinions at this time.

When we convened last January, there were a few skeptics who predicted that Republicans might not be able to resolve any differences they might have.

But, Madam President, there has been, over the course of the weeks from January and through the spring and the long summer months, a feeling of unity and responsibility under the fine leadership which the distinguished senior Senator from Illinois [Mr. DIRKSEN] has given us as minority floor leader.

We have found him always courteous; we have found him always kind; we have found him always courageous in undertaking the responsibilities which go with the high office of minority floor leader.

We have respected him as our leader on this floor; he grasped the concept of leadership which, I believe, is important in this greatest of all deliberative chambers.

I congratulate Senator EVERETT MCKINLEY DIRKSEN on his great leadership, not only among Republicans, but throughout the Nation.

Also, Madam President, a great deal of credit for the success of this Congress must go to the chairman of the Republican conference, the senior Senator from Massachusetts [Mr. SALTONSTALL]. We have found him to be able and considerate of the views of others. Once he has determined upon a course of action, he has gone forward with all the vigor, force, and persuasion of his personality. I salute the distinguished Senator from Massachusetts, LEVERETT SALTONSTALL.

Madam President, a young man of considerable skill and legislative ability has also served his colleagues on the Republican side of the aisle during this session. In addition to ably representing his State of California and the Nation at large, he has shown a quick grasp of the many and varied problems facing our citizens, and he has ably assisted the minority leader. He is the Republican whip, the senior Senator from California, TOM KUCHEL.

Then, too, no summary of Republican activities during this session would be complete without mentioning one of our veteran senior Senators, the secretary of the Republican conference, Senator MILTON YOUNG, of North Dakota. He has served many years as the secretary of our conference. All of us feel a debt of gratitude to MILT YOUNG for his steady hand, for his patience and the quiet way in which he has helped all of us, day in and day out, while giving the people of North Dakota and the people of all the Nation the benefit of his wealth of experience, knowledge, and service.

But, Madam President, I cannot conclude without declaring the feelings of my colleagues for those on the other side of the aisle who helped with their cooperation scores of times during the many weary weeks of this session. Of course I refer to the distinguished and able majority leader and distinguished Texan, LYNDON JOHNSON. All of us compliment the members of the opposition for their selection of a great leader.

The majority leader and, in fact, the entire Senate, also have been assisted by the fine service of the assistant majority leader, the Senator from Montana, MIKE MANSFIELD. He has served his party well; he has served the Senate well; and on behalf of the Republican Members of this body, I extend to him our compliments.

CREEPING MONOPOLY AND THE PLIGHT OF THE INDEPENDENT GASOLINE DEALERS

Mr. MORSE. Madam President, on May 12, 1950, the Antitrust Division of the Department of Justice, with glowing press releases, launched an antitrust suit against seven major oil companies that dominated the production, transportation, refining, and marketing of petroleum and petroleum products on the west coast. On June 19, 1959, 9 years after the suit was filed, the Division settled this dust-covered antitrust action against the majors with a meaningless consent decree.

LEGAL ACTION AT LEISURE

The record of the prosecution or, rather, the lack of prosecution of this case is a blot upon the history of antitrust enforcement by the Department of Justice.

The suit was against Standard Oil Co. of California, Shell Oil Co., the Texas Co., Richfield Oil Corp., General Petroleum Corp., Tide Water Associated Oil Co., and Union Oil Co. of California. In its complaint against these companies, the Department of Justice stated:

> The association of the defendants for the purpose of market control and the elimination of competition has been so closely coordinated with respect to the development of and adherence to policies and practices to achieve these results that these business operations of defendant oil companies are conducted as if said oil companies were a single concern with single management.

The Attorney General when the suit was filed, Mr. J. Howard McGrath, in a very strong statement, declared at that time:

> The business practices attacked in this suit have given the seven defendant companies a virtual monopoly in all phases of the west coast oil industry, including production, transportation, refining, and marketing. Defendants' control has eliminated all price competition among the defendants in the sale to consumers of gasoline and other refined petroleum products and have regimented the independents in such a manner as to deprive them of the opportunity to offer effective competition.

Thus the suit was begun aggressively and with apparent enthusiasm.

Evidently, however, the enthusiasm for this case was soon diminished. The lapse of 9 years between the filing of the complaint and the entering of judgment in itself indicates a lack of aggressive prosecution. For some reason the significance of this case diminished rapidly in the viewpoint of the Department of Justice.

The consent decree makes much of the fact that the oil marketing situation has changed on the west coast since 1950. Certainly it has changed, but for the worse. For example, at the end of World War II, there were 35 independent petroleum refining companies on the west coast; but today there are only 17 independents in that area.

MONOPOLY'S PROTECTIVE UMBRELLA

And why should not monopoly have grown while the suit was pending? The action provided antitrust immunity for the companies. So long as the suit was pending, the illegal practices of the major companies continued. Thus, by lack of initiative, the Neville Chamberlains of the Department of Justice held their umbrellas of immunity protectingly over the majors.

Furthermore, while the alleged violations continued, the same majors were virtually free to commit other antitrust violations. Many times since 1950, the Senate Small Business Committee, of which I am a member, brought to the attention of the Federal Trade Commission and the Department of Justice additional antitrust violations by the major oil companies in other subjects and geographical areas. We were usually advised, as in a typical instance, that—

> The established policy of both the Commission and the Department of Justice is to prevent any duplication or overlapping of efforts in those matters with respect to which the two agencies may possess concurrent jurisdiction. Since observance of this policy is essential in order to avoid the unnecessary expenditure of public funds, and in view of the pending proceedings by the Department of Justice against the Standard Oil Co. of California with respect to its distribution and pricing practices, it is not believed that the Commission would be warranted in taking further action with regard to this matter at the present time.

The Department of Justice umbrellas over the majors were very large and very effective, far beyond the violations specifically attacked in the west coast suit.

The 9 years of delay and immunity would not, however, have been too great a price to have paid for a hardhitting decree against the monopolistic practices of the majors; but the consent judgment entered was a meaningless collection of mild prohibitions, followed in almost every section by a "provided" clause that killed any possible effectiveness for the decree.

TONGUE-IN-CHEEK CONSENT DECREE

A trade publication, the Oil Daily, described the consent decree as one that apparently will require no significant changes in operations of these companies in the Pacific coast area. This, a whitewash decree requiring no significant change in operations by the majors, is what the Federal taxpayers and west coast consumers and small businessmen received after 9 years of hopefully waiting for relief from the oppressive practices of seven corporate organizations that acted as one in the Pacific Coast States. The long wait was almost totally in vain.

Even though the consent decree was a thinly disguised but overwhelming defeat for the Antitrust Division of the Department of Justice, one of the major oil companies, Texaco, refused to accept it. I trust that the Division will proceed to a prompt and vigorous trial of the charges against that company. It can do so, and can remove one conspirator from the combine, and thus redeem itself in part for its utter failure in this case.

Although the shameful handling of this suit after its inception literally cries for investigation in all details by the Congress, there is sufficient reason for a full-scale investigation, alone, of the circumstances whereby the Department and the court were slickly outmaneuvered, in that they entered into a consent decree with less than all of the defendants. How can the Department or the court defend the consent decree on any grounds if it does not save the cost, the time, or the bother of a trial? Is it possible that they expect to dismiss the suit against Texaco? In that event, they will have admitted to the Nation that the decree against six of the defendants was void of meaning.

The stated major purpose of the suit was to require divorcement of retail and whole operations from the production, transportation, and refining operations of the majors and to compel divestiture of the wholesale and retail properties whereby the majors retain their iron-clad control of oil from its place in the earth to the point of consumption.

INDEPENDENT GASOLINE DEALERS—THE FORGOTTEN MEN

Gasoline retailers are forgotten members of the oil industry. They are independent businessmen in name only. Actually they are kept in economic slavery by every conceivable sort of pressure from the major oil companies. The majors dictate their prices, hours, and methods of operation. The majors effectively govern all the details of these small business operations by the use of threats to cancel leases, by opening company-run stations at key points in a market area, by openly forcing many dealers into a commission-type operation, and by many other forms of pressure devised by company representatives themselves under terrific pressures from top management to squeeze the last penny from dealers.

If a decree had been rendered requiring the majors to get out of the business of retailing gasoline in direct and subsidized competition with their dealers, then the variety and intensity of economic pressures they bring to bear on their dealers would have been severely limited. This would have, in my opinion, restored the economic independence of the gasoline retailers in the Pacific States. The court, however, without an open trial of the issues, took it upon itself to state that divorcement and divestiture would be denied as relief in the west coast case. That preliminary and unnecessary statement by the court encouraged a hesitating Justice Department to throw in the sponge on this suit.

When it learned of the court's predisposition to decide in favor of the current pressure tactics of the major oil companies, the Department of Justice should have given careful consideration to moving for the dismissal of the suit without prejudice. The Department would be in a much better position now were it free to take the issues of the west coast case into another Federal court and certainly the public and the gasoline dealers would be in no worse position than they are under the present consent decree.

As I pointed out earlier, the west coast case is a tragic blot upon the history of more than a half century of antitrust enforcement. A part of the blame for this tragedy must be shared by the court. The case against the seven majors appears to have been one where hesitant prosecution before a reluctant judge resulted in a $99\frac{44}{100}$ percent victory for persistent defense lawyers.

Madam President, I offer for the RECORD and request unanimous consent for their printing at this point, with names deleted, letters and telegrams typical of those that I have received from west coast retailers and jobbers of gasoline over a period of months.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SIR: Why is it that the oil companies guarantee their lease stations 5 cents a gallon and pay their light bills if they stay open 24 hours and I own my station so they expect

me to sell gas at about 3 cents a gallon profit over what we get for rent or upkeep?

I asked my salesman why and he said they didn't want their lease stations to go broke. Do they want us independents to go broke? Is that why they start gas wars?

Sincerely,

——— ———.

Senator WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.:

Have you a friend or neighbor—a close relative perhaps who works in or owns an independently owned or leased gasoline station in your neighborhood? If there is such a person, do you realize how close he is to economic disaster, for himself and his family?

If you drive an automobile, you have probably rejoiced at the lower gasoline prices you have been paying for the last few weeks. However, as you have enjoyed consumer benefits, have you at the same time realized that these low prices are an indication of a merciless economic war which has as its intent the destruction of an important segment of small business?

What will happen to you, Mr. Consumer, after the large oil companies have destroyed all of the independent operators, and the prices are then fixed at whatever the traffic will bear?

Make no mistake about it; the present gas war is part of a battle which will eventually, if allowed to go unchecked, end up in big company control of the gasoline distribution business, and the loss of another step in the battle against control of our American way of life by mammoth corporations. It is the intent of the big oil companies, who started this war, to drive independents out of existence.

I am an independent retailer. I own two stations in Eugene. The present gas war has already cost me much money; if it continues for much longer I'll lose my business, a business which I have worked long hours and years to build. Other retailers in the Eugene area are in the same position.

We independent and lease station operators buy our gasoline at wholesale or tank wagon prices. These prices have not changed in spite of the gas war. This means that the major percentage of the loss in this battle falls on the retailer, not on the big company wholesaler.

Recently the city of Eugene asked for bids for 100,000 gallons of gasoline. The Shell Oil Co. responded with a low bid which was 7.17 cents per gallon under wholesale prices. Assuming that Shell is making money on their bid, this means that the retailer and the general public pays too much for gasoline.

This letter is being sent to many interested persons—legislators, newspapers, officials throughout Oregon and in Washington, D.C.—in a plea for immediate help. Unless something is done, either on the State or National level, to protect the interests of the small businessman in this economic area, all of us will soon be begging the big oil companies for mercy.

I believe that this unfair competition can be cured in several ways: (1) Prohibit, either statewide or nationally, consigned stock stations as being unfair competition; or (2) enact a nationwide law, allowing the oil industry to retail only; or (3) eliminate subsidies to stations in any trading area, or (4) make a major nationwide congressional investigation into wholesale price fixing of gasoline.

Will you help us maintain our American dream of owning our own business?

——— ———.

Hon. WAYNE MORSE,
Senate Select Committee on Small Business,
Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: Right now the general public and the independent gasoline dealers of Oregon are being subjected to the most flagrant fixing of prices of gasoline that they have ever experienced. This price fixing is being imposed by the major oil companies through their subsidy program.

During the period of approximately January 1 to September 1, 1958, the major oil companies granted little or no subsidies to dealers in Oregon. The wholesale (tank wagon) price of gasoline of all major brands of regular gasoline was 27.5 cents per gallon delivered in Portland, with transportation differentials to other areas of the State.

In this open market, through fair, unrestrained competition, the retail price obtained a level where the average retail dealer had a gross profit of about 6.4 cents per gallon. In Portland the average retail price of regular gasoline, major brand, was 33.9 cents per gallon.

Since national studies and experience have shown that 6 cents per gallon is the lowest gross profit that a retail service station may make and still stay in business, this price of 33.9 was realistic in view of the 27.5 wholesale price.

Starting approximately September 1, 1958, the major oil companies, through their company owned stations, commission stations ("C" stations) and subsidy programs, broke the market forcing the dealers to accept an average gross profit of 4.5 cents per gallon. Under this control the average gross retail price, major brand, dropped to 23.9 cents per gallon.

On Monday, January 5, 1959, some major oil companies in Portland arbitrarily advised retail dealers that they, the dealers, were to post 28.9 cents per gallon, with the threat of cancellation of subsidy to every retail dealer who refused to comply with the demand of the majors.

The above action would seem to indicate that the major oil companies, after the recent decisions of the Federal courts, believe that they are not subject to the laws of the United States and we, therefore, request that you take immediate action to initiate proper measures to correct these illegal practices through your committee or other appropriate governmental agencies.

Very truly yours,

——— ———.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Approximately 1 year ago the Spokane chapter of the Washington Gasoline Dealers Association appealed to you for help. We requested this help to control the Shell Oil Corp. and to attempt to keep them from starting gasoline price wars. Shell Oil has been the main contributing factor in practically all price wars in the Northwest. At the time this request was made, you very graciously went to bat in our behalf.

I will explain briefly what has happened in our area and I am quite certain that this history would also be applicable to the Portland area. For 28 years the Spokane area was free of price wars of any nature. On December 5, 1957, the Shell Oil Co. declared war on the independent businessmen of the Northwest by posting large price signs in Spokane. These signs were immediately met by the rest of the oil companies. As soon as any signs appeared that were a little lower, the Shell people met them. Shell drove the retail price of gasoline in Spokane from 35.9 cents to 27.9 cents per gallon. At these low prices, the average service station operator was losing 3 cents a gallon and was consequently hurt financially. Many became insolvent and a great many closed their doors. The first part of February 1959 our local chapter made a determined effort to stop the war. We were successful and by February 20, 1959, all major oil stations were retailing gasoline at 35.9 cents or a little higher. On March 1, 1959 the oil companies increased their tank-wagon (wholesale price) four-tenths of a cent and all majors went to 36.3 cents or higher—with no price signs. On March 7, 1959, Shell Oil Co. posted 35.9 cents signs at all "C" type stations (company operated). Within a few days every major oil company had reduced their retail prices and were meeting these Shell price signs—which were about 5 feet high.

Historically, price signs have always caused price wars. Shell feels that they have the right to post them, although they know the consequences. We, in this country, have the right of free speech. However, we don't have the right to yell "fire" in a crowded theater. This is exactly what Shell is doing to the petroleum industry—yelling "fire"—and causing just as big a riot—the result of which is financial ruin of many thousands of gasoline dealers.

Our gasoline association has asked the Shell Oil Co. to adopt a code of ethics at least as high as the rest of the industry and to act like a responsible major oil company, innumerable times. There are about eight or nine major oil companies operating in this area and all are acting with restraint and trying to sell their product through advertising the quality of the product and by offering good service. Shell is the only major oil company who differs from this policy. We feel that asking Shell to use normal ethical procedure is not an unreasonable request.

It is growing increasingly more apparent that there are two ways in which a business can go to maintain proper growth. This is evidenced daily in every retail establishment, locally and across our land.

First, sell the product on its merits—with enough markup to allow a reasonable profit. Competition will always keep the individual businessman in line as long as all the other factors are equal.

Second, through the use of inferior merchandise or material—little or no responsibility connected to the product—price can be sold. Not merchandise but price.

Apparently Shell is following this second choice. Shell must attempt to have more volume than anyone else in this field. Volume alone will give them a profit, but because of such a slim profit margin, it must price until it has liquidated its rivals. Their ends are, almost without exception, accomplished with price. Most manufacturers and businessmen prefer and agree to sell a product on its merits. Price, quality, selection, and many other factors enter into this level of competition, but each business still competes on the level of the merits of their product.

To sell price alone, in an exclusive effort for volume, would mean that any means must be used in obtaining this necessary volume. It would appear that through their method of operation, advertising, and merchandising procedures, that Shell is striving for volume alone.

The advertising, and certainly the merchandising and operational procedures of Shell, firmly point toward an unhealthy attitude to public response to their product. Because of this, they apparently are attempting to change to a volume operation, at any expense—mainly the independent businessman of the Northwest. Enclosed with this letter is a large ad from the Spokesman-Review. This is an example of their discount type of advertising.

There is a great similarity between the way the Russians do business and the Shell Oil Co. About a year ago, Khrushchev made the statement that the way he was going to beat the United States was through economics. His opening shot in the economic war was the dumping of aluminum in England. This forced the world price of the metal down. The aluminum plants in Spokane were forced to close down because the cost to produce was higher than the world

price. This naturally threw many thousands out of work. Undoubtedly, the result was the same in other parts of the world. The actions of Shell in the gasoline market are almost a parallel to the Russians.

The Shell Oil Corp. is a combine of over 500 corporations, being controlled jointly in The Hague and in London. Have the Communists bought control of the Shell empire?

In view of the above, Senator, I think that this would bear investigation.

You realize, Senator, that the U.S. Government is desperately in need of additional revenue. By their actions, Shell Oil Co. has proved that they are deliberately using their 27½ percent depletion allowance to wreck small businessmen, instead of what it was originally intended for. By one stroke of the pen, Senator, you and your colleagues, could balance the national budget—and bring tranquillity to an industry which is constantly in a chaotic condition.

Please give this letter serious consideration. If conditions continue to exist as they are—thousands of small businessmen will be on relief rolls instead of operating healthy businesses.

May I hear from you regarding your views?

——— ———.

PRICE WAR REPORT

At the mass meeting held in Portland for all dealers from the Greater Portland area on Wednesday, May 27, 1959, the dealers present voted overwhelmingly to close their service stations from midnight Friday, May 29 through midnight Sunday, May 30.

Dealers throughout the area spent a great deal of time and effort circulating pledge forms whereby dealers pledged to each other that they would take part in this closure protest to the major oil companies for their unfair and discriminatory pricing practices.

On Friday, May 29, the oil companies became very active with intimidating threats. It was reported that one company even had their men call on their stations with a roster. These men then asked the station operators if they were going to close and intimated that, if they did, their names would be on the list for replacement at the earliest opportunity.

As a result of these actions the efforts of the dealers was not as effective as indications had shown they would be up to that time. When one dealer was cowed by these threats and stayed open there was, quite naturally, a chain reaction wherein some of the stations in direct competition with the one which failed to close reopened for business. In some areas, however, the closure effort was as widespread as we had hoped it would be.

For these reasons we do not believe that those stations which closed should be critical of those which opened, since none of us know the other fellow's true circumstance.

We do feel that the effects of the effort should cause great concern to those in responsible positions in the oil companies and that perhaps we can look forward to some improvement.

———

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am sending some of the clippings from the local papers in regard to the recent gas war and the discriminating policies the oil companies show in connection with the marketing of their products. I cannot see why I cannot buy gasoline at a competitive price like some of the cities do. The only reason I can see for the difference is that if they sold gas to me at this price their company owned stations might have a rough time meeting competition. It seems to me that I am helping to build these brand new stations, that they are putting up on every available corner, so that they can eventually run me out of business and that will not be too far in the future. They have built so many stations that there is not enough business to go around and the small operator is being forced out of the market.

Now they have started a gas war and they control our profit so that it will not pay our overhead. If I should drop the price a cent because I do not sell stamps, they will take away a cent of the subsidy they give us while a gas war is on. If I raise the price of my gas a cent they also take away a cent so I have no control over what margin of profit I make. The subsidy for the independent is much smaller than that for the leased station so you can see that we cannot win no matter what.

I buy more gas in a year and have larger storage tanks than most cities do and I have to pay more per gallon than they do. I understand that the oil companies are selling gas to the city of Eugene for 10.4 cents off the tank wagon price. The oil companies must be making a profit at that price or they wouldn't bother to sell it to them. That is 8.4 cents cheaper than I am able to purchase it.

I think the oil companies should have a thorough investigation as there is no fair competition to the system that is taking away our rights to make a fair living wage. Our country does not owe us a living, but it does owe us the right to make a living if we are willing to work for it.

I have been told that the tax assessment on each gallon of gas at tax time is valued at 9 cents for ethyl by the oil companies.

——— ———.

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Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I was pleased to hear from your office in Portland that you were concerned about the plight of the service station operators in the State of Oregon.

The gasoline dealers of this State, numbering over 3,000, for several months have been exposed to an economically disastrous situation, arising from the unethical and vicious pricing policies of the major oil companies.

We dealers believe that there is no segment of any industry in our Nation so crucified by monopolistic controls, or so ignored by the Nation's policymakers. I cite as an argument: The decision handed down in the west coast case, where after 9 years of litigation, the agreement signed by six of the seven major oil companies. This consent decree amounted merely to a slapping of the wrist and leaves the oil companies free to continue monopolistic practices. We believe the consent decree could have been dictated by any major oil company official.

Anyone familiar with the mechanics of oil company subsidy program must recognize that they leave a gross profit to the service station operator that merely delays bankruptcy. The average subsidy granted in the State of Oregon does not exceed 4½ cents per gallon of gas, from which amount the dealer must pay rent, labor, utilities, etc. A Dun & Bradstreet survey bears out our contention that the average cost of selling gasoline amounts to approximately 5 cents per gallon. Simple mathematics give the answer to why more and more service stations are closing their doors.

We are frankly amazed at the lack of Federal action taken in our behalf. Few industries in our country are in better position to contribute to the solidity of our Nation's economy. We are responsible for a minimum of 80 percent of the sales of petroleum products. Should we not have at least a decent living from this endeavor? We have been the stepchildren of industry since the inception of the automobile. Cannot something besides conversation and desultory legal actions be done about this tragic situation?

Senator, I know you are a busy man; I recognize that what we need is not as simple as pushing a button. But there is an urgent need for positive action. Surely, surely, there are those in our Nation's Capitol who, with your leadership, will lend themselves to resolving this great nationwide problem.

Thanking you for whatever effort you may lend, I am

Very truly yours,

——— ———.

———

PORTLAND, OREG.

Senator WAYNE D. MORSE,
Senate Office Building,
Washington, D.C.:

We urge you to take any steps you deem expedient in helping to bring about a change in the monopolistic wholesale pricing policies of the major oil companies that will insure us a fair living income. We sincerely believe that the economy of our Nation is more greatly affected than is generally recognized. Thank you for your support.

——— ———.

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SHERIDAN, OREG.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We in Sheridan, Oreg., are faced with a gas war; all the surroundings selling regular gas for 29.9. We are asked to pay 28.7 which was a going tank wagon price. Now the oil companies are selling at 24.9 except to us. Their alibi is that we are not in the competitive area which I say we are in the competitive area because only a few blocks away we have a major gasoline selling at a price which we cannot compete with and the brand which we sell is being sold for the above price except to us.

Sincerely,

——— ———.

Mr. MORSE. Madam President, many of these communications began arriving in large numbers shortly after the Court announced that the majors need not fear divorcement. They arrived in larger numbers after the consent judgment was entered. Obviously, the majors now see their way clear to step up their efforts to keep all independent gasoline retailers in a position of being little more than gasoline pump operators. This we must not permit.

JUSTICE DEPARTMENT AND FEDERAL TRADE COMMISSION SHOULD STATE THEIR INTENTIONS

In view of the extremely difficult situation now confronting the small independent retailers of gasoline, I am asking the chairman of the Senate Select Committee on Small Business to give serious consideration to the advisability of questioning the Department of Justice concerning the facts of the West Coast case and the oppressive tactics being used and intensified by the defendants in that case. It seems to me that the Justice Department should be asked why it declined to try the West Coast case and what it intends to do now to protect the public, in general, and the small businessman, in particular, from economic oppression by the major oil companies.

I hope that the chairman of the select committee will also ask the Federal Trade Commission what it plans to do about this tragic problem after 9 years of deferring to the Department of Justice for action that never came.

Questioning along the lines just mentioned would, in my opinion, be in the

public interest because it would be of assistance to a small business segment of our economy that is of great importance to the whole Nation.

THE SMALL BUSINESS SET-ASIDE PICTURE

Mr. MORSE. Madam President, in the 1958 Small Business Act amendment, H.R. 7963, which became Public Law 85–536, Congress added a provision to extend the principle of set-asides to property sold by the Government. The Federal purchase set-aside program had been in effect for several years, thereby enabling small business to bid on contracts to supply products and services to the Government.

The 1958 sales set-aside amendment originated in the Senate and had as its chief sponsor the senior Senator from Montana [Mr. MURRAY]. I cosponsored, as did Senators HUMPHREY, NEUBERGER, CHURCH, MANSFIELD, JACKSON, MAGNUSON, and PROXMIRE. It was our opinion that it was reasonable and proper to extend to small business the same assistance in purchasing property disposed of by the Government, as had been so successfully applied to Government procurement.

This new concept of aid to small business passed the Senate with Democratic and Republican approval, and without a dissenting vote, on July 1, 1958. It was retained in the conference of the Senate and the House.

As far back as 1945 when I first began my service in the U.S. Senate, small business timber operators throughout the State of Oregon registered with me their repeated complaints to the effect that they found it increasingly difficult to purchase timber when offered for sale by the Government, through the Forest Service and the Bureau of Land Management. They explained in detail the many instances in which they found themselves at a disadvantage in bidding for Federal timber in competition with big business. Whenever the complaints of individual small loggers and lumber operators ceased, it was usually because these small businessmen closed their operations, the victims of inability to purchase Federal timber in competition with the big business segment of the industry.

Some people were content to do nothing about this appalling demise of small operations in the lumber industry. They were willing to shrug it off as an example of the survival of the fittest, elimination of the inefficient, and the like.

Mr. President, this attitude of indifference has always been one of the incidents of the growth and development of monopoly. It is the old, old story of the destruction of small business, the emergence of monopoly and the consequent damage to consumers and the Federal Treasury alike.

For several years I considered a variety of solutions aimed at assisting these small business loggers and lumbermen. I decided that some type of assistance under the Small Business Act would be our best hope for dealing with this serious problem. The set-aside plan seemed to be the most promising for retaining true competitive bidding among small business operators and keeping small business alive in the lumber industry. It seemed to me that competitive bidding would assure reasonable returns to the Federal Treasury in the sale of Government timber and would keep small business concerns on the alert to improve their own efficiency. It would leave no room for the inefficient operation. Above all this, however, was the controlling fact that a sale set-aside provision would prevent big business domination over an important market such as lumber.

The foregoing are some of the principal reasons that induced my enthusiastic support of the small-business set-aside amendment of 1958.

It was shortly after the Senate acted and the people of my State had been notified of the set-aside plan that one group purporting to represent small business urged that the set-aside amendment not be enacted into law. This group waged an intensive campaign in an effort to eliminate the amendment in the Senate-House conference. Their contentions were almost the same as those which had been leveled against the small business procurement set-aside program years before.

The conferees, in their wisdom, adopted the Senate amendment despite the attacks made against it.

Shortly after Congress gave its approval to the sale set-aside program, the Small Business Administration began working on regulations to implement the new set-aside law. Once again, the Oregon lumber organization campaign against the amendment went into action. It directed to the Small Business Administration a sizable variety of complaints, suggestions, and expressions of fear.

At that time it was my position, and it is now my position, that the set-aside program should be given a reasonable trial period. The experience thus gained would make it possible to evaluate the program and to analyze the barrage of complaints that were being expressed by the Oregon organization purporting to represent small business lumber operations.

During the period in which this organized campaign against timber set-asides was at its height, I was receiving a great deal of encouragement from small businessmen in my State who commended the enactment of the amendment and who assured that it would be of real help to them.

The first regulations of the Small Business Administration on the new set-aside plan were published in the December 31, 1958, Federal Register. The definition of small business in the timber industry first appeared on December 10, 1958. An amended definition was issued on February 10, 1959.

In order that opponents as well as proponents of the set-aside plan might have their day in court concerning the SBA regulations and the SBA definition of small business in the timber industry, I suggested to the Administrator of the Small Business Administration that he schedule a public hearing by his agency in Oregon to allow people to express their views on the regulations and the definition issued by SBA. These hearings were conducted in Portland on August 26 and 27, 1959.

As a result of these hearings, the Small Business Administration announced today that it has changed the definition of small business timber operations so as to include within the definition firms employing up to 250 employees.

Madam President, I ask unanimous consent that an editorial of September 1, 1959, from the Oregonian, of Portland, Oreg., entitled "Unwanted Help" be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNWANTED HELP

Going all out for the little fellow may be good politics generally. But the violent reaction to the timber set-aside proviso in the Small Business Administration Act of 1958 should make Members of Congress hesitate. First, they should find out what the little fellow wants.

Apparently Senator WAYNE MORSE, as chief sponsor, and other Northwest Democratic Senators, as cosponsors, did not do this before pushing through an amendment to the 1958 act which would set aside some Federal timber for exclusive bidding by small forest products operators and loggers. As soon as they discovered what had been done, lumbermen, both large and small, raised an outcry against it. Last week's hearing by the SBA in Portland on the proviso brought out some support for it, but the weight of testimony was against it.

The Western Forest Industries Association is generally considered to be the spokesman for small operators. But it has bucked the set-aside from the start. At the hearing, Aaron Jones, of Eugene, president of the association, listed many objections, among them these:

His group feels that it is harmful for small business, as well as big business, to be subject to governmental determinations as to who may exist and who must economically die. Ingenuity and efficiency will enable small business units to thrive in a competitive market without special favors. Intensified forest management, rather than set-asides, is best for the industry; all his organization asks is that Federal timber sales be made in such volumes and subject to such conditions as will offer small business a fair competitive opportunity.

Other objectors, small operators also, charged that set-asides would subsidize inefficient operations at a time when it is important to utilize as much of the log as modern technology allows. To give employers of 100 workers or less an advantage over those hiring more than 100 would lead to all kinds of dodges. Some timber, for instance, would have to pass on to large operators, as in the sale of logs suitable only for pulp. There are no small pulpmills. It was recalled that a few years ago there were marketing areas restricting the sale of Federal timber on Oregon and California grant lands. These artificial restraints proved to be not in the best interest of the forest economy and finally were eliminated.

Now that Senator MORSE and the cosponsors have learned how the majority of "little fellows" feel about their unwanted restrictions on the timber industry they should move to have it removed with the same alacrity with which they imposed it.

Mr. MORSE. Madam President, in fairness to my colleagues, I think I should tell them that the Oregonian is a newspaper that opposes me with a bitterness seldom equaled in yellow journalism. But the Oregonian does serve as a sort of barometer in reverse on important

issues. Over the years it has become a reliable guide of the course of action I should not follow in deciding wherein the public interest lies. If the Oregonian says that a certain course of action should be followed, more likely than not the opposite course is the correct one. In fact, if I have decided upon a certain course of action and I find the Oregonian agrees, I always go back and make a very careful study, because in that case, I am worried over the possibility that I may be in error.

When I read the Oregonian editorial of September 1 and found out that it was opposed to the set-aside program, I was encouraged because it reinforced my view that the program is necessary and in the public interest.

I think the Oregonian is wrong in opposing the program because this new plan has not been in operation long enough to give us the basis of a careful and impartial evaluation of its operation and the complaints that have been registered against the program have been concentrated in one area alone.

I ask unanimous consent that there be printed in the RECORD at this point a brief résumé supplied by the Small Business Administration on the status of timber sales set aside as of September 9, 1959.

There being no objection, the résumé was ordered to be printed in the RECORD, as follows:

Status of timber set-asides as of Sept. 1, 1959

State	Number of set-asides made	Estimated board feet involved
Oregon	1	700,000
Washington	3	5,500,000
Idaho	1	5,000,000
California [1]	34	246,000,000
Utah	1	1,300,000
Colorado	6	4,200,000
Arkansas [2]	19	34,300,000
Louisiana	21	19,800,000
Texas	7	10,700,000
Georgia	14	14,000,000
West Virginia	7	6,800,000
Virginia	10	2,810,000
North Carolina	12	3,080,000
South Carolina	19	28,400,000

[1] 4 sales to date.
[2] 6 sales to date.

Mr. MORSE. Madam President, this résumé shows that there has been only one timber sale of 700,000 board feet set aside in the State of Oregon. Yet actually, public forests of Oregon sell something in the neighborhood of 2 billion board feet of timber. This record shows that there is very little basis for either condemning or approving this set-aside program in Oregon, because it could hardly be said to be in full operation.

Despite the fact that Oregon is a leader in timber production in the Nation and its public forests are very high in the volume of Federal timber sales, substantially more set-asides have been made in other States. In neighboring California, 34 sales involving 246 million feet are in the set-aside program. In Arkansas, 19 sales with 34 million feet are in the program. In South Carolina, which has very little Federal timber, 19 sales involving 28 million feet have been set aside.

The complaints about the program come from Oregon where one small sale has been set aside. I have checked with the Small Business Administration and with some of my colleagues and I find that mine is the only State from which any substantial volume of complaints is coming and the record shows only one small sale has been made there. I think that it would also be fair to say that I have heard some criticism from the people of my State that the Small Business Administration has not acted with enough speed on the set-aside program. The record would certainly indicate that they have not moved as rapidly in Oregon as in any other State. However, I do not wish to imply any criticism of the Small Business Administration because I believe that agency has made a genuine effort to proceed carefully and on a sound basis so that it may bring to the small businessmen in the timber industry a realistic and workable program.

The Oregonian editorial States that the weight of testimony was against timber set-asides. I am not sure that this is the actual case. We know from experience as legislators that associations act as pressure groups and that they often can conjure up spokesmen who claim to speak with a single tongue for the many. I ask unanimous consent that a letter I received on September 5 from a small lumberman in my State be printed in the RECORD at this point. I think that this letter represents the position of many small timbermen and it is representative of the expressions that I have heard.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 5, 1959.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: We are enclosing a letter which we have addressed to Mr. Wendell B. Barnes, Administrator, Small Business Administration, Washington, D.C., setting forth our position as to the set-aside program.

We urge you to support our position that Congress not reconsider this law. It is our observation that the hearing held on August 26 and 27, while originally called to determine the regulations under which this section of the Small Business Act should be administered, became nothing more than a sounding board meeting for attacking and attempting to build up information to repeal the act.

Should you wish any additional information from me, I would be pleased to answer your request.

Yours very truly,
GREEN VENEER, INC.,
RALPH V. MORGAN,
President.

IDANHA, OREG.

SEPTEMBER 2, 1959.

Re public hearing on regulations governing the small business timber set-aside program.

Mr. WENDELL B. BARNES,
Administrator, Small Business Administration, Washington, D.C.

DEAR MR. BARNES: While I attended the meeting on August 26, I was at that time unable to present either oral or written statements to show my company's thinking about the advisability of a small business timber set-aside program in the Willamette National Forest, and in those areas controlled by the Department of the Interior by O. and C. timber.

My company employs approximately 23 people, and was organized in the early part of this year, principally for the utilization of the salvage logs in the north end of the Willamette National Forest. It was our understanding that the national forest authorities would bring into being a comprehensive and workable program of small sales of these culls and waste logs, but apparently to date, because of lack of funds, they have been unable to realize fully on their proposed program. Consequently, it has been necessary for us to attempt to bid against the large companies on the larger sale, and to date, we have not secured sufficient supply of logs to be sure of a continued operation.

It is my company's contention that we desire set-aside sales for small business. We further believe that all bids should be oral, and that the logger that would buy these small sales must sell to small businesses. It is evident from our observation and experience after having lived in the north part of the Willamette National Forest most of our lives, that better realization and proper management of the timber can be effected by the small operators, and the economy of the adjoining communities will be more adequately served if there are numerous small businesses. There is always the danger, where predominance of the sales go to large companies, that due to change of policy, breakup of the large companies, or sale of these companies, that they will abandon their plants, and leave the community in a distressed situation. Further, it is our observation that the small sales bring a better price for the timber than the large sales.

As proof of the importance of our small business to the community of Idanha and Detroit, Oreg., our payroll will equal approximately $200,000 to $250,000 a year if we are able to secure a proper supply of logs. These communities found themselves in a distressed situation by large companies merging, selling out, and leaving the area. As a result, it became almost impossible, after this had occurred, to support the local school district, and many of the merchants were forced to close their doors and leave the district.

If as a result of the hearing, Congress repeals this law, we then recommend that the future sales be cut down in size so that the small operator will find it within his financial ability to bid.

Yours very truly,
GREEN VENEER, INC.,
RALPH V. MORGAN, *President.*
IDANHA, OREG.

Mr. MORSE. Madam President, finally, I would say that the case being made by the opponents of timber set-asides needs to be carefully evaluated. I am sure that this will be done by SBA Administrator Barnes. The case also needs to be evaluated by small timbermen themselves to see whether the proponents of change are the unwitting spokesmen of big business. Additionally, I would say that the proponents of killing this set-aside program, and I include in this group the editorial writers for the Oregonian, need to give a little further consideration to whether they approve and support the basic concept of set-asides.

The Oregonian claims that "going all out for the little fellow may be good politics generally." In my judgment, the Oregonian is attempting to play politics with this issue. Does the Oregonian suggest that the timber industry alone be exempted from set-asides or is it the thought that the entire program should be repealed, both in the field of procurement and in the field of disposal? If the program is sound in procurement,

and the Eisenhower administration has supported this, what makes it unsound in the case of sales of Federal timber? If the politicians in Oregon want to attack the senior Senator from Oregon, they are welcome to try. They know they will have a faithful ally in the Oregonian, but the real record will only be made on the basis of experience, and the experience to date in Oregon shows one small timber sale set-aside. I suggest that judgment be withheld and that the politicians and pressure groups stop crying "wolf" until they really see one in the forest.

Madam President, I now wish to say to my colleagues that I have finished the items I had on my desk, at least up to this moment. I have done this so that I could yield the floor and let other Senators obtain the floor in their own right.

REPORT OF LEGISLATIVE ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA, 1ST SESSION, 86TH CONGRESS

Mr. BIBLE. Madam President, in my capacity as chairman of the Committee on the District of Columbia, I am pleased to present to the Senate a report of the activities of this committee for the 1st session of the 86th Congress.

The Committee on the District of Columbia has seen one of the busiest and I believe legislatively productive periods in some years, as the statistics I will present hereafter fully support.

The Committee on the District of Columbia, I believe, is unique among Senate committees by virtue of the great variety of problems, running the gamut of legislative proposals, which come before it. Constitutionally, the Congress is the legislative arm for the District. The committee serves not unlike the upper house of a State legislature and a city council combined, dealing with matters ordinarily common to both State and municipal governments.

By virtue of the many conflicts of interest stemming from the fact that the city of Washington is a voteless National Capital without representative self-government, these duties must necessarily devolve, first upon the committee, and later, upon the Senate itself.

There are many of us who believe our legislative housekeeping duties should be delegated by the Congress to a locally elected body. However, the Congress has not yet seen fit to approve this step, although the Senate has passed such proposed legislation five times in the last 10 years.

I take this opportunity to express my deep appreciation to my subcommittee chairmen who have spent long hours in hearings and in executive sessions. They are my warm friend and the distinguished junior Senator from Delaware [Mr. FREAR], who is chairman of the Fiscal Affairs Subcommittee; the very effective and hard-working senior Senator from Oregon [Mr. MORSE], who is chairman of the Public Health, Education, Welfare, and Safety Subcommittee; the distinguished junior Senator from Indiana [Mr. HARTKE], whose great energy, skillfulness and experience in municipal government was invaluable to our committee as chairman of the Judiciary Subcommittee; and my close friend and willing worker, the senior Senator from Maryland [Mr. BEALL], whose long service both in the Senate and House on the District Committees, made his work most valuable as chairman of the Business and Commerce Subcommittee.

To the other committee members, the junior Senator from South Dakota [Mr. CASE], a distinguished former chairman of the full committee, and to the junior Senator from Vermont [Mr. PROUTY], whose past service in the House was genuinely valuable to our committee, I wish to pay my heartfelt thanks and express my deepest appreciation for the hours they gave to our committee to benefit our Nation's Capital City.

Madam President, I believe the Senate this year has made real strides in the field of constructive legislation for the District of Columbia.

In the improvement of judicial machinery for the municipal court, enactment of the garnishment reform bill stands out. This act will take away from the municipal court its worst collection agency features, curb easy credit abuses and assist debtors to pay their honest debts.

Extension of the jurisdiction of the municipal court to decide title to real estate and other property interests in domestic relations cases was a needed change, approved by Congress.

In the field of better law enforcement, the Senate early this year approved legislation adding two more judges to the overburdened juvenile court of the District. This legislation has not yet cleared the Congress, but there is hope that the recent outbreak of hoodlumism here, pointing up the need for greater juvenile supervision, will convince those in authority over this legislation that this bill should be cleared through Congress at the earliest time.

Likewise, it is hoped that 100 additional policemen may be placed on the force immediately and that another 400 may be added to the Metropolitan force early next year to bring the department up to a strength of 3,000 men, thus serving as another crime deterrent.

During the recess, I have directed the committee staff to consult with proper authorities and draw a draft of proposed legislation for an anti-loitering law as an additional effort to curb opportunities for juvenile hoodlumism.

In the field of education, the Senate approved legislation authorizing establishment of a junior college division in the District of Columbia Teachers College. Likewise, authorization was given for the taking of a school census of children of all ages in order that school construction and teacher procurement programs may be planned more efficiently.

Home rule legislation again occupied the attention of your committee. For the fifth time in 10 years, the Senate approved a home-rule bill granting the vote and self-government to the people of the District.

Another step was taken toward construction of a 50,000-seat stadium for the District to provide facilities for all types of events common to a city of this size and to a national capital.

Development of Metropolitan Washington, D.C., and the problems inherent in this growing area occupied the committee's time. The Senate enacted a resolution establishing an objective and policy for coordinating the development of Washington, D.C., with other areas in the metropolitan area. The Joint Committee on Washington Metropolitan Problems was continued in existence in order that hearings can be held later this fall on the mass transportation survey, looking toward an effective and workable plan.

Widows and children of retired firemen and policemen of the District fared well in the Senate. Retirement benefits were increased substantially for them and an equitable increase given to police and fire retirees.

In the public health field, the Senate approved legislation to license practical nurses. This was a step urged by the medical and nursing professions to meet acute needs for patient care at a level where the skills and training of registered, graduate nurses are not required.

The proposed Southeast Hospital, needed to meet more adequately the needs of a large section of the city, was granted additional time to raise private funds to meet Federal matching allocations and thereby qualify for construction under the Hill-Burton Act.

Madam President, I ask unanimous consent that the report I submit herewith be printed in the body of the RECORD at the conclusion of my remarks. It consists of a summary statement and a statistical table of committee action on matters referred to it for consideration.

In connection with this activity report, Madam President, I should like to draw the attention of the Senate to one overall statistic. The committee had referred to it in this session a total of 112 matters. These included Senate bills, House acts, resolutions, and nominations. I submit that for the committee to have given active consideration to all but 26 of these matters is a commendable record, in which the Senate should take justifiable pride.

Madam President, I ask unanimous consent to have the report of activities printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA, 1ST SESSION, 86TH CONGRESS, SEPTEMBER 12, 1959

The Committee on the District of Columbia received for consideration in the 1st session, 86th Congress, the following:

Senate bills	77
House bills	23
Senate joint resolutions	3
Senate concurrent resolutions	2
Nominations	6
Grand total	112

During the session, there were reported to the Senate from the committee 23 Senate bills, 20 House bills, 2 Senate joint resolutions, and 2 Senate concurrent resolutions. One House bill remains on the Senate Calendar.

Of the 24 House bills referred to the Senate, 4 are pending before the committee.

Nineteen bills and acts have become public law as of this date (September 14, 1959).

Thirteen Senate-passed bills are pending before the District of Columbia Committee of the House.

Sixty-four hearings were held by subcommittees on Senate bills, 18 hearings were held by subcommittees on House bills, and 8 subcommittee hearings were held on Senate joint and concurrent resolutions.

The full committee held hearings on seven bills, resolutions and nominations.

The full committee met in executive session on seven occasions.

In addition, extensive hearings were conducted on the problems of hungry children in the District of Columbia. A pilot program has been instituted in the elementary schools.

Following is statistical data of actions by the Senate District of Columbia Committee during the 1st session, 86th Congress:

Number of bills, acts, resolutions, and nominations referred to committee	112
Number of bills, acts, resolutions, and nominations reported to Senate	53
Number of bills, acts, and resolutions in process (hearings held)	7
Number of bills, acts, and resolutions indefinitely postponed within committee, including consolidation	27
Number of bills, acts, and resolutions awaiting final action	26

The following is a list, by title and number, of all bills, acts, and resolutions passed by the Senate during the 1st session of the 86th Congress (those that became law are indicated by the public or private law number):

S. 643, to amend the act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938, so as to permit District of Columbia officials to use registered or certified mail in notifying property owners of special assessments for public improvements. Public Law 86–46.

S. 644, to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925.

S. 645, to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended.

S. 660, to amend the District of Columbia Business Corporation Act. Public Law 86–106.

S. 685, to exempt from taxation certain property of the Association for Childhood Education International in the District of Columbia. Private Law 86–156.

S. 715, to amend the law relating to indecent publications in the District of Columbia.

S. 745, to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, so as to conform the method of collecting assessments on condemned buildings.

S. 746, to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes. Public Law 86–177.

S. 866, to amend the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes," approved May 18, 1910, so as to allow the use of illustrations in District of Columbia annual reports. Public Law 86–101.

S. 1159, to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act.

S. 1370, to amend section 13 of the District of Columbia Redevelopment Act of 1945, as amended, so as to exempt real property owned by the Redevelopment Land Agency from taxation.

S. 1371, to repeal the act approved March 3, 1897, and to amend the act approved December 20, 1944, relating to fees for transcripts of birth and death certificates in the District of Columbia. Public Law 86–178.

S. 1372, to extend the jurisdiction of the domestic relations branch of the municipal court for the District of Columbia to cover the adjudication of the interest of husband and wife in personal and real property in the District of Columbia. Public Law 86–241.

S. 1456, to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

S. 1681, to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes.

S. 1870, to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes.

S. 1921, to exempt from taxation certain property of the United Spanish War Veterans, Inc., in the District of Columbia. Private Law 86–161.

S. 1966, to provide for the licensing of public insurance adjusters in the District of Columbia.

S. 2035, authorizing persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requiring persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor (at White House).

S. 2327, to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes, so as to authorize the Commissioners to make rules and regulations to allow the certification of given names for birth records where such name has never been properly certified and a certification cannot be executed by a parent because both parents are deceased, unknown, or physically or mentally incapacitated.

S. 2439, to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes.

S. 2445, authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree (at White House).

S. 2466, to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes.

Senate Joint Resolution 42, to establish an objective for coordinating the development of the District of Columbia with the development of other areas in the Washington metropolitan region and the policy to be followed in the attainment thereof, and for other purposes.

Senate Joint Resolution 52, directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the establishment, construction, and operation of heliports within the District of Columbia.

Senate Concurrent Resolution 2, continuing the Joint Committee on Washington Metropolitan Problems.

Senate Concurrent Resolution 59, amending Senate Concurrent Resolution 2, continuing the existence of the Joint Committee on Washington Metropolitan Problems.

H.R. 303, to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia. Public Law 86–216.

H.R. 836, to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes. Public Law 86–130.

H.R. 2317, to amend section 7 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, so as to provide for the bonding of persons licensed to engage in a business, trade, profession, or calling involving the collection of money for others. Public Law 86–217.

H.R. 2318, to provide for the regulation of closing-out and fire sales in the District of Columbia. Public Law 86–219.

H.R. 3030, to amend the act entitled, "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes (at White House).

H.R. 3735, to make the Policemen's and Firemen's Retirement and Disability Act Amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children (at White House).

H.R. 4072, to amend the act entitled "an act for regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, as amended. Public Law 86–98.

H.R. 4282, to supplement and modify the act of May 24, 1828 (6 Stat. 383, ch. CXII), insofar as it relates to the corporate powers of the Sisters of the Visitation, of Georgetown in the District of Columbia. Public Law 86–32.

H.R. 4283, to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such act.

H.R. 4454, to amend the act of March 3, 1901, to eliminate the requirement that certain District of Columbia corporations be managed by not more than 15 trustees. Public Law 86–83.

H.R. 5534, to designate the bridge to be constructed over the Potomac River near 14th Street in the District of Columbia, under the act of July 16, 1946, as the George Mason Memorial Bridge, and for other purposes. Public Law 86–86.

H.R. 6378, to authorize the American Society of International Law to use certain real estate in the District of Columbia as the national headquarters of such society. Public Law 86–208.

H.R. 6662, to amend the District of Columbia Hospital Center Act in order to extend the time during which appropriations may be made for the purposes of such act. Public Law 86–85.

H.R. 7145, to amend section 35 of chapter III of the act of June 19, 1934, entitled "an act to regulate the business of life insurance in the District of Columbia," as amended, so as to permit life insurance companies in the District of Columbia to allow mortgage loans up to 75 percent of the full value of the real estate (at White House).

H.R. 7683, to provide that the tax exemption heretofore accorded the Veterans of

Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose (at White House).

H.R. 7907, to amend the act entitled "An act to incorporate St. Ann's Infant Asylum, in the District of Columbia," approved March 3, 1863, as amended, so as to change the name of St. Ann's Infant Asylum to St. Ann's Infant and Maternity Home and to remove the limitation on its location and value of property that can be held. Public Law 86–202.

H.R. 8225, to amend the Uniform Narcotic Drug Act of the District of Columbia, as amended, to permit paregoric to be dispensed by oral as well as written prescription. Public Law 86–206.

H.R. 8392, to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes.

H.R. 8527, to exempt certain pension and other employee trusts from the laws of the District of Columbia relating to perpetuities, restraints on alienation, and accumulation of income. Public Law 86–201.

The following is a list of nominations confirmed by the Senate:

Francis F. Healy for reappointment as a member of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1959.

David Brewer Karrick, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years and until his successor is appointed and qualified. (Reappointment.)

Harold A. Kertz, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for the term of 3 years expiring June 30, 1962. (Reappointment.)

John Lewis Smith, Jr., of the District of Columbia, to be chief judge of the municipal court for the District of Columbia for the term of 10 years, vice Leonard P. Walsh, elevated.

DeWitt S. Hyde, of Maryland, to be associate judge of the municipal court for the District of Columbia for the term of 10 years, vice John Lewis Smith, Jr., elevated.

Milton S. Kronheim, Jr., of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia for the term of 10 years.

Comparative statistical data of action by the Senate District of Columbia Committee during the 1st and 2d sess. of the 85th Cong. and the 1st sess. of the 86th Cong.

	1st sess., 85th Cong.	2d sess., 85th Cong.	1st sess., 86th Cong.
Number of bills, acts, resolutions, and nominations referred to committee	105	68	112
Number of bills, acts, resolutions, and nominations reported to Senate	42	36	53
Number of bills, acts, and resolutions in process (hearings held)	9	1	7
Number of bills, acts, and resolutions indefinitely postponed within committee, including consolidation	21	16	27
Number of bills, acts, and resolutions awaiting initial action	35	15	26
Hearings held by subcommittees on Senate bills	38	34	64
Hearings held by subcommittees on House bills	11	7	18
Hearings held by subcommittees on resolutions	------	3	8
Total hearings held by subcommittees	49	44	90
Hearings by full committee on bills, resolutions, and nominations	4	4	7
Full committee meetings	9	7	7

THE LEADERSHIP OF LYNDON JOHNSON

Mr. MANSFIELD. Madam President, as we come toward the end of the session we, of course, express our good wishes to those with whom we have had the honor and privilege of working over the previous months. That applies to the members of the staff, to the reporters, as have been mentioned, and it also applies to the leadership on both sides of the aisle. In my dealings with every Senator in this body I can only say that I have always been treated with courtesy and consideration. They have all been tolerant and understanding, and I am proud to have their friendship and grateful to them for the many favors they have done me.

At this time I wish to pay special tribute to the Republican whip, the senior Senator from California [Mr. KUCHEL] for the cooperation, kindness, and courtesy he has shown through the past several months. He has, indeed, been a tower of strength to his party and our country.

I also wish to pay my respects to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] who I think has done an outstanding job in guiding the Republican minority since he took over control in January of this year, and who I think is to be commended for the sterling qualities he has shown. As a friend of many years in both the House and Senate I have always admired his sense of understanding, his tolerance, and his fine sense of balance. He is, indeed, a good and solid public servant.

Madam President, I also want to commend the Senators' Senator, the President pro tempore, the senior Senator from Arizona [Mr. HAYDEN] whose council I value highly and whose understanding I appreciate more than I can say.

We are close to the hour of adjournment. Before the hour strikes, I wish to record certain personal sentiments. If I may have the indulgence of the Senate, I shall try to be brief.

Last January, each of us came into this Congress with certain high expectations. We hoped—each of us—that certain actions would be pursued by this Government. Perhaps, too, we hoped—each of us—that certain actions would not be pursued. The record is now almost complete. Looking back over it, I am sure that few Members will be fully satisfied with the results in terms of January's expectations. Some actions were taken of which some of us do not approve. Other Members will feel shortchanged because the Congress failed to act as they did approve.

It is easy enough in these circumstances to hold the leadership responsible for disappointments. And may I say that it is right and proper to hold the leadership responsible. Leadership, after all, has its duties and risks. In this Government it is the servant, not the master.

But what we need to ask ourselves in this respect is this question. What part of the leadership of this Government are we holding responsible for our disappointments? Leadership in this Government, as Senators know, is a divided and diffused function. It lies, first of all, in the Presidency. It lies, too, in the majority and minority leaders in both Houses of Congress. It lies in the committees and their chairmen in both Houses of Congress. It lies in individual Members.

The structure of leadership in this Nation has evolved over a century and a half of our history and I do not propose to debate its efficacy in the closing hours of the first session of the 86th Congress. I stress its divided and diffused nature, however, because that is relevant, highly relevant to what I am about to say. I stress it because I am trying to put into perspective the dedicated work of the leader of the Senate majority party, the Senator from Texas [Mr. JOHNSON].

The distinguished majority leader did not create the system of leadership under which we function in this Government. He did not give the Presidency its enormous prestige and influence with Members of Congress or its veto power over the acts of Congress. The majority leader did not create the committee structure of the Senate nor the procedures of the Congress under which we legislate. He did not create the powers of individual Members of the Senate. All of these are elements, highly significant elements, in the structure of leadership in this Government.

The scope which falls to the majority leader of the Senate is proscribed and limited by these other segments of leadership. The limits, I may add, are especially sharp when the administration is controlled by the opposite party.

It is easy to carp at the leadership of any man. But I know of no man who is less deserving of carping criticism than the Senator from Texas. He is fair-minded and he is large minded. He has led his party and the Senate, within the limits of the possible, in a responsible and progressive fashion. He has been reasonable with this administration at all times and particularly when the overriding interests of the Nation have been involved. It will be well, Madam President, if all of us—Democrats and Republicans alike—ask ourselves have we done as well with our committee and individual responsibilities of leadership? It will be well, too, for the administration to ask itself the same question.

One may regard the record of the actions of this Government during the past 9 months—and, I repeat, it is a record for which the administration and the Congress bear joint responsibility—one may regard it as good, bad or indifferent, depending largely on one's predisposition. As far as the Senator from Montana is concerned, he is satisfied that it is a far better record from the point of view of the people of the United States because of the participation of the distinguished majority leader in making it.

The proof of constructive leadership, Madam President, does not lie in vetoes sustained or vetoes overridden. Much less does it lie in volume of legislation.

I know of only one way to measure the quality of leadership in this Government. There is one yardstick and it applies to all sources of leadership—in the administration as well as in the Congress. How effectively are entrusted powers used by an elected official within the scope of his functions to preserve the basic unity of the Nation and to advance the common welfare? Against that yardstick, the work of LYNDON JOHNSON in the first session measures high, Madam President, very high. He has helped this Government to achieve much and he has laid the groundwork for greater achievements in the future. His work is in the finest traditions of the Nation, as regards dedicated and responsible leadership. As a Democrat and an American, I am thankful that the party and the Nation is served by a man of his caliber. He has given a great deal of himself for the Nation and I did not want this session to close without this acknowledgement of his contribution.

Mr. KEFAUVER. Madam President, I wish to join my colleague from Montana in paying high tribute to our majority leader, who has served in the Senate and who has served the Nation well during a very trying time. It is my belief that when the final achievements of this session of Congress are recorded, that certain accomplishments will be seen as a result of the persuasiveness and the leadership of the Senator from Texas.

JUVENILE DELINQUENCY

The Senate resumed consideration of the bill (S. 694) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Mr. KEFAUVER. Madam President, I am very much in favor of the bill S. 694, which we are now discussing, and I wish to offer an amendment to that bill which I now send to the desk for consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, add a new title V:

SEC. 501. PROMOTION OF NAVY, MARINE CORPS, AND COAST GUARD OFFICERS.—Sections 9(b) and 10(b) of the Act entitled "An Act to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes" (Public Law 86–155) are each amended by striking out "November 1, 1959" and inserting in lieu thereof "March 31, 1960".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee.

Mr. KEFAUVER. Madam President, for 34 years, the Navy, Marine Corps, and Coast Guard, have enjoyed a tradition established by law allowing members of these services who were commended in combat to receive an automatic promotion upon retirement. This promotion did not carry with it extra pay or pension, but merely the prestige accorded to persons who had served their country above and beyond the call of duty.

On July 27, the Senate passed H.R. 4413, which had appended to the body of the bill a repeal of this tradition, effective November 1. Since this provision was never available to members of the Army and Air Force, it was, as it stood, discriminatory against members of these services. Accordingly, I introduced a bill which would extend this privilege to members of these services. My bill has been opposed by the Department of Defense, and in the absence of passage, perhaps termination of the privilege for naval officers will be the only way to end the discrimination.

With this, I am not taking issue. It is the abruptness of the termination which I oppose. When Naval, Marine Corps and Coast Guard officers have charted their careers over a period of years expecting in good faith to have this tombstone promotion, as it is called, awarded to them in the twilight of their service, 2½ months is not enough time to change course. For those who may want to retire early in order to get in under the wire, adequate opportunity to revise their retirement plans is not afforded.

The Senator from Illinois has introduced on behalf of himself and others, S. 2540, which will continue until July 2, 1960, authority to promote these officers who have been commended for combat action. I want to express my support for this bill. I believe it will effectively accomplish the original purpose, without working any undue hardship on the officers which would be affected.

Madam President, in that connection in the Washington Post and Times Herald of this morning we find that several lieutenant generals of the Marine Corps are retiring as of November 1 rather than serving on and giving the Nation the benefit of their continued service because of the effective date of the legislation which we passed. I ask unanimous consent that this article which appeared in the Washington Post and Times Herald this morning be included in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The announced retirement of all the Marine Corps' lieutenant generals, coming shortly after President Eisenhower jumped Maj. Gen. David M. Shoup over their heads to be the new Marine Commandant, has brought some published comment that it was due to pique on their part at not being chosen.

It is unusual for the entire high command of a service to quit after a junior is selected for the top job—most senior generals preferring to stay on as long as they can. When Rear Adm. Arleigh A. Burke was promoted 4 years ago over 90 admirals senior to him, almost all of the Navy high command stayed put and worked loyally for him.

Shoup—unlike Burke—has something of the reputation of a "sundowner" (a disciplinarian who is difficult to work for), but the real reason for the mass exodus can easily be explained by the impending termination of "tombstone promotions."

Until November 1, Navy and Marine Corps officers who were decorated for combat duty in World War II can retire with an honorary promotion—no pay, just the right to put the higher rank on their tombstones. And four of the Marine Corps' three-star generals have asked for retirement on November 1, just under the wire for advancement to four-star general.

They are Vernon E. Megee, Edwin A. Pollock, Merrill B. Twining, and Robert E. Hogaboom, all of whom almost certainly would qualify for the advancement.

Mr. CANNON. Madam President, the subcommittee of the Committee on Armed Services considered this matter long and well. It had before it the original consideration of the repeal bill which was unjust and discriminatory. The law had been in effect for a long time. The committee considered the matter thoroughly. The committee was unanimous in its report. Thereafter, the committee again met and considered whether or not an extension date should be added. The decision of the committee again was unanimous. Madam President, were we to go into this matter tonight, I am sure we could not give it the consideration to which it is entitled. This body would become involved in long and protracted debate. I know this is hardly the time for that type procedure to be followed.

I, therefore, at this time, Madam President, move that the amendment offered by the Senator from Tennessee be tabled.

Mr. KUCHEL. Will the Senator yield?

Mr. KEFAUVER. I yield to the distinguished Senator from California.

Mr. KUCHEL. I want to call attention to the fact that we are all agreed to the principle, the privilege, and the right——

The PRESIDING OFFICER. The motion to table is not debatable.

The question is on agreeing to the motion of the Senator from Nevada.

The motion to table was agreed to.

DISPOSAL OF CERTAIN SURPLUS LAND

Mr. HRUSKA. Madam President, I introduce a bill and request that it be appropriately referred.

I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD, together with a statement which I have prepared concerning its objectives and purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 2731) to provide for the revestment of certain lands or interests therein acquired for the Naval Ammunition Depot, Hastings, Nebr., by the reconveyance of such lands or interests therein to the former owners thereof, introduced by Mr. HRUSKA (for himself and Mr. CURTIS), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide for a revestment in former owners of lands or interests in land heretofore acquired for the Naval Ammunition

Depot, Hastings, Nebraska, the Secretary of the Navy is authorized to reconvey to the former owners any lands or interests in land heretofore acquired whenever he shall have received an application for reconveyance as hereinafter provided.

(b) In any manner (including publication) as he shall by regulation prescribe, the Secretary shall give notice to the former owner of the availability for reconveyance of land or interest in land. A reconveyance of land or interest in land shall be made only after the Secretary has received from the former owner an application for reconveyance in the form prescribed by him by regulation. Such application shall be made within a period of ninety days following the date of issuance of the notice as aforesaid, but on good cause the Secretary may waive this requirement.

(c) Any land or interest therein reconveyed under this Act shall be reconveyed upon the payment of the fair market value thereof as determined by appraisal made in conformity with the regulations prescribed by the Secretary.

(d) (1) Except as provided in paragraph (2), none of the lands or interests in lands heretofore acquired by the United States for the purposes of the Naval Ammunition Depot which are suitable for agricultural purposes shall be sold or otherwise disposed of other than to the former owner, and no license or other authority to operate or supervise the operation of such lands or interests shall be granted by the Secretary to any person, corporation, association, board, commission, or other body, public or private, unless the Secretary shall certify (A) that notice has been given to the former owner of the land or interest in land as provided in subsection (b) and that no qualified applicant has made timely application for reconveyance; or (B) that, within a reasonable time after receipt of an application for the reconveyance of land or interest in land made available pursuant to this Act, the parties have been unable to reach a satisfactory agreement with respect to the reconveyance of the particular land or interest in land.

(2) Nothing contained in this subsection shall be construed to prevent the leasing of any such lands or interests in lands for agricultural purposes.

(e) As used in this section, the term "former owner" means the person from whom any land or interest in land was acquired by the United States; or if such person is deceased, his spouse, if living; or if such spouse is also deceased, his children.

SEC. 2. The Secretary of the Navy may delegate any authority conferred upon him by this Act to any officer or employee of the Department of the Navy. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

SEC. 3. Any proceeds from reconveyances made under this Act shall be covered into the Treasury as miscellaneous receipts.

SEC. 4. This Act shall terminate three years after the date of its enactment.

The statement presented by Mr. HRUSKA is as follows:

The Bureau of the Budget recently submitted its report on S. 1630 which I introduced earlier this session to amend the Federal Property and Administrative Services Act of 1949 to require the disposal of certain surplus land for use in the production of crops through the operation of family-type farms.

The objections of the Bureau outlined difficulties in the application of the bill to surplus Government lands generally. The Bureau suggested that the restrictions on the sale which are specified in the bill would tend to reduce the prices paid for such property and might preclude the use of the land for other, possibly more beneficial purposes.

These objections need further study. While the Senator from Nebraska is not prepared to concur in them, the ideas are welcomed as would be the views of all parties who are affected by or involved in the disposition of such land. It is hoped that hearings will be scheduled in the near future so that any proposed revisions or modifications of the bill, if found necessary or desirable, can be made at a sufficiently early date to insure prompt consideration of the bill next session.

The introduction of S. 1630 was motivated by the announced plans of the Navy Department to dispose of a large tract of rich agricultural land that now comprises the deactivated ammunition depot at Hastings, Nebr. Whatever may be the objections to the general bill, none would certainly apply in this situation.

The pending disposition of the Hastings depot land will affect numerous families and vital community relations dependent upon it. The need to take specific action is urgent. The local situation cannot wait upon the final disposition of the general bill. Therefore, on behalf of myself and my colleague Senator CURTIS, I am introducing at this time a bill restricted to the Hastings Depot only. Its provision is quite simple—those persons from whom the land or interest in land was acquired by the United States are permitted to repurchase land declared surplus which is suitable for agricultural purposes.

By this legislation we can be assured that former owners of family-sized farms who seek to reacquire their land for the purpose of tilling it for themselves will be afforded that opportunity in the Hasting Naval Depot situation.

It is my intention to request hearings on this bill early in 1960, upon convening of the 2d session of this 86th Congress.

TRIBUTE TO THE MINORITY LEADER

Mr. KUCHEL. Madam President, I desire to pay a tribute to the Republican leader of the Senate.

Mr. CLARK. Madam President, will the Senator yield?

Mr. KUCHEL. Not at this time. May I have order, Madam President?

The PRESIDING OFFICER. The Senator declines to yield. The Senate will be in order.

Mr. KUCHEL. Madam President, I have had the pleasure of knowing EVERETT DIRKSEN since 1952. I saw him at the Republican Convention which nominated Dwight Eisenhower as President, and my fellow Californian, RICHARD NIXON as Vice President. I listened to him—

Madam President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KUCHEL. I listened to him as so many others did across the country by television as he electrified the Republican Convention with his incisive oratory, and thereafter when he nominated his fellow citizen to be the Republican candidate for President of our country.

I came to the Senate by appointment in 1953, and I remember serving under the leadership of the late great Republican Senator from Ohio, Robert Taft, who was described by EVERETT DIRKSEN accurately as "Mr. Integrity." When fate took Bob Taft, he was replaced by my colleague from California, and I well remember the vigor and the courage with which my fellow Californian directed the destinies of this side of the aisle during the last years of his tenure here.

The 34 colleagues of our minority leader are grateful for the type of leadership which he has given to the cause of government as he has seen it, and to the advancement of those things for which the present Republican administration stands, and we are grateful, too, for the unstinting manner by which he has given of his time so lavishly as to make the lot of each of us here that much happier and that much more successful.

In that connection, Madam President, I wish likewise to pay tribute to the able senior Senator from New Hampshire [Mr. BRIDGES], the chairman of the Republican policy committee, and to the able senior Senator from Massachusetts [Mr. SALTONSTALL], the chairman of the Republican Senate conference.

If my fellow Republicans will permit me, I look across the aisle and pay tribute to my Democratic counterpart, MIKE MANSFIELD, of Montana, the majority whip, and to the majority leader of the Senate, LYNDON JOHNSON of Texas, whose fairness has been an underlying trait for all of us to know in our day-by-day labors; indeed, to all on the Democratic side, with whom we have sometimes agreed and with whom on other occasions we have disagreed, all of which has made the Senate a body to which I know I and the other Members have been most proud to belong in these days.

Madam President, we have listened to the modern Demosthenes who has led us. We have heard him tonight, as we have heard him on other occasions, with an eloquence that certainly is unchallenged in this Congress, but we also know EVERETT DIRKSEN as a "good guy" whose friendship every Member of the Senate, Republican and Democrat alike, cherish now and will cherish in all the days to come.

REPORT BY SENATOR JAVITS TO THE PEOPLE OF NEW YORK, 86TH CONGRESS, AUTUMN 1959

Mr. JAVITS. Madam President, it is my custom to issue a report to my constitutents at the end of the session. I make brief reports to them so that they may appear in such a fashion that they can be reproduced.

This is my final report on the 1st session of the 86th Congress; it is intended to keep citizens of our State informed of the activities of the Senate and my part in them.

PROSPECTS FOR PEACE AND FOREIGN AFFAIRS

At this writing, while new Communist aggression threatens in Asia, Soviet Premier Khrushchev is coming here and President Eisenhower, who extended the original invitation, will go to the U.S.S.R. It is hoped that through such an exchange of visits at least an open door may be maintained to some ultimate understandings with the Soviet. Understandings must be secured by effective controls and reciprocity; the alternative to such an effort to find a way to peaceful understandings may be a conflict which

would be Armageddon to both winner and loser and to the entire world. The President knows full well the Communists' efforts at subversion and enslavement of the world. He showed this clearly again shortly before the Khrushchev invitation was extended by signing the bill, of which I was a principal sponsor, for the observance of Captive Nations Week which declared our sympathy with the peoples enslaved by communism and our hope for their eventual freedom.

President Eisenhower will visit the Soviet Union and through that visit convey to the Soviet people—whom we are little able to reach otherwise—as Vice President NIXON has already done so effectively, the desire of the American people for peace, freedom, and justice. Premier Khrushchev, on his part, will be able to see for himself the power of this country, not only for war but for peace, and its determination to maintain freedom and international morality. Also, if he has any proposals to make to ease international tensions he will be able to make them.

I sponsored a resolution providing that treaties to which the United States is a party should, whenever possible, call for the settlement of legal disputes arising between them in the World Court; 37 colleagues joined in my resolution embodying the proposal for regional and world legal conferences for the purpose of promoting world law now being developed by the American Bar Association. I joined in the measure calling for a review of the U.N. Charter to strengthen the effectiveness of the United Nations.

Congress appropriated $3.2 billion for Mutual Security as against $4.7 billion authorized and $4.4 billion requested by the President. Of the amounts appropriated $1.3 billion is for military assistance, $695 million for defense support, $550 million for economic aid—Development Loan Fund—and $181.2 million for technical cooperation. Also included in the new Mutual Security Act is a provision establishing an Office of the Inspector General and Comptroller to review and audit our foreign aid programs to catch maladministration such as that alleged in the case of our foreign aid efforts in Vietnam now being looked into by the Senate Foreign Relations Committee.

Included in the Mutual Security appropriations measure was the amendment, of which I was a sponsor with the Senator from Oregon, Mr. MORSE, expressing the sense of the Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of access or rights otherwise available to U.S. citizens is repugnant to our principles and that this principle shall be applied by us in negotiations with foreign nations arising as a result of funds appropriated under the Mutual Security Act.

The 1959 Mutual Security Act includes my amendments for continued studies on how the private sector of the economy might best participate in our foreign policy and foreign aid programs and a study as to how other free nations, especially the industrialized nations, can cooperate materially with us in economic help to developing countries.

I introduced legislation to establish a World Development Corporation to stimulate free world economic growth by increasing materially the amount of private capital which flows from the United States and other industrialized nations into less developed areas of the non-Communist world. I also introduced a resolution favoring a corporate technical assistance program to make available from private sources additional high caliber U.S. technicians for work overseas in the developing nations.

Congress authorized U.S. participation in a $1 billion Inter-American Development Bank, with a U.S. subscription of $450 million, to finance by loans projects designed to raise living standards throughout the Western Hemisphere.

The United Arab Republic continues the illegal boycott of the cargoes to and from Israel moving through the Suez Canal. I have urged that the United States press for free transit in accordance with international law through the Suez Canal and that the International Bank, of which we are a major stockholder, withhold the requested loan to the United Arab Republic until U.N. guarantees are secured for such free passage.

The visit of Soviet Premier Khrushchev will afford an opportunity to press for discontinuance of nuclear tests and for disarmament on an effective basis under U.N. guarantees.

I introduced a resolution expressing the sense of the Senate that the people of all Ireland should have an opportunity to express their will for union by an election under U.N. auspices.

I joined in sponsorship of the bill calling for the establishment of a White Fleet of aid and mercy.

NATIONAL DEFENSE

National defense costs stand at $39,228,239,000, which is approximately half of the Nation's total budget and $19,961,000 less than the President's request. Of this amount $3,816,535,000 is for research and development. The appropriation contains sizable increases for Army modernization, antisubmarine warfare, ballistic missiles, and antiballistic missiles; increases the size of the Marine Corps, Army Reserve, and Army National Guard; provides a start on a new nuclear aircraft carrier; and increases the flexibility given the Secretary of Defense to speed up promising missile programs.

I fought for the President's request of $74,970,000 for civil defense on the basis that lack of preparation subjects this country to nuclear blackmail by the Communist regimes and endangers the lives of the some 50 million Americans who it is estimated might be fatalities in the event of nuclear attack. Although the Senate voted for a greater amount, due to House of Representatives insistence the final appropriations figure was $44,235,000.

I introduced a bill for the construction of civil defense shelters in conjunction with urban renewal projects.

The Congress continues to maintain its efforts to see that interservice rivalries do not impinge upon the modernization and efficiency of our Defense Establishment, but much yet remains to be done—recommendations for a one-uniform service are already before us.

New York's congressional delegation has joined in an effort to assure that our State receives its full, fair share of defense contracts, many of which have previously been lost to other States. I also sponsored legislation under which competitive bidding, rather than negotiated direct placement, would be a greater element in the placing of Government orders, in that way helping New York which, with its superior facilities, can fully compete if given the chance.

I sponsored the Retired Military Officers Defense Procurement Activities Act to establish stricter standards under which contractors may employ officers of the armed services immediately following their retirement or resignation for the purpose of engaging in sales and contract negotiations with the Federal Government.

BUDGET, THE ECONOMY, AND TAXES

The Federal budget, as finally enacted by the Congress is $73 billion (exclusive of $9 billion of obligational authority not appropriated for) which is $1.9 billion less than requested by the President; a deficit is thus anticipated. Federal expenditures due primarily to increased defense burdens and inadequate Federal receipts made it necessary, at the President's request, to increase the national debt limit by $5 billion to $388 billion.

There is a growing alertness to inflationary influences. The cost of living has risen to new highs and it now costs $1.25 to purchase what $1 bought 10 years ago.

The Government's financial situation requires continuing scrutiny of the budget to eliminate wasteful and unnecessary items, such as "pork barrel" spending and unrealistic farm price support programs. On the other hand, we need to be wise about our defense and security needs and the requirements of a developing economy and society. In keeping with this viewpoint I voted against the $1.2 billion "pork barrel" public works bill and to sustain the President's veto of it, against wasteful appropriations for the new Senate Office Building and increased farm price supports, also later vetoed by the President; while I supported what I feel to be the minimum necessary funds for housing, education, and health.

I have urged the issue of "Peace Bonds" by the Federal Government at rates of interest reasonably competitive with savings institutions so that an increased portion of our citizens can hold a growing share of the Federal debt. This has important anti-inflationary aspects. In this connection I supported the legislation enacted to increase E- and H-bonds from 3.26 percent to a maximum of 4.25 percent which still falls short of the President's request to lift interest ceilings completely.

Present corporate tax rates have been continued until June 30, 1960. The Senate voted to repeal the 10-percent transportation tax on persons but this was

finally modified to a reduction of 5 percent effective June 30, 1960. I also supported the Senate move to eliminate the 10 percent communications tax, but this was modified whereby the tax on local phone calls only will be eliminated effective June 30, 1960. I opposed the move to change the present partial tax credit on dividends which was not included in the final bill.

I supported the temporary 1 cent gasoline tax increase effective to June 30, 1961, to provide funds for the Federal highway program which program has been continued for 5 years. The bill also provides that part of the excise tax on new cars and car parts be diverted to the Highway Trust Fund and decreases the authorization for the program $2 billion annually to fit anticipated revenues.

LABOR

By a vote of 95 to 2, the Senate passed in final form the Labor-Management Reporting and Disclosure Act of 1959, now law, a modified version of the Kennedy-Erwin bill and the Landrum-Griffin bill which the Senate and House had respectively earlier approved. I supported the measure as it passed here.

The new law includes important provisions for protection of the individual union member and assures his rights in the conduct of union affairs, his freedom of speech and assembly, his right to protect his interests by going to court or before a Government body, guards him against arbitrary increases in dues and improper disciplinary action and protects him against violence and threats in the exercise of his rights within the union.

It also provides that union funds are trust funds and for reporting as to the use of those funds and penalties for their misuse. It regulates "trusteeships" of unions, provides for free, fair, and secret union elections, for the removal of dishonest union officers, and prohibits holding of union office by persons who have committed certain serious crimes or have been members of the Communist Party and also prohibits their acting as labor relations consultants. In addition, the act protects the vote in union representation elections of economic strikers; permits "prehire" collective bargaining in the construction industry; and goes a long way to fill the "no man's land" gap between the jurisdiction of State agencies and courts and the jurisdiction now exercised by the NLRB.

The new law imposes certain restrictions on picketing and secondary boycotts. It protects primary rights of unions in industrial disputes, rights of free speech of unions relating to nonunion goods and preserves the traditional union-recognition relationship in the garment and apparel trades, so important to New York.

The Labor Subcommittee reported to the Senate Committee on Labor and Public Welfare, of which I am a member, legislation extending the Federal law setting minimum pay and maximum hours of work to cover some 10 million additional workers. The minimum for the 24 million workers currently covered would rise to $1.25 an hour over a 2-year period. For many workers who would be brought under the law, the minimum would advance gradually to $1.25 over a 4-year period. The 2,700,000 employed in retail and service establishments doing a business of less than $750,000 a year would not be covered by Federal law overtime provisions, but about 3,800,000 employees in larger retail and service firms would be brought under the $1 minimum immediately and made eligible for overtime pay after 46 hours. Their minimum hourly rate would go to $1.10 in the second year, to $1.20 in the third, and $1.25 in the fourth.

Such an increase would not, I believe, add to inflation as contended by some but would rather make more realistic the basic wage pattern. In terms of New York, it should help us in the tough competition with other States.

In the steel strike, I urged that positive action be taken to avert the national emergency which could so severely affect national employment and production levels, and that a Presidential fact-finding committee be appointed similar to the one which functioned successfully in the 1949 steel strike, rather than to invoke an 80-day Taft-Hartley injunction which seemed inevitable. I joined with Senator AIKEN in calling for the facts to be revealed by Secretary of Labor Mitchell. The facts showed that some "give" on both sides was feasible and need not result in a price increase. We could not afford to allow our economy to face paralysis because the parties cannot agree by collective bargaining.

AGRICULTURE

Our farm problem continues to be one of contradictions with heavy Government supports and costs in a time of surplus and plenty. Already we have some $8.6 billion worth of surplus crops in storage costing over $631 million annually in storage and other costs. The bill for farm price supports for this fiscal year is estimated at $2.8 billion, some 4 percent of our national budget.

I opposed the wheat bill, later vetoed, which would have raised price supports from 75 percent to 90 percent of parity in return for a 25-percent reduction in acreage. I supported limiting price supports on wheat to any one individual to $35,000 annually to reduce excessive payments.

Congress extended for 2 years the Agricultural Trade Development and Assistance Act—Public Law 480—providing additional authorization of $1.5 billion per year for sales of surplus farm commodities to friendly foreign countries for local currencies and $300 million per year for foreign relief donations. It also authorizes the Secretary of Agriculture to establish food stamp programs, to fortify, with surplus foods, the diets of those on welfare, authorizing $250 million for such programs. I supported the "food for peace" proposal for grants of surplus farm commodities to establish national food reserves in underdeveloped countries, which was unfortunately defeated.

The egg and poultry crisis has somewhat abated but means must still be found to minimize such occurrences in the future.

SMALL BUSINESS AND CONSUMERS

As a member of the Senate Small Business Committee, I participated in extensive hearings and the recommendations for helping with the problems of businesses engaged in interstate commerce which are taxed by the various individual States where they take orders. Legislation was enacted providing that States may not tax income derived within a State from interstate commerce if the only business activities within the State by the company are the solicitation of orders; it also provides that the House Judiciary and the Senate Finance Committees study all matters pertaining to interstate taxation of business and report by July 1, 1962, recommending uniform standards to be observed by the States.

Through continuing studies and hearings by the Small Business Committee, efforts continue to assure that small business receives an equitable share of Government contracts.

I joined in sponsoring legislation to give assistance under the Small Business Act to businesses displaced by urban renewal activities. I also introduced the Small Business Trade Adjustment Act to assist small businesses and their employees adversely affected by our foreign trade export and import policy.

I submitted testimony in support of the Self-employed Individuals Retirement Act (H.R. 10), known as the Simpson-Keogh bill. I have long been in favor of the basic principle of encouraging pension plans for self-employed individuals who have no opportunities for retirement funds and pension plans such as union and other employed workers often attain.

Seven colleagues joined me in introducing a bill establishing a Senate Select Committee on Consumers to study and investigate economic problems of direct concern to consumers, determine the effectiveness of existing Federal agencies in dealing with consumer problems and recommend what additional legislation might be needed to advance consumer interests generally. Just as the needs and problems of small business were recognized by the establishment of the Senate Select Committee on Small Business, a similar approach is inherent in my proposal for a Senate Select Committee on Consumers.

I protested the Agricultural Department's plans to discontinue grading of lamb and mutton on the grounds that consumers have come to rely upon such Government quality grading in their purchases; the proposed discontinuance has since been withdrawn.

HOUSING

After two previous tries which met with vetoes, the Congress passed a housing bill which the President signed. Major provisions of the bill are extension of FHA's mortgage insurance authority, $650 million for urban renewal (slum clearance) so important to New York's cities, $250 million of loans for college housing, $50 million of loans for housing for the elderly (a new program), and $25 million special assistance to cooperative housing.

Included was a section I sponsored requiring urban renewal developers who clear and build on Title I sites to make public disclosure of information about all interested with the developer, rents

and sales costs of proposed housing and other financial details before they can participate in the program. In addition, the bill contained another provision making Title I sites available for Federal, State, and city low-rent and middle income housing, so families whose housing is being demolished will have a better chance for new housing in the area which they can afford.

I do not consider a national effort in the fields of housing and urban renewal to be inflationary as some suggest; rather, it is anti-inflationary because it creates increased values, increased income and increased tax revenues for the future far above the original costs.

EDUCATION AND HEALTH

The Senate Committee on Labor and Public Welfare, of which I am a member, reported an emergency 2-year program of Federal financial assistance to school construction in the States at $500 million annually on a matching basis. While I supported this bill in committee in order to bring a Federal education aid bill to the Senate floor, I have sponsored with Senator COOPER an alternative measure I believe capable of enactment into law. The committee bill provides for grants to match State appropriations, is confined to school construction and is estimated to be able to produce 50,000 classrooms. The alternate bill provides for a 4-year program of school construction tied to floatation of school bonds and having as its principal feature a specific incentive, for the first time in a school construction bill, for the States to raise teachers' salaries. It has the added advantage of spreading expenditures over a long term, thereby minimizing the budgetary effect while permitting an estimated 100,000 classrooms to be built under it. Special provision is made for school districts currently at their debt limit and unable to issue bonds.

I joined in sponsoring legislation for Federal college tuition loan guarantees up to $1,000 annually for deserving students.

I supported continued appropriations for major research in cancer and heart and cardiovascular diseases, the principal causes of death in the United States and in rheumatism, mental health, diseases of the nervous system, and other afflictions which beset our people. Congress extended the public health and nurse traineeship programs for 5 years.

JUVENILE DELINQUENCY

The Juvenile Delinquency Subcommittee, of which I am a member, held hearings on the grave problem of juvenile delinquency and reported a bill, the Juvenile Delinquency Act of 1959, providing a 5-year program for demonstration projects and study, technical assistance services to the States, and establishing a National Advisory Council for Juvenile Delinquency and authorizing annual expenditures of $5 million. The bill at least gets the authority and personnel of the Federal Government to some extent into the fight against juvenile delinquency. I had introduced a bill doing what the committee bill fails to do—give aid on a sharing basis to State, municipal, and voluntary organization efforts to prevent and correct juvenile delinquency, help with the training of needed personnel, and also provide for the research and pilot plant projects dealt with in the committee bill. Nevertheless the bill pending on the Senate Calendar is an important first step on the part of the Federal Government in meeting the Nation's grave juvenile delinquency problems.

I joined in sponsoring the "health for peace" program of international medical research which passed the Senate.

CIVIL RIGHTS AND CIVIL LIBERTIES

During the closing hours of the session, Congress extended the authority of the Civil Rights Commission for 2 years. We were able to secure a pledge that substantive civil rights measures would be scheduled for consideration early next year. This has the advantage of allowing full time for passage of this needed legislation rather than subjecting its consideration to the pressures of the concluding days of a congressional session and the danger that a filibuster could be effective in blocking it. Unfortunately efforts to obtain this year the enactment of other necessary civil rights measures had to be deferred. These include anti-hate-bombing legislation, assistance to localities to meet the technical and financial problems of public school desegregation and provisions to permit the Justice Department to take the initiative in local Federal courts in protecting the constitutional rights of individuals—Part III eliminated from the 1957 act.

I introduced legislation to carry out recommendations of the Civil Rights Commission including the establishment of Federal voting registrars and also introduced bills against lynching, outlawing the poll tax, against discrimination in employment and in interstate transportation and connected facilities, to protect uniformed members of the Armed Forces against racially inspired bodily attack, and other measures to strengthen the civil rights statutes.

Civil rights is not confined to cases susceptible of being helped by law. I entered vigorous protests in the case of discrimination against Negroes in clubs and racial discrimination in the "40 and 8," the veterans' organization affiliated with the American Legion. I am very gratified that the new national commander of the Legion, a fellow New Yorker, Martin McKneally, is looking into it promptly.

I continue to oppose legislation restricting the power of the Supreme Court to protect individual civil liberties or block its jurisdiction to declare laws unconstitutional.

At session's end there was pending on the Senate calendar a constitutional amendment for equal rights for women. The Senate passed a bill authorizing Federal courts to provide public defenders for indigent defendants in criminal cases; this measure is now pending in the House. I supported home rule for the voteless District of Columbia which passed the Senate but remains bottled up in the House.

IMMIGRATION

During the closing days of the session, legislation was enacted improving the quota immigrant status of unmarried sons or daughters, over 21 years old, of U.S. citizens, by moving them from fourth to second preference, placing unmarried sons and daughters over 21 years of age of lawfully resident aliens in the third preference category and increasing the permissive maximum utilization of immigrant visas available under each immigration quota for the use of fourth preference immigrants from 25 to 50 percent. While this falls far short of the changes needed to our immigration statute, it is nevertheless a step to meet immigration needs.

The alien orphan adoption program, the initiation with which I have been so closely connected, was extended to June 30, 1960, with a provision requiring the Attorney General to investigate the suitability of adoptive parents so as to eliminate black marketing and misrepresentation. The Congress will have an opportunity to rework the law next year.

I introduced a World Refugee Year immigration bill to modernize the Immigration and Nationality Act and to make provision for the admission annually of about 60,000 refugee-escapees fleeing racial, religious, or political persecution by Communists or others opposed to the free world; 40,000 refugees specially were to be admitted over a 2-year period beginning July 1, 1959, the date marking the official start of World Refugee Year. The bill would give the President authority to admit a maximum of 60,000 refugee-escapees per year on parole in event of an emergency situation; they would be eligible to apply for permanent residence 2 years after entry. The bill would eliminate various procedural injustices in administration of the present law, speed up admission of immigrants related to U.S. citizens and thus eligible to apply under the fourth preference category, and provide for issuance of a total of 5,000 special nonquota immigrant visas under the refugee-escapee section to unresettled, so-called "hard-core", cases.

At my request, the first comprehensive Senate hearing on immigration in 3 years was held on this and other immigration bills, but action this year has been limited to the measures described at the beginning of this section. Unfortunately, there continues to be imposed a "gag rule" on immigration legislation whereby only limited improvements are the price of any immigration legislation at all. I shall continue to fight for just immigration laws—1960 may be a better year.

POST OFFICE AND CIVIL SERVICE

Congress enacted the Federal Employees Health Benefit Act of 1959, extending to some 2 million civilian employees a health insurance program under which the Federal Government would pay half of the subscription charges for the individuals and their families for health insurance plans up to a maximum of $4.25 biweekly for an employee with a family. I worked both for this bill and for the inclusion of retired employees in the plan; separate legislation, however,

has been necessary for retired employees, in which I have joined. Hearings have been completed on this bill in the Senate and action is looked to next year.

VETERANS

Congress enacted the Veterans Pension Act of 1959, making a major change in the pension program for veterans with non-service-connected disabilities and for their widows and children. The new law provides a sliding scale of improved pensions based on income and dependency status, for the first time gives widows of World War II and Korean war veterans equal consideration with widows of previous wars and eliminates certain loopholes. This measure, approved by both the administration and the major veterans organizations, is designed to reduce costs over the long period and while the law is not all we might have wished, it does make many necessary improvements in the pension system. It is anticipated that further adjusting legislation will be considered here. The amendment adopted by the Senate, of which I was a cosponsor, to give World War II veterans an additional year to apply for National Service Life Insurance failed of final passage; efforts will be made next year to enact it.

After modifications to lessen the cost burden and to rationalize the difference between war and nonwar service were adopted, I supported legislation to give post-Korean veterans, for the period of the draft, GI bill benefits similar to, but somewhat less than, those accorded World War II and Korean veterans. This bill is now pending in the House.

The subcommittee of the Senate Rules Committee favorably reported the bill, of which I am a cosponsor, establishing in the Senate a Veterans Committee parallel to the one in the House.

MATTERS OF SPECIAL INTEREST TO NEW YORK STATE

The close cooperation with my New York colleague, Senator KENNETH KEATING, has been most gratifying to both of us and I believe most beneficial for our representation of the State in the Senate.

Together with the New York congressional delegation I have been working for our State to get its full share of defense and other Government contracts, especially in areas with special employment problems like Schenectady, Rome, Buffalo, and certain areas on Long Island.

I introduced legislation to bring a 1964 world's fair to New York City and shall do my best to help it to be successful.

The Senate passed my bill granting consent of Congress to an interstate compact for the creation of the New York-New Jersey Transportation Agency to develop and execute an interim plan for the coordinated and integrated use of existing transit facilities as well as to prepare a long-range plan for a more permanent resolution of the critical trans-Hudson commutation problem; I am working in cooperation with Governor Rockefeller to help solve New York's vast commuter problems.

Congress enacted legislation providing for the deepening of the St. Lawrence Seaway and Moriches Inlet in Long Island.

In accordance with an amendment I sponsored, additional help is being given the Hudson-Champlain celebration. Judges for the New York and Buffalo area Federal courts were confirmed by the Senate and should be very helpful in expediting congested court calendars in these courts. The prospects for an additional four judges for two Federal courts in the New York area seem promising.

The Senate referred for further consideration by the Committee on Foreign Relations legislation which would divert for use by Chicago the waters of the Great Lakes in a manner detrimental to hydropower needs of New York. I joined actively in this fight.

MISCELLANEOUS

My bills modernizing the statutes on the importation of modern art and art objects and extending the validity of the passport from 2 to 3 years were enacted.

I introduced legislation to allow contributions to UNICEF the same tax consideration as extended other charitable contributions, and a bill for erection of a memorial to Theodore Roosevelt on the island donated to the Government by his admirers. Congress approved legislation providing a memorial in Washington to Franklin D. Roosevelt.

The Senate passed a water pollution measure authorizing Federal grants to $800 million over 10 years to help communities build sewage plants.

I sponsored a measure providing that the Governor of the Virgin Islands must be a resident of that territory for at least 3 years prior to his appointment, as a first step toward eventual self-rule.

A Subcommittee on Aging held hearings on the problems of our older citizens, including my bills against age discrimination in employment. Hearings have also been held on my bill to establish in Washington a statute against age discrimination in employment.

I opposed the measure which passed the Senate establishing a Youth Conservation Corps in that I believed it to be precluded from being effective in a juvenile delinquency program which would be its primary justification now.

CONCLUSION

Increasingly the citizens of our State write and call to express their views on matters of national interest and on their problems with Federal Government agencies. These communications are an essential part of my work here and help greatly; in addition, to be concerned with the citizens' problems with the Federal Government is part of my duty. I very much hope you will continue to communicate with me in this way.

TRIBUTE TO SENATOR KEATING

Mr. JAVITS. Madam President, I wish to pay a tribute to the close cooperation which I have enjoyed from my new colleague, Senator KENNETH KEATING, which has been very gratifying to me, and I trust very gratifying to him.

Mr. KEATING. I thank my colleague.

KHRUSHCHEV'S RUSSIA

Mr. JAVITS. Madam President, recently I introduced into the RECORD a series of articles by Harrison E. Salisbury, entitled "Khrushchev's Russia," relating to developments of life and living in the Soviet Union, how they pose a challenge to the United States, and an appraisal of Khrushchev's Russia.

I inserted the first five articles from the New York Times. I now submit the last two articles, No. 6, entitled "Standard of Living Found To Be Rising, but U.S. Levels Do Not Seem in Sight," and No. 7, "Premier Tries a Pragmatic Approach Toward Soviet Arts and Literature."

I ask unanimous consent that they be inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

KHRUSHCHEV'S RUSSIA, 6—STANDARD OF LIVING FOUND TO BE RISING, BUT U.S. LEVELS DO NOT SEEM IN SIGHT

(Following is the sixth of eight articles on the Soviet Union under Khrushchev by a correspondent who had extended tours of duty in Stalinist and post-Stalinist Russia and recently spent 4 months in the Soviet Union.)

(By Harrison E. Salisbury)

Nikita S. Khrushchev's first close sight of the United States as his plane begins to let down for landing almost certainly will be, if the day is clear, a glimpse of the great eastern highway network along the Atlantic Coast.

For the first time Mr. Khrushchev will see the cloverleafs, the multilevel bridges, and the grade separations that link the communities of the eastern seaboard into an almost continuous urbanized area.

Across the autumn landscape in modernistic symmetry he will observe the sprawling Levittowns and the prototypes of the Levittowns.

A FORCEFUL IMPRESSION

Nothing that Mr. Krushchev sees in his fortnight's visit is likely to strike him more forcefully than this first vision of the U.S. automotive civilization. And nothing is likely to stimulate Mr. Khrushchev's inquisitive and impressionable mind more deeply.

Mr. Khrushchev has made a promise to the Soviet people. He has promised to give them a living standard comparable to that of the United States in the near future.

Next to his commitment to keep the Soviet people out of war, there is no obligation that is more important to him and his people than the pledge to give them an American standard of comfort.

For generations the Soviet people have lived on promises. Now, for the first time they see hope that the promises will be redeemed.

Mr. Khrushchev has an even broader stake. "What I mean by peaceful competition," he tells U.S. visitors, "is that we will beat you at your own game. We will outproduce you on consumer goods. We will give our people a better life than yours. When the workers of the world see how well Soviet people live under communism, it will require no argument and it will take no force. They will just naturally come over to our side."

CHANCES OF SUCCESS

What are Mr. Khrushchev's chances of accomplishing this aim?

Not very good. When Mr. Khrushchev looks out of the airplane window and catches his first sight of the United States, even so confirmed an optimist as he is bound to realize that he has got into a tougher ball game than he imagined.

It is not merely the cloverleafs and the Levittowns that Mr. Khrushchev will see when he gets his first glimpse of the United States. His imagination can show him what lies behind them—the steel plants, the chemical works, the technology, the organization, and the communications that have created the world's highest standard of living.

This does not mean that the Soviet standard of living has not risen materially under Mr. Khrushchev. It does not mean that it is not going to rise a great deal more.

IMPROVEMENTS NOTED

A visitor returning to the Soviet Union after 5 years' absence is struck by the depth and breadth of the improvement.

He arrives on a new Soviet jet liner. The caviar and cutlets may not be served with the same style as the fois gras and champagne on Air France, but the speed is tops, the seats are relaxing, the stewardess is pleasant, and safety belts (in contrast to a previous era) are compulsory.

And Moscow has its dramatic surprises. In the last 5 years a vast southwestern residential section has been erected, housing perhaps 200,000 people in 8- and 10-story apartment buildings.

The traffic is another surprise. Moscow has the makings of a first-class traffic problem. Even on Moscow's broad thoroughfares there are now enough passenger cars and more than enough trucks to give the police plenty of headaches.

APARTMENTS CONTRASTED

The new apartments are not large but they are well planned. They have individual kitchens and bathrooms. Most tenants install small electric refrigerators. Compared with a Moscow communal apartment used by eight families, one to a room, with a joint kitchen and toilet, the new units seem to be heaven.

Some foreigners miss the point of the new housing. They make jokes about the nets put up around many new buildings to catch the ornamental tile that keeps dropping off. Or they tell about a big new building for diplomats that had to be evacuated a few weeks ago because it had cracked right down the middle. Authorities were afraid it would collapse at any moment.

This is not important to Muscovites. It makes no difference to them whether it is true, as foreigners say, that Mr. Khrushchev is building the slums of 1970.

Muscovites may smile a little skeptically when Mr. Khrushchev proclaims that Russians are building for their children and grandchildren instead of for the next 20 years (as Americans are said to do). And a little racket has even sprung up as bribes are paid for occupancy of miserable basement rooms because residents of such quarters are given priority for new apartments.

What is important to the people of Moscow is that for the first time they see a chance for a place to call their own, a place where they can have a little privacy, a place where they can go to the kitchen or the bathroom without a squabble with the neighbors.

The same might be said of other tokens of the better life that Mr. Khrushchev has provided.

The increased traffic in Moscow's streets pleases the ordinary Russian. He is not concerned that peasant transients in Moscow, unused to heavy traffic, have given Moscow one of the highest street casualty rates in the world.

The Russian is pleased that Moscow has new restaurants and that the service, the linen, and the food are better than he has known it.

MORE VARIETY IN FOODS

His wife may not buy the ready-mix cake flour at the self-service stores that have been set up in the new housing blocks. But she likes the variety of vegetables and the Chinese canned fruits that have become available.

In smaller towns and villages, life is also better. People have more money in their pockets. They go more often to Moscow to shop at the GUM department store.

The little crossroads store has more goods, too. It does not have as much merchandise as the old cracker-barrel New England store but more than the village store of 10 years ago.

Bicycles are no longer rare among children. Every new mother has a fancy metal baby carriage. Some young men have motorbikes.

This is good living for Russia and Mr. Khrushchev's plans call for better living in the future. He is doing everything possible to stimulate food production. He has set as his goal the task of equaling the United States in per capita production of meat, milk, and butter by 1965.

He may come closer to fulfilling this pledge than such skeptics of his program as Vyacheslav M. Molotov and Georgi M. Malenkov thought possible.

ADVANCES IN SIBERIA

Beyond this he is laying the foundations for another great leap forward, based on a welding of science, hydroelectric power, and technology.

Siberia is the key to this program. The archstones of the structure are now being laid in Novosibirsk and in Irkutsk.

In each case the pattern is the same: a great new "science city" with housing for scientists close to their research centers and universities. Linked to these are huge hydroelectric developments on the Ob and Angara Rivers. From this wedding of science and power will come great new industries.

The new industrial-scientific centers are designed to give Soviet industry the momentum to lift its productivity to a rate that will enable Mr. Khrushchev to make good on his pledge to overtake the United States.

In the Siberian cities you hear the roar of the jet exhausts all day long. These are the TU–104 transports that have brought Siberia to European Russia's doorstep and tied the Soviet Union together so closely that distance no longer means isolation and provincialism.

MORE PROGRESS PREDICTED

There is every indication from the progress of the last 5 years and the improvement planned for the next 5 or 10 years that life in the Soviet Union is going to be better than Russians have ever known before.

But there is nothing in present achievements nor in the plans on the drawing board that suggests a Soviet life even approximating the U.S. standard.

Take one key fact. The United States is living in the automotive age. Schools, homes, jobs, amusements, recreation, even churches, are geared to the private car.

Does Mr. Khrushchev plan to match this way of life? Not in his lifetime.

Moscow has a traffic jam. Moscow has such a high accident rate, in spite of stiff driver tests and a large police force, that pedestrian underpasses are being built to get the throngs out of the way of traffic.

CAR OUTPUT COMPARED

But the Soviet Union produces only 100,000 cars a year, of which 50,000 are for sale to the public. The United States, by contrast, makes 5 million cars a year. There are a dozen or so gasoline stations in Moscow for private motorists. The first Soviet motel opened this year.

In the last 2 or 3 years the Soviet highway network has been slightly extended. There are modest highways, mainly blacktop, on the Brest-Moscow, Leningrad-Moscow, Moscow-Kharkov-Crimea, Moscow-Gorky and a few other routes.

But the Soviet Union has yet to invent the cloverleaf. It has no grade-separated or limited-access roadways.

The Soviet Union is not in the motor age. Nor is there any project in the State planning committee for bringing it into the motor age.

This may be good or it may be bad. Many people may prefer not to live in a motor age. But if the Soviet Union is going to compete with the United States it must be expected to match or exceed United States achievements in all fields.

"Of course our newspapers like to play up the bad things in your way of life," a young Russian said.

"The fact is we are shocked at your slums. We are shocked at unemployment in America, even if it is small. The reason we are shocked is that we know you have the highest standard of living in the world. We know you produce so much it would be easy for you to abolish slums and abolish poverty. So it is hard for us to understand why you let these evils persist."

The automobile and the productivity of the United States industrial system have created in the United States a new pattern of social organization—the suburban existence.

How close is the Soviet Union to matching this attainment?

The best measure is go out to the Moscow equivalent of Darien, Conn.

The village of Saltykovka is about 35 minutes on the electric commuter train or a 40-minute drive from Moscow.

Saltykovka once was a peasant village on the estate of a rich Moscow merchant family. In the late 19th century it had become a Moscow summer resort. Today most of the summer cottages are occupied year around. The village has a population of 7,000 or 8,000. Perhaps a third of the adults commute to work in Moscow. The others are peasants, artisans who work in small village shops, or workers in the textile factories of Balashikha, a nearby town.

How does Saltykovka compare with Darien? The houses of Saltykovka are small wooden cottages, usually with three small rooms downstairs and one upstairs. They are heated by old-fashioned Russian stoves of the Dutch-oven type. Not one in a hundred has a telephone. None has indoor toilets or running water. Water is brought from community wells, often a distance of 200 or 300 feet.

There are no stone terraces, no swimming pools, no outdoor cooking facilities and no tennis courts in Saltykovka. There is a muddy little creek that has been dammed to provide a muddy little lake for bathing in summer.

There is no supermarket in Saltykovka. But there is a fine peasant market where farmers for miles around bring their potatoes, onions, cabbage, carrots, sunflower seed, and tomatoes to sell.

Peasant women bring in fresh milk, cottage cheese, and sour cream. On Sundays, small boys with dogs to sell and women with geese and chickens and men with hares and rabbits are to be found at the market.

Only one road in Saltykovka is surfaced. This is the old Ryazan Highway. Five years ago it was cobbled but two men were tarring its surface. This task has now been completed, except for a couple of stretches near the pond.

If anyone commutes between Saltykovka and Moscow by automobile, this fact has escaped the notice of the local residents. More people have cars now than 5 years ago, but commuters ride the railroad.

VODKA NO LONGER SOLD

In the last 5 years there have been some changes in Saltykovka. A few more people have built houses there, usually with their own hands and the help of a neighbor carpenter. There is a new school building. The drygoods store now handles phonographs and records.

The village restaurant no longer sells vodka, but it does a brisk business in beer. The old woman who used to sell ikons and religious books from a gunny sack under her ample skirts at the market is dead. She has been replaced by another who sells brass samovars.

Most of the bathers at the little pond now have store-bought bathing suits. The black brassiere and panty combinations of previous years are seldom seen.

The biggest change is in the truck gardens. Almost every square foot is under cultivation. Five years ago potatoes were the No. 1 crop. They still are. But most residents have put in apple and cherry and plum trees. They have strawberry patches, plantings of cucumbers and tomatoes, carrots, cabbage, turnips. Some have raspberries. A few are trying to raise melons in the short Moscow season.

The truck garden, of course, is a great attraction of suburban life in the Soviet Union. It cuts sharply into food costs and provides supplemental income.

SUBURBAN LIFE SOUGHT

The people of Saltykovka are leading a good, pleasant life, especially by Soviet standards. They work in the city. At night they take the fast clean electric train. Most of them walk from the station, 20 minutes or half an hour. Once home, they can latch the gate and enjoy a rare sense of possession and privacy.

But Saltykovka is just about as far from Darien as 1880 is from 1959. The automobile is only incidental in the life of Saltykovka. Most homes have electricity, but the light from the low-wattage bulbs is not much greater than that from a candle or a kerosene stove.

Yet, if you asked a hundred Muscovites whether they would like a year-around home in Saltykovka, at least 95 would jump at the chance.

When the TU–104 airliner circles over Moscow on a bright summer afternoon the spectacle is impressive. There is the great spire and spreading buildings of Moscow State University. There are the seven other Moscow skyscrapers with their wedding-cake towers rising high over the old Moscow side streets, with their tumbledown houses and courtyards.

ASPECT IS CHANGING

There are the silver serpentine of the Moskva River, doubling through the city, and the pink and golden jumble of the Kremlin buildings. You can see traffic moving on the wide streets and the great new housing developments near the university and along the Leningrad highway.

Moscow is beginning to lose the aspect of a peasant capital that so long distinguished it from the imperial capital of St. Petersburg.

But when you observe the city from the air, you see how close the pine forests approach to the edge of the city. The character of the landscape changes abruptly from urban to the enduring and unchanging Russian countryside. Suburbia does not exist. There is no cavalcade of cars linking city and country each morning and each evening.

KHRUSHCHEV'S RUSSIA, 7—PREMIER TRIES A PRAGMATIC APPROACH TOWARD SOVIET ARTS AND LITERATURE

(Following is the seventh of eight articles on the Soviet Union under Nikita S. Khrushchev by a correspondent who had extended tours of duty in Stalin's Russia and recently returned from a 4-month assignment in the Soviet.)

(By Harrison E. Salisbury)

Some people in Moscow are convinced that there was a plot last autumn in which a group of writers and editors allied themselves with powerful Communist Party forces in an attempt to turn the ideological clock back to Stalin.

This, it is said, was an underlying reason for the savagery with which Boris Pasternak, Nobel Prize winner, and his novel "Doctor Zhivago" were attacked.

In the end Nikita S. Khrushchev turned against the cabal and repudiated the Stalinist implications of the literary-political intrigue and a new era of toleration in creative matters was decreed.

The Pasternak affair and its ramifications illustrate the dilemma of the Khrushchev regime in dealing with the intellectual. Mr. Khrushchev is deeply committed to greater creative freedoms. But Soviet writers, artists, musicians, and poets move faster than the Communist Party is prepared to go.

The ideological difficulties have been most severe in the realm of the printed word. In some artistic fields a quiet revolution has occurred with the aid and encouragement of Mr. Khrushchev. This is notably the case in architecture. Music is not far behind. Painting and sculpture are rapidly moving toward more modern Western concepts. Ballet stands on the threshold of new experimentation.

Only occasional echoes of the battles on the artistic front are heard in the West because the Soviet censorship often refuses to pass dispatches that touch on vital aspects of the controversies.

For example, the censors consistently eliminated all references to the fact that Mr. Khrushchev had sober second thoughts about the Pasternak case. The censorship also suppressed any reference to a collateral literary controversy—that over the tragic ending Mikhail A. Sholokhov gave to the thus far unpublished sequel to his Don country novel "The Virgin Soil Upturned."

It seems apparent that Mr. Sholokhov's novel is now going to be published after a year's delay, and in a form presumably satisfactory not only to Mr. Sholokhov but to Mr. Khrushchev.

There are many people in Moscow who are convinced that "Doctor Zhivago" will also be published eventually in the Soviet Union, possibly 2 years hence with some slight excisions. This turn of events has followed a reevaluation by Mr. Khrushchev himself.

ZHIVAGO RECONSIDERED

The Soviet Premier sat on the platform last October and listened impassively when Vladimir Y. Semichastny, then head of the Young Communists, denounced Mr. Pasternak and demanded that the writer be driven from the country.

But Mr. Khrushchev is a shrewd man. He had not then read "Doctor Zhivago." He still has not. But as tidal waves of world reaction arose about the Pasternak case he began to wonder. Was the book as bad as it was painted? Did it really justify such a loss of face, a propaganda defeat of global dimension?

Mr. Khrushchev turned to a trusted aid—Aleksei I. Adzhubei, his son-in-law and then editor of the newspaper Komsomolskaya Pravda. He asked Mr. Adzhubei to read "Doctor Zhivago" and give him a report.

Mr. Adzhubei read the book. He reported, or so Moscow believes, along these lines:

It is true that the book adopts a negative attitude toward the Bolshevik Revolution and, in general, toward Communist society. However, these attitudes are those of the book's hero and are consistent with his character and the plot of the book.

KHRUSHCHEV TAKES STEPS

It is not a book that would cause a good young Communist to toss his cap in the air. But it is not a book that would touch off counterrevolution. Mr. Adzhubei's verdict: the book could well have been published with the deletion of, perhaps, 300 or 400 words.

Mr. Khrushchev exploded. The Pasternak furor, he became convinced, was unnecessary, stupid and damaging to the Soviet state. It had its source, he concluded, in a struggle for power within literary circles in Moscow and ideological circles in the Government.

According to the version current in Moscow, Mr. Khrushchev did what he could to repair the damage and make certain that the Pasternak case would not be repeated. He removed Mr. Semichastny from direction of the Young Communist League. The secretary of the writers' union and the editor of the newspaper Literaturnaya Gazeta were dismissed. Reprimands were widely distributed.

ORDERS TO PASTERNAK

When the writers union convened, Mr. Khrushchev went before the meeting and laid down the new line. The essence of it was: no more feuds. It is time, he said, to let the angels of reconciliation descend on the battlefield.

A formula was reached to liquidate the worst consequences of the Pasternak case. There were to be no more attacks and no more public discussion of the case. Mr. Pasternak was to be on his good behavior and to discourage the pilgrimage of foreign visitors to his country home at Peredelkino.

After a decent interlude Mr. Pasternak would write a simple letter to the writers' union, expressing regret at the storm raised over "Doctor Zhivago" and disassociating himself from it. He would ask readmittance to the union. This would be quietly granted. There would be no publicity—or a minimum of publicity.

The first evidence that Mr. Pasternak was returning to a normal place in Moscow's artistic life was his appearance Friday at the final concert of the New York Philharmonic in Moscow. He appeared on the invitation of Leonard Bernstein, conductor of the orchestra.

STRUGGLE IS FUNDAMENTAL

The literary struggle exemplified by the Pasternak case is a fundamental one for creative freedom. Young Soviet writers and poets tend to follow the path trod, for instance, by young Polish poets and writers. The Russians want to write about their country and their life as they experience it.

They are tired of being cut off from the main stream of world literary trends. More and more they are reading, in the original or in unofficial mimeographed translations, the works of avant-garde writers of the West.

They have read such realistic contemporary novelists as Marek Hlasko of Poland. They are interested in the postexistentialist movement in France. They know the name of Jack Kerouac and have heard of the rise of the "beat generation" literature in the United States.

Some of the younger writers, such as Yevgeni Yevtushenko, a talented poet, attract small circles of writers who wish to experiment with new forms and new ideas and write poems and short stories that no Soviet publication would dare to print.

Today such activity, while not encouraged, is not interfered with.

Last autumn there was real cause for alarm. The hue and cry over Mr. Pasternak was linked with what some Muscovities believe was a political conspiracy. A central role in the conspiracy was played by a novel called "The Yershov Brothers" written by Valentin Kochetov, then editor of Literaturnaya Gazeta and a leader of the anti-Pasternak forces.

The "Yershov" book was a literary tract. Its theme was that "revisionist" writers who were breaking with the old party line were agents of Western imperialism and traitors to the Soviet state. It suggested that the real aim of the writers was to carry out a revolution in the Soviet Union.

Loyal workers in the industrial proletariat, said the book must rise in defense of the revolution and smash the plot of the intellectuals. The book warned that no intellectual could be trusted and that all were suspect.

PERSONALITIES CITED

The book mentioned many actual personalities in Moscow.

Some Moscow observers believe this was part of a deliberate attempt to turn the Soviet Union back to the Stalinist line, to raise anew the threat of terror and the threat of fear and to divide workers from the intelligentsia.

The attempt had backing within the central committee and the party's presidium. Who the backers were and what their motivations were, it is not possible to say precisely.

In any event the plot failed. Mr. Khrushchev sensed what was going on. He reversed the field on the Pasternak case. He repudiated the Yershov line. When the book appeared in the form of a play recently its entire political content had vanished.

Mr. Khrushchev's taste is not avant-garde. But he has not set his face against experimentation and modernism. He is willing to go along with the forces striving for greater creative liberty, provided the pace is not too fast. This means that it is still a case of two steps forward and one step back.

A PRAGMATIC APPROACH

The fact is that Mr. Khrushchev's approach to literary matters is almost as pragmatic as it is to questions such as substituting corn for wheat or introducing silage trenches in place of costly silos.

When he was first told that Mr. Pasternak had written a bad book he threw up his hands. The author has been away from the people too long, Mr. Khrushchev is said to have exclaimed. Let us send him on a trip to see what the Soviet people are building, the Premier is said to have added, let him go to the Bashkir oilfields or out to Siberia. That will give him something to write about.

It took Mr. Khrushchev some time to realize that his customary prescription of getting close to the people might not work in the case of a poet like Mr. Pasternak.

But Mr. Khrushchev has not given up. The entourage that is coming with him to the United States includes not only official advisers but regular foreign correspondents.

Mr. Khrushchev has invited a dozen literary figures as well—Mikhail A. Sholokhov, the novelist; Aleksandr Tvardovsky, the poet; Aleksandr Y. Korneichuk, Ukrainian playwright known for the topicality of his dramas, and Ilya Ehrenburg, who has become increasingly nonconformist in his literary opinions since Stalin's death.

Mr. Khrushchev almost certainly has invited these writers to introduce them to fresh themes and expose them to unusual stimuli in the hope that they will bring new currents into turgid waters of the Soviet literary stream.

OTHER FIELDS ADVANCE

While Soviet writers are still fighting to break through the party's ideological barriers, other Soviet creative artists have already overturned the barricades.

The greatest revolution has occurred in the field of architecture and design. In this the artists have had the support of Mr. Khrushchev himself.

With Mr. Khrushchev it may be more a matter of economy than a matter of taste. But the result works out the same. Moscow has gone Park Avenue modern so far as architecture is concerned.

Thus far only a few examples of the clean functional buildings have been erected. Two or three of them are on the grounds of the permanent Soviet industrial and agricultural exposition in Moscow.

But the shape of things to come is clearly seen in the plans for new buildings. Stalinesque wedding-cake towers have been tossed into the garbage can. The most dramatic example is provided by the architectural competition for the new Palace of Soviets. Before the war Stalin planned to erect a 100-story building topped by a 200-foot statue of Lenin, just tall enough to beat the Empire State Building.

DESIGNS ARE SUBMITTED

World War II thwarted Stalin's ambition. But his heirs still want a Palace of Soviets. An architectural competition was opened four years ago. The designs in the first round would have delighted Stalin's heart—masses of gingerbread, grandiose imitations of the Kremlin's Spassky Tower.

The other day the second-round projects were exposed to view. Gone was the gingerbread. In its place were imitations of Lever House and the United Nations building.

Naturally this was no accident. A few days later plans were published for a new All-Union Palace of Books. They follow the same trim functional rectangular lines. Not since Le Corbusier was permitted to experiment in Moscow in the early 1930's have buildings like this been seen in the Soviet Union.

Mr. Khrushchev has given the architects his blessing for the most practical of reasons. He wants buildings that are simple in design and economical in construction. Stalinesque was one of the most costly and wasteful extravagances of the old regime.

A NEW ERA IN DECOR

The same patronage has given Soviet designers an opportunity to attack the nightmare of Russian decor. Simple Scandinavian designs are being introduced in furniture and textiles. Pravda has denounced orange tasseled lamp shades, a Soviet standard. A ban has been placed on construction of heavy wardrobes.

Thus far only a dent has been made, but the first blows are being struck.

In music the revolution is also triumphing. Serious Soviet composers are writing what they wish. The movement toward modernity is gathering speed. But it is plain that Western modes will undergo substantial modification to suit the more flamboyant Russian taste. Ideological polemics over atonal music and mechanistic Western composers have been muted.

In popular music tides of Western jazz are choking the party's sentinels who still attempt to defend the Soviet ramparts. The published line is maintained. But in practice Soviet youth sings, dances and listens to the Western beat.

REVERSAL IS DOUBTED

There is no possible way in which party propagandists can reverse the trend. Youngsters smash the doors of a Gorky Park restaurant to hear a good Czech combo. They turn a West German jazz concert into a riot.

In painting and sculpture the breakthrough of modern form and modern style is perhaps 2 years distant. Hardly a day goes by when the reserve collections in Moscow's Tretyakov Gallery and Leningrad's Hermitage are not viewed by more visitors.

The reserve collections consist of works by Russian modernistic and abstract painters of the period ending in the early 1920's. There are many works by Marc Chagall, Vasily Kandinsky, Kazimir Malevich, and Pyotr Konchalovsky done before Russian painters were cut off from the main stream of artistic creation.

The intense interest of Soviet painters in Western form and style has produced a whole school of "closet" painters, artists who paint in modern, abstractionist style but are unable to exhibit their works.

WORKS ARE COLLECTED

Once this kind of painting and sculpture was entirely secret. The penalties for deviation in the Stalinist period could be most severe. Today, however, it is completely open. Many Soviet intellectuals collect the abstract works of the "closet" school.

None of these paintings has yet been shown in public. But such exhibitions will not be long delayed. A show of young Moscow painters that included the work of many artists who privately paint with advanced techniques was held this year.

In the Soviet theater no strong movement toward new form has yet appeared. However, the Soviet theater is increasingly under the influence of the great innovators of the past. The traditions of Vsevolod Meyerhold, theater director purged by Stalin, have been revived. The techniques of Vladimir Mayakovsky, the revolutionary poet who committed suicide in 1930, are being tried again.

But ballet stands on the threshold of bold change. The contact with the West experienced by the Moiseyev dance company and the Bolshoi Ballet has provided a creative stimulus.

Leningrad, always a leader in experimentation and never a victim of Stalin's most leaden taste, is setting a pace in introducing new ballet forms. These lean heavily toward the abstract and symbolic ballet of the West.

Igor Moiseyev, the folk-dance director, is experimenting too. He has created some numbers that incorporate both folk and contemporary American themes. But he has not yet been able to show them publicly. His latest ensemble is a mishmash of stereotypes. Here, too, it will take a year or two for the breakthrough.

TRIBUTES TO SENATOR SMITH, THE LEADERSHIP, AND COMMITTEE CHAIRMEN

Mr. JAVITS. Madam President, it is rather a pleasure for me to make a comment on the fact that the present occupant of the chair is presiding over us in the Senate. I think I bespeak the hope on my own part and on the part of other Members that this may be a more rather than a less frequent occurrence., This is a real pleasure I know for all of us.

Madam President, I, too, as a relatively new Member, would like to join in the encomiums so properly conferred upon the Republican leader and the Republican deputy leader, Senator KUCHEL, and the majority leader, Senator JOHNSON of Texas, and Senator MANSFIELD.

These are very exacting and difficult tasks. I am sure that with the manifold problems of a State like New York, which keep Senator KEATING and myself almost constantly on the floor on one thing and another almost every day, we can be quite a trial to the leadership on both sides. I know that I have been treated with unfailing courtesy and great consideration, and I am very appreciative to my colleagues who are the leaders on both sides.

I also take special pleasure, as the distinguished and gracious occupant of the chair did the other day, in paying a special tribute to the minority leader, who has seen us through some rough hours and has patiently borne disagreements by people like myself with some of the

things that he held very dear. He respected fully the integrity of my position, as I respect his, and he has been most gracious, kind, and accommodating.

Finally, I should like to express to my committee chairmen—I serve on a number of committees—Senator DOUGLAS, chairman of the Joint Economic Committee; Senator HILL, chairman of the Committee on Labor and Public Welfare; Senator ROBERTSON, chairman of the Committee on Banking and Currency; Senator SPARKMAN, chairman of the Small Business Committee—my great appreciation for their kindness and cooperation and the great friendship which they have shown throughout the session.

RACE RIOT IN CALIFORNIA

Mr. ROBERTSON. Madam President, I send to the desk an article from the United Press International wire datelined Oroville, Calif., regarding a race riot involving over 300 Negroes and whites.

The riot began when an Oroville citizen complained that two Negroes had stolen his wallet from in front of a local club. When police questioned the suspects a crowd of Negroes gathered and threatened to rescue the suspects.

Madam President, here again is an example of racial violence resulting from integration forced upon people. It has occurred far away from New York City, about which I have spoken recently on the floor of the Senate, but it is not far removed from racial disorder and will not be as long as there is forced integration anywhere in the United States.

Madam President, I ask that the item from the United Press International datelined Oroville, Calif., be placed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OROVILLE, CALIF.—Three men were jailed here today after a riot involving more than 300 Negroes and an undetermined number of white men.

Three white men were knocked unconscious in the riot and two white women suffered injuries. But none was hospitalized after the 3-hour disturbance.

The riot began early yesterday when Clinton Journey, Oroville, complained that two Negroes had stolen his wallet in front of a local club.

While officers headed by Police Capt. Chesley Rushton were questioning the suspects, a crowd gathered and threatened to rescue them.

Rushton said he radioed for help when the milling crowd of mixed races numbered about 300 persons.

Officers said they had about 32 men at the scene when Negro members of the crowd began stoning and trying to upset white persons' cars.

GORGAS MEMORIAL LABORATORY

Mr. HILL. Madam President, on last Wednesday, September 9, the Senate accepted an amendment by the House to the bill S. 2219, which had previously passed the Senate.

S. 2219 is amendatory of the basic act of May 7, 1928, which authorized the establishment, maintenance, and operation of the Gorgas Memorial Laboratory, located in the city of Panama, in the Panamanian Republic.

S. 2219 will be enacted into law upon the approval of the President, which I am confident it will receive. S. 2219 provides for an increase from $150,000 to $250,000 of the annual congressional appropriation for the maintenance and operation of the Laboratory, and for an authorization, not to exceed $250,000, for the construction and equipment of facilities for the Gorgas Memorial Laboratory, including the preparation of plans and specifications, acquisition, alteration, expansion, and remodeling of buildings, and site improvements; but excluding the cost of the acquisition of land. The site, I may say, is already held and owned by the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., to which the appropriations are made, and which supervises the work of the Laboratory—the property having been donated by the Government of Panama.

The reports of the committees—that of the Senate Committee on Labor and Public Welfare and of the House Committee on Foreign Affairs, together with the testimony in behalf of the measure submitted at the hearings before the Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs, fully sustain the need for this legislation.

The work of the Laboratory has been, from the beginning, of an outstanding character, and is known throughout the world. Moreover, the Laboratory commemorates the name and fame of a great son of Alabama, who, in Cuba and Panama, wrote the epic chapters of eradication of yellow fever, and substantial control and reduction of malaria. On the Panamanian Isthmus, except for the results thus achieved, it is the judgment of history that the Panama Canal could not have been built.

In the CONGRESSIONAL RECORD of September 7, my greatly esteemed friends—also of Alabama—Representatives ROBERTS and SELDEN played important roles with respect to the present enactment. In the House, Representative ROBERTS introduced the bill, H.R. 8016, identical to S. 2219, of which I was the author, as did also Representative FULTON, of Pennsylvania, a member of the House Committee on Foreign Affairs, H.R. 8102.

At the hearing on these bills before the House subcommittee, on August 28, 1959, there were heard, in addition to Representative ROBERTS, former Representative from Kentucky, Maurice H. Thatcher, who during the construction of the canal was a member of the Isthmian Canal Commission and Civil Governor of the Canal Zone, and a fellow Commissioner with Gen. William Crawford Gorgas, the famed sanitary expert, memorialized by the Laboratory. Governor Thatcher, years after his service and close friendship with General Gorgas on the isthmus, introduced in Congress the bill which ripened into the act of May 7, 1928, and brought about the creation of the Gorgas Memorial Laboratory. Following his retirement from the Congress, he has been, for many years, the vice president and general counsel of the Gorgas Memorial Institute, serving also as a member of the institute's executive committee, and as a director of the institute's governing board. At the House subcommittee hearing he appeared in behalf of the proposed legislation, as did also Dr. Walter A. Bloedorn, president of the institute who some 2 or 3 years ago succeeded Col. Joseph F. Siler, an Alabamian, who, as president, rendered long and faithful service; and Dr. Willard H. Wright, professional associate, National Academy of Science-National Research Council, and a member of the institute's board of directors.

The excellent and comprehensive statement of Dr. Bloedorn, former dean of the school of medicine of the George Washington University, and the medical director of the George Washington University Hospital, was placed in the CONGRESSIONAL RECORD of the seventh instant by Representative SELDEN, when S. 2219 was considered and passed by the House at which time Representative ROBERTS submitted a general analysis of the measure.

Madam President, I ask unanimous consent to have printed at this point in the RECORD statements made before the House subcommittee by Representative Roberts, former Representative Thatcher, and Dr. Willard H. Wright.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

GORGAS MEMORIAL LABORATORY

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTER-AMERICAN AFFAIRS,
Washington, D.C., August 28, 1959.

The subcommittee met, pursuant to call, at 10:30 a.m., in room G–3, the Capitol, Hon. ARMISTEAD I. SELDEN, JR. (chairman of the subcommittee) presiding.

Mr. SELDEN. The subcommittee will come to order.

We have with us this morning the Honorable KENNETH A. ROBERTS, a Member of Congress from Alabama's Fourth District. He is accompanied by Gov. Maurice H. Thatcher, Dr. Walter A. Bloedorn, and Dr. Willard H. Wright.

We are very pleased to have our colleague from Alabama, Congressman ROBERTS, with us today. He is appearing in support of S. 2219 and a similar measure, H.R. 8016, which he introduced. Mr. FULTON has also introduced an identical bill, H.R. 8102.

(S. 2219 follows:)

"[S. 2219, 86th Cong., 1st sess.]

"An Act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective for fiscal years ending after June 30, 1960, section 1 of the Act of May 7, 1928 (22 U.S.C. 278), relating to the authorization of annual appropriations for maintenance and operation of the Gorgas Memorial Laboratory, is amended by striking out '$150,000' and inserting in lieu thereof '$250,000'.

"SEC. 2. Such Act is further amended by adding at the end thereof the following new section:

" 'SEC. 4. There are hereby authorized to be appropriated from time to time such

sums as the Congress may find necessary not to exceed $250,000 for construction and equipment of facilities for the Gorgas Memorial Laboratory, including preparation of plans and specifications, acquisition, alteration, expansion, and remodeling of buildings, and site improvements; but excluding the cost of the acquisition of land.'

"Passed the Senate August 19 (legislative day, August 18), 1959.

"Attest:

"FELTON M. JOHNSTON,
"Secretary."

Mr. SELDON. The Chair recognizes Congressman ROBERTS.

STATEMENT OF HON. KENNETH A. ROBERTS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALABAMA

Mr. ROBERTS. Mr. Chairman and members of the committee, I appear here today in favor of S. 2219, a bill which was introduced by Alabama's senior Senator, LISTER HILL, which seeks to provide an additional $100,000 for maintenance and operation of the Gorgas Memorial Laboratory in the Republic of Panama, Panama City, and also to provide an authorization for equipment and facilities as set forth in section 4 of the bill.

General Gorgas' work in eradicating and controlling yellow fever and malaria undoubtedly led to the successful building of the canal by this Government whereas other governments had failed in this great undertaking. General Gorgas also was Surgeon General of the U.S. Army and introduced the idea of medical examinations for all men in the service and all men being drafted, and this idea has continued until today it extends to all people in the civil service.

Another great Alabamian, the late great Senator Morgan, of Alabama, was a firm believer in and advocate of the Canal Zone, but preferred the Nicaraguan route.

I believe it would be hard to find a more worthy undertaking, and I would prefer at this point to introduce the gentlemen with me, who will make statements in behalf of this bill.

The Honorable Maurice H. Thatcher, former Congressman and former Governor of the Panama Canal Zone, Dr. Walter Bloedorn, President of the Gorgas Memorial Institute, and Dr. Willard Wright, member of the Board of Directors of the Institute, formerly a member of the U.S. Public Health Service, now retired.

STATEMENT OF HON. MAURICE H. THATCHER, VICE PRESIDENT AND GENERAL COUNSEL, GORGAS MEMORIAL INSTITUTE OF TROPICAL AND PREVENTIVE MEDICINE, INC.

Governor THATCHER. Mr. Chairman, we are very grateful for the opportunity of presenting the reasons for the proposed legislation embodied in Senate bill 2219 introduced by Senator HILL, H.R. 8016, by Mr. ROBERTS, and H.R. 9102 by Mr. FULTON of this committee.

S. 2219 has passed the Senate and probably will be used by the committee for consideration and action as being the simplest method of procedure in the premises.

As you perhaps know, in Congress I was the author of the original act which was passed by the Congress in 1928 and became law. We had a hearing before this committee on that bill which was, in my judgment, one of the most dramatic hearings ever conducted by a committee of the Congress. A reading of the hearings on the original act I believe will justify this statement.

I happen to be the only surviving member of the Isthmian Canal Commission which had charge of the building of the canal, and I served on the Commission with General Gorgas, who was the great sanitarian and yellow fever expert, whose work was indispensably a prerequisite to the success of the canal enterprise.

We had our offices in the same building and were close friends. Everything that affected the canal passed through my hands for presentation to the Republic of Panama where Panama itself was concerned. Health and sanitation requests made by General Gorgas came through my hands, and I may say they were always granted by the Panamanian Government, which was most cooperative concerning all health and sanitary matters in which Panamanian areas were concerned.

The Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., is a corporation, nonprofit in character and dedicated to public health activities, organized under the laws of Delaware. The Institute has more flexibility than the United States in dealing with this question of property in Panama and the work of the laboratory, and it took title from the Panamanian Government for the laboratory property in Panama with a building on the ground which had been erected by Panama as a medical school, but which came to the ownership of the Institute, and in which the laboratory was housed, and since then its activities have been conducted there. As long as the property is used for purposes of the Gorgas Memorial Laboratory, the title is in fee simple to the Institute, and will continue to be in perpetuity unless the use of the laboratory should be entirely abandoned, in which case the property would revert to Panama. The Institute operates the laboratory, and has no other activity.

The property has become quite valuable because of the growth of the city of Panama, and is today worth several hundred thousand dollars. It was conveyed to the Institute for these laboratory purposes as a gift from Panama.

We have added some smaller structures through the years to the main building, but we need other structures and ample ground remains on which they may be constructed. Additional equipment is also greatly needed.

This organization has done great work in Panama. In World War II its work was reflected in the sanitary milk work in the Pacific and wherever we went. The Gorgas Memorial Laboratory is known for its work all over the world. It is getting to be the greatest institution of its kind in all the tropics.

We need this money for expansion and for additional buildings and equipment. The original building was for the school of medicine that Panama had established, and then they deeded it to us, and that is the principal building, which I will show you in this publication [exhibiting the book containing the hearings and proceedings on the basic act]. The $150,000 has been the ceiling. That is the main building [indicating].

Mr. ROBERTS. Please explain our situation with respect to the utilization of the rest of this property, also.

Governor THATCHER. If we do not use the unimproved portion of the land there might be a question on the part of Panama that it ought to revert for nonuse. Of course, we do use it in a general way, but then we can put these much-needed improvements there and save any question of that sort. We have title to the whole lot. It has gotten to be a very valuable piece of property, worth several hundred thousand dollars today, I am sure.

The Santo Tomas Hospital is here, and the Panama Hospital, which is a private institution but well known, is right there in the same vicinity. There are some very valuable pieces of property there, and we are in the heart of it.

Some additional structures are needed, and they can go right on this property, and there would be no cost for site. The bill provides that no money shall be expended for the site.

I drew a bill some years ago to increase the ceiling and got Senator HILL to introduce it, and then we got it passed and increased the ceiling to $150,000. We need all that and more for the adequate functioning of the work.

I have said before, and I say again, that I believe that in all of the expenditures of the Government of the United States, no dollar is more wisely and beneficently expended than that which is expended for this work in Panama.

Mr. ROBERTS. You consider this is a popular activity with the people of Panama.

Governor THATCHER. It is very popular.

On this particular venture, they have always been friendly, they have always been cooperative, and they have always been proud of what is being done there. We have men like Dr. Galindo there, who is a very capable man, a Panamanian, and we have certain help there which is Panamanian. Dr. Clark always got along with the Panamanian people and Government; he was Director for years, a very capable man, retired now, and Dr. Johnson, who is now in the same role as Director, is on friendly and cooperative terms with the Panamanian Government.

Of all the activities on the isthmus with which we have anything to do, I do not believe there is any one which is as popular in Panama with the people and the Government as the Gorgas Memorial Laboratory. It is doing a great work there, and we need to expand the activities. The policy has always been to cooperate with other scientific institutions, but to avoid duplication of work.

Dr. Bloedorn can tell you more in detail as to what is desired in these respects.

The authorization of the bill is general in character about buildings and improvements. If and when that becomes a law, instead of going to a legislative committee for improvement and equipment needs, we can ask for appropriations. We can go to the Appropriations Committee direct under this basic authorization, but we have to make our justification just the same. It is correct, of course, that we should make it. That is the situation.

Dr. Bloedorn can go into detail of how the money is to be expended. It ought to be passed so we can make our plans for the future, because we must get the plans in shape, and we must go before the committees and say this is what we reasonably need and make our justification.

Mr. SELDEN. Thank you, Governor Thatcher.

STATEMENT OF DR. WILLARD H. WRIGHT, PROFESSIONAL ASSOCIATE, NATIONAL ACADEMY OF SCIENCES-NATIONAL RESEARCH COUNCIL

Dr. WRIGHT. Mr. Chairman, my name is Dr. Willard H. Wright. I am now a professional associate of the National Academy of Sciences-National Research Council.

Prior to my retirement from the Public Health Service about a year ago, for 20 years I was Chief of the Laboratory of Tropical Diseases of the National Institutes of Health and, consequently, I am very familiar with the Gorgas Memorial Laboratory. I have been in the Laboratory many times in the past. I worked with Dr. Clark when he was Director of the Laboratory.

Dr. Bloedorn mentioned the Middle America Research Unit of the National Institutes of Health. This was organized under my supervision and one of the reasons why the Laboratory was placed in the Canal Zone concerned the cooperation which could be obtained from a long-established laboratory such as the Gorgas Memorial Laboratory in the Republic of Panama.

I should like to just say a word about the urgency of the new facility for the research of the Gorgas Laboratory.

As Governor Thatcher has mentioned, the building was built for a medical school and

not for a research laboratory. Actually, a considerable part—an inordinate proportion, as a matter of fact—of the physical facilities is concerned with an auditorium which is almost useless for laboratory purposes, and the only use it has is for monthly gatherings of the Panamanian Medical Association. The space is extremely crowded and at the present time Dr. Johnson, the Director of the Laboratory, is expanding and wishes to provide for more research on virus diseases which are becoming of greater importance all the time in the tropics, particularly the so-called arbor viruses which are mostly mosquito borne. A year ago there was said to be 77 of these viruses. In the last year several new ones have been recognized showing the importance of this kind of investigation. During the past 5 years over 50 new arbor viruses have been discovered.

The facilities in the present building are not adequate to carry on any additional studies in this field. In fact, they are not safe, because these viruses are easily transmitted to laboratory workers, and the program, I think, will be quite hampered unless Dr. Johnson can have some means of more adequate space with he can utilize to advantage and with safety on some of these new programs.

In my former capacity in the Public Health Service and as a consultant to the World Health Organization, I have traveled extensively in the tropics. I would like to say, Mr. Chairman. that no matter where you go or how remote the location is, whenever you get into a conversation with any medical man he knows about the Gorgas Memorial Laboratory because of the well-deserved worldwide reputation. The new, encouraging prospects which we hope will materialize should enable it not only to continue to hold its place in this respect, but to gain additional stature as time goes on.

Thank you very much, sir.

Mr. SELDEN. Thank you, Doctor, very much.

Mr. FASCELL, do you have any questions of any of these gentlemen?

Mr. FASCELL. No questions.

Mr. SELDEN. I want to thank Congressman Roberts, Governor Thatcher, Dr. Bloedorn, and Dr. Wright for coming before the subcommittee today and giving us this information. I am hopeful that we will be able to report this bill for House consideration next week.

Thank you.

Governor THATCHER. You see the importance of getting it at this session.

Mr. ROBERTS. I would like to express to the chairman my deepest appreciation, and to Mr. FASCELL for allowing us to have this time and your kindness in fixing a day for us to come here. I certainly appreciate it, and we, of course, hope for favorable action on the bill.

Mr. SELDEN. Thank you.

Governor THATCHER. We are very grateful.

(Thereupon, at 11:20 a.m., the subcommittee adjourned, to reconvene at the call of the Chair.)

Mr. HILL. Madam President, I desire to commend—as strongly as I may—the work of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., and the Gorgas Memorial Laboratory. Because of the splendid labors of the laboratory it has, indeed, achieved a universally recognized position of eminence in the difficult field of tropical sanitary science. In particular, its research labors as regards the cause and prevention of tropical diseases—which are legion—both human and veterinary, have been of the utmost value.

I would thank and congratulate Representatives ROBERTS, SELDEN, and FULTON for their effective interest and cooperation in the enactment of the instant legislation; and I am grateful to the committees and the two Houses for their action in passing the legislation. Then I would thank all those who have served, or who are presently serving, as officers and directors of the institute and the staff of laboratory experts and their helpers on the isthmus. Through the years the officers and directors of the institute have served a great cause in gratuitous fashion and in complete dedication. I would assure them that they have served, and are serving far better than they have known. And then I would especially thank—as seems most fitting—Governor Thatcher for the really magnificent services he has performed from the very beginning, and through many years. He should be proud and grateful; first, that he had the honor and privilege of serving with General Gorgas on the Isthmian Canal Commission, and, under the discharge of official duty, was able to aid and cooperate with General Gorgas in many aspects of the sanitary and health work required; second, that afterward, when he came to Congress, as Representative from the Louisville, Ky., district, and fully aware of canal and isthmian problems, he introduced and brought about the enactment of the law which provided for the establishment, maintenance, and operation—with Federal funds—of the laboratory, which was destined to achievement, in such signal and historic fashion; third, for the long and effective services he has rendered to the institute and the laboratory. Mr. Thatcher has indeed been one of those whose labors have been of outstanding and distinguished character. As vice president and general counsel of the institute, and as member of its executive committee and board of directors for many years important duties and obligations were assumed and discharged by him. Several times since his official service on the isthmus he has returned there, and has thus kept in close contact with the work of the Laboratory.

In addition, I would speak of Mr. Thatcher's successful efforts in behalf of the enactment—not only of the basic act, but, as well, of various amendments thereto, which were needed. His skill and knowledge with respect to congressional and parliamentary procedure and practices as well as his high standing with Members of Congress have been of inestimable value.

It has been my privilege to have been identified, from the beginning, with those who have toiled and wrought in the work of the Laboratory. I made a statement to the Foreign Affairs Committee of the House when the original Thatcher bill was before it in 1928. I spoke in its behalf when Governor Thatcher presented the bill to the House, where it was fully discussed and passed. It has been my privilege—and pleasure—to introduce and to aid in procuring the enactment of the various acts of amendment that time and experience have required; and in all these matters Governor Thatcher has been of the greatest possible aid. I may add that I have long served with Governor Thatcher as a member of the institute's board of directors.

Because of the services Governor Thatcher has rendered he has long been esteemed and acclaimed as one of the chief benefactors of the isthmus. In addition to his achievements in behalf of the Gorgas Memorial Laboratory, it may be recalled that in Congress he obtained the enactment for certain public works of incalculable value to Panama and the Canal Zone; and that noteworthy have been his efforts in behalf of beneficial legislation for the construction and other workers of the Panama Canal enterprises.

I wish to call attention to the fact that several years ago, as an active vice president of the organization which conducted the successful effort to bring about the election of General Gorgas to the New York Hall of Fame, Mr. Thatcher rendered highly important service.

I believe, therefore, Madam President, that these devoted and dedicated services of one who has done so much for isthmian and international welfare should have, at this timely moment, some appropriate recognition and that—as he would desire—all the others who have labored with him, should be honored.

REPORT OF CIVIL RIGHTS COMMISSION

Mr. HART. Madam President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "States Civil Rights Data Held Correct—Obstinate Officials Blamed by Brown for Adverse Report," written by Dick Hines, and published in the Montgomery, Ala., Advertiser of September 10, 1959.

This article reflects a very interesting action on the part of the mayor of the capital city of Alabama with respect to the report of the Civil Rights Commission. I, for one, am impressed by the courage of this Alabama official.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE CIVIL RIGHTS DATA HELD CORRECT—OBSTINATE OFFICIALS BLAMED BY BROWN FOR ADVERSE REPORT

(By Dick Hines)

Mayor Douglas Brown, of Ozark, Wednesday expressed overall agreement with the Federal Commission on Civil Rights' report to the President and Congress and charged that obstinate Alabama voting officials were responsible for some of the recommendations contained in the report.

Brown made the statement following the formal presentation of the report to members of the Alabama Advisory Committee on Civil Rights in a meeting at the Federal Building.

Brown is chairman of the State group.

The outspoken chairman said that during the civil rights hearings here alleged denial of Negro voting rights in several Alabama counties, "many officials handled the situation very poorly" and that "hiding the (voting) records didn't help the problem."

STATE LAWS

"I feel very strongly that citizens qualified to vote under State laws, whether white,

Negro, or Indians in southwest Alabama, should be allowed to vote," Brown said.

He said, "There was a lot reported that should have been reported," in the Federal Commission's report, "and a lot of recommendations that should have been recommended."

He said Alabama officials "brought it on themselves and they should be able to take it."

CITIZEN GROUPS

"If we're not big enough to clean up our own house, I don't see any other outcome but that someone else will give qualified citizens the right to vote—in Federal elections at least," he said.

One of the most controversial recommendations in the report calls for the appointment of Federal registrars in areas where citizen groups are denied the right to vote because of race.

Brown termed sections of the report on education and housing as very conciliatory.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT, RELATING TO DONATION OF FOREIGN EXCESS PROPERTY TO CERTAIN INSTITUTIONS

Mr. HART. Madam President, on behalf of myself and the Senator from Alaska [Mr. BARTLETT], I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of foreign excess property to medical institutions, hospitals, clinics, health centers, schools, colleges, and universities.

Present law restricts the donation of foreign excess property to that which has no commercial value or the estimated care and handling of which would exceed the estimated proceeds from its sale. As a result, foreign excess property which could be used to assist in promoting economic development and improving living standards abroad, is either being destroyed as having no commercial value or is sold for a very small percent of its value.

The Department of Defense points out that processing material for donation is considerably less costly, and takes considerably less leadtime than does processing for sale. The Department is putting into inventory about $19 billion a year, of which $5 billion is made up of consumables. The rest, that is, $14 billion worth of goods, we are adding to our inventory. About 85 percent of our inventory is in used condition, which means that we are going to have a growing surplus. I am informed that it will be a surplus of some $8 billion a year.

Madam President, I can think of no finer purpose to which to put the overseas portion of this mounting surplus than to make it available for educational and medical work overseas. At little or no cost to the taxpayer, appreciable assistance could be given to step up humanitarian and educational work in other countries. In the disposition of this property, preference would be given to organizations directly or indirectly founded, sponsored, or supported by American citizens.

Madam President, I ask that the bill be printed in the RECORD at this place in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2732) to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of foreign excess property to medical institutions, hospitals, clinics, health centers, schools, colleges, and universities, introduced by Mr. HART (for himself and Mr. BARTLETT), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 402 of the Federal Property and Administrative Services Act of 1949 is amended by inserting immediately before the period at the end thereof the following: ", or (c) by donation under section 405".

SEC. 2. Title IV of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new section:

"DONATION OF FOREIGN EXCESS PROPERTY

"SEC. 405. (a) Subject to overall policy control by the Secretary of State, the head of each executive agency is authorized in his discretion to donate without cost (except for costs of care and handling) for use in any foreign country for purposes of education or public health, including research for either such purpose, any foreign excess property (including property capitalized in a working capital or similar fund) under the control of such executive agency which shall have been determined to be usable and necessary for any such purpose. In determining whether property is to be donated under this section, no distinction shall be made between property capitalized in a working capital fund established under section 405 of the National Security Act of 1947, as amended (5 U.S.C. 172d), or any similar fund, and any other property.

"(b) Determination whether such foreign excess property is usable and necessary for purposes of education or public health, including research for either such purpose, shall be made in accordance with regulations prescribed by the President or his designee. Such property shall be allocated in accordance with regulations prescribed by the President or his designee, on the basis of needs and utilization, for transfer to nonprofit or tax-supported medical institutions, hospitals, clinics, health centers, schools, colleges, and universities.

"(c) The head of the executive agency concerned, in accordance with regulations prescribed by the President or his designee shall give preference to organizations directly or indirectly founded, sponsored, or supported by American citizens in making donations under this section in any foreign country. Except with respect to donations made to organizations referred to in the preceding sentence, no property may be transferred under this section for use in a foreign country except to an agency designated by such foreign country for the purpose of distributing, in conformity with the provisions of this section, all property allocated under this section for use within such foreign country.

"(d) The President or his designee may provide for the imposition of reasonable terms, conditions, reservations, and restrictions upon the use of any property donated under this section."

DESEGREGATION IN WASHINGTON, D.C.

Mr. HART. Madam President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Experts Praise Progress in Desegregation Here," written by Jean White, and published in the Washington Post of September 14, 1959. The article reflects the sort of constructive things which can be achieved by the complete involvement of sincere people in efforts to remedy such a situation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERTS PRAISE PROGRESS IN DESEGREGATION HERE

(By Jean White)

Washington has calmly and quietly undergone a major social revolution in the last decade, a group of race relations experts has concluded in a study released yesterday.

The experience here, they said, demonstrates that a community can make a peaceful transition from a segregated to a quasi-integrated city without violence or major disturbance.

The 133-page study, "Civil Rights in the Nation's Capital: A Report on a Decade of Progress" was released yesterday in New York City by the National Association of Intergroup Relations Officials. It is the work of 17 race relations experts here.

CHANGE SINCE 1948

Just a little over a decade ago, the report points out, a survey directed by Joseph D. Lohman found that Negroes were completely segregated in the Nation's Capital, and subject to a variety of discriminatory indignities. That was in 1948.

Negroes couldn't eat in downtown restaurants, get a room in a downtown hotel, or go to a downtown movie or play. They attended separate schools and churches and went to separate swimming pools and playgrounds.

Outside the Federal Government, they could obtain only laborer or service-type jobs. Strict segregation was the rule in the District Fire Department and many public and private welfare institutions.

Now, most of this has changed, the intergroup relations experts said in their decade-after report. But, they emphasized, pockets of stubborn discrimination and segregation still exist in Washington.

Using a three-point scale, the researchers summed up desegregation progress here in this way:

Good progress, from segregation to almost total desegregation, in schools, hotels, restaurants, theaters, public recreation facilities, public and private health institutions, and public social welfare agencies.

Fair progress in some areas of Federal employment, housing, urban renewal, churches, and private social welfare agencies.

Slower progress in local employment—both District government and private industry—professional organizations, and unions.

Singled out for particular attention in the report are the discriminatory practices of craft unions in the construction industry. Many of these unions the researchers emphasized, are blocking employment and apprenticeship opportunities for Negroes.

AREAS OF DISCRIMINATION

Many other areas of discrimination still remain despite the last decade of great social change here, the report notes.

Even though Negroes have broken into the white-collar ranks of Federal employment, most still are found in grade 5 or below. Few Negroes have climbed to executive ranks in the police and fire departments, the

survey reports. Because of residential segregation patterns, many Negroes still live in one-race areas and their youngsters attend schools with enrollments substantially Negro.

The decade's great transformation in human relations here was accomplished with only three minor, quickly ended incidents, the race experts reported.

These came in 1950, when the Interior Department integrated its swimming pools; in 1953, when the District Recreation Department integrated a pool and playground, and in 1954, when some 2,500 senior and junior high youngsters stayed out of school for a few days at the beginning of public school desegregation.

Credit for the good record of orderly change here, the report says, should go to the leadership of the Federal Government in executive policy and judicial decisions, the social-action role of voluntary groups, and the firm action of some authorities, notably the Board of Education.

FORMULA FOR SUCCESS

"Washington experience," the survey emphasizes "furnished additional evidence in the support of the contention that morally right, authoritative decisions on desegregation, announced by high-level leadership and carried out without equivocation, ambiguity or delay, will be accepted by the community without disturbance or violence."

Law, the experts also noted, performs a valuable function as "a framework for social change" and makes the question of segregation one of "equity and individual rights" rather than of local custom.

In releasing the study yesterday, John V. P. Lassoe, Jr., executive secretary of the National Association of Intergroup Relations Officials, said the Washington experience can serve as "something of a model" for social change in the field of race relations.

"The eyes of the world," he added, "are always on our Nation's Capital, and it is good that they will see there the kind of progress that we believe can take place in every American city that still lives with patterns of segregation."

REPORTING PERSONNEL

The report was edited by Ben D. Segal, education director of the International Union of Electrical, Radio, and Machine Workers, AFL–CIO, and William Korey, director of the District-Maryland office of the Anti-Defamation League of B'nai B'rith.

Other contributors were Donald D. Brewer, District Deputy Welfare Director; Ross Clinchy, executive director of the President's Committee on Government Employment Policy; Isaac Franck, executive director of the Jewish Community Council of Greater Washington; John Y. Yoshino, compliance officer of the President's Committee on Government Contracts.

Also Julius W. Hobson, member of the executive board of the District branch of the NAACP; James G. Banks, relocation chief for the Redevelopment Land Agency; B. T. McGraw, housing economist with the Housing and Home Finance Agency; George B. Nesbitt, intergroup relations officer with the Urban Renewal Administration; Margery Ware, executive secretary of Neighbors, Inc.; Walter E. Washington, deputy director of management with the National Capital Housing Authority; Alma S. Scurlock, assistant director of the District Commissioners' Council on Human Relations.

Also Paul Cooke, director of the Howard University workshop on intergroup relations; Irene Osborne, community organization worker with the southwest project; John T. Blue, Jr., Virginia State College professor now on leave as community organizer with the Adams-Morgan demonstration project, and Joseph H. Douglass, program coordination officer with the Health, Education, and Welfare Department.

EXPERTS' SUMMARY

Here is the way these intergroup relations specialists sum up the deeds of progress in civil rights in the Nation's Capital:

Housing: The most serious obstacle to integrated housing in the Washington metropolitan area is the exclusion of Negroes from new housing in the suburbs, most built with Federal aid.

Within the city there has been a gradual, orderly housing integration without violence or a wholesale flight of white residents. But many Negroes still live in one-race sections in the older central core of the city or the Northeast, in deteriorating, crowded housing.

Federal employment: Ten years ago Negroes were generally relegated to the most menial and lowest-paid jobs. Now more than half of the Negroes in Federal employment work in integrated offices. Many others are mail carriers. In 1956, a survey showed that Negroes made up about one quarter of employes in 62 Federal agencies, and of these some 53 percent were in white-collar jobs But of the white-collar Negro, employees, 84 percent were still in the lowest four classification grades.

Still, about one-sixth of the white-collar workers have broken through to positions of some responsibility or professional status.

Private employment: Among the gains are the employment, sometimes limited, of Negroes with the utility companies, with some department stores as clerks and office workers and with the D.C. Transit System.

PRINTING AS SEPARATE SENATE DOCUMENTS CERTAIN INFORMATION ON EQUAL RIGHTS AMENDMENT AND FEDERAL LABOR LAWS

Mr. DIRKSEN. Madam President, before the senior Senator from North Dakota [Mr. LANGER] left the Chamber tonight, we had a discussion with respect to a unanimous consent request which he had made to insert in the RECORD a considerable amount of material relating to the National Women's Party and to the equal rights amendment. Upon discussion, we thought it would be appropriate that a resolution be submitted, and it was drafted and it is at present at the desk. I am authorized by the Senator from North Dakota to call up that resolution and have it considered at this time. There is no objection to it. It has been cleared with the majority leader, the acting majority leader, and with other parties in interest.

Mr. MORSE. Madam President, a parliamentary inquiry. We did not hear the minority leader.

The PRESIDING OFFICER. Will the Senator from Illinois please state his request again?

Mr. DIRKSEN. Madam President, the purpose of the resolution is only to have the matter presented in document form. It was agreed that the resolution should go to the Commitee on Rules and Administration for further consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution was read, as follows:

Resolved, That the manuscript of questions and answers on the equal rights amendment prepared by the research department of the National Women's Party be printed as a Senate document and further that the manuscript of questions and answers in relation to the labor laws of the United States prepared by the research department of the National Women's Party be printed as a separate Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

There being no objection, the resolution (S. Res. 197) was ordered printed and referred to the Committee on Rules and Administration.

TRIBUTE TO SENATOR MANSFIELD

Mr. DIRKSEN. Madam President, I take this occasion to say something about one whom I regard as one of the most amazing Members of the U.S. Senate. He is at once not only amazing, but is one of the humblest Members of the Senate. I think he gets that way from the fact that he comes from the great open spaces of Montana. I refer to our distinguished majority whip, MIKE MANSFIELD.

I say he is an amazing character, first, because he enlisted in the Navy at the age of 14 years. I suppose the waving fields of golden corn out on the fruited plains of Montana must have made such a deep impression of the moving waves of the ocean that he could not resist the Navy.

But evidently he did not like the Navy, because some time later he enlisted in the Army. That was a little more to my liking, I having been a wagon soldier in the Army myself.

But finally he thought to do better than that, because then he enlisted in the Marine Corps. So he has had service in all the branches of the Armed Forces.

But in due course, I do not think he liked that very well, either, because he enlisted as a professor of Latin history and of the history of the Far East. It may seem singular that a miner and a mining engineer should become a professor of history in those rather interesting subjects. But I think I know what the answer is. I think anybody who has been a miner and a mining engineer must obviously know something about geology. He must be a person who can deal with the general subject of geology, the science of the earth, its formations, its age, and what each one of its layers reveals as the drill bit goes down to where one gets a sense of perspective and objectivity that he can get in no other way.

So I am confident that MIKE MANSFIELD was a great professor of history at the University of Montana at Missoula.

But at long last, evidentally, he did not like that, so he enlisted in the House of Representatives, and he enlisted for a 10-year term. That was where I first encountered him, and he was at that time the same shy, humble, studious, great, dedicated American that he still is today.

But he thought he ought to forsake the old huants in the House of Representatives, where so many of us served together; and then he came to this vaulted Chamber, and impressed his will and his talents upon the deliberations of the U.S. Senate. He has done so with self-effacement, and with a sense of humility that has endeared him to every Member of

the Senate; and when I say "endeared," I use the term advisedly.

MIKE MANSFIELD has won a secure spot in the heart of every Senator, on both sides of the aisle; and I am sure that all of them bear for him the same affection that I do. I do not want the "boom to be lowered" on this session without stating the respect which all Senators on both sides of the aisle have for him, and the esteem and the affection they hold for him. He is indeed a great American and a great Senator in our book.

Mr. CASE of South Dakota. Madam President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. For what purpose does the Senator from South Dakota request me to yield, Madam President?

Mr. CASE of South Dakota. For a few brief remarks.

Mr. HUMPHREY. Madam President, I shall yield to the Senator from South Dakota for a few brief remarks, if I may do so without losing the floor, because I know the Senator from South Dakota is a man of his word. [Laughter.]

The PRESIDING OFFICER. Without objection, the Senator from South Dakota may proceed.

Mr. CASE of South Dakota. Madam President, I second what the distinguished minority leader has said about the junior Senator from Montana [Mr. MANSFIELD]. I, too, served in the House of Representatives with Senator MANSFIELD; and my respect for him and my affection for him began years before I was able to join him here in the Senate.

I heartily endorse what has been said about his humility.

I should like to say that I feel a kinship with the Senator from Montana, not only because of fellow service in the U.S. Marine Corps, but also because of his service here in the Senate. I join all my colleagues in my great admiration for the frankness, the common sense, and the unfailing courtesy and sincerity of Senator MIKE MANSFIELD, of Montana. I know that all of us respect the sincerity with which he has discharged his duties.

While I have the floor—and still speaking briefly, let me say to the Senator from Minnesota—I should like to add my word of appreciation for the work of the leadership on both sides of the aisle. The distinguished Senator from Texas [Mr. JOHNSON] and the distinguished Senator from Illinois [Mr. DIRKSEN] have set remarkable records by their cooperation and their consideration of every Member of the Senate.

I was one of those who felt, and still feel, that the Senate should adopt a rule of germaneness, to apply when we reached a certain point in the consideration of bills. We have operated effectively and efficiently throughout, however, by following the rule of unanimous consent. I think it could be improved upon, insofar as the rules are concerned; but I do not think the cooperation between the two leaders could be improved upon, so long as we have the rules we now have. I express my appreciation to both of them for the courtesies they have shown me throughout the session.

I also express my thanks to the Senator from Minnesota [Mr. HUMPHREY] for yielding to me at this time.

TRIBUTE TO LEADERSHIP AND STAFF

Mr. HUMPHREY. Madam President, I should like to join my colleagues who tonight have expressed their thanks and their appreciation, first, to the very loyal and faithful members of the staff who serve the U.S. Senate. It is now a very late hour—or, rather, it is a very early hour in the morning; and the competent, able, loyal, and dedicated group of men and women who serve the U.S. Senate are still with us and are doing their jobs in exemplary fashion. My thanks go to each and every one of them, from the youngest ones, who serve as pages, to those who hold important titles on the Senate secretariat—the Parliamentarian, the clerks, and all the others. A special word of appreciation to the Secretary of the Senate, Felton M. Johnston, affectionately known as "Skeeter"; and to the secretary for the majority, Robert G. Baker; and the able assistant secretary for the majority, Jessup L. McDonnell.

Madam President, I should also like to say a word about the leadership on both sides of the aisle. Leadership does not come by accident; it is deserved. It matters not whether one agrees with everything one's leaders do. That would be asking too much of men and women of free will and men and women who have strong convictions. But it is to be noted that those who have been selected by their colleagues to be the leaders are men of great ability and competence, and surely they are dedicated to the interests and the well-being of our country. They are patriots; they are loyal, faithful public servants.

I wish to join in the remarks which have been made tonight about the leadership on this side of the aisle—the Senator from Texas [Mr. JOHNSON] and the Senator from Montana [Mr. MANSFIELD].

I also wish to state that it has been a pleasure and, at times, a great challenge to work with, and to participate in, the work of the Senate and the actions and the activities of the Senate with the minority leader, the Senator from Illinois [Mr. DIRKSEN], and with his able, affable, and fine associate, the Senator from California [Mr. KUCHEL].

Madam President——

The PRESIDING OFFICER. The Senator from Minnesota.

TRIBUTE TO SENATOR GREEN

Mr. HUMPHREY. Madam President, there is one person whom I wish to single out for a very brief comment. I see him here on the floor of the Senate tonight. I refer to, to my mind, one of the truly great men of this country, who has demonstrated his greatness through his humility, through his consideration of others, and, of course, above all, through his years of devoted service to his State, to the Nation, and, indeed, to the peace of the world. I refer to Senator THEODORE FRANCIS GREEN, of Rhode Island. I only hope that if the good Lord permits me to live to the age of 60, I shall have the vitality and the enthusiasm for living and the purpose and the ability that Senator GREEN, of Rhode Island, demonstrates at his age of over 90. Madam President, that is not age; it is fulfillment of living.

I wish to say to the Senator from Rhode Island that it has been an unusual privilege and pleasure to serve with him on the Committee on Foreign Relations, and to be called by him friend, and to be known as one of his associates.

Madam President, the Senate of the United States is without a doubt the greatest public forum in the world. It is a forum of free discussion and free debate; and it is a forum in which we should state our views candidly, frankly, and in the hope that from the statement of our views, some public good may come.

We have differences of opinion, and often I express them with considerable vigor. That, too, is all to the good.

Mr. President——

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senator from Minnesota.

FACTFINDING IN STEEL

Mr. HUMPHREY. Mr. President, at this time I wish to address myself to the subject of one of the current and, I would say, one of the most important of the labor disputes which affect our economy. I refer to the labor-management dispute in the steel industry.

Mr. President, the recovery of our Nation's economy from the recent recession could be endangered by the current shutdown in the steel industry, which has continued for almost 2 months, and which has been allowed to continue, regardless of the hardship forced upon some 500,000 steelworkers and another estimated 200,000 persons who are indirectly affected, in other industries.

Why have the steel industry leaders permitted and maintained this needless loss of production, of jobs, of income for family needs? Let us take a look at the reasons which the industry spokesmen themselves have given for their stand.

They began by telling us that the steel industry intended to be the guardian of the national economy, to save us from inflation. This talk comes, let me remind the Senate, from an industry which in recent years has been piling price increase on price increase, to achieve very high profits. Listen to what the report of the Secretary of Labor, entitled "Background Statistics Bearing on the Steel Dispute," issued on August 20, has to say about this:

> Steel prices have risen higher and faster than wholesale prices in general, and much more than retail prices * * *. Between 1940 and 1958 the increase in prices of basic steel products exceeded that shown by any other group in the wholesale price index, with the exception of lumber and wood products.
>
> Since 1947–49, the steel price rise has been substantially greater than for any of these groups.

That is the record for an industry which has the power to set administered prices without regard to the market forces of supply and demand.

The industry leader—United States Steel—which lately has been telling us

that it cannot grant wage increases to steelworkers because it would cause a price increase and therefore result in more inflation, just a couple of years ago was saying something quite different. When United States Steel's spokesmen appeared before the Senate Subcommittee on Antitrust and Monopoly, headed by the Senator from Tennessee [Mr. KEFAUVER], they claimed that steel prices had nothing to do with inflation. Here I quote from the corporation's economic consultant, Jules Backman, of New York University:

An examination of the changes in steel price and the Consumer Price Index in the past also reveals little relationship.

And, to quote Professor Backman further:

This diversity of experience in the past reflects the fact that steel price trends have played an unimportant role in the trend of consumers' prices.

Although many of us do not agree with United States Steel's conclusions, nevertheless, this is what they were telling us 2 years ago, when their pricing policies were under scrutiny. Now, however, they see fit to tell us that the steel industry will save us from inflation.

Why have the steel industry leaders assumed their noble posture of savior of the consumer, a Galahad fighting the dragon of inflation? I suggest that there is a very simple answer.

Because of its past pricing policies, unregulated by the law of supply and demand, because it has stacked one price increase on top of another to outpace all other industries in price gains—because of this record, the leaders of the steel industry are well aware that neither the American people nor their Government will sit idly by while they slap further price increases on us.

The records show that for every dollar the industry has granted in wage increases, in the past, it has boosted the price of its products $3. That was in the past. Steel industry leaders know that they cannot so easily do that again.

And what about another of the industry's so-called reasons for holding out against their employees' request for modest wage gains—gains such as are being made by workers in other industries all through this year? The industry spokesmen—through newspaper advertisements and speeches—are crying the blues about what they call foreign competition. We are losing foreign markets, they say. We are being invaded by foreign steel products from abroad.

Now, what are the facts about this foreign competition talk? Simply this: The fact is that imports of foreign-made steel products at their highest have amounted to less than 4 percent of American steel production. Here is what the Department of Labor's report says about the question:

Industry sources suggest that the recent increase in imports and decrease in exports of basic steel reflect, to an appreciable degree, preparation for the steel strike—the imports, it is stated, were for industry stockpiles, while materials for export were not available.

And that quotation from the Labor Department's report, by the way, certainly points to the conclusion that the steel industry leaders made thorough plans and preparations to force the Steelworkers Union to a shutdown.

Let me draw to a close by taking another important point from the report recently released by Secretary Mitchell. Section 8 of that report concerned itself with the pattern of recent wage settlements in other industries. A chart depicts the range of wage gains, in percentage points, of settlements in the first 6 months of this year. Let me quote from the report:

All major wage settlements during the first half of 1959, except a very few (accounting for 4 percent of all workers), increased wages; half of the workers received increases of 8 cents or more. About 7 out of 10 settlements also liberalized 1 or more fringe benefits.

In percentage terms, many recent settlements have provided for wage rate increases of 3 percent or more. Increase of 4 or 4.5 percent have not been uncommon.

In other words, with workers in most industries receiving wage increases, the steel industry has taken upon itself the power to try to turn back the clock—or at least turn it back for its own employees. And this in the face of increases in productivity per man-hour and the piling up of record profits.

On September 8 the President of the United States wrote a letter to the United Steelworkers of America and to the steel companies in which he expressed disappointment that so little progress toward settlement of the steel dispute had been made, and he urged the parties to the dispute to act expeditiously to reach agreement.

The attitudes of the union and the companies, as expressed in the reply letter of David J. McDonald, president of the United Steelworkers of America, and in the comments of the steel companies' chief negotiator, R. Conrad Cooper, are most revealing.

I ask unanimous consent, Mr. President, that President Eisenhower's letter, Mr. McDonald's reply letter, and Mr. Cooper's comments, as reported in the New York Times of September 9, 1959, along with the wire sent to the President on September 9 by the executive officers of the major steel firms, as it appeared in the New York Times of September 10, be inserted at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 9, 1959]

TEXTS OF COMMENTS IN THE STEEL DISPUTE

PRESIDENT'S LETTER

GENTLEMEN: Immediately upon my return from Europe I received another report from the Secretary of Labor concerning the negotiations betwen the steel companies and the United Steelworkers of America.

It is disappointing to me and disheartening to our people that so little apparent progress toward settlement has been made thus far. Tomorrow the strike will begin its ninth week. For this extended period a half-million employees of the steel companies have been out of work. Over 85 percent of the steel-producing capacity of the Nation has been shut down. About 145,000 workers, who have no connection with the strike but whose jobs depend on steel, have been forced into idleness.

The preservation of freedom in America is not an exclusive responsibility of government. Every individual to a greater or lesser extent shares that responsibility. In these times, when the continuing strength of the Nation is so paramount to this task, the responsibility that rests upon the steelworkers and the steel companies is a heavy one. The American people have a right to expect a measuring up to this responsibility.

Disputes between labor and management must be settled by collective bargaining between the parties. It is only when the national safety and health are imperiled that Federal law should be invoked. All these weeks the Federal Mediation and Conciliation Service has been attempting to assist the parties to reach agreement. Secretary Mitchell has made available to the public an assessment of the economic facts bearing upon the dispute. The Secretary's report has demonstrated clearly that there is a reasonable basis for a settlement that will be responsive to the requirements of the public interest as I have previously outlined them in public statements.

This dispute is not a test of power. The people of the United States do not look to the economic strength of either side to govern the settlement. They will be satisfied only by a just settlement, voluntarily arrived at, that will serve the interests of all our citizens.

Half-hearted bargaining is not enough. Intensive, uninterrupted, good-faith bargaining with a will to make a responsible settlement is required. Compromising differences is a process with which I am familiar. I have seen far more difficult problems than the steel dispute resolved in far less time by people who spoke different languages and had diverse backgrounds. Everything in my experience leads me to believe that where there is a will to agree on both sides, there is a way to agree. The steelworkers and the steel companies must find that way expeditiously.

Sincerely,

DWIGHT D. EISENHOWER.

M'DONALD'S REPLY

DEAR MR. PRESIDENT: This is in response to your letter of September 8 which the steelworkers union deeply appreciates. The United Steelworkers of America shares your disappointment that so little apparent progress toward settlement of the steel dispute has been made thus far.

We agree that a voluntary settlement should be made by the parties.

We agree that Taft-Hartley will settle nothing and indced frustrate bargaining.

We agree that Secretary Mitchell's report has demonstrated clearly that there is a reasonable basis for settlement.

We agree that this dispute should not be settled by economic strength but rather by a just and reasonable settlement.

We agree that half-hearted bargaining is not enough and that reasonable men should be able to effectuate a just compromise.

Mr. President, this is precisely what the union has been seeking these many months. We have been trying to negotiate a reasonable settlement with the industry since early in May. But there must be two parties, both responsible and willing to negotiate a settlement. The union cannot do this alone, and thus far the representatives of the steel companies with whom we have been meeting have either refused or lacked the authority to negotiate, except on the basis of complete denial of any justice to the steelworkers.

Mr. President, I give you my solemn assurance:

The steelworkers' negotiators have the will to agree. The steelworkers' negotiators have the authority to agree. The steelworkers' negotiators have been seeking and will continue to seek good-faith, uninterrupted,

wholehearted bargaining with the objective of achieving a reasonable settlement.

Mr. President, we ask no more than this. We can only hope that your appeal will result in a change of attitude on the part of the industry, a change of attitude which will make a reasonable settlement possible.

Respectfully yours,

DAVID J. MCDONALD,
President.

COOPER COMMENT

We fully share the President's desire for a speedy agreement in the steel wage negotiations; but the issue involved in this dispute is not one that lends itself to an easy solution.

The steel companies are seeking with diligence, patience, persistence, and determination a noninflationary settlement.

To date the steel companies could have achieved a settlement only through the surrender of this principle. We do not believe that surrender to the pressures for an inflationary agreement are desired by the President, by the American people, or by the steelworkers themselves. We have been trying for weeks and will try again with continued determination to achieve a settlement which is in the best interests of all concerned.

[From the New York Times, Sept. 10, 1959]

STEEL REPLIES TO PRESIDENT

We acknowledge and respond to your letter of September 8 with a deep sense of respect and responsibility.

Your record of compromising differences among those holding different points of view upon extremely difficult national and international problems is without parallel in modern times. On the other hand, your record of unflinching refusal to compromise principles has been similarly established and accounts, in no small part, for the affection and esteem which all Americans have felt and shared during your recent and highly significant trip to Europe.

The issues in the current steel dispute, though of less magnitude than those concerned in your European trip, involve matters of principle.

The first and basic question of principle is whether a substantial segment of American industry is able, if sufficiently determined, to stop the spiraling wage-push inflation, even within the confines of its own limited economic sphere. The record in the steel industry of increases in employment costs of approximately 8 percent per year, compounded annually for the past 18 years, accompanied by an increase in shipments per man-hour of less than 2 percent per year compounded annually in the same period, discloses a trend of cost increases which must be stopped in the interest of all. Since employment costs, direct and indirect, represent the great bulk of total production costs, the steel companies, as a matter of survival, obviously have had to pass these employment cost increases on to their customers in the form of price advances.

INFLATION FEAR CITED

Needless to say we recognize that such a course of inflation inevitably leads to economic dislocations and ultimately gives rise to hardships among those who live on fixed incomes, such as teachers, pensioners and many others who are unorganized.

In resisting a repetition of this sort of inflationary settlement, the steel companies believe that they are reflecting the overwhelming desires and sentiment of a great majority of the American people. Unfortunately, however, we are not joined in this effort to combat inflation by those on the opposite side of the bargaining table. To the contrary, while paying public lip service to the desirability of retarding inflation, they have repeatedly demonstrated a firm belief that inflation is a healthy ingredient in our economy.

This is the main reason for the "little apparent progress toward settlement" that has been made during your absence.

The second question of principle involved in the current steel dispute is whether future increases in wages and benefits should emanate from new economic progress generated by all who participate in the future success of the particular corporate enterprise, or be extracted from other unorganized or less strongly organized segments of our economy through the process of inflation. A subsidiary question is whether collective bargaining is in fact, as well as in theory, a give-and-take process. The steel companies have proposed certain contract changes which, among other things and if agreed to by the union, we believe would help to accomplish this desirable result by increasing management's ability to utilize new ideas, new techniques, new procedures, new methodology and new processes, without in any way imposing undue burdens upon the employees while preserving to the employees the right to test the reasonableness and fairness of management actions by the traditional grievance and arbitration procedures.

UNION IS ACCUSED

Here, again, the union has publicly affirmed its belief in the ultimate advantages of mass production, automation, and the inventive genius of a free enterprise economy. But at the same time, across the bargaining table and by various messages to its members, the union labels the companies' efforts to achieve efficiency as efforts to turn back the clock 20 years and to "bust the union" and to destroy the hard-won individual rights of the workers, such as seniority. Such charges are entirely without foundation.

These, in brief, are the two main issues and the two main principles involved in the current steel dispute.

This dispute should not be, as you suggest, "a test of power." By any standard, however, and certainly by past experience, it is a vivid manifestation of extreme economic pressure by a nationwide, industrywide union power. The question is whether the steel companies, and the country as a whole, can honorably withstand this oft-repeated demonstration.

We want to assure you that our four-man negotiating team designated to bargain for the 12 steel companies has full authority to negotiate a settlement consistent with the principles outlined above. We feel impelled to say, further, that they have devoted their efforts to that end with the utmost diligence and persistence. In fact, there have been few labor negotiations in the history of collective bargaining where more meetings and more hours have been spent by industry representatives over such an extended period of time in a genuine effort to resolve differences of the magnitude involved in this dispute. You may also be assured, however, that our representatives will exert every further effort to reach a sound settlement at the earliest possible date.

Mr. HUMPHREY. Mr. McDonald assured the President that the steelworkers are ready and willing to negotiate a reasonable settlement and have been since negotiations began last spring, but that to date their efforts have been rebuffed by the companies' negotiators.

The tone of Mr. Cooper's comments reveal anything but a desire to engage in meaningful negotiations. He once again falls back on the steel companies' familiar refrain—inflation. Mr. Cooper says that they are determined to obtain a noninflationary settlement and that to date the steel companies could have achieved a settlement only through the surrender of this principle.

I hope and trust that the public will not be fooled into believing that this is the real reason for the companies' adamant position. The actions of the steel companies over the past several years should drown out their high-sounding words.

We have a right to ask these questions. If the steel companies are so concerned about inflation, why have they raised prices far in excess of that necessary to compensate for higher wage costs? Why have steel prices soared since World War II more than in any other basic industry? Why have steel companies refused to lower prices, even in times of recession when demand was way down? And why have they refused to share with the public, in the form of lower prices, their alltime record profits which they have been experiencing this year?

The steel companies are all out against inflation—just so long as they can continue to boost their prices and reap record profits. We believe in the principle, the steel companies say, but let us not go so far as to try and apply it in practice.

It is time that the steel companies' double standard be exposed. What they really argue is that wage increases for workers are inflationary and therefore bad, but price increases and higher profits are somehow good. A ridiculous thesis, to be sure, but nevertheless that is what the steel companies' position really boils down to.

The steel companies' position is one of arrogance and self-righteousness. They tell the President of the United States to keep hands off. They tell the steelworkers that there will be no rise in total labor costs, and that is that. And they are attempting to foist upon the American people a phony bill of goods that the only concern of the steel companies is to hold down prices.

I urge the steel compaines to heed the President's request to sit down and bargain in good faith. The time is long past due for the companies to end their scare talk campaign about inflation and to get down to the business at hand of hammering out a good and reasonable collective bargaining agreement.

I was encouraged by the reports in last Friday's newspapers that the President appears willing to meet with Governor Lawrence of Pennsylvania and the other members of the executive committee of the Governors' conference to discuss the strike situation.

I believe very strongly that the President should accept Governor Lawrence's request for a meeting with him. The situation is far too serious to permit any longer a continuation of the President's "hands off" policy. The steel industry plays far too important a role in our economy, and affects directly and indirectly far too many people to permit such a stand.

The President to date has indicated that the only action he contemplates is to seek an 80-day injunction under the national emergency provisions of the Taft-Hartley Act, probably early next month if the strike continues that long.

As the distinguished labor journalist, A. H. Raskin of the New York Times, has stated, this would really settle nothing.

As a matter of fact, to force the steelworkers to go back into the mills under Federal court order, would be to play directly into the hands of the steel companies. A long drawn out strike works a great hardship on steelworkers—relief rolls in places such as Gary, Ind., are already mounting—but it has only a minor effect on the steel companies who due to their productive capacity can fill their customers' annual requirements in 9 months. A strike of 2 or even 3 months' duration means only a minor loss of total sales over the year.

If an 80-day injunction period goes into effect, the mills can run at full force filling the backlog of orders, and the industry at the end of the 80 days will then be in the position to once again sit back and simply wait out the striking steelworkers, who will be faced with the bleak prospect of no work and no paychecks at Christmastime.

The President's plan of action, therefore, fits neatly into the steel companies' strategy of refusing to budge from their position and starving the workers out.

The President should and must take an active role in this dispute to bring about a fair settlement. As the people's representative, he cannot sit with folded hands. There is a real public interest involved. The President should immediately appoint a factfinding board to evaluate the issues involved in the current dispute and to report its findings back to him.

I am aware that the steel companies are opposed to the appointment of a factfinding board, but this should not deter the President from taking such action. This board, through its study, evaluation, and recommendations, is certain to act as a catalyst to bring about a prompt and equitable collective bargaining agreement.

Hundreds of thousands of dollars have been expended by the parties to the current dispute in newspaper advertisements. Literally millions of words have been spoken and written by each side in an effort to win the public's sympathy.

What is needed at this time is not more advertisements, or slogans, or a battle of words, but rather an impartial board, as appointed by the President of the United States himself, to evaluate the current dispute, analyze the issues involved and to make findings and recommendations to the President. In other words, what we need now are the facts, and the best way to determine the facts is through such a board.

It is incumbent upon the President to promptly appoint a factfinding board. Time is quickly running out. If the President refuses to appoint such a board, his only recourse will be to seek an injunction, which would not solve, but only postpone, a settlement.

STEPS FORWARD IN LABOR RELATIONS IN THE MEATPACKING INDUSTRY

Mr. HUMPHREY. Mr. President, for over a week, a strike has been in progress at meatpacking plants in 35 cities. Some 17,000 workers, members of the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, and the United Packinghouse Workers, AFL–CIO, have taken part in the walkout because of a stalemate in contract negotiations.

It is very much in the public interest that this strike be speedily settled. All parts of the public, and particularly livestock producers, would benefit.

Other meatpacking firms, Armour & Co., and Oscar Mayer Co., have amicably reached agreement on a full contract with the unions. These contracts have established a pattern in the industry. Five other major meatpacking firms have agreed to meet this pattern and are currently negotiating the details of the contract with the unions.

This pattern contains new ways for meeting some of the most pressing problems of the meatpacking industry and of other industries. For example, a union-management administered automation fund will be established. This fund will finance studies on ways to ease the effect of automation on workers. It will pay for retraining and relocating employees and other means of minimizing the difficulties caused workers by the introduction of automation.

Another contract clause provides for severance pay if a worker has been laid off for more than 2 years. This is an extremely important help for workers in an industry which has seen a 15-percent cut in jobs in 3 years.

The industry pattern also includes a plan for the continuation of a worker's medical insurance after he retires. This is a truly humanitarian approach of dealing with sickness in the old age of these employees.

In short, Mr. President, most of the meatpacking firms and the unions have worked out very imaginative ways of jointly dealing with these human problems. The meatpacking industry can very well be proud of this pioneering effort.

The fly in the ointment has been the troubles at Swift & Co. That firm's contract proposals have not included the new plan. This is highly unfortunate.

Mr. President, I sincerely hope that Swift & Co. and the unions can quickly reach agreement and the strike can be ended. I hope that the company and the unions will agree on a contract which contains these pioneering provisions.

The meatpacking industry in that way can set an example for other industries. It can point the way toward means of helping to meet some of the problems of automation, of sickness among retired workers, and of suffering from unemployment.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that the conferees on the mutual security bill have reached an agreement and that, as all Senators know, the other body will have to act on the conference report first.

We had a very satisfactory conference, and I think, from the standpoint of this body, the Members will be pleased. If, as, and when the House acts on the conference report, it will be speedily brought to the Senate. We expect to act on it this morning. We may have a rollcall on it. That will bring up a resolution of great interest to Senators that, when the Senate adjourns today, it adjourns sine die.

I have a brief statement to make on another subject.

The PRESIDING OFFICER. The Senator from Texas.

HON. SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of Texas. Mr. President, an institution such as the Congress relies heavily upon the traditions and the history which give it not only vitality but continuity.

On Wednesday, we are coming to one of the most significant anniversaries in the history of our Nation's legislative body. Wednesday, September 16, will mark the 15th year that SAM RAYBURN, of Texas, has served as Speaker of the House of Representatives.

The office of the Speaker is one that occupies a unique position in our governmental structure. It is the office of a man who has been selected by the whole House of Representatives. And in all of the years that our constitutional Government has been in force, no one has held that office with more distinction than the gentleman from Texas, Speaker RAYBURN.

Mr. RAYBURN, as an individual, is a man who has left his stamp upon the history and the structure of our country. He is responsible for more permanent laws upon our statute books than probably any other individual.

The office of the Speaker of the House of Representatives would lend distinction to any man. It can be said—with accuracy—that Mr. RAYBURN has lent distinction to the office of the Speaker.

There is no man in our history who has held that position for a longer period of time.

Speaker RAYBURN has been close to the Johnson family for two generations. He was my father's friend even before I discovered America.

But what is more important is that he has been the friend of all the American people for all the years of his life, and nearly five decades of service in his Nation's Government have given him a permanent place in our history.

Mr. President, I do not believe that this anniversary should pass without official notice by the Congress. In Speaker RAYBURN, we all have a friend, a tutor, an adviser, and a great leader. And I believe the approaching date is one of tremendous significance for the American Nation.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be a call of the calendar from the beginning, while we are waiting for the conference report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The clerk will state the first measure on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 1075), to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 91) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the operations of such act, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Calendar No. 173, H.R. 4601; Calendar No. 228, S. 1474; Calendar No. 290, Senate Joint Resolution 69; Calendar No. 313, H.R. 4012; and Calendar No. 331, H.R. 5140; be passed over en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bills and resolutions passed over are as follows:

H.R. 4601, a bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, for other purposes.

S. 1474, a bill to make permanent the provision of the Reorganization Act of 1949.

Senate Joint Resolution 69, a joint resolution proposing an amendment to the Constitution of the United States relative to the equal rights for men and women.

H.R. 4012 a bill to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes.

H.R. 5140, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1961.

The resolution (S. Res. 131) referring S. 882, a bill for the relief of the heirs of J. B. White, to the Court of Claims, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States used for Federal purposes, and for other purposes, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1851) for the establishment of a commission on a Department of Science and Technology, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1508) to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1789) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all bills and resolutions from Calendar No. 447 down through Calendar No. 664 be passed over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bills and resolutions passed over are as follows:

S. 1789, a bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

Senate Joint Resolution 39, a joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

S. 2436, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

S. 2308, a bill to validate certain extended oil and gas leases.

S. 1711, a bill to promote the foreign policy of the United States by the more effective use of U.S. agricultural commodities for the relief of human beings and for promoting economic and social development in less developed countries.

S. 2522, a bill to provide for the enrichment and sanitary packaging of certain donated commodities and to establish experimental food stamp allotment programs.

PROHIBITION OF EXAMINATION OF MINISTERS OF RELIGION

The bill (H.R. 4192) to prohibit the examination in District of Columbia courts of a minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications, was announced as next in order.

Mr. KEATING. Mr. President, on this matter I have an amendment at the desk to make the same provision applicable generally in the Federal courts. This would give to a minister of religion, to the ordinary clergyman, protective privileges.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, I would not want to assume the responsibility of agreeing to the amendment unless it went to the Committee on the Judiciary.

Mr. KEATING. Mr. President, I was about to say, if Senators will permit me to continue, that representations have been made to me it might interfere with passage of the proposed legislation now if I were to press the amendment. It is quite correct that the amendment has not been considered by the Committee on the Judiciary. Therefore, I shall not press the amendment at this time.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 3, after the word "other", to insert "duly licensed, ordained, or consecrated"; in line 8, after the word "made", to strike out "by him, or"; on page 2, line 3, after the word "or", to strike out "to whom such communication was made, or"; in line 5, after the word "made", to strike out "by him, or"; in line 8, after the word "of", to strike out "to whom such communication was made, or"; in line 10, after the word "made", to strike out "by him, or"; in line 11, after the word "by", to strike out "or to", and in line 14, after the word "communication", to strike out the comma and "or to whom such communication was made".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to prohibit the examination in District of Columbia courts of any minister of religion in connection with any communication made to him in his professional capacity, without the consent of the party to such communication."

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 1734), to amend section 409(c) of the Communications Act of 1934, as amended, with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission, was announced as next in order.

Mr. KEATING. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. ?086), to provide for the establishment of a National Wildlife Disease Laboratory, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all bills and resolutions from Calendar No.

715 down through Calendar No. 825 be passed over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bills and resolution passed over are as follows:

S. 2086, a bill to provide for the establishment of a National Wildlife Disease Laboratory.

H.R. 5888, an act to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority certain lands in South Boston, Mass., in exchange for other lands.

S. 883, a bill to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law.

S. 2402, a bill to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail and for other purposes.

S. 694, a bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Senate Resolution 174, a resolution to discharge the Committee on the Judiciary from the further consideration of the bill (S. 2391) to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote.

The resolution (S. Res. 169) concerning the desirability of an international exposition in the United States, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 910) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all bills from Calendar No. 893 down through Calendar No. 931 be passed over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bills passed over are as follows:

S. 910, a bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes.

S. 2168, a bill to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

H.R. 8315, a bill to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

The bill (S. 793) to amend title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2653) to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants, was announced as next in order.

Mr. KEATING. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (H.R. 3254) for the relief of Thomas Foreman Screven, Julia Screven Daniels, and Mary Bond Screven Rhodes, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

Mr. JOHNSON of Texas. Mr. President, has objection been made to Calendar No. 1014? I understand that bill had been cleared.

Mr. KEATING. An objection was filed with me.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar, and I give notice that I will make a motion to consider it when we conclude the call of the calendar.

The PRESIDING OFFICER. It there objection to the request from the Senator from Texas?

The Chair hears none, and, without objection, the bill will be placed at the foot of the calendar.

BILLS PASSED OVER

The bill (H.R. 5733) for the relief of Park National Bank, was announced as next in order.

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KEATING. Mr. President, I am perfectly willing to have the bill go to the foot of the calendar.

The bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Calendar No. 1035, S. 743; Calendar No. 1040, S. 609; and Calendar No. 1045, S. 2673; go over by request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bills passed over are as follows:

S. 743, a bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals.

S. 609, a bill for the relief of the estate of Gregory J. Kessenich, $100,000.

S. 2673, a bill to provide for the appointment of additional circuit and district judges, and for other purposes.

WILLIAM B. JACKSON

The bill (H.R. 7452) for the relief of William B. Jackson was considered, ordered to a third reading, read the third time, and passed.

CHIEF COUNSEL FOR INTERNAL REVENUE SERVICE

The bill (H.R. 8685) to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, I am informed that passage of the bill would permit Presidential appointment of a Chief Counsel, and thus is very desirable, in that it is believed it will be possible to attract a better quality man for this position. The bill, I hope, will be passed.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H.R. 8685) was considered, ordered to a third reading, read the third time, and passed.

FIXING OF SALARIES OF CERTAIN PERSONNEL AT ST. ELIZABETHS HOSPITAL

The Senate proceeded to consider the bill (S. 2105) to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes which had been reported from the Committee on Labor and Public Welfare, with an amendment, on page 2, line 12, after the word "annum", to insert "and in addition each such officer shall be provided furnished quarters without charge and shall be provided all other allowances in kind now being provided at the same per annum charge now being made therefor, unless, in the case of the assistant superintendent or the first assistant physician, the Secretary determines that his residence on the premises is not necessary", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 4839 of the Revised Statutes, as amended (24 U.S.C. 165), is amended by striking out "he shall reside on the premises and devote his whole time to the welfare of the institution" and inserting in lieu thereof "he shall reside on the premises, and, for this purpose, there are authorized to be appropriated from time to time such sums as may be necessary to build on the grounds of the hospital, and furnish, a residence for the superintendent; he shall devote his whole time to the welfare of the institution".

SEC. 2. Such section is further amended by inserting after the first sentence the following new sentence: "The superintendent shall

receive compensation at the rate of $19,000 per annum, the assistant superintendent shall receive compensation at the rate of $18,000 per annum, and the first assistant physician of the hospital shall receive compensation at the rate of $17,500 per annum, and in addition each such officer shall be provided furnished quarters without charge and shall be provided all other allowances in kind now being provided at the same per annum charge now being made therefor, unless, in the case of the assistant superintendent or the first assistant physician, the Secretary determines that his residence on the premises is not necessary."

SEC. 3. The last proviso of the first paragraph under the head "Saint Elizabeths Hospital" in the Act of March 4, 1929 (45 Stat. 1562, 1606), is repealed.

SEC. 4. Section 3 of this Act and the amendment made by section 2 of this Act shall become effective with the beginning of the first pay period commencing after the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 8) to authorize an emergency 2-year program of Federal financial assistance in school construction to the States, was announced as next in order.

Mr. THURMOND. Mr. President, I object.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the bill at the foot of the calendar.

THOMAS FOREMAN SCREVEN, JULIA SCREVEN DANIELS, AND MARY BOND SCREVEN RHODES

The bill (H.R. 3254) for the relief of Thomas Foreman Screven, Julia Screven Daniels, and Mary Bond Screven Rhodes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KEATING. Mr. President, about 14 people are talking to me at once. May I inquire what is pending before the Senate?

Mr. JOHNSON of Texas. Calendar No. 1014, H.R. 3254, which was placed at the foot of the calendar.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Secretary of the Treasury to pay out of any money in the Treasury not otherwise appropriated the sum of $8,975 in equal shares to Thomas Foreman Screven, Julia Screven Daniels, and May Bond Screven Rhodes, in full settlement of all their claims against the United States for the reasonable value of block No. C–37, Pine Gardens subdivision, Brewton Hill Plantation, Hulin Ward, in Savannah, Ga., which was included in a condemnation proceeding instituted by the United States in which a final order was entered without actual notice being given such persons.

STATEMENT

The House Committee on the Judiciary, in its favorable report on an identical bill of the 85th Congress, H.R. 10559, and which was incorporated by that committee on the identical bill in the 86th Congress, states as follows:

Brewton Hill, now lying in the extreme northeastern corner of the city of Savannah, was the ancestral plantation of the Screven family. In 1941, the Screven family sold a large block of their holdings on an acreage basis to Irwin Gardens, Inc., for subdivision. However, the family retained block C–37 which was in the northwest corner of the property. This tract was at the intersection of Jones Street and Pennsylvania Avenue, and the family retained it because of its strategic location and high value. It was the intention of the members of the Screven family to develop this property themselves.

After the United States entered World War II, the Government condemned the Irwin Gardens holdings for defense housing in the form of temporary demountables. The condemnation proceedings were instituted in the U.S. District Court for the Southern District of Georgia, Savannah division, as civil action 204. In connection with those proceedings a plat of the Irwin Gardens holdings dated May 8, 1942, was filed with the court. However, the plat erroneously included block C–37 within the Irwin Gardens boundary line, and also erroneously included lands belonging to Annie and James L. Sullivan. The decree of condemnation was subsequently reformed and the lands of the Sullivans were excluded from its terms without diminution of the award. The committee has been informed that this was done on the basis of a stipulation with Irwin Gardens. At the time of the condemnation the Screvens were listed as the owners of block C–37 on the tax books and land records of Chatham County and the city of Savannah. They continued to pay taxes on the land until 1953. The Screvens were all nonresidents of Chatham County and did not know of the taking and were never served. Further the committee has been advised that the records of the condemnation show that apparently there was no attempt to notify them.

The report furnished the committee by the Department of Justice states that "the court directed service upon all parties known and unknown, and that a guardian ad litem was appointed under the Georgia Code to protect the interests of any parties whose existence or whereabouts were unknown, who filed an answer in the condemnation proceedings." Apparently this is taken by that Department to be a complete answer to the lack of actual notice in this case as to the persons named in H.R. 10559, for the Justice Department report states following the foregoing quoted portion:

"It thus appears that claimants received all of the protection afforded them by the law and that the question of their right to recover has been thoroughly litigated."

This committee finds it very difficult to square this statement with the fact that these persons where shown to be owners of the land on the taxbooks and land records of Chatham County and the city of Savannah.

The bulk of the report of the Department of Justice concerns the action initiated by the claimants against the United States under the Tucker Act to recover compensation for the land taken by the Government. The report states that the court in that action held that the United States had satisfied its liability when it deposited the amount of money found to be the value of the land condemned, and that "it was not concerned with how the compensation should be distributed." The court ruled that because the plaintiffs (the persons seeking redress in this bill) had not been made parties to the condemnation proceedings they had a remedy for 6 years after the taking under the Tucker Act, but that since they had not brought the action within 6 years the suit could not be maintained.

The committee feels that the facts outlined above show that the persons named in H.R. 10559 are entitled to the relief provided for in that bill. They were not made parties in the condemnation action, and when they sought to assert their rights in a subsequent action they were ruled to be barred by the statute of limitations. However, it is clear that they were never compensated for the taking of the land. Under these circumstances the committee feels that the parties are entitled to the amount stated in the bill, but does not feel that interest should be paid under these conditions. Accordingly, the committee recommends that the bill be amended by deleting the provision for interest, and recommends that the amended bill be considered favorably.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection the bill (H.R. 3254) was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KEATING. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PARK NATIONAL BANK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1015, H.R. 5733.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5733) for the relief of Park National Bank.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to pay the Park National Bank, of Knoxville, Tenn., the sum of $194 in full settlement of all claims of such bank against the United States arising out of the refusal of the Secretary of the Treasury to make payment in the original amount of $194 on a U.S. Treasury check drawn in favor of a private in the Army, which was fraudulently raised to the amount of $494 before being cashed at the bank.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5733) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KEATING. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

JUVENILE DELINQUENCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate return to the consideration of the bill relating to juvenile delinquency, which was the unfinished business of the Senate before the calendar call.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 694) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Mr. THURMOND. Mr. President, I object.

Mr. KEATING. Mr. President——

Mr. JOHNSON of Texas. We are simply returning to the consideration of the bill we have had before the Senate all evening. Does the Senator want to object to our having some unfinished business?

Mr. THURMOND. I object to the bill. The Senate can follow any course it wants to.

Mr. JOHNSON of Texas. We are not voting on the bill. We displaced the bill temporarily for the call of the calendar, and I wanted to have the bill before the Senate, so that Senators can discuss it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate resumed consideration of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS

Mr. JOHNSON of Texas. Mr. President, on behalf of the Public Works Committee, I ask unanimous consent to file a statement concerning the activities of that committee, together with a covering letter from the chairman of the committee.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
September 11, 1959.

Hon. LYNDON B. JOHNSON,
Majority Leader,
U.S. Senate, Washington, D.C.

DEAR LYNDON: I herewith transmit for your attention a summary of activities of the Committee on Public Works, U.S. Senate, 86th Congress, 1st session.

You will note that 138 measures were referred to the committee of which 20 have become public law. Others were passed by both the Senate and the House, leaving some remaining, many of which we anticipate being able to handle in the second session of Congress.

I have listed the status of legislation with which we have dealt and you will notice that they include such important legislation as, the amendment to the TVA Act; authority for General Services Administraion to construct, alter, and acquire public buildings; Federal-aid highway amendments; amendments to the Water Pollution Control Act and the Lake Michigan diversion bill. In addition, we have been concerned with many measures which, although not of national interest, mean much to individual areas such as the watershed protection and flood-control projects.

Sincerely yours,

DENNIS CHAVEZ,
Chairman, Committee on Public Works.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS, U.S. SENATE, 86TH CONGRESS, 1ST SESSION

Under the provisions of the Legislative Reorganization Act, the Committee on Public Works of the U.S. Senate has jurisdiction over legislation relating to flood control, improvements of rivers and harbors, public buildings, public roads, waterpower, bridges over navigable waterways, pollution of navigable waters, and public reservations and parks in the District of Columbia.

There were 138 measures referred to the committee during the 1st session of the 86th Congress. The committee approved 38 bills, of which 23 were passed by both Houses. Twenty of these became public laws.

Among the measures handled by the committee were important and involved legislation such as: the amendment to the Tennessee Valley Authority Act; authority for the GSA to construct, alter, and acquire public buildings for the Federal Government; amendments to the Federal Aid Highway Acts of 1956 and 1958; amendments to the Water Pollution Control Act of 1956 and H.R. 1 which would authorize a study of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway.

The committee, in compliance with the provisions of Public Law 1018, 84th Congress, approved 16 watershed protection and flood protection projects. These projects involve a total cost of more than $51 million of which about $31 million would be a Federal cost.

Several days of hearings have been held on an omnibus rivers and harbors flood control bill and in addition, survey reports for flood control and navigation have been received and reviewed. Reviews of previous reports covering 51 basins and localities have been authorized by committee resolutions.

There follows herewith a listing of bills handled by the committee and their disposition. There also follows a discussion of the important legislation of national interest and effect that was approved by the committee:

As of Sept. 11, 1959, bills and resolutions enacted into law public laws

Public Law No.	Date approved	Provisions	Estimated cost
35	May 29, 1959	To amend sec. 108(a) of title 23 of the United States Code to increase period in which construction shall commence on right-of-way acquired from 5 to 7 years.	0.
41	June 11, 1959	To provide for acquisition and exchange of land along the Mount Vernon Memorial Highway	0.
58	July 23, 1959	To set aside and reserve Memaloose Island, Columbia River, Oreg., for the use of Dalles Dam project and transfer certain property to Yakima Tribe in exchange.	$59,000.
77	July 6, 1959	To increase authorization relating to dam No. 3 on the Big Sandy River, Ky	$90,000.
82	July 13, 1959	To authorize the sale of certain lands in the State of Missouri	0.
93	July 17, 1959	To authorize the utilization of a limited amount of storage space in Table Rock Reservoir for supplying water to fish hatchery.	Minor.
100	do	To rename the New Richmond locks and dams in the State of Ohio as the Capt. Anthony Meldahl lock and dam.	0.
124	July 31, 1959	To provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States.	0.
137	Aug. 6, 1959	To amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes	Sale of bonds.
157	Aug. 14, 1959	To amend the Tennessee Valley Authority Act, as amended, deletion of language	0.
185	Aug. 25, 1959	To designate lake in North Dakota as Edward Arthur Patterson Lake	0.
189	do	To designate dam and reservoir to be constructed on Pound River near Barlick, Va., as the John W. Flannagan Dam and Reservoir.	0.
190	do	To validate and confirm contract entered into between the United States and Bridgeport, Wash	$2,280 annually during construction.
191	do	To repeal the act of Aug. 9, 1939, creating the Louisiana-Vicksburg Bridge Commission	0.
193	do	To designate a stream in California as the Petaluma River	0.
196	do	To authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va	$1,800 gain to Government.
203	do	To designate the Coyote Valley Reservoir in California as Lake Mendocino	0.
226	Sept. 8, 1959	To declare portions of Bayous Terrebonne and Le Carpe, La., to be nonnavigable	0.
228	do	To amend Texas Water Commission study area	No additional.
249	Sept. 9, 1959	To provide for construction, alteration, and acquisition of public buildings of the Federal Government	Indefinite.

Bills reported by Committee on Public Works and passed by Senate and House

Bill No.	Date approved	Provisions	Estimated cost
S. 441	Sept. 1, 1959	To extend duration of Air Pollution Control Act (House amended Senate bill)	Not to exceed $7,500,000.
H.R. 7476	Sept. 9, 1959	To extend Air Pollution Control Act	Not to exceed $5,000,000.
S. 962	Aug. 27, 1959	Authorizing channel improvements of Port Mansfield, Tex	$3,431,000.
H.R. 7125	Sept. 9, 1959	To provide for study of President Adams Parkway	$25,000.
H.R. 8678	do	To amend the Federal Aid Highway Acts of 1956 and 1958 to make certain adjustments	No significant increase.
H.R. 3610	do	To amend the Water Pollution Control Act	$30,000,000 annually.

Bills reported by the Committee on Public Works and passed by the Senate

Bill No.	Date approved	Provisions	Estimated cost
S. 219	Apr. 29, 1959	To provide for construction of fireproof annex building for use of Government Printing Office	$5,251,000.
S. 601	----do----	To authorize and provide for construction of Bardwell Reservoir	$5,104,000.
S. 836	May 20, 1959	To designate lock and dam near Channelton, Ind., as the George Ewing lock and dam	0.
S. 1632	----do----	Authorizing modification of the existing project for Kahului Harbor, Island of Maui, Hawaii	$944,500.
S.J. Res. 115	Aug. 19, 1959	Authorizing purchase of land in District of Columbia for Pan American Health Organization	$874,000.
S. 2440	Aug. 19, 1959	Designating Green Peter Dam and Reservoir as the Douglas McKay Dam and Reservoir	0.
S. 2362	Sept. 9, 1959	To authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands as the John Day lock and dam project.	Government to be paid for land.
S. 2362	Sept. 10, 1959	To establish Alaska Study Commission	Indefinite.
[1] H.R. 1	Aug. 25, 1959	Study of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway	0.

[1] Reported to Senate by Senate Public Works Committee Aug. 24, 1959 (referred to Senate Committee on Foreign Relations).

Bills reported by Committee on Public Works

Bill No.	Date approved	Provisions	Estimated cost
S. 793	Sept. 5, 1959	To increase authorization for bridges over Federal dams (included in H.R. 8678)	$3,000,000
S. 2230	Sept. 10, 1959	To amend National Cultural Center Act	0
H.R. 616	----do----	To designate dam at Lampasas, Tex., as Stillhouse Hollow Dam	0
H.R. 8035	----do----	To designate the Dyberry Dam and Reservoir Lackawaxen River Basin, Pa., as the General Jadwin Dam and Reservoir.	0

WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS

Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress, required approval by committee resolution of any watershed plan involving an estimated Federal cost in excess of $250,000, or which includes any structure providing more than 2,500 acre-feet of total storage capacity. Such approval of any plan containing a single structure of less than 4,000 acre-feet total capacity is the responsibility of the Committee on Agriculture, and those in excess of such capacity are to be approved by the Committee on Public Works.

The program is extremely popular and is very beneficial to many areas of our country. Many projects are under construction and others are being planned.

In compliance with the provisions of Public Law 1018, 84th Congress, the following watershed projects were approved by the committee:

Project	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio
Lick Creek, Tenn	$4,488,819	$1,684,263	$6,173,082	1.6
Chiltipin-San Fernando Creek, Tex	1,533,536	1,338,104	2,871,640	1.1
San Diego-Rosita Creek, Tex	1,443,557	1,398,175	2,841,732	1.2
Frye Creek-Stockton Wash, Ariz	4,462,602	484,292	4,946,894	1.50
Brule Creek, S. Dak	1,747,955	1,457,754	3,205,709	1.20
Sulphur Creek, Tex	1,800,994	273,286	2,074,280	1.28
Big Blue, Ill	135,230	472,129	607,359	1.24
Shoal Creek, Ill	1,512,109	3,150,664	4,662,773	1.29
Tobesofkee Creek, Ga	460,929	861,573	1,322,502	2.00
Tehuacana Creek, Tex	4,212,822	2,359,536	6,572,358	1.70
Second Creek, Miss	1,116,950	938,532	1,755,482	1.5
Flat Creek, Ark	531,854	377,869	909,723	2.18
Marsh-Kellogg Creek, Calif	3,366,000	2,576,200	5,942,200	1.9
Upper Clear Boggy Creek, Okla	2,349,482	2,216,572	4,566,054	2.8
Roanoke Creek, Va	1,528,532	777,803	2,306,335	1.73
Caney-Coon Creek, Okla	144,158	363,025	507,183	1.4
Total	30,835,529	20,429,777	51,265,306	

AMENDING THE TENNESSEE VALLEY AUTHORITY ACT (PUBLIC LAW 137, 86TH CONG.)

Legislation to permit TVA to finance new power facilities by sale of revenue bonds has been pending before the Congress for more than 4 years and our committee has held numerous hearings and has expended a great amount of time and effort on this legislation. It is with great satisfaction that we now have enacted into law (Public Law 137, 86th Cong.) authority for TVA to carry on a much needed electric power expansion program.

In 1939 the Congress enacted legislation authorizing TVA to purchase the facilities owned by private power systems in the Tennessee Valley region. By this action, the Federal Government assumed the responsibility for supplying the power needs of the area. Relying upon this commitment, many cities, rural electric cooperatives, and large industries, many of the latter important to national defense, have invested hundreds of millions of dollars in distribution facilities and manufacturing plants in the expectation that a prudent management would supply such increasing amounts of power as the economy of the region demands.

By 1940, TVA had completed or had under construction most of the economically feasible hydroelectric installations. The increasing power demands created by World War II, particularly Government-owned atomic energy installations, necessitated additional power facilities to care for the increased power demands. To meet these demands required additional appropriations and the use of power revenues to finance the expansion of power production facilities.

The new act authorizes the use of bond proceeds in the amount of $750 million or as much thereof as may be required in connection with the lease or lease-purchase of any electric plant or facility, and permits TVA to provide certain necessary services as a means of assuring that such plants would be constructed economically and to standards that would fit such facility into the TVA power system, and which might be needed for such construction to be feasible. It also includes needed provisions to avoid duplication of tax and in-lieu taxpayments to State and local governments on facilities operated under lease or lease-purchase arrangements.

Such a procedure offers a possibility of acquiring a plant financed with funds provided by a local agency. If such a plant is to become a part of the TVA power system, and TVA is to ultimately bear all the costs, the Corporation should be in a position to influence selection of a site, the plant design, the engineering characteristics, and be assured of the efficiency and economy of construction just as if the plant were constructed by TVA.

The new act exempts the proceeds of TVA bonds and power revenues from the apportionment provisions of existing law. The primary purpose of the apportionment procedure is to prevent anticipation of appropriations.

The new act permits minor adjustments on the periphery of the area presently supplied and within that area; permit service to additional cities with a population in excess of 5,000 or 10,000 if they own their distribution systems; protect the rights of certain communities to choose their power supply; protect the areas now being served by private utilities; preserve existing contracts and reduce possible litigation and confusion.

The act required TVA to make two types of payments to the Treasury. The first is a semiannual return on the appropriation investment based on the Treasury's current average cost of money. Approximately $1,200 million investment in the TVA power system supplied by appropriations and transfers of property from other agencies is outstanding. This return is in the nature of an annual dividend to the Government as the owner of the Corporation, and will be much larger than the annual amount now necessary to amortize the cost of power facilities in 40 years.

The second payment required is a repayment to the Treasury by the TVA of not less than $10 million per year for each of the first 5 fiscal years, $15 million for each of the next 5 fiscal years, and $20 million for

each fiscal year thereafter, such repayments to be applied to reduction of the appropriation investment until a total of $1 billion has been repaid. These repayments will reduce the appropriation investment by $1 billion in about 54 years, which is the approximate time period for repayment of similar Federal projects financed by appropriations. There would remain a relatively small amount of appropriation investment in the TVA power system, which would represent, together with the reinvestment of power revenues, the equity of the Federal Government in the system.

PUBLIC BUILDINGS

The Public Buildings Act of 1926 provided the basic authority for direct construction appropriations. Under the 1926 act, as amended, a total of about $620 million was authorized and appropriated. The last such appropriation was in the Independent Offices Appropriation Act of 1959 when about $170 million was appropriated for the construction of public buildings. All monetary authorization under the 1926 act, as amended, has been expended.

The so-called lease purchase provisions of Public Law 519, 83d Congress, expired on July 22, 1957, and consequently, there is no existing law which permits the GSA to perform overall planning and construction of new buildings nor the rehabilitation or remodeling of existing buildings. Under the lease-purchase act, 48 buildings were approved for use by the Post Office Department of which only 5 were placed under construction through the lease-purchase program. A total of 103 buildings were approved for construction by GSA. A total of 20 were initiated under the lease-purchase program, and 53 were authorized to be constructed by direct appropriations. Twenty-one of those approved have not been completely funded.

Senate bill 2261 was reported to the Senate on June 27, 1957, with a large number of the members of the Committee on Public Works as sponsors. This bill which would have extended the lease-purchase authority passed the Senate on July 3, 1957. However, the House committee amended S. 2261 so that the lease-purchase authority would be rescinded and all buildings would be constructed by direct appropriations.

H.R. 7645, which passed the House on July 8, 1959, and S. 1654 which passed the Senate on August 25, 1959, would provide continuing authority for the GSA administrator to carry out a program for the repair, remodeling, improvement, and new construction of public buildings. Certain special purpose facilities closely related to activities of the various departments and agencies of the Federal Government are not encompassed by the bills. The bills in no way affect the leasing authority of the Post Office Department and GSA, nor the improvement of public buildings through the postal modernization fund.

The language adopted provides general authority for the GSA administrator to carry on a program of building, remodeling, repair and construction. He must, however, under certain conditions, obtain approval by the Committees on Public Works of the Senate and House of Representatives before appropriations can be made to construct, alter, or acquire any public building. The conditions under which approval of committees is required are as follows:

(a) GSA is authorized to alter buildings under his control and to acquire lands therefor. Committee approval is not required where the maximum cost does not exceed $200,000.

(b) GSA is authorized to construct or acquire buildings. Committee approval is required for those involving an expenditure of more than $100,000.

(c) GSA is required to furnish a prospectus containing information on proposed buildings to the committees when their approval is required.

(d) GSA would be permitted to proceed with an approved project without further approval of committees if cost is increased by reason of increased construction or alteration costs as long as the increase is not in excess of 10 percent.

(e) The committees would be prohibited from approving any new project whenever there are more than 30 or more projects, the estimated maximum cost of each in excess of $100,000, which have been approved for more than 1 year and for which no appropriations have been made until there has either been appropriations or recessions of approval which result in the number of such approved projects dropping to less than 30. Committees may rescind, by resolution, its approval if appropriations have not been made.

(f) The GSA and Post Office Department are authorized and directed to make building project surveys upon direction by resolution of either the Senate or House Public Works Committees.

The bill contains provisions relating to acquisition of property in the District of Columbia. These provisions are simply a repetition of existing authority. The bill calls for reports on building programs and a continuation of investigations for public buildings. The bill repeals a number of laws which have become obsolete.

FEDERAL AID HIGHWAY ACT

The Federal Aid Highway Act of 1956 authorized a new and enlarged Federal aid highway program of far reaching consequences that, in its entirety, will be one of the great construction projects of all time. The Federal Aid Highway Act of 1958 provided for a continuation of the Federal aid highway program on an accelerated basis. It authorized additional funds for fiscal year 1959 for the regular Federal-aid systems, to assist in combating a slight economic recession that was occurring at that time, and continued the program on those systems through 1960 and 1961 on an accelerated basis, as well as for certain road systems on the public domain.

Recognizing the increase in the estimated cost of completing the National System of Interstate and Defense Highways, the 1958 act authorized additional funds for that system for fiscal years 1959, 1960, and 1961, and provided for apportionment of the interstate funds for 1960 to the States on the basis of the estimated cost of completing the Interstate System in the various States. The act also authorized the apportionment of all Federal-aid highway funds authorized for the fiscal years 1959 and 1960 without regard to the provisions of section 209(g) of the Highway Revenue Act of 1956, which limits apportionment of such funds to amounts available in the highway trust fund.

In his budget message for fiscal year 1960, the President advised that he would recommend legislation to the Congress for a temporary increase of 1½ cents per gallon in the Federal fuel tax to become effective July 1, 1959, and to remain in effect through the fiscal year 1964. He estimated that without this tax increase, the highway trust fund would have a deficit of $241 million at the end of fiscal year 1960, $1,059 million at the end of fiscal year 1961, and $2,166 million at the end of fiscal year 1962.

The Federal Highway Administrator recently advised the committee that the deficit for fiscal year 1960 will be about $500 million, and that without additional legislation the authorized sum of $2.5 billion for the Interstate System for fiscal year 1961, which would normally be made in July 1959, could not be apportioned, and that only $0.5 billion of the $2.2 billion authorized for fiscal year 1962 could be apportioned in July 1960.

These facts point up the crisis now facing the Federal-aid highway program, where additional legislation is necessary or the program will slow down to a marked degree. The program is well underway, the United States is committed and the States are committed. Fluctuations in an important program such as this are undesirable. Legislative action that would have a severe impact on the program should be carefully considered, however, certain problems should be taken care of at this time, to at least keep the highway program going on a slightly reduced schedule, and avoid any serious economic impact in the highway field at this time.

The committee therefore approved the provision of H.R. 8678, as passed by the House of Representatives, reducing the authorization for fiscal year 1961, from $2.5 billion to $2 billion. It is understood that present estimates indicate that the highway trust fund can only finance about $1.8 billion for fiscal year 1961, but that the full $2 billion can be taken care of by a slight delay of only a few days in reimbursement of vouchers submitted. The committee believed that $2 billion is the absolute minimum for annual expenditures on the Interstate System, and the program should under no circumstances be reduced below that figure.

The amendments approved by the committee and which passed the Senate are as follows:

(1) Amend section 108(b) of the Federal-Aid Highway Act of 1956, as amended, by decreasing the authorization for fiscal year 1961 from $2.5 billion to $2 billion.

(2) Amend section 8 of the Federal-Aid Highway Act of 1958, as amended, by giving approval to the latest estimate of cost of completing the Interstate System as the basis for making the apportionment to the States of the funds authorized for the Interstate System for fiscal year 1962, which would normally be made during the calendar year 1960.

(3) Increase the authorization for funds for parkways for the fiscal year ending June 30, 1960 by $2 million.

(4) Authorize the Secretary of Commerce to make a study of the need for extension of the Interstate System to the States of Alaska and Hawaii, and report his recommendations on the routes and mileages to the Congress.

(5) Exempt segments of the Interstate System within present boundaries of incorporated municipalities, or where the land use is now established by State law as industrial or commercial, from the application of the national standards for control of outdoor advertising.

(6) Provide for the use of emergency relief funds for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads whether or not such highways, roads, or trails are on any Federal-aid highway system, with the Federal share of 100 percent payable on account of such work performed with emergency funds on such roads on the public domain.

(7) Increase the authorization for bridges over Federal dams from $10 million to $13 million.

AMENDMENTS TO WATER POLLUTION CONTROL ACT (PUBLIC LAW 660, 84TH CONG.)

In recognition of the growing problem of water pollution, the Congress in 1948 passed Public Law 845, the Water Pollution Control Act. In 1956, the Congress extended and improved the Federal water pollution control program by passing Public Law 660, the Federal Water Pollution Control Act. The 1956 act continued the Federal role of cooperative programs with the States through research, technical assistance, and financial aid, including for the first time grants to municipalities to assist in building needed sewage treatment plants and interstate enforcement.

H.R. 3610, as passed by the Senate, would increase the construction grants from $250,000 to $400,000 for individual projects. It provides that no grant of more than $250,000 shall be approved for a project in any State until all previously filed qualified applications from that State and political subdivisions thereof for grants not exceeding $250,000 have been approved. The bill would allow municipalities to join together to build joint treatment facilities. The bill provides for an annual authorization of $80 million instead of the present $50 million and a total authorization of $800 millllion instead of the present $500 million. The bill also provides for reallocation of funds in the event States are unable to utilize funds allotted under the formula now in effect. The bill also provides that laborers and mechanics employed on such project shall come under the provisions of the Davis-Bacon Act.

Federal funds in the amount of $140 million have been appropriated through fiscal year 1959 with $131.6 million granted to municipalities. With this grant, 1,583 projects costing $685.2 million are being constructed. An additional $45 million is being appropriated for fiscal year 1960, thus, a total appropriation of $185 million has been made. If the full $80 million is appropriated there would result a stimulation in the construction of sewage treatment works of about $416.5 million annually as contrasted with a present annual rate of about $240 million which would be an increase of 72 percent over the present rate.

LAKE MICHIGAN WATER DIVERSION, H.R. 1

The committee held hearings in the 83d, 84th, and 85th Congresses, and again in this Congress on legislation providing for diversion of water from Lake Michigan.

The legislation proposed would authorize a joint 3-year study by the Department of Health, Education, and Welfare and the Department of the Army of the effects of an additional diversion of 1,000 cubic feet per second of water from Lake Michigan at Chicago for a period of 1 year. The studies would include a determination of the effect on lake levels of the diversion and the effects of currents and flows of water throughout the south 175 miles of Lake Michigan. In addition, the studies would include the effect of aeration, chlorination, sources of pollution, studies of the quality of water in the Illinois Waterway and tributary streams, the possibility of separation of storm and sanitary sewage and a study of the treatment of industrial wastes in the Metropolitan Sanitary District of Greater Chicago.

The committee reported H.R. 1 to the Senate on August 25, 1959, and after prolonged debate, the bill was re-referred to the Foreign Relations Committee for consideration in view of the contention that Canada objected to such diversion and the problem therefore came within the provinces of the Foreign Relations Committee.

THE "MARK AMERICAN" PROGRAM

Mr. KEATING. Mr. President, as this 1st session of the 86th Congress draws to a close after a lengthy period of dedication to new legislation, I desire to submit my thoughts and intentions relative to one piece of legislation enacted in the past, but which deserves our watchful attention in the present and in the future.

I refer to the identification program of exports from our country—commonly known as the "mark American" program.

On July 30, 1953, the Senate adopted Concurrent Resolution 40, concerning the inscription on American-made goods for export, and it was resolved that "it was the sense of the Congress of the United States that American-made goods should be publicized as such, and that the President should instruct the Secretary of Commerce to use the facilities of the Department of Commerce to call upon producers and merchants to affix, insofar as practicable, to the external shipping containers of all American-made goods for export the following inscription in indelible print of a suitable size: United States of America."

From this enactment came the red, white, and blue design of the shield with stars and stripes and two clasped hands above the words "United States of America."

I understand that this was the result of 9 years of striving by a constituent of mine through previous administrations to bring about identification of our American-manufactured goods, much of which was and continues to be sent under our various mutual aid programs to foreign countries. My constituent, whose dedication has brought about this identification program, has acquired his own identification with the project and is referred to by many as John J. (Mark American) Shaughnessy.

The value of identifying our billions of dollars of various foreign aid materials so that those peoples overseas to whom such assistance was going would know the people of the United States of America were the senders, is obvious. Too many reports of the appropriation of the origin and credit for these assistance goods by others than this country have been circulated. The technicalities of distribution of the billions of pounds of material aid sent overseas are confounding—but it was reassuring to know that at least the outer packaging of the shipments would bring a message of the American people extending hands filled with life-preserving commodities, across the seas.

Each contract covering the tons of surplus agricultural products donated to the needy of the world through such various agencies as church groups, CARE, UNICEF, and the ICA, includes a stipulation that each package unit must clearly be marked as being furnished by the people of the United States of America. This emblem must also be displayed on the ships used by the ICA during loading and unloading of ICA-financed goods.

I have carefully inquired into shipments by the Department of Defense and am advised that the Department of the Army so marks all shipments abroad except foods and troop-support materials addressed to our American bases overseas.

Because I expect to go overseas myself during adjournment as a delegate to an international conference, I have made a new study of the implementation of this important "mark American" program, and I anticipate following through on my study of this matter during that trip. I am going to see for myself how this identification message to our friends abroad is being conveyed. I hope to be able to estimate the friendship potential of such markings. When I return, I hope to be able to tell the American taxpayers who have shared our American material goods with the rest of the world, that according to the intention of their representatives in the 83d Congress, the "mark American" program is telling the world that these necessities, these comforts, are coming from the people of the United States of America.

AUTHORIZATION FOR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO SIGN ENROLLED BILLS

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 439, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution? Without objection, the concurrent resolution is agreed to.

ESTABLISHING THE TIME OF THE 2D REGULAR SESSION OF THE 86TH CONGRESS

The PRESIDING OFFICER laid before the Senate House Joint Resolution 531, which was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the Eighty-sixth Congress shall begin at noon on Wednesday, January 6, 1960.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

AUTHORITY FOR SECRETARY OF SENATE TO RECEIVE MESSAGES FROM HOUSE OF REPRESENTATIVES SUBSEQUENT TO SINE DIE ADJOURNMENT

On motion of Mr. JOHNSON of Texas, and by unanimous consent, it was

Ordered, That notwithstanding the final adjournment of the present session of the Congress, the Secretary be, and he is hereby, authorized to receive messages from the House of Representatives.

AUTHORIZATION FOR INSERTIONS IN RECORD FOLLOWING ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may be permitted to make in-

sertions in the RECORD following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR PRESIDENT OF THE SENATE TO MAKE CERTAIN APPOINTMENTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas submitted the following resolution (S. Res. 199); which was considered and agreed to:

Resolved, That notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

APPOINTMENT OF COMMITTEE TO JOIN HOUSE COMMITTEE TO NOTIFY THE PRESIDENT OF PROPOSED SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas submitted the following resolution (S. Res. 200); which was considered and agreed to:

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

The PRESIDING OFFICER. Without objection, the resolution is agreed to. The Chair appoints the Senator from Texas [Mr. JOHNSON] and the Senator from Illinois [Mr. DIRKSEN] as members of the committee on the part of the Senate.

THANKS OF THE SENATE TO PRESIDENT PRO TEMPORE

Mr. JOHNSON of Texas submitted the following resolution (S. Res. 201); which was considered and agreed to:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable CARL HAYDEN, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 1st session of the 86th Congress.

THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. JOHNSON of Texas submitted the following resolution (S. Res. 202); which was considered and agreed to:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable RICHARD M. NIXON, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 1st session of the 86th Congress.

TOM CONNALLY OF TEXAS

Mr. KEATING.——

Mr. BARTLETT. Mr. President, may we have order? I have great difficulty in hearing the Senator from New York.

The PRESIDING OFFICER. (Mr. CANNON in the chair). The Senate will come to order.

Mr. HUMPHREY. Will the Senator speak a little louder?

Mr. KEATING. I will try to speak in a tone which will be audible to all my colleagues during these important moments of the close of this session, and I will be happy to yield to any Senator who has need for that purpose.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. KEATING. I will be happy to yield to my distinguished friend provided I do not lose the floor.

Mr. YARBOROUGH. Just a few days ago occurred the 82d birthday of one of the most distinguished men to serve in this body in this generation. I refer to the Honorable Tom Connally, of Texas, whose birthday was the 19th day of August 1877. On the anniversary of his birthday this year we planned for him to be on the floor, but it was not feasible at that time.

Mr. President, at the conclusion of my remarks I shall ask to have printed this little sketch of the life of Tom Connally, who served in this body for 24 years. He served in the Spanish-American War. He left the University of Texas Law School to serve in the Spanish-American War and was granted a degree in absentia cum laude, because his grades had been so high up to that time.

He left the House of Representatives to serve in World War I. When he was in the House he served on the Foreign Relations Committee, and when he came to the Senate he was on that committee from the beginning. He became one of the leaders in America in the shaping of our foreign policy during World War II and the Korean War.

At the end of World War I he was one of the leading supporters in the U.S. Congress of the League of Nations. He saw the necessity for world cooperation, and he assiduously followed that course in his career in the House and in the Senate.

Mr. President, since my State entered the Union in 1845 it has been represented in this body by 25 men. It is a singular fact that of those 25, 7 are now living.

No more distinguished person has ever represented the State of Texas in this body than the Honorable Tom Connally, in his ability and his capability. His able tongue was heard through these halls, and it was forcefully heard. He was a molder of legislation. All of those who served with him knew the influence he had on legislation.

It is my regret that the state of his health was such that he was not able to be here, but I did not want this session to close without this brief tribute being paid to him in the RECORD of this 86th Congress.

I ask unanimous consent that a brief sketch of his services be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOM CONNALLY, OF TEXAS

Almost 7½ years ago, on April 13, 1952, Tom Connally, of Texas, "the Senator who looked like a Senator," announced that he would not be a candidate for reelection. Texas, the Senate, and the Nation lost a devoted public servant in that year. They lost the benefit of his 36 years experience in Congress, of his knowledge of both foreign and domestic affairs. They lost the goad of his trenchant tongue. They lost the hand that helped write significance chapters in the history of our country during the second quarter of this century.

Thomas Terry Connally was born in McLennan County, Tex., on August 19, 1877. Both his father, Jones, and his mother, Mary Ellen, were native Georgians whose Scotch-Irish ancestors had settled in the American colonies in the middle of the 18th century.

Young Tom was reared in a fairly well-to-do atmosphere. His father had built up one of the most prosperous farms in the county. Tom spent his early years on this farm and attending the public schools of nearby Eddy. He was a bright boy with a quick mind and a ready tongue. In 1896 he graduated from Baylor University, at 18, the youngest man in his class. Already his friends were joshingly calling him Talking Tom in deference to his interest and skill in debating.

After graduation he worked briefly for a Waco newspaper. Then he entered the University of Texas law school. His schooling ended 2 months short of graduation. Unable to restrain his martial and patriotic ardor at the onset of the Spanish-American War, he enlisted as a private in the Second Texas Infantry Volunteers. Although he saw no action, Connally was discharged a sergeant major.

Much to his disappointment, he saw no action in World War I, either. As he was at that time a Member of Congress, it took him over a year to convince the Army to take him. The war barely lasted for 3 months after he received his commission. He ruefully wrote to John Garner, "I suppose I have one of the most distinguished records of any veteran. I have been in more wars and fought less than any living man."

At any rate, having returned from his service in the Spanish-American War, he found he had been granted his LL.B. in absentia and cum laude. He was now 20 years old.

Admitted to the Texas bar in 1898, he soon settled down to practice in Marlin, where he still maintains a residence. Those were impecunious years. Connally tells a delightful story of those times in his autobiography, "My Name Is Tom Connally." A preacher came to him with a deed for some land and asked the young lawyer to check his title. When the preacher returned a few days later, Tom had completed the job and told him that the title was clear.

"Mr. Connally," said the preacher, "what do I owe you?"

"You're a minister of the Gospel," replied Tom, "and I as a lawyer make no charges to a minister of peace."

The preacher beamed. "Well, if that's the case, Mr. Connally," he said, "then I just want you to know that from now on, you're going to be my lawyer."

Despite this generosity, or perhaps because of it, Connally eventually built up a prosperous practice.

At the same time, he was acquiring political experience. He served two terms in the Texas House of Representatives, where he was chairman of that body's Judiciary Committee and a coauthor of the State's antitrust law. Later he served two terms as prosecuting attorney for Falls County.

Connally's congressional career began in 1917 as a Member of the House of Representatives from the 11th Texas District in the 65th Congress. Almost immediately he was given a seat on the Foreign Affairs Committee, regarded as a minor assignment in those innocent days.

His first recorded vote supported the declaration of war against Germany. A staunch Wilsonian, he stood up for the League of Nations, and for the World Court. In the 1920's he anticipated later developments by pleading for a bipartisan approach to foreign policy. Long before the "good neighbor" phrase was coined Connally was a strong proponent of friendlier relations with Latin America. He was a delegate to the Interparliamentary Union at Geneva in 1924, and at Washington in 1925. During his 12 years in the House he was also active in legislation dealing with agriculture, stock-raising, and oil.

In 1928 Tom Connally was elected to the Senate. He was reelected in 1934, 1940, and 1946. During those 24 years in the Senate he served at one time or another on the Finance Committee, the Committee on Public Buildings and Grounds, the Committee on Privileges and Elections, the Judiciary Committee, the Agriculture Committee, and the Committee on Foreign Relations. In addition, he was a member of special committees to investigate the national defense program, petroleum resources, and atomic energy. He also served on the Joint Committee on Foreign Economic Cooperation.

But it was during his long tenure with the Senate Committee on Foreign Relations, and especially as chairman of that body, that Tom Connally created the reputation for which our descendants will honor him.

Throughout the 1930's he favored a big Navy. He was a supporter of the Reciprocal Trade Agreements Act of 1934, and subsequent extensions. He spoke up for the idea of hemisphere defense. He favored the repeal of the arms embargo and supported the Lend-Lease and Selective Service Acts.

Tom Connally assumed the chairmanship of the Foreign Relations Committee in July 1941. He was responsible for the adoption of much significant legislation during World War II. He was a delegate to the International Conference on War and Peace Problems at Mexico City in 1945, and vice chairman of the American delegation to the United Nations Conference on International Organization at San Francisco. He sponsored the ratification of the United Nations Charter in the Senate, and was a member of the American delegation to the first U.N. General Assembly meeting in 1946. As adviser to Secretary of State James F. Byrnes, this son of Texas was in Paris for the first two sessions of the Council of Foreign Ministers. He was back at the conference table later in 1946 for the peace conference. In addition to representing the United States at the U.N. General Assembly meeting in New York late in 1946, he also served as adviser to the Secretary of State at the third Council of Foreign Ministers.

Although ousted from the chairmanship in the Republican 80th Congress, Connally was an important factor in the passage of the Greek-Turkish aid bill and in the ratification of the various peace treaties by the Senate. In 1947 he also participated in the Inter-American Conference on the Maintenance of Peace and Security held at Rio de Janeiro. The Senator supported the Marshall Plan in 1948, although he differed with the President as to its administration.

When the Democratic Party regained control of the Senate in 1949, Tom Connally resumed his position as chairman of the Foreign Relations Committee. He was intimately associated with the writing of the North Atlantic Treaty and with the subsequent military aid programs.

President Truman leaned heavily upon his advice, consulting him at every turn in the conduct of the Nation's foreign policy. The Senator from Texas was a tower of strength to the administration during the Korean war.

In 1952, after 24 years of distinguished Senate service, Tom Connally announced that he would not be a candidate for reelection.

I am honored to know Tom Connally—to have honored him in Texas with the people of Texas. He is one of the alltime great Senators from Texas in the United States. Numerous tributes were showered upon him, from both sides of the aisle, but the most fetching of these, I think, the comment that most truly caught the spirit of the man, was delivered by the present senior Senator from Texas, our distinguished majority leader.

"Something is leaving the Senate," he said, "something great and very human. A splash of color—a surge of vitality—a vision of statesmanship—a rare quality of humanity. That is Tom Connally."

That, indeed, is Tom Connally.

Mr. HUMPHREY. Mr. President, I wish to say to the junior Senator from Texas that his remarks relating to Senator Tom Connally are surely very well deserved by this distinguished citizen and great public servant.

When I came to the Senate Senator Connally was Chairman of the Foreign Relations Committee, and he guided through that committee some of the most important legislation relating to our national security and our foreign policy. He was always a colorful and forceful personage in this body and a Senator who will always be remembered, and remembered well, for his many good deeds and good works for this Republic.

I am very pleased that my good friend, the Senator from Texas [Mr. YARBOROUGH] has seen fit to make these remarks, and I wish to join with him in saluting his fellow Texan.

There is only one thing that could have made Senator Connally better, and that is if he had lived in Minnesota.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Minnesota for his kind remarks and for the leadership he has given in foreign affairs with his food-for-peace plan, and his International Medicine for Peace plan. He is leading in the field of international cooperation in many areas, just as Senator Connally did in his active service in this body.

Mr. President, I feel honored that I am privileged to serve in the Connally succession in the Senate. I have not been honored by his remarks; I have been honored by having the privilege of saying these few words about a man held in such high regard in this body.

Mr. HILL. Mr. President, may I say how pleased and gratified I am that the distinguished Senator from Texas has paid a very fine and richly deserved tribute to Tom Connally. There is no man with whom I had served in the many years I have been in the Senate whom I have held in higher regard or in warmer affection than I have Tom Connally. He has indeed been a great patriot, a great statesman, and a great American.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Alabama for the tribute he has paid to Senator Connally. I recall that it was in April 1952, when Senator Connally announced in this body that he would not be a candidate for reelection. Many foreign problems were then being sharply discussed by the American people. There were far greater differences of opinion among American people on the question of foreign policy even than today, or perhaps even tomorrow or the next day.

I recall that then as chairman of the Foreign Relations Committee, when he was not a candidate for reelection, he came back to Texas and went to the small rural towns and made talks about our foreign policy about what the people ought to know about it and he answered any questions from the crowd about our foreign relations. I recall I was a young University of Texas law student there at that time, and he spoke about what he had read about government and what he had seen, but said that the thing that impressed him most about the grassroots nature of American democracy was to see the powerful chairman of the Senate Foreign Relations Committee go out and speak in the small towns to the people, and then throw the meetings open to questions so that the people could participate in those public forums and help shape and mold their own foreign policy.

Mr. ROBERTSON. Mr. President, I wish to join with my Senate colleagues who knew and loved Tom Connally in expressing our appreciation of his outstanding career as a statesman and as a constitutional lawyer.

I first met Senator Connally when he was a strikingly handsome young man. He came to my hometown of Lexington to make a memorial speech.

In 1932, I was elected to the House. At that time Tom Connally was a Member of the Senate. But we were friends all through those years.

In September 1946, I was elected to the Senate. Senator Connally called me from Paris to congratulate me on my election. Ever since that time we have continued our friendship.

So I feel very deeply on the subject of the commemoration of Senator Connally's 82d birthday anniversary last month. I am very happy to join with the Senator from Virginia, the Senator from Texas, and other Senators in expressing appreciation for the great friend he was to us.

Mr. YARBOROUGH. I thank the distinguished Senator from Virginia for his kind words about Senator Connally. Not only was Tom Connally a Democrat; he was a Wilsonian Democrat. In 1954, Senator Connally was the speaker at the Wilson centennial ceremonies in Virginia.

In my hometown of Austin, Tex., there were three Wilson Cabinet members who, it is said, voted in the same precinct. I have heard it said that it was the only time in America's history when three Cabinet members voted in the same voting precinct in one city. They were Albert S. Burleson, Postmaster General; Thomas Watt Gregory, Attorney General; and Secretary of Agriculture David Franklin Houston, who had been a college president in Texas, and was then a college president in Missouri, but who

still voted in that precinct in Austin. And I might add that Col. E. M. House voted in the same precinct.

Tom Connally came to Congress while Wilson was in the White House. He grew up in the Wilson tradition of world cooperation. His great ambition in the House and Senate was to enhance America's prestige in world affairs, and help build a world community of nations. He was one of the architects of the United Nations.

I thank the Senator from Virginia for his remarks.

I thank the Senator from New York for yielding, so that we might pay tribute to Senator Connally, whose birthday we had planned to observe here on August 19.

JUVENILE DELINQUENCY

The Senate resumed the consideration of the bill (S. 694) to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Mr. KEATING. Mr. President, all of us are concerned, and properly so, about the problem of juvenile delinquency in our country. This subject has been scrutinized by a wide variety of experts and laymen who are worried about our young people who go wrong.

There is ample justification for this great interest. There has been a substantial and alarming increase in the incidence of youthful violence and crime in the last few years. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has estimated that at the present rate some one million of our teenagers will be arrested for some kind of lawlessness in 1962. That is a shocking and sobering statistic which provides an adequate reason for the tremendous amount of interest which has been generated in the problems of our young people.

It is a healthy thing that sociologists and churchmen, scientists and social workers, police and government officials, as well as many private organizations, have taken such an interest in this subject. A tangible result has been greater public awareness of the great danger and challenge of juvenile crime. Another tangible result has been the great number of vigorous and often successful programs which have been launched in various localities to provide media through which youngsters can be guided along the paths of good citizenship.

In general, these activities recognize that crime and delinquency are essentially local problems to be solved at the local level. That is why any legislation dealing with juvenile delinquency is of particular importance to a Senator from New York.

Although my State is not in any sense unique in terms of the problems of juvenile crime and violence, it does contain the Nation's largest city, a city which in recent weeks has been the scene of an outbreak of teenage terrorism which has shocked the Nation. Indeed, the whole world has read with horror of cold-blooded murders and sadistic crimes of violence perpetrated on the streets of New York City by young people seemingly as lacking in conscience as in motive.

It is gratifying to note the speed with which Governor Nelson A. Rockefeller has moved to come to the aid of the embattled officials of New York City in their fight to stem the tide of juvenile violence. As a result of a series of conferences, a concrete program of city-State cooperation and action has been formulated.

The Governor's program involves specific means by which the State can complement the efforts of the city, without interfering with the more immediate responsibilities of the local officials. Thus, he has left to the city the task of apprehending and punishing delinquents, while the State concentrates on longer range matters.

Among the provisions of the State program are various projects involving useful work, which can help both in terms of prevention of delinquency and rehabilitation of offenders. By means of work camp activities, revision of the State school laws, expansion of State youth institutions, and increased youth probation and probation facilities, the massive effort of the State will be mounted. It will be of great assistance to the city fathers of Manhattan and will at the same time avoid trespassing on their areas of special responsibility.

Mr. President, I ask unanimous consent to have printed at the end of my remarks editorials published on this subject by the New York Times and the New York Herald Tribune on September 10, 1959.

There being no objection, the editorials were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. KEATING. Mr. President, my commendation goes to Governor Rockefeller and his associates for the careful yet swift manner in which they have met this challenge of juvenile crime in New York City. This program of specific and useful action could well serve as a model for other State leaders as they puzzle out means for checking teenage crime in their States. I am confident that in time New York State's program will bear fruit and the Empire State will be proud of the overall record of its young people.

Mr. President, New York State is demonstrating how State and local officials can work together on the solution of juvenile crime problems. Now it is time that the activities of the Federal Government were brought reasonably and effectively into the fray. The measure before us provides a first step in that direction.

It is true, of course, that there are some programs now being carried out by the Federal Government to aid States and localities on teenage situations. It is time, however, to draw together these activities and coordinate and broaden them so that the resources of the National Government can be soundly brought into play.

S. 694 provides the beginnings of this effort, and I therefore support it. I certainly applaud the provisions in this bill for carrying out various projects that are substantial enough to help solve juvenile delinquency in many areas and the country as a whole. It seems certain that if title I of this measure were carried out with vigor and vision, new techniques and practices leading to the solution of teenage problems can be evolved.

What we need to do is to bring the resources of the Federal Government to bear in assisting in the development of comprehensive programs for the prevention, control, and treatment of juvenile delinquency. By means of the grants from the Federal Government—which I am glad to note will be supplemented by contributions by the recipients to the extent determined fair by the Secretary of HEW—much progress can be made toward this goal.

The technical assistance provisions of title II should be most helpful in providing a clearinghouse for the latest information on techniques, programs, research findings, and other data which may be helpful to the wide variety of groups, individuals, and levels of government which seek to prevent, control, and cure young people in trouble. This section recognizes that the many diversified approaches to this problem can benefit from exposure to the experience of others in the field.

Finally, the National Advisory Council on Juvenile Delinquency can serve as a spearhead, brain trust, and coordinating body of experts to help the Secretary of Health, Education, and Welfare to carry out the provisions of this bill. This group can imaginatively and vigorously explore the many exciting ramifications of S. 694 in terms of finding solutions to the challenge of young people gone wrong.

In general, Mr. President, I believe this can be an effective measure because throughout it recognizes that the principal point of successful attacks on this problem must be in our States and localities. This legislation takes cognizance of the fact that States and communities need to be encouraged and helped with new information and ideas as they pursue various projects in this field.

On the other hand, I am sympathetic to at least two of the arguments which have been made in opposition to Senate bill 694. I know something about the crying need for the training of personnel who are expert in this field. This is an area in which the Federal Government can properly provide a stimulus which is badly needed; and I think the provisions of title I will be helpful in this regard.

It may well be that this bill is deficient because it does not spell out with greater specificity a program for training the needed personnel. I hope the extensive evidence of the necessity for more qualified people in this field will impel the Secretary of Health, Education, and Welfare and his Juvenile Delinquency Advisory Council to work out, in this regard, some programs which they, themselves, can implement or submit to Congress for authorization, following proper study.

Second, Mr. President, I am sympathetic to the argument that this bill costs too much money. I would be less than frank if I did not state that the

expenditure of $5 million for each of the next 5 fiscal years takes me somewhat aback. I am skeptical as to whether that much money is actually needed to carry out the provisions of this bill. But because of my conviction that proper Federal help is needed in the field of juvenile delinquency, I am willing to be guided by the findings of the committee in this regard.

I think all of us who are interested in preserving fiscal solvency and responsibility can find some encouragement in the fact that Secretary Flemming, who would administer this law, has demonstrated a proper understanding of the need for conserving the taxpayers' money. I have every confidence, also, that he will appoint an outstanding group of experts to his National Advisory Council on Juvenile Delinquency, which will further insure that funds expended to carry out this bill will not be wasted.

I also trust that this combination of the Secretary and his Council will make every effort to cooperate with local, State, and private efforts in the field, and also will pay proper attention to following up with vigor and determination the results of the various projects and assistance programs envisioned by Senate bill 694.

I also am very hopeful, Mr. President, that those who carry out this law will not become so immersed in their work that they will lose their perspective and will fall prey to the prophets of the so-called soft approach to juvenile delinquency. I spoke at some length on the floor, the other day, about the dangers involved in this area. I voiced, at that time, my allegiance to the views of J. Edgar Hoover, who is the leading advocate of the somewhat misnamed "get tough" approach to juvenile delinquency.

What troubles me is that often those who investigate and study in this field become the victims of their academic and sociological concern, to the extent that they lose sight of the needs of society and the right of citizens to be protected from crime or violence, no matter what its origin may be.

In other words, we must never forget that when teenagers organize for crime, when youngsters commit murders, or repeat their lawless acts over and over again, they must be brought to book. They must be punished for what they are—criminals.

This is not to say that we should not pursue with imagination and drive all efforts to get at the root causes of juvenile delinquency. We must study the many sources of teenage violence and trouble, which include broken homes, neglectful parents, substandard living conditions, economic deprivations, lack of religious training, inadequate schooling, shortsighted guidance counseling, and other factors which make for problem children.

We must recognize that the solutions to these situations and their products are not easily found, and are not to be found in any one place. We must appreciate that we need to mobilize parents, churches and synagogues, youth groups, schools, social organizations, law-enforcement agencies, the courts, all levels of government, and private individuals in the battle against deviates from the accepted youthful norms. We must impress upon everyone who will listen, and we must particularly pound away at those who will not listen, the need for understanding, for guidance, for sympathy, and for concern about our young people.

Surely, we must pursue with vigor missionary efforts among youth groups, and indeed, among youth gangs. There is much promise in some of these efforts. But enough is enough, Mr. President.

Without in the least impugning the work of sociologists, social workers, and others who are working so faithfully and with dedicated zeal in this field, I say we have to get tough with these young people when they have stepped beyond a certain point; for when young people commit murder, when they repeat their offenses, it is time to call a halt to special privileges and special consideration. Then it is time to stop being lenient, and time to start getting tough—and I mean tough.

Of course, all of us fervently hope and pray that we shall not often reach this point with our young people. We all know that proper parental discipline, sound religious training, and proper guidance in the moral, spiritual, and educational spheres, will make fine, upright, constructive, and useful citizens of whom we can all be proud. Indeed, none will dispute that the church and the home are the keystones to making the citizens who will build the strong and free America we all want in the future. But when, for one reason or another, these influences have not done their job, or are not applied to the job of molding a young person, and, as a result, he goes off the deep end, and takes out his resentments, his problems, and his frustrations on society, then that society has the right—and, indeed, the duty—to curb him, and curb him severely.

Thus, while education and sympathy are important, and are undoubtedly essential to finding long-range answers to the challenge of juvenile delinquency, they are not ends in themselves.

There is certainly such a thing as what J. Edgar Hoover has characterized as "misguided sentimentality." I agree with Mr. Hoover that if we do not draw the proper line between coddling of young people with problems and cracking down on them when it is called for, we may "bring the law of the jungle to every American street."

Mr. President, although it would clearly be improper to write into this law any instructions about the tack the Federal Government should take in approaching the problems of juvenile delinquency, I hope the advice of Mr. Hoover and others will be heeded.

It is my hope the programs authorized by this measure will be realistic blendings of the hard and the soft schools of thought on this subject. Let them be formulated by tough-minded realists who recognize the importance of sympathy and understanding, while also pointing out that severe methods have to be employed when they are called for.

In the end, of course, the role of the Federal Government should be no more than that of a leader, a guide, a counselor, a clearinghouse to assist communities and States in solving this problem.

All this will help to unite the forces for good within each community in the land. Church and synagogue, school and club, psychiatrist and social worker, court and law-enforcement agencies, Government and private organizations—all must join hands in mounting against juvenile delinquency the great counter-attack which is so vital to America's future.

I am confident we are on the right track with Senate bill 694. It is a good beginning, and insures a vigorous role by the Federal Government in the field of juvenile delinquency. Therefore, I hope Senate bill 694 will gain the approval of the Senate.

EXHIBIT 1

[From the New York Times, Sept. 10, 1959]

STATE DELINQUENCY PROGRAM

In his program to combat juvenile delinquency Governor Rockefeller has done just what he should do. He has proposed specific ways in which the State can act, as distinguished from the functions of local authorities. He has done so in a way that makes for close cooperation in a massive common effort—with a minimum of cross purposes, both political and personal. And since the State hasn't the immediate responsibility for the apprehension and punishment of delinquents in the big cities, he has concentrated on longer range matters.

Three of the six planks in his program deal with useful work, both in the prevention of delinquency and in the rehabilitation of proved delinquents. Work camps have shown one way to meet that problem. The two State correction department camps upstate are doing a good job in rehabilitating those convicted of minor offenses—and the State forest land as well. But these camps are taking care of only about a hundred boys now. The Governor calls for their expansion and for the immediate development of plans for other such camps, run by the conservation department for potential delinquents.

Two other ways in which work can be used to prevent delinquency need intensive exploration and future action, as the Governor has proposed. For youths of 14–16 the State law might well be revised so that those who can't get much out of regular schooling will be allowed to find part-time jobs instead of disrupting classrooms and destroying school discipline. And a more effective apprenticeship training program would help the youths of 14–18 who have too much time on their hands. On-the-job training, by which they learn while they earn, creates job assets for their future use, and keeps them out of mischief as well.

Action along these two lines requires the close liaison which the Governor wants between business, labor leaders, and the State Labor Department. Mr. Rockefeller has pledged that three other State departments will work to forward the entire program—one which also includes expansion of State youth institutions, increased youth probation and parole facilities and an overhaul of the outmoded continuation school law.

All this calls for the effective coordination which those at the Governor's meeting on Tuesday agreed could result in very great progress—a special challenge to the Governor himself.

[From the New York Herald Tribune, Sept. 10, 1959]

THE GOVERNOR KEEPS IT SPECIFIC

Governor Rockefeller's program for dealing with juvenile crime and delinquency, it should be carefully noted, does not offer any basic solutions.

For the long pull, as the Governor pointed out, the community must work at "the creation of a moral climate—by parental example, love and moral guidance." In short, make people better.

But Mr. Rockefeller is also a practical man. The youth problem, or at least that part which comes within the daily purview of the police and courts, is immediate and critical. And therefore the need is for specific action right now.

What the Governor proposes, with Mayor Wagner's hearty endorsement, is to get moving at once in the nonabstract areas. We are to have more of the North Pharsalia and Monterey work camps, devoted not only to rehabilitating the most remediable offenders already convicted but also to provide places where known potential delinquents can be sent in the hope of saving them from trouble. This kind of prevention is obviously more saving of taxpayers' money and human values than to let delinquency run its course to prison.

It is also well that Mr. Rockefeller takes aggressive note of overcrowded institutional facilities, of inadequate detention facilities that force judges to turn boys loose on the streets again, and of the long-standing deficiencies in probation and parole supervision.

Furthermore, it is constructive news that the old problem of youngsters who can't or won't learn in school will be tackled again. The Governor appears to be clearly of the mind that working at a useful job would be better for the boys as well as the schools.

Most of this has been said before. But the disposition has been to talk some more instead of doing what needs to be done. To put an action program into being takes work and money. And these essentials, sad to say, have been lacking in required force.

What's important now is direct action on well-defined fronts. No one of the Governor's proposals is the complete answer in itself, but taken together they provide a very substantial beginning. The strength of the Rockefeller program is that it starts with the particular, and insists upon step-by-step accomplishment. That, it seems to us, makes more sense than the other way round about fixing up morality first.

Mr. MORSE. Mr. President——

Mr. KEATING. Did the Senator wish to have the floor or does he wish me to yield?

Mr. MORSE. I thought the Senator was through. I was about to ask for the third reading of the bill.

Mr. KEATING. No; I have not finished as yet. I am about to ask to have two matters placed in the RECORD.

Mr. MORSE. Mr. President, I ask for the third reading of the bill.

Mr. THURMOND. Mr. President, I would like to talk on the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute for the bill.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise in opposition to this bill. This is a bill to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

It is my position that the Federal Government has no jurisdiction in this field. It is of course manifest that we have juvenile delinquency in this country. Steps should be and are being taken to solve it. But the place to solve juvenile delinquency is, first, in the home, next, in the schools and the churches, then in the community, and, if necessary, by State action.

There is no Constitutional grant of authority to the Federal Government to enter this field. The 10th amendment to the Constitution provides that all rights not delegated to the Federal Government are reserved to the States and to the people. A list of the fields that have been delegated to the Federal Government are outlined and listed in the Constitution. If anyone wants to know in what fields the Federal Government has jurisdiction, all that is required is a reading of the Constitution of the United States.

The duty to seek the solution to the problem of juvenile delinquency has never been delegated to the Federal Government. The place to solve juvenile delinquency is, first, in the home. Nothing we can do can replace the influence of parents in the home in rearing children. A great religious leader said, some time ago, "Give me a child until he is 9 years old, and then you can take him and he will not depart from his training." I think there is a lot of truth in that.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Oregon.

Mr. MORSE. I have been waiting to hear from the Senator from South Carolina. Am I correct in my understanding that the Senator from South Carolina is very much opposed to the passage of this bill in this session?

Mr. THURMOND. That is correct.

Mr. MORSE. Am I correct in my understanding that the Senator from South Carolina is prepared to speak at some length in opposition to this bill, within his rights under the rules, in order to prevent the passage of this bill, if necessary?

Mr. THURMOND. The Senator from Oregon is correct.

Mr. MORSE. I understand, further, the opposition of the Senator from South Carolina can be summed up, generally speaking, behind the premise that it is his opinion that the Federal Government should not involve itself in juvenile delinquency legislation, but that the matter should be left to the States and institutions within the States?

Mr. THURMOND. In essence, that is the opinion of the Senator from South Carolina—first, that the Federal Government has no jurisdiction in the field, under the Constitution; and, second, even if it did, the Senator from South Carolina thinks it would be more advisable to leave this field in the places where it more rightly belongs—in the home, the school, the community, and, if necessary, action by the State.

Mr. MORSE. Mr. President, if the Senator from South Carolina and the acting majority leader will permit an additional comment, several of us have spoken tonight in support of the bill, and several of us have given our reasons as to why we think the bill should be passed. The Senator from South Carolina indicated rather early in the discussion that he was going to do what he could, within his power, to prevent the passage of the bill tonight. I am satisfied that the Senator from South Carolina can do exactly that.

I believe the Senator from South Carolina has outlined his objections to the bill. I do not believe in taking the position that the Senator from South Carolina should be required to continue to argue beyond the point of making his point. The Senator has made his point.

The acting majority leader talked to me a few moments ago with regard to whether I would have any objection to the taking of a recess. I think we ought to recess, so far as my own view is concerned, until 12 o'clock noon, and then reconvene and proceed to consider some other business. I know that suggestion will not prevail, but I hope there may be some other business we can consider, because if the Senator from South Carolina does not want us to pass this bill we shall not be able to pass it.

I do not believe, under the circumstances, now that the Senator has given the outline of the main reasons why he is opposing the bill, we should take the position that we will require the Senator from South Carolina to continue talking in order to prevent the passage of the bill, without turning to some other subject matter or taking a recess for some few minutes, as the Senator from Montana has suggested.

Mr. MANSFIELD. Mr. President, I appreciate the remarks of the Senator from Oregon.

ORDER OF BUSINESS

Mr. DOUGLAS. Mr. President, would the Senator be willing to yield to me for a brief statement, with the understanding that the Senator will not lose his right to the floor?

Mr. THURMOND. I am pleased to yield. If the acting majority leader wishes to make a motion to take a recess, I have no objection to that.

Mr. DOUGLAS. Mr. President, sometime before this long night is over and the sun rises I should like to have the opportunity of making a few remarks for the RECORD. I had thought we had reached a temporary armistice or truce in this struggle, with one side or the other flying the white flag, though it is hard for me to tell which side it is.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I do not have the floor.

Mr. MANSFIELD. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield.

Mr. MANSFIELD. I think, in view of the circumstances, that it might be a

good idea for the Senator from South Carolina to yield the floor, to allow the Senator from Illinois to make his remarks. Then, if we have any time after that, we can consider the possibility of a recess, subject to the call of the Chair, depending upon the House action; or, if that is not advisable, returning to the consideration of the bill relating to the world's fair, S. 169.

Mr. THURMOND. The Senator from South Carolina would be pleased to yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Senator from South Carolina may yield to me without losing his right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

THE ARAB BLOCKADE OF THE SUEZ CANAL

Mr. DOUGLAS. Mr. President, in June I joined with 24 of my colleagues to express concern over the continued Arab blockade of the Suez Canal. It has been a source of deep regret to me that neither the United States nor the United Nations has been able to stop this brazen violation of international law. Instead, we have witnessed the deterioration of Arab-Israel relations, the intensification of the Arab blockade of Israel, the misuse of the Suez Canal to further that blockade, and the weak and ineffective response of the international community.

Mr. President, it so happens that I was in Israel late in 1956, shortly after the Israel invasion of Sinai and the swift and spectacular defeat of the UAR forces. I know that at that time the Israel forces could have occupied the Suez Canal and smashed the Arab blockade, which the UAR carries on in its continuing effort to strangle Israel's trade and economy.

All of us know that the Israel forces withdrew from the Sinai Peninsula at that time in deference to the appeal of our own Government and the United Nations. We have an obligation to Israel. They withdrew at our insistence; they cooperated in the attainment of a swift settlement.

At that time they might have insisted on an explicit undertaking by the United States and the U.N. to redress the grievances which had impelled them to attack. Yet, such an undertaking was implicit from the action we took. When President Eisenhower persuaded Israel to withdraw he virtually pledged the United States to take strong action to prevent the UAR from renewing its blockade of the Suez Canal and the Straits of Tiran.

Mr. President, we have kept half our promise. The Straits of Tiran are open. But Nasser continues to operate the Suez Canal as a private waterway. And early this year, after 24 months of calm, he reinstated his blockade of Israel shipping.

This is an impossible situation. If we continue to tolerate it, we are admitting that nations may carry on wars against their neighbors, and that there is no redress either in the U.N. or in Washington. Indeed, the war makers remain eligible for American and free world bounty.

That is why, Mr. President, I have joined with my colleagues in a protest against the proposal of the World Bank to lend the UAR the money to widen and deepen the Suez Canal.

I have sent my appeal to the President of the United States. And, in addition, I have sent the following letter to President Eugene R. Black, of the World Bank:

Hon. EUGENE R. BLACK,
President, International Bank for Reconstruction and Development, Washington, D.C.

DEAR MR. BLACK: I write to urge the World Bank to withhold action on the proposed loan to the United Arab Republic for the improvement of the Suez Canal until there is a clear and unequivocal agreement guaranteeing its use as an international waterway open to the shipping of all nations.

Since there has been much public discussion of this issue, it is surely unnecessary for me to review all the arguments, pro and con.

But I do feel that I must put my own views before you. I feel that my own country, as the leader of the free world, has an obligation to take a firm stand on this question. As a great maritime power, we have always fought to preserve freedom of the seas. We have taken a consistent position on the Suez question, opposing restrictions on the use of that waterway. I do not see how we can retreat from that position at this time. And, while I appreciate that the administration and management of the World Bank are not the responsibilities of the United States, our country has a very great stake in every issue affecting war and peace, including those before the World Bank.

This proposed loan for the Suez Canal is an issue which may affect world peace. I am completely familiar with all the aspects of the Arab-Israel dispute. I have followed it closely from the beginning. I know the arguments on both sides. And I know that both parties feel aggrieved.

But one paramount fact remains uncontradicted and must command attention. The Israelis have always asked for peace negotiations. The UAR and the Arab States have rejected all such negotiations and officially proclaim their determination to remain at war with Israel and to accomplish her destruction.

The blockade of the Suez Canal is one of the weapons in that Arab war. They make no secret of it. They should it to the press, on the radio and in the halls of the U.N. General Assembly.

And they have recently been meeting in Casablanca to beat the war drums anew and to resolve again on Israel's dissolution.

All this is illegal. It violates the principles of the United Nations. No nation, owing allegiance to the United Nations, may remain at war with its neighbors. Furthermore, free and open transit through the canal was a basic principle in the U.N. Security Council Resolution of 1951 and in the 1956 resolution, which Egypt presumably accepted in principle.

Under these circumstances, it is most difficult to understand how the United Nations or any one of its specialized agencies could properly provide President Nasser with the means to improve and widen the canal at the very time that he is using his blockade weapons against Israel. I hope that the World Bank may never be called upon to explain such an action to history.

We have too long tolerated Arab aggression as a normal condition. I appeal to you to help strengthen the character and integrity of United Nations and free world policy by denying free world dollars to piracy and aggression.

If I write strongly on this issue, it is because I want my words faithfully to mirror my convictions.

With best wishes.

Faithfully,

PAUL H. DOUGLAS.

Mr. DOUGLAS. I hope that when the State Department and the World Bank reflect further on the situation, they will come to the conclusion that the free world must not provide dollars to subsidize piracy and aggression.

I thank the Presiding Officer, and I thank the Senator from South Carolina.

Mr. THURMOND. Mr. President, I shall be pleased to yield to the acting majority leader, if he wishes to make a motion.

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

Mr. JOHNSON of Texas. Mr. President, the House has started debate on the conference report. I am informed that the House does not anticipate a discussion of longer than a few minutes. If it is not necessary to have a rollcall in the House, the conference report will be in the Senate shortly, and we expect to act with dispatch.

Mr. MANSFIELD. Mr. President, I renew my motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and (at 3 o'clock and 26 minutes a.m.) on Tuesday, September 15, 1959, the Senate took a recess, subject to the call of the Chair.

At 5 o'clock and 46 minutes a.m. of the same day, the Senate reassembled when called to order by the Vice President.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 31, 32, 34, 35, 37, 39, 49, 58, and 62 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

MUTUAL SECURITY APPROPRIATION BILL, 1960—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making

appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, I move that the conference report be agreed to.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8385, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
September 15, 1959.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 46, 50, 53, 54, 57, and 61 to the bill (H.R. 8385) entitled "An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes," and concur therein:

That the House recede from its disagreement to the amendment to the amendment numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 111. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1960, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations, for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more, or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he has forbidden its being furnished pursuant to such request, and his reason for so doing."

That the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: Change the section number to "112", and in line 2 of said amendment, strike the words "under present conditions".

That the House recede from its disagreement to the amendment of the Senate numbered 34, and concur therein with an amendment, as follows: Change the section number to "113".

That the House recede from its disagreement to the amendment of the Senate numbered 35, and concur therein with an amendment, as follows: In line 4 of the text of the amendment, after the word "for", insert the words "completion of".

That the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows: In lieu of the sum of $6,500,000 named in said amendment, insert "$3,250,000".

That the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the sum of $12,500,000 named in said amendment, insert "$9,000,000", and delete the proviso carried in the last three lines of the amendment.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$50,000".

That the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$25,000".

That the House recede from its disagreement to the amendment of the Senate numbered 62, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$750,000".

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 31, 32, 34, 35, 37, 39, 49, 58, and 62.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be placed in the RECORD at this point a summary tabulation relating to H.R. 8385, the mutual security and related agencies appropriations bill, showing the budget estimates, the House and Senate versions of the bill, and the amounts agreed upon in conference.

There being no objection, the summary tabulation was ordered to be printed in the RECORD, as follows:

Mutual Security and related agencies appropriation bill, 1960, H.R. 8385

COMPARATIVE STATEMENT OF APPROPRIATIONS FOR 1959, ESTIMATES FOR 1960, AND AMOUNTS RECOMMENDED IN BILL FOR 1960

Items	Appropriations, 1959	Budget estimates, 1960 [1]	House bill	Senate bill	Conference action
TITLE I—MUTUAL SECURITY					
Military assistance	$1,515,000,000	$1,600,000,000	$1,300,000,000	$1,300,000,000	$1,300,000,000
Defense support	750,000,000	835,000,000	700,000,000	700,000,000	695,000,000
Development Loan Fund:					
Appropriation, 1960	550,000,000	700,000,000	550,000,000	590,000,000	550,000,000
Appropriation, 1961		[2] 500,000,000			
Administrative expense limitation	(1,250,000)	(2,050,000)	(1,750,000)	(1,890,000)	(1,820,000)
Technical cooperation:					
General authorization	150,000,000	179,500,000	150,000,000	160,000,000	150,000,000
United Nations expanded program	20,000,000	30,000,000	30,000,000	30,000,000	30,000,000
Organization of American States	1,500,000	1,500,000	1,500,000	1,200,000	1,200,000
Total, technical cooperation	171,500,000	211,000,000	181,500,000	191,200,000	181,200,000
Special assistance	200,000,000	271,800,000	200,000,000	245,000,000	245,000,000
Other programs:					
Intergovernmental Committee of European Migration	12,500,000	12,200,000	8,000,000	7,371,000	7,371,000
United Nations High Commissioner for Refugees	1,200,000	1,100,000	1,100,000	1,100,000	1,100,000
Escapee program	8,600,000	5,200,000	5,200,000	4,632,000	4,632,000
United Nations Children's Fund	11,000,000	12,000,000	12,000,000	12,000,000	12,000,000
United Nations Relief and Works Agency	25,000,000	25,000,000	25,000,000	25,000,000	25,000,000
Ocean freight charges	2,100,000	2,300,000	2,300,000	1,910,000	1,910,000
Control Act expenses	1,000,000	[3]			

See footnotes at end of table.

Mutual Security and related agencies appropriation bill, 1960, H.R. 8385—Continued

COMPARATIVE STATEMENT OF APPROPRIATIONS FOR 1959, ESTIMATES FOR 1960, AND AMOUNTS RECOMMENDED IN BILL FOR 1960

Items	Appropriations, 1959	Budget estimates, 1960 [1]	House bill	Senate bill	Conference action
Other programs—Continued					
General administrative expenses	$33,000,000	$39,500,000	$37,000,000	$38,000,000	$38,000,000
State Department administrative expenses	6,692,500	[2] 8,395,000	7,900,000	8,100,000	8,100,000
Atoms for peace	5,500,000	6,500,000	1,500,000	2,500,000	1,500,000
Total, other programs	106,592,500	112,195,000	100,000,000	100,613,000	99,613,000
President's Special Authority and Contingency Fund	155,000,000	200,000,000	155,000,000	155,000,000	155,000,000
Total, title I—Mutual Security	3,448,092,500	4,429,995,000	3,186,500,000	3,281,813,000	3,225,813,000
TITLE II—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS					
Administration, Ryukyu Islands	2,860,400	6,282,000	5,282,000	5,282,000	5,282,000
Construction of water systems, Ryukyu Isalnds	600,000				
Construction of power systems, Ryukyu Islands		[4]		18,000,000	18,000,000
Total, title II	3,460,400	6,282,000	5,282,000	23,282,000	23,282,000
TITLE III—EXPORT-IMPORT BANK OF WASHINGTON					
Administrative expense limitation	(2,207,000)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)
TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS (S. DOC. 47 EXCEPT AS INDICATED)					
EXECUTIVE OFFICE OF THE PRESIDENT					
Office of Civil and Defense Mobilization: Salaries and expenses		[5] 9,000,000		6,500,000	3,250,000
DEPARTMENT OF COMMERCE					
General administration: Participation in Century 21 Exposition		12,500,000		12,500,000	9,000,000
Bureau of Public Roads:					
Federal-aid highways (trust fund)		[6] (188,000,000)		(188,000,000)	(188,000,000)
Highway trust fund		[6] 359,000,000		359,000,000	359,000,000
Total, Department of Commerce		371,500,000		371,500,000	368,000,000
DISTRICT OF COLUMBIA					
Metropolitan Police				(406,000)	(406,000)
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Public Health Service: Construction of Indian health facilities				200,000	200,000
INDEPENDENT OFFICES					
Advisory Commission on Intergovernmental Relations				100,000	50,000
Commission on Civil Rights: Salaries and expenses		500,000		500,000	500,000
Commission on International Rules and Judicial Procedure: Salaries and expenses		34,000		34,000	
Federal Aviation Agency:					
Expenses		Language		Language	Language
Establishment of air navigation facilities		Language		Language	Language
Construction and development: Additional Washington National Airport		(2,450,000)		2,450,000	
Franklin D. Roosevelt Memorial Commission		[7] 150,000		150,000	150,000
Hudson-Champlain Celebration Commission				35,000	25,000
National Labor Relations Board: Salaries and expenses		500,000		500,000	500,000
Housing and Home Finance Agency: Office of the Administrator:					
Salaries and expenses		290,000		290,000	290,000
Urban planning grants		3,100,000		1,000,000	760,000
Total, independent offices		4,574,000		5,059,000	2,265,000
DEPARTMENT OF THE INTERIOR					
Bureau of Indian Affairs: Distribution of funds of the Creek Indians		125,000		100,000	100,000
DEPARTMENT OF LABOR					
Labor-management reporting and disclosure activities: Salaries and expenses		2,000,000		2,000,000	2,000,000
TREASURY DEPARTMENT					
Bureau of the Mint: Salaries and expenses		300,000		300,000	300,000
Coast Guard: Operating expenses		(800,000)		800,000	800,000
Total, Treasury Department		300,000		1,100,000	1,100,000
Total, title IV		387,499,000		386,459,000	376,915,000
TITLE V					
Claims for damages and judgments [8]		708,137		708,137	708,137
Grand total	3,451,552,900	4,824,484,137	3,191,782,000	3,692,262,137	3,626,718,137

[1] In addition, all unobligated balances continued available as proposed in H. Doc. 188.
[2] Amended estimate for fiscal year 1961 program received on July 24, 1959, in H. Doc. 205.
[3] The program for Control Act will be financed in fiscal year 1960 from State Department Administrative Expenses, sec. 411(c).
[4] Estimate of $10,000,000 contained in H. Doc. 58 for partial funding denied in consideration of Second Supplemental Appropriation Act, 1959.
[5] S. Doc. 49.
[6] S. Doc. 54.
[7] S. Doc. 55.
[8] S. Docs. 48 and 56.

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be placed in the RECORD at this point a summary tabulation of appropriation bills for the 86th Congress, 1st session. The tabulation shows that there were considered in this session estimates totaling $74,859,008,445, and the Congress has approved $72,977,598,352, which is a reduction of $1,881,410,093.

There being no objection, the summary tabulation of appropriation bills, 86th Congress, 1st session, was ordered to be printed in the RECORD.

SENATE COMMITTEE ON APPROPRIATIONS

Table of appropriation bills, 86th Cong., 1st sess.

		Title	House				Senate				Conference			Public law		Increase or decrease compared to budget estimates
			Budget estimate to House	Date reported	Amount as reported	Date passed	Amount as passed	Budget estimate to Senate	Date reported	Amount as reported	Date passed	Amount as passed	Date House approved	Date Senate approved	Amount	Date approved	Law No.	
		1960 APPROPRIATIONS, REGULAR																
H.R.	7175	Agriculture	$4,081,364,863	5/15	$3,939,165,498	5/20	$3,939,165,498	$4,081,364,863	5/28	$3,975,505,148	6/3	$3,975,774,848	6/29	6/30	$3,971,362,673	7/8	86-80	−$110,002,190
H.R.	8283	Atomic Energy	2,718,715,000	7/17	2,660,529,000	7/21	2,660,529,000	2,718,715,000	7/31	2,711,829,000	8/3	2,711,829,000	8/6	8/6	2,683,029,000	8/18	86-164	−35,686,000
H.R.	7349	Commerce	732,191,000	5/25	674,687,300	5/28	675,297,300	732,191,000	6/16	715,328,500	6/18	715,328,500	7/1	7/1	712,672,900	7/13	86-88	−19,518,100
H.R.	7454	Defense	39,248,200,000	5/28	38,848,339,000	6/3	38,848,339,000	39,248,200,000	7/7	39,594,339,000	7/14	39,594,339,000	8/4	8/4	39,228,239,000	8/18	86-166	−19,961,000
H.R.	5676	District of Columbia	(246,698,000)	3/13	(237,186,112)	3/16	(237,186,112)	(245,990,000)	5/21	(241,569,402)	5/28	(241,702,402)	7/14	7/14	(241,289,076)	7/23	86-104	(−4,700,924)
		Federal payment	34,218,000	------	27,218,000	------	27,218,000	34,218,000	------	29,218,000	------	29,351,000	7/14	7/14	27,218,000	------	------	−7,000,000
H.R.	7176	General Government	13,608,500	5/15	13,338,500	5/27	13,338,500	13,608,500	6/22	13,568,500	6/24	13,568,500	6/29	6/29	13,463,500	7/8	86-79	−145,000
H.R.	7040	Independent Offices	6,586,418,000	5/8	6,441,069,800	5/11	6,459,887,800	6,586,418,000	6/22	6,561,578,600	6/23	6,561,578,600	9/4	9/4	6,504,382,200	9/14	86-255	−82,035,800
H.R.	5915	Interior	491,101,400	3/20	472,198,800	3/23	472,198,800	491,101,400	6/5	487,211,025	6/8	487,211,025	6/15	6/15	481,809,100	6/23	86-60	−9,292,300
H.R.	6769	Labor-HEW	3,756,848,581	4/28	3,915,084,181	4/30	3,915,084,181	3,756,848,581	6/23	4,124,460,581	6/24	4,124,460,581	7/30	7/30	4,016,485,981	8/14	86-158	+259,637,400
H.R.	7453	Legislative	105,460,005	5/28	100,279,350	6/1	100,279,350	133,648,180	6/16	128,797,380	6/18	128,797,380	8/17	8/18	128,797,380	8/21	86-176	−4,850,800
H.R.	8573	Military Construction	1,563,200,000	8/7	1,285,002,700	8/10	1,285,002,700	1,563,200,000	8/20	1,428,178,700	8/21	1,428,178,700	9/4	9/4	1,363,961,200	------	------	−199,238,800
H.R.	8385	Mutual Security	4,436,277,000	7/24	3,209,782,000	7/29	3,191,782,000	4,824,484,137	9/8	3,691,269,508	9/14	3,692,262,137	9/14	9/14	3,626,718,137	------	------	−1,197,766,000
H.R.	7509	Public Works	(1,185,406,259)	6/2	(1,185,406,259)	6/9	(1,185,906,259)	(1,185,406,259)	7/8	(1,265,565,559)	7/9	(1,265,565,559)	8/14	8/17	(1,215,477,808)	[1]	------	(+30,071,549)
H.R.	9105	Public Works	1,185,406,259	9/4	1,185,309,093	------	1,185,309,093	1,185,406,259	------	1,185,309,093	9/8	1,185,309,093	------	------	1,185,309,093	[2]	86-254	−97,166
H.R.	7343	State-Justice-Judicial	682,387,600	5/21	649,896,700	5/27	651,896,700	682,387,600	6/22	650,674,700	6/23	650,924,700	7/1	7/1	648,941,200	7/13	86-84	−33,446,400
H.R.	5805	Treasury-Post Office	4,688,327,000	3/18	4,628,097,000	3/20	4,628,097,000	4,688,327,000	5/21	4,663,158,600	5/28	4,664,027,600	6/3	6/3	4,643,363,000	6/11	86-39	−44,964,000
		Total, Regular	70,323,723,208	------	68,049,996,922	------	68,053,424,922	70,740,118,520	------	69,960,426,335	------	69,962,940,664	------	------	69,235,752,364	------	------	−1,504,366,156
		1960 SUPPLEMENTAL																
H.R.	7978	The supplemental	888,931,417	6/26	632,568,845	6/29	609,843,845	1,218,090,555	7/31	1,076,186,108	8/3	1,076,186,108	8/19	8/19	977,345,608	9/1	86-213	−240,744,947
H.J. Res.	439	Temporary	----------	6/25	----------	6/30	----------	----------	6/30	----------	6/30	----------	------	------	----------	7/1	86-76	----------
H.J. Res.	475	do	----------	7/28	----------	7/29	----------	----------	7/29	----------	7/29	----------	------	------	----------	7/31	86-118	----------
H.J. Res.	510	do	----------	------	----------	8/31	----------	----------	------	----------	8/31	----------	------	------	----------	9/3	86-224	----------
		Total, 1960	71,212,654,625	------	68,682,565,767	------	68,663,268,767	71,958,209,075	------	71,036,612,443	------	71,039,126,772	------	------	70,213,097,972	------	------	−1,745,111,103
		1959 SUPPLEMENTAL																
H.R.	5916	2d Supplemental	2,864,954,526	3/20	2,479,522,494	3/24	2,657,402,994	2,900,799,370	4/18	2,820,040,054	4/30	2,843,902,805	5/14	5/14	2,764,500,380	5/20	86-30	−136,298,990
		Total for session	[3]74,077,609,151	------	71,162,088,261	------	71,320,671,761	[3]74,859,008,445	------	73,856,652,497	------	73,883,029,577	------	------	72,977,598,352	------	------	[3]−1,881,410,093

[1] Vetoed.

[2] Veto overidden.

[3] Includes $500,000,000 for 1961 (Development Loan Fund).

NOTE.—Table does not include loan authorizations contained in appropriation bills. Budget requests for 1960 for loan authorizations were $423,400,000; amount enacted was $455,300,000, or $31,900,000 over the budget estimates.

NOTIFICATION TO THE PRESIDENT OF THE UNITED STATES

Mr. JOHNSON of Texas and Mr. DIRKSEN, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared in the center aisle, and Mr. JOHNSON of Texas said: Mr. President, I report that the committee appointed to notify the President that the two Houses were ready to adjourn, unless the President had further communication to make to them, has performed its duty, and the President informed them that he had no further communication to make to them.

SUMMARY OF LEGISLATIVE ACTIVITY DURING THE 1ST SESSION OF THE 86TH CONGRESS

A PRODUCTIVE CONGRESS

Mr. JOHNSON of Texas. Mr. President, we are in the closing hours of one of the most unusual sessions of Congress in our history.

It has been a long session. It has been a hard-working session. It has been a session which encountered the problems that are bound to arise when a government is divided.

But the length and the work and the difficulties are only incidental to the really important fact so far as the American people are concerned. The basic reality is that it has been a productive session in terms of the national needs.

EFFECTIVE ACTION

The Senate has moved in many fields, including the following:

First. Statehood: This session of Congress provided for the admission of Hawaii as a State.

Second. Racketeering: An effective law was enacted to clamp down on thieves and hoodlums preying on honorable labor, management, and the public.

Third. Economy: This session of Congress cut over $1,300 million from the President's appropriation requests—plus $500 million that had been requested for 1961.

Fourth. Housing: This session Congress enacted a $1,100 million housing bill.

Fifth. Airports: A Federal aid to airports bill totaling $126 million for 2 years was enacted by this session of Congress.

Sixth. Health: This session Congress provided the funds for the largest crash program in history to attack cancer and heart disease and other killing and crippling diseases.

Seventh. Water conservation: This session of Congress enacted—over a veto—a comprehensive water conservation and rivers and harbors measure.

Eighth. Civil rights: This session of Congress extended the Civil Rights Commission and liberalized the cloture rules of the Senate.

Ninth. International: This session of Congress expanded the World Bank and the International Monetary Fund.

Tenth. Western Hemisphere: This session of Congress established the Inter-American Bank to strengthen the economic position of the nations of the Western Hemisphere.

Eleventh. Cultural exchange: This session of Congress took the first step toward establishing in the new State of Hawaii a cultural institution to serve as a bridge of understanding between the scholars of the East and West.

Twelfth. Defense: This session of Congress provided the flexibility needed to accelerate the missile research program; maintained the strength of the National Guard and Reserve forces; applied money taken from nonessential projects to such vital military programs as antisubmarine warfare and research and development; and extended the draft.

Thirteenth. Veterans: This session of Congress passed a Veterans' Pension Act to improve the system of caring for our Nation's veterans; enacted a hundred-million-dollar GI housing bill; and the Senate passed a GI bill of rights for "cold war" veterans.

Fourteenth. Unemployment: The Senate approved an investigation of depressed areas and passed a depressed areas bill.

Fifteenth. Railroad employees: The Congress liberalized railroad retirement.

Sixteenth. Federal employees: A Federal employees health insurance bill was passed.

Seventeenth. Water pollution: This session of Congress passed comprehensive legislation to attack the problem of water pollution.

Eighteenth. TVA: This session of Congress enacted the TVA financing bill.

Nineteenth. Youth: The Senate passed legislation to establish a Youth Conservation Corps.

Twentieth. City problems: The Senate passed a Metropolitan Problems Commission and a home-rule bill for the District of Columbia.

Twenty-first. International health: The Senate approved the health for peace program.

Twenty-second. Atomic energy: 43 new atomic energy projects were approved.

Twenty-third. Surpluses: This session of Congress extended and improved the Agricultural Trade Development Act.

Twenty-fourth. Agriculture: This session of Congress approved a program to find new uses for agricultural products.

Twenty-fifth. Economic problems: This session of Congress launched an inventory of the Nation's economic problems as a step leading to further action in this field.

SOLID AND SUBSTANTIAL

Partisans, of course, will seek to interpret the record of this Congress to serve their own ends. None of us is immune to a touch of partisanship.

But, no matter how we interpret what happened, the fact remains that many things did happen. And those things are solid and substantial and enduring. If this Congress had done nothing but pass the antiracketeering law, it would deserve a place in history.

There are many people who deserve credit for this measure—and they are on both sides of the aisle. I would not seek to add to nor detract from the credit that belongs to any individual. But I believe we are all aware of the fact that the conditions which led to this bill were first brought into the open by the Senate select committee.

We must all concede, in our moments of candor, that legislation reflects the collective judgment of the Members of Congress. We must share in both the credit and the blame—and the shares are rarely parceled out on the basis of partisan affiliations.

Members of Congress can share in the credit for the prudent reductions made in Government spending.

In this we followed a long and well-established path. The President traditionally requests more money than the Congress is willing to grant. The executive agencies spend the money, and it is normal for them to want more than the legislative will approve.

That is why, in addition to the substantial cut of at least $1,300 million made this year, the Congress has sliced $10,600 million from the appropriations requested by the President from fiscal 1955 through fiscal 1959.

DIVIDED GOVERNMENT

There were some fields in which we ran into considerable difficulty. This difficulty can be understood when it is realized our Congress was under the control of one party and the Executive under the control of another.

When government is divided, public officials are faced with a choice of doing something or doing nothing—of creating laws or creating issues. In a divided government, no one group can have everything exactly as desired.

Furthermore, in a divided government certain constitutional powers can assume a disproportionate influence—particularly when one branch of government assumes a negative attitude toward pressing problems. In such circumstances, the forces of inertia can block the forces of action.

Twice this Congress passed housing bills in which every effort had been made to meet the Executive more than halfway. Each time those bills were vetoed.

A third effort—admittedly meeting only minimum needs—has been made because a housing bill is more important than a political issue.

Twice this Congress passed farm bills designed to meet specific, pressing situations. Each time, those bills were vetoed—and the Congress did not receive the cooperation from the executive agencies which would have enabled it to work out a new approach.

Twice this Congress had to pass a water conservation bill—the second time over a veto. In every one of the projects in the bill, the benefits exceeded the cost. The total appropriation in the second bill was less than that requested by the President.

To have deferred construction of these projects would merely have meant postponement to a time when construction costs could well be higher. This would have been of little value to our fiscal position and of no value to those who need the projects.

We faced up to the problem of continuing our Nation's highway program. And we met the interest rate problem on Government savings bonds.

WAY HAS BEEN PAVED

This Congress, of course, did not complete everything in one session—nor has any Congress in history. Only so many issues can be resolved in the course of a year. But we dealt with and met forthrightly many issues.

Even though an individual session comes to an end, Congress endures. The problems which are not settled in one year can and will be faced in the next.

There are some who for partisan reasons or otherwise will concentrate only on what Congress did not do. By this yardstick those who would tear down our institutions could claim our Government has been a failure since its foundation.

But most Americans realize the legitimate yardstick is what has been done in light of the needs of our people and the tools which the democratic process has placed in the hands of elected officials.

The way has been paved for action next year in the field of human rights. It was the judgment of many that it would have been far better to act this year.

But Congress can move only through a consensus of its Members. It is idle to speculate over what is past.

Our committees have recently come to conclusions on other issues which will come before us early in the next session.

LAWS NOT ISSUES

At the conclusion of my remarks, I am placing in the RECORD a list of our achievements. It is a lengthy list. It is a substantial list.

It is the evidence of achievement under difficulty.

The Congress acted in many fields. It sought to act in others. We were determined that our country's Government would not be paralyzed.

We went as far as we reasonably could to meet the Executive. And by sheer persistence, we succeeded in achieving laws—not just issues.

I wish to congratulate my colleagues—all of them—for their faithful, hard and productive work. And I wish to thank my colleagues—all of them—for their reasonableness and willingness to cooperate which made this a session of which the American people can be proud.

Mr. President, I ask unanimous consent that there may be printed in the RECORD, and as a Senate document, a summary of legislative activity during the 1st session of the 86th Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

The summary is as follows:

Summary of legislative record

SENATE ACTIVITY

	82d 1st	83d 1st	84th 1st	85th 1st	86th 1st
	Jan. 3–Oct. 20	Jan. 3–Aug. 3	Jan. 3–Aug. 2	Jan. 3–Aug. 30	Jan. 7–Sept. 12
Days in session	172	125	105	133	138
Hours in session	996:46	763:35	559:41	860:44	1,080:45
Total measures passed by Senate	1,060	848	1,325	1,210	1,030
Senate bills	411	342	574	612	432
House bills	429	320	566	346	365
Senate joint resolutions	14	22	22	22	21
House joint resolutions	29	21	20	54	30
Senate concurrent resolutions	23	25	25	24	31
House concurrent resolutions	19	14	21	28	22
Senate resolutions	135	104	97	124	129
Public laws	255	288	390	316	254
Confirmations	26,069	23,420	39,897	44,620	39,781

DIGEST OF LEGISLATION PASSED BY THE SENATE OF THE UNITED STATES

AGRICULTURE

Animal quarantine

S. 864: Strengthens the animal quarantine laws and closes a number of gaps and loopholes by—

Increasing seizure authority of the Department of Agriculture;

Clarifying the Department's authority to restrict imports;

Increasing authority for inspection and for sanitary regulations; and

Providing injunctive authority.

Passed Senate July 16, 1959.

Conservation reserve—Disaster areas

S. 2323: Authorizes the Department of Agriculture to premit hay to be harvested from conservation reserve lands if the need is certified by the Governor of the State, and the Department determines that the action is necessary to alleviate damage, hardship, or suffering caused by a natural disaster.

Passed Senate August 19, 1959.

Crop allotments

S. 1455: Preserves acreage history on all crops subject to acreage allotments, with the exception of cotton, if the farmer planted at least 75 percent of his allotment during 1 out of 3 crop years.

Requires annual planting of cotton to keep up acreage history, but maintains county allotments by providing for transfers from farmers who do not plant their allotments. Allotments not used within the State are available for distribution to other States.

Effective at the beginning of the 1960 crop year.

Public Law 86–172. Approved August 18, 1959.

Crop insurance

H.R. 306: Amends the Federal Crop Insurance Act to repeal a provision prohibiting Federal crop insurance in a county unless 200 farms or one-third of the farms normally producing the commodity apply for insurance. The existing prohibition has prevented expansion or continuance of the program where it would have been to the best interest of farmers, and it has proved to be uneconomical from an administrative standpoint.

Public Law 86–131. Approved August 4, 1959.

Durum wheat

S. 1282: This act requires the Secretary of Agriculture to increase farm wheat acreage allotments in counties having a Durum production history in North Dakota, Minnesota, Montana, South Dakota, and California to the extent, if any, necessary to meet the demand for Durum wheat.

The increased allotment would be limited to farms producing only Durham, would be additional to the National, State, and county allotments, would not be applicable to permit any increased removal from storage of wheat stored from a previous crop to avoid penalty, and would not count as history toward future farm, county, or State allotments.

Passed Senate August 21, 1959.

Emergency livestock feed

S. 2504: Authorizes the sale of feed grains, at current support prices, owned by the Commodity Credit Corporation to meet shortages in emergency areas. The bill exempts these sales from the minimum resale price provision of section 407 of the Agriculture Act of 1949.

Authorizes the Department of Agriculture to permit hay to be harvested from conservation reserve lands to alleviate hardship caused by natural disaster.

Authorizes the Secretary of Agriculture, after certification by the Governor of the State in which such area is situated, to designate the area in which these sales may be made. He may designate such an area if he determines that, as a result of flood, drought, hurricane, tornado, earthquake, or other catastrophe including disease or insect infestation, there is a shortage of feed for livestock in the area. Any violator shall be guilty of a misdemeanor and, if convicted, fined $1,000 or imprisoned up to 1 year.

Farm loans authority—Extended

H.R 7629: Extends for 2 years, until June 30, 1961, section 17 of the Bankhead-Jones Farm Tenant Act which provides for loans to refinance indebtedness on family size farms where private financing on reasonable terms is not available.

Enlarges the list of property items which can be offered as security to include growing or recently harvested crops.

Public Law 86–332. Approved September 21, 1959.

Farmer committees

S. 662: This measure amends the Soil Conservation and Domestic Allotment Act to provide for the democratic election of farmer committeemen to local and county committees. Members of State committees are to be appointed by the Secretary, but one member, if the State committee is composed of three farmers, or two members, if the State committee is composed of five farmers, are to be appointed from nominees chosen at an election by the members of the county committee.

Passed Senate August 19, 1959.

Group bargaining by milk cooperatives

S. 753: The principal purpose of this measure is to provide exemptions from the antitrust laws, first, to permit farm cooperatives and their marketing agencies to bargain in good faith in groups for the sale of milk and milk products; and, in turn, to permit purchasers from such cooperatives or agencies to bargain in good faith in groups for the purchase of milk and milk products. This bill makes it clear that the cooperatives may bargain in groups with handlers.

The bill restricts the antitrust exemption to milk and milk products.

Passed Senate April 30, 1959.

Industrial uses of agricultural products

S. 690: This measure declares the need for developing new and improved uses for farm products and that public and private research agencies and others should be used for an all-out attack on the development

of new and improved uses and new and extended markets and outlets for farm products and byproducts.

Establishes in the Department of Agriculture the Agriculture Research and Industrial Administration with the duty to coordinate and expedite efforts to develop, through research, new industrial uses, and increased use under existing processes, of agricultural products, to develop new replacement crops; and to reduce the stock of commodities owned by the Commodity Credit Corporation.

Authorizes the new agency to provide graduate scholarships and fellowships and, for this purpose, to make grants to individuals.

Passed Senate July 27, 1959; passed House, amended, September 1.

Land banks

S. 1512: This measure transfers appraisal responsibility from the Farm Credit Administration to the Federal land banks.

Repeals the statutory 5-percent interest rate limitation now applicable to farm loan bonds.

Repeals the $200,000 maximum loan limit applicable to land bank loans, but continues the requirement that loans over $100,000 must be approved by the Farm Credit Administration.

Authorizes the land banks to make loans on an unamortized or partially amortized basis.

Provides that sums loaned to purchase capital stock in national farm loan associations may be above the present limit of 65 percent of the normal value of the farm mortgage.

Permits exceptions from the requirement that all issues of farm loan bonds be exchangeable for registered bonds at the option of the holder.

Authorizes the district farm credit boards of Federal land banks to employ personnel, determine their compensation and retirement without regard to the laws generally applicable to employees of the Federal Government such as: Civil Service, Compensation Act, Hatch and Veterans' Preference Act; Federal Tort Claims Act; and Retirement Act except that bank employees under civil service retirement on December 31, 1959, would continue under that retirement system. Provides social security coverage for these employees after January 1, 1960.

Public Law 86–168. Approved August 18, 1959.

Matured oranges—Coloring

S. 79: Permits continuance of established coloring practice in the orange industry pending congressional consideration of general legislation for listing and certifying food color additives under safe tolerances.

Public Law 86–2. Approved March 17, 1959.

REA—Interpretation of act

Senate Resolution 21: This resolution expresses as the sense of the Senate that the Rural Electrification Act of 1936 authorizes loans to:

(1) Bring electric service to persons not now receiving central station service without regard to whether service is otherwise available to them; and

(2) Provide continued service to persons who are already being served with the aid of REA funds.

The resolution also commends the work of the REA borrowers and nonborrowers in providing REA service, and recommends that each segment of the industry find its proper operation without infringing on the other.

Resolution is the result of a 1958 ruling by the Comptroller General interpreting the REA Act as prohibiting REA electricity to unserved persons within a reasonable distance of existing private powerlines.

Adopted August 19, 1959.

REA—Loans

S. 144: This measure would have restored to the Administrator of REA the statutory authority for granting loans which had been vested in him by the Rural Electrification Act of 1936. This authority was transferred to the Secretary of Agriculture by Reorganization Plan No. 2 of 1953, which transferred all functions of all officers, employees, and agencies of the Department of Agriculture (with certain exceptions) to the Secretary of Agriculture. In addition plan No. 11 of 1939 provided that REA should be administered by the Administrator under the general direction and supervision of the Secretary of Agriculture. The courts have held that this authority includes the power of approving or rejecting REA loans.

This measure, however, provided that REA be located within the Department of Agriculture.

Vetoed April 27, 1959. Senate overrode veto April 28, 1959. Failed of passage in House April 30, 1959.

Research—Agriculture

H.R. 1306: Authorizes the sale of up to 640 acres of Columbia Basin project lands to the State College of Washington for agricultural research purposes.

Public Law 86–52. Approved June 23, 1959.

School milk program—Current year authorization

H.R. 5247: This bill authorizes the use of an additional $3 million for the special school milk program, raising the total authorization for fiscal 1959 to $78 million.

This program provides improved nutrition for all schoolchildren, for all nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of underprivileged children.

Public Law 86–10. Approved April 3, 1957.

School milk program—Increased authorization for fiscal 1960–61

S. 1289: This act increases, from $75 million to $81 million, the maximum amount of money which may be used by the Secretary of Agriculture for the special school milk program in fiscal year 1960 and $84 million for fiscal 1961.

Present law provides for $75 million in each of fiscal years 1959, 1960, and 1961. Owing to an emergency situation in some school areas, the Congress, this year, increased the fiscal year 1959 authorization from $75 to $78 million.

Approximately 80,000 schools and other outlets participating in the school milk program during the current (1959) fiscal year.

Public Law 86–163. Approved August 18, 1959.

Soil bank—County committee errors

S. 2457: Authorizes the Secretary of Agriculture to pay producers under the Soil Bank Act where errors were caused by the county committees or other Department representatives.

This bill will provide the Secretary with discretionary authority to alleviate hardship in these cases where the producer acted in good faith to fulfill the terms of a contract or application under the acreage reserve or conservation reserve programs.

It also provides that no contract heretofore or hereafter entered into shall be modified, invalidated, or changed because of the marriage of any two contracting parties.

Senate agrees to House amendments September 4.

Public Law 86–265. Approved September 14, 1959.

Surplus cotton sales to domestic mills

S. 314: Assists the U.S. cotton textile industry in regaining its equitable share of the world market by making our surplus cotton available to textile mills at a price which will permit them to compete with cheap foreign labor, and limits the use of this surplus cotton for sale in world export markets at competitive prices.

Requires the Secretary of Agriculture to make available to textile mills 750,000 bales of surplus cotton at such prices as may be necessary to enable American mills to regain their just and fair share of export markets.

It is anticipated that the bill will save several American textile mills from being liquidated; save the jobs of several thousand textile workers; and improve the economy of several textile communities and areas.

Passed Senate July 16, 1959.

Tobacco price support

S. 1901: This measure is designed to stabilize and protect the level of support for tobacco by providing the following formula:

The support price will be either the 1958 level or 90 percent of new parity, whichever is lower, until 90 percent of old parity exceeds either of these levels. From now on the support price will be 90 percent of the old or new, whichever is lower.

The bill benefits the tobacco growers by maintaining and protecting their tobacco program, maintaining tobacco supports at 90 percent of parity, and encouraging stable tobacco supplies and orderly marketing.

The practical effect of the bill will be to prevent an increase of about 1 to 2 cents a pound in tobacco prices for the next 4 to 6 years.

Vetoed June 25, 1959.

Trade Development Act—Extension

H.R. 8609: This measure extended the Agriculture Trade Development and Assistance Act for another 2 years, or until December 31, 1961.

Increased the annual authorization to $1.5 billion for administration of the act.

Limited to $5 million a year emergency relief other than for surplus food.

Authorized $300 million annually for enrichment and packaging of certain donated commodities from January 1, 1960, to December 31, 1961, plus any unexpired authority coming over from the preceding year.

Provided for enrichment and packaging of cornmeal, grits, and white flour.

Established a permissive 2-year demonstration food stamp allotment program for the needy in the United States, including needy Indians—program to terminate January 1, 1962. Authorized $250 million annual appropriation to carry out the program. Any person receiving benefits under this program shall not be considered as having received income or resources under the provisions of the Social Security Act.

Limited to $2.5 million a year financing for the preparation, distribution, and exhibiting of audiovisual informational and educational materials.

Whenever the Secretary of Agriculture determines that any food commodity is surplus, he must, insofar as practicable, make it available for distribution to needy families and persons in the United States in such quantities as he determines are reasonable before the commodity may be made available for sale for foreign currencies.

Authorized CCC to make available stocks of animals fats and inedible oils for donation to charitable organizations.

Public Law 86–341. Approved September 21, 1959.

Wheat marketing quotas—Deferral

Senate Joint Resolution 94: This measure defers to June 1, 1959 (from May 15), the marketing quota and acreage allotment proclamation for the 1960 wheat crop. A major portion of the Wheat Belt has been hit by drought, and Congress, as well as the Department of Agriculture, recognizes that changes in existing law are necessary to compensate for the drought. It is anticipated that this 2-week delay will allow sufficient time for proper analyzation of the extent of the drought and enactment of an adequate wheat bill.

Public Law 86–27. Approved May 15, 1959.

Wheat support program

S. 1968. This measure, relating to the 1960 and 1961 wheat crops, would have—

Provided price support at 90 percent of parity;

Reduced each farm acreage allotment by 25 percent;

Required, as a condition of wheat price support, that the farm acreage of price-supported crops be reduced below the 1957 and 1958 average by an amount equal to the 25-percent reduction in the wheat acreage allotment;

Provided for a payment equal to one-third of the average annual wheat yield for the acreage representing the 25-percent reduction, if the acreage is not harvested or grazed;

Made the acreage represented by the 25-percent reduction ineligible for conservation reserve;

APPROPRIATIONS

For action on Appropriations see table in Daily Digest.

Limited price support to commercial areas and, if marketing quotas are not disapproved, to cooperators;

Provided price support at 50 percent of parity to noncooperators, as well as cooperators, if marketing quotas are disapproved;

Provided that if marketing quotas are disapproved, the minimum Commodity Credit Corporation sales price for wheat for unrestricted use be 105 percent of 75 percent of parity, plus reasonable carrying charges;

Imposed penalties on the actual yield of excess acres, or double the normal yield if the actual yield is not shown; except, if the actual yield does not exceed the normal yield of the farm acreage allotment, the marketing excess would be reduced to zero;

Increased the marketing penalty to 65 percent of parity;

Reduced the 15-acre exemption to the smaller of (a) 12 acres, or (b) the highest acreage planted in 1957, 1958, or 1959; and

Removed the 30-acre limitation on the feed wheat exemption. Permanent provisions:

Limited wheat price price support to $35,000 a year for each producer;

Provided that if the wheat marketing excess for a farm is reduced to zero by reason of underproduction, the farm, county, and State cannot receive an acreage history penalty because of the overplanting;

Based eligibility for voting in marketing quota referendums on compliance with allotments in the year in which the referendum is held;

Repealed the 200-bushel wheat marketing quota exemption; and the requirement that an additional allotment list be kept by the county agent, or local committee chairman.

Vetoed June 25, 1959.

CIVIL RIGHTS

Alaska omnibus bill

H.R. 7120: This measure was made necessary by the status change in admitting Alaska to the Union as the 49th State. The Admission Act did not attempt to deal with all the required changes in Federal laws and programs, nor did it attempt to work out in detail the means of facilitating the orderly transfer of functions performed by the Federal Government under Territorial status to the new State government.

Principal changes are—

Makes Alaska eligible to participate in a number of Federal grant-in-aid programs on a basis comparable with other States;

Terminates certain special Federal programs in Alaska;

Authorizes various measures required to facilitate an orderly transition, including property transfers and transitional grants; and

Clarifies the applicability of certain laws to Alaska.

Public Law 86–70. Approved June 25, 1959.

Cloture rule 22

Senate Resolution 5: This resolution amends the 10-year-old filibuster rule by providing that two-thirds of the Senators voting may close debate on any measure, including rule changes; it also affirms the fact that the Senate is a continuing body.

Adopted January 12, 1959.

Hawaii—Statehood

S. 50: Congress, on March 12, 1959, completed action on this measure providing for the admission of Hawaii as a full and equal sovereign State.

The first petition for statehood began in 1903. The first bill to provide for statehood was introduced in Congress in 1919. For 14 consecutive years, Congress received from the President a recommendation requesting statehood for Hawaii and, although on five separate occasions one House or the other passed a measure granting statehood, it was the Democratic-controlled 86th Congress that finally enabled Hawaii to become a State.

Major provisions are:

Admission: Provides for admission of Hawaii as a State, and accepts Hawaii's State Constitution adopted by the people of Hawaii on November 7, 1950.

Constitution: Requires that the constitution of Hawaii be republican in form.

Plebiscite: Qualified voters must adopt the following:

1. Shall Hawaii become a State immediately?

2. Acceptance of the boundaries.

3. Acceptance of all provisions of this act.

Hawaii will not be admitted should any one of these three be voted down by the electorate.

Area: Includes in the new State all the islands and Territorial waters of the Territory of Hawaii, except the island of Palmyra.

Land: Provides that the State of Hawaii shall succeed to lands and properties of the Territory of Hawaii. Grants title to all public lands and other public property within Hawaii from United States to State of Hawaii, and retains for the United States title to land remaining set aside for the United States at time of admission.

Election: Provides for the proclamation by the Governor of elections of State and national officers, as soon as President has certified enactment of this act to the Governor.

Provides that a proclamation by the Governor shall call for primary and general elections of officers required to be elected by the people.

Two Senators and one Representative to be elected to Congress.

Judicial system: Establishes a U.S. District Court for the District of Hawaii with the same jurisdiction as other Federal district courts.

Federal Reserve System: Provides for the inclusion of the State of Hawaii in the Federal Reserve System.

Maritime matters: Continues exclusive jurisdiction of the Federal Maritime Board over common carriers engaged in water transportation between Hawaii and other U.S. ports.

NOTE.—S. 50 was debated in the Senate 1 day; the House passed the measure March 12, 1959.

Public Law 86–3. Approved March 18, 1959.

Naval forces

H.R. 4068: Repeals an 1877 law prohibiting an increase in the force at a naval activity within 60 days before a national election unless the need is certified by the Secretary of the Navy.

Public Law 86–148. Approved August 7, 1959.

DEFENSE

AEC authorization—Increased

S. 1228: This bill amends Public Law 85–590, the AEC Authorization Act for the current fiscal year 1959, to increase the authorization for project 59–c–5, phermex installation, Los Alamos, N. Mex., from $2,250,000 to $3,550,000, or a net increase of $1,300,000.

The increase is attributable to a sharp rise in the cost of components, the need for considerably more monitoring and control equipment than had been originally anticipated, and changes in machine design to insure more satisfactory performance.

This project will provide a weapons diagnostic facility consisting of laboratory and power control buildings, phermex chamber, detection chamber and X-unit pad.

Public Law 86–44. Approved June 11, 1959.

AEC authorization for 1960

S. 2094: Authorizes $165,400,000 for AEC for a total of 43 new construction projects.

It provides authority for an additional appropriation of $7 million for the Euratom research and development program.

It also authorizes $55,500,000 for the cooperative power reactor demonstration program.

Extends, for another 5 years, the compulsory licensing of atomic energy patents.

Public Law 86–50. Approved June 23, 1959.

Atomic Energy Act amendments

S. 2569: Authorizes the Atomic Energy Commission to enter into agreements so that the Commission may perform certain services, including reprocessing irradiated fuel elements with material licensees as well as facility licensees.

Provides that the members of the General Advisory Committee and other AEC advisory committees will not be subject to certain conflict-of-interest statutes solely because of compensation received from nonprofit educational institutions.

Passed Senate September 9, 1959.

Coast Guard—Foreign claims

H.R. 2741: Authorizes the Secretary of the Treasury to settle claims arising in foreign countries incident to noncombat activities of the Coast Guard.

Public Law 86–223. Approved September 1, 1959.

Draft extension

H.R. 2260: This measure extends to July 1, 1963, the authority to induct young men into the Armed Forces; the related authority to induct physicians and dentists and to continue their special pay.

The law continues the suspension of permanent limitations on the active duty strength of the Armed Forces and continues quarters allowances for men in the enlisted grades who must support dependents.

Public Law 86–4. Approved March 23, 1959.

Military construction authorizations for 1960

H.R. 5674: This act authorizes a total of $1,225,525,000 for construction at military installations within and outside the continental limits of the United States.

One billion, one hundred and sixty-three million fifty-one thousand one hundred and fifty dollars of the total is new authority for the Active Forces made up as follows:

Army	$188,403,100
Navy	177,151,250
Air Force	797,496,800

Fifty-seven million six hundred and ninety-five thousand is for the Reserve Forces.

Four million seven hunred and seventy-nine thousand is an increase in authorizations of prior years.

The Senate deleted some $17 million of the $22.4 million requested as new authorization for expanding the Nike-Hercules system within the continental United States.

Another major change, effecting a savings of some $1.4 billion over the next few years, was a reduction and revision in the planned development of both Bomarc and Nike-Hercules missile sites, and a revision and strengthening of the electronic ground environment necessary to control the weapons and the air battle. Bomarc deployment will be on the perimeter of the east and west coasts and the Canadian border. Nike defenses will provide for urban area protection and will be extended to Strategic Air Command sites.

Public Law 86–149. Approved August 10, 1959.

Naval vessels—Construction

H.R. 3293: This measure authorizes the construction of 20,000 tons of amphibious warfare vessels and landing craft, and 4,000 tons of patrol vessels. The Navy's shipbuilding program for 1960 includes 31 ships and 5 service and landing craft. Of these 31 ships, 18 are to be newly constructed and 13 are conversions. The appropriations request for these five ships will be $110,700,000.

From prior authorizations the Navy has sufficient authority to construct all vessels included in the 1960 program except for one amphibious transport, one amphibious assault ship, two escort vessels, and one submarine chaser.

Public Law 86–23. Approved May 13, 1959.

Naval Weapons Bureau

H.R. 7508: Establishes a Bureau of Naval Weapons within the Navy Department by consolidating the existing Bureaus of Ordnance and Aeronautics.

The consolidation of these two Bureaus will place the weapons system development effort under the direct authority and control of a single executive. It will simplify the funding of major weapons systems and will insure full use of professional and technical talent available to the Navy.

Public Law 86–174. Approved August 18, 1959.

Renegotiation Act—Extension

H.R. 7086. Extends to June 30, 1962, the 1951 Renegotiation Act. Provides for a comprehensive study of procurement policies and practices and for a subsequent broad-scale study of the Renegotiation Act and of the policies and practices of the Renegotiation Board.

Provides that the General Counsel of the Board is to receive $19,000 a year.

Provides a 5-year carry forward (instead of present 2) of losses to any fiscal year ending after December 31, 1958. The 5-year carry forward applies only if the loss arose in a fiscal year ended on or after December 31, 1956.

Public Law 86–89. Approved July 13, 1959.

Reserve enlistment program—extension

H.R. 3368: Extends for 4 years the Reserve enlistment program. This authority, which would have expired on August 1, 1959, is the basis of the 6-month training program for persons under the age of 18½, and of the Reserve enlistment of persons possessing technical skills.

Persons enlisted under this program are required to perform an initial period of active duty for training of not less than 3 months or more than 6 months, and to participate satisfactorily in the Reserve after the training duty for the remainder of their enlistment.

This program also authorizes the Reserve enlistment of persons who have critical skills and are engaged in civilian occupation in any critical defense-supporting industry, or in any research activity affecting national defense. Anyone having these critical skills may be enlisted and relieved of any obligation to participate actively in the Reserve program.

Public Law 86–96. Approved July 17, 1959.

Reservists pay

H.R. 6269: This bill amends the authorization for readjustment pay to reservists involuntarily released from active duty by extending eligibility for such payments to non-Regular members who are not members of Reserve components.

Public Law 676 of the 84th Congress authorized a lump-sum readjustment payment to reservists involuntarily released to inactive duty after having served on active duty for 5 years or more. One of the purposes of this authorization was to soften the financial impact resulting from involuntary transition to civilian life by non-Regular members of the Armed Forces. Readjustment payment under this law is computed by multiplying one-half of 1 month's basic pay of the grade in which the member is serving at the time of release by the years of active duty performed.

In concept this authorization should have applied to all non-Regular members of the Armed Forces. A redraft of the original legislative proposal, however, established entitlement only for "a member of a Reserve component." This qualifying language excluded persons serving on active duty in a status described as "without specification of component," a term that covers non-Regular service by persons who are not members of the Reserve or National Guard.

Most of the persons excluded from readjustment payments under present law are warrant officers who served on active duty under appointments in the Army of the United States. Since the reasons that supported readjustment pay for members of Reserve components involuntarily released to inactive duty are equally applicable to persons in this category of non-Regular service, the qualifying definition should be broadened to cover service "without specification of component."

This bill is effective from July 9, 1956, the effective date of the basic authority for readjustment pay. This retroactivity would permit readjustment payment to those persons involuntarily released since the date who were ineligible under the non-Regular service definition that was more restrictive than was intended.

Public Law 86–324. Approved September 21, 1959.

Service credit—Reserves

H.R. 3365: For purposes of Reserve retirement, this measure authorizes credit for the following:

(1) Periods served in the National Guard after June 14, 1933, if the person was in a federally recognized status, but before appointment or enlistment was affected in a Reserve component of the National Guard of the United States, Army National Guard of the United States, or Air National Guard of the United States.

(2) Periods of full-time service performed by nurses, dietitians, physical and occupational therapists prior to their appointment as commissioned officers.

(3) Active military service performed by aviation cadets.

This act also validates temporary commissioned appointments in the Army of the United States.

Public Law 86–197. Approved August 25, 1959.

DISTRICT OF COLUMBIA

Buildings—Condemnation

S. 745: This measure provides that taxes levied and assessed as the result of demolishing or removal of a condemned building may be paid within 60 days without interest. Provides for interest of one-half of 1 percent a month to be charged on all unpaid amounts after the expiration of the 60-day period. Permits property, against which this tax is levied, to be sold for taxes after 2 years. Sets up procedures for notifying owners and servicing process.

Passed Senate April 10, 1959.

Buildings—Safety provisions

S. 645: This bill authorizes the District of Columbia Commissioners to require that unsafe buildings be vacated within 5 days if the buildings are not repaired or corrective action taken or, if the danger is imminent, to be vacated immediately. Violators will be fined up to $300, imprisoned up to 30 days, or both.

Establishes time limits and changes the present method for assessing and collecting costs for repairs made by the District on unsafe structures, including changes in the "grace period," from 90 days to 60 days, during which interest does not run, and changes the rate of interest from 10 percent a year to one-half of 1 percent a month.

It also permits administrative changes to simplify and standardize methods of serving notice on property owners.

Passed Senate April 10, 1959.

Business Corporations Act

S. 660: This measure amends the District of Columbia Business Corporations Act to—

Provide a procedure for resignation by registered agents of foreign and domestic corporations;

Add to the permissible variations between different series of shares of the same class;

Add a provision to relieve a corporation of the necessity of printing on a stock certificate a summary or full statement of limitations and restrictions upon transferability or the designations and preferences relating to shares covered by the certificate;

Provide a method for establishing that shares of a corporation which have been issued for more than 12 years are fully paid and nonassessable;

Permit a different period of notices of shareholders' meetings;

Clarify rules relating to the status of a proxy, the voting of shares standing in the name of a partnership, or in the name of two or more persons as joint tenants, tenants in common, or tenants by the entirety;

Make it clear that when a quorum is present at a shareholders' meeting, the affirmative vote of the majority of shares represented, shall be controlling unless a larger vote or voting by classes is required;

Provide for filling a vacancy in the board of directors by affirmative vote of a majority of the remaining directors;

Require a stockholder requesting a statement of the affairs of the corporation to state the purpose; and

Provide that the Recorder of Deeds, after public notice and 180 days after the effective date of this section, shall destroy all duplicate original corporation papers filed prior to October 2, 1957.

Public Law 86–106. Approved July 24, 1959.

Certificate fees

S. 1371: Permits Commissioners to set fees for transcripts of birth and death certificates.

Public Law 86–178. Approved August 21, 1959.

Child-placement agencies

S. 746: Authorizes an acknowledgment of relinquishment of parental rights before a representative of the child-placing agency in the presence of at least one witness.

The measure also permits the Commissioners of the District to delegate their authority to execute agreements with any person, firm, corporation, association, or public agency authorized for the care and placement of minors to allow placing nonresident children in foster or adoption homes in the District.

Public Law 86–177. Approved August 21, 1959.

Collectors—Bonding

H.R. 2317: Establishes standards and procedures for bonding persons engaged in a business, trade, or profession of collecting money for others in the District of Columbia.

Public Law 86–217. Approved September 1, 1959.

Dentistry—Examination waiver

H.R. 4072: Permits the District of Columbia Board of Dental Examiners to waive any theoretical examination of an applicant for a license to practice dentistry if the applicant has successfully passed an examination given by the national board, if the applicant can successfully pass the practical examination given by the District of Columbia Board.

Public Law 86–98. Approved July 17, 1959.

Domestic Relations Court of the District of Columbia

S. 1732: This bill clarifies and defines the authority of the domestic relations branch in the municipal court to adjudicate the interests of husband and wife in personal and real property in the District of Columbia in all actions coming before the domestic relations branch, other than proceedings in adoption.

Public Law 86–241. Approved September 9, 1959.

Guardians

S. 2035: Authorizes persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requires persons receiving money or property in settlement or in satisfaction of a judgment in these actions to be appointed as guardian of the minor's estate.

Passed Senate August 19, 1959; passed House September 2.

Heliport study

Senate Joint Resolution 52: Authorizes the Commissioners of the District of Columbia to make a study of all factors involved in establishing and operating heliports within the District on sites convenient to downtown, Government, and commercial areas.

A report of the findings and recommendations is to be submitted to Congress by June 30, 1960.

Passed Senate July 6, 1959.

Home rule

S. 1681: Provides for an elected mayor and an elected nine-member Council to exercise the municipal authorities conveyed to the District of Columbia.

Provides for an elected nonvoting Delegate to the House of Representatives.

Endows the District Council with local legislative power, including taxing and borrowing power, subject to certain enumerated restrictions and to the overriding power of Congress to repeal, amend, or initiate local legislation and to modify or revoke the charter itself.

Authorizes the Council to decide the type of school administration, whether it should be by an elected Board of Education, an appointed Board of Education, or possibly a Superintendent of Public Instruction with assistants responsible to him.

Authorizes the preparation of a budget, borrowing for capital improvements, payments of bonds and notes and for handling the financial affairs of the District.

Authorizes the Board of Elections to hold a general election in each even-numbered year commencing with 1960, and in any odd-numbered calender year commencing with 1961. Offices to be filled are: Council members, mayor, and District Delegate. Council members and Delegate for 2-year terms, and the mayor for a 4-year term.

Requires the Board of Electors, within 9 months after enactment of this measure, to hold a referendum to determine whether the registered qualified electors of the District accept the charter.

Provides the House Delegate with the same status as a Territorial Delegate—the right to debate but not to vote.

Passed Senate July 15, 1959.

Hospital Center—Extension

H.R. 6662: Extends to June 30, 1961, the period during which private sponsors of the proposed new hospital in southeast Washington may raise funds to match those given in grant by the Federal Government under the terms of the Hill-Burton Act.

Public Law 86–85. Approved July 13, 1959.

Indecent publications

S. 715: Amends the District of Columbia Code, relating to indecent publications, so as to authorize forfeiture to the District of property used in connection with a violation of the law.

Prescribes a libel action brought in the municipal court in the name of the District of Columbia by the Corporation Counsel. Unless good cause is shown to the contrary, the property is forfeited to the District and may be available for the use of any agency of the District government unless it is of an indecent, obscene, or lewd nature, in which case it is to be destroyed.

Passed Senate July 6, 1959.

Junior College

S. 2466: The purpose of the bill is to authorize the establishment of a Junior College Division within the District of Columbia Teachers College.

The bill would authorize the following:

(1) the Board of Education to establish a 2-year junior college program leading to the degree of associate in arts within the District of Columbia Teachers College;

(2) the Board of Education, with the approval of the Commissioners of the District, to determine tuition rates for the District of Columbia Teachers College, including the junior college division, and it is provided that tuition payments shall be deposited to the credit of the general revenues of the District;

(3) the Board of Education, with the approval of the District Commissioners, to set fees for students attending the District of Columbia Teachers College, including the junior college division, which fees shall be deposited in a revolving fund, to be available without fiscal year limitation for expenditure for purposes authorized by the Board of Education;

(4) the Board of Education to make all necessary rules covering the deposits and withdrawals from the revolving fund;

(5) the Board of Education to promulgate such rules and regulations as may be necessary to carry out the purposes of the bill.

Passed Senate September 10, 1959.

Juvenile court judges

S. 1456: The purpose of this measure is to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

At the present time the juvenile court has one judge. This bill provides that the court shall consist of three judges, appointed by the President and confirmed by the Senate. Each judge appointed, after enactment of this bill, shall serve for a term of 10 years, or until his successor is appointed and qualifies.

To qualify one must:

(a) Be a member of the District of Columbia bar for a period of 5 years preceding his appointment.

(b) Have been, during a period 10 years immediately preceding appointment, a resident of the District of Columbia or of the metropolitan area of the District for at least 5 years, of which not less than 3 years must immediately precede appointment.

(c) Have a broad knowledge of social problems and procedures and an understanding of child psychology.

The present judge is to occupy one of the three mentioned positions. The President shall designate one as the chief judge at a salary of $18,000 a year. The associate judges are to receive $17,500 a year.

Passed Senate April 10, 1959.

Land tax notices

S. 643: This measure amends the 1938 act, relating to levying, collecting taxes, and assessments.

It will permit special assessment notices for public improvements, to be served either by registered or certified mail or by personal service.

Public Law 86–46, approved June 17, 1959.

Master of arts in education

S. 2445: The purpose of the bill is to authorize the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all the requirements for the granting of such degree.

The bill would correct an inequity unintentionally imposed upon those students who, in good faith at present and in the past, with the intention and expectation of acquiring a master's degree in education, have taken courses which would normally lead to such a degree, but who were not able to obtain the degree because no authority now exists to grant the degree.

The authority granted to the Board of Education to confer the degree would extend only to those students who will have successfully completed the appropriate graduation courses initiated by the District of Columbia Teachers College in 1955, and who will have met all other requirements for the degree by July 1, 1961.

Passed Senate September 10, 1959.

Metropolitan Region Development Act

Senate Joint Resolution 42: Establishes a policy for coordinating the development of the District of Columbia with the development of other areas in the Washington metropolitan region.

Major problems of concern are the water supply, sewage disposal, water pollution, and transportation.

It is anticipated that this act will have the effect of bringing Congress, the Federal Government, the District government, the States of Virginia and Maryland, and the various county and city governments into a more unified plan in future development.

Passed Senate July 6, 1959.

Metropolitan problems

S. 1431. Establishes a temporary bipartisan Commission composed of 18 members to make a "full and complete investigation and study of Federal policies and programs relating to the needs and problems of the Nation's metropolitan areas" for the purpose of determining—

(1) The present and prospective needs of the Nation's metropolitan areas;

(2) The capabilities of the different levels of government to meet such needs;

(3) The extent to which the Federal Government is assisting metropolitan areas in meeting such needs;

(4) Means for improving the coordination of Federal, State, and local policies and programs.

Six members of the Commission would be appointed by the President of the Senate from the Senate, six would be appointed by the Speaker of the House from the House of Representatives (four from the majority and two from the minority in each case), and six would be appointed by the President of the United States, including the heads of two agencies of the executive branch, two Governors (one from each party), and two mayors (one from each

party). The Commission would submit its final report, including recommendations, to the President and to the Congress on or before February 1, 1961, and cease to exist 6 months after submission of its report.

Passed Senate September 10, 1959.

National Training School for Boys

S. 1648: Authorizes the Attorney General to select a new site and construct proper buildings for the National Training School for Boys under the direction of GSA and Public Buildings Service.

Passed Senate July 15, 1959.

Nurses—Licensing

S. 1870: Provides for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia.

Passed Senate September 10, 1959.

Pension and employee trusts

H.R. 8527: Exempts employee pension funds or trusts from present laws in the District Code against perpetuities or other restraints.

Public Law 186–201. Approved August 25, 1959.

Public insurance adjusters—District of Columbia

S. 1966: Establishes standards and uniform procedures for licensing and bonding insurance adjusters in the District of Columbia.

Passed Senate August 19, 1959.

Real property purchase

S. 1159: This measure repeals a provision in the District of Columbia Alley Dwelling Act which requires the National Capital Housing Authority when buying real property to pay not more than 30 percent over and above the current assessed value of all property acquired in the square.

The Authority must purchase this property in order to carry out its statutory responsibility of providing decent, safe, and sanitary housing for families of low income in the District and, in so doing, it has experienced many difficulties because of price limitation.

Passed Senate May 20, 1959.

Redevelopment Act—Amendment

S. 1370: This measure provides that whenever the District of Columbia Redevelopment Land Agency obtains financial assistance from the Housing and Home Finance Administrator, the Commissioners are authorized, in their discretion, to exempt from District taxes, real property acquired by and titled in the name of the Agency if the property is clear of any improvements or was exempt from taxation immediately prior to its acquisition by the Agency.

Passed Senate May 20, 1959.

Registration of births

S. 2327: The purpose of this measure is to amend the act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes," to authorize the Commissioners of the District of Columbia to establish rules and regulations permitting the certification of given names for birth records in those cases where such names have never been properly certified, and where because of death or incapacity upon the part of parents, proper certification cannot be executed. The Director of Public Health would be authorized to accept certifications made in accordance with the regulations authorized by this bill to be issued and to make appropriate entries upon the official records.

Passed Senate September 10, 1959.

Regulate closeout and fire sales

H.R. 2318: Provides for regulating fire and closeout sales in the District of Columbia, by outlawing advertising or offers for sale of stocks of goods, wares, or merchandise under the description of closing-out sale, or merchandise damaged by fire, smoke, water, or otherwise, unless a license to hold such a sale is obtained from the Commissioners.

Public Law 86–219. Approved September 1, 1959.

Religious corporation

H.R. 4282: This measure grants additional powers to the charter by which the Sisters of the Visitation, Georgetown, a nonprofit educational and religious corporation, operates its schools known as Georgetown Visitation Preparatory School and Georgetown Visitation Junior College. Permits the corporation to—

Appoint a board of trustees or a board of directors and to appoint specific officers of the corporation;

Establish and operate schools, colleges, and departments of learning to be connected with and become a part of the corporation, and to be known as Georgetown Visitation Junior College and Georgetown Visitation Preparatory School;

Fill vacancies occurring at any level in the administration of the corporation;

Prescribe the curriculums at these schools and colleges;

Grant degrees to student;

Establish scholastic boards and offices.

Public Law 86–32. Approved May 26, 1959.

Retirement increase for former District of Columbia policemen and firemen

H.R. 3735: This measure will—

(1) Provide a 10-percent increase of present retirement annuity to those former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the Secret Service, who retired prior to October 1, 1956; and

(2) Extend the benefits of the 1957 amendments to the Policemen and Firemen's Retirement and Disability Act to the widows and surviving minor children of deceased firemen and policemen who died prior to the effective date of the 1957 amendments.

Passed Senate September 10, 1959.

Schools—Compulsory attendance

S. 644: This measure provides that all children below the age of 18 years must be listed when the school census is taken, in lieu of the present requirement that only those between the ages of 3 years and 18 years be listed. In addition to the name of the school attended by the child as required by the census, there must also be a designation as to whether such school is public or private.

The census must be made as frequently as the Superintendent of Schools and the Board of Education find it necessary and desirable to do so, instead of the present annual requirement.

Passed Senate April 10, 1959.

Teachers—Retirement

S. 2439: Permits teachers of the public schools in the District of Columbia (as defined in the act entitled "An act for the retirement of public school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended), to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such employees for educational purposes.

Passed Senate September 10, 1959.

Trustees—Corporate

H.R. 4454: Eliminates the requirement that certain corporations in the District of Columbia may have no more than 15 trustees. By eliminating this requirement insurance companies will be permitted to have as many directors as the demands of their business require, placing them on a parity with other businesses.

Public Law 86–83. Approved July 13, 1959.

Wage garnishees

H.R. 836: Modifies existing laws relating to attachment and garnishment of wages, salaries, and commissions of judgment debtors to provide a graduated percentage lien and levy upon any money due a judgment debtor from his employer and continues the lien until the judgment is satisfied.

Public Law 86–130. Approved August 4, 1959.

ECONOMY

Economic study by Joint Economic Committee

Senate Concurrent Resolution 13: The Senate unanimously adopted this resolution authorizing the Joint Economic Committee to conduct a special study of, and investigation into the problems of providing maximum employment, the adequate rate of economic growth, as well as maintaining price stability and preventing inflation.

The following specific subjects will be investigated:

(1) Historical and comparative rates of unemployment, production, and prices;

(2) Inflation and deflation caused by increases and decreases in the effective supply of money and credit and the effects of these and of interest rates on growth, employment, and economic stability;

(3) The effect of monopolistic and quasi-monopolistic practices upon prices, profits, production, and employment;

(4) The effect of increases in wages, salaries, and the prices of personal services, together with union and professional practices, upon prices, profits, production, and employment;

(5) The effect of governmental expenditures, taxation, and budgetary surpluses and deficits and of monetary and debt management policies upon price levels, production, and employment;

(6) International influences affecting prices, production, trade, and employment; and

(7) Constructive suggestions for reconciling and simultaneously obtaining the three objectives of maximum employment, an adequate rate of growth, and substantial stability of the price level.

The resolution authorized the committee to spend not more than $200,000 and to make its final report not later than January 31, 1960.

Passed Senate and House March 23, 1959.

Joint Economic Committee

S. 961: This measure amends the Employment Act of 1946 to provide that the Joint Economic Committee be composed of eight Members from the Senate and eight Members from the House, the majority party to have five members and the minority party to have three members in each case. The President of the Senate appoints the Senators and the Speaker of the House appoints the House members to the committee.

Public Law 86–1. Approved February 17, 1959.

EDUCATION

Childhood Educational International

S. 685: This bill exempts certain property of the Association for Childhood Education International in the District of Columbia, from taxation so long as the property is owned, occupied, and used by the association.

The association works for the education and well-being of children; promotes desirable conditions, programs and practices in the schools; raises the standards of preparation and encourages continued professional growth of teachers and leaders in the field of education.

Passed Senate May 20, 1959; passed House September 2.

Donations to libraries—surplus property

S. 155: Amends the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to libraries which are tax supported or publicly owned and operated.

Passed Senate Sept. 10, 1959.

Indian schools—Student funds

H.R. 3648: This act is designed to regulate the handling of student and student activity association funds in Indian schools by authorizing officially designated Bureau of Indian Affairs employees to accept and to disburse deposits of these funds.

During fiscal 1958, 294 schools, enrolling over 41,000 children, were operated by the Bureau of Indian Affairs. As in other schools, many of these children have, from time to time, small amounts of money that need to be kept safely. Similarly, their student associations accumulate funds for special uses. Most of the individual items are too small to interest commercial banks. Hence it is necessary to designate certain employees to accept deposits and make disbursements and to arrange for the safekeeping of moneys belonging to individual students and student activity associations.

Public Law 86–16. Approved April 27, 1959.

National Science Foundation amendment

H.R. 8284: This measure amends the National Science Foundation Act to—

Allow the National Science Board to delegate to its executive committee the authority to approve grants.

Authorize the Foundation, with the approval of the Secretary of State, to undertake programs for the support of foreign nationals in scientific studies and to support scientific activities abroad.

Public Law 86–232. Approved September 8, 1959.

Oversea teachers' salaries

S. 96: This measure provides a system of personnel administration for teachers, officers, and other employees of the dependents' schools operated by the Department of Defense in oversea areas comparable to the systems found in the majority of the public primary and secondary schools in the United States.

The Defense Department, during the past school year, has operated 223 elementary schools and 76 secondary schools in oversea areas where military personnel are stationed. These schools have an attendance of some 100,000 students and employ approximately 3,900 teachers.

Most of the problems that exist stem from the fact that the teachers are employed under civil service laws designed for full-time teachers. The application of these laws created a number of problems mainly because their services are required for only 9 to 10 months.

This measure exempts the personnel from the Classification Act and permits their salaries to be fixed by the Secretary of Defense, taking into account rates of compensation for similar positions in the United States.

Exempts these employees from the Sick and Annual Leave Act and establishes a system of sick and emergency leave similar to that provided teachers in the District of Columbia schools.

It also provides an equitable method of handling quarters allowances and cost-of-living allowances.

Public Law 86–91. Approved July 17, 1959.

Television—Education

S. 12: This measure is designed to expedite the use of television in our public schools, colleges, and adult training programs in the general States and Territories by authorizing grants of up to $1 million in each State.

The bill authorizes the Commissioner of Education of HEW to make a grant to an organization or State which has secured the necessary authorization under the provisions of the Federal Communications Act for the establishment or improvement of television facilities, and which satisfies the Commissioner of Education:

1. That the organization or State would provide for the operation and maintenance expense of such television facilities;

2. That the operation of these facilities will be under the control of—

(a) State agencies or officers primarily responsible for State supervision of public elementary and secondary schools; or

(b) A nonprofit foundation, corporation or association organized primarily to engage in, or encourage, educational television broadcasting;

(c) The State educational television commission appointed by the Governor, or

(d) A State college, university, or teacher college.

3. That such facilities would be used only for educational purposes.

Grants may be made to more than one organization in any State but the total of these grants to such organizations in any one State cannot exceed $1 million. Grants are to cover the acquisition and installation of apparatus necessary for television broadcasting (including closed circuit television) or the improvement of television broadcasting, but are not to include the construction or repair of structures to house such apparatus.

Passed Senate April 13, 1959.

FEDERAL EMPLOYEES

Air Force officers—Promotion

H.R. 8189: Authorizes the Air Force until June 30, 1961, to exceed by 3,000 the number of officers who may serve on active duty in the grade of major. The number of 3,000 would be in addition to the present statutory ceiling provided in the Officer Grade Limitation Act.

The effect of the legislation will be to provide an 80-percent opportunity for promotion to major for all Air Force captains who complete by June 30, 1961, 14 years of active commissioned service. There will be within the period from the present until June 30, 1961, a total of 7,400 Air Force captains who will have completed 14 years of active commissioned service. Of this number, 1,100 will be Regular officers and 6,300 Reserve officers. Without legislative relief, only 2,900 vacancies for the grade of major can be anticipated during this period for the 7,400 officers. About 900 of the vacancies will be required for the 1,100 Regular captains. Under existing law Regular officers in the grade of captain who complete 14 years of promotion list service are guaranteed a minimum 80-percent promotion opportunity at the completion of the 14-year point. There would remain about 2,000 vacancies for about 6,300 Reserve captains who complete 14 years of active commissioned service. This would amount to a 31-percent promotion opportunity. With the additional 3,000 vacancies which would provide a combined total of 5,990, there would be an 80-percent promotion opportunity during the period until June 30, 1961, for all Air Force captains, Regular and Reserve, who complete the 14 years of active commissioned service.

The group who will benefit from the enactment of this bill will be the Reserve officers. It should be emphasized that at least 95 percent of the Reserve officers who would be promoted to the active duty grade of major already hold the Reserve rank of major as a result of promotion received under the Reserve Officer Personnel Act. Before June 30, 1961, the remaining 5 percent will have been considered and promoted to major in the Reserve.

Public Law 86–335. Approved September 21, 1959.

Employment of aliens

S. 1495: Establishes permanent control over the employment of aliens by the Federal Government within the several States and the District of Columbia. To that end it repeals existing statutory restrictions controlling such employment by the Federal Government and establishes prohibitions designed to meet the needs of the service.

Generally the bill prohibits the employment within the several States and the District of Columbia, of any noncitizen except for limited periods during emergencies or when qualified citizens are not available. It is anticipated that agencies will use the same means of establishing the absence of qualified citizen eligibles as they now use, under existing Civil Service Commission regulations, when appointing aliens to competitive positions.

Passed Senate July 6, 1959.

Federal Power and Communication Commissioners

S. 1965: Permits Commissioners of Federal Power and Communications Commissions to remain in office until their successors are sworn in and take office.

Passed Senate July 29, 1959.

Foreign Service Act amendments

S. 2633: This measure makes numerous changes in the administration of the Foreign Service of the United States and the Department of State.

Provides a new class structure for Foreign Service Staff officers and employees.

Liberalizes retirement and disability systems.

Improves recruitment and training of Foreign Service officers.

Encourages functional and geographic area specialization by such officers.

Increases by $100 million the authorization for the Foreign Service buildings fund, largely for office space for U.S. missions overseas.

Passed Senate September 10, 1959.

Foreign Service retirement and disability system

S. 1052: Provides a 10-percent increase in annuities of retired Foreign Service officers and their survivors who, on August 1, 1959, were receiving annuities based on service which ended prior to July 31, 1959. These increases will begin on the first day of the first month which begins more than 30 days after the date of enactment.

Provides for adjustments in annuities that begin after September 1, 1959, on a graduated schedule. Future annuities will be progressively reduced because the general 10 percent salary increase for the Foreign Service and other Government employees enacted in 1958 will benefit persons retiring in the future to some extent.

Passed Senate September 9, 1959.

Government employees' pay periods

H.R. 6134: Amends the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of salary earnings occurring in part in previous fiscal years.

Public Law 86–122. Approved July 31, 1959.

Health benefits—Federal employees

S. 2162: Provides a health benefit program for Federal civilian employees comparable to those available to other large employee groups by authorizing payroll deductions, and an equal contribution by the Government to meet the costs of the program.

Provides for inclusion of the employee's immediate family, if desired, and for the continuation of benefits to future annuitants, their families, and for survivors.

Separated employees may continue their protection on the same basis as when employed.

Program is to be administered by the Civil Service Commission.

Continues coverage for annuitants who retire on or after July 1, 1960, voluntarily or involuntarily, with 12 years' service or for disability.

Participating annuitants retiring after July 1, 1960, with less than 12 years' service,

may convert their coverage to an individual contract.

Presently retired employees or those who retire prior to June 30, 1960, will not be included.

Maximum biweekly contribution

	Employee or annuitant	Government
Individual employee	$1.25–$1.75	50 percent of lowest plan.
Male employee and family (children covered to age 19).	3.00–4.25	Do.
Female employee, nondependent husband, and children (to age 19).	1.75–2.50	Do.

Plan effective July 1, 1960.

Public Law 86–382. Approved September 28, 1959.

Legal holidays

H.R. 5752: This measure requires that the following eight legal holidays for Federal employees be observed regardless of the day of the week on which they may fall: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day.

Those employees whose services are required on these days will be given compensatory time.

Public Law 86–362. Approved September 22, 1959.

Lighthouse keepers

H.R. 2245: Raises to $5,100 a year the current limitation of $3,750 on the basic compensation for Lighthouse Service personnel.

Public Law 86–309. Approved September 21, 1959.

Marshals' fees

S. 2349: This measure amends section 1921, title 28, United States Code, so as to change the fees to be collected by U.S. marshals.

Passed Senate August 24, 1959.

Medical officers—Mental competency

H.R. 3320: This measures changes the method for determining mental competency of active and retired members of the uniformed services for pay purposes to their representatives.

Under existing law the determination is made by a board of officers of the service to which the member belongs. This measure provides for the determination to be made by a board composed of members of the Federal agency providing the medical care.

Public Law 86–145. Approved August 7, 1959.

Military promotions and retirement

S. 1795: The purpose of this measure is to provide certain quality control authority for the management of Regular officer personnel in the military departments. This measure will supplement existing authority. The bill amends existing law in two major areas:

1. Involuntary retirement of certain Regular officers in the permanent grades of colonel, lieutenant colonel, female major, and equivalent ranks; and

2. Changes in permanent promotions in the Army and Air Force to make more competitive advancements in the permanent grade of major and lieutenant colonel and, at the same time, permit selections from below the permanent promotion zone for outstanding officers.

Involuntary Retirement

At present Regular officers in the Army and Air Force who have failed twice to be selected for promotion to the permanent grade of colonel remain on active duty until he completes 28 years of service, and colonels who have failed twice to be promoted to brigadier general remain on active duty for 30 years. Equivalent officers in the Navy and Marine Corps remain on duty for 26 and 30 years. This bill, in effect, provides discretionary authority whereby officers in these two grades who failed at least twice for promotion to permanent rank could be selectively retired prior to the present required 28 to 30 years of service.

Similar authority is provided in the women's services for retiring certain officers in the permanent grade of major and lieutenant commander who have failed twice to be promoted.

Establishes permissive authority whereby the service Secretaries could appoint continuation boards composed of five members, all of flag or general rank. These boards will review the records of Regular officers who have completed 20 years service for retirement purposes and who have been considered at least twice but not recommended.

Promotion of Best Qualified

Under existing law, selections to the grade of major and lieutenant colonel are on the basis of either the fully qualified system or the best qualified system. Under the fully qualified method, the officers within the zone are required only to meet the minimum standards required for promotion, and there is no competition between officers in the zone for selection. Under the best qualified method, however, the officers within the zone could compete among themselves for a number of vacancies which is less than the number of officers being considered. Except for the selection of certain female officers to the permanent grade of major, the bill requires the use of the best qualified system for selections to the permanent grade of major and lieutenant colonel in the Army and the Air Force. Existing law already requires the use of the best qualified system for promotion to colonel and above. This bill requires that the 80 percent (existing law) be based upon the number who are being considered for selection for the first time. The effect is that those officers already twice failed would have to compete for selection within the numbers based on those in the zone for the first time.

Passed Senate July 27, 1959.

Navy and Marine Corps promotions

H.R. 4413: This measure relates to the noncontinuation of Regular naval and Marine Corps officers on active duty. This authority would expire June 30, 1965. The basic purpose of this temporary authority is to authorize mandatory retirement of certain selected senior Regular officers in the grade of captain or commander in the Navy and equivalent grades in the Marine Corps, in order to permit a number of highly experienced officers in the grade of lieutenant commander and equivalent Marine Corps officers to continue on active duty in a rank higher than their present grade. Because of failure of selection to the next higher grade this latter group of officers would, for the most part, be retired in their present rank.

This bill authorizes the establishment of continuation boards to select for mandatory retirements before the normal 26- and 30-year points those officers within the zones being considered with the least potential for further active service in the Navy or Marine Corps. Even with the vacancies created by these retirements, it can be anticipated that only one out of four of the present lieutenant commanders could be expected to be selected eventually to the grade of captain and one out of two to the grade of commander.

The effect of this measure is to cause the early retirement of selected senior officers in order to permit the further progress of the best of the officers junior to them.

Public Law 86–155. Approved August 11, 1959.

Navy quarters allowance

H.R. 2975: This measure validates all payments of quarters allowance made between January 1, 1949, and August 16, 1953, to civilian employees of the Navy on duty in London, England, and provides refunds for those who have repaid.

Public Law 86–26. Approved May 13, 1959.

Postmasters—Training

H.R. 4597: This measure amends the Government Employees Training Act in order to include postmasters within its provisions. The original Training Act excluded postmasters unless individually designated by the President, which required a tremendous volume of useless paperwork within the Post Office Department, Bureau of the Budget, and the Office of the President.

The purpose of training is to enable postmasters and others to keep abreast of changing policies, procedures, and postal technology. Other programs are designed to afford opportunity for key field officials, including postmasters, to update their understanding in matters of organization, administration, and human relationships.

Public Law 86–33. Approved May 26, 1959.

Public Health Service Commissioned Corps Act of 1959

S. 2220: This measure more closely identifies the Public Health Service Commissioned Corps retirement system with the system applicable to military personnel by authorizing 20-year retirement and by putting career reservists under Regular Corps retirement system instead of civil service retirement.

Makes inapplicable to reservists, with service of from 1 to 3½ years, the present 10 percent vacancy limitation on original appointments of officers in the Regular Corps in the full grade or above.

Passed Senate July 24, 1959. House Calendar.

Seamen—Insurance and disability

S. 2334: Transfers to the Department of Labor (from Commerce) the insurance benefit function and disability payments to seamen for World War II service-connected injuries, death, or disability.

Public Law 86–233. Approved September 8, 1959.

Shipyard wage rates

S. 19: This measure requires the Secretary of the Navy to establish the hourly rates of pay for all per diem employees of the Portsmouth (N.H.) Naval Shipyard at the same hourly rates paid to employees of similar classification at the Boston (Mass.) Naval Shipyard.

Passed Senate May 26, 1959.

Uniformed services—Travel allowances

H.R. 3322: Authorizes payment of transportation and travel allowances for escorts of military dependents authorized to travel at Government expense under unusual and extraordinary circumstances.

As an example of such a circumstance, in 1958 an Air Force sergeant and his wife were killed in an automobile accident in Turkey. Two children, one aged 6 and the other aged 6 months, were injured. The Air Force had the responsibility to see that the children were returned to the United States and delivered into custody of a family to care for them. This authority would take care of the escort's expense.

Makes this authority retroactive to January 1, 1950.

Public Law 86–160. Approved August 14, 1959.

U.S. Commissioners—Retirement

H.R. 163: The purpose of this measure is to equalize the crediting, for retirement purposes, of service performed by U.S. commissioners, who have no fixed hours of duty and are compensated on a fee basis, with existing requirements for crediting service performed by other Federal employees compensated on a fee basis.

Public Law 86–306. Approved September 21, 1959.

VA employees in Philippines

H.R. 269: Provides allowances and benefits similar to Foreign Service personnel for U.S. employees of the Veterans' Administration office in the Philippines. These allowances and benefits deal with temporary quarters, expenses for representation, travel, transportation, and home leave.

Public Law 86–119. Approved July 28, 1959.

WAAC—Service credit

H.R. 3321: This act credits service in the WAAC as active military service for persons who subsequently performed active duty in any of the Armed Forces.

Enactment of this measure enables former members of the WAAC who later performed active service in one of the Armed Forces to receive credit for all purposes except promotion. Many persons affected may receive credit for as much as 16 months' service for longevity pay purposes. This time may also be used in determining the length of service for mandatory retirement and in computing the amount of retirement pay to which the persons involved are entitled when mandatorily retired.

A number of those receiving this credit may also be entitled to Veterans' Administration benefits.

Public Law 86–142. Approved August 7, 1959.

FINANCE—COMMERCE—INDUSTRY (INCLUDES TAXATION)

Admissions tax—athletic games

H.R. 4857: This bill amends two of the exemptions from the admissions tax to provide that in determining whether an athletic game is played between "students" from elementary or secondary schools, or colleges, where the proceeds inure to a hospital for crippled children, or an exempt organization operated exclusively for the benefit of retarded children, the term "student" is to include anyone who was a student at the school or college within the 8 months immediately before the athletic game. This will make the exemption available for "all-star" and other similar benefit games even though the game is played shortly after the end of the school or college year. This is to be effective for amounts paid on or after the date of enactment.

Public Law 86–319. Approved September 21, 1959.

Antitrust evidence

S. 716: This measure enables the Attorney General or the Assistant Attorney General in Charge of the Antitrust Division of the Department of Justice to obtain documentary evidence needed in a civil investigations to enforce the antitrust laws in civil cases.

Requires any person, other than a natural person, to produce documentary material for examination whenever he has reason to believe that the person may be in possession, custody, or control of material pertinent to any civil antitrust investigation.

Safeguards secret processes, developments, or privileged matter by permitting the owner of such material to file a petition for an order to prevent abuses by making availability dependent upon the terms of a district court order.

Passed Senate July 29, 1959.

Bank mergers

S. 1062: Provides for the control of all bank mergers by asset acquisitions under the jurisdiction of the Federal banking agencies and establishes uniform standards for these mergers.

Requires that all asset acquisitions by insured banks through mergers, consolidations, or assumption of liabilities must have the prior written consent of (1) the Comptroller of the Currency if the acquiring or resulting bank is a national bank or a district bank: (2) the Board of Governors of the Federal Reserve System if the acquiring or resulting bank is a State member bank; or (3) the Federal Deposit Insurance Corporation if the acquiring or resulting bank is a nonmember insured State bank.

Passed Senate May 14, 1959.

Bank reserves

S. 1120: This measure removes some generally recognized inequities now existing in the reserve requirements structure applicable to member banks of the Federal Reserve System by:

1. Authorizing the Federal Reserve Board to permit member banks to include all or part of their vault cash holdings in their required reserves.

2. Giving the Board flexible authority to permit individual member banks in Reserve cities to carry reserves at the lower requirement levels specified for country banks.

3. Eliminating the central Reserve city classification. New York and Chicago would be reclassified as Reserve cities with legal reserve requirements specified for Reserve city banks. Public Law 86–114. Approved July 28, 1959.

Bankruptcy Act—Consolidation

H.R. 4693: Amends the Bankruptcy Act to consolidate the referees' salary and expense funds to reduce administrative costs.

Public Law 86–110. Approved July 28, 1959.

Bankruptcy Act—Dollar limitation

H.R. 2237: This legislation removes the dollar limitation on the availability to debtors of wage earners' plans under the Bankruptcy Act. Provides that the commission to trustees in these proceedings be not more than 5 percent in lieu of the present provisions that they be 5 percent. Provides that these two changes apply to all proceedings initiated following enactment of this measure.

Public Law 86–24. Approved May 13, 1959.

Bankruptcy Act—Fees

S. 2052: Sets the closing fee of a trustee acting under the Bankruptcy Act at $10 and increases the fee for filing a petition from $100 to $120.

Passed Senate August 24, 1959.

Bankruptcy Act—Paperwork

H.R. 4345: Eliminates the present requirement that referees in bankruptcy cases file with the clerk of the court, prior to closing the case, all papers relating to bonds, and orders granting adjudications, dismissals, revocation of charges, and reinstatement proceedings.

Public Law 86–49. Approved June 23, 1959.

Bankruptcy Act—Referee vacancies

H.R. 4340: This measure permits a vacancy in the office of a referee to be filled, if there is no salary change, upon the recommendation of the Director of the Administrative Office of the U.S. Courts, the district judge or judges, and the circuit council that the office be continued without recommendation to the Conference or its approval.

The Bankruptcy Act now provides that when a vacancy occurs in the office of a referee, the clerk of the district court must notify the Director, then the Director must recommend to the district judges, the councils, and the Judicial Conference whether a new appointment should be made—and no appointment can be made until authorized by the conference. Thus if a vacancy arose when the Conference was not in session it was necessary to poll all the members by mail before filling a referee vacancy which could take up to 12 weeks.

Public Law 86–144. Approved August 7, 1959.

Bankruptcy Act—Routine duties

H.R. 4692: Eliminates certain routine duties of district judges in bankruptcy proceedings by providing that a voluntary petition filed in an ordinary bankruptcy case shall operate as an adjudication; and, unless directed otherwise by the judge, the clerk of the court shall make the reference in all ordinary bankruptcy cases.

Public Law 86–64. Approved June 23, 1959.

Bankruptcy Act—Verification of pleadings

S. 1944: Repeals the verification of pleadings provision of the Bankruptcy Act.

Passed Senate August 24, 1959; passed House amended September 7.

Bond interest rates

H.R. 9035: This measure increases from 3.26 percent to 4.25 percent the limitation on interest rates for series E and H savings bonds, both new and outstanding held to maturity. Increase to go into effect only when it is determined to be in the national interest.

Provides for nonrecognition of gain or loss on the exchange of U.S. savings bonds, if the regulations so require. This will facilitate refinancing outstanding securities in advance of their final maturities.

Authorizes issuance of U.S. obligations to Government trust funds at the issue price, whether or not at par. Under existing law in the case of certain trust funds these obligations may be issued to the funds only at par.

Exempts both the principal and interest on U.S. obligations from all State taxes except nondiscriminatory franchise or other nonproperty taxes.

Relieves from liability to the U.S. Government, agents who erroneously paid U.S. bonds if they did not receive written notice from the Government within 10 years from the date of payment.

Public Law 86–346. Approved September 22, 1959.

Cease-and-desist orders—Clayton Act

S. 726: This measure provides that orders issued by the Federal Trade Commission and other agencies under section 11 of the Clayton Act are to be finalized in the same manner as orders issued under section 5.

Prior to this amendment, before a respondent could actually be punished for violation of the Clayton Act, the Federal Trade Commission had to conduct three successive investigations. First, the Commission had to investigate, and, after complaint, prove violations of the act before a cease-and-desist order could be issued. After the order, the Commission again had to investigate and again prove violations of the order and of the act before the Commission could obtain a cease-and-desist order. After proof, the court could then enforce the Commission's order.

This bill requires no judicial decree of enforcement to give the cease-and-desist order vitality. It provides for direct and immediate effectiveness of orders if review is not requested within 60 days. At that point, violation renders the respondent liable to civil penalties.

If review is granted, the court of appeals is directed to issue a decree demanding compliance with a cease-and-desist order. Thereafter, violation involves liability for civil penalties or contempt of court, or both. The most important factor is that, whether review is had or not, under this bill a respondent will no longer be entitled to one free violation of the order, and the intermediate administrative and judicial steps necessary to prove the free violation is no longer required.

Public Law 86–107. Approved July 24, 1959.

Corporate-excise tax—Extension

H.R. 7523: This act extends to July 1, 1960, the present corporate income and certain excise tax rates scheduled for reduction on July 1, 1959.

Present corporate rate is 52 percent. Excise rates continued are those on distilled spirits, beer, wine, cigarettes, passenger automobiles, parts and accessories.

Effective July 1, 1960, reduces from 10 percent to 5 percent the excise tax on transportation.

Effective July 1, 1960, terminates the 10-percent excise tax on general telephone service, but continues its application to wire mileage service, wire and equipment service, long-distance toll calls, telegraph and teletypewriter service.

Public Law 86–75. Approved June 30, 1959.

Estate tax deduction

H.R. 137: This measure is designed to prevent a pyramiding of Federal estate taxes where foreign death rates are imposed on charitable bequests. This is accomplished by allowing a deduction for estate tax purposes for foreign death taxes imposed and paid on charitable bequests if (1) the property on which the tax is imposed is situated in the foreign country and included in the gross estate of a citizen or resident of the United States, and (2) if the decrease in tax resulting from the deduction is to go to charities, or the entire Federal estate tax is to be equitably apportioned among all of the transferees of the estate. Where this deduction is allowed, no credit against the estate tax is to be available for the foreign taxes which are deducted. This provision is effective with respect to the estates of decedents dying on or after July 1, 1955.

Public Law 86–157. Approved August 21, 1959.

Excise tax laws—Technical changes

H.R. 8725: Last year Congress passed the Excise Tax Technical Changes Act of 1958 which constituted the first major revision of the excise tax laws. Experience under this act has shown that certain refinements and modifications need to be made in that act. This bill provides for six such changes:

(1) It deletes from the tax on jewelry "coral" when sold as a stone and not as a part of a piece of mounted jewelry.

(2) It makes it clear that the exemptions from the retailers', manufacturers', communications, and transportation of persons taxes for nonprofit educational organizations include parochial schools which are merely an activity of a church as well as those which are separate educational organizations. It also makes a similar modification in the case of the exemption for nonprofit educational organizations in the case of the admissions tax.

(3) It modifies the exemption from the club dues tax presently available in the case of capital improvements. This exemption is to be available for payments for capital improvements, whether made in connection with the dues tax or the initiation tax, which are spent for the construction or reconstruction within the 3-year period after the club receives the amount from the member. In addition, the exemption is to be available with respect to furnishings and fixtures for the use of the facility constructed or reconstructed.

(4) It restores the exemption, in the case of the communications taxes, formerly provided for common carriers and communication companies in the case of leased wires now classified as general telephone service which connect two stations for which a toll charge would otherwise be made.

(5) It modifies the documentary stamp tax applicable to transfers to make it apply in the case of stock rights or warrants on the basis of the value of the rights or warrants rather than on the basis of the value of the underlying stock.

(6) It reduces from $250 to $10 the occupational tax applicable to so-called claw, crane, or digger machines used at carnivals or fairs where the charge is not in excess of 10 cents, the merchandise prizes provided have a value of not more than $1, and the machines are activated by a nonelectrical mechanism.

Public Law 86–344. Approved September 21, 1959.

Fiduciary bank deposits

S. 1798: Eliminates, under the Federal Deposit Insurance Act, the payment of premiums on deposits of trust funds by fiduciary banks in uninsured banks.

Passed Senate July 15, 1959.

Gifts from servicemen—Free import

H.R. 7567: This act extends to July 1, 1961, the present privilege accorded to servicemen stationed abroad to send to the United States duty free, bona fide gifts up to $50 in value.

Public Law 86–99. Approved July 17, 1959.

Home loan banks—Additional directors

S. 2517: The bill permits the Federal Home Loan Bank Board by regulation to increase up to 13 the number of elective directors of a Federal home loan bank in a district which includes five or more States, and to increase the number of appointive directors in such a district up to one-half the number of elective directors. Paragraph — makes it possible for the Board to provide for elective directors of the Home Loan Bank of San Francisco from Alaska and Hawaii, without taking away any of California's present three directors; it would also make it possible to preserve the 2 to 1 ratio between elective and appointive directors which was provided in the original Federal Home Loan Bank Act, and is now the rule in most Federal home loan banks.

Passed Senate September 9, 1959.

Income tax claims

H.R. 2906: This measure amends the 1939 and the 1954 code by extending the period of limitation for filing claims for credit or refund of overpayments of income taxes which arise as a result of a renegotiation of Government contracts.

The period for filing a claim for credit or refund for an overpayment of taxes, to the extent attributable to the creation of, or an increase in, a net operating loss carryback resulting from the elimination of excessive profits by a renegotiation of a Government contract is not to expire before the end of 1 year after the month in which the agreement or order for the elimination of the excessive profits becomes final. The amendment to the 1954 code applies to all 1954 code years. The amendment to the 1939 code applies to claims resulting from renegotiations for taxable years ending after December 31, 1952. In no case will the limitations period expire before September 1, 1959.

Public Law 86–280. Approved September 16, 1959.

Insurance coverage—Savings and loans

H.R. 7789: Provides for accounts of a husband and wife to be insured by the Federal Savings and Loan Insurance Corporation in the amount of $10,000 jointly and $10,000 individually, or an aggregate of $30,000.

Public Law 86–112. Approved July 28, 1959.

Insurance taxes

H.R. 4245: This measure increases taxes on the life insurance industry from $319 million under the present stopgap law to $500 million for the year 1958. For 1959 it is anticipated that the insurance industry will pay approximately $535 million in Federal income taxes, without taking into account collections to be derived from the tax on distributions to stockholders or the tax on capital gains.

This bill provides a three-phase tax base for life insurance companies; the first is on a portion of investment income; the second is on one-half of underwriting income; and the third is on the remaining half of the underwriting income to the extent it is distributed to stockholders. This latter tax applies only if more than the income tax under phases 1 and 2 remaining after tax, is distributed to stockholders, and a transitional period is provided by making it one-third effective in 1959 and two-thirds effective in 1960.

Provides a flat 25 percent tax on net long-term capital gains, in excess of net short-term capital losses.

On investment income the taxable portion is determined by applying to adjusted life insurance reserves an interest rate representing the average earning rate of the company on its assets over the current and 4 prior years. The proportion of income needed for policyholder requirements is determined and then all items of income, including tax-exempt income and intercorporate dividends received, is divided between the policyholder and the life insurance company in this ratio. Thus, only the life insurance company's share of each of these items is taken into account.

Underwriting gains are taxed one-half currently and the other half when made available to shareholders.

As an aid to new, small and growing businesses, the bill provides a full offset for underwriting losses against taxable investment income and a special small-business deduction equal to 10 percent of investment income up to a maximum deduction of $25,000.

Provides that net operating losses may be carried forward from the years 1955, 1956, and 1957 instead of from 1958 forward. Also provides a 10-year carryforward of net operations losses incurred by new businesses in the first 5 years of their existence.

Public Law 86–69. Approved June 25, 1959.

Interstate commerce taxation

S. 2524: Following enactment of this measure, a State is prohibited from levying a tax on the net income of a foreign corporation if its activities are limited to the solicitation of orders within the State and are filled from without the State; or if a sales office is maintained by an independent contractor.

The exemption would not apply to persons domiciled in or resident of the State, nor to corporations incorporated under the laws of the State. Maintenance of a sales office makes the nonresident corporation subject to State tax.

Authorizes Senate Finance-House Judiciary Committee study of the problem with a report by July 1, 1962.

Public Law 86–272. Approved September 14, 1959.

Mental disability—Taxation

H.R. 1219: This bill adds a provision to the 1954 code relating to persons who have been mentally incompetent for a period beginning at least 3 months prior to December 31, 1947, and who remain so until the date of their death. The bill provides that any powers these persons have at the date of their death to change beneficiaries of a trust they created are not to result in the property being included in their gross estate for estate tax purposes.

Public Law 86–141. Approved August 7, 1959.

Metal scrap—Suspension of duties

H.R. 6054: This measure continues for 1 year, June 30, 1960, the suspension of duties on metal scrap. Primary or virgin nonferrous metal in pig, ingot, or billet form which is commercially usable in direct manufacturing, without modification, is not included in the duty-free provisions.

Public Law 86–115. Approved July 28, 1959.

National banks—Lending and borrowing

H.R. 8160: Authorizes the appointment of an additional Deputy Comptroller of the Currency and increases the bonds of the Comptroller and his deputies. It also increases the ceiling on a bank's borrowing authority from 100 percent of capital to 100 percent of capital plus 50 percent of surplus. It liberalizes a number of the exceptions to the general rule that a bank can lend no more than 10 percent of its capital and surplus to one borrower, and liberalizes a number of the present restrictions on real estate loans by national banks.

Under this measure national banks may make real estate loans up to 20 years, covering up to 75 percent of the appraised value of the real estate, if the loans are fully amortized. It also permits loans on leaseholds that run at least 10 years beyond the loan maturity. It relaxes certain existing restrictions on construction loans, and exempts from the usual restrictions on real estate any loan fully guaranteed by a State or State authority, and allows a bank to take a mortgage as additional security on certain business loans without becoming subject to the real estate loan restrictions.

Public Law 86–251. Approved September 9, 1959.

Public Debt Act of 1959

H.R. 7749: This law raises the permanent statutory limit on the Federal debt from $283 billion to $285 billion, and for fiscal 1960 it allows an additional $10 billion temporary increase.

Thus, until June 30, 1960, the debt limit will be $295 billion.

Public Law 86–74. Approved June 30, 1959.

Palm oil—Suspended processing tax

H.R. 147: This bill suspends through June 30, 1960, the 3-cents-a-pound processing tax on palm oil, palm-kernel oil, fatty acids, and salts to become effective with the first day of the first month which begins more than 10 days after the date of enactment.

Most of the palm oil imported into the United States is used in the tinplate and terneplate industries and is free from processing tax. Suspension of the tax will, however, reduce the price of palm oil used for other purposes which will tend to expand its use.

Public Law 86–37. Approved May 29, 1959.

Pumice stone—Duty free

H.R. 6368: This measure transfers from the dutiable list to the free list of the Tariff Act of 1930 pumice stone imported to be used in the manufacture of concrete masonry products, such as building blocks, bricks, tiles, and similar forms.

Public Law 86–325. Approved September 21, 1959.

Real estate loans

S. 1173: This measure authorizes national banks to make real estate loans guaranteed by the faith and credit of a State, without regard to restrictions imposed by the Federal Reserve Act on the terms of individual real estate loans.

This will enable national banks to make loans for industrial development projects; however, the loans are not limited to industrial development.

Passed Senate July 15, 1959.

Small Business Act—Amendments

H.R. 8599: This bill has two purposes:

(1) To provide an additional $59 million for the Small Business Administration's revolving fund for its regular business loan program, and

(2) To provide authority for appropriations to continue, beyond 1960, the programs of grants for studies, research, and counseling concerning the managing, financing, and operation of small-business enterprises.

Public Law 86–367. Approved September 22, 1959.

Small Business Investment Act—Amendments

S. 2611: This measure amends the Small Business Investment Act to—

1. Redefine "State" to include Guam and deletes obsolete references to Hawaii and Alaska.

2. Eliminate provision which gave small business investment companies power to act as depositories and fiscal agents of the United States.

3. Free from the provisions of the Bank Holding Company Act, bank purchases of an SBIC's securities.

4. Eliminate the restriction that equity capital can be furnished a small business concern by an SBIC only through the medium of convertible debentures; and

5. Eliminate certain other statutory restrictions which handicapped the SBIC's in fulfilling the purpose for which they were created, namely, supplying capital for small business concerns.

Passed Senate September 10, 1959.

Spun-silk yarn—Suspension of duty

H.R. 2886: Suspends for 3 years the import duties on spun-silk yarn which, at present, runs from 21 to 25½ percent ad valorem. This suspension will ease the burden on domestic producers of silk fabrics who, by virtue of these duties plus the fact that this particular fine yarn is not produced here in any quantity, have been forced to pay higher prices for their raw materials than do their competitors abroad.

Public Law 86–235. Approved September 8, 1959.

Tariff—Tourist literature

H.R. 2411: This measure provides for free importation of tourist literature issued by certain groups or organizations which relate chiefly to travel facilities outside the United States.

Provides free importation for models of inventions, original paintings or other works of free fine arts such as sculptures, etchings, engravings; collections of works of art in illustration of the progress of the arts and sciences imported in good faith for exhibition purposes by States, societies, or institutions; works of art and certain antiquities produced prior to the year 1830; ethnographic objects made at least 50 years prior to entry; and handwoven tapestries for use as wall hangings and valued at $20 or more per square foot.

Provides, for a 2-year period, free entry of certain bookbindings.

Public Law 86–262. Approved September 14, 1959.

Tax amendments

H.R. 47: Amends the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption.

For 1959 and subsequent years, this bill amends the definition of a dependent for purposes of claiming a $600 dependency exemption to treat in the same manner as a natural-born child of an individual not only a legally adopted child, as is provided by present law, but also a child placed with him by an authorized placement agency for legal adoption by him if the child is a member of the individual's household. An exemption could already be claimed for such a child under present law (assuming other required tests are met) but generally only after he has been in the home of the taxpayer for an entire year. The effect of the bill is to waive this "entire year" requirement where the child is placed in the home by an authorized placement agency.

The requirement that this treatment be available only where the child is placed in the individual's home by an authorized placement agency is provided so that the Internal Revenue Service will have a means of distinguishing between cases where the child is placed in a home for adoption from those cases where the custody of the child is temporary and the individual has no intention of adopting the child. It is believed that this limitation will prevent abuse of the provision.

Section 1 of the bill will be effective for taxable years beginning after December 31, 1958.

Section 2 of the bill, relates to the election of certain small business corporations as to their taxable status.

Makes it clear that, in determining the number of shareholders of a small business corporation, a husband and wife owning stock jointly or as community property shall be counted as only one shareholder. This amendment would apply to taxable years beginning after December 31, 1959. Under existing law a small business corporation may not have more than 10 shareholders. It is clear from the manner in which the word "shareholder" is used in connection with small business corporations that each person having a community or common interest in stock must be counted as a shareholder.

Makes it clear that a deceased shareholder will not be denied his pro rata share of the small business corporation's net operating loss. This amendment would take effect on the day after the date of enactment of this act.

Public Law 86–376. Approved September 23, 1959.

Taxation of costs

S. 1643: Clarifies existing law to permit cost assessments against the United States where a tax refund suit is instituted against a district director, formerly known as a collector, of the Internal Revenue Service.

Passed Senate May 20, 1959.

Technical amendments to national bank laws

H.R. 8159: This measure repeals a number of obsolete provisions of the national bank laws; it eliminates a number of ambiguities in those laws; and makes a number of minor substantive changes relating to the operations of the Comptroller of the Currency and of the national banks.

There are 25 sections to this bill, but among the major changes are:

Requires that all capital stock be paid in before a national bank may begin business.

Permits amending articles of association of a national bank and provides that approval of stockholders may be obtained by favorable vote of holders of the majority of the voting shares obtained at a stockholders' meeting called and held pursuant to notice by mail at least 10 days before the meeting, or pursuant to waiver of notice by all stockholders entitled to receive notice.

Makes all acts of Congress relating to national banks applicable in the States, the District of Columbia, the Territories and possessions, and Puerto Rico.

Amends the Revised Statutes, relating to national bank liquidations, by adding a requirement that shareholders must approve a purchase and sale agreement if any part of the liquidation is to be accomplished by the sale of any of the bank's assets, but waives the need for such a vote if in an emergency the Comptroller specifically waives it.

Amends the Revised Statutes so as to make a number of changes in the laws relating to the payment of dividends by national banks.

Public Law 86–230. Approved September 8, 1959.

Trade Fair Act of 1959

H.R. 5508: This act makes permanent provision for importing, duty free, articles to be exhibted at fairs, exhibitions, and expositions. The Secretary of Commerce will designate the articles and the events, and notify the Secretary of the Treasury.

Public Law 86–14. Approved April 22, 1959.

FOREIGN RELATIONS

Bonin claims

S. 2130: Authorizes a payment of $6 million to the Government of Japan in full settlement of the claims of Japanese nationals who formerly resided in the Bonin Islands.

Passed Senate August 24, 1959.

Canada-United States interparliamentary groups

House Joint Resolution 254: To strengthen the bonds of friendship between the United States and Canada, this resolution authorizes participation by the United States in parliamentary conferences with Canada. The U.S. group is to be composed of 12 Senators appointed by the President of the Senate, and 12 Representatives appointed by the Speaker of the House.

The groups will meet in Canada about June 26, 1959, in connection with the dedication of the St. Lawrence Seaway.

Public Law 86–42. Approved June 11, 1959.

Consultation with nations of south Asia

Senate Concurrent Resolution 11: This resolution expresses the sense of the Congress that the President of the United States should explore with other free and democratic nations and appropriate international organizations the advisability of establishing an international mission that would consult with south Asian governments on the scope and nature of their economic requirements and anticipated development programs: the mission, as contemplated by this resolution, would also consider and recommend methods by which participant countries could jointly assist these south Asian governments in the fulfillment of their economic plans.

Senate adopted September 10, 1959.

Cultural center in Hawaii

H.R. 7500: This measure, adopted as an amendment to the Mutual Security Act of 1959, directs the Secretary of State to submit to Congress by January 3, 1960, a specific plan for establishing in Hawaii a Center for Cultural and Technical Interchange between the East and West. It is suggested that the Secretary submit a plan which would accomplish the following:

Create the center through arrangements with public, educational or other nonprofit institutions.

Provide grants, fellowships and other inducements to enable outstanding scholars and authorities from the whole world to come together at the center.

Provide grants, scholarships and other payments to enable students from both the East and the West to engage in study at the center.

Make the facilities of the center available to other qualified persons on a reasonable basis.

Public Law 86–108. Approved July 24, 1959.

Cultural exchange programs—Coordination

S. 455: This bill provides for an Assistant for International Cultural Relations in the Department of State, with the rank of Assistant Secretary.

It will be his duty to coordinate the education and cultural exchange programs now being undertaken by the United States. Presently, exchange programs are being carried out by the Department of State, the ICA, the USIA, the Department of Defense, the AEC, and other agencies. Since exchange programs are regarded as an aspect of foreign policy, this measure vests overall control and direction in the Assistant Secretary.

Passed Senate April 30, 1959.

Disarmament

Senate Concurrent Resolution 48: Reaffirms the belief of Congress that, upon the achievement of an agreement on the reduction of armaments, the United States is prepared to join with other signatories to devote any financial savings to an expansion of peace throughout the world.

Adopted unanimously August 6, 1959.

Emergency Repatriation Assistance Act of 1959

S. 2467: The Emergency Repatriation Assistance Act of 1959 would authorize the Secretary of Health, Education, and Welfare, after consultation with the Secretaries of State and Defense, to develop plans and make arrangements for providing temporary assistance to U.S. nationals and dependents of U.S. nationals, identified by the Department of State as having returned or been brought here because of destitution or illness of the U.S. national or any of his dependents, or because of war, threat of war, invasion, or similar crisis. Such assistance would, however, be provided only if the national or dependent involved was without available resources. This assistance could consist of money payments, medical care, temporary billeting, transportation, or other goods or services needed for the health or welfare of the individual. It could also include guidance, counseling, and other welfare services.

The assistance could be provided during the period of 13 months after the return of the individual to this country.

Passed Senate September 10, 1959.

Foreign governments—Ship loans

H.R. 3366: Authorizes a 5-year extension of ship loans to the following countries:

Two submarines to Italy.

Two submarines to Turkey.

Two destroyers to Republic of China.

Public Law 86–57. Approved June 23, 1959.

Inter-American Development Bank Act

S. 1928: Provides for acceptance of U.S. membership in the Inter-American Development Bank which, in effect, ratifies the agreement signed on April 9, 1959, in Washington, by representatives of 21 American Republics.

In addition to providing for U.S. membership, the bill authorizes appropriations by Congress totaling $450 million without fiscal year limitation. Of this sum, $350 million is to be used to purchase 35,000 shares of capital stock and the remainder is to pay the U.S. subscription to a fund for special operations set up within the Bank.

The primary purpose of the Bank is to accelerate the economic development of its members, both on an individual and a collective basis. In working toward that goal, the Bank will promote the investment of public and private development capital, use its own and other available resources for financing economic growth, encourage private investment and supplement it where necessary, cooperate in fostering the growth of foreign trade, and provide advice and technical assistance for preparing, financing, and implementing development plans and projects.

The total resources of the Bank will amount to $1 billion; $850 million in capital stock and $150 million as the initial resources of the funds for special operations.

A Board of Governors will be the final authority in the administration of the Bank, and each member country will appoint a Governor and an alternate for terms for 5 years. Among the powers of the Governors are the admission or suspension of members, changes in the capital stock, distribution of dividends, and election of the President of the Bank.

A member country may at any time withdraw from membership, and its withdrawal will become effective 6 months after delivery of notice.

Public Law 86–147. Approved August 7, 1959.

International Public Health and Medical Research Year

Senate Resolution 129: This resolution requests the President to continue U.S. initiative toward international cooperation in the field of health and to promote observance of an International Public Health and Medical Research Year.

Senate adopted unanimously September 10, 1959.

International Radio Consultative Committee

Senate Joint Resolution 47: This joint resolution permits U.S. common carriers to provide free communication services to official participants at the Ninth Plenary Assembly of the International Radio Consultative Committee, and qualified official participants in the assembly to operate an amateur radio station licensed by the FCC to be located at the conference, subject to rules and regulations issued by the FCC.

The CCIR is a major international conference scheduled to meet in Los Angeles, from April 1 to April 30, 1959, to discuss a whole range of technical problems involving radio.

The CCIR is a permanent organization of the International Telecommunications Union which is composed of representatives of almost all of the nations of the world.

It is customary for the host government to extend the courtesies of free communication services to the official participants whenever such conferences are held within the structure of the International Telecommunications Union.

Public Law 86–8. Approved April 3, 1959.

Mutual Security Act of 1959

H.R. 7500: This measure authorizes a total appropriation of $3,556,200,000 for fiscal 1960 (with an additional appropriation of $1.1 billion authorized to be made available in fiscal 1961) as follows:

	Administration request	House bill	Senate bill	Conference report
Military assistance	$1,600,000,000	$1,440,000,000	$1,300,000,000	$1,400,000,000
Defense support	835,000,000	750,000,000	751,500,000	751,000,000
Development Loan Fund	700,000,000	700,000,000	[1] 750,000,000	[2] 700,000,000
Bilateral technical cooperation	179,500,000	179,500,000	179,500,000	179,500,000
U.N. technical assistance	30,000,000	30,000,000	30,000,000	30,000,000
OAS technical assistance	1,500,000	1,500,000	1,500,000	1,500,000
Special assistance	271,800,000	250,000,000	244,620,000	247,500,000
U.N. High Commissioner for Refugees	1,100,000	1,100,000	1,100,000	1,100,000
Escapees	5,200,000	5,200,000	5,200,000	5,200,000
U.N. Children's Fund	12,000,000	12,000,000	12,000,000	12,000,000
Palestine refugees	25,000,000	25,000,000	25,000,000	25,000,000
Ocean freight	2,300,000	2,300,000	2,300,000	2,300,000
International Cooperation Administration	39,500,000	39,500,000	39,500,000	39,500,000
Atoms for peace	6,500,000	6,500,000	6,500,000	6,500,000
Contingency fund	200,000,000	100,000,000	180,000,000	[2] 155,000,000
Machine tools for small business			2,500,000	[3]
International health activities			2,000,000	[3]
NATO Parliamentarians' Conference			100,000	100,000
World Refugee Year			10,000,000	[3]
Total	3,909,400,000	3,542,600,000	3,543,320,000	3,556,200,000

[1] Plus $1,250,000,000 to be advanced in fiscal 1961.
[2] Plus $1,100,000,000 to be advanced in fiscal 1961.
[3] The items, machine tools for small business, international health activities, and World Refugee Year, for which separate authorizations were provided in the Senate bill, are authorized in the conference report to be funded, in the same amounts, from the contingency fund.

Authorizes an appropriation of $1.8 billion for the Development Loan Fund with the provision that not more than $700 million be advanced to the Fund in fiscal 1960.

Provides an open-ended authorization for military assistance for fiscal 1961 and 1962, which, in effect, is a continuing authorization for a period of 2 years beyond fiscal 1960 on an experimental basis—for such funds as may be necessary.

Authorizes $2.5 million from the contingency fund for furnishing U.S.-owned machine tools and other equipment to small-business concerns in underdeveloped countries.

Authorizes the Secretary of State to make a study and present plans to Congress by January 3, 1960 for an East-West cultural and technical center in Hawaii.

Authorizes the use of $2 million from the contingency fund for international health programs.

Following enactment the President is authorized to determine (1) whether nationalization or expropriation of property of U.S. citizens has occurred and (2) the adequacy of steps taken by the offending government to discharge its obligations under international law. If the President is not satisfied with measures taken by the offending government, he is to suspend assistance under any program in the Mutual Security Act unless he determines the suspension would be inconsistent with our national interest.

Increases to $1 billion (from $500 million) the Investment Guarantee Fund with major emphasis on underdeveloped areas, and sets a cutoff date in the case of guarantees for projects in developed countries issued prior to January 1, 1960, on the basis of applications submitted prior to July 1, 1959.

Limits military assistance to Latin America to the level of fiscal 1959—i.e., approximately $67 million.

Authorizes $10 million a year for 5 years for financing educational activities of citizens of underdeveloped countries in the United States and to train people of underdeveloped countries in skills to contribute to economic development.

Requires the President to submit specific plans for progressive reduction and termination of grant defense support or special assistance.

Earmarks 10 percent of the funds appropriated for Palestine refugees for repatriation or resettlement.

Authorizes surplus agricultural commodities to be made available for domestic relief purposes in the United States despite possibilities that might exist for foreign currencies' sales.

Requires that, to the maximum extent practicable, contracts for construction outside the United States, except those under the Development Loan Fund, shall be made on a competitive basis.

Creates a new office of Inspector General and Comptroller in the State Department for audit control.

Public Law 86–108. Approved July 24, 1959.

NATO Conference—Washington

House Concurrent Resolution 34: Authorizes the chairman of the U.S. delegation to extend an invitation that the Fifth Conference of the North Atlantic Treaty Organization be held in Washington in 1959.

The Fourth North Atlantic Treaty Organization Parliamentarians' Conference expressed a desire to hold the fifth Conference in Washington, and the U.S. delegation agreed to invite the Conference.

Passed House March 16; passed Senate April 30, 1959.

Nuclear weapons tests—Suspension

Senate Resolution 96: Expresses Senate support for continued negotiations by the United States for an international agreement to discontinue nuclear weapons tests.

The resolution also records Senate endorsement of the principle that an adequate and effective control and inspection system must be an essential part of any worldwide agreement on the suspension of nuclear weapons tests.

Requests the President to submit this resolution to the Soviet Government so that it will be aware of the desire of the American people, speaking through their representatives in the Senate, to have an effective and reliable agreement on the cessation of nuclear weapons tests.

Senate adopted April 30, 1959.

Olympic games in the United States

Senate Joint Resolution 73: This resolution, unanimously adopted, endorses the proposal of the U.S. Olympic Association to extend an invitation to the International Olympic Committee to hold the 1964 games in the United States.

The Olympic games were last held in the United States in 1932 at Los Angeles.

The International Olympic Committee will make its selection in April of 1959.

Public Law 86–9. Approved April 3, 1959.

Pan-American games—Funds

H.R. 2575: This measure authorizes the appropriation of $500,000 for the purpose of promoting and insuring the success of the third pan-American games (1959) to be held at Chicago, Ill.

This sum will be used for lodging, food, and transportation for participants and related personnel by the Department of State, by way of advance or reimbursement to the organization sponsoring the games, subject to an audit by the Comptroller General of the United States. Any funds not used are to revert to the Treasury of the United States.

The pan-American games, begun after World War II, are held every 4 years. They are generally patterned on the Olympic games. Previous games were held in Buenos Aires in 1951 and in Mexico City in 1955. Practically all of the Western Hemisphere nations are eligible and about 2,000 athletes participate.

Public Law 86–15. Approved April 27, 1959.

Passport—Extending validity

S. 1973: Increases from 2 to 3 years the period of time for which a new passport is valid.

Passed Senate August 19, 1959; passed House September 7.

Rio Grande bridge

H.R. 4538: Authorizes El Paso County, Tex., to construct and operate a bridge across the Rio Grande at or near the city of El Paso, Tex.

This bridge will provide another link between the Republic of Mexico and the United States. It will strengthen the notably friendly relations between the people of the United States and Mexico; a new avenue will be provided for the exchange of commerce, the interchange of culture, and the movement of peace-loving people between the two great nations.

Public Law 86–132. Approved August 4, 1959.

Second Strasbourg Conference

Senate Concurrent Resolution 23: This concurrent resolution provides for the appointment of 14 Members of Congress, 7 from the Senate and 7 from the House, by the Vice President and the Speaker, to participate in the Second Strasbourg Conference of the Council of Europe. The Conference is to be held in 1959, when Congress is not in session.

The purpose of the Conference is to discuss ways and means of improving relations between the American Continent and free Europe. The meeting to be held at the seat of the Council of Europe in Strasbourg, France, will be public and informal.

Passed Senate May 20, 1959.

Supplies to foreign vessels and aircraft

H.R. 3292: This law broadens existing authority of the Secretary of Navy and authorizes him to furnish supplies and services, except ammunition, to naval vessels and aircraft of friendly foreign countries on a reimbursable basis without any advance funds.

Public Law 86–55. Approved June 23, 1959.

Under Secretary of State

S. 1877: Establishes an office in the Department of State to be designated as Under Secretary of State for Political Affairs, or as Under Secretary of State for Economic Affairs.

Public Law 86–117. Approved July 30, 1959.

World Bank—International funds

S. 1094: This act increases U.S. subscriptions to the International Monetary Fund

and the International Bank for Reconstruction and Development by authorizing $1.375 billion for the Monetary Fund and $1.175 billion for the World Bank. These additional subscriptions will be financed as public debt transactions.

Public Law 86–48. Approved June 17, 1959.

GENERAL GOVERNMENT

Alaskan flag

Senate Joint Resolution 19: This resolution provides that the official flag of the United States bearing 49 Stars, first flown over the west front of the U.S. Capitol, is to be presented to the Governor of Alaska, the 49th State. It is planned to fly the flag on July 4, 1959.

The flag is to be presented by the Architect of the Capitol to the Senators and Representatives in Congress from the State of Alaska who, in turn, will present the flag to the Governor.

Public Law 86–18. Approved May 4, 1959.

Birthday greetings to former President Truman

Senate Concurrent Resolution 20: The Senate unanimously adopted a resolution extending greetings and warm regards to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959.

The Congress expressed its admiration and gratitude to President Truman for his many years of distinguished service to the United States and to the world. As a public servant and man of the people in the highest sense, he has gained the respect of all as the "Man of Independence."

Passed Senate April 13, and the House April 14, 1959.

Boston National Historic Sites Commission—Extended

H.R. 4524: Extends for 1 year from June 16, 1959, the life of the Boston National Historic Sites Commission in order to complete a report of its study of the role that the Federal Government, local governments, and private historical associations should take regarding the preservation of historic objects, sites, and buildings in the Boston area related to the Colonial and Revolutionary periods.

Public Law 86–134. Approved August 4, 1959.

Boy Scout Memorial

S. 602: Permits the Boy Scouts of America to erect a monument on public grounds within the District of Columbia to honor members and leaders of the organization.

Public Law 86–111. Approved July 28, 1959.

Coast and Geodetic Survey

S. 2482: Removes geographical limitations on the activities of the Coast and Geodetic Survey in connection with projects designated as essential to the national interest.

The act of Congress approved August 6, 1947, limited the Survey's activities to the United States, its Territories and possessions. Recent experience in many fields of scientific endeavor in connection with military activities, particularly with regard to the exploration of outer space; and the pressing need for expanded knowledge of the ocean's depths for submarine operation and defense makes it necessary for the removal of this restriction.

Passed Senate August 19, 1959.

Federal Credit Union—Amendments

H.R. 8305: This measure rewrites the Federal Credit Union Act to clarify, modernize, and increase the scope and efficiency of Federal credit union operations.

The substantive changes include the following:

1. An increase in the maximum maturity of loans from 3 to 5 years.

2. An increase in the unsecured loan limit from $400 to $750.

3. An authorization for Federal credit unions to cash and sell checks to members for a reasonable fee.

4. A liberalization of borrowing restrictions on Federal credit union officials.

5. Changes in the organizational and administrative provisions to make the operations of the Federal credit unions more efficient. These include—

(a) Appointment of supervisory committee by the board of directors. Under existing law these committees are now elected by the members.

(b) Appointment of one or more loan officers by the credit committee. The loan officer would be authorized to approve certain loans now requiring approval by the credit committee.

(c) Authorization to the board of directors to appoint an executive committee which could buy and sell securities, make loans to other credit unions, or approve applications for membership—functions now carried out by the full board of directors.

(d) Authorization to the board of directors to appoint a membership officer who might approve applications for membership.

6. Inclusion of Federal credit unions within the criminal laws prohibiting bank robbery and incidental crimes.

Public Law 86–354. Approved September 22, 1959.

Federal emblems—Misuse

S. 355: This measure adds a new section to title 18 of the United States Code to prohibit collection agencies or private detective agencies from using any emblem, insignia, or name, or the words "national," "Federal," or "United States," or the initials "U.S." to convey the false impression that the business is a department, agency, bureau, or instrumentality of the United States.

Public Law 86–291. Approved September 21, 1959.

Florida quadricentennial

House Concurrent Resolution 103: This resolution extends to the people of Florida felicitations of the U.S. Congress in commemorating the quadricentennial anniversary of the first permanent colonization of the continental United States which commences this year at Pensacola, Fla.

Adopted by the House April 8 and the Senate May 20, 1959.

Franklin Delano Roosevelt memorial—Site

House Joint Resolution 115: This measure reserves as a site for a memorial to Franklin Delano Roosevelt 27 acres in the District of Columbia in West Potomac Park, between Independence Avenue and the inlet bridge.

It also authorizes an appropriation of $150,000 for the plans to design the memorial.

Public Law 86–214. Approved September 1, 1959.

GPO—Annex

S. 219: Authorizes construction of an annex to the Government Printing Office.

Plans are to be prepared by the Administrator of General Services and approved by the Public Printer, and include equipment, utilities, connections with the present GPO buildings, and access over or under present streets.

Funds amounting to $5,251,000 will be appropriated for the project.

Passed Senate April 29, 1959.

GPO—Disbursement

S. 902: Authorizes the Public Printer to designate "deputy" disbursing officers to act for a limited period in the case of death, resignation, or separation of the disbursing officer.

Public Law 86–31. Approved May 26, 1959.

Government real property—Custodial contracts

S. 901: This bill increases from 1 to 5 years the maximum time period covered by contracts for cleaning and similar custodial services.

Under present law, the General Services Administration invites new bids each year which usually requires recruiting and training new personnel.

It is anticipated that the 5-year contracts will lessen inefficient and uneconomical practices; amortization can be more properly distributed; and recruitment and training will not be required on a wholesale basis annually.

Passed Senate April 10, 1959.

Government real property—Expenses

S. 900: This measure authorizes the Administrator of General Services to obligate and pay out of proceeds set aside from disposal of surplus real property, direct expenses incurred for fees of appraisers employed to determine the fair market value of excess real property. Existing law authorizes use of these funds only for those direct expenses incurred for the disposition of surplus property.

The principal effect is to permit appraisals to be made promptly after property is reported excess, instead of waiting several months until the property has been declared surplus.

Public Law 86–215. Approved September 1, 1959.

Grand Canyon Commissioner

S. 1164: This bill provides that a special Commissioner for the Grand Canyon National Park, Ariz., be appointed by the U.S. District Court for the District of Arizona, for a 4-year term, to handle minor violations of law and park regulations.

Passed Senate May 20, 1959; passed House September 7.

Hudson-Champlain celebration

Senate Joint Resolution 59: Authorizes the President to proclaim 1959 as the year of the Hudson-Champlain celebration. The celebration is in commemoration of the 350th anniversary of the exploratory voyages of Henry Hudson and Samuel de Champlain along the Hudson River and Lake Champlain.

Public Law 86–68. Approved June 25, 1959.

Intergovernmental relations—Advisory Commission

H.R. 6904: This measure is designed to strengthen the ability of our Federal system to meet the problems of an increasingly complex society by promoting greater cooperation, coordination of activities, and understanding among the separate levels of government. It seeks to accomplish this by establishing a 26-member bipartisan permanent Advisory Commission on Intergovernmental Relations, authorized to make a continuing study of intergovernmental problems at Federal, State, and local levels, and required to report to the President and the Congress annually. The Commission would be composed of three officers of the executive branch of the Federal Government; three Senators; three Members of the House of Representatives; four Governors; three members of State legislatures; four mayors; three county officials of which only two may be of same political party; and three private citizens.

In carrying out its duties, the Advisory Commission would be expected to (1) bring together representatives of the Federal, State, and local governments for the consideration of common problems; (2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation; (3) give critical attention to the conditions and controls involved in the administration of Federal grant programs; (4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of pro-

posed legislation to determine its overall effect on the Federal system; (5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; (6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and (7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

In addition to making such studies and investigations as are necessary or desirable in the accomplishment of these purposes, the Commission would also be required to (1) consider, on its own initiative, ways and means for fostering better relations between levels of government; (2) submit an annual report to the President and the Congress on or before January 31 of each year; and (3) submit such additional reports to the President, the Congress, and any unit of government as the Commission may deem appropriate.

Public Law 86–380. Approved September 24, 1959.

James Madison Memorial

Senate Joint Resolution 128: Establishes a James Madison Memorial Commission to formulate plans for a permanent memorial to James Madison in Washington, D.C.

Passed Senate August 19, 1959.

National cemeteries—Eligibility requirements

S. 825: Broadens existing law to permit members of the Reserve components of the Armed Forces, the Army National Guard and Air National Guard, and members of the Reserve Officers' Training Corps to be eligible for burial in a national cemetery if the death, injury, illness, or disease occurred or was contracted under honorable conditions.

Passed Senate June 12, 1959; passed House September 7, 1959.

National Medal of Science

H.R. 6288: This act establishes a National Medal of Science to be presented to individuals who deserve recognition for their contributions in the physical, biological, mathematical, or engineering sciences.

The presentation to be made by the President shall be awarded to not more than 20 persons each year.

Public Law 86–209. Approved August 25, 1959.

Paul M. Tedder—Posthumous award

H.R. 2099: In recognition of the scientific contributions of the late Paul M. Tedder in the field of electronic ordnance, this measure authorizes a cash award of $15,000 to Mrs. Paul M. Tedder.

Mr. Tedder's contributions were highly significant to the successful prosecution of World War II by the United States and, although he was not directly employed by the United States, his inventive and creative abilities were utilized by the United States for a 13-year period through contracts between the University of Florida and Government agencies.

Public Law 86–10. Approved May 13, 1959.

Peremptory challenges in civil cases

H.R. 2978: The purpose of the bill is to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants.

Existing law now permits three peremptory challenges in civil cases to each party, and also provides that for the purpose of making challenges several defendants or several plaintiffs shall be considered as a single party. As an exception to this general rule the statute further provides that if there is more than one defendant the court may allow the defendants additional peremptory challenges, and permit them to be exercised separately or jointly. The bill proposes to extend to multiple plaintiffs the same privilege now granted to multiple defendants to seek additional peremptory challenges, which may be granted in the discretion of the trial judge.

Public Law 86–282. Approved September 16, 1959.

Public Buildings Act of 1959

H.R. 7645: This measure modernizes and encompasses in one act the provisions of existing law vesting in the Administrator of General Services authority and responsibility for acquiring, constructing, altering, repairing, remodeling, improving, or extending public buildings and acquiring the necessary sites or additions to sites.

The bill also provides new authority required by GSA to carry out its responsibilities in an economical and efficient manner consistent with current requirements under modern techniques and practices.

Public Law 86–249. Approved September 9, 1959.

Public lands—Acreage limitation

S. 1436: This measure permits the conveyance of public lands to the States for public park purposes without a limitation as to acreage. The Public and Recreational Purposes Act of 1926 provides that Federal land, under the jurisdiction of the Department of Interior, may be made available to certain designated applicants for public and recreational purposes. States and their instrumentalities are included within this designation. The law places a limit of 640 acres on conveyances made to any grantee in any one year, and has proved to be most unrealistic.

Public Law 86–292. Approved September 21, 1959.

Reports to Congress

S. 899: This bill eliminates periodic submission of some 45 reports to Congress or to various congressional committees which no longer serve useful purpose.

Some of these reports contain the same information required in the agencies' annual reports; information submitted in the budget estimates; and duplicate other reports required by subsequent legislation; or, on the basis of surveys conducted by the executive and legislative branches of the Government, are not used, or are no longer required by the person or committee originally requesting this information.

Passed Senate April 10, 1959.

Silver—100th anniversary

S. 1559: This bill authorizes and directs the Secretary of the Treasury to strike 1,000 silver medals with suitable emblems, devices, and inscriptions to commemorate the 100th anniversary of the first significant discovery of silver in Nevada, June 1859.

The measure also authorizes the manufacture and sale by the mint to the public of silver duplicates of the medals upon authorization from the Nevada Silver Centennial Committee.

Public Law 86–29. Approved May 29, 1959.

Texas City Disaster Act

H.R. 4821: Amends the Texas City Disaster Relief Act to provide additional relief for losses sustained in the Texas City disaster.

Following are the modifications to the 1955 act:

1. Each instance of death or personal injury shall be considered to have created a separate claim.

2. A claim for death will not be considered to have abated on the death of a claimant before an award had been made under the original act, and shall be settled by payment to the person or persons entitled to the estate of the deceased claimant under the laws of Texas.

3. A totally dependent brother or sister of a person who died in the disaster will be permitted to assert a claim where that brother or sister was permanently and totally disabled at the time of the death.

4. The claim of a dissolved corporation shall be considered as a claim of that corporation where the corporation filed a suit against the United States for disaster losses and then was dissolved and its claim was filed as a joint claim by its two stockholders and was subsequently administratively consolidated with other claims of those two stockholders.

5. The Secretary would be further empowered to settle all death claims arising from the disaster which had not been settled, and also all claims for permanent disability of 40 percent or more which were not settled under the original act.

Public Law 86–381. Approved September 25, 1959.

Wild horses and burros

H.R. 2725: Amends chapter 3 of title 18, United States Code, by adding a new section to impose criminal penalties if hunters use an aircraft or motor vehicle to kill or capture wild unbranded horses, mares, colts, or burros on public land or ranges.

Prohibits the pollution of water holes on public land or ranges to trap, kill, wound, or maim these horses or burros.

Public Law 86–234. Approved September 8, 1959.

HEALTH

Air pollution

H.R. 7476: This measure extends the duration of the Federal Air Pollution Control Act from 1960 to 1964, and increases the authorization for annual appropriations from $5 million to $7.5 million.

Provides for inclusion of surveys and studies in the program for which grants-in-aid and contracts are now authorized, in addition to present authorized contracts for research, training, and demonstration projects.

In conference.

Color additive amendments of 1959

S. 2197: Amends the Federal Food, Drug, and Cosmetic Act to establish a scientifically sound system for listing color additives which may safely be used in foods, drugs, or cosmetics, subject, when necessary, to appropriate tolerance limitations and other conditions of use and to official certification of batches of color.

Passed Senate August 24, 1959.

Health for peace resolution

Senate Joint Resolution 41: This resolution establishes a National Institute for International Health and Medical Research within the National Institutes of Health of the Public Health Service to—

Advance the status of the health sciences, the health standards of the American people and peoples of other countries, through cooperative endeavors with scientists, research workers, technicians, experts, and research training;

Mobilize the health sciences of the United States as a force for peace, progress, and goodwill throughout the world;

Provide for a furtherance of scientist-to-scientist relationships on an international basis, in the interest of medical and health research;

Provide for establishing a 16-member National Advisory Council to advise and consult with the Secretary of HEW and the Surgeon General, to make recommendations on the objectives of the program, and to review applications for financial grants.

Authorize an annual appropriation of $50 million a year for grants, loans, or contracts to improve or alter facilities, including temporary facilities, for research and research training.

Passed Senate May 20, 1959.

Indian sanitation

S. 56: This measure authorizes the Surgeon General to construct sanitation facilities for Indian homes and communities, allowing for participation in projects by Indian groups, local authorities and other public or nonprofit organizations.

The bill also provides an improved legislative base for preventive measures necessary to an effective attack upon serious environmental health problems of many Indian groups and communities

Public Law 86–121. Approved July 31, 1959.

Pan American Health Organization

Senate Joint Resolution 115: Authorizes the General Services Administration to buy and convey a certain property site to the Pan American Health Organization for use as its headquarters.

This organization is the oldest continuing international health organization in the world; it is the largest specialized agency of the Organization of American States, and serves as the regional office for the Americas of the World Health Organization. It has been located in Washington since 1902.

By providing a satisfactory headquarters site for the Organization in Washington, we will demonstrate the importance which the U.S. Government gives to inter-American relations generally, and to inter-American health programs specifically.

Passed Senate August 19, 1959.

Traineeships—Extension

H.R. 6325: Extends to June 30, 1964, graduate training of professional public health personnel and advanced training of professional nurses.

As in the 1956 act, this measure requires the Surgeon General to call conferences broadly representative of professional and training groups interested in and informed about public health, and those interested in and informed about advanced training of professional nurses. Again as in the case of the original legislation, the Surgeon General is required to submit reports on these conferences to Congress.

Public Law 86–105. Approved July 23, 1959.

HOUSING

FNMA mortgages

Senate Resolution 130: Expressed as the sense of the Senate that the policy of exchanging FNMA mortgages for Government bonds should not be carried out because of the loss of income, tax revenue, and the adverse effect upon the home mortgage market.

Adopted language that it is the sense of the Senate that the Government should follow a policy designed to—

(1) Balance the budget;

(2) Reduce the national debt;

(3) Promote and encourage economic growth;

(4) Manage and liquidate FNMA's mortgage portfolio with a minimum of adverse effect on the home mortgage market and a minimum of loss to the Government;

(5) Provide means for FNMA to carry on its special assistance account; and

(6) Preserve the dollar and the credit of the United States. Senate adopted by a vote of 56 to 29, August 20, 1959.

Mortgage credit—Homes

Senate Joint Resolution 124: This resolution extends until September 30, 1959, the Voluntary Home Mortgage Credit program administered by the Housing and Home Finance Agency which would terminate July 31, 1959.

This program is a small organization intended to assist home buyers in obtaining residential mortgage loans in small communities and rural areas where mortgage money is scarce, and to assist minority groups in general without regard to the size of the communities in which they live.

Since its establishment in 1954, the program has been successful in placing over 37,000 FHA and VA loans with private lenders. Over 66 percent of the loans were VA-guaranteed loans.

S. 57, the 1959 Housing Act, vetoed by the President, would have continued this program for an additional 2 years.

Public Law 86–119. Approved July 31, 1959.

Housing Act—Vetoed

S. 57: This omnibus measure provides $1.375 billion for public housing, urban renewal, and other featured programs such as:

Housing for Elderly

Loan program: Authorizes an appropriation of $50 million as a revolving fund. Limits loans to 98 percent of the total development cost of construction with maximum maturity of 50 years. Interest rates would be not more than the higher of (a) 2¾ percent, or (b) the total of ¼ percent added to the average annual interest rate on all U.S. interest-bearing obligations.

FHA insurance program: Provides a new mortgage insurance program for elderly persons housing, new or rehabilitated. Maximum insurable mortgage would be $12.5 million. Dollar limits would be $9,000 per unit for garden type, and $9,400 for elevator type.

Loan ratios would be: New construction, 100 percent of replacement cost for nonprofit mortgagors; 90 percent for profitmaking mortgagors. Existing construction, 100 percent of value for nonprofit sponsors and 90 percent for profitmaking sponsors. Interest rate would not exceed 5½ percent. Not less than 50 percent of dwelling units must be occupied by persons of 62 or over.

Urban Renewal

Grant authorization: Provides an additional grant authorization of $500 million commencing fiscal 1960 and $400 million commencing fiscal 1961.

Early land asquisition: Permits temporary Federal loans for land acquisition and slum clearance prior to signing of Federal loan and grant contract, if approved by the local governing body and provided the land is held until the plan is approved.

Urban renewal loan authorization: Permits Administrator to borrow from the Treasury in excess of $1 billion at discretion of President.

State loan ceiling: Eliminates the provision in existing law that not more than 12½ percent of the total loan authorization may be obligated in any one State; but retains the 12½ percent State limitation on grant authorization.

Public Housing

Authorizes about 45,000 additional units, including unused authorizations, plus an additional 35,000 units a year beginning July 1, 1960, at the discretion of the President.

College Housing

Authorizes $300 million additional for college housing loans, bringing the total to $1.225 billion. Establishes a new college classroom loan program with a revolving fund of $62.5 million for the construction of or rehabilitation of classrooms, laboratories, and related facilities, including equipment and utilities.

Farm Housing Research

Extends the program for 2 years and authorizes the appropriation of a total of $100,000 over the 2-year period.

FNMA

Provides $37.5 million additional authorization for advance commitments under the special assistance program for cooperative housing. Extends to September 30, 1960, the requirements that FNMA pay not less than par for mortgages purchased under its special assistance program.

FHA Insurance Programs

Property improvement loans: Extended for 1 year to October 1, 1960.

Sales housing mortgage insurance: Increases maximum amount of an insured mortgage covering a one-family residence from $20,000 to $22,500, or $25,000 for two-family, $27,500 to $30,000 for three-family. Provides a new downpayment schedule for sales housing as follows:

Valuation up to $13,500—downpayment of 3 percent; $13,500 to $18,000—10 percent; over $18,000—30 percent.

Permits FHA to accept VA inspection as sufficient to warrant a new construction loan-to-value ratio.

Increases maximum maturity of insured mortgages from 30 to 35 years.

Makes a nonoccupant builder or realtor eligible for same amount of mortgage insurance as a owner-occupant, provided he places 15 percent of mortgage amount in escrow to be applied to the mortgage if not sold within 18 months.

Low-cost housing in outlying areas: Increases maximum mortgage amount from $8,000 to $9,000, and makes mortgages on existing housing eligible for insurance, with a reduced loan-to-value ratio of 90 percent for existing housing less than 1 year old and not subject to FHA or VA inspection during construction. Removes $100 million total insurance authorization for farm homes.

Rental housing insurance: Increases from $12.5 million to $20 million maximum amount of mortgage which may be insured. Increases mortgage limits for trailer courts or parks from $1,000 to $1,500 per space, and from $300,000 to $500,000 per mortgage. Increases mortgage interest rates from 4½ to 5¼ percent.

Cooperative housing insurance: Increases from $12.5 million to $20 million maximum insurable mortgage on cooperative housing. Increases maximum loan from 90 percent of replacement cost to 97 percent. Increases maximum interest rate of management-type co-ops from 4½ to 5¼ percent, and of sales-type co-ops from 5 to 5¾ percent.

General mortgage insurance authorization: Increases FHA's general mortgage insurance authorization by $5 billion upon enactment and another $5 billion for 1960, but rescinds any of first $5 billion unobligated on July 1.

Relocation housing: Extends benefits to any family displaced in a community in the environs of a city that has a workable program provided the community requests such insurance.

Nursing homes: A new program and can be used for either new or existing nursing homes. Can insure up to 75 percent of estimated value at 6 percent interest.

Training Program

Authorizes $300,000 over a 3-year period, as a scholarship program for graduate training of professional city planning and housing technicians.

Military Housing

Extends mortgage insurance program through September 30, 1960. Increases maximum mortgage maturity to 30 years.

Vetoed July 7, 1959.

Substitute Housing Act of 1959

S. 2539: For the second time this year the Congress has passed a measure providing funds for public housing, urban renewal, and housing for the elderly—totaling $1,050,100,000.

Major provisions are:

Housing for Elderly

Authorizes an appropriation of $50 million as a revolving fund from which the Housing and Home Finance Administration may make loans to private nonprofit corporations to construct, rehabilitate, or convert structures

to provide rental housing and related facilities for elderly persons and families.

Limits loans to 98 percent of the total development cost of construction with maximum maturity of 50 years. Interest rates would be not more than the higher of (a) 2¾ percent or (b) the total of one-fourth of 1 percent added to the average annual interest rate on all U.S. interest-bearing obligations.

Age limitation: Persons 62 and over.

Urban Renewal

Authorizes an additional $650 million upon enactment. At the discretion of the President, $100 million of this amount may be used to satisfy the needs of cities with a population of 100,000 or less if these needs will not be served otherwise. Grants discretionary authority to the administrator to consider urgency of need and feasibility in approving applications in the order of their receipt; however, it is the intention of Congress that the general rule for approving applications will be on a first-come, first-served basis.

Authorizes grants for plans for community renewal programs, but limits the grant to two-thirds of the planning cost. Authorizes an additional appropriation of $10 million for urban planning.

Authorizes a maximum of $200 for relocation payments to individuals and families, and $3,000 to business establishments.

Prohibits the construction of hotels and other transient housing in urban renewal areas unless the need is determined by an independent group.

Permits 20 percent of the future capital grant authorization to be used for areas not predominantly residential.

Low-Rent Public Housing

Authorizes an additional 37,000 units. Extends to October 1, 1961, the time that veterans or servicemen, or their families, may have a priority for admission to low-rent housing projects.

College Housing

Authorizes an additional $250 million (increasing ceiling total to $1.755 billion) for college housing loan revolving fund.

Authorizes an appropriation of $50 million for loans to educational institutions to construct new or rehabilitate existing classrooms, laboratories, and related facilities, including equipment and utilities.

Authorizes college housing loans to nonprofit student housing cooperative corporations established for sole purpose of providing housing for students or faculty.

Armed Services Housing

Extends the armed services housing mortgage insurance program to October 1, 1961, and increases to 30 years (from 25) the maximum maturity of mortgages insured under this program.

Farm Housing Research

Extends this program to June 30, 1961, and authorizes an appropriation of $100,000.

Hospital Construction

Extends to June 30, 1961, loan and grant authority to public and nonprofit agencies for hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, if applications were filed prior to June 30, 1953, and denied solely because of lack of funds. Authorizes an appropriation of $7,500,000.

Voluntary Home Mortgage Credit Program

Extended to October 1, 1961.

FNMA

Increases the maximum mortgage which FNMA may purchase from $15,000 to $20,000 under the secondary market operation, and from $15,000 to $17,500 under the special assistance function.

Authorizes FNMA to make advance commitments to purchase mortgages in its secondary market operations on existing construction (permitted now only on new housing).

Increases the special support fund for cooperative housing mortgages by a total of $25 million; earmarks $12.5 million for mortgages on consumer co-ops and $12.5 million for mortgages on builder-sponsor co-ops.

FHA Insurance Programs

Extends FHA's home improvement and modernization insurance program to October 1, 1960.

Sales housing: Increases maximum insurance mortgage on a one-family residence from $20,000 to $22,500, and to $25,000 on a two-family residence. New downpayment schedule as follows: Up to $13,500, 3 percent; from $13,500 to $18,000, 10 percent; over $18,000, 30 percent. Authorizes FHA to accept VA construction inspections. Makes a nonoccupant mortgagor eligible for mortgage insurance in the same amount as an owner-occupant.

Low-cost housing in outlying areas: Increase maximum insurable mortgage from $8,000 to $9,000 on existing as well as new construction, and reduces loan-to-value ratio to 90 percent for existing houses less than 1 year old. Removes $100 million insurance authorization limitation for farm homes.

Rental housing insurance: Increases from $12.5 million to $20 million maximum insurable mortgages. Increases maximum interest rate from 4½ percent to 5¼ percent.

Cooperative housing: Increases from $12.5 million to $20 million maximum mortgage. Increases maximum loan ratio from 85 to 90 percent of replacement cost for investor-sponsored co-ops and from 90 to 97 percent for other co-ops unless 50 percent are veterans, then it would be 95 percent. Increases maximum interest rate of sales-type co-ops from 5 to 5¾ percent and for other co-ops from 4½ to 5¼ percent.

General mortgage insurance authorization: Increases by $8 billion upon enactment; and provides that after October 1, 1960, the limitation on this authorization shall be simply the total of the insurance and commitments outstanding on that date.

Mortgage insurance for nursing homes: Limits mortgages to $12.5 million, and to 75 percent of the estimated value. Maximum interest rate is 6 percent.

Vetoed September 4, 1959.

Third Housing Act of 1959

S. 2654: This measure is the third housing bill passed by Congress during this session of Congress.

For informational purposes, the following is an interesting comparative analysis:

COMPARISONS OF OBLIGATIONAL AUTHORITY AND BUDGETARY IMPACT IN FISCAL YEAR 1960

Proposed housing legislation—Comparative summary of (1) new obligational authority and (2) estimated new expenditures for fiscal year 1960

[In millions]

	New obligational authority				Estimated expenditures, fiscal year 1960			
	Administration (S. 65 and S. 612)	S. 57	S. 2539	S. ——	Administration (S. 65 and S. 612)	S. 57	S. 2539	S. ——
Grants:								
Urban renewal	[1] $1,550.0	[2] $900.0	[3] $650.0	[2] $650.0				
Urban planning (sec. 701) [4]	10.0	10.0	10.0	10.0	$1.0	$1.1	$1.1	$1.1
Scholarship [4]		.3				.1		
Defense hospital [4]		15.0	15.0	15.0		2.5	2.5	2.5
Farm housing research [4]		.1	.1	.1				
Loans:								
Elderly housing direct loans [4]		50.0	50.0	50.0		2.5	2.5	2.5
Urban renewal advances					3.6	8.0	8.0	5.0
Public housing advances						5.0	5.0	5.0
College housing loans	200.0	300.0	250.0	250.0				
College classroom loans		62.5	[4] 50.0			2.5	2.5	
Mortgage purchases: FNMA special assistance for cooperative housing		37.5	25.0	25.0		6.3	6.3	6.3
Total	1,760.0	1,375.4	1,050.1	1,000.1	4.6	28.0	[5] 27.9	22.4

[1] Authorizations for a 6-year period.
[2] Authorizations for a 2-year period.
[3] Includes $100,000,000 for small cities, to be used at discretion of President.
[4] New obligational authority when appropriated.
[5] Does not include an estimate of possible cost attributable to provisions regarding extension of FNMA commitments.

S. 2654 is identical to S. 2539, which was vetoed September 4, 1959, with three exceptions. These exceptions represent two modifications and one deletion.

Deletion

College classroom program: Both S. 57 (first housing bill) and S. 2539 (second housing bill) contained a provision authorizing loans to educational institutions for the construction of new, or rehabilitation of existing classrooms, laboratories, and related facilities including equipment and utilities. S. 2539 authorized an appropriation of $50 million for this new program. The veto message opposed it and it was deleted from S. 2654.

Modifications

FHA insurance authorization: S. 2539 increased FHA's general mortgage insurance authorization by $8 billion upon enactment, providing that any portion of this $8 billion which is unused on October 1, 1960, would lapse. The veto message recommended unlimited insurance authorization. S. 2654 removes the expiration date upon the availability of the $8 billion, which means that, upon enactment of S. 2654, the general insurance authority of FHA is increased by $8 billion to be available until used.

Urban renewal capital grant authorization: The veto message on S. 2539 viewed the urban renewal grant authorization of $650 million as a 1-year program. In order to accommodate the President on this issue, S. 2654 increases the grant authorization by $350 million upon enactment, and by $300 million on July 1, 1960. S. 2539 also contained a provision giving the President discretion to use up to $100 million to make certain that the needs of smaller cities were

satisfied. S. 2654 does not contain this provision.

Major provisions of S. 2654 as sent to the White House:

Title I—FHA Insurance Programs

Property improvement loans: Extends for 1 year, until October 1, 1960, FHA's home improvement and modernization insurance program.

Sale housing mortgage insurance: Increases the maximum amount of an insured mortgage covering a one-family residence from $20,000 to $22,500, and to $25,000 for a two-family residence. Provides a new downpayment schedule as follows:

Valuation:	*Downpayment (percent)*
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

Permits FHA to accept VA construction inspections as basis for application of full loan-to-value ratio. Makes a nonoccupant mortgagor (builder or realtor) eligible for same amount of mortgage insurance as that available to an owner-occupant, if he places 15 percent of the mortgage amount in escrow to be applied to reduce the mortgage should no purchaser be found within 18 months.

Low-cost housing in outlying areas: Increases maximum insurable mortgage from $8,000 to $9,000, and makes eligible mortgages on existing housing as well as mortgages on new construction, with a reduced loan-to-value ratio (90 percent instead of 97 percent) for existing housing less than 1 year old which was not subject to FHA or VA inspection during construction. Removes $100 million insurance authorization limitation for farm homes.

Rental housing insurance: Increases from $12.5 million to $20 million maximum insurable mortgage. Increases dollar limits per room and per unit. Increases maximum interest rate from 4½ percent to 5¼ percent.

Cooperative housing insurance: Increases from $12.5 million to $20 million maximum insurable mortgage. Increases maximum loan ratio from 85 to 90 percent of replacement cost for investor-sponsored cooperatives and from 90 (95 percent if 50 percent of cooperators are veterans) to 97 percent of replacement cost for other cooperatives. Increases maximum interest rate from 4½ to 5¼ percent, and the maximum interest rate for mortgages on individual dwellings replacing an original sales-type cooperative project mortgage from 5 to 5¾ percent.

General mortgage insurance authorization: Increases FHA's general mortgage insurance authorization by $8 billion upon enactment. Prohibits obligation of the insurance fund by any means other than contracts of insurance or bona fide commitments to insure.

Housing in urban renewal areas: Increases maximum insurable mortgage on sales housing from $20,000 to $22,500 on one-family homes, from $20,000 to $25,000 on two-family homes, and from $27,500 to $30,000 on three-family homes. Provides a new downpayment schedule as follows:

Valuation:	*Downpayment (percent)*
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

Increases from $12.5 million to $20 million maximum-insurable mortgage.

Relocation housing: Extends the benefits of this program to any family displaced within a community that has a workable program.

Mortgage insurance for nursing homes: Limits any such mortgage to $12.5 million, and to 75 percent of the estimated value of the property. Maximum interest rate would be 6 percent of the outstanding principal balance and the maturity would be determined by the Commissioner.

Title II—Housing for the elderly

Under this title are two programs: (1) An FHA insurance program and (2) a direct-loan program to assist in providing rental housing for elderly families and individuals.

FHA insurance program: Program would be for both nonprofit and profitmaking sponsors and for new and rehabilitated structures. Maximum insurable mortgage would be $12.5 million, or $50 million for sponsors which are public or quasi-public instrumentalities.

Loan ratios would be: New construction, 100 percent of replacement cost for nonprofit mortgagors and 90 percent for profitmaking mortgagors. Existing construction, 100 percent of value for nonprofit mortgagors and 90 percent for profitmaking mortgagors. Interest rate on new program will not exceed 5½ percent.

Direct loan program: Authorizes an appropriation of $50 million as a revolving fund from which the Housing and Home Finance Administrator may make loans to private nonprofit corporations to construct, rehabilitate, or convert structures to provide rental housing and related facilities for elderly families and elderly persons. Limits loans to 98 percent of the total development cost of construction with maximum maturity of 50 years and bearing interest at a rate not more than the higher of (*a*) 2¾ percent or (*b*) the total of ¼ percent added to the average annual interest rate on all interest-bearing obligations of the United States. "Elderly" means persons 62 or over.

Title III—FNMA

Increases the maximum mortgage which FNMA may purchase from $15,000 to $20,000 under the secondary market operation, and from $15,000 to $17,500 under the special assistance function.

Authorizes FNMA to make advance commitments to purchase mortgages in its secondary market operations on existing construction (permitted now only on new housing). Increases the special support fund for cooperative housing mortgages by a total of $25 million; earmarks $12.5 million for mortgages on consumer cooperatives and $12.5 million for mortgages on builder-sponsor cooperatives.

Title IV—Urban renewal

Provides an additional grant authorization of $350 million upon enactment and an additional $300 million on July 1, 1960.

Urban planning.—Provides that grants-in-aid for planning assistance and authorizes an additional appropriation of $10 million for the program.

Title V—Low-rent public housing

Authorizes an additional 37,000 units. Extends to October 1, 1961, the time that veterans or servicemen, or their families, may have a priority for admission to low-rent housing projects.

Title VI—College housing

Increases the revolving funds for college housing loans by $250 million (the present ceiling is $925 million). Of the $250 million increase, $25 million is reserved for "other educational facilities, increasing the reservation from $100 million to $125 million, and $25 million is reserved for student-nurse and intern housing facilities, increasing the reservation from $25 million to $50 million.

Title VII—Armed services housing

Extends the armed services housing mortgage insurance program to October 1, 1961, and increases to 30 years (from 25) the maximum maturity of mortgages insured under this program.

Title VIII—Miscellaneous

Farm housing research: Extends this program to June 30, 1961, and authorizes an appropriation of $100,000.

Hospital construction: Extends to June 30, 1961, loan and grant authority to public and nonprofit agencies for hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, if applications were filed prior to June 30, 1953, and denied solely because of lack of funds. Appropriates $7.5 million for each additional year.

Voluntary home mortgage credit program: Extends to October 1, 1961.

Public Law 86-372. Approved September 23, 1959.

Veterans' housing

H.R. 2256: Provides $100 million for direct Federal housing loans to veterans in rural and small urban areas who are unable to obtain private home financing. Permits the administration to allow lenders to charge 5¼ percent on GI housing loans.

Public Law 86-73. Approved June 30, 1959.

IMMIGRATION

Close relatives

H.R. 5896: The purpose of the bill, is to reclassify certain close relatives of U.S. citizens and aliens lawfully admitted for permanent residence in the United States under paragraphs (2), (3), and (4) of section 203(a) of the Immigration and Nationality Act, as amended, which establish the quota immigrant status or preference for such relatives under the individual quotas for each quota area. This reclassification would expedite the reuniting of certain families.

The bill would also limit the grant of nonquota status to certain adopted alien children.

Public Law 86-363. Approved September 22, 1959.

Orphans—TB patients

H.R. 6118: Extends for 2 years (until June 30, 1961) authority for the Attorney General to issue visas for permanent residence to individuals with tuberculosis who are spouses or children of a citizen, or an individual admitted for permanent residence.

Extends to June 30, 1960, the authority to issue special nonquota immigrant visas to eligible alien orphans.

Public Law 86-253. Approved September 9, 1959.

U.S. citizenship

H.R. 3088: Under existing law, automatic loss of U.S. citizenship occurs in the case of a naturalized citizen who establishes residence abroad—(1) for 3 years in a foreign state of which he was formerly a national or in which the place of his birth is situated; or (2) for 5 years in any other foreign state or states.

There are several exemptions from the above general rule, such as residence abroad for the purpose of maintaining certain specified types of employment or to pursue a full course of study, etc.

This measure adds to the exempted class the parent of a U.S. citizen residing abroad for accepted reasons, and honorably discharged veterans who served during the Korean conflict.

It lowers the 25-year residence requirement to 15 in the case of naturalized citizens subject to the 5-year rule.

Provides that naturalized U.S. citizens who entered the United States prior to their sixth birthday may count all these years as residence in the United States prior to attaining 21 years of age if—when abroad—they do not reside in the country of their birth or former nationality.

Public Law 86-129. Approved August 4, 1959.

JUDICIARY

Commission on International Rules

H.R. 8461: Extends the life of the Commission and Advisory Committee on International Rules of Judicial Procedure to December 31, 1961.

The request for an extension of the life of the Commission is made in order to provide a reasonable period of time adapted to the goals set forth by the Congress in the act and the Commission's projected program to effectuate them. Under the act, the Commission is to "investigate and study existing practices of judicial assistance and cooperation between the United States and foreign countries with a view to achieving improvements." The attention of the Commission is directed to improvement of procedures which involve the performance of acts in foreign territory, particularly the service of judicial documents, the obtaining of evidence, and the proof of foreign law.

In this area the Commission is to draft any necessary international agreements for the assistance of the Secretary of State, draft, and recommend necessary legislation to the President, and recommend to the President action to improve and codify international practice in civil, criminal, an administrative proceedings. The Commission is to undertake these tasks in order that "procedures necessary or incidental to the conduct and settlement of litigation in State and Federal courts and quasi-judicial agencies * * * may be more readily ascertainable, efficient, economical, and expeditious * * *."

Public Law 86-287. Approved September 16, 1959.

Customs court employees

S. 1947: This measure transfers the authority to appoint the clerk and other Customs Court employees from the chief judge to the court as a whole.

Public Law 86-243. Approved September 9, 1959.

Judges—maintenance and travel expenses

H.R. 2909: This measure is designed to bring justices and judges of the United States within the provisions of the Travel Expense Act of 1949, by increasing to $25 a day the maximum reimbursable amount for reasonable maintenance expenses actually incurred while attending court or transacting official business at places other than their official stations.

Public Law 86-138. Approved August 7, 1959.

Parole credit

S. 1645: Amends section 4161 of title 18 of the United States Code, which prescribes the method of computing good conduct time for prisoners confined in penal or correctional institutions for offenses against the United States.

Between the date of enactment of the original statute and the codification of title 18, good conduct time was computed by multiplying the number of months of a sentence as imposed by the court by the appropriate number of days as prescribed in the statute. The total was then credited to the account of the prisoner and a tentative release date established. By virtue of a then-existing administrative practice, if a prisoner misbehaved he was sometimes required to forfeit both earned and unearned good time.

When title 18 was revised and codified, the words "to be credited as earned and computed monthly" were added with the intention of reversing the above administrative practice and permitting the forfeiture of only such good time as may have been earned by a prisoner up to the time he misbehaved. In a 1952 court decision, however, the new language was interpreted as requiring good time to be computed on the basis of actual time served rather than on the basis of the term of the sentence as imposed by the court.

This amendment deletes the words which were added at the time of the codification, thereby reverting to the method of computing good conduct time which was followed before 1948.

Public Law 86-259. Approved September 14, 1959.

Penitentiary imprisonment

S. 1647: This measure amends section 4083, title 18, United States Code, and provides that persons sentenced for more than 1 year may be confined in any U.S. penitentiary but that a sentence for an offense punishable by imprisonment for 1 year or less shall not be served in a penitentiary without the defendant's consent.

Public Law 86-256. Approved September 14, 1959.

Tort claims

H.R. 6000: Amends section 2672 of title 28 of the United States Code to increase, from $1,000 to $3,000, the limit for administrative settlement of tort claims against the United States.

Public Law 86-238. Approved September 8, 1959.

LABOR

Area Redevelopment Act

S. 722: This measure proposes to establish an Area Redevelopment Administration, headed by an Administrator, appointed by the President and confirmed by the Senate. To be eligible for assistance, areas must qualify under certain criteria and be designated by the administration as a redevelopment area, either rural or industrial.

In the case of industrial areas, the Administrator has the discretionary authority to designate any area with substantial and persistent unemployment over an extended period of time. The Administrator will be required to designate as a redevelopment area any industrial area—

(1) Where the rate of unemployment, excluding unemployment due primarily to temporary or seasonal factors, is currently 6 percent or more and has averaged at least 6 percent for the qualifying time periods; and

(2) at least—

(a) 50 percent above the national average for 3 of the preceding 4 calendar years; or

(b) 75 percent above the national average for 2 of the preceding 3 calendar years; or

(c) 100 percent above the national average for 1 of the preceding 2 years.

Permits the Administrator to qualify rural areas for assistance where substantial and persistent unemployment or underemployment prevails.

Creates three revolving loan funds of $100 million each. These are devoted to loans for industrial areas, rural areas, and public facilities in both industrial and rural areas where such facilities would encourage economic development.

In addition to the loan funds, the bill provides authorization for appropriations up to $75 million for grants for public facilities in those areas which cannot repay loans. Authorizes an appropriation of $4.5 million a year to permit the Administrator to make technical assistance grants in designated areas.

At the request of the Administrator, the HHFA may give financial assistance to municipalities in industrial redevelopment areas without regard to the residential requirements in current urban renewal legislation. In addition, urban planning grants may be made available to designated areas having a population of 25,000 or more.

Provides Federal assistance for vocational training in designated areas which would be furnished through State vocational education agencies where it can provide the facilities and services needed and if this is not possible, the training can be furnished through public or private institutions.

Authorizes a fund of $10 million for subsistence payments to unemployed persons being retrained and not entitled to unemployment compensation.

NOTE.—A similar bill passed by the 85th Congress encountered a Presidential pocket veto.

Passed Senate March 23, 1959. House Calendar.

Commission on unemployment problems

S. 1631: This measure establishes an 11-member Commission to make a full and complete investigation and study of unemployment conditions in the United States, giving particular consideration to areas of critical unemployment to determine what can be done to alleviate these conditions.

Composition of membership:

Three to be appointed by the Speaker.

Three by the President of the Senate.

Five by the President of the United States, not more than two of whom shall be appointed from either agriculture, labor, or industry and not more than three of whom shall come from either political party.

The members of the Commission will select a Chairman and a Vice Chairman. The Commission shall submit, within 60 days after the date on which all appointments to the Commission have been made, its findings and recommendations to the President for transmittal to Congress. The Commission will cease to exist 30 days after the final report is filed.

Each member of the Commission is to receive $50 a day when actually working.

Passed Senate April 10, 1959.

Labor-management reporting and disclosure Act of 1959

S. 1555: The major provisions of this measure are:

Bill of Rights of Members of Labor Organizations

Title I of S. 1555 guarantees union members certain fundamental rights and, in the case of infringement, a member may bring suit in a Federal court to obtain relief; makes it a crime to threaten or use violence in interfering with guaranteed rights, and subjects violator to $1,000 fine and 1 year imprisonment. Rights guaranteed are:

(1) Equal rights for all members to nominate candidates, vote in elections or referendums, attend membership meetings, and participate in deliberations and voting at the meetings, subject to reasonable rules and regulations in the bylaws;

(2) Freedom to assemble with other union members and to discuss any matters of mutual interest;

(3) Right to vote on the question of dues or other assessments after adequate notice;

(4) Protection of the right to sue or petition any legislature for any reason, but interested employers may not participate in such suits;

(5) Safeguards against improper disciplinary action—no member of any labor organization may be fined, suspended, expelled, or otherwise disciplined (except for nonpayment of dues) unless given a fair hearing. Prohibition on suspension applies only to membership and not a member's status as an officer in the union;

(6) Voids any provision of any union constitution inconsistent with this title.

Title II—Reporting and Disclosure

(1) Requires full financial and administrative reports by all unions to the Secretary of Labor, and all reports must be made available to each member and open to public inspection;

(2) Requires union officers to report conflict-of-interest transactions;

(3) Requires employers to make detailed reports to the Secretary of Labor of payments, expenditures, or agreements as follows:

(a) Payments of $10,000 or more and loans of $250 or more to unions and union officers and employees;

(b) Payments to employees or groups to persuade employees concerning the exercise of their right to organize and bargain collectively;

(c) Agreements with independent contractors to persuade employees concerning the exercise of their right to organize and bargain collectively;

(d) Requires reports from a consultant who enters into an agreement with an employer to engage in any activities which must be reported by the employer.

(4) Provides that an attorney need not include in any report information lawfully communicated by a client.

(5) Authorizes the Secretary to obtain civil injunctions to compel full and accurate reports;

(6) Imposes criminal penalties for failure to file or false filing.

(7) Requires that corroborating records be kept for 5 years.

Title III—Trusteeships

(1) Mandatory semiannual report to Secretary on every trusteeship, reasons for its establishment or continuance; such reports to be furnished to members of union concerned; made it a crime not to file or to file falsely, subject to $10,000 fine or imprisonment up to 1 year, or both.

(2) Forbids counting of votes of delegates of trustee bodies unless delegates elected by secret ballot; forbids transfer of funds from trusteed local unions to internationals except normal dues and assessments.

(3) Provides that a union member can complain to Secretary concerning impropriety of a trusteeship and, after investigation, Secretary may begin a court proceeding to break trusteeship; in such suits, trusteeship presumed valid for 18 months from date of establishment; at end of 18 months, it would be presumed invalid but could be extended by court order.

(4) Preserves members' rights under State law unless Secretary has begun a proceeding pursuant to complaint.

Title IV—Elections

This title provides standards for the conduct of all union elections, insures procedural safeguards, and provides Federal court and administrative action to overturn improper elections. Major provisions are:

(1) Requires secret-ballot election of national union officers every 5 years, of local union officers every 3 years, and officers of intermediate bodies every 4 years, or by a convention of delegates chosen by secret ballot.

(2) Grants bona fide candidates for union office the right to make an inspection of membership lists 30 days prior to an election, without the right to copy.

(3) Forbids use of union or employer funds to support candidacy of any union officer.

(4) Guarantees fair election procedures including observers at polls and at ballot count representing all candidates.

(5) Prohibits persons convicted of serious crimes from serving as union officers; and provides criminal penalties for violation of union election safeguards.

(6) Appeal to Secretary by member charging impropriety in election procedure, with power to Secretary to institute court action to set election aside and conduct a new election.

Title V—Safeguards for Labor Organizations

(1) Establishes that union officers occupy positions of trust; that it is the duty of such persons to handle funds for the benefit of the union.

(2) Permits union members to sue in Federal or State courts to recover damages or ask an accounting when a union officer is alleged to have violated the trust, and union fails to act.

(3) Makes it a crime to embezzle, steal, or unlawfully and willfully abstract or convert to his own use, or the use of another, union funds; makes it a crime for a union officer handling union moneys not to be bonded.

(4) Prohibits a union from lending more than $2,000 to an officer or employee, and from paying the fine for a conviction under the bill.

(5) Bars Communist Party members and persons convicted of crimes from serving as union officers for a period of 5 years following termination of party membership or release from prison. Repealed exsting requirement that union officers seeking to use NLRB sign non-Communist affidavits.

Title VI—Miscellaneous provisions

Picketing: Prohibits picketing for extortion or to secure employer payoffs; subject to $10,000 fine or 20 years in prison, or both.

Investigate: Gave Secretary of Labor power to investigate suspected violations, except Bill of Rights and Taft-Hartley Act amendments.

Title VII—Taft-Hartley Act amendments

No-man's land: Permits State labor relations agencies and State courts to assume jurisdiction over labor disputes which NLRB declines to handle under its present jurisdictional standards, but prohibits NLRB from refusing jurisdiction over additional cases.

Economic strikers: Permits economic strikers, currently barred from voting in representation elections, to participate in elections which take place within 1 year after the start of a strike.

General Counsel: Permits the President to appoint an Acting NLRB General Counsel in case of vacancy in the office.

Boycotts and recognition picketing: Makes it an unfair labor practice for a union to coerce or threaten an employer directly to get him to join a union or sign an illegal hot cargo contract; to get him to stop doing business with another firm or handling its goods; to get him to recognize a union if NLRB has already certified another union as his workers' bargaining agent; to force him to assign work to members of one union, rather than another, in a jurisdictional dispute between unions representing his employees; to get any other employer to recognize a union not certified as the representative of his employees in an NLRB election.

Made it an unfair labor practice for a union to induce supervisory workers to refuse to handle goods, or to strike.

Clarified that union inducement of employees not to handle work farmed out to their employer by a struck firm is not a secondary boycott.

Made it an unfair labor practice for a union and employer to sign a hot cargo contract under which the employer agreed not to do business with another firm; voids existing hot cargo clauses; exempted from this provision garment industry contracts barring a jobber from subcontracting work on a single garment to unorganized shops, and building industry contracts barring a firm from subcontracting work to an unorganized firm.

Prohibits organizational or recognition picketing by a union if, in the absence of an unfair labor practice by an employer, the employer already recognizes another union or there had been any NLRB certification election in the past 12 months; or if the union had been picketing for 30 days and had not asked for an election. If the picketing was informational, it could picket for longer than 30 days without seeking an election, provided picketing does not halt the pickup or delivery of goods or the rendition of services by employees or other employers.

Includes under picketing and secondary boycott provisions, as well as other provisions of the act, railway, airline, farm, and local government workers.

Building and construction industry: Building trades unions and employers will be permitted to enter into prehire agreements under which workers will be required to join the union after 7 days, instead of the 30-day period provided in other contracts.

Public Law 86–257. Approved September 14, 1959.

Longshoremen's and Harbor Workers' Act—Amendment

H.R. 451: Revises section 33 of the Longshoremen's and Harbor Workers' Compensation Act to permit an employee to bring a third-party liability suit without forfeiting his right to compensation under the act. The principle underlying this modification is embodied in most modern State workmen's compensation laws.

Although under the original act the employee could receive compensation and for the same injury recover damages in a third-party suit, he would not have been entitled to double compensation. Under this bill an employer must be reimbursed for any compensation paid to the employee out of the net proceeds of the recovery. In the event an employee does not elect to sue for damages within 6 months after the compensation award and the employer institutes proceedings and makes a recovery, the employee receives four-fifths of the amount after the necessary deductions. By giving the employer a reasonable share in the net recovery an incentive is provided to not compromise a suit for the amount of compensation and protects the interests of the employee.

Another major feature relates to the immunization of fellow employees against damage suits. The rationale of this change in the law is when an employee goes to work in a hazardous industry he encounters two risks: (1) the risk inherent in the hazardous work and (2) the risk that he might negligently hurt someone else and incur a large common-law damage liability. While this provision limits an employee's rights, it would, at the same time expand them by immunizing him against suits where he negligently injures a fellow worker.

Public Law 86–171. Approved August 18, 1959.

Temporary unemployment compensation—Extension

H.R. 5640: This measure extends the time during which certain unemployed workers may receive unemployment compensation beyond the maximum period established by permanent State laws. The Temporary Unemployment Compensation Act of 1958 authorized Federal payments to the States for continued unemployment benefits to workers who exhausted their right to compensation under State unemployment insurance laws. The payments to an unemployed worker were to remain the same as before, but they were extended for one-half the maximum benefit period established by State law. The 1958 act contained an April 1, 1959, expiration date.

The new law permits unemployed workers who become eligible for extended payments before April 1, 1959, to continue receiving them up to July 1, 1959. Otherwise, an unemployed worker's benefits will cease with the expiration of the maximum benefit period under State law.

Public Law 86–7. Approved March 31, 1959.

Tribute to labor

House Concurrent Resolution 435: This resolution was adopted unanimously expressing Congress' deep realization and ap-

preciation of the basic role that labor plays in our economy and of the contributions that American working men and women have made to America's well-being.

Adopted by both Houses September 7, 1959 (Labor Day).

Unemployment compensation—Additional funds

House Joint Resolution 336: This resolution appropriates $40 million as an additional amount for unemployment compensation to veterans and Federal employees during fiscal 1959.

Public Law 86–11. Approved April 7, 1959.

Youth Conservation Corps

S. 812: This measure establishes a Youth Conservation Corps administered by a Director appointed by the President and confirmed by the Senate.

Authorizes the Secretary of Labor to formulate rules and regulations for operating the corps, to enter into agreements with Federal and State agencies and other Government agencies, and to provide adequate standards of health, safety, and morals for the enrollees.

Establishes a four-member Youth Conservation Commission composed of Secretary of Labor as Chairman of the Commission, representatives from HEW, Agriculture, and Interior Departments.

Establishes a nine-member Advisory Committee, including Labor Secretary as Chairman, to meet semiannually to review the work of the corps.

Limits YCC enrollees to males between the ages of 16 and 21, with maximum enrollment as follows: First year, 50,000; second year, 100,000; and, thereafter, to 150,000 a year.

Establishes an enrollment period of 6 months, with discretionary authority placed in the Secretary of Labor for an extension of time but not beyond a 2-year period.

Provides a base compensation for enrollees of $60 a month for the first enrollment, with an additional $5 a month for each subsequent enrollment, and up to $10 a month for assigned leadership responsibilities or special skills.

Provides the opportunity for healthfully YCC training and employment of young men in carrying out planned conservation programs.

Passed Senate August 13, 1959.

NATURAL RESOURCES

Alaska coal leasing

H.R. 6939: To promote the development of vast coal reserves of Alaska, this measure amends the Mineral Leasing Act to make the coal-leasing provisions the same for Alaska as they are for the other States. Provides that any one person, association, or corporation under Federal coal lease in Alaska may hold up to 10,240 acres, and authorizes the Secretary of the Interior to grant up to 5,120 additional acres if special need is shown.

Under existing law, Alaska coal leases are limited to 2,560 acres.

Public Law 86–252. Approved September 9, 1959.

Alaska oil and gas

H.R. 5849: Extends for 5 years from admission the time within which the State of Alaska can select lands under Federal oil and gas leases.

Public Law 86–173. Approved August 18, 1959.

Alaska oil leasing

H.R. 6940: Adjusts the amount of acreage available for oil and gas leasing in Alaska to make it comparable to acreage available in the other 48 States. Under existing law, no person, association, or corporation may hold oil and gas leases in Alaska in excess of 100,000 acres and options on more than 200,000 acres.

This measure increases the maximum under both lease and option to 600,000 acres.

Vetoed August 17, 1959.

Alaska—Reclamation investigation

S. 1514: This bill removes the appropriation limitation of $250,000 annually for the Department of the Interior to make investigations of projects for the conservation, development, and utilization of water resources in Alaska.

Passed Senate August 21, 1959.

Bardwell Reservoir, Tex.

S. 601: This bill provides for the construction and operation of Bardwell Reservoir on Waxahachie Creek in Texas. The reservoir will provide flood control for Waxahachie Creek and for the downstream reaches of the Trinity River that have been affected by floods on the creek. It will also provide water conservation and storage for the cities of Waxahachie, Ennis, and Corsicana.

Total cost of the project is $6,992,000 for construction and $40,000 for annual operating and maintenance costs. Of this total, about 28 percent, or $1,899,000, will be met by local interests.

Flood control benefits from Bardwell Reservoir are estimated at $172,620 along Waxahachie and related creeks and $64,130 along the Trinity River downstream.

Passed Senate April 29, 1959.

Bully Creek Dam in Oregon and Port Mansfield Channel

H.R. 968: Authorizes the construction of Bully Creek Dam in eastern Oregon, as a dual purpose development consisting of a 32,000 acre-foot reservoir on Bully Creek, a short feeder canal, and other features which will provide supplemental water to some 3,000 acres of land scattered throughout the existing valve project.

This measure, as amended, authorizes modification of the existing project for the Gulf Intracoastal Waterway to provide for an entrance channel with jetties from the Gulf of Mexico to the Intracoastal Waterway and to Port Mansfield, Tex., with additional turning basins and basins for small craft.

Public Law 86–248. Approved September 9, 1959.

Burns Creek project, Idaho

S. 281: This measure authorizes the Federal construction of a reregulating reservoir and other works at Burns Creek in the upper Snake River Valley, Idaho.

The Burns Creek Dam, Reservoir, and powerplant, located 30 miles downstream from Palisades Dam, will be integrated electrically, hydraulically, and financially with the existing Palisades reclamation project.

The prime purpose of the Burns Creek development is reregulation of releases from Palisades. In addition, 100,000 acre-feet of its 234,000 acre-feet of reservoir capacity will be available for long-term holdover irrigation storage purposes, plus a 90,000-kilowatt powerplant. This reregulation of Palisades releases will result in more efficient use of the Palisades—for without this downstream regulation the operation of the Palisades powerplant will be limited by restrictions on streamflow fluctuations below the dam.

Estimated construction cost based on January 1959 prices is $45,430,000. Complete payout of commercial electric plant costs will be achieved in 52 years after the last Palisades unit goes on the line and all reimbursable costs, including the irrigation subsidy, will be returned. All of the $45,430,000, except $49,000 allocated to fish, wildlife, and recreation will be returned to the Treasury. Of this amount $44,532,000, or 98 percent, will be repaid with interest.

Passed Senate July 24, 1959.

Central Valley project—San Luis unit

S. 44: Authorizes construction of the San Luis unit of the Central Valley project in California, to irrigate approximately 500,000 acres of land in Merced, Fresno, and King Counties.

The principal features will be a dam and reservoir, a forebay and afterbay, the San Luis Canal, the Pleasant Valley Canal, pumping plants, distribution systems, drains, channels, levees, flood works, and related facilities.

Estimated cost of the main supply facilities is $290,430,000, of which all but $100,000 for minimum basic recreation facilities will be reimbursable.

Passed Senate May 12, 1959.

Copper stockpile

Senate Resolution 101: This resolution calls for public assurance by OCDM that the Federal copper stockpile will not be released. For some weeks copper trade circles, both at home and abroad, have been viewing with alarm reports that OCDM was on the verge of releasing all or part of the Government-held so-called DPA copper inventory. As a result of these reports the London price for copper declined within a 15-day period by 2½ cents a pound, and the domestic custom smelter price declined by 2 cents a pound. Subsequently, the London price dropped still further and as of April 16, 1959, the London price of copper was 3½ cents a pound less than it was 3 weeks ago.

Senate adopted April 17, 1959.

Crooked River reclamation project—Capacity increased

S. 1221: Amends the 1956 authorization act of the Crooked River project to increase the capacity of certain project features for future irrigation of 2,900 acres of land in addition to the 20,000 in the original authorization. The cost of the enlargement is estimated at $480,000.

Public Law 86–271. Approved September 14, 1959.

Establishing a national minerals policy

House Concurrent Resolution 177: The purpose of this resolution is to concisely enunciate an overall national minerals policy through an expression of the sense of the Congress. The resolution also requests the President—

(a) to have reviews made at once of the existing programs of the departments and agencies of the executive branch with the purpose of using them more effectively to provide for increased production and employment in critically depressed domestic mining and mineral industries;

(b) to advise the Congress at the earliest possible date as to the actions taken or proposed to be taken to this end; and

(c) to submit any reorganization plans or recommendations for legislation that may be necessary to accomplish this objective.

Passed House August 26, 1959. Passed Senate September 10, 1959.

National minerals policy

S. 1537: The purpose of this measure is to concisely enunciate an overall national minerals policy. The bill further declares that—"It shall be the duty of the Secretary of the Interior to carry out this policy in such programs as may be authorized by law other than this Act"—and directs the Secretary of Interior to include in his annual report to the Congress—"a report on the state of the domestic mining and minerals industry, including a statement of the trend of utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this act."

Passed Senate September 10, 1959.

Great Lakes Basin compact

S. 548: This measure grants the consent of Congress to the creation of a Great Lakes

Commission. The membership of the Commission will be representatives from such States as Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

The Commission's powers include gathering and publishing information; making recommendations relative to the orderly, efficient, and balanced development, use, and conservation of water resources in the basin; considering means of improving fisheries and navigation; recommending legislation to the parties to the compact and others; and cooperating with the United States, the State governments, and other public bodies.

By specific provision, no action of the Commission will have the force of law in, or be binding upon, any State.

Passed Senate April 29, 1959.

Historical and archeological data—Preservation

S. 1185: The Historic Sites Act of 1935 provides for a program to preserve historical and archeological data threatened by the construction of dams. This measure is more explicit than the Historic Sites Act relative to historical and archeological salvage, and provides essentially for coordination of archeological investigations and salvage operations with advance planning and construction of dams either by Federal agencies or under permits granted by Federal agencies.

Passed Senate June 12, 1959.

Independent Coal Commission

H.R. 6596: Creates a new independent three-member agency, the Coal Research and Development Commission, to be located "for administrative purposes" only within the Department of Interior.

The members are to be appointed by the President and confirmed by the Senate for 3-year terms.

The Commission is to carry out a research program to develop new and more effective uses for coal, improve and expand existing uses for coal, reduce the cost of coal production and distribution, and emphasize these developments in uses for coal of particular value to small coal producers.

The research program as developed by the new Commission will be, for the most part, complementary to the research performed by the Bureau of Mines.

Authorized an appropriation of not more than $2 million for the fiscal year beginning July 1, 1959.

Vetoed, September 16, 1959.

Interstate compact to conserve gas and oil—Extension

House Joint Resolution 280: This resolution gives the consent of the Congress to extend and renew, for a period of 4 years from September 1, 1959, the interstate compact to conserve oil and gas.

The compact was first approved by the 74th Congress in 1935 and has been renewed and extended seven times since then.

During the 1955 extension, a provision was added requiring annual reports by the Attorney General of the United States on whether the activities of the States under the compact were consistent with article V of the compact. Article V provides that it is not the purpose of the compact to authorize the participating States to limit the production of oil or gas to stabilize or fix the price, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing avoidable waste within reasonable limitations. This provision is retained in the resolution.

More than half the States of the Union, representing the greater part of our domestic oil production, are members of the compact, and the committee finds that in its 24 years of existence it has achieved notable success in fulfilling its avowed mission of preventing waste of oil and gas through local and State action.

Public Law 86-143. Approved August 7, 1959.

Irrigation distribution systems

S. 1136: Authorizes the Secretary of Interior to transfer title to distribution systems of Federal reclamation projects upon completion of repayment costs if: (1) an organization representing the water users have requested it; and (2) the Secretary of Interior determines that all necessary charges have been paid.

Passed Senate August 19, 1959.

Kahului Harbor—Hawaii

S. 1632: This measure authorizes an existing project for Kahului Harbor, Island of Maui, Hawaii, be modified to provide for enlarging the turning basin to permit larger ships to enter the port.

Passed Senate May 20, 1959.

Kansas-Nebraska water compact

S. 1605: The purpose of this legislation is to grant the consent of the Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to their interests in the waters of the Big Blue River and its tributaries, and providing for an equitable apportionment between these States of the waters of the Big Blue River and its tributaries.

The bill further provides that one qualified person appointed by the President shall participate in such negotiations as Chairman, representing the United States, who shall report to the President and to the Congress on the proceedings and on the compact.

Passed Senate September 10, 1959.

Mineral Leasing Act—Amendment

S. 2181: Amends the Mineral Leasing Act of 1920 to remove present clouds from thousands of Federal oil and gas leases by—

Protecting an interest in a lease acquired by a bona fide purchaser in good faith even though the interest was acquired from, or through, a predecessor in title whose holdings may have been subject to cancellation or forfeiture for violating the act.

Providing that if the leaseholder is found innocent of a violation, his term and rent payment will run for a period equal to the original lease.

Public Law 86-294. Approved September 21, 1959.

National Outdoor Recreation Resources Review Commission

H.R. 1776: This measure amends the act establishing the National Outdoor Recreation Resources Review Commission, by permitting the Commission to fix the compensation of its executive secretary and other employees, without regard to the Classification Act. There is a provision, however, that any Federal employee subject to civil service laws and regulations assigned to the Commission will retain his status without interruption or loss of privileges.

The temporary commission is making a study of the adequacy of outdoor recreation facilities in the United States, and is to report its findings to the President and Congress by September 1, 1961.

Public Law 86-6. Approved March 25, 1959.

Navajo Irrigation and San Juan-Chama Projects, New Mexico

S. 72: Authorizes Federal construction of the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project. The projects will irrigate land for municipal, domestic, and industrial uses, provide recreation, fish, and wildlife benefits, and control silt.

Estimated cost is approximately $221 million, of which about $21 million is reimbursable.

Passed Senate May 19, 1959.

Norman Federal Reclamation Project, Oklahoma

S. 1892: This measure authorizes the Norman project, on Little River (a tributary of the Canadian River), in Oklahoma, and provides for recognition of certain interest costs on the Upper Colorado River project.

The Norman project consists of a dam and reservoir, pipelines, and pumping facilities to deliver municipal and industrial water to the project cities of Norman, Midwest City, Del City, and to Tinker Air Force Base.

Other major uses of the project works are flood control, fish and wildlife conservation and development, and recreation.

The bill also provides for allocation of costs, and sets out that the reimbursable costs will be repaid in 50 years with interest to the Federal Government. The Federal costs allocated to the Tinker Air Force Base for its proportionate share of the costs allocated to municipal water supply, and to fish and wildlife benefits, to basic recreational facilities, and to flood control, will be nonreimbursable.

The bill provides that the water users' organization of the Norman project may sell any surplus water but are required to use such revenues to apply on "retirement of project debt payment, payment of interest, and payment of operation and maintenance costs."

It also provides that, upon full repayment, the water users will have permanent right to use of the facilities for municipal water supply purposes.

Allocation of Federal Costs

The Federal costs of the Norman project have been allocated as follows:

Purpose	Construction cost	Interest during construction	Total
Municipal and industrial water supply:			
Joint development	$6,970,000	$274,000	$7,244,000
All Federal development	13,092,000	416,000	13,509,000
Flood control	3,275,000	129,000	3,404,000
Fish and wildlife	2,360,000	91,000	2,451,000
Recreation	315,000	0	315,000

Annual benefits from all purposes would exceed the annual economic costs in the ratio of over 2 to 1 for either plan and for either a 100-year or 50-year period of analysis.

Passed Senate September 9, 1959.

Oceanography research

Senate Resolution 136: The Senate unanimously adopted this resolution urging the President and the Budget Bureau to approve and initiate a 10-year study in ocean research.

Adopted July 15, 1959.

Phosphate prospecting permits

S. 2061: This measure provides that the Secretary of the Interior may issue permits to prospect and explore for phosphate on not more than 2,560 acres of public land of the United States for a period of 2 years with a preference right to a lease for any or all of the land embraced in the permit should the permittee prior to the expiration of the term of the permit show a discovery of phosphate.

In addition, upon application to the Secretary, the term of a permit may be extended for an additional period of not in excess of 4 years provided the Secretary determines that the permittee has exercised due dili-

gence in the search for phosphate and that further prospecting or exploration is warranted.

The bill requires no payment of rental during the life of the permit, and does not change the aggregate acreage, 10,240 acres, which may be held in the United States by any one permittee or leaseholder.

Passed Senate September 9, 1959.

Reclamation Project Act

H.R. 1778: The purpose of this measure is to make permanent the Secretary of the Interior's present temporary authority to grant deferments in the payment of construction charges on Federal reclamation projects in hardship cases and to broaden this authority sufficiently to cover other irrigation projects under the jurisdiction of the Bureau of Reclamation and payments due under contracts executed pursuant to the Reclamation Project Act of 1939.

The authority to grant deferments which the Department of the Interior has had during the past 20 years or more has enabled it to cope with difficult situations which occasionally arise when water users, because of prolonged drought or for other reasons, are unable to meet their construction charge payments on time.

Public Law 86–308. Approved September 21, 1959.

Research on insecticides

S. 1575: Authorizes the Department of Interior to continue its study of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife in an effort to prevent further losses of these natural resources.

Passed Senate August 19, 1959. Passed House amended September 2.

Rio Grande rehabilitation project—Texas

H.R. 4279: This measure authorizes the Secretary of the Interior to construct, rehabilitate, operate, and maintain the La Feria division of the lower Rio Grande rehabilitation project, Texas, thereby permitting more economical operation and maintenance of the district's irrigation works, providing more efficient water deliveries, reducing distribution system losses, and reducing the flooding of lands in some areas.

Economic Aspects

The estimated construction cost of the rehabilitation work is $6 million and this full amount is allocated to irrigation. Under the provisions of the bill, the La Feria district would be required to repay the full amount within a 35-year period with interest on that part which is attributable to furnishing benefits to ownerships in excess of 160 acres. The district has agreed to these repayment arrangements.

Economic studies of the proposed rehabilitation project indicate that the benefits from this development would exceed the costs by a ratio of 5 to 1.

Agricultural Aspects

Fruits and vegetables and some cotton are the principal crops grown in the La Feria district. With respect to ownerships, the average size farm is approximately 80 acres. There are only 11 farms out of 1,868 with acreage exceeding 160 acres and the largest one is 361 acres.

Public Law 86–357. Approved September 22, 1959.

River Basin Study Commission

S. 300: This measure amends Public Law 85–843 to increase from 14 to 16 the membership of the River Basin Study Commission for Texas, by providing for the appointment of separate representatives for the Guadalupe and San Antonio River Basins. It also provides for the appointment of a representative of the Texas Board of Water Engineers, and increases the requirements for a quorum of the Commission from 8 to 9 members, at least 5 of whom would be representatives of the river basins in Texas or the representative of the Texas Board of Water Engineers.

Public Law 86–228. Approved September 8, 1959.

Salt-water research laboratory

S. 1576: Authorizes construction of a salt-water research laboratory at Seattle, Wash., to conduct research on marine life. The laboratory will be operated jointly by the State of Washington Department of Fisheries, the College of Fisheries of the University of Washington, the School of Oceanography, and the Fish and Wildlife Service.

Passed Senate August 19, 1959.

Spokane Valley project

S. 994: This measure authorizes the construction and operation of the Spokane Valley project, in Washington and Idaho, under Federal reclamation laws. This project consists of 10,290 irrigable acres along the Spokane River east of the city of Spokane.

The estimated cost of the development is $5,100,000 based on January 1959 cost indexes. All costs are allocated to irrigation and are reimbursable.

About 98 percent of the owners are in holdings of less than 30 acres.

Water supply to these lands could be cut off without notice through failure of the existing main canal. The project is economically justified with a benefit-cost ratio of over 1.8 to 1 based on a 50-year period of analysis, exclusive of a development period.

Public Law 86–276. Approved September 16, 1959.

Study Commission on Alaska

S. 2628: Authorizes the establishment of a U.S. Study Commission which would be responsible for the preparation of integrated and cooperative investigations, studies, and surveys of land and water resources in the State of Alaska.

The Study Commission is empowered to prepare plans for development of land and water resources of the area, including ports, and to submit a report on these plans to the President. The Study Commission would be composed of 14 members who would be appointed by the President: 6 members would be from Federal departments and 7 members from the State of Alaska at large. The Chairman of the Commission would be the 14th member and would be a resident of Alaska.

The Commission would prepare a final report for submission to the President within 7 years after the appointment of the members of the Commission by the President, and would cease to exist within 3 months from the date of the submission of its final report to the President, who, within 90 days after receipt of the final report, shall transmit it to the Congress with his views, comments, and recommendations.

Passed Senate September 10, 1959.

TVA financing

H. R. 3460: Authorizes the Tennessee Valley Authority to issue and sell revenue bonds, up to $750 million outstanding at any one time, to finance needed expansions.

Proceeds from the bonds will be used to construct or replace plants and other facilities used to generate or transmit electric power or in connection with lease-purchase transactions, for supplying power within specified areas.

Requires TVA to pay to the Treasury a return on the appropriation account equal to the average amount being paid by the Treasury on its outstanding obligations. In addition, for the first 5 years after the bill becomes effective, TVA must pay $10 million a year to the Treasury as reimbursement; for the second 5 years, $15 million a year; and thereafter, $20 million a year, until it has reimbursed the Government a total of $1 billion on the appropriation investment account.

Establishes a geographic limitation on the area within which TVA power can be distributed by requiring specific authorization by Congress for the sale of power to any additional city having a population of over 10,000 in 1950 or which would increase the area for which the Corporation was the primary source of power supply in 1957 by more than 2½ percent or 2,000 square miles, whichever is the lesser.

Provides that TVA must transmit to Congress, through the President, its power construction program. Requires the Secretary of the Treasury to review the proposed bond issues.

Public Law 86–137. Approved August 6, 1959.

TVA financing—Amendment

S. 2471: Amends the act of August 6, 1959, authorizing the Tennessee Valley Authority to issue and sell revenue bonds to finance needed power expansions, by deleting from the act the requirement that the President submit to Congress the proposed power program together with budget estimates.

The Executive felt this language too restrictive and an abrogation of powers.

Public Law 86–157. Approved August 14, 1959.

Theodore Roosevelt Dam

Senate Joint Resolution 25: Establishes that Roosevelt Dam in Arizona was named after Theodore Roosevelt—and renames it the Theodore Roosevelt Dam.

Public Law 86–266. Approved September 14, 1959.

Water pollution control

H.R. 3610: This measure would—

Authorize the Public Health Service, under the supervision and direction of the Secretary of Health, Education, and Welfare, to stimulate construction of needed municipal waste-treatment facilities to prevent untreated or inadequately treated sewage or other waste from being discharged into any waters.

Increase the construction grants from $250,000 to $400,000 for individual projects with the proviso that no grant or more than $250,000 shall be approved for a project in any State until all previously filed qualified applications from that State and its political subdivisions for grants not exceeding $250,000 have first been approved.

Allow municipalities to join together to build joint treatment facilities.

Provide for reallocation of funds in the event States are unable to utilize funds allotted under the formula now in effect; however, 18 months would be allowed for the obligation of funds before they could be reallocated.

Authorize $80 million annually for construction, instead of present $50 million.

Authorize an aggregate appropriation of $800 million.

Provide that employees working on Federal grant projects under the terms of this bill must be paid wages that prevail on similar construction in the immediate locality.

Water resources study

Senate Resolution 48: This resolution establishes a Select Committee on National Water Resources to be composed of three members each from the Committees on Interior, Public Works, Interstate, and Agriculture, to be designated by the chairmen.

The select committee is to make exhaustive studies of the extent to which water resources activities in the United States are related to the national interest, and the extent and character of water resource activities, both governmental and nongovernmental, that can be expected to be required to provide the quantity and quality of water

for use by the population, agriculture, and industry between the present time and 1980.

The authority of the select committee extends to January 31, 1961, at which time the committee must furnish to the Senate the results of the study together with recommendations.

The resolution authorized $175,000 through January 31, 1960.

Adopted April 21, 1959.

Water resources—Texas

H.R. 4405: Authorizes the Department of the Interior to investigate and report to Congress the feasibility of developing water resources of the Salt Fork and Prairie Dog Town Fork of the Red River within the State of Texas for municipal and industrial uses, as well as irrigation purposes.

Public Law 86–167. Approved August 18, 1959.

Yakima project—Kittitas division

S. 258: Provides that the reimbursable construction cost of the Kittitas division of the Yakima reclamation project, Washington, be reduced by $158,558, or the amount which represents the construction costs against 1,420 acres of land removed from an irrigable status as a result of the construction of the Ellensburg Airport by the U.S. Army.

The generally accepted principle is that when a portion of the irrigable area of a going project is taken out of production for highways, residential or industrial development, or other nonirrigation purposes, the government unit, individual, or corporation involved should assume responsibility for payment in full of the construction charges assigned to the land.

Passed Senate August 7, 1959.

Yakima project—Wapato Indian project

H.R. 3335: Provides for adjustments of construction costs of the storage division of the Yakima Federal reclamation project, Washington, charged to the water users' organizations, and establishes the amounts to be allocated to supplying water for the Wapato Indian irrigation project. The adjustments are based on a uniform assessment of storage division construction costs.

Provides for full repayment of the construction costs, except $3,557,103 allocated to the Wapato Indian irrigation project which is nonreimbursable.

Public Law 86–204. Approved August 25, 1959.

SOCIAL WELFARE

Catawba Indian Tribe of South Carolina

S. 2596: This bill provides for closing the membership roll, and for distributing all tribal property among the members in approximatley equal shares. Members who have assignments of land from the tribe, or members of their families, are given the right to select the assignments as parts of their distributive shares. The remainder of the tribal property will be sold and the proceeds of the sale will be distributed. Any property that is not sold within 2 years will be conveyed to a trustee for liquidation and distribution. When the program is completed, the Catawba Indians will cease to be subject to the Federal Indian laws, but their status and rights under South Carolina law will not be affected.

Passed Senate September 9, 1959.

Employment of Indians

S. 1565: In 1956, the Congress passed and the President signed into law legislation which set up a program of vocational training for adult Indians. This measure will make it possible for more Indians to come under this program, by providing that an Indian need not reside on trust property in order to qualify for training. It also repeals the $3.5 million annual authorization to carry out the training program and makes the amount of the annual appropriation subject to the normal budgetary process.

This expanded program will be of tremendous value in preparing and orienting participants in the Indian relocation program, and it should stimulate industries to locate near these reservations.

Passed Senate August 17, 1959.

Fort Belknap Reservation

S. 1105: This measure is designed to improve the land tenure patterns on the Fort Belknap Indian Reservation by authorizing the tribe to sell tribal lands to members of the community, and to exchange tribal land for trust or restricted land owned by members of the community.

Present law prohibits Indian tribes from selling tribal lands to individual enrolled Indians; however, following enactment of this measure it is the intent of the tribe to sell some of these lands to Indians on the reservation in order that they may block out economic farming and ranching units.

Passed Senate August 13, 1959.

Fort Berthold Reservation

S. 1352: Permits the enrolled members of the Three Affiliated Tribes of the Fort Berthold Reservation, with the consent of the tribal business council, to acquire tribal lands. Under the present law the tribe is precluded from selling tribal lands.

The Fort Berthold Indians, by reason of the construction of the Garrison Dam project on the Missouri River, lost the use of about 152,000 acres of their tribal and allotted lands. The lands taken for the project were those on which most of the Indians resided, and the tribe had to relocate and reestablish itself on lands outside the taking area.

Many of the Indians on the reservation in reestablishing themselves have purchased farm or ranch units. In a number of instances the Indians have been unable to block out economic units, and in an effort to be of assistance to these individuals the tribe has used its funds to purchase heirship lands to be used by resident members. The tribe owns approximately 30,000 acres of land, and it is the desire of the tribal business council to permit some of these lands to be sold to enrolled members to help them block out the farming and ranching units.

Passed Senate September 10, 1959.

Indian lands—Leasing

S. 2565: This measure amends the 1955 Indian Leasing Act relating to leases of individual and tribal lands for public, religious, educational, recreational, residential, business, and some farming purposes.

Permits the Indian owners of restricted Indian lands in the United States to lease their lands for a period of 25 years with the approval of the Secretary, for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases. In addition, these lands could be leased for farming purposes which require the making of substantial investment in the improvement of the land for the production of specialized crops. The bill in section 2 would also authorize leasing of restricted lands of decreased Indians for the benefit of their heirs or devisees.

Passed Senate September 9, 1959.

Indians—Revolving fund loan

S. 1242: This measure authorizes the Department of Interior to make interest-free loans from its revolving credit loan fund to certain Klamath Indians. It also authorizes the Department to refinance from the fund any loan made to a Klamath Indian that is secured by his interest in tribal property.

Over the years Klamath Indians have received annual per capita payments of approximately $1,000 from timber sales on their sustained-yield forest. These payments have now been stopped pending the sale of timber and lands. To avoid hardships, the Department of Interior has established a lending operation for the Klamaths from the revolving loan fund. Prior acts, however, prohibit loans from the fund to any Indian of less than one-quarter degree Indian blood. A total of 253 withdrawing Klamaths are of less than one-quarter degree Indian blood. This measure makes them eligible for loans from the fund and, because the delay in the payments to the withdrawing Indians is due to no fault of theirs, the loans are to be interest free.

Collection of loans will be made by means of setoffs against funds payable to the borrower from the sales of reservation assets. All loans will be collected before August 13, 1961, the final termination date.

Public Law 86–40. Approved June 11, 1959.

Interfaith Day

Senate Joint Resolution 53: Designates the fourth Sunday of September of each year as Interfaith Day, and authorizes the President to annually issue a proclamation for proper observance.

Passed Senate July 15, 1959.

Palm Springs Reservation—California

H.R. 8587: This measure provides equalized allotments of land on the Agua Caliente Reservation in California for those members who have not already received their allotments.

Establishes the date of enactment as the cutoff date for making allotments to new members.

Equalization allotments will be restricted to living members.

Makes cash payments, in lieu of equalization allotment, exempt from taxation.

Allotments will be made without regard to the 160-acre limitation.

Public Law 86–339. Approved September 21, 1959.

Public defenders

S. 895: This measure authorizes district courts to appoint public defenders to represent indigent defendants in criminal cases in the U.S. district courts, and in appellate proceedings. Each U.S. district court may appoint a public defender at each place where the terms of court are held. Whenever a district court is satisfied that the number of cases assigned to a public defender is more than he can handle, it may appoint one or more assistant public defenders.

The public defenders or their assistants may be full- or part-time officers depending upon the volume of work.

Each district court may adopt appropriate rules governing the conduct of public defenders, subject to general regulations adopted by the Judicial Conference of the United States.

Each public defender and his assistant will be paid a salary based upon the service to be performed, but not more than $10,000 a year. He will be reimbursed for expenses, necessarily incurred by him, if approved by the district court.

Passed Senate May 21, 1959.

Railroad retirement

H.R. 5610: Increases by 10 percent, pensions, annuities, and survivor benefits for railroad workers. Raises employer and employee railroad retirement taxes from 6¼ to 7¼ percent by 1962, with both taxes going to 6¾ percent the month following enactment of this measure.

Provides that additional employer-employee tax increases gradually take effect until 1969, when both reach 9 percent.

Increases from $350 to $400 the monthly wage base on which taxes are levied.

Increases from 3 to 3¾ percent the maximum employer contribution to the railroad unemployment insurance account.

Increases daily unemployment insurance benefits from a maximum $8.50 to $10.20.

Provides that railroad employees with 10–15 years service could receive unemployment benefits for a maximum of 26 weeks, and employees with 15 or more years of service could receive benefits for 39 weeks.

Extends regular unemployment benefit periods until July 1, 1959, to conform with the Temporary Unemployment Compensation Act of 1958.

Provides that the Railroad Retirement Board could borrow, at a 3-percent interest rate, from the railroad retirement account for payment of benefits and refunds under the Railroad Unemployment Insurance Act.

Public Law 86–28. Approved May 19, 1959.

Social security amendment

H.R. 213: This measure provides additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, and permits the States of California, Kansas, North Dakota, Oklahoma, and Vermont to obtain social security coverage, under State agreement, for policemen and firemen in positions covered by a retirement system.

Public Law 86–284. Approved September 16, 1959.

Shut-Ins' Day

S.J. Res. 93: The purpose of this legislation is to designate the first Sunday of June of each year as "Shut-Ins' Day," and to authorize and request the President of the United States to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day.

Passed Senate September 10, 1959.

SPACE

NASA—District of Columbia buildings

H.R. 4913: This measure authorizes the National Aeronautics and Space Administration, through the Administrator of General Services, to lease buildings or parts of buildings for use of the Administration in the District of Columbia.

Public Law 86–20. Approved May 13, 1959.

Supplemental authorization—Space agency 1959

S. 1096: This measure authorizes $48,354,000 in supplemental appropriations for the National Aeronautics and Space Administration for fiscal 1959 as follows:

Salaries and expenses	$3,354,000
Research and development	20,750,000
Construction and equipment	24,250,000

The supplemental for salaries and expenses covers the cost of the increases provided by the Federal Employees Salary Increase Act of 1958, for which funds were not requested last year. It does not provide for any additional positions beyond NASA's previously planned growth from 7,892 employees at the end of fiscal 1958 to 8,961 employees at the end of fiscal 1959.

The supplemental for research and development is earmarked entirely for the manned space flight program—Project Mercury.

The supplemental for construction and equipment is to modernize and expand the Jet Propulsion Laboratory at Pasadena, Calif.; for tracking facilities, data acquisition, and communications essential for instrument coverage of satellites and space vehicles to be flown during the next 12 to 18 months; and for construction of propulsion development facilities.

Requires the Agency to notify congressional committees on space should there be any modification of this authorization.

Public Law 86–12. Approved April 22, 1959.

Space agency—Authorization

H.R. 7007: Authorizes appropriations to the National Aeronautics and Space Administration for fiscal 1960 totaling $485,300,000 as follows:

Salaries and expenses	$94,430,000
Research and development	333,070,000
Construction and equipment	57,800,000

Summary of the salaries and expense item

Installation	Salaries	Expenses	Total
NASA Headquarters	$3,635,000	$2,550,000	$6,185,000
Langley Research Center	22,900,900	4,759,100	27,660,000
Ames Research Center	10,659,200	4,056,800	14,716,000
Lewis Research Center	20,166,900	5,435,640	25,602,540
High-Speed Flight Station	2,210,000	414,000	2,624,000
Goddard Space Center	8,766,050	5,783,700	14,549,750
Pilotless Aircraft Station	1,522,000	1,428,000	2,950,000
Patrick Air Force Base Office	38,250	12,000	50,250
Western Coordination Office	58,900	12,100	71,000
Wright-Patterson Liaison Office	18,800	2,660	21,460
Total	69,976,000	24,454,000	94,430,000

Summary of research and development programs, fiscal year 1960

Program	
Aircraft, missile, and spacecraft research:	
Support of NASA plant	$16,670,000
Support of JPL plant	8,156,500
Research contracts	5,200,000
Scientific investigations in space:	
Sounding rockets	10,000,000
Scientific satellites	22,800,000
Lunar probes	7,140,000
Deep-space probes	6,803,500
Vanguard program	
Satellite applications investigations:	
Meteorology	10,800,000
Communications	4,700,000
Space operations technology:	
Manned space flight	70,000,000
Space rendezvous techniques	3,000,000
Space propulsion technology:	
Solid propellent rockets	$3,000,000
High-energy propellent rockets	5,000,000
1,000,000-pound thrust single chamber engine	30,200,000
Nuclear rocket engines	8,000,000
Space engines	3,000,000
Auxiliary power units	3,000,000
Space systems technology:	
Advanced vehicle systems	1,500,000
Booster recovery systems	1,500,000
Orbiting space laboratories	2,000,000
Supporting activities: Tracking and data acquisition	11,500,000
Vehicle development:	
Scout	2,000,000
Delta	13,300,000
Vega	42,800,000
Centaur	41,000,000
Total, research and development	333,070,000

Summary of construction and equipment

Installation		Estimated cost
Langley Research Center (Hampton, Va.)		$4,580,000
Alterations to the thermal structures tunnel	$745,000	
Analytical computing equipment	2,645,000	
Conversion of gust tunnel to noise research laboratory	315,000	
Conversion of test cell to noise test facility	290,000	
Heater and vacuum system for gas dynamics laboratory	585,000	
Ames Research Center (Moffett Field, Calif.)		6,555,000
Data reduction center	2,505,000	
Mass transfer cooling and aerodynamics facility	4,050,000	
Lewis Research Center (Cleveland, Ohio)		6,860,000
Ion and plasma jet facilities	6,000,000	
Zero-power reactor	605,000	
In-pile loop	250,000	
Land acquisition	5,000	
High-speed Flight Station (Edwards, Calif.)		2,805,000
Building additions	955,000	
Analog computing equipment	350,000	
Terminal guidance facility	1,500,000	
Goddard Space Center (Beltsville, Md.)		$14,000,000
Central flight control and range operations building	$3,300,000	
Space sciences laboratory	6,000,000	
Instrument construction and installation laboratory	3,700,000	
Utility installations	1,000,000	
Pacific Missile Range (Point Arguello, Calif.)		3,000,000
Launching facilities including flight vehicle assembly and checkout facility with equipment for special experiments	3,000,000	
Various locations		20,000,000
Equipment and instrumentation for global ranges	10,000,000	
Facilities for Rover program	2,000,000	
Propulsion development facilities	8,000,000	
Total program		57,800,000

Public Law 86–45. Approved June 15, 1959.

Prof. Robert H. Goddard—Honoring

House Joint Resolution 19: This resolution authorizes the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences to present a medal on behalf of Congress to the family of the late Dr. Robert H. Goddard.

The resolution authorizes the Treasury Department to strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the chairman of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences.

Robert H. Goddard is generally recognized as the "father of modern rocketry." While still a student of physics in 1907 he prepared a manuscript outlining a scheme for using radioactive materials for jet propulsion in space, but, being ahead of his time, found no one willing to publish this pioneer document. As a physics instructor in 1914 he began actual experiments in rocketry which, together with technical papers he had prepared, led to grants from the Smithsonian Institution to assist him in his work.

During World War I, Dr. Goddard was assigned to explore the military possibilities of rockets and developed several promising rocket devices, including the forerunner of the modern bazooka. In the decade following World War I, he did pioneer work in the control of rocket flights by gyroscope, instrumentation to record conditions on rockets in flight, and in other important

fields. In the period from 1929 to 1941, he made great strides in developing large rockets. In the mid-1930's Goddard rockets achieved speeds as great as 700 miles per hour and altitudes as high as 7,500 feet. His work was followed closely in Germany, and unquestionably contributed to development of the V–2 rockets used by Germany in the closing months of World War II. From the beginning of World War II until his death in 1945, Dr. Goddard worked on important rocket projects for the Navy.

Public Law 86–277. Approved September 16, 1959.

TRANSPORTATION AND COMMUNICATIONS

Airline financing

S. 1368: Amends the Federal Aviation Act of 1958 to facilitate financing new jet and turboprop aircraft. As a transition from piston to jet-powered aircraft, the Nation's airlines are now in the process of carrying out large-scale reequipment programs which will cost approximately $4 billion by 1962. To finance these programs about $1.4 billion in new capital will be required; and, of this total amount, arrangements are yet to be made for approximately $600 million. This raises serious difficulties for the airline industry, particularly small airlines.

The general purpose of this bill is to facilitate arrangements by expanding the full protection now given to security title and mortgage holders of aircraft to include those with security interests in aircraft engines and propellers.

Public Law 86–81. Approved July 8, 1959.

Airport construction aid

S. 1: Extends for 2 years, until June 30, 1961, the present Airport Act at the same level of annual authorizations—$63 million for fiscal 1960 and 1961.

In addition, it recognizes Alaska as a State but continues the present levels of aid to Alaska and Hawaii.

It bars aid for construction of cocktail lounges and gamerooms in terminals.

It permits the Federal Aviation Administrator, at his discretion, to allocate matching funds for terminal buildings.

Public Law 86–72. Approved June 29, 1959.

Alaska International Rail and Highway Commission

S. 498: This measure extends the life of the Alaska International Rail and Highway Commission through June of 1961. The Commission was established in 1956 to make a thorough and complete study of the need for additional highway and rail transportation facilities connecting continental United States with central Alaska, to determine: (1) economic and military advantages; (2) the most feasible and direct routes in relation to the economic benefits to the continental United States, Canada, and our new State of Alaska; and (3) the most feasible feeder routes connecting coastal ports and cities with these facilities.

The Commission is to give particular attention to the feasibility of rail and highway facilities between the Northwest region and Alaska, and to report to Congress the result of its studies, recommend routes and facilities beneficial to all concerned.

In addition, the Commission is to determine what undeveloped resources, for which there is a demand now or in the next 20 years, exist in northwest North America, to what extent, and what transport facilities would be required for their exploitation.

Public Law 86–78. Approved July 6, 1959.

Airport facilities—Interstate compacts

S. 2183: Grants the advance consent of Congress to compacts which States may enter into for the development or operation of airports. Provides that the Federal Aviation Agency may withhold funds unless the compact is entirely satisfactory and the rights and interests of the Federal Government have been completely safeguarded.

Requires that all compacts entered into must not conflict with State or Federal laws.

Public Law 86–154. Approved August 11, 1959.

Alaskan air carriers

S. 1509: Provides so-called grandfather rights for certain Alaskan air carriers.

Passed Senate July 6, 1959.

Canadian vessels—Alaska

S. 175: Extends for another year (until June 30, 1960) a waiver of the statutory requirement that vessels of U.S. registry be used in passenger or freight transportation between the United States and Alaska.

Permits Canadian-flag vessels to carry passenger and freight between Hyder, Alaska, and other ports in southeastern Alaska and foreign ports.

The waiver is necessary because the Alaska Steamship Co., an American concern, has suspended those operations described in the waiver, leaving the southeastern Alaska ports without available American transportation.

Public Law 86–126. Approved July 31, 1959.

Coast Guard supplies

S. 1367: Authorizes the Coast Guard to sell fuel and supplies to public and commercial vessels and to furnish services, in situations where the vessel is unable to obtain these items from sources at its current location and is unable to proceed to the nearest port.

Public Law 86–159. Approved August 14, 1959.

Communication Act—Booster

S. 1886: The purpose of this bill is to amend (1) section 318 of the Communications Act of 1934 to grant the Federal Communications Commission discretion to waive, if the public interest, convenience, and necessity warrants, the statutory requirement concerning the operation of transmitting equipment used in booster or rebroadcasting operations; and (2) section 319 of the Communications Act to give the Federal Communications Commission discretion if it finds that the public interest, convenience, and necessity will be served thereby, to waive the requirement of a construction permit for a booster that is engaged solely in rebroadcasting television signals if such a booster was constructed on or before the enactment of this bill.

Passed Senate September 10, 1959.

Communications amendment—Regulatory authority

S. 1740: Authorizes the Federal Communications Commission to regulate charges and services of common carriers for microwave and other point-to-point radio circuits in connection with chain broadcasting or radio communications.

Passed Senate August 19, 1959.

Drydocks insurance

S. 107: Amends title XI of the Merchant Marine Act to include floating drydocks within the definition of the term "vessel," to facilitate construction through private financing.

Drydocks eligible for this insurance are those of 35,000 or more lifting tons and a beam of 125 feet or more between the wing walls, to insure that the facilities constructed will conform to those dictated by commercial and defense needs.

Passed Senate July 28, 1959. House Calendar.

FCC documents—Elimination of oath

S. 1736: Removes the requirement of an oath or affirmation on certain reports and application forms submitted to the Federal Communications Commission in order to eliminate delays and inconveniences in processing applications.

Passed Senate August 19, 1959.

FCC—Fines

S. 1737: Grants authority to the Federal Communications Commission to impose small fines for violating the Commission's rules and regulations in the common carrier, safety, and special radio fields. It also extends the Commission's authority to remit or mitigate forfeitures.

Passed Senate August 19, 1959.

FCC speeches

S. 1735: This measure prohibits members of Federal Communications Commission from accepting a fee for speeches or publications by repealing a provision in the Federal Communications Act of 1934 which permitted acceptance of an honorarium for a service.

Passed Senate August 21, 1959.

Great Lakes vessels

H.R. 4002: Provides that six vessels purchased from the United States for exclusive use on the Great Lakes may now be operated in any manner permitted to other vessels documented under the laws of the United States.

Public Law 86–315. Approved September 21, 1959.

Highway construction—Time requirement

H.R. 4695: This measure increases from 5 to 7 years the period during which construction must be commenced on rights-of-way acquired with funds made available for Federal-aid highway systems. It also provides that this 7-year period shall apply to agreements entered into before enactment of this bill.

Public Law 86–35. Approved May 29, 1959.

Highway financing—Gas tax increase

H.R. 8678: This measure increases the taxes on gasoline, diesel fuel, and special motor fuel from 3 cents a gallon in the case of highway use to 4 cents a gallon. This is a temporary increase from October 1, 1959, to June 30, 1961.

Imposes a 1-cent floor stock tax for gasoline held on October 1, 1959, by dealers.

For fiscal years 1962–64, this bill provides that 5 percentage points of the manufacturers tax on new cars, and 5 percentage points of the tax on auto parts and accessories be diverted from the Treasury's general fund to the highway trust fund.

Decreases the Interstate Highway System authorization for fiscal 1961 from $2.5 billion to $2 billion.

Approves the latest cost estimate for completing the Interstate System as the basis for making the apportionment to the States of the funds authorized for the Interstate System for fiscal 1962, which would normally be made during calendar year 1960.

Increases the authorization for parkways for fiscal year 1960 by $2 million.

Increases the authorization for bridges over Federal dams by $3 million.

Authorizes the Secretary of Commerce to make a study of the need for extension of the Interstate System to the States of Alaska and Hawaii, and report his recommendations on the routes and mileages to Congress.

Exempts segments of the Interstate System within present boundaries of incorporated municipalities, or where the land use is now established by State law as industrial or commercial, from the application of the national standards for control of outdoor advertising.

Provides for the use of emergency relief funds for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads regardless of whether they are on any Federal-aid highway system, and permits the Federal share of the cost to be 100 percent.

Public Law 86–342. Approved September 21, 1959.

Motorboat Act—Amendment

S. 1712: Amends the Federal Boating Act of 1958 to reinstate Guam, the Virgin Islands, and the Commonwealth of Puerto Rico within the provisions of the 1940 act.

Unless the provisions of the 1940 Motorboat Act apply to motorboats and small motor vessels operating in these areas, these vessels would not be required to maintain the safety standards established by the U.S. Coast Guard.

Passed Senate August 24, 1959.

New York-New Jersey Transportation Agency

House Joint Resolution 403: Grant the consent of Congress to an interstate compact entered into between the States of New York and New Jersey relating to the creation of the New York-New Jersey Transportation Agency. It will be noted that these two States are the only ones subject to this legislation.

Public Law 86-302. Approved September 21, 1959.

Participation—Federal Airport Act

S. 2208: Permits the new States of Alaska and Hawaii to be eligible for equal treatment with the other States of the Union for an allotment of funds under the Federal Airport Act.

Under existing law, both Alaska and Hawaii now receive a fixed annual allotment of Federal matching funds for airport development—$1,350,000 a year for Alaska and $750,000 for Hawaii. In the case of all other States, Federal matching funds are apportioned on the basis of an area and population formula similar to that provided in the Federal Highway Act. Because of their prior Territorial status, neither Alaska nor Hawaii is eligible to receive any supplementary aid from the so-called discretionary fund which is now available for allocation by the Administrator of the Federal Aviation Agency for needed airport projects in the several States.

Airport construction is badly needed in both Alaska and Hawaii. Official estimates recently published by the Federal Aviation Agency indicate a potential cost of $37 million for Alaska and $20 million for Hawaii for needed airport development during the next 4 years.

By making both Alaska and Hawaii eligible for consideration for additional Federal matching funds, urgent airport needs in both areas can be met during the next 2 fiscal years without reducing the present apportioned funds available to the other 48 States.

Passed Senate July 24, 1959. House Calendar.

Political broadcasting

S. 2424: This measure amends the Communications Act of 1934 to provide that the appearance by a legally qualified candidate on any (1) bona fide newscast, (2) bona fide news interview, (3) bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or (4) on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto), is exempt from the equal-time provision of section 315(a).

Provides that Congress may reexamine this amendment from time to time to determine whether the remedy provided has proved to be effective and practicable. In order to assist Congress in making the reexamination the Federal Communications Commission is required to make an annual report to Congress setting forth the information and data used in determining questions arising from or connected with this legislation, to make recommendations considered necessary to protect the public interest, and to assure equal treatment of all legally qualified candidates for public office.

Public Law 86-274. Approved September 14, 1959.

Pregrant procedure

S. 1898: Amends the Communications Act of 1934 to eliminate the requirement that, prior to formal designation of an application for hearing, the Commission must advise the applicant and other known parties in interest of the grounds and reasons for the Commission's inability to make the finding that a grant would serve the public interest.

This measure substitutes for the present postgrant protest procedures, a new pregrant objection procedure by means of a petition to deny.

Passed Senate August 19, 1959.

Postal revenues

H.R. 4644: Authorizes the Post Office Department to credit to postal revenues commissions on pay telephones located in postal facilities and other items of revenues which otherwise would be required to be deposited by the Department in miscellaneous receipts of the Treasury.

Public Law 86-169. Approved August 18, 1959.

Reserve funds—Vessel construction

S. 2013: Extends to December 31, 1961, the time for commitment of construction reserve funds under the Merchant Marine Act.

Public Law 86-237. Approved September 8, 1959.

Rio Grande City—Toll bridge

S. 2590: Authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex.

Passed Senate September 10, 1959.

Rio Grande River—Toll bridge

S. 2531: Authorizes the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande River near Los Indios, Tex.

Passed Senate September 10, 1959.

Seamen wages

S. 1958: This measure provides that no part of the wages due or accruing to a master, officer, or any other seaman who is a member of the crew on a vessel engaged in the foreign, coastwise, intercoastal, interstate, or noncontiguous trade may be withheld pursuant to State or municipal tax laws. A vessel under the U.S. flag usually has seamen from many different States as crew members who may sign on a vessel at different ports or at different times. The burden of determining the State residence of each crew member for withholding State or local taxes would place a complex bookkeeping problem upon the steamship companies.

Public Law 86-263. Approved September 14, 1959.

Ship mortgage insurance

S. 1434: This measure amends title XI of the Merchant Marine Act of 1936 to permit steamship operators to defer placing a mortgage on a ship until such time as they can obtain the best possible interest rate, and still retain the right to be eligible for mortgage insurance. Title XI authorizes the Secretary of Commerce to insure ship mortgages if the principal amount is not over 75 percent, or in some cases 87½ percent, of the actual cost of construction, reconstruction, or reconditioning of the vessel mortgaged. At present, however, a vessel mortgage cannot be insured unless it is placed on the vessel before delivery by the shipbuilder.

This measure provides flexibility by enabling a prospective owner to use his own resources to finance a new vessel without losing the benefit of mortgage insurance during the 20-year life of the vessel. This arrangement will delay borrowings until needed, and will result in saving interest and mortgage insurance costs, a reduction in the life of the insured mortgage, a better utilization of reserve funds by subsidized operators, and greater flexibility in financing new construction.

Public Law 86-123. Approved July 31, 1959.

Shipping corporations—Citizenship

H.R. 6888: Liberalizes the requirements for the registry of vessels under the Merchant Marine Act of 1920, and the Shipping Act of 1916, relative to the number of U.S. citizens as directors of corporations owning vessels.

The net effect of this bill is to include in the definition "citizen of the United States" corporations (excepting those under title VI, Merchant Marine Act, 1936, as amended) which meet the stock ownership requirements of section 2 of the Shipping Act, 1916, which are organized under the laws of the United States or of any State thereof, and which have some alien directors, but not so many as to make possible a lawful meeting of the board of directors without a majority of the directors present being citizens of the United States.

Such corporations would then be eligible to construct, mortgage, transfer, lease, or charter vessels without permission of the Secretary of Commerce, and to avail themselves of aid under the Merchant Marine Act, 1936 (except under title VI of that act, as provided in sec. 4 of the bill). These corporations also would be eligible to participate freely in financing of vessels under title XI of the Merchant Marine Act, as amended.

The modification of corporation citizenship requirements will not make possible noncitizenship control of vessels documented and operating under the U.S. flag, nor will it relax in any way the citizenship requirements applying to corporations operating under an operating-differential contract with the Federal Maritime Board.

Public Law 86-327. Approved September 21, 1959.

SS "Meredith Victory"—Public recognition

S. 2185: Authorizes the Secretary of Commerce to issue a citation and award a plaque to the SS *Meredith Victory*, and a citation ribbon bar to each person serving on board in recognition of the gallant action of this vessel in saving the lives of over 14,000 Korean civilians by transporting them in a single voyage from Hungnam to Pusan, Korea, in December 1950, when the city was surrounded by Communist troops and under enemy gunfire.

Passed Senate August 19, 1959.

St. Marys River—Toll bridge

H.R. 3180: Revives and reenacts an act approved by Congress on December 16, 1940, and revived and reenacted in 1942, 1953, and 1956. The act authorizes the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault St. Marie, Mich., to a point in the Province of Ontario, Canada, in accordance with the Bridge Act of 1906, and subject to the approval of proper authorities in the Dominion of Canada.

Public Law 86-313. Approved September 21, 1959.

Third-class mail

H.R. 5212: Provides a minimum charge of 3½ cents a piece on third-class mail of odd sizes and shapes.

Public Law 86-56. Approved June 23, 1959.

Transportation of Explosives Act—Revision

S. 1806: The purpose of this bill is to revise and bring up to date the provisions of the Transportation of Explosives Act. It

brings the transportation of radioactive materials and etiologic agents under the jurisdiction of the Interstate Commerce Commission and extends the penalties for violations of the Transportation of Explosives Act, now applicable only to common carriers, to private and contract carriers.

Passed Senate September 9, 1959.

Vessel construction insurance

S. 2148: To facilitate ship construction financing, this measure permits the Secretary of Commerce to pay as insurance the full amount of principal and interest on an insured loan or mortgage in any case where the owner has deposited with the Secretary, in an escrow fund, an amount equal to the difference between the principal of the loan or mortgage and 75 percent (or 87½ percent in some cases) of construction costs already paid, plus interest on that amount for the escrow period.

Public Law 86-127. Approved July 31, 1959.

Vessel mortgage insurance

S. 2481: Continues the application of the Merchant Marine Act relating to the issuance of Federal ship mortgage insurance on fishing vessels transferred to the Secretary of Interior.

Passed Senate September 9, 1959.

War risk insurance

S. 1234: This measure extends, for an additional 5 years, to September 7, 1965, present authority of the Secretary of Commerce to provide war risk insurance and certain marine and liability insurance, when commercial companies will not insure on reasonable terms.

This is standby legislation designed to meet emergency needs. In the event of war between any of the four powers—United States, Great Britain, the U.S.S.R., and France—commercial policies presently being issued, or in effect, would be subject to automatic termination clauses, and U.S. vessels and cargoes could not be moved without adequate insurance coverage. The automatic termination clause in the commercial policies would apply even though the United States was not involved in such a war.

Public Law 86-120. Approved July 31, 1959.

TREATIES

Agricultural science convention

Executive C: Ratified Executive C, 86th Congress, 1st session, a protocol or amendment to the Convention on the Inter-American Institute of Agricultural Sciences, opened for signature at the Pan American Union December 1, 1958, and signed in behalf of the United States January 7, 1959.

The protocol reorganizes and strengthens the convention by reconstituting the membership of the Institute's Board of Directors to include more agricultural experts and revises the method of financing the Institute to put it on the same basis as the Pan American Union.

Ratified July 30, 1959, by a vote of 83 to 0.

Cuba—Shrimp convention

Executive F: Ratified Executive F, 86th Congress, 1st session, a protocol to the Convention on the Duties and Rights of States in the Event of Civil Strife, opened for signature at the Pan American Union on May 1, 1957, and signed in behalf of the United States on July 15, 1957.

The protocol clarifies, supplements and strengthens the principles and rules stipulated in the 1928 convention which obligates its parties to prevent the use of their territory for fomenting civil strife in the territory of another party.

Ratified July 30, 1959, by a vote of 81 to 0.

Cuba—Shrimp convention

Executive B: This convention between the United States and Cuba for the conservation of shrimp, signed at Havana on August 15, 1958, was ratified by Cuba.

The convention covers shrimp resources of common concern—principally those in the Tortugas fishery—in the waters of the Gulf of Mexico off the cost of Cuba and the Florida coast of the United States. It provides for a commission to investigate and carry out the means to develop maximum sustainable productivity of those resources.

The United States and Cuba will have an equal voice, and decisions of the Commission, established by the convention, must be unanimous. The Commission will determine necessary conservation measures and adopt regulations to give them effect. Joint costs arising from the convention will be divided on the basis of the proportion of the catch, and are estimated at about $200,000 annually.

The convention is to remain in force for 10 years and, thereafter, until terminated on 1 year's notice by either party.

Ratified June 4, 1959, by vote of 80 to 0.

Muscat and Oman—Treaty of amity

Executive A: This treaty and protocol signed at Salalah on December 20, 1958, seeks to guarantee the rights and property of Americans at Muscat and Oman, and to furnish a more comprehensive regulation of economic intercourse with that country. The treaty also provides the basis for an agreement to reopen an American consulate in the city of Muscat.

Ratified April 28, 1959.

Sugar agreement

Executive D: Ratified Executive D, 86th Congress, 1st session, dated at London December 1, 1958, an accession to the International Sugar Agreement of 1958.

Objectives of the agreement are to—

Assure supplies of sugar to importing countries and markets for sugar to exporting countries at equitable and stable prices;

Facilitate steady increases in the consumption of sugar;

Contribute to improving living conditions of consumers throughout the world;

Assist in maintaining purchasing power in world markets of producing countries or areas and especially those whose economies are dependent upon the production of or export of sugar by providing adequate returns to producers and making it possible to maintain fair labor standards; and

Further international cooperation in world sugar problems.

The agreement is for 5 years from January 1, 1959, but the quotas are effective for only 3 years and will be renegotiated in the third year together with any other changes which the International Sugar Council may recommend.

Ratified by vote of 89 to 2 on July 21, 1959.

Tax convention with Norway

Executive D: The Senate unanimously ratified a convention with Norway modifying a 1949 double taxation convention by adding a new article relating to the income tax treatment of dividends.

The new article provides for reduced rates of tax on dividends and exempts from tax dividends paid to persons other than its own citizens, residents, or corporations, by a corporation of the other country.

Each country is limited to a maximum tax rate of 15 percent on dividends paid by a corporation to a resident or corporation or other entity of the other country.

If ratifications are exchanged in 1959, the new article will apply to taxable years beginning on or after January 1, 1960.

Ratified August 12, 1959, by vote of 93 to 0.

Telegraph regulations

Executive G: The Telegraph Regulations provides an operating manual for international telegraph service by wire, cable, and radio by establishing uniformity throughout the world as to the nature and hours of service of offices, tariff and charging, transmission signals, preparation and handing in of telegrams, word counting, transmission, and delivery of telegrams.

Sixty-four nations have signed the Telegraph Regulations which enter into force on January 1, 1960.

Ratified August 12, 1959, by vote of 93 to 0.

Wheat agreement, 1959

Executive E: Ratified an extension of the 10-year-old International Wheat Agreement for another 3 years to July 31, 1962.

Primary objective of the agreement is to further international cooperation in connection with world wheat problems, recognizing the relationship of the trade in wheat to the economic stability of markets for other agricultural products. In the extension, the stated objectives include wheat flour as well as wheat. Additional objectives are:

To promote the expansion and freest possible flow of international trade in wheat and and wheat flour;

To overcome the serious hardship caused to producers and consumers by burdensome surpluses and critical shortages of wheat; and

To encourage the use and consumption of wheat and wheat flour generally and, particularly to improve health and nutrition in those countries in which increased consumption may be possible.

Ratified by vote of 92 to 1 on July 15, 1959.

Extension of International Wheat Agreement Act of 1949

S. 2449: This bill extends the International Wheat Agreement Act of 1949 to cover the International Wheat Agreement, 1959, which was ratified by the Senate on July 15, 1959.

Upon acceptance by signatory countries by July 16, 1959, as provided in the agreement, it will come into force in its organizational aspects on that date, and operationally on August 1, 1959.

The International Wheat Agreement Act of 1949, as amended, authorized the President, acting through the Commodity Credit Corporation, to make available, or cause to be made available, such quantities of wheat and wheat flour and at such prices as are necessary to exercise the rights, obtain the benefits, and fulfill the obligations of the United States under the International Wheat Agreements of 1949, 1953, and 1956, and to take certain other action necessary in the implementation of those agreements. Pursuant to this authority the Commodity Credit Corporation has made wheat available under the agreements by making export payments to commercial exporters for wheat and wheat flour exported to member countries of the agreement and by the sale of wheat acquired by the Commodity Credit Corporation under its price-support program. The rate of payment on commercial exports reflects the difference between the price of wheat on the domestic market and the selling price of such wheat under the agreement. All transactions are reported to the International Wheat Council for recording. Almost all of the U.S. transactions recorded under the 1956 agreement were made through regular commercial channels of trade.

Passed Senate September 10, 1959.

VETERANS

Adopted children

H.R. 2405: This bill amends section 101(4) of title 38 of the United States Code to enlarge the definition of the term "child." In its amended form the term would include, as an adopted child of a veteran, one who was a member of the household when the veteran died and who was adopted by the veteran's wife within 2 years after his death, unless at the time of the veteran's death an individual other than the veteran or his spouse was contributing regularly to the child's support.

Public Law 86–195. Approved August 25, 1959.

Benefits—Aliens

H.R. 3269: Extends veterans' benefits to certain alien veterans discharged prior to November 11, 1919.

Public Law 86–113. Approved July 28, 1959.

Blue Star Mothers of America, Inc.

S. 1315: This measure grants a Federal charter to the Blue Star Mothers of America, Inc., an organization dedicated to the memory of the men and women who have served the United States as members of the Armed Forces.

Membership in the organization is limited to mothers, adopted mothers, or stepmothers whose sons or daughters have served or have been honorably discharged from the Armed Forces of the United States in World War II or the Korean hostilities, or who have sons or daughters presently serving.

The members work in Veterans' Administration hospitals on a volunteer basis, visiting and helping to care for the needs of patients, and have donated more than $30,000 to these hospitals for surgical equipment.

Passed Senate April 29, 1959.

Civil War Centennial

Senate Joint Resolution 61: The purpose of this joint resolution is to amend the act of September 7, 1957, creating the Civil War Centennial Commission, to authorize the manufacture and sale of a Civil War Centennial Medal.

The 1957 act created a commission to commemorate the 100th anniversary of the Civil War. The commission, in its meeting on January 6, 1959, adopted a resolution recommending legislation granting it authority to enter into agreements with the Treasury Department to manufacture a medal in commemoration of the centennial of the Civil War. This resolution implements the commission's recommendation.

Passed Senate April 10, 1959.

Disability housing

H.R. 7373: Adds a new eligibility category to the laws providing specially adapted housing to certain severely disabled veterans. The new eligibles would be those having a permanent and total disability involving:

(1) Blindness in both eyes, having only light perception; plus

(2) Loss, or loss of use of, one lower extremity.

As a further condition of eligibility for this new group, the disability would have to be of a degree to preclude locomotion without the aid of a wheelchair.

This measure also modifies existing law by eliminating the present requirement that the loss, or loss of use of, both lower extremities must be due to amputation, ankylosis, progressive muscular dystrophies or paralysis of both lower extremities.

Specially adapted housing assistance consists of payment of 50 percent of the total cost of a specially equipped home—up to $10,000.

Public Law 86–239. Approved September 8, 1959.

Educational benefits

S. 906: Amends the Korean GI bill to provide that, in determining what constitutes a change of program of education or training, a change from the pursuit of one objective or level of education or training to the pursuit of a higher objective or level in the same field, will be considered a continuation of the veteran's original program, rather than a change to a new program, if the first program is prerequisite to, or generally required for, entrance into pursuit of the second.

Existing law permits a Korean veteran to make only one change of program throughout his entire period of education or training. Consequently, the question of what constitutes a change of program may be controlling in determining whether an education or training allowance is payable.

Public Law 86–150. Approved August 11, 1959.

Forfeiture of veterans' benefits

H.R. 7106: This measure modifies existing law by providing automatic forfeiture of rights of veterans to gratuitous benefits in all cases of conviction of certain specified offenses involving loyalty or security. Eliminates the authority of the VA to require a forfeiture based on false or fraudulent statements if the accused person resided, or was domiciled, within the United States at the time he committed the act.

Under existing law the VA has authority to forfeit the rights of veterans, widows, children and dependent parents, to all gratuitous benefits where the veteran has been guilty of mutiny, treason, sabotage, or rendering assistance to an enemy, and where a false or fraudulent statement has been made concerning any claim for gratuitous benefits.

This bill continues the existing law imposing forfeiture for false or fraudulent statements where the accused person resided, or was domiciled, outside the United States at the time of the commission of the offense.

Public Law 86–222. Approved September 1, 1959.

GI Assistance Act of 1959

S. 1138: This measure establishes a balanced program of readjustment assistance for post-Korean veterans by—

Extending from January 31, 1955, to July 1, 1963, the basic eligibility period for veterans' benefits.

Entitling, after 180 days active duty service, a veteran not dishonorably discharged to educational or vocational training at the rate of 1½ days for each day of service not to exceed 36 months in all—both college and below college level;

Providing educational grants however, after the first year, if the veteran is not in the upper half of his class, he will be considered on a loan basis; during the second year if he moves into the upper half, the loan will be forgiven;

Providing a permanent program of vocational rehabilitation to veterans with service-connected disabilities covering both post-Korean veterans and those who first entered military service between the end of World War II and the beginning of the Korean conflict;

Requiring that a veteran, to qualify for assistance, must have been discharged under honorable conditions;

Providing grants for vocational training assistance;

Providing for guarantee and direct loan assistance for homes, farmlands, livestock, and farm machinery; and

Providing a monthly allowance for full-time training of $110 a month for a veteran without dependents, $135 with one dependent, and $160 with more than one dependent.

Passed Senate July 21, 1959.

Hansen's disease

H.R. 271: Extends from 1 to 3 years the time during which a veteran suffering from Hansen's disease (leprosy) shall be presumed to have incurred the disease in active service, which, in effect, will give the veteran priority in admission to a VA hospital ahead of a veteran who suffers from this disease.

Public Law 86–188. Approved August 25, 1959.

Incompetent veterans

H.R. 6319: This measure provides that, upon the death of a mentally incompetent veteran, all gratuity benefits deposited by the Veterans' Administration in the personal funds of a patient's account held by VA hospital and regional office managers is to be paid to the surviving spouse, or to the children if there is no spouse, or the dependent parents if there is neither a surviving spouse or child.

At present these funds, at the death of the incompetent veteran, are disposed of as a part of his estate and, in some instances, paid to remote heirs.

Public Law 86–146. Approved August 7, 1959.

Missing veterans

H.R. 255: Permits the VA to pay to the wife, children, and parents of a competent veteran who disappears, the service-connected disability compensation he had been receiving prior to his disappearance. Existing law permits this apportionment in the case of incompetent veterans.

Public Law 86–212. Approved September 1, 1959.

Medical care

S. 1694: Authorizes the VA Administrator to provide hospital care or medical services abroad to veterans who are temporarily sojourning or residing abroad and who require hospital care or medical treatment for peacetime service-incurred disabilities. Under existing law, with the exception of the Republic of the Philippines, hospital care and medical treatment may be furnished to veterans who are temporarily residing or sojourning abroad for war service-incurred disabilities only.

Public Law 86–152. Approved August 11, 1959.

Multiple sclerosis

H.R. 267: Provides that multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service connected.

Public Law 86–187. Approved August 25, 1959.

VA Office—Philippines

H.R. 5447: Extends for 10 years—to June 30, 1970—the existing authority of the Veterans' Administration to maintain a regional office at Manila.

Public Law 86–103. Approved July 23, 1959.

Veterans' pensions

H.R. 7650: This measure would—

Establish a graduated scale of pension payments keyed to individual needs and the number of dependents.

Provide for—

Single veterans with incomes of $600 or less—$85; with incomes between $600 and $1,200—$70; with incomes between $1,200 and $1,800—$40.

Veterans with dependents and incomes of $1,000 or less—$90; with incomes between $1,000 and $2,000—$75; with incomes between $2,000 and $3,000—$45.

Widows with no children with incomes of $600 or less—$60; with incomes between $600 and $1,200—$45; with incomes between $1,200 and $1,800—$25.

Widows with one child with incomes of less than $1,000—$75; with incomes between $1,000 and $2,000—$60; with incomes between $2,000 and $3,000—$40.

A veteran's child with an income of $1,800 or less—$35 a month plus $15 for each additional child.

Increase the pensions paid to 70 percent of the veterans, widows, and orphans currently on the rolls.

Exclude $1,200 of the wife's income from the income computation of the veteran.

Reduce to $30 the pension of a veteran after 2 full months of hospital or domiciliary care by the Veterans' Administration.

Be effective July 1, 1960.

Public Law 86–211. Approved August 29, 1959.

War Between the States—Veterans

Senate Joint Resolution 118: Authorizes the President to issue a proclamation on the death of the last surviving veteran of the

War Between the States, and the U.S. flag is to be flown at half staff for an appropriate period.

Passed Senate July 15, 1959.

War orphans' educational assistance

H.R. 2773: Extends the provisions of the War Orphans' Educational Assistance Act to children of the Spanish-American War veterans who died of service-connected disabilities.

The existing law applies to children of veterans who died from a World War I, II, or Korean conflict service-connected disability. The assistance is in the form of a monetary allowance made available to an eligible child in pursuit of an authorized program of education beyond the secondary school level, or a program of special restorative training in cases where a physical or mental disability prevents pursuit of a conventional program of education. The allowance is $110 a month up to a total of 36 months. Age limitation is 18 to 23.

Public Law 86-236. Approved September 8, 1959.

AUTHORIZATION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORTS DURING THE ADJOURNMENT OF CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Preparedness Investigating Subcommittee of the Committee on Armed Services be allowed to file reports during the adjournment of the Congress and that they be printed as Senate documents.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES TO FILE REPORT DURING ADJOURNMENT OF CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Aeronautical and Space Sciences be allowed to file reports during the adjournment of the Congress and that they be printed as Senate documents.

The VICE PRESIDENT. Without objection, it is so ordered.

PRINTING OF MATERIAL IN RECORD FOLLOWING SINE DIE ADJOURNMENT

Mr. DIRKSEN. Mr. President, earlier in the day I secured unanimous consent to insert in the RECORD a minority report and to have it printed as a document. I should like to make inquiry as to how long the RECORD will be open for that purpose.

The VICE PRESIDENT. The Joint Committee on Printing makes that decision.

Mr. DIRKSEN. May I inquire further how long the RECORD will be open for the extension of remarks by all Members of the Senate, if they so desire?

The VICE PRESIDENT. The Joint Committee on Printing also makes that decision.

COMPARATIVE SUMMARIES OF APPROPRIATIONS

Mr. DIRKSEN. Mr. President, on August 21 the majority leader secured consent to have printed on the back page of the RECORD summary tables on appropriations, and also on so-called backdoor spending.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. I did not make any request with regard to appropriations.

Mr. DIRKSEN. That is correct; it was table No. 2.

Mr. JOHNSON of Texas. In view of the many questions raised from time to time about backdoor financing and sidedoor financing, I asked that facts be submitted concerning the request and the action by the House and the Senate, and that approval was given.

Mr. DIRKSEN. It was a very proper request under the rule, of course. Perhaps, one could, however, take exception to some of the findings in the table.

Mr. JOHNSON of Texas. All the figures were supplied to us or verified by the Director of the Budget.

Mr. DIRKSEN. I understand. I would find it difficult to get another table on the back page of the RECORD. I presume in normal parlance the ultimate page is the back page. So I would have to assume that the penultimate is the next to the back page.

Mr. JOHNSON of Texas. Why should the Senator want to do that? Does he not trust his own Director of the Budget? Why should he want another page?

Mr. DIRKSEN. I thought the table with some explanation would be informative, indeed, to get all the facts before the public.

CONGRESSIONAL RECORD TABLES ON THE BUDGET

As I have said, on August 21 the majority leader of the Senate arranged to insert on the back page of each day's CONGRESSIONAL RECORD a table II, designed to show "backdoor spending" by the Congress. This was a commendable effort to supplement the regular table I which, in past years, appeared monthly on the back page of the RECORD but this year has been appearing daily, showing actions by the Congress in the current session on appropriation bills.

The impression that the reader presumably could get is that the two tables taken together show the effect on the President's current budget, since they are conveniently totaled into a single amount of "decrease."

Unfortunately, however, these tables do not present fully the increases or decreases made by the Congress in the President's budget requests and the changes in Government spending resulting from congressional action or inaction.

TABLE I

Table I is incomplete and inaccurate in several respects.

For one thing, it reports "decreases" in appropriations which actually are merely deferments and which must be restored in the future. Such decreases include $100 million for restoration of capital impairment for the Commodity Credit Corporation; $179 million for capital for the Defense Production Act fund; $24 million for the purchase of foreign currencies for civilian programs; and $500 million for 1961 requirements of the Development Loan Fund.

Next, it does not include authorizations to expend from debt receipts, the principal item of which is $33 million for the Department of Agriculture.

It includes 1959 supplemental appropriations, some of which were made necessary by the fact that the Congress made budget reductions last year which did not stick because they were merely deferments or because the items were uncontrollable.

Strangely enough, the table claims a budget reduction on the appropriation for the Congress. This is one request that the President must by law include in the budget in full as requested by the Congress, and it is ironic to charge against the President the cuts which the Congress then makes in its own requests.

Considering all these things, the least that ought to be done is to deduct from the total of "decreases" the cuts which are merely postponements of action and those which do not relate to 1960. This would change the result very materially.

TABLE II

Table II is wrong in several respects.

First, table II compares unlike figures. For example, if the President requests $500 million for a program to cover a 5-year period and Congress grants $400 million of the request for a 2-year period, it is absurd to indicate that Congress has reduced the request by $100 million. Unless the program is to expire, additional funds will certainly be required for the remaining 3 years. A proper comparison would state the President's request for the 2 years for which Congress acted and would show that the request for those 2 years had actually been doubled—not reduced at all.

A table is attached which corrects the information given in table II on the back of the CONGRESSIONAL RECORD by putting the figures on a comparable basis. It shows that the Congress has actually increased the President's requests in this table by $381 million for the years on which it has acted, instead of reducing them $799 million. Actually, $1,100 million of this difference is because the Congress did not provide any of the requested authority for the urban renewal program for the fiscal years 1961 to 1965. It is completely unrealistic to think the Congress intended for this program to end in the fiscal year 1960 and will not ultimately provide additional spending authority for those years.

Next, table II fails to show substantive measures enacted by Congress which require the President to make subsequent requests for funds. For example, the recently enacted veterans' pension bill (H.R. 7650) will force the President to request $308 million in the next fiscal

year, which is $208 million more than he had proposed. Yet it shows nowhere. Neither does the authority for additional public housing units contained in the Housing Act of 1959 (S. 2539), which would require an estimated $719 million in added funds in future requests. A complete analysis of congressional actions would necessitate a table III for such items.

And while we are attempting to show what Congress does or does not do, in relation to the budget, there is the matter of failure of the Congress to act on the President's revenue proposals. Table III ought to show, for example, that inaction by the Congress on the request for increased postage rates will increase the net budget expenditures by $350 million this year.

We are confident that the majority leader will want the whole story to appear, and, to assist him, we will have a table III prepared for this purpose.

Mr. JOHNSON of Texas. Does the Senator from Illinois contend that we do not have on the back page the facts as supplied or verified by the Director of the Budget?

Mr. DIRKSEN. The facts are sometimes a matter of interpretation.

Mr. JOHNSON of Texas. Does not the Director of the Budget interpret them correctly?

Mr. DIRKSEN. That is a question. So if there is to be an interpretation, I should like to have published on the penultimate back page of the RECORD tables which I shall submit in accordance with the remarks which I offer now for the RECORD.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I do not want those tables to interfere with the present compilations there. I have no objection to their being printed in the RECORD, but will the Senator from Illinois tell me who compiled them?

Mr. DIRKSEN. They were compiled by the Budget Bureau and sent to me today.

Mr. JOHNSON of Texas. Would the Budget Bureau compile one set for the majority leader and another set for the minority leader?

Mr. DIRKSEN. I am sure they would not; but, as I have indicated, Mr. President, the question is one of interpretation and accent. I presume this would be useful and most informative, so I would submit table No. 2 and table No. 3, or they might be table No. 3 and table No. 4, for the penultimate page of the RECORD.

Mr. JOHNSON of Texas. I should have no objection to that at all, provided they were clearly labeled as being separately compiled by the Director of the Budget. I want it thoroughly understood in connection with the request that the tables appear at the point indicated, that all the information on the Bretton Woods Agreement, housing, aid to airports, and the Veterans Housing Loan Act, involving work requests, is all information which came from or were verified by the Director of the Budget. We have no objection to its being duplicated; or if there is a difference in any item, that that be printed in the RECORD.

Mr. DIRKSEN. They do come from the Budget Bureau, Mr. President. They are dated September 4, 1959. I am of the opinion that they will serve a most useful purpose.

Mr. JOHNSON of Texas. Does the Senator from Illinois care to give us the results on whether or not Congress has exceeded the President's request with regard to new obligational authority, the so-called back-door financing?

Mr. DIRKSEN. I would submit table No. 2, which is styled new obligation authority provided outside the appropriation process—so-called back-door financing. This would cover Bretton Woods, the Housing Act, aid to airports, and veterans' housing. It would show, in one column, President's request.

Mr. JOHNSON of Texas. What amount was shown for that?

Mr. DIRKSEN. $5,220 million.

Mr. JOHNSON of Texas. The figure submitted to the Senator from Texas was about $6,400 million.

Mr. DIRKSEN. At this good hour of the morning, I would not account for the difference.

Mr. JOHNSON of Texas. What was the amount of increase or decrease made by Congress?

Mr. DIRKSEN. The amount of difference would be plus $381 million.

Mr. JOHNSON of Texas. That is quite a difference from the minus $699 million supplied to us.

Mr. DIRKSEN. That simply proves the point that interpretation and refinement are really great things.

Mr. JOHNSON of Texas. What does the Senator's request show on appropriations?

Mr. DIRKSEN. I submit no appropriations table.

Mr. JOHNSON of Texas. I have one that I should like to submit for the information of the Senate. The 86th Congress, 1st session, handled 17 appropriation bills.

The President requested $1,881,410,093 more than Congress was willing to appropriate.

Mr. President, I ask unanimous consent that immediately following the table offered by the Senator from Illinois, a table supplied to me this evening, after the mutual security bill was agreed to in conference, be printed in the RECORD.

Mr. DIRKSEN. Mr. President, I make the request that the two tables to which I referred, one of them table 2, and the other table 3, be printed on the penultimate page, since, as I have indicated, there is no room on the ultimate page.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on the same page a table of appropriation bills be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

PERSONAL STATEMENTS BY SENATOR JOHNSON OF TEXAS AND SENATOR DIRKSEN

Mr. JOHNSON of Texas. Mr. President, I thank the Senate for their indulgence. I wish all Senators a happy vacation, a vacation which is well earned.

Mr. DIRKSEN. Mr. President, I am deeply grateful to every Senator. Each one has been generous beyond measure. There has been a cohesive spirit. There has been an energy about your endeavors all through the session.

To the majority leader, I say what I said this afternoon when we had a reception and I presented him to the gathering. I have great affection for him. I have great admiration for him, for his skill, and for his ability.

I said today that he brings to mind, in his colorful career, the Blue Bonnet of Texas; in his bigness of outlook, the very size of his State; in the energy with which he attacks his tasks, I think of the qualities of the Texas steer; and in his spirit of dedication, that same thing which set on paper by the great Texan, a young lawyer, as I recall, only 27 years old, Col. William Travis, who was commanding the Alamo with 140 men against the 4,000 of Santa Anna. When he knew his ultimate fate, he wrote a message which was preserved for posterity. In that message he said: "For God and Texas. Victory or death."

I think LYNDON JOHNSON can say, and can say humbly and in truth: "For God and country."

I wish him well. [Applause.]

RESOLUTION FOR ADJOURNMENT SINE DIE

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate, House Concurrent Resolution 440, providing for the sine die adjournment of the 1st session of the 86th Congress, and request its immediate consideration.

The VICE PRESIDENT. The Chair lays before the Senate House Concurrent Resolution 440. Is there objection to its present consideration?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JOHNSON of Texas. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. In line 3, it is proposed to strike out "Monday, September 14," and to insert in lieu thereof "Tuesday, September 15."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. For reasons which I have expressed at some length in previous speeches, I shall vote against adjournment.

Mr. JOHNSON of Texas. Mr. President, I shall take only a minute.

I have served with four great Republican leaders, with none of whom was I unable to work at any time. They were good men and great men. But I need not tell the Senate the admiration and the affection I feel for the Senator from Illinois [Mr. DIRKSEN]. I appreciate what he has said about me.

I recall a letter I received during the heat of the debate on the labor bill; it came from one of my constituents. He reminded me that the men at the Alamo had drawn a line, and that Colonel Travis had crossed that line. My constituent asked me to stand up and be counted and cross the line, too. I wrote back to him, and told him that I expected to do that, but that I would like to remind him that it was Colonel Travis who drew the line, and to remember what happened to Colonel Travis.

Mr. President, sometimes I think that is what has happened to me here. [Laughter.]

But because of the indulgence of all Senators and their understanding, I know of no first session of any Congress that has worked longer or harder or has produced more good and enduring legislation than has this session.

To my eloquent, charming, and dedicated public-servant friend, the minority leader [Mr. DIRKSEN], I express my thanks.

And to all Members of the Senate, I say goodby until we meet again. [Applause.]

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas to the concurrent resolution.

The amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the concurrent resolution, as amended.

The concurrent resolution (H. Con. Res. 440), as amended, was agreed to.

The title was amended so as to read:

A concurrent resolution establishing that when the two Houses shall adjourn on Tuesday, September 15, 1959, they stand adjourned sine die.

Mr. JOHNSON of Texas. Mr. President, I do not anticipate any possibility that the House will not agree to the amendment the Senate has added to the concurrent resolution, namely, to strike out "Monday, September 14", and to insert "Tuesday, September 15."

I would remind the Senate that we shall have to await the action by the other body, before we shall have adjourned.

So Senators who are weary may go along. I do not anticipate any rollcalls. [Laughter.]

I will remain here with the minority leader, and will wait for the event to happen.

Mr. President——

The VICE PRESIDENT. The Senator from Texas has the floor.

RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

The VICE PRESIDENT. Is there objection?

There being no objection, at 6 o'clock and 3 minutes a.m. the Senate took a recess, subject to the call of the Chair.

At 6 o'clock and 21 minutes a.m., the Senate resumed its session, and was called to order by the Vice President.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 440) establishing that when the two Houses shall adjourn on Tuesday, September 15, 1959, they stand adjourned sine die.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING (by request):

S. 2717. A bill for the relief of Mrs. Floriana Vardjan; and

S. 2718. A bill for the relief of Miss Mercedes Figueroa; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2719. A bill to permit citizens who are denied the right to vote in Federal elections on account of their race, religion, color, or national origin to be registered to vote in such elections by a Federal registrar; to the Committee on Rules and Administration.

S. 2720. A bill to authorize the Commission on Civil Rights to collect information concerning programs and procedures used to effectuate desegregation of public schools and to make such information available to the States and political subdivisions thereof, and to render advisory and conciliation services to assist the States and political subdivisions thereof; and

S. 2721. A bill to amend the Civil Rights Act of 1957 so as to protect the rights of individuals to register and vote in national elections; to the Committee on the Judiciary.

S. 2722. A bill to provide for the preservation of all registration and voting records for a period of 5 years after the making thereof; to the Committee on Rules and Administration.

(See the remarks of Mr. MORSE when he introduced the above bills, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. JAVITS, and Mr. KENNEDY):

S. 2723. A bill to provide for the participation of the Secretary of Labor in peril point and escape clause proceedings before the Tariff Commission in cases in which foreign products have a competitive advantage over domestic products because the imports are produced under unfair labor conditions, and for other purposes; to the Committee on Finance.

By Mr. KUCHEL:

S. 2724. A bill for the relief of Tomislav (Tommy) Klaricic; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2725. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of foreign excess property for educational and health purposes in certain cases; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 2726. A bill to exempt from taxation certain property of the American War Mothers, Inc.; to the Committee on the District of Columbia.

By Mr. COOPER (for himself, Mr. JAVITS, Mr. MCNAMARA, Mr. KENNEDY, Mr. CASE of New Jersey, and Mr. MORSE):

S. 2727. A bill to make the Committee on Education established by the Act of July 26, 1954, advisory to the President and available to the States for consultation on means of improving the quality of education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 2728. A bill to amend the National Security Act of 1947 to provide for more unified administration and control of the military departments of the Department of Defense; to provide for the conduct of research, development and procurement activities of the Department of Defense with greater efficiency and economy; and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 2729. A bill to provide for the establishment of Federal-State Land Study Commissions in the several States, and a National Land Study Board of Review; to the Committee on Interior and Insular Affairs.

By Mr. COOPER:

S. 2730. A bill to establish an Interagency Committee on Underdeveloped Regions in the United States; to the Committee on Public Works.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself and Mr. CURTIS):

S. 2731. A bill to provide for the revestment of certain lands or interests therein acquired for the Naval Ammunition Depot, Hastings, Nebr., by the reconveyance of such lands or interests therein to the former owners thereof; to the Committee on Armed Services.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself and Mr. BARTLETT):

S. 2732. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of foreign excess property to medical institutions, hospitals, clinics, health centers, schools, colleges, and universities; to the Committee on Government Operations.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2733. A bill to increase old age, survivors, and disability insurance benefits, and for other purposes;

S. 2734. A bill to amend title II of the Social Security Act to eliminate the require-

ment that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits;

S. 2735. A bill to extend coverage under the Federal old-age, survivors, and disability insurance system to self-employed physicians;

S. 2736. A bill to provide for an additional "dropout" of low earnings in the calculation of benefits under the old age, survivors, and disability insurance program; and

S. 2737. A bill to amend title II of the Social Security Act to effectuate recommendations made by the Advisory Council on Social Security Financing with respect to the investment of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund; to the Committee on Finance.

(See the remarks of Mr. HART when he introduced the above bills, which appear under a separate heading.)

By Mr. COOPER:

S. 2738. A bill to amend the definition of the term "child" as defined in title 38 of the United States Code so as to include in such definition a child who, after attaining age 18 and while a member of the veteran's household, became permanently incapable of self-support; to the Committee on Finance.

DONATION OF FEDERAL SURPLUS PROPERTY TO VOLUNTARY ORGANIZATIONS ENGAGED IN HEALTH AND EDUCATION WORK OVERSEAS

Mr. HUMPHREY. Mr. President, I ask unanimous consent, out of order, to introduce, for appropriate reference, a bill to establish sound procedures to encourage the donation of excess U.S. Government property for educational and health purposes in foreign countries.

The present law unfortunately restricts the donation of foreign excess property in such a way as to greatly hamper the effectiveness of the program.

The purpose of the legislation which I am offering at the present time will be to permit this property to be donated where it would do the most good.

I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks (a) the text of the bill and (b) the testimony of the Reverend Frederick A. McGuire before a special subcommittee of the House of Representatives Committee on Government Operations.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and testimony will be printed in the RECORD, as requested by the Senator from Minnesota.

(See exhibits A and B.)

The bill (S. 2725) to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of foreign excess property for educational and health purposes in certain cases, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Government Operations.

LET US HELP ENABLE PRIVATE ORGANIZATIONS TO CARRY ON THEIR GREAT JOB OVERSEAS

Mr. HUMPHREY. Mr. President, on July 23, 1959, an important hearing was held before the Special Subcommittee on Donable Property of the House Committee on Government Operations.

This subcommittee heard testimony on three bills: H.R. 8182, 8202, and 8209. Purpose of these bills is soundly to amend the Federal Property and Administrative Services Act of 1949, so as to permit the donation of foreign excess property for educational and health purposes in certain cases.

FINE WORK OF CONGRESSMAN M'CORMACK

The chairman of the subcommittee is one of the most distinguished Members of the House of Representatives, a man whose services to this Republic have been so numerous that it would be difficult within a short space to attempt even to summarize them. I refer to the House majority leader, the Honorable JOHN W. MCCORMACK, of Massachusetts. Congressman MCCORMACK heard testimony from the Honorable Perkins McGuire, Assistant Secretary of Defense (Supply and Logistics), and from Father Frederick A. McGuire, executive secretary of the mission secretariat at the National Catholic Welfare Conference.

DEPARTMENT OF DEFENSE APPROVAL

The Department of Defense is the Federal agency which, because of the size and scope of its inventory holdings, provides the dominant portion of Federal property under the donable property program. Assistant Secretary McGuire pointed out on July 23 that—

> A well-operated donable property program is of definite assistance to the Department of Defense in the management of its materiel inventories.

He pointed out further that:

> The cost of holding obsolete material in storage is significant and any reduction in processing time is important not only from the viewpoint of reduced cost but also because our military readiness is adversely affected by accumulations of materiel which might impede emergency operations.

Further he stated that:

> The administrative cost within the Department of Defense to process materiel for donation is considerably less than the cost of preparing and advertising materiel for sale.

NEED FOR AMENDMENT TO HOUSE BILLS

At the same time, Assistant Secretary McGuire pointed out the judgment of the executive branch on the need for certain amendments to these three bills.

One of these amendments would clearly specify orderly channels through which procedures would be established under the direction of the President before any surplus property is donated.

TRIBUTE TO PRIVATE GROUPS

As chairman of the International Health Study of the Senate, I have followed this House legislation with deep interest. I have done so because I recognize that private voluntary organizations—lay and spiritual—working overseas have rendered enormous contributions to the health of the people of the world.

Anything which can be reasonably further done to enable these private organizations to do a still better job overseas is, in my judgment, within the national interest.

Certainly the sound donation of property which cannot any longer be used with profit by a Federal Government agency is in the national interest.

I am thinking now, for example, of America's great religious organizations. With dedication, zeal, and sacrifice, they have given of themselves selflessly in serving education and health needs overseas. Their work is truly God's work.

Let me say that leaders of America's churches are cooperating very closely with our Senate health study. They are, for example, graciously compiling documentation as to the enormous extent to which our churches have served the cause of health overseas.

PURPOSE OF TODAY'S AMENDMENTS

In order to help expedite consideration of the legislation on donable contributions. I asked the Senate subcommittee staff to contact the General Services Administration. We asked it to prepare amendments which would help carry out the suggestions referred to in Assistant Secretary McGuire's testimony. I am introducing a bill to carry out the suggested changes—this bill represents a rewriting of H.R. 8182.

Under date of September 11, Mr. Franklin Floete, Administrator of GSA, sent to me a revised draft which would amend H.R. 8182 and is also applicable to the other two House bills.

In addition to incorporating two amendments suggested in the GSA report on those bills, the bill broadens the scope of eligible donations "to include public as well as private organizations in foreign countries." It seeks to comply with the suggestions made in House hearings.

This proposed change was one of those which had been recommended by the Bureau of the Budget in its report on the bills.

In other words, what this bill does is to carry out the best judgment of the administration in helping to make as effective as possible this legislation. Now it will be up to the Congress to evaluate the original legislation in its own light and in the light of these suggested amendments.

EARLY CONSIDERATION NEXT YEAR

I know that this matter will receive the earnest consideration of the Senate Committee on Government Operations and of its distinguished chairman [Mr. MCCLELLAN] in the next session of the Congress.

I know, too, that we can count on Congressman MCCORMACK and on the House Committee on Government Operations, likewise, to move ahead in this very important subject. What we all want is sound legislation and sound administration. We definitely do not want excessive redtape in donation procedure, but

neither do we want inadequate procedures.

EXCERPTS FROM COMMENTS BY FATHER M'GUIRE

Few, if any, people could summarize the fundamental case for this legislation better than Father McGuire. There follow, therefore, excerpts from his expert testimony on July 23, 1959.

SAFEGUARDS OF TAXPAYERS' INTERESTS

Let it be noted again in conclusion that this legislation establishes careful safeguards, so as to make sure that the interests of America's taxpayers are not in the least bit slighted. No donations will be made carelessly under this legislation. On the contrary, they will be made under systematic procedures which, we hope, will serve the interests of America's taxpayers and our deep-felt humanitarian interests as well. As such, it is my hope that the legislation will have the approval of such great organizations as the National Catholic Welfare Conference, National Council of Churches, and American Jewish Joint Distribution Committee.

If further amendments are necessary to this legislation, I will be happy to prepare them in order to help achieve our goals, the goals of Congressman McCORMACK, Congressman MONAGHAN, other legislators, and interested public and private organizations.

EXHIBIT A

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 401 of the Federal Property and Administrative Services Act of 1949 is amended by striking the word "Each" at the beginning thereof and inserting in lieu of said word the following: "Subject to the provisions of section 405, each".

SEC. 2. The first sentence of section 402 of the Federal Property and Administrative Services Act of 1949 is amended by inserting immediately before the period at the end thereof the following: ", or (c) by donation under section 405".

SEC. 3. Title IV of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new section:

"DONATION OF FOREIGN EXCESS PROPERTY

"SEC. 405. Under such regulations, not inconsistent with policies prescribed by the President pursuant to section 404, as the head of such executive agency as may be designated by the President may prescribe, the head of such executive agency may donate without cost (except for costs of care and handling) for use in a foreign country for educational or health purposes any foreign excess property held by any executive agency, which the head of the agency designated by the President determines (1) is not required for the discharge of the responsibilities of any Federal agency in its operations or programs outside the United States, Puerto Rico, and the Virgin Islands, and (2) is suitable for use of such educational or health purposes, to any nonprofit, charitable, or eleemosynary public or private organization which carries on health of educational activities in such foreign country and is in need of such property for carrying on such activities. The head of such agency designated by the President may impose, and make appropriate provision for the enforcement of terms, conditions, reservations, and restrictions on the use of property donated under this section. No such property shall be donated for use within any foreign country except to the agency designated by such foreign country for the purpose of equitable distribution, in conformity with the provisions of this section, of property donated under this section for use in such foreign country. No property shall be transferred to any such foreign agency until the head of the executive agency designated by the President has received from such foreign agency a certification that such property is usable and needed for educational or health purposes in the foreign country, and until the head of such executive agency designated by the President has determined that such foreign agency has conformed to minimum standards of operation prescribed by the head of the executive agency designated by the President for the disposal of property under this section."

SEC. 4. The Federal Property and Administrative Services Act of 1949 is amended by inserting in the table of contents appearing in the first section of such Act, immediately after the line in which "Sec. 104" appears, the following:

"Sec. 405. Donation of foreign excess property."

EXHIBIT B

EXCERPTS FROM HEARINGS BEFORE HOUSE OF REPRESENTATIVES GOVERNMENT OPERATIONS SUBCOMMITTEE, JULY 23, 1959

Mr. MCCORMACK. The next witness is Rev. Father Frederick A. McGuire, the executive secretary of the Mission Secretariat at the National Catholic Welfare Conference.

We will be very glad to hear from you, Father.

STATEMENT OF FATHER FREDERICK A. M'GUIRE, EXECUTIVE SECRETARY OF THE MISSION SECRETARIAT, NATIONAL CATHOLIC WELFARE CONFERENCE

Father MCGUIRE. My name is Frederick A. McGuire, and I am the executive secretary of the Mission Secretariat at the National Catholic Welfare Conference. The Mission Secretariat is a bureau established by the Roman Catholic bishops of the United States to coordinate the work of all Catholic U.S. foreign missionaries.

I wish to speak in favor of H.R. 8182, 8202, and 8209. I believe this bill which seeks to amend the Federal Property and Administrative Services Act of 1949 would benefit the U.S. foreign policy and would make possible a definite increase in educational and health services now provided in many oversea areas by missionary groups of many denominations.

It is well known that private nonprofit organizations, operated by a variety of religious denominations and other charitable but nonaffiliated organizations, conduct extensive educational and health activities among the indigenous peoples of many lands. Financial aid for the maintenance of these operations comes in great part from the voluntary donations of the American people. There is, obviously, a limitation to the amount of funds available for such work. Any additional help to these agencies will not only expand the scope of these charitable endeavors, but most certainly will create a reservoir of good will for our country.

Under the law as presently written and despite the disposal program of the Department of Defense, very little in the way of surplus property has been made available to these charitable agencies.

If H.R. 8182 should be passed into law, I believe a significant increase in donations of surplus property would come about and as a result there would be a significant enlargement of services to the needy without regard to race, color, or religion.

That is, briefly, Mr. Chairman, my statement. I would, if I might be permitted, give some examples along this line.

Mr. MCCORMACK. I think Congressman MONAGAN would like to ask a question at this point.

Mr. MONAGAN. Thank you, Mr. Chairman.

Father, I am just wondering about the practical application that you could make. You have had experience, I believe, in the missionary field. I thought perhaps you could tell in some way the impact that such a program as we are proposing might have.

Mr. MCCORMACK. Just give us an idea of your experience in the field.

Father MCGUIRE. I spent 18 years in the Far East, in China mostly, and traveled all around. During the past 10 years I have been touring a number of places—Africa, and through South America, and the islands of the Pacific. So I happen to know what the problems are not only of Catholic missionaries, but all other religious denominations.

It was my privilege to direct the welfare activities from 1946 through the take-over in 1949 of Shanghai of the Catholic welfare and worked in close coordination with the United China Relief, the Mennonite Service Committee, the American Red Cross, and so forth. So I know the problem brought up by Mr. McGuire about the charges and costs.

In 1946 in the warehouses of Shanghai they were bulging with UNRRA supplies. There were certain supplies available there which the UNRRA authorities wanted to make available to the voluntary agencies—all of them. Under the stipulations of their law as written for them then, they had to charge the voluntary agencies for the past storage costs. The impact of such donations in many places was great.

At the end of the war in Ghana, the Gold Coast, the Army had great supplies of attabrine and antimalarial drugs, which they did not want to return to this country. They turned it over there to the missionaries. That attabrine actually kept the young men and the young women in school for the next 5 years, because it was almost 100 percent malaria in that part of the world among the young people. I know this because I received a letter in 1950 from a man out there near Atsimoto in the secondary school asking if I could not provide some antimalarial drug somehow or other, so these people could continue to go to school. If they did not have that drug, at least 3 out of 5 days in class they were not present.

Down in the islands of Oceania and New Guinea and these islands there, which suffered so badly in the last war as a result of the bombings and invasions, a great deal of surplus was just left there on the bases. The metal from the old airplanes and old quonset huts is the metal there now which forms the support for the concrete works for the schools which have been built since that time.

In the Carolines and Marshalls, which would be an area affected by this provision, you had great destruction through there. Actually the missionaries, Protestant and Catholic alike, are carrying on the burden of education and health services in these trusteeship islands, which are the direct responsibility of the American Government. Presently it is not possible to hand over the surplus which exists largely on Guam, in that particular area, to these islands for the education and health services. This amendment would provide for that.

In the Philippine Islands, talking about surplus property, on the present stipulation of it having no commercial value, I must say that everything in the Philippine Islands has commercial value. Take a bundle of old clothes—old, ragged, torn clothes. If you put that up for bid somebody will bid it in. Some little merchant will bid it in and re-

furbish the stuff and sell it. But actually, if it were given to the voluntary agencies and the children in the schools, or to the hospitals, which are so badly in need in the outislands of this area, it is much more practical and in the long run would give a greater impact to the friendship which we so badly need in many parts of the world today.

Mr. McCORMACK. Any further questions, Mr. Monagan?

Mr. MONAGAN. No, sir.

Mr. McCORMACK. Mr. BARRY?

Mr. BARRY. No, sir.

Mr. McCORMACK. I think you have made a very excellent presentation, Father. I do not know of any questions to ask you. Of course, we have pretty preconceived ideas, because this bill was originated among the three of us, and we have had many conferences prior to this hearing. So we are well acquainted with not only the provisions of the bill, but the objectives that we have in mind to try to help poor, suffering human beings wherever we can, and to hold out some hope for them.

We recognize the importance of the missionary without regard to religion. It is having that in mind that we thought about extending the Donable Property Act, with which I am very familiar, having introduced the legislation several years ago that is now on the statute books with relation to domestic United States, and which, of course, has done an awful lot of good.

What is the latest available figure we have, Mr. Ward?

Mr. WARD. On the entire donation program?

Mr. McCORMACK. Yes.

Mr. WARD. About $360 million for fiscal 1959.

Mr. McCORMACK. Of acquisition value. We are sort of projecting and extending it abroad wherever we possibly could. So the members of this committee are very conversant with this and your testimony has been very valuable. Thank you very much.

Father McGUIRE. Thank you, sir.

PROPOSED LEGISLATION TO IMPLEMENT THE SOCIAL SECURITY LAW

Mr. HART. Mr. President, for some of us, we approach the end of this session with considerable regret and disappointment that we have not acted upon improved social security. Many of us had hoped that at the very minimum hospitalization and medical care for the aged would have been approved this session. Action on this measure must now wait until next year.

There are, in addition, Mr. President, many other desirable improvements in our social security system which I hope Congress will approve during the next session. Virtually all of them are now in bill form before the House. In my studies of deficiencies in the present system, Mr. President, I have selected five of these measures, apart from the hospitalization bill, which apparently have not been introduced in the Senate. Recognizing that the House has always acted on social security measures first, Mr. President, I am submitting them at this time in the hope that my colleagues in the Senate will study them during this fall adjournment so that we will be in a better position to act speedily on these urgently needed improvements on behalf of the aged, the disabled, and the dependent when we reconvene in January.

These five measures would amend the social security laws to provide the following:

First. Increase regular benefits by an average of about 13 percent.

Second. Eliminate the arbitrary 50-year age limitation on benefits for the totally disabled.

Third. Bring physicians under the system as self-employed persons.

Fourth. Authorize 1 additional year of poor earnings to be dropped out for every 7 years of coverage in determining benefits.

Fifth. Effectuate the recommendations of the Advisory Council on Social Security Financing by improvements in the trust fund investment provisions.

I ask that the text of the bills be printed in the RECORD at this point.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. HART, were received, read twice by their titles, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2733. A bill to increase old-age, survivors, and disability insurance benefits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 215(a) of the Social Security Act, as amended, is amended by striking out the table for determining primary insurance amount and maximum family benefits and inserting in lieu thereof the following new table:

"Table for determining primary insurance amount and maximum family benefits

"I		II	III		IV	V	"I		II	III		IV	V
"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)	"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
"If an individual's primary benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	"If an individual's primary benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—			"At least—	But not more than—		At least—	But not more than—		
	$11.00	$35 or less		$60	$40	$60.00	$23.09	$23.44	$57 or less	$97	$98	$65	$97.50
"$11.01	11.48	36	$61	62	41	61.50	23.45	23.76	58	99	99	66	99.00
11.49	12.00	37	63	63	42	63.00	23.77	24.20	59	100	101	67	100.50
12.01	12.48	38	64	65	43	64.50	24.21	24.60	60	102	102	68	102.00
12.49	13.00	39	66	66	44	66.00	24.61	25.00	61	103	104	69	103.50
13.01	13.48	40	67	68	45	67.50	25-01	25.48	62	105	105	70	105.00
13.49	14.00	41	69	69	46	69.00	25-49	25.92	63	106	107	71	106.50
			70	71	47	70.50				108	108	72	108.00
14.01	14.48	42	72	72	48	72.00	25.93	26.40	64	109	110	73	109.50
14.49	15.00	43	73	74	49	73.50	26.41	26.94	65	111	114	74	111.00
15.01	15.60	44	75	75	50	75.00	26.95	27.46	66	115	118	75	112.50
15.61	15.20	45	76	77	51	76.50	27.47	28.00	67	119	122	76	114.00
16.21	16.84	46	78	78	52	78.00	28.01	28.68	68	123	126	77	115.50
16.85	17.60	47	79	80	53	79.50	28.69	29.25	69	127	131	78	117.00
17.61	18.40	48	81	81	54	81.00	29.26	29.68	70	132	135	79	118.50
			82	83	55	82.50	29.69	30.36	71	136	139	80	120.00
18.41	19.24	49	84	84	56	84.00				140	143	81	121.50
19.25	20.00	50	85	86	57	85.50	30.37	30.92	72	144	147	82	123.00
20.01	20.64	51	87	87	58	87.00	30.93	31.36	73	148	151	83	124.50
20.65	21.28	52	88	89	59	88.50	31.37	32.00	74	152	155	84	126.00
21.29	21.88	53	90	90	60	90.00	32.01	32.60	75	156	159	85	127.50
21.89	22.28	54	91	92	61	91.50	32.61	33.20	76	160	164	86	131.20
22.29	22.68	55	93	93	62	93.00	33.21	33.88	77	165	168	87	134.40
22.69	23.08	56	94	95	63	94.50	33.89	34.50	78	169	172	88	137.60
			96	96	64	96.00				173	176	89	140.80

"Table for determining primary insurance amount and maximum family benefits—Continued

"I		II	III		IV	V	"I		II	III		IV	V
"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)	"(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
"If an individual's primary benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—	"If an individual's primary benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
"At least—	But not more than—		At least—	But not more than—			"At least—	But not more than—		At least—	But not more than—		
$34.51	$35.00	$79 or less	$177	$180	$90	$144.00			$115 or less	$341	$345	$130	$276.00
35.01	35.80	80	181	184	91	147.20			116	346	349	131	279.20
35.81	36.40	81	185	188	92	150.40			---	350	353	132	282.40
36.41	37.08	82	189	192	93	153.60			117	354	357	133	285.60
37.09	37.60	83	193	196	94	156.80			118	358	361	134	288.80
37.61	38.20	84	197	201	95	160.80			119	362	365	135	292.00
38.21	39.12	85	202	205	96	164.00			120	366	369	136	295.20
39.13	39.68	86	206	209	97	167.20			121	370	373	137	298.40
			210	213	98	170.40			122	374	378	138	302.40
39.69	40.33	87	214	217	99	173.60			123	379	382	139	305.60
40.34	41.12	88	218	221	100	176.80			124	383	386	140	308.80
41.13	41.76	89	222	225	101	180.00			---	387	390	141	312.00
41.77	42.44	90	226	229	102	183.20			125	391	394	142	315.20
42.45	43.20	91	230	233	103	186.40			126	395	398	143	318.40
43.21	43.76	92	234	238	104	190.40			127	399	402	144	321.60
43.77	44.44	93	239	242	105	193.60			---	403	406	145	324.80
			243	246	106	196.80			---	407	410	146	328.00
44.45	44.88	94	247	250	107	200.00			---	411	415	147	332.00
44.89	45.60	95	251	254	108	203.20				416	419	148	335.20
		96	255	258	109	206.40				420	423	149	336.00
		97	259	262	110	209.60				424	427	150	336.00
		98	263	266	111	212.80				428	431	151	336.00
		99	267	271	112	216.80				432	435	152	336.00
		100	272	275	113	220.00				436	439	153	336.00
		101	276	279	114	223.20				440	443	154	336.00
			280	283	115	226.40				444	447	155	336.00
		102	284	287	116	229.60				448	452	156	336.00
		103	288	291	117	232.80				453	456	157	336.00
		104	292	295	118	236.00				457	460	158	336.00
		105	296	299	119	239.20				461	464	159	336.00
		106	300	303	120	242.40				465	468	160	336.00
		107	304	308	121	246.40				469	472	161	336.00
		108	309	312	122	249.60				473	476	162	336.00
		109	313	316	123	252.80				477	480	163	336.00
			317	320	124	256.00				481	485	164	336.00
		110	321	324	125	259.20				486	489	165	336.00
		111	325	328	126	262.40				490	493	166	336.00
		112	329	332	127	265.60				494	497	167	336.00
		113	333	336	128	268.80				498	500	168	336.00"
		114	337	340	129	272.00							

SEC. 2(a). Section 215(b)(5) of such Act is amended by striking out "December 1958" and inserting in lieu thereof "December 1959."

(b) Section 215(c) of such Act is amended to read as follows:

"PRIMARY INSURANCE AMOUNT UNDER 1958 ACT

"(c)(1) For the purpose of column II of the table appearing in subsection (a) of this section, an individual's primary insurance amount shall be computed as provided in subsection (a) of this section as in effect prior to the enactment of this Act.

"(2) The provisions of this subsection shall be applicable only in the case of an individual—

"(A) Who became entitled to benefits under section 202(a) or section 223 or died prior to January 1960 and

"(B) To whom the provisions of paragraph (5) of subsection (b) are not applicable."

SEC. 3(a). Section 209(a) of such Act is amended by adding after paragraph (3) the following new paragraph:

"(4) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $6,000 with respect to employment has been paid to an individual during any calendar year after 1959, is paid to such individual during such calendar year."

(b)(1) Section 211(b)(1) is amended by inserting after subparagraph (C) the following new subparagraph:

"(D) For any taxable year ending after 1959 (i) $6,000, minus (ii) the amount of wages paid to such individual during the taxable year; or"

(2) Subparagraph (C) of such section 211(b)(1) is amended by deleting the comma after "1958" and inserting in lieu thereof "and prior to 1960," and by deleting "or" at the end of such paragraph and inserting in lieu thereof "and".

(c) Clause (ii) of section 213(a) of such Act is amended by deleting "after 1958," and inserting in lieu thereof; "after 1958 and before 1960, or $6,000 in the case of a calendar year after 1959,"

(d) Clause (iii) of such section 213(a) is amended by deleting "after 1958," and inserting in lieu thereof: "after 1958 and before 1960, or $6,000 in the case of a taxable year ending after 1959,"

(e) Section 215(e)(1) of such Act is amended—

(1) by deleting "and" after "1959," and

(2) by deleting "after 1958," and inserting in lieu thereof: "after 1958 and before 1960, and the excess over $6,000 in the case of any calendar year after 1959,"

SEC. 4. The amendments made by the preceding sections of this Act shall be effective with respect to benefits for months after December 1959.

AMENDMENTS TO INTERNAL REVENUE CODE

SEC. 5. (a)(1) Paragraph (2) of section 1401 of the Internal Revenue Code (relating to tax on self-employment income) is amended by striking out "4½" and inserting in lieu thereof, "5¼".

(2) Paragraph (3) of such section 1401 is amended by striking out "5¼" and inserting in lieu thereof, "6".

(3) Paragraph (4) of such section 1401 is amended by striking out "6" and inserting in lieu thereof, "6¾".

(4) Paragraph (5) of such section 1401 is amended by striking out "6¾" and inserting in lieu thereof "7½".

(b) Section 1402(b) of the Internal Revenue Code is amended by—

(1) Inserting after "1958" in subparagraph (C) thereof, "and before 1960", and by deleting "; or" at the end of such subparagraph and inserting in lieu thereof "; and", and

(2) Inserting after such subparagraph (C) the following new subparagraph:

"(D) For any taxable year ending after 1959, (i) $6,000, minus (ii) the amount of the wages paid to such individual during the taxable year; or"

SEC. 6. (a) Section 3101 of the Internal Revenue Code (relating to tax on employees) is amended by—

(1) Striking out "3 percent;" in paragraph (2) and inserting in lieu thereof, "3½ percent;";

(2) Striking out "3½ percent;" in paragraph (3) and inserting in lieu thereof, "4 percent;";

(3) Striking out "4 percent;" in paragraph (4) and inserting in lieu thereof, "4½ percent;"; and

(4) Striking out "4½ percent." in paragraph (4) and inserting in lieu thereof, "5 percent.".

(b) Section 3111 of such Code (relating to tax on employers) is amended by—

(1) Striking out "3 percent;" in paragraph (2) and inserting in lieu thereof, "3½ percent;";

(2) Striking out "3½ percent;" in paragraph (3) and inserting in lieu thereof, "4 percent;";

(3) Striking out "4 percent" in paragraph (4) and inserting in lieu thereof, "4½ percent;"; and

(4) Striking out "4½ percent." in paragraph (5) and inserting in lieu thereof, "5 percent.".

(c) (1) Section 3121 (a) (1) of such Code (relating to definition of wages) is amended by striking out "$4,800" wherever it occurs and inserting in lieu thereof, "$6,000".

(2) The amendment made by this subsection shall be effective with respect to wages paid in calendar years after 1959.

(d) Section 6413 (C) (1) of such Code is amended—

(1) by inserting after "1958" in subparagraph (B) thereof, "and prior to the calendar year 1960";

(2) by inserting after "$4,800," at the end of such subparagraph (B), "or (C) during any calendar year after the calendar year 1959, the wages received by him during such calendar year exceed $6,000,"; and

(3) by deleting "after 1958." at the end of paragraph (1) of subsection (c) of such section 6413 and inserting in lieu thereof: "after 1958 and before 1960, or which exceeds the tax with respect to the first $6,000 of such wages received in such calendar year after 1959."

(e) Section 6413 (c) (2) of such Code is amended by striking out "any calendar year after 1958," in subparagraph (A) and inserting in lieu thereof: "the calendar year 1958, or $6,000 for any calendar year after 1959,".

AMENDMENT PRESERVING RELATIONSHIP BETWEEN RAILROAD RETIREMENT AND OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

SEC. 6. Section (1) (q) of the Railroad Retirement Act of 1937, as amended, is amended by striking out "1958" and inserting in lieu thereof "1959".

S. 2734. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained the age of 50 in order to become entitled to disability insurance benefits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 223(a)(1)(B) of the Social Security Act is amended by striking out "has attained the age of fifty and".

(b) The last sentence of section 223(c)(3) of such Act is amended by striking out all that follows "1957" and inserting in lieu thereof a period.

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to monthly benefits (under section 223 of the Social Security Act, or based upon the wages and self-employment income of an individual entitled to benefits under such section) for months after the month in which this Act is enacted. In the case of an individual who satisfies section 223(a)(1)(B) of the Social Security Act on the date of the enactment of this Act solely by reason of such amendments, the waiting period (as defined in section 223(c)(3) of the Social Security Act) may not begin before the first day of the fifth month before the month in which this Act is enacted.

S. 2735. A bill to extend coverage under the Federal old-age, survivors, and disability insurance system to self-employed physicians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211(c)(5) of the Social Security Act is amended by striking out "doctor of medicine or" and "; or the performance of such service by a partnership".

SEC. 2. Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended by striking out "doctor of medicine or" and "; or the performance of such service by a partnership."

SEC. 3. Section 1402(e) of the Internal Revenue Code of 1954 (relating to waiver certificates of ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "insofar as it relates to the performance of service by an individual in the exercise of his profession as a Christian Science practitioner" each place it appears.

SEC. 4. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

S. 2736. A bill to provide for an additional "dropout" of low earnings in the calculation of benefits under the old age survivors and disability insurance program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 215(b)(4) of the Social Security Act is amended by adding at the end thereof the following new sentence:

"In the case of any individual who has not less than twenty-eight quarters of coverage, the maximum number of full calendar years determined under the first sentence of this paragraph shall be increased by the number equal to the quotient obtained by dividing the quarters of coverage such individual has by 28, except that if the quotient so obtained is not a whole number, it shall be reduced to the next lower whole number.

"(b) The amendment made by subsection (a) shall be applicable in the case of monthly benefits, for months after the second month following the month in which this Act is enacted, and in the case of the lump-sum death payment where death occurs after such second month, based on the wages and self-employment income of an individual (i) who becomes entitled to benefits under section 202(a) or section 223 of the Social Security Act after such second month, or (ii) who dies after such second month without being entitled to benefits under such section 202(a) or section 223, or (iii) who files an application for a recomputation under section 215(f)(2)(A) of the Social Security Act after such second month and is (or would, but for the provisions of section 215(f)(6) of such Act, be) entitled to have his primary insurance amount recomputed under such section, or (iv) who dies after such second month and whose survivors are (or would, but for the provisions of section 215(f)(6) of such Act, be) entitled to a recomputation of his primary insurance amount under section 215(f)(4)(A) of such Act."

S. 2737. A bill to amend title II of the Social Security Act to effectuate recommendations made by the Advisory Council on Social Security Financing with respect to the investment of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 201(c) of the Social Security Act is amended by inserting after the third sentence thereof the following new sentence: "The Board of Trustees shall meet not less frequently than once each 6 months."

(b) Paragraph (3) of such section 201(c) is amended to read as follows:

"(3) Report immediately to the Congress whenever the Board of Trustees is of the opinion that the amount of either of the Trust Funds is unduly small;".

(c) Such section 201(c) is amended by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and by inserting after paragraph (4) the following new paragraph:

"(5) Review the general policies followed in managing the Trust Funds, and recommend changes in such policies, including necessary changes in the provisions of the law which govern the way in which the Trust Funds are to be managed."

(d) Subsection (d) of section 201 of the Social Security Act is amended to read as follows:

"(d) It shall be the duty of the Managing Trustee, after consultation with the other Trustees, to invest such portion of the Trust Funds as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the Trust Funds. Such obligations issued for purchase by the Trust Funds shall have maturities fixed with due regard for the needs of the Trust Funds, which maturities shall reasonably reflect the long-term character of the Funds. Such obligations issued for purchase by the Trust Funds shall bear interest at a rate equal to the market yield (computed by the Managing Trustee on the basis of market quotations as of the end of the calendar month next preceding the date of such issue) on all marketable interest-bearing obligations of the United States then forming a part of the Public Debt which are not due or callable until after the expiration of five years from the end of such calendar month; except that where such market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligations shall be the multiple of one-eighth of 1 per centum nearest such market yield. Such obligations shall be issued for purchase by the Trust Funds except when the Managing Trustee determines that the purchase in the market of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is in the public interest and would provide currently a yield equal to a greater than the yield that would be provided by obligations issued for purchase by the Trust Funds."

RESOLUTIONS

PRINTING AS SEPARATE SENATE DOCUMENTS CERTAIN INFORMATION ON EQUAL RIGHTS AMENDMENT AND FEDERAL LABOR LAWS

Mr. LANGER submitted the following resolution (S. Res. 197); which was referred to the Committee on Rules and Administration:

Resolved, That the manuscript of questions and answers on the equal rights amendment prepared by the Research Department of the National Women's Party be printed as a Senate document and further that the manuscript of questions and answers in relation to the labor laws of the United States prepared by the Research Department of the National Women's Party be printed as a separate Senate document.

Mr. JOHNSON of Texas (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 198) authorizing the Vice President to appoint a special committee to represent the Senate at the ceremonies to be held at Honolulu, Hawaii, on November 26, 1959, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

TWO-YEAR PROGRAM OF FEDERAL ASSISTANCE IN SCHOOL CONSTRUCTION TO THE STATES—AMENDMENTS

Mr. CLARK. Mr. President, the latest Russian achievement in hitting the moon with a space rocket shows again how crucial the battle of brains has become. America's colleges and universities must vastly expand their capacity if we are to develop to the fullest our most highly talented young men and women. This amendment is a means of providing some help to our hard-pressed colleges and universities, and providing it quickly.

The dormitory program has been an outstanding success. Its ultimate cost to the Government is zero. Yet it has enabled colleges and universities to build more than 121,000 student dwelling units, with another 63,000 units under construction. College and university administrators have testified that without this program they could not have met their needs for student housing.

If it is desirable, as it is, for the Government to help build rooms for students to sleep in, it seems self-evident that it is at least as desirable to help build the classrooms, laboratories, libraries, and other buildings in which they actually receive their education.

I suppose this will be denounced as a spending program, but it should be emphasized that the money will be repaid with interest. This is not truly spending; it is investment which contributes directly to the security and the economic strength of our country as well as to the well-being of our people.

All the statistics show that unless talented young people are to be denied higher education, our institutions of higher learning must be prepared to double their enrollment. This amendment will fulfill the Government's obligation to give the colleges and universities all reasonable help.

On behalf of myself, and Senators BARTLETT, CARROLL, CHURCH, ENGLE, GRUENING, HENNINGS, HUMPHREY, JACKSON, JAVITS, KENNEDY, McGEE, MONRONEY, MORSE, MOSS, MURRAY, MUSKIE, NEUBERGER, RANDOLPH, SYMINGTON, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio, I submit amendments, intended to be proposed by us, jointly, to the bill (S. 8) to authorize an emergency 2-year program of Federal assistance in school construction to the States, and ask that they be printed and lie on the table.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table, as requested by the Senator from Pennsylvania.

INSURANCE ON LOANS TO STUDENTS IN HIGHER EDUCATION—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of today, September 14, 1959, the names of Senators GREEN, HUMPHREY, MANSFIELD, ANDERSON, and LONG of Louisiana were added as additional cosponsors of the bill (S. 2710) to provide for loan insurance on loans to students in higher education, introduced by Mr. JOHNSON of Texas (for himself, Mr. JAVITS, Mr. MUSKIE, Mr. MCNAMARA, Mr. YARBOROUGH, and Mr. MORSE) today.

AUTHORITY FOR SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized, during the adjournment of the 1st session of the 86th Congress, to file with the Secretary of the Senate a report entitled "Case Problems in Government Procurement—1959" and that the report be printed, as well as certain other reports now being prepared by the subcommittee.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 14, 1959, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1436. An act to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869);

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1845. An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes;

S. 2181. An act to amend the Mineral Leasing Act of February 25, 1920;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act;

S. 2230. An act to amend the National Cultural Center Act;

S. 2445. Authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2504. An act to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended;

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States;

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended; and

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd.

ADJOURNMENT SINE DIE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate adjourn.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas. [Putting the question.]

Mr. JOHNSON of Texas. Mr. President, I ask for a division.

The VICE PRESIDENT. Since there appears to be a tie vote, the Chair votes "yea." [Laughter.]

The motion was agreed to; and (at 6 o'clock and 22 minutes a.m., Tuesday, September 15, 1959) the Senate under the provisions of House Concurrent Resolution 440, stood adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to House Concurrent Resolution 439, agreed to September 15, 1959, the Vice President, on September 17, 1959, signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 1473. An act to repeal the act of May 27, 1912, whch authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.;

S. 1944. An act to amend the Bankruptcy Act in regard to the verification of pleadings;

S. 2162. An act to provide a health benefits program for Government employees;

S. 2282. An act to amend the act of July 17, 1952;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project;

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.;

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status;

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 6059. An act to provide additional civilian positions for the Department of De-

fense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7452. An act for relief of William B. Jackson;

H.R. 7476. An act to extend the duration of the Federal air pollution control law, and for other purposes;

H.R. 8385. An act making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8437. An act to provide for the reinstatement and validation of United States oil and gas lease BLM 028500;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a chief counsel for the Internal Revenue Service, and for other purposes; and

H.J. Res. 531. Joint resolution establishing that the 2d regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960.

ENROLLED BILLS PRESENTED AFTER SINE DIE ADJOURNMENT

The Secretary of the Senate presented to the President of the United States on September 17, 1959, the following enrolled bills:

S. 1944. An act to amend the Bankruptcy Act in regard to the verification of pleadings;

S. 2162. An act to provide a health benefits program for Government employees;

S. 2282. An act to amend the act of July 17, 1952;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project;

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.; and

S. 1473. An act to repeal the act of May 27, 1912, which authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had approved and signed the following bills and joint resolutions:

On September 14, 1959:

S. 53. An act to amend the acts approved April 16 and June 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Mont., to school district No. 24, Huntley Project Schools, Yellowstone County, Mont.;

S. 252. An act to authorize Col. Philip M. Whitney, U.S. Army, retired, to accept and wear the decoration tendered him by the Government of the Republic of France;

S. 825. An act to revise eligibility requirements for burial in national cemeteries, and for other purposes;

S. 1081. An act for the relief of Arshalouis Simeonian;

S. 1164. An act to authorize the appointment of a commissioner for Grand Canyon National Park, Ariz.;

S. 1221. An act to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands;

S. 1555. An act to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes;

S. 1613. An act for the relief of Matilda Kolich;

S. 1645. An act to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners;

S. 1647. An act to amend section 4083, title 18, United States Code, relating to penitentiary imprisonment;

S. 1891. An act for the relief of Donald G. Coplan;

S. 1958. An act to amend section 12 of the act of March 5, 1915, to clarify types of arrestment prohibited with respect to wages of United States seamen;

S. 1973. An act to extend the validity of the passport to 3 years;

S. 2035. An act authorizing persons maintaining or defending actions in the District of Columbia on behalf of a minor to give releases of liability, and requiring persons receiving money or property in settlement of such actions or in satisfaction of a judgment in any such action to be appointed as guardian of the estate of such minor;

S. 2101. An act for the relief of Ourania Ben Blikas;

S. 2291. An act to authorize the erection of a plaque in honor of the late Honorable Sam D. McReynolds on or near the site of the Chickamauga Dam;

S. 2390. An act to authorize the exchange of certain lands in or in the vicinity of Everglades City, Fla., in furtherance of the administration and use of the Everglades National Park;

S. 2424. An act to amend the Communications Act of 1934 in order to provide that the equal-time provisions with respect to candidates for public office shall not apply to news and other similar programs;

S. 2457. An act to provide equitable treatment for producers participating in the soil bank program on the basis of incorrect information furnished by the Government;

S. 2524. An act relating to the power of the States to impose net income taxes on income derived from interstate commerce, and authorizing studies by congressional committees of matters pertaining thereto; and

S.J. Res. 25. Joint resolution to change the name of Roosevelt Dam, Reservoir, and powerplant in Arizona to Theodore Roosevelt Dam, Lake, and powerplant.

On September 16, 1959:

S. 36. An act for the relief of Page A. Wilson;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 994. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws;

S. 1149. An act for the relief of Capt. Thomas J. McArdle;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller; and

S. 2500. An act to authorize the appointment of Elwood R. Quesada to the retired list of the Regular Air Force, and for other purposes.

On September 21, 1959:

S. 355. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency;

S. 464. An act for the relief of Julia Mydlak;

S. 1436. An act to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869);

S. 1944. An act to amend the Bankruptcy Act in regard to the verification of pleadings;

S. 2181. An act to amend the Mineral Leasing Act of February 25, 1920;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes;

S. 2230. An act to amend the National Cultural Center Act;

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2504. An act to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes;

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended; and

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd.

On September 22, 1959:

S. 1473. An act to repeal the act of May 27, 1912, which authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended; and

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.

On September 23, 1959:

S. 1845. An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes;

S. 2282. An act to amend the act of July 17, 1952;

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States; and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

On September 28, 1959:

S. 2162. An act to provide a health benefits program for Government employees.

APPOINTMENTS BY THE VICE PRESIDENT AFTER SINE DIE ADJOURNMENT

Pursuant to the provisions of Public Law 689, 84th Congress, 2d session, the Vice President approved the appointment of the following Senators as members of the United States group to attend the NATO parliamentary conference in November, to be held in Washington, D.C.: Mr. FULBRIGHT, Chairman, Mr. WILEY, Mr. AIKEN, Mr. JACKSON, Mr. COTTON, Mr. BIBLE, Mr. JAVITS, Mr. HART, and Mr. HARTKE.

Pursuant to the provisions of Senate Resolution 196, 86th Congress, 1st session, the Vice President approved the appointment of the following Senators to be members of the Committee on Unemployment Problems: Mr. MCCARTHY, chairman, Mr. MCNAMARA, Mr. COOPER, Mr. CLARK, Mr. RANDOLPH, Mr. HARTKE, Mr. MCGEE, Mr. PROUTY, and Mr. SCOTT.

Pursuant to the provisions of Senate Resolution 198, 86th Congress, 1st session, on September 30, 1959, the Vice President approved the appointment of the following Senators to represent the Senate as a special committee at the ceremonies to be held in Honolulu, Hawaii, on November 26, 1959, to commemorate the first official observance of the admission of Hawaii into the Union as a State: Mr. MANSFIELD, chairman, Mr. HOLLAND, Mr. LONG of Louisiana, Mr. KUCHEL, Mr. MARTIN, Mr. NEUBERGER, Mr. COOPER, Mr. FONG, ex officio, and Mr. LONG of Hawaii, ex officio.

OCEANOGRAPHIC STUDIES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of September 11, 1959, the names of Senators SMITH and CLARK were added as additional cosponsors of the bill (S. 2692) to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys; to promote commerce and navigation; to secure the national defense; to expand ocean resources; to authorize the construction of research and survey ships and facilities; to assure systematic studies of effects of radioactive materials in marine environments; to enhance the general welfare and for other purposes, introduced by Mr. MAGNUSON (for himself and Senators SMATHERS, SCHOEPPEL, BARTLETT, YARBOROUGH, CASE of New Jersey, ENGLE, SCOTT, MCGEE, BUTLER, and HART) on September 11, 1959.

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 14, 1959:

U.S. CIRCUIT JUDGES

Harry A. Blackmun, of Minnesota, to be U.S. circuit judge, eighth circuit.

M. Oliver Koelsch, of Idaho, to be U.S. circuit judge, ninth circuit.

Charles M. Merrill, of Nevada, to be U.S. circuit judge, ninth circuit.

U.S. DISTRICT JUDGES

Myron D. Crocker, of California, to be U.S. district judge for the southern district of California.

William T. Sweigert, of California, to be U.S. district judge for the northern district of California, vice Edward P. Murphy, deceased.

John O. Henderson, of New York, to be U.S. district judge for the western district of New York.

Girard E. Kalbfleisch, of Ohio, to be U.S. district judge for the northern district of Ohio.

U.S. ATTORNEYS

Donald G. Brotzman, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years.

Harry W. Hultgren, Jr., of Connecticut, to be U.S. attorney for the district of Connecticut for the term of 4 years.

Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years.

Walter E. Alessandroni, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for a term of 4 years.

William B. West III, of Texas, to be U.S. attorney for the northern district of Texas for the term of 4 years.

Russell B. Wine, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years.

BOARD OF PAROLE

Richard A. Chappell, of Georgia, to be a member of the Board of Parole for the term expiring September 30, 1960.

U.S. PATENT OFFICE

Herbert Magil, of the District of Columbia, to be an examiner in chief, U.S. Patent Office.

U.S. COAST GUARD

The following-named persons, to the rank indicated in the U.S. Coast Guard:

TO BE LIEUTENANT COMMANDER

Alvin T. Durgin, Jr.

TO BE LIEUTENANTS

James A. Atkinson
Robert W. Finnie
Joseph L. E. Hamilton
William H. Simpson
Harold B. Summey
Julius Leo Weisgerber
Edmund R. Corkery
Edward J. Sullivan, Jr.

TO BE LIEUTENANTS (JUNIOR GRADE)

John B. Ekman.
Harry A. Rowe.
Joseph J. Wicks.

TO BE CHIEF WARRANT OFFICER, W–4

James R. Walsh.

TO BE CHIEF WARRANT OFFICERS, W–3

Hugo A. Cruz.
Robert C. Sykes.

THE COAST AND GEODETIC SURVEY

The following person for permanent appointment to the grade indicated in the Coast and Geodetic Survey, subject to qualifications provided by law:

TO BE ENSIGN

James H. Blumer.

POSTMASTERS

ALABAMA

Estelle S. Killough, Ramer.

ALASKA

William G. Ollikainen, Fairbanks.

ARIZONA

Reece F. Jarvis, Pima.

ARKANSAS

Samuel J. McGraw, Austin.
Joseph E. Mason, Center Ridge.
Buell M. Loftis, Maynard.
Robert H. Harrell, Wynne.

CALIFORNIA

Burrell O. Musch, Canby.
Grant R. Fox, Delhi.
Jesse Ralph Layton, Fullerton.
James L. Presley, Hanford.
Charles N. Havens, Simi.
Emmet P. Burke, Universal City.
Charles R. Jameson, Woodland.
Anna M. Knight, Yolo.

CONNECTICUT

Louis E. Birbarie, Branford.
Evelyn G. Sheridan, Hazardville.
Jewell R. Burnham, South Windsor.

DISTRICT OF COLUMBIA

Carlton G. Beall, Washington.

FLORIDA

Richard E. Sapp, Green Cove Springs.
Edmund G. Krigline, Opa-locka.
John R. Douglass, Port Tampa City.

GEORGIA

Franklin J. Callaghan, Acworth.
Evelyn W. Thompson, Byromville.
Robbie E. Womack, Millen.
Wilson A. Chambers, Townsend.

ILLINOIS

Wilbur J. Molck, Anchor.
Ralph G. Dean, Chicago Ridge.
William T. Overbeck, Granite City.
Eloise M. Barton, Greenfield.
George E. Maris, Heyworth.
Thomas W. Harney, Itasca.
Ina L. Thurlby, Kingston.
Wilbur C. Heuser, Marine.
Stewart V. Edlund, Mazon.
Forrest E. Laird, Milford.
Raymond E. Rub, Minooka.
Oscar C. Hudson, Princeton.

INDIANA

Alice J. Rodgers, Griffin.
Ervin M. Watson, New Harmony.
Cleson D. Weldy, Wakarusa.

IOWA

Floyd H. Winsor, Brandon.
R. Garth Mann, Dallas Center.
Laurence E. O'Connor, DeWitt.
Marion K. Mosley, Fort Madison.
James C. Overholtzer, Grand River.
Wayne H. Henning, Latimer.
James B. Thompson, Letts.
Kathleen V. Toms, Mingo.
Bessie M. Waterhouse, Oakville.
Jewel E. Campbell, Ollie.
Delmar Armstrong, Pomeroy.
Ruth C. Matthias, Readlyn.
Paul L. R. Schmidt, Sioux Rapids.
Lyle C. Smith, Waukee.
Donald E. Christensen, West Bend.

KANSAS

Rex N. Shewmake, Baxter Springs.
Robert D. Gallup, Blue Rapids.
Eldon C. Oesterreich, Woodbine.

MARYLAND

Myrl M. Smith, Fullerton.

MASSACHUSETTS

Robert G. Wood, Bass River.
David DeMario, Ipswich.
James A. Stowell, Marion.
Andrew E. Tillberg, Medway.
Joseph F. Condon, North Billerica.
Carl E. Leino, Sandwich.
Frank F. Silvia, Taunton.
Stanley E. Johnson, Worcester.

MICHIGAN

Raymond J. O'Neil, Belleville.
James O. Bowen, Benton Harbor.
George A. Martin, Dearborn.
Stanley L. Schook, East Detroit.
William D. Bennett, East Jordan.
Ernest R. Steen, Shelby.
Stanley A. Grendel, Taylor.

MISSISSIPPI

James E. Brewer, Cascilla.
Kirby M. Graves, Sr., Roxie.
Charles W. Smith, Inverness.
Frank S. Kennedy, Jr., Meridian.
Arl F. O'Neal, Perkinston.
James H. McCord, Pontotoc.
Elizabeth S. McLendon, Port Gibson.
Dee L. Doty, Vaughan.

MISSOURI

Hilda I. Summers, Canalou.
Michael F. Casey, Jr., Labadie.
Russell M. Lee, Lesterville.
Floyd A. Cooley, Mansfield.
Victor R. Munzlinger, Monticello.
Robert L. Raby, Peculiar.
James F. Barham, Portageville.
Austin C. Wood, Rocheport.
Isaac McKay, Steele.

MONTANA

James W. Campbell, Malta.

NEBRASKA

Greta A. Chambers, Elwood.
Doretta E. Klopping, Harrisburg.
Kenneth E. Taylor, Harrison.
George W. Steenson, Hickman.
Lawrence H. Rogge, Johnson.

NEW JERSEY

Frederick V. Schmitz, Glen Ridge.
Louesa M. Headley, Green Village.
Mary L. Wuest, Mount Royal.
Regina J. Todd, Port Monmouth.
John V. Frame, Williamstown.

NEW MEXICO

Benjamin H. Roberts, Corona.
Opal R. Burnett, Fort Bayard.
Ethal B. Solomon, Mosquero.

NEW YORK

Elston A. Ecker, Altmar.
Harry C. Young, East Amherst.
Herman A. Lewin, Aquebogue.
Earl B. Kane, Central Bridge.
Jesse T. Van Doren, Chaumont.
Hilda A. Smith, Diamond Point.
Raymond Michael Kiskis, Fort Hunter.
Earl J. Sardeson, Fredonia.
John F. Morgan, Gainesville.
Paul M. Davis, Greenfield Center.
John C. Mosher, Macedon.
June E. Fiasconaro, Miller Place.
Chester H. Whitcher, Mount Morris.
Edwin C. Fellows, Newport.
Robert K. Christenberry, New York.
Glen H. Alberding, Oriskany Falls.
Allen B. Cranston, Portland.
Alda M. Decker, Tahawus.

NORTH DAKOTA

Edvin E. Lillehoff, Marion.
Olivia E. Ditch, Riverdale.

OHIO

Robert C. Ridenour, Berea.
Donald T. Kirk, Christiansburg.
Garold B. Fish, Englewood.
Elizabeth M. Domer, Hartville.
Wayne E. Laibe, Lima.
Walter A. Luse, Loudonville.
Edward A. Hunt, Mechanicsburg.
Emmett P. Brush, Jr., Piqua.
James F. Austen, Shreve.
Elsie L. Bitner, Vandalia.

OKLAHOMA

Fred B. Taylor, Wann.
Beulah G. Wallace, Wilburton.

OREGON

Marion E. Haigh, Jordan Valley.
Richard A. Gordon, Oceanlake.

PENNSYLVANIA

Wilbur D. Walker, Bigler.
Samuel R. Brenneman, Boiling Springs.
Harry M. Showalter, Ephrata.
William H. Dyroff, Jersey Shore.
Claude B. Faust, Macungie.
Frank A. Todd, Sr., McKeesport.
James D. Kinsley, Pocono.
Douglas A. Portzline, Selinsgrove.
Mable E. Puterbaugh, Shawanese.
John D. Watts, Sheffield.
Matthew Spiranac, Smock.
Isadore B. Oberman, Southampton.
Robert F. Tredway, Stewartstown.
Harry S. Anderson, Waynesburg.

SOUTH CAROLINA

John A. Hines, Chesnee.

SOUTH DAKOTA

Harry W. Lehman, Edgemont.
James B. Babcock, Hill City.
Carl R. Blank, Jr., Ipswich.

TENNESSEE

Robert E. Barrows, Lookout Mountain.

TEXAS

Frank R. Summers, Alief.
Geneva L. Barton, Anna.
Marion Lee Neal, Baytown.
Hurley R. Ammons, Ben Wheeler.
William M. Sumner, Carrollton.
James R. Flowers, Chico.
J. F. Grimes, DeSoto.
Lewis R. Marvin, Duncanville.
Charles O. Onstead, Sr., Ennis.
Esma A. Kingston, Fluvanna.
Etta L. Chamberlain, Gores.
Lamon Burnett, Hillsboro.
Rex L. Alexander, Jayton.
Tom E. Friery, Palacios.
Robert C. Watson, Plains.
Vera F. Thomas, Point Comfort.
Dixie L. Shaw, Port Bolivar.
Helen M. St. John, Progreso.
James R. Burras, Windom.

UTAH

Lynn J. Iverson, Tremonton.

VIRGINIA

Raymond J. Thomas, Dahlgren.
Ollie M. Brooks, Red Ash.
Rupert D. Snead, Jr., Scottsburg.
Edward G. Gildersleeve, Scottsville.

WISCONSIN

William P. Taylor, Rhinelander.
Herbert W. Radue, Two Rivers.
Theresa A. Rainsford, Washington Island.
Hubert H. Jaech, Wonewoc.

REGULAR ARMY

The nominations of Donald B. Holland and 233 other officers for promotion in the Regular Army, which were received on September 10, 1959.

IN THE AIR FORCE

Richard W. Abbott and 3,231 other officers for promotion in the Air Force, which were received by the Senate on September 9, 1959.

Col. Robert F. McDermott, 9782A, Regular Air Force, for appointment as dean of the faculty, U.S. Air Force Academy, under the provisions of section 9335, title 10, of the United States Code, with rank of brigadier general.

IN THE MARINE CORPS

Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the first day of January 1960.

The following-named officers of the Marine Corps to be placed on the retired list with the grade indicated pursuant to the provisions of title 10, United States Code, section 5233:

TO BE LIEUTENANT GENERALS

Verne J. McCaul.
Robert E. Hogaboom.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 14, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Acts 20: 32: *And now, brethren, I commend you to God and the word of His grace.*

O Thou Eternal Spirit, we thank Thee for the high and holy privilege we have had during this session of the Congress of daily walking and working together in the service of our God, our country, and all mankind.

We pray that as we go up and down the courts of memory and call to mind the yesterdays, we may have the joy of knowing that we have sought to blend our wills with Thine and have tried faithfully to establish a nobler social order with peace on earth and good will among men.

Grant that when the hour of adjournment comes and we leave this Chamber we may commend and commit one another and all who are dear unto us to Thy love and care, assured that as our days so also shall our strength be and that where Thou dost guide Thou wilt also provide.

May the grace of our Lord Jesus Christ, the love of God, and the fellowship of the Holy Spirit be with us all. Amen.

The Journal of the proceedings of Saturday, September 12, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On September 9, 1959:

H.R. 6118. An act to amend section 4 and section 6 of the act of September 11, 1957.

September 14, 1959:

H.R. 2411. An act to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature, to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; and

H.R. 7040. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6904) entitled "An act to establish an Advisory Commission on Intergovernmental Relations."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7476) entitled "An act to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control."

THE LATE HONORABLE THOMAS H. BURKE

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is with a very real sense of personal regret that I arise to inform the Members of the House of the passing of a former colleague, Thomas H. Burke, last Saturday.

There are many here who remember the notable service which Tom Burke rendered during the 81st Congress. As a member of the House Committee on Education and Labor he played an important part in drafting legislation which today is an accepted part of our national pattern and program. He was particularly active and instrumental in the enactment of laws relating to accident prevention and industrial safety, Federal aid to school construction, and equal pay for equal work for women.

As a matter of fact, Mr. Speaker, most of Tom Burke's life was devoted to public service in one form or another. Always a champion for the betterment of the workingman and his family, Tom spent many active years in the trade union movement and established a reputation which will speak for itself for many years to come.

Our former colleague was born in Toledo, Ohio, where there are many thousands of men and women who today mourn his loss. After attending Toledo parochial schools and St. John's College in Toledo, he served in the U.S. Navy from 1923 to 1927 and he continued in the U.S. Naval Fleet Reserve from 1927 to 1939. When Tom returned to Toledo in 1927 he went to work for the Spicer Manufacturing Division of the Dana Corp. In 1934 he played a leading role in the union organization of this plant and established himself as a man of courage, capacity, and integrity. In 1937 he was elected recording secretary of Local 12, UAW–CIO, and a year later he won the post of financial secretary of the same organization. In 1945 he was elected vice president of local No. 12 which, with a membership of some 30,000, had become one of the largest local unions in the country.

Tom Burke also served as acting executive secretary and executive secretary of the Toledo Industrial Union Council, perhaps one of the most important union positions in the State of Ohio.

Tom's political career began when he was elected a member of the Ohio House of Representatives during the 94th general assembly in 1941 and 1942. In 1944 he was elected to the Toledo, Ohio, City Council where he served, with 1 year as vice mayor of the city of Toledo, until his election to the U.S. House of Representatives in November 1948.

Many colleagues who served with him in the 81st Congress have told me that there were few legislators who made a greater contribution to that Congress than did Tom Burke. But the vicissitudes of politics often fail to gage a man by his merit, and in 1950 Tom was defeated for reelection.

In 1951 he moved to Alexandria and during the Korean conflict he served as a member of the Economic Stabilization Committee. Subsequently he became an assistant legislative director for the CIO, legislative representative of the UAW, and most recently was a member of the AFL–CIO jurisdictional dispute team, a post he held until his death.

Mr. Speaker, it is always difficult to find appropriate words to mark the passing of a close friend, and this is especially true of Tom Burke. I think those who knew him will always remember him as a gentle man capable of fighting fiercely for a cause in which he believed; a man of great dignity—even when he disdained to wear a necktie, as he did throughout his campaign for Congress when he declared that he would wear the tie of no man.

Especially will Tom be remembered by his many devoted friends for his wonderful pixielike humor, his thoughtfulness for others and his fundamental sincerity. Even those who represented management during the difficult days when Tom was one of the most active union organizers on the American scene will say to themselves: Here was a man whose word was always beyond question, a man who fought as hard for the cause of labor as any man could but who never forgot the importance of fairplay and trustworthiness.

Mr. Speaker, Tom Burke helped make it possible for many millions of Americans to enjoy a better life. What greater contribution can any man make? Yes, Mr. Speaker, it was because Tom Burke was genuinely and wholeheartedly dedicated to the cause of organized labor—to a better life for more people—that he had the respect and high regard of those who knew him. And it is because he was able to play an active and direct part in achieving the successes that have been won in the last 25 years that gave Tom Burke that spirit of inner happiness.

Mr. Speaker, our colleague leaves behind a devoted family. To Mrs. Burke and her five children I am sure that all of us extend our heartfelt sympathy.

GENERAL LEAVE TO EXTEND

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent that other Members may have 3 days in which to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MADDEN. Mr. Speaker, I was indeed shocked when I read in Sunday's Washington paper of the passing of our former colleague Thomas H. Burke, who represented the Eighth Congressional District of Ohio in the 81st Congress.

While in Congress, Tom made a great number of friends among the Members because of his oustanding personality, sincerity, and integrity. He was a constant fighter for progressive legislation. His first thought was for the rights of the millions of Americans who could not afford powerful lobbyists, to represent them in our National Capitol. He made an outstanding record in the short time that he served in this body. Prior to his service in Congress, he served as city councilman and vice mayor of the city of Toledo. He was also a member in the State House of Representatives of Ohio before coming to the U.S. Congress.

During recent years, he visited my office on numerous occasions as a representative of labor organizations and in behalf of legislation pertaining to various problems. Every Member of the House who had the good fortune of knowing Tom Burke regrets his sudden passing.

I wish to extend to his wife and family my deepest sympathy in their bereavement.

Mr. PERKINS. Mr. Speaker, the death of Thomas H. Burke, who, only a few days ago appeared to be in the prime of life, is a great loss to the Nation, the State of Ohio, his friends, and his family. I had the honor of being elected to the Congress for the first time on the same day that Tom Burke was elected. We both became members of the House Education and Labor Committee and during the years that we worked together, I learned to know and to love him.

His record as Congressman from the Ninth District of Ohio speaks for itself and there is little that I could add except to say that he was an intelligent, industrious, and conscientious Congressman. After spending almost 10 years in public service as a member of the Ohio Legislature, the Toledo city government, and finally as representative of his State in Congress, he retired and devoted his services to the betterment of the workingman with whom he had been actively associated all his life.

Tom Burke was a family man who loved his family and lived to see five children reach maturity. His success will stand as a monument to his memory and his family, in their hour of grief, should know that his colleagues are saying, "Well done."

Mr. WIER. Mr. Speaker, it is with shock and great sadness that I learn of the untimely passing of my good friend, Thomas H. Burke. Tom not only was a colleague in the House of Representatives during the 81st Congress, but we served together on the Committee on Education and Labor.

As chairman of the Subcommittee on Federally Impacted School Areas, Tom did a superb job fact-finding and visiting nine States east of the Mississippi in search of necessary information and background pointing up the development and need for vital school legislation in these districts. I was privileged to have been a member of that subcommittee serving under him and learned firsthand how conscientious and diligent he was.

Insofar as the wage earners of the Nation go, and in particular, the United Auto Workers, they have lost a real friend. He was devoted to his work and both during his tenure of office as a Congressman and more recently the legislative liaison between Congress and the United Auto Workers, he displayed a sincerity which commanded the respect and confidence of all who knew him. His loss will be keenly felt.

Mr. BAILEY. Mr. Speaker, I want to add my voice to that of the Members from the State of Ohio and the other friends of Congressman Tom Burke, whose untimely death cast a pall of gloom over his many friends.

I remember Mr. Burke, who represented the Toledo district, as a member of the Committee on Education and Labor, where he was quite active in legislation dealing with the minimum-wage law, the attempt to repeal the Taft-Hartley Law, and with legislation to provide Federal assistance in the field of education.

I considered Mr. Burke as one of my very close friends, and I have kept in touch with him over the years since he left the Congress. I shall miss him, and I desire to extend my heartfelt sympathy to Mrs. Burke and his children.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to express my profound sympathy at the untimely passing of the Honorable Thomas H. Burke, a former Member of Congress of the Ninth District of Ohio.

Tom Burke, as he was affectionately known, had a distinguished record in public life, having served on the city council of Toledo, bewteen 1944 and 1948. In 1948 he was vice mayor of Toledo. During his term in the 81st Congress, he never voted wrong where the interests of humanity were involved.

After serving in Congress, he joined the Economic Stabilization Agency and in 1952 became assistant legislative director of the CIO.

In his passing Ohio loses a devoted son.

Mr. FEIGHAN. Mr. Speaker, it was with much regret that I learned of the death of our distinguished former colleague, the Honorable Thomas H. Burke. Tom Burke was elected to Congress subsequent to his outstanding public service in the State Legislature of Ohio and in the city council of Toledo, Ohio, where he also was chosen as the vice mayor of that great city.

It was my good fortune to know Tom very well during his service in Congress. Tom was very affable, personable, and devoted to his duties and the problems of his constituents. Tom believed in and fought for legislation that would assure social justice for all workers in every walk of life.

Tom was devoted to his wife and family and to them I wish to extend my sincere sympathy.

Mr. RHODES of Pennsylvania. Mr. Speaker, I join in paying tribute to my friend and former colleague of the House, Hon. Thomas H. Burke.

Tom and I both came to the House in 1949 with the convening of the 81st Congress. We had much in common and soon became warm friends. In all, four Members with labor union backgrounds were newly elected to the House in 1948. Tom Burke, Andy Biemiller, from Wisconsin, the gentleman from Minnesota, Mr. Wier, and myself.

As a member of the House Education and Labor Committee, Tom Burke played a leading role in the enactment of Public Laws 815 and 874, the programs providing Federal assistance in school districts affected by activities of the Federal Government.

He had a long record of service to the labor movement. An active union organizer during the middle 1930's, Tom helped to organize United Auto Workers Local 12 in Toledo, Ohio and became an officer of the local in 1937. He later served as executive secretary of the Toledo CIO council and was elected to the Toledo City Council, serving also as vice mayor of the city before his election to Congress.

He was a stanch supporter of the liberal and humanitarian programs advanced by President Truman in his Fair Deal program. His courage and devotion to the principles of the Democratic Party are conclusively written in the record of the 81st Congress. His quiet modesty and deep conviction won the respect of his colleagues on both sides of the aisle.

After losing his bid for reelection in 1950 by a narrow margin in a three-way race, Tom joined the Economic Stabilization Agency. In 1952 he became assistant legislative director of the CIO. In recent years he has served as an AFL–CIO official investigating jurisdictional disputes between member unions.

A devoted family man, Tom leaves his widow, two sons and three daughters. To them I extend my heartfelt condolences.

Mr. O'HARA of Illinois. Mr. Speaker, I am deeply grieved to learn of the passing of Tom Burke, and to the members of his family I join with the gentleman from Ohio [Mr. ASHLEY] and others of my colleagues in expression of sincere sympathy. Tom Burke and I were of that group of new Members who came to the 81st Congress, feeling very keenly that in the elections of 1948 was a clear mandate for liberal legislation. We were bound together by mutual interests and the ties of a personal friendship that resulted from our association, grew ever warmer as the months of Congress in which we were fellow freshmen passed on and which continued until his untimely death. His service in the Congress was marked by loyal and effective championing of the causes in which he believed and from adherence to which he never retreated. He was outstanding among the new Members of the 81st Congress. I doubt if any Member of the House ever left after one term of service with more friends or a higher record of constructive liberal statesmanship. His heart was in the welfare of people, the men and women who are not in the seats of the mighty but do the hard work of the world, faithfully making their contribution to our country and to our times, and for whom he always was spokesman, advocate, friend, and champion. Tom Burke's passing is a loss to our country and to his former colleagues in this body it brings a very keen personal grief.

Mr. STAGGERS. Mr. Speaker, the passing of former Congressman Thomas H. Burke, of Ohio, who served in the 81st Congress, has brought sadness to my heart. I would like to add my voice in praise and gratitude to those of my colleagues who remember Tom when he walked the Halls of Congress and took an active part in the proceedings on this floor.

He came to Congress with the 81st Congress, the beginning of my own congressional career, and early in those days we became close friends, and worked together toward mutual goals. He was a true gentleman, kind, helpful, courteous, gentle but firm, outspoken but wise. A high-type American—the kind this country needs to keep it strong and free. His services during his short stay in Congress, and during his other governmental assignments left their prints on the path of progress. Labor and education were his main interests, and both received benefits as a result of his interest and activity. He was a good man, this man—Thomas H. Burke.

Another friend is gone, but I shall long remember his kindness to me. To his family, which he so dearly loved, I extend heartfelt sympathy.

Mr. KEARNS. Mr. Speaker, I join other Members of the House of Representatives in paying tribute to our former colleague, the Honorable Thomas A. Burke, who represented the Ninth Ohio District in the 81st Congress.

I had the privilege and pleasure of serving with Tom Burke on the House Committee on Education and Labor. No matter what the political affiliation of the men with whom he came in contact, he respected their opinions and their right to full expression of their views. He was a kindly and courteous man, and Members on both sides of the aisle were sorry when he was not returned to the 82d Congress.

To his family and many friends I extend my deepest sympathy in their great loss.

Mr. ROOSEVELT. Mr. Speaker, the passing of Thomas Burke, happening so close on the heels of a wave of disclosures of management-union corruption and the attendant deluge of antilabor hysteria, is a sobering reminder of an enduring truth about the labor movement: from it come men of highest integrity, great devotion to the service of mankind, and outstanding judgment in public affairs. Thomas H. Burke was one of these men.

He came to Congress from the ranks of UAW, his union, where his own gifts of

intelligence and concern for his fellow man had been blended with the traditions of this democratic and militant union to make of him a most strong, wise, and serious advocate of the common man in the U.S. Congress. His work as a member in the House Committee on Labor and Education preceded my service on that committee but its imprint remains there.

In the years since I came to Congress, I knew Tom as a reliable spokesman for the labor movement, alert to political motives, probable effects and administrative subtleties of bills relating to labor, education, the national economy, and civil rights—the fields of interest to which he was most ceaselessly devoted. He was a constant help to Members of Congress who want to understand and serve the interest of the laboring man but who lack the wisdom which comes from years of firsthand knowledge of labor's struggles and the role of unions.

Tom had this wisdom, born of his years as an organizer, officer, and leader of the United Automobile Workers Union in Toledo, and had the gift of sharing it courteously and eloquently with the friends of labor in Congress.

I pay respect to his significant life of service. I join his many friends in Congress and in the labor movement to extend sympathy to his family at this loss of a dear and generous friend of mankind.

Mr. HAYS. Mr. Speaker, the death of our fellow Congressman and friend of many of us, Thomas H. Burke, is a grievous loss to Congress and to the labor movement. Tom Burke will long be remembered here for his integrity and for his dilgent work on behalf of social legislation. I am proud that Ohio sent Tom Burke to Congress. His work here on the Education and Labor Committee in the 81st Congress was outstanding, not only because he could draw on his years of experience as a union man, but because he was ever willing to listen to the views of others as well as to express his views to them.

He was a most fundamental and thoroughgoing believer in the democratic process. He loved debate. He loved analysis. He loved the freedom of intellectual exchange on the tough matters that come before the Congress. He had faith that right would prevail if reasonable men would honestly and sincerely meet their legislative challenges. And what was "right" for Tom Burke was the public interest.

Most outstanding about my friend Tom, I think, was the charm with which he could at once advocate strenuously those causes dearest to him and yet exhibit an almost palpable desire to understand his opposition. This quality, the mark of a guileless honest democratic intellect, will sustain him in the memory of colleagues on both sides of the aisle in the House.

He brought much to the Congress both as a Member and as a legislative representative for his union and he leaves us improved for the long hours he spent here with us.

Of Tom's life, the men and women of labor who sent him to us can be most proud. We, his friends in Congress, share with them the appreciation of this exceptional and saintly man. We grieve together with all of them and with his family at his passing.

Mr. METCALF. Mr. Speaker, it is always difficult to appropriately mark the passing of a friend. This is particularly true of Tom Burke, who spent his life fighting effectively for liberal and humanitarian programs.

When I first met Tom, he was a legislative representative of the CIO. As a member of the Committee on Education and Labor, I worked with him for years. I admired and respected his ability, diligence and devotion.

A former member of that committee, Tom was chairman of the Subcommittee on Federally Impacted School Areas in the 81st Congress. His was a leading role in the enactment of one of the programs most important to education in this country, Public Laws 815 and 874, under which Federal aid goes directly to local school districts for construction, maintenance and operation—including textbooks and teachers' salaries—in areas of Federal impact, such as military bases or Indian reservations.

In the 8 years that these laws have been on the statute books, the Federal Government has spent more than $901 million on 4,506 projects to build classrooms to house more than 1.3 million children. More than 768 million Federal dollars have been appropriated for operation and maintenance of schools in 3,546 districts with a total enrollment of 8.6 million children.

Although he will be remembered longest for his work on behalf of the Nation's schoolchildren, Tom Burke was also particularly active on laws relating to accident prevention, industrial safety and equal pay for equal work for women.

Tom leaves his widow, two sons, three daughters—and a grateful Nation.

CONSTITUTION DAY, SEPTEMBER 17

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, September 15 and the controversial event which for weeks has given this date prominence in public thought and discussion are now only a matter of hours away.

I hope that our preoccupation with the happenings of tomorrow and the days following will not cause us to overlook completely another date falling within this same week.

I refer to the historic date of September 17.

September 17, if any of my colleagues or fellow-citizens have forgotten, is Constitution Day.

It is the anniversary of the completion of the labors of the Constitutional Convention in Philadelphia and of the birth of the document designed "to secure the blessings of liberty to ourselves and our posterity."

September 17 is, and ought ever to remain, the symbol for Americans and for the peoples of the world of a government "deriving its just powers from the consent of the governed."

It is the symbol of man's most brilliant and successful effort to achieve a government of limited and diffused powers—a government restricted by the God-given rights of its own citizens.

It is a challenge to the glib propaganda of "peaceful coexistence" which seeks to minimize differences between social systems.

It is a symbol of the enormous distance between ruthless dictatorship and bloody tyranny on the one hand and the voluntary discipline of self-government by free men on the other hand.

I venture the hope that on this September 17 someone in the American entourage escorting the representative of Communist totalitarianism will invite his attention to the significance of this date in the history, traditions, and ideals of the United States.

Above all, I hope that September 17 will be well remembered by Americans this year.

COMMITTEE FOR AN EFFECTIVE CONGRESS

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I noticed in the morning press that the Committee for an Effective Congress has just announced that the 1st session of the 86th Congress is an abysmal failure.

I take this time time to announce to the House that the Committee on the Evaluation of Committees has just come to the conclusion that the Committee for an Effective Congress is itself an abysmal failure.

For the information of the House I would like to say that the personnel of this Evaluation Committee is just one man, the gentleman from Florida.

MEDICAL AND PROFICIENCY REQUIREMENTS FOR COMMERCIAL AIR PILOTS

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, for many years commercial pilots have been required to meet the highest physical standards. The medical requirements have been more rigid for these men than in any other industry. This is as I believe it should be since these men are responsible for a hundred or more passengers when discharging their responsibilities as commercial pilots with the airlines.

In addition to this, our commercial pilots who are employed by the scheduled airlines are required to take periodic proficiency tests to determine whether they are fully qualified to handle all emergencies at all times.

In view of the rigid requirements for commercial aviators, with which I am wholeheartedly in accord, it seems ridiculous to me for the Federal Aviation Agency Administrator to consider chronological age limitations. This proposed regulation indicates to me that the former Air Force man, Mr. Quesada, is trying to eliminate many of the time tested, experienced and veteran aviators and substitute young hotrod, fighter-type jockeys as air transport commanders. Some of these men may have accumulated quite a few hours of flying in a single-seat fighter but, as an experienced pilot myself, I would prefer to have an experienced pilot, meeting minimum medical requirements regardless of age, rather than to have these young inexperienced pilots. Under the guise of safety it would be ill advised for FAA to disqualify their safest and most experienced pilots by such a ridiculous rule. As a member of the Interstate and Foreign Commerce Committee and one who has studied aviation problems over a 10-year period, I am unable to see any significance in age limitation proposals. Admittedly, there are many reasons why we should be especially concerned about physical limitations during flights but these limitations seem to have little respect for age. Fortunately, with our requirements for two or more fully qualified aviators controlling our planes, most of these planes have landed without incident. Young pilots under the age of 30 have had stomach aches, diarrhea, food poisoning, and have become completely incapacitated during flights. These attacks have come to young people who have met rigid, physical requirements. So it is impossible to totally eliminate all in-flight incapacitation but it is obvious that little of this so-called in-flight incapacitation occurred among pilots in the older age bracket. In fact, it followed no particular pattern if my memory serves me correctly. There has never been a fatal accident in this country which could be in any way attributed to the age of the pilot.

Mr. Speaker, at the present time commercial pilots are required to receive physical examinations at least twice each year and proficiency examinations even more often. Every pilot flying commercial airlines must meet the very highest physical and proficiency standards. This is one of the few professions, if not the only profession, where a individual's proficiency and health is being so continuously evaluated. If an age limitation requirement is to prevail, I feel we might lose our safest pilots and be required to hire less safe and inexperienced pilots in their place. If a pilot is not safe to handle the controls of an aircraft at 55 then it seems to me that it would also follow that at some arbitrary age, Government officials, Congressmen and Senators would also be unsafe to handle the controls of our Government.

THE FIGHT IN 1959 FOR EQUITABLE POSTAL RATES

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, despite the increase in first-class-mail rates voted by the last Congress, the administration asked the 86th Congress to raise first-class mail to 5 cents an ounce.

This is obviously an attempt to hide the huge deficits resulting from subsidizing profitmaking newspapers and magazines which incur an annual loss to the Department of more than $200 million. First-class mail is more than paying its own way. There is no reason why the average mail user should be taxed unfairly to absorb losses by other classes of mail.

The gentleman from Wisconsin [Mr. REUSS] and I have introduced identical bills—H.R. 8433 and H.R. 8603—to place an annual limitation on second-class subsidies. The subsidy-limitation program would be spread over a 5-year period to permit gradual adjustment to the new rates. During the first year each magazine and subsidy enjoying second-class-mail privileges could have a maximum subsidy of $5 million over and above the Post Office Department's actual cost of handling and delivering the publication. The maximum second-class-mail subsidy would be $3 million for each publication during the second year, $1 million during the third year, $500,000 during the fourth year, and $100,000 during the fifth year and each year thereafter.

When the subsidy limit is reached by any publication during the year the full rate necessary to cover the Department's costs for that publication would go into effect. Enforcement of the subsidy limits would be based on data developed under section 105 of the Postal Policy Act of 1958, which requires the Department to study and report to Congress each 2 years the cost of handling the various classes of mail.

If the administration is genuinely concerned with reducing the tremendous postal deficit, estimated at close to $500 million for fiscal 1960, it will support this bill in the next session.

THE FIGHT IN 1959 FOR LIBERALIZING AMENDMENTS TO THE RAILROAD RETIREMENT AND RAILROAD UNEMPLOYMENT INSURANCE ACTS

Mr. RHODES of Pennsylvania. Mr. Speaker, one of the major achievements of the first session of the 86th Congress was the enactment of H.R. 5610, S. 226—Public Law 86–28—providing a long-needed increase in benefits for all retired employees, wives, widows, children and other relatives under the railroad retirement program. The 10 percent increase voted by Congress was effective on June 1, 1959. The bill also raised railroad unemployment insurance benefits and extended coverage.

The fight to pass this legislation was a difficult one. The railroads opposed the increase. The administration also opposed our bill, H.R. 1012. Although the original measure was watered down in committee, a House floor fight resulted in the restoration of most of the important provisions of the bill. Meanwhile, the other body passed a bill more in line with the original measure, and a good bill was eventually passed, despite the threat of a Presidential veto. It was finally signed into law on May 19, 1959.

The 86th Congress has kept faith with railroad employees, retired railroaders, their wives and families by the enactment of this important legislation.

TENTH ANNIVERSARY OF WEST GERMAN REPUBLIC

Mr. BOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOYLE. Mr. Speaker, today we note and mark the 10th anniversary of the founding of our reliable NATO ally, the Federal Republic of Germany. Fourteen years after almost total collapse, Germany has regained much of the prestige she had lost between 1933 and 1945. The German people, with initial Allied support, have gone forward to meet the challenge of defeat, poverty, and despair, until today Germany is in the forefront of the free countries of the West.

Today also we honor the extraordinary role of her two great leaders, Chancellor Konrad Adenauer and President Theodor Heuss. These two men, with a long record of anti-Nazi activity, almost from the beginning took the lead in the build-of a democratic state firmly allied with the Western World.

Let us look briefly at some of the great achievements of this decade, which was marked by a surge of energy unequaled by any other period of German history. It is a commonplace to read of the miracle of German recovery. We have witnessed, under the original stimulus of the Marshall plan, a spectacular rise in the productivity, distribution, and consumption of all types of goods. This has been based on the principle of freedom in the economy: freedom of commerce, free trade, and a free currency.

But more significant has been the acceptance and development of political as well as economic freedom. Again under stimulus of many American occupation policies, particularly the free elections of 1949, Germany has embraced political freedom and civil liberty. We have the healthy signposts during the past decade of a political party system that is increasingly moving toward the center, avoiding the extremes of the right and the left.

Wholesomely the major institutions of the German Republic have on the whole

rejected any totalitarian residues of the past. The establishment of the new armed forces, the Bundeswehr, has been characterized by a serious attempt to blend traditional military values with progressive reforms. Above all civilian supremacy has been maintained both by parliament and the executive.

The free trade unions with their 6 million members also rank high in our list of democratic institutions. At a time of general prosperity and high wages, the unions are abandoning ancient Marxist theories and are concentrating on the development of a social conscience and more economic democracy.

Churches, too, are flourishing in West Germany. They have been particularly active in promoting German-Jewish relations to atone for the horrible crimes of the Hitler regime. In this they have had the continuing support of the Government, as evidenced by the exemplary execution of the restitution and indemnification payments to victims of Nazi barbarism. Indeed, most German parties supported these laws including the payment of large sums to the State of Israel. This year again German Brotherhood Week was under the patronage of President Heuss.

Another truly great achievement of the Adenauer regime has been the solution of the refugee problem. This problem is accentuated by the continuing influx of Germans from the Soviet occupied East Zone. As of today almost ten million refugees have been received and absorbed in the Federal Republic.

Finally we have seen in Germany a newly emergent cultural life. Not only a free press, but a large section of books are available to the ordinary German citizen. Many of these books are translations of American, English, and French works. Germany each year publishes more books than the United States.

The German Federal Republic has moved with the West; and it is also moving with rapidity and vision toward closer cooperation with the free countries of Europe. A milestone on that road was the peaceful settlement with France of the Saar question. Another milestone has been her participation in the Common Market, in GATT, in the Euratom project, and in NATO. To a degree never known before Germany has discarded isolation. Its people, and particularly those of its divided chief city Berlin, have seen firsthand the tyranny on the other side of the Iron Curtain, and thus have come to value freedom. The Germans, too, feel free to acknowledge the contribution of American ideas and American help to their way of life and to their defense. Professors at many great German universities, leaders in public life, men and women in all walks of life, have made many visits to the United States, and this has resulted in deep and friendly understanding in Germany among all classes.

Mr. Speaker, yesterday also marked the day when Germany changed Presidents. The new President Heinrich Luebke will take his oath of office tomorrow and I am sure I express the feelings of all my colleagues in wishing him a successful and happy term of office. He will be stepping into the shoes of one of the most beloved public figures in Europe, Prof. Theodor Heuss, who so eloquently addressed the Congress in 1958.

It is fitting that I come to a close with the words of Chancellor Adenauer:

> Everything that has been accomplished in the Federal Republic in the past few years is of importance to the whole free world. We believe that the ways and means by which these achievements were effected are essentially the same as those followed in America and other Western countries—namely, setting free individual initiative and promoting a sense of responsibility of each toward all. It is encouraging to note that no longer does "all" refer solely to one's own country but to the entire community of nations.

Today more than ever this is still the sentiment of Germany. Indeed, this sentiment is one of the cornerstones upon which the peace and the security of the world rests. We Americans have reason to be proud for our contribution to the cause of German democracy and freedom. We salute her on this 10th birthday as we await a general settlement in the cold war which would and must bring with it the reunification of Germany. There can be no general settlement without the inclusion of a free and a unified Germany.

Mr. BOYLE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may address the House for 1 minute and revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REUSS. Mr. Speaker, I wish to join the distinguished gentleman from Illinois [Mr. BOYLE] in this tribute to the energy and perseverance of the German people and their leaders. Indeed, it is not too much to say that relations between the United States and the Federal Republic of Germany have never been so close as they are today.

Today a great German leader, President Theodor Heuss, leaves his office. He has played an important part in recent German history. He was a key figure in the drafting of the federal constitution in 1949, and became known to the German public as the father of the German Constitution, although he once wittily remarked that he was "not the father but the obstetrician." In 1954, he was reelected President with the unanimous support of all the parties in Germany.

In his inaugural address that year, Professor Heuss outlined his philosophy for the future of Germany. He saw his task as influencing Germany toward a political life in which love for moderation and for individual liberty would serve to defend his country against a new dictatorship. Further, he urged Germany to be always a responsible member of the European community, and to work patiently toward a peaceful solution of its tragic division.

Mr. Speaker, President Heuss in these years has seen Germany follow this philosophy. In this endeavor, it has had the continuing support of the United States and of our allies. Today, thanks to the leadership of men like Heuss and Adenauer, and the responsible stature of the other party leaders the federal republic is firmly a partner of the Western alliance. The chances of the continued growth of democracy in Germany are the best they have ever been in German history. It is with a great deal of satisfaction that I wish Germany, its outgoing great President, Professor Heuss, the incoming new President Heinrich Luebke, continued success on the road to freedom and national unification.

SHORTER PRESIDENTIAL CAMPAIGNS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, last Sunday's newspaper carried the information that Britain would hold an election on October 8, 1959.

The announcement was made on September 7, 1959. The Queen's proclamation summoning the voters to the polls will be issued on September 18 and the election will be held less than 2 weeks thereafter. Thus, the whole machinery of a national election in England will have been completed within a period of 1 day over a month.

I suggest that we Americans can take a lesson from our British cousins.

Our presidential election next year will begin with the parties' conventions which will be held during the first part of July and the election will not be held until the first part of November. Thus, approximately 4 months elapses from convention to election.

It is becoming more obvious every day that this 4-month period serves no useful purpose. It brings the candidates to physical prostration. It causes the unnecessary expenditure of vast sums of money and it carries the voting public to a condition of apathy.

It is true that we have a fixed time for presidential elections while the British elections may be called at any unannounced time upon dissolution of the government, but this merely means that our legal arrangements would have to be somewhat different in form from those in Britain.

I honestly believe that the time has come to reduce the campaigning period in our national elections. The extended presidential campaign serves no useful purpose. Certainly, we cannot say that as a result of our system the American voter is better instructed in the campaign issues than his British counterpart. On the other hand, a shorter campaign in this country would prevent wear and tear on candidates; save millions of dollars and preserve the voter's interest in the candidates and the election.

I propose to offer legislation at an early opportunity to cover this problem.

CAPITAL GAINS TAX LOOPHOLE

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the distinguished senior Senator from the State of Pennsylvania has given a great deal of thought and consideration to our Federal tax structure. He has, among other things, interested himself in the treatment accorded capital gains under the Internal Revenue Code of 1954 and in the types of transaction which gives rise to capital gains under the code.

This is a serious matter in which we as legislators are deeply interested because of the effect upon Federal revenues and upon business activity. The senior Senator from Pennsylvania commented upon some aspects of this situation on the 12th day of August, and his remarks appear at page 15590 of the CONGRESSIONAL RECORD for that day. I commend his statement to the attention of every Member of the House and particularly call your attention to the schedule incorporated in his remarks showing the average tax savings accruing to capital gains taxpayers in various income brackets during 1956, and I include, under unanimous consent, this schedule at this point in the RECORD:

The capital gains tax (who benefits—how much—Treasury loss)

Adjusted gross income of taxpayer	Total number of taxable returns filed (excluding information returns)	Percentage of total returns reporting capital gains	Average tax saved on returns reporting capital gains [1]	Revenue loss to Treasury because of capital gains claims
Under $3,000	12,161,320	2.4	$81	$24,042,000
$3,000, under $5,000	14,808,530	3.3	108	52,370,000
$5,000, under $7,000	10,455,601	4.2	127	55,994,000
$7,000, under $10,000	5,723,893	7.6	189	82,269,220
$10,000, under $15,000	1,918,975	17.6	342	115,354,590
$15,000, under $20,000	497,449	30.7	566	86,762,550
$20,000, under $25,000	234,745	37.0	805	69,970,300
$25,000, under $50,000	346,246	46.2	1,843	294,855,440
$50,000, under $100,000	89,095	60.4	8,125	417,371,100
$100,000, under $150,000	14,057	72.6	28,117	287,013,500
$150,000, under $200,000	3,843	77.3	53,571	159,213,860
$200,000, under $500,000	4,031	82.0	122,431	404,513,920
$500,000, under $1,000,000	593	84.1	404,848	202,019,400
$1,000,000 or more	268	81.3	1,453,438	316,849,500
Total				2,568,599,380

[1] NOTE.—Tax savings computed at ½ the bracket rate, to a maximum of 25 percent. Bracket rate assumed to be the rate for the average taxable income per return at that adjusted gross income level, including 90 percent of excluded capital gains.

Source: Statistics of income, 1956—"Individual Income Tax Returns," U.S. Treasury, Internal Revenue Service.

After studying the remarks of the senior Senator from Pennsylvania, it occurred to me that further light might be thrown on the subject if the number and total savings of capital gains taxpayers were shown by income category to demonstrate the impact of the special treatment of capital gains under the Internal Revenue Code of 1954. Only slightly over 5 percent of the taxable returns filed by individuals for the year 1956 reported any capital gains at all. About 32 percent of the capital gains returns were filed by persons having adjusted gross income of less than $5,000. About 3 percent of the capital gains returns were filed by persons having adjusted gross income in excess of $50,000. Yet, only 3 percent of the total tax savings realized as a result of the special treatment given capital gains was enjoyed by the 32 percent of capital gains taxpayers who had incomes of less than $5,000, while almost 70 percent of the total tax savings realized as a result of the special treatment of capital gains was enjoyed by the 3 percent of capital gains taxpayers who had incomes in excess of $50,000.

This record, when considered in conjuction with the facts established by the learned senior Senator from Pennsylvania, indicates that a complete consideration of the tax treatment of gains upon the sale or transfer of capital assets should be quickly undertaken. It is my sincere hope that the Committee on Ways and Means will give this matter its serious and prompt attention when it begins hearings on tax revision this fall.

Under unanimous consent, I include the table above referred to, showing the number and percentage of individual returns filed which indicate capital transactions and the reduction in income tax resulting therefrom, by income categories, at this point in the RECORD:

Who benefits, and how much—the capital gains tax loophole, 1956

Total number of taxable returns filed	46,258,646
Number showing capital gains	2,466,281
Percent of taxable returns showing capital gains	5.3

Distribution of returns showing capital gains (taxable returns only)

Income level	Returns showing gains		Reduction in income tax	
	Number	Percent of total	Amount (thousands)	Percent of total
Under $5,000	782,495	31.7	$76,412,000	3.0
$5,000 to $10,000	875,479	35.5	138,263,220	5.4
$10,000 to $20,000	490,395	19.9	202,117,140	7.9
$20,000 to $50,000	246,894	10.0	364,825,740	14.2
$50,000 and over	71,018	2.9	1,786,981,280	69.5
Total	2,466,281	100.0	2,568,599,380	100.0

EBER BROS. WINE & LIQUOR CORP.—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 228)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 2717, "For the relief of Eber Bros. Wine & Liquor Corp."

The bill would permit income tax refund claims for this corporation's taxable years 1947 and 1948 to be presently determined even though applicable statutes of limitations have long since expired.

This special relief should be granted, it is said, because a January 29, 1951, decision of the Tax Court—holding that a certain form of income should be treated as a capital gain rather than as ordinary income—came at a time when the statutory 3-year period for claiming a refund had only 6 months to run on this taxpayer's 1948 return and only 11 months to run on its 1947 return. Despite the remaining time it did have in each case, this taxpayer failed to file for a refund on this new basis until July 14, 1952—a year and a half after the Tax Court decision. Nor did the taxpayer take any other timely action to protect its position. The 1947 and 1948 claims were disallowed because not presented in time.

A judicial decision modifying or overturning a previously held view of the law is not an unusual circumstance in the development of our tax law. Taxpayers and their counsel often must take action or otherwise adjust because of such changes.

The effect of the Tax Court decision here involved was to change the tax treatment of a certain kind of income. This, as always, meant different things to different taxpayers according to their individual circumstances, but the point is that as of the date of the decision everybody's rights—no matter how they may have varied—were fixed. This bill now seeks to alter those rights for one taxpayer.

The record on this bill discloses no valid reason for such special relief. The taxpayer simply failed to protect his position within the time allowed him by law. The very purpose of the statute of limitations is to achieve finality in tax administration. Special relief in this case would undermine this purpose, would discriminate against other taxpayers, and would create an undesirable precedent.

For these reasons I am unable to approve this bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 14, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and, without objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

AMENDING INTERNAL REVENUE CODE OF 1954 TO PROVIDE PERSONAL EXEMPTION FOR CHILDREN PLACED FOR ADOPTION

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 47) to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That" insert "(a)".

Page 1, line 11, strike out "SEC. 2." and insert "(b)."

Page 1, line 11, and page 2, line 1, strike out "the first section of this Act" and insert "subsection (a)".

Page 2, after line 2, insert:

"SEC. 2. (a) Section 1371 of the Internal Revenue Code of 1945 (relating to definitions applicable to certain small business corporations) is amended by adding at the end thereof the following new subsection:

"'(c) STOCK OWNED BY HUSBAND AND WIFE.—For purposes of subsection (a)(1) stock which—

"'(1) is community property of a husband and wife (for the income from which is community income) under the applicable community property law of a State, or

"'(2) is held by a husband and wife as joint tenants, tenants by the entirety, or tenants in common, shall be treated as owned by one shareholder.'

"(b) Section 1374(b) of the Internal Revenue Code of 1954 (relating to allowance of net operating loss to shareholders of electing small business corporations) is amended by inserting after 'the taxable year of the corporation ends' the following: '(or for the final taxable year of a shareholder who dies before the end of the corporation's taxable year)'.

"(c) Section 1504(b) of the Internal Revenue Code of 1954 (relating to definition of includible corporation) is amended by striking out paragraph (8) thereof.

"(d) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1959. The amendments made by subsections (b) and (c) shall take effect on the day after the date of the enactment of this Act."

Page 2, after line 2, insert:

"SEC. 3. (a) Section 542(c) of the Internal Revenue Code of 1954 (relating to exceptions from definition of a personal holding company) is amended—

"(a) by inserting ';' in lieu of '.' at the end thereof and

"(b) by adding at the end thereof the following new paragraph (11):

"'(11) A small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act. This paragraph shall not apply if any shareholder of the small business investment company owns at any time during the taxable year directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)) a 5 per centum or more proprietary interest in a small business concern to which funds are provided by the investment company or 5 per centum or more in value of the outstanding stock of such concern.'

"(b) The amendment made by this section shall apply to taxable years beginning after December 31, 1958."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman briefly explain the bill?

Mr. MILLS. Mr. Speaker, in the form in which it passed the House of Representatives, the purpose of H.R. 47 was to amend the Internal Revenue Code of 1954 to provide that, for purposes of claiming a $600 dependency exemption, a child placed with the taxpayer by an authorized placement agency for legal adoption by him shall be treated in the same manner as a natural born child and a legally adopted child, if the child is a member of the individual's household. As will be recalled, the bill passed the House on August 18, 1959, by unanimous consent.

Basically, the Senate amended the bill in two respects. First, it added a provision—section 2 of the Senate-passed bill—making certain changes in the statute relating to election of certain small business corporations as to their taxable status. As explained in the Finance Committee report on this bill, and as explained on the floor of the Senate, subsection (a) of this section amends section 1371 of the Internal Revenue Code to provide that in determining the number of shareholders of a small business corporation, a husband and wife owning stock jointly or as community property shall be counted as only one shareholder. Under existing law, such a corporation must have not more than 10 shareholders. From the manner in which the word "shareholder" is used in the present law, it is clear that each person having a common or community interest in stock must be counted as a shareholder. For all other purposes of subchapter S, including the requirement that all shareholders consent to the election, each spouse would continue to be considered as a separate shareholder. This provision would apply to taxable years beginning after December 31, 1959.

Subsection (b) of section 2 of the Senate-passed bill amends section 1374 of the code to make clear that a deceased shareholder will not be denied his pro rata share of a small business corporation's net operating loss. Under present law a shareholder who dies before the end of the corporation's taxable year is deprived of his share of the net operating loss which occurs in the corporation's taxable year in which he dies. This results from the fact that the statute requires the deduction to be taken for the shareholder's "taxable year in which or with which the taxable year of the corporation ends." In the case of death, this condition cannot be met. Subsection (b) would take effect on the day after the date of enactment of this act.

Subsection (c) strikes out paragraph (8) of section 1504(b) of the code, thereby clarifying the definition of a small business corporation. The existing statute defines a small business corporation as one which, among other things, is not a member of an affiliated group. This rule is intended to preclude the accumulation of corporate earnings in a subsidiary and thus avoid the taxation of those earnings to the shareholders of the subchapter S corporation. However, paragraph (8) of section 1504(b), which was enacted to insure this result, actually has the opposite effect by permitting the acquisition of a subsidiary by a small business corporation after the election has been made. This amendment would prevent acquisition of an 80-percent-owned subsidiary at any time. Subsection (c) would take effect on the day after the date of enactment of this act.

There are several bills pending before the Committee on Ways and Means on various aspects of the subject dealt with in the Senate amendment referred to above, some of which were introduced by our colleagues on the committee, the Honorable HALE BOGGS, the Honorable FRANK IKARD, the Honorable JAMES B. UTT, the Honorable ALBERT H. BOSCH, and one of which I introduced.

The second Senate amendment, as explained in detail on the floor of the Senate, amends section 542(c) of the Internal Revenue Code of 1954—relating to exceptions from the term "personal holding company"—to exempt small business investment companies from the personal holding company tax. This amendment was requested by the Small Business Administration in an executive communication which was referred to the Committee on Ways and Means on September 2, 1959. The explanatory memorandum included in that communication states, in part:

Under existing law, a small business investment company is not accorded any exemption or other relief from the imposition of the surtax on undistributed personal holding income. This tax, when applicable, subjects a small investment company to an additional surtax of approximately 85 percent on undistributed earnings. Since the basic income of an investment company may consist principally of dividends and interest and, because dividends and interest typically constitute personal holding company income, an investment company is considered to be a personal holding company when more than 50 percent of the value of the investment company's outstanding stock is owned by not more than five individuals.

Because of the punitive nature of the personal holding company surtax, the effect of the application of this tax to an investment company is to prevent investment companies from being formed by family interests or other small groups of shareholders. * * *

* * * * *

The recommended exemption of investment companies from the personal holding company surtax is not inconsistent with the development and purpose of the surtax. This tax was devised to eliminate a form of tax avoidance whereby an individual may form a corporation and exchange for its stock his personal holdings in income-producing property. Under this plan the income from the property would be subject to the corporation tax but no surtax would be paid by the individual if the income were not distributed.

Traditionally, financial and investment institutions have received exemption from or special treatment under the personal holding company tax. * * *

* * * * *

The same considerations which led to * * * present exemptions would apply in the case of small business investment companies whose function is similar to, if not identical with, institutions presently exempted. Thus enactment of an amendment to section 542

(c) of the Internal Revenue Code of 1954 exempting small business investment companies from the personal holding company tax would be consistent with the purpose of that tax and would implement the declared policy of the Congress that the provisions of the Small Business Investment Company Act of 1958 be carried out by the Small Business Administration in such manner as to insure the maximum participation of private financing sources.

The explanatory memorandum of the Small Business Administration is stated in full at page 18899 of the CONGRESSIONAL RECORD for September 10, 1959.

Both of these amendments have to do with so-called small business and they are entirely acceptable to everyone with whom the matter has been discussed.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, I would like to congratulate the gentleman from Arkansas, chairman of the Committee on Ways and Means, and the members of the Committee on Ways and Means for sponsoring these very fine constructive amendments and getting approval of the other body and having them enacted into law. I think they are fine and very much needed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

The title was amended so as to read: "An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status."

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SIMPSON] may extend his remarks in further explanation of the Senate amendments at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I have concurred with the distinguished chairman of the Committee on Ways and Means in urging the House to accept the Senate amendments to H.R. 47.

The House-passed version of this legislation pertained to the $600 dependency exemption and sought to clarify the status of children for tax exemption purposes in the case of a taxpayer who has an adoption proceeding pending. The effect of the House bill was to remove the requirement in existing law that a child must be in the home of a taxpayer for an entire year before he could be considered a dependent for personal exemption purposes. The Senate in acting on this legislation has approved amendments which have the following two principal purposes: First, provides that in determining the number of shareholders in a small business corporation a husband and wife owning stock jointly or as community property shall be counted as one shareholder; second, provides an exemption for small business investment companies from the personal holding company tax.

The second amendment that I have referred to embodies the provisions of an administration request sent to the Congress by the distinguished Administrator of the Small Business Administration.

LAST MINUTE CONGRESSIONAL ACTION ENCOURAGES FORMATION OF SMALL BUSINESS INVESTMENT COMPANIES; ALSO REMOVES DISCRIMINATION AGAINST COMMUNITY PROPERTY STATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it was certainly gratifying today to note the passage of the bill H.R. 47, which provides for a personal income tax exemption for children placed for adoption by an authorized placement agency. But, it was even more gratifying to me to note that two very important amendments had been placed in this bill and also passed. The two amendments which I speak of deal with benefits to the small business segment of our national economy.

The first amendment which I wish to briefly mention provides for the exemption of small business investment companies from the personal holding company tax. Testimony before Subcommittee No. 1 of the House Small Business Committee, under the chairmanship of Hon. JOE L. EVINS, in May of this year, indicated that many potential investors in small business investment companies were discouraged from organizing and investing in these companies because of the personal holding company surtax. The recommendations of the National Association of Small Business Investment Companies and others regarding this question, were documented at these hearings on May 11, 12, and 13, 1959.

It is recognized by all that if these small business investment companies are going to grow and prosper to such an extent that they will be of benefit to the small business concerns of the Nation, the program must be such that it will attract capital investment. It is also obvious that family groups or other financial circles composed of less than five will not be interested in organizing or investing in these companies if their returns are subject to the personal holding company surtax. It is my feeling that every reasonable step should be taken to encourage the organization and development of these companies.

When the Small Business Investment Act of 1958 was passed last year, many of us had great hopes for this piece of legislation. But it has developed slowly and has been a disappointment to many. The respected and distinguished majority leader of the Senate observed just this last Thursday on the floor of the Senate that he was somewhat disappointed that only 27 small business investment companies had been formed. I would like to join him in expressing the same disappointment. It might be pointed out here that when Subcommittee No. 1 of the House Small Business Committee announced that it would hold hearings into the organization and operations of the Small Business Administration last March only two small business investment companies had been licensed by the SBA. This was approximately 7 months after the act was passed. The hearings were scheduled for May 11 and one more investment company was licensed prior to the hearing and three newly licensed companies were announced on the morning the hearings began. As of August 24, slightly more than 3 months after the hearings were held, 21 additional companies were licensed by SBA. Although the program has speeded up since the Small Business Committee hearings, it is hoped that the program will be accelerated even further. As a result, it is felt that the personal holding company surtax exception is good legislation and will remove at least one of the obstacles which the Small Business Administration insists has slowed them down.

The other amendment to H.R. 47 which I think is of great importance, provides that the stock of small business corporations which is owned by a husband and wife in a community property State will be treated as owned by a single shareholder for purposes of determing the number of shareholders of such corporations. On January 22, I introduced H.R. 3126 which contained the provisions which have been incorporated in this amendment to H.R. 47.

Last year Congress enacted Public Law 85–866 which included provisions for small business tax adjustments. One provision of that law gave small business corporations the opportunity to elect to be taxed as partnerships. The income of the corporations, under such elections, would be taxed to the shareholders. The law provided that in order to classify as a "small business corporation" for the benefits under such election, there could be no more than 10 shareholders. The Treasury Department ruled that the spouse of the shareholder in a community property State, such as Texas, should also be counted as a shareholder for the purposes of the Small Business Tax Adjustment Act. This had the effect of reducing the number of married stockholders who could take advantage of this small business tax benefit to less than five in community property States and in other States where the husband and his spouse hold as joint tenants, as tenants in common or by tenants by the entirety. It is obvious that Congress never intended such inequitable results, but since the Internal Revenue Service

refused to change its interpretation, although urged to do so, it was necessary to change the law.

This amendment to H.R. 47 which was passed by the Senate last Thursday and by the House today, will remedy this situation and should be of great benefit to many small business corporations doing business in community property States.

FAILURE OF ADMINISTRATION'S MONETARY AND FISCAL POLICIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include two tables.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, during this controversy over the bond interest rate ceiling, the President does not inform either the Congress or the Nation about the real issue in his interest ceiling proposal. That issue is that we have used money tightness too much, and fiscal tightness too little in our efforts to provide a climate for high employment, a stable price level, and economic growth. Tight money—loose fiscal policy is likely to curb inflation only at the price of curbing economic growth, where as a tight fiscal—easier money policy will do as good, if not a better, job of stabilizing the price level and without such serious limits on increases in our productive capacity.

The issue then is this: If we remove the marketable bond interest-rate ceiling now, we in effect tell the administration that we approve of their tight money—loose fiscal policy mix. We do not approve it. But to date we have received no assurances that the policy mix that is responsible for present debt management problems will be changed if the interest rate ceiling is removed or raised. It is the responsibility of the administration to present to the Congress a budget program which will, at high levels of employment, produce a substantial budget surplus. This surplus can be used, in part, to reduce the debt. This will ease the pressure on Government bonds.

Do not let anyone tell you that this responsibility does not belong to the administration. This Congress has labored diligently to reduce spending authorizations below those recommended by the President in his budget message last January, without sacrificing important programs to strengthen the economy in the long run. Instead of honest cooperation, we have been treated to budgetary legerdemain and repeated vetoes.

Mr. Speaker, I have given careful and diligent attention to the budgets presented to the Congress by this administration not only because of my basic interest in the monetary policy but also because as chairman of the Committee on Ways and Means I have considered that I have a particular responsibility to know what the facts are with respect to the money that is being spent as related to revenues. When I state that this administration has not set its budget house in order, I am prepared to demonstrate the truthfulness of this assertion with the presentation of facts and figures. At this point, I wish to insert in the RECORD a table—table 1—which eloquently speaks for itself in showing that this administration has pursued easy fiscal policies throughout the whole period of its two terms of office, and that compared with an equal number of years under the previous Democratic administration, this Republican administration has showed a cash budget deficit for the whole period of $8½ billion, whereas the Democratic administration which preceded it showed a cash budget surplus of nearly $12½ billion.

Mr. Speaker, I wish to repeat this for emphasis: During the years 1946 through 1952, there was a cumulative cash budget surplus of nearly $12½ billion; during the years 1953 through 1958, while we have been under a Republican administration, there is a cumulative cash budget defiit of nearly $8½ billion. During the 6 years 1953 through 1958, the Republicans have shown a cash budget deficit in at least 4 years; during the 7 years 1946 through 1952, the Democratic administration showed a cash budget surplus in 5 out of the 7 years.

TABLE 1.—*Receipts, expenditures, and cash budget surplus or deficit, calendar years 1946–58*

[In millions of dollars]

Calendar year	Receipts	Expenditures	Cash budget surplus or deficit (−)
1946	$41,441	$41,399	$42
1947	44,282	38,616	5,666
1948	44,914	36,892	[1] 8,023
1949	41,339	42,635	[1] −1,295
1950	42,411	41,962	[1] 450
1951	59,268	58,034	1,234
1952	71,436	73,082	−1,646
Total, 1946–52	345,091	332,620	[1] 12,474
1953	70,141	76,289	−6,148
1954	68,589	69,661	−1,072
1955	71,448	72,188	−740
1956	80,330	74,807	[1] 5,524
1957	84,520	83,326	1,194
1958	81,729	89,015	[1] −7,288
Total, 1953–58	456,757	465,286	[1] −8,530

[1] Details do not necessarily add to totals because of rounding.

Source: 1957 Historical and Descriptive Supplement to Economic Indicators, 85th Cong., 1st sess., and Economic Indicators, August 1959, 86th Cong., 1st sess.

Now, Mr. Speaker, in order to demonstrate fully the point which I have been making that this loose fiscal tight money policy has had a tremendous effect on interest rates, I will insert here and refer to another table which I have had prepared—table 2. This table also speaks eloquently for itself. It shows the cash budget surplus and/or deficit as compared to interest rates on different classes of securities for the calendar years 1946 through 1958. I urge my colleagues to give attention and study to these two tables as the opportunity presents itself.

TABLE 2.—*Cash budget surplus or deficit and interest rates, calendar years 1946–58*

Calendar year	Cash budget surplus or deficit (−) (millions)	U.S. Government security yields		Corporate bonds (Moody's) Aaa
		3-month Treasury bills [1]	Treasury bonds [2]	
1946	$42	0.375	2.19	2.53
1947	5,666	.594	2.25	2.61
1948	8,023	1.040	2.44	2.82
1949	−1,295	1.102	2.31	2.66
1950	450	1.218	2.32	2.62
1951	1,234	1.552	2.57	2.86
1952	−1,646	1.766	2.68	2.96
1953	−6,148	1.931	2.94	3.20
1954	−1,072	.953	2.55	2.90
1955	−740	1.753	2.84	3.06
1956	5,524	2.658	3.08	3.36
1957	1,194	3.267	3.47	3.89
1958	−7,288	1.839	3.43	3.79
Total:				
1946–50	12,886			
1951–52	−412			
1946–52	12,474			
1953–58	−8,530			

[1] Rate on new issues within period.

[2] Series includes: April 1953 to date, bonds due or callable 10 years and after; April 1952–March 1953, bonds due or callable after 12 years; October 1941–March 1952, bonds due or callable after 15 years.

Source: 1957 Historical and Descriptive Supplement to Economic Indicators, 85th Cong., 1st sess., and Economic Indicators, August 1959, 86th Cong., 1st sess.

Until the administration is prepared to set its budget house in order, to present to the Congress an honest, forthright, and candid budget program, free from Fannie Mae-Government bond swaps and similar accounting hokus-pokus, a program supported by a full and careful statement of the economic prospects upon which it is based and of its significance for monetary conditions—until that time, any so-called irresponsibility on the part of the Congress will be no more nor less than confusion caused and cultivated by the administration's budgetary black magic.

I want to register my vigorous support for the proposal that the administration change its course and offer the Congress and the Nation a new policy combination of fiscal tightness and monetary ease. If the coming budget proposals for fiscal 1961 demonstrate this change in policy-mix—if the coming budget shows a substantial, honest surplus predicated upon high levels of employment and output—if this is done, this I feel a basis will have been created for congressional acceptance of the President's request that the ceiling on Government bond interest rates be eliminated.

In conclusion, Mr. Speaker, let me say that when we reach the point where we have a balanced budget for 2 or 3 years with an appreciable surplus, then our debt problems will be eased and interest rates will be stabilized.

FOR THE RELIEF OF SERGIUSZ RUDCZENKO

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2319) for the relief of Sergiusz Rudczenko.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MOORE. Mr. Speaker, reserving the right to object, will the gentleman explain this bill and its contents?

Mr. WALTER. Mr. Speaker, the beneficiary of this bill has a preferred visa because he is a specialist, I believe a structural engineer. When the time came at the expiration of his visa, it was discovered he had tuberculosis. A subsequent investigation was made in order to determine the extent to which this disease would impair his ability to serve if he came into this country. The evidence has just reached the committee that he is no longer suffering from an active stage of tuberculosis. This information came, I may say, too late to have this bill attached to a resolution containing a number of other identical cases.

Mr. MOORE. Mr. Speaker, I may say to the Members of the House that this is a bill we in the subcommittee would have given favorable consideration to had it been before us at the proper time.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of sections 212 (a) (6) and 212(a) (15) of the Immigration and Nationality Act, Sergiusz Rudczenko may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *Provided further,* These exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

SEC. 2. Notwithstanding any other provisions of law, any condition or control which the Attorney General may deem necessary to impose pursuant to the provisions of the first section of this Act shall not be grounds for precluding the classification of Sergiusz Rudczenko as an immigrant under section 203(a) (1) of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the person involved in the bill just passed by the House is Mr. Sergiusz Rudczenko, a 29-year-old native of Poland, presently living in that country. Mr. Rudczenko is a structural engineer and his application for a first preference visa has been filed by a firm of architects in Seattle, Wash.—and has been approved. Mr. Rudczenko's parents are fine residents of my own home city of Portland, Oreg.

The Senate Judiciary Committee urged the admission of Mr. Rudczenko to this country. The Senate has concurred in this judgment. I am delighted that the House has now given its approval to this bill admitting a very deserving person and his family to this country. My sincere thanks go to the chairman of the Subcommittee on Immigration, the gentleman from Pennsylvania [Mr. WALTER] for his understanding and his willingness to bring this bill before the House today.

DOCUMENTARY HISTORY, U.S. CAPITOL BUILDING AND GROUNDS

Mr. ALBERT. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

HOUSE RESOLUTION 393

Resolved, That the manuscript entitled "Documentary History of the Construction and Development of the United States Capitol Building and Grounds" be printed as a House document.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL CIVILIAN POSITIONS, DEPARTMENT OF DEFENSE

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6059) to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 2, strike out all after "Schedule" down to and including "1961" in line 13.

Page 3, line 23, strike out all after "personnel" over to and including "1961" in line 9 on page 4.

Page 4, after line 15, insert:

"SEC. 4. (a) Section 3(d) of the Federal Employees' Group Life Insurance Act of 1954 is repealed.

"(b) Section 5(a) of such Act is amended by striking out the words 'under age sixty-five'.

"(c) Section 6 of such Act is amended to read as follows:

"'SEC. 6. (a) Each policy purchased under this Act shall contain a provision, in terms approved by the Commission, to the effect that any insurance thereunder on any employee shall cease upon his separation from the service or twelve months after discontinuance of his salary payments, whichever first occurs, subject to a provision which shall be contained in the policy for temporary extension of coverage and for conversion to an individual policy of life insurance under conditions approved by the Commission.

"'(b) If upon such date as the insurance would otherwise cease the employee retires on an immediate annuity and (1) his retirement is for disability or (2) he has completed twelve years of creditable service, as determined by the Commission, his life insurance only may, under conditions determined by the Commission, be continued without cost to him, but the amount of such insurance shall be reduced by 2 per centum thereof at the end of each full calendar month following the date the employee attains age sixty-five or retires, whichever is later, subject to minimum amounts prescribed by the Commission, but not less than 25 per centum of the insurance in force preceding the first such reduction. Periods of honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States shall be credited toward the required twelve years provided the employee has completed at least five years of civilian service.

"'(c) If upon such date as the insurance would otherwise cease the employee is receiving benefits under the Federal Employees' Compensation Act because of disease or injury to himself, his life insurance may, as provided in subsection (b), be continued during the period he is in receipt of such benefits and held by the United States Department of Labor to be unable to return to duty.'

"(e) The amendments made by subsections (a), (b), and (c) shall take effect as of August 17, 1954, except that (1) they shall not be applicable in any case in which the employee's death or retirement occurred prior to the date of enactment of this Act, and (2) nothing therein shall be construed to require salary withholdings for any period prior to the first day of the first pay period which begins after the date of enactment of this Act."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GOVERNMENT EMPLOYEES' HEALTH BENEFITS PROGRAM

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2162) to provide a health benefits program for Government employees, with Senate amendments to the House amendment, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

In lieu of subsection (a) of section 7 insert:

"(a) Except as provided in paragraph (2) of this subsection, the Government contribution for health benefits for employees or annuitants enrolled in health benefits plans under this Act, in addition to the contributions required by paragraph (3), shall be 50 per centum of the lowest rates charged by a carrier for a level of benefits offered by a plan under paragraph (1) or paragraph (2) of section 4, but (A) not less than $1.25 or more than $1.75 biweekly for an employee or annuitant who is enrolled for self alone,

(B) not less than $3 or more than $4.25 biweekly for an employee or annuitant who is enrolled for self and family (other than as provided in clause (C) of this paragraph), and (C) not less than $1.75 or more than $2.50 biweekly for a female employee or annuitant enrolled for self and family including a nondependent husband.

"(2) For an employee or annuitant enrolled in a plan described under section 4 (3) or (4) for which the biweekly subscription charge is less than $2.50 for an employee or annuitant enrolled for self alone or $6 for an employee or annuitant enrolled for self and family, the contribution of the Government shall be 50 per centum of such subscription charge, except that if a nondependent husband is a member of the family of a female employee or annuitant who is enrolled for herself and family the contribution of the Government shall be 30 per centum of such subscription charge.

"(3) There shall be withheld from the salary of each enrolled employee and the annuity of each enrolled annuitant, and there shall be contributed by the Government, amounts (in the same ratio as the contributions of such employee or annuitant and the Government under paragraphs (1) and (2)) which are necessary for the administrative costs and the reserves provided for by section 8(b).

"(4) There shall be withheld from the salary of each enrolled employee or annuity of each enrolled annuitant so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee when both are enrolled in the same plan providing the same health benefits.

After section 13, insert a new section as follows:

"SEC. 14. (a) The Chairman of the Commission is authorized to appoint in grade 18 of the General Schedule of the Classification Act of 1949, as amended, an officer who shall have such functions and duties with respect to retirement, life insurance, and health benefits programs as the Commission shall prescribe. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grade.

"(b) The rate of basic compensation of the Executive Director of the United States Civil Service Commission shall be $19,000 per annum."

Renumber section 14 as section 15.

Renumber section 15 as section 16.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. REES of Kansas. Mr. Speaker, reserving the right to object—and I shall not object—I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, may I direct the Members' attention to a statement which I made on the floor of the House when this legislation was approved by the House on September 1. I wish to reemphasize the fact that when the bill was referred to the House Post Office and Civil Service Committee after having passed the other body, it was unworkable and did not carry out the intent of providing equitable benefits for all Federal employees.

After diligent study and lengthy hearings, our committee amended the Senate bill in order to provide legislation which is workable and which provided benefits for all Federal employees. The fact that the other body has agreed to the House language is further proof of the success of our efforts.

The chairman of the committee and myself worked for a number of days following our hearings and developed the draft which upon my motion was approved unanimously in our committee and the House also approved it overwhelmingly.

The three amendments which the Senate has made to this legislation do not relate to the basic proposal and I am prepared, therefore, to support these minor amendments, the affect of which is to—

First. Make certain that the minimum amounts for the health plans provided for in the House bill will be available for the purpose of such plans over and above the 3 percent for reserve and 1 percent for administration.

Second. Makes a grade GS–18 position available if and when the Commission decides to combine the administration of the life insurance, retirement, and health benefits programs.

Third. Adjusts the salary of the Executive Director of the Civil Service Commission in line with what we have already done with administrative assistant secretaries of the several departments.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, at the request of the chairman of our committee I am asking the unanimous consent of the House to take up S. 2162 which provides a health benefits program for Federal employees. House agreement will send the measure on its way to the White House, where I am sure it will be approved.

This bill represents the culmination of efforts of a number of years on the part of many Members of both Houses of Congress. I particularly would like to commend the chairman and the ranking minority member of our Committee on Post Office and Civil Service for bringing the bill to our committee in the form in which it was voted out unanimously, as well as our ranking majority Member, the distinguished gentleman from Louisiana [Mr. MORRISON], and other sponsors of health benefits bills. Through their efforts and the work of the entire committee and the committee staff, a bill was developed which I believe represents general concensus of opinion developed during our detailed hearings on this complex problem. We wanted to be sure that the health program we approved would in fact be the kind of a program which would meet the various requirements of the 2 million Federal employees who are expected to participate voluntarily.

Briefly, these are the major provisions:

The bill makes basic and extended health protection available to 2 million employees and their families—some 4.5 million individuals—with the Government contributing 50 percent, but not less than $1.25 or more than $1.75 biweekly for a single employee and not less than $3 or more than $4.25 biweekly for an employee and family, subject to certain special exceptions.

No physical examination is required, a separated employee may convert coverage to a private plan without such examination, and no one is excluded because of race, sex, health status, or—at first opportunity to enroll—age.

There is free choice, to suit each employee's needs, among four health plans—a service plan, such as Blue Cross-Blue Shield; an indemnity plan, such as certain insurance companies offer; any one of several employee organization plans; and a comprehensive medical plan on either the group-practice or individual-practice prepayment basis. A wide range of hospital, surgical, medical, and related benefits will be provided, and both service and indemnity plans must have at least two levels of benefits.

The Senate amendment make these minor changes in the House-passed bill:

The minimum Government contributions in the House bill are earmarked for purchase of health plans, with small added contributions required of the Government and the employees for the 1 percent administrative cost and the 3 percent contingency reserve provided by the House bill. The chairman of the Civil Service Commission is authorized to appoint a grade GS–18 official with such retirement and health and life insurance program duties as the Commission prescribes. The compensation of the executive director of the Civil Service Commission is adjusted to $19,000 annually, in accordance with what the Congress recently did for the administrative assistant secretaries of Government departments.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

HODGENVILLE AND LARUE COUNTY, KY., AND THE ABRAHAM LINCOLN SESQUICENTENNIAL

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, I want to congratulate Hodgenville and Larue County, Ky., on their participation in

the Abraham Lincoln Sesquicentennial this year.

The birthplace of Lincoln is located near this enterprising town whose fine officials and citizens have taken a great part in the celebration of this outstanding event. The progressive cooperative spirit which pervades this splendid little community and with which its kind and hospitable citizens are imbued has prompted them to be significant participants in this event of national importance and magnitude. Their unselfish dedication to this cause elicits the admiration of all who love our country and its great leaders.

The Abraham Lincoln Birthplace Land Corp., of Hodgenville, Ky., devised a brilliant and imaginative plan by which the section of the Lincoln birthplace farm not owned by the Abraham Lincoln National Historical Park—the name of which is now officially changed to Abraham Lincoln's Birthplace—is being released to schools, historical societies, prominent citizens, and individuals for their private ownership as historical heirlooms. It is a family keepsake, if you please, that can and will be handed down from generation to generation through the family so fortunate as to own its precious soil. In the words of the corporation:

> This property has been divided into square foot sections to allow as many as possible to share in this wealth of American heritage * * * a treasure with national significance which can be passed from generation to generation with a pride of ownership second to none.

The truth of this is borne out by the fact that the deed which was issued to me, giving me actual fee simple title to 1 square foot, in section No. A–202–Parcel A, of the original Lincoln birthplace land, is now framed and hanging in a prominent place in my office here in Washington.

These planners are to be congratulated upon their wisdom and foresight in finding such a unique and interesting way to perpetuate the knowledge, understanding and love of Abraham Lincoln.

As their Congressman representing the Fourth Congressional Kentucky District, I take pride in giving recognition to all of those wonderful citizens of Larue County, Ky., who have had a part, large or small, during this Lincoln Sesquicentennial Year, in paying homage and tribute to the Great Emancipator. Truly it is an honor to be able to serve such "salt of the earth" people here in the House of Representatives.

In conclusion, I feel I would be derelict in my duty if I did not say a few words of praise about the magnificent job that my fellow members on the National Lincoln Sesquicentennial Commission, operating here in Washington, have done. These members—Hon. John Sherman Cooper, U.S. Senator, Chairman; Hon. F. Jay Nimtz, Member of Congress, Vice Chairman; Prof. William E. Baringer, Executive Director; Miss Bertha S. Adkins; Hon. Leo E. Allen, Member of Congress; Victor M. Birely; Dr. Ralph J. Bunche; Hon. Frank Chelf, Member of Congress; Hon. Frank Church, U.S. Senator; Hon. Winfield K. Denton, Member of Congress; Dr. John S. Dickey; Hon. Everett M. Dirksen, U.S. Senator; Hon. Paul H. Douglas, U.S. Senator; John B. Fisher; Hon. William E. Jenner, U.S. Senator; Hon. Peter F. Mack, Jr., Member of Congress; Dr. R. Gerald McMurtry; Dr. L. Quincy Mumford; Rev. Paul C. Reinert; Hon. John M. Robsion, Jr., Member of Congress; Walter N. Rothschild; Hon. William G. Stratton; Jouett Ross Todd; Dr. William H. Townsend; Conrad L. Wirth; Hon. Ralph Yarborough, U.S. Senator—together with their modest but most able and alert staff have really compiled a record that any Commission authorized by Congress can truly be proud to possess. As a concrete example of one of its many, many outstanding achievements, the U.S. Treasury reports that it has minted and sold over four times as many of the new Lincoln penny this year as the number of the old original Lincoln penny. This brand new coin has the usual picture of Lincoln on it but there has been added on the reverse side a beautiful design of the Lincoln Memorial. I salute Hodgenville, Larue County, our Kentucky Sesquicentennial Commission, my colleagues on the National Commission, and all of our Lincoln historians, collectors, individuals, societies, and organizations that have helped to properly celebrate and to commemorate the 150th birthday of that Great American—Abraham Lincoln.

ADJUSTMENT OF COMMENCING DATES OF CIVIL SERVICE RETIREMENT ANNUITIES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8289) to accelerate the commencing date of civil service retirement annuities, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 10 of the Civil Service Retirement Act (70 Stat. 754; 5 U.S.C. 2260) is amended—

(1) By striking out paragraph (2) of subsection (a) and inserting in lieu thereof the following:

"(2) An annuity computed under this subsection shall commence on the day after the retired employee or Member dies, and such annuity or any right thereto shall terminate on the last day of the month before the survivor's death or remarriage."

(2) By striking out the second sentence in subsection (b) and inserting in lieu thereof the following: "The annuity of such survivor shall commence on the day after the retired employee or Member dies, and such annuity or any right thereto shall terminate on the last day of the month before the survivor's death."

(3) By striking out the second sentence in subsection (c) and inserting in lieu thereof the following: "The annuity of such widow or dependent widower shall commence on the day after the employee or Member dies, and such annuity or any right thereto shall terminate on the last day of the month before (1) death or remarriage of the widow or widower (or (2) the widower's becoming capable of self-support."

(4) By striking out the third sentence in subsection (d) and inserting in lieu thereof the following: "The child's annuity shall commence on the day after the employee or Member dies, and such annuity or any right thereto shall terminate on the last day of the month before (1) his attaining age eighteen unless incapable of self-support, (2) his becoming capable of self-support after age eighteen, (3) his marriage, or (4) his death.

(5) In subsection (e) by striking out "(1) shall be paid an annuity equal to one-half of the deferred annuity of such Member beginning the first day of the month following the death of such Member and terminating upon the death or remarriage of such surviving wife or husband" and inserting in lieu thereof "(1) shall be paid an annuity equal to 50 per centum of the Member's deferred annuity commencing on the day after Member's death and terminating on the last day of the month before death or remarriage of such surviving wife or husband".

(b) Subsections (a), (b), and (c) of section 14 of the Civil Service Retirement Act (70 Stat. 757; 5 U.S.C. 2264) are amended to read as follows:

"(a) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, constitutes the monthly rate payable on the first business day of the month after the month or other period for which it has accrued.

"(b) Except as otherwise provided, the annuity of an employee or Member shall commence on the day after separation from the service, or on the day after salary ceases and the employee or Member meets the service and the age or disability requirement for title thereto. The annuity of an employee or Member under section 8 shall commence on the day after the occurrence of the event on which payment thereof is based. An annuity otherwise payable from the fund allowed on or after date of enactment of this Act shall commence on the day after the occurrence of the event on which payment thereof is based.

"(c) The annuity of a retired employee or Member shall terminate on the day death or any other terminating event provided in this Act occurs. An annuity otherwise payable from the fund on or after date of enactment of this Act shall terminate (1) in the case of a retired employee or Member, on the day death or any other terminating event occurs, or (2) in the case of a survivor, on the last day of the month before death or any other terminating event occurs."

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the amendments made by the first section of this Act shall be paid from the civil service retirement and disability fund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, the bill provides that each civil service retirement annuity shall commence on the first day following the employee's separation from the service if immediate

benefits are payable or, in the case of deferred benefits payable upon attainment of a certain age, the first day after the employee attains the prescribed age. With respect to surviving widows and children of deceased employees or annuitants, survivor benefits will begin the day after the death of the employee or annuitant on whose service the survivor benefits are based.

Under present law, neither the survivor benefits nor the primary annuities commence until the first of the month following separation from the service or death, as the case may be.

The bill will be particularly helpful in the cases of widows and dependent children, since their survivor benefits will become payable immediately after the death of the employee or annuitant whereas under existing law the benefits are not payable for periods of as much as 30 days after death.

EXTENSION OF AIR POLLUTION CONTROL ACT

Mr. HARRIS submitted the following conference report and statement on the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control:

CONFERENCE REPORT (H. REPT. NO. 1187)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7476) to extend for two additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That section 5 of the Act of July 14, 1955 (42 U.S.C. 1857 (d)), is amended—

"(1) by striking out '(a)' after 'SEC. 5.',

"(2) by striking out 'five fiscal years during the period beginning July 1, 1955, and ending June 30, 1960' and inserting in lieu thereof 'nine fiscal years during the period beginning July 1, 1955, and ending June 30, 1964',

"(3) by inserting 'for surveys and studies and' before 'for research' in clauses (1) and (2) of such first sentence, and

"(4) by striking out 'by the Surgeon General' in the last sentence.

"SEC. 2. Such Act is further amended by adding at the end thereof the following new section:

" 'SEC. 8. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area.' "

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

OREN HARRIS,
KENNETH A. ROBERTS,
GEORGE M. RHODES,
PAUL G. ROGERS,
JOHN B. BENNETT,
PAUL F. SCHENCK,
SAMUEL L. DEVINE,
Managers on the Part of the House.

DENNIS CHAVEZ,
ROBERT S. KERR,
PAT MCNAMARA,
THOMAS E. MARTIN,
JOHN SHERMAN COOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

This legislation proposes to amend section 5 of the act of July 14, 1955, entitled "An act to provide research and technical assistance relating to air pollution control."

This section reads as follows at present:

"SEC. 5. (a) There is hereby authorized to be appropriated to the Department of Health, Education, and Welfare for each of the five fiscal years during the period beginning July 1, 1955, and ending June 30, 1960, not to exceed $5,000,000 to enable it to carry out its functions under this Act and, in furtherance of the policy declared in the first section of this Act, to (1) make grants-in-aid to State and local government air pollution control agencies, and other public and private agencies and institutions, and to individuals, for research, training, and demonstration projects, and (2) enter into contracts with public and private agencies and institutions and individuals for research, training, and demonstration projects. Such grants-in-aid and contracts may be made without regard to sections 3648 and 3709 of the Revised Statutes. Sums appropriated for such grants-in-aid and contracts shall remain available until expended, and shall be allotted by the Surgeon General in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare."

The bill as passed by the House amended section 5 so as to authorize the appropriation of not to exceed $5 million for each of 2 additional fiscal years, namely, the fiscal year ending June 30, 1961, and the fiscal year ending June 30, 1962.

The Senate amendments struck out all after the enacting clause of the House bill and inserted a substitute.

The substitute language inserted by the Senate did the following things:

(1) It corrected a purely technical error in section 5 of the present law, merely striking out "(a)" which was included by error.

(2) It provided for extending the appropriation authorization of such section 5 for 4 fiscal years (in lieu of 2 years as provided for in the House bill), and also fixed at $7,500,000 the maximum amount authorized to be appropriated for each such fiscal year.

(3) It made amendments to that part of the first sentence of such section 5 which authorizes the Department of Health, Education, and Welfare, in carrying out the policy declared in the first section of the 1955 act, to make grants-in-aid to enter into contracts for research, training, and demonstration projects. Such grants-in-aid may be made to State and local government air pollution control agencies and other public and private agencies and institutions and to individuals, and such contracts may be entered into with public and private agencies and institutions and individuals. The amendments made by the Senate would add language specifically authorizing such grants-in-aid and contracts to be made also for "surveys and studies." It is our understanding that these language changes were not intended to make any substantive change in the authority as granted and exercised under the language of the law as presently in effect, but are merely clarifying.

(4) It struck out the reference to the Surgeon General in the last sentence of such section 5. The effect of this would be that allotments of appropriated funds would be made in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare instead of by the Surgeon General as at present. However, the Secretary could, of course, delegate this function to the Surgeon General to such extent as he deems appropriate.

(5) It provided for adding to the 1955 Act, a new section as follows:

"SEC. 8. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area."

The substitute agreed to by the committee of conference is the same as the substitute inserted by the Senate amendment with one exception, namely, the appropriation authorization for the additional 4-year period would be not to exceed $5,000,000 per annum.

OREN HARRIS,
KENNETH A. ROBERTS,
GEORGE M. RHODES,
PAUL G. ROGERS,
JOHN B. BENNETT,
PAUL F. SCHENCK,
SAMUEL L. DEVINE,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report just filed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the statement.

Mr. HARRIS. Mr. Speaker, the legislation agreed to in conference extends for 4 years the Federal air pollution control program set up by Public Law 159, 84th Congress, which authorized appropriations of $5 million a year for five years.

As passed by the House H.R. 7476, proposed a 2-year extension. The Senate amendment proposed to extend the program for 4 years and to increase the ceiling on appropriations to $7,500,000 annually. The Senate amendment also included clarifying language explained in the statement of managers just read.

The conferees accepted the 4-year extension proposed by the Senate, with the maximum annual authorization retained at $5 million. During fiscal years 1956 through 1959, the total appropriations were $12,475,000, against a total authorization of $20 million. For the current fiscal year the appropriation is $4,212,000 or nearly $800,000 short of the maximum authorized.

The Department of Health, Education, and Welfare and the Bureau of the Budget recommended that the terminal date be removed and the program continued indefinitely with no fixed limitation on appropriations. The Department suggested removal of the limitation on appropriations on the grounds that a major breakthrough in the research field might bring about a need for an appropriation in excess of the $5 million limitation. The conferees felt, however, that in case appropriations in excess of the $5 million are necessary, the Department should come to the appropriate legislative committees and justify legislation to remove or increase the limitation.

The Senate bill contains language inserting authority for the Surgeon General to make surveys and studies. Witnesses for the Department in the hearings held by the Subcommittee on Health and Safety took the position that this language does not confer any additional authority on the Surgeon General but merely clarifies the present law.

The position of the Department is explained in the following quotation from the testimony of Hon. Arthur S. Flemming, Secretary of Health, Education, and Welfare before the subcommittee:

> Well, in reporting on those proposed amendments, we took the position that in our judgment they did not make any substantive addition to the present authority. We said that it has been our interpretation that such surveys and studies are included within the authorization in the present act for grants-in-aid, and contracts in support of research, training, and demonstration projects.
>
> However, in order to make this point entirely clear, we believe that the amendment would be desirable. But we wouldn't interpret it as giving us authority to go beyond what we have been doing under existing law.

Section 2 of the Senate amendment adds a new section 8 to the act declaring it to be the intent of Congress that any Federal department or agency shall to the extent practicable and consistent with the interests of the United States and within available appropriations cooperate in preventing or controlling air pollution. The committee was advised that this merely enacts into law a present policy established by Executive order.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, as chairman of the Subcommittee on Health and Safety, which conducted hearings on this legislation, I am glad to approve the conference report. The conference agreement extending the Federal air pollution program 4 years will permit the continuation of important research into a growing national problem.

My bill, H.R. 7476, as introduced, proposed a 2-year extension of the program. The extension was limited to 2 years not because of any doubt in my mind regarding the importance of this program and the need for its continuation. It was my thought that by extending the act for 2 years, the committee in the next Congress could take a look at the program to make sure that the Public Health Service carries out the intent of Congress to press forward with its activities in this field as rapidly as possible. Also, we could study the need for revising and broadening the act.

However, the Legislative Reorganization Act gives the Committee on Interstate and Foreign Commerce ample jurisdiction to conduct an investigation into any phase of the program at any time. Furthermore, if a need to broaden the program develops, appropriate legislation can be presented and considered.

Therefore, it was agreeable for me to yield to the Senate conferees when they insisted on a 4-year extension of the act.

The present act authorized appropriations of not to exceed $5 million a year through fiscal year 1960. My bill did not increase that ceiling. The Senate amendment increased the ceiling to $7,500,000 a year. Testimony presented in the hearings held by the Subcommittee on Health and Safety show appropriations as follows: $1.7 million for fiscal year 1956; $2.7 million for $1957; $4 million each for 1958 and 1959; and $4,212,000 for fiscal 1960. Therefore, I could see no reason at this time for increasing the ceiling above the present $5 million annual limitation and approve the conferences agreement to retain the present $5 million annual limitation.

The Department urged the committee to remove the ceiling entirely on the grounds that new developments growing out of present studies might result in a need for appropriations in excess of $5 million a year. However, if there is any need to exceed the present ceiling, the Department can come to the committee and justify lifting or removing the ceiling.

The Senate amendment contains language with reference to survey and studies. In our hearings, some apprehension was expressed that the Department might construe the addition of such language as broadening the scope of the program. The Department favors the language of the Senate amendment as clarifying the act. We were assured by Secretary Flemming that the Department would not interpret such language as giving the Surgeon General authority to go beyond what is being done under existing law.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

THE RAID ON NORTHERN INDUSTRIES

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 20 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, I have asked for this time that I may bring to the attention of the House and to the Nation a matter that will have vast repercussions on the future of our country and to which all of the Members of the Congress from the North, as well as those from the South, the East, and the West should be alerted.

I feel that I would be remiss in my duty to my constituents and to Chicago and to Illinois if before the sine die adjournment of this session of the 86th Congress I did not do all in my power to rouse the section of the country from which I come to a greater sense of awareness.

If the people of the section from which I come are not sufficiently aroused to the present industrial trend, I can foresee the possibility of the industries of the North being relocated in the South and the cities of the North, especially those in the Middle West, declining to the status of trading centers for an agricultural region.

I wish to make it clear that I am not standing out against the development of a natural trend. I wish every section of our country to develop, and I wish each section to have its share of the industries. All of that will be good for our country. Anything less will be harmful. We cannot have a country, one section backward and underprivileged, and another section having a monopoly on the sources of prosperity. Nothing could be more disastrous to us all. A country where the workers in one section are paid less for the same work as the workers in another section is a divided country. A country so divided cannot meet the challenge of our world destiny.

What I do object to, and what will not be healthy for our country, is the injection of unfair stimulus to build up the industries of one section of our country by tearing down the industry of another section. Boxers in a contest are governed by the rules that forbid hitting below the belt and other practices that violate the spirit of fairness. So is it in all of our sports, baseball, football, and in racing in which giving a stimulus to a horse prior to a race is subject to the severest penalties.

INDUSTRIAL FUTURE OF THE SOUTH

The industrial future of the South is bright. It will create new industries because of its many advantages. It will

build up new and expanding industries because they will find a local market and will find a market in foreign lands easily accessible because of geographical position.

These industries, developed through normal processes, will give the South an industrial position advantageous to both the South and the North. While new industries in the South are developing that section of our country, thus adding to the purchasing power of the entire Nation, the industries of the North will continue to expand and new industries will be established in the North to add to the general prosperity of our Nation.

That, Mr. Speaker, is a future to which I confidently look forward.

MULTI-BILLION-DOLLAR LURE

But what we are witnessing now is something of an entirely different nature. It is not a normal development of a trend. Newsweek describes it as a multi-billion-dollar effort on the part of the South, not to establish new industries, but to raid the industries of the North. It takes the form of subsidies given to northern industries to relocate their plants in Southern States, of tax exemptions in some States running for a period of 99 years, and the promise of lower wage scales. I have seen some of the communications to northern industrialists in which great emphasis is given to the savings that can be made in wages, and in most of these communications the explanation is given that wages are lower because labor is not organized.

Now, Mr. Speaker, this is unfair competition. Moreover, it is a representation unfair to northern industrialists. Everyone knows that as the South gains industries so will grow the demand on the part of the workers in those industries for wages and working conditions comparable to those in the North. This is as it should be. American workers should receive the same pay for the same work regardless of the geographical location of the plant.

There will be labor organizations wherever industry locates because American workers are going to demand and get a fair share of the profits of enterprises in which they are partners with management. Despite the roadblocks that many States and communities in the South are building, it is as certain as the following of day the night that labor in the South will attain the same full benefit from collective bargaining as has been attained by labor in the North. It may be in some communities a hard and a bitter struggle, but it will be much briefer than held out in the promises to northern industrialists to relocate in the South.

BUYING POWER OF WORKERS

We are one country. We have the same traditions. Inherently, Mr. Speaker, we have the same sense of fairness. I might add the same amount of common sense. And common sense will tell anyone that you cannot have a continuing prosperity unless you have buying power to move from factory to consumer the production of the joint partnership of labor and management. This buying power, common sense tells us, does not come from excessive profits to a relatively few deposited in banks and put out in investment. The fact that the North today has such buying power comes in a very large measure from the wages paid to our workers as a result of the efforts of organized labor.

I can conceive of nothing more harmful in the long run to the South and nothing more unfair to other sections of the country than the raid on Northern industry with the lure of lower nonunion wages.

SOUTHEAST BUSINESS EXHIBIT

Mr. Speaker, I had not intended on this final day of this session again to go into a matter which I had so thoroughly covered with a recital of statistics at an earlier period of the session. The reason that I am speaking today is that just prior to my leaving my office to come to this Chamber I read a letter written under the date of September 8, 1959, by Adm. John S. McCain, Jr., Chief of Legislative Affairs for the U.S. Navy. I presume the letter received by me was similar to that sent to all Members of the House.

In this letter Admiral McCain calls attention to the Southeast Exhibit of Business Opportunities at Birmingham, Ala., under the cosponsorship of Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee. The letter states that the purpose of the exhibit is to encourage wide participation of both big and small business in the many business facets of national defense, and that the U.S. Navy has been named the coordinator for the Department of Defense for this exhibition. The letter further states that a similar letter with its accompanying enclosure was being sent by the U.S. Navy to businessmen throughout the United States.

With that, Mr. Speaker, I can find no fault. Indeed, I would think it commendable of our Government and of the Navy to give encouragement to regional exhibitions that would bring together the industrial producers of the respective regions in order that they could be made better acquainted with the opportunities for participation in our defense program. I presume, although I have not had time to check on it, that similar exhibitions had been held in other regions of our country, or if not already held are in the planning stage.

I noticed in Admiral McCain's letter the announcement that a similar letter with accompanying enclosure was being sent to businessmen throughout the United States. There probably is a good reason for that, although I would think that the main interest would be among the businessmen in the region where the exhibit was located. But if that has been the practice in the case of all other regional exhibits I will not criticize.

NATURE OF THE ENCLOSURE

Now, Mr. Speaker, I get down to the matter which concerns me. The accompanying enclosure referred to in Admiral McCain's letter is an 8-page brochure. Page 1 is a letter by Rear Adm. R. L. Swart inviting participation in the Southeast Exhibit of Business Opportunities. It bears the seal of the Department of Defense, United States of America. Pages 2 and 8 of the brochure are blank. Page 3 contains some data concerning the exhibit and on pages 4, 5, and 6 is an explanation of the exhibit in detail and page 7 is a blank application for participation. I presume that pages 4, 5, 6, and 7 were furnished by the promoters of the exhibit, and with that in the main I have no objection.

What I do object to, and very seriously object to, is this which appears on page 3:

> Further, all business firms who are contemplating new plant sites, new locations for their business or the utilization of idle facilities in place should send their industrial planning people to the Southeast Exhibit. Site locations and the industrial complex of the seven sponsoring States will be exhibited and qualified people from industrial development commissions will be present to discuss these locations privately with your staff in conference rooms adjacent to the exhibits.

This is addressed to "all business firms who are contemplating new plant sites, new locations for their business." They are promised that if they come to this exhibit they can have private conversations on the matter of cite locations and the "industrial complex of the seven sponsoring States."

I acquit Admiral McCain of any intention to be a party to the raid on northern factories. In sending his letter with the accompanying enclosure to businessmen throughout the United States I think he had in mind only the rendering of a public service but the fact remains that his letter with the accompanying enclosure, with the implied invitation to relocate plants has put our Government and our Navy in the position of inviting businessmen from Illinois as well as from other States to a place where they can have private audiences on available locations in the South for the removal of their plants from Illinois and on "the industrial complex of the seven sponsoring States."

Mr. Speaker, I would not wish my Government, the government of all our country, to be put in the position of inviting businessmen from any other section of the country to come to Chicago for the purpose of giving Chicago an opportunity of inducing them to leave some other State, to come to our State. We are not going to build up our country into ever expanding strength if our Government, even inadvertently, seeks to build up one section by tearing down another.

THREAT TO CHICAGO FACTORIES

I know perfectly well what is meant by business firms who are contemplating new plants sites, new locations for their business. During this session of the Congress on three occasions delegations have come from Chicago to meet with our Congressmen from our area. My colleague from other districts in the North must have had similar experiences. In each of the three instances that I have mentioned the facts were about the same; a plant needing modernizing and considering meeting the expenses of that needed modernization with subsidies offered by some Southern States, enjoying tax exemption for a long period of years and a great reduction of the labor item by reason of labor for the large part being

unorganized, and the employer dealing as to wages and working conditions individually with each of his employees.

So I know perfectly well what is means to invite business firms who contemplate new plant sites to come for private discussions as to available site locations and the industrial complex of the seven sponsoring States. I can make a pretty good guess as to what will be said at these private discussions on what the letter states to be "the industrial complex."

Why the discussion should be private I have no way of knowing, but I can make a pretty good guess. And as long as I am a Member of the Congress I shall continue to alert to the best of my ability the people of the section of our great country from which I come.

I have no quarrel with my colleagues from the South. I give to them commendation for their loyalty to what they believe the best interest of the section from which they come. A great change is taking place in our country, and of that change our southern colleagues are alert. I marvel often at the degree of unalertness of many of my Republican colleagues from the North. When I see them on so many occasions, when the legitimate interests of the North are at stake, march up the aisle to vote against the section from which they come, I wonder at their unawareness.

RAID ON NORTHERN INDUSTRIES

Mr. Speaker, healthy competition is good for all of us. There is so much that we can accomplish if we work together. There is room for industrial expansion in all regions of our country, but it must be a competition governed by the rules of fairplay. A raid on northern industries, with a lure of subsidies, tax-exemptions, and low wages will end in nothing good either for North or South, neither for management nor for labor.

Every time an industry moves from the North to the South some measure of the impact of a closed factory falls on every northern home. To the workers in the factory, and their families, it means unemployment with little likelihood of relief. They cannot follow the factory to the South because among the South's lures in the seduction of our industry is lower nonunion wages, and northern workers, accustomed to the dignity of labor in our region, are not wanted. To the local merchant a closed factory, lured away by subsidies, tax exemptions, and low wages, means fewer customers with money to buy his wares. In some measure no segment of our economy is unaffected.

The South, I repeat, will attain a period of prosperity greater than any she has ever known. The South will learn what we have learned in the North that in equality is both the strength of organized society and the contentment of its individual members. Time marches on and with the dethronement of the status quo there is a temporary bewilderment, and then from the dethroned status quo comes a march on to higher peaks and broadening horizons.

I close with one sentence from a southern industrialist of far vision. In a speech before a meeting of the American Management Association in the fall of 1955, John C. Whitaker, chairman of the board of R. J. Reynolds Tobacco Co., in North Carolina, condemned some southern communities for trying to lure plants from the North with promises of cheap labor and tax exemptions.

The New York Times of September 20, 1955, quoted Mr. Whitaker as saying:

> Such companies do not make good employers or first-class neighbors, no matter where they are located.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to my good and distinguished friend from New York, the former mayor of Schenectady and the first Democrat from his district in 42 years.

Mr. STRATTON. I want to commend the gentleman from Illinois for his interest in keeping industry in the Northern States rather than in the South. I share that with him fully. But in order to keep the record straight, Mr. Speaker, is it not true that this information to which the gentleman refers, which was sent out by the Navy, is similar to an invitation which has gone out at other times in many other sections of the country? I believe that this is similar to an industrial exhibit which was held, for example, in New York State about a year ago, and one that I think was held either in Ohio or Indiana some months after that. Is this not, Mr. Speaker, one of a series of industrial exhibits designed to encourage the cooperation between individual producers and the Navy Department rather than as the gentleman implies something directly and specifically dealing with attraction of business to the Southern States at the expense of us in the North?

Mr. O'HARA of Illinois. I would hope that the gentleman is correct in that and that similar letters were sent out on other regional exhibits. I can assure the gentleman that, although my small service was with the Army, I share his pride in the Navy with which he served with such outstanding courage and distinction in the execution of most important missions. I am sure that there was no intent on the part of the Navy to do anything except its usual good job for all the regional exhibits. It was unfortunate that the promoters of the southeast exhibit inserted in the copy they furnished the Navy for distribution among businessmen nationwide, this invitation to private conferences on advantages to runaway northern plants. That is what I object to.

Mr. STRATTON. If the gentleman will yield further, I agree that the Navy should not pit one section of the country against another, and I do not think they have done so. What the gentleman refers to is that during the past year and a half or 2 years the Navy has been engaged in conducting a series of industrial exhibits of similar nature in other parts of the country. One took place in my State. The entire purpose of it was to make it easier for businessmen doing business with the Government to get their fair share of defense contracts. That I think is the legitimate function of the Navy or any department of Government in its procurement functions, but certainly if it goes beyond that I would agree with the gentleman that it was entirely out of line and improper.

Mr. O'HARA of Illinois. I thank the gentleman for his clarifying contribution.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. As soon as I have replied to the comment by my friend from New York. This administration paid the price of the Presidency in the first year of the administration by giving to Southern States the tidelands oil, potentially worth in value twice the entire national debt and which three times the Supreme Court of the United States said belonged to all the people.

Mr. BONNER. Will the gentleman yield now?

Mr. O'HARA of Illinois. I yield to my very dear friend from North Carolina, the able chairman of the Committee on Merchant Marine and Fisheries.

Mr. BONNER. I would like to allay the gentleman's fears with respect to the State of North Carolina. In the press recently great play was given to the fact that the Governor of North Carolina is heading a delegation abroad, not in the North, but to Europe and the Continent; and with him will go the director of the department of conservation and development, and businessmen throughout the State, to interest foreigners in coming to North Carolina and investing their money, to use North Carolina as a base of commercial operations.

There is a peculiar significance in this situation, for here today this Congress will vote to give these very nations foreign aid, nations that the Governor of North Carolina is going to visit and invite to come to North Carolina and invest their money, put up their capital, and open business establishments and manufacturing plants.

I want the gentleman to know that the State of North Carolina gives no tax exemption to anyone, and we offer no special inducements. We offer a beautiful climate, a peaceful people, and an area with an atmosphere in which all can prosper and enjoy life alike. It makes no difference who you are or what you are, you are treated equally and you are treated justly under the laws of the State.

We are not trying to take away business from any State.

I am sorry the gentleman is disturbed, if some industrialists in his State finds a favorable atmosphere in the State of North Carolina to do business.

I wonder if there is any objection to the Governor of North Carolina going abroad and trying to bring back home to America some of the money we have given away in Europe? Is there any objection to that?

Mr. O'HARA of Illinois. No one has a higher regard for the State of North Carolina than the gentleman from Illinois who now addresses you.

Mr. BONNER. I am sure that is so.

Mr. O'HARA of Illinois. I might say that association in this body with Members from the great State of North Carolina has deepened the gentleman's affection and regard for North Carolina.

The gentleman will agree with me, I think, that North Carolina in seeking on its merits to attract industries should not face competition from States that use the lures of subsidies and tax exemptions?

Mr. BONNER. No, we do not. We are going abroad to bring back some of this foreign aid money.

Mr. O'HARA of Illinois. The gentleman is getting a little bit away from base. The gentleman in presenting so eloquently and convincingly the virtues of North Carolina said that North Carolina is attracting only with its natural advantages, its fine climate, and nice people, and that North Carolina does not resort to subsidies and does not give tax exemptions.

Mr. BONNER. No, we do not give tax exemptions. We have a minimum wage law, we have a fair area of labor management and labor relations in my district. There is one of the largest labor organizations in the State in my district and they get along peacefully and wholesomely. We get along fine down there. I wish the Central Government would be in as good financial condition as is the State of North Carolina, and could have as good leadership as we have in the State of North Carolina.

Mr. O'HARA of Illinois. I am glad that the great son of North Carolina seems to agree in the main with what I have said. It is to the interest of all our States, and to our country that industrial locations should be determined by natural trends, and not those artificially created for a temporary advantage by the use of subsidies, tax exemptions, and lower wage scales.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from South Carolina, who at 24 was one of the youngest men ever to sit in the State Senate of South Carolina and came to this body in the 80th Congress as one of its youngest Members.

Mr. DORN of South Carolina. I would like to say to my distinguished and able colleague from Illinois we are more worried about plants going overseas. If the gentleman will recall, during the debate last year on the so-called reciprocal trade program, we read into the RECORD a letter from the ICA to the Textile Manufacturers Association of the United States telling them: "If you will close your plant in America, fire your employees, under this foreign aid program we will give you water, electricity; oh, yes, we will give you cheap labor at 9 and 10 cents an hour. We will guarantee you a profit. We will insure you against war."

I am worried about that. If I am not mistaken, the gentleman from Illinois voted for that program and voted to send our plants overseas and deprive millions of Americans of jobs. I understand the whole automobile industry in a few years under this program will be overseas using cheap labor, using labor with no social security, no unemployment insurance. And I might say to the gentleman from Illinois that in his great State he has people unemployed today by this fallacious foreign aid and bogus reciprocal trade program.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, according to my friend, if I understood him correctly, he would justify low wages in some sections of our country in order to furnish competition with low wages abroad. With that I cannot go along. I would sooner have the United States of America with industry everywhere on the same footing and paying the same wages for the same work, regardless of the State in which the industry is located, than to be diverted from this objective by our concern over foreign countries. I am sure as a nation we can and will meet the competitive challenge of foreign nations. In the United States of America there are many horsepowers behind every worker. Even in Europe there is less than one horsepower behind each worker. Under such conditions I think we can meet the challenge of foreign lands, but we cannot in the North meet the challenge of one section of our country where they pay a wage lower than ours and use that as a lure in raiding our industry. If pursued, and not effectively combated, this inevitably would result in undermining our national economy by making us a nation of low wages and inadequate buying power.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I should like to remind the distinguished gentleman from Illinois that we are dealing not with horsepower today, we are dealing with jobs, of which we are getting darned short in America.

Mr. O'HARA of Illinois. I appreciate as always, the observations of my good friend from West Virginia. I can imagine my sage friend's amazement when the President of the United States vetoed a bill as being pork barrel, when the projects that were covered in that bill were for the development of the resources of our own country and were the very projects in nature of those he demanded for foreign countries and persistently demanded more and more money.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Speaker, I want to say that I think the gentleman from Illinois has, as usual, put his finger on a trend which, if carried to its ultimate conclusion, could be very harmful to the people of the North and of the entire United States. I wish to associate myself with him in the remarks he has made and to say in addition, as a freshman Member of Congress, that I have received a great deal of guidance and assistance from the distinguished gentleman from Illinois and wish to express my appreciation of the help and guidance he has given me during this first session of the 86th Congress.

Mr. O'HARA of Illinois. I thank the gentleman. May I say that my friend from Michigan has added new luster and glory to the name of O'HARA.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, does the gentleman from Illinois, now in the well of the House, know that $17 billion of American money has been invested abroad to build factories, to use the most modern machinery that we have, but to use the cheap labor abroad instead of our labor, to produce goods to ship into this country; and that they have in the last 10 years developed jobs for over 1 million foreigners, and taken that many jobs away from our own working people. That, in my estimation, is the really critical situation that we are facing.

Mr. O'HARA of Illinois. I hope my friend from Illinois, who served with such distinction in our State senate and who has served with outstanding distinction in the Congress, will agree with me that whether it be cheap labor in one section of our country or in a foreign land, we do not want that cheap labor adversely affecting our sons and daughters, the people in Illinois. The future of the South is in wage and working conditions comparable to those in the North. There will be no future for the North of the sort we envision if we start taking backward steps to meet either foreign competition or raids on our plants from other sections of our own country.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. Mr. Speaker, I have to yield to my dear friend from Mississippi because he has such power in the Rules Committee, and we are such close friends even though we so widely disagree in our philosophy.

Mr. COLMER. Mr. Speaker, may I say in response to that triple threat that I particularly appreciate one part of it, that the gentleman regards me as his friend. I might say that I am not unhappy that we disagree in our philosophy.

I am a little surprised at my very genial and gracious friend, the poet of the House, the man of good will, getting up here this morning and taking advantage of this little vacuum in the hours preceding adjournment, to raise the sectional flag.

I might suggest to the gentleman that if he waited until a little later in the day, he might find a more appropriate occasion for that, because I know the gentleman will be in the forefront when that occasion arises.

The SPEAKER. The time of the gentleman from Illinois [Mr. O'HARA] has expired.

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 minutes additional.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, the gentleman is complaining about the South.

Mr. O'HARA of Illinois. No, I commend the South and the loyalty of its Members to their constituents. I merely said that they outsmarted us, because they are better horse traders.

Mr. COLMER. I would not even accept that. The gentleman must recognize certain facts. One is that the section from which he comes, a great section of this country, had considerable advantage over the section that I have the privilege of serving in this House. I am sure he remembers, great historian that he is, that it has been only a few generations ago that that beautiful section of our great, common country, was laid waste. We had to start from the very bottom. That, plus the fact that the gentleman's section had advantages of water power, the only power that existed in those days, which meant that his part of the country grew and prospered. But now we are coming into our own. There are considerations of our climate and our labor. And, by the way, the gentleman might come down there sometime and take advantage of the situation and do a little of the same thing that Mr. Khrushchev is going to do when he comes over here—learn something about that section of our common country. He will find that labor is organized, that labor is paid a decent wage. But industry, recognizing the advantages of the great supply of labor that has been converted from agricultural pursuits to industrial pursuits, along with the climate and all of the other elements has found it attractive to go down there. That is what is making the South grow and prosper. And I think my friend should be proud of that rather than to complain about it on this occasion.

The SPEAKER. The time of the gentleman from Illinois [Mr. O'HARA] has again expired.

MONEY AND EFFECTS OF DECEASED SEAMEN

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

After line 6 insert:

"SEC. 2. Such section is further amended by inserting immediately after 'the court may' a comma and the following: 'after a period of not less than sixty days after such payment, remittance, or delivery has been made to the court,'."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD and to include therewith a speech by General Bradley, Chief of Materiel.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDUSTRY IN THE SOUTH

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I was sorry to see the gentleman from Chicago join that ceaseless din of anti-South propaganda to which so many of our colleagues have so frequently and so consistently fallen into. You do not see the southerners getting up here and taking potshots at other sections of the country. What good is it going to do the party? Without the South, there would be no majority party in this Congress. Take old Paul Butler, for instance. The quicker he gets out of the Democratic Party, the better it is going to be. He did not carry one State in the last election for Stevenson. What States carried the election for Stevenson? It was in the South. Let us quit talking about each other. Every one of the industries that the gentleman complains about have contracts down there and they have closed shops under the Taft-Hartley Act. They drive a hard bargain, these business agents of these labor unions. They write in hospitalization and they write in everything. But any fool knows one thing—that an industry like the textile industry can operate closer to the cottonfields than they can in some other sections of the country.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Anybody knows that it is cheaper to run a cotton mill in Alabama, South Carolina, Georgia, or Tennessee than it is in New England where you have to heat the plant 9 or 10 months out of the year. Then some smart Yankees, and they are smart people, are coming South with their money and investing it in the South making closed shop contracts and working and producing, and they have laws to protect them. I hate to see people get up here and talk about other sections of the country. I hope I drop dead today, tomorrow, or any time that I come up here and talk about your section of the country to make myself stronger down home. I do not believe it is necessary for me to talk about you to stay in the Congress. If it is, I do not want to be here. I do not want to be here. I would be the wrong man in the wrong place. Quit talking about us. We do not talk about you. It is wrong. You are ruining the party, and one of these days, you may not have a party.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield.

Mr. SELDEN. If the gentleman from Illinois, our distinguished colleague, is advocating fair play, I must point out to him that the South for a period of almost three-quarters of a century operated under rules of the game that were certainly far from fair to the South. Otherwise, I think a great many of those industries to which the gentleman from Illinois refers would have gone to the South much earlier.

Mr. RIVERS of South Carolina. They are coming where they can live and produce.

The SPEAKER. The time of the gentleman from South Carolina has again expired.

COMPETITION OF LOW-PRICED FOREIGN IMPORTS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I, too, was surprised to hear the gentleman from Illinois and some of the statements that he has made. I do not intend to surrender a single industry to the South from the State of Iowa. But, I wish the gentleman from Illinois would join with some of us in stopping these foreign aid appropriations and other devices that provide the incentive for American industry to move to foreign countries. I wish the gentleman would join some of us in depriving the Federal Government of the machinery for guaranteeing American industries that move to foreign countries as to the convertibility of currency, as to expropriation or confiscation of plants, and as to war damage. I wish he would join with some of us in saying to American industry that if it wants to move abroad and benefit from cheap labor it must do so at its own risk and not out of subsidies and guarantees furnished by the American taxpayers.

The gentleman says we can meet the competitive challenge of foreign countries. I have here an imported article and I would like to show it to the gentleman. I would like the gentleman to look it over and guess what I paid for this coping saw with six extra blades. It was bought in an independent hardware store in the State of Iowa. It was made in Japan. Can the gentleman give me any

idea as to what this saw and seven blades actually cost at retail?

Mr. O'HARA of Illinois. I have such respect for my friend, the gentleman from Iowa, that I am sure they gave it to him for any price that he offered.

Mr. GROSS. That is hardly the way you buy things in the State of Iowa; just any price you want to offer.

Mr. Speaker, this brandnew coping saw with six extra blades, cost a total of 19 cents. I hope the gentleman from Illinois still does not contend that American labor and industry can meet the competitive challenge of foreign countries with stuff of this kind.

The SPEAKER. The time of the gentleman has expired.

AREA REDEVELOPMENT MUST NOT BE FORGOTTEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. SLACK] may extend his remarks in the body of the RECORD at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SLACK. Mr. Speaker, we approach the time of final adjournment, and for almost a hundred of us that means the end of our first session of service in this distinguished body. As a first-term Member, I want to say here and now that it has been a memorable experience, and it has convinced me that no other public office can compare in importance with the task of enacting the laws under which our country is governed.

It is not for me to attempt an analysis of the accomplishments of this session. I am sure that will be most ably done by my colleagues of greater seniority and experience. In the main, I believe we have worked constructively, with the needs of the Nation uppermost in our minds and heart. I would be derelict in my duty, however, if I did not call to your attention the one great gap in our program of continuing economic and social advancement for our people. I refer to the failure to pass legislation which would reverse the negative economic trends in the depressed areas. I mention this matter today because I hope it will be one of the final thoughts you take with you, and that you will reconsider all aspects of the problem of long-term chronic unemployment, and its possible curatives, during the time prior to the next session.

The economic situation that besets the depressed areas is a growing and continuing problem. Delay in dealing with it will serve no purpose. We cannot escape the necessity to come to grips with it, because it will grow as inevitably as our technology increases the efficiency and productivity of our industry. One day, I fear, we shall be held strictly accountable by the people if we have not made a strong attempt to provide national leadership in a search for counteractives to the growth of technological unemployment.

Reviewing the activities of this session in the light of our failure to act in behalf of the depressed areas, I am reminded of the mythological giants of the race of Cyclops who had only one eye in the center of the forehead. Legend tells us that these supermen were able to see great distances across land and water, and even into the future, but were blind to movements at their very feet. If we who have held membership in this Congress are to be fairly criticized, I believe it will be on the basis of our resemblance to the Cyclops. We have taken steps to improve the lot of millions of human beings throughout the world, and have committed billions of dollars to that purpose, but we have overlooked the plight of some 2 million Americans and their families who have been unemployed long beyond the period during which they could draw benefits in any form.

I believe we have badly underestimated the problem—its size and scope, and its implications in the context of future national economic stability. The pleasant news of a general business upturn during recent months has obscured the conditions which continue to exist and grow steadily worse in areas of long-term unemployment. A major effort to institute action in relief of these areas was passed by the Senate and reported by the House Banking and Currency Committee on May 14. We have met in this Chamber nearly a hundred times since that date, but S. 722, the Area Redevelopment Act, has not been placed before us. I do not speak here solely in behalf of this measure, or suggest that it would provide a full and complete answer to the depressed areas problem. The longer I investigate the situation, the more I become convinced that no single measure will serve that purpose. We must devise and place in the law of the land a new program consisting of several approaches at several operational levels of our economy. We must hammer out a new concept of Federal interest in and responsibility for the welfare of our citizens who fall by the wayside in our strenuous efforts to maintain international leadership in productivity and economic efficiency. This we have not done. I am thoroughly convinced that after we have had an opportunity to sound out the needs and the feelings of our constituents following adjournment many of us will return in January with the knowledge that activity in behalf of the depressed areas is a must for our agenda.

In a few days we will have a distinguished visitor from the Soviet Union, the leading disciple of a way of life which we generally despise, a way of life that permits the existence of no unemployment or depressed areas either. According to press reports, the advance agents of Premier Khrushchev are already seeking out centers of social and economic problems in this country which he can use in his speeches as a basis of comparison with the conditions existing in the Soviet worker's paradise. What can we say to Mr. Khrushchev about our long-term unemployment, and the conditions it creates in American communities where it is prevalent? We can account for unemployment as a part of the continuous growth of our economy, and tell him that we shape our national production machine to meet the needs of our people, not of the state, and this produces periodic unemployment, which we cushion with unemployment compensation and similar benefits.

But mass unemployment by industry or community, for 2 years or longer—poverty producing home conditions equal to those of medieval Europe—children condemned to the ravages of disease because of a cornmeal and flour diet—indeed, the whole picture of Americans without hope in this day of the atom and the race to outer space—what can we say in justification of our failure to act to improve this situation?

We are not accountable to Premier Khrushchev, or to anyone but ourselves and our constituents, and whatever the Soviet propaganda may make of the soft spots in our economy, I am sure we all know that it is our responsibility to take action, to chart a national course which will stabilize employment. I join with my colleagues of similar convictions in the hope that we will return next January determined to make area redevelopment legislation the first and most important order of business.

IMPLEMENTATION OF RECOMMENDATIONS BY THE SUBCOMMITTEE ON INTER-AMERICAN AFFAIRS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, on May 11 the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee issued a unanimous report on U.S. relations with Latin America. In it we discussed certain misunderstandings in inter-American relations and made a number of recommendations aimed at allaying tensions between the United States and our Latin American neighbors. The report was printed in Spanish as well as in English.

I am gratified to see that some of the principal recommendations included in the report are being implemented.

The subcommittee believed that it was imperative to make clear in Latin America that we abhor tyranny of any brand. We encountered a widespread impression in Latin America that the United States was selfishly interested in defending its own fundamental freedoms against the menace of international communism, while indifferent to the continuing Latin American struggle to achieve basic freedoms.

The prevalence of this view caused much resentment. Even more important, the misconception of U.S. attitudes led to a confusion in Latin America regarding broad U.S. policy objectives.

The subcommittee recommended, therefore, that U.S. policy in Latin

America be so conducted as to leave no doubt about where the American people stand on the question of freedom.

At the Inter-American Conference held in Santiago last month, Secretary of State Herter did an admirable job of presenting the deeply felt convictions of our people. In an address to the conference on August 13, Secretary Herter stated:

As you well know, the United States yields to no country in its dedication to democratic principles. Our own history is living testimony to our faith in the fulfillment of democracy. For that reason the United States has noted with greatest satisfaction the growth of representative democracy and respect for human rights in all the American Republics. We are convinced that this form of political progress can and must go forward and that it deserves the moral support of all peoples of America.

The second subcommittee recommendation was for increased reliance on the Organization of American States. Our report stated:

Recent history has abundantly demonstrated that peace and the international observance of law and custom can best stem from multilateral decisions openly arrived at by men of good will dedicated to the welfare of free peoples in a free society. The subcommittee believes this to be true of the relationships of the sister Republics in our hemisphere.

The Conference of Foreign Ministers at Santiago last month bears out our faith in the effectiveness of joint cooperation in the hemisphere.

As you know, the revolutionary ferment in the Caribbean was beginning to pose a serious problem for the entire hemisphere. The turmoil threatened the orderly processes of international law which the American Republics had painstakingly and proudly developed over decades. Moreover, the conflicts generated the kind of tensions and distrust which provide international Communists with an opportunity to insinuate themselves. And as President Alessandri, of Chile, pointed out in his opening address to the Conference, the Caribbean events "could produce themselves in any part of the continent."

The United States faced the crucial problem of whether to let the Caribbean situation deteriorate, to take unilateral action, or to work through the Organization of American States. I believe that the choice to work through the OAS was the wiser course.

At Santiago the Foreign Ministers reasserted their respect for law. They made it clear that the principle of nonintervention would be upheld, whatever the alleged reasons for intervention. But at the same time, they served notice that the OAS would not countenance restrictions on human rights and throttling of representative government.

The dilemma in Latin America posed by the ferment for freedom, on the one hand, and the American doctrine of nonintervention, on the other, has by no means been resolved by the Santiago Conference. But once again the American Republics have given a demonstration of their determination to work out at the conference table new formulas for keeping hemisphere peace and furthering democratic principles.

The third subcommittee recommendation, that military armaments grants to Latin America be gradually reduced with the ultimate goal of termination of the program, was accepted by the House. I am hopeful that next year's mutual security program will reflect further reductions in military grants to the American Republics.

In its fourth recommendation, the subcommittee urged more professional and other groups to undertake nongovernmental contacts with similar groups in Latin America. We particularly supported Dr. Milton Eisenhower's recommendation for the creation of national commissions of distinguished citizens in each country "who would assume, as their major extramural responsibility, the promotion within each country of the type of broad understanding which is obviously required."

The Council of the OAS, on March 18, 1959, approved a resolution asking the member states to facilitate and sponsor the establishment of such commissions. It is my understanding that two or three countries are already in the process of forming their commissions.

So far the Department of State has made only desultory moves toward implementing the resolution of the OAS. I hope every effort will be made to expedite the formation of a U.S. Commission for the Organization of American States.

The task of broadening inter-American understanding and strengthening our ties is a never-ending one. But with vision and determination, and in a spirit of mutual cooperation, I am confident that the American Republics can overcome any problems which may arise.

RECESS

The SPEAKER. The Chair intends to declare a recess. The bells will be rung 15 minutes before the House reassembles. What time that will be I do not know; it will be a long guess, but I would advise Members to stay within hearing of the bells for the rest of the day and it may be necessary well into the night.

The Chair declares a recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 9 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 o'clock and 16 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes; and

H.R. 8437. An act to provide for the reinstatement and validation of United States oil and gas lease BLM 028500.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8385. An act making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. ELLENDER, Mr. MAGNUSON, Mr. HOLLAND, Mr. JOHNSON of Texas, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1944. An act to amend the Bankruptcy Act in regard to the verification of pleadings.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6672) entitled "An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation."

The message also announced that the Secretary of the Senate requests the House of Representatives to return to the Senate the bill (H.R. 8392) entitled "An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes," together with accompanying papers.

MUTUAL SECURITY APPROPRIATION BILL, 1960

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object.

RULES COMMITTEE

Mr. SMITH of Virginia. Mr. Speaker, I desire to announce that the Rules Committee will meet upstairs in its room

immediately, and I request the members of that committee to come with me.

BERGEN COUNTY, N.J., SPACE AGE WORKSHOP

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, during the course of the past session, as a member of the Committees on Science and Astronautics and on Armed Services, it has been my privilege to hear reports on our country's air defense capability, and our plans concerning the exploration of outer space. I have participated in briefings and hearings devoted to the most up-to-date evaluation of our defense situation. As a result of these briefings on airpower and space exploration, I have become seriously concerned about the lack of knowledge on these and related subjects on the part of the American people. Objective evaluation of the world today indicates that America's future and the survival of the entire free world may well depend upon an understanding of airpower and space problems by our people. If we are to maintain our rightful position of leadership in these fields, the people of America must be informed. The reason for this is clear: in a Republic such as ours basic decisions are made by the will of the people expressed by and through their representatives. Our history shows that our people will support only those things which they understand. The development of this necessary understanding of airspace power requires a major educational effort.

Even as this concern was crystalizing in my mind, I found that we have been doing something about this need for aviation education; I think that the Members of Congress and the people of the United States of America should know about this self-powered program. I feel that I can best tell you by sharing my own experiences.

Last winter I was approached by representatives of the Bergen County Education Association and the 9319th Air Reserve Squadron of the U.S. Air Force. I might interject here that Bergen County is the most northeasterly county of New Jersey. It lies directly across the Hudson River from New York City and is partly in my congressional district. The westerly portion of the county falls within the district which is so ably represented by my colleague Mr. WIDNALL.

The representatives of these two groups sought my assistance in organizing an air-space education workshop designed to help our elementary and secondary classroom teachers guide our students in a more realistic and technically accurate fashion. I learned that, largely unheralded, American educators have been working with the U.S. Air Force for the past decade in more than 100 such training programs throughout the country.

I think Members will be surprised to learn that in 1959 alone more than 50 of these Air Force workshops are being conducted—and that last year 40 colleges and universities also offered workshop projects.

This broad education program is on a true grassroots basis and comes at a real bargain to the taxpayers. The Civil Air Patrol, which is the official civilian auxiliary of the U.S. Air Force, has the responsibility for these programs; it has developed much of the instructional material for both teachers and students. Almost no public funds are involved directly in the individual workshops because the registration fees paid by attending educators provide the sole source of financing. This fact alone makes this report a novel one when the rising cost of all education today is considered. Last winter in Bergen County, N.J., a joint planning committee was organized with representatives from the Bergen County Education Association, the 9319th Air Reserve Squadron, and the New Jersey Wing, Civil Air Patrol. I was privileged to serve as honorary chairman of that committee. Actual planning was started back in July of 1958 by a few dedicated air reservists who had determined to take active measures to help make America air and space minded.

The program became known as the Bergen County Space Age Workshop. The curriculum included 10 lecture sessions and one field trip to McGuire Air Force Base, N.J. The first session was held on March 11, 1959, and the last on May 16 which, appropriately, was Armed Forces Day. The program was the first of its kind ever conducted in the State of New Jersey. It has been acknowledged by the Civil Air Patrol to be the largest ever held anywhere in the country. The official registration was limited to 582 because of the capacity of the auditorium where the sessions were held. Actual attendance was well over 600 at nearly every meeting.

These registrants were, for the most part, members of the Bergen County Education Association, local affiliate of the National Education Association. This local organization has about 5,400 members in the 68 school districts comprising Bergen County. Each registrant paid an enrollment fee of $5 for the entire program. Those who attended a minimum of eight sessions received a certificate of accomplishment. Attendance was recognized by the individual school districts toward possible upgrading for pay purposes.

The income from the enrollment was nearly $3,000, and expenditures totaled only $2,500. This sum included the hiring of buses for the day-long field trip to McGuire Air Force Base, moderate fees for some of the distinguished guest speakers, selected reference publications, the necessary printing and miscellaneous expenses.

The lecture sessions were held from 4:30 in the afternoon until 9 o'clock at night. Each lecture lasted about 90 minutes with questions, with a break of 1½ hours for supper. The program was proclaimed as outstanding and the lectures were given by distinguished authorities in all major fields of modern aviation and space technology. The majority of the lecturers used training aids of excellent quality. Every speaker arrived as scheduled, throughout the full 10-week program. Not once did the sponsors have to resort to substitute speakers or programing.

Here is the program in full:

MARCH 11, 1959

First session

"The Legislative Viewpoint of the Air-Space Age," by the Honorable FRANK C. OSMERS, Jr., Representative, Ninth Congressional District of New Jersey, honorary chairman of the Space Age Workshop.

"Air Age and Space," by Dr. John F. Victory, Assistant to the Administrator, National Aeronautical and Space Administration, Washington, D.C.

Second session

"Profile of Outer Space," by Dr. Franklyn Branley, associate astronomer, Hayden Planetarium, New York City.

MARCH 18

Third session

"The Effects of Space Travel on the Human Body," by Lt. Col. Albert A. Taylor, Deputy Chief, biomedical division, Directorate of Life Sciences, Headquarters, Air Research and Development Command, Washington, D.C.

"Aviation Education and You," Dr. Mervin K. Strickler, Jr., chief, aviation education, HQ, Civil Air Patrol, Washington, D.C.

Fourth session

"The Role of Industry in the Space Age," by Dr. Eugene T. Ferraro, director of service, Kearfott Co., Inc., Little Falls, N.J.

"The Story of the Civil Air Patrol," Cadet Leonard Stans, Florham Park Squadron, New Jersey Wing, CAP.

APRIL 8

Fifth session

"Mission of the Strategic Air Command," Lt. Col. Carl G. Arnold, USAF, Chief of Personnel Services, HQ, 8th Air Force (SAC) Westover Air Force Base, Mass.

"Air Defense of Our Homeland," Lt. Col. David M. Sweeney, USAF, commander, Det. 4, WEARON, New York Air Defense Sector, McGuire Air Force Base, N.J.

Sixth session

"Your Air Force Tomorrow," Col. Carlo R. Tosti, HQ, Air Research and Development Command, USAF, Washington, D.C.

"The Citizen Airman," Col. Charles F. Bock, USAF, commander, Newark Air Reserve Center, Newark, N.J.

APRIL 22

Seventh session

"Early Development of Rockets," by Dr. Willy Ley, pioneering authority on rocket research and space travel.

Eighth session

"Aviation in the New York Metropolitan Area," by Mr. Warren H. Goodman, aviation department, the Port of New York Authority.

"What Is the Federal Aviation Agency?" by Mr. Thomas C. Halloran, assistant regional attorney, Federal Aviation Agency.

MAY 6

Ninth session

"Utilization of Aviation Materials in the Classroom," Dr. Roland H. Spaulding, director, aeronautical education, New York University.

"Sources of Aviation Materials for the Teacher," Dr. Harold E. Mehrens, director, Curriculum Division, Headquarters, Civil Air Patrol, Washington, D.C.

The 10th session consisted of small discussion groups each of which was attended by 25 to 125 teachers. There were eight of these groups in all; subjects were selected well in advance by the registered teachers themselves from an extensive list recommended by the planning committee. Each group had its own chairman plus a qualified discussion leader. The latter were secured from the Air Force, Civil Air Patrol, and interested civilian organizations. A list of these chairmen and the discussion leaders follows:

Clinic group	Chairmen	Discussion leaders
Careers in Aviation	Mary Foran, Ramsey	George Gardner, education director, Pan-American World Airways.
Mathematics and Space Age (elementary).	Mildred Giesecke, Ridgewood.	Margaret Dunn (lieutenant colonel, CAP), Bloomfield Junior High School.
Mathematics and Space Age (secondary).	William Steiner, Cliffside Park.	Harvey Dubner, manager, Advance Development Laboratory, Avion Division, ACF.
Meteorology (elementary)	Dr. Gile Warren, Westwood.	1st Lt. Piave Corradi, USAF, meteorologist, McGuire Air Force Base weather station.
eteorology (secondary)	Donald Duff, Demarest	1st Lt. John Mickey, USAF, meteorologist, McGuire Air Force Base weather station.
Navigation	George Dykstra, Glen Rock.	Pete O'Toole, assistant navigation superintendent, Pan-American World Airways.
Rockets and Missiles	Leroy McCloud, Englewood.	Dr. T. Paul Torda, Brooklyn Polytechnic, vice chairman, board of directors, New York section, ARS.
Space Information (elementary).	Dr. Waldro J. Kindig Englewood.	Christopher Vagts, Esso Standard Oil Co.

These meetings were all held at the Bergen Mall in Paramus, N.J., one of America's largest regional shopping centers. Bergen Mall donated its auditorium and other essential facilities without cost to the workshop project. Needless to say, the fine facilities provided by Bergen Mall were important factors in the overall success of the project.

The selection of basic subject areas and securing eminently qualified speakers were a real problem. My office was able to make a modest contribution to this phase of the program.

Cooperation was uniformly excellent among all military and civilian agencies of the Government as well as in private industry.

To supplement the lectures, a large and varied quantity of interesting instructional literature was provided for those participating. By actual count, 29,845 pieces were distributed, averaging about 50 pieces for each registrant. Most of this literature consisted of booklets and brochures containing as many as 60 and 90 pages. These were obtained by the Civil Air Patrol from a wide list of sources both in and out of Government. Here are a few of the sources of training material: Aircraft Industries Association, Air Transport Association, Civil Air Patrol, Federal Aviation Agency, National Advisory Committee for Aeronautics, National Aviation Education Council, and U.S. Air Force.

To insure the relevancy and high quality of this material, one educator on the planning committee was assigned the responsibility of reviewing all literature prior to distribution. Additional distribution was made through central libraries of the 68 Bergen County school systems. Extensive bibliographies on air power and space technology were given to all school superintendents throughout Bergen County.

More than 300 of the student educators made the field trip to McGuire Air Force Base for the final session. They were accorded "VIP" treatment throughout their day-long visit by Air Force personnel at the base. The air base commander and his staff organized a comprehensive guided tour and provided briefings on the missions of the units operating on the base. This included the many ground displays and special aerial demonstrations scheduled for Armed Forces Day. Guided by qualified officers and airmen, the workshop educators and their supervisors had a close-up, firsthand opportunity to see many of the things discussed during the lecture series. This made a truly fitting conclusion to the workshop program and made the lectures much more meaningful.

A broad publicity program was developed for the project. This program was aimed at two general groups: First, the educators, who would be the direct participants; second, the general public, who it was felt, greatly needed general information on the subjects covered. Every means of internal communication to the educator group were used and used well. That the publicity was successful is best proved by the unprecedented advance paid registration and high attendance at all lectures.

The workshop enjoyed an excellent press throughout northern New Jersey and the New York metropolitan area—over a period of nearly 6 months. Major dailies and hometown newspapers, sensing the importance of the effort, were generous in the space accorded the various speakers and their subjects. The air-space story reached a vast audience on a sustained basis. We believe that this will prove a valuable asset for the Nation in the months and years to come.

In a sincere effort to determine future plans, to provide an acceptable basis for review of the project itself, and to permit the evaluation of the various subjects and speakers, a questionnaire was developed and distributed at the last lecture session.

The general reaction from the educators was extremely favorable.

Three significant points emerged from the study of the replies to the questionnaire: First, that the discussion clinics were very helpful and should be expanded in any future workshops; Second, that space age workshops should be organized on a continuing basis because of the rapidly developing technology in the fields covered; Third, these workshops should be started in all major population areas.

Mr. Speaker, here are some typical comments from teachers who attended:

Received more than anticipated—believe additional session would be well received.

Practical information — good for any teacher — whether elementary or secondary, regardless of science background.

An excellent and effective effort—very helpful to all concerned; broadened background of educators in relatively new and unfamiliar field. Hope they are conducted again—not only in Bergen County, but throughout the Nation.

Will use material in classroom next year.

Just wonderful. Showed excellent organization and planning.

Clinics were most helpful.

Excellent. My fifth grade class has used all materials in a terrific class project.

Very informative to me as a teacher—will create interest for my second graders.

My future planning and experiments in science will have greater meaning.

Feel it has been an enriching experience. I know I have widened my scope of interest and information. Am sure I will continue to gain knowledge in an area in which I felt very uninformed.

Should follow with more advanced workshop next year.

Think the workshop should be divided into sections as to knowledge and background.

Another clinic or two would have been most helpful to classroom teachers.

Suggest work in smaller groups using working models and experiments. Demonstrations and practical lessons would be valuable for actual classroom use.

Feel we should have a workshop of this kind every year.

Course should be of longer duration—like to see more application.

Presentation at workshop has inspired me.

As is true in all successful, difficult ventures, those who labored in the planning and execution were, in the final analysis, the major factors in the outstanding accomplishment of this workshop. It is appropriate to record here a partial list of those who contributed to this activity so vital to the Air Force mission of public understanding of technical problems in airpower and space. First to Lt. Col. John S. Edwards, Jr., commander, 9319th Air Reserve Squadron, must go special commendation for his meticulous planning and superb direction of the Bergen County Space Age Workshop. Colonel Edwards, a civic-minded U.S. Air Force Reserve officer, recognized the need for such a project, set his objectives, and then carried them out with skill and determination until the workshop was a reality. Every phase of the Space Age Workshop reflected his initiative, resourcefulness, and perseverance which was paramount in making the Bergen County Space Age Workshop the largest and most successful in the country. Participants and members of the planning committee alike were enthusiastic in their praise of Colonel Edwards. His untiring efforts and efficient leadership in this vital project can only be measured in the tremendous effect it has had on the teachers and the thousands of students who will be the ultimate beneficiaries of this great Space Age Workshop. Colonel Edwards has reflected great credit upon himself,

the U.S. Air Force Reserves, and his community.

Member of the professional improvement committee of the Bergen County Education Association were most conscientious in performance of their assigned tasks from the start. They provided the hard core of workers so essential to the success of any undertaking. The following outstanding educators comprise that committee, which served on the workshop planning committee with Air Force representatives:

Chairman: Leslie Wilding, principal, Ramsey Elementary School, Ramsey. Mr. Wilding headed the educators' subcommittee; he also supervised advance registration, acted as treasurer for the workshop.

Members: Donald Duff, principal, Northern Valley Regional High School, Demarest. Mr. Duff assisted with the public relations and field trip. George Dykstra, faculty member, Hamilton School, Glen Rock. Mr. Dykstra assisted on workshop registration and attendance at the individual sessions. Dr. Waldro Kindig, principal, Dwight Morrow High School, Englewood. Dr. Kindig organized and supervised the session chairmen; reviewed all literature prior to selection. Dr. Kindig also has the added distinction of having been the high school principal of one of America's seven astronauts now in training for project mercury. Harold T. Shafer, director instructional services, Ridgewood school system. Major Shafer served as general chairman for the full project. He coordinated the activities and functions of the committees representing the educators and the military. Dr. Giles Warren, curriculum coordinator, Westwood High School. Dr. Warren assisted with public relations and the field trip.

On the Air Force side, an outstanding job was done by Maj. Wesley C. Brashear, USAF, and Maj. Harold T. Shafer, Air Force Reserve. Major Shafer is mentioned above as a member of the planning committee. Major Brashear is the U.S. Air Force liaison officer to the New Jersey wing of the Civil Air Patrol. His industrious efforts and willingness to assist in any aspect of the project were significant contributions to the success of this workshop. In addition to his overall leadership and guidance, he handled the difficult responsibility for procurement of both speakers and literature.

Major Shafer is an air reservist assigned to the 9319th Air Reserve Squadron, stationed in Hackensack, N.J. Major Shafer made an ideal general chairman for the entire project because of his activities in the educational field as well as the Air Force Reserve. His very high prestige among his fellow educators coupled with his untiring zeal in following up every detail were invaluable to the success of the workshop.

Other Air Force personnel who made major contributions are: Maj. William A. Aronson, Air Force Reserve, of the 9319th Air Reserve Squadron, who assisted Lieutenant Colonel Edwards in overall supervision of the project for the Air Force Reserve; Maj. William V. Purich, Air Force Reserve of the 9319th Air Reserve Squadron, who coordinated details for the planning committee with McGuire Air Force Base and supervised the meeting and briefing of incoming guest speakers for the lectures; Lt. Col. William S. J. Curley, plans officer, 1611th Air Transport Wing—MATS, McGuire Air Force Base—who was assigned by the air base commander as project officer for the workshop field trip.

These individuals all gave unstintingly of their time to the project often at considerable personal sacrifice. There were many others from civilian life, the Air Force Reserve, and the Civil Air Patrol whose contributions were most essential to the success of the project.

In conclusion, Mr. Speaker, may I say that America can rejoice that so many dedicated citizens and educators at the community level were ready, willing, and able to develop and carry out this fine program. The Bergen County Air Force Reservists and members of the Civil Air Patrol who gave us this down-to-earth workshop again demonstrate that among our greatest weapons are the civilians who give so much to our armed services through the Reserve forces.

My basic purpose in addressing the House on this subject is to encourage other areas in our Nation to reap the same benefits through the same procedures that made the Bergen County, N.J., Space Age Workshop the great success that it was.

AUTHORIZING CONVEYANCE OF LAND IN JOHN DAY RESERVOIR TO THE CITY OF ARLINGTON, OREG.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2362) to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of the Army determines that any land within the corporate limits of the city of Arlington, Oregon, acquired for construction of the John Day lock and dam as authorized by the River and Harbor Act of May 17, 1950 (64 Stat. 163, 167), is no longer required for project purposes, he is authorized and directed, subject to the further provisions of this Act, to convey to the city of Arlington all right, title, and interest of the United States therein.

SEC. 2. Any conveyances made pursuant to this Act shall be (A) at market value as determined by the Secretary of the Army in accordance with the formula set forth in section 3 of this Act; (B) upon terms and conditions determined by the said Secretary to be in the public interest; and (C) subject to reservations and restrictions determined by the said Secretary to be necessary for the development, maintenance, or operation of the John Day lock and dam project.

SEC. 3. The market value of any property conveyed under this Act shall be equal to the price for which the land was acquired by the United States, adjusted to reflect (A) any increase in the value thereof resulting from improvements placed thereon by the United States, excluding, however, any enhancement in value resulting from the construction of the John Day lock and dam; or (B) any decrease in the value thereof resulting from (1) any reservation, exception, restriction, or condition to which the conveyance is made subject; and (2) any damage to the land caused by the United States.

SEC. 4. The Secretary of the Army may delegate any authority conferred upon him by this Act to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

SEC. 5. The proceeds from any conveyance made under this Act shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 6. This Act shall terminate 6 years after the date of its enactment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEALING ACT WHICH AUTHORIZED SECRETARY OF TREASURY TO SELL CERTAIN LAND TO FIRST BAPTIST CHURCH, PLYMOUTH, MASS.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1473) to repeal the act of May 27, 1912, which authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 27, 1912 (37 Stat. 117, ch. 134), is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE TO ORANGE COUNTY, CALIF., OF CERTAIN REAL PROPERTY

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5349) to provide for the conveyance to Orange County, Calif., of all right, title, and interest of the United States in and to certain real property situated in Orange County, Calif.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is authorized and directed to convey to Orange Coun-

ty, California, all right, title, and interest of the United States in and to the real property more particularly described as lot 24, block D, of tract numbered 18, first addition to Harper, as shown on the map recorded in book 9, page 20, of miscellaneous maps, records of Orange County, California, including any improvements thereon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDIAN LANDS ON AGUA CALIENTE RESERVATION

Mr. ASPINALL submitted the following conference report and statement on the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation:

CONFERENCE REPORT (H. REPT. No. 1188)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WAYNE N. ASPINALL,
JAMES A. HALEY,
ODIN LANGEN,
EDNA (MRS. SID) SIMPSON,
Managers on the Part of the House.

RICHARD L. NEUBERGER,
CLINTON P. ANDERSON,
ERNEST GRUENING,
BARRY GOLDWATER,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6672) authorizing longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, submit the following statement in explanation of the action agreed upon and recommended in the accompanying conference report, namely:

The committee of conference recommends that the Senate recede from its amendment to H.R. 6672 and thus restore the bill to the form in which it passed the House. This means that it is only in connection with the Palm Springs Reservation that 99-year real estate leases will be permissible. All others will remain at 25 years with option to renew for an additional 25 years.

The House conferees objected to extending the 99-year leasing provision to cover the Navajo and Seminoles because no hearings have yet been held by the House committee on the necessity or desirability of such an extension. The committee of conference was informed that the House Committee on Interior and Insular Affairs anticipates holding such hearings during the next session.

WAYNE N. ASPINALL,
JAMES A. HALEY,
ODIN LANGEN,
EDNA (MRS. SID) SIMPSON,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 6672) authorizing longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA STADIUM ACT OF 1957

The SPEAKER laid before the House the following request from the Senate:

Ordered, That the Secretary of the Senate request the House of Representatives to return to the Senate the bill (H.R. 8392) entitled "An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes," together with accompanying papers.

The SPEAKER. The question is on agreeing to the request of the Senate.

Mr. GROSS. Mr. Speaker, is that subject to a reservation of any kind?

The SPEAKER. It is a privileged matter. It is a request of the Senate to return a bill.

Mr. GROSS. If I may ask, Mr. Speaker, is that the so-called stadium bill?

The SPEAKER. The Chair understands it is.

Mr. GROSS. It is not the prerogative of the gentleman from Iowa to object to recall of the papers?

The SPEAKER. It is a matter for the House to decide by vote. The question is on agreeing to the request of the Senate.

The question was taken; and the Speaker announced that the ayes had it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-nine Members are present, a quorum.

So the request of the Senate was granted.

WITHHOLDING ON COMPENSATION OF FEDERAL EMPLOYEES FOR STATE INCOME TAX PURPOSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2282) to amend the act of July 17, 1952.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. PATMAN. Mr. Speaker, reserving the right to object, will the gentleman please explain the bill?

Mr. MILLS. Mr. Speaker, I should be glad to.

Mr. Speaker, in the form in which it passed the Senate, and in the form in which it is currently before the House, S. 2282 forbids any department or agency of the United States from accepting compensation from any State or territory for services rendered in withholding State or territorial income taxes from the salaries of employees of such department or agency. The amendment which would be made by the bill will take effect as of April 1, 1959.

Mr. Speaker, this legislation has become necessary because the State of Massachusetts' newly enacted withholding tax law provides for compensation to employers who withhold from their employees. The United States does not pay compensation for withholding, either to the States or to private employers. Moreover, the United States now withholds for 20 States and territories and does not receive compensation from any of them. Federal agencies have begun to withhold Massachusetts income taxes, and at the present time they are holding the compensation to which they are entitled under the Massachusetts law in suspense accounts. The Treasury feels strongly that no compensation should be accepted from Massachusetts, and enactment of this bill will make it possible for the Federal Government to pay these sums over to the State of Massachusetts.

This bill has been unanimously agreed to by the Committee on Ways and Means.

Mr. PATMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

TRINITY POWER

Mr. THOMSON of Wyoming. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, I very much regret that the time allotted to debate on the second public works appropriation bill considered by the House on September 8, 1959, did not permit the gentleman from California [Mr. MOSS] to actually present his statement in defense of the all-Federal construction of Trinity power facilities, and that under this situation it was inserted in the RECORD under general leave of the Members for extension of remarks.

In his remarks thus inserted in the RECORD, the gentleman from California [Mr. MOSS] stated:

The gentleman from Wyoming is completely mistaken in his contention that it would save taxpayers' money if the Trinity power facilities were built as a partnership project.

And further states:

It is regrettable that the gentleman from Wyoming has been misinformed about the Pacific Gas & Electric partnership deal. Far from saving the Federal Government money, it would be bad business for Uncle Sam.

If the gentleman from California could have obtained the time to have actually presented his statement and it could have been fully debated, it would have been quite clear that it is he who is mistaken and has been given misinformation, not the gentleman from Wyoming.

In the last Congress, I served as a member of the House Interior and Insular Affairs Committee, and attended all of the days and days of hearings which were held on the Trinity partnership proposal in January and February of 1958, at which hearings both the proponents and the opponents were heard. The statements which I made were based upon those hearings, and on the basis of the hearings there is no doubt but that the all-Federal construction of the Trinity power facilities, rather than the acceptance of the partnership proposal, will cost the reclamation fund, the taxpayers of the country, and, I might add, the taxpayers of California, hundreds of millions of dollars, just as I have previously set forth.

I further regret that the adjournment of Congress does not allow time for this to be debated in this session, although I point out that the points with which the gentleman from California takes issue were presented in full on the floor of the House on September 4, 1959.

The statement inserted by the gentleman from California on September 8 does not contain any significant new material, for most of it is included in his statement filed with the House Committee on Interior and Insular Affairs on February 10, 1958, as appearing at page 132 of the hearings on joint development proposals for Trinity power facilities. Here again, under the procedure followed, the assertions made were not open to interrogation and cross-examination.

It is most regrettable that the Trinity partnership proposal has never been brought to the House floor for consideration on its merits, but I believe that this will be remedied early in the next session. I will welcome the opportunity to submit the statements which I have made to the test of full debate.

The gentleman from California mentions the San Luis project. That is now pending consideration. When it is considered, I am confident that the Trinity power partnership proposals will come in for full discussion. I am quite confident that an amendment will be offered to provide for the partnership development. As a matter of fact, if this is not done, it is difficult for me to see how the San Luis project, with an expenditure of $305 million, can be justified.

I would point this fact out to the Executive as a very good reason for withholding action to initiate the all-Federal development of the power facilities. This is particularly true when, as has been shown, it would not result in any measurable delay in the eventual completion of the facilities. I would say to the gentleman from California that at that time, we can really go into the merits of the argument.

In meantime, though, I believe that the record should be set straight as to some obvious misconceptions and misunderstandings contained in the extension of remarks of the gentleman from California above referred to under date of September 8, 1959.

The gentleman suggests that "under partnerships, the P.G. & E. would build the Trinity powerplants, generate the Trinity power, and sell it to the San Luis project at the private utility's rates." This is an argument which the opponents to the partnership proposal have used, but there is no basis in fact. Under both the general reclamation law and the Central Valley Project Act, the power needs of the project must be taken care of before any power can be sold to any one. There is plenty of Central Valley project power available in all events to take care of the needs of the project, including power for pumping. On page 259 of the House hearings of 1958, above referred to, Mr. Head, planning director of the Sacramento region, Bureau of Reclamation, states, "We take care of our pumping load first." There is no basis for the suggestion that project power needs would have to be purchased from P.G. & E. or anyone else, either for the San Luis unit if it is authorized, or any other unit of the Central Valley project.

The gentleman from California also suggests that the partnership would be bad for the Federal Government, because the Federal Government will be a customer for Trinity power to meet increasing power needs of numerous defense installations. This was fully taken into account in the House hearings. The Secretary, in his statement before the House committee, went on to point out that the added cost to Federal agencies would be $35,832,000, and said, I quote from page 207 of the transcript of the committee hearings:

> Even if we deduct these increased Federal agency costs from the net project financial advantage under joint development that net financial advantage to the United States still amounts to $140 million without San Luis.

It clearly is bad business for the Government to give up $175 million in project revenues in order to save $35 million on its power bills. Furthermore, it may well be that all of these power needs of the Federal Government for its defense installations will not develop, or will not continue for the full 50-year period assumed in arriving at the $35 million figure. In addition, I would like to point out to the gentleman from California that the established policy of the Government as far as power produced from reclamation projects has been much different than he suggests. The revenues from the sale of the power that is excess to the needs of the project have been used to assist reclamation and have gone into either the Reclamation Fund or, in this instance, the Central Valley fund.

In the hearings before the House committee, I brought out on two occasions that the effect of furnishing this power at less than cost to the 12th Naval District, the Atomic Energy Commission at Livermore, and to Ames Laboratory, was to make the appropriation for operation of these defense activities out of the Reclamation Fund or the Central Valley fund, rather than from the general Treasury of the United States. Reclamation should not be expected to bear the burden of this defense expenditure. It is properly chargeable to all of the United States, through the general fund. The importance of this is again borne out by the difficulty that we have in obtaining appropriations for reclamation. In addition, the gentleman fails to recognize that the Government has lost another $83 million in Federal taxes, and his State of California has been denied $62 million more in State and local taxes.

The gentleman from California mentions "Mr. Samuel Morris, an internationally famous engineer," as challenging the figures of the Interior Department in the House committee hearings of January 1958. I do not question Mr. Morris' reputation or his ability, but the fact remains that he had but a relatively short period of time to develop his figures. The questioning of myself and other members of the committee of Mr. Morris brought out the needs for adjustments in his presentation. After these adjustments are made, the cost of power, according to his computation, is even higher than the 8.9 mills per kilowatt hour shown by the Department of the Interior. With the higher cost, the loss to the Reclamation Fund and the Central Valley Project Fund would be even greater than that estimated by the Department.

The gentleman from California makes the seemingly plausible statement that preference customers are paying 50 percent more per kilowatt-hour than Pacific Gas & Electric Co. pays for Central Valley project power. This point was thoroughly explored in the 1958 hearings. It was shown that the company in fact has been paying 40 percent per kilowatt hour more for firm power than the preference customers of the project pay. In addition, the company has been providing a market for dump power which preference customers cannot use. Naturally, the rate for this non-firm power is lower than the rate for firm power; but if the company had not bought this nonfirm power, it would not have been sold and project revenues would have been substantially less.

Mr. Speaker, I do not criticize the gentleman from California [Mr. Moss] for urging that the Federal Government construct and operate the power facilities of the Trinity project, for it is his hometown of Sacramento that will receive almost all of the benefit of Government-subsidized power, sold to the Sacramento municipal utility district at about 50 percent of cost. The effect of this, though, upon the taxpayers of the Nation is something that should concern the rest of us. Those of us who are interested in the future of reclamation should be particularly concerned.

The adoption of the 1906 amendment to the Reclamation Act established the principle that the revenues from the sale of power would be used to assist reclamation. I repeat that if we depart from this and subscribe to the proposition that such revenues shall be used to subsidize power so that it may be sold

at less than cost, to areas that would thereby be given a special advantage over the rest of the Nation, then we have dealt a deathblow to our reclamation program.

With the increased demands for water use, we especially need these revenues for water development. This is particularly true in California. I am pleased that the gentleman from California mentioned the California water plan. It was brought out in the House hearings that this plan at that time, in January of 1958, called for 376 new reservoirs to be constructed at a total cost of $12 billion. At that time, California already had authorized $650 million of Federal projects yet unconstructed, and if the San Luis unit is authorized, this would be increased by $305 million, to a total $955 million. It is in the interest of all of California to see that the power revenues are made available to assist water development, rather than to subsidize power at a price below cost for the Sacramento municipal utility district.

Mr. Speaker, we have just been through a trying experience as to appropriations for reclamation and other water development. It is quite clear that we will continue to be confronted with budget problems in the foreseeable future. I repeat that we should approve the partnership proposal for the Trinity power facilities. If non-Federal interests construct the Trinity power facilities, as the President stated, the taxpayers will be relieved of $60 million in capital outlay through appropriations. I further repeat that if this is not done, the loss to the reclamation fund—the Central Valley project fund—will be $175 million over a period of 50 years. Assuming that this would have to be made up by appropriations collected from the taxpayers and adding thereto the loss of Federal taxes over the 50-year period of $83 million, the total loss to the taxpayers of the Nation would be over $318 million. Added to this is the loss of $62 million to the State of California in State and local taxes.

In view of this situation, I sincerely hope that the President will not go forward with the Federal development of the Trinity power facilities until such time as Congress has a further opportunity to consider this. If the authorization of the San Luis unit is considered by this Congress next year, that opportunity will be afforded.

THE HOTTEST THING IN ALUMINUM

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneuos matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, in Fortune magazine for the month of June 1959, there appears a most interesting article, entitled "The Hottest Thing in Aluminum," also another article entitled "How Reynolds Brought Off Its British Coup."

Reynolds Metals Co., is the second largest aluminum producer in the United States and the third largest in the world. Founded in 1919 by R. S. Reynolds, the firm today is headed by his son, R. S. Reynolds, Jr. His other three sons also direct company affairs: J. Louis Reynolds as chairman of the board of Reynolds International, Inc., William G. Reynolds as executive vice president in charge of research and development, and David P. Reynolds as executive vice president in charge of sales.

In Sheffield, Ala., Reynolds operates one of the world's largest aluminum complexes.

The Listerhill reduction and alloys plant are a key factor in the economy of the Sheffield-Florence-Muscle Shoals area. Payrolls are in the $25 million zone annually. Between 3,500 and 4,000 Alabama men and women are employed in the Reynolds Listerhill operations and Reynolds missile plant, also in Sheffield.

The original and still operating Listerhill reduction plant has been termed "a tribute to the patriotic vision" of the late R. S. Reynolds, Sr., founder of Reynolds Metal Co.

In 1939 Mr. Reynolds went to Europe in search of more aluminum for his busy foil rolling mills. There he saw that war was coming, and that it would be a light metals war.

Returning to America, he found a lack of understanding of the necessity of increasing the Nation's aluminum capacity, but fully convinced of the seriousness of the situation, he undertook to make aluminum himself.

From an Alabama cottonfield there rose Reynolds' first aluminum-making plant, rushed to completion in the "impossible" time of less than 6 months, a striking contrast to the predicted construction period of 3 to 5 years.

On May 18, 1941, Reynolds Metals Co. had its first primary aluminum to sell and America had its second aluminum producer. When Pearl Harbor shocked the world, Reynolds was producing 160 million pounds of aluminum a year, increasing this country's capacity 50 percent at this critical period in history.

Another historical sidelight concerns the rolling mill which was the base unit of the alloys plant. The mill was aboard ship on the high seas bound for France when that country fell under Hitler's onslaught. The ship was turned around and the mill brought back here to roll aluminum sheets for airplanes from metal produced at the pioneer Reynolds reduction plant.

Today's reduction operation at Listerhill in both the new and old plants, is a far cry from the pioneering operation. Working conditions second to none in the industry are offered here and ingenious mechanical devices have taken the back-straining labor out of aluminum making.

Here two big reductions plants with an annual capacity of 190,000 tons of virgin aluminum, produce the bright, light metal from alumina shipped here by other Reynolds plants.

Next door, the sprawling group of mills which make up the Reynolds Listerhill alloys plant, fabricate aluminum into sheet, rod, bar, structural shapes, Reynolds Wrap aluminum foil, wire, cable, tubing, nails and stampings of blanks and circles.

And across the road a group of practical minded scientists carry on aluminum smelting or reduction research for the entire company.

A multimillion dollar expansion now underway at the alloys plant will be highlighted by the world's largest aluminum hot rolling mill, a block-long giant headed by a 170-inch-wide breakdown mill.

When the project is completed in 1960, the alloys plant will have an annual capacity of 300,000 tons. It is already the largest of the Reynolds Metals Co.'s fabricating plants. The enlarged plant will have 2,500,000 feet under roof.

A gleaming new multimillion dollar reduction plant began operation this year alongside the original reduction plant with which Reynolds became the second U.S. producer of aluminum on the eve of World War II.

The articles from Fortune magazine follow:

THE HOTTEST THING IN ALUMINUM

(By Freeman Lincoln)

Although the Reynolds Metals Co. is 31 years old and the second largest corporation in the U.S. aluminum industry, it continues to act like a small boy at his first circus. Reynolds is still informal, brash, and obviously delighted with its important spot in the industrial world. Reynolds executives are pleased as punch with their new $11,500,000 office building on the outskirts of Richmond, Va., where virtually everything is made of aluminum. Only Sales Vice President David Reynolds has a beef about the new quarters. He scowls at the acreage of window glass and complains to his brothers: "By now our boys should have found out how to make aluminum transparent. This place looks for all the world like an ad for Pittsburgh Plate Glass."

But for all the Reynolds exuberance, competitors have learned to take this company very seriously. In the 10 years since Richard Reynolds took over as president, company sales have risen from $132 million to $446 million; net profits from $6 million to $38 million; primary aluminum capacity from 224,000 tons to 601,000 tons (total U.S. capacity is 2,200,000 tons). Nobody now indulges in loose talk about nepotism, because it is plain that the four Reynolds brothers have provided the company they control with aggressive, shrewd management. Proof that Reynolds Metals has come of age was supplied last winter when, after a dramatic battle in London, Reynolds came away with a 47 percent piece of Britain's biggest ($90 million sales) aluminum company, British Aluminum, Ltd.

By winning the British Aluminum fight, Reynolds and its English partner became the owners of the sole British producer of primary metal. And although this capacity amounted only to some 38,000 tons, B.A. had just built a reduction plant in Quebec with capacity for 90,000 tons more. B.A. had an important bauxite potential in Australia that a supply of fresh money could soon exploit. It produced one-third of Britain's fabricated aluminum, held substantial interests in aluminum companies in Norway, Australia, and India, and most important of all, had a worldwide system for distribution of fabricated aluminum.

With its grip on British Aluminium, Reynolds is now in a position to offer lively competition in the world aluminum market, which Canada's mighty Aluminium Ltd. has

dominated for years. At home, the B.A. deal brought Reynolds new prestige. In one step the company had jumped far ahead of its U.S. rivals in the race for foreign markets. Reynolds had the glory, as well as the unholy private satisfaction, of having beaten out giant Alcoa, which also wanted B.A. The Reynolds coup made a considerable impression on U.S. financial strongholds, to which Reynolds must repeatedly turn for expansion money. Reynolds boasts that this spring its stock, which for years had sold at $20 to $40 less than Alcoa's, worked up past it (on May 1, Reynolds common closed at 83¾, Alcoa at 81⅝).

PUTS IN PIG

The news of Reynolds' victory in England broke when the aluminum industry was just emerging from a rough year. The business decline that began in the United States in late 1957 had hit aluminum hard, after close to a decade of steady growth in consumption and periodic shortages of the metal. In April 1958, the price of pig was cut 2 cents a pound to 24 cents—the first price cut since 1941. (Within a few months U.S. producers raised the price, but only by 0.7 cent.) Meanwhile, with 30 percent of its primary aluminum capacity standing idle, and two companies new to the field (Ormet and Harvey) beginning production, the U.S. industry was in the middle of an expansion program that would increase its basic capacity by more than one-fifth by the end of 1958.

Reynolds was hit, like the others, although it was not hit nearly so hard. In fact, it barely wavered from its 1957 highs. At its lowest point, in June 1958, it operated at 75 percent of capacity, and at the end of the year was at 88 percent—5 percent better than the industry as a whole. Alcoa was down to 60 percent in June, by year end had pulled up to 71 percent. Last year for the first time Reynolds shipped more than half a million tons of aluminum. Its 1958 sales were down only a trifle from the record high of the previous year, despite lower aluminum prices. Its profits of $38 million actually were 1 percent above 1957, and were the second highest in the company's history. (In 1956, profits were $41 million.) In 1958, Alcoa had a drop in profit of 43 percent; Kaiser's profits were down 5 percent. Aluminium Ltd. of Canada, lacking fabricating operations to absorb its huge raw-metal production, suffered a 46 percent decline in profits.

Reynolds' high level of operation was in part due to luck. Like its competitors, Reynolds had expanded its facilities at Government request during the Korean war, and like the others had a 5-year right to put to the Government stockpile any of the production of these facilities that it could not sell on the commercial market. By a fortuitous combination of circumstances, Reynolds in 1958, when the need was greatest, was able to sell more primary metal to the Government than its competitors. Reynolds delivered over 130,000 tons (more than one-quarter of its primary production) to the stockpile, as compared to puts by Alcoa of 97,500 tons and by Kaiser of 95,300 tons. (Alone of the three, Reynolds still has put rights this year, although for only 42,500 tons.)

Part of Reynolds' good showing, however, was due to a farsighted decision made by Richard Reynolds. In 1953, when everybody in the industry was hungry for pig, Kaiser and Alcoa had signed 5-year contracts to buy large quantities from Aluminium, Ltd. Most of Reynolds' management thought their company should also grab all of this Canadian pig that it could get. But Richard Reynolds felt that the aluminum buying cycle might come to an end before long, and if it did he didn't want Reynolds to find itself flooded with foreign metal. Furthermore, he was damned if he would give aid and comfort to strong Canadian competitor by helping finance Aluminium, Ltd.'s huge expansion at Kitimat.

His decision paid off. In the past 2 years, when the industry was choking with aluminum, Kaiser had to take 86,000 tons from Aluminium, Ltd. And even though Alcoa managed to renegotiate its contract to stretch out deliveries through 1962, it still had to take a total of 127,000 tons in 1957 and 1958. (The plight of Alcoa and Kaiser was made worse when the U.S. Government, feeling under no obligation to provide a haven for Canadian imports, reduced the two companies' put rights.) This awesome weight of unwanted pig not only meant that Alcoa, and to a lesser extent Kaiser, could utilize that much less of their own producing capacity; it also forced them to slow down their expansion programs.

MOLTEN MONEY

But Reynolds Metals is finding plenty of problems to keep it jumping during 1959. It has to find some other buyers for the 90,000 tons of pig that this year cannot be sold to the Government stockpile. It must find markets for a greatly increased quantity of fabricated material that will come out of its alloys plant at Sheffield, Ala., when its new hot rolling mill goes into operation this month. It will have heavy new tonnages of raw metal to peddle from a new reduction plant on the St. Lawrence at Massena, N.Y., which starts up next month and will be ready to go full blast before the end of the year.

During the first quarter of 1959, lower prices and smaller stockpile deliveries combined to reduce Reynolds' sales by 3 percent from the first quarter of last year, and to cut profits by 9 percent. Nevertheless, Richard Reynolds told his stockholders that commercial shipments had shown a substantial increase over last year, and that orders for the second quarter indicated a further increase.

Even though U.S. primary aluminum capacity will have increased to 2,600,000 tons by the end of 1960, the company blithely denies that it has any worries about an oversupply of metal. Reynolds says that a plenitude of aluminum is a necessary precondition for big-volume new applications; that shortages in the past have denied the industry a fair chance to invade mass markets in a big way. The most conservative estimate of its market analysts is that U.S. consumption—1,800,000 tons in 1958—will reach 3,400,000 tons by 1960 and five million by 1965. The betting at Reynolds is that the industry will be forced to start building new aluminum capacity no later than 1961.

Reynolds has always relied heavily on creating new uses for aluminum and thus getting the jump in new markets. It learned early that it was no good merely to tell a manufacturer that such-and-such an item could be made better, and maybe even cheaper, from aluminum. Long oriented to the use of other materials, aware of aluminum's relatively high per pound price and of the costs of reengineering and retooling, the customer instinctively resisted any mere suggestion that he change his ways. He had to be shown.

When Billy Reynolds' research team turns up a likely product idea, the company builds whatever machinery may be needed, turns out the actual product, and lays the finished item on the customer's desk. If the buyer thinks it looks good, but wants Reynolds to manufacture it for him as an experimental starter, Reynolds is glad to oblige. When he later decides it will be cheaper for him to do his own mass production, Reynolds is willing.

The use of this technique has led automobile manufacturers to change to aluminum in radiator grilles, window frames, bumpers, and many other components. Whereas passenger cars immediately after World War II averaged only 5 or 6 pounds of aluminum, that poundage has multiplied to something like 57. In 1958 the automotive industry used 117,000 tons of aluminum. This year Detroit will consume more than 150,000 tons.

THE DIZZY PROSPECT

It appears evident that this is just a beginning. If all automobiles have aluminum engine blocks by 1965, as Reynolds anticipates, 7 million cars in that year would eat up at least 250,000 tons of the light metal for engine blocks alone. As for right now, it is known that Chevy's first compact car will carry an aluminum engine, and Reynolds, thanks to a beginning made more than 10 years ago, is set to take a big hunk of the business.

When General Motors decided in 1948 to use aluminum for its new dynaflow transmissions, some of its top officials visited the Reynolds reduction plant at Jones Mills, Ark., seeking a firm supply of ingot. It was Kettering who suggested that there would be savings (they came to about 10 percent) if, instead of pigging the metal or turning it into ingots, Reynolds delivered it in molten form straight from its pots to a foundry that G.M. would build next door. The result was that in 1950 Reynolds started, and still continues, delivery of 20,000 tons of molten metal annually to G.M.

Dave Reynolds, a talented sales promotion man, was instrumental in 1955 in hooking up Reynold's Listerhill plant in Alabama in a similar deal with Ford. The 10-year Ford contract calls for an annual delivery of 32,000 tons, which is about 30 percent of the plant's output. It enabled Reynolds to borrow $75 million toward the expansion of its Listerhill facilities. The contract provided that over and above the molten metal it buys, Ford gives Reynolds an option to supply not less than 30 percent (in dollar value) of Ford's mill or fabricated-product requirements.

General Motors made another deal with Reynolds in February 1957. A contract, which runs until 1964 and is subject to a 5-year renewal at G.M.'s option, obligates Chevrolet to buy 37,500 tons of molten metal per year from a 100,000-ton reduction plant Reynolds is now completing on the St. Lawrence at Massena, N.Y. The G.M. contract was of vital importance to Reynolds. Without the promise that Chevrolet would put up a foundry next door, Reynolds might not have been able to build its Massena plant at all, for New York State felt that an aluminum operation by itself did not provide enough employment opportunities. The fact that G.M. has foundries alongside Reynolds in New York and Arkansas, and Ford has one in Alabama, indicates that Reynolds will be linked with the automotive industry on an important, long-term basis.[1]

TURMOIL IS FOR US

Reynolds has other shots in its locker. Kaiser, Alcoa, and others have made big efforts to cut into the foil business, which Reynolds pioneered and long dominated. They have managed to cut Reynolds' share of the $60-million household foil market from 83 percent to about 65 percent. Nevertheless, sales of Reynolds Wrap are steadily increasing, and Reynolds has abilities and facilities in the packaging field that will be hard to catch up to.

Perhaps the best sponge for sopping up an oversupply of aluminum in the near future is housing. Yesterday's new house contained only about 40 pounds of aluminum, but Reynolds is plugging its House of East, which contains 2,000 to 3,000 pounds. The house

[1] Smelters, diecasters, and extruders complained to Congress last spring that the molten-metal price (about 10 percent less than the price of pig) was discriminatory.

particularly commends itself to people who are willing to spend a little more now in order to avoid heavy maintenance costs later. With 1,200,000 housing starts a year, Reynolds sees a 100-million-ton market in new housing. It forecasts a home-modernization market nine times bigger.

Reynolds Metals today appears to be in good shape for the future. Ten years ago it had only one inadequate supply of bauxite, and was forced to buy more than one-third of its raw metal. Today it is fully integrated.

During the past decade Reynolds has acquired reserves in Jamaica, Haiti, and British Guiana. The company boasts it now has a 75-year supply.

In the same period Reynolds acquired fabricating operations in Canada, Mexico, the Philippines, Colombia, Cuba, and Great Britain. These foreign interests, watched over by Louis Reynolds, last year had sales of $41 million and contributed $1,300,000 to Reynolds' profits.

During Richard Reynolds' first 10 years as chief executive, the company increased its total assets by 625 percent to $831 million, raised shareholders' equity from $4.52 per common share to $25.19; lowered the company debt ratio from a 1952 high of 76 percent to the present 51 percent. It increased sales 238 percent, profits 547 percent. Common-share earnings rose from 50 cents to $3.25.

Reynolds Metals is pleased to comment on a recent trade journal story which said that behind its cheerful facade the aluminum industry was in turmoil. Reynolds says, "If what we're in is turmoil, let's have some more."

How Reynolds Brought Off Its British Coup

Among the 60-odd passengers who arrived from New York at London Airport was a tall, spectacled American who spoke in the soft accents of North Carolina. While he would have been recognized immediately by any one of scores of American businessmen, none of his plane companions knew him or especially remarked him, which suited the tall man fine.

He threaded his way unnoticed, that October afternoon last year, through the airport waiting room, quickly completed the formalities of his entry into England, and followed his single suitcase into a taxicab. Forty-five minutes later he was at the Savoy, where he put down on the registry card that his name was Joseph H. McConnell, and that his address was Bronxville, N.Y., United States of America. And with that quiet arrival of Joe McConnell in London, there began the climatic phase of one of the most dramatic financial struggles of many an English decade.

It had begun undercover some months before. It was to run several months more and before it ended it shook the foundations of London's financial district, the city. In involved two giants of the U.S. aluminum industry, Reynolds Metals and Alcoa. It embroiled two important British companies, venerable British Aluminium Co., Ltd., sole producer of primary aluminum in Britain, and Tube Investments Co., Ltd., an important manufacturer of iron and steel machinery and bicycles. The London press called it "The Great Aluminium War"—an affair that gained standing by the fact that it inspired questions in the House of Commons and the Chancellor of the Exchequer announced that Her Majesty's treasury took a serious view. Since no matter which side won there would be benefit to one or another large U.S. corporation, Britain's national interest was dragged back and forth across the stage until nothing lingered but the aroma of red herring.

The British public, which savors sporting events and pageantry both, got a full helping of each. One of the belligerent parties was a World War II military hero and a peer of the realm. His chief opponent, Joe McConnell's ally, was a commoner out of the Midlands. At one point the Daily Express exulted that "1 marquis (of Salisbury), 16 lords, 10 'sirs,' and the Queen's uncle banded together last night and made a dramatic entry into the battle." The Bank of England, in a last-ditch attempt to compromise the scuffle, met "unprecedented" rebuff. Before the dust had settled, the Church of England decorously made off with a nice piece of change.

The British public, although it couldn't hope to catch all the nuances of the affair, or understand the depth of the bitterness, felt it had been let in on a bloody good show.

The Cue in Quebec

Richard Reynolds, president of Reynolds Metals, first cast a predatory eye on British Aluminium early in 1957, when it appeared that the high cost of power would block the plans he had to build a reduction plant in Canada. One of his advisers had pointed out to him that British Aluminium, which was just then completing the first stage of a 180,000-ton plant in Baie Comeau, Quebec, had a total capital stock of 9 million shares then valued in the market at only about $50 million.

Richard Reynolds needed no other cue. If he could lay hands on a controlling interest in B.A. for even half again $50 million, he would acquire a Canadian plant complete with low-cost power for far less than it would cost to build a new one. He would realize a long-term ambition to put his company in a strong position in promising world markets, gain access to huge bauxite deposits in Australia, and acquire a worldwide distribution system that no newcomer to foreign markets could hope to duplicate for years.

Richard Reynolds talked with partners of the New York investment-banking house of Kuhn, Loeb, which arranged for its London correspondent, S.G. Warburg & Co., Ltd., to begin secretly buying B.A. stock on Reynolds Metals' behalf. Kuhn, Loeb advised Richard Reynolds that if he had any notion of attempting to gain outright control of such an important English company as British Aluminium it would be wise for him, for political reasons, to team up with a British firm.

At this juncture Dick Reynolds called in his old classmate at Davidson College, Joe McConnell, former president of National Broadcasting Co. and of Colgate-Palmolive—now executive vice president of Reynolds. Dick Reynolds told McConnell what was in the wind; handed him plenipotentiary powers; promised him all the money he needed, and told him to get busy.

McConnell wasted no time. By May 1957 he was negotiating a $15 million deal with Tube Investments Co. Ltd. of England, under the terms of which Reynolds and T.I. were to be equal partners in an aluminum-fabricating company in Britain. Such a partnership in itself would be a good thing for Reynolds, but McConnell figured that in the process of negotiating with T.I.'s chairman, Sir Ivan Stedeford, he would find out whether T.I. might be the ally Reynolds was seeking for larger matters. By the time the papers were ready for signature, in September 1957, McConnell was satisfied that Stedeford was his man.

Sir Ivan had come up the hard way, starting as the son of an impecunious Methodist minister in the Midlands. He had been lucky enough to marry the boss's daughter, but there was a good deal more than luck in the way he had made Tube Investments one of Britain's largest industrial enterprises. McConnell discussed the matter with Richard Reynolds, and then took Sir Ivan into the Reynolds secret.

Sir Ivan was told that Reynolds was prepared, if necessary, to move in the British Aluminium matter alone, but would greatly prefer to have Tube Investments come along as partner. Stedeford was at once tempted and concerned. Raids—"takeovers," as the British call them—are frowned upon by the city. As an Englishman, Stedeford was disturbed by the implications of a British-American assault on a pillar of British industry. Nevertheless, he agreed to participate in buying B.A. stock, while reserving the right to withdraw at any time. Thereafter, Tube Investments quickly picked up 200,000 B.A. shares.

During the quiet year that followed, Reynolds and T.I. moved ahead with their joint fabricating venture. Sir Ivan and McConnell, meanwhile, came to know each other better, and both continued through nominee banks their undercover buying of B.A. stock. And it was in this same period that the management of B.A. committed the first of a chain of unconscionable blunders.

Duck on a Rock

British Aluminium had as its chairman, marshal of the Royal Air Force the Right Honorable Viscount Portal of Hungerford, Knight of the Garter, Grand Commander of the Bath, Order of Merit, Distinguished Service Order, Military Cross. His full-bearded operating chief was managing director the Honorable Geoffrey Cunliffe, whose father had been the first Baron Cunliffe of Headley and a Governor of the Bank of England. These two distinguished citizens well knew that, as the year 1958 moved on, B.A. was no source of satisfaction to its stockholders. Long an important supplier of aluminum to the European market, B.A.'s percentage of that market had been declining. Its earnings were unsatisfactory and likely to worsen. Its stock had dropped from a high of 82 shillings in 1956 to a dismal 37. In order to complete the expansion of its Canadian plant and exploit its bauxite opportunities in Australia, it needed a great deal of money—some $150 million. It was plain that if B.A. did not quickly find the money someone else might. In other words, British Aluminium presented an open invitation to a raid.

Lord Portal and his men had already had one plain warning of such a possibility. In early 1957, American Metal Climax had bought 650,000 of B.A.'s shares in what might have been an attempted takeover; the fact that this group had since withdrawn from the market was no guarantee that all danger was over.

B.A. did sense the danger, and in the spring of 1958 the directors took up important defensive measure. They obtained authorization from their stockholders to increase the number of the company's shares by one-half (from 9 million to 13,500,000). Knowing that B.A. held these shares in its cupboard, unissued, any other prober or raider might be discouraged from trying to grab control.

Beyond that, the B.A. board did nothing, and was still doing nothing when it learned that another heavy buyer had entered the market. And although the directors' frantic efforts to learn the identity of this new buyer were futile (Reynolds and T.I. were still operating through their nominee banks), the knowledge would have done the B.A. directors little good. By this time, as one of them said later, sadly, "We were sitting ducks."

The Frost in Norfolk House

At their late October meeting, Sir Ivan Stedeford told Joe McConnell that even though the partnership so far had been

able to buy only about 10 percent of British Aluminium's shares, the time had come when they simply had to show their face. The directors of B.A. were putting pressure on the nominee banks and on the Reynolds banker, Siegmund Warburg, to name their principal, and unless this was done pretty soon, Reynolds and T.I. would ultimately be confronted by the heavy, perhaps fatal displeasure of the all-powerful City. Sir Ivan again stressed the fact that reputable Englishmen did not buy company stock with the thought of affecting that company's management or gaining control without openly stating their intention. (Some conservative areas of the City hold, indeed, that in proper practice company shares are sought solely for investment.) Sir Ivan insisted that Reynolds and T.I. must at once meet with B.A.'s directors, state their desire for an association, outline an advantageous proposal, and ask the B.A. board to pass the proposal along to its stockholders. Although not at all sure that the timing was right, McConnell agreed.

A conference was arranged and held at Norfolk House, St. James's Square, where Eisenhower had planned the Normandy invasion, and where British Aluminium now had its general offices. The date was Monday, November 3, 1958.

The spokesmen for B.A. sat on one side of the board-room table. Supporting Lord Portal were Geoffrey Cunliffe and two advisers from Hambros Bank and Lazard Brothers, merchant bankers of awesome power in the City, whose directors included more than a few peers of the realm. Facing them were the commoner from the Midlands, and the unknown American with what might be an Irish name. On the side of these two was Siegmund George Warburg, whose brilliance as a merchant banker in London was generally conceded, but whose ideas were sometimes felt to be downright modern.

Sir Ivan opened with a conciliatory statement, the sense of which was that Reynolds and Tube Investments were anxious to make an association with British Aluminium; they felt they could contribute substantially to B.A.'s future success; they would like to make a proposition that they were sure B.A.'s board would want to pass on to the stockholders for consideration.

Portal and Cunliffe listened frostily. When they spoke it was to make short shrift of any such notion. Under no circumstances would the board entertain or even listen to proposals when, they said curtly, they were in the midst of negotiations with another group. When Sir Ivan suggested that before B.A. committed itself elsewhere it surely would want to hear what Reynolds and T.I. had to offer, the reply was a cool no-thank-you, they didn't even care to listen, and good day.

McConnell and Richard Reynolds feel that of all the blunders made by B.A. management, nothing was more damaging to their own interests than the attitude they displayed at that first meeting. By refusing even to listen to Sir Ivan, they invited retaliation. Portal's and Cunliffe's indignation at Reynolds' and T.I.'s meddling in B.A.'s affairs might have been understandable. But they also showed contempt. Their scorn infuriated McConnell and turned Sir Ivan's doubts into a cold determination to press the fight.

McConnell and Sir Ivan learned that Portal was about to leave on a trip to Canada, so they promptly sent him a letter, on November 5, which said that Reynolds and T.I. wanted to buy all the shares of B.A. at a price substantially above the market.

Lord Portal replied the next day. The contents of the letter would be studied, he said, and he added that he would get in touch with Stedeford on the return of his party from "North America."

After this, Lord Portal vanished into the thin air, presumably, of North America. About two weeks later the Reynolds-T.I. group heard that he had returned, and was applying heavy pressure to wangle Treasury approval of some big deal. Her Majesty's Treasury would have to approve any deal involving foreign exchange.

Sir Ivan agreed with McConnell that there was need for fast action, but he still hesitated. Like most British businessmen he considered aggressive tactics bad form. But McConnell finally convinced him that the time for aggressive tactics had arrived.

On November 24, Lord Portal received a letter containing the details of a specific Reynolds-T.I. offer to B.A. stockholders. These stockholders were invited to exchange two of their B.A. shares, then selling at about 60 shillings, for one share of T.I., worth about 78 shillings, plus 78 shillings in cash. (The offer would stand until January 9, but was subject to cancellation if B.A. had made any important contract or had materially changed its issued-share capital since December 31, 1957.) All shares taken in would be vested in a British company 51 percent owned by Tube Investments, 49 percent by Reynolds.

There was no sign from Lord Portal of the receipt of this important offer (which T.I. at once submitted to Her Majesty's Treasury for approval) until November 28, when Cunliffe telephoned to call a meeting for 11:30 on the morning of that same day.

At the second confrontation in the board room at Norfolk House the atmosphere was even icier than at the first. Lord Portal handed out copies of a letter announcing that British Aluminium had signed an agreement with the Aluminum Co. of America under which Alcoa had agreed to buy 4,500,000 unissued shares of B.A. (In other words, without waiting or wanting to hear the details of the original Reynolds-T.I. offer, Porter and Cunliffe had lit out for Pittsburgh where they had made this deal with Alcoa.) The agreement, Portal said, made the Reynolds-T.I. offer ineffective, and thus prevented B.A.'s directors from passing it along to their stockholders. Having dropped this blockbuster with an air of "Well, that will take care of that," the air marshal and his deputy stalked from the room.

Back in their headquarters at Adelphi House, the Reynolds-T.I. masterminds faced a hard fact. It was now evident that their only way to get their offer before B.A. stockholders was to disclose its terms to the newspapers. Sir Ivan had repeatedly said he would never approach those stockholders except through their board of directors. But like McConnell he now felt that Portal's side stepping had been not only arrogant but improper. He summoned a press conference that very evening to spill the whole pot of beans.

That was on a Friday night. The British weekend newspapers of November 29 and 30 tossed the great aluminum war into the public domain with a mighty splash.

BAD-FORM TACTICS

Stories of a Reynolds-T.I. offer that B.A. directors had refused to pass along to their stockholders were read with surprise and close attention. Here was a rare glimpse of the inside workings of British big business.

Traditionally, Britons are told nothing of what goes on behind the management scene. Heads of large corporations discuss their problems and settle their differences in private. Shareholders are informed of a decision affecting the destiny of the company they own only after the decision has been made.

The first stories of the Reynolds-T.I. offer were just a starter. From then on every move in the 6-week struggle between B.A. and the Reynolds-T.I. group was reported in exhaustive detail by the British daily press. In addition, it supplied daily editorial comment.

"It is hard to believe," the Financial Times said, "that the British Aluminium Board would sign the Alcoa agreement * * * without exploring the Tubes proposition * * *."

The newspapers pressed Portal to disclose the details of the Alcoa deal. As a result, Portal finally had to admit he had agreed to sell one-third of his company to Alcoa at a per-share price of 60 shillings—18 shillings less than Reynolds-T.I. had offered.

London financial writers agreed that B.A. management had the full legal right to make the Alcoa agreement, and they had no doubt that Lord Portal acted in what he believed to be his company's best interest. Nevertheless, they concurred with a growing body of opinion in the city itself that shareholders should be consulted before management made a move that affected the control or destiny of their company.

One writer waspishly remarked that air marshals should leave business to businessmen. Another said, "And I can tell him [Portal] this. If Sir Ivan Stedefords' T.I. group beats Alcoa * * * Lord Portal will have plenty of time for his fishing."

UNPRECEDENTED BITTERNESS

Lord Portal and his directors were bewildered and angry. Much as they resented the indignity of being forced to make public replies to public allegations, they had no choice. Thereupon they gave shareholders of British Aluminium their reasons for making the Alcoa deal. They explained that B.A. management had the choice of growing very slowly by itself or of growing much faster in partnership with another big company. Accepting the latter alternative, management had turned to Alcoa as the strongest aluminum company in the world and one with which B.A. was on terms of the closest friendship and trust. Starting discussions in the early summer of 1958, B.A. had agreed on November 14 to sell Alcoa one-third of its shares. "We are convinced," Portal said, "that your company has never done a better piece of business than completing this agreement with Alcoa."

He did not agree with the criticism that the B.A. board should have consulted shareholders before making the Alcoa deal. In summary, Lord Portal said, "Those familiar with negotiations between great companies will realize that such a course would have been impracticable."

Should B.A. have listened to the original Reynolds-T.I. proposal? Portal explained that after receiving Stedeford's letter of November 5 in which Sir Ivan said he was prepared to make an offer for all the shares, B.A. management had two alternatives. It could wait for a take-over bid from Reynolds-T.I.—"if and when it materialized" (the T.I. proposal was then rather "airy-fairy," Portal's colleague Cunliffe told the press)—or it could proceed to arrange a marriage of its own choice. "The board decided with a full sense of responsibility to complete, if possible, the Alcoa negotiations. Nothing has happened to change their view."

THE NATIONAL INTEREST

Caught in the middle of the struggle, Her Majesty's Treasury drew a long breath. From the beginning of the fight, questions had been directed at the Chancellor of the Exchequer from the floor of the House that put him on warning not to approve either deal until he had taken a good look. Finally the Treasury called in the city editors and tipped them off unofficially that the Government would remain aloof; it would permit B.A. stockholders to settle the issue for themselves. The press agreed that this was as it should be. The only reason for the treasury to interfere would be to protect the national interest, and in this case, said

the city editors, the national interest was not at stake.

Seemingly, the B.A. board thought otherwise. Lord Portal explained that while Alcoa would own a large block of B.A. stock, it had given an earnest undertaking to remain a minority partner, and to make no attempt to interfere with the British management of the company.

Portal insisted that under the Reynolds-T.I. plan it really made no difference that T.I. would have 51 percent of the new company. Since T.I. had no experience in running "an international aluminum complex," Reynolds would obviously run the show. Management, said Portal, was what mattered.

Stedeford met Portal's national-interest argument head on in a letter to B.A. shareholders. Of the Alcoa deal, Sir Ivan said that since the U.S. company would hold one-third of B.A.'s stock and the balance would be spread among 14,000 owners, effective control of B.A.—whether or not it was exerted—would rest in the United States. He pointed out that under the T.I. proposal, on the other hand, whether or not management became dominated by Americans, outright control of the company would permanently remain in Britain.

From start to finish the British press gave B.A. management an exceedingly bad time. It considered the national-interest argument a red herring. It rejected Portal's argument that it would have been "impracticable" for his board to have sought prior stockholder approval of the Alcoa deal. It persisted in its belief that B.A.'s refusal to listen to the original Reynolds-T.I. offer had been a stupid blunder. It paid little heed to Portal's remark that this offer had been an attempt "to acquire a powerful empire at the price of a small kingdom." (On this subject the Economist still failed to understand why Aloca should have been let in "for the price of a small municipality.")

TOUCHED BY THE LORD

With this sort of support, the Reynolds-T.I. camp saw no need to add any further comments. Representatives of Reynolds refused to answer any questions from the English and the United States press regarding the B.A. war. All queries were referred to Sir Ivan. Sir Ivan's general policy was to lie doggo and let the other side make the mistakes.

The B.A. board obliged on December 19. It announced it had decided to increase its 1958 dividend from 12 percent to 17½ percent. This patent attempt to match the inducements of the earlier T.I. offer not only failed to make friends; it was greeted with howls of derision. It was felt, in the first place, that no such increase was justified by B.A.'s 1958 earnings. Second, if the increase was not justified in the first instance, it was not justified now.

As 1958 moved toward its close, and the January 9 deadline that Reynolds-T.I. had put on its offer drew near, the price of B.A. shares moved up from 70 shillings on December 1 to 82 shillings on December 30. But the great majority of owners still hung on, delighted with their paper profits and hoping for still better things.

Even on the next-to-last day of the year it was doubtful whether Reynolds-T.I. would be able to acquire enough stock to give them control. Although B.A. management had made one mistake after another, one London newspaper still picked B.A. to win. The Economist, in a later review of the fight, said that if things had been left as they were then, "the story of British Aluminium would have remained one of hard battle and nothing more."

But things did not remain as they were. Something happened on the last day of the year that Joe McConnell still looks back on in wonder. He says simply, "The Lord reached down and touched us on the head."

PLAIN WARNING

The December 31 milestone in the great aluminum war was unexpected, dramatic, and conclusive. Led by 2 of the most hoary and potent merchant bankers of the city, Mambros Bank and Lazard Bros., 14 leading financial institutions pooled their resources, formed a syndicate or consortium, and issued a letter to B.A. shareholders.

The consortium announced that the Reynolds–T.I. takeover bid must be effectively resisted in the "national interest." It said that the consortium and its supporters held 2 million shares that they would not sell. It strongly urged all others not to sell. It realized, however, that the Reynolds-T.I. offer of cash for half their holdings might be attractive to some, and for that reason it was prepared to make an offer on a similar scale.

B.A. stockholders were told that if they wanted to cash in part of their holdings ("a course we do not recommend"), the group would buy those shares at a price of 82 shillings (4 shillings more than T.I. had so far offered). The condition was that an owner could get cash for only half his shares and must guarantee not to sell the other half before March 31 (when the issue would have been decided).

The heavy force of this surprising intervention was supplied less by the terms of its offer than by the power of the financial houses that made it. These included Robert Benson, Lonsdale; British South Africa Co.; Brown, Shipley; Cables Investment Trust; Robert Fleming; Guinness, Mahon; Hambros Bank; Lazard Bros.; Locana Corp.; Samuel Montagu; Morgan Grenfell; M. Samuel; Edward de Stein; the Whitehall Trust.

The firms in this group acted as financial advisers to scores of the most important British companies; in their financing activities they doled out a huge amount of business to other in the city. The offer, in other words, was far more than that. It was a plain warning that those who sold their shares to Reynolds-T.I. would risk the shillings-and-pence consequences.

Many Englishmen who read the broadside of New Year's Eve were less interested in its possible consequences than in puzzling over just why it had been issued.

It was delicately hinted in England that anti-Semitism was behind the aluminum disturbance, but since many of the great English merchant banks, some of which sided with Portal, are of Jewish origin, this appears to be nonsense. It was said the battle was between the Establishment and the Others; between the Aristocrats and the Outsiders. This was at least partly true. Some say that B.A.'s bankers finally decided they had taken enough pestering, and decided to teach somebody a sharp lesson. But perhaps the consortium's action was not merely petty. It may have been an instinctive attempt to guard a traditional way of business life.

OLD FREDDIE

Even informed Englishmen do not pretend to understand the makeup and working of the city, since both have been shrouded for years in what the Manchester Guardian calls "mist and mystery." Nevertheless, the flippant younger generation in the city today scoffs at mystery with the remark that the city is plainly an association for the fostering of Old Freddie.

They explain that Old Freddie was your comrade at Eton and Oxford, and his sister married your cousin, the Honorable So-and-So over at the Foreign Office. Most of what goes on in the city goes on because the city teems with Old Freddies—competent men indeed, or they would not survive—who are inseparably tangled in a web of social and family connections. There is virtually no competition in the city, no matter what you hear, and that is because if you go out and steal some other firm's business, you do in some Old Freddie. The Old Freddies quietly partition the city's vast business among themselves—which is why the city can put over a huge money deal in half the time it takes Wall Street—and the world is presented with a united front. If some ape gets out of line, and is allowed to stay out, he might wreck the whole ruddy structure.

THE CRUSHER

Designed as a crusher, the consortium's appeal was all of that, but it was the consortium that was crushed. Its appeal to the national interest found no takers; its condition that sellers must hang on to half their shares got a cold reception; the offered price of 82 shillings looked pretty for only a short time.

From the time T.I. had offered 78 shillings to B.A. stockholders, it had scrupulously refrained from buying stock on the market. And while its partner, Reynolds Metals, felt under no similar ethical restraint, it had forstalled possible criticism by buying only token amounts. But once the consortium made a standing offer to buy at 82 shillings, the lid was off. McConnell promptly informed Richard Reynolds of the situation, and requested instructions.

Richard Reynolds did not hesitate. He said that Reynolds must buy every B.A. share offered. On the first 2 days of the new year Reynolds Metals bought 1,700,000 B.A. shares, the biggest turnover of a single stock in a similar period in the history of the London Stock Exchange. By the weekend the Reynolds-T.I. group owned about one-third of B.A.'s stock.

The big landslide, however, came in the opening days of the following week. Large blocks of B.A. stock were dumped by big institutions, in whose support the consortium placed heavy faith. Far from being in a supporting mood, the institutions resented the consortium's letter as a barefaced attempt at intimidation, and did not bother to disguise their bitterness.

The ill feeling attending the incident was something unpleasantly new in the city. A coldness developed between firms that had been close friends for generations. Rifts within individual companies caused not only discord but resignations. Alarmed, the Bank of England called a meeting of the principals in a futile attempt to bring peace.

On Sunday of the final week, T.I. raised its original offer to meet the consortium's, but the victory was already assured. Even the Church of England, which had long pondered the proprieties, finally sold out for a profit of more than $1 million. On Wednesday the consortium formally surrendered. By Friday night, January 9, Reynolds-T.I. had gathered in more than 80 percent of B.A.'s stock. (They now have about 94 percent.) The great aluminum war was done.

There was a postscript or two. Portal and Cunliffe resigned their posts and were awarded tax-free loss-of-office compensations of respectively £30,000 and £58,000.

R. Olaf Hambro, chairman of Hambros Bank, wrote the London Times that now the controversy was closed, he could reveal that the 14 firms opposed to the takeover had enjoyed the silent support of virtually every house in the city. To this extraordinary remark Hambro added one even more astonishing. Said he, haughtily, "It is very unclear why the majority of the city editors of the press seemed to be against city opinion and openly wrote in favor of the takeover bid."

Mused the New Statesman in retort: "This is not cynicism [on Hambro's part] * * * but impudence so sweeping and so anachronistic as to be rather endearing. There

must be many things which are very unclear to Mr. Hambro."

Among the heavy losers in the scuffle was the Aluminum Co. of America. It had been forced to stand by, helpless and presumably fuming, as its considerable interests were flushed down the drain by its would-be partner.

YANKEE GOES HOME

The aluminum war has repeatedly been cited as the first great loss ever suffered by the city. In an important sense this is untrue, for many great city houses either held themselves pointedly apart from the controversy or openly opposed the consortium. If the city as a whole lost prestige, it was because it took the rap for the action of some of its members. Much more serious was the fact that in this major crisis the city not only failed to present its historic united front, but split wide open.

So far as Reynolds Metals' undercoverman and field general, Joe McConnell, was concerned, it was time to leave. Having made more round trips across the Atlantic than he cared to count, he was more than ready to go home to stay. To other passengers on his plane at London Airport, he was just another unremarked face, which suited McConnell fine.

JUDGE COMA GARRETT, JR.

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include therein a very great and good editorial from one of the biggest and best newspapers in this Nation, the Mobile Press-Register at Mobile, Ala., also the great and good Clarke County Democrat has a full account of the funeral of Judge Garrett, and a letter from my able secretary, Mrs. Lena Wade Adams, who represented me at the funeral of my beloved friend of many years, Judge Coma Garrett, Jr., as I was in Canada at the time of the funeral, attending the dedication ceremonies of the great St. Lawrence Seaway.

This editorial tells about a great and good man, Judge Coma Garrett, Jr., of Grove Hill, Clarke County, Ala. This is a good editorial, but if the writer of this editorial and I should write from now on, we could never describe this great and good man and his wonderful qualifications. I have known Judge Garrett all of his life not only have I known Coma Garrett and his entire family—his daughters and his sons and all of his in-laws—but I know his fabulous father and marvelous mother. Judge Garrett's father was sheriff many times in Clarke County; anyway, just as long as he wanted to be sheriff of that great county. His mother was just an angel on earth and a very wonderful and beautiful woman. I know all of his brothers and his sisters, his sons, and his daughters, and they are very unusual people.

I think the way Coma Garrett went is a good way. He did not suffer. He had just left home and was feeling fine, and he had this heart attack that took him away from us, but I do not believe God ever takes anybody until we have finished what He put us here on earth to do, and Coma Garrett must have done just that, because he has done so much, not only for the people of Clarke County and the State of Alabama and our Southland, but for the Nation. He built there one of the most beautiful and wonderful and best-equipped courthouses in this Nation. We should change the name of this courthouse to Coma Garrett, Jr., Courthouse, and I imagine they will be doing that some of these days; they should do it. It was really a very unusual place and a very beautiful building that he and all of us were very proud of. His daughter and son-in-law assisted him there—Margaret—and what a great job she did, as well as his son-in-law. It was a team there; we called it the "Rock of Gibraltar" team—the Garretts.

His wonderful, beautiful wife, Bettye, and Judge Coma Garrett have visited us here so many times, and just recently visited us in Mobile at the time that my wife and I gave the luncheon for our great and beloved friend, S. Palmer Gaillard, who was celebrating his 103d birthday, and that day, which was only a few weeks ago, Coma and Bettye looked so wonderfully well, and I told his wonderful sister, Mrs. I. T. Quinn, when I was down in Richmond, how fine and how well he looked and how full of pep he was.

I have heard him speak here in Washington, and, of course, I have heard him speak all over Alabama and specially at the towns of Thomasville, Grove Hill, Jackson, Coffeyville, and just so many places, but I have also heard him speak in faraway Chicago and just all over this country. He was what I would call a wonderful speaker, or maybe a finished speaker. He had a drive that was wonderful. I do not know a man that had more of it—and so intense. It seemed to me he loved a political battle, and he has had some big ones and some good ones; and he has had some big people and some good people fighting him; but Coma Garrett never lost a political battle in his life. He won because the people of that county loved and respected Coma Garrett. Of course, he is leaving behind one of the greatest families that we have in this country; he is leaving his sister, Irene, and as I have said, his daughters and his sons there, who will carry on, or as our great Governor used to say when I. T. Quinn, his brother-in-law, was head of the Conservation Department, Governor Graves used to say that I. T. Quinn and Vera would "keep on keeping on." Well, they have been up in Virginia a long time, but they are back home in Clarke County. I. T. Quinn and wonderful Vera Quinn, to join with their sisters, their brothers, and their nieces and nephews and their cousins and in-laws, and what a great help they will be to all of that part of the country and will do a good job, just like they have done wherever they have gone.

We will always remember and never forget this great Garrett, who has done so much building—building roads and bridges and all sorts of things that would develop our beautiful, wonderful, undeveloped Southland. There is nobody who has worked harder than Coma Garrett in helping put through the great Jackson Lock and Dam, where we will spend $40 million and where we are spending now $500,000 a month. Just think of it. Well, I wish that Coma could see that finished, and he will, of course, but it will not be here; it will be up yonder; and I imagine when Coma stepped across quietly that there were many, many folks and friends and his family waiting there for him, because he had them by the score that had gone on before him; but I believe Coma Garrett will always be remembered, certainly by this and the next generation. Clarke County, Ala., and this Nation have lost a good man, a great man, a thinker, a scholar and one of the most outstanding probate judges we have ever had, not only down home, but anywhere else on this earth.

God bless Coma Garrett and his wonderful family.

[From the Mobile Press Register, June 26, 1959]

JUDGE COMA GARRETT, JR.

It is unlikely that the death of a single individual ever had more impact upon a specific area than the passing of Judge Coma Garrett, Jr., is now having upon Clarke County.

Widely known throughout the State, Judge Garrett was the undisputed leader in his own county. He became so by virtue of long and useful political career in which he served for more than 24 years in the county's top public office—the probate judgeship.

His death will be mourned by hundreds of his neighbors and friends, many of whom constantly looked to him for advice, guidance, and help with their varied problems.

Although his loss will be felt at the State level, it will hit deepest among those of his followers who always found him ready to lend a helping hand.

Judge Garrett's successful career as an educator, cattleman, and public officer was the product of his keen intellect, energy, and resourcefulness. While his accomplishments were numerous, perhaps crowning them all was the completion of a new Clarke County courthouse a few years ago. This project was executed under his chairmanship of the board of county commissioners.

Attesting to the political popularity of Judge Garrett is the fact that this year he began a new 6-year term in the judgeship, which, had he been able to complete it, would have rounded out 30 long years of service in the post.

His family and associates deserve full public sympathy in this time of shock over the Clarke County leader's unexpected death from a heart attack. They may take comfort in the fact that he was an efficient and highly regarded public servant.

[From the Clarke County (Ala.) Democrat, July 2, 1959]

FUNERAL RITES HELD SATURDAY FOR JUDGE COMA GARRETT, JR.—CHURCH AUDITORIUM IS FILLED TO CAPACITY WITH MANY STANDING OUTSIDE AS SERVICE IS HELD FOR VETERAN COUNTY OFFICIAL WHO DIED SUDDENLY LAST WEEK

When news of the death of Judge Coma Garrett, Jr., was flashed over the county, it did not come as a great surprise for it was generally known that he was afflicted with a serious heart ailment. However, it did come as a distinct shock, as people generally realized it meant the end of a political era that extended back farther than the most of them could remember. He was in

his 73d year, having been born July 24, 1886.

The body of Judge Garrett was found dead beside a country road about 4 miles north of Thomasville on Wednesday afternoon of last week. Sheriff C. C. Noble was immediately notified and he in turn notified State Toxicologist Nelson C. Grubbs. The autopsy conducted by Grubbs and Dr. Charlie Gene May, of Jackson, assisted by Mrs. Ouida Chapman Cowden, revealed that death was instantaneous, due to a massive coronary occlusion.

Coma Garrett moved to Grove Hill in 1907 with his father, the late S. C. Garrett, and family. Coma graduated that year from the University of Alabama, where he had played end on the college football team. He served as principal of the old Grove Hill Academy in 1907–08 and 1908–09. In 1910 he was elected circuit clerk, serving in this capacity to 1917. In the meantime he had been elected probate judge, which office he held from 1917 to 1923. From 1931 to 1935 he served as Senator from the 19th Senatorial District, and from 1935 until his death he served continuously as probate judge. He was serving his fifth successive term at the time of his death.

All the offices he held were elective, and he was never elected to county office without opposition. In two successive races between 1922 and 1934, he was defeated, but in all other races he emerged victor, particularly in later years his races being won by big margins.

He was a master politician and seemed to delight in the problems and even the political controversies which the office posed, but he likewise was possessed of a keen mind and unusual business ability. Not only had he conducted the office of probate judge in an efficient and businesslike manner, but he had managed his own affairs with like efficiency and sound business judgment. He had acquired considerable property, including timber and pasturelands, and he never lost the interest in cattle and good horses which he had acquired as a boy.

He was a director in the First Bank of Grove Hill; was a member of the Grove Hill Baptist Church and had served both as a deacon and as president of the board of deacons; was a Mason; and was a counselor to countless numbers of people who trusted his business judgment and came to him for advice.

The funeral was held Saturday at 10 a.m. from the Grove Hill Baptist Church. Preceding the funeral, the body lay in state at the front of the handsome courthouse which he had taken such pride in helping to erect. Scores of people filed past the casket to pay their last respects to one whom they had known for so long as both official and friend.

The church was filled to capacity and many had to wait outside as the service was conducted by the pastor, the Reverend Charles Granade, the Reverend Fred Toland, pastor of the Methodist Church, and the Reverend D. K. Christenberry of Brundidge, former pastor of the Methodist Church here. The choir of the Jackson Methodist Church, with Mrs. O. C. Helms at the organ, sang "My God and I."

Pallbearers were: John E. Adams, Leland Pugh, Tillman Duke, Wallace Calhoun, Lilburn Odom, S. W. Chapman, Ralph Cowden, and George Carleton.

Survivors include his wife, Mrs. Bettye Calhoun Garrett; three sons, Silas Coma Garrett III, of Grove Hill and Montgomery, T. Watrous Garrett, Grove Hill, and Broox Gray Garrett, Brewton; a daughter, Mrs. B. K. Bennett, Grove Hill; a stepson, Billy C. Odom and a stepdaughter, Mrs. Betty C. Haas; two sisters, Mrs. Vera Garrett Quinn and Mrs. Irene Chapman, both of Grove Hill; a brother, Dr. George G. Garrett, Shreveport, La.

MOBILE, ALA., *June 30, 1959.*

DEAR MR. BOYKIN: I went to Grove Hill Saturday morning to Judge Garrett's funeral. His body was at the courthouse until just before the funeral at the Baptist Church at 10 o'clock that morning. The church was crowded to standing capacity. There were so many people there, I am sure I didn't see everybody who came. When I left the church to go to the graveside service I ran into Judge and Mrs. Hunter Phillips and walked on to the cemetery with them. Afterward I went by the Garrett home with them where I met all of his family, including Mrs. Quinn from Richmond, Va. The family seemed most appreciative that I came to represent you and they asked to be remembered to you and Mrs. Boykin. I explained to them that you and Mrs. Boykin were in Canada and they, of course, understood that you couldn't be there with them at that time.

Mrs. Garrett and all of them said how perfectly beautiful your flowers were. She said they were in yellow and gold colors and just a tremendous spray. They asked me to thank you for sending them.

The bulk of the flowers were already at the cemetery before the funeral began and the church was decorated with only a few flowers in red and white. There was a huge cross of white carnations and white ribbon on green fern up behind the choir loft in front of the lovely stained glass windows and on each side of the pulpit there was a tremendous spray of red carnations with red ribbon and the blanket on the casket was a mass of beautiful red roses. I thought the church looked beautiful with the more formal arrangement of flowers and not so much clutter. Of course, the cemetery was just covered with sprays of flowers of all colors.

The choir of 22 members sang a lovely anthem and the pastor's remarks about the judge were so touching. There were few dry eyes around where I was sitting and even though I did not know Judge Garrett very well myself, it was hard for me to compose myself seeing so many grieving over the loss of such a dear friend and citizen.

At the graveside service his many colored friends sang "Swing Low Sweet Chariot" which was equally as touching, if not more so than the church service.

Best wishes to you and Mrs. Boykin.

Sincerely,

LENA W. ADAMS,
Secretary.

HON. DEWEY SHORT, ASSISTANT SECRETARY OF THE ARMY

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a speech.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, under unanimous consent to address the House for a minute and revise and extend my remarks, I include therein a speech made by my beloved friend, the Honorable Dewey Short, Assistant Secretary of our great Army. I have known and worked with this great statesman, the Honorable Dewey Short, for a quarter of a century; and all my life, not only during that time, but long before, of all of the people I have met everywhere on this earth, I do not know of a greater man than the man that made this great speech at Tuscaloosa, Ala., on the great Tombigbee River.

Congressman Selden, Gen. W. K. Wilson, along with Secretary Dewey Short, and a group of us flew from the Birmingham port, where they have so much steel, iron ore, coal, and lime, and just a wonderful, beautiful city on the Warrior River. We flew the entire route of the great Warrior River to Tuscaloosa, where we spent the night and where ARMISTEAD SELDEN's people there gave a beautiful banquet, and where the wife of our former great Congressman, Buck Oliver, lives; and we presented her with a plaque for the great work that she and her great husband did for the development of our great waterways, not only in our beloved Southland but all over this Nation.

Wonderful Jack Warner, who introduced Congressman SELDEN and me, told me when we left that he had never been as thrilled by any speech of any man as he and the audience had when they listened to the speech that I am inserting in the CONGRESSIONAL RECORD. Jack Warner and his fabulous father and marvelous mother own and operate the wonderful Gulf States Paper Mills, one mill in Tuscaloosa and one in Demopolis. They have made an outstanding success and their development has meant much to that part of our Southland, and it is wonderful to have this great man take time out and come and see the wonders of the Warrior, the Coosa, the Alabama, the Mobile Rivers and the Mobile Bay, and the great Tombigbee River. General Wilson, of the Army Engineers, had them to fly us over every lock and dam on these great waterways. We went on to marvelous Mobile, Ala., where we landed and the party went to see the most beautiful gardens on earth—the Bellingrath Gardens—where we have in the springtime 37 miles of azaleas leading to these gardens, with billions and billions of blossoms that people from all over the world come to see and enjoy.

I wish we could describe what the great Dewey Short had to say about Bellingrath Gardens, but I cannot, but it was beautiful, and some day we will get him to write it out for us.

Secretary Dewey Short marveled at our great State-owned docks at Mobile, where the State of Alabama—not the Federal Government—has spent over $50 million and where we have one of the leading ports of the earth. He saw the great 60,000-ton United States Steel Corp. ships bringing in iron ore from Venezuela that ship to Birmingham by boat barge, railroad cars, and trucks. He saw our beautiful Brookley Field, where we have a billion-dollar investment and over 17,000 men and women working, and where the payroll annually now is over $100 million.

How thrilled I was when Dewey's beautiful wife, Mrs. Short, said: "How I would love to live in this wonderful country." And Mrs. W. K. Wilson spoke up and said: "Why don't you? This is where we will live when we retire, and we have already bought a home out on beautiful Spring Hill." And I am so thankful the General Wilson home is right next to my darling niece's home—Betty Boykin Walker—and all of the Boykins will always be looking after

these great Wilsons, who have done and are doing so much for the development of our rivers.

We were only in Mobile 3 hours, then we returned to Washington, but we are counting on all of them coming again this fall back to our beautiful Mobile Bay country, where I have entertained Secretary Short and not only his wife, but his sisters and this great man many times during the last quarter of a century. We will always remember and never forget the great help, the great and good work Dewey Short has done in helping us develop our great water system, and when it is completed, we will have a direct route from Sioux City, Iowa, on down through to the State docks at Mobile and a new outlet in the Gulf of Mexico.

How I wish every man, woman and child in Alabama could have heard this great speech. Of course, I expect to send many copies out, but Secretary Dewey Short is a real orator and it would have been so much better if they could have heard him. It was very impressive. He was so sincere and it made a profound and lasting impression on everyone who attended this great and unforgettable night with Secretary Short and Mrs. Short and the great group he had with him, along with the hundreds on hundreds of friends that were there, not only to honor our great Secretary, but also to honor our great Congressman, the Honorable ARMISTEAD SELDEN.

The speech follows:

ADDRESS BY THE HONORABLE SECRETARY SHORT, ASSISTANT SECRETARY OF THE ARMY (M.P. & R.F.), WARRIOR-TOMBIGBEE DEVELOPMENT ASSOCIATION, TUSCALOOSA, ALA., MARCH 6, 1959

Congressman Boykin, Congressman Selden, President Warner, General Wilson, Mrs. Oliver, and members of the Warrior-Tombigbee Development Association, and my fellow Americans, it is true my name is Dewey Short, but I am no more responsible for my name than I am my birth, because I was consulted about neither event. I just happened to have been born a few days after the Battle of Manila Bay, when all the proud parents in America named their cats, dogs, horses and kids "Dewey." And, while my surname is Short, if you knew my pedigree as well as some of my friends here tonight—and I think Frank told you, but he told you only half the story—I am really as long as I am short because my mother's name was "Long" before she married. My grandfather and grandmother Short moved from Roane County, Tenn., the home county of our beloved Speaker SAM RAYBURN, in 1849, and the Longs left Whitley County, Ky., on the Tennessee border in that same year on a trek to California. When they reached the Ozark hills in southwest Missouri, just north of the Arkansas border—in fact I was born in "Lapland" where Arkansas laps over into Missouri—they figured that the Ozarks were just about as close to heaven as they would ever get so they stopped and stayed put.

Having southern blood in me, it is always a pleasure to come to the great State of Alabama where it has been my privilege and good fortune to have spoken in other sections of your great State on various occasions. I am glad to come to this State of the Union with its 51,000 square miles inhabitated by more than 3 million red-blooded Americans, a State that has vast—almost unlimited—natural resources. Not only do you have oil, salt, timber, and manufacturing, you also have paper plants and cement mills and textile factories and a wide variety of diversified industry along with a great agricultural output and a growing cattle industry. Though it presents us with pretty good competition in Missouri, I am glad to come to Alabama because the greatness of this State, as in any State after all, lies in the character, integrity, and intelligence of its citizens.

After all, you have sent great men during the years of your statehood to represent you in Washington. When you mention Alabama anywhere in this Union, people will think of Oscar Underwood. He was just a little before my time, but it was my privilege and pleasure to serve at the time John Hollis Bankhead was in the U.S. Senate and Bill Bankhead was speaker of the House—and what a sweet, beautiful character he was—and Tallulah, of course, came by her genius and talent, naturally, inherited from her gifted father. I served not only with Bankhead and other of your representatives but I think tonight of those who have gone on before, not only of this great, outstanding American whom we honor here tonight, Bob Oliver, but Henry Stegal, and Sam Hobbs, and "Old" George Huddleston and all the others with whom I have become closely and personally acquainted over the years, including your present delegation in Congress. It was my opportunity and pleasure to serve on the old Military Affairs Committee of the House with both your present U.S. Senators, LISTER HILL and JOHN SPARKMAN. Not only were they members of that committee but LISTER was chairman of the old Military Affairs Committee before going to the Senate.

I am glad to come to this particular district—I must confess with some chagrin that it is my first visit to Tuscaloosa—but I served with Buck Oliver, Pete Jarman, Ed DeGraffenried, and Armistead Selden, and I love them all. They served you faithfully and well. So you see, my friends, I feel no stranger among you.

It was 30 years ago day before yesterday on March 4, 1929, when I was sworn in as a baby Member of the House of Representatives. We have many headaches and heartbreaks serving in the Congress, and it is never easy to serve the public in any capacity at any time, but during the past quarter of a century it has been my good fortune to serve with men like FRANK BOYKIN, who is not only an able legislator but also a fine, true, loyal friend. In fact, he is not only a rare and unique individual, FRANK is really a fabulous institution. While we suffered these heartaches and heartbreaks, I want to say to you people tonight—and I can say it more freely now since being across the Potomac over in the Pentagon in the executive and administrative branch of our Government—there is no group of men that works harder, that is more concerned with the safety of this Nation and the welfare of the people they represent than the Members of the Congress of the United States. And the great compensation that we have is a wonderful spirit of comradery, the close associations and the warmth and lasting friendships which you develop serving in that greatest legislative body on the face of God's earth.

Now since first going to Congress a quarter of a century ago—or really 30 years ago—the development of our natural resources, not only in Missouri, not only in Alabama—which is so richly endowed and blessed by a benign and beneficent providence—but the development of all of our natural resources in all sections of our country has been a source of continuous interest and fascination to me. Nothing is more exciting than to see a dam or system of dams converting the dormant natural resources of a river into a useful instrument of society, supporting agriculture, commerce, and industry for the benefit of the Nation. In Congress as a member of Committees on Flood, Rivers, and Harbors, and Irrigation and Reclamation, and for many years as President of the National Rivers and Harbors Congress, I had many opportunities to participate in this type of development and to work towards new and more enlightened projects. As Assistant Secretary of the Army today, I find much of my time channeled in this direction and am aware that I am becoming more and more engrossed with the complicated problems of the sound development of our water resources, and water has today become our most priceless resource. It is, to my way of thinking, one of the most thrilling stories of mankind. One needs only delve into history a little to find that throughout the spectrum of civilization, the major cities of the world have been harbor cities that have found their greatness through the use and command of the rivers and waterways that border them.

My friends, it is not accidental that Shanghai is on the Yangtze, Cairo on the Nile, Vienna and Budapest on the Danube, Cologne on the Rhine, Paris on the Seine and London on the Thames, New York on the Hudson, or that St. Louis, Minneapolis, Memphis, and New Orleans are on the Mississippi, or that Pittsburgh, Wheeling, Portsmouth, Cincinnati, and Louisville are on the Ohio, or that Sioux City and Omaha and Kansas City are on the Missouri, and I can go on and on, on ad infinitum. Most of the great cities in the world are located on waterways.

It is therefore particularly auspicious that we should be opening this meeting of the Warrior-Tombigbee Development Association in Tuscaloosa, Ala. Situated as it is on the upper reaches of the Warrior River, Tuscaloosa has been one of the chief characters in the drama that has opened this vast area through the development and enlightened utilization of the Warrior and Tombigbee Rivers. It is a city that has grown with the speed and maturity that characterizes this whole area—from Birmingham to Mobile. You've almost doubled in size since the beginning of World War II, and this is only the beginning. Moreover, it's a city that has been in the forefront when it comes to problems of responsible planning for the future development of the river basin. And it is only natural, I suppose, because after having attended a few universities here and abroad, and having tried to pound a little philosophy into the heads of 600 or 700 students whom I had in philosophy at Southwestern out in Kansas that, when I arrived in Tuscaloosa after the wonderful luncheon you gave us—and your demonstrated warm southern hospitality—I asked to be driven around old "Bama" and to see the home of this great "Crimson Tide," and I hope you grow a little redder and tougher the next year or two, and I am sure you will. Yours is a great seat of learning here. How appropriate it is that you dedicate this dam, not only to a great scholar and gentleman who, for a quarter of a century, represented you so well in the Congress of the United States, but who was dean of your law school here and contributed much to the elevation of your intellectual and scholastic standards.

Now the areas represented by the Warrior-Tombigbee Development Association typify the type of community consciousness and area responsibility, and I speak for the Army as a whole and particularly for the Corps of Engineers when I say it is this mature interest that is needed today, especially in planning for future river system improvement. And how fortunate it was for you that you had General Wilson at Mobile as your District Engineer who took such a vital interest in the development of this country and that you have at the present time one of the ablest Chiefs of Engineers—and we've had many, many able Chiefs of Engineers in the history of our country—in the person of Gen. Emerson Itschner. Engineers you

may not always agree with but they bear an enviable reputation, not only in our country but throughout the world for their efficiency, their excellent training, their capacity to get results and for their absolute honesty and integrity. We all know that, in the field of water resource development, the road from idea to actuality is often a long and tortuous one. It's just like getting an airplane from the drafting board into production. It often requires 7 or 8 years to do it. In fact, the airplanes we had as blueprints at the beginning of World War II were never used in that war. Also, this long, tortuous road is like getting a bill through Congress. It's referred to a committee, and then the chairman of the committee gives it to a subcommittee. It's considered by the full committee; it's sent to the Rules Committee of the House for consideration, and if the Speaker and leadership permit, it is debated on the floor before it passes the House. The Senate goes through the same performance. Then, it is sent to the White House where the President can sign or he can veto it. If he vetoes the bill, it requires a two-thirds vote in both Houses to override it. It's not an easy matter to get any kind of a bill or resolution through the Congress, but thank God it didn't take your Congressman long to get this resolution through.

Just as it's a long, tortuous road to get any kind of a bill through Congress or to get an airplane into production, I say it's a long, tortuous road to get an idea into an actuality. To make your dreams come true, and I am sure there are many people here tonight, men, who, in the years gone by, have dreamed of these locks and dams who perhaps at first were considered by their friends and neighbors as a sort of a fuzzy-minded screwball talking through his hat—about something which was impossible of accomplishment. But to you gentlemen present tonight who had the faith and who carried on against great odds, who suffered unjust criticism, certainly it must be a source of great satisfaction to you, tonight, to see your dreams coming true and to see that this long and tortuous road from idea to actuality has been traveled and that at long last you are able to see definite results of your long labor. I am profoundly impressed whenever I find visual evidence of cooperation among the different levels of government that combine into final fruition an accomplishment of such magnitude as the development of a river system. Here, in the Warrior-Tombigbee complex, we see local people working with the State, the State with the Federal Government, the Federal Government with the many related agencies, and all working at each different level to produce a final and justifiable plan. It is this kind of cooperation, my countrymen, that results in the best possible plan, and I am proud to stand before you as part of this long and notable line of cooperation.

Last year at this meeting my good friend, Gen. Charlie G. Holle (who, incidentally, retired recently) outlined for you people a view of the very real effect of water on international problems. He pointed last year to the impressive record that the Soviet Union and Red China have made in this area and emphasized the need of our own country to wake to the need for water development, and to use every legitimate means in our power to insure a goal aimed at the best and most enlightened possible use of the resources available to us.

Tonight, I would like to explore briefly some of the alternatives open to us in this field and see how we might best accomplish them in the framework of the overall picture of national development. In any evaluation of this kind, we must first pinpoint the idea to be discussed on the vast map-work of ideas that complete our national makeup. We must be aware of all of the implications that go into a decision; only in this way can our decisions be correct and justifiable.

We are today in a period of intense competition, my friends; a competition that involves our very way of life. The Iron and Bamboo Curtains of the Sino-Soviet bloc disfigure the world like an ugly, festering scar. Recent events in Berlin point to the hard fact that the Communists will do everything in their power to accomplish the downfall of the Western World. It was at the time of putting down of the Hungarian revolution that Khrushchev calmly and coolly but determinedly said, "We will bury you." In the field of military preparation, economics, and education they have made impressive strides. In doing so, they have created an international climate that calls for competition by us on every front and every level. It is manifest and obvious that, in this competition, every facet of our national makeup is bound together and must interact and dovetail to the ultimate betterment and strength of the others.

A short 2 months ago, President Eisenhower sent to Congress a recordbreaking budget of $77.1 billion. When you stop to think our total national debt at the close of World War I was $26 billion, then you will appreciate, I think, the astronomical magnitude of a budget for the coming year of more than 77 thousand millions of dollars. It is a budget that reflects this need for interaction, and it is a budget that is almost wholly devoted to national security and defense. That it must be this is a necessity, of course, of our times.

The Russians, more than our own people, more than you representatives in Congress, and the occupants of the Pentagon, will determine the size of our forces and the amount of money that we spend.

But realizing that the strentgh of a country is ultimately dependent upon its internal strength, the President has also budgeted much for national development. The new superhighway program and Federal aid to State and local government programs are in full swing.

In the field of river basin and power development, a record $1.1 billion has been budgeted. This sum—more than has ever been allocated before—provides for the continuation of river basin and power development projects already underway, the study of future sites for construction, and the management and continued development of other natural resources programs.

Perhaps more essentially the budget looks to an enlightened and energetic study of existing water capabilities and ways to exploit and develop them to the best advantage for a country whose industrial and population potential is overriding her water resource capabilities.

Tonight we have 175 million Americans; 10 years from now we'll have 200 million and California's population will be much larger than that of the State of New York. By making this philosophy a part of national policy—with 3 or 4 million new babies born every year—the President is putting teeth into a plan which long has been recognized as the only truly mature, enlightened and realistic way to judge the present and future needs of our country in this field. This philosophy reflects the requisites of our times, and takes into account the necessity of having every action taken fit into the needs of our overall national posture.

When you speak about the defense of America and think of our national security, you must think not only of our military might—you must also consider our economic strength. The two are married and when you divorce them, you destroy both. You cannot have military might without having economic strength and a sound currency and honest dollar. Your battlefield can never be stronger than your homefront. This Nation and our allies won the war over the Axis Powers in World War II, not only with planes and ships and tanks and guns—we won that conflict in our factories, our mines, in our forests, and on our farms where we produced the food and the fiber to feed and clothe our people and the munitions and weapons of war with which to destroy the enemy. So we have to keep things in balance and maintain a reasonable equilibrium between military might and economic strength.

I like to think of America as a giant machine; a machine made up of many parts, each functioning smoothly and each working in combination with the others to produce a vital and dramatic product. Today, this product must be national security, and today, we must tune this machine as a loving and jealous mechanic would, insuring that each part has been fitted to the most sophisticated tolerance, and each is working to the direct achievement of the ultimate purpose while still performing its individual job perfectly.

I think you will all agree that, by viewing natural resource development as part of this machine, we are in a better position to weigh our needs and evaluate our purpose. By judging our needs countrywide, we can, in large measure, cut down on needless expense and frame a plan that will insure that projects of the future will reflect the best possible means of developing the resource potential of our great country.

For the past 15 years, we have been hard at work in the Warrior-Tombigbee Basin replacing a system of 18 dams with 5 new ones which will serve the same general purpose of the original 18 and, at the same time, multiply the commercial and economic potential of this area. One needs only look at traffic figures for the past decade to see what remarkable gains have accrued from the completion of the first three dams. In 1948, for example, the total traffic for this river system was just over 2 million tons, but as you've been told here tonight by two or three preceding speakers, by 1957 this total had more than doubled to 5 million tons. The towns along these rivers, instead of fighting one another, are now pulling together, cooperating as you were advised and urged to do by General Wilson only a few years ago. You have done it because of this association in which members of different communities can sit down around a table to iron out your differences. And all along its course this river sparkles with the magnificence of your gains. All along the river are signs of increased prosperity, flourishing industry, and bursting productivity.

It is a magnificent accomplishment, gentlemen, and I'm not here to tickle your ears with words of flattery, but it's an accomplishment that will be furthered with the completion of the Jackson Lock and Dam and the approved Holt Lock and Dam. But pleased as we are with our present achievements and the promise of the future, we must not rest on our laurels but must continue to plan. We must evaluate the mistakes we have made in the past, be honest enough to admit any mistakes made and learn from them the decisions we must make in the future.

This is the type of thinking that we must start doing now—not tomorrow but tonight. By keeping our sights set to the future, we will necessarily create a more viable present.

This plan we discuss now is no project for idealistic dreamers. By its very nature it demands dispassionate appraisal followed by old-fashioned hard work. It is a plan for doers; doers who are willing to evaluate objectively every facet of a situation and then achieve the result that the situation calls for.

And it is groups of this type and men of your ilk willing to serve without pay because of your civic pride and public spirit—it's organizations and groups of men like

your own that the Nation must depend upon to bring this ideal to fruition. The roads to accomplishment are in many ways self-evident, in some others more obtuse. However, if we look carefully at the implications of this idea, there is one essential that stands out and identifies itself by its own urgency. This is the crux of the whole problem and is simply a need for better and more realistic cooperation between the Federal Government and the State and local agencies.

The question of better cooperation is, by definition, one that has limitless possibilities as well as complications. I would be naive if I thought that, in any large project, there would not be a collision of interest between two or more factions which sought the project. And in many ways, this collision of interest is really valuable, as it necessarily reflects the vitality of the various communities. Yet, I think something that Abraham Lincoln once said might help us in situations of this kind. Speaking from the floor of the House of Representatives on this same subject in 1848, when he first went to Congress, he said:

"To clear this difficulty, let us have the same statistical information which the gentleman from Ohio suggested at the beginning of this session. In that information we shall have a stern, unbending basis of facts—a basis in nowise subject to whim, caprice or local interest. The statistics will save us from doing what we do in the wrong places. Adopt and adhere to this course, and, it seems to me, the difficulty is cleared."

He was speaking of the development of the Ohio and upon the bosom of that river an enormous tonnage of cargo flows and passes every day of the year. And right at this very moment we are spending more than a billion dollars for modernizing our engineering works of locks and dams on the Ohio River alone.

It is intriguing to me that speaking more than 100 years ago, Lincoln was able to define so succinctly the problem that is facing us today. Yet, in those hundred years civilization has necessarily changed, and one of the major changes has been a greater appreciation of all of the facets that go into water resources projects. We can no longer assign a person or an agency to evaluate a project site and hope that the evaluation in all ways will be correct because no human being is infallible. We must rely on groups such as yours—we can't do everything in Washington. These engineers and we in the Pentagon—rely very much upon the contribution made by the local agencies. We must rely on groups such as yours to provide us with an objective evaluation; one which will include and amplify details of which we would otherwise be ignorant. And, as the world grows smaller and our responsibilities as a Nation become heavier, we must rely more and more on you for information as well as partial financial help.

While the Federal Government plans to continue and expand its natural resources program, we can realize the true potential in this field only if State and local agencies are willing to shoulder part of the financial burden. President Eisenhower has proposed that legislation be passed that will erase many of the errors that have existed in this area. The bill will stabilize joint financial planning so that every area that participates in resource development will participate equally and justly with all others.

But while this will solve the problem in the general area of financial responsibility, there are many corollary areas that may be exploited now, and which are in the direct province of State and local agencies. The one that comes immediately to mind is the field of recreation and wildlife potential. Soon we will be dedicating the Table Rock Dam on the White River in southwest Missouri in my district for which I had to fight for more than 20 years—an $86½ million project. Not only because of flood control and improvement of navigation, but because of the vast recreational advantages derived therefrom—next to the dairy industry in the Ozarks—tourism has become our second biggest cash crop. Last year, my friends, more than 84 million days were spent in visiting Federal dam projects and reservoirs. On this river system where you are located, the number of people seeking water recreation has been most impressive. Last year, I understand that nearly 500,000 people enjoyed river sports here. This same is true of lakes and dams in Texas and Oklahoma, up in South Dakota, down on the Chattahoochee or Appalachacola or wherever you go throughout this Nation.

The Corps of Engineers has planned well over half a million dollars to be spent over the next 5 years for recreational facilities at Warrior and Demopolis Dams. Do you realize that last year our outboard motor industry became more than a billion dollar industry—$1 billion for outboard motors alone. Since these funds provided by the engineers—$500,000—will provide only such basic as sanitation and picnic sites, it is up to private, local, and State interests through joint enterprise with the Federal Government to truly exploit the opportunity here. By doing so, you will immeasurably increase your economic potential in this area. If you are wise in your development of recreational facilities, you will find more and more people flocking to your reservoirs and stabilized channels. Their expenditures for equipment, service, and sustenance will provide you with economic opportunities second only to those accompanying your industrial growth. They will be substantial and they will benefit you directly, providing you with both economic opportunity and a place to spend your leisure hours.

While developing the vast recreational potential with which this area is gifted, you will also be able to alleviate other problems in the field of water resources. One of the most serious of these is the matter of water supply. In the brief span of the past 5 years we have seen an alarming scarcity in the supply of water for industrial and municipal use, and more important, we are being confronted with the lack of an adequate supply of drinking water. For instance, on the Delaware and the Potomac Rivers the situation is becoming critical. Just 10 years ago no one even dreamed that this would become a problem of the menacing proportions that it is today. Gentlemen, it is up to you in your planning to prevent this from developing into a problem here.

In my remarks this evening, I have sought to outline for you only a few ideas which I consider vital for our natural resource development. Though few of them are new, the time has come when we must give a fuller measure of attention to them. Through thoughtful and farsighted vision of community leaders such as you, I am sure that you will recognize the complexities of the problem as a whole and initiate programs which will encompass every facet of water development. Not only is the problem related to navigation and recreation but also to flood control, hydropower, fish and wildlife conservation and industrial and municipal water supply as well.

Now we are building two worlds. It's too bad this one world of ours is not one but is severed in twain today between East and West. Two great philosophies of life exist—one rooted in the crass, sordid imperialism of Marx and Engel, expounded and pushed forward by a determined and ruthless Communist foe; the other—a Christian philosophy that believes in liberty and the right of self-determination and a desire for a just and a lasting peace. We are building two worlds here in America—one is a material world with its physical comforts—and what a world it is. It's a world of oil and steel and skyscrapers, of planes flying faster than sound, giant diesel locomotives, of refrigeration and electric sweepers, and the thousand and one little gadgets in our home that have shifted the burden of the world's work from the backs of men and women to the muscles of iron and steel. It's a wonderful material world in which we live—an age of electricity and now atomic energy, of fissionable materials, a world of enormous power when men are almost threatened with destruction by machines of their own making.

We would not turn our backs upon the progress made in the fields of science and invention to return to the horse-and-buggy age and to the oxcart. We must continue to build this material world with its physical comforts, but there is another world we are building or should be building and that is the world of ideals and ideas. It must be a world of human brotherhood and of cooperation and of understanding—a world of ethical principles and of moral formula, and of spiritual ideas and unless we build this spiritual world as quickly and as solidly and as substantially as we are building this material world with all of its vast wealth, I fear that our 20th century civilization will crash and go to pieces.

A great German philosopher once said, "Nothing in this world is great but man and nothing in man great but mind." Ideas, after all, rule the world and ideas are powerful weapons. It is a dangerous weapon because you cannot shoot it with a rifle, stab it with a bayonet, or destroy it with an atomic or hydrogen bomb.

Here in this seat of learning in the great State of Alabama, in your own university, we have to rely on your youth, which, after all, is your priceless asset—an asset greater than your rivers and your harbors and your factories. We must educate and instill into their hearts and minds the faith of their fathers who, through sacrifice and hard work and willingness to meet their own obligation and stand on their own feet, maintained their self-respect through self-reliance instead of depending upon the Government for everything. That is the thing we have to do, and if we do not do it we will go under because we are in the same boat. We are going to swim or sink together.

Our great country has always been able to rely on men like yourselves to take leadership in trying and troublesome times like these. I feel confident, Mr. President, that you and your organization will measure up to the splendid standard that your forebears have set, and that Alabama, with every other glorious State in our beloved Union, will continue to go forward in progress—overcoming all difficulties, resolving all doubts and differences.

God help you and me to save, preserve this America because America is God's last chance to make a world.

LABOR LEGISLATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STAGGERS. Mr. Speaker, before Congress adjourns I should like to comment briefly on the recently enacted labor legislation.

It is my belief, as I have stated many times, that the committee bill, which was the product of Members of Congress expert on labor matters, would

have been far more equitable to all concerned. I feel the committee measure would have effectively stamped out racketeering and wrongdoing in labor unions, which I am sure every Member here, and the general public, wanted done, without hurting the loyal, patriotic workers of our country.

This need was brought out in the very thorough Senate hearings and reflected by the press, radio, and television. There was a need for curbing the activity and unfair labor practices of some leaders. However, we cannot judge all of the union leaders—the ones who have toiled and fought for so many years to bring about a union movement which has been helpful to millions of laboring men and women of our Nation in establishing a better way of life for themselves and their families—by a few who have taken advantage of the trust placed in them by the members of their organizations.

By the same token, because Judas betrayed Jesus Christ, we could not say that all of the other disciples were betrayers of our Lord.

The laboring men and women of our land have cleared the forests; built the bridges to span our rivers; built the trucks, trains, ships, and planes which carry the cargo of this great industrial Nation. They have built our churches, our schools; built our radio and television stations, and all of the appliances which we have in our homes. These men and women go to the same churches we do; live on the same streets where we live all across the Nation; and send their children to the same schools. They are decent, honest, and hard-working citizens.

I believe as Andrew Carnegie did, who, when he was asked which was the most important component of our economy in America—capital, brains, or labor—replied with his question, "Which is the most important leg of a three-legged stool?"

When we shackle labor we are shackling America.

It has been proven by history that when we slowly chip away at the liberty of a certain group or groups, that we finally chip away at the liberty and freedom of all.

It has been said that this recent labor legislation was designed to attract industry from the North into the South because the South is largely unorganized at the present time and under the legislation it will be very difficult to start new labor unions. In that case, the standard of living of the workers in the South, which is already substandard, will remain that way, or go backward.

The new legislation is now the law of the land.

We hope and pray that it will not become a stumbling block in the forward progress of America—your land and mine.

MR. NIKITA KHRUSHCHEV'S VISIT TO THE UNITED STATES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received a letter from a distinguished constituent in Belmont, Mass., regarding the visit of Mr. Nikita Khrushchev to the United States.

The letter is as follows:

BELMONT, MASS., *September 8, 1959.*

Hon. EDITH NOURSE ROGERS,
House Office Building,
Washington, D.C.

DEAR MRS. ROGERS: I am writing to beg you to use your influence to prevent the extending of any invitation to Khrushchev to address the Congress during his coming visit. If the opportunity presents itself to speak out officially against this ill-advised visit, I humbly beg you to do so.

The time has come when those who feel there must be an end to the appeasement of our sworn enemy must take their stand and speak out. Though only a week remains before our arch enemy is due to be received with honor, there is yet time for our elected representatives to show the intelligence and courage which has been lacking in the most effective of our Presidential advisers.

I am a surgeon, formerly on the staff of the Lahey Clinic. Illness has forced me into the less fatiguing practice of insurance medicine, and with the extra time I have it has been my privilege to work closely with my fellow townsman, Mr. Robert Welch, editor of American Opinion, and Chairman of the Committee Against Summit Entanglements. I commend to you his article in the current issue of American Opinion, "If You Want It Straight" and also the ad of the Committee Against Summit Entanglements, which is currently appearing in the daily press, a copy of which is enclosed.

I am firmly convinced that we as a still free Nation have absolutely nothing to gain and literally everything to lose by receiving this monstrous tyrant and thus adding to his prestige with the remaining free peoples of the world, and I implore you to do all in your power to thwart the advancement of this man's objectives, which, inevitably, can be made only at the expense of ours.

St. Paul has admonished us not to coexist ("be unequally yoked") with ungodliness (II Corinthians 6: 14). This should be all the warning we need.

Sincerely,

NATHANIEL E. ADAMSON, Jr., M.D.

Mr. Speaker, the following is a copy of my reply:

HOUSE OF REPRESENTATIVES,
Washington, D.C.

DR. NATHANIEL E. ADAMSON, Jr.,
Belmont, Mass.

DEAR DR. ADAMSON: During the many years of my public service, never have I received a more eloquent plea than the one so clearly and precisely stated in your letter of September 8, together with the tearsheet reprint of the Committee Against Summit Entanglements as well as the article entitled "If You Want It Straight" by Mr. Robert Welch, editor of the American Opinion magazine. In your letter, and in this material, many facts are stated relating to Mr. Khrushchev and his pending visit which are undoubtedly true and which, of course, are more than cause for every patriotic, loyal American to strongly oppose this visit of the Chief of State of the U.S.S.R. I agree with your excellently stated views in your letter and I agree with the facts which disclose that Mr. Khrushchev is unworthy of respect.

Unfortunately, however, neither Mr. Khrushchev nor President Eisenhower constitute the issue involved in this proposed interchange of visits between these two heads of state of their respective countries. The relations between the free world nations, focused and directed from Washington, and the Communist world nations, directed from Moscow, have reached a very serious point of deterioration. The situation is in such a position of balance at the moment that the slightest move could upset the balance and cause all-out war. Bluntly speaking, if this should happen, civilization and the human race will be destroyed.

I do not believe in appeasement. My long record of service to my country, to the people of my congressional district and the people of America will disclose most precisely that I never have taken a position of appeasement. I have always advocated a strong America with strong military forces equal to any challenge.

On the other hand, I believe all-out war must be prevented. Possessing, as I do, some knowledge of the present-day nuclear capability our country possesses and knowing that it would be a mistake for America to think that Communist Russia did not possess the same capability, I know that all-out war must be prevented. If it is not prevented, no nation, or group of nations, will win, whether or not they are on the side of freedom or on the side of communism. Massive areas of civilization as we know it will be destroyed. Vast areas of our country, your community, your neighborhood, yes, your property, will be destroyed as a place in which human beings can live. Millions of people will die and many millions more will be so affected that the future of the human race will be in jeopardy. Please be assured of this. I am not relating to you a scare story. I am relating to you conclusions of the most informed experts in the world of nuclear science.

In view of these facts, I believe it is quite obvious that this exchange of visits between the President of the United States and the Chief of State of the U.S.S.R. has been arranged because Mr. Khrushchev, who happens to be the Chief of State of the U.S.S.R., holds within his judgment, if he has any, the future of the human race. Because Mr. Khrushchev unfortunately has within his power the terrible decision or force, or whatever you want to call it, to commence this all out war, the issue, then, is not President Eisenhower and it is not Mr. Khrushchev. The issue is the future of humanity.

Previously in this letter I have mentioned I agree with you; Mr. Khrushchev in no sense commands the respect of any patriotic American. It is most essential, however, that as Americans we distinguished between the quality of respect and the quality of courtesy. It is possible for the American people and for Government officials to extend to a visitor to this country courteous treatment without having to extend respect. In the life of an individual, many times it is necessary for us to associate with people and to discuss problems with people with whom we have no respect. This fact, however, does not prevent us from being courteous. The same situation applies in international relations.

As you know, under the Constitution of the United States the President of the United States is charged with the responsibility of the conduct of foreign relations. In executing this responsibility, the President must not only deal with the heads of state of other governments with whom he may completely disagree and for whom he may have a personal dislike and distrust, but because of his constitutional responsibility it is the duty of the President to enter into relations with any and all heads of state of foreign countries regarding matters in which the United States of America has a vital interest.

The most important problem or issue confronting the people of the world today is

peace. Because of the different concepts of life and living established in various areas of the world, peace is a difficult objective of achievement. Different heritages, environments and teachings develop wide differences and forces in points of view. If the people in one of these areas remain completely isolated and they, together with their leadership, have no knowledge of the people and national values within another area, and vice versa, certainly there is very little chance for the objective of peace to prevail.

In the life of today we have reached a new crossroads. From the dawn of civilization up until the middle of World War II armed conflict between nations was executed upon the field of battle and only the participants in the battle faced the possibility of injury or death. In these days of our time this situation is no longer true. Today if two great nations reach the point of armed conflict, if war should occur between the United States of America and Communist Russia, the future of civilization, of the whole of mankind is in jeopardy. This extremely important fact, seriously touching the lives of everyone, must be constantly in principal focus in our thinking and actions.

The invitation of the President to Mr. Khrushchev to visit the United States was not issued for the purpose of providing a social get together or for the purpose of friendly reasons, as was the case in the recent visit of Queen Elizabeth. Behind the invitation to Mr. Khrushchev is the future of humanity. It is the objective of the President of the United States, and I completely approve of this objective, to try to find a way to obtain peace with honor with Communist Russia and the Communist world through the channels of discussion and understanding. If this fails, the only other alternative is war, a war which will destroy the civilized world as it now stands.

For many years I have fought against communism and the spread of its ideology. It is my view that time is on the side of America and the free way of life. If, in various ways, it is possible for us to extend the time of this period of negotiation and of effort to understanding, I believe that within this period it might be possible for the nations of communism, such as Russia, to appreciate the many values of the free way of life. If this can be accomplished, war will be averted.

To do this, however, necessitates our doing things which actually we do not want to do such as the invitation to Mr. Khrushchev to come to America to see for himself some of the values of the free way of life in operation. In this visit it is the hope of the President of the United States, and I believe a very important and worthwhile hope, that Mr. Khrushchev might be impressed with our free way of life sufficiently to give some attention, after he returns home, to an examination of concepts and values in the established doctrines of communism. If this small ray of light can be achieved, Mr. Khrushchev's visit will have been worthwhile and civilization might be saved.

Peace with honor is difficult to achieve. It is an objective which cannot be established overnight in one grand stroke. Its achievement can only be achieved slowly in inch, by inch, by inch understanding. As you undoubtedly know, the matured views of individuals, perhaps persons within your acquaintance, are extremely difficult to change. The same is true with nations living and operating under different concepts and ideologies. In the case of nations, however, these ideologies are far more difficult to change.

Since the President of the United States, who is vested with this enormous responsibility, believes an interchange of visits between Mr. Khrushchev and himself is necessary at this time, I believe it is the duty of the American people to receive Mr. Khrushchev in a courteous manner, for this is the American way. If our people fail to be courteous and engage in rowdyism, we will have lowered our standards to the Communist level which prevailed during the recent visit of the Vice President to certain countries in South America. In his recent visit to Russia, the Vice President was received courteously and in a very friendly manner by the Russian people. We expect the Russian people, as well as the Russian Government, to extend the hand of welcome and courtesy to President Eisenhower when he visits Russia in the near future. Certainly, as Americans living in freedom, courtesy to the Chief of State of the U.S.S.R. is necessary if the free way of life is to impress and to achieve its objective.

In conclusion, again I want to emphasize I agree with your very fine and courteous letter. I appreciate your taking the time to write to me and to so well express your views. In this reply I have tried to emphasize that in my view, and I am sure the view of the President of the United States, the issue involved in this interchange of visits, is far greater, far more grave, vastly more important than just the visit of two heads of state to their respective countries. Completely I possess a contempt for Mr. Khrushchev and all that he stands for. It so happens, however, he is the chief of state of the U.S.S.R. and because of the grave situation now confronting us, the free people of the world have no other choice than to try to gain time in this effort to prevent an all-out war. As a result, at this time we must engage in relations with this chief of state whom we do not respect. This is indeed a tragic situation, but it is one that must be faced if mankind is to continue to exist on this earth.

With cordial regards and all best wishes, I remain,

Very sincerely yours,

EDITH NOURSE ROGERS,
Member of Congress.

ONION FUTURES—PUBLIC LAW 85–839

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, you will recall that the Congress enacted Public Law 85–839 on August 28, 1958, making it unlawful for anyone to trade in onion futures upon any board of trade in the United States. The act provided that it should become effective on September 27, 1958. This legislation was given the most extensive consideration by the Congress after lengthy hearings held over a 2-year period before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture.

Public Law 85–839 reflected the considered judgment of the House of Representatives and the Senate that the trading in onion futures upon a board of trade was prejudicial to the orderly flow of onions in interstate commerce and should be prohibited. The purpose of this law was stated in the report dated May 26, 1958, of the Senate Committee on Agriculture—page 1—as follows:

> This bill would prohibit trading in onion futures on any board of trade in the United States. In 1955, because speculative activity in the futures market was apparently adversely affecting cash onion prices, Congress added onions to the commodities subject to regulation under the Commodity Exchange Act, effective September 24, 1955. This has not cured the situation, however. It now appears that speculative activity in the futures markets causes such severe and unwarranted fluctuations in the price of cash onions as to require complete prohibition of onion futures trading in order to assure the orderly flow of onions in interstate commerce. The committee held hearings on this matter last year and again this year. The need for the bill is fully discussed in those hearings and the report of the House Committee on Agriculture, which is attached hereto as exhibit A.

As I have stated, this statute became effective on September 27, 1958, and ever since that date all trading on a board of trade in onion futures in the United States has been unlawful. On September 12, 1958, the Chicago Mercantile Exchange and others instituted a suit in the Federal Court in Chicago to enjoin the enforcement of Public Law 85–839 upon the ground that it was unconstitutional. On the same day, U.S. District Judge J. Sam Perry granted plaintiffs' motion to convene a three-judge court and gave the Government leave to file a motion to dismiss within 6 days. On September 18, 1958, the Government filed a motion to dismiss the complaint with a memorandum in its support and a memorandum in opposition to plaintiffs' motion for a preliminary injunction. On September 23, 1958, a three-judge court, consisting of Circuit Judge John S. Hastings, District Judge J. Sam Perry, and District Judge Julius J. Hoffman, granted plaintiffs' permission to file an amendment to the complaint and on September 26, 1958, the day before the act became effective, the court granted a preliminary injunction enjoining the U.S. attorney from enforcing the statute pending the final determination of the complaint or until the further order of the court. Since that time there have been various efforts made by the Department of Justice to vacate the injunction and to obtain a final adjudication upon the merits of the constitutionality of the law but without success.

Assistant Attorney General George Cochran Doub, in charge of the Civil Division of the Department of Justice, has written me as follows:

> In the Onion Futures case pending before the three-judge district court in the northern district of Illinois, the court has prevented the enforcement of Public Law 85–839 and the congressional policy embodied in that act for a period of 12 months without any determination of the constitutionality of the statute. Although it may be that upon an appropriate allegation of irreparable injury a court may enjoin the enforcement of an act of Congress for a few days or a few weeks to enable the court to convene and to adjudicate promptly the validity of a statute, I do not believe a court has any power to stay for such a prolonged period the operation of an act of the Congress and the continued maintenance of the injunction in this case constitutes a gross abuse of judicial power.

Mr. Speaker, the power of the judiciary to declare an act of Congress unconstitutional has been accepted in this

country since the decision of the Supreme Court in Marbury against Madison, but as far as I know, the power of the judiciary to suspend the enforcement of a law of the Congress for a substantive period of time without an adjudication of invalidity has never been recognized. Indeed, I do not know of any legal scholar or any lawyer of standing who has ever asserted the existence of such a dangerous doctrine. I am in complete accord, therefore, with the views of the Assistant Attorney General and I believe that this House should take cognizance of this serious matter.

PANAMA CANAL CRISIS PENDING: VIEWS IN SPANISH LANGUAGE PAPERS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Pennsylvania [Mr FLOOD] is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, for many months the people of the United States have watched with growing concern the darkening horizon to the south around the Caribbean basin. I have endeavored in addresses to the House and before public gatherings to describe the picture objectively and accurately, as derived from many sources. These included news and editorial opinions of the Spanish language papers of Panama, recent digests of which will be quoted at the end of my remarks.

In previous statements, I have emphasized the generosity of the United States to Panama in the 1955 Treaty of Mutual Understanding and Cooperation, widely known as a giveaway treaty. It gave away the Hotel Washington in Colon, built during the construction era and until recently efficiently operated by the Panama Canal organization, but now described in the Panamanian press as falling to pieces. It gave away other valuable real estate in the cities of Colon and Panama, including the designed terminal yards and stations of the Panama Railroad which require new facilities in the Canal Zone. In addition, it provided for construction of a $20 million bridge across the Pacific entrance of the canal to replace the Thatcher Ferry, which is already under construction and scheduled for completion in December 1962.

Have these generous actions created the mutual understanding and cooperation for which the treaty aimed? They have not.

Instead, they have generated even greater demands on the part of radical elements in Panama. These include agitations for sovereignty over the Canal Zone, 50 percent of the gross revenues of the Panama Canal, and active participation in its management, even to the point of nationalization. Not only that, as I have previously warned, these radical elements are at this moment planning a "peaceful" invasion and a "symbolic" occupation of the Canal Zone on November 3, 1959—the 56th anniversary of the birth of the Republic of Panama.

In the recent meeting of Foreign Ministers in Santiago, Chile, the Foreign Minister of Panama, Miguel J. Moreno, attacked the United States before that distinguished assemblage. He will head the Panama delegation at the 14th General Assembly of the United Nations in New York with the announced objective of presenting Panamanian aspirations to that body.

Thus, we find our Nation headed for further Isthmian diplomatic crises. Yet, we still have announced no policy for dealing with them. No wonder we are losing in the Caribbean area, of which the Panama Canal has been, and still is, a prime target for hostile Communist propaganda as well as a useful issue for aspiring local politicians.

Under leave to extend, I quote a number of digests from Spanish language papers of Panama, which are indeed informative and should be most helpful to all agencies, civilian and governmental, concerned with Panama policy questions.

The digests follow:

PANAMA CANAL PRESS OFFICE DAILY DIGEST OF SPANISH LANGUAGE NEWS AND EDITORIAL OPINION OF PANAMA PAPERS

CRITICA, AUGUST 17

The editorial column states that the Minister of Foreign Affairs of Panama has made what may be termed a formal denunciation of the United States for noncompliance with agreements with Panama and regrets that he did not take up all the problems with the United States, especially Panama's sovereignty in the Canal Zone. Now, says the editorial, all the nations of the world, and especially those in America, know in detail the truth of the Panamanian-North American problems. This truth is known not only by the Foreign Ministers or the governments in general, but even the people know, once for all, that this little Isthmus is not a colony of the United States; that, on the contrary, this Republic in other circumstances would have been another star in the American Union. And the Republic was formed despite all efforts to absorb it, carried on over the past 50 years.

The editorial goes on to comment that if all other efforts fail to resolve Panama's problems with the North American authorities, as friendly nations, then there is no other recourse than to go to the International Court of Appeals in order to do away with the abuse and imperialistic policy the United States tries to carry out in the Panama Canal Zone, in an endeavor to take over this section of Panamanian territory.

LA HORA, AUGUST 18

The condition of the Hotel Washington, which is falling to pieces, is a shame, says the columnist Tabana. Many improvements are necessary if the Washington is to be a tourist attraction on the Atlantic side, he says.

LA HORA, AUGUST 20

The Foreign Office, in giving publicity to concrete proofs that the Canal Company again has violated written agreements between the United States and Panama, has taken a forward step in foreign policy, the editorial column in La Hora states. Conversations, correspondence, and negotiations, including those on the highest levels, have been futile in an endeavor to obtain just treatment in the Canal Zone and compliance with international treaties, not to mention other legitimate aspirations of the Panamanian people.

La Hora says that its own position has always been in defense of sovereignty and Panamanian rights, and recalls that the paper has commented in many editorials on how very necessary it is that Panama assume a strong front against injustices. La Hora restates that it is committed, to, that the time is propitious for strengthening its ties with the people and the Government of Egypt, "whose recent history must come as a ray of hope in the heart of each Panamanian."

The editorial points out, however, that it is in the hands of the people to select the men who will present Panama's case; it is up to the people to see that the interests of a few do not interfere with the realization of "our aspirations as a free and sovereign nation."

LA HORA, AUGUST 27

Under a headline in large type, given lead play on the front page—"William Potter will fence the zone/We will cross the fence"—La Hora carries the following brief story:

News filtering to certain circles of the country indicate that the Governor of the Canal Zone, William Potter, plans to install a great cyclone fence along Fourth of July Avenue, Tivoli Avenue and to the railroad crossing. The same reports indicate that Potter is planning this step because of the Pacific invasion planned for November 3 in reaffirmation of (our) sovereignty. The radio program, "Find it out with me," revealed this today saying, in addition, that the street entrances will remain open to permit access of vehicles and that these street openings will be easy to control by military personnel.

LA ESTRELLA, AUGUST 26

Hope that the relations between the United States and Panama will have greatly improved by October 1, 1960, was expressed by National Coalition Party presidential candidate Ricardo Arias in an interview with La Estrella.

This view was offered in answer to a question as to what would be the action of his government in this problem should he be elected President.

Arias added that in case these problems had not been settled by that time in a friendly manner, there would be no other recourse than to submit the question to arbitration or take it to the International Court of Justice. (Ed. note—the President-elect takes office October 1 in Panama during election year.)

In an editorial, La Estrella congratulates Foreign Minister Moreno on his "brilliant handling" of Panama's case at the meeting of Foreign Ministers in Santiago, Chile. His stand on nonintervention, as well as his declarations regarding the failure of the United States to comply with treaty agreements was well handled and a credit to Panama, the editorial states.

EL DIA, AUGUST 26

In an editorial on Representative DANIEL FLOOD's speech, El Dia comments that the "impertinent demagog of Nazi mentality" insists on carrying out a vicious campaign against the Republic of Panama, and now threatens us with "a terrible tragedy" if we carry out the sovereignty march in November.

Mr. FLOOD's threatening, insulting, and disgraceful campaign against Panama probably stems from his outrage over the denouncements by Panama at the Chile conference of treaty violations on the part of the United States, according to the editorial.

Columnist Ramon Jurado also takes note of Mr. FLOOD's statements and comments that there is no need to pay much attention to the words of this ignorant exhibitionist who is merely seeking notoriety. But Panama should review its policy toward its relations with the United States, the columnist comments. Panama should keep the problems relative to the Canal Zone out of its local politics, as this would merely weaken

its stand. Panama should, however, drastically revise its attitude and take a stand on its sovereign rights, the columnist urges.

EL PANAMA AMERICA, AUGUST 26

Editor's note: El Panama America makes no reference, editorially or otherwise, to Aquilino Boyd's statement that the November 3 march on the Canal Zone will take place despite the protests of Representative DANIEL J. FLOOD.

LA HORA, AUGUST 26

La Hora gives prominent play on its front page to Aquilino Boyd's announcement that the sovereignty march on the Canal Zone on November 3 will take place despite Representative DANIEL J. FLOOD. Boyd says (as reported in English) that Panama has no desire to display hostility or provoke violent demonstrations, and adds "injustice prospers when we are not firm in the defense of our principles."

Faust's Mailbox says the columnist has received many inquiries from individuals who want to know the truth of the actions of some Panamanian Government officials during last May's invasion at Nombre de Dios. He quotes the recent statements of Congressman DANIEL FLOOD who said that the reaction of the Panamanians would have been very different if they had known that many of the high officials had sent their families to the Canal Zone.

Columnist Tabano on page 14 says that he is in accord with Aquilino Boyd when he says that "injustice prospers when we are not firm to defend our principles." Boyd refers to statements made by Representative FLOOD and Boyd, as always, comes to the defense of our country. Congratulations, he says.

EL DIA, AUGUST 27

Columnist Ramon H. Jurado turns his column for Thursday over to Dr. Ernesto Castillero Pimentel, for the latter's statements on his proposal for a November 3 "peaceful occupation" of the Canal Zone. Castillero says:

It is only to be expected that some local newspapermen will agree with Representative DANIEL FLOOD that November 3 should be uneventful, as becomes a nation which wants to submit to perpetual assuagement. If Operation Sovereignty had been announced in advance, there would have been objections from pessimists.

There are those who assure the country that its problems with the United States can be solved with diplomatic notes or through an international court of justice. They seem to ignore the fight we have had through 56 years of diplomatic interchange and, as far as arbitration is concerned, I have said before that the United States would never agree to this.

Entities which desire only the good of the country, such as the Panama Students Federation, the Union of University Students and the General Council of the University of Panama have indicated radical and audacious patterns for our relations with the United States. Are these pronouncements demagogic?

The peaceful occupation of the Canal Zone will be done by the Panamanians who want to participate in it freely, without political distinctions, without partisan banners. The tremendous symbolic significance of this act has not escaped the attention—and the preoccupation of the Congress and the executive (branch) of North America, as evidenced by the desperate attempts, and the persuasive and intimidating words with which they are trying to prevent this.

We, Panamanians, will not lose this occasion to show the world that our patience and our conformity have ended and that a new epoch has begun.

CRITICA, AUGUST 27

On the back page Critica quotes Hector Valdes, Jr., the new Minister of Government and Justice that there is nothing specific at present regarding the foreign invasion of Panama. The Government is maintaining a constant alert, he says.

EL PAIS, AUGUST 31

Nationalization of the canal? El Pais asks in headline over a story announcing that one of the first steps taken by the new rector of the National University was the appointment of a university commission to study the fundamental objectives of Panama's foreign policy. Members of the commission are a number of university professors including Ricardo J. Alfaro, Manuel Mendez Guardia, and Ernesto Castillero Pimentel. The rector has also asked the collaboration of Drs. Harmodio Arias and Octavio Fabrega.

The resolution under which the commission was appointed asks that it study, especially, the maintenance and effectiveness of Panama's sovereign rights in the canal strip and the submission to Panamanian tribunals of judicial conflicts which arise within the orbit of these sovereign rights; the equitable participation for Panama in the gross revenues of the canal in addition to the annuity now being received; the elimination of competition to Panama's industry, agriculture, and commerce in the Canal Zone; elimination of discrimination in salaries, opportunity, and treatment of Panamanian workers in the Canal Zone; and indispensable steps toward a general regime of respect and understanding in the relations of the two countries.

LA NACION, SEPTEMBER 3

In his column Bilo Mendez comments that those individuals in Panama who are instigating a peaceful invasion of the Canal Zone should realize that the responsibility of defending the Panama Canal is that of the Caribbean Command and not that of the Governor of the Canal Zone, nor the U.S. ambassador, nor zone officials, nor Washington.

Mendez notes that all military commanders follow a military viewpoint without regard to anything else. The old saying goes "Theirs is to do or die, not to ask questions why." This should be thought over very carefully by the heads of the invasion. Mendez warns these individuals that "You can fool some of the people, some of the time, but you cannot fool all of the people all of the time."

CRITICA, SEPTEMBER 8

The Colon correspondent of Critica reports, in an item on page 2, that insistent rumors are circulating in that city to the effect that severe measures will be taken in the Canal Zone against the Panamanians who register in the Third Nationalist Party since that party has come out openly for equal treatment of Panamanians and North Americans in the Canal Zone, and for Panamanian sovereignty in the zone territory.

Dr. Gilberto Arias G., speaking at David and referring to the Canal Zone, stated that "we must battle that they concede us what is our right to receive; that they give us what is our right to have as partners in the canal. The major violation that the country has suffered has been in the unilateral interpretation of its clauses by the Government of the United States of North America."

LA ESTRELLA, SEPTEMBER 9

Members of the Panama delegation who will represent their country at the 14th General Assembly of the United Nations have been appointed by the Executive Department. They are Miguel J. Moreno, Minister of Foreign Relations, who will head the group; Alejandro Remon, permanent delegate; Dr. Jorge Illueca, Panama's representative to the Security Council; Dr. Eduardo Ritter Aislan, Humberto Calamari, delegates; Jeptha B. Duncan, Dr. George Westerman, Carlos Sole Bosch, Eusegio A. Morales, and Ernesto de la Ossa, alternate delegates. Minister Moreno will leave for New York September 13.

EL PANAMA AMERICA, SEPTEMBER 9

Informed sources state that the police protection in Panama will be increased with a force paid from municipal funds. The force will be a type of municipal police whose main duty will be to guard against robbery and burglary. In this connection, the Pulse of Panama comments that it is to be hoped that this force does not develop the militarism which has been such a grief to the country.

WORLD'S FAIR IN NEW YORK—1960

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 30 minutes.

Mr. HALPERN. Mr. Speaker, whatever the reason for inaction on House Joint Resolution 496, the World's Fair proposal, prior to adjournment of the first half of the 86th Congress, I trust that among the first orders of business when the second half commences in January will be consideration of that resolution.

In making this appeal for the World's Fair resolution introduced by my gracious colleague from New York [Mrs. KELLY], I also want to commend her for her fine leadership in this exceedingly meritorious project.

Those of us from New York will admit to a little bit of chauvanism just as will any Congressman from any section of this great Nation. But, I think that we have every right to our attitude on this occasion.

The year 1964 marks the 300th anniversary of the country's largest metropolis. It seems not only fitting but eminently sensible that the occasion should be celebrated by the holding of a World's Fair in this great international center. As a seaport, air center, rail hub, manufacturing, commercial, and financial center, as a mecca for visitors from all over the world, and gateway to America, New York City can truly and unreservedly lay claim to the title "City of the World."

As the seat of famous universities and libraries and with cultural facilities unequaled in the Western Hemisphere, it offers a magnificent setting for the interchange of ideas and creative concepts from the peoples of every continent.

It has grown in depth and significance since 1939 when it last was host to the international community. The graceful towers of the United Nations now rise above the East River to remind us of the changes that have occurred.

For the past 2 years a committee of distinguished New Yorkers has critically examined such problems as finance, administration, site, and organization in connection with such a fair. Progress has been excellent, and a truly splendid prospectus had been readied for presentation before the international expositions organization this fall.

Approval of House Joint Resolution 496 at this session would have infinitely strengthened the plea of these outstanding citizens at the presentation of their case to the international body.

In all probability the location of the fair would be in my own county of Queens just as it was in 1939. The land is available, transportation arteries have been, and will be, considerably enhanced since the last fair, and the populace is delighted to act as hosts to the world again.

Advance calculations assure an extremely successful endeavor should the fair be held in New York. The occasion is fitting, the preliminary plans have been developed, local enthusiasm is high, and financial support is available.

I urge the House when it reconvenes to quickly and overwhelmingly enact this joint resolution and indicate America's solid backing for a world's fair on our shores in 1964.

INCREASE IN MINIMUM WAGE AND EXTENSION OF COVERAGE

Mr. HALPERN. Mr. Speaker, one of the most important areas in which Congress regretfully has not legislated this session is that of increase in the minimum wage and extension of its coverage. Although various bills were introduced early in the session in both the House and the Senate, and I was privileged to be one of the sponsors of the AFL–CIO proposals, progress to date has thus far consisted of the reporting of a bill from a subcommittee of the Senate Labor and Public Welfare Committee to the full committee.

It is my fervent hope, now that the Congress has covered many phases of important legislation during the first half of its 86th session, that its full attention will be directed at the minimum wage problem early next session.

The bills introduced last winter generally provided for an increase in the minimum wage from $1 to $1.25 an hour, and an extension of coverage to about 7.6 million additional workers.

The bill as reported from the Senate subcommittee provides for a step-by-step increase in the minimum wage over a period of years, dependent upon the classification of employees as respects type of business in which employed, whether or not coverage presently exists, and, in some instances, amount of gross annual sales of the employers. It would extend coverage to some 10.7 million additional workers.

For those employees presently covered, some 24.3 million, the increase would be to $1.15 the first year and $1.25 thereafter. For those newly covered in retail and retail-service industries with annual gross sales below $750,000 the rate would be $1 an hour effective 18 months after enactment of the bill. In similar businesses with annual gross sales exceeding $750,000, the rate would be $1 the first year with gradual increases over the next 4 years up to $1.25. Overtime would be correspondingly paid after a decreasing number of hours over a 4-year period—46 the first year, down to 40 from the fourth year on. These provisions, in general, would be applied to other new industries covered, or those which are only partically covered now but which would be fully covered after passage of the act.

Such provisions are an attempt to reconcile the problems confronted by small businessmen with the public policy of providing decent wage standards for the American workingman. They are, I believe, a sound basis upon which reasonable legislation can be fabricated.

There is no inviolable or mystic sanctity about existing rates and extent of coverage of our minimum wage legislation. Rates have twice been increased by legislation subsequent to the passage of the original minimum wage law. American economic growth and expansion prescribe that rates and extent of coverage must undergo change with the development of the Nation.

Average hourly earnings in American industry in 1959 are in the neighborhood of $2.20, far above even the minimum proposed in the bill. But, there are still some 20 million workers, however, not protected by minimum wage standards.

Many of these millions are working people whose hourly earnings are far below the $2.20 an hour average and whose standards of living are necessarily depreciated as a consequence. It is the more than half of these many millions, presently beyond the protection of Federal standards, who would be directly benefited by this reasonable legislation.

But above and beyond the immediate personal gain to those intimately involved, is the national benefit from the enactment of such legislation.

Those whose hourly wage rates would be affected are among the lower income groups in the country. An increase in their take-home pay, even if not great, will yet create a market of considerably expanded proportions because of the sheer numbers of those involved.

The extent of the degree of dependence upon consumption in our economy was unabashedly admitted and affirmed at the meeting of the International Chamber of Commerce in Washington, last April. In a story in the Evening Star of April 22, 1959, Mr. Paul Mazur, senior partner of Leshman Bros., investment banking firm in New York, is quoted as saying: "Essential emphasis in the economy of the United States has, in fact, shifted from the creation of products in amounts to satisfy the basic needs to the absorption of the output of our production capacities." And, Mr. Charles Mortimer, president of General Foods Corp. is reported as explaining that a new frontier lies in finding out what the underconsuming part of the world wants and in supplying it.

An increase in the consumption of goods in the national interest is intimately related to increasing the consuming power of the lowest income groups in our society. If "absorption of the output of our production capacities" has become a national necessity, then possession of the means for consuming is just as important. Here is a basic significance of the minimum-wage bill and a fundamental reason for all groups in the country to back it.

Another beneficial consequence of the enactment of such legislation is its relationship to the development of national standards. Competition among areas of the Nation on the basis of wage differentials is ofttimes exceedingly distressing in terms of human considerations. Where human degradation is involved there is hardly cause for rejoicing. With the elimination of the basing-point system, the remaining method of attainment of competitive advantage through sweatshop methods is certainly open to question. National standards play a significant role in restricting this abuse.

Mr. Speaker, the arguments on behalf of minimum-wage legislation have been advanced time and again. They concern national economic growth, national economic necessity, and self-interest, basic humanitarian considerations, and national advancement toward the objectives of the American ideal. I sincerely hope that the Congress will consider this exceedingly important legislation as rapidly as possible when it reconvenes in January.

CIVIL RIGHTS BILL

Mr. HALPERN. Mr. Speaker, in this the twilight of the 1st session of the 86th Congress, this body has yet to be presented with a meaningful civil rights bill for debate and consideration. Eight and one-half months have slid by since opening day in January and the responsibility of Congress to implement the 14th amendment to the Constitution seems to have skidded along with them.

There was sufficient time to take up this vital subject after the Judiciary Committee had reported out H.R. 8601 on August 10. Five weeks, in fact, have come and gone since then and our only recourse has been an attempted discharge petition. I was privileged and pleased to have joined in the signing of this petition to discharge the bill from the Rules Committee where it is now bottled. This procedure of petition offered the only way we could have hoped for action at this session.

Unfortunately, an insufficient number of members of the required 219 have affixed their names to the petition. This means that many more months will have to pass before any attempt is made to throw the protective gauntlet of law around those who are unable to enforce the rights and privileges guaranteed to them under the Constitution. This is the tragedy of inaction—the perpetuation in our society of a gray area where citizens possess only some of their constitutional rights and where they are often intimidated and coerced when they endeavor to enforce their rights in full.

On September 1, I spoke on this floor urging that the discharge petition be signed so that the Civil Rights bill reported from the Judiciary Committee could be brought to the House from the Rules Committee and debated and amended to meet the needs of the times. That petition was an eminently reasonable document, providing for 2 days of debate on the bill and unlimited amendment thereafter under the 5-minute rule. Unfortunately, the opportunity was not to be.

Now, it is my fervent hope that such legislation will be given the highest priority in January when the Congress reconvenes. And toward that objective I appeal to the sense of responsibility of all my colleagues.

The genius of the American system lies in its devotion to a "living Constitution." Our national history is the electrifying story of a constant striving toward greater effectuation of our deep-seated tradition of freedom, human dignity, and equality before the law.

The growth of freedom in America rests upon our strong adherence to moral concepts which are reflected in our constitutional system as rights and privileges of the individual to be safeguarded under law from incursions of society whether at the State or the Federal level.

America's proud achievement is the growing roster of these rights and privileges possessed by our people as citizens of the United States, and which cannot be abridged or denied to them by Federal or State action.

As each generation in our history has reached maturity, it has struggled with the problems of safeguarding and expanding its rights as individuals and of giving larger meaning to the concept of the free man in society. Through this process which Jefferson described as refreshing the tree of liberty "from time to time with the blood of patriots" our heritage of freedom has deepened.

Our generation is confronted with the problem of protecting our freedoms in a period of deep international crisis. The measure of our worth as a generation will be determined by the degree to which we assume responsibility for the protection and enhancement of the freedoms which we pass on to our successors.

We are all aware that many of our fellow citizens are being denied by State or local action the full protection of the civil rights which are derived from the 14th amendment to the Constitution of the United States. When any of our citizens are unable effectively to prosecute a proceeding on their own behalf for protection of these rights, the responsibility rests upon all of us, acting through our Federal Government, to provide a means for assuring that equal protection of the laws is extended to the widest possible degree. None of us can be secure in those rights nor can we remain complacent so long as they are denied to any of our citizens.

The essence of freedom is responsible action by those who possess it. So long as there are those in our society who are denied the fullness of freedom possessed by others, just so long are the ones who abjure their responsibility demeaned and ignobled by their pitiful exercise of that priceless boon.

If this generation is to fulfill its role in furthering the progress of liberty, it will be because men are proud of the responsibility which freedom imposes on them and are determined to exercise it to the full. Here in the Halls of Congress, the national forum for action, men of good will have the great opportunity to fulfill this basic obligation.

The bill reported from the Judiciary Committee, H.R. 8601, is but a commendable beginning. Its five titles are admirable but, unfortunately, very inadequate. They make it a Federal misdemeanor to obstruct orders of U.S. courts directing the integration of schools; make it a Federal crime to flee across State lines to avoid prosecution for the bombing or burning of any church, educational institution, residence, vehicle, or facility; require Federal election records to be maintained by local election officers for 2 years after an election in which Federal offices are involved, and allow them to be made available to the Attorney General; extend the Civil Rights Commission for 2 more years; and provide for educating children of members of the Armed Forces should local authorities, in areas in which the parents are stationed, close down the public schools.

While favoring the legislation, even in this moderate form as a long step forward, I deplore the fact that it does not go further. And I appeal to the committee members and to the Members of this House to give every thought toward the strengthening of it. I plead that the recess period be utilized in good measure so that full evaluation will be given by Congress to a truly effective civil rights bill when it reconvenes in January. I trust that the bill we hope to enact in 1960 will include not only the Judiciary Committee's recommendations but will go further and incorporate other titles so glaringly omitted.

For example, the bill does not contain several titles of importance. The first is its failure to include a provision authorizing the Attorney General (a) to initiate civil injunctive proceedings against individuals depriving a person of the equal protection of the law by reason of race, color, religion, or national origin, upon the Attorney General's receiving a complaint from such person so alleging and upon the Attorney General's certifying the inability of such person to obtain legal protection himself; (b) to seek civil injunctive relief against persons hindering Federal or State officials from according equal protection of the laws or from carrying out court orders; and (c) to seek civil injunctive relief, on complaint received, against individuals endeavoring under color of State authority to deprive persons of rights guaranteed by the 14th amendment.

This is substantially the same measure as proposed by the U.S. Attorney General and the administration in 1957. It is the so-called title III which was deleted from the Civil Rights Act of that year by the Senate.

Other titles that would strengthen the implementation of the 14th amendment rights and which have been omitted from the committee bill, include, first, provision for grants by the Federal Government to State and local governments and agencies to help them to carry out their constitutional obligations by sharing certain of the additional expenditures directly occasioned by desegregation programs such as cost of hiring extra teachers, alteration of school facilities, and so forth; second, provision for the rendering of technical assistance to State and local governments and agencies to help them surmount problems encountered in desegregating; third, creation of a Commission on Equal Job Opportunity Under Government Contracts; fourth, authority in the Civil Rights Commission to investigate denials of equal protection of the laws under the 14th amendment (a power it only possesses now in respect to voting rights under the 15th amendment; fifth, provision against the transportation of explosives in interstate commerce for the purpose of damaging or destroying any educational, religious, charitable, residential, business, or civic building; and, sixth, the creation of a Community Relations Service to supplement the judicial process in the protection and advancement of civil rights by providing a medium for conciliating disagreements arising in communities as a result of implementation of the constitutional provisions.

These provisions are all contained in a bill which I proudly introduced—H.R. 8431. They do not grant unlicensed authority to anyone. Rather, they provide for reasonable, sensible programs for the advancement of civil rights and they would, in my opinion, meet the Supreme Court criterion of "all deliberate speed," enabling considerably greater progress to be attained than at the present, but not at a rate where chaos would be created and permanent disruption of whole sections of our society result.

I believe that the addition of such provisions to the civil rights bill which was reported from committee will infinitely improve that bill in respect to its implementation of the rights guaranteed under the Constitution. When the bill is brought up for consideration next year, I shall make every attempt to amend it through the additions of sections such as these.

I also shall work for the attainment of the proposals set forth in the recent report by the Civil Rights Commission. The excellent work done by the Commission is fully reflected in the recommendations which it has presented to the country such as the creation of temporary Federal voting registrars. These suggestions warrant our most careful attention, and I hope that bills to effectuate them will be introduced when Congress reconvenes.

Mr. Speaker, it is our national destiny to be continually engaged in enhancing the significance of the individual and the ideal of respect for human dignity. We have an unsurpassable heritage of liberty and responsibility to protect and expand. We cannot remain at rest.

And, where minorities in States are unable to enjoy the rights and privileges protected by the U.S. Constitution, the majority in the Nation must provide the means for redressing the balance. The civil rights bill from the committee, amended in the fashion which I have described, can help to provide that means through resort to the authority of the Federal Government and by the orderly processes of the workings of law. Its enactment would assure that assistance would be available to those who are most in need.

Through effective use of such reasonable provisions, our generation, at a

period of dark world crisis when threats to individual freedoms are mounting, can provide the means for devising to our heirs a more noble heritage than the one which we received.

HON. ISIDORE DOLLINGER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, when I came to the Congress, which was in the 81st Congress, I met one of the sweetest, nicest men I have ever known in my life. He and I were in the steerage of the Committee on Banking and Currency. At that time the Committee on Banking and Currency had an elevated level where the great and the senior members of our committee sat. Down below were those in the steerage. Next to me was the gentleman from New York. My association with him has enriched my life. There never came to the Congress a finer gentleman than IZZY DOLLINGER of New York, and in his six terms in the Congress he has shown the stature of a statesman of highest quality. I am informed that Congressman DOLLINGER will not be with us in the next session because he is on the eve of being elevated to a high political position in New York. The election will be in November, and I think there is no question that he will be elected. So he will not be here in the next session of the Congress. I would like to take advantage at this time, when the House has time from its legislative chores to listen to praise of those we love and who will not be here in the next session to express my affection and my esteem for one of the finest gentlemen I have ever known, a really great American statesman, the Honorable ISIDORE DOLLINGER of New York.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Arkansas, the distinguished chairman of the great Committee on Interstate and Foreign Commerce.

Mr. HARRIS. Mr. Speaker, I appreciate the opportunity the gentleman from Illinois has given to me to express a few words of appreciation and a tribute for our colleague the gentleman from New York, IZZY DOLLINGER. IZZY became a member of the Committee on Interstate and Foreign Commerce of which I have the honor and privilege of being chairman in the 82d Congress. He has served as a member of our committee since that time very ably and conscientiously, and has given his attention to the tremendous problems of the committee which it has dealt with in that period of time.

Mr. Speaker, very frankly, I do not consider that IZZY is being elevated. I consider that our good friend is not necessarily being elevated, but that he is sacrificing himself to the position, and an important position it is, in his own State of New York, because he has been selected by his own organization to assume the responsibilities as district attorney in Bronx County in the city of New York. I wish for IZZY DOLLINGER in his new job, which he will assume in January, the same degree of success and good luck and best wishes that all of us have for him as a colleague and as a friend.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. AVERY. Mr. Speaker, if the gentleman from Arkansas and the gentleman from Illinois will permit, I would like to say, if I may, speaking for the minority, on Interstate and Foreign Commerce, that we would like to be associated both with the gentleman from Illinois and the gentleman from Arkansas in paying our tribute to the fine service that Mr. DOLLINGER has rendered on the Committee on Interstate and Foreign Commerce. We wish him well in his service to the State of New York in the important position of District Attorney of Bronx County.

Mr. O'HARA of Illinois. I thank the gentleman from Arkansas and the gentleman from Kansas.

Mr. HARRIS. Mr. Speaker, I yield to to the dean of the New York delegation, Hon. EMANUEL CELLER.

Mr. CELLER. Mr. Speaker, it is pleasant to hear these encomiums heaped upon my very dear friend, ISIDORE DOLLINGER, of New York. He is deserving of all. He has served quite a number of years in the House, and now he is being rewarded by his political friends and the citizenry in New York to become the district attorney of Bronx County. I am sure he will bring to play in that important office, the same high qualities that he has exemplified in this Chamber. I have been always happy in my association with him—I call him my friend. He is a duly dedicated public servant, as sagacious as he is kind—as persevering as he is gentle. We all, I am sure, wish him good fortune and good health in his new station.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. WHITENER. Mr. Speaker, I would like to join in what has been said by the distinguished gentleman from Illinois and my chairman of my committee, the distinguished gentleman from New York [Mr. CELLER], about our friend, ISIDORE DOLLINGER. Upon coming to this body, it was my privilege to immediately become acquainted with our distinguished colleague whom we are eulogizing tonight as he is about to enter upon a greater service—or, at least, a greater service to his immediate area. I shall miss him, and I shall miss the many opportunities that I have had to associate with him as I have with his friends and my dear friends, Congressman HOLTZMAN and Congressman RODINO and the others, who are so close to ISIDORE DOLLINGER. So I join gladly on this occasion to pay my tribute to this distinguished gentleman from New York and wish him well as he goes forward in his new service.

The SPEAKER. The time of the gentleman from Illinois has expired.

RENTAL OF BUILDING TO UNION TOWNSHIP OF LA PORTE COUNTY, IND.

Mr. KILDAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2655) to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of La Porte County, Ind.

The Clerk read the title of the bill.

Mr. HALLECK. Mr. Speaker, reserving the right to object, I wonder if the gentleman would explain the bill.

Mr. KILDAY. Mr. Speaker, this bill has to do with the rental of a portion of a building owned by the Government at Kingston Heights, Ind., to the school district to provide classrooms for pupils of a school that burned down. The Army rented a portion of the factory to the school district at a rental of something like $2,325 a year. It became necessary to install a new boiler to heat the small portion used by the school district. This bill would provide a credit against rent of the cost of the boiler when the school vacates the property.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to credit against the rental required to be paid under any existing lease between Union Township of La Porte County, Indiana, and the United States all reasonable costs incurred by the said Union Township for the installation of a new boiler and heating system in connection with the premises under lease to the said Union Township at the Kingsbury Ordnance Plant, Kingsford Heights, Indiana.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE HONORABLE ISIDORE DOLLINGER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I might say that it was suggested that I ask for this time to pay tribute to IZZY DOLLINGER by the dean of the Illinois delegation.

I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I thank the gentleman from Illinois for yielding to me. You cannot know how proud this moment makes me. I daresay I have known ISIDORE DOLLINGER intimately, socially, and professionally longer than

anybody in this House. My first experience with him was when it was my privilege to employ our distinguished colleague as one of my law clerks, and that goes back a long, long time. That is why I have so proudly watched his progress in the political, as well as the professional life of our community.

It was my pleasure to see him go to the Legislature of the State of New York after he had made his mark at the bar. In our State capital he made an outstanding record as a fine, good, liberal, progressive legislator. Then he joined me here where he has done so well. Here, also, he earned the respect of all who knew him and gained the affection of all those who had the privilege of associating with him. I am sure this next step in his forward progress up the political ladder will afford him the opportunity for greater accomplishments in his career where he may render wider service to the people of his city, his State, and of his country. We will miss him here.

As he goes on to new and greater success, we wish him well.

Mr. BUCKLEY. Mr. Speaker, ISIDORE DOLLINGER is the regular democratic candidate for the office of district attorney of Bronx County and I am certain that he will be elected to that high office this November. This means that he will be leaving Congress and will not be with us in January.

I know that he will be greatly missed in Washington. He is highly spoken of by all who know him; he has made many friends here during the 11 years he has served in the Congress. He is an able legislator, a person of great integrity, a fine gentleman in the truest sense of the word. I know that he will be an outstanding district attorney because of his experience in the law, his capabilities, his conscientious adherence to duty. I knew ISIDORE long before he came to Congress and have found him to be a loyal and true friend; I value our association.

The Bronx will always owe Mr. DOLLINGER a debt of gratitude for the fine work he did in Congress. He has now been drafted for another position of great responsibilities and service to the people. This reflects the confidence we place in him, as well as our faith in his ability. ISIDORE DOLLINGER leaves Congress with our best wishes for his continued success and our kindest regards.

Mr. MACK of Illinois. Mr. Speaker, one of the outstanding Members of this Congress and an able and hardworking member of the Interstate and Foreign Commerce Committee will not be with us when we return for the 2d session of the 86th Congress. Our esteemed colleague, ISIDORE DOLLINGER, is resigning after this session of Congress so that he can serve the people of New York as the district attorney of Bronx County.

ISIDORE was elected to Congress in 1948, the same year I was first elected to serve in this great legislative body. I have had an opportunity to observe his work during this entire period and he served with honor and dignity. He is a man of principle who as a dedicated public servant served the interests of his constituents.

During the past two years I have had the pleasure of having ISIDORE DOLLINGER serve on my Subcommittee on Commerce and Finance. He was one of the most outstanding members of that subcommittee and I relied heavily on his advice and counsel in the conduct of our committee business. I am very sorry that ISIDORE DOLLINGER is retiring from Congress but I certainly wish him well because I know that he will appreciate this opportunity to serve his friends in New York as their district attorney.

MUTUAL SECURITY APPROPRIATION BILL, 1960

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I submit a privileged resolution (H. Res. 396, Rept. No. 1189) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 8385) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and they are hereby disagreed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby, agreed to.

Mr. SMITH of Virginia. Does the gentleman from Illinois desire any time?

Mr. ALLEN. I do not desire any time, Mr. Speaker.

Mr. SMITH of Virginia. Mr. Speaker, this is merely the customary resolution to send the bill to conference. There are no complications about the rule itself; it merely provides that upon adoption of the rule the bill shall be sent to conference and the Speaker shall appoint conferees.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. PASSMAN, GARY, CANNON, TABER, and RHODES of Arizona.

RECESS

The SPEAKER. The Chair desires to make a statement.

The consideration of the mutual security bill by the conferees will probably take some time. The conferees must get together and reach their decision. It will probably take a longer time to write up the report. Consideration of the conference report will be the last business of the evening and we expect to stay here and complete it.

The Chair is going to declare a recess and trust that all Members will remain within hearing of the bells. The bells will be rung 15 minutes before we reassemble.

The Chair declares a recess subject to the call of the Chair.

Thereupon (at 11 o'clock and 15 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 25 minutes a.m., Tuesday, September 15, 1959.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and a concurrent resolution of the House of the following titles:

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 7452. An act for the relief of William B. Jackson;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8685. To amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes;

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960; and

H. Con. Res. 439. Concurrent resolution authorizing the Speaker of the House of Represenatives and the President of the Senate to sign enrolled bills.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4192. An act to prohibit the examination in District of Columbia courts of any minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2105. An act to amend the laws relating to Saint Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes.

The message also announced that the Senate had passed a resolution, as follows:

SENATE RESOLUTION 200

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

MUTUAL SECURITY APPROPRIATION BILL, 1960

Mr. PASSMAN submitted the following conference report and statement on the bill (H.R. 8385) making appropria-

tions for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

CONFERENCE REPORT (H. REPT. NO. 1190)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 13, 26, 27, 33, 51, and 55.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 22, 23, 24, 28, 29, 30, 36, 38, 40, 41, 42, 43, 44, 45, 47, 48, 52, 56, 60, 65, 66, 67, and 68, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "$650,000,000, and in addition for Defense support for Spain, authorized by section 131(b), $45,000,000, exclusive of technical cooperation," and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,820,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"SEC. 103. None of the funds herein appropriated for Defense Support, the Development Loan Fund, Special Assistance, or the President's Special Authority and Contingency Fund shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per circular A-47 of the Bureau of the Budget, dated December 31, 1952."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"SEC. 108. None of the funds herein appropriated shall be used to carry out the provisions of Section 205(1) of the Mutual Security Act of 1959."

And the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"NATIONAL LABOR RELATIONS BOARD

"Salaries and Expenses

"For and additional amount for 'Salaries and expenses', including rental of office space in the District of Columbia, $500,000."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF THE INTERIOR

"Bureau of Indian Affairs

"Distribution of Funds of the Creek Indians

"For an additional amount for necessary expenses incident to the distribution of funds belonging to members of the Creek Nation of Indians, in accordance with the act of August 1, 1955 (69 Stat. 431), as amended, $100,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF LABOR

"Labor-management reporting and disclosure activities

"Salaries and Expenses

"For expenses necessary for the performance of the functions vested in the Secretary by the Labor-Management Reporting and Disclosure Act of 1959, including services as authorized by section 15 of the act of August 2, 1946 (5 U.S.C. 55a), and rental of office space in the District of Columbia, $2,000,000."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 31, 32, 34, 35, 37, 39, 46, 49, 50, 53, 54, 57, 58, 61, and 62.

OTTO E. PASSMAN,
J. VAUGHN GARY,
CLARENCE CANNON,
JOHN TABER,
JOHN J. RHODES,
Managers of the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
LYNDON JOHNSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—MUTUAL SECURITY

Funds appropriated to the President

Military Assistance

Amendment No. 1: Deletes language proposed by the Senate.

Defense Support

Amendment No. 2: Appropriates $650,000,000 as proposed by the Senate instead of $700,000,000 as proposed by the House, and in addition, appropriates $45,000,000 for Spain instead of $50,000,000 as proposed by the Senate.

Development Loan Fund

Amendment No. 3: Appropriates $550,000,000 as proposed by the House instead of $590,000,000 as proposed by the Senate.

Technical Cooperation, General Authorization

Amendment No. 4: Appropriates $150,000,000 as proposed by the House instead of $160,000,000 as proposed by the Senate.

Technical Cooperation Programs of the Organization of American States

Amendment No. 5: Appropriates $1,200,000 as proposed by the Senate instead of $1,500,000 as proposed by the House.

Special Assistance, General Authorization

Amendment No. 6: Appropriates $245,000,000 as proposed by the Senate, instead of $200,000,000 as proposed by the House.

Special Assistance, Special Authorization

Amendment No. 7: Provides the equivalent of $50,000 in local currencies for the planning for construction of a hospital at the University of Krakow in Poland as proposed by the Senate.

Intergovernmental Committee for European Migration

Amendments Nos. 8 and 9: Appropriate $7,371,000 as proposed by the Senate instead of $8,000,000 as proposed by the House, and insert language of a technical nature as proposed by the Senate.

Escapee Program

Amendment No. 10: Appropriates $4,632,000 as proposed by the Senate instead of $5,200,000 as proposed by the House.

Ocean Freight Charges, United States Voluntary Relief Agencies

Amendment No. 11: Appropriates $1,910,000 as proposed by the Senate, instead of $2,300,000 as proposed by the House.

General Administrative Expenses

Amendment No. 12: Appropriates $38,000,000 as proposed by the Senate instead of $37,000,000 as proposed by the House.

Atoms for Peace

Amendment No. 13: Appropriates $1,500,000 as proposed by the House instead of $2,500,000 as proposed by the Senate.

Amendments Nos. 14, 15, and 16: Insert language of a technical nature as proposed by the Senate.

Department of State

Administrative and Other Expenses

Amendments Nos. 17 and 18: Insert language in appropriation title as proposed by the Senate; and appropriate $8,100,000 as proposed by the Senate instead of $7,900,000 as proposed by the House.

The conferees are agreed that no funds are to be used for the International Development Advisory Board.

Corporation

Limitation on Administrative Expenses, Development Loan Fund

Amendment No. 19: Authorizes not to exceed $1,820,000 instead of $1,750,000 as proposed by the House and $1,890,000 as proposed by the Senate.

General Provisions

Section 102

Amendment No. 20: Inserts language of a technical nature as proposed by the Senate.

Section 103

Amendment No. 21: Prohibits the use of funds herein appropriated to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the continental limits of the United States of America as per Circular A 47 of the Bureau of the Budget, dated December 31, 1952.

Section 105

Amendment No. 22: Inserts language of a technical nature as proposed by the Senate.

Section 107

Amendments Nos. 23 and 24: Insert language of a technical nature as proposed by the Senate.

Section 108

Amendment No. 25: Restores House language and corrects citation.

Section 109

Amendment No. 26: Restores House language.

Section 110

Amendment No. 27: Restores House language.

Amendment No. 28: Deletes House language concerning chapter VI of the Mutual Security Act of 1959.

Amendment No. 29: Deletes House language placing restrictions on the employment by private organizations of employees of International Cooperation Administration.

Amendment No. 30: Deletes House language relating to the furnishing of information to Congress.

Section 111

Amendment No. 31: Reported in disagreement.

Section 112

Amendment No. 32: Reported in disagreement.

Amendment No. 33: Deletes language proposed by the Senate. The conferees gave this matter careful consideration and decided that the proposal is impractical.

Section 113

Amendment No. 34: Reported in disagreement.

TITLE II—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

Ryukyu Islands, Army

Construction of power systems, Ryukyu Islands

Amendment No. 35: Reported in disagreement.

TITLE IV—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

Amendment No. 36: Inserts title number and heading as proposed by the Senate.

Executive Office of the President

Office of Civil and Defense Mobilization, Salaries and Expenses

Amendment No. 37: Reported in disagreement.

Department of Commerce

Amendment No. 38: Inserts heading as proposed by the Senate.

General Administration, Participation in Century 21 Exposition

Amendment No. 39: Reported in disagreement.

Amendment No. 40: Inserts heading as proposed by the Senate.

Federal-Aid Highways (Trust Fund)

Amendment No. 41: Appropriates $188,000,000 as proposed by the Senate.

Highway Trust Fund

Amendment No. 42: Appropriates $359,000,000 as proposed by the Senate. Since the President has recommended that the repayment be made by June 30, 1960, the conferees have accepted the amendment with the expectation that this will be done without default of existing obligations with the States.

District of Columbia (District of Columbia funds)

Operating Expenses, Metropolitan Police

Amendment No. 43: Appropriates $406,000 as proposed by the Senate.

Department of Health, Education, and Welfare

Amendment No. 44: Inserts heading as proposed by the Senate.

Public Health Service

Amendment No. 45: Inserts heading as proposed by the Senate.

Grants for Waste Treatment Works Construction

Amendment No. 46: Reported in disagreement.

Construction of Indian Health Facilities

Amendment No. 47: Appropriates $200,000 as proposed by the Senate.

Independent offices

Amendment No. 48: Inserts heading as proposed by the Senate.

Advisory Commission on Intergovernmental Relations

Amendment No. 49: Reported in disagreement.

Commission on Civil Rights

Salaries and Expenses

Amendment No. 50: Reported in disagreement.

Commission on International Rules of Judicial Procedure

Salaries and Expenses

Amendment No. 51: Strikes out proposal of the Senate.

Federal Aviation Agency

Amendment No. 52: Inserts heading as proposed by the Senate.

Expenses

Amendment No. 53: Reported in disagreement.

Establishment of Air Navigation Facilities

Amendment No. 54: Reported in disagreement.

Construction and Development, Additional Washington Airport

Amendment No. 55: Strikes out the proposal of the Senate. The conferees feel that this question of sewage treatment for Dulles International Airport should be restudied in the next session of the Congress.

Historical and Memorial Commissions

Amendment No. 56: Inserts heading.

Franklin Delano Roosevelt Memorial Commission

Amendment No. 57: Reported in disagreement.

Hudson-Champlain Celebration Commission

Amendment No. 58: Reported in disagreement.

National Labor Relations Board

Amendment No. 59: Appropriates $500,000 for salaries and expenses as proposed by the Senate.

Housing and Home Finance Agency

Amendment No. 60: Inserts heading.

Amendment No. 61: Reported in disagreement.

Urban Planning Grants

Amendment No. 62: Reported in disagreement.

Department of the Interior

Amendment No. 63: Appropriates $100,000 for the Creek Indians as proposed by the Senate.

Department of Labor

Amendment No. 64: Appropriates $2,000,000, for salaries and expenses, as proposed by the Senate.

Treasury Department

Amendment No. 65: Inserts heading.

Amendment No. 66: Appropriates $300,000 for the Bureau of the Mint, as proposed by the Senate.

Amendment No. 67: Appropriates $800,000 for the U.S. Coast Guard as proposed by the Senate.

TITLE V—CLAIMS FOR DAMAGES AND JUDGMENTS

Amendment No. 68: appropriates $708,137 for claims for damages and judgments, as proposed by the Senate.

OTTO E. PASSMAN,
J. VAUGHN GARY,
CLARENCE CANNON,
JOHN TABOR,
JOHN J. RHODES,
Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, consideration of this bill (H.R. 8385) under the circumstances that exist is a sad and sorry commentary on the orderly processes of enacting legislation.

This is supposed to be a foreign aid bill, but it has become an omnibus appropriation bill and a deficiency appropriation bill. It is a bill containing nearly a score of provisions wholly unrelated to the foreign handout program.

It is, in fact, a package wrapped in the gold foil of $3½ billion to $4 billion, and dealing with just about everything from the welfare of the Creek Indians to the natives of Timbuktu.

Nor have the bureaucrats in Washington and elsewhere over the world been overlooked. There is money for the new commissions, and some of the old ones will get a blood transfusion out of the Treasury.

How many Members of the House remember that the foreign handout bill passed the House and was sent to the other body on July 29? In what incubator was it left to hatch for a month and a half, and for what reason?

Now it comes back to the House, loaded with amendments, many of them completely ungermane to foreign aid, and the House, afflicted with adjournment fever, is asked to virtually apply a rubberstamp of approval.

This is the height of irresponsibility, for all of these spending provisions, unrelated to foreign aid, ought to have come before the House in a separate bill or bills so that the Members could work their will upon them.

No Member of the House should cheer upon the ending of this session. Rather should there be sober reflection and determination in the dark hours of this night that never again will the House of Representatives permit such stultification of its deliberative processes.

Mr. Speaker, I will vote against this bill because of the outrageous and unjustified burden it places upon the American people and because of the circumstances in which this multibillion-dollar measure now comes before the House.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 109, not voting 132, as follows:

[Roll No. 175]

YEAS—194

Albert	George	Mills
Arends	Giaimo	Moeller
Ashley	Goodell	Monagan
Aspinall	Granahan	Montoya
Avery	Green, Oreg.	Moorhead
Ayres	Griffin	Morgan
Baldwin	Griffiths	Morris, N. Mex.
Barry	Hagen	Multer
Bates	Halleck	Murphy
Becker	Halpern	Natcher
Beckworth	Hechler	Nelsen
Boggs	Hoeven	Nix
Boland	Holland	Norblad
Bolling	Holt	O'Brien, Ill.
Bolton	Holtzman	O'Hara, Ill.
Bow	Ikard	O'Hara, Mich.
Boyle	Inouye	O'Neill
Brademas	Irwin	Oliver
Breeding	Jackson	Osmers
Brewster	Jarman	Ostertag
Brooks, Tex.	Johnson, Calif.	Passman
Burke, Ky.	Johnson, Colo.	Philbin
Burke, Mass.	Johnson, Md.	Pirnie
Bush	Johnson, Wis.	Price
Byrne, Pa.	Judd	Prokop
Byrnes, Wis.	Karsten	Pucinski
Cahill	Karth	Quigley
Cannon	Kasem	Rabaut
Carnahan	Kastenmeier	Randall
Cederberg	Kearns	Ray
Celler	Kee	Reuss
Chamberlain	Keith	Rhodes, Ariz.
Chelf	Kelly	Rhodes, Pa.
Chenoweth	Kilday	Robison
Clark	King, Calif.	Rodino
Coffin	King, Utah	Rogers, Colo.
Conte	Kirwan	Rogers, Mass.
Cook	Kluczynski	Rooney
Cooley	Kowalski	Saund
Corbett	Lafore	Schenck
Curtin	Laird	Schwengel
Curtis, Mass.	Lane	Sheppard
Daddario	Langen	Slack
Dague	Lankford	Smith, Iowa
Daniels	Lesinski	Springer
Dawson	Levering	Staggers
Denton	Libonati	Stratton
Diggs	Lindsay	Sullivan
Dingell	Lipscomb	Taber
Donohue	McDowell	Thompson, N.J.
Doyle	McFall	Thompson, Tex.
Dulski	McIntire	Thornberry
Dwyer	Machrowicz	Toll
Fascell	Mack, Ill.	Trimble
Fenton	Madden	Udall
Flynn	Magnuson	Vanik
Fogarty	Mahon	Van Zandt
Foley	May	Wainwright
Forand	Merrow	Walter
Ford	Meyer	Widnall
Frelinghuysen	Miller, Clem	Wilson
Friedel	Miller, George P.	Wolf
Fulton	Miller, N.Y.	Wright
Gallagher	Milliken	Yates
Gary		Zablocki

NAYS—109

Abbitt	Bailey	Budge
Abernethy	Baring	Burleson
Alexander	Bass, Tenn.	Casey
Alford	Belcher	Church
Alger	Bennett, Fla.	Colmer
Allen	Bennett, Mich.	Cramer
Andersen, Minn.	Bonner	Cunningham
Andrews	Boykin	Davis, Ga.
Ashmore	Brock	Derwinski
	Brown, Ga.	Dorn, S.C.
Dowdy	Johansen	Rains
Downing	Jonas	Rees, Kans.
Elliott	Jones, Ala.	Rivers, S.C.
Everett	Kilgore	Roberts
Fisher	Kitchin	Rogers, Fla.
Flynt	Knox	Rogers, Tex.
Forrester	Landrum	Roush
Fountain	Latta	Rutherford
Frazier	Lennon	Scherer
Gathings	McCulloch	Scott
Grant	McGinley	Selden
Gray	McMillan	Sikes
Gross	McSween	Smith, Miss.
Haley	Mack, Wash.	Smith, Va.
Hardy	Mason	Steed
Hargis	Matthews	Teague, Tex.
Harmon	Meader	Thomas
Harris	Mitchell	Thomson, Wyo.
Harrison	Moore	Tuck
Hemphill	Morris, Okla.	Wampler
Henderson	Moulder	Whitener
Hoffman, Ill.	Norrell	Whitten
Hogan	O'Konski	Williams
Huddleston	Patman	Willis
Hull	Pfost	Winstead
Jennings	Poff	Young
Jensen	Preston	

NOT VOTING—132

Adair	Evins	Poage
Addonizio	Fallon	Porter
Anderson, Mont.	Farbstein	Powell
	Feighan	Quie
Anfuso	Fino	Reece, Tenn.
Auchincloss	Flood	Riehlman
Baker	Garmatz	Riley
Barden	Gavin	Rivers, Alaska
Barr	Glenn	Roosevelt
Barrett	Green, Pa.	Rostenowski
Bass, N.H.	Gubser	St. George
Baumhart	Hall	Santangelo
Bentley	Hays	Saylor
Berry	Healey	Shelley
Betts	Hébert	Shipley
Blatnik	Herlong	Short
Blitch	Hess	Siler
Bosch	Hiestand	Simpson, Ill.
Bowles	Hoffman, Mich.	Simpson, Pa.
Bray	Holifield	Sisk
Brooks, La.	Horan	Smith, Calif.
Broomfield	Hosmer	Smith, Kans.
Brown, Mo.	Jones, Mo.	Spence
Brown, Ohio	Keogh	Stubblefield
Broyhill	Kilburn	Taylor
Buckley	Loser	Teague, Calif.
Burdick	McCormack	Teller
Canfield	McDonough	Thompson, La.
Carter	McGovern	Tollefson
Chiperfield	Macdonald	Ullman
Coad	Mailliard	Utt
Cohelan	Marshall	Van Pelt
Collier	Martin	Vinson
Curtis, Mo.	Metcalf	Wallhauser
Davis, Tenn.	Michel	Watts
Delaney	Minshall	Weaver
Dent	Morrison	Weis
Derounian	Moss	Westland
Devine	Mumma	Wharton
Dixon	Murray	Wier
Dollinger	O'Brien, N.Y.	Withrow
Dooley	Pelly	Younger
Dorn, N.Y.	Perkins	Zelenko
Durham	Pilcher	
Edmondson	Pillion	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Brooks of Louisiana against.

Mr. Hébert for, with Mr. Dent against.

Mr. Vinson for, with Mr. Pilcher against.

Mr. Buckley for, with Mr. Hall against.

Mr. Baumhart for, with Mrs. Blitch against.

Mr. Addonizio for, with Mr. Herlong against.

Mr. Morrison for, with Mr. Barden against.

Mr. Anfuso for, with Mr. Loser against.

Mr. Delaney for, with Mr. Murray against.

Mr. Martin for, with Mr. Simpson of Illinois against.

Mr. Taylor for, with Mr. Michel against.

Mr. Auchincloss for, with Mr. Collier against.

Mr. Simpson of Pennsylvania for, with Mr. Bentley against.

Mr. Younger for, with Mr. Hoffman of Michigan against.

Mr. Dollinger for, with Mr. Durham against.

Mr. Santangelo for, with Mr. Thompson of Louisiana against.

Mr. Green of Pennsylvania for, with Mr. Riley against.

Mr. Wallhauser for, with Mr. Reece of Tennessee against.

Mr. Hays for, with Mr. Siler against.

Mr. Garmatz for, with Mr. Devine against.

Mr. Teague of California for, with Mr. Adair against.

Mr. Westland for, with Mr. Utt against.

Mr. Farbstein for, with Mr. Hiestand against.

Mr. Healey for, with Mr. Bray against.

Mr. Zelenko for, with Mr. Smith of California against.

Mr. Teller for, with Mr. Wharton against.

Mr. McCormack for, with Mr. Smith of Kansas against.

Mr. Fallon for, with Mr. McDonough against.

Mr. Roosevelt for, with Mr. Weaver against.

Until further notice:

Mr. Holifield with Mr. Brown of Ohio.

Mr. Anderson of Montana with Mr. Withrow.

Mr. Rivers of Alaska with Mr. Bass of New Hampshire.

Mr. McGovern with Mr. Canfield.

Mr. Cohelan with Mr. Tollefson.

Mr. Edmondson with Mrs. St. George.

Mr. Feighan with Mr. Saylor.

Mr. O'Brien of New York with Mr. Betts.

Mr. Metcalf with Mr. Broomfield.

Mr. Watts with Mr. Chiperfield.

Mr. Ullman with Mr. Baker.

Mr. Stubblefield with Mr. Curtis of Missouri.

Mr. Sisk with Mr. Derounian.

Mr. Shelly with Mr. Fino.

Mr. Barrett with Mr. Hess.

Mr. Blatnik with Mr. Gubser.

Mr. Coad with Mr. Minshall.

Mr. Flood with Mr. Pelly.

Mr. Powell with Mr. Broyhill.

Mr. Rostenkowski with Mr. Berry.

Mr. Macdonald with Mr. Riehlman.

Mr. Evins with Mr. Van Pelt.

Mr. Moss with Mr. Quie.

Mr. Carter with Mr. Pillion.

Mr. Burdick with Mr. Mailliard.

Mr. Bowles with Mr. Kilburn.

Mr. Marshall with Mr. Horan.

Mr. Porter with Mr. Hosmer.

Mr. Davis of Tennessee with Mr. Glenn.

Mr. Brown of Missouri with Mr. Gavin.

Mr. Barr with Mr. Dooley.

Mr. Shipley with Mr. Bosch.

Mr. Spence with Mr. Dorn of New York.

Mr. Wier with Mr. Dixon.

Mr. Perkins with Mr. Mumma.

Mr. BECKWORTH and Mr. BOGGS changed their vote from "nay" to "yea."

Mr. BARING and Mr. MEADER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 8, after line 13, insert:

"SEC. 108. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1960,

showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he considers the disclosure of such document, paper, communication, audit, review, finding, recommendation, report, or other material to be contrary to the public interest and has forbidden its being furnished pursuant to such request."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 111. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1960, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1960, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more or 5 per centum of the amount appropriated under any paragraph of this title, whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

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"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country, or with respect to any project or activity, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he has forbidden its being furnished pursuant to such request, and his reason for so doing."

Mr. PASSMAN. Mr. Speaker, we will now use some of the time we saved earlier. I thought every Member understood what is in this bill, but in all probability it would be better to discuss some of the figures. I shall be just as brief as possible.

The total budget request for the mutual security program alone was $4,436,277,000. The conference report provides $3,225,813,000 which is a reduction of $1,204,182,000 below the budget request.

The reduction in the mutual security program is in three parts—one part achieved by the Committee on Foreign Affairs. The second part is $500 million, which is the supplemental request for the Development Loan Fund, which was to finance the Fund's operation in the fiscal year 1961 and which the committee denied. The third part is the budget request for fiscal year 1960 funds for the program. The membership will recall that the House appropriated $3,186,500,000. When the bill went to the other body, they increased it by over $95 million. In conference this evening, the other body receded on $56 million, and the House receded on $39,313,000. So the bill before you, as it applies to the mutual security program, calls for $3,225,813,000. The bill also contains $23,282,000 for the Ryukyu Islands. The bill also contains supplemental appropriations for various Federal agencies in the amount of $377,123,137. Therefore, the bill before you provides a grand total of $3,626,218,137. But, I repeat, only $3,225,813,000 is for the mutual security program.

This has been the largest reduction made in the mutual security program during the 7 years it has been my privilege to serve on the committee and in the 5 years it has been my high honor to act as chairman of this subcommittee. We have had a successful conference and almost succeeded in bringing this bill back to the original House figure. We brought the bill back only $39,313,000 above the original House bill.

We should explain what the sum of $377,123,137 in supplemental items represents. Two of the items relate to the highway construction program. The item appropriates $188 million out of the highway trust fund and the second item provides $359 million as an advance to the highway trust fund. You will recall that these two items were put in by the other body, and it was our understanding, and the Senate committee bill provided, that the highway fund would repay the Treasury the $359 million. The President's message to the Congress also indicated, or I should say stated specifically, that the money would be paid back by June 30, 1960. We had some difficulty in reaching agreement in conference as to whether the money would be paid back. We had to modify our managers' statement in order to reach agreement, and we will insert in the RECORD at this point the President's budget request, because, if we do not do so, I am afraid we will be charged with spending in excess of the President's budget:

THE WHITE HOUSE,
Washington, September 9, 1959.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of the Congress proposed provisions pertaining to the fiscal year 1960 for the Department of Commerce.

The details of these proposed provisions, the necessity therefor, and the reasons for their submission at this time are set forth in the attached letter from the Director of the Bureau of the Budget, with whose comments and observations thereon I concur.

Respectfully yours,

DWIGHT D. EISENHOWER.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., September 8, 1959.

THE PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration proposed provisions pertaining to the fiscal year 1960 for the Department of Commerce, as follows:

"DEPARTMENT OF COMMERCE

"Bureau of Public Roads

* * * * *

"Highway trust fund

"For repayable advances to the 'Highway trust fund' during the current fiscal year, as authorized by section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), $359,000,000: *Provided,* That all such advances shall be repaid to this appropriation on or before June 30, 1960, and upon such repayment this amount shall be withdrawn."

This proposed provision is to allow a temporary advance to the highway trust fund, to be repaid before the end of the fiscal year 1960. The rate of expenditures in the first half of this fiscal year will exceed revenues available in the highway trust fund. Beginning in October 1959, amounts in the fund will be insufficient to permit the timely reimbursement to the States for expenses incurred under the Federal-aid highway program. The deficiency is estimated to reach a

maximum of $359 million by January 31, 1960. Receipts will then begin to exceed expenditures and, with the enactment of the Highway Act of 1959, are estimated to be adequate to repay this proposed advance with interest on or before June 30, 1960. Since this transaction will be completed within the fiscal year, it will have no effect upon 1960 expenditures or obligational authority.

I recommend that the foregoing proposed provisions be transmitted to the Congress.

Respectfully yours,

MAURICE H. STANS,
Director of the Bureau of the Budget.

I did not intend to take any time at all on this bill, but inasmuch as there seems to be some misunderstanding, I thought it would be good to explain some of the dollar amounts involved in the bill.

There are some 15 amendments in disagreement, one of which involves the Civil Rights Commission and we shall handle those separately, as the morning grows older or younger—take it any way you want it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am happy to yield.

Mr. GROSS. Can the gentleman tell the House when this bill passed the House?

Mr. PASSMAN. It passed July 29.

Mr. GROSS. About a month and a half ago?

Mr. PASSMAN. Yes, sir.

Mr. GROSS. Can the gentleman tell us where this bill has been during all that time?

Mr. PASSMAN. It has been on Capitol Hill.

Mr. GROSS. Can the gentleman give us any assurance that the bill next year can be looked at in the light of day?

Mr. PASSMAN. The gentleman can give no such assurance.

Mr. Speaker, I now yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this is the last of the appropriation bills, and is the end of the appropriation program for this session of the Congress.

It is long after midnight, and I shall take only a minute to summarize the estimates and appropriations for the session which ends in the next few minutes. Details will be given in the usual annual résumé to be included in tomorrow's RECORD.

We have received from the President during the session estimates of appropriations aggregating $74,859,008,445.

We have appropriated in the appropriation bills during this session a total of $72,977,598,352.

So, the total amount thus appropriated by the Congress is $1,881,410,093 less than requested by the President.

However, the Congress provided, on a comparable basis, at least $231 million above the estimates in back door bills which must be subtracted from the reduction in the appropriation bills, but even including the appropriations through the back door bills, it still leaves us appropriating less money than was requested by the President.

Mr. PASSMAN. Mr. Speaker, I shall not consume any more time than to make this one statement: It certainly is not the fault of the gentleman from Louisiana that the bill is back here in the House at 4 o'clock in the morning. We have come from a long and hard conference. If there is any Member who wants to ask some questions about this bill, I shall be happy to answer the questions.

I now yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, one thing I think the Congress ought to know, that has not been developed so far, is that there was a little under $6 billion of back door appropriations that were put in one place or another and that total makes over $80 billion of availability that the Congress has provided.

This back door business is getting to be a tremendous figure. It is something that will wreck the country if we do not stop it.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield for a question.

Mr. FULTON. Will the gentleman tell us whether the civil rights amendment is in disagreement?

Mr. PASSMAN. The civil rights amendment is in disagreement. The Members will be able to vote on that this morning.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: Page 11, insert:

"SEC. 109. The Congress hereby reiterates its opposition under present conditions to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: Change the section number to "112" and in line 2 of said amendment, strike the words "under present conditions".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 12, insert section 111:

"SEC. 111. It is the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is repugnant to our principles; and in all negotiations between the United States and any foreign state arising as a result of funds appropriated under this Act, these principles shall be applied as the President may determine."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 34, and concur therein with an amendment, as follows: Change the section number to "113".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 16, insert:

"CONSTRUCTION OF POWER SYSTEMS, RYUKYU ISLANDS

"For loans by the Secretary of the Army to the Ryukyu Electric Power Corporation, an instrumentality of the United States Civil Administration of the Ryukyu Islands, for construction, installation, and equipment of electric power systems in the Ryukyu Islands, $18,000,000, to remain available until expended: *Provided,* That repayment of such loans shall be made to miscellaneous receipts of the Treasury over a period of twenty-five years to commence five years after the date any such loan is made, with interest at such rate as may be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having a comparable maturity."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 35, and concur therein with an amendment, as follows: In line 4 of the text of the amendment, after the word "for", insert the words "completion of".

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. FULTON. Do I understand that the civil rights amendment is No. 50 on this list?

Mr. PASSMAN. That is correct.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 18, insert:

"EXECUTIVE OFFICE OF THE PRESIDENT

"Office of Civil and Defense Mobilization

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', to be allocated for expenses necessary to discharge such civil defense and defense mobilization functions performed by

other Federal agencies, as may be designated by the Office of Civil and Defense Mobilization, including payments by Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, $6,500,000."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows: In lieu of the sum of $6,500,000 named in said amendment, insert "$3,250,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 19, insert:

GENERAL ADMINISTRATION

"Participation in century 21 exposition

"For expenses necessary to carry out the provisions of the Act of September 2, 1958 (72 Stat. 1703), as amended, including not to exceed $5,000 for official entertainment expenses, $12,500,000, to remain available until expended: *Provided,* That this amount shall be available only upon enactment of S. 2065 or H.R. 8374, Eighty-sixth Congress, or similar legislation."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the sum of $12,500,000 named in said amendment, insert "$9,000,000" and delete the proviso carried in the last three lines of the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46:

Page 12, after line 19, insert:

"GRANTS FOR WASTE TREATMENT WORKS CONSTRUCTION

"The amount appropriated under this head in the 'Supplemental Appropriation Act, 1960' shall remain available until five days after the approval of this Act."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 20, insert:

"Advisory Commission on Intergovernmental Relations, $100,000."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 49, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$50,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 20, insert:

"COMMISSION ON CIVIL RIGHTS

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $500,000: *Provided,* That section 104(b) of the Civil Rights Act of 1957 is amended by striking out the words 'two years' and inserting in lieu thereof 'four years'."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House insist upon its disagreement to the amendment of the Senate numbered 50.

Mr. ROONEY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein.

Mr. ROONEY. Mr. Speaker, I very much doubt that there is anyone presently in the membership of the House who is not thoroughly familiar with this so-called civil rights issue.

The action to be taken by adoption of the preferential motion which I have submitted would extend the life of the Commission on Civil Rights for 2 additional years beyond November 8 next, the date on which it must expire under existing law, and appropriate the amount of $500,000 for the necessary expenditures of this Commission.

Mr. Speaker, an "aye" vote on the pending motion to recede and concur in the Senate amendment is a vote for furtherance of civil rights for all our citizens. I am confident the motion will be overwhelmingly adopted.

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am wholeheartedly in favor of extending the life of the Commission on Civil Rights for an additional 2 years. The Committee on the Judiciary of the House of Representatives in reporting my bill, H.R. 8601, provided for the extension of the life of the Commission on Civil Rights for 2 years. In the report which accompanied that bill, the committee expressed the opinion that the best interests of the Nation would be served by the extension of the life of the Commission.

Although that report was filed prior to the filing of the report by the Commission, as required by the Celler Civil Rights Act of 1957, it foresaw the valuable work which the Commission has accomplished to date. Anyone who has read the recent report by the Commission on Civil Rights must admit that it is a report of great value. That report clearly demonstrates by a factual and legal analysis the problem which confronts our Nation with regard to the equal protection of all its citizens. Many may disagree with its recommendations but no one can deny its factual presentation in the fields of voting, education, and housing.

When the House Committee on the Judiciary reported the Celler Civil Rights Act of 1957 it stated that the need for the Commission was "to be found in the very nature of the problem involved; the complexity of the subject matter demands greater knowledge and understanding of every facet of the problem." Not only has the report of the Commission on Civil Rights substantiated the position of the House Committee on the Judiciary, but it further indicates the necessity to continue the extension of the Commission in order that it may complete the legislative responsibility imposed upon it by the Congress.

That responsibility required the Commission to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution and to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

That the Commission has not fulfilled the responsibility which the Congress saw fit to place upon it is indeed no fault of the Commission. Although the Commission was to exist for 2 years from the date of the enactment of the act, in effect it has been able to function for only 16 months through no fault of its own. The delay in the appointment and confirmation of the Commissioners, coupled with the delay in the nomination and confirmation of its staff director until May 14, 1958, prevented the Commission from functioning on a full scale operation.

If we are to be "one Nation under God, indivisible, with liberty and justice for all"—the title of the report of the United States Commission on Civil Rights—there remains much to be done by the Commission, the agency to furnish the Congress with the facts and circumstances upon which we may base proper legislation. Many problems remain to be studied and analyzed, such as the administration of justice, employment, public accommodations, Government facilities, and transportation. We, as legislators, must seize this opportunity to provide equal justice under law in any and every segment of our American public life. The extension of the Commission is an opportunity which we must take advantage of here and now. Time is of the utmost importance and the assistance already rendered by the Commission should not be permitted to dissipate itself as to the future by permitting the expiration of the life of the Commission. The Commission is but a means to an end. The end being wholesome, constructive legislation which will provide every citizen of the United States with the free exercise of and access to the God-given rights provided for in the Constitution.

Mr. McCULLOCH. Mr. Speaker, on Tuesday, last, September 8, 1959, the

Civil Rights Commission filed its first report with the Congress. This report, a printed document of more than 500 pages, clearly indicates that much more study is needed in the entire field of civil rights. Yet, unless the life of the Commission is extended during this session of Congress, it will terminate 60 days after the submission of this report.

Although admittedly the issue of appropriate civil rights legislation is one of the most important and controversial issues this House will have to consider when it assembles in January, the need for a continuation of a study group to make recommendations for legislation should not be controversial.

In addition, the Civil Rights Commission already has an excellent staff, with a membership of six distinguished Commissioners, who have proven competent and capable of discharging the Commission's duties and responsibilities in this delicate area.

Should the life of the Commission not be extended, I emphasize that it will be extremely difficult, if not impossible, to reassemble so distinguished and so objective a group of Commissioners, three of whom come from a section of the Nation most likely to be first affected by civil rights legislation.

The Commissioners are:

The Honorable John Alfred Hannah, Chairman, president of Michigan State University since July 1, 1941; Assistant Secretary of Defense for Manpower and Personnel, 1953–54.

The Honorable Robert Gerald Storey, Vice Chairman, president, Southwestern Legal Foundation; former dean of Southern Methodist University law school; former president of Dallas Bar Association, State Bar of Texas, American Bar Association, Inter-American Bar Association; executive trial counsel for United States in Nuremberg trials; member, Hoover Commission, 1953–55.

The Honorable John S. Battle, Governor, State of Virginia, 1950–54; member, Virginia General Assembly, 1930–50.

The Honorable Doyle Elam Carlton, Governor of the State of Florida, 1929–33; member, Florida State Senate, 1917–19.

The Reverend Theodore M. Hesburgh, C.S.C., president, Notre Dame University since 1952; permanent Vatican delegate to International Atomic Energy Agency; member, Hoover Commission, Rockefeller Brothers Fund, National Science Board.

The Honorable George Marion Johnson, professor of law and former dean, Howard University law school; former director of the Office of Laws, Plans, and Research of the Commission on Civil Rights.

Finally, I wish to point out that the President of the United States, in his message dated February 5, 1959, urged the extension of the life of the Commission for an additional 2 years. This recommendation was incorporated into one of the titles of the administration's civil rights bill, which I introduced. It is also one of the titles in the clean bill favorably reported by the Judiciary Committee.

Therefore, I urge that the life of this important Commission, which has not had time to complete the important work which it has begun, be extended for an additional 2 years.

Mr. ROONEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion offered by the gentleman from New York [Mr. ROONEY].

Mr. WILLIAMS of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 81, not voting 133, as follows:

[Roll No. 176]

YEAS—221

Albert	Green, Oreg.	Monagan
Andersen, Minn.	Green, Pa.	Montoya
Arends	Griffin	Moore
Ashley	Griffiths	Moorhead
Aspinall	Gross	Morgan
Avery	Hagen	Morris, N. Mex.
Ayres	Halleck	Morris, Okla.
Bailey	Halpern	Moulder
Baldwin	Hargis	Multer
Baring	Hechler	Murphy
Barry	Henderson	Natcher
Bates	Hoeven	Nelsen
Becker	Hoffman, Ill.	Nix
Belcher	Hogan	Norblad
Bennett, Mich.	Holland	O'Brien, Ill.
Boland	Holt	O'Hara, Ill.
Bolling	Holtzman	O'Hara, Mich.
Bolton	Hull	O'Konski
Bow	Ikard	O'Neill
Boyle	Inouye	Oliver
Brademas	Irwin	Osmers
Breeding	Jarman	Ostertag
Brewster	Johnson, Calif.	Pfost
Brock	Johnson, Colo.	Philbin
Brooks, Tex.	Johnson, Md.	Pirnie
Burke, Ky.	Johnson, Wis.	Price
Burke, Mass.	Judd	Prokop
Bush	Karsten	Pucinski
Byrne, Pa.	Karth	Quigley
Byrnes, Wis.	Kasem	Rabaut
Cahill	Kastenmeier	Randall
Carnahan	Kearns	Ray
Casey	Kee	Rees, Kans.
Cederberg	Keith	Reuss
Celler	Kelly	Rhodes, Ariz.
Chamberlain	Kilday	Rhodes, Pa.
Chelf	Kilgore	Robison
Chenoweth	King, Calif.	Rodino
Church	King, Utah	Rogers, Colo.
Clark	Kirwan	Rogers, Mass.
Coffin	Kluczynski	Rooney
Conte	Knox	Roush
Cook	Kowalski	Saund
Corbett	Lafore	Schenck
Cunningham	Laird	Scherer
Curtin	Lane	Schwengel
Curtis, Mass.	Langen	Sheppard
Daddario	Lankford	Slack
Dague	Latta	Smith, Iowa
Daniels	Lesinski	Springer
Dawson	Levering	Staggers
Denton	Libonati	Stead
Derwinski	Lindsay	Stratton
Diggs	Lipscomb	Sullivan
Dingell	McCulloch	Taber
Donohue	McDowell	Thomas
Doyle	McFall	Thompson, N.J.
Duiski	McGinley	Thomson, Wyo.
Dwyer	McIntire	Thornberry
Fenton	Machrowicz	Toll
Flynn	Mack, Ill.	Udall
Fogarty	Mack, Wash.	Vanik
Foley	Madden	Van Zandt
Forand	Magnuson	Wainwright
Ford	May	Walter
Frelinghuysen	Meader	Wampler
Friedel	Merrow	Widnall
Fulton	Metcalf	Wilson
Gallagher	Meyer	Wolf
George	Miller, Clem	Wright
Giaimo	Miller, George P.	Yates
Goodell	Miller, N.Y.	Young
Granahan	Milliken	Zablocki
Gray	Moeller	

NAYS—81

Abbitt	Flynt	Mills
Abernethy	Forrester	Mitchell
Alexander	Fountain	Norrell
Alford	Frazier	Passman
Alger	Gary	Patman
Andrews	Gathings	Poff
Ashmore	Grant	Preston
Bass, Tenn.	Haley	Rains
Beckworth	Hardy	Rivers, S.C.
Bennett, Fla.	Harmon	Roberts
Boggs	Harris	Rogers, Fla.
Bonner	Harrison	Rogers, Tex.
Boykin	Hemphill	Rutherford
Brown, Ga.	Huddleston	Scott
Budge	Jennings	Selden
Burleson	Jensen	Sikes
Colmer	Johansen	Smith, Miss.
Cooley	Jonas	Smith, Va.
Cramer	Jones, Ala.	Teague, Tex.
Davis, Ga.	Kitchin	Thompson, Tex.
Dorn, S.C.	Landrum	Trimble
Dowdy	Lennon	Tuck
Downing	McMillan	Whitener
Elliott	McSween	Whitten
Everett	Mahon	Williams
Fascell	Mason	Willis
Fisher	Matthews	Winstead

NOT VOTING—133

Adair	Durham	Pillion
Addonizio	Edmondson	Poage
Allen	Evins	Porter
Anderson, Mont.	Fallon	Powell
Anfuso	Farbstein	Quie
Auchincloss	Feighan	Reece, Tenn.
Baker	Fino	Riehlman
Barden	Flood	Riley
Barr	Garmatz	Rivers, Alaska
Barrett	Gavin	Roosevelt
Bass, N.H.	Glenn	Rostenkowski
Baumhart	Gubser	St. George
Bentley	Hall	Santangelo
Berry	Hays	Saylor
Betts	Healey	Shelley
Blatnik	Hébert	Shipley
Blitch	Herlong	Short
Bosch	Hess	Siler
Bowles	Hiestand	Simpson, Ill.
Bray	Hoffman, Mich.	Simpson, Pa.
Brooks, La.	Holifield	Sisk
Broomfield	Horan	Smith, Calif.
Brown, Mo.	Hosmer	Smith, Kans.
Brown, Ohio	Jackson	Spence
Broyhill	Jones, Mo.	Stubblefield
Buckley	Keogh	Taylor
Burdick	Kilburn	Teague, Calif.
Canfield	Loser	Teller
Cannon	McCormack	Thompson, La.
Carter	McDonough	Tollefson
Chiperfield	McGovern	Ullman
Coad	Macdonald	Utt
Cohelan	Mailliard	Van Pelt
Collier	Marshall	Vinson
Curtis, Mo.	Martin	Wallhauser
Davis, Tenn.	Michel	Watts
Delaney	Minshall	Weaver
Dent	Morrison	Weis
Derounian	Moss	Westland
Devine	Mumma	Wharton
Dixon	Murray	Wier
Dollinger	O'Brien, N.Y.	Withrow
Dooley	Pelly	Younger
Dorn, N.Y.	Perkins	Zelenko
	Pilcher	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Hébert against.

Mr. Buckley for, with Mr. Vinson against.

Mr. Addonizio for, with Mr. Morrison against.

Mr. Bass of New Hampshire for, with Mr. Pilcher against.

Mr. Anfuso for, with Mr. Hall against.

Mr. Delaney for, with Mrs. Blitch against.

Mr. Brown of Ohio for, with Mr. Herlong against.

Mr. Barrett for, with Mr. Barden against.

Mr. Healey for, with Mr. Loser against.

Mr. Martin for, with Mr. Durham against.

Mr. Santangelo for, with Mr. Thompson of Louisiana against.

Mr. Garmatz for, with Mr. Brooks of Louisiana against.

Mr. Auchincloss for, with Mr. Riley against.

Mr. Dollinger for, with Mr. Davis of Tennessee against.
Mr. Farbstein for, with Mr. Evins against.
Mr. Glenn for, with Mr. Murray against.
Mr. Zelenko for, with Mr. Broyhill against.
Mr. Wallhauser for, with Mr. Hoffman of Michigan against.

Until further notice:

Mr. Teller with Mr. Simpson of Pennsylvania.
Mr. O'Brien of New York with Mr. Taylor.
Mr. McCormack with Mr. Bentley.
Mr. Holifield with Mr. Allen.
Mr. Roosevelt with Mr. Adair.
Mr. Hays with Mr. Michel.
Mr. Shelley with Mr. Mumma.
Mr. Ullman with Mr. Pelly.
Mr. McGovern with Mr. Reece of Tennessee.
Mr. Rostenkowski with Mr. Riehlman.
Mr. Rivers of Alaska with Mr. Baker.
Mr. Anderson of Montana with Mr. Bray.
Mr. Macdonald with Mr. Canfield.
Mr. Cohelan with Mr. Younger.
Mr. Feighan with Mr. Saylor.
Mr. Powell with Mr. Pillion.
Mr. Flood with Mr. Quie.
Mr. Fallon with Mr. Minshall.
Mr. Marshall with Mr. McDonough.
Mr. Bowles with Mr. Kilburn.
Mr. Moss with Mr. Baumhart.
Mr. Wier with Mr. Betts.
Mr. Watts with Mr. Collier.
Mr. Shipley with Mr. Teague of California.
Mr. Brown of Missouri with Mr. Utt.
Mr. Blatnik with Mrs. St. George.
Mr. Barr with Mr. Mailliard.
Mr. Sisk with Mr. Gubser.
Mr. Stubblefield with Mr. Fino.
Mr. Carter with Mr. Curtis of Missouri.
Mr. Coad with Mr. Derounian.
Mr. Porter with Mr. Devine.
Mr. Spence with Mr. Dixon.
Mr. Perkins with Mr. Hess.
Mr. Edmondson with Mr. Smith of California.
Mr. Cannon with Mr. Weaver.
Mr. Burdick with Mr. Westland.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 53: On page 21, insert:

"EXPENSES

"For an additional amount for 'Expenses', $17 million to be derived by transfer from the appropriation for 'Establishment of air navigation facilities', fiscal year 1960; and the limitation under the head 'Expenses' in the Independent Offices Appropriation Act, 1960, on the amount available for expenses of travel is increased from '$13,500,000' to '$14,125,000'."

Mr. PASSMAN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Amendment numbered 53: Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 53, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: On page 21, insert:

"ESTABLISHMENT OF AIR NAVIGATION FACILITIES

"Not to exceed $4 million of the appropriation made available under this head in the Independent Offices Appropriation Act, 1960, shall be available for expenses of travel."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 57: Page 22, insert:

"FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

"For expenses necessary to carry out the provisions of the Act of August 11, 1955 (69 Stat. 694), as amended, $150,000, to remain available until expended."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page —, insert:

"HUDSON-CHAMPLAIN CELEBRATION COMMISSION

"For an additional amount for salaries and expenses in connection with the work prescribed for the Hudson-Champlain Celebration Commission in the sum of $35,000 to be disbursed in the same manner and for the same effect that funds have heretofore been disbursed."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$25,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 61: Page 22, insert:

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $290,000, of which $220,000 shall be available only upon the enactment into law of legislation continuing beyond September 30, 1959, the program authorized by title VI of the Housing Act of 1954, as amended (68 Stat. 590, 637)."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MCCULLOCH], may extend his remarks in the RECORD immediately following those of the gentleman from New York [Mr. CELLER], for whom consent was obtained a moment ago.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 62: Page 23, insert:

"URBAN PLANNING GRANTS

"For an additional amount for 'Urban planning grants', $1,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of legislation amending section 701 of the Housing Act of 1954, as amended, so as to authorize appropriation of the foregoing amount."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to an amendment of the Senate numbered 62, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$750,000."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD at this point on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I am very much in favor of an extension of the life of the Civil Rights Commission. Its inspired report recently issued justifies and indeed demands a continuation of its activity. Nor is it too early to consider implementation of the Commission's principal recommendations.

Accordingly, I have introduced in the House today a bill, H.R. 9254, to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives. It is identical to S. 2535, introduced in the Senate of the United States on August 12, 1959, by the distinguished junior Senator from the State of Michigan [Mr. HART], for himself and 14 other able Members of that distinguished body. The bill establishes a continuing agency of the Congress itself, designed to insure that registration and election procedures shall be reasonable, fair, and equally available to all our citizens.

Under unanimous consent I include a section-by-section analysis of the bill and excerpts from a study on the constitutionality of such legislation, prepared by the Legislative Reference Service of the Library of Congress, to be inserted at this point in my remarks:

ANALYSIS OF CONGRESSIONAL ELECTIONS COMMISSION BILL INTRODUCED BY MR. O'HARA

It is the purpose of the Congressional Elections Act to establish any agency of the legislative branch of the Federal Government with authority to conduct the elections of Members of the Senate and the House of Representatives.

TITLE I

Title I states that because of the continuing denial to American citizens, on grounds of their race or color, of their right to vote, particularly to vote in the election of Representatives and Senators, recognizing the authority of Congress under the 15th amendment and under article I, section 4 of the Constitution, to assure fullest participation of qualified electors in congressional elections, the Congress determines it necessary to establish an agency to conduct registration and voting in the primary, special and general elections at which Representatives and Senators are elected.

TITLE II

Title II establishes the Congressional Elections Commission as an agency of the legislative branch of the Federal Government authorized to conduct primary, special and general elections for Members of the Senate and the House of Representatives. The Commission is composed of three members appointed by the President with the advice and consent of the Senate, Commissioners to be appointed for a term of 9 years.

TITLE III

Title III authorizes the Commission to make and maintain registers of voters in various congressional districts who are qualified to participate in primary, special and general elections of Members of the Senate and House of Representatives. The Commission may maintain registration lists in various congressional districts whether or not it has determined to run an election in the district. It is also provided that no person can become or stay registered on the Commission's lists who does not have the qualifications for electors of the most numerous branch of the State legislature. It is also provided that State and local laws and ordinances covering the time, place or manner of registration are not applicable to registrations conducted by the Commission, but the Commission is instructed to conform its conduct of registration as far as possible to the procedures in effect under State or local laws.

TITLE IV

Title IV authorizes the Commission to conduct primary, special, or general elections in any congressional district for Members of the Senate and the House of Representatives either when (1) the Commission is officially requested so to do by the State in which the district is located, or (2) the Commission determines that unless it conducts such an election qualified voters are likely to be denied their right in such a primary, special, or general election to cast their votes and have them fairly counted. Whenever the Commission conducts a primary, special, or general election that shall be the sole primary, special, or general election in the congressional district for Members of the Senate and the House of Representatives and the results thereof shall determine the party nominees, the elected Members of the House of Representatives and the official vote of the congressional district for Members of the Senate and the House of Representatives at large. No person may vote in an election conducted by the Commission unless he has either been registered under title III by the Commission or he is registered on a State registration list determined by the Commission to be appropriate for use in its own elections. The Commission, if it decides to conduct an election, shall immediately notify the Governor of the State.

TITLE V

Title V provides for the certification of results of election by the Commission to the Speaker of the House, the Secretary of the Senate, and the Governor of the State, and that such certification constitutes the binding and conclusive determination of the results of the primary, special, or general election.

TITLE VI

Title VI authorizes the Commission to delegate to its own agents and employees or to appropriate officials of the State and local governments any of the powers provided by the act with the exception of the authority of the Commission to determine whether or not to maintain registers of voters or to conduct on election in any particular congressional district which powers shall be exercised only by the Commission itself.

TITLE VII

Title VII authorizes suits for declaratory and injunctive relief in the U.S. district court by any citizen qualified to vote who has applied for registration by the Commission and is denied it or after being granted registration is removed from the registry or is denied opportunity to vote in an election conducted by the Commission.

TITLE VIII

Title VIII contains miscellaneous provisions concerning the compensation of agents and employees of the Commission as well as officials of the State to whom Commission functions may be delegated; provisions for the taking of testimony by the Commission; attendance of witnesses; refusals to testify; promulgation of the Commission rules and regulations; reports to the Congress; and amendment of prior laws.

EXCERPTS FROM CONSTITUTIONALITY OF NATIONAL LEGISLATION ON ELECTION OF CONGRESSMEN AND SENATORS

1. This subject involves the division of legislative power as between the States and the National Government. The extent of the congressional power to legislate on elections is determined by the provisions of the U.S. Constitution. The provisions relating to elections are set forth in part 1 of this report. Attention is directed to article 1, section 4 which provides that Congress may make regulations as to the times, place, and "manner of holding elections" for Senators and Representatives or may alter regulations prescribed by the State legislatures for such purposes, except as to the places of choosing Senators. A distinction between prescribing the manner of holding elections and prescribing the qualification of electors must be recognized because article I, section 2, and the 17th amendment provide that the electors for Representatives and Senators shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. The power of the State in this and other matters is subject to the limitations set forth in the 14th, 15th, and 19th amendments.

2. The Supreme Court decisions on the validity of State laws on the qualification of electors have been reviewed in this report because they bear upon the division of power between the States and the National Government and because the opinions in some of these cases contain statements that the right to vote is derived from the States and it is important to recognize that these statements were made in reference to the qualification of electors and not in reference to other election matters, such as the power to regulate the manner of holding congressional elections. Thus, there is no fundamental conflict between these statements and statements in cases involving other issues that the right to vote for representatives in Congfiress is derived from the U.S. Constitution.

3. The Supreme Court decisions on actions against racial discrimination after the civil rights legislation of 1870 are described in this report because they demonstrate the importance of respecting constitutional limitations in drafting and interpreting legislation. Two of these decisions held certain sections of the civil rights laws unconstitutional (*United States* v. *Reese and James V. Bowman*). In both instances the difficulty was the failure of the statute involved to comply with the requirements of the 15th amendment and the decisions resulted from imprecise drafting of the leislation rather than from a lack of congressional power to deal with the matter in controversy. Two other racial discrimination cases (*United States* v. *Cruikshank* and *Ex parte Yarborough*) demonstrate the difference in congressional power as between State elections and national elections. One case held that the U.S. Constitution does not prohibit private racial discrimination in State elections and the other held that there is constitutional power to prohibit private racial discrimination in the election of a representative in Congress. These two cases involved, not the constitutionality of legislation, but the meaning of rights or privileges secured by the Constitution in a criminal statute protecting such rights.

4. The foremost exercise by Congress of its power under article I, section 4 of the Constitution was the enactment of several sections in the Civil Rights Acts of 1870–71 providing for the supervision of elections of Representatives in Congress. A number of these sections were held constitutional and no section of the civil rights legislation which dealt expressly with the election of Representatives in Congress was held unconstitutional. The Supreme Court decisions on these sections are set forth in part 4 of this report. The outstanding case is Ex Parte Siebold. The sections involved were repealed in 1894 along with several others relating to elections.

5. After the repeal in 1894 of much of the national legislation on elections, controversies arose on whether criminal statutes punishing conspiracies to commit an offense against the United States, and conspiracies to interfere with rights secured by the Constitution were applicable to activities affecting elections. These cases are described in part 5 and some of them, notably *United States* v. *Gradwell*, discuss the scope and exercise of congressional power on elections, in the process of interpreting the conspiracy statutes.

6. The only congressional enactment dealing expressly with the election of Representatives and Senators which has been held unconstitutional was the portion of the Corrupt Practices Act relating to nominations and primary elections. *Newberry* v. *United States*, 256 U.S. 232 (1921). However, this decision has been virtually nullified by the subsequent decision in *United States* v. *Classic*, 313 U.S. 299 (1941). The cases on primary elections are reviewed in part 6 of this report. The Supreme Court decision in the Classic case interpreted "elections" in article I, section 4 as meaning "choice," and thus including the process of nomination. Also, the Court relied upon the "necessary and proper" clause in article I, section 8 of the Constitution.

7. The Supreme Court cases on congressional power to deal with registration procedures affecting congressional elections are less helpful than those relating to general and primary elections. A section of the 1870 Civil Rights Act which dealt mainly with registration was said to be valid in two Supreme Court cases but neither case appears to have involved registration itself. However, the Supreme Court opinion in the Classic case indicates that the authority of Congress to regulate the manner of holding elections is supplemented by the necessary and proper clause. If the administration of State registration laws was found to affect the right of a person to vote for a Representative or Senator, national legislation on the control of a State registration system would most likely be held constitutional,

provided it complied with provisions of article I of the Constitution. These requirements may be summarized as (1) the legislation must expressly deal exclusively with the election of Representatives and Senators, (2) the legislation cannot prescribe the qualification of electors, (3) the legislation must relate to what is necessary and proper for the regulation of the manner of holding such elections.

Mr. DOWDY. Mr. Speaker, I opposed the rule sending this foreign aid-civil rights bill to conference committee, and am opposed to the bill in any form. It is evil compounded by evil. In my opinion, the foreign aid provisions, in impoverishing America to build up socialism and communism in foreign lands, amount to treason; the extension of the so-called Civil Rights Commission, with the evident intent to overthrow the American way of life, amounts to tyranny. The Kremlin hierarchy would be proud to claim authorship of this combination. Khrushchev on his arrival a few hours from now will be well pleased with such a welcome as given him and his breed by the enactment of this bill. It is a greater victory for the Red bosses than was their shot at the moon.

Mrs. CHURCH. Mr. Speaker, I rise in protest against this attempt to bury a vital civil rights issue through a rider to the mutual security appropriation bill under consideration. Furthermore, the fact that the rider seeks only to extend the life of the Civil Rights Commission, without meeting other demonstrated needs, is in itself a reason for just protest.

Ever since I came to this House 9 years ago, I have vigorously insisted that failure to meet the need for adequate civil rights legislation would serve only to expose to a skeptical world a weakness in our own democracy that must be promptly and soundly remedied if our system of a free government by free men is to survive.

It is incredible to me that action on this matter has been delayed until the closing hours of the Congress. It is even more incredible that the only possible action to be offered us before adjournment is through a rider which has no germane connection whatsoever, under House rules, with the bill to which it was attached by the other body.

I am, of course, supporting the amendment favoring the extension of the Civil Rights Commission.

I can perhaps best express the strength of my conviction on this issue, Mr. Speaker, by here stating that, contrary to my general custom on petitions, I immediately signed Congressman CELLER's petition offered recently to bring out to the House floor the civil rights measure reported out of the Judiciary Committee. Even this bill is in itself inadequate and superficial.

I express the hope that at the very beginning of the next session of the Congress we may face our responsibility in this matter honestly and courageously. I shall certainly, once more, do all within my power to secure enactment of sound and necessary civil rights legislation.

Mr. GRANT. Mr. Speaker, when the Civil Rights Commission was set up at the last session of Congress, I stated that once having gotten its foot in the door, it would at this session be back for an extension and for additional money. Here in the early morning, or should I say late morning for it is after 4 o'clock, we find the supporters of this notorious Commission bringing it from the Senate where it has been attached to the mutual security appropriation bill. I would willingly stay here the rest of this year in order to defeat this legislation; however, I know that the die is cast and that it will be pushed through because both major political parties want to claim it as their child.

The Commission has just made its report with a separate volume styled as an abridgment of the report. I note that two of the Senators who supported the establishment of this Commission state that the report is not a very satisfactory one and that they hope the Commission will get out of some of the fields into which it has wandered and that there is really no excuse for either careless staff work or half-baked proposals and that the report shows the results of both. The Civil Rights Commission in its report said, "The Constitution as interpreted by the Supreme Court is the supreme law of the land." We can all agree that the Constitution is the supreme law of the land, but when the Supreme Court makes an interpretation that is erroneous, may I respectfully submit that the supreme law of the land is still the Constitution and not the interpretation made by the Supreme Court.

While time will not permit any extensive debate on this issue, I do promise here and now that there will be plenty of debate if and when this Congress attempts to place the recommendations of this Commission into effect. The Commission recommends Congress turning over to the Federal Government the process of registering voters in various States for Federal elections. It would deliberately have this body change entirely our system of government and take over the functions of the States. This Commission by the very nature of its report has served notice that it will, if at all possible, tear down the Federal and State systems as they now exist and have the Federal Government take over.

You may by your vote here this morning give the Commission another one-half million dollars to squander and bring forth another report. As for me, I want in no way to associate myself with it. The show put on in my State by this outfit had the appearance of a four-ring circus. The advance agents made it that way regardless of the good intentions of some of the members of the Commission. The members of the Commission could not themselves make detailed plans for the show on the road.

The continued efforts to make colored people live and go to school with the white race is doing more to hurt the cause of education and good will among the races than any other one thing that has ever happened in America.

I believe that a study of the hearings and the report of the Commission will convince any fair-minded, unbiased person that he can agree with the statement of the former Governor of Virginia, John S. Battle, a member of the Commission, who, in characterizing the report, stated:

> I must strongly disagree with the nature and tenor of the report. In my judgment it is not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations.

Mr. Speaker, an aroused citizenry will one day bring this Congress to its senses and stop this continued meddling by the Federal Government and then, and not until then, will conditions change for the better—when people of all races may live in peace, good will, and harmony.

Mr. MEADER. Mr. Speaker, I voted against the conference report on the Mutual Security Appropriation bill because I protest the conferees' compromise on the Hardy amendment.

Through the years I have supported the mutual security program and adequate appropriations to carry out its necessary and appropriate functions. But I think the conferees should not have yielded to executive pressures with respect to the phraseology contained in the Hardy amendment, which would have assured effective enforcement of the right of the Congress to complete and accurate information about the expenditure of foreign aid funds.

I believe the bill should have been sent back to conference with instructions to stand fast in upholding the basic prerogatives and necessary factfinding powers of the Congress, as provided in the Hardy amendment.

Mr. Speaker, I believe it is important to point out exactly what we have done and what we have not done in our final action on the Hardy amendment:

First, the Hardy amendment, even in its tattered and decimated form does establish the principle that the Congress may employ the power of the purse to compel personnel in the executive branch of the Government to honor requests for information by the Congress, its committees, and the General Accounting Office through imposing limitations on the use of appropriated funds.

Second, the watered down phraseology accepted by the conferees is not a recognition by the Congress of the alleged doctrine of executive privilege but rather it indicates only that the Congress, in its wisdom, has refrained from exercising its full power to obtain information from the executive branch of the Government.

Although I am sympathetic with the conferees who were subjected to great pressure, I disagree with what appears to be their retreat in this important area of effective scrutiny by congressional committees of expenditures in the executive branch of Government. Therefore, I was compelled to vote against the conference report.

However, let me hasten to add, Mr. Speaker, that I fully appreciate that we have established in law a foundation upon which to build in the future an effective means of obtaining facts with respect to the public business within the possession of executive agencies, without which the Congress cannot intelligently

and wisely discharge its policymaking responsibilities.

Mr. HARDY. Mr. Speaker, the gentleman from Michigan has expressed very clearly many of my own misgivings about the changes to which the conferees have agreed in the language of my amendment. I am disappointed that there has been some yielding in phraseology and for that reason, I too felt that the conference report should be defeated and the original House language should be insisted upon. In voting against the conference report, I want to make it clear that I am not opposing the mutual security appropriation.

Mr. Speaker, I would like especially to commend the gentleman from Michigan for the effective work which he has done on this subject. He has made a study of it and he has been extremely helpful to me. In fact, we have joined our efforts to preserve the rights of the Congress in securing the information which is needed in order that we may carry out our constitutional responsibilities.

Notwithstanding my disappointment in the action of the conferees, there is gratification in the fact that the Congress has clearly asserted its power to enforce its legislative and investigative prerogatives through employing its constitutional power of the purse.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

HOUSE RESOLUTION 397

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee the gentleman from Oklahoma, Mr. ALBERT, and the gentleman from Indiana, Mr. HALLECK.

PRINTING OF COMMITTEE REPORT AS HOUSE DOCUMENTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the clerk following the sine die adjournment by committees authorized by the House to conduct investigations, may be printed by the clerk as reports of the 86th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered, subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS BY COMMITTEE CHAIRMEN AND RANKING MINORITY MEMBERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and subcommittees of the House may extend their remarks up to and including the publication of the last RECORD and to include a summary of the work of their committees; also that the ranking minority member of such standing committee or any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their point of view, separately from that of the chairman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONSTITUTIONAL AMENDMENT ON CIVIL RIGHTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, it was a real pleasure for me to introduce in the House today a joint resolution embodying the constitutional amendment recommended by the Civil Rights Commission. This amendment provides that no citizen shall be deprived of the right to vote, to register or otherwise qualify to vote, or the right to have his vote counted, by the United States, or by any State, or by any person, except for failure to meet age or residence qualifications uniformly applied by the States. The right of the various States to have different age or residence qualifications is preserved, but the amendment, if made a part of the Constitution, would take away from the hands of those who seek to prevent millions of Americans from voting the most common tools which they now use.

The right to vote is utterly basic to any program of civil rights. It is, in fact, utterly basic to the very concept of democracy. If we can, once and for all, cut through the artificial barriers which have been raised to bar access to the ballot box to very nearly half of the people of the South, we will have gone a long way toward removing the obstacles to a full realization of the other rights which supposedly are guaranteed to every American citizen—but which have not been enforced for the past century.

The report of the Civil Rights Commission, based upon such information as that Commission was able to obtain, in spite of obstacles thrown in its path by local officials, spells out techniques used to deprive American citizens of the vote which would have brought a blush of shame to the faces of the worst city bosses of a past era. People have been asked to explain constitutional provisions which read like questions from bar examinations. People have been deprived of the very opportunity to try to qualify for the franchise. And it is clear from the report of the Commission that these qualifications have been applied under the worst kind of double standard. Negroes with college degrees were barred from voting by rigid application of so-called literacy tests, while scarcely literate whites were encouraged to register and vote in order to maintain white supremacy.

A few weeks ago, this House rang with righteous denunciation of the denial of the right to vote to members of labor unions on elections within their unions. Legislation was enacted to safeguard this right. I supported such legislation, and I believed then, as I believe now, that it was a real contribution to democracy within the union movement.

But democracy within the immediate sphere of government itself is even more essential if our Nation is to continue to grow, spiritually and materially and if we really believe that the best system of government is based upon the ability of the governed to select their public officials and to render a judgment on their stewardship at the polls. Throughout history, there has been developed no alternative to government by ballot except government by bayonet. Other advances in the field of civil rights or, for that matter, in other fields, are only built on the shakiest of foundations if they are not buttressed by the right to vote. The right to vote is the heart of our way of life and the chief promise of the continuing American revolution. If we deny to Americans the right to vote, on the specious basis of race, or color, or national origin, we are denying our own heritage and our own fitness to serve the cause which our country embodies.

When Hawaiian statehood was before this body, I spoke in favor of admitting what is now our 50th State to full membership in the Federal family. In speaking for statehood, I said:

> In acting, within the confines of this historic Chamber, to govern peoples whose consent is not asked and whose participation is not encouraged, we have weakened by our example what we uphold by our words. Every time the Congress of the United States acts to pass legislation for the governance of a territory when such an act could be passed by the legislature of a State, we are cheapening our own dignity and demeaning our high office, no matter how generous may be the terms of such legislation.

So it is with the right to vote within the States themselves. As long as this Congress governs millions of people who have no meaningful way to express themselves in this Chamber, as long as

the right to participate in the selection of the Members of the Congress is denied to American citizens on arbitrary, discriminatory grounds, just so long is the Congress itself the real loser. It is our own high office and our own participation in the solemn act of representation that is lessened by the actions of those who deny to our fellow citizens their right to choose us and pass judgment upon us.

The proposed 23d amendment to the Constitution will blunt the edge of those tools which are now used to deny qualified Americans the right to vote. It will prevent the misuse of State laws by those who would ignore the demands of our democratic faith. It will, when passed by the Congress and ratified by the State legislatures, mark a great step forward toward the securing of equal rights under the law to all Americans.

LETTERS AND LEGISLATION

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, it is interesting to study the source of letters that I receive advocating or opposing certain items of important legislation which are under consideration in the House of Representatives. I have been impressed that on a number of key issues, very little opinion from the general public is obtained from correspondence. The highway bill which was passed by Congress last week and which provided for an increase in the gasoline tax of 1 cent for a period of at least 22 months is a very good example. Checking through the correspondence that I received on this measure, I find that a great number of letters were received but not over half-dozen which advocated the imposition of an additional 1 cent on the Federal gasoline tax were written by people who had no apparent connection with highway construction or the manufacture or sale of supplies for the construction of highways. The road user, the fellow who is going to pay an additional penny tax in addition to the tax increase of 2 cents recently imposed by the State of Ohio offered little comment on the type of highway program that Congress would enact.

I am quite sure that each Member of Congress exercises an independent judgment in his action on legislative matters. If he were to be guided solely by the special interest mail he receives, he could be ignoring the wishes and the welfare of those who do not have such a special interest.

CONGRESS AND MR. KHRUSHCHEV

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, I was somewhat disturbed, as were some of my colleagues in Congress, to hear so much talk that Congress planned to adjourn prior to the arrival of the Premier of Russia by reason of fear, embarrassment or for all sorts of explanations which had in common the picture of Congress leaving Washington under a figurative cover of darkness. I feel that these statements were unwarranted, untrue and not at all helpful in our dealings with the Soviet Union.

The fact of the matter is that in most years the final gavel of the Congress drops during the month of August and had the way been cleared for adjournment several weeks ago there would have been no question of the reason why the Congress adjourned. The simple explanation would have been what it is now—that its work has been completed. This year for reasons known and unknown, good and bad, the work of the Congress was not completed until mid-September and this adjournment date coincided with the arrival in Washington of the controversial Mr. Khrushchev and his entourage. It also coincided with a waxing moon, Russia's claim to have sent a rocket to the earth's satellite, a break in the heat wave, my daughter's visit to the dentist, the dedication of the new Army Reserve Armory in Marietta and a dozen other things.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair, the bells to be rung 15 minutes before the House reassembles.

Thereupon (at 4 o'clock and 44 minutes a.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 6 o'clock and 15 minutes a.m.

REPORT OF COMMITTEE TO INFORM THE PRESIDENT

Mr. ALBERT. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 440. Concurrent resolution establishing that when the two Houses shall adjourn on Monday, September 14, 1959, they stand adjourned sine die.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8385) entitled "An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes."

SINE DIE ADJOURNMENT

The Speaker laid before the House the following concurrent resolution:

HOUSE CONCURRENT RESOLUTION 440

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Monday, September 14, 1959, and that when they adjourn on said day, they stand adjourned sine die.

With the following Senate amendments:

Line 3, strike out "Monday, September 14" and insert "Tuesday, September 15."

Amend the title so as to read: "Establishing that when the two Houses adjourn on Tuesday, September 15, 1959, they stand adjourned sine die."

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

STATEMENT OF THE SPEAKER

The SPEAKER. The Chair desires to make a very short statement.

I think you all deserve all of the holiday you are going to get. This is the first term of the 24th Congress in which I have served. I have never known a group of men and women assembled in this Chamber who I thought were more dedicated to the job they were trying to do here than the Members of the 86th Congress.

We have done, in my opinion, a tremendous and outstanding job. I think we have really worked to the limit of our ability and our strength to try to do the things that we thought were in the interest of all the people of the United States of America.

In broader fields, we have been almost unanimous in everything that had to do with our foreign affairs, hoping that our way of life and the leadership of the United States of America will prevail. We are and we must be the leaders of the world if there is going to be a free world and a place fit to live in to rear the boys and girls who will be the men and women in the numberless years, I trust, that this, the mightiest, the best, and the freest government ever devised by the wisdom of statesman, will live.

When the Constitution of the United States was struck off after 4 short months in Philadelphia in 1787, from May until September, they brought forth a document which a great English statesman, Gladstone, said was the greatest document every struck off at one time by the hand and brain of man.

We have had Congresses since then controlled by both parties and during all of that time the ancient faith has been lived up to. Today that document has been unchanged in its essentials and its fundamentals because it set up a representative form of government and no

amendment that has been adopted to that Constitution from then up to now has changed it one particle.

I want to wish you all a well-deserved and a happy holiday until I see you again in January.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RIVERS of Alaska (at the request of Mr. ASPINALL), for today, on account of illness in the family.

Mr. BURDICK (at the request of Mr. LEVERING), indefinitely, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'HARA of Illinois, for 20 minutes, today.

Mr. FLOOD (at the request of Mr. ALBERT), for 15 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. HALPERN (at the request of Mr. CURTIN), to address the House for 30 minutes, today, on three different subjects.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. PRICE and to include extraneous matter.

Mrs. KEE in two instances, in each to include extraneous matter.

Mr. ASPINALL in two instances and to include extraneous matter.

Mr. JOHNSON of Colorado and to include extraneous matter.

Mr. BUDGE and to include extraneous matter.

Mr. CHIPERFIELD and to include extraneous matter.

Mr. WAINWRIGHT and to include extraneous matter.

Mr. BRADEMAS in two instances and to include extraneous matter.

Mr. RHODES of Pennsylvania and to include extraneous matter.

Mr. MACHROWICZ in two instances and to include extraneous matter.

Mr. BYRNES of Wisconsin and to include a tabulation of his votes in the 1st session of the 86th Congress.

Mr. PILLION in two instances and to include extraneous matter.

Mr. HECHLER in two instances.

Mr. MOELLER.

Mr. O'HARA of Michigan and to include extraneous matter.

Mr. WOLF in two instances and to include extraneous matter.

Mr. FLYNN in four instances and to include extraneous matter.

Mr. PROKOP and to include extraneous matter.

Mr. TOLL and to include extraneous matter.

Mr. THOMPSON of New Jersey in three instances and to include extraneous matter.

Mr. HARRIS and to include therein a résumé of accomplishment and activity report of the Committee on Interstate and Foreign Commerce for the 1st session of the 86th Congress.

Mr. CELLER in four instances.

Mr. AVERY and to include extraneous matter.

Mr. PUCINSKI.

Mr. STAGGERS in two instances and to include extraneous matter.

Mr. KARTH in two instances and to include extraneous matter.

Mr. RABAUT in five instances and to include extraneous matter.

Mr. OLIVER in two instances.

Mr. FRIEDEL and to include extraneous matter.

Mr. TABER and to include two tables.

At the request of Mr. ALBERT the following Members were granted permission to extend their remarks in the RECORD:

Mr. MCCORMACK in three instances.

Mr. MULTER in five instances.

Mrs. KELLY.

Mr. GALLAGHER in two instances.

Mr. DADDARIO.

At the request of Mr. CURTIN, the following Members were granted permission to extend their remarks in the RECORD:

Mr. GUBSER in one instance.

Mr. HOLT in two instances.

Mr. AYRES.

At the request of Mr. ALBERT, the following Members were granted permission to revise and extend their remarks in the RECORD:

Mr. MCDOWELL in two instances.

Mr. CLEM MILLER in two instances.

Mr. SMITH of Iowa in two instances.

At the request of Mr. CURTIN, the following Members were granted permission to revise and extend their remarks in the RECORD and to include extraneous matter:

Mr. KEARNS in two instances.

Mrs. DWYER.

Mr. CHAMBERLAIN.

Mr. SIMPSON of Pennsylvania in four instances.

Mr. LAIRD in one instance.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. Commissioners for purposes of such act;

H.R. 616. An act to designate the dam across the Lampases River in Texas as Stillhouse Hollow Dam;

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 2068. An act for the relief of Howard F. Knipp;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the County of Sacramento, Calif.;

H.R. 2302 An act for the relief of Agnes Lorraine Pank;

H.R. 2386. An act to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land;

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 2982. An act to fix the official station of retired judges assigned to active duty;

H.R. 3030. An act to amend the act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service;

H.R. 3735. An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children;

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 3792. An act to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 4134. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim or claims, of Scotty James, of Sitka, Alaska;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project Texas, La Feria division;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the Government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 5004. An act authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters;

H.R. 5067. An act to repeal section 217 of the Merchant Marine Act, 1936, as amended;

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 5477. An act to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired) a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 5896. An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens;

H.R. 6128. An act to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe and for other purposes;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6809. An act for the relief of Lt. (jg.) James W. Little;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 6888. An act to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended;

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7935. An act for the relief of Father Kenneth M. Rizer;

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the General Edgar Jadwin Dam and Reservoir;

H.R. 8277. An act for the relief of Harold William Abbott and others;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8409. An act to extend the International Wheat Agreement Act of 1949;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8609. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes;

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes;

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that act will take effect;

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes;

H.R. 9035. An act to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd;

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week;

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year;

H.J. Res. 403. Joint resolution granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency;

H.J. Res. 446. Joint resolution to waive certain provision of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1436. An act to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869);

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1845. An act to provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes;

S. 2181. An act to amend the Mineral Leasing Act of February 25, 1920;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act;

S. 2230. An act to amend the National Cultural Center Act;

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2504. An act to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended;

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States;

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended; and

S.J. Res. 103. Joint resolution authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 2090. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 2390. An act for the relief of the city of Madeira Beach, Florida;

H.R. 2631. An act for the relief of the estate of Nathaniel H. Woods, deceased;

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 2978. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional preemptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H.R. 3096. An act for the relief of Peony Park, Inc., and others;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3180. An act to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress;

H.R. 3410. An act for the relief of Leonard O. Erickson;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 3816. For the relief of Mukhaar Mohammed;

H.R. 4002. To authorize the use of Great Lakes vessels on the oceans;

H.R. 4656. An act to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, Eighty-fourth Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster;

H.R. 4839. An act for the relief of Peter F. de Ullmann;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 4894. An act for the relief of the Georgia Kaolin Co.;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6269. An act to amend section 265 of the Armed Forces Reserve Act of 1952 to

define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component;

H.R. 6335. An act for the relief of Mrs. Lourene O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for training;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartanouche Kalfayan;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7629. An act to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H. R. 8198. An act for the relief of Martin Ackerman;

H. R. 8199. An act for the relief of James J. Manning;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8593. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois;

H.J. Res. 477. Joint resolution relating to the exclusion of certain aliens;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); and

H.J. Res. 513. Joint resolution designating the 17th day of December as "Wright Brothers Day."

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of House Concurrent Resolution 440, the Chair declares the 1st session of the 86th Congress adjourned without day.

Accordingly (at 6 o'clock and 22 minutes a.m., Tuesday, September 15, 1959), the House adjourned sine die.

BILLS AND A JOINT RESOLUTION ENROLLED AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, reported that on September 17, 1959, that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status;

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7452. An act for the relief of William B. Jackson;

H.R. 7476. An act to extend the duration of the Federal air pollution control law, and for other purposes;

H.R. 8385. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8437. An act to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes; and

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the authority granted the Speaker by House Concurrent Resolution 439, 86th Congress, he did on September 17, 1959, sign enrolled bills and a joint resolution of the following titles:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status;

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7452. An act for relief of William B. Jackson;

H.R. 7476. An act to extend the duration of the Federal air pollution control law, and for other purposes;

H.R. 8385. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8437. An act to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes; and

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960.

And enrolled bills of the Senate as follows:

S. 1473. An act to repeal the act of May 27, 1912, which authorized and directed the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.;

S. 1944. An act to amend the Bankruptcy Act in regard to the verification of pleadings;

S. 2162. An act to provide a health benefits program for Government employees;

S. 2282. An act to amend the act of July 17, 1952;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project; and

S. 2655. An act to authorize the Secretary of the Army to credit equipment installation costs against rental under lease to Union Township of LaPorte County, Ind.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, subsequent to the sine die adjournment of the Congress, reported that on the following dates that committee had presented to the President for his approval bills and a joint resolution of the House of the following titles:

On September 15, 1959:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act;

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam;

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 2068. An act for the relief of Howard F. Knipp;

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 2386. An act to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land;

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 2982. An act to fix the official station of retired judges assigned to active duty;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service;

H.R. 3735. An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service, and of their widows, widowers, and children;

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 3792. An act to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp., of New York;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 4134. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, La Feria division;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 5004. An act authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters;

H.R. 5067. An act to repeal section 217 of the Merchant Marine Act, 1936, as amended;

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 5477. An act to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 5896. An act to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens;

H.R. 6128. An act to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe and for other purposes;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6809. An act for the relief of Lt. (j.g.) James W. Little;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 6888. An act to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended;

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7935. An act for the relief of Father Kenneth M. Rizer;

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the General Edgar Jadwin Dam and Reservoir;

H.R. 8277. An act for the relief of Harold William Abbott and others;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8409. An act to extend the International Wheat Agreement Act of 1949;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8609. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes;

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise tax laws, and for other purposes;

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that act will take effect;

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes.

H.R. 9035. An act to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes.

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd;

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17, to October 24, 1959, as National Olympic Week;

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year;

H.J. Res. 403. Joint resolution granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency;

H.J. Res. 446. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

On September 17, 1959:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status;

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 7452. An act for the relief of William B. Jackson;

H.R. 7476. An act to extend the duration of the Federal air pollution control law, and for other purposes;

H.R. 8385. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8437. An act to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes; and

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960.

BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

On September 14, 1959:

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park; and

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes.

On September 16, 1959:

H.R. 213. An act to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, and to permit the States of California, Kansas, North Dakota, and Vermont to obtain social security coverage, under State agreement, for policemen and firemen in positions covered by a retirement system;

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 2906. An act to extend the period for filing claims for credit or refund of overpayments of income taxes arising as a result of renegotiation of Government contracts;

H.R. 2978. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 5873. An act for the relief of Clara H. Hall;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8199. An act for the relief of James J. Manning;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8575. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard; and

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks).

On September 21, 1959:

H.R. 163. An act to amend the Civil Service Retirement Act with respect to the crediting of service of U.S. commissioners for purposes of such act;

H.R. 616. An act to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam;

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 1735. An act to provide for conveyance of certain real property of the United States in Yalobusha County, Miss., to W. A. Nolen and Wiley W. Walker;

H.R. 1778. An act to amend section 17(b) of the Reclamation Project Act of 1939;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 2090. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2245. An act to amend subsection 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from $3,750 to $5,100 per annum;

H.R. 2247. An act to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 2386. An act to direct the Administrator of General Services to convey to the city of Mobile, Ala., all right, title, and interest of the United States in and to certain land;

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 2946. An act for the relief of Cecil E. Finley;

H.R. 2982. An act to fix the official station of retired judges assigned to active duty;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3180. An act to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress;

H.R. 3410. An act for the relief of Mrs. Leonard O. Erickson;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 3792. An act to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York;

H.R. 3801. An act for the relief of Harry and Lily Stopnitsky;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4134. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Scotty James, of Sitka, Alaska;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the Government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 4656. An act to amend section 401b of the act of July 14, 1952, to permit applications for moving costs resulting from any public-works project of a military department to be filed either 1 year from the date of acquisition or 1 year following the date of vacating the property;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4839. An act for the relief of Peter F. de Ullmann;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5477. An act to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5892. An act to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6128. An act to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe and for other purposes;

H.R. 6190. An act to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes;

H.R. 6269. An act to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6672. An act to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6733. An act for the relief of Paul & Beekman, Inc., and others;

H.R. 6809. An act for the relief of Lt. (jg) James W. Little;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6888. An act to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended;

H.R. 7225. An act for the relief of Sylvester L. Gardner;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7437. An act to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartanouche Kalfayan;

H.R. 7629. An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years, and for other purposes;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 7935. An act for the relief of Father Kenneth M. Rizer;

H.R. 8035. An act to designate the Dyberry Dam and Reservoir, Lackawaxen River basin, Pennsylvania, as the General Edgar Jadwin Dam and Reservoir;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8409. An act to extend the International Wheat Agreement Act of 1949;

H.R. 8437. An act to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500;

H.R. 8514. An act to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8587. An act to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes;

H.R. 8593. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.R. 8609. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes;

H.R. 8678. An act to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes;

H.R. 8694. An act to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande at or near Rio Grande City, Tex.;

H.R. 8725. An act to amend the Internal Revenue Code of 1954 to make technical changes in certain excise-tax laws, and for other purposes;

H.R. 8911. An act to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes;

H.J. Res. 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd;

H.J. Res. 403. Joint resolution granting consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency;

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois;

H.J. Res. 477. Joint resolution relating to the exclusion of certain aliens;

H.J. Res. 479. Joint resolution relating to the entry of certain aliens;

H.J. Res. 513. Joint resolution designating the 17th day of December 1959 as "Wright Brothers' Day"; and

H.J. Res. 531. Joint resolution establishing that the second regular session of the 86th Congress convene at noon on Wednesday, January 6, 1960.

On September 22, 1959:

H.R. 2390. An act for the relief of the city of Madeira Beach, Fla.;

H.R. 2449. An act to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minn.;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service;

H.R. 3781. An act for the relief of Mrs. Anna Loftis;

H.R. 3782. An act for the relief of the estate of Willard Phillips;

H.R. 4279. An act to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, La Feria division;

H.R. 4938. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the definition of "peanuts" which is now in effect;

H.R. 5004. An act authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters;

H.R. 5067. An act to repeal section 217 of the Merchant Marine Act, 1936, as amended;

H.R. 5431. An act to provide a further increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 5733. An act for the relief of Park National Bank;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 5896. An act to provide for the entry of certain relatives of the U.S. citizens and lawfully resident aliens;

H.R. 6067. An act to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman;

H.R. 7452. An act for relief of William B. Jackson;

H.R. 7476. An act to extend the duration of the Federal air pollution control law, and for other purposes;

H.R. 7640. An act for the relief of James F. Conroy;

H.R. 7745. An act for the relief of Mrs. Willie Soher;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8305. An act to amend the Federal Credit Union Act;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes;

H.R. 9035. An act to permit the issuance of series E and H U.S. savings bonds at interest rates above the existing maximum, to permit the Secretary of the Treasury to designate certain exchanges of Government securities to be made without recognition of gain or loss, and for other purposes;

H.J. Res. 310. Joint resolution to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week;

H.J. Res. 317. Joint resolution to change the designation of Child Health Day from May 1 to the first Monday in October of each year;

H.J. Res. 446. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens; and

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens.

On September 23, 1959:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption and to clarify certain provisions relating to the election of small business corporations as to taxable status;

H.R. 3254. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes;

H.R. 5711. An act granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes;

H.R. 6059. An act to provide additional civilian positions for the Department of Defense for purposes of scientific research and development relating to the national defense, to improve the management of the activities of such Department, and for other purposes;

H.R. 7244. An act to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes; and

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park.

On September 24, 1959:

H.R. 4894. An act for the relief of the Georgia Kaolin Co.; and

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations.

On September 25, 1959:

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster.

On September 28, 1959:

H.R. 8385. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

HOUSE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The message further announced that the President had disapproved the following bills of the House on the date indicated.

COAL RESEARCH AND DEVELOPMENT COMMISSION

H.R. 6596. I am withholding my approval from H.R. 6596, a bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

The Department of the Interior currently administers research and conservation programs for coal, as well as for other mineral resources. If an additional agency for this purpose were now to be created, the Department of the Interior's established interest in such matters would be diluted and the result could only be a blurring of the lines of governmental responsibility in this important area of concern.

The first Hoover Commission recommended that the various functions of the Government be grouped into major departments and agencies on the basis of purpose. The creation of a new coal research agency by approving H.R. 6596 would be a serious set-back in the progress that has been made in following the Hoover Commission recommendations for improving the organization of the Federal Government. The bill is also undesirable because it could serve as a precedent for the creation of other such special agencies.

One provision of H.R. 6596 would authorize the Secretary of the Interior to contract for coal research. This feature of the bill is highly desirable and I urge the Congress to enact legislation granting such authority to the Secretary. H.R. 3375, or S. 1362, now pending in the Congress, would accomplish this purpose, and have been endorsed by the administration to stimulate research, as well as production and conservation of coal.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 16, 1959.*

PEONY PARK, INC.

H.R. 3096. I am withholding my approval from H.R. 3096, entitled "An act for the relief of Peony Park, Inc., and others."

The bill would direct the Secretary of the Treasury to pay the total sum of $100,706.50 to nine operators of ballrooms in Nebraska in refund of cabaret taxes paid by the claimants during the period September 1948 through October 1951.

By judicial decision the cabaret tax here involved has been held to have been properly collected from the claimants during the period covered by the bill.

Until January 1951, however, interpretation and enforcement of the applicable statute by the Internal Revenue Service were not uniform throughout the United States. Accordingly, until the interpretation of the law was clarified by judicial decision, and until enforcement of the law became uniform throughout the United States after January 1951, similarly situated taxpayers in many States were not required to pay the tax. The cabaret tax, however, was uniformly enforced within the State of Nebraska and was paid by establishments within the competitive area of the claimants. Moreover, during the years 1948 to 1950, the tax was enforced in at least 17 jurisdictions, and during the major portion of the year 1951 was uniformly enforced throughout the United States against similarly situated taxpayers.

This bill not only would refund to the nine claimants a tax which was properly collected, but it would also discriminate against many other similarly situated taxpayers to whom no relief would be granted. Furthermore, the bill might unjustly enrich its beneficiaries by refunding the cabaret tax without regard to whether the ultimate burden of the tax was borne by the claimants or passed on to their patrons.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 21, 1959.*

FEDERAL BOATING ACT OF 1958—TO EXTEND

H.R. 8728. I am withholding my approval from H.R. 8728, to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that act will take effect.

The Federal Boating Act of 1958 provides for the establishment of a new system of numbering small undocumented vessels. Under the act, the part of the new system to be administered by the U.S. Coast Guard is to go into effect on April 1, 1960, at which time the authority for the existing system would be repealed. The bill would extend this effective date from April 1, 1960, to April 1, 1961.

This legislation was originally considered necessary because it had not been possible to obtain a supplemental appropriation for the Coast Guard to administer the new system. Since Congress passed the bill, however, the funds required for the implementation of the Federal Boating Act have been included in the Mutual Security Appropriation Act, 1960. Consequently, the extension of time provided in the bill is no longer needed.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 21, 1959.*

NATHANIEL H. WOODS

H.R. 2631. I am withholding my approval from H.R. 2631, for the relief of the estate of Nathaniel H. Woods, deceased.

The bill would direct the Secretary of the Treasury to pay the sum of $13,476.50 to the estate of Nathaniel H. Woods in refund of an estate tax which was erroneously paid.

The major portion of the estate tax in question was paid in December 1951 on the assumption that the first of two wills left by the decedent was valid. The second will, under which no estate tax was due, was admitted to probate on April 16, 1953, and, after prolonged litigation, was sustained as the valid will in December 1955. A claim for refund was not filed until June 1956. It was rejected by the Commissioner and the Federal courts because not filed within the period of limitations prescribed by law.

It appears that the 3-year statutory period of limitations for filing a timely claim did not expire until April 16, 1956—3 years after the executor qualified under the second will and more than 4 months after the conclusion of the litigation upholding the validity of the second will. A protective claim for refund could have been filed at any time during the 3-year period after the qualification of the executor under the second will. It was not necessary to await the conclusion of the prolonged litigation concerning the wills. Even after the conclusion of the litigation, there remained more than 4 months in which to file a timely claim. The record in this case discloses no justification for the failure to file a claim until June 1956.

The statute of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. The limitation not only bars taxpayers from obtaining refunds, but also the Government from collecting additional taxes. Granting special relief in this case, where a refund was not claimed in the time and manner prescribed by law, would discriminate against other similarly situated taxpayers and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 22, 1959.*

MRS. LOURENE O. ESTES

H.R. 6335. I am withholding my approval from H.R. 6335, for the relief of Mrs. Lourene O. Estes.

Mrs. Estes, on her income tax returns for 1952 and 1953, reported as income certain disability payments received from her employer. Prior to the time the taxpayer filed these returns, the Court of Appeals for the Seventh Circuit had held that such disability payments were excludable from gross income, although the Internal Revenue Service had ruled to the contrary.

On April 1, 1957, the U.S. Supreme Court decided that disability payments of the type here in question were excludable from gross income. On April 15, 1957, Mrs. Estes filed claims for refund for 1952 and 1953 based upon the excludability of the disability pay received by her. These claims were rejected because they were filed after the expiration of the 3-year period of limitations prescribed by law for the filing of such claims.

During the last Congress, I approved legislation designed to grant general relief, on a nondiscriminatory basis, to taxpayers who had received disability pay which was excludable from gross income under the Supreme Court decision. This general legislation does not provide relief for taxpayers, such as Mrs. Estes, who did not attempt to protect their rights by filing timely claims for refund.

The statutory period of limitations, which the Congress has included in the revenue system as a matter of sound policy, is essential in order to achieve finality in tax administration. A substantial number of taxpayers paid income tax on disability payments received by them and failed to file timely claims for refund. Accordingly, to grant special relief in this case, where a refund was not claimed in the time and manner prescribed by law, would be to discriminate against such other similarly situated taxpayers and to create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 22, 1959.*

MRS. MARY D'AGOSTINO

H.R. 1387. I am withholding my approval from H.R. 1387, for the relief of Mrs. Mary D'Agostino.

Mrs. D'Agostino's claim for gratuitous national service life insurance benefits, filed April 20, 1956, was denied by the Veterans' Administration because it had not been filed within the statutory time limitation of 7 years after the date of death of her son on December 22, 1940. The Veterans' Administration has also determined that, even if her claim had been timely filed, Mrs. D'Agostino would not have been eligible for the benefit because her son's death had occurred not in line of duty and did not meet the criteria specified in the law for such benefits. A subsequent statutory liberalization of line of duty criteria had no retroactive effect.

H.R. 1387, in addition to waiving the time limitation, would retroactively apply to this case the liberalized line of duty criteria enacted in September 1944. H.R. 3733 and H.R. 6529, 83d Congress, also sought retroactively to apply liberalized eligibility standards which, as a matter of law, had only prospective effect. In disapproving those measures I indicated that it seemed to me irrelevant and unwise to accept as justification for those bills the fact that an ineligible beneficiary could qualify under the then existing law which was never intended to have retroactive effect. My view has not changed and applies with equal force to the present case.

Approval of H.R. 1387 would be discriminatory and would create an undesirable precedent. Uniformity and equality of treatment for all who are similarly situated must be the steadfast rule if Federal programs for veterans and their dependents are to be operated successfully. Approval of H.R. 1387 would not be in keeping with these principles.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 23, 1959.*

MRS. ELBE HAVERSTICK CASH

H.R. 1434. I am withholding my approval from H.R. 1434, a bill for the relief of Mrs. Elbe Haverstick Cash.

This bill would pay to Mrs. Cash $5,000 as compensation for the death of her son as a result of maltreatment in a Veterans' Administration hospital in 1955.

Mrs. Cash's son entered a Veterans' Administration hospital in 1943 due to service-connected mental illness. He was hospitalized continuously in VA facilities until his death in 1955. During this entire period, Mrs. Cash received on her son's behalf service-connected compensation ranging in amount from $138 to $190 monthly.

It appears that in February 1955, while attendants were changing his clothes, Mrs. Cash's son became unruly. In the ensuing struggle the attendants set upon him, causing serious injuries from which he later died. Although the attendants involved were found not guilty of criminal acts, they were either fired or otherwise rigorously disciplined for their part in this tragic affair.

In addition to receiving $5,000 under a National Service Life Insurance policy, Mrs. Cash, as a dependent parent, currently receives death compensation at the rate of $75 monthly. This is paid to her under general provisions of law which provide that where a death occurs as a result of hospitalization by the VA benefits are payable as if such death were service connected. Mrs. Cash has no remedy under the Federal Tort Claims Act, since that act specifically bars claims based on assault and battery.

My strong feeling of sympathy for this mother in the unfortunate loss of her son is matched only by my distress that an incident of this kind should happen in a Government hospital. These strong feelings do not, however, alter the fact that there is a generous, comprehensive, and assured system of benefits provided for the survivors of veterans who die, in whatever manner, as a result of hospitalization by the VA. Mrs. Cash is currently a beneficiary of this system.

The situation here closely parallels that resulting when a serviceman suffers a service-connected death. In such cases, regardless of the manner in which death occurs, I firmly believe that the assured and general benefits to which survivors are entitled by law should be their exclusive remedy. This principle has led to the disapproval of other private bills granting special awards in such cases (see H.R. 1315, 85th Cong., "A bill for the relief of Mr. and Mrs. Charles H.

Page," disapproved on Sept. 7, 1957). I perceive no basis for reaching a different result under the analogous circumstances of the present case.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 23, 1959.*

HAROLD WILLIAM ABBOTT AND OTHERS

H.R. 8277. I am withholding my approval from H.R. 8277, an act for the relief of Harold William Abbott and others.

The bill would direct the Secretary of the Treasury to pay $23,317.61 to 11 individuals in refund of transportation taxes collected after 1945 and before 1952 for transportation in connection with fishing parties. Refund of these taxes has been barred because claims for refund, and appeals from the rejection of such claims, were not filed within the time prescribed by law.

The relief sought in this bill is similar to that sought in a bill which I disapproved last year, H.R. 3193, "For the relief of Toley's Charter Boats, Inc., Toley Engebretsen, and Harvey Homlar."

On March 31, 1953, a Federal court held that the transportation tax did not apply to the type of transportation involved here. At the time of this decision, there remained a period of at least 9 months in which to file timely claims for 1950 and a period of at least 1 year and 9 months in which to file timely claims for 1951. Approximately $10,000 of the amount involved in this bill represents taxes collected during the years 1950 and 1951, which would have been refunded to seven of the claimants except for the fact that they filed their claims for refund more than 2 years after the date of the Federal court decision. The record in this case discloses no reason justifying this delinquency in filing claims.

Refund of a large portion of the amount involved in this bill was barred by the statute of limitations prior to the Federal court decision. The basic purposes underlying the statute of limitations continue to obtain in cases where a taxpayer, after having paid a tax, discovers that the interpretation of the law has been changed by a judicial decision. Granting relief in this case would discriminate against other taxpayers similarly situated and would create an undesirable precedent.

Under the circumstances, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 23, 1959.*

DISTRICT OF COLUMBIA—POLICE FORCE AND FIRE DEPARTMENT

H.R. 3735. I am withholding my approval from H.R. 3735, an act to increase the relief or retirement compensation of certain former members of the Metropolitan Police Force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children.

I am unable to approve the 10 percent increase in relief or retirement compensation which the first section of this bill proposes for its beneficiaries. Policemen and firemen who retired before October 1, 1956, are already receiving much more generous treatment than any other group of retired District of Columbia employees. This results from the Equalization Act of 1923 which provides for an automatic proportionate increase in pensions equal to any salary increases granted active duty policemen and firemen. The equalization feature has operated so effectively that a significant number of these retirees presently receive a larger pension than their annual salaries while on active duty. Also, under the 1923 law these retirees have forged far ahead of District government annuitants subject to the civil service retirement program. In the interests of fairness, the present disparity should not be further increased.

I could readily accept the other provision of the bill which proposes to adjust and improve the benefits payable to the widows and surviving minor children of deceased policemen and firemen who retired prior to October 1, 1956. The circumstances of this group are different and I sincerely hope that the Congress, early in the next session, will enact the improved benefits which this class deserves.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 24, 1959.*

HOWARD F. KNIPP

H.R. 2068. I have withheld my approval from H.R. 2068, an act for the relief of Howard F. Knipp.

The bill would direct the Secretary of the Treasury to compute the income tax liability of Howard F. Knipp for the calendar years 1947 and 1948 so that his distributive share of the earnings of the John C. Knipp & Sons partnership, for its fiscal year beginning on February 1, 1947, would be determined on the basis of a full partnership taxable year ending on January 31, 1948.

The records of the Treasury Department show that Mr. Knipp, a calendar year taxpayer, was a member of a two-man partnership which had a fiscal year ending on January 31. The death of Mr. Knipp's partner on November 21, 1947, raised the question of partnership termination on that date. If the partnership terminated on that date, Mr. Knipp had to include in his income for the calendar year 1947 a much greater amount than would have been the case had the partnership continued until the normal end of its taxable year.

On June 2, 1953, the Bureau of Internal Revenue assessed a deficiency against Mr. Knipp on the ground that the death of his partner terminated the partnership and its taxable year. The Tax Court approved the Bureau's position on October 31, 1955, and that court's decision was affirmed by the Court of Appeals for the Fourth Circuit on April 10, 1957. On October 14, 1957, certiorari was denied by the U.S. Supreme Court.

The question of the partnership termination in this case has been litigated before the courts in an orderly manner. Approval of this bill would encourage demands for legislation overruling court decisions in individual cases and would create an undesirable precedent. The bunching of income in this case has admittedly worked a hardship on Mr. Knipp, but this is mitigated to some extent by the fact that for a number of years Mr. Knipp had the advantage of deferring payment of tax each year on 11 months of this firm's profits until the following year.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 25, 1959.*

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1376. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to enable the Department of Health, Education, and Welfare and its various units to perform their functions more efficiently and effectively by providing them with certain administrative authority, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1377. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 470,000 long tons of natural rubber now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended, 50 U.S.C. 98B(e)); to the Committee on Armed Services.

1378. A letter from the Assistant Administrator for Congressional Relations, National Aeronautics and Space Administration, transmitting a report covering the contracts negotiated by the National Aeronautics and Space Administration during the period January 1 through June 30, 1959, pursuant to the authority of 10 U.S.C. 2304(a)(11) and (16); to the Committee on Science and Astronautics.

1379. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill to give effect to the Convention Between the United States of America and Cuba for the Conservation of Shrimp," signed at Havana, August 15, 1958; to the Committee on Merchant Marine and Fisheries.

1380. A letter from the Acting Secretary of State, transmitting the 21st semiannual report on the international educational exchange program of the Department of State, pursuant to Public Law 402, 80th Congress; to the Committee on Foreign Affairs.

1381. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to exempt from tax income derived by a foreign central bank of issue from obligations of the United States"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8768. A bill to amend the District of Columbia Alcoholic Beverage Control Act; without amendment

(Rept. No. 1186). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee of conference. H.R. 7476. A bill to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control (Rept. No. 1187). Ordered to be printed.

Mr. ASPINALL: Committee of conference. H.R. 6672. A bill to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation (Rept. No. 1188). Ordered to be printed.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 396. Resolution taking H.R. 8385 from the Speaker's table and agreeing to the conference; without amendment (Rept. No. 1189). Ordered to be printed.

Mr. PASSMAN: Committee of conference. H.R. 8385. A bill making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes; without amendment (Rept. No. 1190). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'HARA of Michigan:

H.R. 9254. A bill to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives; to the Committee on House Administration.

H.R. 9255. A bill to extend a presumption of line of duty in certain cases for purposes of laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 9256. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on electric mangles; to the Committee on Ways and Means.

By Mr. MACHROWICZ:

H.R. 9257. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on electric mangles; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 9258. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on electric mangles; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 9259. A bill to create a Department of Urbiculture, and to prescribe its functions, and to provide for the establishment of a Commission on Metropolitan Problems; to the Committee on Government Operations.

H.R. 9260. A bill directing the Secretary of the Army to convey to the Ship Canal Authority of the State of Florida certain lands acquired by the United States with funds furnished by such authority; to the Committee on Public Works.

By Mr. BROCK:

H.R. 9261. A bill to amend the Internal Revenue Code of 1954 to provide that an individual's homestead shall be exempt from levy to enforce the payment of Federal taxes to the same extent as it would be exempt from judgment liens and from execution or forced sale under the law of the State where it is located; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 9262. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

By Mr. INOUYE:

H.R. 9263. A bill to provide for the designation of a Hawaii defense highway system and to authorize appropriations therefor; to the Committee on Public Works.

H.R. 9264. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 9265. A bill to provide for the designation of defense highways in the State of Hawaii as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 9266. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

H.R. 9267. A bill to amend the Agricultural Act of 1949, as amended, in order to provide a price support program for coffee produced in the State of Hawaii; to the Committee on Agriculture.

H.R. 9268. A bill to provide a price support program for coffee produced in the State of Hawaii based upon a moving 5-year average of the prices received by the producers of such coffee; to the Committee on Agriculture.

By Mr. KEOGH:

H.R. 9269. A bill to amend the Internal Revenue Code of 1954 relating to the taxation of income of domestic life insurance companies doing business outside the United States and Canada; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 9270. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STRATTON:

H.R. 9271. A bill to amend section 311 of the Communications Act of 1934, to restrict the granting of permits and licenses to persons having criminal records; to the Committee on Interstate and Foreign Commerce.

By Mr. BETTS:

H.R. 9272. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of plumbing brass goods; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 9273. A bill to provide for a study of biological marine life in certain parts of the Atlantic and Pacific Oceans reasonably proximate to the Panama Canal and Central America; to the Committee on Merchant Marine and Fisheries.

H.R. 9274. A bill to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 9275. A bill to provide for the reorganization of the safety functions of the Federal Government, and for other purposes; to the Committee on Education and Labor.

By Mr. CHAMBERLAIN:

H.R. 9276. A bill to provide a residence for pages; to the Committee on House Administration.

By Mr. INOUYE:

H.R. 9277. A bill to provide a method for regulating and fixing wage rates for ungraded employees in the State of Hawaii; to the Committee on Armed Services.

By Mr. THOMPSON of New Jersey:

H.R. 9278. A bill to amend the acts of May 21, 1926, and January 25, 1927, relating to the construction of certain bridges across the Delaware River, so as to authorize the use of certain funds acquired by the owners of such bridges for purposes not directly related to the maintenance and operation of such bridges and their approaches; to the Committee on Public Works.

By Mr. BENNETT of Michigan:

H.R. 9279. A bill to amend the Federal Aviation Act of 1958 to remove certain restrictions as to persons who may engage in the business of an air carrier and upon the issuance of certificates or approvals for engaging in such business or acquiring control of another engaged therein, so that all modes of transportation may have an equal opportunity; to the Committee on Interstate and Foreign Commerce.

H.R. 9280. A bill to amend the Interstate Commerce Act to remove certain restrictions as to persons who may engage in the business of a motor carrier and upon the issuance of certificates or approvals for engaging in such business or acquiring control of another engaged therein, so that all modes of transportation may have equal opportunity; to the Committee on Interstate and Foreign Commerce.

H.R. 9281. A bill to amend the Interstate Commerce Act to remove certain restrictions as to persons who may engage in the business of water carrier and upon the issuance of certificates or approvals for engaging in such business or acquiring control of or an interest in another so engaged so that all modes of transportation may have an equal opportunity; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 9282. A bill to amend section 1114 of title 18 of the United States Code by including certain employees of the Federal Communications Commission; to the Committee on the Judiciary.

By Mr. MACK of Illinois:

H.R. 9283. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H.R. 9284. A bill to provide for hearings, prior to dismissal, of civil service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 9285. A bill to amend chapter 119 of title 28, United States Code, to provide that clergymen shall not be competent to testify with respect to certain communications; to the Committee on the Judiciary.

H.R. 9286. A bill to regulate the shipment of weapons into any State, territory, or possession of the United States or into the District of Columbia where the unlicensed possession of such weapons is illegal under the law of such State, territory, or possession, or of the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS (by request):

H.R. 9287. A bill to enable the Department of Health, Education, and Welfare and its various units to perform their functions more efficiently and effectively by providing them with certain administrative authority, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. PFOST:

H.R. 9288. A bill to authorize the Secretary of the Interior to construct, operate, and and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LIPSCOMB:

H.R. 9289. A bill to authorize the Secretary of the Interior to construct, operate and maintain the Bridge Canyon project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Iowa:

H.R. 9290. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

H.R. 9291. A bill to amend section 226 of title 39 of the United States Code to permit weekly newspapers to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on Post Office and Civil Service.

By Mr. CONTE:

H.R. 9292. A bill to provide for loan insurance on loans to students in higher education; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 9293. A bill to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes; to the Committee on the District of Columbia.

By Mrs. GREEN of Oregon:

H.J. Res. 535. Joint resolution proposing an amendment to the Constitution of the United States relative to the right of citizens of the United States to vote; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 536. Joint resolution authorizing the establishment of a National Railroad Museum in the city of Oneonta, N.Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. PILLION:

H.J. Res. 537. Joint resolution to provide a program re Federal debt, deficits, inflation; to the Committee on Ways and Means.

By Mr. ALGER:

H.J. Res. 538. Joint resolution proposing an amendment to the Constitution of the United States relative to prohibiting the U.S. Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. HALPERN:

H. Con. Res. 442. Concurrent resolution establishing a basic fuels policy for the United States; to the Committee on Rules.

By Mr. CARNAHAN:

H. Res. 394. Resolution designating the House Office Building now under construction as "The Rayburn House Office Building"; to the Committee on House Administration.

By Mr. PHILBIN:

H. Res. 395. Resolution providing that the House of Representatives extends its greetings to the people of Princeton and Westminster, Mass., on the occasion of their 200th anniversary; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to supporting the aspirations of the citizens of the District of Columbia for a measure of self-government; to the Committee on the District of Columbia.

Also, memorial of the legislature of the territory of Guam, memorializing the President and the Congress of the United States relative to expressing the sincere appreciation of the people of Guam to the Honorable JOHN P. SAYLOR, Representative from Pennsylvania, for the valuable assistance he has given toward the solution of Guam's problems; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 9294. A bill for the relief of George A. Rytlewski; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 9295. A bill for the relief of Ryoko Sakamoto; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 9296. A bill for the relief of Francesco Zoli; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 9297. A bill for the relief of Mrs. Jacqueline Shaker; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.R. 9298. A bill for the relief of Santiago M. Bermejo and others; to the Committee on the Judiciary.

H.R. 9299. A bill for the relief of Tadeusz (Kraszewski) DeMuch; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

284. By the SPEAKER: Petition of the chairman, Democratic-Farmer-Labor Party Coordinating Committee, Duluth, Minn., relative to requesting that the present session of the Congress be continued until legislation is passed guaranteeing all citizens of the United States the right to vote; to the Committee on the Judiciary.

285. Also, petition of the president, Central Committee, Lithuanian Christian Democratic Study Clubs, Cleveland, Ohio, relative to expressing deep gratitude for interest taken in relation to the position of Lithuania as a victim of international communism; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Analysis of the Labor-Management Reporting and Disclosure Act of 1959

EXTENSION OF REMARKS

OF

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. GOLDWATER. Mr. President, today, September 14, 1959, the President signed into law the new labor reform bill, and in doing so substantially achieved his own goals in this legislative area.

The new act, herein referred to as the conference report, with a few significant modifications, is essentially the Landrum-Griffin bill which passed the House on August 14, 1959. It also incorporates most of the President's recommendations originally made by him shortly after the opening of the 86th Congress early this year, 1959. Moreover, the President, immediately following the inclusion of the bill of rights for union members in the bill which passed the Senate late in April 1959, publicly expressed his approval of that provision, no similar provision having been included either in the President's original recommendations or in the Kennedy-Ervin bill either as introduced or reported in the Senate.

Again, a few days before the passage of the Landrum-Griffin bill in the House on August 14, 1959, the President, in a nationwide radio and television broadcast, stated his support of the Landrum-Griffin bill, and specifically indicated those provisions of that bill which, in substance, embodied his own proposals and which were either totally absent or inadequately provided for in the measure passed by the Senate. He had previously criticized the latter as being a weak and ineffectual proposal.

This memorandum analyzes the various provisions of the new labor law, and where appropriate, indicates those changes made in the original Senate bill—Kennedy-Ervin, S. 505—at the initiative of Republican Members of the Senate, as well as those made by the sponsors of the Landrum-Griffin bill in the House.

DEFINITIONS

Section 3(i) defines a labor organization to include "any conference, general committee, joint or system board, or joint council."

Organizations or associations of this type were not defined as labor unions in the bill reported by the Senate Labor Committee to the Senate. In executive session, I offered an amendment to include them which was rejected. On the floor, I again offered this amendment, which was, in substantial part, approved.

Failure to include such an amendment would have meant that these so-called intermediate labor bodies would have been exempted from the bill's many restrictions, requirements, and sanctions designed to achieve the minimum of necessary reform in labor unions. Among the organizations so exempted would have been the Western Conference of Teamsters, formerly headed by Frank Brewster, one of the most corrupt and dishonestly run labor organizations among the many shocking situations revealed by the McClellan rackets committee.

Section 3(k) defines "secret ballot" in labor union voting and elections. In committee, I offered an amendment to prohibit voting by proxy. This was rejected in the committee bill as reported but was adopted by the Senate, thus closing a significant loophole by eliminating one of the devices used by corrupt union officers to perpetuate themselves in office.

Section 3(m) defines "labor relations consultant." The Senate committee rejected my amendment to define this term, but the Senate nevertheless adopted such an amendment. Inasmuch as the bill regulates the activities of these consultants, the failure to define them would have resulted in chaos, confusion, and endless litigation to determine precisely who were meant to be covered by such regulatory provisions.

Section 3(n) defines "officer" of a labor organization. The Senate bill, as reported from committee, contained no such definition despite the many provisions of the bill regulating and restricting the activities of union officers, and the many prohibitions and sanctions, including criminal ones, directed against them as part of the reform program. Inasmuch as the Supreme Court had held that the term "union officer" as used in Taft-Hartley applies only to those so designated in the union's constitution, and does not apply to those not so designated even if they perform the functions of officers, the rejection in committee of my amendment defining the term, constituted an open invitation to unions to evade those provisions of the bill expressly designed to eliminate dishonesty and corruption in unions and among union officials. Fortunately, the Senate itself approved the inclusion of the needed definition.

Section 3(o) defines "member" or "member in good standing" of a labor union. No such definition was in the bill reported to the Senate despite the fact that a number of its provisions referred to "union members" or "members in good standing," particularly with respect to the rights of union members to vote, run for and hold union office, and certain limitations on trusteeships imposed by international unions on subordinate or local labor unions. Such definition was proposed and accepted on the Senate floor.

Section 3(q) defines "officer, agent, shop steward, or other representative" of a labor organization to include elected officials, and key administrative personnel of unions, whether elected or appointed. This provision, although necessary to illuminate certain provisions of the bill, was never included in the Senate bill at all, but was accepted in conference from the Landrum-Griffin bill.

All of the foregoing definitions, so necessary to an effective labor reform bill, yet so inexcusably omitted at one stage or another of the Senate bill's progress, are contained in the Landrum-Griffin bill both as introduced and as it passed the House, as well as in the conference report overwhelmingly approved by both Houses of Congress, and signed into law by the President.

In the Senate Labor Committee, I offered an amendment to exclude from the coverage of the labor reform bill, labor unions composed of government employees at all levels of government.

Inasmuch as these unions, in most instances, do not have the right to strike or even to compel their governmental employers to bargain collectively with them, and even more significantly, are powerless to compel employees to join and hence are truly voluntary associations, I believe that they should be free from the regulations imposed by the new bill. As long as their members were free to resign from such unions without any harm or injury to themselves resulting therefrom, the members exercised an ultimate control over their officers sufficient, if properly exercised, to assure freedom from corruption, racketeering, and other abuses.

This amendment was accepted in the bill as reported and both the Landrum-Griffin bill and the conference report similarly exempt government-employee unions.

TITLE I—BILL OF RIGHTS OF UNION MEMBERS

The Senate bill, as reported, contained no bill of rights for union members. These provisions were offered on the Senate floor by Senator McCLELLAN, and adopted with some modifications. The Landrum-Griffin bill, as introduced and as passed by the House, contained such a bill of rights.

Section 101(a)(1) gives every union member an equal right within his union to nominate candidates, to vote in union elections, to attend union meetings, and to participate in and vote upon the business of such meetings subject to reasonable regulation imposed by the union's own governing rules. House and Senate provisions were the same.

Section 101(a)(2) gives union members the right to meet and assemble freely with each other, to express any of their views and opinions, to express their views at union meetings on candidates for union office, and on any of the business before the meeting subject to the union's established and reasonable rules for conducting meetings, as well as to the union's right to establish reasonable rules as to the responsibility of members toward their union and to prohibit conduct by members that would interfere with the union's carrying out its legal or contractual obligations.

The Senate and House bills were almost identical in this respect with one important difference. The Senate-passed provision could be construed to limit the right of free speech by union members to communications made to other members and not to persons or sources outside the union. Thus, for example, there would have been no right of a union member to write a letter to a nonunion newspaper or publication criticizing the union or its officials. In the Landrum-Griffin House bill there was no such limitation on the right of the union members to express themselves freely. The conferees accepted the Landrum-Griffin provision.

Section 101(a)(3) provides that union dues, initiation fees, and assessments shall not be increased except by secret vote of the union members in good standing after reasonable notice of intention to vote on such question, or by majority vote of the delegates at a union convention following at least 30 days notice that such question will be voted on, or by majority vote of the union's executive or governing board in which case the increase shall be effective only until the next convention.

Section 101(a)(4) protects the right of a union member to sue in the courts or to initiate proceedings before administrative agencies, even if these are against the union or its officials. This is an absolutely essential safeguard because many union constitutions provide for disciplining any union member who sues the union or its officers. This provision was substantially identical in both the Senate and House bills with this important difference.

The Senate bill required the union member to exhaust his internal union hearing procedures before bringing suit, but permitted the union to spread these procedures over a 6-month period. As a result, a union member who wished to file charges of unfair labor practices against the union with the National Labor Relations Board would lose this protection of the bill of rights because the Taft-Hartley Act requires these charges to be filed within 6 months of the commission of the alleged misconduct. I attempted on the floor to correct this gimmick by shortening the waiting period of 6 months set forth in the bill of rights so as to preclude the possible loss of a union member's right to go to the NLRB. This proposal was not accepted.

The Landrum-Griffin bill, both as introduced and as passed, cut such waiting period to 4 months thus eliminating the gimmick and preserving the union member's rights both under the bill of rights and under the Taft-Hartley Act. The conferees accepted the provision of the House bill.

On the Senate floor, however, when Senator McCLELLAN's original bill of rights previously approved, was in the process of being modified, it was proposed further to limit this right of a union member to bring legal action to suits or proceedings brought by him which were not, directly or indirectly, financed, encouraged, or participated in—except as a party—by any employer or employer association.

I objected vigorously to this sweeping limitation. I pointed out, for example, that many banks were "employers" as defined in the bill, and hence that a union member would lose the protection of his right to sue if he borrowed money from a bank to finance his suit, or if a relative or close friend, who was also an employer, helped him in his suit.

At my urging, therefore, the Senate modified the limitation to apply to interested employers only, the legislative history making it clear that employers such as those in the foregoing examples were not included in the limitation which would apply only to employers who had a concrete interest in the litigation because of some relationship in the union other than the mere connection with the union member bringing the suit.

Section 101(a)(5) prohibits a union or its officers from in any way disciplining a member—except for nonpayment of dues—unless the member has been first, served with written specific charges; second, given a reasonable time to prepare his defense; and, third, given a full and fair hearing. The House and Senate bills were identical in this provision.

Section 101(b) makes null and void any union governing rule which is inconsistent with the bill of rights.

Section 102 gives a union member the right to sue a union in a Federal court, including the right to an injunction against the union, for violating his rights.

Section 103 preserves any other rights and remedies which a union member may have under any other State or Federal law, or before any other court or agency, or under any union constitution or bylaws. It thus guards against the application of the preemption problem in connection with the newly granted bill of rights, and preserves any broader safeguards for union members which may be contained in some union constitutions or bylaws.

Section 104 requires unions to make available copies of their collective bargaining agreements to those of their members who are covered by such agreements. The Secretary of Labor is given authority to enforce this provision by civil suit in a Federal court, including the securing of an injunction.

Section 105 requires every union to inform its members of the provisions of the new law. This provision developed from a proposal made by Senator JAVITS in committee and accepted in the bill as reported to the Senate.

TITLE II—REPORTING BY UNIONS, THEIR OFFICERS AND EMPLOYEES, AND BY EMPLOYERS

1. REPORTS BY UNIONS

Section 201(a) requires every labor union to adopt a constitution and bylaws and to file copies thereof with the Secretary of Labor, together with a report containing all of the significant data concerning the structure and organization of the union, such as names and titles of officers, initiation fees, dues, work permit fees, other periodic member payments, qualifications for membership, audits, expenditure authorization, selection of officers, discipline procedures, and so forth, and so forth, so as to give a complete picture as to how the union is authorized to operate in all significant fields of its activity. This is substantially the same in both the House and Senate bills with these important differences.

The House bill required every union to adopt a constitution and bylaws. The Senate bill did not, despite the fact that there are some unions which have neither constitution nor bylaws, leaving their members completely in the dark as to their rights or as to the powers and authority of their union and its officers. The conferees adopted the House provision.

In committee, I offered an amendment requiring the reporting of fees to be paid by transferred members which was accepted in the bill as reported. Similarly, the committee accepted a minority amendment requiring the report to state the address of the union's principal office as well as any other address at which the union's books and records were kept. Both the Landrum-Griffin bill and the conference report contain these amendments.

The Senate bill did not require reporting the fees charged by the union for work permits nor the procedures for issuing the same. These are a device whereby a union which cannot provide all the labor needed on a job permits nonunion employees to work, excludes them from membership in the union, but charges them for the privilege of working. Both the Landrum-Griffin bill and the conference report contain this requirement.

The Senate bill did not require the union to report periodic payments in lieu of dues required from nonunion employees. These are a device for securing the equivalent of union dues in States where compulsory union membership agreements are illegal, thereby attempting to circumvent what appear to be the prohibitions of such State laws. Both the Landrum-Griffin bill and the conference report contain this provision.

At the insistence of the minority members, the Senate Labor Committee accepted several amendments in the bill as reported which required the union to report its procedures for disciplining or removing union officials and for imposing fines, suspensions and expulsions of union members including the grounds upon which such disciplinary action may be taken, as well as any provision made for notice, hearings, judgment on the evidence, and appeal procedure. Both the Landrum-Griffin bill and the conference report contain these requirements.

The Kennedy-Ervin bill (S. 505), as introduced, as well as the committee bill reported to the Senate, merely required the union to report its procedures for the election of officers and stewards. On the Senate floor, this was expanded to reporting its procedures for the selection of officers and stewards and of any representatives to other bodies composed of organizations' representatives, with a specific statement of the manner in which each officer of the union was elected, appointed, or otherwise selected.

This much more comprehensive and effective provision is included in both the Landrum-Griffin bill and the conference report.

Section 201(b) requires every labor union to file an annual report with the Secretary of Labor, broken down into categories prescribed by the Secretary, showing the following information about the union's financial status for the preceding year: First, assets and liabilities at the beginning and end of the year; second, receipts and their sources; third, all payments made to each officer, and to each employee who received a gross of more than $10,000, from the union or any affiliated union, or from any other local of the same internationals; fourth, any loan made to any officer, union employee or member aggregating more than $250, together with the purpose of, security for, and arrangement for repayment of such loan; fifth, any loan to any business enterprise, together with its purpose, security, and arrangement for repayment; and, sixth, any other disbursements and their purposes.

The bill as it passed the Senate did not require reporting payments made by the international to officers, employees, or members of any of the affiliated locals, or made by a local to officers, employees, or members of the international with which such local was affiliated. The Landrum-Griffin bill closed the loophole and the House provision was included in the conference report. Similarly, the Senate bill, as introduced—S. 505—did not require reporting of direct or indirect disbursements to union officers and employees other than salaries and allowances. In committee this amendment was offered by members of the minority and accepted in the form in which it appeared in both the Landrum-Griffin bill and the conference report.

Again, the Senate bill, as introduced—S. 505—although it required reporting of loans by unions to union officers, employees and members, as well as to business enterprises, did not require a statement of the purpose of such loans. Members of the minority of the Senate Labor Committee insisted that such a provision be included and it was so included in the Senate bill as reported and ultimately in the Landrum-Griffin bill, the Senate bill, and the conference report.

The Kennedy-Ervin bill—S. 505—as introduced, required unions to report loans to any union officer, employee, or member, only if it aggregated in excess of $500. In committee, members of the minority sought to require the unions to report all such loans, regardless of amount. The issue was compromised by reducing the amount to $250, and that is the figure which appears in both the Landrum-Griffin bill and the conference report.

Section 201(c) provides that every labor union must make the information it is required to report available to all of its members, and gives each member a right to sue in a Federal court to compel the union to permit such member, for just cause, to examine "any books, records, and accounts necessary to verify such report." The Senate bill, as reported, contained no provision of any kind giving union members any access to such basic union books, accounts, and records. The amendment to that effect which I introduced in committee was rejected, but was adopted by the Senate, substantially in its present form, when I renewed this amendment on the floor. The Landrum-Griffin bill and the conference report both contain such a provision.

The Senate bill, S. 505, as originally introduced, permitted the Secretary of Labor to exempt from the financial reporting requirements described above, small unions having fewer than 200 members and gross annual receipts of less than $20,000. In the opinion of minority members of the Senate committee, this constituted a possible loophole permitting some of the most corrupt unions to escape the reporting requirements, and thus avoid the publicity concerning their affairs which it was the professed purpose of the bill to achieve. In committee, my amendment to remove this permissive exemption was rejected and a similar amendment offered on the floor by Senator CASE of New Jersey was likewise rejected. The Landrum-Griffin bill contained no exemption for any union and the conference report is the same.

2. REPORT OF OFFICERS AND EMPLOYEES OF LABOR UNIONS

Section 202(a) requires every union officer and nonclerical, noncustodial employee, to file a report with the Secretary of Labor describing any holding or transaction involving himself or his immediate family and occurring during the preceding year, which would constitute a conflict-of-interest on the part of such union officer or employee. No report is required in the absence of such a holding of interest or participation in any such transaction.

Briefly, what must be reported are holdings of interest in or the receipt of economic benefits from employers who deal or might deal with such union official's union, or holdings in or benefits from enterprises which do business with such union official's union. Section 202(b) exempts from these reporting requirements any bona fide investment or income therefrom in securities traded on a national securities exchange, or shares in an investment company, or securities of a public utility holding company, which such securities exchanges and companies are registered under applicable Federal law.

These provisions of the conference report, as did the Landrum-Griffin bill, close a number of loopholes and correct a number of serious defects which were present at one stage or another of the Senate bill's progress from initial introduction to final passage.

Thus, under S. 505, the Senate bill as introduced, the only benefits required to be reported were income from conflict-of-interest transactions. Under the internal revenue laws there are a number of types of benefits which do not constitute income. A capital gain is not income; a genuine gift is not income; a prize for which no services are rendered is not income. To close this loophole, minority members in the Senate committee secured an amendment extending the reporting requirement to any income or other benefit with monetary value, a provision which is in both the Landrum-Griffin bill and the conference report.

Again, the original Senate bill although requiring disclosure of income derived from a business which buys, sells, or leases to the reporting official's union failed to include the language "or otherwise deals with" his union. An amendment to that effect by the minority was accepted by the Senate committee and is in both the Landrum-Griffin bill and the conference report.

The original Senate bill required a report by a union official of a payment to him from an employer or an employer's labor relations consultant only if it was in return for the union official's undertaking to influence or affect employees in the exercise of their rights under Taft-Hartley. The minority in the Senate committee secured an amendment extending the reporting requirement to any employer payment to a union official regardless of its objective, except for those payments specifically exempted from the criminal prohibitions in section 302(c) of Taft-Hartley. This provision is in the Landrum-Griffin bill and the conference report.

Throughout this section of the bill as it passed the Senate there was a failure to include reimbursed expenses as information to be reported under the heading of "Income or Other Benefits," as well as a failure to include benefits received by the official's spouse or minor child in one of the listed conflict-of-interest situations. These omissions were corrected in both the Landrum-Griffin bill and the conference report.

The Senate bill, as passed, required these conflict-of-interest reports from union employees, only if their gross payments from the union exceeded $5,000. This left a gaping loophole for the corrupt union official whose financial gains from his doubledealing activities were greater than what the union paid him. To avoid reporting, such an official would merely arrange for his compensation from the union to be fixed at a figure of $5,000 or less, and he could then continue to receive his ill-gotten conflict-of-interest gains without disclosing them either to his union members or to the public. Both in committee and on the Senate floor, I was unsuccessful in securing an amendment to require all union officials to report these conflict-of-interest situations regardless of what the union paid them. The Landrum-Griffin bill and the conference report, however, both close this loophole by requiring these reports without any such exemption.

As introduced, the Senate bill required a report of a conflict-of-interest holding only if the interest was actually still held at the moment of reporting. This would have permitted a union official to divest himself of such holding just prior to the reporting date, and thus, lawfully, to avoid reporting. The minority in the Senate committee closed this loophole by securing an amendment which required a report of an interest which a union official holds or has held during the preceding year. The Landrum-Griffin bill and the conference report achieve the same result as this Senate committee minority amendment.

And, finally, the Senate bill as passed, in granting an exemption from these conflict-of-interest reporting requirements with respect to the types of securities or shares described above, used language which would have granted the exemption to a union official who received his "benefit with monetary value" from the employer in the form of such securities or shares. Thus, under the Senate bill's language, if an employer had paid off a union official with whose union he was bargaining by giving him $10,000 in General Motors stock, this would not need to have been reported. The Landrum-Griffin bill, as well as the conference report, limited this exemption to bona fide investments made by the union official in such securities or shares, and thereby required reporting of any payoff regardless of the form it takes.

3. REPORT OF EMPLOYERS

Section 203(a) requires employers to report annually to the Secretary of Labor the terms, details, and identity of the parties involved, of any of the following payments or transactions, made by him during the preceding year:

First. Any payment or loan, direct or indirect, of anything of value—including expenses—or any promise or agreement to pay or lend, to any labor union or labor union official or employee, except payments or loans exempted under section 302(c) of Taft-Hartley or made by enterprises whose business consists of making loans and payments such as banks, insurance companies, et cetera;

Second. Any payment including expenses to any of his employees to get them to persuade other employees in the exercise of their union organizing or collective bargaining rights unless the latter employees are informed simultaneously or previously that such payments are made;

Third. Any expenditure an object of which is to violate the Taft-Hartley Act by interfering with, restraining or coercing employees in the exercise of their union organizing and bargaining rights under that act;

Fourth. Any expenditure an object of which is to obtain information about the activities of a union or of employees in connection with a labor dispute involving the employer unless the information is to be used solely in an administrative or arbitration proceeding or in a civil or criminal court case;

Fifth. Any agreement or arrangement with a labor relations consultant who is not a regular officer, supervisor or employee of the employer, under which the consultant undertakes, directly or indirectly, to persuade employees in the exercise of their union organizing or bargaining rights, or to supply the employer with information about the activities of a union or of employees in connection with a labor dispute involving the employer unless the information is to be used solely in an administrative or arbitration proceeding or in a civil or criminal court case;

Sixth. Any payment—including expenses—pursuant to such agreement or arrangement with a labor relations consultant.

There was one basic difference between the House-passed Landrum-Griffin bill and the Senate-passed bill in connection with the employer reporting requirements. Under the Senate bill the employer was required to report any payment or expenditure or any arrangement with a labor relations consultant an object of which was to persuade employees in connection with the exercise of their union organizing and collective bargaining rights even if such payment was completely within the law. Under the House-passed Landrum-Griffin bill, reports from employers with respect to expenditures in connection with employees' rights, were required only if such expenditures were designed to interfere with, restrain and coerce employees in violation of the Taft-Hartley Act.

In conference, a compromise was reached. As indicated above, the employer, under the conference report, must report such expenditures only if an object is interference, restraint, or coercion, except where he gives something of

value to any of his employees in order to get them to persuade other employees with respect to their union organizing and collective bargaining rights. This type of payment constitutes interference in violation of the Taft-Hartley Act, but even so, need not be reported if disclosed to the employees being persuaded. As will be shown below, the requirement to report expenditures designed merely to persuade, as provided in the Senate bill, is retained with respect to arrangement with and activities by labor relations consultants.

Several other changes were accepted by the Senate conferees at the insistence of the House conferees in connection with the employer reporting requirements. Thus, the Senate bill required reporting by both employers and labor relations consultants of expenditures for information about activities of employees and unions in connection with a labor dispute. The House conferees, supported by the minority of the Senate conferees, secured an amendment limiting this reporting requirement to a dispute in which the reporting employer himself was involved, and not to labor disputes in general as provided in the Senate bill. The Senate bill, through the same process, was also modified by broadening its exemption from reporting expenditures for information to be used in administrative, arbitration and civil judicial proceedings to exempt information to be used in criminal proceedings. Thus, if the union, any of its members, or any of the employees, engage in criminal acts in a labor dispute—violence on a picket line, for example—the employer need not report any money he spends to secure evidence of such criminal conduct, if his purpose is to submit the same to the public prosecutor for use in a criminal proceeding.

Section 203(b) sets forth the reporting requirements for labor relations consultants. It provides that any person who pursuant to an agreement or arrangement with an employer undertakes to first, persuade employees as to the exercise of their rights to engage in union organizing and collective bargaining activities; or, second, furnish an employer with information about the activities of employees or a union in connection with a labor dispute involving the employer with whom he has the agreement or arrangement, must do the following:

First. File a report with the Secretary within 30 days of entering into the agreement or arrangement giving all the details concerning it.

Second. File annually with the Secretary for the preceding fiscal year if he received any payments pursuant to the agreement or arrangement, a report setting forth all receipts from all employers, and the sources thereof, on account of labor relations advice or services, as well as any disbursements and their purposes, in connection with such services, and this information shall be set forth as broken down into categories prescribed by the Secretary.

Section 203(c) exempts from all of the employer and consultant reporting requirements any information with respect to services in advising employers or agreeing to represent them before any court, administrative agency, or arbitrator, or agreeing to engage in collective bargaining or negotiate a collective bargaining contract in behalf of the employer.

Under section 203(d), no employer or consultant reports need be filed unless the specific circumstances set forth above are present.

Under section 203(e), as indicated above, none of the reporting requirements are applicable where the services are rendered by a regular officer, supervisor, or employee of the employer.

Section 203(f) preserves the rights of free speech and communication which are protected by section 8(c), the existing free speech section of title I of the Taft-Hartley Act. This specific safeguard was not in the Senate bill, but was accepted by the conferees just as it appeared in the Landrum-Griffin bill.

Section 203(g) defines "interfere with, restrain or coerce" as used in the employer and consultant reporting provisions to mean an unfair labor practice committed by an employer in violation of section 8(a) of title I of the Taft-Hartley Act. This, too, was taken by the conferees from the Landrum-Griffin bill.

ATTORNEY-CLIENT COMMUNICATIONS EXEMPTED

Section 204 exempts an attorney in good standing in any State from reporting any information which was lawfully given to him by any of his clients in the course of a legitimate attorney-client relationship.

The Kennedy-Ervin bill (S. 505), as introduced, contained no exemption for the confidential communications made by a client to his attorney. In committee, I offered an amendment to that effect which was rejected. I renewed this amendment on the Senate floor and it was there agreed to. Such exemption is included in both the Landrum-Griffin bill and the conference report.

REPORTS MADE PUBLIC INFORMATION

Section 205(a) makes all the reports filed with the Secretary public information and authorizes the Secretary to publish any of the information so obtained, to use it for statistical and research purposes, and to publish studies and analyses based on such information.

Section 205(b) directs the Secretary to issue regulations for the examination, by any person who requests it, of such information.

Section 205(c) directs the Secretary to issue regulations providing for the sale, at cost, of copies of such reports. He is also directed to furnish such copies free of charge to appropriate authorized State agencies. Any person who has filed a report under the act need not file a similar report or furnish the same information under any State law if he gives the State agency a copy of his report filed with the Secretary.

The Senate bill, as introduced, did not authorize the Secretary to make conflict-of-interest reports available to State agencies. An amendment offered in the committee by the minority members, closed this loophole and it remains closed in the conference report, as it did in the Landrum-Griffin bill.

RETENTION OF RECORDS

Section 206 requires every person who must file one of the above reports to maintain records which will furnish enough detailed and necessary basic information to verify, explain, clarify or check the accuracy and completeness of such reports, including, but not limited to vouchers, worksheets, receipts, and applicable resolutions. These records must be kept available for examination for at least 5 years after the filing of the reports to which they pertain.

The Kennedy-Ervin bill (S. 505), as introduced, did not require the making and preservation of these basic records with respect to conflict-of-interest reports by union officials. The minority members in committee succeeded in extending the requirement to these latter reports as well and the bill, as reported to the Senate, so provided. The conference report retains this essential safeguard as did the Landrum-Griffin bill.

The Senate bill as passed merely required the preservation of these basic records under conditions and for periods of time prescribed by the Secretary. The Landrum-Griffin bill, as well as the conference report, eliminates this discretionary authority of the Secretary and lays down a flat and unequivocal order, which permits of no exceptions, that they be kept available for at least 5 years. The 5-year period coincides with the length of the statute of limitations for criminally prosecuting acts of perjury under Federal law.

EFFECTIVE DATE

Section 207 sets forth the effective dates on which the foregoing reports must be filed with the Secretary.

RULES AND REGULATIONS

Section 208 authorizes the Secretary to issue rules and regulations prescribing the form in which the reports must be filed and such other reasonable rules and regulations—including rules requiring reports on trusts in which a union is interested—as he finds necessary to prevent circumvention of the reporting requirements. The Secretary is also directed to prescribe by general rule—and not on a case-by-case basis—simplified reports for unions and employers if he finds that because of their size—which actually means their lack of size—a detailed, regular report would be unduly burdensome. Once granted, he may revoke this permission to use a simplified report only if, after investigation, due notice, and an opportunity for a hearing, he decides that the reporting requirements are being or may be circumvented through the use of the simplified report.

The Senate bill as introduced (S. 505) authorized the Secretary to permit the use of simplified reports without any limitation as to size. This would have given the Secretary power to permit even very large employers and unions to use the simplified reports and thus to evade the detailed publicity about their financial affairs which it was the professed purpose of the legislation to achieve in order to cure the evils and

abuses revealed by the McClellan committee.

The minority in the Senate committee secured the amendment limiting the use of simplified reports to small employers and unions, thus plugging a dangerous loophole, and both the Landrum-Griffin bill and the conference report contain the same limitation.

The Senate bill contained a provision authorizing the Secretary to exempt from the reporting requirements for unlimited periods of time any union "or class thereof temporarily convened either for the sole purpose of negotiating a labor agreement or for carrying out educational activity."

In the discussions concerning this exemption which took place in the Senate committee, it was never quite clear as to precisely what types of organization were intended to be included in this exemption. No realistic concrete example of such an organization was ever precisely described. The Landrum-Griffin bill contained no similar exemption, and a majority of the conferees, concerned that this provision might afford a loophole through which some unions might evade the reporting requirements of the bill, refused to include it in the conference report.

CRIMINAL PROVISIONS

Section 209(a) makes it a misdemeanor punishable by imprisonment and fine up to $10,000 and 1 year, for any person who willfully violates the provisions of title II, that is, primarily the reporting requirements.

Section 209(b) makes it a similar misdemeanor for any person knowingly to make a false statement of a material fact or fail to disclose a material fact in any document, report, or other information required under title II.

Section 209(c) makes it a similar misdemeanor for any person willfully to make a false entry in or to conceal, withhold, or destroy any books, records, reports, or statements required to be kept under title II. The Kennedy-Ervin bill (S. 905) as introduced omitted the words "conceal" and "withhold" and merely prohibited "destroying" any books, records, and so forth. In committee, I offered the amendment inserting the words "conceal" and "withhold" which was accepted, thus closing an obvious loophole. The Landrum-Griffin bill and the conference report both include this amendment.

Section 209(d) provides that each individual who is required to sign a union report under section 201 or an employer and consultant report under section 203, shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false. This means that where the union or the employer, as such, are required to file reports, the officials who are required to sign these reports in behalf of the union or employer, as agents or representatives thereof, are just as responsible for both the filing and the truth of the reports, as are the principals in whose behalf they sign. The penalties imposed on the principals for noncompliance, are equally applicable to these officials.

CIVIL ENFORCEMENT

Section 210 provides that whenever it shall appear that any person has violated or is about to violate title II—which means primarily the reporting requirements—the Secretary may bring a civil action in a Federal district court for appropriate relief including injunctions. This means, among other things, that where there has been a failure to comply with these reporting requirements, the Secretary, through a judicial action, can compel such compliance even though it may not be possible to secure a criminal conviction for such noncompliance. And it should be emphasized that in invoking this remedy, the Secretary need not wait until a violation has occurred, but may initiate it even when it appears that no violation has as yet taken place but that it may occur. Hence this particular provision, if properly administered, provides the strongest possible guarantee that the reporting requirements of the bill will not be circumvented or violated.

The Kennedy-Ervin bill (S. 505) as introduced, contained no provision of any kind giving the Secretary this authority so essential to the effective enforcement of the bill's reporting requirements. In committee, at my urging, such an amendment was accepted and included in the Senate bill as reported. It is in the Landrum-Griffin bill as well as in the conference report.

TITLE III—TRUSTEESHIPS

Section 301(a) requires every labor union—usually an international—which imposes a trusteeship on a subordinate union—usually a local—to file with the Secretary within 30 days, and twice a year thereafter, a report signed by the international president and treasurer, and the designated trustee, containing first, name and address of the trusteed local; second, the date the trusteeship was established; third, the reasons for establishing or continuing the trusteeship; and, fourth, the nature and extent of the participation by the members of the trusteed local in the selection of delegates to conventions or other policy-making bodies, as well as in the election of the international's officers. The initial report must also include a complete account of the financial condition of the trusteed local at the time the trusteeship was imposed. During the life of a trusteeship, the international must file, on behalf of and concerning the trusteed local, the annual financial report required of all unions under section 201(b), signed by the president and treasurer of the international.

The Kennedy-Ervin bill (S. 505) as originally introduced, did not require the trustee designated by the international to sign the above report. In committee, Senator PROUTY offered an amendment to that effect which was accepted. It appears in the Landrum-Griffin bill and the conference report as well.

The Senate bill did not contain the provision requiring the international, during the life of the trusteeship, to file on behalf of the trusteed local the annual financial reports required of all labor unions, and hence provided a loophole which both the Landrum-Griffin bill and the conference report have plugged effectively. Moreover, the Senate bill's provision allegedly requiring unions to keep and preserve the basic records and documents on which the trusteeship reports are based was ambiguous and could have been construed as not requiring such keeping and preservation. The Landrum-Griffin bill and the conference report make this requirement unmistakably clear.

Again, as indicated above, the Senate bill, as passed, failed to make applicable to these trusteeship reports, the provision described—section 210—authorizing the Secretary to bring suit in a Federal court for injunctive as well as other relief, to compel compliance where there is a violation or threatened violation of the reporting requirements of the bill. The Landrum-Griffin bill and the conference report remedy this defect.

And finally, the Kennedy-Ervin bill (S. 505), as introduced, made no provisions for access by union members to the basic books and records from which the trusteeship reports were prepared, thus rendering it extremely difficult, if not impossible, for the union members to apply some reliable check to the truth and accuracy of the reports. In committee, I offered an amendment to this effect which was rejected. I again offered it on the Senate floor where it was agreed to. A similar provision is contained in both the Landrum-Griffin bill and the conference report.

Section 301(c) makes it a misdemeanor punishable by fine and imprisonment up to $10,000 and 1 year for any person willfully to violate section 301, which means primarily the trusteeship reporting requirements.

Section 301(d) similarly makes it a misdemeanor for any person knowingly to make a false statement of a material fact or fail to disclose a material fact in any required trusteeship report, or willfully to make any false entry in or withhold, conceal, or destroy any documents, books, records, and so forth, upon which such report is based.

The Senate bill, as passed, failed to include the prohibition against making a false entry in such basic books or records. This left a gaping loophole for frustrating the object of this part of the bill—accurate public disclosure of the essential factors connected with a trusteeship. This loophole is closed both in the Landrum-Griffin bill and the conference report.

Section 301(e) like the corresponding provision in title II dealing with financial reporting of unions, described above, makes personally responsible for filing trusteeship reports and for knowingly false statements contained therein, each individual who is required under the bill to sign such report in behalf and as the agent or representative of the international union from whom such report is required.

PURPOSES FOR WHICH A TRUSTEESHIP MAY BE ESTABLISHED

Section 302 requires unions—usually international—to impose trusteeships over subordinate unions—usually locals—only in accordance with the constitution and bylaws of the international and for the following purposes only, regardless of inconsistent provisions in such constitution or bylaws: First, to correct corruption or financial malpractice; second, to assure the carrying out of collective bargaining agreements or other duties of a bargaining representative; third, to restore democratic procedures; or, fourth, otherwise to carry out the legitimate objects of the international.

The Senate bill, as passed, imposed these limitations for imposing trusteeships only on national or international unions, by which it is true, they are usually imposed. However, it is possible that a trusteeship may be imposed by a labor organization other than a national or international union, and the Landrum-Griffin bill uses language broad enough to encompass every trusteeship imposed by one union over a subordinate body. The conference accepted the provision of the Landrum-Griffin bill.

UNLAWFUL ACTS RELATING TO LABOR ORGANIZATION UNDER TRUSTEESHIP

Sections 303(a) makes it unlawful during a trusteeship; first, in any convention or election of international officers to count the votes of delegates from the trusteed subordinate union—or local—unless the delegates were chosen in a secret ballot election in which all the members in good standing of the trusteed local were eligible to participate; or, second, to transfer to the international any current receipts or other funds of the trusteed local except the normal per capita tax and assessments. Upon the bona fide dissolution of any labor union its assets may be distributed in accordance with its constitution and bylaws.

Section 303(b) makes it a misdemeanor, punishable by not more than a $10,000 fine and a year in prison, for anyone willfully to violate the preceding subsection 303(a).

ENFORCEMENT

Section 304(a) provides that upon the written complaint of any member of a trusteed local charging that the international has violated any provision of section 302 which prescribes the conditions under which and the purposes for which a trusteeship may be imposed or the provisions of section 303 dealing with voting rights and the selection of convention or other delegates in a trusteed local as well as the safeguarding of its receipts and other funds, the Secretary of Labor must investigate and if he finds probable cause to believe that such violation has not been remedied, he must, without identifying the complaining union member, bring a suit in a Federal district court for appropriate relief, including injunctions, to remedy the violation.

Any member of a trusteed local or such local itself, if they are affected by such violations, may sue in a Federal district court for similar relief.

It should be noted that these two types of civil action are not applicable to violations of section 301 which requires trusteeship reports to be filed with the Secretary. These latter violations, as indicated above, are punishable through criminal prosecution and subject to a civil suit, brought by the Secretary at his own discretion, under section 210.

The Senate passed bill, unlike the Landrum-Griffin bill, failed to permit members of a trusteed local or such local itself to bring a suit. The conferees adopted the provision of the Landrum-Griffin bill.

Section 304(b) provides that the civil suits for violation of sections 302 or 303 may be brought, first, in the district where the international has its principal office; or, second, in any district in which the authorized officials of the international are conducting the affairs of the trusteeship.

Section 304(c) provides that a trusteeship validly established in conformity with sections 302 or 303, and authorized or ratified by the executive board or other constitutional governing body of the international, shall be presumed valid and not subject to attack for 18 months except upon clear and convincing proof that the trusteeship was not established or is not being maintained, in good faith, for one of the four allowable purposes set forth in section 302. After the first 18 months, the trusteeship is presumed invalid in any such civil court action and the court must order it discontinued unless the international shows by clear and convincing proof that the trusteeship is still needed in order to achieve one of the four allowable purposes set forth in section 302. It should be noted that a trusteeship cannot be dissolved for a violation of the provisions of section 303 dealing with violations of voting rights, selection of delegates, and the use of the trusteed local's funds. These violations can be remedied by the civil court actions previously described, but they do not affect the continuance or bring about the discontinuance of the trusteeship.

The Senate-passed bill did not provide for termination of the trusteeship upon proof that although properly established, the trusteeship was not being maintained for one of the four allowable purposes in section 302. Thus, a trusteeship validly established to restore democratic procedures in the trusteed local, one of the four allowable purposes, might continue to be maintained after this purpose had been achieved, for a purpose other than one of the allowable four. Under the Senate bill, none of the provisions permitted any action for terminating such trusteeship inasmuch as it had been validly established in the first place. The Landrum-Griffin bill corrected this defect and the conferees accepted the provisions of the Landrum-Griffin bill.

REPORT TO CONGRESS

Section 305 requires the Secretary to submit to Congress 3 years after the bill become law, a report on how the trusteeship title has operated.

COMPLAINT BY SECRETARY

Section 306 provides that any of the rights and remedies granted by the trusteeship title are in addition to any other rights or remedies under any other provisions of Federal or State law. In other words, there is no Federal preemption under this title, except that once the Secretary of Labor files a complaint in a Federal court alleging a violation of any provisions of the trusteeship title, the jurisdiction of the Federal court becomes exclusive—all other rights and remedies are preempted—and any final judgment of such court is res adjudicata, that is, conclusive and binding on every other court.

TITLE IV—ELECTIONS

TERMS OF OFFICE; ELECTION PROCEDURES

Section 401(a) requires every national or international labor union except a parent federation like the AFL–CIO itself, to elect its officers at least once every 5 years by secret ballots cast by its members in good standing or at a convention of delegates chosen by secret ballot.

The Senate bill, as passed, applied this requirement solely to the officers named in the union constitution. As a result, other officials, not so named, but authorized to perform the functions of officers and thus falling within the definition of "officer" in the bill, could be elected at intervals greater than 5 years, thereby defeating one of the indispensable objectives of reform legislation, to wit, an opportunity to compel rotation in office thereby enabling the membership to get rid of an undesirable incumbent officer and replace him with one whom they prefer.

The Landrum-Griffin bill closes this loophole by requiring all national or international officers—as defined in the bill—to be selected at least once every 5 years. The conferees accepted the Landrum-Griffin bill provision.

Section 401(b) requires that local union officers be chosen at least once every 3 years by secret ballots cast by its members in good standing. The Senate bill contained the same loophole with respect to these local officers as it did in connection with the election of international and national officers, as described above, and was similarly corrected by the conferees in accepting the Landrum-Griffin bill provision.

Section 401(c) provides that every union, except a parent federation like the AFL–CIO, has a duty, enforcible by a suit in a Federal court brought by any bona fide candidate for office in such union, to comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense, campaign literature in aid of his candidacy to all the union's members in good standing, and to refrain from discriminating in favor of or against any candidate with respect to the use of its membership lists; and, whenever the union or its officers authorize such distribution on behalf of any candidate or of the union itself, it must make similar distribution at the request of any other bona fide candidate, with equal treatment as to the expense thereof.

Every bona fide candidate has the right, once within 30 days before the election, to inspect a list containing the names and addresses of all the union's members who are covered by a compulsory union membership collective bargaining agreement, which list must be kept at the union's principal office by a designated official. The union must establish adequate safeguards to insure a fair election, including, but not limited to, the right of any candidate to have an observer at the polls and at the counting of the ballots.

Under the Senate bill, contrary to the Landrum-Griffin bill, these safeguards, designed to insure both equal treatment for all candidates for union office and fair union elections, were applicable only to elections for local union office and not to the elections of national or international union officers. The conferees closed this loophole by adopting the Landrum-Griffin approach.

The Kennedy-Ervin bill (S. 505), as introduced, contained no provisions guaranteeing equal treatment of bona fide candidates for union office, thus leaving every advantage in the hands of the incumbent union officers. Thus, it would have done nothing to correct the conditions, so prevalent in many unions, which permit the incumbent officers to perpetuate themselves in office indefinitely. In committee, minority members offered an amendment which required equal opportunity for all candidates with respect to the use of the membership lists for transmitting campaign literature as well as the requirement permitting all candidates to have observers at both the casting and counting of the ballots. This amendment was accepted in the Senate bill as reported. It is also part of the Landrum-Griffin bill and is retained in the conference report.

As reported, the Senate bill contained no provision requiring that bona fide candidates be permitted to make a physical inspection of the union's membership lists. Senator PROUTY offered an amendment to that effect which was rejected. The Landrum-Griffin bill contains such a provision permitting inspection of lists of members covered by a union-shop agreement and the conferees accepted such provision.

The Senate bill requires the union to establish safeguards for a fair count of the ballots. The Landrum-Griffin bill contained a much broader protection—it required adequate safeguards for a fair election which goes beyond a mere count of the ballots. The conferees accepted the language of the Landrum-Griffin bill.

Section 401(d) provides that officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, must be elected at least once every 4 years, by secret ballot among the members in good standing, or by union officers, elected by secret ballot as representatives of such members.

Section 401(e) provides that in any of the foregoing elections required by section 401, a reasonable opportunity shall be given to nominate officers, and every union member in good standing shall be eligible to be a candidate, and to hold office subject to reasonable qualifications uniformly imposed except for those disqualified as criminals and convicts under section 504, and to vote for or otherwise support the candidates of his choice, without being subject to any disciplining, interference, or reprisal by the union or any of its members. Not less than 15 days before an election, a notice thereof must be mailed to each member at his last known address, and each member in good standing is entitled to one vote.

No member whose dues have been withheld by his employer under a check-off provision voluntarily authorized by such member under the collective bargaining agreement shall be ineligible to vote for alleged failure to pay dues on time. The votes cast by members of each local shall be counted and the results published separately. The constitutionally designated union officials, or the union secretary, shall preserve for 1 year the ballots and all other records pertaining to the election which shall be conducted in accordance with the union's constitution and bylaws if they are not inconsistent with the provisions of title IV of the bill.

The Kennedy-Ervin bill (S. 505), as introduced, provided merely that a reasonable opportunity be given to nominate candidates. In committee, minority members offered the amendment that every member in good standing be eligible to be a candidate, to hold office, and to support the candidate of his choice, without being subject to penalty, interference, or reprisal of any kind by the union or its officers. This amendment was accepted. A similar provision is in the Landrum-Griffin bill as well as in the conference report.

The Kennedy-Ervin bill (S. 505), as introduced, dispensed with the 15-day mail notice to members of an election, if the union constitution and bylaws specified a regular time for holding elections. Minority members in committee objected to this provision, insisting that the 15-day mail notice be required in all union elections without exception but their objection was rejected in the bill as reported to the Senate, which in turn rejected the position of the majority members of the committee and accepted that of the minority members. The Landrum-Griffin bill and the conference report are the same as the original position of the minority members of the Senate committee.

Section 401(f) provides that when union officers are chosen in convention by delegates elected by secret ballot, the convention must be conducted in accordance with the union's constitution and bylaws if they are not inconsistent with the provisions of this title IV, and such union's constitutionally designated officials or its secretary must preserve for 1 year the credentials of the delegates and all minutes and records of the convention pertaining to the election of officers.

Section 401(g) provides that no union funds derived from dues, assessments, or any similar levy, and no money from an employer shall be contributed or used to promote the candidacy of any person for union office where such election is regulated by the provisions of this title IV. Such union funds—but not money from an employer—may be used for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election.

The Senate bill, as reported, did not limit the use of union funds to "a factual statement of the issues," so as to prevent the incumbent officers running for reelection from presenting such factual statement in a manner designed to further their own candidacies. On the floor of the Senate, Senator MUNDT offered the amendment, which the Senate accepted, limiting the presentation to a "factual statement of the issues" so as to preclude such candidates from gaining an advantage thereby. The conference report contains the same safeguard.

Section 401(h) provides that a member of a local union may complain to the Secretary that the constitution and bylaws of his local do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct. If the Secretary, after a hearing in accordance with the Administrative Procedure Act, finds such complaint to be true, then the officer so charged may be removed for cause shown, and after notice and hearing, by the members in good standing voting in a secret ballot conducted by the officers of such union in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title IV.

Section 401(i) provides that the Secretary shall promulgate rules and regulations prescribing minimum standards and procedures for determining the adequacy of the removal procedures referred to in the preceding section 401(h).

ENFORCEMENT

Section 402(a) provides that a union member who has, first, exhausted the remedies provided by his union's or its parent body's constitution and bylaws; or, second, invoked such remedies for 3 calendar months without obtaining a final decision, may, within 1 calendar month thereafter, file a complaint with the Secretary alleging the violations of any of the foregoing provisions of section 401 or the provisions of the union's constitution and bylaws pertaining to the election or removal of officers. The challenged election shall be presumed valid pending a final decision thereon and in the interim the business of the union shall be conducted by the officers elected or in any other manner provided in the union's constitution and bylaws.

The Kennedy-Ervin bill (S.505), as introduced, required a union member to invoke his union remedies for 4 months rather than 3 before complaining to the Secretary that the election provisions of section 401 had been violated. The minority in committee secured an amendment reducing this to 3 months as it appears in the conference report.

The Kennedy-Ervin bill (S. 505), as introduced, failed to provide that such a complaint could be filed by a union mem-

ber where his union's constitution and bylaws did contain an adequate removal procedure but the union or its officials were refusing to permit such procedure to be invoked or applied. In committee, I offered an amendment to correct this defect which was accepted, and it is contained in the conference report.

Section 402(b) provides that the Secretary must investigate such complaint by a union member, and if he finds probable cause to believe that a violation of this title IV has occurred and has not been remedied, he must within 60 days after such complaint has been filed, bring a civil suit in a Federal district court to set aside the invalid election, if any, and to direct the conduct of an election, or of a hearing and vote upon the removal of officers, both under his own supervision and in accordance with this title IV and such rules and regulations as he prescribed. The court is authorized to take such action as it deems proper to preserve the union's assets.

The Kennedy-Ervin bill (S. 505), as introduced, failed to give the Secretary the authority to supervise the hearing and vote upon the removal of officers. The minority members of the Senate committee offered an amendment to supply this omission which was accepted in the bill as reported and included in the conference report. Again, the Senate bill, as introduced, gave the court power to preserve and safeguard the union's assets if the court's decision declared an election to be void. The minority members of the Senate committee pointed out that this would permit the unlawfully elected officers to dissipate the union's assets during the substantial period which must elapse before the court reached a decision. They therefore offered an amendment permitting the court to take the necessary steps to preserve the union's assets as soon as the suit was begun. This was accepted in the bill as reported and is in the conference report.

Section 402(c) provides that if upon a preponderance of the evidence after a trial on the merits, the court finds, first, that a union election has not been held as frequently as required by section 401; or, second, that any violation of section 401 may have affected the outcome of a union election, the court shall declare the election, if any, to be void and direct a new election under the Secretary's supervision, and in conformity with the union's constitution and bylaws as far as that is practicable and consistent with the law. The Secretary must promptly certify to the court the names of the persons elected, and the court must thereupon enter a decree declaring such persons to be the union's officers. If the suit is for the removal of officers, the Secretary must certify the results of the vote and the court must enter a decree declaring whether such persons have been removed as officers of the union.

The Kennedy-Ervin bill (S. 505), as introduced, authorized the court to declare an election void only if the violation of section 401 actually affected the outcome of the election rather than may have affected such outcome. The difficulty of proving such an actuality would be so great as to render the professed remedy practically worthless. Minority members in committee secured an amendment correcting this glaring defect and the amendment is contained in the conference report.

The Kennedy-Ervin bill (S. 505), as introduced, made no provision in this subsection 402(c) for authorizing the court to entertain a suit for violation of the provisions pertaining to the removal of union officers. Minority members in committee offered an amendment to supply this serious omission which was accepted and included in the conference report.

Section 402(d) provides that a court order directing a union election, dismissing a complaint, or designating elected officers of a labor union, shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

APPLICATION OF OTHER LAWS

Section 403 provides that no union shall be required to hold elections of officers more frequently or in a different manner than is required by its own constitution and bylaws except as otherwise provided by this title IV. Existing rights and remedies to enforce the union's constitution and bylaws with respect to elections before such elections are actually held are preserved and not preempted, but the remedy provided by this title IV for challenging an election shall be exclusive, that is, shall preempt all other provisions of law.

In the Senate committee, the proponents of the Kennedy-Ervin bill inserted language, which, literally read, would have permitted the union, by modifying its constitution and bylaws, to evade the bill's requirements as to the form and manner of conducting elections for officers, and to hold such elections at longer intervals than the maximum of 5 and 3 years, respectively, required by this title IV. The minority members objected vigorously and the bill, as reported, accepted their objections, and closed this loophole in the language to preclude such evasion. The conference report adopts this safeguard.

The Kennedy-Ervin bill (S. 505), as introduced, completely preempted the entire field of union election procedures and requirements and their violation. As a result of the objections of members of the minority in committee, the compromise which is also in both the Landrum-Griffin bill and the conference report, was accepted, preempting only those rights and remedies in connection with challenging an election which has already been held, but preserving all other rights and remedies with respect to elections before they are conducted.

EFFECTIVE DATE

Section 404 provides that the union election provisions of this title IV shall become applicable, first, 90 days after enactment of the bill into law in the case of a union whose constitution and bylaws permit their amendment or modification by action of its constitutional officers or governing body; or, second, where such change in constitution and bylaws can only be made by a constitutional convention of the union, not later than the next constitutional convention of such union after the enacting date of this bill, or 1 year after such date, whichever occurs sooner.

If no such convention is held within such 1-year period, the executive board or similar governing body empowered to act for such union between conventions, is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title IV regardless of any provisions in the union's constitution and bylaws to the contrary.

These provisions are not to be construed as permitting a local and international election of union officers to be deferred until 3 and 5 years respectively after the act becomes effective regardless of how many additional years have elapsed since such elections were held. Thus, for example, an international which has not held an election for officers in the 10 years preceding enactment of this bill, is not granted an additional 5 years after such enactment, before being required to hold such an election. Such election must be held, at the very latest, not more than 1 year after date of enactment.

The Senate bill, as introduced, reported out of committee, and passed by the Senate, provided a grace period of up to 2 years for complying with the election provisions of this title IV. The conference report reduced this to 1 year.

TITLE V—SAFEGUARDS FOR LABOR UNIONS

FIDUCIARY RESPONSIBILITY OF OFFICERS OF LABOR UNIONS

Section 501(a) provides that union officers, agents, shop stewards, and other representatives occupy positions of trust in relation to the union and its members as a group. It makes it their duty, taking into account the special problems and functions of a labor union, to hold the union's money and property solely for the benefit of the union and its members; to manage, invest, and expend the same in accordance with its constitution, bylaws, and any resolution of the union's governing bodies adopted thereunder; to refrain from dealing with their union as an adverse party or in behalf of an adverse party in any matter connected with their duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of the union; and to account to the union for any profit received by them in whatever capacity in connection with transactions conducted by them or under their direction on behalf of the union. A general provision in the constitution and bylaws of the union or a general resolution of its governing body purporting to relieve any such union official of liability for breach of the duties imposed on him by this section is void as against public policy.

The Kennedy-Ervin bill (S. 505), as introduced, contained no provision of any kind imposing fiduciary status and obligations on union officials. In committee, minority members protested vigorously against this omission and

urged an amendment to impose such status and obligations and for an effective remedy against any breach thereof. This amendment was rejected and instead a statement was included in the policy section of the bill as reported to the Senate—in other words, in the preamble—declaring it to be the policy of the United States to encourage the faithful observance by union officials of their fiduciary responsibilities by requiring them to file conflict-of-interest reports—which the bill required anyway under title II—and to file reports on all expenditures by them, for community welfare, educational or charitable purposes, loans, and other transactions involving union funds—which were not required under the bill to be filed by them personally.

This statement in the preamble was a mere pious gesture, having no legal effect, providing no remedy for enforcement, and designed to create the misleading public impression that the bill effectively placed union officials in the status of fiduciaries, a status which the public was demanding.

On the Senate floor, an amendment was adopted, imposing a fiduciary status on union officials with respect to money or property in possession of such official by virtue of his office. No remedy for breach of such obligation was provided, nor did the amendment specifically provide that such officials were under a legal duty to refrain from engaging in conflict-of-interest transactions or holdings. The Landrum-Griffin bill both imposed the fiduciary status and provided a remedy for breach thereof. The conference report provided such remedy—as described below—and made it clear that involvement of a union official in a conflict-of-interest situation was a breach of his fiduciary responsibility.

Section 501(b) provides that when any such union official is alleged to have violated his fiduciary duties, and the union or its governing board, or its officers, refuse or fail to sue or recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the union, such member may sue the official in a Federal district court or a State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief—including injunctive relief—for the benefit of the union. No such suit shall be brought except upon leave of the court obtained upon verified application—meaning a sworn application—and for good cause shown, which application may be made ex parte—that is to say without notice to the union to appear in court and offer its defense.

The judge may allot a reasonable part of the recovery in any such suit to pay the fees of the lawyer bringing the suit for the union member, and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

As indicated above, at no stage of the Senate bill was a remedy for breach of fiduciary duty provided. It is in both the Landrum-Griffin bill and the conference report.

Section 501(c) provides that any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor union of which he is an officer, or by which he is employed, directly or indirectly, shall be guilty of a felony and fined not more than $10,000 or imprisoned for not more than 5 years or both.

This section makes embezzlement or any unlawful taking of union funds a Federal crime in addition to its already being a crime under all the laws of all the States. In addition, under section 501(b), described above, a union member may bring suit, where such an unlawful taking is engaged in by a union official, for breach of the fiduciary duty of such official.

Although the Senate bill, both as introduced and as reported from committee, also made such unlawful taking of union funds a Federal crime, it did not permit a civil suit by a union member unless the union official charged with the taking had been already convicted in a criminal proceeding of actually having committed such a crime. Thus, in effect, no recovery in a civil action for such unlawful taking was permitted except upon proof of guilt beyond a reasonable doubt rather than upon the mere preponderance of the evidence which is all that is required for recovery in a civil suit.

I offered an amendment in committee to permit such civil suit at least upon indictment of the union official, as well as conviction, but this was rejected. On the Senate floor, an amendment was adopted permitting such suit upon a mere allegation of an unlawful taking, but the conference report solves the entire problem by providing an adequate civil remedy for breach of the fiduciary obligation including an alleged embezzlement or other unlawful taking of union funds or property by a union official, and relief is awarded on a mere preponderance of the evidence.

In the Kennedy-Ervin bill—S. 505—as introduced, the provision making embezzlement and unlawful taking a Federal crime was applicable to the funds and property of all tax-exempt organizations, not merely to labor unions. In no hearing before any congressional committee at any time had there ever been even the slightest evidence that such crimes were being committed in connection with the funds or property of any tax-exempt organizations other than labor unions. In committee, the provision was made applicable to labor unions only, as it is in both the Landrum-Griffin bill and the conference report.

And finally, the Kennedy-Ervin bill (S. 505), as introduced, although permitting a union member to bring a civil suit to recover embezzled or unlawfully taken union funds against a union official convicted of such unlawful taking, required the union member to wait until the union or its governing body or officers had themselves failed or refused to bring such suit following a demand that they do so. But no time limit was placed on how long the union member had to wait before bringing suit where the union failed to sue.

In committee, I offered an amendment which was accepted in the bill as reported to the Senate, requiring the union member to wait no longer than 6 months where the union failed to do so following such demand.

BONDING

Section 502(a) provides that every officer, agent, shop steward, or other representative of a union, the property and annual receipts of which exceed $5,000, or of a trust in which such union is interested, who handles funds or other property of such union or trust must be bonded for the faithful discharge of his duties.

Each such person's bond shall be fixed at the beginning of the union's or trust's fiscal year and shall not be for less than 10 percent of the funds handled by him or his predecessors during the preceding fiscal year, but not more than for $500,000. If the union or trust does not have a fiscal year, the bond shall be at least $1,000 for a local union and $10,000 for a trust or any nonlocal union.

Such bonds must be individual or schedule in form—that is, the individual holding the office must personally be bonded and not merely the position he holds—and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of such union or trust.

No such bond shall be placed through an agent or broker, or with a surety company, in which any labor union or any of its officials have a direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the act of July 30, 1947 (6 U.S.C. 6–13), as an acceptable surety on Federal bonds.

Neither the Senate bill, as introduced, nor as reported by the committee to the Senate, contained any provision for the bonding of union officials. Senator McCLELLAN, on the Senate floor, secured adoption of an amendment requiring bonding of union officials handling the funds or property of such union or trust. But the bonding provision contained in the Landrum-Griffin bill was more effective in the following respects:

First. The bond must be a personal one, thus insuring a thorough investigation by the bonding company of the financial reliability of the applicant for the bond. This results in prohibiting any individual to handle union funds if he is unable to secure such bond because the results of his investigation are unfavorable. This constitutes a built-in safeguard against the holding of union office by many of the crooks, racketeers, and criminals who have infiltrated the labor movement. There was no similar requirement in the Senate bill;

Second. No bonding company is eligible to furnish a bond for any union official pursuant to the bonding requirements of the bill if any labor union or union official has any interest in such

company or in the agent or broker through whom the bond is placed. There was no such safeguard in the Senate bill.

Third. The only bonding companies which are eligible to provide bonds under this section are those on the approved list of the Secretary of the Treasury. The Senate bill contained no such requirement.

In conference, the conferees adopted a provision imposing a maximum ceiling of $500,000 on the amount of any single bond required. This is twice as great as the $250,000 maximum provided in the Senate bill.

Section 502(b) provides that any person who willfully violated the bonding provision shall be guilty of a misdemeanor or punishable by fine and imprisonment up to $10,000 and 1 year. This would apply to both the individual who, as a union official, handles union funds or property without having such bond and to the labor union or its officers who knowingly permit him to do so.

The bonding provision in the Senate bill merely prescribed bonding for union officials handling union funds or property. Unlike the Landrum-Griffin bill and the conference report, it failed to provide any remedy, sanction, or penalty, civil or criminal, for a violation of the bonding requirement.

MAKING OF LOANS; PAYMENT OF FINES

Section 503(a) forbids any labor union, directly or indirectly, to have out on loan at any time a total of more than $2,000 to any officer or employee of the union.

The Kennedy-Ervin bill (S. 505), as introduced, was so worded as to permit the union to make a series of loans, to any single union official, as long as each separate loan was not more than $1,500 when it was made, and without regard to such official's preceding indebtedness to the union and without any limit to the total indebtedness thereby permitted to be incurred by such official.

I offered in committee an amendment which was accepted, limiting the total indebtedness to be permitted to any union official by the lending union to the stated amount. This approach is the same as that in the Landrum-Griffin bill and the conference report.

Section 503(b) prohibits any labor union or employer from directly or indirectly paying the fine of any officer or employee convicted of any willful violation of the bill.

The Kennedy-Ervin bill (S. 505), as introduced, contained no such provision. At the initiative of minority members in committee, an amendment containing this prohibition was included in the bill as reported to the Senate. It is also contained in both the Landrum-Griffin bill and the conference report.

Section 503(c) makes it a misdemeanor, punishable by fine and imprisonment of up to $5,000 and 1 year, for any person to violate the loan limitations and prohibition against payment of fines contained in this section 503.

PROHIBITION AGAINST CERTAIN PERSONS HOLDING OFFICE

Section 504(a) prohibits any person who has been a Communist Party member or who has been convicted or served any part of a prison term for conviction of certain enumerated felonies or of violation of title II—reporting requirements or title III—trusteeships—or of conspiracy to commit any such crimes from serving first, as an officer, official, or employee—other than clerical or custodial—of any labor union; or, second, as a labor relations consultant to any person engaged in an activity affecting commerce or as an officer, official or employee—other than clerical or custodial—of any group or association of employers dealing with any union, for 5 years after termination of Communist Party membership, or for 5 years after such conviction or imprisonment, unless having been so convicted or imprisoned, (A) his citizenship rights having been revoked, have been fully restored, or (B) the Federal Parole Board determines that such person's service as a union official, labor relations consultant, or employee of an employer association would not be contrary to the purposes of this act.

Before making such determination, the Parole Board must hold an administrative hearing and give notice thereof to the State, county and Federal prosecuting officials in the jurisdiction in which such person was convicted, and the Board's determination shall be final.

No union or union officer shall knowingly permit any person to assume or hold any office or paid position in violation of this prohibition.

The Kennedy-Ervin bill (S. 505), as introduced, although prohibiting union officials and employees from so serving if they had been previously convicted of violations of the reporting requirements and trusteeship provisions of the bill, made an exception for paid personnel paid $4,000 per year or less. This was knocked out in committee and no such limitation is in either the Landrum-Griffin bill or the conference report.

Neither the Senate bill (S. 505), as introduced, nor as reported from committee, provided that the 5-year prohibition against holding union office or employment should run from the termination of imprisonment as well as from conviction, whichever occurs later. This would have permitted the 5 years to run while a felon was actually serving his prison term, and in many cases, permit him to hold office less than 5 years after such imprisonment or even immediately on the termination thereof. This was corrected on the Senate floor. Neither the Landrum-Griffin bill nor the conference report contained this defect.

The Kennedy-Ervin bill (S. 505), as introduced, forbade a labor union or any officer thereof, knowingly and willfully, to permit any person to hold any union office or paid position if he had been convicted of or imprisoned for violation of the reporting and trusteeship provisions of the bill, but not of any of the other felonious crimes referred to above.

In subcommittee, the majority proposed that even this limited prohibition be further limited to hold only the union officers, and not the union itself, responsible for permitting such persons to hold union office or employment. As a result of the vigorous objection of members of the minority, this further limitation was deleted in the bill, as reported to the Senate, but still only applicable to persons in violation of the reporting and trusteeship provisions of the bill.

The conference report makes it unlawful for the union or its officers knowingly to permit any person to hold union office or employment in violation not only of the reporting and trusteeship provisions of title II and III, but also those guilty of any of the other enumerated felonies, as well.

Section 504(b) makes it a misdemeanor, punishable by fine and imprisonment up to $10,000 and 1 year for violation of the foregoing provisions of section 504(a).

Section 504(c) provides that for the purposes of this section 504, a person shall be deemed to have been convicted and under the disability of conviction from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever occurs later, regardless of whether such conviction occurred before or after the date of enactment of this act.

AMENDMENT TO SECTION 302 OF TAFT-HARTLEY

Section 505 amends section 302 of the Taft-Hartley Act. That section forbids employers to pay or deliver anything of value to any representative of his employees. It is now amended as section 302(a) to apply also to employer associations, labor relations consultants to employers, or persons acting in the interest of an employer, and to include loans as well as payment and deliveries. The prohibition is extended also to payments, deliveries or loans to first, labor unions, their officers or employees, which represent, seek to represent, or would admit to membership, any of the employees of such employer; or, second, any employee or group of employees of such employer, in excess of their normal wage, for the purpose of causing them, directly, or indirectly, to influence any other employees in the exercise of their right to organize and bargain collectively, or, third, any union officer or employee with intent to influence his actions, decisions, or duties as a representative of employees or as such union officer or employee.

Section 302(b)(1) of Taft-Hartley is amended to forbid all persons falling in the above categories—to whom payments or loans under section 302(a) may not be made—to request, demand, receive, or accept, or agree to receive or accept, any such payment, loan or delivery.

In the Senate bill, as introduced, reported and passed by the Senate, although it was made a crime for an employer, consultant, and so forth, to lend, as well as to pay or deliver, it was made a crime for the recipient only with respect to payments or deliveries and not to loans. Thus, under this provision an employer committed a crime by making a loan to an official of the union he bargained with, but no crime for the union official to accept the loan. The Landrum-Griffin bill corrected this loophole and the conference report includes this correction.

The Kennedy-Ervin bill (S. 505), as introduced, in prohibiting payments or loans to employees for the purpose of persuading other employees in the exercise of their rights, failed to limit this prohibition to payments in excess of normal wages, and hence, merely paying of the usual and normal wages under these circumstances would have been unlawful. Minority members in committee offered an amendment limiting such illegality only to payments, and so forth, in excess of normal compensation, which was accepted in the bill as reported. This amendment is included in the Landrum-Griffin bill and the conference report.

A new provision is added to section 302 of Taft-Hartley, designated as 302(b)(2). This makes it a crime for any union, or for any person acting as an officer, agent, representative or employee of such union, to demand or accept from the operator of any motor vehicle—as defined in part II of the Interstate Commerce Act—employed in the transportation of property in interstate commerce, or the employer of any such operator, any money or other thing of value payable to such labor union or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle, but this prohibition does not make it unlawful for an employer to make any payment to any of his employees as compensation for their services as employees.

The conference report also amends section 302(c) of Taft-Hartley which sets forth certain exemptions to the prohibition against employer payments and their acceptance under sections 302 (a) and (b).

The first exception in section 302(c) is expanded to exempt payments by an employer to any employee whose established duties include acting openly for such employer in matters of labor relations or personnel administration, or to any representative of his employees, or to any officer or employee of a labor union, who is also an employee or former employee of such employer, as wages for his services as an employee of such employer.

To the five exemptions listed in section 302(c), the conference report adds a sixth: anything of value paid by an employer to a trust fund established by a union for the purpose of pooled vacation, holiday severance or similar benefits, or defraying costs of apprenticeship or other training programs, all subject to the same conditions applicable to welfare and benefit plans under Taft-Hartley prior to its amendment by this bill.

In all stages of the Senate bill, from original introduction to final passage by the Senate, the fourth exemption of section 302(c) exempting checkoff of union dues was amended to exempt checkoff of periodic payments in lieu of dues. These periodic payments are a device now being used in some States to circumvent State right-to-work laws. The Landrum-Griffin bill provided no exemption for these payments and the conference report is the same.

TITLE VI—MISCELLANEOUS PROVISIONS

INVESTIGATIONS

Section 601(a) authorizes the Secretary, when he believes it necessary, to determine whether any person has violated or is about to violate any of the provisions of this act except the bill of rights in title I and the amendments made to Taft-Hartley, to make a complete investigation of such places, persons, and records as he deems necessary to determine the facts. The Secretary may report to interested persons or officials—the Department of Justice, for example—concerning the facts required to be shown in any report required by this act and concerning the reasons for failure to file such report, or concerning any other matter he deems appropriate as the result of such an investigation.

The Kennedy-Ervin bill (S. 505), as introduced, required the Secretary to investigate only if he had probable cause to believe that any person had violated any provision of the reporting title of the act only. Minority members of the committee offered an amendment which did three things: First, it struck out the requirement of "probable cause" as a condition for initiating an investigation; second, it broadened the Secretary's investigative power so that it applied not only to provisions of the title requiring the filing of reports, but to violations of any of the provisions of the entire act; and, third, it further broadened the Secretary's powers to extend not only to violations actually committed, but to those which he believed were about to be committed. These amendments were accepted in the Senate bill as reported, and are included in the conference report, together with an amendment making the use of the investigatory power discretionary with the Secretary instead of mandatory.

The effect of these provisions as they appear in the conference report is to give the Secretary of Labor the same unlimited investigatory power he is presently authorized to exercise under the Fair Labor Standards and Walsh-Healey Acts, and which are presently possessed by other Federal agencies such as the Commissioner of Internal Revenue and the General Counsel of the National Labor Relations Board in investigating actual or possible violations of the statutes which they administer.

In the Kennedy-Ervin bill (S. 505), as introduced, the Secretary was not only limited to investigating violations of the reporting requirements of the bill, but to reporting such violations to the members of the affected union only. In committee, as a result of a proposal by minority members this was broadened to permit the Secretary to report any facts contained in a required report or resulting from his investigation, to interested persons and officials. The conference report is the same.

Section 601(b) provides that for the purpose of any investigation under this act, the provisions of sections 9 and 10—relating to the attendance of witnesses and the production of books, papers, and documents—of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him. This gives the Secretary the same powers given to him in the Fair Labor Standards Act by a substantially identical provision.

EXTORTIONATE PICKETING

Section 602(a) forbids picketing of an employer where the purpose is the personal profit or enrichment of any individual—except a genuine increase in wages or employee benefits—by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

Section 602(b) makes it a felony punishable by fine or imprisonment up to $10,000 and 20 years to picket in willful violation of the foregoing prohibition in section 602(a).

In the Kennedy-Ervin bill (S. 505), as introduced, this type of extortionate picketing was also prohibited but merely as a new union unfair labor practice added to the Taft-Hartley Act instead of the serious felony which it is. Moreover, the language of the provision in the Senate bill did not exclude genuine wage raises or increased employee benefits from the concept of "personal enrichment of any individual." Thus, under the Senate bill, a picket line against an employer to induce him to grant a wage increase, would, in the literal language of the provision, constitute a violation of it.

Minority members in the committee offered an amendment to exempt genuine wage and employee benefit increases from the prohibition, and to make its violation a crime instead of an unfair labor practice. These amendments were accepted in the Senate bill as reported and are included in the Landrum-Griffin bill and the conference report.

RETENTION OF RIGHTS UNDER OTHER FEDERAL AND STATE LAWS

Section 603(a) is part of the antipreemption provisions of the act. It provides that except as explicitly provided to the contrary, nothing in the act shall reduce or limit the responsibilities of any union or any officer, agent, shop steward, or other representative of a union or of any trust in which a union is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this act shall take away any right or bar any remedy to which union members are entitled under such other Federal law or the law of any State.

The Kennedy-Ervin bill (S. 505), as introduced, and the bill as reported to the Senate did not contain this section nor any similar antipreemption provision, thus raising a serious question about the validity or enforcibility of State laws in the areas covered by this act. This antipreemption provision is contained in the Landrum-Griffin bill and included in the conference report.

Section 603(b) provides that nothing contained in the first six titles—excluding title VII which amends Taft-Hartley—shall be construed to supersede or

impair or otherwise affect the provisions of the Railway Labor Act or any of the obligations, rights, benefits, privileges, immunities of any carrier, employee, organization, representative, or person subject to such act; nor shall anything contained in said six titles—except section 505 amending section 302 of Taft-Hartley—of this act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under title I of the Taft-Hartley Act.

EFFECT ON STATE LAWS

Section 604 provides that nothing in the act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault which inflicts grievous bodily injury, or conspiracy to commit any of such crimes.

This is the act's antipreemption provision with respect to State criminal law. It is designed to make it clear that State criminal laws prohibiting the same felonies, conviction of which constitutes a disqualification for union office, are not preempted but left in full force and effect and completely enforcible.

The Kennedy-Ervin bill (S. 505), as introduced, did not contain this or any similar provision preserving the authority of the States to enact and enforce their own criminal laws. In committee, Senator DIRKSEN offered an amendment, which was accepted in the bill as reported, preserving State authority to enact and enforce their criminal laws, thereby preventing Federal preemption in this area of the law. As modified somewhat on the Senate floor, this safeguard was included in the Landrum-Griffin bill as well as in the conference report.

SERVICE OF PROCESS

Section 605 provides that for the purposes of this act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor union in his capacity as such shall constitute service upon the labor union.

This provision was not contained in the Senate bill. It was taken by the conferees from the Landrum-Griffin bill.

ADMINISTRATIVE PROCEDURE ACT

Section 606 makes the provisions of the Administrative Procedure Act applicable to the issuance, amendment, or rescission of any rules or regulations, or any adjudicatiCn, authorized or required under the provisions of this act.

OTHER AGENCIES AND DEPARTMENTS

Section 607 authorizes the Secretary to make such arrangements or agreements for cooperation or mutual assistance with other Government agencies in the performance of his functions under this act as he may find practicable and legal. He may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or its subdivisions with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this act.

The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this act as may be found to warrant consideration for criminal prosecution under the provisions of this act or other Federal law.

The Kennedy-Ervin bill (S. 505), as introduced, contained no such provision, and its omission would have seriously handicapped the Secretary in adequately carrying out his duties under the act and thereby made it more difficult to achieve the desired effective labor reform. Minority members in committee offered an amendment to supply this omission which was accepted in the bill as reported and included in both the Landrum-Griffin bill and the conference report.

CRIMINAL CONTEMPT

Section 608 provides that no person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any Federal court under the provisions of this act unless the facts constituting such criminal contempt are established by the verdict of the jury in a Federal district court trial, which jury shall be chosen and empaneled in the manner prescribed by the law governing jury trials in criminal prosecutions in the Federal district courts.

This safeguard was not in the Senate bill either as introduced or as reported. It was included in the Landrum-Griffin bill and in the conference report.

PROHIBITION ON CERTAIN DISCIPLINE BY UNION

Section 609 makes it unlawful for any labor union or union officer, agent, shop steward, employee, or other representative thereof, to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this act. Any union member who has been subjected to conduct constituting a violation of this section may sue under section 102 for appropriate relief including injunctions in the Federal district court for the district where the alleged violation occurred, or where the principal office of such union is located.

The Kennedy-Ervin bill (S. 505), as introduced, contained no such provision. It was added in committee by an amendment offered by minority members and accepted in the bill as reported. This provision was included in the Landrum-Griffin bill with a civil enforcement sanction instead of a criminal penalty as in the Senate bill. The conference report embodies the approach of the House-passed bill.

DEPRIVATION OF RIGHTS UNDER ACT BY VIOLENCE

Section 610 makes it a misdemeanor punishable by fine and imprisonment up to $1,000 and 1 year for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor union for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this act.

The Kennedy-Ervin bill (S. 505), as introduced, contained no similar provision. It was added in committee by an amendment offered by minority members and accepted in the bill as reported. This provision was included in the Landrum-Griffin bill as well as in the conference report.

SEPARABILITY PROVISIONS

Section 611 provides that if any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

TITLE VII—AMENDMENTS TO THE TAFT-HARTLEY ACT

The Kennedy-Ervin bill (S. 505), as introduced in the Senate, contained a number of amendments to Taft-Hartley, all of which were supported by the labor movement, none of which reflected the wishes of management, and none of which had any significant relevance to that internal reform of the labor movement which the American public was demanding.

The bill as reported from the committee, with few modifications of any importance, also contained these Taft-Hartley amendments. At some time before the bill went on to final passage in the Senate, the leaders of the American labor movement, particularly of the AFL–CIO, publicly made it perfectly plain that they would oppose any labor reform bill which did not contain these Taft-Hartley amendments favorable to them, amendments which in popular parlance became known as the sweeteners.

As this analysis will indicate, these sweeteners were either wholly eliminated or substantially modified in both the Landrum-Griffin bill and the conference report, and in their place are to be found instead, Taft-Hartley amendments substantially and directly connected with the problem of labor reform, particularly as related to corruption, racketeering, gangsterism and lack of democratic procedures in some sectors of the labor movements.

FEDERAL-STATE JURISDICTION

Section 701(a) amends section 14 of the National Labor Relations Act—title I, Taft-Hartley Act—by adding a new subsection (c) which provides as follows:

First. The Board—NLRB—is given discretion, either by decision or by published rules adopted pursuant to the Administrative Procedure Act, to decline to assert its jurisdiction over any labor

dispute involving any class or category of employers where, in the Board's opinion, the effect of such dispute on interstate commerce is not substantial enough to warrant the Board's exercise of its jurisdiction, but the Board is prohibited from so declining with respect to any dispute over which it would have asserted jurisdiction under its own jurisdictional standards as they prevailed on August 1, 1959.

Second. The courts or agencies of every State and territory—including Puerto Rico, Guam, and the Virgin Islands—are authorized to assume and assert jurisdiction over all disputes over which the Board lawfully declines to assert jurisdiction as authorized under the preceding paragraph, and to apply their own laws, both procedural and substantive, in disposing of these cases.

These provisions overrule the Supreme Court's decision in the Guss case, for the first time establish a statutory basis for the Board's refusal to assert jurisdiction, and not only eliminate the so-called no man's land in the law of labor relations, but effectively solve the no man's land problem by providing not only a forum, but relatively expeditious relief for small employers and their employees, and the labor unions which have a relationship to such employers.

The Kennedy-Ervin bill, S. 505, as introduced, took the opposite approach to eliminating the no man's land. It required the Board to assert its full jurisdiction at all times, that is, to take every case, no matter how small the impact on interstate commerce, as long as the enterprise involved was technically in or affected such commerce. Theoretically, this would have eliminated the no man's land but actually it would have failed to solve the basic no man's land problem, a fact recognized and admitted even by some of the supporters of the proposal. Given the tremendous backlog of the Board, requiring it to take every case would only have increased its backlog and made even relatively quick relief in most cases impossible.

In committee, I offered an amendment which took substantially the same approach as the provision which has now become part of the law. My amendment was rejected. Instead, the committee reported out a provision which professed to compromise the issue, but which, under another guise, for all practical purposes required the Board to take every case within its statutory jurisdiction.

Again, on the floor of the Senate, Senator McCLELLAN and Senator ALLOTT offered an amendment substantially the same as that offered by Senator GOLDWATER in committee. This too was rejected. Instead, the Senate adopted a provision modifying the committee bill's provision somewhat by permitting State labor agencies—not courts—to take cases which the Board declines to take, but requiring the State agencies to apply Federal law—Taft-Hartley—in deciding such cases, and limiting all appeals from the State agencies to the Federal courts exclusively.

The Landrum-Griffin bill used the same approach as that contained in Senator GOLDWATER's amendment. This was adopted by the conferees subject only to the limitation with respect to the Board's jurisdictional standards prevailing on August 1, 1959, previously referred to.

Section 701(b) amends section 3(b) of the National Labor Relations Act—title I, Taft-Hartley—as follows:

The Board is authorized to delegate to its regional directors its powers under section 9 to determine the appropriate unit for collective bargaining, to investigate, to provide for hearings where it determines a question of representation exists—that is, a question as to who shall represent employees as exclusive collective bargaining agent—and to direct an election or take a secret ballot under section 9 (c) or (e) and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person—anyone who is or might be concretely affected by the proceedings—the Board may review any action of a regional director delegated to him under this provision, but such a review shall not, unless specifically ordered by the Board, operate to halt any action taken by the regional director.

This is a new provision, not in either the House or Senate bills, designed to expedite final disposition of cases by the Board, by turning over part of its caseload to its regional directors for final determination.

Under this provision, the regional directors can exercise no authority in representation cases which is greater or not the same as the statutory powers of the Board with respect to such cases. In the handling of such cases, the regional directors are required to follow the lawful rules, regulations, procedures, and precedents of the Board and to act in all respects as the Board itself would act.

This decision is not mandatory. The Board may grant it, but need not, if it so prefers. It may delegate fewer than all of its statutory powers in representation cases, withholding some from the regional directors and reserving them for its own exercise. Thus, if the Board so decides, it may reserve for its own handling and decision, those representation cases which arise from petitions filed in connection with the new antipicketing, unfair labor practice provision section 8(b)(7), of the National Labor Relations Act. Or it may refuse to delegate authority to handle all or any part of the proceedings in contested representation cases.

This authority to delegate to the regional directors is designed, as indicated, to speed the work of the Board. In a sense it replaces the provision for prehearing elections contained both in the Senate bill as reported and as passed, and which both in committee and on the Senate floor was opposed by some members of the minority and which was contained in neither. The Landrum-Griffin bill contains no such provision, nor does the conference report.

The Kennedy-Ervin bill (S. 505), as reported, contained a provision narrowing the definition of a "supervisor" in the Taft-Hartley Act, thus bringing under the act's coverage as employees, a substantial number of personnel who were theretofore excluded as supervisors, that is, representatives of management. I vigorously resisted this change and it finally was considerably limited in scope by the committee and as thus modified, included in the bill reported to the Senate.

No such provision, even as modified, is contained either in the Kennedy-Ervin bill or in the conference report.

ECONOMIC STRIKERS

Section 702 amends section 9(c)(3) of the National Labor Relations Act—title I, Taft-Hartley—as follows:

Employees engaged in an economic—as distinguished from an unfair labor practice—strike who are not entitled to reinstatement are eligible to vote under such regulations as the Board finds to be consistent with the purposes and provisions of the Taft-Hartley Act in any election conducted by the Board within 12 months after the beginning of the strike. After 12 months have elapsed, such economic strikers may not vote. The Board, even during the first 12 months of a strike, may deny the vote, for example, to strikers who have engaged in criminal or unprotected activity for which the employer has the right to fire them, or to strikers who have ceased to be employees, as defined in Taft-Hartley, because they have "obtained other regular and substantially equivalent employment."

The Kennedy-Ervin bill (S. 505), as introduced, merely repealed the existing prohibition against voting by economic strikers not entitled to replacement, without attaching any limitations either as to time or circumstance and without expressly authorizing the Board to impose such limitations. The result would have been to give replaced economic strikers, not entitled to have their jobs back, the right to vote in Board elections indefinitely, and even if they had engaged in unprotected or illegal activity.

In committee, I offered an amendment to impose a time limitation but my amendment was rejected. On the Senate floor, this provision was modified to allow the Board to permit such strikers to vote under regulations consistent with the purposes and provisions of the act. This Senate bill provision was accepted by the conferees as modified by the addition of the 12-month time limitation on such voting rights.

VACANCY IN OFFICE OF GENERAL COUNSEL

Section 703 amends section 3(d) of the National Labor Relations Act—title I, Taft-Hartley—as follows:

In case of a vacancy in the office of the General Counsel, the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy—without Senate confirmation—but no person so designated shall so act, first, for more than 40 days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate—this prevents the President from keeping such appointee indefinitely in the job without Senate confirmation—or, second, after the adjournment sine die of the session of the Senate in which such nomination was submitted—this is because with the Senate's adjournment the President has the power immediately to

make a recess appointment and the office therefore need not remain vacant.

Under Taft-Hartley only the General Counsel is authorized to issue complaints in unfair labor practice cases, that is, only he can initiate the official proceedings in such cases. Heretofore, when his office became vacant, until the Senate confirmed the President's new appointee, the office had to remain vacant and no complaints could be issued. This brought the work of the Board to a halt in connection with new unfair labor practice cases and perforce left these violations of law unremedied and the victims thereof without an operating forum. This new provision makes it possible to preclude any such stoppage in the operations of the NLRB by permitting the President to designate an employee of the Board only, to act temporarily as General Counsel, possessed of all of the statutory powers of that office and until replaced by a permanent successor under the prescribed limitations described above.

The Kennedy-Ervin bill (S. 505), as introduced, contained no similar provision. In committee, I offered the provision as an amendment which was accepted in the bill as reported. It is included in both the Landrum-Griffin bill and the conference report.

BOYCOTTS AND RECOGNITION AND ORGANIZATIONAL PICKETING

Section 704(a) amends section 8(b)(4) of the National Labor Relations Act—Title I, Taft-Hartley—as follows:

It closes the three major loopholes which have heretofore existed in the Taft-Hartley Act's prohibition against secondary boycotts.

First, it does this by making it an unfair labor practice for a labor union to "threaten, coerce, or restrain," by economic and other means, any person—usually the secondary employer with whom the union may have no other dispute—to cease, in any way, or to any degree, to do business with any other person—usually the primary employer with whom the union may have a dispute. Under previous law, such pressure did not violate the ban on secondary boycotts because it was brought to bear directly on an employer rather than indirectly through inducement of his employees, the latter being the only means which the Board had held the law to prohibit.

Secondly, by substituting the term "person" for the term "employer," it broadens the scope of the latter term to its full dictionary meaning instead of the limited meaning which it has under the definition of "employer"—and "employee"—in Taft-Hartley. "Employer" is defined in Taft-Hartley to exclude employers subject to the Railway Labor Act; agricultural employers; all governmental agencies, bodies, or corporations; Federal Reserve banks; and nonprofit hospitals. "Employee" as defined does not include employees of the above excluded employers.

Thus, if the employers and employees involved in a secondary boycott are not "employers" and "employees" within the meaning of the above Taft-Hartley definitions, then the secondary boycott did not constitute a violation of the Taft-Hartley Act. Substituting the term "person" for "employer" in section 8(b)(4) makes such secondary boycotts illegal despite the fact that the employers and employees involved are among those excluded from the Taft-Hartley definitions of "employer" and "employee."

Under the Taft-Hartley Act, prior to these amendments, as construed by the Supreme Court, a union's inducement of an individual employee of a secondary employer individually to cease working or handling the goods of the primary employer was not an unlawful secondary boycott. The Court held that an inducement to cease working or handling was illegal only if directed at employees for the purpose of inducing them so to cease in concert, not individually. The new amendment in the conference report closes this third loophole by making an inducement to cease working or handling individually, also an unfair labor practice under section 8(b)(4).

This new amendment in the conference report also makes secondary consumer boycotts illegal subject to certain narrow and limited exceptions. Thus, under previous law a labor union having a dispute with the producer, company A, could lawfully picket the distributor, company B, who carried company A's products for sale, for the purpose of inducing consumers not to patronize company B, subject to certain restrictions imposed by the Board. Under the new amendment, such picketing becomes illegal, but the union is permitted to engage in publicity—by means other than picketing—truthfully advising the public that company B the distributor—the secondary employer—is distributing goods produced by company A, the producer with whom such labor union has a primary dispute. But even this permitted—but limited—type of union activity becomes unlawful if such publicity has an effect of inducing any individual employed by any person other than the producer, company A, in the course of his employment to refuse to pick up, deliver, or transport any goods, or not to perform any services, at the establishment of the secondary employer who is engaged in such distribution, that is, the distributor, company B.

The amendment does nothing to impair or disturb the decisional rules evolved by the Board in connection with the significance of the situs—primary or secondary—of the inducement in determining its legality. It does not eliminate, restrict or modify the limitations on picketing at the site of a primary labor dispute which were applicable prior to this amendment. The rules laid down in certain decisions with respect to such picketing are still the law, as for example, in *NLRB* v. *Denver Building and Construction Trades Council, et al.*, 341 U.S. 675 (1951); *Brotherhood of Painters, Decorators, and Paper Hangers, etc. and Pittsburgh Plate Glass Co.*, 110 NLRB 455 (1954); *Moore Drydock Co.*, 81 NLRB 1108; and *Washington Coca Cola Bottling Works, Inc.*, 107 NLRB 233 (1953).

The Kennedy-Ervin bill (S. 505), as introduced, contained no provision dealing with secondary boycotts. In committee, I offered the secondary boycott provision of the administration's labor reform bill as an amendment. It was, in substance, the same as the new provisions described above. It was rejected and the bill as reported contained no such provision. On the Senate floor, Senator MCCLELLAN offered a secondary boycott amendment which, in substance, was the same as that offered in committee by me. The amendment was not agreed to.

The Landrum-Griffin bill contained a provision on secondary boycotts, for all purposes practically the same as that contained in my rejected amendment. With the exceptions noted above, the conference report adopted these provisions of the Landrum-Griffin bill.

Section 704(b) amends section 8 of the National Labor Relations Act—title I, Taft-Hartley—by adding a new unfair labor practice prohibited to both employers and labor unions, dealing with the problem of "hot cargo" agreements and designated as section 8(e) which provides as follows:

It is an unfair labor practice for a labor union and an employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any such agreement contained in any contract or agreement entered into either before or after the enactment of this provision shall be unenforcible and void for all purposes.

This means that such contractual clauses are per se illegal. It is unlawful for either party even to execute such an agreement, to insist that the other party bargain about or enter into it, to use any form of coercion or restraint—economic or otherwise—to compel the other party to enter into it or to live up to it even if his refusal to do so is in breach of a voluntary agreement to abide by the agreement, and finally, such breach does not constitute a good cause of action in a suit at law to recover damages for the breach or to secure specific performance of the agreement.

The new provision provides an exemption from all of these prohibitions—and from all of the prohibitions in the secondary boycott provisions of section 8(b)(4), as amended, as well—where the employer and the union involved, whether as contracting parties under this section 8(e) or as disputing parties under section 8(b)(4), are engaged in the apparel and clothing industry, and where the relationship between such employer and other employers in said industry—that is, between primary and secondary employers—is that of a jobber, manufacturer, contractor, or subcontractor and where first, the subcontractor performs his work for and on the premises of the contractor, jobber, or manufacturer; or, second, the subcontractor performs his work for and on goods or materials supplied by such contractor, jobber, or manufacturer; or, third, one employer is engaged in an integrated process of production with the

other employer. Where these conditions are met, secondary boycotts are lawful as are "hot cargo" agreements and may be enforced by all the means prohibited in other industries under sections 8(b)(4) and 8(e).

There is a further exemption from the prohibitions against "hot cargo" agreements only, under section 8(e), with respect to a segment of the building construction industry and the labor unions representing employees in that segment of the industry. This exemption is granted only where the employer with whom such an agreement is signed is in the construction industry and engages only in construction work at the site; it does not apply where the employer, although in the construction industry, is not engaged in construction work at the site such as enterprises primarily engaged in supplying or transporting building construction materials. Where an employer falls into this limited category, it is not an unfair labor practice for such employer and a labor union to enter into an agreement whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of another employer, or to cease doing business with any other person, and such an agreement is not per se unlawful. Unlike the exemption for the apparel and clothing industry, the prohibitions of the secondary boycott ban in section 8(b)(4), as amended, are however, applicable to these situations.

Thus, although employers and unions who are under this exemption may lawfully enter into such agreements, and may resort to the courts for their enforcement under applicable principles of contract law, no coercion or restraint—economic or otherwise—may be used by any party to such agreement, even if entered into voluntarily by both parties, to compel the other party to live up to the contract or to refrain from breaching it.

The new provision is silent with respect to the lawfulness of coercion or restraint—economic or otherwise—by one party to compel the other party to enter into, or even to bargain about entering into such an agreement. This question was one of those left unresolved by the Board and the courts under Taft-Hartley prior to this new legislation, but now specifically outlawed in all situations not falling within the exemption for the clothing and apparel and construction industries. It is the intention of Congress that the new legislation leave it in the same unresolved status under the building construction industry exemption and that the Board and the courts decide the issue for the building construction industry as if these new amendments contained in section 8(e) had not been enacted and in accordance with the previously applicable law. In other words, it is the congressional intent that section 8(b)(4), as amended, banning secondary boycotts, apply without qualification in the building construction industry and that the principles enunciated in the *SandDoor* case (Local 1796, *United Brotherhood of Carpenters* v. *NLRB*, 357 U.S. 93), the *Denver Building Trades* case (*NLRB* v. *Denver Building and Construction Trades Council, et al.*, 341 U.S. 675), and the *Moore Drydock* case (*Moore Drydock Co.*, 81 NLRB 1108), remain fully applicable.

Neither the Kennedy-Ervin bill (S. 505), as introduced, nor the committee bill as reported to the Senate, contained any provision dealing with "hot cargo" agreements. In committee, my rejected amendment on secondary boycotts contained a provision outlawing such agreements. On the floor, the Senate adopted an amendment outlawing "hot cargo" agreements only where they were between labor unions and employers who are common carriers subject to part II of the Interstate Commerce Act. This was designed to get at Jimmy Hoffa and the Teamsters Union exclusively. But it failed to accomplish even that.

Common carriers subject to part II of the Interstate Commerce Act represent only a part of the jurisdiction of the Teamsters Union. Other carriers and transportation enterprises not under part II of that act also employ members of and bargain collectively with the Teamsters Union. This is also true of the warehousing industry, the storage industry, and some segments of the retailing and wholesaling industries. "Hot cargo" agreements in these industries, involving mainly the Teamsters Union, would have been unaffected by the provision in the Senate passed bill.

The basic ban on "hot cargo" agreements in the new section 8(e), as described above, is contained in the Landrum-Griffin bill, and with the exemptions and modifications described above, was accepted by the Confereees.

Section 704(c) amends section 8(b) of the National Labor Relations Act—title I, Taft-Hartley—by adding a new union unfair labor practice, designated as section 8(b)(7), and designed to outlaw recognition and organizational picketing when they occur in certain specified circumstances. Under this provision, it is an unfair labor practice for a union, in three specific situations, to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where one of the objects of such conduct is to force or require an employer to recognize or bargain with a labor union as the representative of his employees—recognition picketing—or to force or require the employees of an employer to join or select such labor union as their collective bargaining representative—organizational picketing—unless such labor union is currently certified as the representative of such employees—that is, unless the union has won a representation election conducted by the NLRB. The three situations in which such picketing or union conduct is unlawful are:

First. Where the employer has lawfully recognized, in accordance with Taft-Hartley, any other labor union, and such other union has either won an NLRB representation election and been certified by the Board, or such other union and the employer have signed a collective bargaining agreement during the term of which the Board will not conduct a representation or decertification election; or

Second. Where within the preceding 12 months a valid election under section 9(c) of the National Labor Relations Act has been conducted—as indicated, only the labor union which won such election and was certified by the Board may picket in such situation, but no other union—or

Third. Where such picketing has been conducted without a representation petition under section 9(c) being filed within a reasonable period of time not to exceed 30 days from the commencement of such picketing.

This third prohibited picketing situation simply means this: A union may not picket for recognition or for organizational purposes for more than a reasonable period which may be less than 30 days if the Board so determines, but may not be longer, without a petition for a representation election being filed with the Board. If no such petition is filed in such period, then at the end thereof, but not later than the 31st day from its commencement, such picketing, if continued or resumed, becomes an unfair labor practice.

This third prohibited picketing provision contains two provisos. The first provides that if a representation petition is filed with the Board within such reasonable period but not later than the 30th day following the start of the picketing, and regardless of whether such picketing has ceased and has not been resumed, the Board must, as quickly as possible, direct and conduct an election in the bargaining unit the Board finds to be appropriate, even though the requirements of section 9(c)(1) which are otherwise a condition of the Board's entertaining a petition for a representation election have not been complied with. These requirements are: First, for an employer petition, an allegation that an individual or labor union have requested recognition as the exclusive bargaining representative of his employees; and, second, for petitions by employees or labor unions, an allegation that a substantial number of employees in such bargaining unit—at least 30 percent of the employees under present NLRB policy—wish to be represented for collective bargaining and that their employer declines to recognize their representative as the exclusive bargaining agent as defined in section 9(a).

If a union wins such an election and is certified by the Board, it may picket without violating this section 8(b)(7); if no union wins the election, then no union may picket for recognition or organization for 12 months following the same, in accordance with the second prohibited picketing situation described above.

The second proviso to the third prohibited provision grants the following exemption from said third prohibition only—and not from the first two:

Where the union engages in picketing or other publicity for the sole purpose of truthfully advising the public that an employer does not employ members of or have a contract with a labor union. In those circumstances, such picketing may be carried on indefinitely. However, if one of the effects of such exempted

picketing is to induce any individual employed by any other person—other than the picketed employer—in the course of his employment, not to pick up, deliver, or transport any goods or not to perform any services, and a reasonable period—not longer than 30 days—has elapsed since such picketing began, and regardless of whether it has ceased thereafter and not been resumed, the employer may file a petition pursuant to which the Board shall conduct an election in the same manner, under the same procedure, and with the same effects as described above; for example, if no union wins, such picketing is banned for the next 12 months, and so forth, and so forth.

There is a further provision in this new section 8(b)(7) which provides that nothing therein makes lawful any conduct which would be unlawful under any of the other unfair labor practice provisions of section 8(b) (1) through (6). Thus, for example, conduct not unlawful under the new section 8(b)(7), by virtue of the exemption therein, may nevertheless be an unfair labor practice if engaged in contrary to the prohibition against coercion and restraint of employees in section 8(b)(1) or to the prohibition against secondary boycotts and jurisdictional strikes in section 8(b)(4).

These new bans on recognition and organizational picketing, commonly known as blackmail picketing because of their frequent use as devices to achieve corrupt and racketeering objectives, were completely absent from the Kennedy-Ervin bill (S. 505), as introduced. In committee, I offered as an amendment the anti-blackmail-picketing provisions of the administration bill which were substantially similar to those in the new act, as described above. My amendment was rejected; and the bill as reported to the Senate, like the bill as introduced, contained no provision on the subject of blackmail picketing.

On the Senate floor, Senator McCLELLAN'S picketing amendment, similar in important respects to my amendment, was defeated. Senator PROUTY thereafter offered an antipicketing amendment also along the lines of the administration bill, but more limited in the scope of its prohibition. This proposal was watered down by a number of amendments, and finally adopted in the much narrower, weaker and far less effective form in which it appears in the Senate passed bill.

The Landrum-Griffin bill contains substantially the administration's antipicketing provision, identical with those offered by me in committee and rejected by the majority. In conference, it was fundamentally the Landrum-Griffin proposal which was agreed to by the conferees after some modifications making for greater clarity and preciseness, making it easier to determine the prohibition's applicability in particular fact situations, and granting the very limited exemption from the prohibition, described above.

Section 704(d) amends section 10(l) of the National Labor Relations Act—title I, Taft-Hartley. Section 10(l) prior to its amendment, provided that the NLRB gives priority in case handling to secondary boycott cases under section 8(b)(4) and that when the NLRB regional office official handling a secondary boycott charge, after investigation, believes the charge to be true and that a complaint should issue, he must, on behalf of the Board, ask a Federal district court for an injunction or restraining order pending the final adjudication of the case by the Board. These provisions do not apply to unlawful jurisdictional strikes under section 8(b)(4)(D). The new amendment makes these provisions of section 10(l) also applicable in charges alleging violations of new section 8(e) dealing with "hot cargo" agreements and violations of new section 8(b)(7) dealing with recognition and organization picketing.

In connection with applying these priority of treatment and "mandatory" injunction provisions of section 10(l) to charges of violations of the antipicketing provisions of section 8(b)(7), there is a proviso which contains one exception. If a charge is filed against an employer alleging that he is committing an unfair labor practice in violation of section 8(a)(2) of the National Labor Relations Act—dominating, interfering with, or contributing to the support of a labor union by an employer—and if, after investigation, the regional official has reasonable cause to believe that such charge is true and that a complaint thereon should issue, he is forbidden to apply for an injunction or restraining order against the picketing union under section 10(l), as amended, even if he decides to issue a complaint against such picketing union alleging a violation of section 8(b)(7), as amended.

Neither the Kennedy-Ervin bill (S. 505), as introduced, nor the Senate bill, as reported, contained mandatory injunction provisions applicable to "hot cargo" agreements and blackmail picketing, although such amendment was rejected when I offered it in committee in conjunction with my antipicketing amendment. The bill, as it passed the Senate, amended section 10(l), to make the mandatory injunction provision applicable to cases involving the violation of the new section 8(e) which made "hot cargo" agreements unfair labor practices in a narrow segment of the motor transport industry. But the mandatory injunction provision was not made applicable to the newly added but narrow ban on blackmail—recognition and organization—picketing in section 8(b)(7) of the Senate bill. Instead, section 10(l) which provides for the mandatory injunction authority, was amended by making its last sentence alone applicable to such picketing, thereby creating the erroneous impression that the mandatory injunction procedure applied. However, the last sentence of section 10(l) deals with jurisdictional strikes in violation of section 8(b)(4)(D), and provides that the Board may, not must, seek an injunction in a Federal court. This procedure was made applicable to violations of new section 8(b)(7) dealing with picketing; in other words, not the mandatory but the discretionary injunction provisions were applicable to illegal picketing.

The Landrum-Griffin bill made the mandatory injunction provisions applicable to violations of both section 8(e) dealing with "hot cargo" agreements and section 8(b)(7) dealing with blackmail picketing, and this approach is included in the conference report.

Section 704(e) amends section 303(a) of the Taft-Hartley Act. That section authorizes a suit for damages in a Federal district court by anyone injured in his property or business by reason of conduct by a labor union which would be in violation of the language of section 8(b)(4) prohibiting secondary boycotts, certain types of recognition strikes, and jurisdictional strikes, such language being identically repeated in section 303(a).

Section 8(b)(4) having been amended to outlaw certain types of union activity not previously unlawful, it was necessary to amend section 303(a), as well, to make its provisions for damage suits equally applicable to the newly proscribed union conduct.

The Kennedy-Ervin bill (S. 505), as introduced, contained no such provision. In committee, I offered such an amendment in conjunction with my amendment to close the loopholes in the secondary boycott provision, section 8(b)(4). These were rejected. No such amendment was contained in the Senate passed bill inasmuch as that bill did not include any new secondary boycott provisions.

The Landrum-Griffin bill contains this amendment to section 303(a) as does the conference report.

BUILDING AND CONSTRUCTION INDUSTRY

Section 705(a) amends section 8 of the National Labor Relations Act—title I, Taft-Hartley—by adding a new subsection (f) thereto permitting prehire collective bargaining contracts in the building construction industry.

The new subsection 8(f) provides that an employer whose primary activity is building construction and a labor union whose members are building construction employees—and which has not been established or aided by employer unfair labor practice—may enter into a collective bargaining agreement covering such employees without thereby committing an unfair labor practice even if first, the majority status of such union has not been established in accordance with section 9 prior to the making of the agreement; or, second, the agreement requires membership in such union after the 7th day following the beginning of employment or the effective date of the agreement, whichever is later—instead of the 30th day as theretofore provided for all industries—or, third, the agreement requires the employer to notify such union of job openings with such employer, or gives the union an opportunity to refer qualified applicants for such job openings; or, fourth, the agreement specifies minimum training or experience qualifications for employment, or provides for preference in filling openings based upon seniority with such employer, in the industry, or in the particular geographical area.

Two provisos to this new section impose the following limitations:

First. No employer may discriminate against any employee or applicant for employment because of nonmembership in a union, if he believes that such nonmembership is the result of a discriminatory exclusion from union membership by the union, or of some cause other than a refusal by the employee to tender the periodic dues and initiation fees uniformly required of all members. This limitation is presently in the law as the last proviso to section 8(a)(3).

Second. A prehire agreement—under paragraph (1) above—lawfully entered into, shall not be a bar to a petition for an NLRB election filed pursuant to section 9(c) or 9(e)—this means a petition filed by an employer, by employees, or by a labor union. Such election may be held even during the life of such a prehire agreement.

Section 705(b) provides an additional safeguard with respect to agreements lawfully entered into pursuant to this new provision for the building construction industry. It makes it plain that nothing in the new provision has any weakening effect on section 14(b) which authorizes State right-to-work laws, that is, that nothing in the new provision permits the execution or application of agreements requiring membership in a labor union as a condition of employment—compulsory union-membership contracts—in any State or territory where such execution or application is prohibited by State or territorial law.

The Kennedy-Ervin bill (S. 505), as introduced, contained the prehire building construction provision described above but with several differences. In its original form in the Senate bill, these prehire contracts could lawfully be entered into by any labor union. In committee, I offered an amendment limiting them to labor unions of which building and construction employees are members, and no others. My amendment was accepted, and is contained in the conference report.

Again, the Kennedy-Ervin bill (S. 505), as introduced, authorized these contracts to require minimum training apprenticeship as a condition of employment. Inasmuch as apprenticeship training in some crafts and occupations can be secured only through the union, this provision would have been equivalent to the complete closed shop, that is, to requiring membership in the union as a condition of getting and holding a job in the industries employing those crafts and occupations.

I offered, in committee, an amendment eliminating the word "apprenticeship" thus permitting "minimum training" as a condition of employment, thereby setting up a purely objective job qualification, one wholly unrelated to membership or support of a union. This too was accepted, and is contained in the conference report.

PRIORITY IN CASE HANDLING

Section 706 amends section 10 of the National Labor Relations Act—title I, Taft-Hartley—by adding a new subsection "(m)" which provides for priority in the handling by the NLRB of unfair labor practices which are violations of sections 8(a)(3) and 8(b)(2). These are acts of discrimination against employees in connection with their jobs by employers or labor unions because of their membership or nonmembership in a union or because of their engaging or refusing to engage in concerted activities protected by the Taft-Hartley Act.

This provision was in neither the Kennedy-Ervin bill (S. 505), as introduced, nor in the bill reported by the committee to the Senate. It was offered by Senator Mundt as an amendment on the floor and agreed to by the Senate. It is also contained in both the Landrum-Griffin bill and the conference report.

EFFECTIVE DATE OF AMENDMENTS

Section 707 provides that the amendments made by this title VII to the Taft-Hartley Act shall take effect 60 days after enactment, and no provision of title VII shall be deemed to make any conduct engaged in prior to its enactment an unfair labor practice if it would not have been an unfair labor practice at the time it was engaged in.

The Senate bill, at no stage of its development from initial introduction to final passage, contained any specific effective date for these Taft-Hartley amendments. This would have made them effective on enactment, and as a result of such lack of notice and opportunity to prepare, both labor and management might well have been caused both confusion and hardship. The 60-day deferral of the effective date takes care of the problem. It is in both the Landrum-Griffin bill and the conference report.

The conference report also repeals sections 9 (f), (g), and (h) of title I of the Taft-Hartley Act which provided for the old financial reporting requirements and the non-Communist oath for labor union officers. These repealers were immediately effective on enactment of the conference report, but they are not retroactive in effect.

CONCLUSION

The conference report, as enacted into law, is the result of a combination of many factors. There is no question that the investigations and revelations of the McClellan Rackets Committee were the primary cause for the irresistible public demand for an effective labor reform law.

The new law itself contains provisions derived from several sources and a number of individuals. Thus, Senator McCLELLAN is truly the father of the new bill of rights for union members. The bonding and fiduciary provisions in the Senate bill were first offered by him on the Senate floor, and appear in the conference report, even though in a more finished form. His too, at least on the Senate side, are the prohibitions against interfering with union members in the exercise of their newly acquired rights. And, although rejected by the Senate, he did offer, on the floor, amendments on no man's land, secondary boycotts, and blackmail picketing. Effective provisions on these three issues are in the conference report.

In the Senate Labor Committee and on the Senate floor, I offered amendments on almost every aspect of the Senate bill which I regarded as weak or inadequate. Some of these were accepted—most were rejected. But an overwhelming majority of my amendments, or their substantial equivalent, are contained in the conference report which has now become the law.

The new act, both in its major provisions, and in its basic approach, reflects the Landrum-Griffin bill, as passed by the House, the labor reform program of the administration, and the proposals made by Senator McCLELLAN and myself.

Automobile Excise Tax: Temporary or Permanent?

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RABAUT. Mr. Speaker, the history of the automobile excise tax in this country is not a very long one. However, its future may very well become a long one indeed. For this tax, which was originally conceived as a temporary measure to bolster the national coffers during the depression, has been continually extended and extended. It has, in fact, been extended so many times that the use of the word "temporary" has begun to seem facetious.

The grounds on which the yearly or biyearly proponents of futher extension base their arguments is that the revenue realized from the excise tax is essential to the national economy and cannot be done without. The amount involved is something approximating $2 billion. Certainly this is a large sum of money. But if, in fact, this amount is not done without some year soon, we should at least stop fooling the people and ourselves that this tax is a temporary thing soon to be eliminated. We should at least be honest and admit that the tax base of the Nation does now and will continue ever to include this excise as an integral part. To contribute to the dubious aura of temporariness this tax has been changed several times. It has been raised. It has been lowered. Always these changes have been accompanied with claims that the whole thing is temporary so a temporary change matters but little.

The latest move in this little game is the provision in the new highway bill which has the effect of making any reduction in the excise tax impossible until after 1965. This is but the most recent step further along the road to permanency for this "temporary" tax. Where is this trend going to stop? If it does not stop shortly, Mr. Webster's definitions of the words "temporary" and "permanent" will also have to be changed.

Summary of 86th Congress

EXTENSION OF REMARKS
OF
HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. GUBSER. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I submit herewith a summary of the 86th Congress, 1st session, which I am sending to my constituents in the 10th District of California.

ON CAPITOL HILL WITH "CHARLIE" GUBSER, REPRESENTATIVE IN CONGRESS, 10TH DISTRICT, CALIFORNIA

SEPTEMBER 13, 1959.

DEAR FRIENDS: This letter is an effort to render a concise report on a session of your Congress as it approaches adjournment. I hope it is useful.

Getting water for the 10th District continues to be my most important activity. On the reverse side you will find a complete progress report.

Local projects for flood control, harbors, armory and hospital construction are ahead of legislative timetable. Progress is very satisfactory.

The national interest was not so well served. Handling of your tax money this session was not entirely in your best interest. With others I consistently voted for economy but we were outnumbered.

Did Congress cut budget? Technically yes, but practically no. Ten percent of alleged billion-dollar cut was only postponement of present obligation which must be paid next year. Cuts were in items stretching beyond this year while increases were for current items. This will increase debt and inflation.

Back-door spending is a way Congress spends without having it appear in the budget. A new program may not cost much this year but it commits us to tremendous future costs. Often the Treasury is required to pay for these programs directly. This is back-door spending. Congress has already "built in" $2¼ billion in budget increases for next year.

Nothing is free from Uncle Sam. He can only give what he takes from you in taxes less the handling charge. If America would just accept this fact we could handle problems locally at less cost and prevent more debt and inflation.

Landrum-Griffin bill was a victory for the American people. This bill protects the right to strike and picket in primary labor disputes; also protects innocent parties. It guarantees union members more rights; protects them from men like James Hoffa. Despite contrary propaganda it will not hurt legitimate unions and is in the people's best interest.

Cold war seems thawed but don't be fooled. We must remain strong to maintain peace. As Armed Services Committee member I believe we are strong; getting stronger.

Other laws enacted: Highway program continued with new gas tax caused by deficit financing last year. Some bond interest rates raised to boost lagging sales. Not raising others will put small business in competition with Government for short-term credit making special session possible. VA pensions raised. Housing bill finally passed with some new public housing, reasonable funds for urban renewal and college housing. Hawaiian statehood. Draft law extended.

Things Congress didn't do: Civil rights and aid to education postponed to next year. Also restriction of passports to Communists and mailing of obscene literature. Farm problem still unsolved. Unfortunately price supports will continue.

Space limitations have forced me to generalize. For details please write me. Also please send your address if you'd like to receive On Capitol Hill regularly.

Before closing let me say "thanks" for the privilege of representing you.

Sincerely yours,

CHARLES S. GUBSER.

SPECIAL REPORT FROM WASHINGTON: ACTION TO SOLVE OUR LOCAL WATER PROBLEM

Six long years of effort directed toward making it possible for my district to be served with imported water have definitely begun to pay off as several major hurdles were cleared this session. As we move closer to the realization of the Pacheco Tunnel project, I've prepared this brief review to show how far we have progressed.

As you know, I successfully sponsored a resolution in August 1958, which directed the Bureau of Reclamation to make a feasibility study of the Pacheco Tunnel project. The cost of this study was to be shared equally by the Federal Government and local agencies in the proposed project service area. When the Tricounty Water Authority quickly agreed to cooperate in the study and carry the local share of the financial burden, you can see that we had passed a most important milestone on the road to a water project.

San Luis legislation: This session, hearings were reopened on legislation to extend the Central Valley project by constructing the San Luis unit. I submitted an amendment which was accepted by the authors of this San Luis legislation. My amendment called for the construction of the Pacheo Tunnel as part of the San Luis unit, when a favorable feasibility study on the Pacheco Tunnel is completed.

The Senate Interior Committee reviewed the bill with my amendment and gave its approval to the revised bill. A delegation of tricounty representatives, which included Frank J. Polak, Francis Silliman, Dean George L. Sullivan, and Albert T. Henley, helped me immeasurably with their supporting testimony before this committee. I cannot express enough gratitude for the outstanding support given by these men.

The House committee, before which we also testified, adopted slightly different language regarding the Pacheco Tunnel but both bills recognize the project as necessary and a logical part of the San Luis unit. Final action is expected in January. I am confident that Pacheco will be authorized as a Federal project.

Meanwhile, action on the Pacheco project is moving along at an accelerated pace. The Bureau of Reclamation and the Tricounty Water Authority have been going ahead in high gear on the joint feasibility study. Secretary of the Interior Seaton has personally promised me he will give the study high priority in order to hasten authorization and construction.

The Tricounty Water Authority has turned over a large number of important engineering studies on the Pacheco Tunnel to the Bureau of Reclamation. The two agencies are working in close cooperation to develop the complete project requirements. The pace that has been set indicates that every effort is being made to complete this important work well before the time we had expected.

Some people seem to think that there is a sharp controversy between the Pacheco Tunnel project and the South Bay Aqueduct. In my opinion, there should be no argument because in any event the Pacheco project must be built. I say must be built because it is the only means by which San Benito, Santa Cruz, and Monterey Counties can be served with imported water. The two State plans for water service to these areas recognize this concept for they both employ a Pacheco Pass tunnel route for water importation.

I am not going to take the position of telling local citizens what they should do to solve their water importation problems but I definitely believe that it is my responsibility to make Pacheco project possible. In other words, I will continue to work to open a door and it is your decision as to whether or not you wish to use it.

Dare Accepted

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. MANSFIELD. Mr. President, this morning's Washington Post and Times Herald contains an excellent letter in response to a recent editorial pertaining to pork barrel politics and the public works appropriation bill. The letter refutes this reference to pork barrel legislation and is another fine addition to the volumes of testimony and facts which support the continued development and conservation of the Nation's natural resources.

The letter is signed by our very distinguished and able chairman of the Senate Interior and Insular Affairs Committee, the senior Senator from Montana [Mr. MURRAY]. I was very pleased to see that Senator MURRAY has again spoken out so forcefully in support of our public works programs. Senator MURRAY has no equal in the Senate when it comes to the development of nature's resources in our State and the entire country.

I ask unanimous consent to have this editorial, appearing in the September 14 issue of the Washington Post and Times Herald, appear at the conclusion of my remarks in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald, Sept. 14, 1959]

DARE ACCEPTED

Your September 10 editorial, "Dare Accepted," imputes "pork-barrel politics" in the Congress on water resource programs as the cause of the double veto of the public works appropriation bill.

I dissent entirely from that interpretation of Congress action on programs for development and conservation of the Nation's water resources. As I stated to the Senate on September 4, "to brand the public works appropriation as overspending in respect to water resources (to quote the veto message) is both false and dangerous. It is dangerous because it threatens to trap us into continuing underdevelopment of our resources, continuing lost production, and lost opportunities to conserve and develop our resources."

The "no new starts" program that has prevailed for 7 years is not an economy program. It is a program that wastes human and natural resources. It does not husband public funds; instead, it minimizes public revenues. This restrictive program hoards money while it dissipates resources.

The paramount issue is that the Nation must maintain the basis of its strength and

well-being. National growth requires extension of water resource programs just as it requires expansion of industrial production capacity. This policy is the basis for congressional insistence on "new starts," and on this basis, the Congress overrode the Presidential veto of the public works appropriation bill.

Your editorial argues that the double veto fiasco points to desirability of the item veto procedure. From this conclusion also I wholly dissent, but I do agree that there is need for major change in the approach to resource development programs. On August 17, for myself and 30 other Senators, I introduced legislation (S. 2549) to provide the needed new approach.

All resource programs lag far behind the need for them—in some cases, critically far behind. Properly developed and wisely conserved, our forests, rangelands, minerals, fuels, and the waters of our rivers and lakes can be adequate for a growing population and an expanded economy.

The present problem and the impending crisis are due not to scarcity but to neglect, underdevelopment, and despoliation. For too many years the administration has been looking the other way, and it has made the country live by the rule of "no new starts" no matter how urgently they are needed.

The measure that I have introduced (S. 2549) is comparable in form and structure with the Employment Act of 1946. It seeks for natural resources answers to problems comparable with the employment and economic problems dealt with in the 1946 act. Our experience with that act demonstrates that it provides a workable method. The combination of the Council of Advisers in the White House and the Joint Committee in the Congress provides continuing informed attention to the needs and capabilities of the Nation in the field of natural resources.

It is my intention to proceed this fall with hearings on the proposed Resources and Conservation Act with a view to readying it for enactment during the second session of Congress.

Under the Constitution, Congress has the responsibility to establish the programs for natural resources. The proposed Resources and Conservation Act will make possible exercise of this responsibility on a sound basis, and in a courageous spirit in keeping with the American tradition. This is required to maintain the United States strong at home and abroad—for our own citizens and for the free people everywhere who look to us for support of freedom.

JAMES E. MURRAY,
Chairman, Senate Committee on Interior and Insular Affairs.
WASHINGTON.

Knowledge Is Power

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an address I delivered before the International Conference on Machine Searching and Translation, held in Cleveland, Ohio, on September 9, 1959, be printed in the CONGRESSIONAL RECORD.

In this address I made special reference to my bill to establish a Department of Science and Technology. As my colleagues know, the Committee on Government Operations, on which I serve, earlier this year held extensive hearings on this proposal. Upon conclusion of the hearings the committee agreed that it would be well to establish a commission to further consider the establishment of such a department. This idea for a commission study was incorporated into a bill which I offered on behalf of myself and other Senators, S. 1851, and which was favorably reported to the Senate on June 18.

This bill merits the consideration and the approval of the full Senate. I do not believe that we can afford to further postpone consideration of this proposal in this period of great advances in science and technology.

In this connection, I invite my colleagues attention to an article from the Washington Evening Star of September 11 reporting that England's Prime Minister, Harold Macmillan, has promised to appoint a cabinet member for science to keep Britain abreast of atomic energy and space research. I ask unanimous consent that this newspaper article also be printed in the RECORD.

There being no objection, the address and article were ordered to be printed in the RECORD, as follows:

KNOWLEDGE IS POWER

(Address by Senator HUBERT H. HUMPHREY before the International Conference on Machine Searching and Translation, Cleveland, Ohio, September 9, 1959)

Last month, in a rare news conference in the Kremlin, Soviet Premier Nikita Khrushchev said that the object of his scheduled history-making visit to the United States next week, and the return visit later of President Eisenhower would be to find a common language, and a common understanding of questions to be resolved.

Without violent interpolation, I can say that the aim of this week's conference, "standards for a common language for machine searching and translation," is in the same ball park as Khrushchev's stated aim.

Although the present conference is scientific and not political, the language used to describe specific aims resembles that of politics and diplomacy.

1. To encourage an environment for working toward a common machine language or a series of compatible machine languages for processing scientific and technical literature so that it may be searched, selected, correlated, and translated by automatic equipment.

2. To characterize equipment requirements for use with common language systems or with compatible machine languages.

3. To create an environment in which it will be possible to foster agreements for cooperative processing and exchange of encoded materials for machine searching of the world's scientific literature.

4. To work toward initiating cooperative collection and analysis of scientific and technical terminology for preparation of dictionaries and thesauri for code establishment for use in machine searching and machine translation.

5. To promote cooperative research programs and free exchange of research materials.

6. To review interrelationships between machine literature searching and machine translation and to consider how progress in one field may advance the other.

I am convinced, both from my own personal experience, and from examining history, that the key to finding a common language on the international scene, as in the political, scientific, or other scene, is the willingness to seek a way to achieve mutual understanding.

My interest in the problem of machine literature searching and translation is deep seated, as a student, a teacher and a public official.

Later, the problem of utilizing recorded information faced me when I became mayor of the thriving city of Minneapolis. The importance of making decisions quickly became apparent to me when considering the drastic reduction in the time scale of information gathering for decision making and control during the past 40 years.

I discovered another dimension to this problem when I moved to the U.S. Senate. From that vantage point, I observed that the rapidly expanding research facilities of Government agencies, universities, and industrial concerns were pouring forth a cascade of new knowledge so great that existing arrangements for collecting and organizing the records no longer would control the flood. The inability to lay hands quickly on essential information has been leading to enormous intellectual and social waste which no business, no industry, and no government activity could either escape or afford.

As soon as I had the opportunity to do something about this problem I became busy. As chairman of the Subcommittee on Reorganization and International Relations of the Senate Committee on Government Operations, I was able to have the committee staff study the library problem thoroughly, in connection with a bill that I introduced—to create a Department of Science and Technology—whose function it would be, among others, to take appropriate action toward "the development and utilization of mechanical aids and new devices for collating, translating, abstracting, indexing, storage and retrieval of scientific and technological information under the control of the Federal Government, and to coordinate such data as may be available from other sources."

Another function of the proposed new Department would be "to establish rules and regulations governing the distribution of scientific publications as may be necessary to assure maximum utilization. * * *"

The subcommittee held extensive hearings on this subject. The first group to testify was Dr. J. H. Shera, the distinguished dean of Western Reserve University's School of Library Science, and Dr. J. W. Perry and Dr. Allen Kent, director and associate director, respectively, of the university's center for documentation and communication research. They presented a comprehensive picture of the Russian activities in the field of collecting, analyzing, and dissemination of the world's scientific and technical literature. It was a revelation to me that this group had performed so much of the pioneering research work in the field of machine literature searching and in mobilizing national attention on the problem through three national conferences which they organized, in 1956, 1957, again in 1958, and now the present conference.

After their testimony there followed a parade of witnesses from Government, industry, and universities. Many spoke of the extreme needs for more effective control of scientific and technical information in order to advance the efficiency with which research in our Nation is conducted—particularly with regard to avoiding loss of our Nation's precious research time in duplicating work already completed or underway. I was shocked by the testimony of one research director in particular who estimated that the efficiency of chemical research in the United States is only 5 to 15 percent—with much of this low order of efficiency caused by incomplete control of the literature.

I heard other witnesses at the hearings who proposed the creation of a national cen-

ter—financed with Federal funds—to coordinate the processing, abstracting, searching, and translation of the world's scientific literature output.

Estimates of $30 to $300 million were made as to the cost of such a center. Neither of these figures frightened me when I considered the estimated $7 billion annual research bill of our country. If the experience of the chemical research director who testified is valid for other industries, then the 15 percent efficiency would point to an annual waste of between $3 to $5 billion. I could not be staggered by costs of $300 million to some of that estimated waste. Nor am I frightened by the spectre of Federal aid in this important field. The annual Government expenditures to support research in our Nation is so great that it could well afford a centralized literature effort for its own purposes—even if it were necessary to establish such a center entirely for use in research programs supported by the Federal Government.

Other witnesses at the subcommittee hearings represented various of the abstracting and indexing services in this country. In general, they described the heroic attempts that they are making to keep abreast of the mounting flow of scientific literature. Most of the editors of these services felt that they could more adequately cope with the scientific literature situation if more funds would be made available to them. However, they apparently did not clearly envisage the need for mechanized systems for searching and correlating the literature. I had the distinct impression that these editors were convinced that their responsibility for solving the problem was limited to providing the conventional tools such as printed abstracts and indexes. Also, at least one editor of a major service in this country felt that the reports of Soviet advances in this field were somewhat overrated, and that they were not making as much progress as might be inferred from their writings.

When the witnesses from Federal agencies testified, I detected that many of these persons were following the opinions of many of the editors of the abstracting and indexing services. There appeared to be a defensive attitude toward what they had done and an attempt to justify what they had not done.

I think that much of their attitude stemmed from the generally defensive attitude on the part of the executive branch of the Federal Government resulting from the electrifying discovery of the progress that the U.S.S.R. has been making—and brought to public attention by the announcement of the launching of the first Soviet sputnik.

It was a curious experience to see two types of witnesses before my committee talk right past each other.

There were the users of scientific information who were, in general, frantic in their desire for better information services—both with regard to desire for better coordination and coverage, and with regard to the development of better tools for exploiting the world's scientific literature. One survey reported at the hearings showed that industrial companies were engaged in supplementing existing services for abstracting and indexing of published literature. They reported that approximately 40 percent were incurring annual expenses of more than $5,000, and only 4 percent of more than $50,000, with the others expending from $10,000 to $35,000 annually.

The same survey showed that the median 1956 expenditure for professional societies in processing the published literature in their field for the benefit of their members was exceeded by almost 20 percent of the individual user companies that processed published literature for use by employees.

In the face of these costs, it was reported that 50 percent of the companies replying indicated that their internal scientific literature processing expenses could be reduced and the effectiveness of exploitation of the published literature enhanced by auxiliary services from various centralized sources.

It was also found that the user companies averaged about 10 abstracting and indexing services to which they subscribed. In this survey, 312 different abstracting and indexing services were identified—a commentary on the fragmentation of secondary information processing services that have sprung up in a frantic and uncoordinated effort to control the burgeoning literature.

On the other hand, many of the abstracting services and Federal agencies with responsibilities in this field were all for standing pat, or at least were proceeding with too much hesitancy.

A year after the first hearing had been held on the committee's proposed Science and Technology Act of 1958, the subcommittee held further hearings on proposals to create a Department of Science and Technology, and on a proposed commission, composed of Representatives from the legislative and executive branches of the Government and members of the scientific community, to determine whether or not a Department of Science and Technology would be desirable and, if so, what components of the Federal Government should be included therein.

The subcommittee also took this opportunity to review the progress that had been made in the field of documentation and machine retrieval within the year following its previous hearings.

As a direct result of the hearings, I cite the following areas where some positive action has resulted.

First, there was a stepped up program of translation of Russian scientific publications, both within and outside of the Federal Government. There was also a greater effort made to pool translations so that there would be less duplication in having various groups work on identical translations.

Second, there was a stepped-up program of research and development in machine translation and machine searching, with the National Science Foundation acting to coordinate work in this field. In accordance with one of the objectives of the committee's bill, the proposed Science and Technology Act of 1958, one of the responsibilities placed on the Foundation resulted from the enactment of Public Law 85-864, which provided in part:

"SEC. 901. The National Science Foundation shall establish a Science Information Service. The Foundation, through such Service, shall (1) provide, or arrange for the provision or, indexing, abstracting, translating, and other services leading to a more effective dissemination of scientific information; and (2) undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available."

In accordance with this provision of the National Defense Education Act of 1958, the National Science Foundation has entered into a contract and made a preliminary grant to the National Bureau of Standards for the operation of the program, to be undertaken by the Science Information Service, for the evaluation and development of existing programs in these fields.

During the past few years a number of other interesting developments have taken place, which have resulted in the improvement of the availability of scientific and technical information in the United States. The Western Reserve University Center of Documentation Research and Communications has been cooperating with the American Society for Metals and the General Electric Co. in developing a system of coding abstracts that can be stored and searched mechanically, and have developed a machine for this searching purpose. This is an excellent example of cooperative enterprise by university, professional society, and industry which could lead to a usable mechanical search system of textual and graphic scientific and technical material. There are approximately 58 similar and promising ventures underway throughout the country, in which Federal agencies are participating in many instances. (i.e. Air Research and Development Command, Air Force Office of Scientific Research, Office of Naval Research, National Science Foundation.)

A third area of constructive action has resulted in the stimulation of non-Federal groups, who have advanced a number of serious proposals to create a program for the centralized, mechanized exploitation of the world's scientific and technical literature. One of these that has been brought to my attention is the program of Western Reserve University, one of the organizers of this international conference. The pioneering documentation research center of the university is working toward the creation of a "model center for the mechanized exploitation of the scientific and technical literature." As a matter of fact, this plan is now before the National Science Foundation for consideration. Many of my colleagues in the Senate and the House of Representatives have shown a keen interest in this proposed program, and my committee has endeavored to see that its full potential is evaluated and utilized as a part of the Federal support program. I shall be looking with interest at the outcome of this project.

Mechanical systems and devices are part of the broad pattern of scientific information services, and this pattern is in turn a part of the processes of science. In order to properly mechanize processes or to design systems, we must be able to specify in great detail just how it is to be done. Much of this research must draw on the combined skills of trained information specialists and librarians, linguists, logicians, mathematicians, statisticians, computer engineers, operations research analysts, philosophers, psychologists, behavioral scientists, and specialists in the different scientific disciplines.

Involved in these cooperative ventures are many educational institutions (such as the University of Pennsylvania, Harvard Computation Laboratory, University of California, Massachusetts Institute of Technology, Stanford University, Cambridge Language Research Unit (England), Georgetown University, Columbia University, etc.) and large business concerns (such as the International Business Machines Corp., Radio Corp. of America, General Electric Co., Eastman Kodak Co., and Documentation, Inc., etc.). While great progress has been made in these joint ventures, and while it can be safely stated that mechanical translation is possible, still I must caution that we have not yet reached the stage where we have either the system or machine to accomplish it rapidly or economically; much more research and development work remains to be done before we reach that point.

Scientific societies, long the backbone of strong scientific effort in the United States, are passing through a period of self-appraisal and are actively seeking improvement of their publications and their publishing techniques. For example, the American Society for Metals supports an experimental mechanized literature searching project at Western Reserve University; the American Chemical Society has a program of research within its Chemical Abstracts services; the American Institute of Physics has commenced a similar study of the entire physics communication problem; the biologists are reviewing their entire information mechanism, and among the steps they have taken to improve their communications is the formation of a conference of biological editors and

the planning of a central business and information office in the American Institute of Biological Sciences to coordinate and insure data compilation activities of a specialized type; the American Physical Society has established an express journal titled "Physical Review Letters," as an experiment in rapid dissemination of short notes on current research in physics.

Another very important development in connection with the documentation program is the establishment of an office of documentation within the National Academy of Sciences. The objective of this new office is to advise and assist not only activities within the National Research Council to insure proper direction, but it is also proposed that it will work out a system of maximum participation of leading U.S. scientists and engineers in the programs approved for support, in order to insure the highest possible contribution these leaders in the field of science can make toward the development of an adequate documentation center. The third objective of the office of documentation is to create an advisory board of scientists, whose abilities would be directed toward serving the National Science Foundation and nongovernmental groups working in the documentation field, and to assist the National Science Foundation in determining the areas where Federal funds or grants could be best allocated toward achieving the maximum goals in the development of an overall scientific information and documentation program and center.

A fourth result of the hearings of our Senate subcommittee has been the attempt to assess firsthand the scope of the Soviet effort in this field.

A great deal has been said about the efficiency and comprehensiveness of the Russian system of publishing scientific material in abstracts and making it available to Soviet scientists. They have developed an extensive organization, and are expending a great deal of energy in abstracting and indexing scientific material from all parts of the world. In addition, they are exploring vigorously the possibilities of mechanical storage and search in mechanical translation. We must not discount their effort, but there are some areas where there is doubt as to the superiority of Russian progress. For instance, it can be pointed out that "Chemical Abstracts," produced by the American Chemical Society, is universally acknowledged to be the greatest abstracting and indexing service in the world relating to the field of chemistry.

To illustrate the foregoing comparison, this year the American Chemical Society will produce over 130,000 abstracts of articles of interest to chemists; the Russians will produce less than 90,000. Further, "Chemical Abstracts" coverage is better, and its entries are issued more rapidly than those of its Russian counterpart. The Russians have better coverage in other fields, such as biology; however, "Biological Abstracts" has increased its coverage by 33⅓ percent during this year, and for the coming year it expects to very nearly equal the number of entries produced by the Russians; the currency of "Biological Abstracts" entries matches that of the Russian service.

It should be noted that indexes to the abstracting services of the Russians are available only for occasional years, a factor greatly handicapping search of their abstract literature. Obviously, it would be very difficult to search through hundreds of thousands of abstracts without the benefit of good indexes such as are provided by the indexing and abstracting services of the United States. As one example of the never-ending search in this country for better finding tools for more effective use of abstract publications, "Chemical Abstracts" is studying the feasibility of new types of indexes to supplement those already extant. Another is the formation of the National Federation of Abstracting and Indexing Services to effect better cooperation and to develop studies seeking better tools for the benefit of the scientists of this country.

In connection with these problems, the cosponsor of this conference, the Rand Development Corp., headed by James Rand, took a hand in financing a long visit by Western Reserve University's Allen Kent, to assess the U.S.S.R. accomplishments in this field. When he returned from this trip last year, he reported to my committee and advised us that the Soviet effort was indeed of significant magnitude, and that in many areas of abstracting, and in research the machine searching and translation, the Soviet attack on the problem was of a most significant nature. He reported that about 500,000 scientific papers culled from the world's published literature were being abstracted under the direction of their Institute of Scientific Information—a branch of the Soviet Academy of Science. The abstracters—as in the United States—were specialists in their fields and were contributing part of their time to this work. Furthermore, the Russians have organized an "Express Information Service" which took the cream of the published literature and long summaries of these were printed in Russian each week in 36 fields. In addition, work was going forward in the construction of an information machine.

As a result of this trip, and following contacts with the work in other countries, the present International Conference was conceived and organized. James Rand financed another trip for Kent to the U.S.S.R. to arrange for Soviet participation at the meeting. Also, Rand Development Corp. provided travel grants for a number of participants from overseas.

I should also like to extend my commendations to Mr. Rand for his testimony earlier this year before the Senate Committee on Foreign Relations, when he made some very important observations which were of inestimable value to members of that committee. In addition to submitting comparative figures relative to Soviet progress as compared to advancements in the United States in the science information field, he was also able to submit many additional facts relating to the problems of interexchange of information between the two countries, which he has done much to overcome in connection with his work.

I believe all of us can agree that Mr. Rand has performed an important service to our Nation in his attempts to arrange for the cooperative activity evidenced by this meeting. All of the participants are rendering an important service to world progress and peaceful cooperation by spending a week here in Cleveland to work out solutions to a very vexing problem.

You may have wondered when I would get to the theme of this talk, "Knowledge Is Power." Every business or Government manager knows the extent to which his ability to make worthwhile decisions and to exercise control is influenced by the amount of knowledge pertinent to a given problem that he may have available to him. The power of the individual to do good and useful work is influenced by his information resources. A company's power to do business in a competitive economy is directly related to the knowledge of significant market—the know-how—and other factors that it has available to it. In the same way, the power of a country to maintain its competitive position economically, scientifically, militarily, is strongly influenced by the convenient availability of important information at the time when it can best be used.

The effective exploitation of intellectual resources is perhaps the most urgent problem of our times, for upon it depends the solution to many problems, including that of survival itself.

The truth of the epigram that "Knowledge Is Power" is more apparent today than ever before, yet a disturbing paradox confronts those most vitally concerned with the production and use of knowledge. Until quite recently, it was axiomatic that a research project in any field should begin with a review of the literature in order to provide the basis for research planning and to avoid wasted effort in duplicating previous work. Previously recorded knowledge was the most important single tool of the investigator. However, today, with the inability to lay hands quickly on essential information, therein lies the paradox. Because of the chaotic state of our documentation services, our stockpile of knowledge has become an embarrassment of riches and we find ourselves ignorant in the midst of a plethora of knowledge.

A solution to the problem of documentary chaos will be found only when it is recognized that this is a problem in intellectual engineering, and that such engineering must be based upon a body of fundamental knowledge out of which sound principles of operation may be derived. Traditionally, the collection and organization of the records of knowledge has been the task of the social institution known collectively as the "library," and the library profession has developed, partly from philosophical principles and partly from pragmatic experience, a body of general principles and established methods.

Today, as I look over the program of the world's leading specialists coping with the problems of documentary chaos, I find only two librarians—the remainder are, by training, chemists, mathematicians, engineers, linguists, philosophers, logicians, physicists, lawyers, physicians, statisticians, lexicographers, and computer designers. I am pleased to see that the team of specialists attacking this problem has grown.

In seeking a solution, the problems of maintaining a common language, both intellectually as well as technically, is of extreme importance. The international attention and participation of this conference is most gratifying. I will leave Cleveland with a feeling of gratification that the problem of our documentation chaos is in good hands.

Returning again to the concept of knowledge as power, let us examine what we really mean by the word "power."

I believe that careful analysis reveals that knowledge gives man three types of power:

First, the power to comprehend. This is the realm of pure science and relates to the power of man to understand the universe and man's place in it. It includes, as well, the comprehension of natural law and the ability of man to understand his environment.

Next, we have the power to build. This is the realm of technology, and relates to man's power to build himself a better physical world. This includes better homes, better means of transportation and better instruments, generally, with which to enrich his life and add to his physical comforts and well-being.

Finally, we have the very vital power to harmonize. This is the realm of personal and group relationships, and relates to man as a social being and man in his relation to other men both at home and abroad.

Now I think it is evident that the problems to which this conference is addressing itself relate to all three of these powers. And I believe it is also evident that mastery over man's recorded knowledge is essential to his ability to comprehend his environment, to build for himself a better physical world, and to create a world that is free from tension and in which he can live in peace and harmony with his fellows.

It is primarily with reference to this third power that I have addressed my remarks this evening.

Strife and conflict, both among individuals and among nations, are born of ignorance. Our ability to reconcile our differences, to resolve conflicts and to create an atmosphere of mutual sympathy and understanding is related directly to our understanding of each other and of each other's problems, ambitions and points of view. I believe it is well established that people who understand one another are not likely to make war against each other. It has long been established that most of the great power conflicts occur in the political arena and arise out of misunderstandings, lack of knowledge of motives, objectives and backgrounds.

On the other hand, we have had much success in establishing mutual relations and understanding among nations in the intellectual arena. Notable among man's achievements toward international understanding is the field of science, which has long been regarded as international, and I believe that history demonstrates that scientists have, in their professional contacts, done much to destroy international barriers. Therefore, the realm of science is clearly an admirable bridge over which we can pass from a world of tension to a world of peace.

The recent work in the field of international health of the Subcommittee on Reorganization and International Organizations has also demonstrated this truth in that field, to a degree comparable to the accomplishments in the field of science, which have resulted in an acceleration of the work being performed by various public and private international organizations in both fields.

Unfortunately, however, increasing specialization in science tends to create barriers across this bridge and to obliterate the bands of communication that scientists have long maintained with each other. To improve the flow of scientific knowledge, both within our own country and between our own country and the other powers of the world, I have urged the establishment of a Department of Science and Technology which would serve the cause of international science as I hope our Department of State serves the cause of international peace.

I believe we will all agree that international understanding and agreement are fundamental to the free sharing of knowledge. Conversely, the free sharing of knowledge is also fundamental to international understanding and agreement. However, such understanding and agreement cannot be achieved without a common basis of communication. To achieve such agreement we must teach ourselves to work together, to plan and to develop solid working relationships in which all of us must share responsibility and contribute to the whole, even if it means that we must surrender something of immediate benefit to ourselves for the good of the group.

This conference is a very important forward step in the achievement of vital international understanding as it relates to the freedom of man to pursue knowledge and to share that knowledge with other men. It is particularly appropriate that these meetings are being held in Cleveland with Western Reserve University as one of its sponsors, for it is here that the United States is making one of its more significant contributions to the communication and dissemination of man's recorded knowledge.

In conclusion, I believe we can all agree that knowledge is power—but it actually reaches its greatest heights and achieves its highest use when it is shared with others for the benefit of all.

Tonight we dedicate ourselves, not to man's enslavement of other men, or to a nation's conquest of other nations, but to the mastery of knowledge itself.

This conference is the prolog to man's ultimate conquest of knowledge. This is a heavy burden and a lofty goal, but it is vital to our survival, and I am confident of success.

[From the Washington (D.C.) Evening Star, Sept. 11, 1959]

MACMILLAN PROMISES SCIENCE POST IN CABINET

LONDON, September 11.—Prime Minister Macmillan's Conservative Party promised today to appoint a Cabinet Minister for Science to keep Britain abreast of atomic energy and space research.

The promise was contained in a manifesto asking the voters for support in the October 8 parliamentary election.

Macmillan, in launching the manifesto at a news conference, described the Conservative program as "imaginative and level-headed." He said the new aims represented a continuation of the party's past and present policy.

The opposition Labor Party, in an election pamphlet issued previously, declared the Conservatives during 8 years in power made foreign policy mistakes and administered Britain for the benefit of the property-holding class.

The Conservative manifesto said if the Macmillian government is retained in office its first legislative tasks will be to strengthen the machinery for coping with local unemployment.

The manifesto said the Conservatives hope to double Britain's standard of living in the next generation.

On foreign affairs the manifesto said Mr. Macmillan's initiative had brought about closer contacts between the big powers.

Both Mr. Macmillan and Labor Leader Hugh Gaitskell expect a summit conference to materialize in the next few months. Each man wants to speak for Britain. That has become a major issue in the campaign to win control of the 630-seat House of Commons.

Trust and Confidence

EXTENSION OF REMARKS

OF

HON. MIKE MANSFIELD

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement, prepared by me, paying tribute to the career of Gen. Randolph McCall Pate, Commandant of the Marine Corps, who will retire on December 31, 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Before this Congress reassembles in January, the active military career of a distinguished American marine will have come to a close.

Gen. Randolph McCall Pate, Commandant of the Marine Corps, will retire on December 31. It is, I believe, only fitting that the Senate pause for a moment in these crowded, final days of this session to pay tribute to this dedicated, devoted and highly competent Marine.

I shall not comment upon his total career. His selection to command the Nation's elite force in readiness is in itself eloquent testimony in the caliber of his earlier service.

Instead, I believe we should give recognition to the innate dignity and professional competence which has characterized General Pate's performance of duty in the four difficult and trying years of our national history during which he has led our incomparable Marines.

They have not been easy years for the Nation. Certainly they have not been easy or quiet ones for our Marine Corps or its Commandant.

General Pate has led a corps which throughout his stewardship has been forced to accept and be prepared for heavier and heavier burdens even as its resources were steadily reduced.

It is in coping with the many problems which have inevitably resulted from meeting increased responsibilities with ever lessening means at hand that General Pate's steadiness and strength of character have proved of such value to the Nation and to his corps.

The corps has responded promptly, effectively and efficiently to every emergency it has been called upon to meet. I am convinced that its very readiness, so constantly stressed by General Pate, has on more than one occasion during his tenure been the decisive factor in crucial moments of international difficulty.

Trust and confidence are the key words in the commission of any officer of our Armed Forces. No words more correctly describe the relationship which has existed between General Pate and the Congress. We learned early, both individually and collectively, that in our dealings with General Pate we could trust his honest, clear, straightforwardness and repose complete confidence in his sound, professional judgment.

Pretense is foreign to his makeup. In any matter concerning the Marine Corps, large or small, we have always been able to feel that from General Pate we could expect a factual report, open discussion, a spirit of helpfulness, the traditional Marine Corps insistence upon serving well and with honor.

This esteem in which he is held is partly reflected in the repeated efforts of the Congress to insure to the Nation a Marine Corps of adequate strength in these perilous times—in our insistence that the status of this always combat-ready expeditionary force continue to be that of a separate service—that funds for its operations not be merged with those of another service, and most certainly in the strong congressional conviction that the Nation's security continues to rest upon the bedrock of properly balanced forces.

General Pate will leave a Marine Corps combat-ready, alert, constantly prepared to the limit of its resources to meet any demand the Nation may place upon it. He may properly take pride in the professional, soldierly, disciplined forces he has commanded so well.

In turn, we and the American people whom we represent, may take a quiet pride in the honored career of this distinguished Marine officer who is about to leave the active service of his corps and country.

I am certain that he will carry with him into retirement the best wishes of all of us who have learned to admire and respect him as one of the very best and very finest of our great American military leaders.

Eyewitness to History

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. AYRES. Mr. Speaker, the exchange of visits between President

Eisenhower and Soviet Premier Khrushchev is receiving, as it should, widespread attention from all communications media. However, I would like to draw attention to one particular facet of this coverage which I consider to be of great significance.

The Firestone Tire & Rubber Co. is sponsoring a series of 14 special programs on these important events, which are currently being broadcast over the CBS Television Network. The programs, called "Eyewitness to History," are up-to-the-minute reports which convey concisely to the American people the day-by-day procession of events. They also provide analysis and interpretation of the deeper meaning of this exchange of visits.

To accomplish this compete coverage, CBS News is utilizing its full facilities here and abroad. For example, one of the programs just this past Sunday, September 6, featured an analysis of the President's trip to Europe by several CBS News correspondents. These correspondents were specially flown back to the United States for this program.

CBS News, as a national news service, and the Firestone Tire & Rubber Co., as one of the Nation's leading industrial concerns, should receive the highest praise for their efforts to keep the American people informed.

Appropriations for Medical Research

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. McCORMACK. Mr. Speaker, under permission to extend my remarks I include a letter that I have received from our distinguished colleague, the gentleman from Rhode Island [Mr. FOGARTY], conveying to me information what his subcommittee did in relation to appropriations for medical research. The gentleman from Rhode Island [Mr. FOGARTY] is entitled to the thanks of the American people for his great leadership in this great field of such vast importance to the American people and, in fact, to human beings throughout the world. As the result of appropriations made by the Congress, under the leadership of JOHN FOGARTY, great advances have been made in medical research, all beneficial to sick and suffering human beings.

This action alone is one of the great contributions of the 1st session of the 86th Congress. The information of the action of this Congress, in this important field, should be disseminated as broadly as possible.

AUGUST 19, 1959.

Hon. JOHN W. McCORMACK,
Majority Leader,
House of Representatives,
Washington, D.C.

DEAR JOHN: This is in reply to your recent note regarding appropriations that this session of Congress has made for certain public health programs.

Medical research undoubtedly attracts the attention and interest of the people to a greater extent than any other program in this field. The Federal Government's activity in medical research is largely centered in the National Institutes of Health. The following table will summarize, statistically, the appropriations made for NIH this year compared with the President's budget and last year's appropriation.

	Appropriation for fiscal year 1959	President's budget for fiscal year 1960	Appropriation for fiscal year 1960	Appropriation for 1960 compared with—	
				Appropriation for 1959	President's budget for 1960
General research	$28,974,000	$28,974,000	$45,994,000	+$17,020,000	+$17,020,000
Cancer	75,268,000	75,218,000	91,257,000	+15,989,000	+16,039,000
Mental health	52,419,000	52,384,000	68,090,000	+15,671,000	+15,706,000
Heart	45,613,000	45,594,000	62,237,000	+16,624,000	+16,643,000
Dental health	7,420,000	7,420,000	10,019,000	+2,599,000	+2,599,000
Arthritis and metabolic diseases	31,215,000	31,215,000	46,862,000	+15,647,000	+15,647,000
Allergy and infectious diseases	24,071,000	24,071,000	34,054,000	+9,983,000	+9,983,000
Neurology and blindness	29,403,000	29,403,000	41,487,000	+12,084,000	+12,084,000
Total	294,383,000	294,279,000	400,000,000	+105,617,000	+105,721,000

The budget for 1960 appeared on the surface to represent a leveling off of our medical research program but actually it would have been a definite and significant backward step. In the hearings, we developed the fact that increased costs in 1960 would amount to over $15 million which, under the budget, could have been met only by cutting back the level of medical research. It was further developed that the budget actually lacked more than $2 million of being adequate just to finance the projects already approved in 1959 and would not allow for any new projects.

The President indicated, in his budget message, that he was doubtful concerning the adequacy of the amounts requested for the National Institutes of Health. The Secretary of Health, Education, and Welfare, in his testimony on the budget, indicated on 15 separate occasions that the budget for National Institutes of Health was not necessarily final. His testimony left no doubt that he hoped to secure approval of an upward adjustment. The National Institutes of Health had submitted to the Secretary a proposal for an amendment to the budget to increase the requests for the various institutes. The committee finally recessed hearings to give the executive branch time to study the proposed amendment and send a more nearly adequate budget to the Congress. However, no revision was ever submitted.

The increase of almost $106 million which Congress made in the budget for medical research was almost unanimously agreed to. But there are a few in Congress and elsewhere who criticize this increase on the ground that we should economize and that such increases in the budget are inflationary. Such specious reasoning hardly deserves rebuttal. It is difficult to conceive of anything more anti-inflationary than a successful medical research program. It is obvious that disability is doubly inflationary—it reduces tax revenue on the one hand, and it increases the expenses of government on the other. It is equally obvious that medical research, which reduces disability and lengthens productive life, is doubly anti-inflationary—it increases tax revenue on the one hand, and decreases the expenses of government on the other.

But we would be less than human if we looked only at the economic side of the picture. It is estimated that 16 million of our people suffer in some degree from mental disorders. Almost as many are partially or totally disabled by diseases of the heart and the circulatory system, including cerebral vascular diseases. There are 11 millions of our citizens suffering from arthritis and rheumatic diseases. Cancer afflicts 700,000 and annually kills 250,000 people in this country.

Finding the answers to these and other diseases means more to humanity than it would ever be possible to measure in dollars and cents. And our medical scientists are finding the answers. The tendency is to think of the many horrible afflictions for which we do not have the answer and overlook the really wonderful progress that has been made. For example, 1 cancer patient out of 3 can now be saved as compared to 1 out of 4 in 1938. Because of new medical and surgical treatment developed during the last few years, approximately 80 percent of all people with epilepsy are capable of regular, productive employment. Research has led to methods that can reduce tooth decay by 50 percent. The major cause of blindness among infants has been eliminated. With new drugs and methods of treatment and diagnosis, it is possible to prevent crippling in 70 percent of the patients suffering from rheumatic disease. The hearings before the Committee on Appropriations contain literally hundreds of pages describing these and many, many other advances that have been made possible, to a considerable degree, by the Federal support of this program.

The Congress can certainly take a great deal of pride in the results of its work on these appropriations. We have provided for real progress in a field which is perhaps more important than any other to the health and welfare of not only our people, but people throughout the world.

There are other, closely related, Federal programs for which grossly inadequate provision was made in the budget. The work that this Congress did and the final action it took on these programs is obviously going to result in better medical services and better health for the people of this country.

In 1956 the 84th Congress passed the Health Research Facilities Act which authorized the appropriation of $30 million per year for grants, on a matching basis, for the construction of health research facilities. Experience has shown that even this amount falls far short of actually meeting the need. Unfinanced applications and formal notices of intention to file applications total about $80 million. But the President's budget sought to cut back the rate of progress we have been making by recommending an appropriation of only $20 million. This was corrected by Congress. The full $30 million was actually made available for this essential program.

There is no Federal program in this area that has met with more enthusiastic support throughout the Nation than the Hill-Burton hospital construction program. This is another matching grant program with the Federal funds being matched by over 2 to 1. Previous Congresses have authorized a total annual appropriation of $211,200,000. That this is a conservative amount compared with the need is clearly shown by two facts—(1) the States and localities are in a position to match $879,960,000 during the next 2 fiscal

years if there were no limitation on Federal appropriations; and (2) there is a shortage of 867,000 hospital bed capacity in the hospitals we have in this country today. Yet, in the face of these facts, the budget requested only $101,200,000, only half of the authorization and, according to the Secretary of the Department of Health, Education, and Welfare, the amount recommended would not provide for any reduction at all in the backlog of need since it would only provide for the normal increase in the population and for replacement of hospitals destroyed by fire, and so forth.

Here again, the Congress corrected the obvious inadequacy of the budget and appropriated $186,200,000. There can be no doubt that the people will benefit from this action.

Because the pollution of our streams had become a national disgrace, Congress, in 1956, passed Public Law 660 which authorized the appropriation of $50 million annually to be granted, on a matching basis, for the construction of sewage treatment plants. That even this sum is inadequate is attested by the enormous backlog of applications that cannot be financed even though Congress has provided the full amount authorized each year since the law was passed. The House, of course, has recognized this by passing a bill this year to double the authorization. In the face of the great need and the great, ever-increasing popularity of this program, the budget recommended an appropriation of $20 million, a cutback of over half. Again Congress responded to the proven need and the obvious will of the Nation, and corrected the gross inadequacy of the budget. The final action of Congress provided the maximum authorization of $50 million.

I hope that the above will be helpful to you. If there is anything additional that I can do I would appreciate your letting me know.

Sincerely,

JOHN E. FOGARTY.

Citizenship Day, September 17, 1959: A Fitting Example for Mr. Khrushchev

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RABAUT. Mr. Speaker, much comment has been made about the impending visit to this country of Russian Premier Nikita Khrushchev. That he is coming is a fact which must be accepted. It would be well, I think, to accentuate the positive while he is here. The power of positive example is the best foot we can put forward. In this connection, I should like to point out that by joint resolution, the Congress has requested the President to designate the week of each year commencing September 17 as Constitution Week. What better or more positive example could we show than to devote a week during his visit to honor and reflect on the Constitution of the United States?

In addition, by another joint resolution, the Congress has designated the 17th day of September each year as Citizenship Day in commemoration of the signing of the Constitution of the United States of America on September 17, 1787. It has come to my attention that the District of Columbia plans a ceremony on Citizenship Day. The essence of the ceremony will be an actual session of District Court to be convened on the monument grounds by Judge Holtzoff for the purpose of swearing in new citizens. Here is an even more active and concrete example for our Russian visitor. What more fitting example of tribute to the principles we believe in than to see throngs of people standing in the shadow of the Washington Monument to witness the coming into their ranks of new citizens? Remember that this impressive function will take place on the anniversary date of the completion of the basic document from which all rights, privileges and liberties of our citizens, new and old alike, derive. This is a powerful, positive example which everyone should support. Those who can attend the Citizenship Day program should be at the Sylvan Theater at the Washington Monument no later than 2:30 p.m. this Thursday.

A Memorial To All Presidents Needed

EXTENSION OF REMARKS

OF

HON. HARRIS B. McDOWELL, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. McDOWELL. Mr. Speaker, I have introduced, for appropriate reference, a joint resolution to establish a Commission, to be known as the Presidential Memorial Commission, for the purpose of considering and formulating plans for the design, construction, conversion, and location, in the Capital City of the Nation, or its environs, of a permanent memorial or memorials, including cultural facilities befitting the Capital City of our country, to past Presidents of the United States.

The Commission is to be composed of four Members of the U.S. Senate, four Members of the U.S. House of Representatives, and four persons to be appointed by the President of the United States.

At the present time there are three monuments in Washington, D.C., to past Presidents which are visited by hundreds of thousands of our citizens each year. These are the Washington Monument, the Lincoln Memorial, and the Jefferson Memorial. Presidents Buchanan, Garfield, Grant, and Jackson are commemorated by statues. The Congress has, in addition, authorized the establishment of a memorial to President Franklin D. Roosevelt.

There is much discussion of a memorial to President Woodrow Wilson, and the Senate has adopted legislation to establish a James Madison Memorial Commission.

The joint resolution I have introduced is similar to a measure sponsored in the Senate by the Senator from Indiana [Mr. HARTKE] who said in introducing it that—

The joint resolution will provide a fitting memorial to all Presidents. As each President completes his term of office he, too, will be recognized in this memorial.

He went on to say that—

Any man who is outstanding enough to have served as a President of the United States deserves a memorial which will take its place in the architectural splendor of the Capital City. Certainly it will provide a real lesson in American history and will commemorate the true meaning of democracy.

A Presidential Memorial Commission such as I have proposed would have a priceless opportunity to make a major contribution to the advancement of the cultural life of the Capital City of our Nation, which has often been called a "cultural backwater" and compared unfavorably with the leading cities of Europe and even of the U.S.S.R. Time magazine on February 23, 1959, in an article on the subject of "Capital Culture," declared that Washington, D.C., "has long been known as a cultural backwater."

The New York Times reporting on the subject of "Capital Revival" said on February 22, 1959, that—

The city of the Potomac was once regarded as a horrible example of a world capital that was provincial in its neglect of the cultural amenities. Compared with London, Paris, Rome, Berlin, and Moscow, it looked like an esthetic desert. Foreigners who liked to scoff at the United States would point to the paucity of artistic activity in Washington as another demonstration of American materialism.

The New York Times hastened to add that—

The comparison was never quite fair, for Washington has always been an artificial city, a Government center whose population fluctuates substantially with shifts in party power. Nevertheless, there seemed to be a basis for the charge that the community cared for little but the political and social game. The symphony orchestra was in the doldrums; there was no opera, and apart from Zelda Fichandler's arena stage, no continuous theater.

Some citizens complained that Washington was missing an opportunity. No longer a village on Foggy Bottom, they insisted, it ought to behave with the pride of a great Capital. It ought to be a showplace in the humanities and arts. Conscientious Congressmen introduced legislation and generally it was interred in committee.

Since the New York Times and Time magazine are both published in New York City, which has more cultural facilities than any other American city, they may be written off as prejudiced witnesses with the pride, snobbishness, and provincialism which seems to be inherent, in many cases, in those who live in great cities.

However, it is harder to explain away the following statement by the Washington (D.C.) Evening Star on July 19, 1959:

It is illogical to compare Washington with other capitals in its need for theaters.

Unlike London, Paris, Rome, and even isolated Berlin, it is not a major center of population, finance, art, culture, and the other elements of a metropolis. While it is growing in all of these areas, it is primarily a political capital, like Ottawa in Canada, but much better off than Canberra in Australia which is woefully younger than either Washington or Ottawa.

Actually, Washington equates much more logically as Harrisburg to Philadelphia, Springfield to Chicago, or Albany to New York. As a world capital, naturally, it is obligated to stir itself culturally at a much faster rate than the political center of a single State. Yet, nothing could be more unreasonable than to expect it to become a Rome, Paris, or London in so much less time than these had to become Rome, Paris, and London.

With the visit of Soviet Premier Khrushchev this week on what has been described as a cultural mission it is important that all of us think concretely about the best way for the Capital City of our country to make a cultural breakthrough of significant proportions. A Presidential Memorial Commission could make a study of this subject which could guide us in the years ahead.

I am not inclined to favor more statuary memorials to our past Presidents and other great statesmen since the District of Columbia has nearly 200 of these. Even the use of the columns of the East Front of the U.S. Capitol Building itself should be used only in connection with a living memorial.

A National Conservatory of Music was authorized by the Congress in the 1890's, but was never built. The proposed Presidential Memorial Commission might well give some thought to how this might be finally established in the Nation's Capital with the cooperation of the five great universities located here, that is, George Washington University, Georgetown University, American University, Howard University, and Catholic University of America.

Leonard Bernstein and the New York Philharmonic Symphony Orchestra scored their great triumphs for American art at the Tschaikovsky Conservatory in Moscow last week, and it was at this same conservatory that Van Cliburn made the greatest cultural breakthrough of the decade only last year.

I have long felt that we should have a national program in the fine arts such as all European countries and the U.S.S.R. have, and as was recently established in Canada. Many South American countries have such programs. The establishment of such a national conservatory of music, and the theater arts, in the Nation's Capital would give great encouragement to our composers, writers; indeed, it would greatly encourage all of our creative people.

The offer of the Keith Theater and the Albee Building to the Nation's Capital by one of the leading citizens of the District of Columbia makes possible at least part of the program which the Congress envisioned in the 1890's. The Keith Theater could be a downtown showcase for the students of speech, drama, and music of all of the Nation's colleges and universities.

Museums and even a building to house productions of music, dance, and drama, and an experimental theater encompassing the fine arts, are a necessary corollary to a program for the living artist, but surely the one thing which would be most effective for our own people and for the impression that we make upon all foreigners is the extent to which art lives and affects our way of living through contemporary creative artistic endeavor.

The location of the Keith Theater and the Albee Building within a block of the White House is surely one of the choice locations in America.

Only today Mr. Joseph Intermaggio, acting director of the Washington Center for Metropolitan Studies, told me of his great personal interest in such a development as I have outlined here. The Washington Center for Metropolitan Studies is cooperating with the universities of the District of Columbia and the Brookings Institution.

It was his thought that many of the country's educational, and planning organizations might be interested in having space in the Albee Building. He mentioned specifically the American Educational Theater Association, the National Council of the Arts in Education, the American Planning and Civic Association, the National Conference of Mayors, the American Council of Learned Societies, and the Washington Center for Metropolitan Studies.

It is important to note in this connection that in a survey report for the American Council on Education, submitted on January 2, 1958, by Dr. Donald J. Stone, dean of the Graduate School of Public and International Affairs of the University of Pittsburgh, it was declared that—

In one respect at least, the Nation's Capital is an underdeveloped community. It lacks adequate institutions to meet the needs of thousands of foreign visitors or temporary residents who come here under the auspices of the Federal Government, of foreign governments, international organizations, foreign or American private institutions, or on their own. Most of these foreign visitors are persons of status in their own countries. All told, there are each year between fifteen and twenty thousand of them.

The report called for an enlarged center which should foster the international enlightenment of the Washington community. This could be done by cultural and social programs of general interest which would include American and foreign music programs.

A national showcase for the fine arts such as I have in mind is familiar to all European and Russian cities which have conservatories of music and academies of fine arts.

Vice Adm. Hyman G. Rickover, U.S. Navy, in his testimony before the Committee on Appropriations, spoke of the excellent foundation laid in the Soviet 10-year schools in languages and in literature, not only of Russia but of foreign countries.

Admiral Rickover spoke with approval of the findings of Dr. Harlan H. Hatcher, president of the University of Michigan at Ann Arbor, and Dr. F. Cyril James, president of McGill University in Canada, that in the pursuit of scientific work the Russians have not neglected the areas of culture and the arts.

A recent study made at my request by the Library of Congress shows that the Nation's Capital, as a political entity, does less than any other major U.S. city for the fine arts. The Board of Commissioners of the District of Columbia seems content to let the Federal Government or private benefactors support the arts. Such a course would be unthinkable in any European capital city or, indeed, even any large provincial city in Europe or the U.S.S.R.

I have briefly sketched some of the areas which the President Memorial Comission might cover. I would hope that the President would appoint distinguished educators and cultural leaders to it when it is finally established.

In conclusion, I would like to include as part of my remarks the study by the Library of Congress to which I have just referred, together with the text of my House Joint Resolution 530, and my H.R. 7989.

HOUSE JOINT RESOLUTION 530

Joint resolution to establish a commission to formulate plans for memorials to the past Presidents of the United States including Presidents James Madison and Woodrow Wilson

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the "Presidential Memorial Commission" (hereinafter referred to as the "Commission"), for the purpose of considering and formulating plans for the design, construction, conversion, and location, in the city of Washington, District of Columbia, or in its immediate environs, of a permanent memorial or memorials (including cultural facilities befitting the capital city of a great nation) to past Presidents of the United States including Presidents James Madison and Woodrow Wilson. The Commission shall be composed of twelve Commissioners appointed as follows: Four persons to be appointed by the President of the United States, four Senators by the President of the Senate, and four Members of the House of Representatives by the Speaker of the House of Representatives. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission. The Commission shall report such plans, together with its recommendations, to the President and Congress at the earliest practicable date, and in the interim shall make annual reports of its progress to the President and Congress.

SEC. 2. The Commission is authorized to—

(a) make such expenditures for personal services and otherwise for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds appropriated or received as gifts for such purpose;

(b) solicit and accept gifts to be used in carrying out the provisions of this joint resolution or to be used in connection with the construction, conversion or other expenses of such memorial or memorials;

(c) hold hearings, organize contests, enter into contracts for personal services and otherwise, and do such other things as may be necessary to carry out the provisions of this joint resolution; and

(d) avail itself of the assistance and advice of the Commission of Fine Arts, the National Capital Planning Commission, the District of Columbia Recreation Board, the National Capital Regional Planning Council, the National Park Service; and the Bureau of International Cultural Relations of the Department of State, and such Commissions,

Board, Service, Bureau, and Council shall, upon request, render such assistance and advice.

SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

H.R. 7989

A bill to provide for the adoption in the Nation's Capital of the practice common to many other cities in the United States with regard to cultural activities by depositing in a special fund 1 mill out of each $1 of tax revenue of the government of the District of Columbia to be used for such programs, to advance the National Cultural Center and its educational and recreational programs, to provide financial assistance to the nonprofit art programs of the District of Columbia, and for other purposes, by amending the Act of April 29, 1942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942, as amended (D.C. Code, sec. 8–211), is amended by inserting "(a)" immediately after "SEC. 4." and by adding at the end thereof the following:

"(b) In addition to the trust fund authorized by subsection (a) of this section, there shall be deposited in a special fund in the Treasury of the United States to the credit of the Board 1 mill out of each $1 of tax revenue of the government of the District of Columbia. There is authorized to be appropriated to the Board each fiscal year, an amount equal to the amount deposited in such special fund during the preceding fiscal year out of such tax revenue. Such appropriated amount shall also be deposited in such special fund.

"(c) All money in the special fund authorized by subsection (b) of this section shall be available to the Board to defray in whole or in part the expense of programs in arts and crafts, music, drama, speech, dancing (other than social dancing), lectures, forums for informal discussions, and other creative opportunities for leisure-time participation, as authorized in section 3 of article II of this Act, and the expense of carrying out the programs authorized by paragraph 3 of section 4 of the National Cultural Center Act."

SEC. 2. The amendment made by the first section of this Act shall take effect July 1, 1959.

THE LIBRARY OF CONGRESS,
Washington, D.C., July 30, 1959.

To: Hon. HARRIS B. MCDOWELL (Attention Mr. Frain.)

From: Education and Public Welfare Division.

Subject: Municipal financial support of certain artistic and cultural activities in selected U.S. cities.

This is in reply to your request of June 23, 1959, for information concerning municipal support of artistic endeavors and cultural activities and to describe the mechanics of this type of support. Your request also states that you are especially interested in determining what cities, if any, earmark a certain portion of their taxes for use in supporting artistic and cultural endeavors and how the amounts set aside by the larger cities compare with the $16,000 for cultural and art purposes in the D.C. Recreation Department budget.

The following table represents a brief summary of answers to letters, which we recently sent to chief finance officers in selected U.S. cities, requesting certain information about municipal financial support of artistic and cultural activities. The 56 cities selected to receive copies of our letter were chosen on the basis of their population size (as indicated in the 1950 Bureau of the Census report) or because they were known to give municipal financial support to certain artistic or cultural activities.

Number of letters sent	56
Number of replies to date (July 30, 1959)	38
Number of cities which indicated current support of artistic and cultural activities	34
Number of cities which indicated the lack of any current support of this type	4
Number of cities which indicated that a certain portion of taxes are set aside for such support (Evansville, Ind., and St. Louis, Mo.)	2

For the most part, letters received from the cities deal with: (1) sources of funds (i.e., general revenues, taxes earmarked for such purposes, etc.); (2) the artistic and cultural activities, organizations, institutions, buildings, etc., which receive municipal funds; (3) the amount of municipal funds expended for such purposes; and (4) how such funds are allocated to the various municipally supported fine arts and other cultural programs. With respect to your inquiry concerning Washington, D.C.'s $16,000 recreation budget appropriation for cultural and art purposes, the enclosed chart indicates considerably higher appropriations by most other large cities.

In preparing the enclosed chart we have attempted to limit the facts and figures included to those which seem most pertinent to the nature of your request. Information contained in the responses from the cities has been presented as we received it. Due to the lack of uniformity of methods of answering our questions, no attempt has been made to interpret the facts contained in the letters.

Furthermore, since a definition of the phrase "cultural activities" was not included in our letter to the cities, some of the information received and also listed on the enclosed chart may be extraneous to your purposes, depending on how one defines "cultural activities." In general, we have omitted the following types of activity from inclusion in this chart: Libraries and certain library fine arts programs (unless the latter were specifically mentioned), historical societies, academies of sciences, institutes (unless specifically called "art institute"), certain arts and crafts programs of recreation departments, planetariums, aquariums, zoological parks, botanical gardens, etc., societies of natural sciences, spring fiestas, and certain types of indirect assistance given by city, such as use of staff, office space, etc. (unless specifically mentioned in letters.)

We hope that this information and the accompanying chart will be helpful.

HELEN A. MILLER,
ANNE M. FINNEGAN.

Municipal financial support of certain artistic and cultural activities in selected U.S. cities, a compilation of answers to a questionnaire

City	Amount of municipal financial support	Source of municipal financial support	Type of activity supported
Akron, Ohio	$36,000	General fund (indirect support in lieu of tax for facility).	Art museum.
	$5,000,000	Direct tax construction cost	Plans for the construction of a municipal auditorium and "cultural grouping for arts, library and arena."
	1 or 3 parts of a $100,000 recreation program	General fund (part of "recreation program")	Band concerts.
Atlanta, Ga	$7,500	General fund	Atlanta Symphony Guild.
	$6,000	do	Atlanta Pops Concert.
	$5,000	do	Municipal Theater Under-the-Stars.
	$10,000	do	Atlanta Art Association for Benefit High Museum and School of Art.
Baltimore, Md	1959 appropriations:		
	$25,594	do	Municipal Museum.
	$119,994	do	Bureau of Music.
	$288,000	Endowment funds (estimated income)	Walters Art Gallery
	$15,000	General funds (pensions)	
Birmingham, Ala	$90,000 (this year's appropriation)	General funds	Birmingham Museum of Art.
Buffalo, N.Y	Appropriated in 1958–59:		
	$73,430	Real estate tax and other current revenues	Albright Art Gallery.
	$30,000	do	Buffalo Philharmonic Orchestra Society, Inc.
	$27,300	do	Kleinhans Music Hall.
Chicago, Ill	Calendar year 1958:		
	$232,405.87	Payments from Chicago Park District, an independent municipal corporation in the city of Chicago.	Art Institute of Chicago.
	$232,369.11	do	Museum of Science and Industry.
	$232,405.92	do	Chicago Natural History Museum (field museum).
Dallas, Tex	$80,000	General revenues, "the major part of which is ad valorem tax."	Fine Arts Museum.
Detroit, Mich	1959–60 gross appropriation, $543,081	Local taxes, grants and gifts, and revenues	Arts Commission.
Evansville, Ind	1959 contribution, $9,200	Civil City of Evansville	Evansville Museum of Arts and Sciences.
	Proposed budget for 1960, $18,400		
	1959 contribution, $9,200	School City of Evansville [1]	Do.
	Proposed budget for 1960, $18,400		

[1] City budget for 1960 based on 1 cent per $100 valuation of the city. Funds provided by taxes earmarked for this specific purpose.

Municipal financial support of certain artistic and cultural activities in selected U.S. cities, a compilation of answers to a questionnaire—Continued

City	Amount of municipal financial support	Source of municipal financial support	Type of activity supported
Hagerstown, Md	$12,500 (provided for in annual budget)	General revenues	Washington County Museum of Fine Arts.
Houston, Tex	$19,500	do	Museum of Natural History.
	$20,000	do	Museum of Fine Arts.
	$3,000	do	Civic Theatre.
	$25,000	do	Houston Symphony.
Kansas City, Mo	For fiscal year ended Apr. 30, 1959:		
	$21,211	General fund; park funds	Nelson Art Gallery (buildings and ground maintenance).
	$9,925	General fund	Philharmonic Orchestra (free rent).
	$42,830	General debt and interest fund	Starlight Theater (debt service for facility developed by park department).
	$48,231	General fund	Museum (buildings and ground maintenance).
	$33,592	do	Liberty Memorial (operation and maintenance).
Los Angeles, Calif	Appropriation for fiscal 1959–60: $196,998	General revenues	Department of municipal art: bureau of music.
Newark, N.J	1959 appropriation: $525,426	Tax and general revenues	Newark Museum.
New Orleans, La	$40,000 annually	Appropriated by city	Delgado Museum of Art.
	Appropriated "this year":		
	$5,000	do	New Orleans Philharmonic Society.
	$2,500	do	New Orleans Opera House Association.
	$875	do	Crescent City Concerts.
New York, N.Y	$944,525 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Metropolitan Museum of Art.
	$904,989 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	Do.
	$1,329,559 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	American Museum of Natural History.
	$1,071,985 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	
	$125,140 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Brooklyn Institute of Arts and Children's Museum.
	$95,866 (operating budget, July 1, 1959, to June 30, 1960).	do	Brooklyn Institute of Brooklyn Academy of Music.
	$69,510 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	Do.
	$127,000 (operating budget, July 1, 1959, to June 30, 1960).	Tax levy and general fund revenues	Museum of the City of New York.
	$50,250 (capital budget, Jan. 1, 1959, to Dec. 31, 1959).	Capital allocations	
Norfolk, Va	$2,000	General revenue	Norfolk Symphony Orchestra.
	$69,083	do	Norfolk Museum of Arts and Sciences.
Oakland, Calif	1958–59:		
	Salaries for a professional staff of 6 plus $2,000 allowance for books and $500 for pictures.	Annual appropriations by city council to library department from which library and museums commission adopts an operating budget.	Art and pictures department of main library.
	$70,377	do	Oakland Public Museum.
	$57,212	do	Art Museum.
	$31,577	do	Snow Museum.
Philadelphia, Pa	$25,000	General revenues	Academy of Fine Arts.
	$75,000	do	Robin Hood Dell.
	$25,000	do	Philadelphia Grand Opera.
	$624,760	do	Philadelphia Art Museum and Rodin Museum.
	$30,000	do	Johnson paintings.
	$10,000	do	Philadelphia Art Festival (every 2 years).
Pittsburgh, Pa	$35,000 (1959)	General revenues (through specific appropriations each year).	Pittsburgh Symphony.
	$20,000 to $30,000 (annually)	do	Free summer band concerts.
	$25,000 (approximate cost to city annually)	do	Arts and Crafts Center.
Providence, R.I	Current appropriations:		
	$24,877	General revenue	Museum in Roger William Park.
	$1,500	do	Band concerts.
Reading, Pa	$140,000 (approximate expenditures for 1959)	General revenues (budgeted annually according to estimated needs).	Recreation Bureau (sponsors orchestra, Nature Museum, etc.).
	$3,028 (1959)	do	Bureau of parks weekly band concerts.
Richmond, Va	$5,000	Direct appropriation	Valentine Museum.
Rochester, N.Y	1959–60 expenditures:		
	$10,000	General revenues or real estate taxes	Civic Music Association.
	$20,000	do	"Opera Under the Stars."
	Not indicated	Not indicated	Museum.
Sacramento, Calif	1959–60 budget amounts:		
	$4,500	General ad valorem taxes	Philharmonic Orchestra.
	$4,000	do	Park band concerts.
	$66,866	do	Crocker Art Gallery (city-owned).
	$17,000	do	Children's art and dancing classes (city recreation department).
St. Louis, Mo	1958 Revenue: $320,007.53	Permanent levy of $0.02 per $100 valuation on all real and personal property (established under State law in 1907).	St. Louis Art Museum.
St. Paul, Minn	1959 city budget appropriations:		
	$13,500	Appropriations "financed as part of the overall city budget."	St. Paul Gallery and School of Art.
	$10,000	do	St. Paul Civic Opera.
San Antonio, Tex	$81,000 (approximate budget for ensuing year)	Supported primarily by general fund	Witte Museum.
	$81,000	do	2 municipal auditoriums.
	$1,500	do	San Pedro Playhouse (auditorium devoted primarily to theatrical productions).
San Diego, Calif	1959–60 city budget:		
	$57,159	General revenues	Fine Arts Gallery.
	$19,289	do	Serra Museum (local history).
	$48,715	do	Natural History Museum.
	$45,949	do	Museum of Man (anthropology).
	$10,000	do	San Diego Symphony.
San Francisco, Calif	1958–59 budget:		
	$158,365 (taxes, $120,665; other, $37,700)	Budget of the city and county of San Francisco	Art Commission.
	$35,493 (taxes)	do	War Memorial Art Museum.
	$255,456: (taxes, $254,856; other, $600)	do	California Palace of the Legion of Honor (art museum).
	$367,942: (taxes, $367,692; other, $250)	do	De Young (art) Museum.
Scranton, Pa	An average of about $28,740 per annum over the past 10 years.	General funds	Everhart Museum.
Seattle, Wash	$233.37	City's annual budget funds without regard to income source.	Art Commission.
	$34,097.55	do	Art Museum.
	$18,000	do	Public Music.
	$62,743.57	do	Art division of the library department.

Municipal financial support of certain artistic and cultural activities in selected U.S. cities, a compilation of answers to a questionnaire—Continued

City	Amount of municipal financial support	Source of municipal financial support	Type of activity supported
Springfield, Mass.[1]	$33,127.93	General tax revenues	Museum of Natural History.
	$31,092.45	do	George Walter Vincent Smith Museum.
	$18,161.40	do	William Pynchon Memorial (Connecticut Valley Historical Museum).
	$1,267	do	Springfield Museum of Fine Arts.
	Not indicated	do	Fine arts department of library.
Syracuse, N.Y.	$25,000 appropriation annually	General tax levy	Syracuse Museum of Fine Arts (privately chartered institution).

[1] Included in the library budget is the position of musical adviser, which is the way in which the city contributes to the salary of the conductor of the Springfield Symphony Orchestra.

Compiled by Anne M. Finnegan and Helen A. Miller, Education and Public Welfare Division, Legislative Reference Service, Library of Congress, July 29, 1959.

H.R. 6295—Mine Safety Legislation Is Imperative

EXTENSION OF REMARKS
OF
HON. JOHN B. BENNETT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BENNETT of Michigan. Mr. Speaker, I have introduced H.R. 6295 to help the States, the mineowners, and the miners reduce accidents and promote mine safety in the metal and nonmetallic mines. The necessity of the enactment of such legislation was brought out forcibly in the 12th Congressional District, which I represent, on June 1 of this year through the disaster at the Sherwood Mine in Iron River, Mich.

My bill, H.R. 6295, would empower the Secretary of Interior, or his agents, to inspect and investigate metallic and nonmetallic mines and quarries whose products enter or affect commerce. The Secretary of the Interior would report to Congress annually giving the findings of the inspections and recommendations for any additional needed legislation. These inspections would provide information relating to health and safety conditions in the mines and the cause of accidents or occupational diseases originating therein. Such information would provide a basis for determining the best use of public funds for the advancement of health and safety of the miners, for the preparation and dissemination of educational materials for that purpose, and for the development of adequate reports to the Bureau of the Census and the Congress. It would promote cooperation between Federal and State agencies in improving mine safety. My bill also includes authorization for the establishment of a six-member advisory committee composed of metallic and nonmetallic mine and quarry owners and workers.

Mining is a hazardous occupation and the business of mining safety is a subject that all of us must be interested in if human lives are to be saved. Statistics show there are unnecessary deaths of 75 miners and injury to 5,000 others per year in the metal and nonmetal mining industry. I have long been interested in this subject and have given every effort to have an up-to-date safety program initiated. I do not believe anything can take the place of an on-the-spot inspection of a mine. Inspectors making periodic inspections would render a real contribution in cutting down the rate of accidents. Mine management is safety minded and with the Bureau of Mines making periodic inspections this would help the companies and save considerable expense for them because of the inspectors' recommendations to the companies.

I know you are not callous toward these conditions and I am sure you will agree the existing "crazy quilt" variety of inadequate mine safety standards and poor enforcements should be abolished in order that proper and adequate protection is given to all those concerned.

On behalf of the many miners concerned in the United States and in the interest of more effective mine operations and a stronger, healthier Nation, I urge the Congress to enact my bill into law.

Interpretation of Labor-Management Reporting and Disclosure Act

EXTENSION OF REMARKS
OF
HON. PAT McNAMARA
OF MICHIGAN
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. McNAMARA. Mr. President, I ask unanimous consent that a statement I have prepared, dealing with an interpretation of the Labor-Management Reporting and Disclosure Act, be printed in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Many building trade union officials advise me that there have been numerous questions submitted to them both by local union officers as well as contractors asking whether or not particular subcontracting clauses in their existing agreements are covered by the proviso to section 8(e) of the new Labor-Management Reporting and Disclosure Act of 1959. More particularly, the question has arisen by the Plumbers and Pipefitters International Union based on what is known as their fabricating clause. In the plumbing and pipefitting industry, contractors have a collective bargaining agreement with the plumbers and pipefitters local unions, recognizing the pipefitters local unions as the exclusive bargaining agent for all journeymen pipefitters engaged in fabrication and installation of pipe on a jobsite.

The collective bargaining agreement further provides that all pipe installed on the jobsite must be either fabricated on the jobsite or in a shop of the employer. By fabrication is meant the cutting, bending, or fitting of pipe. A pipefitter is a fabricator. His job is to fabricate pipe. Fabrication of pipe can be performed either at the construction site or in a shop.

There is a further clause in the contract that provides that the contractor may subcontract out the pipe that is to be installed on the jobsite for fabrication in another shop provided that the subcontractor by whom the pipe is to be fabricated has an agreement with a local union of the pipefitters and pays the prevailing building and construction wage rate for pipefitters engaged in the fabrication.

This subcontracting clause is agreed upon in order to protect the wage rate and working conditions of the pipefitters. It is a term and condition of employment.

Section 8(e) was written in the Labor-Management Reporting and Disclosure Act of 1959, abolishing hot cargo clauses and other forms of contract boycotting activity. However, there was inserted the following proviso:

"Provided, That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer of work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or other work."

This proviso embraces and covers all forms of contracting or subcontracting clauses in agreements between building and construction contractors and building trades unions with respect to work to be done at the jobsite. The pipe installed on the jobsite must be cut, treated, and fabricated prior to installation. This is done at jobsite in some jobs or at the shop of the employer, or may be subcontracted by the contractor. This is all a question to be covered by the collective bargaining agreement.

The proviso permits plumbers and pipefitters local unions to bargain with their contractors relative to the contracting or subcontracting out of any fabrication of the pipe or the parties may agree that it may be done at the jobsite.

A question has arisen as to whether the plumbers and pipefitters fabrication clause falls within the proviso of section 8(e). It was the intent of the conferees that the quoted provision 8(e) applies wherever the work involved could be performed at the construction site. Fabrication can be and generally is performed at the construction site and since the fabrication clause relates to work which can be done at the jobsite, the fabrication clause contained in the national and local agreements of united association local unions is within the coverage of the construction industry proviso in section 8(e). This matter was expressly considered and discussed in the conference on

the labor reform bill. By use of the phrase "relating to work to be done at the site of the construction" it is my belief that the conferees intended to cover all work which could be done at the site of the construction. The type of building and construction clauses which are outlawed and do not fall within the proviso are clauses which restrict the use and installation of manufactured articles. The proviso, in my opinion as a conferee, was never intended to prohibit a fabrication type of clause where the work or fabrication could be done or performed at the jobsite.

Thanksgiving Day

EXTENSION OF REMARKS
OF
HON. GEORGE A. SMATHERS
OF FLORIDA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement, prepared by me, relating to the theme of Thanksgiving Day.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In these troublesome times when all the world, and particularly our own great Nation, faces many serious problems that are worrying each and every one of us, it seems to me that a prayer to the Great Almighty can help to sooth our worried brows.

This prayer could and should be offered, regardless of race, creed or color, in the sanctity of the home, be that home a penthouse in Manhattan or a humble farmhouse in the hinterland of our country.

As we all know many, many years ago when this country was founded by the Pilgrims those hearty individuals, who landed on our rugged shores, knelt down upon this blessed soil and gave thanks to God Almighty for bringing them safely to this treasured land.

As a result there and then Thanksgiving Day became a national holiday.

Through the years many great songs have been written commemorating Christmas, and deservedly so. Who is there who does not know "Silent Night," "Adeste Fidelis," "White Christmas," and countless other great musical creations that have been written through the years commemorating this holy of holy days.

But strange as it seems our great composers with their prolific pens somehow or other, although undoubtedly they have tried, have not hit the public pulse through their music in commemorating Thanksgiving Day.

Fully realizing the importance of this day of days, it has come to my attention that two outstanding composers, namely Mr. Jimmy McHugh of Hollywood, who composed such famous songs as "Coming In On A Wing and A Prayer," "I Can't Give You Anything But Love Baby," "On the Sunny Side of the Street" and Mr. Paul Cunningham, immediate past president of the American Society of Composers, Authors and Publishers (ASCAP), who authored such great songs as "I Am An American," "Please Take A Letter Miss Brown," "All Over Nothing At All" and many others that time will not allow me to mention, have at last blended their gifted talents in a musical prayer entitled "Thank the Lord for This Thanksgiving Day."

I have had the privilege of hearing a beautiful rendition of this number sung by Mr. John Gary and recorded by Fraternity Records of Cincinnati. What struck me was the simplicity and sincerity of Mr. Cunningham's lyrical poem, which Mr. McHugh set to music. May I read it to you?

Thank the Lord for this Thanksgiving Day
As we share our pumpkin pie
Thanks to Him our children laugh and play
Underneath a peaceful sky
Rich or poor He watches over us
With a love we can't repay
So for all these blessings from above
Thank the Lord for this Thanksgiving Day.

To me this is a long overdue message of thanks to our Maker for the bounty He has showered upon us. To me, those "peaceful skies" that Mr. Cunningham writes about will continue to be calm and peaceful as long as we take time out—each and every day—to thank the Lord for watching over us. And in conclusion, to me this belated song of thanksgiving is not only appropriate but should be an inspiration to all of us not to forget Him—who never forgets us.

Needed: A Strong Mutual Security Program

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. WILEY. Mr. President, during discussion on provisions of the mutual security bill, there were certain questions raised, both in the military and economic field, that I believe should be answered.

Overall, the mutual security program continues to be an essential part of our own defense, as well as that of the free world. In addition, it is not a complete economic loss, as some would have us believe.

I request unanimous consent to have printed in the CONGRESSIONAL RECORD a statement reviewing the merits of this essential program, as well as answering some of the questions that have been raised.

There being no objection, the statement was ordered to be printed in the RECORD, as follows.

STATEMENT BY SENATOR WILEY

I have listened with interest and, I believe, some profit, to the discussions on the mutual security program.

The program, I believe, serves the security interests of the United States—and the free world—and I shall support it.

We recognize, of course, that there are differences of opinion on: (1) how much should be spent; (2) what kind of aid—that is, military, economic, technical assistance or other—should be supplied our allies and less-developed countries of the world; (3) how the programs themselves can be more effectively administered to serve the interests of free world security.

We recall that in the past, the leaders of both major political parties; the majority of the elected Members of the Senate and House of Representatives; specially appointed committees comprised of representatives of labor, business, and other segments of the economy—all have generally agreed that the mutual security program, dollar for dollar, provides more defense than could be provided in other ways.

I am well aware, of course, that the more than $3.2 billion mutual security program is an expense to the American taxpayer.

As a taxpayer, myself, I am as deeply concerned about this as anyone else.

To put the picture in perspective, however, we might well recall that the Congress approved an appropriation of almost $39 billion for the defense program of the United States alone.

For expenditures that amount to less than 10 percent of our own defense program, we are getting twice the manpower, and tremendously increased naval, air and other powers.

Now, what has the mutual security program actually accomplished?

First, the program has provided the strongest link in the alliance of free nations, withstanding the efforts of communism to expand its area of control over more lands and people.

Second, in addition to warding off Communist enslavement of new areas, it has helped the less-developed countries of the world to get on their feet.

We recognize that substandard conditions, if allowed to exist, serve as the breeding ground for strife, discontent, or revolution. Particularly, they serve as hotbeds of communism which seeks to capitalize upon such conditions, wherever possible.

Third, the program, I am confident, has been a major factor in preventing a third world war.

I am well aware, of course, that there are differences of opinion—not only as to the merits of the program itself, but also as to where the emphasis in the program should be placed.

Such questions have arisen, for example, as what should be the proportion of money spent:

For direct military aid?

For military support of the armed forces of other nations?

For economic assistance?

For technical assistance for less-developed countries?

For the Development Loan Fund?

For other aspects of the program?

The funds, I believe, should be allocated on a flexible basis, according to the needs of the situation.

For those who would either kill the program entirely, or drastically reduce it, these questions, I believe, merit an answer.

First, is the Communist menace any less today that 2, 5, or 10 years ago?

And the answer, I believe, is "no." To the contrary, the Communist threat is greater and more powerful.

Second, are our allies—or other people just emerging as nations—more capable, individually, of withstanding the broad-scale military threats, as well as the economic, psychological, subversive, and ideological efforts at penetration by the worldwide Communist conspiracy?

The answer, I believe, is that nations of the free world, too, are stronger.

However, it would be extremely unwise, now, to cripple the program which has served as a major support for efforts to combine their strength to combat communism.

Let's not kid ourselves. The battle is not over. To the contrary, communism can be expected to remain a threat to our security for many years ahead.

ECONOMIC FACTORS

I am aware, of course, that questions, too, have been raised as to the effect on our own economy, not only of such expenditures as a burden on the taxpayer, but also as to competition which we are creating abroad for our own industries.

Certainly, this is a serious problem. As a matter of trade policy, I believe the situation needs to be thoroughly examined to see what can and should constructively be done: (1) To attempt to assure that there is maximum exchange of commodities between ours and other nations, on a mutually beneficial basis; but (2) to take those constructive

tive measures that are essential—without raising any impenetrable walls—to provide the necessary protection for our domestic industries.

We cannot delude ourselves, however, into believing that the free world can withstand ever-growing Communist pressures by having allies that are economically weak—rather than strong.

If war can be averted—as we pray will be possible—one of the greatest tests of strength between the free and Communist worlds will be the capability of differing economic systems to provide for their respective peoples.

Overall, the mutual security program, I firmly believe, continues to be an essential part of our overall free world defense, and a good investment in security for the American people.

Labor Reform Legislation

EXTENSION OF REMARKS

OF

HON. JOHN B. BENNETT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BENNETT of Michigan. Mr. Speaker, I have examined carefully the provisions of the conference report on the labor management reform bill and I intend to vote for it. I congratulate both the Senate and the House conferees on reconciling and adjusting differences between the Kennedy-Ervin bill and the Landrum-Griffin bill to arrive at a compromise, one which I can accept and which I believe will be in the public interest. Extremists, both in labor and in management, of course, will not be satisfied.

I have consistently favored legislation which would prevent excesses and abuses by unworthy, dishonest, and disloyal officials who have contrived to gain positions of power in the labor movement but have opposed legislation which, taking improper activities of union officials as its springboard, would punish organized labor or impair or even abolish legitimate organizational and collective bargaining activities aimed at improving the welfare of the working people of this country.

Mr. Speaker, I believe my position is in harmony with that of the great majority of my colleagues. Sincere and intelligent men may well differ, however, in applying such general principles to the specific provisions of any measure.

As I studied the various versions of labor-management reform legislation, it seemed to me that the Shelley bill, the Elliott bill, and the Kennedy-Ervin bill, were too weak and would not reach effectively the racketeering and abuses of power by officials of labor unions exposed by the McClellan committee.

On the other hand, it seemed to me that the Landrum-Griffin bill, in providing, for example, for civil damage suits and other sanctions against unions peaceably exercising the right of free speech to persuade the public not to patronize an employer who refuses in good faith to bargain collectively with organizations of his employees, would strike a severe blow at efforts of employees to protect and advance their economic interests through unions. In my opinion this would constitute a major setback in the progress of the labor movement which has been accomplished with great difficulty and over bitter opposition in the last two decades.

Neither my colleagues nor my constituents should be surprised that, on an issue of this magnitude and of such vital concern to the working people of America, I would resolve any doubts with respect to the Landrum-Griffin bill in favor of the working people and the labor movement. Although I voted for the Taft-Hartley Act, the last labor legislation to appear before us during my service in Congress, which proved not to be a "slave labor" law, I consistently have spoken for and voted for legislation both in labor and other fields which I believed to be in the interest of the working people of America. That position is clear not only from an analysis of my votes and statements, but it is also clear in the support I have enjoyed, not only from individual working men and women, but from labor organizations which, because of the positions I have taken, have volunteered their help, including financial contributions, in many a hard-fought and close congressional campaign.

I do not apologize for the reputation I have gained over the years for being in favor of the common man. Rather, I am proud of it.

Mr. Speaker, I have no intention of departing from the position I have taken on labor; first, because I believe that position is in the best interest of the United States of America; second, because I believe it has the approval of the people whom it is my privilege to represent in the House of Representatives. But, Mr. Speaker, I am happy that the conferees between the Landrum-Griffin bill and the Kennedy-Ervin bill have reshaped the labor-management reform bill in such fashion that I can support it in the belief that it will curb abuses without stifling legitimate union activities.

Buy American Act

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. DENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include my letter mailed this day to the Honorable Joseph Campbell, Comptroller General of the United States:

SEPTEMBER 14, 1959.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States,
General Accounting Office Building,
Washington, D.C.

DEAR MR. CAMPBELL: It has come to my attention that you now have before you a case which raises a number of fundamental points regarding the present practices of determining reasonableness of costs of bids of domestic companies on Federal procurement contracts involving the Buy American Act. I assure you that this is a matter of deep concern to me and many of my constituents and I think one of great importance to the country as well. I refer to your file B–139912.

Congress passed the Buy American Act to assure our citizens that the Federal Government would spend the taxpayers' money to purchase goods grown or produced in the United States, produced with American labor and manufactured in American factories. This is the basic intent and purpose of the Buy American Act. The few Congressmen who spoke in opposition to the bills which led ultimately to the Buy American Act raised all the questions we hear today in support of a free trade foreign economic policy. The majority of the Congress considered these opposing arguments, but then proceeded to pass the measure by overwhelming votes in both Houses of the Congress. The majority decided that the Federal Government should stand firm in its loyalty to its own people and enterprises.

The Congress, however, did not wish to leave the Federal Government exposed to unfair or unreasonable bid offers from domestic producers, therefore, the act provides that the Federal Government shall purchase American products unless the cost of the domestic product is unreasonable. The Congress did not attempt to define what would constitute an unreasonable price offer since such a determination necessarily involves a number of variables from one product to another and from one set of specifications to another. Instead, the Congress charged the agencies with the responsibility of determining factually whether or not a low American bid is reasonable in cost whenever a lower foreign bid is involved.

Presently the departments and agencies of the Federal Government are following the requirements of Executive Order 10582, which provides essentially that American bids are to be considered unreasonable in cost if they exceed foreign bids by 6 percent or more. This means that the determination is not made on the basis of what it costs to manufacture a product in the United States with American labor and under American laws, but on the basis of bid prices of foreign producers—prices which, themselves may or may not be reasonable costs offers in terms of low wage economies.

Determination on the basis of foreign price offers is clearly in conflict with the letter and spirit of the Buy American Act. The debate in Congress of both the House and Senate of the bills which led to the adoption of the Buy American Act repeatedly referred to the need for protecting American industries and American jobs against low foreign wages and against devaluation of foreign currencies. The debate also referred to the need for strengthening the determination of reasonableness of costs in several statutory provisions in existence just prior to the passage of the Buy American Act, provisions which had been diluted because reasonableness of costs had been determined on the basis of foreign bid offers.

I realize, of course, that the Comptroller General has the basic responsibility of auditing Government contracts to assure economy of Government purchase. At the same time, as you well know, the Comptroller General audits these contracts to assure that they strictly adhere to the letter and spirit of acts of Congress. This also applies to the Buy American Act. In passing this act, Congress recognized that the Federal Government has a special obligation of loyalty to the American people as taxpayers, business entrepreneurs, and salary and wage earners. The object and purposes of the Buy American Act therefore require that reasonableness of costs be determined on the basis of costs of producing an article in the

United States, under American laws, with American labor, paid American wages and under the American tax structure—Federal, State, and local. It is improper and illegal that these determinations be based upon the bid price of foreign producers. If the Federal Government seeks, through the use of the 6-percent differential, to save money in the favor of the public interests requirements of the Buy American Act, then instead of a 6-percent differential, a differential which exerts pressure on foreign producers to reduce their price offers would be more appropriate, then the Federal Government will save not merely 6 percent, but many times that percentage. These dollar savings, however, will destroy American jobs, business enterprises, and the entire American industries.

Certainly objectives of this sort are in direct violation of the basic intent of the Buy American Act. Such interpretations should not be tolerated.

This case goes to the core of the Buy American Act, a ruling requiring departments and agencies to make a factual determination of the reasonableness of the bids of domestic producers on the basis of costs to produce in the American economy is needed to sustain the Buy American Act and a considerable number of American jobs and American business activities. I hope your decision will lead to that end.

Sincerely yours,

JOHN H. DENT,
Member of Congress.

Financing of Political Campaigns

EXTENSION OF REMARKS
OF
Hon. EVERETT McKINLEY DIRKSEN
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the financing of political campaigns.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

The financing of political campaigns always has presented a troublesome problem, and there continues to be a great deal of discussion of the ways political campaigns are financed. Various proposals have been made. It even has been proposed that, instead of party funds being raised by contributions from individuals and organizations, that they be appropriated from the U.S. Treasury.

The objective of all of us is to preserve our two-party system and to strengthen it. The continuing struggle between the two parties enables our people to know both sides of every issue. That each party, through its candidates, may present its program, large sums of money are required to finance television programs, radio programs, for literature, for advertising, for maintaining headquarters and staffs, and for all the various media through which debate is conducted and the people obtain the facts to make their decision.

It is my opinion that the funds for this purpose should come from private sources. To be sure, simply by virtue of their contributions, certain individuals and certain groups have been able to exert considerable influence in governmental affairs. It is for us to find ways and means to correct the abuses. One of the ways is to encourage all the people to contribute to the party and to the candidates of their choice. In this way it will be the many, and not just a few, who will be taking an active voice in what is proposed and what is opposed by each political party.

I wish to call your attention to a program which has been undertaken in Illinois by the United Republican Fund to meet the twofold objective of raising the necessary funds for political campaigns and stimulate individual interest in political affairs.

As a result of its experience in 1958, the United Republican Fund of Illinois has decided to raise most of its funds for the 1960 election campaign through a dues-paying membership. This seems to me wise and sound.

The dues-paying membership campaign which has been designated Illinois' "Go for 60" campaign will allow large numbers of people to support the party instead of the limited number who formerly did so. The fund has six classifications of annual memberships which should fit the circumstances of most people who are interested in the success of the Republican Party. These are: Regular $5, associate $10, sustaining $25, contributing $50, sponsor $100, patron $500.

The "Go for 60" dues-paying membership plan has many important advantages. Under it large numbers of voters will assume the responsibilities of citizenship by taking an interest in the party in which they have a financial stake. No longer will there be a reason for those who wish to be active to be left out of party affairs. A modest stake will cause members to show a more personal concern for the party. In addition, the "Go for 60" program can broaden the base of party support, substantially increase the level of party income, regularize party financing, stabilize party organization, improve campaign planning, increase the effectiveness of political expenditures, build party strength and strengthen party loyalty, and greatly increase the number of active party workers to help rebuild the party at the grassroots level.

The obligations of citizenship involve both going to the polls and voting and individual contributions, however small, to the support of the party of one's choice.

Through the "Go for 60" program of dues-paying memberships, the United Republican Fund of Illinois is making an outstanding contribution to our country's political future—to saving the America we know and love.

James C. Worthy, fund president, and his immediate predecessor, Charles H. Percy, Samuel W. Witwer, the fund general campaign chairman, and the fund board of governors deserve thanks and appreciation for their determined effort to solve this important problem.

U.S. News & World Report Highlights Labor's New Bill of Rights

EXTENSION OF REMARKS
OF
HON. KARL E. MUNDT
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. MUNDT. Mr. President, as Americans, generally, have come to understand and realize exactly what is included in the significant features of the Landrum-Griffin bill as it was finally adopted and included as the basic part of the labor reform legislation recently approved by Congress, they have come to appreciate that in reality it is a very important bill of rights for the American working man and woman, whether unionized or not.

In the September 14 issue of U.S. News & World Report, widely recognized, widely read, and highly authentic news magazine published here in Washington, the editors of that weekly magazine set out with clarity how this new labor reform legislation moves in the desired direction of giving rank and file dues paying members of America's unions the freedom of choice and powers of self-determination so dear to all red-blooded Americans in every walk of life.

As vice chairman of the so-called McClellan Labor Rackets Investigating Committee—the proper name of which is the Senate Select Committee To Investigate Improper Activities in the Labor-Management Field—I have said over and over again in committee, on the floor of the Senate, over radio and television, and in many States of the Union, that there is nothing basically wrong with the trade union movement in America that cannot be cured and corrected by giving the men and women who belong to the unions the tools and protections required to enable them to utilize full and fair democratic processes to run their own unions, to elect officers of their own choice from within their own ranks, to inspect the records, to demand and receive detailed financial reports on what is being done with their money, and to determine the contents of the contracts which provide the terms of their employment and the degree of income which they receive.

The so-called bill of rights in the new labor reform law takes trojan steps in the direction of achieving these degrees of self-government and self-determination for the fine, patriotic, hard-working men and women who pay the dues which support the American labor unions and their opulent leadership apparatus.

Our committee in its investigation in case after case has traced down as the major source of so-called union corruption or union dictatorship or union violence the sordid fact that such improper activities occur by the direction and through the planning of the type of labor leader who uses his dues-paying members as pawns and who makes it difficult or impossible for them to decide their own courses of action through democratic processes including the basic American right of a vote by secret ballot under circumstances which guarantee an honest count of the ballots cast. Here, again, this new labor reform bill contains provisions of which I am proud and happy to be the author which go a long way in the direction of extending and protecting these American voting rights for the rank and filer.

Mr. President, those interested in full particulars of how this new bill works in the interests of the rank-and-file dues-paying member in his relationships with those who lead—and sometimes run—his union should go to the nearest public library and read the full accounts contained in the September 14, 1959, issue of U.S. News & World Report. As a sample of the information provided in

this intelligent and factual magazine report, written by objective editors who are neither "prolabor" nor "antilabor," I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a "box score" on this subject taken from that issue of the magazine.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, Sept. 14, 1959]

A BILL OF RIGHTS FOR UNION MEMBERS—UNDER THE LABOR "REFORM" BILL, UNION MEMBERS GET NEW RIGHTS TO HELP THEM CONTROL UNIONS, KEEP RACKETEERS OUT

Voting by secret ballot is to decide all union elections.

Union meetings must be opened to all active members in good standing.

Elections of officers must be held at least once every 3 years in local unions; every 5 years in national unions. Ex-convicts can't be elected to office within 5 years of their release from prison.

Freedom of speech, including the right to criticize union officials, is to be guaranteed to every member.

Union contracts must be available for inspection by members.

Financial reports must be made to members each year, showing receipts, expenditures, reserves, and salaries and expenses paid to officials.

The right to sue union officers, to stop them from violating members' rights or misusing union funds, is expressly stated in the bill.

Strikers get the right to vote in wage-bargaining elections, even if they've been replaced by new workers in a plant.

To enforce these rights: The Secretary of Labor gets increased authority over unions. Yearly financial reports must be filed with the Labor Department, and national unions must report on any "trusteeships" over local unions.

Senator Symington Opposes the Administration's Tight Money Policies

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a press release containing excerpts of a speech made by the Senator from Missouri [Mr. SYMINGTON] before a large group of Democrats in Nashville on last Thursday night.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

SYMINGTON HITS ADMINISTRATION'S TIGHT MONEY POLICIES

NASHVILLE, TENN., September 10.—Senator STUART SYMINGTON, Democrat, of Missouri, said today that "the administration's tight money policy has increased the tax burden and slowed down desirable growth in the economy."

In a speech prepared for delivery before a statewide Democratic dinner here, the Missouri Senator stated:

"Right now there are two big strikes in this country. In the steel industry, workers are on strike. The administration refuses to help settle that strike.

"In the money market, capital is on strike. This strike the administration is eager to help settle by increasing interest rates on Government bonds.

"The cost of this settlement will be paid by you and me, as taxpayers.

"We have already paid $10 billion more in Government interest than we would have paid had interest on our debt stayed at the level of 1952. But the Republicans want us to pay still more.

"The fiscal mismanagement of this administration is responsible for most of this increased tax burden. Moreover, by pushing up the cost of borrowing, this policy has raised costs for all businesses, and dealt especially severely with small- and medium-size enterprises."

SYMINGTON also said that in the present session of the Congress "the Republican Party has returned to its historic mission of retrenchment, obstruction, and delay."

"They would appear to be happy in their knowledge that, with control of more than one-third of the Congress, plus the power of the Presidential veto, they can hold up progress for all the people in favor of privilege for the few. They can hold up the investments America should make, and must make, if we are to insure prosperity for our ever-growing population."

Senator SYMINGTON cited as an example the fact that the "Republicans in Congress voted almost to a man against any TVA financing plan which did not deliver control of the revenue bond program into the hands of the Bureau of the Budget—an agency not known as TVA's greatest friend."

Passage of a self-financing bill without such a provision, SYMINGTON said, "was a magnificent tribute to the representation in Congress from this section who have dedicated so much of their time to defend the principle and practice of TVA against Republican attack."

What Khrushchev Is Like

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, on the eve of the arrival of Premier Khrushchev's visit, I ask unanimous consent that an article which I prepared, which appeared in the New York Post of September 13, and excerpts of which appeared in the Washington Post and Times Herald of September 14, 1959, be printed in the CONGRESSIONAL RECORD.

This article was based on my visit with the Soviet Premier last year on my visit to the Soviet Union.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Post, Sept. 13, 1959]

WHAT KHRUSHCHEV IS LIKE

(By Senator HUBERT H. HUMPHREY, Democrat, Minnesota)

I. INTRODUCTION

Nikita S. Khrushchev is a complicated human being with many moods. He is also a consummate politician, with many motives. And he has an alert perceptive mind. Nearly all his public statements are coldly calculated. I believe, although his phraseology may be spontaneous. He will often be telling the truth—at any time that he calculates that the truth will do him some good.

But his deceptively simple statements go first one way, then another. In one moment he will be expressing warm friendship and saying that he admires President Eisenhower. The next moment, he will be boasting about his missiles or the hideous hydrogen bomb.

All of us now have a problem of judging just which statements he means. We will have that problem until the day when Russian deeds more closely match their words. But we can learn something by listening to and studying Mr. Khrushchev.

After the 8-hour conversation I had with him a few months ago in his office in the Kremlin, I went to the American Embassy and dictated from notes I made during our discussion.

Since then I have changed some of my impressions, but I think it significant that Khrushchev in all his speeches and impromptu debates since, has brought up no major new topic. He is now bringing into the open some of the verbal roughhouse and boasting of strength which he has given to me and others. Is this open debate healthy for the peace of mind of the world? We will soon see.

In any case, his public and private personality and manner are not remarkably consistent. In a private conference he is deliberate and composed, always probing, nearly always controlled, never raising his voice. Of course his personality—to a great extent—and his policy, to a lesser extent, seem to be contradictory wherever he is.

Yet I think there is a basic psychological pattern behind many of his reactions, and many other observers agree that it is a key to the present-day political outlook of the Russian leaders.

A competitive man

That meeting of ours gave me an indelible impression—here is a man with an almost sentimental humility at times, who will switch over to an arrogance so extreme that it seems irresponsible. Thinking it over, I concluded that some of his cockiness and threatening manner comes directly from his feelings of inferiority. He and Russia are new arrivals in the great and grim business of 20th century power diplomacy. He has some of the same swagger which you may find in the "get rich quick boy" who has just muscled his way up in society.

Like all such comparisons, it is dangerous to take this too far. We cannot even compare Khrushchev's competitive spirit with the competition that a small firm, now become powerful, might have toward General Motors. He and Russia are engaged in trade competition with us, by the way, but they are also engaged in far more serious conflict on the social, ideological—and weapons production fronts. This particular new arrival throwing his weight around, could blow up the whole town. But let me be clear, the Soviet Premier is sophisticated in his chosen profession, I am not implying ignorance when I say new arrival.

But neither he nor his people feel comfortable in their new position in the world. The Russian people admire us keenly, they almost worship such names as Ford, yet at the same time they distrust capitalists. They want greatly to equal our production, to pass us, and to triumph over us—and at the same time or at in-between times, they still feel inferior, they look up to us, and they want our help, but hate to admit it.

A very human being

These are national attitudes reflected as a matter of policy in Khrushchev's statements—and on top of that he is personally competitive. He frequently makes startling competitive statements about other Soviet leaders. If you tell a joke, he wants to top it. When I told him that I expected the

Democrats would soon be in power, and then our production and our ideas "will run you out of Gorki Park" he seemed to like it. At that point his mood was such that I am confident he felt rather pleased that the great American power might extend itself to compete with Russia—it flattered him. He laughed, although I meant this seriously, that there would soon be more exertion on our part. But he immediately set out to answer my comment.

If you know how a younger athlete may admire, and compete with, and be inspired by, and at the same time resent an older athlete, I think you have a basic clue to Mr. Khrushchev and to understanding the Russians. At the time when the younger athlete has finally developed and matured, the most inflammatory thing the older can do is to be condescending. Khrushchev personally and politically wants acceptance from the United States. I say this regardless of what arrogant remark he may make the same day you read this.

In my opinion we can expect trouble in communications at any time that people dealing with Mr. Khrushchev forget that Russia today is a great power and her First Minister is an able and resourceful man. A most likely error is to understimate him, and often in the past, our leaders have underestimated the Russians. A few years ago an American official spoke of the Russians and the "oriental mind." This implies that some human beings are just naturally different. This sort of nonsense does us a great disservice. The Russians are human beings, like the rest of the human race. We may find the Russians hard to understand, because their value systems are different from ours, but they are human beings, they have human minds precisely like ours, and we must find humane ways to communicate and to compete.

Mr. Khrushchev in particular has a receptive mind and very human traits.

Physical appearance and manner

In physical appearance, Mr. Khrushchev is well-groomed, rotund, rosy cheeked and bubbling with vitality. His energy and his engaging smile when he cares to smile, lend themselves to political appeal.

Sometimes he seems guilty of bad manners or ignorant of good taste. But most of the time he is out-going, gregarious, and hospitable. True, we have to remember that he and his colleagues can be coldly ruthless. We remember that they ordered the bloodbath of retaliation against the Hungarian uprising, for example. But there is no use denying that he seems friendly to the Russian people when he walks through the crowds.

Since he is 65 and overweight, it is worth noting that he has tremendous physical stamina. His physician has told him to eat and drink less, and he has talked to me and to half the world about his kidney trouble.

When we first shook hands, as the Premier walked around his desk to meet me, I formed a lasting impression, this man has a lot of bounce. He was well-dressed, in a blue suit, a white shirt with simple cuff links, and two small red stars on his jacket lapel. This formality was suited to what we had both expected would be a formal interview, but he seems more fond of informal clothes, and at his summer place he receives some visitors, as he did Eric Johnston, while wearing a cotton suit and no tie. Our meeting quickly became more informal.

At no time in our lengthy interview did he appear tired, and when we ate an impromptu supper he seemed relaxed and obviously not nervous as to what this unexpected discussion was doing to his schedule. Several times he did refer to his age, as if it were quite advanced, or as if he were worried about his health. Recent pictures have showed him looking somewhat haggard. My conviction is that he has extraordinary physical energy and consequently drives himself to exhaustion—as was indicated by the report of his visit to Poland. Yet after one night of good sleep in Poland he snapped back. At the time I saw him, he was rosy-cheeked, bright-eyed, and healthy.

Mr. Khrushchev is a talker

Mr. Khrushchev is a talker. He is fond of oratory and conversation and debate, and quite good at all three. Of course we hear of his making speeches 3, 4, and 8 hours in length. Pioneer America has also had a tradition of debate and also of oratory. Perhaps this has something to do with distances and the frontier. In Nebraska, in the days of William Jennings Bryan, or in Wisconsin with Senator LaFollette, a 2- or 3-hour speech was considered just par. When I was a college student in Minnesota, Gov. Floyd B. Olson, who had been ill, rallied and made a memorable speech nearly 3 hours long, which literally brought tears to the eyes of the audience, many people standing stock-still for that entire period. Perhaps when people travel 150 miles to go to a political meeting they want to get their money's worth, so to speak. Trotsky and Lenin used to make marathon speeches, the Russians respect the man who is fast on his feet, and has staying power.

In any case Mr. Khrushchev will be a hard man to interrupt. He apparently loves being with crowds, loves parties and dinners, conventions and tours, wherever he will find opportunities to talk and—sometimes—to listen.

His conversational style is quite vivid, forceful and pungent. He sometimes illustrates with gestures, or by pointing at a map, or picking up an object. Not only does he use Russian proverbs or homey sayings, but he uses vivid metaphors. "Berlin is a bone in my throat," he would say, when he was insisting to me that the only reason we would have troops in Berlin was to prepare to strike against Russia.

At another place, talking about his thesis that America should "learn to live with various kinds of economic and social systems," he said, "only the blind cannot recognize different colors." I don't know whether this is a Russian proverb or just a sentence he coined on the spur of the moment.

The use of metaphors or old proverbs may sometimes be used as evasion. Politicians in all countries know how to avoid a clear blunt statement by replying with a colloquialism that does not directly answer the question. In Moscow that evening and often since then it has occurred to me that Mr. Khrushchev is a master of the evasive tactic.

Sometimes he appears to be quite candid. There were times when he could hardly have seemed more frank. A couple of times in our conversation he said to me, "Let's not speak of that, we would only disagree."

I would believe him when he says he does not wish a war and that he is familiar with the tragedy of war. I am certain of the real emotion that he was feeling when he spoke to me of his son and of other Russian sons who were killed by the Germans. He repeated over and over that "There will be no war while I am Chairman of the Council of Ministers."

This statement itself reminds us that we cannot base our policy to any great extent on the personalities which are on top in various countries at any one time. Still it is important to seek to gauge what kind of person is now First Minister of Russia.

Here is a trait I always consider on the plus side.

Sense of humor

Mr. Khrushchev has a keen sense of humor. Of course, like many people who find their wit amuses others, he sometimes gets carried away. This pudgy fellow, cutting capers at receptions, was sometimes rated as a clown a year or so ago. But his sense of humor is sometimes very much like ours. I think many of his jokes will be pleasing if understood by an American audience. We like humor in political leaders. I would personally like to warn his audience that Mr. Khrushchev is disarming—but he is not disarming.

Surely Americans may enjoy Khrushchev's better witticisms, and they may even appreciate it when he makes a good point, without falling into the error of underestimating him.

Although I have been appalled at some of the joking threats the Premier makes about his rockets, I must say that, all in all, I think it is a healthy thing to find some humor in the Kremlin. I believe our world today might be entirely different if Adolf Hitler had had a sense of humor.

Khrushchev and the United States

Mr. Khrushchev has shown to many, as he has to me, an intense curiosity about the United States. He has a wide range of interests, he will be meeting all kinds of Americans, and he will often show them his favorable, human, and humorous side.

The political man

If Khrushchev had been born an American and had run for office here, I think he has the rough and ready energy, speaking ability, and skills in meeting people to have been successful. He could be an old-fashioned ward boss, and he could also be a candidate. Remember that in a sense the East and West are actually campaigning for the votes of neutrals. He is a tough campaigner in this global competition.

He is a master politician and a master propagandist and he is working all the time. As the old saying has it, he gets up early and lives late, and he wasn't born yesterday.

He is as much a politician as he is a dictator. This is a new thing to the Soviets and to us. Unquestionably his regime is supported by force, but for many reasons he has to be far more flexible than Stalin. The new times have brought to the top a man who is far different from his predecessors. Khrushchev knows how to maneuver and to be adroit and not merely hammer out his position. In pugilistic terms he can sometimes be a boxer like Jim Corbett or Gene Tunney, but still rating him in boxing terms, I would say he is also a slugger. Stalin's policies were more rigid and ponderous; I think it is more dangerous for us that Khrushchev can shift and weave as he does.

He is the kind of person who calculates constantly the effects of his every action. He made some remarks to me that were somewhat startling and seemed to me spontaneous, and I still think, to some degree, they were. But they were also perfectly in line with his general purposes and with his specific purposes for our discussion. Even when he appears to be angry—and he loves to point his finger at you or shake his fist—I believe that he does most of this for effect. He has a definite streak of showmanship.

In describing him personally, it is not possible to deal adequately with the policy reasons for Mr. Khrushchev's visit and the issues which reached a stalemate at Geneva. In terms of his personality, however, I know that he is intensely curious about the United States; he has personally wanted for a long time to see us here.

Politically, I believe there is a clear reason for his visit: Not only his councilors, but his constituents now want him to come here.

Premier Khrushchev knows that during and since the World War, millions of Russians have experienced something of Western industrial civilization. To some extent the war and its aftermath may have ended Russian isolationism. Not even the Soviet monolithic state, with all its propaganda, can

withstand certain world trends. Moscow listens to American jazz music, and its listens to a great deal else from the West. Khrushchev's real constituency is not the entire Russian people, but the few million who are in the Communist Party. Mr. Khrushchev appears to be somewhat insecure and nervous about his council of advisors-supervisors, and about his continued leadership of Communists, in Russia and elsewhere. His basic constituents are not just reading his controlled press. In libraries they read journals of all the world.

Mr. Khrushchev speaks constantly of young people, and of today and tomorrow. You will note that he almost never refers to the old days of the revolution—his real constituents cannot really remember it. He is an old Bolshevik and he will probably be the last of that line to hold the No. 1 spot.

Mr. Khrushchev prides himself on his persuasive powers and he has spoken (to me, and to others) with apparent conviction of his distaste for the secret police. He boasted to me, "I liquidate no one." And—despite his crude violence elsewhere—the survival of Khrushchev's former colleagues, Malenkov and Bulganin, would tend to bear him out. World public opinion, which has been shocked by the barbarism of secret police, torture and purge trials, and slave labor camps, now seems to have some moderating though not controlling influence.

It is important that Khrushchev does not seem to feel that the classic doctrines of Marxism are the beginning and the end of governmental philosophy. Of course he is completely devoted to Communist ends, but I mean that he does not regard the philosophical doctrine as complete, perfect, and applicable to every situation now and in the future. He does not believe, as some Communists have appeared to believe, that human history virtually began with the Russian revolution. He often quotes the Bible—he was brought up a Christian in the Greek Orthodox Church, but was won over to atheism and communism. To one American, however, he spoke of ancient times, and said that Greece was the age of art, Rome was the age of law, and the Christian era was the greatest, the age of the common man.

Many surprising remarks come from this complicated man.

During his visit, he will undoubtedly make many seemingly offhand comments, which appear unpremeditated. Americans should remember that he is not only speaking to his hosts and to the American people but he has in mind other countries, the neutrals, the satellites, and always the men at home in the Kremlin. Some things in America he may be delighted with, but he will know that he simply could not express great enthusiasm for them without causing repercussions at home or in the ranks of some ally, such as China. We may forget this, but he will not forget it.

The nature of the cold war creates such pressures on all sides. Americans coming home from Russia will not be as enthusiastic nor as candid about some things there, as they might be, because such enthusiasm may be criticized at home. This is part of the tragedy of the cold war. This circle has to be broken or civilization will explode.

Both of us must speak some plain truths in public and private.

In the past year, specifically with the increased travel between the United States and Russia, we are learning to speak more candidly. We have lately been saying for all to hear some of the things that lie closest to our hearts and are more important for the life-and-death realities of the atomic age.

Surely it will help clarify the situation if we can make clear to him our strength and objectivism, and if Americans can more clearly understand the strength of Russia, and the nature of Communist objectives.

Many Khrushchevs

Premier Khruschev is the leader of a worldwide political movement, the prophet of a fanatic faith. The Chinese, for one example, suspiciously peer over his shoulder to see that he remains "pure in the faith," that he does not become dominated too much by Russian national motives.

Khrushchev is also chief of a reluctant empire, the symbol of tryanny to millions of enslaved people in the satellite countries.

Meanwhile, Khrushchev is production chief of all the factories and farms of a nation which is competing with us, night and day. The title of Khrushchev's latest book, a Russian best seller, of course, is "Toward Victory in the Peaceful Competition With Capitalism."

Finally, Khrushchev comes to us as a politically sensitive leader of millions of human beings. I do not believe Mr. Khrushchev can totally ignore the average Russian, who passionately hopes, as does the average American, that the hydrogen bomb will never be used by any nation upon any other.

We should listen politely and speak candidly to all of these Khrushchevs—the prophet, the human being, the production chief, and the dictator-politician.

We should listen with caution born of experience, but greet him with courtesy born of confidence. The eyes and the hopes of mankind are upon us.

Khrushchev's Visit to the United States

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. BYRD of West Virginia. Mr. President, it is now too late to prevent Khrushchev's visit to the United States. The invitation has been made; it has been accepted. Khrushchev will be in the United States within a few weeks. He will see America and Americans for the first time. We have no other alternative now but to make the best of his visit. We must, therefore, maintain our dignity as a people during his visit. In a sense Khrushchev will be as a guest in our house; and though we all may be revolted by what he stands for, still propriety—indeed the honor of our Nation—requires a courteous reception.

I have never objected to exchange visits as such. Much can be gained by a mutual exchange of visits, for example, between American and Soviet scientists, technicians, and agricultural specialists. But I question the wisdom of inviting Khrushchev and indeed have many misgivings about his coming here. For this reason I want to inject a word of caution.

It is tempting, I know, for many Americans, who are by nature prone to view the world through the prism of rosy optimism, to expect that Khrushchev's visit together with bilateral negotiations with President Eisenhower can dissolve the problems plaguing Soviet-American relations. Possibly the press may inadvertently give the impression in the weeks to come that Khrushchev and the President can themselves set things right where others have failed. The fact that Khrushchev, as supreme ruler of the U.S.S.R., has the power to dissolve these differences, should he wish, and the fact that President Eisenhower heads the Nation which in turn heads the anti-Soviet coalition may well lend some credibility to this view.

But, it is a dangerous misconception of international relations, I believe, to assume that the visit of the leader of one state to another can solve deep and fundamental differences. To be sure, the differences that loom so large in Soviet-American relations are partly psychological and emotional. And, I do not doubt that a visit can act as a corrective to some of the misconceptions Khrushchev may have of the United States. But such a visit can only affect the general climate of relations. It may correct distorted images of the United States; but it cannot solve the great and overriding political problems. For the basic differences between Russia and the United States are political by nature. Only by political agreements that reflect realistically the power relationships between both states can these differences be totally eradicated. It is naive to expect that a visit by Khrushchev can result in such political agreements. If history can be our guide, it is reasonable to expect that only after the Communist regime in the U.S.S.R. has been replaced by a regime that is not dedicated to the subversion and overthrow of free governments will it be possible to dissolve political differences now dividing East and West.

This raises another serious implication of the Khrushchev visit. Whether intended or not, private talks between the President and the Soviet Premier can give the impression abroad of bilateral negotiations. Even to convey this impression could, if widely accepted, dangerously weaken the Western alliance. I do not believe that it is a workable procedure for the President to act as an agent for the Western allies in such a negotiation, even if acceptable to the allies under certain conditions. Suspicions are bound to arise within the allied camp that could widen the fissures that already exist. Such an arrangement rests upon two assumptions: First, that the interests of all nations in the Western coalition are unitary; and second, that the United States can in fact negotiate objectively and disinterestedly for other powers when the vital interests of those powers are at stake. Recent negotiations in the Berlin crisis brought to light the wide range of differences within the allied camp on the very problems that would likely be on the agenda for an Eisenhower-Khrushchev conference. Moreover, it would be exceedingly difficult, indeed almost impossible, for the United States to negotiate a settlement of the German problem and satisfy the disparate interests of, let us say, both Britain and West Germany. Indeed, it would be imposing too much of a burden upon the United States. This would be particularly true in a situation where American interests may conflict with those of its Allies. Nations often act with the highest motives, but more

often their actions and motives are related directly to their vital interests and are rationalized and moralized accordingly. It would be inconceivable that, in a given situation, during negotiations with the Russians, the United States would act contrary to its interests while attempting to oblige one of its allies.

Serious observers of the current international scene have long contended that one of Russia's primary objectives is to divide the Western coalition and destroy NATO. For the past few years, Khrushchev stated very pointedly that the way to settle world problems was for the United States and Soviet Russia to confer bilaterally. As recently as the Vice President's trip to Moscow, Khrushchev repeated the same assertion. No doubt, when Khrushchev arrives in Washington he will do his utmost to create the impression for the benefit of world opinion that bilateral negotiations can be an effective device for insuring world peace. It is gratifying that the President is giving personal assurances to the allies of American intentions. But this shall not deflect Khrushchev, and there is no doubt that in the coming weeks Mr. Eisenhower's statesmanship will be put to a supreme test.

In addition to these two points I have discussed—that is, first, the doubtful effects of a visit in solving outstanding political problems, and second, the danger of bilateral negotiations—there is a third point, and that is the adverse effect a visit by Khrushchev may have on world opinion. Here, actually, I have two points in mind. First, there can be little doubt that the morale of the resistance movements behind the Iron Curtain will be severely shaken by press reports and pictures of Khrushchev visiting Washington, which in the mind of the anti-Communist Eastern European has been a symbol of world democracy and freedom. It will be difficult, I am sure, for many Eastern Europeans to reconcile this public demonstration of acceptance of a man who was responsible for crushing the Hungarian revolution and destroying freedom and democracy in Eastern Europe, with claims by the United States that it will not acquiesce in Soviet insistence on Western acceptance of the status quo in Eastern Europe. It seems to me that in this instance we cannot have our cake and eat it too. It is arguable that Khrushchev's visit here may well convey the impression that we are writing off Eastern Europe. In which case, the captive peoples, having no other alternative, may well acquiesce in permanent Communist control. What has heretofore been passive acceptance of Communist rule will now be total acceptance, and thus we will have lost a vital and vigorous force for freedom. Henceforth, at best the Communists could probably rely on the loyalties of the captive peoples; at the very least, they would be relieved of a serious problem of control.

The second point I wish to make is the effect the Khrushchev visit may well have on world opinion. Whether intended or not, the Eisenhower-Khrushchev conference will convey the impression that great decisions are impending—decisions that will ease international tensions and insure world peace. Whether the visit will yield such grandiose results is highly questionable.

But, the hopes of humanity cannot be suppressed sometimes even in the face of hard reality. Should world opinion be inordinately optimistic about the results of the visit, no doubt, disillusionment on a grand scale will set in when the tallies are finally added up. Soviet Russia may well receive many assets in propaganda, while the United States, lacking the facility, as most democracies do, for cynical, tactical maneuver, may well incur serious liabilities. This happened after the Geneva summit conference in 1955; it can happen again. Summitry, to be successful, requires a symmetry of intentions and obligations. So far, the Russians have not obliged, and it is doubtful whether they ever will.

In setting forth these ideas, it is not my intention to be a doleful pessimist, and I hope that what I have said will not be taken in that spirit. My principal concern is that the American people will look at the impending visit of Khrushchev realistically and with thoughtful judgment. It is not prudent to allow one's expectations to rise too high in the coming weeks. Sober calculation ought to be our watchword, for reliance upon emotionalism is a poor substitute for sound, rational judgment: It can only lead to disillusionment when once the mists of emotionalism have been dispelled by the cold winds of reality.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article by Thurman Sensing which appeared recently in the Wheeling (W. Va.) News-Register.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wheeling (W. Va.) News-Register, Aug. 11, 1959]

CONSEQUENCES OF CONSORTING WITH COMMUNISTS

(By Thurman Sensing)

Though it was undoubtedly motivated with the best sort of intentions and expectations, we must confess a considerable amount of revulsion with the invitation to the dictator of the Russians and the head of the Communists, Nikita Khrushchev, to visit this country as an honored guest of our Government.

While it would seem almost superfluous, it is still in order to refresh our memories with some observations on communism and Communists.

The avowed purpose of communism is to overthrow the existing order in the world, to abolish private ownership of property and destroy freedom of the individual, to give the state complete control over the people and the people no control over the state, to make the individual simply a cog in a machine and a pawn to be moved at will. Such a philosophy is communism's only excuse for existence. Is there any reason to believe that anything will change it?

We know the threats and the boasts of this Communist leader that they can destroy us militarily, that they will "bury us" economically, that our grandchildren will live under a socialistic (he means communistic) form of government. Though whether these things come to pass is up to us and not up to the Communists, though they cannot happen unless we allow them to happen, still that is their firm belief and intention—and there is no reason to believe visits to this country will change it.

We know the past actions of the Communists. We know that they consider treaties as something with which to delude the opposition and something to be ignored and disregarded. We know that they talk out of both sides of the mouth at the same time, pouring water on a troubled spot at one end and setting a brush fire at the other. We know that theirs is a godless philosophy and that they recognize no Divine Being.

We know that Communist Russia financed the war against us in Korea (while remaining in the United Nations)—the only war this country ever lost, due to relinquishing our sovereignty over the war to the United Nations and to some timid leaders. We remember the butchery of the Hungarians when they again strove for some measure of freedom. We know that these same Russian Communists are the spiritual leaders of, and work hand in glove with, the Communist dictators of China, with all their crimes against humanity and especially including their recent ravishing of the old and honored nation of Tibet.

Can a visit to this country by this Communist leader and his subordinates change any of these things?

We also remember other times when our leaders sat down and talked in person with the Communist leaders at Teheran and Yalta and Potsdam—with terrible and irrevocable consequences. Of course, we don't have the same President now that we had then—not by any means—but these shadows will lie athwart this visit.

There is no question but that Mr. Khrushchev has been angling, both with threats and cajolery, for this visit for a long time. He knows it will give him prestige among his subjects back home and will offer him a wonderful soundingboard for propaganda. What else are the peoples of Asia and Africa and Central and South America and the islands of the sea to think than that we are now fraternizing with the Communists and receiving them as equals? Is that any way to preserve our standing in the world as the champions of freedom?

As more or less of a postscript, we notice Senator KEFAUVER has written the President a letter urging him by all means to have Mr. Khrushchev include a survey of the TVA in his tour of the United States. Well, if the thought is to make him feel at home, we should say that is a pretty good idea—because he will certainly find no free enterprise there! But what is Mr. Khrushchev himself to think when we parade the TVA before him with pride, than that we are already aping his philosophy of state ownership and state control—and that we are already on our way toward making his prophecy about our grandchildren come true?

We all want peace, yes, but must we obtain it at the expense of consorting with Communists and by the loss of our self-respect?

House Joint Resolution To Provide a Program Re Federal Debt, Deficits, Inflation

EXTENSION OF REMARKS

OF

HON. JOHN R. PILLION

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PILLION. Mr. Speaker, for the information of the Members of Congress,

I am pleased to insert a recital of the critical condition of the Federal Government and a program for its correction. These matters are contained in the following joint resolution which was introduced today.

Whereas the U.S. Government has pursued a loose and irresponsible fiscal policy for the past 10 years; and

Whereas, due to this irresponsible fiscal policy, the national debt has reached the highest level in our history, $290 billion; and

Whereas there exists in our Government a lack of purpose to operate on an annual balanced budget; and

Whereas since the year 1950, the U.S. Government has incurred the following annual deficits, $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion, with relatively small surpluses in other fiscal years; and

Whereas since the Korean war, during a period of relative prosperity, the net operating deficit is more than $8.5 billion; and

Whereas these deficits have created a cumulative demand upon the nation's money markets thereby reducing the capital funds available for the expansion of our economy and the creation of job opportunities; and

Whereas there has been no executive or legislative policy or declaration indicating any intent to repay any part of the national debt; and

Whereas this careless fiscal policy is a major cause of our present inflation, the ever-increasing cost of living, and the reduction in the purchasing power of the dollar; and

Whereas this loose fiscal policy has generated and encouraged an insidious repudiation of debt; and

Whereas this irresponsible fiscal policy has reached such proportions that there is a rapid and increasing loss of public confidence in the will and the capacity of our Government to balance the budget, repay our national debt, and stabilize the value of our currency; and

Whereas this lax fiscal policy has created an artificial inflationary prosperity by an expansion of credit, increased circulation of currency, deficit financing, increased public spending, and an abnormal speculative and inflation anticipation buying; and

Whereas there must be an inevitable end to this type of deficit financing which even now has resulted in the resort by the U.S. Treasury of the tactic of robbing Peter to pay Paul; and

Whereas the lack of confidence in the Government's obligations is evidenced by the fact that its bonds are selling as low as 80 cents on the dollar; and

Whereas the fear of inflation on the part of the public has resulted in a net loss of more than $1 billion in the redemption over the purchase of U.S. savings bonds in the last 3 months; and

Whereas this unsound fiscal policy has resulted in a "hard" and "tight" monetary policy as shown by the following facts:

On September 10, 1959, the Federal Reserve Board raised its discount rate charged members banks to 4 percent. This rate is the highest rate since the year 1932.

This pinch in money supply will increase interest rates to 5 percent, 6 percent, and 7 percent to businessmen. It will result in the abandonment of many planned publicly financed construction projects.

Small businessmen will be particularly squeezed for operating capital.

This tight money policy will restrict and discourage the expansion of our economy and tend to increase unemployment.

In 1958, the U.S. Treasury paid 1¼ percent for 1 year money; today it must pay 4¾ percent; and

Whereas foreign countries and foreign citizens hold more than $18 billion of our short term securities; and

Whereas there is growing fear of inflation in the United States on the part of foreign investors; and

Whereas the liquidation of credits by foreign investors could create a serious fiscal crisis in this country; and

Whereas the bulk of the Nation's debt of $290 billion are in the form of short-term securities, so that they are approaching the convertibility demand of currency; and

Whereas the announced debt management policy of the U.S. Treasury to lengthen the debt maturities has been a complete failure, in fact, the debt is becoming increasingly short-term debt; and

Whereas the debt maturities are so fiscally precarious, that the U.S. Treasury will be required to raise the enormous sum of $85 billion in the next year for refunding and deficit spending; and

Whereas the combination of a loose fiscal policy and a tight money policy is the worst possible fiscal combination for a healthy and prosperous economy; and

Whereas an erroneous impression is being created that an authorization by Congress to increase interest rates will solve the Federal Government's fiscal crisis. In fact, this action would deal only with the symptom and not the cause; and

Whereas as a general rule, the loss of 50 percent of the purchasing power of a national currency within a generation is followed by runaway inflation and the loss of the balance of the value of the currency in a relatively shorter time; and

Whereas the purchasing power of the U.S. currency has dropped more than 50 percent in the last generation; and

Whereas this loose fiscal policy has created fiscal inflation, which in turn, has encouraged labor cost inflation. This situation has resulted in increasing seriously and inequitably the differential between the income for those segments of the population who have union bargaining power as against those of our working force who do not have union bargaining power; and

Whereas this fiscal disorder has encouraged the increase in some areas of costs at a greater rate than the increase in production; and

Whereas this uneconomic fiscal policy has resulted in pricing many U.S. manufactured products out of the world market, causing the import of foreign products, and thus creating unemployment in the United States; and

Whereas this Nation's loose fiscal policy discourages thrift, the accumulation and investment of capital, the risks of new industry, the expansion of present industry, and the creation of job opportunities; and

Whereas enormous wastages continue to exist in Federal spending both by reason of inefficient administration, contradictory legislative policies and uneconomic policies; and

Whereas a minimum of $5 billion per year could be saved in Federal spending without, in any way, endangering the defense program or reducing any necessary civilian program; and

Whereas, the recent history of England, France, and West Germany demonstrates that their expanding and prosperous recovery is the result of an austere, orthodox fiscal policy, after rejecting inflationary and socialistic experiments; and

Whereas many countries, today, who have allowed inflationary policies to prevail are suffering from internal dissension, stagnant economies, and unstable governments; and

Whereas loose fiscal policy and inflation unjustly wipe out and destroy cash savings, bank deposit savings, insurance savings, social security benefits, pension benefits, mortgages, and all other forms of deferred contractual benefits of the populace; and

Whereas inflation destroys the wealth of the many, it unjustly and uneconomically enriches the few; and

Whereas the United States, as the leader of the free world, is engaged in a life or death war with the Soviet on all fronts, economic, political, military and ideological; and

Whereas the continuation of unsound fiscal policies will result in inflation and its unforseeable disastrous consequences to both the safety of this Nation and to the survival of the free world; and

Whereas the Federal Government has exhausted its credit, it lacks a reserve to combat a depression or to meet any serious national or international emergency. This lack of financial reserve would require and plunge this Nation into an immediate totalitarian regime in order to wage a war; and

Whereas Congress has failed to adopt a sound fiscal policy; and

Whereas the executive department has also failed to announce a specific sound fiscal policy; and

Whereas the legislative committees in the House of Representatives that report bills authorizing expeditures, the Committee on Appropriations that recommends expenditures and the Committee on Ways and Means that recommends taxes to raise revenue, each act independently of each other, without any common coordinated fiscal objectives; and

Whereas the House of Representatives lacks the legislative machinery to cordinate the authorization, the spending of funds, and the raising of revenue; and

Whereas the fiscal condition of this country is so threatening to the welfare and safety of this Nation, that remedial action should properly be a bipartisan effort. Since fiscal policy is both a legislative and executive responsibility, remedial action should also properly be a joint effort of Congress and the President; and

Whereas the present hit or miss fiscal policies of the Federal Government are creating doubt, apprehension, and a lack of confidence in the investing public; and

Whereas the adoption of a firm, sound fiscal policy with a systematic and regular reduction of debt is an indispensable condition for the restoration of public confidence in our dollar, in the stopping of inflation, and in the restoration of a healthy, expanding economy; and

Whereas a firm policy decision by Congress and the President to pursue a sound fiscal policy, by an annual balancing of the budget, and by an annual repayment plan to reduce the Federal debt, would restore public confidence in Federal obligations; and

Whereas the restoration of confidence in the fiscal policies of the United States would, likely, reduce interest rates on Government obligations by one-half to 1 percent and thus saving $1,450,000,000 to $2,900,000,000 annually on interest rates alone: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress to annually balance the budget except in the event of war and to make a regular annual repayment of the national debt except in an emergency declared by joint action of Congress and the President.

SEC. 2. It is further declared to be the policy of Congress to coordinate expenditures and revenues so as to produce a normal surplus of $3 billion and a minimum surplus of $1 billion for the reduction of the national debt.

SEC. 3. The President shall recommend in his annual fiscal message such appropriations and taxes as will produce a normal surplus of $3 billion and a minimum surplus of $1 billion to be applied to the reduction of the national debt.

SEC. 4. (a) There is hereby established in the House of Representatives a Finance Committee which shall consist of the four senior majority party members and the three senior minority party members of the Committee on Appropriations, and the four senior majority party members and the three senior minority party members of the Committee on Ways and Means.

(b) The Finance Committee shall coordinate the work of the legislative committees, the Committee on Appropriations and the Committee on Ways and Means, and shall submit such reports and recommendations as it deems proper, to effectuate the fiscal policies set forth in this joint resolution.

(c) This section is enacted as an exercise of the rulemaking power of the House of Representatives, and as such, shall be considered as part of the rules of the House, and shall supersede other rules only to the extent that it is inconsistent therewith. The constitutional right of the House to change such rules (including those prescribed by this section) at any time, in the same manner and to the same extent as in the case of other rules of the House, is hereby expressly recognized.

The Launching of the Good Ship "James Lykes"

EXTENSION OF REMARKS
OF
HON. WILLIAM M. COLMER
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. COLMER. Mr. Speaker, on last Saturday, September 12, another splendid ship was added to the American merchant marine when the *James Lykes* was launched in my hometown, Pascagoula, Miss. This modern addition to our fleet was built by the Ingalls Shipbuilding Corp. This beautiful ship glided down the ways into the Pascagoula Harbor in a perfect launching. Thus, the Ingalls Shipbuilding Corp., which has built so many splendid vessels, both for our national defense and our struggle to maintain the American flag on the high seas, made another worthwhile contribution to our national defense and commerce.

The *James Lykes* was christened by Mrs. Herbert C. Bonner, the gracious wife of our distinguished colleague, the Honorable HERBERT C. BONNER, chairman of the Merchant Marine and Fisheries Committee of the House of Representatives.

On that occasion our able and efficient colleague, Chairman BONNER, made a most appropriate address. Administrator Clarence G. Morse of the Maritime Administration also made some brief, but very appropriate remarks. Other distinguished people, including Mr. Solon Turman, president, and Mr. Joe Lykes of the Lykes Brothers Steamship Corp., and Mr. Frederick J. Mayo, president of Ingalls, made brief remarks. Mr. Monro Lanier, vice chairman of the board of Ingalls, acted as master of ceremonies.

Congressman BONNER's remarks follow:

Mr. Lanier, my devoted friend and companion, our most gracious sponsor, Mrs. Bonner, Mr. Morse, "Mr. Joe" Lykes, Mr. Turman, and all the other splendid members of the great American clan of Lykes, distinguished guests, ladies and gentlemen, I am most happy to have the honor and privilege of visiting this great shipyard again on this especially auspicious occasion—the launching of the SS *James Lykes*, the newest member of the greatest family of ships under the American flag. It is a personal pleasure to be in the Sixth Congressional District of Mississippi and in the city of Pascagoula, the home of my fine and able friend, Hon. WILLIAM M. COLMER, who represents this district in the Congress with distinction.

The Lykes fleet has to be big.

It started off from small beginnings, back in the 1880's, when the founder of the present Lykes family, Dr. Howell Tyson Lykes, shipped cattle to Cuba on a 109-foot schooner, named for himself. The precedent started by Dr. Lykes in the naming of his vessel naturally had to be followed as the tribe increased through seven sons and a daughter of his own, followed by the proliferation of subsequent generations. Blood ties are strong in this remarkable family. Fairplay and equality of treatment bind the Lykes tribe together. So, over the years they have had no choice but to create a large fleet of ships to take the names of the numerous members of the family. The commerce of the United States, and particularly the economic welfare of our gulf coast, have been the benefactors of this curious compulsion to have ships named after every baby that was born in the family.

On this occasion, when we honor the name and memory of James McKay Lykes, who founded the present Lykes Bros. Steamship Co. in 1906, it is thrilling to think of the family unity and solidarity exemplified by the presence of so many members of the generations of Dr. Lykes here today. It is indeed difficult to separate Lykes people from Lykes ships. And it is therefore logical that among those in attendance today are Mrs. James McKay Lykes, widow of the energetic and farsighted man for whom this ship is named; Mr. Lykes' eldest son, James McKay Lykes, Jr., senior vice president and director of the steamship company in charge of west gulf operations; his younger son, Charles P. Lykes of Tampa, a director of the steamship company and president of the Florida corporation of Lykes Bros., Inc.; and his two daughters, Mrs. Ben F. Thompson of Houston, and Mrs. Cameron Duncan of San Antonio.

But this is far more than just another large-scale family get-together.

Over the many, many years that this country has sought to maintain its essential place in the field of international commerce through strength upon the seas, numerous methods have been tried. Each time the formulas have been found wanting, until the enactment of the Merchant Marine Act of 1936.

The launching of this fully modern cargo ship, specially designed for the needs of today, gives us firm proof of the sound and farsighted principles and policies of the 1936 act, just 20 years from the launching of her namesake, prior to World War II.

The launching of this new ship is proof of more than simply the soundness of the 1936 act. It is proof of the human perseverance, loyalty and faith of its operators and its builders, in their partnership with the Government in service to our national interest.

The new *James Lykes* comes into being as the first of a whole new generation of cargo ships for the American merchant marine under a program to be carried out over the next 15 years. Through this program of orderly replacement of our war-built fleet the Federal Maritime Board and the participating American operators will at last overcome the difficult problem of block obsolescence which has plagued us in the aftermath of two World Wars.

The new *James Lykes* has been designed with the greatest of care and thoughtfulness for the trades she will serve. She carries out the concepts expressed recently by her great naval architect, Mr. William Francis Gibbs, in speaking of our maritime competitiveness, that American ships should be designed for the future, should be able to do any job that any competitor can do with his ships, and should be able to do it better.

The *James Lykes* will be a vessel of 11,300 deadweight tons, 495 feet in length, with a 69-foot beam. She is specially designed to carry—efficiently—bulk, as well as general cargo in two of her five holds. She will be able to travel at a sustained speed of 17.5 knots at 80 percent use of power. She will be fitted to carry 12 passengers in air conditioned comfort. All of her crew quarters will likewise be air conditioned.

I somehow feel very strongly that the spirit of James McKay Lykes is with us today, looking approvingly on the handiwork of those who have carried on after him toward the greater glory of the name of Lykes and the American flag on the seven seas.

May I finally also add very sincerely my highest congratulations to Mr. Morse for his vision and persistence in carrying the Government's end of this great exercise in cooperation forward, and to the Ingalls Shipbuilding Corp. for another outstanding example of the highest quality of American shipbuilding.

Thank you.

The remarks of the Honorable Clarence G. Morse follows:

Mr. Joe Lykes, Mr. Turman, Mr. Lanier, Mr. Ingalls, Members of Congress, distinguished guests, representatives of the Army and Navy, friends of the American merchant marine, and our most gracious sponsor, Mrs. Herbert Covington Bonner.

It is indeed an honor to be here today, and to join with you in the ceremonies marking the launching of the SS *James Lykes*.

We in Washington who have labored to see our shipbuilding and ship-replacement program become a reality take great pride in this particular achievement.

First, it is always a pleasure to do business with Lykes Brothers Steamship Co., and it is certainly not amiss on this occasion to say that we admire and respect Lykes Brothers for their courage, their progressive attitudes, their contributions to American shipping and their willingness to put their faith and their fortune on the line on the future of the American merchant marine.

Another factor of special note on this occasion is the careful and appropriate selection of our lovely sponsor.

The christening and the launching of a ship is a ceremony of deep significance, and the picking of a sponsor is a serious responsibility. In the selection of Mrs. Herbert C. Bonner to perform the honors for the SS *James Lykes*, the selection is an affirmation of basic American justice, for this great ship and the other great ships poised on the ways of shipyards throughout our land have been built because the Honorable Congressman HERBERT C. BONNER, of North Carolina, as chairman of the Merchant Marine and Fisheries Committee of the House of Representatives of the U.S. Congress, has worked and achieved, and inspired his colleagues to work and achieve, to assure that there shall be an American merchant marine, composed of the best equipped, safest, and most suitable types of vessels, constructed in the United States, and manned by Americans to serve our present and our future trade, commerce, and defense.

Mrs. Bonner, we have been with you on many occasions of note to American ship-

ping but none more significant than the one in which we are today participating. This launching marks a most important step in Lykes Brothers Steamship Co.'s agreement with the people of the United States that calls for the construction of more than a half billion dollars worth of new ships over the next dozen years.

Your ship, Mrs. Bonner, expresses our faith in the future of American shipping.

Your ship redeems in part a 20-year agreement between Lykes Brothers Steamship Co. and the Government of the United States to assure six services on five essential U.S. foreign trade routes from U.S. ports in the Gulf of Mexico.

Your ship is evidence in steel of our resolve to remove the shadow of the phantom of block obsolesence that in past years has darkened the outlook for the American merchant marine.

Your ship means employment and benefits for people everywhere. It is a demonstration that we seek trade and not conquest, that the aim of our Nation is the mutually profitable commerce between people of good will everywhere which enhances the general welfare of our free world.

The Ingalls Shipbuilding Corp. has built your ship with strength and beauty, a tribute to the arts and crafts and skills of the growing industry of this great gulf area.

May your ship ever sail in peace and prosperity.

Czechoslovakia and the Sudeten Germans

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MACHROWICZ. Mr. Speaker, in view of the attitudes of the Sudeten German leaders displayed at the occasion of the Sudeten annual rally in Vienna on May 17, 1959, it would appear appropriate to draw attention to the statement by Mr. REECE, of Tennessee, on the 22d of April 1958. Mr. REECE submitted to the House a lengthy account dealing with the case of the German expellees with special emphasis on the Sudeten German issue. On the whole, the statement was pervaded by unfounded charges against the Czech nation. On many points of fact and opinion, the critical reader may well wish to take issue with the gentleman from Tennessee who has seemed to disregard the obvious fact that the so-called Sudeten Germans themselves were mostly responsible for the whole sequence of events winding up with their removal from Czechoslovakia. The attempt to picture the Czechs as the villains rather than the victims of the east central European tragedy seems to make a large draft on the imagination. As some facts and various of his inferences were dubious and erroneous, attention should be directed to them. Thus Mr. REECE's position deserves careful analysis by all those who have the solution of the German-Czech problem at heart.

Mr. REECE asserted that 3.3 million Czechoslovak Germans were unjustly treated by the Czechoslovak Republic; an ill-constructed state of which the very existence had brought sufferings on millions of people. The gentleman from Tennessee went on to state that when Hitler occupied the Czech countries he only "violated the right to an independent national life of the Czech people just as the Czechs, two decades before, had violated that same right of the Sudeten Germans." Carefully disregarding 6 years of Nazi oppression Mr. REECE viewed the liberation of the Czechs by the American and Soviet Armies as the starting point of "a reign of terror" where "free elections, freedom of speech and press were abolished." The gentleman from Tennessee apparently forgot that it was Hitler, Henlein, and Frank who crushed Czech democracy in 1938–39. The innocent Sudetens were then outlawed and expelled in violation of the right of self-determination. Their expulsion helped to bring about the communization of the Czechoslovak state. The gravity of the accusation necessitates its closer scrutiny. The following remarks attempt to present a factual basis for summarizing the significance of many centuries of Czech-German relations. They are prompted by a desire to ascertain the reasons for such relatively unrestricted and far-reaching measures as the transfer of the German ethnic group from Czechoslovakia in 1945–46.

GENERAL REVIEW

The observer who tries to understand German-Czech relations out of their historical and geographical context often finds them unintelligble. For behind recent political crises lie many decades of Czech and German history which have helped create their modern forms. Central Europe has been a traditional ground of national conflicts. Despite the many economic, cultural, and geographical bonds between the two peoples, the struggle between Czechs, who lived in the Bohemian salient thrust deep into German territory, and Germans, who came into Bohemia mostly as colonists, has been one of the permanent features of the history of this area. The Czech countries formed a natural geographical unit commanding a central position in Europe which was fully recognized even by Bismarck.

Mr. REECE used the terms "the Sudeten Germans" and "the Sudetenland" regardless of accuracy and propriety. The Czech Germans were split in many areas and ethnic islands with different cultural and ethnical backgrounds. They did not form a single racial group. They had been originally related ethnically to the Central and Northern, East Franconian, Upper Saxon, and Silesian tribes. Inclusion within the same state drew together these various German groups. The term "Sudeten German" was coined only in 1902 and became popular during the Nazi era when it was used to impress international public opinion that the Czech Germans formed an independent branch of the German nation which had to be liberated by its union with the German Reich. The lack of geographical compactness split the Czech Germans into eight separate and isolated parts. Their leader Josef Seliger—so highly esteemed by Mr. REECE—stated himself in October 1918:

> The eight territorial fragments in which Germans are settled are separated from each other by broad belts of territories in which the Czech language is spoken, and they, therefore, cannot form a state or even a united administrative area. (Franz Koegler, "Oppressed Minority?" London, 1943, p. 22.)

When in 1918 the Czech Germans wanted to separate themselves from the newly founded Czechoslovak Republic they had to constitute several unconnected provinces which still contained a number of Czechs. In 1938, after Munich, Hitler again was compelled to break up the annexed Czech areas into several parts falling to Austria, Bavaria, Silesia. Only the remainder formed the so-called Sudetengau. Some 700,000 Czechs and 2,820,000 Germans were ceded to the Reich. Yet it was still impossible to draw the ethnographical line between the Czechs and Germans because many of each of them lived in the mixed German or Czech regions, in the linguistic enclaves or as dispersed individuals.

HISTORICAL REVIEW

The idyllic historical survey by Mr. REECE is contradicted by factual evidence. The Czech Slavic tribes were the first permanent inhabitants of Bohemia and Moravia-Silesia. The German settlers came into the Bohemian Kingdom since the middle of the 12th century. The peak of the first wave of colonization came in the 13th century. The Hussite Wars brought about the retreat of the Germans. Under the Hapsburg rule (1526–) the influx of the German settlers has again risen and after the end of Bohemian independence in 1620 German became the second official language—beside Czech. The Czech-German conflict was very much alive during the whole course of the Czech history. At the beginning of the 14th century the old Bohemian chronicle of Dalimil recorded the declarations of a Bohemian prince.

> A German wife would not like my people; she would have a German household and teach my children German, and that would mean a division and ruin of my people.

A Latin tract written by a high Bohemian official at the time of the Bohemian King John of Luxembourg in the first half of the 14th century stated:

> Look Thou, philosopher, and consider Thou, who are wise, how this arrogant and deceiving nation seizes the most lucrative benefits and privileges and the richest estates and how it works its way into the council of the princes.

The religious reformer John Hus said in the Bethlehem Chapel in Prague at the beginning of the 15th century:

> According to all laws * * * the Czechs should fill the foremost offices in Kingdom of Bohemia.

In 1615 the Diet of the Bohemian Estates passed a law protecting the Czech language. They made a point of reminding King Ferdinand II that in Bohemia the Germans were only guests and aliens. The emigration of a part of the Czech Protestant middle class and aristocracy, the enormous confiscations of the Bohemian Protestant estates covering some three-quarters of the surface of the country, the immigration of

many Catholic German-speaking aristocrats who took over the confiscated estates and the new wave of German colonization accounted for the fact that in the 18th century German has become almost exclusively the official language. The Germanization of the Czech countries had almost succeeded.

In 1827 a prominent figure of the Czech national revival, Josef Jungmann, stated:

> Our tragic fate has been to be the witnesses and the accomplices of the definite annihilation of our maternal language.

It was peculiarly distressing to see Mr. REECE introducing the German propaganda of the past and failing to mention the predicament of the Czech nation under the German rule. The fusion of the ideals of the French Revolution, romanticism and arrival of the industrial revolution contributed to save the Czechs from extinction in the German sea. The political awakening drew the attention of the Czechs toward the defense of the Czech language as the unique instrument with the help of which they were able to grow up to cultural and political maturity. The lingual equality presented to the Czechs a protective safeguard against the age-long process of Germanization. They just could not allow themselves to be submerged by the German wave for another time. As in the Habsburg monarchy the Germans had occupied a leading position over the Slav majority—viewed by them as racially inferior—the Czech struggle for lingual equality met with a passionate resistance of the Czech Germans. The effort of the Austrian Prime Minister Count Badeni to secure to the Czech language an equality with the German language and to introduce a bilingual administration in Bohemia in 1897 failed as many Germans from Bohemia did not realize the approaching end of their supremacy and rallied under the colors of German national superiority. Political wrangling began to take on a bitter, vituperative tone.

The rise of a more intense German nationalism brought new elements into Austrian politics. New German parties bitterly denounced Jews and Slavs, and espoused the Pan-German objectives: The invectives and denunciations affected particularly the delicate climate of the Czech territory. Here the fierce and increasingly chauvinistic approach was gaining ground among the Germans. The National Socialist Party, mostly Czech German in origin and character, was founded in 1903. When the Nazi Party started in the Reich it thus absorbed many elements from its Austrian roots. According to the historian Henry Cord Meyer—"Mitteleuropa in German Thought and Action, 1815–1945," Hague, 1955, page 315—national socialism derived the essence of its spirit of intolerance, hatred, and arrogant racial and cultural superiority from the prewar friction on the German-Slav frontier. Hitler's political views and irrational motivations were solidly rooted in the tensions and frustrations of the German borderlands in Austria. The noted German historian, Prof. Gerhard Ritter, correctly noticed that:

> The most dangerous element [of nazism], its inflamed antagonistic nationalism, came not from Potsdam, but rather from Bohemia-Moravia and the other Austrian-German borderlands with their [Austrian] Pan-German movement, unbridled antisemitism, and notions of Raumpolitik * * * through Hitler this aggressive nationalism took possession of the Prussian sword. (Ibid., p. 334.)

To sum up, it is worth recalling the conclusions of another leading expert, Prof. R. W. Seton-Watson:

> With every decade of the long reign of Francis Joseph (1848–1916), it became more evident that the Germans of Bohemia were not disposed to grant linguistic or general political equality to the Czechs, but themselves aimed at the position of "Herrenvolk" toward the inferior Slav races. It is still not properly understood, how many of the ideas today condemned by us as Nazi and "Prussian" did, in fact, originate among the Sudeten Germans, and that the latter * * * never ceased to regard the Germanization of Bohemia as the ultimate goal of their endeavor. (In Vincent Urban, "Hitler's Spearhead," London, 1945, p. VI.)

In the light of these considered views, it would seem proper that there was not a sufficient examination of the documentary evidence before the remarks were entered into the record and judgments expressed, implying that the Czechs, and not the Germans, have been obstructing the way toward the national equality and tolerance.

THE CZECHOSLOVAK REPUBLIC

The gentleman from Tennessee depicted the Czechs as dangerously nationalistic while he viewed the Sudetans as federal minded unswervingly pursuing their liberal and humanistic policies. The factual evidence, however, does not corroborate Mr. REECE's allegations.

During the war of 1914–18 the Czech Germans had been consistently demonstrating their full-fledged support of the Austrian policy. Power rested with those among them who regarded themselves as the Herrenvolk and thought the war and the coming victory as the means toward national assimilation of the inferior Slavs. Attempts to introduce German as the only official language and the punitive measures against the Czechs who were sympathetic to the West revealed national vindictiveness as a kind of policy. The Czechs sided clearly with the democratic West and those dynamic democratic forces that sprang up in Europe prior to the war. The growth of progressive ideas in Western Europe found a strong echo among the Czech intelligentsia. It created the common cultural and political background for the promotion of national aspirations. The Czech political leaders became spokesmen for the democratization of the Hapsburg empire. They pleaded—against the German leaders—for the equal rights of small nations. The victory of the Allied Powers broke the ground for favorable reception of the efforts of smaller nations for their independence. As a result, the Czechoslovak Republic was proclaimed on October 28, 1918.

The gentleman from Tennessee described the constitution of Czechoslovakia as undemocratic and devised by a mostly Czech commission at the Paris Peace Conference in 1919. Yet it was on the basis of scholarly opinion and after a thorough examination of all the factors involved that the Czechoslovak frontiers have been fixed and the Germans kept within Czechoslovakia. For example the American experts Ch. Seymour, G. Johnson, J. Kerner, J. F. Dulles had visited the Republic and examined the situation on the spot. The Committee on Czechoslovak Questions concluded that—

> Bohemia forms a natural region, clearly defined by its fringe of mountains. The mere fact that a German population has established itself in the outlying districts at a relatively recent date did not appear to the committee a sufficient reason for depriving Bohemia of its natural frontiers. * * *
>
> The chain of mountains which surrounds Bohemia constitutes a line of defense for the country. To take away this line of mountains would be to place Bohemia at the mercy of Germany. (E. L. Woodward and Rohan Butler, "Documents on British Foreign Policy, 1919–39," third series, London, 1949, I. 1938, 302. Hereafter the volume will be cited as DBFP.)

It was generally agreed that without the historic frontiers the Republic could not exist as an independent state. Thus the independent existence of 10 million Czechs and Slovaks was predicated on the presence of 3.2 million Germans within the same state.

Mr. REECE pictured Czechoslovakia as a mistake which cherished but one desire: to oppress the peace-loving and reluctant minorities. It was on the strength of this judgment that he concluded that the Czech Germans were right in having prompted the dissolution of the state in 1938. Alas, the evidence appears to suggest a far gloomier view as far as the Germans were concerned and fails to bring out any confirmation of Mr. REECE's scathing condemnation of Czechoslovak democracy.

The Czechoslovak Germans were better equipped with schools than the Germans, Poles, and Magyars in Prussia, Poland, and Hungary. So while there remained 1 German elementary school for every 862 German inhabitants in Czechoslovakia, there was 1 German school per 1,112 inhabitants in Prussia, per 952 in Poland, and per 1,191 in Hungary—DBFP, I: 191.

It was admitted by the Government itself that the German representation in the public services was inadequate in some branches, although the quota was met, for example, by the German teachers, professors, judges, and prosecutors. However, for many years the Germans preferred the better-paid private employment and therefore there was a lack of qualified candidates.

Mr. REECE pointed the land reform, and the great depression as two samples of the unjust treatment of the Germans. Yet the data proves otherwise. The land reform of 1919 was rather slow in being carried out. The Germans made complaints that some 400,000 hectares—1 ha=2.47 acres—were taken from them

in the predominantly German area. This concerned, however, mainly the forest land near the frontier. The Ministry of Agriculture stressed that in the Czech territories of Bohemia and Moravia-Silesia 198,909 more hectares were requisitioned than in the mixed or German districts. Some 48,820 German families were allocated 57,270 hectares up to January 1, 1937. Elizabeth Wiskemann—"Czechs and Germans: A Study of the Struggle in the Historic Provinces of Bohemia and Moravia," London, 1938, pages 151–152—who gave the latter figures gathered on the spot, pointed out that she never heard any serious Sudeten German deny "that the German tenants working on expropriated land were quite justly treated in being allowed to become its owners." Some 31.8 percent of the land distributed to the tenants went to the Germans. After the occupation of Czechoslovakia in 1939 the Germans endeavored to make good their complaints but the results were deceiving; proving that, on the whole, the land reform was a highly successful nondiscriminatory measure. As far as the economic crisis of the early thirties was concerned Mr. REECE failed to understand that those areas with German majorities most seriously hit were industrial districts almost wholly dependent on the export trade, while those with the Czech and Slovak majorities were of a more rural character. The gentleman from Tennessee was clearly blaming the Czechs for economic conditions over which these had no control. As far as the social relief and unemployment benefits were concerned the Government came to support according to need only and not according to nationality, applying the sense of national justice and equity to its relief measures—see more in Urban, pages 57–60.

Yet the Czechoslovak nationality policy could not be entirely understood only by way of glosses on legislation or from printed matter. It was affected by the whole atmosphere of the country. The ideas of Thomas G. Massaryk, the first President of the Republic, pervaded all strata of population and were incorporated into the official ideology of the Republic. The mission of the Republic was held to be to promote democracy in its march forward. This ideological climate set the individual German as a free citizen of equal rights and gave to all minorities an opportunity of developing any political ideas they might be willing to hold and made forced denationalization impossible. President Eduard Benes outlined this conception of the Czech-German problem in his address on August 19, 1936:

Our political philosophy and morality takes the form of democracy, a democracy that provides us with the key to a solution of all our problems, since it postulates in all political negotiations a respect of the human person and complete civic equality. * * * I know that our Germans have complaints, desires and demands of a practical character. In the language and educational spheres * * * there are easy of disposal. * * * The greatest difficulties arise in the question of the state officials. A number of the German wishes are in this connection justified. Yet there is the question of confidence. A democratic state does not wish to entrust its administration to officials who profess Fascist, totalitarian, or Communist principles. * * *

President Benes concluded:

We have remained * * * a democracy which rejects all methods of violence in internal policy, the suppression of personal liberty and of the free expression of public opinion, a democracy which solves the problems of internal politics with the aid of evolutionary methods. (Czechoslovak Sources and Documents, "The Problems of Czechoslovakia. Speeches of President Benes in Northern Bohemia," Prague, 1936, pp. 15–19, 25.)

Yet the gentleman from Tennessee voiced little wonder that they—Sudeten Germans—began looking more and more for support from abroad, to understand—from Hitler. The reasons thereof were clearly put forth by Konrad Henlein, the leader of the Sudeten German Party, the largest political party of the Republic, in his secret report to Hitler:

The Sudeten Germans are today imbued with National Socialist principles and organized in a comprehensive, unitary, National Socialist Party, based on the führer concept. * * * The Sudeten German Party * * * has imbued the racial group and their sphere of life with National Socialist principles. In the face of democratic world opinion the Sudeten German Party has given proof that the National Socialist order of leadership and following corresponds with the law of the inner life of the German people, for not only has it been called into existence among the Sudeten Germans by their own free will, but in face of pressure by the Czech State. The Sudeten German Party must camouflage its profession of national socialism as an ideology of life and as a political principle. As a party in the democratic parliamentary system of Czechoslovakia, it must, outwardly, alike in writing and by word of mouth, in its manifestoes and in the press, in Parliament, in its own structure, and in the organization of the Sudeten German element, employ democratic terminology and democratic parliamentary methods. In consequence, it may appear to uninitiated German circles of the Reich to be disunited and unreliable. * * * The apparent lack of unity of the Sudeten German Party is intensified by the circumstance that at heart it desires nothing more ardently than the incorporation of Sudeten German territory, nay of the whole Bohemian, Moravian, and Silesian area within the Reich. (On November 19, 1937, "Documents on German Foreign Policy 1918–45; from the Archives of the German Foreign Ministry;" series D, 1937–45, Washington, 1949, II: 56–57.)

This fact did not prevent Mr. REECE to deplore that this party was forced to remain in opposition.

The results of the elections of May 19, 1935, gave full evidence of a popular groundswell in favor of Nazism among the so-called Sudeten Germans. The Sudeten German Party—SDP—received far greater support than the Reich German Nazis in the last relatively free German election held on March 3, 1933. The count gave Hitler, who was the Reich Chancellor, 43.9 percent of the total tally, while results in Czechoslovakia indicated that some 63 percent German voters cast their ballots to the Nazi tainted SDP in an absolutely free election. In 1938, all the aspects of Nazism were already well known. Yet the election of 1938 presented a unique event in Europe: In a democratic election more than 85 percent Czechoslovak Germans identified themselves with Nazi aims. It proved that National Socialism encompassed and expressed all the elements of the anti-Czech racial aggressive nationalism that had existed long before Henlein and Hitler rose to leadership. The SDP emerged as an instrument of a Nazi regime secretly cooperating with Berlin and plotting to destroy an independent State—a pivotal Western ally—and to wreck its democratic system. On March 16, 1938, the German Minister in Prague, Ernst Eisenlohr received from the SDP these assurances:

Course of German foreign policy as communicated by legation is to be sole determining factor for policy and tactical procedure of Sudeten German Party. My instructions are to be strictly observed. (Documents on German Foreign Policy, II: 169–170.)

In the summer of 1938 the Czechoslovak Cabinet offered to implement the most far-reaching demands of the SDP. Hitler instructed the Sudeten leaders to reject all Czechoslovak attempts of settlement and always to demand more than could be granted by Prague. The so-called Sudeten German problem was not a cause of the conflict, but a pretext. The true reason, according to the Germans themselves, was their aim to destroy the Czechoslovak Republic. Thus, contrary to Mr. REECE'S claims until Munich—September 29, 1938—the so-called Sudeten Germans resolved to be a factor in the Nazi policy of the Reich, and the SDP enthusiastically followed instructions of Berlin.

Moreover, Mr. REECE failed to weigh the abuse of the right of self-determination by the Germans from Czechoslovakia who used it as an efficient instrument toward their antidemocratic aims. Despite Mr. REECE'S affirmations, this abuse brought about the acknowledgement that the idea of self-determination was a limited and qualified concept which varied according to the concrete circumstances of each nation and the actual historical situation. It might be used only to establish conditions which would prevent national oppression and enable each nation to constitute its own state—see Alfred Cobban, "National Self-Determination," London, 1945. Such conception of the abusive slogans of national self-determination make enough room for the reestablishment of the Czechoslovak Republic in its historic frontiers and prevent the application of the principle to any ethnic group whose real goal was to serve as the spearhead of a foreign power.

At the time the rump Czechoslovak state abandoned by all the world was receiving democratic German and Jewish refugees fleeing the annexed Czech territories in 1938, the battlelines seemed to be clearly drawn between the Czechs and Sudetens. What for the one was an imperialist struggle for greater living space and hegemonic position, for the others was a battle of death and life. The treatment of the Czech nation prepared by the SDP for the sake

of German military victory over Czechoslovakia in 1938 displayed a degree of cruelty and violence that was rare even in the times of Hitler. It showed again that nazism was but a symptom of the truly destructive German nationalism. In its so-called Grundplanung OA, the SDP proposed a concrete plan to solve the German-Czech historical dispute—Czechoslovak Ministry of Information, "K. H. Frank on Trial Before the Czech Nation," Prague, 1946, pages 36–39. After the occupation of the Czech territories the leader of the Sudeten Germans would become their governor. The annexation would be proclaimed from Prague. After a period of military administration which would last for 5 years, the leader of the Sudeten Germans was to take over the administration. The German population would settle at certain zones, the schools would be only German, and Czech would disappear.

DISMEMBERMENT OF CZECHOSLOVAKIA

Mr. REECE was oblivious of the history of the Czech nation after Munich. We do not read one word on the anti-Jewish demonstrations directed by the SDP during the night of November 9–10, 1938. We read nothing about the persecution of the Czech minority by the Sudetens. The gentleman from Tennessee seemed to be impervious to the fact that the SDP revealed to the whole world the real value of its allegations on the right of self-determination urging Berlin to push through its own extravagant claims to the purely Czech territory. Even the German Foreign Office became incensed against the arrogant behavior of the Sudeten representatives and their exorbitant demands—the National Archives of the U.S. Records of the German Foreign Ministry, container 2444. The Sudetens were exerting pressure upon Berlin for a tougher policy toward the post-Munich Republic. By advocating the subjection of the Czech nation and through the nazification of the Sudeten territory the SDP had crossed the line between politics and adventure. The remaining part of the German minority within the Czechoslovak State faithfully reenacted the Henleinist methods of pressure with all the familiar Nazi techniques of intimidation and threats. It urged the Prague Cabinet to exclude the Jews from public positions and to grant it freedom for Nazi activities. In the fateful days of the German occupation of Czechoslovakia—March 14–15, 1939—the Sudetens staged the anti-Czech and anti-Jewish demonstrations in Prague and Brno to enable Berlin to raise protests against alleged persecution of the Germans. In the early morning hours of March 15, the special trained groups of Czech Germans assumed the police authorities, seized the Czech Police Headquarters and gave aid to the Gestapo in its first wave of arrests. In the period from March 15 to May 23, 1939, 4,639 persons were arrested.

The delirious enthusiasm and the frantic cheers of the Czech Germans welcoming the entry of the German troops into the almost purely Czech part of the Republic stirred Czech indignation to a new height. Since 1933 the Sudetens were in a state of nationalist euphoria. Their vigorous nationalism has been nourished on violent anti-Czech and antidemocratic slogans. In 1939 after the many years of the lurid Nazi campaign against Czechoslovak democracy the Czechs finally lost their freedom and the Republic became a German protectorate. Far from harboring any regrets over their espousal of the Nazi pan-German aims, most of the Czechoslovak Germans anchored their present and future within the new Nazi order. Their decision was free and spontaneous: familiar with the ideology and practical program of totalitarian Germany, they chose Hitler.

THE PROTECTORATE BOHEMIA AND MORAVIA

Mr. REECE was eloquently silent on the Nazi reign of terror in the Czech countries. German policy was guided by the conviction that the Czechs had to be shown power. Any amiable attitude would be taken by them as a sign of weakness. On November 17, 1939, all the Czech universities were closed: Some 80,000 Czechs were turned out of their lands. The colonization of the Czech land was closely connected with the gradual and systematic Germanization of the Czech properties:

> If we read the decrees by which German agents were established in former Jewish commercial and industrial firms in the years 1940, 1941 and 1942; if we read the names and origins of the persons who appeared in the lists of the newly nominated and elected members of the administrative and supervisory councils of industrial firms, cooperatives and banks we find everywhere that Sudeten Germans from Liberec and Jablonec, from Ústí and Rumburk, from Cheb or As appear side by side with Germans coming from various parts of the Reich. Sudeten Germans entered the Czech districts to direct the local administration, they were given the businesses, factories, etc., of Czechs who had been carried off to concentration camps or to execution. (Urban, p. 42.)

The backbone of German occupation was the German Security Police and the SS. The German rule developed into genuine police administration, supervising every aspect of the Czech public life. The Sudeten leader, K. H. Frank, became the state secretary and SS and police leader since March 1939. In 1943 he became Minister of State and legally the supreme head of the Nazi machine of brutal repression and the chief protagonist of the Sudeten element. It was a Sudeten German who applied personally the terroristic methods. Since 1939 Frank's spirit pervaded the everyday dealings of Germany with the Czech people. His conception was to repress with strictest measures, extensive arrests, and executions what he called the Czech mob. The German regime in Czechoslovakia had only one raison d'être: to conclude the German-Czech conflict by the final extermination of the Czech nation. The awareness of this prolonged secular collision affected the everyday intercourse of the two races and was reflected in the arrogant attitude of almost every Sudeten German.

Since the establishment of the protectorate discussions developed within official German circles concerning the final solution of the Czech question. On August 31, 1940, the Reich protector, von Neurath, asked for an audience with Hitler and sent him Frank's and his own memorandums. Frank proposed the complete Germanization as the goal of the policy of the Reich in the protectorate—"Trial of the Major War Criminals Before the International Military Tribunal," Nuremberg, 1945–46, XXXIII, page 260–271. Von Neurath agreed completely with the plan of Frank. Hitler accepted their solution: to Germanize the Czech nation, half of which would be expelled or shot dead—Ibid., XXVI, pages 375–376. Thus in the fall of 1940 the fate of the Czechs was determined. The German victory would bring about its total extinction. The office of the Reich protector in Prague and the race and resettlement main office SS were entrusted with carrying out the necessary preparations for the Germanization. As Vincent Urban put it:

> The extensive machinery of the German occupation authorities centered in the office of the Reich protector and acting through the SS detachments and the Gestapo carried out one of the greatest attempts at denationalization of modern times; the wiping out of a nation of 8 million people with a high degree of culture and economic development. (Urban, p. 34.)

The natural reaction of the Czech people to the occupation of their country was the broadest possible organization of a resistance movement on a national scope. The staggering terror and the imminent peril of Germanization made the Czechs determined not to risk another repetition of the Sudeten attempt to disrupt their state:

Mr. REECE errs grievously in repeating—contrary to all available documents—the Sudeten contention that the transfer of the Czechoslovak Germans was not a spontaneous reaction of the Czech people but an act planned by Czech politicians in exile or even inspired by Communists. Mass executions and terror rendered impossible the whole idea of a peaceful cohabitation between Germans and Czechs. The Czechoslovak resistance movement and the exile Government formulated and proposed unanimously the removal of the disloyal majority of the German ethnic group to Germany as a necessary measure of protection. The horror, savagery, and brutality of the Nazi regime helped to create during the war the favorable terrain for the acceptance of the principle of the transfer by all the Great Powers, Great Britain, the United States, and Soviet Union. But the impetus toward the transfer was supplied by the Czech common people at home. The transfer of the Sudeten became an axiom for all the resistance groups through the entire era of German occupation, 1939–45. The idea arose, so to speak, from the necessities of Czechoslovakia at a time when no one knew whether the Czech people would have a chance to survive.

THE TRANSFER

In May 1945 Czechoslovakia drew up the balance sheet of her losses. The loss of life was 250,000 deaths from war and occupation among Czechs and Slovaks.

More than 100,000 people became invalid or suffered permanent injury to health as the result of the occupation. All larger and a great many smaller cities were badly damaged, most of the plants destroyed and the communication system completely disrupted. The material damage and loss through the German occupation amounted to 1,289,5 milliard Czechoslovak crowns: According to the confession of the representatives of the Sudeten German themselves their war gains amounted to 6 milliard dollars in terms of dollar values of 1938—Wilhelm K. Turnwald, editor, Dokumente zur Austreibung der Sudetendeutschen Munich, 1951, page 557. This tremendous property increase resulted from the confiscations of the Czech and Jewish possessions, the work of the political and war prisoners and forced labor and the economic bleeding of the Czech countries.

As the last act of the long German-Czech dispute, the transfer of the Sudeten Germans was a natural response to circumstances created by the Sudeten themselves and implicit in the Nazi war regime. Being neither Communist- nor Soviet-inspired, the removal was a natural corollary of the Allied anti-Nazi policy and the war population movements. Far from being a flagrant violation of the rules of international law as it was affirmed by Mr. REECE, the transfer presented only an extreme solution which was to be applied where other means failed. One cannot conceal, of course, the gravity of this measure which was bound to bring along with it human sufferings. Its desirability in each case can be determined best by its results. The well-known American author, Joseph B. Schechtman, appeared to grasp the complexity of the whole problem in his final assessment.

> In view of all the evidence provided by past experiences it cannot be denied that the redistribution of ethnic groups is a painful operation for the persons concerned. * * * Nevertheless there may be situations when the alternatives are even less desirable and where this is the case, transfer remains as the only solution. * * * It is by no means a universal method of solving all minority problems, and should not be applied until all other agencies have been explored. * * * The transfer of populations should be decided on only in the last instance, not as an ideal solution, but as a necessary evil. (Joseph B. Schechtman, "European Population Transfers, 1939–45," New York, 1946, pp. 467–468.)

The transfer of the Czechoslovak Germans—agreed upon by the Great Powers at Potsdam in 1945—was in full accordance with this balanced assessment. Enthusiastically espousing nazism, the enormous majority of the Czech Germans embraced pan-German objectives of Hitler and wrecked Czechoslovak democracy. The transfer was designed to prevent the recurrence of the shocking events of 1933–45, to aid the Czech nation to achieve the dignity of a decent living and to serve the immediate and long-range interests of the international order and peace. It generated, indeed, much individual injustice and imposed personal charges and burdens which were strongly resented by individual victims. The irregularities which accompanied the first days of the liberation were part of all revolutionary outbursts. Yet the organized transfer was carried out decently, in a humane way. The German anti-Fascists were exempted. The American authorities expressed their thanks to the Czechoslovak Government for the efficient and humane manner in which the regular transfer was carried out.

Mr. REECE indicated that 300,000 Germans from Czechoslovakia were victims of their removal. He evidently took over the figure published by Dr. Walter Becher on June 14, 1952—in the Hamburg weekly Der Sudetendeutsche. If we put to test the allegations of Dr. Becher we arrive at the conclusion that a part of the alleged 300,000 victims never existed, a further part is still living and the remaining 26,500 Sudeten German Jews were gassed by the Sudeten Nazis themselves—the character of Dr. Becher's allegations is indicated by the fact that Dr. Becher—so highly praised by Mr. REECE—was even unable to make a correct addition and through one error in addition succeeded to "annihilate" 12,000 Germans as "victims of the unchained hatred." One would wish that the gentleman from Tennessee did not use imaginary figures based on misleading and incorrect data in the two obvious attempt to discredit the Czech nation who had fought on the side of the United States in the two World Wars.

Notwithstanding the rosy picture set forth by Mr. REECE, even the most perfunctory perusal of the press of the Sudeten expellees in Western Germany will show that their leaders—some of them former Nazis—have been violently attacking the very existence of the Czechoslovak Republic since their removal. They want to return to their lost settlements, expel all the Czechoslovak settlers and dispose with "their" land, according to their heart's desire, by asking any future German Government to take them under its protection.

CONCLUSION

It was Hitler and his Sudeten followers who brought communism into Czechoslovakia. Without the war provoked by Germany east central Europe would still be free from the Communist domination and millions of Jews, Slavs, and Germans would still be alive. As a result of the Communist inroad into central Europe the Czechoslovak Republic succumbed to communism in February 1948. The return to democracy would probably be a difficult and delicate task. Yet the ultimate settlement of the German-Czech issue created most favorable conditions for the loyal cooperation and friendship between democratic Germany and a Czechoslovakia freed from both the communism and the nightmare of the internal German peril. The future democratic Czechoslovakia without her Sudeten fifth column then will be able to become a true security factor in this part of Europe. She may make possible by her very existence the establishment of an international democratic order in Europe.

Southeastern Soil Conservation

EXTENSION OF REMARKS

OF

HON. HAMER H. BUDGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BUDGE. Mr. Speaker, under leave to extend my remarks I include in the RECORD a speech given by the Honorable WILLIAM JENNINGS BRYAN DORN, of South Carolina, before soil conservation district leaders in Charleston, S.C., on August 3, 1959.

I also include an editorial from the August 7 edition of the Greenville News, published at Greenville, S.C.

The speech and the editorial are thought-provoking and are worthy of deep study but not only Members of the Congress, but by all to whom a free, dynamic economy in America is of prime importance.

The speech and editorial follow:

ADDRESS OF CONGRESSMAN WILLIAM JENNINGS BRYAN DORN

Our annual Federal expenditure for national defense is $40 billion.

We have given away nearly $200 billion in the last 20 years in various foreign aid schemes.

World War II cost us over $300 billion.

Our national debt is $285 billion and rising. Taxes are being constantly increased—local, State and national.

Experts predict foreign aid will cost another $100 billion in the next 30 or 40 years.

The great portion of this money has been spent to make the world safe for democracy, the war to end all wars, and the four freedoms. It has all led up to the present cold war with its fantastic expenditures. As a Nation we think in terms of dollars, high standards of living. We talk in terms of big deals and big things. Our leaders believe that the cold war will be won out in space with rockets, guided missiles and space ships. We stockpile atomic and hydrogen bombs in ever increasing numbers.

We could win the race to the moon and still lose this cold war in the field of agriculture. Khrushchev recently said that Russia is devoting 100 million new acres to agriculture. His people are urged and even driven to grow more and more. In the United States, with Government regulations, red tape and restrictions, we grow less and less. The income of the farmer is annually less and less and it is costing the taxpayers more and more. Russia is making a careful, calculated bid for the economic domination of the world. The cornerstone of her plan is greater agriculture production. They are sending agricultural experts into every area of Africa and South Asia. These agents are making friends and paving the way eventually for Russian agricultural and industrial experts.

On the other hand, we are, through the foreign aid program and the maladministration of our trade program, losing our agricultural markets abroad and teaching other people how to grow the things that we have traditionally grown, such as cotton and tobacco.

Not only Russia but Red China is vastly increasing her agricultural output and acres devoted to farm crops. Every country in the world is planting more and more. Rhodesia is exempting her farmers from land taxes to grow more. Turkey has exempted her farmers from income taxes to grow certain crops.

The American farmer is cultivating 27 million acres less than in 1930 and 20 million acres less than in 1945. There are 10 million less people on our farms today than in 1930. Slightly over 10 percent of our population live on the farm today. This is the smallest percentage of our total population than at any time in our history. It is probably the smallest percentage of any great nation or civilization in the history of the world. Our Constitution, Declaration of Independence, and Bill of Rights were largely written by rural men who were independent, self-reliant, believing in States rights, and local government. Our basic, fundamental, political, and social philosophy was rural. Today such a very small percentage of our people are on the farm thus adversely affecting our social, economic, and political philosophy.

Government price supports have not, cannot, and will not solve the American agriculture dilemma. Under the price-support program millions of people have been forced off the land, creating more unemployment in the cities. Farm income has annually gone down during the last few years—more than $1 billion each year. Surplus farm products are piling up in Government warehouses, costing the taxpayers more every day—over a million dollars a day storage cost alone. If agriculture is to regain its independence and be a real factor in the cold war, we must get the Government out of the farming business. In doing so, we must eliminate Government price supports and acreage controls. At the same time, we must freeze the present vast surplus in Government warehouses. This surplus must not be dumped on the market as it would bankrupt every farmer in America. We need to step up domestic consumpiton of our farm products and conduct research in order to find new uses for these products.

If the State Department were more sympathetic to this agricultural problem, we could regain our vast export trade in agricultural commodities. Our State Department represents foreign countries and, therefore, does not permit American agricultural products to really compete on the world market. The State Department is more interested in protecting the markets of foreign nations and teaching them how to grow the things we already have in surplus. We used to export 60 percent of our cotton crop. We used to export vast portions of our wheat. Export of these crops has fallen to a trickle. We were the only Nation in the world exporting tobacco at one time. Now some nations are even sending tobacco to America. The average tobacco acreage in the United States is 2.9 acres per farm. Thousands of farmers can plant only 4 to 5 acres of cotton. This is tragic. These farmers cannot possibly feed, clothe and educate their children while being held in such bondage.

Who first put the Government in the agriculture business? Who wrote the first Agricultural Adjustment Act, which was the beginning of our present dilemma? If it had been written by Russia, it could not have served their purpose better. This program putting the U.S. Government on the necks of our farmers was initiated by Henry Wallace, Lee Pressman, Rex Tugwell, Alger Hiss, Frank Shea, notorious pseudoliberals and advocates of national socialism.

We have successfully resisted all efforts of the Farmers Union and others to put the Government in the cattle and livestock business. The cattle industry is still free. It is growing. It is expanding and bringing in the farmers more income. Why? It is totally free of Government regulations and restrictions as to how much we can raise and how much we can market. The hog market is at the present time falling off. We will hear a howl from the Farmers Union and others for Government price supports on meat. This would be disastrous as it would bring another segment of our agriculture economy under this fallacious and ridiculous program.

Likewise, the pine tree industry in South Carolina is a growing and flourishing one because it is free from Government price support programs and acreage controls.

You have been active in trying to secure for the southeastern coastal region a soil and water research laboratory. I pledge you my support and predict that next year $500,000 will be appropriated by the Congress for the construction of this much-needed soil and water research laboratory.

Much research needs to be done concerning water in the Southeast. We have only scratched the surface. Water will become more and more of a problem in the next 50 years. Water levels are changing in the United States. Water is becoming scarce in other areas of our country. Likewise, soil productivity in the Southeast is in desperate need of further research. Research is the key to the future.

States rights is most important in the field of agriculture. Now the Federal Government is threatening individual freedom and State sovereignty in the field of water rights. Recent Supreme Court decisions have had the effect of "subjecting the water and water courses to a dominant servitude invested in the Federal Government." The Court in 1955 in substance exempted all the Federal Government lands from any State laws concerning water rights granted under State water laws. Thus, in many cases usurping individual water rights formerly acquired from the States. Water is a powerful weapon. The Federal Government by control of all water could completely dominate and overwhelm the States and subjugate the individual to bureaucratic domination. We must fight centralization of the Federal Government in all segments of our economy. The alternative is complete servitude to the Federal autocracy.

The Communists in the early 1930's started their "agrarian reform movement" in the United States. According to Whitaker Chambers, they were successful in establishing a Communist cell in the old AAA program, which was the beginning of the Government agricultural program. The Communists and National Socialists realized from past experience in foreign countries that the farmers resisted socialism more violently than any other class of people. In the United States they planned to concentrate on the farmers, first getting them accustomed to Government regulations, Government restrictions, reduced acreage, and phony price-support programs.

We must get rid of these Socialist, Fascist farm regulations and controls or else in a few years America will be completely out of the farm business. We will be reduced to a third-rate power. Our farm population must be permitted to expand and grow. We need the opportunity system the same as any other class of people. We cannot forever condemn our farm people to fewer acres, less opportunity, and a lower standard of living. This can only result in a weakening of our Nation in the face of an expanding, growing, Communist empire.

[From the Greenville News, Aug. 7, 1959]

REPRESENTATIVE DORN SPEAKS HIS MIND

Congressman BRYAN DORN may be a "voice crying in the wilderness" at the moment but his courage in refusing to indulge in easy demagoguery is bound to be recognized.

In his speech before the Soil Conservation District Supervisors of the Southeast, the South Carolinian spelled out in detail his conviction that the Federal policies of the past and present which are supposed to help the farmer have, on the contrary, come close to annihilating him.

The core of all those programs, the price-support system, "has not, cannot, and will not solve the American agricultural dilemma," the Congressman declared.

Rather than improving the farmers' standard of living, the net result of the price-support and crop-control program has been to force millions of people off the farms, reduce farm income, and create an overwhelming farm product surplus.

Congressman DORN pointed to the startling contrast between the farm products which are controlled by the Federal Government and those which are still free.

In conjunction with a State Department which is more interested in protecting the agricultural economy of foreign nations than in helping our domestic farm economy, the programs have all but wrecked the once abundant foreign market for U.S. cotton, wheat, and tobacco, he declared. Much of that portion of the production of these crops which once was sold abroad is now overflowing Government warehouses where it poses a constant depressing threat on domestic prices.

On the other hand, both the cattle industry and the growing tree farm industry are expanding and flourishing, largely because it is free from Government price-support programs.

In his speech, the Greenwood native, himself a cattle farmer, traced the origin of the present farm programs back to the original Agricultural Adjustment Act.

"This program," he said, "putting the U.S. Government on the necks of our farmers was initiated by Henry Wallace, Lee Pressman, Rex Tugwell, Alger Hiss, Frank Shea—notorious pseudo liberals and advocates of national socialism."

"We must get rid of these Socialist, Fascist farm regulations and controls," he continued, "or else in a few years America will be completely out of the farm business. We will be reduced to a third-rate power. Our farm population must be permitted to expand and grow. We need the opportunity system the same as any other class of people.

"We cannot forever condemn our farm people to fewer acres, less opportunity, and a lower standard of living. This can only result in a weakening of our Nation in the face of an expanding, growing Communist empire."

Congressman DORN's words are bound to come as something of a shock to some of his fellow South Carolinians, most of whom are more accustomed to being told that the main trouble with farming is that there are not enough Government controls and supports.

But, based as it is on his solid convictions about free enterprise and State and local rights, we cannot believe that his words will fall on fallow ground.

He has put into plain words the feeling of many of his constituents that the present farm programs are not suited to the American way of life, that they are bankrupting the Nation and that they have already come close to bankrupting the very segment they were supposed to aid—the American farmer.

Col. Loren W. Olmstead—St. Lawrence Seaway

EXTENSION OF REMARKS
OF
HON. JOHN R. PILLION
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PILLION. Mr. Speaker, I could not permit this session of Congress to end without making this public acknowledgment of the extraordinarily fine public service that Col. Loren W. Olmstead

rendered to the Buffalo area during his assignment as district engineer for the Buffalo district.

Colonel Olmstead served in Buffalo from August 1954 to July 1959. He is presently assigned to the Office of the Chief of Engineers, U.S. Army, in Washington, D.C.

During his stay in Buffalo, Colonel Olmstead compiled a most distinctive record of achievement. He earned the gratitude of the citizens of the Buffalo area for his kindness, patience, thoroughness, and his ability to get things done.

Colonel Olmstead was one of the main supporters of the development of Buffalo as a world seaport.

While stationed in Buffalo, Colonel Olmstead supervised and coordinated the successful completion of the American portion of the St. Lawrence Seaway.

The large volume of traffic on the St. Lawrence Seaway justifies the hopes and expectations of those who actively participated in its authorization, planning and construction. This project is one of the world's great engineering and construction achievements. The U.S. Army Engineers are to be congratulated upon a tough job well done.

Colonel Olmstead deserves special mention because if any person can be singled out as the builder of the St. Lawrence Seaway it would be Colonel Olmstead.

During his short but productive stay in Buffalo, the U.S. Army Corps of Engineers rendered substantial service to the port of Buffalo.

The relocation of the north channel is now under contract. This work was strongly opposed by many interests in Buffalo. Colonel Olmstead insisted upon this relocation of the channel in spite of strenuous opposition to the delay in the deepening of the Buffalo Harbor.

The model tests proved Colonel Olmstead to be right. By avoiding the deepening of the present channel which is in rock, the city of Buffalo will have a better, more safe, all-weather entrance. This relocation of the entrance will also save the U.S. Government between $8 and $12 million.

Plans for the Ohio Street Bridge have been processed and approved. An appropriation is contained in the 1960 budget.

The Niagara Falls redevelopment project was completed under the direction of Colonel Olmstead. This project was designed to perpetuate the beauty of Niagara Falls and to prevent continuing erosion.

Ellicott Creek was improved to eliminate recurring floods.

Smokes Creek was authorized and the planning completed under Colonel Olmstead's tour of duty in Buffalo.

The port of Buffalo is assured of a program of deepening that will allow utilization of the maximum depth of the St. Lawrence Seaway at the earliest practical time.

Colonel Olmstead was chosen 1958 Great Lakes Man of the Year in recognition of his distinguished service.

The Buffalo Evening News named Colonel Olmstead as one of the 10 outstanding citizens for 1958. Their citation of his accomplishments follows:

[From the Buffalo Evening News, Jan. 3, 1959]

COL. LOREN W. OLMSTEAD

Although not a Buffalonian except through assignment here as head of the district office of the U.S. Army Corps of Engineers, Colonel Olmstead has both endeared himself to the residents of the area with whom he has come in contact and has earned the city's gratitude as one of the best informed boosters of Buffalo as a world seaport.

As the man in charge of supervising construction of the American portion of the St. Lawrence Seaway, Colonel Olmstead succeeded brilliantly in holding the construction schedule to its rigorous timetable. After the seaway had been opened to limited operations last summer, he canceled previous plans and joined the Buffalo Evening News-sponsored seaway cruise as its guide, briefing passengers on what they would see en route and providing them with background which made the trip a significant success.

In diligently pressing the studies and engineering work looking to the deepening of Buffalo Harbor, and in supervising such projects as the remedial works at Niagara Falls, Colonel Olmstead has lived up to the finest traditions of the Corps of Engineers in all the work affecting the Buffalo district.

What makes him an honorary outstanding citizen, however, is the interest he has shown, beyond the call of duty, in alerting Buffalo's citizenry to the area's potential as a seaway port, and in keeping the public informed regarding its harbor requirements.

Colonel Olmstead's modesty, coupled with effective accomplishment, has earned for him the respect and gratitude of this community.

He is a credit to the U.S. Army Corps of Engineers.

The following is a summary report of the problems involved in the construction of this great project, the St. Lawrence Seaway:

One of the greatest facelifting jobs of all times is now completed—the St. Lawrence Seaway. Deep-draft vessels are now able to ply the waters of the St. Lawrence from the Atlantic Ocean into the lower Great Lakes. Massive structures were erected to harness the fast-flowing St. Lawrence for power and navigation purposes. Water elevators were constructed to literally carry ships from one level to another. Many islands were tied together making one large island and extensive excavations were dug to provide depths for future seaway traffic. Most concentrated portion of this work was between Ogdensburg, N.Y., and Montreal, Quebec. But all this was only made possible through the joint efforts of the United States and Canada. A billion-dollar improvement will soon become a fact. No attempt will be made in this article to discuss features of this gigantic undertaking in detail. Rather, it is desired to point out the role the Corps of Engineers played in this tremendous project.

Development of the St. Lawrence River was under consideration for over 100 years, but it was not until May 13, 1954, after long years of resolving the problems of legislation and finance, that it became a reality. On this date President Dwight D. Eisenhower affixed his signature to congressionally approved Public Law 358 creating the establishment of the St. Lawrence Seaway Development Corporation. This agency was given the responsibility of constructing the U.S. portion of the seaway project consisting of two locks, extensive dredging and appurtenant works in that area known as the International Rapids section, between Ogdensburg and Massena, N.Y. The St. Lawrence Seaway Authority of Canada, the Canadian counterpart, was responsible for the construction of the navigation features in Canadian waters.

Development of the power features was undertaken by the Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario, representing the United States and Canadian interests respectively.

On September 17, 1954, the Seaway Development Corporation appointed the Corps of Engineers as their design and construction agents. Within a week the Buffalo district was directed by the Chief of Engineers to initiate work on this multimillion-dollar project. Recruitment of specialized technicians was begun immediately. Surveys and subsurface explorations, together with the construction of models, were started promptly.

As rapidly as the field data was collected and compiled, structures were designed and engineering estimates were computed. On January 13, 1955, the Buffalo office was given the final decision on the size of the locks which are 800 feet long, 80 feet wide, with 30 feet depth over the sills. Twelve hundred and fifty-three days later the corps had completed for operation the principal segments of the U.S. portion of the seaway.

In the interim a myriad of problems arose and were resolved. Probably the greatest of these was time. What was originally scheduled as a 6-year program, then reduced to 4½, had been accelerated to 3½ years.

Close on the heels of time followed the contractors biggest nightmare, the excavation for the two locks—one in marine clay and the other in glacial till. Overburden at the site of the Bertrand H. Snell Lock consisted principally of marine clay. As one nationally known commentator put it:

> This purple chewing gum when dry was hard as rock. When wet, it resembled soupy mud.

Government specifications required that the foundations of each lock rest on bedrock. The problem was to remove millions of cubic yards of this material before actual lock construction commenced. The nature of the material was such that to excavate to the required depth, it was necessary to develop an area having a saucer-type appearance. Excavations were made on the basis of for every 1 foot dug vertically, a corresponding 2 to 10 feet of material was removed horizontally. At times the contractors' equipment chewing away at the clay appeared to be getting nowhere. In spite of these and many other perplexing problems the contractors met the nearly impossible construction schedule. Excavation for the Dwight D. Eisenhower lock was equally harassing. The overburden

to be removed consisted of glacial till—when compacted it had the density of concrete. It consisted of fine gravel and boulders embedded in dense clay. This required the heaviest types of equipment for loosening and removal, and in some instances even had to be blasted prior to excavation. In addition to the excavation for the two locks, a 10-mile man-made canal, 450 feet wide, was dug through both types of material to carry ships around the power development. Over 39 million cubic yards of earth was removed. If this material was placed in 50-ton hopper cars, the train would extend nearly one-third the distance around the world.

While excavation of the two locks was underway near Massena, N.Y., engineers in Buffalo were working desperately to complete design features for lock construction. Plans and specifications for 51 major contracts were completed in a minimum of time. In this connection the Buffalo office solicited help from other districts in solving what might be called the third outstanding problem—that of hydraulics. The St. Paul District, at their St. Anthony Falls Hydraulic Laboratory, was requested to construct a model of the Eisenhower lock and conduct tests for the filling and emptying system that was installed in the lock. The corps' model makers at the Waterways Experiment Station in Vicksburg, Miss., were requested to construct a model of a section of the river in the South Cornwall area. Results of tests conducted on the Vicksburg model were used to develop methods to slow down the river velocity and eliminate crosscurrents. Such action would enable deep-draft vessels to safely navigate without loss of control. The corps' district in Buffalo was not alone in building the seaway. The Nashville district contributed materially in designing the machinery for the lock gates. Soil samples were transported to the laboratories of the north central division office in Chicago, Ill., for analyses and to the Ohio River division office in Cincinnati, Ohio. In the early part of the project the U.S. Lake Survey and the district office in Detroit, Mich., furnished men and equipment to assist in hydrographic surveys in the Messena area and Thousand Islands section, respectively. The Chicago district completed arrangements for the transfer of the giant dipper dredge *Paraiso* to the seaway site. In addition to the contributions made by the various district offices, the north central division office in Chicago, and the Chief of Engineers Office in Washington, D.C., was of inestimable value in the overall supervision of design and construction. It was because of the corps' extensive facilities and their ability to mobilize their resources that this project was accomplished in the unbelievably short time. It was a fine example of teamwork.

Any summarization of the corps' accomplishments on the seaway project would be incomplete without a brief mention of the aids to navigation that play such a prominent role to vessel operators. All during construction, navigation of the old canal remained uninterrupted. As improvements were made for the new channel it was imperative that ships transiting the St. Lawrence be able to find their way along new routes. The solution to this intricate problem was accomplished through the planning, programing, and construction of a comprehensive system of navigation aids for marking U.S. waters of the seaway by the joint efforts of the corps and the U.S. Coast Guard.

Although there still remains considerable dredging in the South Cornwall Channel by the corps, this work will not affect the opening of the seaway this spring for deep-draft vessels. As the design and construction agent for the St. Lawrence Seaway Development Corporation, the Corps of Engineers is proud of the safety record established on this project. Two national safety awards and three special merit awards by large insurance companies were presented seaway contractors for an exceptional record of only 7.17 disabling injuries per million man-hours of operations.

The two locks in operation since July 1, 1958, are considered among the most efficient in the Nation and will long remain a monument of outstanding achievement by the Corps of Engineers.

Ralph E. Pearson

EXTENSION OF REMARKS
OF

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. GALLAGHER. Mr. Speaker, as a member of the Committee on Foreign Affairs, I am interested not only in the present-day activities and problems, but in the history of the past. Many people, including the veterans of World War I, World War II, and of Korea, have had an opportunity to learn a great deal about other countries, peoples, and customs. Each of us has so little time to acquire knowledge of the world generally, but these people have at least been exposed to some of the world and conditions.

While we hope we will not be involved in another war, there is even in peacetime, and during cold wars, a definite need for even more knowledge in this area, if we are to prepare coming generations to cope with the increasingly complex problems and a world in which the speed of communication and transportation is bringing almost daily changes.

One of the big problems, at present, is the size of the Armed Forces. But whatever the size, our forces must be well trained and have esprit de corps. The Army according to a recent news article about moving a division museum from Fort Riley, believes that a knowledge of the proud history of the unit in which he serves makes a man a better soldier today.

I should like to pay special tribute to Col. Ralph E. Pearson, U.S. Army, for writing the history of the 318th Regimental Combat Team. He has entitled this remarkable history "En Route to Redoubt." He is deserving of the thanks and praise of all who served with this great regiment for his splendid and untiring efforts in compiling and writing this history. His outstanding ability, patience and understanding has reflected great credit to the U.S. Army. Unit histories such as "En Route to Redoubt" are major contributions to our total history of World War II and a source of much pleasure to those who served in the 318th Regiment, their families and friends.

I believe that by giving a man a record of his wartime activities we make for greater solidarity and build a stronger nation for the future. We also give his children some world history with a personal tie-in. This is important in getting their interest.

One unit history, with which I am familiar, has brought pleasure to many former servicemen and some information about loved ones to many families who could find little comfort in the official records available to them. This report on where the unit was and what it did, also contains considerable information about many countries, peoples and activities in Europe from 1919 to date. I am sure it is typical of many other such histories, although more detailed and longer. This information, such as is contained in "En Route to Redoubt," a five-volume history based on the 318th RCT in World War II not only means a great deal to the parents, widows and children of the men who lost their lives but also is a permanent record and source of information for historians and former members of the unit and their children as well. Many hundreds of letters, to the author, from people, in all walks of life who are mentioned, or whose sons, fathers, or husbands are mentioned attest to the desirability of this kind of history. These histories tell about the men in company, battery battalion and regiment.

Buildings, streets and monuments at Army posts have been named for the heroes of our wars. A monument has been erected at Bastogne, and in many other places, here and abroad, as a tribute to the American soldier, but it seems to me that more of the larger libraries should have unit histories, as well as the professional histories on how the wars are fought and where. Smaller libraries can profit by having the histories of units in which there was a sizable representation from the village, town or city. These unit histories tell much of the details about individuals, and of day-to-day happenings that usually do not even come to the attention of the commander of larger units. People who were there, or had members of their family there, can know more about what happened by reading such detailed accounts, not normally included in histories covering a theater of action, and political problems.

Usually these histories are the result of years of work by a consecrated individual, or a small group, members of an association. Normally, they do not get very wide circulation. It would seem a small, but probably beneficial assist in our overall problem of educating Amer-

ica and Americans, on global problems, if we could bring these intimate volumes by our amateur and professional historians to the attention of more Americans, especially those who have not had an opportunity to travel or who may, by reason of their generation, be involved in solving some of the increasing problems of the world of the future.

It is a product of our age that we leave no time to reflect our traditions and how this can guide our future. Colonel Pearson illustrates the look of wisdom in this course. For that I salute him.

State Investigation of Chemical Corn-New York Trust Merger Called For

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following press release issued by me on Monday, September 14, 1959, calling for investigation by the State Attorney General of the Chemical Corn-New York Trust merger:

Representative EMANUEL CELLER, Democrat, of New York, chairman of the House Committee on the Judiciary and of its Antitrust Subcommittee, today described the action of G. Russell Clark, State of New York superintendent of banks, in approving the merger of the Chemical Corn Exchange Bank and the New York Trust Co. as "profoundly disturbing" and "in shocking derogation of the public interest." He called for an immediate investigation of the merger by the State attorney general under the Donnelly Act, the New York State antitrust law.

In a five-page letter to Gov. Nelson A. Rockefeller, Representative CELLER reviewed the merger approval action in light of a recent finding by the Antitrust Division of the U.S. Department of Justice that the merger falls within the precise language of the Clayton Act, in that its effect "may be substantially to lessen competition and tend to create a monopoly." Criticizing the manner in which the decision was made, Mr. CELLER said: "A $4 billion merger of banking facilities is authorized as being in the public interest, not only in total disregard of an authoritative warning as to its effect upon competition and antitrust policies, but also without even a semblance of a public hearing."

The Clark ruling, Representative CELLER declared, disregards "the considered conclusion of the Nation's highest antitrust enforcement officer," and also "discloses such fundamental errors in applying the standards of section 7 of the Clayton Act as to raise a serious question of the superintendent's good faith."

In his letter, Representative CELLER charged that Mr. Clark's holding is characterized by a "startling misinterpretation" of the recent Bethlehem Steel decision, the leading decision construing section 7 as amended by the Celler-Kefauver Act of 1950. After enumerating similarities between the effects of the proposed bank merger and those of the steel company merger disapproved in the Bethlehem case, Mr. CELLER stated that the ruling "casts grave doubt upon the ability of the banking superintendent to exercise the duties of his office impartially and objectively in the public interest."

Mr. CELLER urged that, should investigation reveal that the merger runs afoul of the Donnelly Act, prosecution should promptly be instituted by the State attorney general to set the transaction aside.

The text of Mr. CELLER's letter is as follows:

SEPTEMBER 10, 1959.

The Honorable NELSON A. ROCKEFELLER,
Governor of the State of New York,
Executive Mansion,
Albany, N.Y.

MY DEAR GOVERNOR: The action of Mr. G. Russell Clark, superintendent of banks of the State of New York, in approving the proposed merger between the Chemical Corn Exchange Bank and the New York Trust Co. is profoundly disturbing. As you know, the Antitrust Division of the Department of Justice has studied the effects of this proposed merger and has concluded that, in the language of the Clayton Act, its effect "may be substantially to lessen competition and tend to create a monopoly." Coming as it does on the heels of the recent Morgan-Guaranty Trust merger, this new combination brings together two more giant banks into another supergiant, greatly accelerates the trend toward concentration of the banking business, and undermines the very foundations of free enterprise competition.

The manner in which Mr. Clark reached this decision is no less unfortunate than the potential economic effects of the ruling. A $4 billion merger of banking facilities is authorized as being in the public interest, not only in total disregard of an authoritative warning as to its effect upon competition and antitrust policies, but also without even the semblance of a public hearing.

These factors combine to render Mr. Clark's action in shocking derogation of the public interest. Let me particularize. On June 8, Mr. Clark wrote to me that he had not consulted the Antitrust Division with respect to the merger in question and had decided "not to seek the Justice Department's written views as to antitrust questions arising under existing Federal laws," but would give careful consideration to such views if submitted. On August 19, I sent to you and to Mr. Clark a copy of a letter I had received from the Justice Department's Antitrust Division stating that the Division had studied the competitive consequences of this transaction and had concluded that "it may substantially lessen competition and tend to create a monopoly." Thus in the Justice Department's opinion this merger ran afoul of the standards of section 7 of the Clayton Act. Nevertheless, the New York banking superintendent has seen fit to disregard the considered conclusion of the Nation's highest antitrust enforcement officer.

Furthermore, the Clark statement justifying the merger discloses such fundamental errors in applying the standards of section 7 of the Clayton Act as to raise a serious question of the superintendent's good faith in this matter. For one thing, the opinion is characterized by a rather startling misinterpretation of the case of the *United States* v. *Bethlehem Steel Company*, the leading decision construing section 7 of the Clayton Act as amended by the Celler-Kefauver Act of 1950.

As an example, the Clark statement fails to mention that the degree of concentration among New York City banks is similar to that which in the steel industry was an important factor in the Court holding the Bethlehem-Youngstown merger illegal. According to the Clark statement, the 4 largest banks in New York City would control, after the merger, 62.2 percent of all commercial bank assets in the city; the 2 largest, 44.2 percent; and the 10 largest banks in New York City, 93.1 percent. I would point out that this degree of concentration is strikingly analogous to that in the Bethlehem case where the 6 largest integrated steel companies had approximately 68 percent of ingot capacity; the 2 largest approximately 45 percent; and the 12 largest about 93 percent.

It is equally significant that the Clark statement in its analysis of the bank merger neglected to consider that phase of the Bethlehem Steel case concerned with the appropriate lines of commerce. More specifically, Mr. Clark did not consider all the lines of commerce and sections of the country in which the Bethlehem merger was held to violate section 7. In the Bethlehem Steel case there were 12 separate lines of commerce within which the effects of the acquisition were found to be in violation of the statute, 8 of them in the United States and 4 more limited sections of the country. The following table sets forth some of these lines of commerce together with the market shares, separately and combined, of the merging companies:

Line of commerce	Area of the country	Bethlehem	Youngstown	Combination
		Percent	*Percent*	*Percent*
Iron and steel industry	Michigan	11.8	3.1	14.9
	Ohio	5.2	9.4	14.6
	Michigan and Ohio	9.1	5.7	14.8
	Michigan, Ohio, Pennsylvania, and New York	17.3	4.4	21.7
	Northeast quadrant	14.8	5.5	20.3
	United States	14.4	4.9	19.3
Seamless pipe	do	4.1	8.0	12.1
Electricweld pipe	do	1.3	6.9	8.2
Cold-rolled sheets	Michigan and Ohio	8.8	6.0	14.8
	Michigan	11.7	2.7	14.4
	Ohio	3.9	11.3	15.2

In each of the above-listed lines of commerce the combination of the two companies' market shares was held to be violative of the statute.

You will note that in the following lines of commerce involved in the Chemical Corn-New York Trust merger, as Mr. Clark himself found, market shares are combined to a degree that parallel those upon which a violation of section 7 of the Clayton Act was predicated in the Bethlehem case. This is shown by the following table:

Line of commerce	Area of country	Chemical Corn	New York Trust	Combination
		Percent	*Percent*	*Percent*
Voluntary and court trust	New York City	4.5	4.0	8.5
—the total share of the 9 largest trust companies would be increased from 86.9 to 90.9 percent.				
Agency and custody accounts	New York City	6.5	6.0	12.5
—the total share of the 8 largest city trust companies would rise from 70.1 to 83 percent.				

Line of commerce	Area of country	Chemical Corn	New York Trust	Combination
		Percent	*Percent*	*Percent*
Trustee for bond issues	New York City	5.0	5.2	10.2
—the share (based on the number of bond issues) held by the 7 largest New York City banks would rise from 81 to 86 percent.				
Stock transfer agents	New York City	6.9	3.7	10.6
—the share held by the 7 largest banks in the city would rise from 80.5 to 84.2 percent.				
Registrar accounts	New York City	6.1	4.2	10.3
Dividends disbursing agents	do	8.5	4.2	12.7
—the share of the market served by the 5 largest city trust companies would rise from 66.4 to 70.6 percent.				

Beyond that, the Clark opinion gave no weight to the legal significance of prior acquisitions by the merging banks. The Court in the Bethlehem decision by contrast emphasized the importance of the prior acquisition history in determining the legality of a proposed merger. It is interesting to note that 26 percent of Bethlehem's growth and 20 percent of Youngstown's growth had resulted from acquisitions. According to Mr. Clark's statement nearly 55 percent of Chemical's asset growth since 1935 has been contributed directly by mergers.

In the Bethlehem case the Court gave careful consideration to the increase in concentration in an existing oligopoly framework, stating that "tend to create a monopoly" clearly includes aggravation of an existing oligopoly situation. In the banking field a similar oligopoly situation has come about by means of a long series of bank mergers in New York City. However, Mr. Clark apparently regarded this history of mergers as of little or no relevance despite the fact that, as the congressional committee reports make clear, one of the primary reasons for congressional enactment of the Celler-Kefauver Act of 1950 was to curb the increase in concentration and lessening of competition due to a trend of merger activity.

More than that, in considering the effects of this merger in the banking field, Mr. Clark failed to consider that there have been no new entrants in this field in New York City in recent years and that such entrants appear unlikely in the future. This factor was considered by Judge Weinfeld in the Bethlehem case to be of particular importance since it means that the competition lost by reason of the merger will not be supplied by any new entrant in the field.

Another basic error in the Clark opinion is that it considers banking competition only as it relates to all New York City banks and neglects to mention the very substantial competition between Chemical Corn and New York Trust which will be eliminated by this merger. Based on data which is readily available, there can be no doubt that such preexisting competition represents a most substantial amount of business.

These considerations cast grave doubt upon the ability of the banking superintendent to exercise the duties of his office impartially and objectively in the public interest. They also underscore the need for further action to undo the grevious error made by the superintendent in approving the Chemical Corn-New York Trust merger.

In all the circumstances it would seem essential that you, as the chief executive of the State, instruct the State attorney general to institute immediate investigation to determine whether this merger constitutes a violation of the State antitrust law, i.e., the Donnelly Act. Should such investigation indicate that the transaction runs afoul of this statute, the public interest would require that prosecution be instituted by the State attorney general at the earliest possible date to set aside this merger.

The people of New York State have the right to expect that their Governor be constantly and alertly sensitive to the compelling public need for maintaining a competitive system of banking in the State. I am sure that they will await your further actions in this matter with the greatest degree of interest.

Sincerely yours,

EMANUEL CELLER, *Chairman.*

Committee on Interstate and Foreign Commerce—Major Legislative Accomplishments, 1st Session, 86th Congress

EXTENSION OF REMARKS

OF

HON. OREN HARRIS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. HARRIS. Mr. Speaker, pursuant to section 136 of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, and House Resolution 56, as amended, 86th Congress, I should like to submit a statement of the major legislative accomplishments of the Committee on Interstate and Foreign Commerce for the 1st session of the 86th Congress.

Over 545 bills and resolutions were referred to the House Committee on Interstate and Foreign Commerce during the 1st session of the 86th Congress. Of these, 20 bills and 2 joint resolutions were reported to the House. As of this date, 14 have been enacted into public law, 3 have been approved by the House but not yet considered by the Senate, and 1 remained on the House Calendar upon adjournment of the first session.

The first bill of major importance which the committee considered and approved—H.R. 5610—provided increased railroad retirement benefits and placed on a sound self-supporting basis the railroad retirement and unemployment insurance systems. This was accomplished by eliminating the present long-range actuarial deficit in the railroad retirement system; by eliminating certain inequitable features of each system; by extending unemployment benefits; and by providing for the financing of the increases, changes, and extensions. The legislation was approved by the President on May 19 and became Public Law 86–28.

In the closing days of the 85th Congress, a bill which proposed to continue the Federal Airport Act at an increased level of $100 million a year through fiscal year 1963 failed to receive the President's approval. Accordingly, early this year the committee held further public hearings on the subject and reported H.R. 1011 to the House, which authorized Federal aid to airports totaling $297 million, to become available over a 4-year period, beginning with the fiscal year ending June 30, 1960.

The Senate bill—S. 1—provided a total of $465 million over the same period of time. It passed the Senate on February 6, and on March 2 the committee reported H.R. 1011 to the House. Subsequently, the House passed S. 1, amended to include the amended language of H.R. 1011. The Senate bill went to conference, and after considerable deliberation the conferees were unable to reach agreement. New language was then incorporated in S. 1 to simply extend the provisions of present law—$63 million for 2 years—without any substantial changes, except to recognize the statehood of Alaska. The Senate bill, so amended, was agreed to by the House and signed by the President on June 29—Public Law 86–72.

A further amendment to the Federal Airport Act to make Alaska and Hawaii eligible to receive allocations from the discretionary fund—S. 2208—has passed the House and Senate.

A bill granting the consent of Congress to interstate compacts for the development or operation of airport facilities—S. 2183—cleared both Houses and received Presidential approval on August 11—Public Law 86–154.

At the request of the Civil Aeronautics Board, the chairman of the Subcommittee on Transportation and Aeronautics—Mr. WILLIAMS, of Mississippi—introduced a bill to authorize free or reduced rate air transportation for certain additional persons. The amendment to section 403(b) of the Federal Aviation Act would expressly permit such transportation for retired airline personnel; the parents of employees and retired employees; and members of the immediate family of persons injured or killed in an aircraft accident for travel in connection with the accident.

The proposed legislation is permissive. It would permit appropriate carrier action subject to Board control. The bill passed the House and it is presently pending before the Senate Committee on Interstate and Foreign Commerce.

Legislation was also approved to amend the Federal Aviation Act so as to permit the recording of security interests in specified aircraft propellers, as well as in aircraft engines. The purpose of the legislation is to facilitate the leasing or separate financing of propellers and aircraft engines needed to modernize the Nation's civil aircraft fleet. The bill—S. 1368—became Public Law 86–81 on July 8.

Another bill, introduced at the request of the Civil Aeronautics Board—H.R. 7112—authorizes the Civil Aeronautics Board and the Federal Aviation Agency to use certified mail for service of notices, processes, orders, rules, and regulations. The legislation is permissive in nature. It was approved by the President on August 25—Public Law 86–199.

The committee reported a bill to preserve the historic Sully mansion buildings near Chantilly, Va., on property now being developed for a second Washington airport. This measure was

signed by the President and is now Public Law 86–220.

As a result of a Federal Communications Commission interpretative opinion to the effect that the appearance by a legally qualified candidate in a newscast must be considered use of a broadcasting station within the meaning of section 315 of the Federal Communications Act, and that other legally qualified candidates for the same office must, therefore, be granted equal time, a bill was introduced—H.R. 7985—to provide certain exemptions from the equal time requirement of the Communications Act.

A similar bill passed the Senate on July 28. On August 18 the House amended the Senate bill to include the language of H.R. 7985, as amended, by the committee. A conference committee met to resolve the differences between the House and Senate proposals. The conferees agreed on a compromise bill and the Congress approved the amendment. It is now on the President's desk at the White House.

Amendment to the Federal Trade Commission Act, authorizing resale price maintenance—fair trade—received further consideration of the committee this year. The primary purpose of the bill—H.R. 1253—is to enact a Federal fair trade law to protect the small individual businessman from unrestrained competition and retaliatory price cutting of larger retail establishments and discount houses which have been flourishing as a result of the breakdown of State resale price maintenance laws.

After extensive public hearings and executive consideration, the committee on June 9, reported the amended bill to the House. The Rules Committee held one public hearing on the granting of a rule and it is anticipated that the proposed legislation will be the subject of further hearings by that committee.

In the field of public health, H.R. 6325, providing for a 5-year extension of traineeship programs for public health personnel and professional nurses, was enacted—Public Law 86–105. These programs were authorized by titles I and II of the Public Law 911 of the 84th Congress, which expires June 30 of this year.

The Department of Health, Education, and Welfare recommended legislation to strengthen the Commissioned Corps of the U.S. Public Health Service by providing for improved retirement benefits for members of the Regular Corps and the Active Reserve Corps. H.R. 6324 and a companion measure, S. 2220, were introduced as requested. The Senate bill has already passed that body and has also been approved by this committee and reported to the House.

Under the provisions of S. 56, the Surgeon General was authorized to construct, improve, extend, or otherwise provide and maintain essential Indian sanitation facilities—Public Law 86–121.

A 4-year extension of the Air Pollution Control Act was approved by both Houses. The present law expires on June 30, 1960. The extension continues the authority of the Surgeon General and the Secretary of Health, Education, and Welfare to conduct a program of research and technical assistance relating to air pollution.

Another measure dealing with the air pollution problem directs the Surgeon General to conduct a 2-year study of the effects on human health of substances discharged into the atmosphere by the exhausts of motor vehicles. This proposal—H.R. 8238—has already passed the House. It is now before the Senate Committee on Labor and Public Welfare.

Early in the session the Federal Food and Drug Act was amended by the enactment of S. 79—Public Law 86–2—to permit the temporary listing and certification of citrus red No. 2 for coloring mature oranges. The Department of Health, Education, and Welfare has already recommended general legislation for the listing and certification for food color additives, and it is the intention of the committee as soon as feasible to study these suggested amendments to the Food and Drug Act.

Legislation was introduced to establish reasonable safety standards for passenger-carrying motor vehicles purchased by the Federal Government. The committee expects that if certain known safety features are provided on Government vehicles it will hasten the day when such safety features become standard equipment on all passenger-carrying motor vehicles offered for sale to the public. The bill, H.R. 1341, passed the House on August 26.

Congressional consent was given to the extension and renewal of the interstate compact to conserve oil and gas, which was entered into originally in 1935. Under the compact, the several oil producing States are better able to effect conservation of this important natural resource, prevent its waste, and give aid to the petroleum industry in its effort to achieve a relatively stable situation. The joint resolution—House Joint Resolution 280—was approved August 7 and is now Public Law 86–143.

A bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States—S. 114—was enacted—Public Law 86–124. This act repeals an exception contained in Public Law 278 of the 83d Congress, which expressly stated that "the provisions of section 14 and section 4(b)—of the Federal Power Act—shall continue to be applicable to any license issued for a hydroelectric development in the International Rapids section of the St. Lawrence River." This legislation will enable the Power Authority of the State of New York, as the licensee of the St. Lawrence project, to come within the general language of the law exempting all State and municipal licensees from the recapture and original cost provisions in sections 4(b) and 14 of the Federal Power Act.

In addition to the important legislative proposals reported from the committee, which are summarized above, public hearings by the four standing subcommittees were held on such diversified subjects as freight-car shortages; amendments to various securities acts; serving alcoholic beverages on airplanes in flight; regulation of D.C. Transit; amendments to War Claims and Trading With the Enemy Acts; providing reimbursement for damage to the Ryan-Hemet Airport, Calif.; the Public Health Training Act of 1959; motor vehicle safety, and educational television.

In the closing days of the first session, H.R. 4815, to more effectively regulate D.C. Transit; and H.R. 6462, to amend the Trading With the Enemy Act re successor organizations, were ordered reported from the committee. An interim report on D.C. Transit was filed in the House on September 12—House Report No. 1185.

An investigation of the very complex problem of the allocation of the radio spectrum was begun by the Subcommittee on Communications and Power. This study will continue, and further consideration will be given to the other subjects mentioned above in the next session of the 86th Congress.

The Volunteer Fireman: His Brother's Keeper

EXTENSION OF REMARKS
OF

HON. STANLEY A. PROKOP

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PROKOP. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address I delivered before the delegates of the 29th annual convention of the Northeastern Pennsylvania Volunteer Firemens' Federation at Archbald, Pa., on Friday evening, September 11, 1959:

Mr. Chairman, Father McGinley, Burgess Flanagan, distinguished guests, officers, delegates, and friends of the volunteer fireman, this is indeed a happy occasion.

I would be ungrateful if I failed to recognize the generous spirit that prompted your capable and genial president, Leo O'Hearn, to give such a laudatory introduction.

At the outset may I express my deepest thanks to your convention chairman, Dick McHale, and his committee for their gracious invitation for giving me this opportunity to address this group—a desire that I had since I became a member of this association many years ago.

During the past 11 years it has been my privilege and my pleasure to become closely associated with the members of our own Jefferson Township Community Volunteer Fire Company and the members of the other volunteer companies in our region.

Among other things, I found the Volunteer Firemens' Federation of Northeastern Pennsylvania to be highly educational. As a member of our own volunteer fire company, I today have the greatest respect and admiration for all you fine people who are associated with this unselfish activity of helping your fellow man. I have firsthand knowledge of your duties and responsibilities and a much fuller recognition of the value and importance of volunteer fire companies to our way of life in this great Nation.

At the same time, I have learned, as president of our local fire company, of the many problems with which you as officers and members are confronted.

The people of your community owe you, the volunteer firemen, a great debt of gratitude.

I also wish to emphasize the great value of the unselfish citizens who comprise our volunteer fire companies in time of local or national emergency. Their training and their skill and their knowledge can always be counted upon to counter the effects of an emergency of any scope. And while on this subject may I say that the members of the various committees that have worked so hard to make your organization such a great success also deserve congratulations for a job well done.

It is inspiring and encouraging to meet and speak to so many people who are interested in the welfare of their neighbor.

Yours, indeed, is a noble profession. A fireman's life is a dangerous one at times. Firefighting must often be carried on under severe weather conditions. The hours for volunteer firemen are unpredictable. It has been my observation that every fireman needs steady nerves, considerable physical strength, and enough stamina to enable him to maintain an intense degree of effort, over long periods, under almost unbearable conditions. A fireman has to be ready for anything, because he never knows what he may encounter next.

When speaking of firemen, one must say a few words about our able and courageous fire chiefs and their capable assistants—a fire chief or his assistant, who is in charge of the company, especially during a fire, needs all the qualities of a good general. He must know where to put his men and be prepared to lead them; he must know where to put his screens of water vapor to prevent the spread of fire by radiated heat; he must realize when a building is about to collapse, and bring his men out in time. He must be able to think and act quickly.

I need not tell you that speed is the essence in firefighting; a few minutes wasted in the early stages of a fire, or a wrong decision, can make the difference between a medium fire which can be easily mastered or a conflagration which will burn dozens of buildings.

I do not make these comments to remind you, the volunteer firemen, of the hazards of your job. Rather, I say these words as witness to the unselfish elements necessary for your vocation. You are, indeed, the epitome of the phrase—"my brother's keeper." Each of you deserves a vote of confidence and the wholehearted thanks of the people of your community.

Controlled fire is useful to man, but uncontrolled fire is one of man's worst enemies. Fire, my dear friends, is the world's greatest paradox. It is at once man's worst enemy and his best friend. At some time during the prehistoric ages man learned to make fire, and he learned how to use it. This discovery might properly be considered among the most important achievements in civilization. By day, we all know, that man roasted the meat of slaughtered beasts over his fire. And by night the glow of the flames at the entrance to his cave held prowling things at bay. His fire kept him warm, gave him security, and its lively glow served as a focal point for the nightly gathering of his clan.

Yes, fire became man's most useful companion, while at the same time it became his worst enemy. The pages of history hold many tragic accounts of fire. In our own country we think of the San Francisco fire, the Cocoanut Grove nightclub fire in Boston, the Chicago fire, the circus fire in Hartford, Conn., the fire of the *Morro Castle* beached at Atlantic City, and the flaming crash of the zeppelin, *Hindenburg*.

These are but a few of yesterday's tragic fires.

Today more than 300,000 well trained men throughout America stand ready to answer the fire-alarm tappers and gongs. You, as a portion of that great group of 300,000, know the enemy fire. You well know how patiently fire waits for some proper carelessness. And you also know how fast one must work, once the tiny spark has given life.

Volunteer firemen down through the history of our great Nation have been willing to take risks—very considerable risks—to save life and property. And I say again that many of our people fail to give you men credit for the great job that you are accomplishing for your community and for your people.

Let's go back a little in our early history in the colonial times, for instance, city householders and business owners were by law required to keep a specified number of leather buckets on hand for fire emergencies. Some of the larger cities owned hooked ladders. Smaller towns had no protection at all.

In 1730, New York City imported from Holland two fire engines—hand-pumping machines, of course, the only type known for a century thereafter. During the early years of firefighting, companies were all of the volunteer sort, the members running at the sound of the alarm from their homes and offices—just as today—where you people leave your work to join your fire company to help save life and property.

I am reminded that the Father of our Country, George Washington, was a volunteer fireman, an enthusiastic supporter of his local fire company, Friendship, in the Commonwealth of Virginia. Once, while on a visit to Philadelphia, in 1764, Washington purchased a fire engine which he presented to his volunteer company in Alexandria. Although it has never been established that he engaged in battling a fire, we can rest assured that Washington's ideals as illustrated in his life and character were synonymous with those high ideals of the volunteer firemen—courage, duty, and unselfish public service, dedicated to God and country.

History records that in Philadelphia the volunteer firemen were unusually well entrenched there in the early days of our Nation, due primarily to the fact that Benjamin Franklin had organized America's first fire company in Philadelphia.

We recall that the steam fire engine was invented in 1829–30, and began to supplant hand pumping about two decades later. With it came the professional salaried fireman and horse-drawn machines.

Late in the 19th century fireproof or fire-resistant buildings began to appear, the chemical fire extinguisher was invented, and was followed by the sprinkling system. With the development of the gasoline engine early in the 20th century, fire departments were motorized. Horses and many of the steam engines then disappeared.

Although efficiency in firefighting has increased each year, our annual fire losses in the United States have been on the increase during the past few years. In 1955 the National Board of Fire Underwriters reported fire loss in the United States to be $885,218,000; in 1956 losses totaled $980,290,000; and in 1957 they amounted to $1,023,190,000.

A recent statement also indicates that "fire takes annually in the United States over 11,000 lives."

I do not need to tell you that fire prevention becomes increasingly important. Your duties as preservers of lives and property are not limited to putting out fires. They also cover the area of fire protection and fire prevention. These require constant study.

In our towns and cities we need more responsible, dedicated citizens to back up our fire departments—citizens who will serve on fire prevention committees. The public should learn more about respecting fire and less about fearing it—more about controlling it and using it safely.

A more educated citizenry in the details of fire prevention will mean more lives saved, more property preserved, and less risk for you, the brave and honorable men, who comprise our volunteer fire departments.

A volunteer fire department is more than a group of men with shining red equipment. A volunteer fire department is an example of two qualities that have made America great—individual initiative and concern for the welfare of others.

One public service which seldom is recognized in full light of its performance is that of the volunteer firefighter. For he is more than just a fireman. Unpaid, he must make his livelihood by other means, therefore, he must be proficient in both.

Operating without the substantial funds which fully paid municipal departments have available, these volunteers also have to be enterprising businessmen, in that they frequently have to raise funds for their firehouse facilities and firefighting equipment by every ingenious method possible, such as picnics, social parties, membership drives, donations, envelope drives, dinners, ad books and selling chowder.

The volunteer fireman is virtually on call around the clock and so must ever share his home life with the task of helping and protecting his neighbor. Truly his brother's keeper.

As the trend of homes and industry is from congested cities into the open fields of rural areas, the role of the volunteer firemen has become most significant. With the increased burden of helping to protect these properties, business places, homes and farm buildings, many with severe hazards of considerable magnitude which were not anticipated when the volunteer fire departments in numerous communities were organized, it has been necessary for these men to further increase the strength of department both in personnel and equipment.

Therefore, every effort should be made by industry, businessmen, the volunteer fireman, and the people in the community to work closer together as times goes on in order that all may enjoy the fullest that each provide to the community.

Whose Ox Is Being Gored by Whom?

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, some Members of Congress who voted for the Landrum-Griffin bill have complained about the type and tenor of some of the letters they have received. They are not alone in the assaults on their integrity. Those who voted against the Landrum-Griffin bill are receiving letters of the same type though from different sources.

The following letter from Mr. Sydney N. Coates, dated September 4, 1959, is typical of the correspondence I have received since voting against the Landrum-Griffin bill. My reply of September 10, 1959 is also set forth:

SEATTLE, WASH., *September 4, 1959.*
Hon. ABRAHAM J. MULTER,
House of Representatives,
Washington, D.C.

DEAR MR. MULTER: You as our elected Congressman have been threatened in your position to legislate for the welfare of the country as a whole by an unscrupulous representative of one section of organized labor.

A threat of this kind cannot be left unchallenged by the people of our country. The enclosure is my personal answer. I have challenged Mr. Carey to step down as per my

letter, and the cartoon from the Seattle Post Intelligencer supports the public's attitude toward this type of uncalled-for threat.

I will support every Senator and Representative in his right to exercise his judgment as he sees fit, provided he is not biased by pressure from any group.

Let me say in closing, that I know the people of our country have confidence in you as our leaders to fulfill the obligation of doing what is best for all. Our thoughts and prayers are with you constantly.

Very truly yours,

SYDNEY N. COATES.

SEPTEMBER 10, 1959.

Mr. SYDNEY N. COATES,
Seattle, Wash.

DEAR MR. COATES: I have your letter of September 4, 1959.

I have not been threatened by any representative (unscrupulous or otherwise) of any section of organized labor.

For your information, I have received threats and insolent letters from people who assume that only those who voted for the Landrum-Griffin bill voted their consciences rather than the pressures, threats and emotions of their constituents, while all those who voted against it have no consciences but bow to the whim or the will of the unions.

On behalf of the 200 colleagues who joined me in voting against the Landrum-Griffin bill in the first instance, and on behalf of the 51 colleagues who joined me in voting against it in its final form, I resent such conduct and remind you that threats against legislators are un-American regardless of what prompts them.

I am happy to note that you will support every Senator and Representative who "is not biased by pressure from any group." Does that mean that those who think as you do will withhold their support from every Senator and Representative who submitted to the pressures of the U.S. Chamber of Commerce, the National Association of Manufacturers and every other big business representative?

Very truly yours,

ABRAHAM J. MULTER.

State Investigation of Chemical Corn-New York Trust Merger Called For

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following press release issued by the Honorable LESTER HOLTZMAN on Monday, September 14, 1959, calling for investigation by the State attorney general of the Chemical Corn-New York Trust merger:

Representative LESTER HOLTZMAN, Democrat, of New York, member of the House Committee on the Judiciary, and of its Antitrust Subcommittee, today called for a full-dress investigation by the attorney general of the State of New into the merger of the Chemical Corn Exchange Bank and the New York Trust Co.

The New York lawmaker joined Representative EMANUEL CELLER, Democrat, of New York, chairman of the House Judiciary Committee, in deploring the decision of New York State Superintendent of Banks, G. Russell Clark, to approve the merger.

"This decision flies in the face of our antitrust policies," he said, "and ignores the authoritative finding of the Antitrust Division of the Department of Justice that the merger's effect may be substantially to lessen competition, and tend to create a monopoly."

Mr. HOLTZMAN stated that failure of the responsible officials promptly to remedy this situation would reflect adversely on the administration of Governor Rockefeller. "The people of the State of New York," he said, "have a vital and continuing interest in a healthy, competitive banking system. They will not lightly accept the erosion of free enterprise in banking."

The text of Mr. HOLTZMAN'S statement is as follows:

'The decision of Mr. G. Russell Clark, New York State superintendent of banks, to approve the proposed merger of the Chemical Corn Exchange Bank and the New York Trust Co. marks a trend in the concentration of banking facilities that must be stopped. This decision flies in the face of our basic antitrust policies and ignores the authoritative finding of the Antitrust Division of the Department of Justice that the merger's effect 'may be substantially to lessen competition and tend to create a monopoly.' What is more, it misconstrues the clear holding of the Bethlehem case, which disapproved a similar merger of steel companies, and will bring together two of the largest New York City banks into another banking colossus.

"I agree with the distinguished chairman of the House Judiciary Committee, Representative CELLER, that an immediate investigation should be instituted by the State attorney general under the Donnelly Act, New York's antitrust law. If violation is found, the merger should be set aside.

"Failure of responsible State officials promptly to remedy this situation will reflect adversely on the administration of Governor Rockefeller. The people of the State of New York have a vital and continuing interest in a healthy, competitive banking system. They will not lightly accept the erosion of free enterprise in banking."

Role of Africa in World Affairs

EXTENSION OF REMARKS

OF

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. DADDARIO. Mr. Speaker, I would like to bring to the attention of my colleagues the script of a radio speech which the Honorable WILLIAM T. MURPHY, of Illinois, had occasion to present over radio station WIND in Chicago, Ill., on Sunday evening, September 13, 1959.

Mr. MURPHY, who is a member of the Foreign Affairs Committee has worked hard and diligently on that committee. His knowledge of Africa is far reaching and his comments deserve the attention of every Member of the House of Representatives.

Mr. MURPHY'S speech follows:

ROLE OF AFRICA IN WORLD AFFAIRS

At the start of this session of Congress, I was fortunate to be assigned to the Committee on Foreign Affairs. As a member of this committee, I requested and received a place on the Subcommittee on Africa. My interest in Africa as a continent, and in the people of this area, goes back many years.

Africa, with its huge area, has great variety. The continent's 11,693,000 square miles range from the parched flatlands of Timbuktu in French West Africa, to the uplands near the Congo Basin. Its climate is scorching hot near the Equator and temperate at Cape Town, South Africa.

Prior to World War I, most African countries were controlled by European nations—the British, Belgians, French, Portuguese, Germans, Spanish, and Italians. Only two independent nations existed—Ethiopia, a mountainous land in northeast Africa, has been an independent kingdom since ancient times; Liberia, on Africa's West Coast, was settled in 1822 by freed slaves from the United States. It declared its independence in 1847. The Union of South Africa, at the continent's southern tip, was settled by the Dutch in 1652, but was later taken over by the British. In 1910, the Union of South Africa was set up as an independent land within the British Commonwealth of nations.

In the period between the two world wars some important changes were made in the political status of several European-African possessions. The following German possessions were mandated by the League of Nations after World War I—South-West Africa to the Union of South Africa; Tanganyika to the British; the Cameroons divided up between the French and British; and Ruanda-Urundi to the Belgians. In 1922 Egypt gained its independence from the British.

After World War II, and in the past decade, Africa's nationalism and desire for self-government has been especially strong. As a result, six additional lands gained their independence—Libya, Sudan, Morocco, Tunisia, Ghana and Guinea. In 1960 the Cameroons and Togo, now United Nations Trust Territories under French Administration, the Federation of Nigeria, a British dependency, and the former Italian Somaliland, will achieve their independence. The principal remaining British dependency, in West Africa, Sierra Leone, is progressing toward self-government with no date as yet set for independence.

The French territories of West Africa have continued to evolve politically. With the exception of Guinea, they have chosen the status of autonomous republics in a French Community as a result of the constitutional referendum held on September 28, 1958. The French Community Executive Council retains jurisdiction over such matters as defense, foreign affairs, and currency. Members have been given the right to negotiate their withdrawal from the Community at any time.

Last January, Belgium announced its decision to revise its policy toward its dependent territories and to proceed with the liberalization of the political system in the Belgian Congo. Belgium had already created economic and social conditions in the Congo in advance of those of other African territories, while refraining from encouraging the growth of political parties and political life. The new Belgian program will change this significantly as representative legislative bodies are set up in the Congo and Africans are elected to them by universal suffrage.

In West Africa the trend toward regional association has been growing, although it is still too early to say confidently which pattern of association will evolve. So far, the new states have sought to retain most attributes of their sovereignty while recognizing the advantages which can accrue from cooperative planning in such fields as trade, transportation, communication, science, and culture.

The regional association of West African States began with the proclamation of the Ghana-Guinea Union in November 1958. This was reaffirmed in early May, this year,

during the State visit of the Prime Minister of Ghana to Guinea. At that time the announcement was made of the founding of a Union of Independent African States which would welcome membership of other States. This Union envisioned a common defense council, flag, a Union bank of issue and currency, a customs union, and Union citizenship, in addition to citizenship in each member State.

Without modifying this Union of Ghana and Guinea, the heads of these States met in Sannequiellie, Liberia, in late July. They proposed a special conferance to be held in 1960 of independent African States as well as those with fixed dates of independence, to explore suggestions for a Community of Independent African States. Suggested for review at this conference would be resolutions specifically calling for retention of the principal attributes of national sovereignty and noninterference in the internal affairs of other members. Other proposed resolutions would enjoin the adherents of this association not to adopt policies contrary to the interests of the freedom and independence of the African people, but would urge efforts to build a free, prosperous continent, accelerating achievement of independence where possible. Finally, establishment of common councils for economic, cultural, and scientific research would be discussed.

Historically, our interest in Africa dates back to the early days of our independence. In 1786 Thomas Barklay of Pennsylvania negotiated a Treaty of Friendship, Commerce, and Navigation with Morocco. In 1822 President James Monroe dispatched the U.S. Navy schooner *Alligator* to escort free American Negro colonists to the shore of West Africa. They founded what was finally proclaimed in 1847 to be free and independent Republic of Liberia. In the east, the American consul in Zanzibar arrived on that exotic island in 1833, actually preceding the first British consul. It was under the auspices of the old New York Herald that the journalist Henry Morton Stanley, proceeding from Zanzibar, undertook his historic journey into Tanganyika and Nyasaland in search of Dr. Livingstone.

Over the years American missionary activity on the African Continent has been extensive. Beginning in the early 19th century, it has grown until today more than 6,500 American missionaries representing scores of home offices, boards and orders in this country, are at work throughout Africa.

U.S. trade with Africa, which began in the days of the New England clipper ship, has grown to total about $1,200 million annually, and our direct investment to total more than $600 million. Sub-Saharan Africa today provides the United States with many of its most important raw materials such as uranium, cobalt, diamonds, columbite, gold, and manganese; minerals of strategic as well as commercial importance.

From the strategic point of view also, the continent of Africa, particularly north Africa lying as it does along NATO's southern flank, is important to the defense of Europe. To deter aggression and strengthen overall free world security, the United States maintains important naval and air bases in Morocco, an air base in Libya, and communication facilities in Ethiopia. Furthermore, the closing of the Suez Canal in 1956 demonstrated the importance of friendly African ports along the Cape of Good Hope route as an alternative for oil shipments from the Persian Gulf to the free world and for uninterrupted contact with the Middle and Far East.

In addition to these historical and strategic interests of the United States in Africa, Americans have a keen and natural popular interest in this continent to which 10 percent of our population can trace its ancestry. In the past year, for example, American educators, businessmen, Government officials, newspapermen, and tourists have played an increasingly sympathetic and constructive role in African development.

The interests of the United States in Africa constitute a very natural and logical basis for our policies and objectives there. The United States seeks to demonstrate to the African peoples a friendly interest in their welfare for their own sakes. We seek to encourage the sound and orderly development of the continent in a manner consistent with free world ideals.

We recognize that membership in the 20th century family of nations carries with it responsibilities; that the interdependence of the world community is an established fact, which must be appreciated in Africa, too; and that all peoples permanently resident in Africa have legitimate interests for which they can rightfully demand fair and just consideration.

The African people look to the United States for assistance in achieving social, economic, and political progress. They look to us for moral leadership and for a sympathetic understanding of their aspirations, and they expect us to apply our historic ideals to our foreign policy. This is a challenge to which the United States must successfully respond.

Our response to this challenge is governed in the last analysis by the reaction of the American people. For, in contrast to a totalitarian power, the policies of the United States are indeed influenced by public opinion.

In living up to our ideals, an institution deserving our continued and wholehearted support is the United Nations Trusteeship Council for its unique role in the sound and orderly political development of many African States. Of the four territories scheduled for independence during 1960, three—Cameroon, Togo, and Somalia—are United Nations' trusteeships.

In addition, the United Nations has provided a sounding board through which the views of the emerging African States can be made known to the rest of the world. Furthermore, participation in deliberations of the United Nations helps new nations play responsible roles in the community of nations. Six African States have joined the United Nations during the past few years—Libya, Morocco, Tunisia, the Sudan, Ghana, and Guinea—thus bringing the total African membership to 10. It is to be expected that the number will continue to grow during 1960 and the next few years.

Second only to the desire for political independence in the minds of the African leaders today is the enormous task of economic and social development confronting them. The need is too great for any one nation to cope with. The major share of the burden is and should continue to be borne by the European powers already closely associated with the various African nations and territories. Europe is now devoting more than $600 million yearly to African development. Other aid, such as that supplied by the United Nations and the specialized agencies, and that provided by the United States, should remain essentially supplementary.

The United States has set up programs by means of the press and radio, cultural presentations, libraries, films, lectures, the teaching of English and the exchange of persons, we seek to develop appreciation for our history and institutions, and support for our foreign policies. There are 13 national or territorial programs devoted to this work currently operating in Africa under the U.S. Information Agency. In addition, Department of Commerce trade fairs and missions have contributed significantly in Morocco, Tunisia, Nigeria, and the Union of South Africa to the understanding of our country.

The response of American business is impressive. Direct private American investment totals more than $600 million and is continuing to grow. A large portion of this investment is in mining, with other undertakings including the operation of an airline in Ethopia, the manufacture of consumer goods, and the assembly of automobiles in South Africa.

In the period between 1946 and 1957 our trade with Africa—excluding Egypt and the Sudan—increased by 60 percent. The major share of our exports went to the Union of South Africa but our imports come from all over the continent. Parenthetically, the fact that the major share of our exports goes to the Union of South Africa, the most highly developed African nation, dramatically demonstrates one of the principal arguments for our continued contribtuion to the economic development of other parts of Africa, for the higher the degree of economic development, the greater our trade becomes.

The Communistic activities in Africa have increased to such a point that they have become a threat and a challenge to the free world. The people of the United States have always responded to a worthy challenge. Responsible African nations are emerging rapidly. We must stand prepared to contribute to their social, economic, and political progress. We must also endeavor to provide spiritual leadership in order that aid may be given them to withstand this communistic threat.

We can succeed only if we apply our historic ideals both in our foreign relations and in our relations with one another here at home.

Tribute to a Great Test Pilot

EXTENSION OF REMARKS

OF

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. HECHLER. Mr. Speaker, I rise to pay tribute to an outstanding son of West Virginia who lost his life in the service of his country.

I refer to Comdr. Jon Edward Thomas, a native of Spencer in Roane County, W. Va., a distinguished officer of the Navy whose loss will be keenly felt by the Nation and his home State of West Virginia. Commander Thomas was one of the Navy's leading test pilots and testing-unit commanders. He was killed in line of duty at Moffett Field, Calif., on December 11, 1958.

Commander Thomas was in his 42d year at the time of his death. His naval career was one of great brilliance and reflected his fine qualities as an officer.

Attending Marshall College in Huntington, W. Va., Commander Thomas enlisted in the Navy a full 9 months before Pearl Harbor. During the same month that the United States was attacked at Pearl Harbor, he was commissioned an ensign and assigned to naval aviation.

In combat operations, he demonstrated the highest qualities of courage aboard various carriers and carrier escort vessels. The Navy depended heavily on his bravery and ingenuity in both war and peace.

After World War II, Commander Thomas was assigned as a liaison officer and test pilot with the British, French, and Netherlands navies from August 1948 to January 1951. This was during

the period when the United States and its Allies were striving to forge a strong defense against Communist aggression through the North Atlantic Treaty Organization.

He later was assigned to test pilot training at the Patuxent River Naval Air Test Center. Then he was a project engineer and pilot in the flight test center at this vital installation.

In 1955, Commander Thomas was designated as air operations officer on one of our most important vessels, the U.S.S. *Forrestal*. A year later he was promoted to project coordinator for special weapons at Kirkland Field, N. Mex. At the time of his death he was serving his country as commanding officer of squadron 125.

Among the decorations awarded to Commander Thomas for his faithful and heroic service were the American Campaign Medal, Asiatic-Pacific Campaign Medal, World War II Victory Medal, Navy Occupational Service Medal—European Clasp, National Defense Service Medal, Philippine Liberation Ribbon, Order of the British Empire, and Netherlands Order of the Orange Nassau.

The loss of Commander Thomas is felt keenly by the Armed Forces of the United States, by his many friends and relatives in West Virginia and throughout the world, and by all who respect and admire honor and devotion to the service of one's country.

The Fabricating Clause as Effected by Section 8(e) of the Labor-Management and Disclosure Act of 1959

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, because of the limitation of time in the debate on the conference committee's report on the recently passed labor reform legislation, it was impossible during that debate for me to establish a very important point of legislative history relating to the effects of section 8(e) of the new Labor-Management Reporting and Disclosure Act of 1959. For that reason, I consider it imperative that the legislative intent be made clear on a proviso contained in this act.

Many building trade unions officials advise me that there have been numerous questions submitted to them both by local union officers as well as contractors asking the question whether or not their particular subcontracting clauses in their existing agreements are covered by the proviso to section 8(e) of the new Labor Management Reporting and Disclosure Act of 1959. More particularly, the question has arisen by the Plumbers and Pipefitters International Union based on what is known as their fabricating clause. In the plumbing and pipefitting industry, plumbing or pipefitting contractors have a collective bargaining agreement with the Plumbers and Pipefitters local unions, recognizing the Pipefitters local unions as the exclusive bargaining agent for all journeymen pipefitters engaged in fabrication and installation of pipe on a jobsite.

The collective-bargaining agreement further provides that all pipe installed on the jobsite must be either fabricated on the jobsite or in a shop of the employer. By fabrication is meant the cutting, bending, or fitting of pipe. A pipefitter is a fabricator. His job is to fabricate pipe. Fabrication of pipe can be performed either at the construction site or in a shop.

There is a further clause in the contract that provides that the contractor may subcontract out the pipe that is to be installed on the jobsite for fabrication in another shop provided that the subcontractor to whom the pipe is to be fabricated has an agreement with a local union of the pipefitters and pays the prevailing building and construction wage rate for pipefitters engaged in the fabrication.

This subcontracting clause is agreed upon in order to protect the wage rate and working conditions of the pipefitters. It is a term and condition of employment.

Section 8(e) was written in the Labor Management Reporting and Disclosure Act of 1959, abolishing hot cargo clauses and other forms of contract boycotting activity. However, there was inserted the following proviso: "*Provided*, That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer of work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or other work."

The proviso above set out embraces and covers all forms of contracting or subcontracting clauses in agreements between building and construction contractors and building trades unions, with respect to work to be done at the jobsite. The pipe installed on the jobsite must be cut, treated and fabricated prior to installation. This is done at jobsite in some jobs or at the shop of the employer, or may be subcontracted by the contractor. This is all a question to be covered by the collective bargaining agreement.

The proviso permits plumbers and pipefitters local unions to bargain with their contractors relative to the contracting or subcontracting out of any fabrication of the pipe or the parties may agree that it may be done at the jobsite.

A question has arisen as to whether or not the plumbers and pipefitters fabrication clause falls within the above quoted proviso of section 8(e). It was the intent of the conferees that the quoted provision 8(e) applies wherever the work involved could be performed at the construction site. Fabrication can be and generally is performed at the construction site and since the fabrication clause relates to work which can be done at the jobsite, the fabrication clause contained in the National and Local Agreements of United Association local unions, is within the coverage of the construction industry proviso in section 8(e). This matter was expressly considered and discussed in the conference on the labor reform bill. By use of the phrase "relating to work to be done at the site of the construction," the conferees intended to cover all work which could be done at the site of the construction. The type of building and construction clauses which are outlawed and do not fall within the proviso are clauses which restrict the use and installation of manufactured articles. The proviso was never intended to prohibit a fabrication type of clause where the work or fabrication could be done or performed at the jobsite.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of my newsletter which was released today:

KEENOTES
(By Representative ELIZABETH KEE, of West Virginia)

WASHINGTON, September 14, 1959.—One of the most encouraging developments insofar as the Fifth Congressional District is concerned was the action by the House and the Senate in overriding the President's second veto of an appropriation bill for flood control and navigation projects and other public works.

This means that the final legislative obstacle to beginning work on two urgently needed flood control projects in the Fifth Congressional District—Brush Creek at Princeton and Meadow River at East Rainelle—at a cost of about $500,000 each—has now been completed. Also included in the bill was nearly $71,000 to complete preengineering planning for the Williamson flood wall, as well as funds to continue the resurvey on the Big Sandy River.

Because of the importance of these projects to the Fifth District, I found it impossible this year to return home for Labor Day, as has been my custom. The House voted on Tuesday on the revised public works bill and those of us who are interested in providing adequate flood protection for our people had to spend Labor Day in Washington rallying support for the bill.

Both the House and the Senate passed the bill, the total of which was reduced by 2½ percent. The President vetoed this second bill but for the first time in 6 years the President's veto was overridden.

I cannot understand the President's veto. He objected to new starts included in the bill which had not been budgeted by the Budget Bureau—including the Princeton and East Rainelle projects. Yet, he does not object to the use of foreign aid funds to start almost identical projects in foreign countries.

It is popular to refer to the public works bill as pork barrel. But how in the world can anyone believe the projects in the Fifth Congressional District of West Virginia are not justified. The loss from recurring floods has been tremendous and unless these projects are built, the areas involved can look

forward to frequent recurrence of devastating and costly disasters.

There is yet one difficulty to be faced before the funds included in the appropriation bill can actually be spent.

President Eisenhower can freeze the funds for all projects not budgeted by the Bureau of the Budget. But if he does, the money will remain allocated to these projects and cannot be used for any other purpose. I sincerely trust he will not do this. There would be nothing to be gained by such stubborn action on the part of the President.

The Princeton and East Rainelle and Williamson projects are urgently needed. Our people have suffered long enough. Now that Congress has spoken in such a decisive manner, the President should permit Army engineers to proceed in an orderly manner and get the projects under way without further unnecessary delay.

At this time I would like to acknowledge the tremendous help of Speaker SAM RAYBURN and Senate Majority Leader LYNDON JOHNSON in helping secure approval of the projects in the Fifth District. These two men are sincere friends of West Virginia. They understand our problems and they have gone out of their way to be helpful, not only on this particular problem, but on other matters of great interest to our State.

FULL DISCLOSURE ON FOREIGN AID SPENDING URGED

The House, in approving the mutual security appropriation, adopted an amendment requiring the International Cooperation Administration to make a full disclosure to Congress on expenditures of foreign aid funds. The Senate has knocked this amendment out of the appropriation bill.

A determined effort will be made to keep this provision in the bill. I am a member of a Government Operations Subcommittee which serves as a watchdog of the foreign aid program. Our experience has been that ICA officials make a determined effort to cover up waste and misuse of funds. Requests for information are frequently denied.

A congressional mandate cutting off funds in the event information is withheld would be a big help in efforts to bring about better, more efficient operation of the program.

Washington Report

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. UTT. Mr. Speaker, under animous consent to extend my remarks in the CONGRESSIONAL RECORD, I would like to include my newsletter of September 17, 1959, to my constituents on the subject of Government bond interest:

WASHINGTON REPORT
(By JAMES B. UTT)

This is what the summer TV programs bill as a repeat. However, while the subject matter is the same as that contained in my release of February 26, the script is somewhat revised. I do this for the purpose of bringing to the attention of the people in my district the serious financial crisis faced by the U.S. Government and to show that this crisis can be met if the politicians in Congress will show a little more love for their country than for themselves.

The spectacular headlines on the front page deal with high interest rates, but you have to turn to the editorials and the financial columns of the newspapers to find the basic causes. It is a complicated question and is little understood by the average citizen who is so adversely affected. In two special messages to the Congress the President has put us on notice of the impending crisis and has requested prompt and positive action to permit the Treasury to manage our debt upon a sound fiscal basis.

The Ways and Means Committee, to which this legislation was referred, spent weeks in executive sessions with the Secretary of the Treasury and the Chairman of the Federal Reserve Board. At no point did the members of the Ways and Means Committee question the testimony of these 2 high Government officials, and at one time our committee voted 15 to 10 to provide the required legislation. The 10 Republican members and 5 Democrats voted affirmatively. However, the matter drug along for a week or 10 days, and then the committee reconsidered the matter and, on motion to report out the needed legislation, the vote was 14 to 11 against it with the 10 Republican members and 1 Democrat voting for it. What happened to make this committee reverse itself? The crisis had not vanished. There was no challenge to the testimony which we had received from the Secretary of the Treasury. The answer is simple—political instructions from the Democratic leadership. High interest rates was to become the Democratic campaign issue for 1960. Because high interest rates strike at every segment of our economy and the cause is complicated to explain; it appeared to be the only campaign issue left for the Democrats. Unemployment had disappeared, prosperity had returned, international relationships had improved, and the Republicans, backed by the President's vetoes, had slowed down the wild spending programs introduced at the first of the session. Ninety percent of the financial writers, including the Democratic South, have used millions of words urging the Congress to meet this crisis before it explodes; but the Democratic leadership turned a deaf ear to this warning and, when a substitute motion was made on the floor of Congress to grant the President the right to raise interest rates on long-term bonds, all but two Republicans and only one Democrat voted for it. The Democrats viewed with alarm the rising costs of money in the short-term market but would take no steps to remove the pressure by permitting the Federal Government to raise the statutory interest rate of 4¼ percent on long-term bonds. As a result, the Treasury is forced to go into the short-term market and compete with the needs of every consumer in America. This great demand, which far exceeds the supply, automatically forces an increase in the rental charge for the use of money.

We are a victim of our own prodigality. In other words, the chickens have come home to roost. For years we have been spending more than we could afford to spend and the deficits have built up. The $13 billion deficit last year had to be financed in the short-term market and created an unprecedented demand for money. On the other hand, if we had been able to have reduced our national debt by even a few billion dollars, we would have supplied money to the short-term market and interest rates would have gone down. As Americans we should not be proud of the fact that many of our Government bonds are traded in the market at 81 and 82 cents on the dollar, while bonds of the Japanese Imperial Government are selling at 100 to 101 cents on the dollar in the same market. In fact, there are a dozen foreign long-term issues selling at over a hundred cents on the dollar because these foreign governments are realistic and pay an interest rate sufficiently attractive to invite buyers.

The simplest illustration which I can give on the effect of supply and demand on the short-term market would run something like this: You have a pail of water (which corresponds to the supply of short-term money) with which you intend to water a large flock of chickens (the demand), but along comes a thirsty hog (the Federal Government) and preempts more than 50 percent of the water in the pail so that some chickens will either go without water or, figuratively speaking, would pay a higher price for what they get. If that hog was not thirsty and came along with another pail of water, there would be more than the chickens needed.

The crisis is so serious that I firmly believe the President will take it to the people on television and call a special session later this fall, as the maturing issues will have to be paid out of short-term borrowing and, every time the short-term interest rate goes up, the market value of the outstanding long-term bonds will go down. In other words, as the short-term rate goes up a percentage point, the market of the long-term bonds now selling in the eighties will drop a minimum of another five points. The only other alternative to this is printing-press money, and let me remind you that printing-press money issued in several of our neighboring republics has depreciated the value of their currency 99 percent, which in this country would mean that your dollar would be worth one penny in a very few years.

The Consumer Finance Business

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. HECHLER. Mr. Speaker, it is frequently said that the American standard of living is based on credit, and credit makes it possible for a poor man to enjoy many things formerly enjoyed only by the rich.

Credit is supplied by many institutions, such as banks, savings and loan associations, insurance companies, credit unions, and retail establishments. Today I want to direct my remarks to the small loan companies which have been and are fulfilling a special service to many communities.

Not too many years ago, unscrupulous lenders gouged their customers with usurious and extortionate interest rates and were justifiably labeled "loan sharks." I submit, Mr. Speaker, that the day of the loan shark is passing and we are witnessing the rise of thousands of respectable consumer finance companies which have helped countless people over rough spots.

I suppose the small loan company is the only agency which will gamble by handing out cash to a man they have never seen before. Who else would help out a man when the furniture store is ready to repossess the bed he sleeps on, the utility firm has cut off his service, and he is really up against it? Should a man facing these hardships humiliate himself by trying to get his friends and relatives to bail him out? I say there is a definite place for the small loan company, where a man can receive sympathetic treatment instead of the cold, fishy stare which he gets when he asks

for credit without a large security or long seniority on his job.

Thanks to a model uniform small loan law, an overwhelming majority of the States have passed small loan acts which protect borrowers against unduly high interest rates and other practices which might injure those who borrow money. These small loan acts are additional protection also to the reputation of the honest and legitimate consumer finance businesses which have done so much to further the general welfare and meet the needs of those in the lower and medium income brackets.

U.S. Foreign Policy and an International Health Program

EXTENSION OF REMARKS
OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD an address delivered by me, on August 31, 1959, before the inaugural banquet of the American Podiatry Association at the Starlight Roof of the Waldorf-Astoria Hotel, New York City.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

U.S. FOREIGN POLICY AND AN INTERNATIONAL HEALTH PROGRAM

The cold war has ushered in an era of personal diplomacy requiring a maximum amount of foot power by the free world leaders—a lot of it is being exercised right now by Presidnt Eisenhower on this trip abroad and will be again when he visits Russia later on. Our President's trip is a convincing demonstration that we are prepared to make every effort, every sacrifice, and set foot when invited in any country on earth if it will prevent the world from exploding into the holocaust of atomic war. Also, great foot power is needed in the effort and sacrifice of Americans to hold the free world's own in the cold war. There is something symbolic therefore about your profession in terms of the present grave international tensions and their focal point at the moment in the impending Eisenhower-Khrushchev conversations here and in the Soviet Union.

In order not to be lulled into complacency by the latest Soviet peace drive so artfully promoted by Premier Khrushchev's visit here, we have to understand clearly our objectives. In addition to disarmament under United Nations inspection and control, the rule of international law, a strengthened United Nations, self-determination for the captive peoples and an end to Communist promoted international subversion of free world governments, we also have as a major objective the raising of living standards and therefore of health standards for the peoples of the world. Indeed, we are convinced in the free world that as the world's people are healthy and prosperous so the cause of freedom will triumph. We do not need to indoctrinate healthy and prosperous people with the concepts and ideals of freedom and individual dignity—they will indoctrinate themselves.

Therefore, high on the agenda for the discussions between President Eisenhower and Premier Khrushchev later this month should be a renewal of the proposal by the President that the U.S.S.R. join forces with United States in spearheading a full-scale assault against the killer and crippler diseases which ignore national borders to ravage entire populations and limit the average life span of 1,800 million people in the world to under 50 years of age.

In his state of the Union message in 1958, President Eisenhower suggested a coordinated drive to stamp out malaria on both sides of the Iron Curtain, but this invitation was not accepted by the U.S.S.R. Today, it would be far more difficult for Premier Khrushchev to turn down an offer to work side-by-side with us in the life and death fight against cancer, heart disease, yellow fever and tuberculosis, as well as malaria and other tropical diseases. Indeed, the blueprint for massing the medical resources and research skills of the United States and other nations to cooperate in a global assault against the major diseases has already been formulated in our health for peace plan. The core of the plan is the International Health and Medical Research Act of 1959 authorizing $50 million for the purpose which passed the Senate on May 20, 1959, but which to this very day is still languishing in the Committee on Education and Labor of the House of Representatives. It is imperative that this bill be passed by both Houses of Congress before adjournment so that the President will have it before him for signature upon his return from Europe and as he prepares for the Soviet Premier's visit.

The health for peace program establishes an Institute of International Medical Research within the National Institutes of Health which would administer grants for research into the causes, diagnosis, treatment, control, and prevention of mental as well as physical diseases, for rehabilitation of the handicapped, and with provision for aid to hospitals, universities and laboratories furthering such programs; it would also assist by loaning equipment, improving facilities and cooperating with world health groups, including the exchange of medical personnel with all participating countries—in such exchanges the U.S.S.R. and other Communist countries are included.

Since 1958 when the Soviet Union refused to lend any of its medical personnel or resources to the President's suggestion for a joint international medical effort against malaria, it has missed few opportunities to boast of the gains it has made in its national health record. The U.S.S.R. wishes us to believe that its budget for public health and physical culture has been increased 75 times in the last 30 years—that the average life span has jumped from 44 years in 1926 to 67 years today—that currently, 16,000 physicians are being graduated yearly (compared with fewer than 7,000 in the United States) that pioneer research work unattempted so far in the West is well underway in Soviet laboratories.

If in the face of these efforts to impress us with the Soviet health effort President Eisenhower should propose and Premier Khrushchev again refuses to participate in an international medical peace mission to benefit all peoples, then what more positive proof can the newly independent nations receive which will testify to the genuine concern of the free world for their welfare in contrast to the callous disregard of the Communists for any but purely political advantages. If on the other hand, Premier Khrushchev agrees to participate, then a truly historic and dramatic opportunity exists for us to raise health standards throughout the world, and to add years onto the lifespan of the baby born today in India where the average lifespan is 31 years, or in China where it is 40 years. The end result should then prove to be a material lessening of the causes for chronic poverty that threaten the stability of society in the newly developing nations and a new surge forward in the living standards of mankind.

Let me reiterate the absolute necessity for Congress to act now on the health for peace bill, so that the President will be fully prepared to back up immediately any proposal for international health he may decide to put to Khrushchev.

Just as there has been growing support for U.S. leadership in the health field abroad, it is becoming increasingly apparent that leadership at home may develop congressional action on a national health program open to members of all groups—too frequently not the case now under our regular health insurance or voluntary plans. The problem of health coverage by voluntary means is twofold: one, the inadequacy of coverage under existing plans and premiums; and two, the lack of coverage for the aged, the indigent and the unemployed. Both of these inadequacies will require some help from the Federal Government. This help may be through the voluntary health plan network now already covering 121 million Americans in some fashion, or by relatively direct Government action like that in the Ewing plan rejected during the Truman administration. I favor the former. This major issue will very likely have to be resolved in the next Congress. A Federal Health Study Commission such as I have proposed, which would appraise the scope and sufficiency of existing voluntary health plans and suggest some type of national health program in which the Federal and State governments may participate but in which voluntary cooperative organizations will give the coverage, could give us the best leadership. I believe Senator LISTER HILL, chairman of the Labor and Public Welfare Committee, before which this bill is pending, and a leader in this field will give the bill a hearing soon.

The private relationship and free choice between doctor and patient should be preserved, and we should utilize the foundation we have already in existing voluntary cooperative health plans. The great attention paid last week at the convention of the American Hospital Association to proposals to reevaluate and broaden coverage presently available under voluntary health and hospital plans indicates an awareness by those within the profession that if improvement does not come from within, it may well have to come from Government.

A prime cause for concern, is, of course, the staggering increase in the cost of medical care today. A study by the Bureau of Labor Statistics of the U.S. Labor Department shows that in the period from 1936 to 1956, hospital room rates increased 265 percent, general practioner's fees rose 73 percent, and surgeon's fees went up nearly 60 percent. Today, the cost of medical care continues to rise faster than any other component in the cost-of-living index—it was up 4.4 percent in July over a year ago and is now more than 50 percent higher than it was 10 years ago. Although premiums for hospital care coverage have been steadily rising since they were first included in the Consumer Price Index in 1950, the Blue Cross plans reported a $40 million deficit after paying out some $1.4 billion in benefits for 1958.

The sizable increase in the number of people who have joined voluntary cooperative health plans in recent years indicates that these plans have won popular acceptance as the soundest available way to meet the unpredictable cost of medical and hospital care. However, the fact that more than 121 million people held some sort of health protection leads to a very misleading diagnosis—the harsh counterweight to that large enrollment figure is that less than one-quarter of our total medical bill for 1957 was covered by prepaid hospital, surgical and medical insurance plans. With less than $3.6 billion of the $15 million total accounted for by these

plans, that is symptomatic of the inadequacy of the protection held, to say nothing of the financial burden which must have been borne for the 50 million or more Americans who have no health coverage whatsoever.

One of the most discussed and one of the most controversial approaches to caring for the health needs of the aged is incorporated in H.R. 4700, the bill introduced by Representative AIME J. FORAND, Democrat, Rhode Island, which would extend health insurance to everyone eligible to receive social security checks, an estimated 9.3 million people, according to the Department of Health, Education, and Welfare. However, desirable as is the objective of extending health coverage to the aging, the estimate of the Department of Health, Education, and Welfare that the budget would have to provide an additional $1 billion annually under the Forand bill has discouraged so far the possibility of any final action by Congress this year.

I am more convinced than ever that the best middle-of-the-road approach at this point is the creation of a Health Services Study Commission such as I have proposed which would conduct a 2-year study to determine (1) what, if any, legislation on the Federal level is needed, (2) whether existing voluntary private and nonprofit programs are meeting current needs, and (3) whether our overall responsibility in making sure adequate health protection is available to the aged, indigent, and unemployed can be met by private agencies. This kind of national inventory of our health services is imperative. It will provide the truest assessment of not only the Social Security health insurance plan, but of alternatives to it including Federal reinsurance for private health insurance companies, direct Federal assistance to persons unable to finance their own medical costs to obtain coverage through voluntary cooperative health protection plans. One thing is certain, there is growing national sentiment for Congress to enter the practice of preventive medicine in the field of national health insurance before the condition becomes acute and medical costs reach a fever pitch.

My Report to the District on the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF
HON. MERWIN COAD
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. COAD. Mr. Speaker, it is my practice to keep the people of the Sixth Iowa District informed on the legislative work accomplished by the House of Representatives and to report on my activities each year through a year-end report. The following summary sets out the high points of the legislative work of the 1st session of the 86th Congress.

ECONOMY

The underlying theme of this eventful session of the Congress has been "hold the line on Government spending." The Congress not only held spending within the President's budget requests but actually shaved further reductions in appropriations of the tax dollars.

I supported the House Committee on Appropriations in their efforts to cut the overall budgetary appropriations and voted for appropriation bills which contained these spending cuts. My philosophy is that we must appropriate every cent we need for the necessities of our people at home, including all the necessities for defense, but not one red cent for waste.

AGRICULTURE COMMITTEE APPOINTMENT

Although this has not been an altogether productive year for farm legislation, it has been most gratifying to me to serve the farmers of Iowa and the Nation as a member of the House Committee on Agriculture.

The Presidential veto of the wheat bill dampened hopes for major revisions of the farm programs. My omnibus farm bill was one which was shelved by continued veto threats. Mr. Benson, speaking on behalf of the administration, frankly stated that he would not let any legislation pass which raised the parity supports even so little as 1 percent, no matter how much production was reduced. This attitude created a complete stalemate as these views are not shared by the majority of the membership of the Agriculture Committee.

OFFICE ACTIVITIES

During this session I have introduced 33 bills and resolutions which can be divided into 4 main categories as measures to assist or otherwise to be of benefit to the farmer, the small businessman, the laborer, and the elder citizen. I have spent a great deal of time writing letters, testifying, and working for these measures as well as other legislation which you have urged me to support. Items, other than farm measures, which I have given particular stress include transmission lines for western Iowa, amortization deductions for small business, reduced interest loans for small businesses which build facilities to process surplus farm products into new industrial products or uses, raising income limitations of the Social Security Act, pensions for veterans and their widows, extension of rural mail routes, creation of food storage program for national emergencies, wildlife and conservation programs, education and scholarship loans to students, extension of GI bill, establishment of Great White Fleet, and a program for the annual reduction of the national debt.

The following list of the important issues which came before the House of Representatives during this session of Congress provides you with my voting record and the current status of the legislation:

How I voted	Issue	Status
For	Admission of Hawaii as our 50th State	Became law.
Do	Continuing direct loans to veterans	Do.
Do	Extending Federal aid to airports	Do.
Do	Removal of REA from total control of Secretary of Agriculture	Vetoed.
Do	Self-financing authority for TVA	Became law.
Do	Federal program to improve housing	Sent to President.
Do	Extension of water pollution control program	On Speaker's desk.
Do	90 percent price support and acreage reduction for wheat	Vetoed.
Do	Strengthen wheat marketing quota and price support program	Do.
Do	Mutual security for world peace	Became law.
Against	Lower reserve requirements for Federal Reserve banks	Do.
For	Labor reform legislation (S. 1555 on final passage)	Do.
Do	Extending Public Law 480 with food stamp amendment	Sent to President.
Do	Health benefits program for civil service employees	Do.
Do	Public works appropriation (veto overridden)	Became law.
Against	1-cent increase in Federal gasoline tax	Sent to President.
For	Research program for industrial uses of agricultural commodities	Awaiting conference.
Do	Small business research and counseling grants	Sent to President.
Do	Veteran's pension program	Became law.
Do	Increasing savings bonds interest rates	Sent to President.

Coastal and Intercoastal Shipping

EXTENSION OF REMARKS
OF
HON. JOHN JARMAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. JARMAN. Mr. Speaker, the Secretary of Commerce has been instructed by the President to undertake a study of certain major problems of the transportation industry, to comprise both those elements relating to economic well-being of the industry and the country, and also the readiness of various segments of the industry to assume their proper roles in the national defense.

One of the most urgent and critical situations within the transportation industry is that of the general cargo common carriers coastal and intercoastal shipping lines. An abundance of statistics and testimony has been furnished to committees of the Congress last year and this year pointing up the drastic decline which has taken place over the last 20 years in this industry, with its attendant consequences in unemployment, scrapping of vessels, and all the resulting effects on both the commerce and the national defense of the United States.

There were nine companies in this trade in 1940, employing 108 vessels and carrying approximately 5½ million tons of cargo. This had declined to two companies by 1958, operating a total of 10 vessels and carrying less than 1½ million tons of cargo.

To my knowledge, no other segment of transportation has undergone an experience remotely similar to this and I urge that the Department study focus very heavily upon the causes and the cures for this situation.

Coastal shipping has always been of vital importance to the economy of the United States; the existence of most of our great seaboard cities was founded upon the availability of low cost deep water transportation along the coasts and between the coasts. The costs of deep water transportation, though sub-

ject to increases over recent years like the costs of everything else, still remain lower than the costs of land transportation. Unless coastal shipping is resuscitated, there will naturally ensue a long-term upward trend in transportation rates between these cities, once the moderating effects of low cost water transportation is removed. Many great ports of the United States, including such cities as Boston, Baltimore, Philadelphia, Charleston, Galveston, and a number of others, are presently wholly without coastal general cargo service.

I feel certain that the management of the two remaining companies will be happy to furnish the Department's staff with what they believe to be the causes in the decline in coastal shipping along with their recommendations for remedial actions and I am hopeful that the Department will seek their views.

Fresh Evidence of the Need for the Item Veto

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. KEATING. It seems to me the recent difficulties which we encountered with regard to the public works measure should have caused us to again focus our attention on the need for the item veto. I feel confident that the time will come when we shall have to enact something along these lines, and it seems to me the sooner, the better.

I ask unanimous consent to include in the CONGRESSIONAL RECORD my remarks entitled "Fresh Evidence of the Need for the Item Veto."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR KEATING

FRESH EVIDENCE OF THE NEED FOR THE ITEM VETO

I voted to sustain the President's veto of the public works appropriation bill. I did so as a salute to the Chief Executive's political courage in disapproving a measure he knew was of great importance to numerous localities and States. I supported the President because I believed he was completely justified in denying his approval to a bill which contained a plethora of unauthorized, unbudgeted, unapproved items.

After all, Mr. President, we have established certain procedures which should be followed before rivers and harbors and other public works projects should be authorized and funds appropriated for them. Such proposals must gain the approval of the Corps of Engineers. They must be found fiscally sound by the Bureau of the Budget. They should be included in the President's budget.

When a project has cleared those hurdles—hurdles which Congress has created to save itself from wasteful and unneeded spending—then it should get a green light from the House, the Senate and the President. But we should not ignore the safeguards we have established. If we do, why erect them in the first place?

Certainly we cannot have it both ways. We cannot set up tests for each project to pass in order to avoid unnecessary spending, and turn right around and ignore those tests and appropriate funds which have not been justified.

Yet that is what this Congress has done in passing on two occasions appropriation measures literally riddled with unauthorized, unbudgeted items. It is the height of irresponsibility for us to continue on this course, and I commend the President for so sternly calling a halt.

I hoped, therefore, that we would sustain the President's action, and that the Appropriations Committees would finally see the light and promptly give us a bill which contained only properly approved projects. Unfortunately the veto was overridden.

My only regret is that the President was forced to veto this entire measure. I wish he possessed the power to prune out the unnecessary items in this appropriation measure, leaving the good parts, and approving only the budgeted and authorized items. That is the sound and orderly procedure. It can be made possible by giving the President the item veto power.

For many years I have advocated granting the President the power to veto individual items in appropriation bills. Vigorous and wise application of that prerogative by a number of our Governors has resulted in substantial savings, and there is every indication even more fruitful results could be obtained on the Federal level. Political scientists, students of government, and numerous others who have looked into this matter are convinced that it would be a healthy and desirable means for eliminating much of the fat and wasteful spending now contained in appropriations measures approved by Congress.

Most State Governors today possess this power, and it has been consistently advocated by occupants of the White House. President Eisenhower, in his state of the Union message this year again called for the power of item veto, describing such authority as "one of the most important corrections that could be made in our annual expenditure program, because this would save tax dollars."

I agree wholeheartedly with the President's view of the tremendous worth of this additional grant of authority. It is my estimate that hundreds of millions of dollars could be saved annually by strong application of the item veto.

The two public-works bills vetoed by the President this year provide further evidence of the crying need for this grant of authority. To a lesser extent, the same may be said for the housing bill vetoed by the President.

Of course, as things now stand, our Chief Executive must either accept an entire appropriation bill, including all wasteful, unnecessary items, or veto the whole measure, including funds that are justified and needed. If the President had the item veto power he could have pruned the unbudgeted, unapproved provisions from the public-works bill and then have signed a measure that would be sound by every established yardstick.

I am pleased to note that the wise use by the President of his veto power this year has aroused new interest in the item veto proposal. For example, the Washington Post of September 11 pointed out that the failure of the majority leadership to improve on the first public-works appropriations bill "virtually insured the second veto which came so promptly." The Post went on to note that "Congress is unlikely to give up its close direction of rivers and harbors, reclamation projects, and the like until the extravagance of some of these ventures brings about public pressure for a more orderly system, free of pork-barrel politics. But even if Congress ultimately gets around the public-works vetoes they may at least have focused new attention on such abuses. The whole performance is a compelling argument for the item veto."

I subscribe strongly to that evaluation of the present situation as it relates to the need for granting the President the item veto power. The item veto is the only method by which logrolling can be expunged from appropriation bills. Certainly we should not deny the President any weapon he can employ to bring about reductions in unnecessary spending, and in my view the item veto would be the most effective tool we could possibly provide in this never-ending fight to save the taxpayers' money.

On February 3 of this year, in cooperation with a number of other Senators I introduced Senate Joint Resolution 44, which proposes a constitutional amendment to grant the President the power of item veto. Under the terms of this proposal, the President would have the power to disapprove any item or items of any general appropriation bill, just as he can now disapprove as a whole any bill presented to him by Congress. Such vetoes would be, of course, subject to overriding by Congress. This resolution is stated in terms of a constitutional amendment because I believe that is the clean-cut, decisive manner in which to approach the problem.

However, I am willing to support any sound legislative move embodying the same principle as the item veto, although I have some reservations on constitutional grounds as to whether such authority can be delegated other than by amending the Constitution. On July 13 of this year I joined with Senator CURTIS and others in sponsoring S. 2373, which would authorize the President to reduce or eliminate, by Executive order, amounts from appropriations bills. Here, the President's action would be subject to normal congressional review and possible overriding by majority vote of either House. This proposal seeks the same goals as the direct item veto idea, and it has the additional virtue of not having to run the time-consuming gauntlet of approval by the legislatures of three-fourths of the States.

I am hopeful our experience in this session of Congress, where the President has wisely and vigorously employed the veto in the interests of all the American people, will impel a full study of all these proposals to curb wasteful spending. At a time when all of us should be dedicated to fiscal soundness, at a time when all of us should be searching out every means to balance the budget, a full congressional appraisal of the item veto and Executive order proposals is in order.

It is my hope that in the next session these ideas will be the subject of hearings by the Senate Judiciary Committee, and then a proposal will be brought to the floor of the Senate where I am confident of its success. Provision of authority for the President to cut down excessive and unwarranted congressional appropriations—be it by item veto or Executive order—is a step long overdue. No step will contribute more directly nor soundly to wise saving of taxpayers' funds.

I believe it would be helpful to have the text of these two proposals follow my remarks, and they follow:

"SENATE JOINT RESOLUTION 44

"Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution, which shall be valid to all

intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"'*Article* —

"'SECTION 1. The President shall have the power to disapprove any item or items of any general appropriation bill which shall have passed the House of Representatives and the Senate and have been presented to him for his approval, in the same manner and subject to the same limitations as he may, under section 7 of article I of this Constitution, disapprove as a whole any bill which shall have been presented to him.

"'SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.'"

"S. 2373

"A bill to authorize the President to reduce or eliminate by Executive order any appropriation or appropriations made by any Act or joint resolution of the Congress

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to eliminate or reduce by Executive order, in whole or in part, any appropriation or appropriations made by any Act or joint resolution, whenever, after investigation, he shall find and declare that such action will aid in balancing the budget or in reducing the public debt, and that the public interest will be served thereby: *Provided,* That whenever the President issues an Executive order under the provisions of this Act, such Executive order shall be submitted to the Congress while in session and shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such order is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period, there has not been passed by either of the two Houses a resolution stating in substance that that House does not favor such order: *Provided further,* That the continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but, in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain. As used in this section, the term 'appropriation' includes an authorization to create obligations by contract in advance of an appropriation.

"SEC. 2. Any appropriations or parts thereof eliminated under the authority of this Act shall be impounded and returned to the Treasury, and the same action shall be taken with respect to any amounts by which any appropriations or parts thereof may be reduced under the authority of this Act."

Trade Policies

EXTENSION OF REMARKS

OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, the 1st session of the 86th Congress has witnessed a continuation of the controversy between those who advocate freer trade policies and lower tariffs and those who seek the adoption of measures to restore equitable balance to our foreign commerce.

One of the principal arguments of those who want to push the Nation farther along the road to unlimited import competition is that other countries are reciprocating our generosity by lifting the obstacles to U.S. exports. They claim we are not just giving away tariff concessions and receiving little or nothing in return.

This theme was emphasized in a recent exchange of letters between the chairman of the Subcommittee on Foreign Trade Laws and Policy, Committee on Ways and Means [Mr. BOGGS], and the Under Secretary of State, Douglas Dillon.

Responding to the chairman's request for information, Mr. Dillon reviewed various so-called liberalization steps taken in the first 6 months of 1959 by many of our trading partners, among them Argentina, Australia, France, West Germany, Italy, Japan, New Zealand, and the United Kingdom.

But even Mr. Dillon conceded that there is still room for improvement abroad in the treatment of U.S. products. As he noted in his report:

Despite the progress which has been made, however, a number of countries continue to discriminate against U.S. exports. In the coming months, the U.S. Government, through such forums as the General Agreement on Tariffs and Trade and the International Monetary Fund, and in bilateral discussions, will continue vigorous efforts based upon the new financial situation which exists in international trade—to bring about further rapid elimination of dollar trade discrimination.

Perhaps it is significant that only a few days before Mr. Dillon's report was released, the State Department received dispatches from American diplomatic sources in Athens, Greece, and Havana, Cuba, which illustrate the brand of "reciprocity" that is frequently extended to U.S. manufactures, in this case, textiles.

Following is the text of a dispatch from Athens, dated July 17, 1959:

POLEMICS ON MEASURES FOR PROTECTING DOMESTIC INDUSTRY

Actions taken last week increasing basic import duty rate on artificial fiber textiles from 26 to 34 percent as of July 4, and subjecting, effective July 10, all textile imports to advance payments equal to 280 percent of cost, insurance, freight value, brought loud protests from merchants and trade associations. Some trade representatives criticized measures as giving local textile industry virtual monopoly with all attendant evils, while others claimed effect would be to force small importers out of business and allow large importers to corner the foreign textile market. Minister of Coordination answered by saying inter alia that all industrial countries, including United States, protect their textile industries. He also said uproar against measures came from merchants who had been making exorbitant profits on imported fabrics and who disregard facts that their imports reduced national income and that Greek workers need employment. Manufacturing and labor groups lauded the measures and the Minister's defense of them. Manufacturers repeated their longstanding complaint that merchants deliberately and systematically disparage Greek textiles in order to make higher profits from imported materials. They said merchants sell much of these imports at regular prices even though they often acquire them as "seconds" and avoid full Greek import duty by underinvoicing. Latest development was yesterday's visit to Minister of Industry by certain merchant representatives who told Minister many merchants approve of the protective measures.

Comment: Fight is not yet over and the trade groups will be working hard to have the measures rescinded. However, Coordination Minister's position and fact that they are already on the books makes reversal unlikely, though there is some slight chance that modifications may be made to placate merchants whose political influence cannot be completely disregarded.

Next is a Foreign Service dispatch from Havana, dated July 24, 1959:

On July 23, Dr. Fidel Castro spoke at a meeting of the 10th national congress of textile workers. In his speech to the workers, he announced a policy of high protectionism for the textile industry. A literal translation of his remarks on this subject follows:

"So it is that the revolution will go on with its work and we will continue seeing each other, developing all the economic possibilities of our country, among them, this industry (textiles) in which we aspire within 4 or 5 years at the most to double the number of workers employed.

"We aspire to achieve the following goal: That it be possible for the nation to produce absolutely all the textiles it consumes and that nothing further be imported except the raw materials that we cannot produce here. The raw materials that cannot be produced here may be imported but they will be processed here. In Cuba, Cuban products will be consumed. To that end, we rely on the collaboration of this whole sector, workers and industrialists, to set to work so that we may reach the goal whereby all textiles that are consumed in Cuba will be produced in Cuba. For others, there will be a protective customs tariff as high as may be necessary in order that foreign textiles are not imported here. One of the reasons for the revolution is protection, not of foreign interests but of national interests. One of the reasons this is a revolution is that it protects Cubans, and because it protects Cubans, it has incurred the enmity of so many foreign interests.

"We shall raise the customs tariffs as high as may be necessary. Do the Japanese wish preferential nation treatment? Well, we can give them such treatment, but with tariffs as high as they must be, and with that there will be no discrimination against the Japanese. They say that the only thing they want is not to be discriminated against. Very well, we will treat them the same way we treat others, but the customs tariffs shall be established in such a way as to protect, above all, the national industry. The goal must be achieved that here will be consumed only textiles produced in the nation by factories established in the nation and by Cuban workers. And when the peasants start buying clothes and start dressing their children and their families, we are going to require here twice as much clothing as is used today. Furthermore, when the 30 or 40 millions worth of textiles presently being imported are produced here we are going to have work for thousands of Cubans. That is the policy that will be followed by the government on textile matters."

Mr. Speaker, the U.S. textile industry remains in serious difficulty, largely due to irresponsible trade policies. Hun-

dreds of American mills have closed their doors since World War II, hundreds of thousands of jobs have been exported abroad.

The industry's setbacks at the hands of foreign competitors are well documented by the 86th Congress. A special subcommittee of the other body, in Report No. 42, disclosed, for example:

That total employment in U.S. textile mills dropped from 1,325,000 workers in 1947 to about 1 million in 1957, a decline of 24 percent.

That employment losses in mills producing yarn, thread, and broadwoven fabrics were even greater.

That between 1946 and 1957 a total of 717 textile mill liquidations were reported in the press; these liquidations displaced nearly 200,000 workers.

That from February 1951 to April 1958, employment in the American textile industry slumped by 438,000, or 32 percent; of this total, New England lost 158,000 jobs; the Middle Atlantic States lost 126,400 jobs; the Midwest lost 12,700 jobs; the South lost 102,000 jobs.

That the number of woolen spinning spindles in place in the United States dropped from 1,561,000 in 1947 to 744,000 in 1957, a decline of more than 50 percent.

That the number of worsted spinning spindles declined from nearly 2 million to 709,000, or 63 percent, in the same period.

Only recently representatives of both management and labor in the textile industry met with Members of Congress to review the plight of their industry and to urge prompt remedial measures. The National Cotton Council, the American Cotton Manufacturers Institute, and other groups have appealed to the Federal Government for assistance in their struggle to preserve a share of the domestic market from the inroads of sweatshop competition.

Great textile unions in the federation of American labor have called for legislative enactment of quotas and a sliding-scale tariff system to safeguard American jobs and job opportunities.

The revolutionary government of Cuba declares:

> One of the reasons for the revolution is protection, not of foreign interests but of national interests.

The U.S. textile industry, and the scores of other industries distressed by unreasonable import competition, do not propose revolution as a satisfactory solution to their problems. As faithful guardians of democratic processes, they have submitted their case to their elected representatives and to the American people.

So far little has been accomplished to ease the burdens placed on major segments of the textile industry by the continued upsurge of imports. Many of the foreign garments and fabrics which are overrunning the domestic market are manufactured in Hong Kong and Japan, where wages average about 10 cents an hour and 14 cents an hour, respectively, including fringe benefits. The American garment worker, on the other hand, draws an average hourly wage of $2.12, including fringes.

With labor costs accounting for about one-third of the cost of a garment, is it any wonder that U.S. textile producers find themselves unable to compete with foreign manufacturers? Is it at all surprising that American labor raises its voice in protest?

Report of the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a report to the people of Tennessee on the activities of Congress during the 1st session of the 86th Congress. This has been an extremely active session, and a lengthy one. Many of the bills considered here have been of direct concern to the people of my State, and I want them to know of our efforts.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEAR FRIEND: Now that Congress is approaching adjournment, I want to write you about some of my impressions of this first session. And I also want to take this opportunity to thank you for the comments, observations, and recommendations many of you submitted which have been so helpful to me in these past several months.

THE LEGISLATIVE AND THE EXECUTIVE

Before elaborating on specific measures, it should be pointed out that it is the responsibility of the Congress to consider the merits of each proposed piece of legislation and then vote according to the individual conscience of its Members. By the same token, it is the responsibility of the President to consider the merits of each piece of legislation reaching his desk, and sign or veto each measure according to his own conscience.

This session has been marked by many Presidential vetoes.

The President vetoed a measure which would have given the Rural Electrification Administration a more independent voice in the making of loans to REA cooperatives. He vetoed a wheat program bill which would have offered price supports of 90 percent of parity in exchange for 25-percent cuts in plantings. The President vetoed a tobacco program bill which would have stabilized and frozen price supports.

The first two housing bills were vetoed, as were two civil works appropriations measures before Congress overrode his veto.

THE TVA SELF-FINANCING BILL

After a long and arduous fight, a TVA self-financing bill was approved by the Congress and signed by the President after minor changes were made at his request.

This was a piece of must legislation. TVA now may borrow money at interest from private sources as a means of increasing its production and distribution capacities.

A total of $750 million may be borrowed by TVA. This money will be repaid by the Authority from revenues received from the sale of electric power in much the same manner as a merchant borrows money from his local bank to modernize his store or enlarge his stock of merchandise.

It also means that TVA is in a position to adopt a long-range program of expansion, without having to press for annual appropriations from the Congress.

The TVA self-financing bill was important to everyone who lives and works in the Valley.

ECONOMY IN GOVERNMENT

The Congress took a sharp knife and cut $1.4 billion from the President's budget.

LABOR LEGISLATION

In the field of labor-management, the first major piece of legislation since the original Taft-Hartley Act was approved by this session of Congress.

Passage of the measure ended a long drawn out and often bitter controversy in Washington and throughout the United States.

During the peak of the debate, all Members of Congress received hundreds, if not thousands, of letters and telegrams. Some persons wanted a "killer" labor bill, one which would do harm to the average working man by destroying his collective bargaining rights. Others wanted no bill at all. But all in all, the average citizen wanted a measure which would rid labor unions of racketeers and protect the rank and file workers without injuring the legitimate union movement.

The approved labor-management law provides that unions must file regular financial reports, bar former convicts from office, and disclose administrative procedures. It also guarantees freedom of speech, periodic secret elections, and similar rights to members of unions.

The measure gives States the authority to handle certain no man's land cases not now handled by the National Labor Relations Board.

The bill outlaws the hot cargo clause with certain exceptions for the garment and construction industries. It also closes other secondary boycott loopholes.

Another provision outlaws organizational and recognition picketing if the employer has validly recognized another union, or if the employer has held an NLRB election within the preceding 12 months. But such picketing might be considered legal if the employer had engaged in unfair labor practices during the election or in the process of recognizing the other union.

There are 18 million union workers and nearly 60 million nonunion workers in the United States. Good wages built the Nation and made it great. Workers, whether organized or not, are entitled to a decent share of their productivity. They are entitled to fair and honest treatment.

All of us will watch with interest, now that the bill has become law, to determine whether the measure lives up to the intent of Congress. If changes are necessary, the next Congress will have every opportunity to make them.

NATIONAL DEFENSE

We live in an age of pushbutton warfare and we are one of the great powers on earth. Another great power, Soviet Russia, through her leaders, has said on numerous occasions that it has the thermonuclear power to destroy the United States within half a day.

Members of Congress, even before this session, have made every effort to determine whether this Nation is adequately prepared to deter Soviet aggression.

The Gaither report, which was kept secret longer than it should have been, said in part:

"The United States is moving in a frightening course to the status of a second-class power."

The Rockefeller report said:

"Unless present trends are reversed, the world balance of power will shift in favor

of the Soviet bloc. If that should happen we are not likely to be given another chance to remedy our failings."

Adm. Hyman G. Rickover stated: "I think it is almost too late. This is what I worry about. * * * Some of my money for fiscal 1958 which was appropriated by Congress several months ago has not yet been made available to me."

Secretary of Defense McElroy said: "By 1962 the Russians may lead the United States in guided missiles by as much as 3 to 1."

General Thomas Power, Air Force Strategic Commander, stated: "I think you are just risking the whole country. That is how important I feel it is. The force which is now programed is not adequate because it is not coming fast enough."

Faced with these grim facts, the Congress approved a measure to create a new National Aeronautics and Space Administration with nearly $500 million to spend; extended the draft to 4 years; extended the Renegotiation Act under which the Government recovers excessive profits on defense contracts, and in general did its best to overcome the administration's avowed intention of lagging behind the Soviet Union in long-range missiles and other thermonuclear instruments of war.

National defense is a continuing struggle between those who would economize to a point of national risk and those who recognize the need for a first-class defense even if it means tightening belts.

In January, Members of Congress once more will examine the Nation's defense structure with an eye toward further improvements.

NEW FEDERAL JUDGES

A bill creating two additional Federal judgeships for Tennessee was reported out of the Senate Judiciary Committee. I am hopeful of immediate action once Congress meets again in January.

THE NATIONAL DEBT

Congress, at the request of President Eisenhower, raised the legal limit of the national debt to $295 billion. The national debt in 1952, when President Eisenhower assumed office, was $265 billion, or roughly $30 billion less than the present amount.

ALOHA

A 50th State was born this session of Congress with the admission of Hawaii. The borders of the United States now extend northward to within a few miles of Soviet Siberia and into the strategic Pacific.

HOUSING

Two housing bills were vetoed by the President, and a third measure was on his desk as Congress prepared to adjourn.

The need for a sound housing bill was obvious from the start. Millions of Americans live in areas which either have become, or soon will become, slums.

It is necessary for the Government to insure private mortgages if the great postwar building program continues for the benefit of citizens in Tennessee and throughout the Nation.

In addition, hundreds of colleges are hard pressed for classrooms and dormitory accommodations for their mushrooming enrollments.

A key section of the third bill extended the authority of the FHA. The Federal Housing Authority, assuming that such a provision would be approved, already had issued almost $5 billion of "letters of intent" to keep construction moving at a fair and honest pace.

The bill also established minimums of 3 percent on the first $13,600 of a house's evaluation; 10 percent on the value between $13,500 and $18,000; and 30 percent on all over $18,000.

Maximum interest on rental housing and management type mortgages insured by the FHA would be raised to 5¼ percent from 4½ percent with the interest ceiling on sales-type cooperatives raised from 5 to 5¾ percent. The maximum insurable mortgage would be raised from $20,000 to $22,500 for one-family units.

The bill also contained authorization for 37,000 new units for low-rent public housing to be built by local agencies as a stopgap step toward helping cities rehabilitate blighted areas.

Unfortunately the provision authorizing direct loans to colleges for classroom construction and equipment was not included in the third bill. This provision was contained in the first two bills and it was criticized by the President as objectionable.

CIVIL WORKS

The President vetoed two civil works appropriation bills, but the Congress overrode his second veto.

Civil works measures long have been termed "pork barrel" by cynics of Government. Actually, civil works provides money for flood control and reclamation projects.

There is nothing "pork barrel" about a flood. More than 1,000 urban communities in the United States have been classified as flood-endangered areas. The flood threat is increasing with the expansion of suburbia.

During the tragic floods of 1955, damage in the United States was estimated at $1 billion, or approximately the total amount of the civil works measure which was approved over the President's veto.

We certainly must protect our industrial, commercial, and residential areas from floods.

Included in the measures was one designed to bring relief from the continual flooding of farm lands and highways in the Forked Deer and Obion River areas of the west Tennessee drainage area.

Another approved measure calls for a new channel for the Wolf River to help alleviate the flooded Shelby County bottomlands and to remove the somewhat famous unpleasant smells from the north and downtown Memphis.

The approved appropriations bill included 67 new projects, but the total appropriation was less than the amount requested by the President.

INTERNATIONAL AFFAIRS

In this continuing struggle between the free world and the Communist bloc it is necessary for the United States to bolster the economic and military strength of our Allies.

This Congress established a new Inter-American Development Bank to finance projects in Latin America. Congress also boosted U.S. subscription to the World Bank.

A foreign aid measure was approved which included $2.1 billion in military assistance and another approximately $1 billion in economic assistance.

NATO

An important meeting was held in London in June. It was called the Atlantic Congress and it was sponsored by the North Atlantic Treaty Organization. NATO is composed of 15 free world nations who have pooled their military strength to deter possible Soviet aggression. The organization has been most successful in its continuing efforts to keep the Communists behind their Iron Curtain.

The Atlantic Congress was approved by NATO parliamentarians on a resolution which I submitted as chairman of the Political Committee. Some 650 citizens from the NATO countries attended the Congress. Means of strengthening economic, political and cultural ties were discussed and in many ways this was the most important international meeting of the year.

Following the Atlantic Congress, the Senate approved a resolution authorizing the NATO nations to meet again for the same purposes, but this time on a more official basis. The Senate Foreign Relations Committee will hold hearings on the resolution when it convenes in January. The State Department has given a "green light" to the proposed plan.

TAXES

Congress extended for 1 year the Korean war corporation taxes and certain excise taxes. The transportation and local telephone taxes were reduced.

New levies were imposed on life insurance companies which will return the Government another estimated $215 million annually.

HIGHWAY PROGRAM

It looked for a while as if the Federal highway program would be faced with a financial roadblock. As a final resort, Congress increased the Federal gas tax from 3 to 4 cents. This tax becomes effective on October 1, 1959, and continues for 21 months.

Passage of the highway financing act assured by an amendment introduced by Senator GORE and me, construction of a highway bridge over Pickwick Dam near Savannah. This will add another vital link in our highway system.

RAILROAD WORKERS

The Congress approved a measure increasing pension and jobless benefits under the Railroad Retirement and Unemployment Acts.

VETERANS

Provided $100 million for direct housing loans to veterans. Readjusted non-service-connected disability pensions and provided new pensions for widows.

AGRICULTURE

Extended the surplus farm products law. Introduced a Federal food stamp plan for needy families in a few trial areas of the country.

Put a ceiling of $50,000 on price support benefits.

POSTAL AND BOND INTEREST RATES

Congress declined to increase postage rates or interest rates on long-term Government bonds but did increase rates on E- and H-series savings bonds to a maximum interest of 4¼ percent.

AIRPORT PROGRAM

A $63 million matching Federal aid to States was approved this session for airport improvements for the fiscal years of 1960 and 1961.

WILD HORSE BILL

A bill prohibiting mechanized roundups of an estimated 20,000 wild horses in Western States was approved, much to the gratification of humanitarians everywhere.

HIGH PRICES

As chairman of the Senate Antitrust and Monopoly Subcommittee, we turned the spotlight once again on the high cost of living. Hearings of the subcommittee have brought out the fact that once an industry obtains near-monopolistic control of a product, prices are increased far and beyond the worth of the product.

Nobody is against profitmaking, but price gouging is something else.

Upon subcommittee recommendation, this Congress passed a bill to tighten the Clayton Act so as to give speedier relief to small businessmen damaged by monopolistic practices, such as price discrimination.

The Senate passed a bill to make more effective antitrust enforcement by the Department of Justice by empowering the Attorney General to compel the production of documents in civil antitrust suits.

The subcommittee also held hearings and reported for consideration by the Judiciary Committee two important proposed bills: S. 11 (equality of opportunity bill), and S. 442 (premerger notification bill).

Hearings also were held in the administered price field in the bread industry, as well as administered price inflation and the public interest.

CIVIL RIGHTS

The right of every qualified American citizen to vote is basic and sacred. Any intelligent investigation of voting privileges is worth while. I hope that the Civil Rights Commission will get back on the track of investigating the matter of voting, and, at the same time, it will get out of some of the other fields into which, unfortunately, it has wandered.

As Commissioner Battle, a distinguished former Governor of Virginia, has said, we need to have considerably more discussion of the problems of human relations before legislative action is taken.

While I am highly displeased with much of the Commission's report, especially its inaccuracies, I believe that continuation of the study with a revamped Commission may be the best defense against more drastic or even punitive legislation. While the study is going on, a telling argument can be made against the enactment of any punitive legislation. Therefore, I believe extension of the Commission's life is the best way to prevent legislation which could be harshly unfair to the South.

For these reasons, I voted for extension of the Commission. I was joined in this vote by 71 other Senators, including my colleague from Tennessee, Senator GORE, and the Democratic majority leader, Senator LYNDON JOHNSON.

CONCLUSION

Now that the Congress is about to adjourn, it is my intention to visit every county in Tennessee as a means of reporting to the people, and at the same time obtaining advice and recommendations for use when the Senate convenes next January.

In addition, the Senate Antitrust and Monopoly Subcommittee will hold hearings during the next few weeks on such important questions as matched Government bids, the promotion of professional boxing, and administered prices in the drug industry.

I want to express my appreciation for all the letters and suggestions I have received during this session. Be assured that I welcome your continuing interest and recommendations for new legislation.

Sincerely,

ESTES KEFAUVER,
U.S. Senator.

Report to the People of the Eighth Congressional District of Wisconsin—XIII

EXTENSION OF REMARKS
OF
HON. JOHN W. BYRNES
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the 1st session of the 86th Congress.

The report includes all rollcall votes and all quorum calls. Its purpose is to collect in one place and in concise form information which is scattered through some 18,000 pages of the CONGRESSIONAL RECORD.

The descriptions of the bills and the amendments or motions in the report are for purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bills which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill, as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the 1st session of the 80th Congress. This is the 13th report of my voting and attendance record. These 13 reports show how I voted on 1,712 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 95 percent.

Roll-call No.	Date 1959	Measure, question, and result	Vote
1	Jan. 7	Quorum call	Present.
2	Jan. 7	Election of Speaker. (Rayburn, 281; Halleck, 148)	Halleck.
3	Feb. 4	Quorum call	Present.
		H.R. 2256, providing $300,000,000 for veterans' direct housing loans and raising the interest rate from 4¾ percent to 5¼ percent per annum:	
4	Feb. 4	On motion to recommit with instructions to delete additional funds for direct housing loans. (Rejected 123 to 277)	Yea.
5	Feb. 4	On passage. (Passed 310 to 89)	Nay.
		H.R. 2260, extending the Universal Military Training and Service Act until July 1, 1963:	
6	Feb. 5	On passage. (Passed 381 to 20)	Yea.
7	Mar. 4	Quorum call	Present.
8	Mar. 5	Quorum call	Present.
		H. Res. 205, providing for the consideration of H.R. 4221, providing for the admission of Hawaii into the Union:	
9	Mar. 11	On adoption of resolution. (Adopted 337 to 69)	Yea.
10	Mar. 11	Quorum call	Present.
		S. 50, providing for the admission of Hawaii into the Union:	
11	Mar. 12	On passage. (Passed 323 to 89)	Yea.
12	Mar. 12	Quorum call	Present.
		H.R. 1, authorizing a 1-year increase in the diversion of water from Lake Michigan at Chicago:	
13	Mar. 13	On passage. (Passed 238 to 142)	Nay.
		S. 79, permitting the continuance of established coloring practices in the orange industry:	
14	Mar. 13	On passage. (Passed 213 to 94)	Not voting.[1]
15	Mar. 16	Quorum call	Present.
16	Mar. 17	Quorum call	Present.
17	Mar. 18	Quorum call	Present.
18	Mar. 19	Quorum call	Present.
		H.R. 1011, providing for Federal aid for airports:	
19	Mar. 19	On amendment reducing Federal aid for airports by $97,000,000. (Rejected 194 to 214)	Yea.
20	Mar. 19	On amendment to require that no commitments be made for expenditure of funds until such funds are appropriated by Congress. (Rejected 191 to 216.)	Yea.
21	Mar. 19	On passage. (Passed 272 to 134)	Nay.
		H.R. 2575, authorizing the appropriation of $500,000 for the Pan American Games in Chicago:	
22	Mar. 23	On passage. (Passed 258 to 108)	Nay.
23	Mar. 24	Quorum call	Present.
		H.R. 4452, authorizing the increase in U.S. subscription to the International Bank for Reconstruction and Development:	
24	Mar. 25	On passage. (Passed 315 to 57)	Yea.
25	Apr. 14	Quorum call	Present.
26	Apr. 14	Quorum call	Present.
27	Apr. 15	Quorum call	Present.
		H.R. 1321, transferring from the Secretary of Agriculture to the REA Administrator the authority over rural electrification loans:	
28	Apr. 15	On passage. (Passed 254 to 131)	Nay.
29	Apr. 16	Quorum call	Present.
		H.R. 5674, authorizing $1,200,000,000 for certain construction at military installations:	
30	Apr. 16	On passage. (Passed 378 to 7)	Nay.
31	Apr. 29	Quorum call	Present.
32	Apr. 29	Quorum call	Present.
33	Apr. 30	Quorum call	Present.
		S. 144, transferring from the Secretary of Agriculture to the REA Administrator the authority over rural electrification loans:	
34	Apr. 30	On passage over veto of President. (Rejected 280 to 146, a two-thirds majority being required.)	Nay.
35	Apr. 30	Quorum call	Present.
36	May 4	Quorum call	Present.
37	May 6	Quorum call	Present.
38	May 7	Quorum call	Present.

See footnotes at end of table.

Roll-call No.	Date 1959	Measure, question, and result	Vote
		H.R. 3460, authorizing the Tennessee Valley Authority to finance its power program with revenue bonds rather than by congressional appropriations:	
39	May 7	On motion to recommit with instructions to add amendments providing for budgetary control over TVA and repayment of Federal advances and interest. (Rejected, 182 to 231.)	Yea.
40	May 7	On passage. (Passed, 245 to 170)	Nay.
41	May 11	Quorum call	Present.
42	May 18	Quorum call	Present.
43	May 18	Quorum call	Present.
44	May 19	Quorum call	Present.
45	May 19	Quorum call	Present
		H.R. 7007, authorizing appropriation of $480,550,000 for the National Aeronautics and Space Administration for fiscal year 1960:	
46	May 20	On motion to suspend rules and pass. (Passed 294 to 128)	Nay.
		H.R. 7175, making appropriations for Department of Agriculture and Farm Credit Administration for fiscal year 1960:	
47	May 20	On motion to recommit with instructions to bar any Commodity Credit loan in excess of $50,000. (Passed 261 to 165)	Yea.
48	May 21	Quorum call	Present.
		S. 57, authorizing $1,975,000,000 additional Federal housing program:	
49	May 21	On amendment requiring direct congressional appropriation of funds. (Passed 222 to 201)	Yea.
50	May 21	On motion to recommit with instructions to substitute H.R. 7117 eliminating further authorizations for public housing, and eliminating or reducing other items in bill so as to more nearly meet the request of the President. (Rejected 189 to 234.)	Yea.
51	May 21	On passage. (Passed 261 to 160)	Nay.
52	May 25	Quorum call	Present.
53	May 26	Quorum call	Present.
54	May 26	Quorum call	Present.
55	May 27	Quorum call	Present.
		H.R. 7176, making appropriations for the Executive Office of the President and general government agencies for fiscal year 1960:	
56	May 27	On motion to recommit with instructions to provide restriction on President's emergency fund. (Rejected 171 to 229)	Nay.
		H.R. 7343, making appropriations for the Department of State and Justice, the Judiciary, and related agencies for fiscal year 1960:	
57	May 27	On amendment providing $2,000,000 for construction of a new Federal prison. (Adopted 266 to 133)	Nay.
		H.R. 7086, extending the Renegotiation Act for 4 years:	
58	May 27	On motion to recommit with instructions to limit extension to 27 months. (Rejected 153 to 246)	Yea.
59	May 27	On passage. (Passed 381 to 7)	Yea.
60	May 27	Quorum call	Present.
61	June 2	Quorum call	Present.
62	June 2	Quorum call	Present.
63	June 3	Quorum call	Absent.
		H.R. 7454, making appropriations for the Department of Defense for fiscal year 1960:	
64	June 3	On passage. (Passed 392 to 3)	Yea.
65	June 4	Quorum call	Present.
66	June 5	Quorum call	Absent.
67	June 8	Quorum call	Absent.
		H.R. 3610, amending the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works:	
68	June 9	On motion to recommit with instructions to revise matching formula and reduce bill by $500 million. (Rejected 156 to 240)	Yea.
69	June 9	On passage. (Passed 255 to 143)	Nay.
		H.R. 7509, making appropriations for civil functions administered by Department of Army, Department of Interior, and Tennessee Valley Authority (public works) for fiscal year 1960:	
70	June 9	On amendment providing $500,000 for water lily eradication program. (Adopted 199 to 198)	Nay.
71	June 9	On amendment providing $75,000 for Eau Galle River project. (Rejected 192 to 205)	Nay.
72	June 9	On motion to recommit with instructions to reduce by 5 percent each construction item of $5,000,000 or more. (Rejected 149 to 251)	Yea.
73	June 9	On passage. (Passed 380 to 20)	Nay.
74	June 10	Quorum call	Present.
		S. 1901, to maintain the price support level on tobacco at 90 percent of parity:	
75	June 10	On motion to recommit with instructions to freeze tobacco price supports at 1958 level for the years 1959–61. (Rejected 138 to 261)	Yea.
76	June 10	On passage. (Passed 250 to 149)	Nay.
77	June 11	Quorum call	Present.
		H.R. 7246, increasing the price support level on wheat to 90 percent of parity, reducing acreage allotments and for other purposes:	
78	June 12	On motion to recommit with instructions to eliminate 15-acre exemption and to retain present minimum acreage allotment and parity scale. (Rejected 141 to 224.)	Yea.
79	June 12	On passage. (Passed 189 to 177)	Nay.
80	June 12	Quorum call	Absent.
		H.R. 6596, creating a Coal Research Commission:	
81	June 12	On passage. (Passed 251 to 54)	Not voting.[2]
82	June 15	Quorum call	Present.
83	June 15	Quorum call	Present.
		H. Res. 293, providing for consideration of H.R. 7500, authorizing the mutual security program:	
84	June 15	On adoption of resolution. (Adopted 278 to 93)	Yea.
85	June 16	Quorum call	Present.
86	June 16	Quorum call	Present.
87	June 16	Quorum call	Present.
88	June 16	Quorum call	Present.
89	June 17	Quorum call	Present.
90	June 18	Quorum call	Present.
		S. 1968, increasing the price support level on wheat to 90 percent of parity, reducing acreage allotments and for other purposes:	
91	June 18	On adoption of conference report. (Rejected 202 to 214)	Nay.
		H.R. 7500, authorizing the mutual security program:	
92	June 18	On passage. (Passed 271 to 142)	Yea.
93	June 19	Quorum call	Present.
		H.R. 7749, providing that the permanent public debt limit be increased from $283,000,000,000 to $285,000,000,000 and providing for a temporary increase of $10,000,000,000:	
94	June 19	On passage. (Passed 256 to 117)	Yea.
95	June 22	Quorum call	Present.
		H. Res. 288, providing for the consideration of H.R. 3, establishing rules of interpretation governing questions of effects of acts of Congress on State laws:	
96	June 22	On adoption of resolution. (Adopted, 233 to 116)	Yea.
97	June 22	Quorum call	Present.
98	June 23	Quorum call	Present.
		S. 57, authorizing additional Federal housing program:	
99	June 23	On adoption of conference report. (Adopted, 241 to 177)	Nay.
100	June 24	Quorum call	Present.
		H.R. 3, establishing rules of interpretation governing questions of the effects of acts of Congress on State laws:	
101	June 24	On motion to recommit. (Rejected 191 to 227)	Nay.
102	June 24	On passage. (Passed 225 to 192)	Yea.
103	June 29	Quorum call	Present.
104	June 30	Quorum call	Present.
		H. Res. 294, providing for the consideration of H.R. 5752, providing that when a legal holiday occurs on Saturday, the preceding day shall for the purposes of pay and leave of Federal employees be considered a legal holiday:	
105	June 30	On adoption of resolution. (Adopted 341 to 42)	Nay.
106	June 30	Quorum call	Present.
		S. 1120, providing that cash in vaults may be considered part of reserves of member banks of Federal Reserve System:	
107	July 1	On motion to recommit. (Rejected 60 to 309)	Nay.
		H. Res. 295, disapproving Reorganization Plan No. 1 of 1959, which would transfer certain functions from the Secretary of the Interior to the Secretary of Agriculture:	
108	July 7	On adoption of resolution. (Adopted 266 to 124)	Nay.
		H.R. 4957, providing for the admission of statements and confessions as evidence in court cases:	
109	July 7	On motion to recommit. (Rejected 138 to 261)	Nay.
110	July 7	On passage. (Passed 262 to 138)	Yea.
111	July 20	Quorum call	Present.
112	July 21	Quorum call	Present.

See footnotes at end of table.

Roll-call No.	Date 1959	Measure, question, and result	Vote
		H.R. 7500, authorizing the mutual security program:	
113	July 22	On adoption of conference report. (Adopted 258 to 153)	Yea.
114	July 23	Quorum call	Present.
		H. Res. 326, providing for House concurrence in Senate amendments to H.R. 3460, authorizing the TVA to issue revenue bonds:	
115	July 23	On motion to end debate. (Adopted 244 to 166)	Nay.
116	July 27	Quorum call	Present.
		H.R. 7072, providing for the participation of the United States in the Inter-American Development Bank and authorizing $450,000,000 appropriation for this purpose:	
117	July 27	On passage. (Passed 231 to 87)	Nay.
118	July 28	Quorum call	Present.
		H.R. 8385, making appropriations for mutual security and related agencies for fiscal year 1960:	
119	July 29	On passage. (Passed 279 to 136)	Yea.
120	July 30	Quorum call	Present.
121	July 30	Quorum call	Present.
122	Aug. 3	Quorum call	Present.
		H.R. 7740, amending the Agricultural Adjustment Act of 1938 with respect to the preservation of acreage history and the reallocation of unused cotton acreage allotments:	
123	Aug. 5	On motion to suspend rules and pass bill. (Passed 309 to 90)	Yea.
124	Aug. 10	Quorum call	Present.
125	Aug. 10	Quorum call	Present.
126	Aug. 10	Quorum call	Present.
127	Aug. 11	Quorum call	Present.
128	Aug. 12	Quorum call	Present.
129	Aug. 13	Quorum call	Present.
		H.R. 8342, providing for reforms in labor-management activities:	
130	Aug. 13	On amendment substituting provisions of H.R. 8400, the Landrum-Griffin bill. (Adopted 229 to 201)	Yea.
131	Aug. 14	On motion to recommit. (Rejected 148 to 280)	Nay.
132	Aug. 14	On passage. (Passed 303 to 125)	Yea.
		H.R. 7040, making appropriations for sundry independent offices:	
133	Aug. 14	On motion to insist on disagreement to Senate amendment increasing Federal contribution for certain civil defense activities from $10,000,000 to $25,000,000. (Adopted 242 to 166.)	Yea.
		H.R. 6904, establishing an Advisory Commission on Intergovernmental Relations:	
134	Aug. 17	On motion to suspend rules and pass bill. (Passed 335 to 31)	Yea.
		H. Con. Res. 369, expressing the sense of Congress against seating of the Communist regime in China in the United Nations:	
135	Aug. 17	On motion to suspend rules and pass resolution. (Adopted 368 to 2)	Yea.
136	Aug. 18	Quorum call	Present.
137	Aug. 18	Quorum call	Present.
138	Aug. 19	Quorum call	Present.
139	Aug. 19	Quorum call	Present.
140	Aug. 20	Quorum call	Present.
		H.R. 8609, extending the Agricultural Trade Development and Assistance Act:	
141	Aug. 20	On amendment authorizing food stamp plan. (Adopted 232 to 127)	Nay.
142	Aug. 20	On passage. (Passed 305 to 53)	Nay.
143	Aug. 24	Quorum call	Present.
		H.R. 1341, requiring passenger autos purchased by the Federal Government to meet safety standards to be established by Secretary of Commerce:	
144	Aug. 26	On motion to recommit. (Rejected 125 to 264)	Yea.
		H.R. 5421, providing Federal subsidy for construction of certain fishing vessels:	
145	Aug. 26	On passage. (Passed 272 to 108)	Nay.
146	Aug. 27	Quorum call	Present.
		S. 2539, authorizing additional Federal housing program:	
147	Aug. 27	On motion to recommit with instructions to spread the $550,000,000 urban renewal funds over 2 years instead of 1 year and to delete the $50,000,000 loan fund for classroom construction. (Rejected 156 to 231.)	Yea.
148	Aug. 27	On passage. (Passed 283 to 106)	Nay.
149	Aug. 31	Quorum call	Present.
		H.R. 2247, authorizing the conveyance of certain real property to Sacramento County, Calif.:	
150	Aug. 31	On engrossment and 3d reading. (Ordered 205 to 94)	Not voting.[1]
		S. 2162, providing for a voluntary health insurance program for Government employees:	
151	Sept. 1	On motion to suspend rules and pass. (Passed 382 to 4)	Yea.
		H.R. 7889, requiring establishment of marketing quotas for rice when production exceeds normal supply:	
152	Sept. 1	On motion to suspend rules and pass. (Passed 330 to 52)	Yea.
		H.R. 3151, authorizing the Federal Government to cooperate with certain cites in the enforcement of local income taxes:	
153	Sept. 1	On motion to suspend rules and pass. (Rejected 251 to 133, a two-thirds majority being required)	Yea.
154	Sept. 2	Quorum call	Present.
		H.R. 7509, making appropriations for civil functions administered by Department of the Army, Department of the Interior, and Tennessee Valley Authority (public works) for fiscal year 1960:	
155	Sept. 2	On motion to pass bill over veto of President. (Rejected 274 to 138, a two-thirds majority being required)	Nay.
		H.R. 4279, authorizing $6,000,000 for lower Rio Grande irrigation project, Texas:	
156	Sept. 2	On motion to suspend rules and pass. (Passed 282 to 114)	Nay.
157	Sept. 2	Quorum call	Present.
		S. 2524, prohibiting, under certain conditions, States and localities from imposing a net income tax on income from interstate commerce and authorizing a study of problem:	
158	Sept. 2	On adoption of conference report. (Adopted 359 to 31)	Yea.
159	Sept. 3	Quorum call	Present.
		H.R. 8678, providing for additional financing to maintain Federal-aid highway program:	
160	Sept. 3	On passage. (Passed 243 to 162)	Yea.
161	Sept. 4	Quorum call	Present.
		S. 1555, providing for reforms in labor-management activities:	
162	Sept. 4	On adoption of conference report. (Adopted 352 to 52)	Yea.
163	Sept. 4	Quorum call	Present.
		H.R. 9035, removing ceiling on interest rates on series E and H savings bonds and permitting certain exchanges of Government securities to be made without recognition of gain or loss:	
164	Sept. 4	On motion to recommit with instructions to add provisions removing the interest ceiling applicable to long-term marketable securities of the Federal Government. (Rejected 133 to 256.)	Yea.
165	Sept. 4	On passage. (Passed 378 to 7)	Yea.
166	Sept. 7	Quorum call	Present.
167	Sept. 7	Quorum call	Present.
168	Sept. 7	Quorum call	Present.
		H.J. Res. 352, authorizing appropriation of $75,000 for making a study and preparing plans for a proposed additional building for Library of Congress:	
169	Sept. 8	On motion to suspend rules and pass. (Passed 323 to 46)	Nay.
		H.R. 9105, making appropriations for civil functions administered by Department of Army, Department of the Interior, and Tennessee Valley Authority (public works) for fiscal year 1960:	
170	Sept. 8	On passage. (Passed 303 to 93)	Nay.
		H.R. 9069, providing standards for the issuance of passports and authorizing the State Department to deny passports to individuals affiliated with the Communist Party:	
171	Sept. 8	On passage. (Passed 371 to 18)	Yea.
		S. 2208, providing for the treatment of Alaska and Hawaii as Territories other than as States in the distribution of funds under the Federal Airport Act:	
172	Sept. 9	On passage. (Passed 309 to 75)	Nay.
173	Sept. 10	Quorum call	Present.
		H.R. 9105, making appropriations for civil functions administered by Department of Army, Department of Interior, and Tennessee Valley Authority (public works) for fiscal year 1960:	
174	Sept. 10	On motion to pass bill over veto of President. (Passed 280 to 121)	Nay.
		H.R. 8385, making appropriations for mutual security and other purposes for fiscal year 1960:	
175	Sept. 15	On adoption of conference report. (Adopted 194 to 109)	Yea.
176	Sept. 15	On motion to accept Senate amendment extending life of Civil Rights Commission for 2 years. (Adopted 221 to 81)	Yea.

[1] Absent. If present, would have voted "Yea."

[2] Absent. If present, would have voted "Nay."

DAV Services in Maine

EXTENSION OF REMARKS
OF

HON. JAMES C. OLIVER

OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. OLIVER. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of Maine citizens has recently come to my attention. These splendid humanitarian services are not sufficiently appreciated by those who have benefited thereby, directly and indirectly.

Among the several congressionally chartered veteran organizations, which have State departments and local chapters in Maine, is the Disabled American Veterans. The DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war.

DAV SETUP

Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have very substantially benefited every compensated disabled veteran. Its present national commander is Bill H. Fribley, Crestline, Kans. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger, its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris—all located at its national service headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veteran organizations. Nevertheless, since shortly after its formation in 1920, the DAV national headquarters, located in Cincinnati, Ohio, has maintained the largest staff, of any veteran organization, of full-time trained national service officers, 138 of them, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C.

They there have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war handicapped veterans themselves, these service officers are sympathetic and alert as to the problems of other less well-informed claimants.

DAV SERVICES IN MAINE

The DAV maintains one national service officer in Maine, Mr. John F. McPherson, located at the VA Center, Box 151, Togus. The new department commander, William G. Earles of South Portland, is a representative in the State legislature, and the department adjutant is Mr. Robert W. Libby, 11 State Street, Biddeford, Maine.

There is one Veterans' Administration hospital in Maine in which the DAV has a Veterans' Administration voluntary service representative; her name is Mrs. Esther Dee, 502 Allen Avenue, Portland, Maine, and she is located at the 869-bed neuropsychiatric and general medical hospital at Togus.

During the last fiscal year, the VA paid out $29,794,000 for its veteran program in Maine, including $8,470,526 disability compensation to its 10,727 service disabled veterans. These Federal expenditures in Maine furnish substantial purchasing power in all communities. Less than 9 percent, 901, are members of the 10 DAV chapters in Maine.

SERVICE ACCOMPLISHMENTS BY THE DAV

This 9-percent record is strange, in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officers in behalf of Maine veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	17,440
Claims folders reviewed	14,533
Appearances before rating boards	1,765
Compensation increases obtained	1,020
Service connections obtained	301
Nonservice pensions	295
Death benefits obtained	31
Total monetary benefits obtained	$709,309.09

These above figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Maine veterans, their dependents, and their survivors.

SERVICES BEYOND STATISTICS

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel, and assistance extended to all of the claimants who have contacted DAV national service officers in person, by telephone, and by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guarantee loans for homes, farms, and businesses, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointment retentions, retirement benefits, and multifarious other problems.

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—too many times impossible.

A VA claims and rating board can obviously not grant favorable action merely based on the opinions, impressions, or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of these claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

LOSSES BY REVIEWS

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and reduced as to about 27,000 others at an aggregate loss to them of more than $28,000,000 per year. About one-half of 1 percent—0.005—of such discontinuances and reductions have probably occurred as to disabled veterans in Maine with a consequent loss of about $196,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veterans organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. I urge every disabled veteran in Maine to give his power of attorney to the national service officer of the DAV, or of some other veteran organization,

or of the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent, expert national service officer.

COSTS OF DAV SERVICES

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim holder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

METHODS OF PROVIDING SERVICES

Evidently, most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tags—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously sent in a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department, 2,314 of whom, during the last 8 years, were Maine residents.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much-needed public support as will enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

MEMORIAL HONOR ROLL

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustees, the DAV Service Foundation, aggregating $3,300,000 exclusively for salaries to its national service officers. Its reserves having been thus nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all serviced claimants, DAV members, and other social-minded Americans—by direct donations, by designations in insurance policies, by bequests, in wills, by assignments of stocks and bonds, and by establishing special types of trust funds.

A special type of memorial trust fund originated about 3 years ago with concerned disabled veteran members of the DAV chapter in Butte, Mont., which established the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation to which it recently added another $100. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,000, equivalent to about $5 per DAV member—an excellent objective for all other States. Benefactors from 32 States have, up to this time, become enrolled on the memorial honor roll.

Inasmuch as only the interest earning from special donations will be available for appropriation to the DAV for its use in maintaining its national service officer program in the State of residence of each such benefactor, this is an excellent objective also for Maine. Each such special benefactor is enrolled on a permanent memorial honor roll which, updated, is then included in the annual report of the DAV and of its incorporated trustee, the DAV Service Foundation, to the U.S. Congress.

Each claimant who has received any such free rehabilitation service can help to make it possible for the DAV to continue this excellent rehabilitation service for other distressed disabled veterans and their dependents in Maine by sending in donations to the DAV Service Foundation, 1707 18th Street NW., Washington, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member, for which the total fee is $100—$50 to those born before January 1, 1902, or World War I veterans—payable in installments within 2 full fiscal year periods.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations and various religious, fraternal and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service-giving veteran organizations—the United Spanish War Veterans, the American Legion, the Veterans of Foreign Wars, the AMVETS, the Military Order of the Purple Heart, and the Disabled American Veterans. All of America's disabled defenders, who are receiving disability compensation, have greatly benefited by their own official voice—the DAV.

Having been an active member for many years, Mr. Speaker, in veterans' organizations, it is my hope that disabled veterans of Maine will avail themselves of the services rendered by these groups of organized fellow comrades.

Annual Résumé of Appropriations

EXTENSION OF REMARKS

OF

HON. CLARENCE CANNON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. CANNON. Mr. Speaker, in compliance with the usual session-end custom, I include a statistical tabulation summarizing the work of the 1st session of the 86th Congress on the appropriation bills. The tabulation is limited to bills processed by the Committee on Appropriations through the traditional annual appropriations process and does not reflect action on those parts of the President's budget recommendations disposed of through revenue bills or so-called back-door appropriation bills processed outside regular appropriation channels.

Budget estimates of appropriations submitted to the House by the President during the session just concluded, and considered in bills from the Committee on Appropriations, totaled $74,077,609,151. These requests do not include the permanent appropriations recurring automatically under existing law without necessity of annual action. Interest on the Federal debt is the principal item. The January budget estimates for permanent appropriations for fiscal 1960 totaled $8,593 million; it is now known that rising interest costs will run this total up appreciably.

The Committee on Appropriations recommended $71,162,088,261, a net reduction of nearly $3 billion—$2,915,520,890 to be precise. With a single exception, the Labor-HEW bill, every bill was reported below what the President wanted. The vetoed public works bill was reported in the exact amount of the request, but the substitute version, enacted into law over the President's second veto, was slightly less.

Before passage, however, the House, contrary to recommendations of the Committee on Appropriations, insisted on restoring $158,583,500 of committee cuts. The House-passed bills aggregate $71,320,671,761, resulting in a net reduction of $2,756,937,390 below the corresponding Presidential estimates. That is a reasonable total reduction although deeper cuts could have been made without harm to essential functions of Government.

But, Mr. Speaker, while we made these reductions, however inadequate the cuts, the other body, not entirely out of character, insisted that we not only restore many of the reductions but that we exceed the budget requests on some bills. In summary, budget requests considered by the Senate—including items sent to the Senate after the bills passed the House—aggregate $74,859,008,445. Against this, bills passed by the Senate total $73,883,029,577, or $2,562,357,816 above House totals and $975,978,868 below the corresponding budget estimates.

Final amounts approved, again excluding permanent appropriations, total $72,977,598,352, or $905,431,225 below Senate totals but $1,656,926,591 above House totals. The final amounts represent a net reduction of $1,881,410,093 below the President's requests considered in appropriation bills. As noted, Mr. Speaker, these totals do not include amounts of authority to obligate the Government processed outside the traditional appropriations procedure.

The table on appropriation bills processed through the Committee on Appropriations follows:

Comparison of budget estimates and appropriations, 86th Cong., 1st sess.

[NOTE.—Excludes permanent appropriations]

Bill	House				Senate					Final action, amount approved	Increase or decrease, compared to budget estimates
	Budget estimates considered by House	Amount reported by committee	Amount passed	House action compared with budget estimates	Budget estimates considered by Senate	Amount reported by committee	Amount passed	Senate action compared with— Budget estimates	Senate action compared with— House action		
1959 APPROPRIATIONS											
2d supplemental	$2,864,954,526	$2,479,522,494	$2,657,402,994	−$209,551,532	$2,900,799,370	$2,820,040,054	$2,843,902,805	−$56,896,565	+$186,499,811	$2,764,500,380	−$136,298,990
1960 APPROPRIATIONS											
Supplemental	888,931,417	632,568,845	609,843,845	−279,087,572	1,218,090,555	1,076,186,108	1,076,186,108	−141,904,447	+446,342,263	977,345,608	−240,744,947
District of Columbia	(246,698,000)	(237,186,112)	(237,186,112)	(−9,511,888)	(245,990,000)	(241,569,402)	(241,702,402)	(−4,287,598)	(+4,516,290)	(241,289,076)	(−4,700,924)
Loan authorization	(35,400,000)	(33,800,000)	(33,800,000)	(−1,600,000)	(35,400,000)	(34,300,000)	(34,300,000)	(−1,100,000)	(+500,000)	(34,300,000)	(−1,100,000)
Federal payment	34,218,000	27,218,000	27,218,000	−7,000,000	34,218,000	29,218,000	29,351,000	−4,867,000	+2,133,000	27,218,000	−7,000,000
Treasury-Post Office	4,688,327,000	4,628,097,000	4,628,097,000	−60,230,000	4,688,327,000	4,663,158,600	4,664,027,600	−24,299,400	+35,930,600	4,643,363,000	−44,964,000
Interior	491,101,400	472,198,800	472,198,800	−18,902,600	491,101,400	487,211,025	487,211,025	−3,890,375	+15,012,225	481,809,100	−9,292,300
Labor-HEW	3,756,848,581	3,915,084,181	3,915,084,181	+158,235,600	3,756,848,581	4,124,460,581	4,124,460,581	+367,612,000	+209,376,400	4,016,485,981	+259,637,400
Independent offices	6,586,418,000	6,441,069,800	6,459,887,800	−126,530,200	6,586,418,000	6,561,578,600	6,561,578,600	−24,839,400	+101,690,800	6,504,382,200	−82,035,800
Agriculture	4,081,364,863	3,939,165,498	3,939,165,498	−142,199,365	4,081,364,863	3,975,505,148	3,975,774,848	−105,590,015	+36,609,350	3,971,362,673	−110,002,190
Loan authorizations	(388,000,000)	(421,000,000)	(421,000,000)	(+33,000,000)	(388,000,000)	(421,000,000)	(421,000,000)	(+33,000,000)		(421,000,000)	(+33,000,000)
General government	13,608,500	13,338,500	13,338,500	−270,000	13,608,500	13,568,500	13,568,500	−40,000	+230,000	13,463,500	−145,000
State-Justice-judiciary	682,387,600	649,896,700	651,896,700	−30,490,900	682,387,600	650,674,700	650,924,700	−31,462,900	−972,000	648,941,200	−33,446,400
Commerce	732,191,000	674,687,300	675,297,300	−56,893,700	732,191,000	715,328,500	715,328,500	−16,862,500	+40,031,200	712,672,900	−19,518,100
Legislative	105,460,005	100,279,350	100,279,350	−5,180,655	133,648,180	128,797,380	128,797,380	−4,850,800	+28,518,030	128,797,380	−4,850,800
Defense	39,248,200,000	38,848,339,000	38,848,339,000	−399,861,000	39,248,200,000	39,594,339,000	39,594,339,000	+346,139,000	+746,000,000	39,228,239,000	−19,961,000
Public works (vetoed)	(1,185,406,259)	(1,185,406,259)	(1,185,906,259)	(+500,000)	(1,185,406,259)	(1,265,565,559)	(1,265,565,559)	(+80,159,300)	(+79,659,300)	(1,215,477,808)	(+30,071,549)
Public works [1]	1,185,406,259	1,185,309,093	1,185,309,093	−97,166	1,185,406,259		1,185,309,093	−97,166		[1] 1,185,309,093	−97,166
Atomic energy	2,718,715,000	2,660,529,000	2,660,529,000	−58,186,000	2,718,715,000	2,711,829,000	2,711,829,000	−6,886,000	+51,300,000	2,683,029,000	−35,686,000
Mutual security	[2] 4,436,277,000	3,209,782,000	3,191,782,000	−1,244,495,000	[2] 4,824,484,137	3,691,269,508	3,692,262,137	−1,132,222,000	+500,480,137	3,626,718,137	−1,197,766,000
Titles I, II, and III; (MSA, etc.)	[2] (4,436,277,000)	(3,209,782,000)	(3,191,782,000)	(−1,244,495,000)	[2] (4,436,277,000)	(3,305,131,000)	(3,305,095,000)	(−1,131,182,000)	(+113,313,000)	(3,249,095,000)	(−1,187,182,000)
Titles IV and V (supplemental and claims)	(----------)	(----------)	(----------)	(----------)	(388,207,137)	(386,138,508)	(387,167,137)	(−1,040,000)	(+387,167,137)	(377,623,137)	(−10,584,000)
Military construction	1,563,200,000	1,285,002,700	1,285,002,700	−278,197,300	1,563,200,000	1,428,178,700	1,428,178,700	−135,021,300	+143,176,000	1,363,961,200	−199,238,800
Total, 1960	71,212,654,625	68,682,565,767	68,663,268,767	−2,549,385,858	71,958,209,075	69,851,303,350	71,039,126,772	−919,082,303	+2,375,858,005	70,213,097,972	−1,745,111,103
Total, all bills	74,077,609,151	71,162,088,261	71,320,671,761	−2,756,937,390	74,859,008,445	72,671,343,404	73,883,029,577	−975,978,868	+2,562,357,816	[3] 72,977,598,352	−1,881,410,093
Total, loan authorizations	(423,400,000)	(454,800,000)	(454,800,000)	(+31,400,000)	(423,400,000)	(455,300,000)	(455,300,000)	(+31,900,000)	(+500,000)	(455,300,000)	(+31,900,000)

[1] Vetoed and overridden Sept. 10, 1959.
[2] Includes $500,000,000 for Development Loan Fund for fiscal year 1961 (not allowed).
[3] In addition, certain permanent appropriations became available automatically under previous law; January budget estimate was $8,593,000,000, but this is subject to upward revision principally due to increased cost of interest on public debt.

NOTE.—Indefinite appropriations are included in this table.

"BACKDOOR" APPROPRIATION BILLS

The regular appropriation bills at one time disclosed the disposition of the President's spending requests, but in recent years, and especially last year and this year, the appropriation bills are only part of the record.

It is difficult to authoritatively summarize complete disposition of the budget under diffused processes whereby money is removed through the back door of the Treasury as well as through the regular appropriations procedure.

The other body, with the concurrence of the House, continues to insist on preempting the exclusive powers of the House to originate appropriations, resulting in bypassing of annual appropriations review and accounting by the departments for the vast sums expended.

The President twice vetoed the "backdoor" housing bill, terming it excessive and inflationary; it greatly exceeded, on a comparable basis, the President's requests. Excluding the vetoed bill, but including the final version, the following list of "backdoor" bills sent to the President totals at least $5,701 million identified, and some extra billions not precisely determinable. Furthermore, on a comparable basis, these bills exceed Executive recommendations by some $231 million, plus additional billions not precisely identified.

Action on other propositions, such as postal rate increases, not handled through appropriations channels, affect the ultimate Treasury position.

New authority to obligate the Government ("backdoor spending") carried in legislative bills (86th Cong.)—Public debt transactions and contract authorities

Bill and subject	Executive requests		Senate	House	Final	Final compared with requests	
	Full basis	Basis comparable to final				Full basis	Comparable basis
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
S. 1094 (H.R. 4452): Bretton Woods Agreement Act (public debt) [1]	$4,550,000,000	$4,550,000,000	$4,550,000,000	$4,550,000,000	[1] $4,550,000,000		
H.R. 2256: Direct veterans loans (public debt)			100,000,000	300,000,000	100,000,000	+$100,000,000	+$100,000,000
S. 1 (H.R. 1011): Airport grants (contract authority)	200,000,000	120,000,000	465,000,000	297,000,000	126,000,000	−74,000,000	+6,000,000
S. 57: Housing Act of 1959 (public debt and contract authority) (vetoed)	(1,650,000,000)	(800,000,000)	(2,675,000,000)	(1,975,000,000)	[2] (1,300,000,000)	(−350,000,000)	(+500,000,000)
S. 2539: Housing Act of 1959 (public debt and contract authority) (vetoed)	(1,650,000,000)	(550,000,000)	(825,000,000)	(825,000,000)	[3] (825,000,000) [4]	(−825,000,000)	(+275,000,000)
H.R. 8678: Highway Act of 1959							
S. 2654: Housing Act of 1959 (public debt and contract authority)	1,650,000,000	800,000,000	925,000,000	925,000,000	[3] 925,000,000	−725,000,000	+125,000,000
Grand total	6,400,000,000	5,470,000,000	6,040,000,000	6,072,000,000	5,701,000,000	−699,000,000	+231,000,000

[1] $1,375,000,000 for immediate expenditure; $3,175,000,000 in nature of guaranty for World Bank bonds.

[2] In addition, provided for 45,000 public housing units (contract authority) estimated at $874,500,000 and, in addition, carried language permitting an additional number of about 145,000 at an estimated cost of some $2,825,000,000.

[3] In addition, provided for 37,000 public housing units (contract authority) estimated at $719,000,000.

[4] Increased gas tax by 1 cent from Oct. 1, 1959, until July 1961 at which time, for the 3 fiscal years 1962–64, bill actually appropriates to the highway trust fund, from the general fund, certain excise taxes estimated to total approximately $2.5 billion.

So, Mr. Speaker, while we cannot determine with absolute precision the status of the budget, it is conceded that we are on the highroad to still bigger and bigger budgets unless we stop granting licenses right and left to remove more and more money, through every door of the Treasury—money that is not even in the Treasury, money they must borrow—and borrow with increasing difficulty and at ever increasing cost.

Without the Congress directly turning a hand, the interest cost on our staggering Federal debt was estimated in the January budget at $500 million more than the previous year—and not long ago it was officially disclosed that the amount is now expected to go up another $500 million or so to a total of some $8,500 million.

This increase of $1 billion alone will doubtless exceed all the expenditure reductions effective in fiscal year 1960 resulting from cuts in appropriation requests. This colossal rise in interest cost in the short span of only 12 months dramatically, and distressingly, demonstrates the inevitable result of spending more than we take in. So heavy have been the appropriations urged by the President and voted by the Congress that the Treasury is on a hand-to-mouth basis in refunding the Federal debt. We have reached a fiscal crisis of gargantuan proportions.

In 23 of the last 28 years we have spent more than we took in. In the 6 fiscal years (1954–59) under the present administration, budget expenditures exceeded budget income by more than $19,400 million. And we have done this notwithstanding the fact that we were receiving the largest national revenues ever enjoyed by any nation in any period of time. In the fiscal year 1959, closed on June 30 last, the headlong rush to fiscal chaos saw the Treasury suffer from the biggest red-ink spending spree in peacetime history.

Here are the official figures:

Net budget receipts, expenditures, and deficit (−) or surplus (+), 6 fiscal years, 1954–59

[In billions]

Fiscal year	Net receipts	Net expenditures	Deficit (−) or surplus (+)
1. Fiscal 1954	$64.7	$67.8	−$3.1
2. Fiscal 1955	60.4	64.6	−4.2
3. Fiscal 1956	68.1	66.5	+1.6
4. Fiscal 1957:			
(a) Including highway trust fund	72.5	70.3	+2.2
(b) Excluding highway trust fund as per budget	71.0	69.4	+1.6
5. Fiscal 1958:			
(a) Including highway trust fund	71.2	73.5	−2.3
(b) Excluding highway trust fund as per budget	69.1	71.9	−2.8
6. Fiscal 1959: [1]			
(a) Including highway trust fund	70.4	83.4	−13.0
(b) Excluding highway trust fund as per budget	68.2	80.7	[2] −12.5

[1] Fiscal 1959 figures are preliminary; subject to slight revision based on final reports.

[2] January budget forecast was a $12.9 billion deficit.

Net budget receipts, expenditures, and deficit (−) or surplus (+), 6 fiscal years, 1954–59—Continued

[In billions]

Fiscal year	Net receipts	Net expenditures	Deficit (−) or surplus (+)
7. Total all 6 years:			
(a) Including highway trust fund	$407.3	$426.1	$−18.8
(b) Excluding highway trust fund as per budget	401.5	420.9	−19.4

ANALYSIS OF BUDGET DEFICIT, FISCAL 1959

Mr. Speaker, there is the impression that recent record peacetime deficits resulted from declining revenues more than from rising expenditures. Nothing could be further from the facts. The situation is just the opposite. In fiscal 1958, for example, the budget went in the red by $2.8 billion, compared to a nominal surplus of $1.6 billion in fiscal 1957—a deterioration of $4.4 billion. That came about through decline in revenues of $1.9 billion and an increase in expenditures of $2.5 billion.

For fiscal 1959, the year of the largest peacetime deficit, the budget went from a 1958 deficit of $2.8 billion to a $12.5 billion deficit. This deterioration of $9.7 billion resulted from a nominal decline of $0.9 billion in revenues and a huge increase of $8.8 billion in expenditures.

So, Mr. Speaker, the unvarnished truth is that our rapidly deteriorating fiscal situation has its roots in ever-increasing expenditures in excess of record revenues. The following tabulation and analysis of budget deficits for 1958 and 1959 of official figures is in substantiation:

Analysis of budget deficits, fiscal years 1958 and 1959

[In billions]

	Fiscal 1957 actual	Fiscal 1958 actual	1958 actual change from 1957	Fiscal 1959		1959 actual compared with—	
				Original budget estimate	Actual	Original 1959 estimate	Actual 1958
Net budget receipts	$71.0	$69.1	−$1.9	$74.4	$68.2	−$6.2	−$0.9
Net budget expenditures	69.4	71.9	+2.5	73.9	80.7	+6.8	+8.8
Surplus, deficit, or change	+1.6	−2.8	−4.4	+.5	−12.5	+13.0	+9.7

NOTE.—Highway trust fund not included in "budget" figures.

DEFENSE AND NONDEFENSE SPENDING

Furthermore, Mr. Speaker, the widespread impression persists that recent deficit spending results of necessity from heavy defense outlays. That has not been so, and is not now so. It is the nondefense expenditures—the frills and furbelows—that have unbalanced recent budgets, as the following table of official figures discloses:

Net budget expenditures—Defense and nondefense

[In billions]

Fiscal year	Major national security		All other programs		Total net expenditures	
	Defense-military	Total [1]	As per budget	Including highway trust fund	As per budget	Including highway trust fund
1. Fiscal 1953 (Korean war year)	$43.6	$50.4	$23.9	$23.9	$74.3	$74.3
2. Fiscal 1954	40.3	46.9	20.9	20.9	67.8	67.8
3. Fiscal 1955	35.5	40.6	24.0	24.0	64.6	64.6
4. Fiscal 1956	35.8	40.6	25.9	25.9	66.5	66.5
5. Fiscal 1957	38.4	43.3	26.1	27.0	69.4	70.3
6. Fiscal 1958	39.1	44.1	27.8	29.4	71.9	73.5
7. Fiscal 1959	41.2	46.4	34.3	37.0	80.7	83.4
Comparisons:						
a. 1959 compared with last war year (1953)	−2.4	−4.0	+10.4	+13.1	+6.4	[2]+9.1
b. 1959 compared with 1st year of present administration (1954)	+.9	−.5	[3]+13.4	[4]+16.1	+12.9	+15.6
c. 1959 compared with 1st year showing surplus under present administration (1956)	+5.4	+5.8	+8.4	+11.1	+14.2	+16.9
d. 1959 compared with preceding year (1958)	+2.1	+2.3	+6.5	+7.6	+8.8	+9.9

[1] On basis classified in 1960 budget (earlier years included "Defense support" which in 1960 budget is classified as "all other").
[2] Represents increase of 12.2 percent over war year of 1953.
[3] Represents increase of 64.1 percent over 1954.
[4] Represents increase of 77 percent over 1954.

NOTE.—Highway trust fund began with fiscal year 1957.

This tabulation points unerringly to the genesis of the situation. In the year just closed nondefense spending exceeded the first year under the present administration by 77 percent—up $16.1 billion with the highway fund included for comparability, while defense items dropped a half billion dollars.

Again, compare the year just closed with fiscal 1956 when the President first showed a small surplus. It was widely acclaimed at the time that spending was finally under control. In fiscal 1959 spending for nondefense items exceeded fiscal 1956 by $11.1 billion, again including the highway item.

Read it anyway you may, the record adds up to the same indisputable answer—nondefense spending has far outstripped defense spending. At the urging of the administration in a succession of recordbreaking peacetime budgets, we have insistently and repeatedly provided more and more appropriations to be met with money we didn't have for things we could get along without.

These appropriation and backdoor bills, like the President's budget recommendations on which they are based, add up to more than the people can afford.

They, like the President's budget, are too big.

They, like the budget, are inflationary.

They, like the budget, will further cheapen the value of the dollar.

They, like the budget, will hike the cost of living for every American family to still another high watermark. Wages will buy less and less.

They, like the budget, will further erode the people's life insurance, pensions, and savings accounts.

They, like the budget, will throw more roadblocks in the path of the Treasury in refinancing the debt as it comes due—already the situation is of crisis dimensions.

A major proposal of the President's budget message was that we live within our means. On its face, it was in balance by the narrowest margin—$70 million, a mere pittance in the context of $77 billion budgets. Of course, it would have been out of balance except for the President's request that wartime tax rates be again extended—although he has previously insisted that tax rates are too high.

It was a spender's budget. It topped all previous record budgets from President Eisenhower. It proposed to spend more. It was at least $5 billion above the budget against which the people, and even the administration itself, rebelled 2 years previously.

It made no provision for payment on the debt. On the contrary, it proposed a further debt limit increase and urged that the increase be permanent, not merely temporary, thus foreclosing any reasonable prospect of debt reduction or reduction in the stupendous burden of interest cost in the foreseeable future.

It was a standstill budget at best.

It afforded no tangible hope for tax relief. That subject seems to have been all but forgotten.

Official revisions of the January revenue and expenditure estimates for fiscal year 1960 will not be available for several weeks, but there is every reason to expect the new forecast of spending will be higher. Another deficit, instead of the hairline original surplus prediction is a distinct possibility, even a probability. Just that much further down the high road to a fiscal debacle.

THE PUBLIC DEBT

Mr. Speaker, with these successive recordbreaking deficit budgets has come the inevitable succession of increases in the national debt. The tax collector has been working around the clock to bring in money to meet the excessive expenditures. He has succeeded in taking more taxes from the people than ever before but, even with the help of wartime tax rates in time of peace, he has failed to collect enough to balance accounts. So, the Treasury had no alternative but to keep hiking the mortgage against future generations by selling Government bonds to pay for the profligacy of higher and higher budget recommendations and appropriations.

In consequence, the President has made six straight requests to raise the old $275 billion debt ceiling—twice to $281 billion, once to $278 billion, once to $280 billion, then to $288 billion, and this year to $295 billion—an increase of $20 billion over these last few years. Imagine such foolishness, Mr. Speaker—spending more and more beyond our means in times of record national revenues for nondefense purposes with no serious thought of the inevitable day of reckoning. Since the present administration took over, the national debt has increased $18,600 million. Only 2 weeks ago it stood at $290,506,390,464.80—the highest since the Republic was founded. That represents a mort-

gage of $1,635.22 against every man, woman, and child in America today. And it is nearly $11 billion above the highest of the World War II debt and $39 billion above the low water postwar mark.

As the table shows, piece by piece, step by step, the so-called temporary debt ceiling becomes distressingly permanent. No longer does the ceiling serve to restrain excessive spending; it is now a mere annual gesture.

The public debt

Actual increase, 6 fiscal years (1954–59):
[In billions]

July 1953	$266.1
July 1954	271.3
July 1955	274.4
July 1956	272.8
July 1957	270.5
July 1958	276.3
July 1959 (reflects increase during fiscal 1959 of $8.4 billion as compared to January budget forecast of $8.7 billion)	284.7
Actual increase, 6 years (July 1953-July 1959)	+18.6

NOTE.—Old statutory limit of $275 billion raised as follows:
For fiscal 1955 by $6 billion (temporary).
For fiscal 1956 by $6 billion (temporary).
For fiscal 1957 by $3 billion (temporary).
For fiscal 1958 by $5 billion (temporary).
For fiscal 1959 by $8 billion (permanently to $283 billion); $5 billion (temporarily to $288 billion).
For fiscal 1960 (but as of June 30, 1959) by $10 billion (permanently to $285 billion); $10 billion (temporarily to $295 billion).

The red lights are flashing. But we blindly drive through them, ignoring the warnings, heedless of the day when we must pay the fiddler. But, the Treasury has to live with the dire realities of the situation every day of the week. It cannot ignore warnings. It has the job of refunding large parts of the debt coming due—something on the order of $75 billion in the next 12 months.

More and more people are refusing to buy Government bonds. They are cashing in savings bonds twice as fast as they are buying new ones. They know Government bonds are no longer attractive. The rates of interest are too low. The Treasury is unable to meet competition at the old rates. This competition for money to cover the deficits feeds on itself with the result that this year the carrying charge on the debt will exceed last year, we are told, by approximately $1 billion—it will cost us about $8,500 million. We operated the whole Government for that amount just 21 years ago.

Only a few days ago the Treasury paid 3.97 percent interest on 13-week notes—the highest rate for such short-term borrowing in the last 25 years. For 26-week notes it had to pay 4.47 percent. Government bonds have plummeted to the lowest price in history.

The Treasury is between a rock and a hard place. Ever-increasing inflation spawned by deficit spending put it there. The official cost-of-living index has been climbing to new record high watermarks every 30 days for the last several months. And the buying power of the dollar keeps falling. It is now less than 48 cents—one for the price of two rather than the other way around.

All fiscal recommendations begin with the President. He makes the budget. He submits it. He recommends it. And he has been submitting all these record-breaking inflationary budgets. And the Congress has been concurring in deficit spending though at some reduction below the President's asking price.

Mr. Speaker, tomorrow may be too late. An alternative is the possibility of witnessing the fulfillment of Lenin's prediction that we will spend ourselves out of existence.

Civil Rights

EXTENSION OF REMARKS
OF
HON. JOSEPH E. KARTH
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. KARTH. Mr. Speaker, it was with a good deal of satisfaction that I signed the discharge petition on the civil rights bill (H.R. 8601) which I consider to be a significant and much-needed legislative step forward.

It has been said that discriminatory practice against individuals based on consideration of religion, race, color, or national origin is our democracy's greatest unfinished business. I believe this to be true—that is why I am so eager to see early favorable action on H.R. 8601 which would make possible substantial progress in certain areas of civil rights. H.R. 8601 is a bill which is most modest in scope and made so, frankly, to win the widest possible acceptance. The bill deals with the obstruction of court orders in desegregation cases, flight to avoid prosecution with a broadened provision to include the destruction of any building or other real or personal property, preservation of Federal election records, extension of the Civil Rights Commission for 2 years, and education of the children of members of the Armed Forces.

Let me say at the outset that in my view this is not legislation directed at any particular section of the country, North, South, East, or West. There is no monopoly of prejudice in any one section of the country or for that matter any one area of the world. For example, the English who have prided themselves on their tolerance have witnessed savage outbreaks between Londoners and West Indians. The French have hounded and segregated Algerians in the cities of France. Anti-Semitism has flared up in Germany. Soviet Russia has not divested itself of anti-Semitism which under the Czars took the form of pogroms but which under communism means segregation in a Biro-bidzhan ghetto, purges, and virtual exclusion from important posts.

We in the northern United States of America are not without sin on the score of prejudice, but we have found that with properly enforced antidiscrimination laws that fairplay in human relations becomes not only legally but morally right. Equality, the equality of opportunity, is the great, wonderful secret of our democracy's strength and stability which the genius of the Founding Fathers conferred upon the Nation. Where this principle is defaulted upon or is abrogated, our total democracy suffers. That is why a civil war was necessary and why when the victory for justice and democracy was thrown away for a mess of political pottage, it has now become painfully necessary to rewin the legal and moral battle for the sacred democratic rights of those who have been disadvantaged.

It is one of the ironies of history that the political party of the Great Emancipator has so recently joined with many southerners to circumscribe and deny rights to another substantial minority of our own country—organized labor—by inflicting the Griffin-Landrum formula for labor-management relations upon the trade union movement. I fought this denial of rights as I have long fought against the denial of all constitutionally ordained rights and privileges to any group.

Action on the Griffin-Landrum bill has confirmed my conviction that the cherished body of democratic rights must be retained inviolate for all if the rights for any are to be preserved. Any erosion of rights if allowed to begin becomes progressively worse and extends to new groups.

I believe that the Civil Rights Commission has done our country a tremendous service by shaking us out of our dream state that "all's right with the world" as far as our Nation's treatment of minorities is concerned. The Commission in an outstanding report treats with three major problems of discrimination: In voting, in public education, and in housing. In describing these aspects of discrimination the report says:

> The fundamental interrelationships among the subjects of voting, education, and housing make it impossible for the problem to be solved by the improvement of any one factor alone. If the right to vote is secured, but there is not equal opportunity in education and housing, the value of that right will be discounted by apathy and ignorance. If compulsory discrimination is ended in public education, but children continue to be brought up in slums and restricted areas of racial concentration, the conditions for good education and good citizenship will still not obtain. If decent housing is made available to nonwhites on equal terms but their education and habits of citizenship are not raised, new neighborhoods will degenerate into slums.

I believe that the need for effective civil rights legislation is most imperative to restore the good health and the very survival of our democracy.

H.R. 8601 is an important means to achieving that worthwhile end. We cannot delay much longer in initiating necessary action because the damage delay might inflict could be tragically irreparable.

In the words of the report—

> What is involved is the ancient warning against the division of society into two cities.

The Constitution of the United States, which was ordained to establish one society with equal justice under law, stands against such a division. America, which already has come closer to equality of opportunity than probably any country, must succeed where others have failed. It can do this not only by resolving to end discrimination but also by creating through works of faith in freedom a clear and present vision of the city of man, the one city of free and equal man envisioned by the Constitution.

Permanent World Trade Exposition in Brussels, Belgium

EXTENSION OF REMARKS
OF
HON. OLIN D. JOHNSTON
OF SOUTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, a statement by me on the World Trade Exposition in Brussels, Belgium.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The success of the free world and our free enterprise system is and will continue to depend in the largest measure upon a prosperous world trade. International commerce depends upon freedom and good will. The validity of agreements freely entered into and the sanctity of private property are the cornerstones on which international trade is built. Our chambers of commerce, boards of trade, and the American Foreign Trade Council recognize the importance of these factors. They are continually stressed at their meetings as the basis for the success of world business.

I have learned with much pleasure that a friend of mine, Mr. Leon F. Bergere, realizing the importance of world trade, has taken the initiative in establishing a Permanent World Trade Exposition in Brussels, Belgium. The World Trade Center and a Universal Trade Center in Brussels will foster good will and international commerce. Here there will be on exhibit the many products of the varied industries of the world. Manufactured articles and raw materials will be on permanent display. With the increasingly large surplus of products of our agriculture, manufacturing plants, as well as other finished products and raw materials, a world trade center can become a most useful adjunct to increased world trade. Sellers and buyers may and will then meet at a common, centrally located market.

Facilities for international banking, transportation of all kinds, technical services, advice and information established at the World Trade Center, are bound to be of invaluable assistance not only to those engaged in international trade but also to tourists, visitors, and the government representatives of the nations participating in the exchange.

It is of particular interest to me that it is planned to establish at the exposition an exchange bureau where there will be assembled the methods and means of handling international and domestic mail and parcel post. We will be enabled at a central location to learn of the improvements in facilities, and the methods and means of personal and commercial communications. A central office where ideas and improvements from time to time may be exchanged between the participating nations will serve as a continuing medium of improvements. Our mail service, domestic and foreign, and trade relations generally are bound to be improved as a result of the establishment of the world trade center.

I congratulate Mr. Bergere upon his industry and foresight. I trust success will attend this worthwhile project.

Tax Foundation Review of Budgetary Actions in Congress

EXTENSION OF REMARKS
OF
HON. HARRY FLOOD BYRD
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me relative to the Tax Foundation review of budgetary actions in Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARRY F. BYRD, DEMOCRAT OF VIRGINIA, RELATIVE TO TAX FOUNDATION REVIEW OF BUDGETARY ACTIONS IN CONGRESS

When the President submitted his 1960 budget in January he requested new spending authority totaling $76.8 billion. Supplemental requests brought the total to $78.2 billion. I am advised that as compared with the total requests, new spending authority finally enacted at the end of the recent session of Congress totaled $77.4 billion, a reduction of $806 million.

These figures are revealed in a review by Tax Foundation, Inc.

The review strictly follows budget presentations and it covers spending authority—appropriations, authority to spend from debt receipts, etc.—enacted by the recent session of Congress to become available in fiscal year 1960.

It must be kept in mind that these are not expenditure estimates for fiscal year 1960. Expenditures in the current fiscal year will be made not only from these new spending authorizations but also from the unexpended balances remaining in other spending authority enacted in prior years. By the same token, some expenditures from the new 1960 authority will not be made until later years.

The Tax Foundation figures also reflect the failure of Congress to enact increased postal rates. The President's January requests contemplated $350 million in additional postal revenue from proposed increases in these rates to eliminate the estimated postal deficit. Appropriations to the Post Office Department allow for meeting the postal deficit in an indefinite amount.

The Tax Foundation review shows a reduction of $881 million under budget requests in appropriations, and an increase of $75 million over budget requests for authority to spend from debt receipts and through other backdoor financing.

Undoubtedly the effect of the four Presidential vetoes on money bills and threatened vetoes is reflected in the reduction.

The Tax Foundation is an independent research organization which I regard as the best in the field of government at all levels.

As a matter of routine, the Tax Foundation for years has been keeping a running box score on bills authorizing expenditures during their passage through the legislative procedure. This review, showing final action by Congress on spending legislation during the session just ended, is the last of a series of three status reports published by the foundation this year.

The Tax Foundation's review follows:

"TAX FOUNDATION TABULATION SHOWING FINAL ACTION IN RECENT SESSION OF CONGRESS ON NEW SPENDING (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1960

"The tabulation of the Tax Foundation, Inc., includes all new spending (obligational) authority, under which obligations may be incurred without further action by Congress, for the fiscal year 1960. It embraces current and permanent appropriations from the general fund of the Treasury and so-called backdoor spending authorizations, which include contract authority, under which contracts may be entered into but requiring later appropriations, and authority to expend from debt receipts, or in other words to draw upon the Treasury without going through the appropriation process. The amounts in the tabulation are those applicable to fiscal 1960, and do not include either supplemental fiscal 1959 authorizations at the recent session or those for fiscal 1961, or other future years.

"Many of the tables which are published are not comparable to official data of the Budget Bureau in that they relate only to appropriations and fail both to include other forms of new spending authority and to exclude appropriated postal receipts and appropriations for liquidation of prior contract authority, neither of which provides new authority for spending from the Treasury.

"The Tax Foundation tabulation does not include authorizations to appropriate, which may involve large spending programs but which place discretion in the Appropriations Committees with respect to actual appropriations.

"Total new spending authority for fiscal 1960, according to the Tax Foundation data, is about $77.4 billion. This is $806 million less than the total of amended budget requests but $607 million more than first estimated in January. An increase of $1.4 billion in the total of amended budget requests over the original January total is accounted for to the extent of about $1.4 billion by deferment to fiscal 1960 of proposals intended for action in the closing months of fiscal 1959. This shift, however, was offset by about $700 million of items in the original fiscal 1960 budget which were not actually submitted to Congress. New proposals and increases accounted for about $700 million in the total of amended budget requests.

"Supplemental 1959 authorizations enacted at the recent session totaled $7.4 billion, which with fiscal 1960 new spending authority made a total of $84.8 billion for the session. This was $1.1 billion less than the combined estimate in the January budget document, but $2.4 billion more than the session total of last year.

"The $77.4 billion total of new spending authority for fiscal 1960 is a substantial reduction from the total of $81.1 billion for fiscal 1959 but far greater than in any other year since the Korean war. Supplemental items in the next session will mean an increase in the fiscal 1960 total.

"The $77.4 billion for fiscal 1960 includes three general classes of new spending authority: (1) amounts arising from actions in appropriation bills, and which thus have been subject to annual review of spending programs by the Appropriations Committees; (2) "back door" financing, including contract authority, and authority to expend from either public or corporate debt receipts, the

latter applying to authority for the Tennessee Valley Authority to use funds derived from the sale of revenue bonds; and (3) permanent authorizations of a definite or indefinite character, including appropriations, contract authority, and authority to expend from debt receipts.

"New spending authority in appropriation bills, including loan authorizations in the Department of Agriculture bill but excluding appropriated postal receipts and amounts for liquidation of contract authority, totals about $67.2 billion. This is about $881 million less than proposed in amended budget estimates.

"'Back door' financing accounts for about $1.4 billion, which is $75 million above budget requests. The excess over the budget would have been much greater except for the veto of two housing bills and threats of a veto of other legislation, including extension of the airport grant program. The comparisons in the tabulation relate only to amounts applicable to fiscal 1960.

"Permanent authorizations total about $8.8 billion. The figures in this classification are taken from the January budget. The amounts in indefinite authorizations, such as for interest on the public debt, are subject to revision.

"Fiscal 1960 new spending (obligational) authority

[In millions]

Bill, program, or grouping by type of new obligational authority	Amended budget estimates	Passed by House	Passed by Senate	Final Congress action	Final action versus estimates
Appropriation bills:					
Department of Defense	$39,248	$38,848	$39,594	$39,228	−$20
Independent offices	6,584	6,458	6,559	6,502	−82
Department of Agriculture (including REA and Farmers Home Administration loans)	4,469	4,360	4,397	4,392	−77
Mutual security and supplementals	4,324	3,192	3,692	[1] 3,627	−698
Total postal appropriations	(3,899)	(3,847)	(3,877)	(3,859)	(−40)
Deduct postal receipts	(3,727)	(3,377)	(3,377)	(3,377)	(−350)
Appropriations for postal deficit	172	470	500	482	[2] +310
Treasury-Tax Court (in Treasury-Post Office bill)	789	781	786	784	−5
Labor-Health, Education, and Welfare	3,757	3,915	4,124	4,016	+360
Atomic Energy Commission	2,687	2,629	2,680	2,652	−36
Military construction	1,563	1,285	1,428	1,364	−199
Public works (passed over veto)	1,182	1,182	1,182	1,182	[3]
Department of Commerce, etc	732	675	715	713	−19
State, Justice, Judiciary, USIA	683	652	651	649	−34
Interior Department, etc	491	472	487	482	−9
Legislative	134	100	129	129	−5
District of Columbia, Federal funds	70	61	64	62	−8
General government	14	13	14	14	[4]
Supplemental	1,218	610	1,076	[5] 977	−241
Reappropriations	163	163	163	163	
Deduct appropriations to liquidate contract authority	248	227	266	266	−18
Net total in appropriation bills	68,032	65,639	67,977	67,151	−881
Backdoor financing:					
Contract authority:					
Urban renewal in final housing bill	350	350	350	[6] 350	
Airport grants	65	63	100	[7] 63	−2
National parkway			2	2	+2
Authority to expend from debt receipts:					
College housing loans	200	250	250	250	+50
FNMA cooperative housing mortgages		25	25	25	+25
TVA revenue bonds	750	750	750	750	
Aid to depressed areas	[8] (50)		300		
Total backdoor financing	1,365	1,438	1,777	1,440	+75
Permanent authorizations:					
Appropriations	8,593	8,593	8,593	8,593	
Contract authority	80	80	80	80	
Authority to expend debt receipts	150	150	150	150	
Total permanent authorizations	8,823	8,823	8,823	8,823	
Total new obligational authority	[9] 78,220	75,900	78,577	[10] 77,414	−806

[1] Includes $3,226,000,000 for mutual security, $704,000,000 less than 1960 budget; advance approval of $500,000,000 of 1961 authorizations denied.
[2] Reflects failure to increase postal rates.
[3] Reduction of $97,166.
[4] Reduction of $145,000.
[5] Contains additional $7,000,000 for postal deficit.
[6] An additional $300,000,000 for fiscal 1961.
[7] An additional $63,000,000 for fiscal 1961.
[8] Appropriation authorization.
[9] $1,413,000,000 above January estimate.
[10] $607,000,000 above January estimate.

"Today in Congress"

EXTENSION OF REMARKS
OF
HON. SAMUEL L. DEVINE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. DEVINE. Mr. Speaker, during this session of the 86th Congress whenever I wanted the complete story on what happened here on Capitol Hill during the day, I did what so many of my colleagues tell me they did: I turned on my radio that night and listened to the distinguished radio commentator, Joseph McCaffrey, and his nightly report on "Today in Congress."

Not only were Mr. McCaffrey's reports on the workings of Congress informative, they were lively and interesting as well. He drew on his vast knowledge of the workings of Congress gained from his 12 years' experience covering Capitol Hill to bring us an oral congressional record from which we could get a comprehensive picture of all the important happenings of the day on the floor, in committees, and elsewhere here on Capitol Hill. To me, one of the most outstanding features about Mr. McCaffrey's report was the way he spiced the headline-making events with coverage of the many vital and constructive efforts here on the Hill which are overlooked by other news programs because they are not of the sensational and headline-catching variety. He also gave time to the personalities, the human interests, and the humor of congressional affairs which made his program so well-rounded.

"Today in Congress," Mr. Speaker, was sponsored as a public service for the second straight year. I know I do not speak just for myself when I express my deep appreciation to this fine organization and to its member airlines for making it possible for Congress to have its own radio program, devoted exclusively to our activities and our work. It was a real aid to me in my effort to keep abreast of the fast-moving events breaking here on the Hill, as I know it was to the other Members of Congress as well as Government officials and others who are in positions which require them to keep in close contact with congressional developments.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. ALGER. Mr. Speaker, I include the following newsletter of September 12, 1959:

WASHINGTON REPORT
(By Congressman BRUCE ALGER)
SEPTEMBER 12, 1959.

A bill to provide standards for the issuance of passports says: "Section 5. The Congress finds that the international Communist movement of which the Communist Party of the United States of America is an integral part, seeks everywhere to thwart U.S. policy, to influence foreign governments and peoples against the United States, and by every means, including force and violence, to weaken the United States and ultimately to bring it under Communist domination; that the activities of the international Communist movement constitute a clear, present, and continuing danger to the security of the United States; that travel by couriers and agents is a major and essential means by which the international Communist movement is promoted and directed; that a U.S. passport requests other countries not only to permit the holder to pass freely and safely, but also to give all lawful aid and protection to the holder, and thereby facilitates the travel of such holder to and in foreign countries; and that in view of the history of the use of U.S. passports by supporters of the international Communist movement to further the purposes of that movement, the issuance of passports to any person described in section 6 is harmful to the security of the United States and therefore passports should be denied to such persons."

The need for this legislation results from the 1958 Supreme Court decision (*Kent* v.

Dulles) which countermanded the State Department's rights to deny passports to known Communists. As a result, 15,000 to 20,000 hard-core Communists in the United States have the right to come and go freely in their despicable work of attempting to undermine our Government and free society. An amendment to strike out section 5 failed and the bill passed. Eighteen Democrats comprised the only final opposition. Isn't a study of section 5, in the light of Khrushchev's impending visit thought provoking.

The problem of Laos further complicates pending Federal business—the Khrushchev visit, world peace, the relationship of the free nations as allies, U.N. effectiveness, and foreign aid. As the $225 million Lao foreign aid expenditures come to light it appears again that our expenditures have created greater problems, not solved them—an ineffective army, peoples' apathy, or hostility toward their government, and a greatly increased cost of living. Once again it becomes apparent that our foreign aid goals and accomplishments fail and should be studied and reevaluated before we spend more.

The President's veto of public works projects was overridden to the hurrahs of the Democrats, gleeful over their success. Only 5 Democrats (no Texans) joined 116 Republicans to vote to sustain the veto, 280–121. The President's position to me was logically sound. The 67 new starts of unbudgeted projects would still cost the taxpayers almost $800 million despite the heralded 2½ percent cut. Forgotten is the fact that there is already a backlog of authorized projects that would take 20 years for which to appropriate at the usual rate. So we're back to the same old problem that underlies our basic governmental economic difficulties—spending too much money, more than budgeted, a lack of fiscal responsibility and self-discipline. Unfortunately, good projects are hurt when hastily conceived political boondoggle or pork barrel projects are added. Like all Federal matters though, it's up to the people.

The third housing bill passed overwhelmingly, the President's two earlier vetoes forcing the Democrat leadership to compromise, resulting in more fiscally responsible legislation. Changes include: (1) Eliminate the loans for college classrooms, (2) extend FHA cut off date beyond October 1960, (3) extend the $650 million urban renewal expenditure from 1 to 2 years. Presidential objections which I share, that were not deleted include: (1) The housing for elderly programs, (2) 37,000 new public housing units (over 100,000 unit backlog has never been built).

The Ways and Means Committee is 1 of 20 standing committees of the House, yet handled 13 percent of all bills introduced. Of 10,360 bills (as of September 2), 1,585 were referred to Ways and Means Committee. Of these, 921 related to tax, 183 to tariff, and 381 to social security. Of the total, 49 were reported out this year by the committee (as of September 3). Besides 40 days of hearings, the committee met in executive session 91 times. Also, overall tax reform hearings are scheduled later this year.

Democrat leadership claims of budget cutting, as carried in the daily CONGRESSIONAL RECORD, have been branded erroneous and false. The alleged $324 million cut is $930 million in error; actually there is a $606 million deficit or more. Such falsification or distortion of facts is wrong, certainly it should not be carried in the RECORD. It will take some complicated explanations by the Democrats to disprove the "big spenders" tag, in view of their voting records.

In closing this year, perhaps Congressmen should remember the "10 cannots": "You cannot bring about prosperity by discouraging thrift. You cannot help small men by tearing down big men. You cannot strengthen the weak by weakening the strong. You cannot lift the wage earner by pulling down the wage payer. You cannot help the poor man by destroying the rich. You cannot keep out of trouble by spending more than your income. You cannot further the brotherhood of man by inciting class hatred. You cannot establish security on borrowed money. You cannot build character and courage by taking away man's initiative and independence. You cannot help men permanently by doing for them what they could and should do for themselves."

Realistic Looking Ahead: The Need for the Continuity of Government Program

EXTENSION OF REMARKS
OF
HON. KENNETH B. KEATING
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my remarks entitled "Realistic Looking Ahead: The Need for the Continuity of Government Program."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REALISTIC LOOKING AHEAD: THE NEED FOR THE CONTINUITY OF GOVERNMENT PROGRAM

(Statement by Senator KEATING)

Today we will have a visitor from abroad. I would be less than frank if I stated that he will be welcome. From the start, I have been dubious about the sagacity of extending this invitation to the leader of world communism, and I am still opposed to it.

However, the decision has been made by the best informed minds on this subject, and Mr. Khrushchev will soon be here. I am not optimistic about the outcome of his visit, but perhaps he will learn something of our power and our strength and more importantly, our dedication to the maintenance of our freedom and independence.

During the course of his tour, of course, the American people must be on their guard. We must never lose sight of what Mr. Khrushchev symbolizes and what he represents. We must never forget the bloody history behind him and behind the Communist conspiracy he directs.

He may utter seemingly candid words of friendship. But he represents the power and means of world destruction. He stands for subjugation of the individual, curbing of religion, and rule by force and tyranny.

Many millions of people pray that this visit will produce the first small step on the road to guaranteed peace in the world. I join in that hope, although I am skeptical about the positive results of the tour.

At the same time, we must remember that we must not lower the defensive shield which, in the final analysis, may have forced this visit. We must, in concert with our allies around the world, continually strengthen the military might which represents the only language the Communists understand.

Our defenses are impressive. The billions poured into them have produced missiles, aircraft, ships, and trained manpower—all the components of a modern and effective military machine.

These things our visitor can understand. He undoubtedly possesses many of the details of their efficiency and disposition.

He is also aware of the strategy that forms and directs these forces. He knows—and will know better by the time his trip is over—that it is our intention to shape such powerful weapons of retaliation that no nation will dare to mount an attack on this country.

He knows we are constantly improving our military power. But he also knows that many bombers in a full-scale surprise attack will get through. He is also aware that, up to now, there is no defense against the intercontinental ballistic missile.

What, then, is the purpose of the visit? What might our visitor have in mind as a fruitful area for personal study?

The most obvious purpose, of course, is to try to lull us into a state of complacency with a spate of smiles and reassurances of his desire for peace and understanding.

He also seeks to gain additional stature in the eyes of the world—a stature which means so much not only to the international conspiracy he directs, but which also means a great deal to his own personal and inflated ego. I feel certain Mr. Khrushchev looks upon his trip as a vehicle for a personal buildup—a booster for an egocentric politician who basks in the self-generated sunlight of the conviction that he and he alone shall lay down the terms on which world peace may be achieved.

Beyond that, it may well be that he intends to assess a resource that is critical to the strength of any nation. This resource—which is never surplus and can never be stockpiled—is the national will.

Our visitor knows the value of a tough-minded citizenry, determined never to accept defeat. He has seen it in his homeland.

In the span of a few short weeks in 1941, one-third of his country reeled under a devastating attack of the same order and magnitude as the destruction of a nuclear attack. He saw havoc which ranged from almost 50 percent to as much as 95 percent in such critical categories as armed manpower, civilian population, and key war industries.

His people survived and won despite the great obstacles.

The question of the moment may well be: Could we do as well under nuclear attack? You and I and all Americans believe we could. But we will never know until we are put to the test.

Our confidence that we can pass the test is tarnished somewhat by a profoundly illogical national attitude. Not only do many of us fail to buttress the national will in a manner readily available, but some of us apparently do not even understand the true value of this resource.

We should not have to be told that unyielding resolution in the face of danger can serve us threefold. Now—in the international poker of the cold war; later—in the event attack does come despite our efforts to win world peace; and after attack—when we try to "pick up the pieces."

It is obvious to everyone that the scales of decision in the competitive arena of diplomacy and military strategy can be tipped by the weight of sheer resolution on the part of our people.

Military strength alone is not sufficient unless it rests upon the strong will of the people. The policy of deterrence by the threat of massive retaliation means that we must contemplate the first blow. How can our people remain resolute unless they are prepared to take that blow?

Concurrently, the President and his aides cannot act with firmness in times of international crises unless they are assured of the steadfast support of the people.

There is no need to dwell on the value of moral fiber in an attack emergency. Neither is it necessary to describe the resolution mandatory upon all of us in our efforts to recover from the devastation of nuclear attack, if it comes.

But—and mark this well—courage in crisis, if it is to be effective and continuing, must rest on confidence and hope.

We can fulfill our quest for true confidence and hope in the face of nuclear dangers by successfully discharging the objectives of nonmilitary or civil defense—the other side of the coin of military defense.

I cannot emphasize too strongly my conviction that a fully effective civil defense will prove to our prospective enemies that (1) we will, if necessary, carry out our policy to deter and retaliate in kind; and (2) that we can survive, win and recover from total war. The will to survive and the ability to do so are mutually supporting. Together, they rank next to military power as the best deterrent to aggression.

The Nation's civil defense program today in general is logical and practical although in many ways it can be improved upon. It is logical because it seeks to provide what is necessary—no more and no less. There is calculated risk in the program—as in all human endeavor. But, its plans call for protection from nuclear dangers against which protection is possible.

Civil defense of today is logical because it is compatible with the urgency of the threat—according to the status of world conditions and in line with the best assessment of enemy intent.

Civil defense plans are practical. They are built, wherever possible, on existing government institutions, and systems. Only those things unique to civil defense exist independently of regular arms of government.

Eventually, it may be determined that greater Federal responsibility should be exercised in the field of civil defense. But for the moment we must do the best we can with the existing structure.

Civil defense plans of today are practical because they are established on the principle of "first things first." Such things as nationwide instantaneous warning, fast dependable communications, and community or group leaders trained in radiation detection and other vital emergency skills must be provided.

Today's civil defense is practical because it is attainable. Only the degree of proper support provided by the Nation's leaders at all levels will limit or delay the success of the program as now established.

Let me review some of the important elements of nonmilitary defense that exist right now, today.

The national plan for civil defense and defense mobilization provides rhyme and reason. It establishes nonmilitary courses of action for national survival and recovery in the event of attack.

The plan sets forth the responsibilities of each level of government—Federal, State, and local—of industry, institutions, and organizations; and of the individual citizen. It spells out just how the civil defense mission is to be accomplished and by whom.

This plan should be "required reading" for every official of government.

Part and parcel of the order provided by the national plan is the organization of the Office of Civil and Defense Mobilization as a unit of the Executive Office. OCDM, as an extension of the authority of the Chief Executive, provides direction and central control to the civil defense responsibilities inherent in the normal activities of the regular Federal departments and agencies.

No single plan of action can fit each area of the country. Each faces unique problems. Specially tailored survival plans now apply to a large percentage of the population. These plans, federally financed or guided, have been completed by 45 States, two territories, the District of Columbia and 240 metropolitan areas and 2,100 local communities.

A round-the-clock national warning system is maintained. It can flash notice of attack to 276 key warning points in a matter of seconds. These key points fan out the warning to cities and towns in a matter of minutes.

An excellent communications system to State and regional offices will soon bypass all critical target areas. Radio is being installed to back up landlines.

The conelrad radio broadcast system is ready to give official emergency information and direction without giving navigational aid to the enemy.

The OCDM radiological defense program is designed to give a nationwide capability for detecting, measuring, and reporting radioactive fallout. A half-dozen Federal agencies operate more than 500 fixed monitoring stations. More than 88,000 local monitors have been trained. Instruction in radiological defense is provided to adult education groups and to high school and college science classes.

A national shelter policy defines the government's responsibility to alert the people to nuclear dangers—radioactive fallout in particular—and teaches them how to meet it. Fallout shelters offer the best single protective measure for the greatest number of citizens. Under the program, government provides example, research, and surveys of shelter capabilities of existing structures. In addition, some States, led by New York are seeking imaginative yet practical solution to the need for more shelters for individuals.

Emergency relocation sites from which the Federal Government can operate under attack conditions are established and will be hardened against the effects of nuclear weapons.

Federal training centers provide civil defense instruction in the eastern, central, and western sections of the country.

Civil defense emergency engineering and medical stockpiles are maintained in dispersed locations. These vital stores, valued at more than $200 million, include 1,900 complete 200-bed emergency hospitals.

Requirements for the national stockpile of critical materials are largely filled. These materials are worth about $6 billion.

OCDM directs and coordinates policies and readiness measures for mobilization of the nation's resources and production. Such measures deal with the economic consequences of emergency mobilization, and include development of postattack priority systems.

A national defense executive reserve program is being expanded.

The national damage assessment center is designed to provide a quick national estimate of what we have lost and what remains after any attack.

These things are largely the hardware of nonmilitary defense. In addition, a key to civil defense—that which gives it heart and muscle—is the program of continuity of government. This program to provide leadership, operating as it does under the aegis of the national plan, is the critical element in our preparations to meet attack.

Leadership is the foremost single commodity that must not be in short supply during and after attack. Only regular government trained and ready for any emergency, can possibly give the leadership, direction, and authority that will be required.

No reasonable person believes that an attack upon our country will relieve government of its responsibility to serve and to function. Government at all levels will truly be on the "firing line" in the event of total war. City and county government will not receive a package of "leadership" from the State capitol. Neither can a shipment of "direction" be dispatched to the State from Washington after bombs or missiles start falling.

At the same time, the Federal Government cannot establish emergency lines of authority during an attack or for some time thereafter. All these things must be ready in advance. It's too late to start yesterday. We should start today.

Government also has a larger responsibility than that of assuring its own continuity. It has the same responsibility as the line officer in battle. The good officer asks of no man more than he himself can and will do. Similarly, government cannot reasonably expect the individual citizen to prepare his home and family for attack, unless government itself leads the way by setting the good example.

No longer should we enjoy the suicidal luxury of allowing civil defense to be considered as just another economic or social program. Civil defense today is not the arm-banded helmet-wearing block warden of the 1940's. It is a new dimension to our way of life. It needs to be carefully and constantly nurtured.

Civil defense is not, therefore, something that the people can handle entirely by themselves. Even the question of whether or not we need civil defense cannot readily be decided purely on the basis of the rather limited sources of knowledge available to the individual citizen. He needs leaders who will marshal facts for his consideration—leaders who will pose specific issues in a matter which, even though it ultimately could mean personal survival, seems nebulous and far in the future. Then, and only then, can the individual citizen decide for himself the need for civil defense—the direction it should take.

I'll recite just one incident that illustrates a typical public attitude, which is directly related to leadership. Amazingly, it concerns individuals who had the courage and foresight to prepare their homes against the threat of radioactive fallout.

A reporter for a large midwestern newspaper was assigned the task of judging the status of civil defense in a nearby city. He went to the local civil defense director to obtain leads on residents who had prepared home fallout shelters.

The reporter called 20 homeowners, whom the civil defense director personally knew had constructed shelters. Eighteen of these citizens denied having a shelter. The other two refused any publicity.

The only possible answer to this enigma is the fact that these conscientious citizens were afraid to run the risk of being labeled "crackpots."

This incident, and the state of the public mind which it illustrates, can be traced directly—I am convinced—to lack of example and proper leadership on the part of government. I am hopeful that in the days ahead the Congress and all leaders of public opinion will strive mightily to fill this void and awaken our people to the challenges and dangers which lie ahead.

One step public officials can take is by means of the continuity of government program which will provide the control and authority which is vital in an attack emergency. The survival and quick recovery of this country will depend on the ability of government to function.

It is probable that cities and entire States would be temporarily isolated. Direction and assistance from other levels and other areas could not be available for some time. Therefore, all governments must maintain continuity and the fullest possible self-sufficiency.

To insure this capability, OCDM has developed a program with four objectives:

First is provision for succession. This applies to executive, legislative and judicial branches. Succession should be at least seven deep for the Governor and three deep for other officials.

Second is the matter of alternate sites from which government can be conducted, in the event city hall or the State Capitol is hit.

Third is the preservation of records—those essential to continued operations of government—and those records vital for the protection of human rights.

Finally, in this area of continuity is the requirement for full use of personnel and resources of government. There are about 7½ million public employees. Every one of them must have an alternate assignment for action in an emergency.

There is a persistent myth that detracts from the effectiveness of this continuity of government program. Many responsible leaders continue to believe that the military not only will conduct the active defense of the country, but will at the same time deal with a thousand separate civil emergencies in case of attack. This is directly contrary to the wishes and capabilities of the Department of Defense. Clear unequivocal agreement on the point has been spelled out at the executive level.

The acceptance of the responsibility by the States for writing into law the minimum continuity of government measures is a remarkable story of concerted action. Skilled observers have advanced the opinion that the success of this program constitutes the outstanding example of federally sponsored, peacetime, State legislation. I am confident that all Members will join with me in offering our congratulations to the State officials and the members of the State legislatures who have accomplished such an outstanding job of making ready for the attack we pray will never come.

In mid-1957, when the continuity program first was assigned top priority, OCDM began to assemble a package of proposed legislation. These measures, prepared with the assistance of Columbia University, were designed to establish a sound legal basis for the first two objectives—succession and relocation.

The program contained four sample acts and a constitutional amendment, providing enabling authority. The package immediately drew the full endorsement of the Council of State Governments.

The council, as part of its program of suggested State legislation for 1959, recommended immediate enactment by the States. There are a number of points that should interest the Congress.

Obviously, before government can function in an emergency, there must first be duly authorized persons to operate it. Therefore, in the event of large-scale disaster, there must be substitute officials ready to fill the gap instantly. They must be legally equipped to exercise the powers and discharge the duties of office.

Two of the sample acts in the legislative package fill the requirement for succession. One deals with the executive and judicial branches of State government and all branches of local government. The other deals only with the legislature. Both acts, however, have certain interesting common denominators.

Probably most important in this age of nuclear warfare is the proviso for predetermined automatic interim succession to office. Legislatures and Governors will not have time or opportunity during and immediately after attack to designate interim successors. Lack of warning and shock of extreme destruction will deny this possibility.

To overcome this possible dilemma, emergency interim successors will be designated and take the necessary qualifying steps prior to attack. They will, by operation of law under certain stated conditions, become fully vested with the powers and duties of the office to which they succeed. The action is self-executing.

There is the matter of sufficient depth of succession. Legislation proposed to the States requires designation of at least three, and in most cases not more than seven, emergency interim successors.

Another common characteristic of State successor legislation is the provision for all contingencies which would require succession, such as absence or inability to act.

Finally, there is the fact that the emergency interim successor obtains neither title nor tenure. He is divested of the authority by the filling of a vacancy in the usual manner or by the return of the incumbent.

The Interim Succession Act provides a method for achieving automatic continuity of the legislative branch of State governments. It requires preattack designation of emergency interim successors who will temporarily exercise the functions of a legislator should he be unavailable following an attack.

Research by Columbia University on the subject of interim succession disclosed that application of this procedure to legislatures is almost unprecedented. Existing constitutional or statutory provisions deal only with vacancies. However, under attack conditions it is certainly possible that a majority of the members of a legislature might be either killed, incapacitated, or unable to reach the place of session. In many cases it would undoubtedly be difficult to raise a quorum. It is to meet this unprecedented contingency that the legislation was designed.

The model State act imposes upon each legislator a continuing obligation to maintain at least three qualified successors at all times. Each legislator is required to review the list of emergency interim successors to his powers and duties to insure the current status of such designation. The power and duty of a legislator to appoint emergency successors continues even in the event of an attack. But an emergency interim successor cannot himself appoint additional successors.

The legislator himself designates his emergency interim successors and specifies the order of succession. However, alternate procedures are included. These procedures are analogous to those currently existing in various States for filling vacancies other than by election. These include:

1. Designation by the Governor.

2. Designation by the board of county commissioners or similar local government unit.

3. Nomination by the local political party organization and designation by the Governor.

All of the alternative measures (as distinguished from the basic act where the successors are to be designated by the officeholder) carry the provision that the emergency interim successor shall, if the office is partisan, be of the same political party as the duly elected incumbent.

The act also deals with several other matters, such as recording and publication of designations, oaths of office, and suspension of quorum requirements.

Sample acts in the legislative package also provide the Governor with authority to change the place of session to a safe or more convenient location.

Another provision requires the Governor to call the legislature into session as soon as is practicable. There is also a proviso for automatic convening of the legislature 90 days after an attack, if the Governor has failed to issue a call.

The Emergency Interim Executive and Judicial Succession Act provides for additional officers who can act as Governor, interim successors to other State and local officers, and special emergency judges.

The sample act extends the line of succession for Governor to at least seven, since he occupies a key position in the event of attack. There must always be a person who can exercise the powers and discharge the duties of Governor. The additional officers upon whom the office of Governor would devolve are specifically set forth in the act. These usually would be officials such as the president pro tempore of the senate and speaker of the assembly or executive officers elected on a statewide basis.

New York State has recently extended the line of succession for the Governor from 3 to 11. An act signed in April provides this order of succession: Lieutenant Governor, temporary president of the senate, speaker of the assembly, attorney general, comptroller, superintendent of public works, commissioner of health, commissioner of commerce, industrial commissioner, chairman of the public service commission, and secretary of state.

The program of State and local continuity of government has enjoyed really amazing success. Thirty-four of the 43 States that considered the program this year have enacted some or all of the recommended legislation. That is a wonderful record and my hat is off to OCDM for its vigorous leadership in the field, and to those concerned in the States which have taken action.

Surely it is time for the national legislative body to follow suit. If the type of attack which is now possible should ever strike this country it is a foregone conclusion that Washington will be high on the priority list of targets.

Some steps have already been taken. Recent actions insure continuity of government within the executive branch, and vacancies in the judiciary may be filled by the President. There has also been some discussion about the need for designating a specific place in the United States as an alternate Capital, should Washington be sufficiently destroyed in an enemy attack. There is considerable merit in that proposal, which I trust will be fully investigated.

However, the legislative branch needs to take action to fill a glaring loophole in its present procedures. As it stands today, the Constitution provides that Senators can be appointed on an interim basis, if they die or their seat in any other way becomes vacant. But when Members of the House of Representatives die or resign or are otherwise incapacitated their office can only be filled by either a special election or at the next regular election.

At a time when scientific advances and accomplishments in the art of war have reached the point where there is a very real possibility that a large number of Members of Congress could be wiped out in a single enemy attack, we should not delay in dealing with this constitutional gap. The lack of a quorum in the House, of course, could result in a complete paralysis within our representative form of government at a time when we could least afford it.

It is time Congress engaged in some realistic looking ahead to forestall congressional inaction in times of emergency—when congressional action would in all probability be most needed. This is a problem which has concerned me for a number of years, and as a Member of the House of Representatives I sponsored legislation to solve it.

On March 26 of this year I introduced Senate Joint Resolution 85, which is similar to the legislation I sponsored in the other body, and which provides the machinery needed if Congress is to function effectively in times of disaster. A somewhat similar measure, Senate Joint Resolution 39, sponsored by Senator KEFAUVER, has been reported to the Senate by the Judiciary Committee. Unfortunately, it appears no action will be taken on this important proposal in this session, but I am hopeful it will be a first order of business when the Senate convenes in January.

Senate Joint Resolution 39 provides, simply, that whenever vacancies occur in more than half the authorized membership of the House, the Governors of the respective States may make temporary appointments to fill the vacancies. The Governors would

have 60 days in which to make these appointments. Eventually, of course, the people would fill the vacancies by election, as now provided in article 1, section 2, of the Constitution.

It is the fervent hope of all of us that such a power would never have to be invoked. In these tense times, however, when cities can be demolished in a split second, we should delay no longer. The need for prompt action by Congress is underscored by the fact that since this is a constitutional amendment, additional time will be required for ratification by the legislatures of three-fourths of the States.

I regret we have not had before us in this session legislation dealing with the problem of Presidential inability. That is another related issue which should be resolved by Congress before long.

I commend the distinguished Senator from Tennessee [Mr. KEFAUVER] for the manner in which he has pressed forward with his resolution, Senate Joint Resolution 39. I want to emphasize that my desire for action in this field is so great that I would support Senate Joint Resolution 39 as it is presently drafted. It is a realistic and acceptable attempt to deal with this problem.

However, I have prepared a couple of amendments to the Kefauver resolution which I believe would make this an even better piece of legislation.

My first amendment fills a void in Senate Joint Resolution 39 which, although not too serious, I believe deserves attention. The Kefauver proposal provides no specific machinery for notifying the Governors as to when they may proceed to make temporary appointments.

I note that the committee report points out that the power could be invoked upon the "ascertainable fact" that vacancies exist in half the seats in the House. However, it strikes me that in the disorder which would follow a disaster of such proportions, it may well be an extremely difficult task for Governors to determine the extent of the losses in the House. There is thus a possibility of delay and confusion under the language of Senate Joint Resolution 39.

I therefore have drafted an amendment which provides for a proclamation by the President that sufficient vacancies do in fact exist in the House, so that State chief executives should proceed to exercise their powers of appointment. I feel this is a more certain way in which to deal with the mechanics of replacing Congressmen in a time of national disaster and I believe its adoption would do much to tighten up the operation of this proposal.

My second amendment deals with the number of vacancies which must exist before Governors would be authorized to make temporary appointments. Senate Joint Resolution 39 specifies that the number must exceed half of the authorized membership of the House. I believe that figure is too high.

It may be that the 50-percent vacancy figure was fixed with the idea of a quorum in mind. If that is so, it is an unrealistic number, for the simple reason that even with a full complement of Members today it is sometimes hard to muster a quorum. Even if half the Members survived, there would inevitably be many Members injured, sick, or otherwise incapacitated, thus making a quorum unlikely even if everyone who could possibly be present was there.

It is my firm conviction that a requirement of one-third vacancies would be more realistic. As a practical matter, this figure is high enough to necessitate a national emergency or disaster before it could be called into play. Today, it would require 145 vacancies in the House before the authority of a Governor to appoint replacements would come into effect.

It may be that an even lower figure would be wiser, but I offer this amendment as something of a compromise.

Incidentally, my amendment specifies that vacancies must exceed one-third of the authorized membership of the House. I have not set it at an exact figure because of possible temporary fluctuations in membership in the years ahead as new States may be added to the Union.

As I have previously noted, I am hopeful the Senate will act on this legislation at the beginning of the next session of Congress. It is my further hope that the House, which for various reasons has been reluctant to act on this problem, will follow the Senate's lead early next year.

Looking ahead, it might be well for the Governors of each State to give thoughtful consideration to means by which they can implement their part of this procedure. For example, it may be that the most efficient way of handling the possibility of interim appointments to Congress would be by drawing up each year, in advance, a list of designated alternates for each sitting Member of Congress. The existence of such lists—presumably confidential—would do much to facilitate prompt action by each Governor if the need arose for speedy appointment of temporary Members of the House in time of disaster. And such lists would be consistent with the continuity of Government program promulgated in the States by the OCDM.

Mr. President, although this type of legislation has not received the prominence it deserves, I believe we should tarry no longer. It is time we caught up to the many States which have already acted. Enactment of legislation to provide for filling vacancies in the House of Representatives in time of disaster can go a long way toward insuring the proper and effective operation of our Government no matter what the future may hold.

Furthermore, enactment of Senate Joint Resolution 39 or similar legislation will demonstrate anew to the world America's determined national will to face up to the dangers of responsibilities which go with being the leader of the free world.

Conferees Changed Landrum-Griffin Bill

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PUCINSKI. Mr. Speaker, the press has claimed in appraising the 1959 labor-management reform bill passed by this Congress that there was relatively little change between the bill reported out by the Senate-House conferees and approved by Congress, and the original Landrum-Griffin bill originally passed in the House.

I should like to call attention of my colleagues to the fact that such an assumption is grossly misleading. It is obvious that those who would make such a statement have studied neither the original bill approved by the House nor the conference report subsequently signed into law by the President.

There were 15 substantive changes made in the Landrum-Griffin bill at the insistence of the conferees and it was these changes which made the conference report acceptable to many Members of this House who originally voted against the Landrum-Griffin bill. I believe Senator KENNEDY deserves a great vote of thanks for insisting on these changes which helped make this legislation acceptable to those who opposed the measure originally approved by the House.

I am indeed happy to associate myself with Senator KENNEDY's determined efforts to get at those who have abused their privileges in the labor-management relations field without destroying the legitimate aims of honest unions.

The analysis follows:

MAJOR CHANGES MADE IN LABOR-MANAGEMENT REFORM BILL BY CONFERENCE COMMITTEE

The following changes safeguarding the rights of workingmen were made upon the insistence of a majority of the conferees:

1. Subcontracting: The legality of restricting subcontracting in the garment industry in order to keep out sweatshops was established.

2. Consumer appeals: The right to publicize nonunion goods to consumers, without causing a secondary work stoppage, is recognized in the conference agreement. Employees will also be entitled to publicize, without picketing, the fact that a wholesaler or retailer sells goods of a company involved in a labor dispute. All appeals for a consumer boycott would have been barred by House bill.

3. Organizational picketing: The conference report preserves the right to engage in organizational picketing provided that a petition for an election is filed within a reasonable time not to exceed 30 days. Unless the union won the election, the picketing would have to cease. The House bill would have virtually banned organizational picketing.

4. Informational picketing: The right to engage in purely informational picketing without filing a petition for an election is secured provided that the picketing does not halt the pickup or delivery of goods or the providing of services by the employees of other employers.

5. Primary strikes: The conference report recognizes the right to engage in primary strikes and primary picketing, thereby eliminating the danger that the House bill would sometimes invalidate such picketing.

6. Defense to picketing: Although the conference agreement contains a prohibition upon picketing an employer who has a contract with another union, language was added to the House bill which would make it a defense to show that the General Counsel had issued a complaint charging the employer with unlawfully dominating, maintaining, or assisting the other union.

7. Union liability for damage suits: The section imposing liability on labor unions for damages in the case of unlawful organizational picketing was eliminated.

8. Federal-State jurisdiction (no man's land): The conference report permits the States to take jurisdiction over labor cases over which the Board currently refuses to assume jurisdiction. Under the House bill the NLRB could have refused jurisdiction over additional cases. The Board's present jurisdictional standards are broader than they have ever been, thus insuring more unions and employers protection of the act than at any time in the history of the act.

9. Economic strikers: The House bill contained no provision permitting economic strikers to vote in representation elections. The conference provision permits strikers to vote in representation elections within 1 year after the commencement of a strike.

10. Struck work: The conference report preserves existing law on the question of the right of labor to refuse to work on struck goods. The House bill would have limited this right.

11. Prehire contracts in the construction industry: Conference report permits prehire contracts in construction industry accepting Senate provision on this subject. Conference report also permits unions and prime contractors in construction industry to enter into agreements by which contractor refuses to subcontract to nonunion operators.

12. Bonding: Conference report places a $500,000 limitation on amount of bond required to be taken by a union officer; the House bill had no such limitation.

13. Elections: Conference report makes the Secretary of Labor responsible for bringing suits in a Federal court to remedy improper elections. The House bill would have provided that individual members could bring suits in U.S. district courts to overturn improper elections.

14. Membership lists: House bill gave candidates for union office the right to inspect and copy from membership lists in union shops. Conference report restricts this to one inspection 30 days prior to an election without right to copy.

15. Employer reporting: Conference strengthened immeasurably employer reporting section 203 which was meaningless in the House bill.

Simmons Co. at Kenosha Treats Employees in Deplorable Manner

EXTENSION OF REMARKS
OF
HON. GERALD T. FLYNN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. FLYNN. Mr. Speaker, I rise to inform this body, which only a week ago gave serious consideration to the curbing of unfair practices by labor leaders and labor unions, of an unfair labor practice which exists in my district. This unfair labor practice is one, however, where the union and its members are clean, honest, sincere members of the community. They work for the Simmons Co. and this company is being unfair and grossly unjust to its employees. This company has done business in Kenosha for 94 years. It has grown and prospered and today has branches throughout the United States. Its home office, however, is in Kenosha, Wis., where it has employed steadily approximately 3,000 men. Over 25 years of negotiation, the union met regularly with the employer and had a minimum of labor disturbances. I never remember any strike being held at this company. The contract between management and labor is a normal one with the Simmons Co. paying the approximate average which labor receives in other plants in that city.

Two years ago, through duplicity, the Simmons Co. moved the soft goods end of their company from Kenosha. At that time, they stated they wanted to expand their hard goods industry. When the company started operations in Indiana in a plant about 90 miles from its Kenosha home, it was found that it signed a union contract apparently before it employed any help, or at least, when only a few men were employed. This contract, we believe, is a sweetheart contract because it is so substandard in comparison with the Kenosha contract that it would shock the conscience of anyone who read it. The wage rate is approximately 85 cents an hour less than they were paying and there are no clauses to protect the workingmen. In other words, management prerogative clauses are all in favor of the company—none are in favor of the workingmen. In addition to this, women have been put on men's jobs at reduced rates and the savings, by these practices at the Indiana plant, are running, according to our best estimates, over $3 million a year.

The Simmons Co. has now, without notice, announced that it has sold its building and is moving the balance of its operation to Indiana. We presume that they will seek a sweetheart contract with the same union and although the men of Kenosha will protest this, the question is—will they be able to do anything about it? The company, in moving, refuses to take any of its Kenosha men along, saying that it owes an obligation to the community where it is moving to hire men from that area. The company is taking only a handful of its key personnel. The company has a pension plan but for men under 55 the termination of employment will completely ruin that pension plan. It will cause extreme havoc to those men over 55. This means that the security of these men and their families will be ruined and the company in separating its employees appears to be willing to pay back only the money which the men paid in. That is, they seem unwilling to pay back the contributions which the company made to this pension fund.

The Simmons Co., by moving, is leaving an old building which they have permitted to run down. They are ridding themselves of men who have been with them 30 or 40 years and will be hiring men who are younger and more productive and who can turn out more work in a day. Through this added productivity, through the savings on the pension plan that will be in effect, and the saving of the moneys already paid into the pension plan, through the hiring of women in place of men at reduced rates, and through the signing of a sweetheart contract, we estimate that the Simmons Co. will be saving in excess of $5 million a year. The men of Kenosha who worked for this company charge that this savings is being purchased at the price of their labor, sweat, and loyalty. They claim it is being purchased at the price of their pension fund, which is their security in old age. The management of the Simmons Co., apparently, has lost consideration of the human element in business today.

Mr. Speaker, I feel that this could well be the commencement of a trend where industry, protected by the new labor law, can ruthlessly rid itself of old employees and move into a new community where a chamber of commerce is anxious to guarantee it a steady employee force who will work either without a union contract or at substandard wages, in order that there will be more industry in the community.

The trend of this can only bring down the standard of living in America and to reduce the standard of everyone to the standard of the lowest paid citizen in America. I say that, although there is need for labor reform, there is also need for management reform and I ask what provisions were in the bill recently passed to reform management, insofar as their relation with labor is concerned. Why did we have to pass this bill, in a frenzy, because of hysteria developed by the National Manufacturers Association? I ask whether or not it would not have been better to come back next January and to have considered this legislation in a more calm manner and to have placed in the bill provisions to control labor, yes, but also provisions to control management, such as the management at the Simmons Co. in Kenosha, Wis.

I respectfully submit this for the consideration of all Members of Congress during adjournment in the hope that when we return in January, we can pass legislation which will take care of this very serious situation.

The Late Honorable Frank C. Walker

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. McCORMACK. Mr. Speaker, the death on September 13 of the Honorable Frank C. Walker takes from our ranks a good man, a cultured gentleman, a fine husband and father, and a great American.

A close personal friend of the late Franklin D. Roosevelt, and of the former President, Harry S. Truman, Frank Walker served our country in a number of offices in an outstanding manner. He served as executive secretary of an executive council to coordinate the activities of the Government; later, he became Chairman of the National Emergency Council, which Council was established to coordinate the work of Government agencies dealing with the depressions of the early 1930's. He performed both tasks in an outstanding manner.

In 1940 he was appointed Postmaster General in which important Cabinet position he served until 1945. In this office Frank Walker also made a notable record.

A strong Democrat, his party elected him in 1943 as chairman of the Democratic National Committee, in which position he served with loyalty and distinction. He recognized that the Democratic Party is the only national political party. Frank Walker understood and appreciated the importance, tactically, of unity within the party. Like Thomas Jefferson, he felt that disagreement is no cause for separation of friends.

In 1946 Frank Walker was a delegate to the first meeting of the United Nations General Assembly.

Throughout his life, he was interested in civic and charitable activities, donat-

ing generously, and giving untiringly of his time. For example, in 1950 in a community effort to advance the economic life of Scranton, Pa., Mr. Walker headed a community campaign to attract new businesses and to build industrial plants in Scranton.

Mr. Walker served as national chairman of the Notre Dame Foundation, and as president of the university's board of lay trustees. In 1948, Notre Dame University awarded him its laetare medal, conferred annually to an outstanding layman of the Catholic Church.

Frank Walker was also a director of the Alfred E. Smith Memorial Foundation; also the Franklin Delano Roosevelt Memorial Foundation, and was treasurer of the Franklin Delano Roosevelt Library, Inc.

Frank Walker symbolized through life those fine ambitions that made him, as one of his friend once said, "One of God's noblemen."

His many friends will miss him very much.

Mrs. McCormack and I extend to Mrs. Walker and her son and daughter our deep sympathy in their bereavement.

A Splendid Portent: The Town Affiliation of Napa, Calif., With Como, Italy

EXTENSION OF REMARKS
OF
HON. CLEM MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CLEM MILLER. Mr. Speaker, under leave to extend my remarks I should like to call attention to a significant event of international good will.

The town of Napa, Calif., has officially established a sister-city program with Como, Italy. This is a matter of great pride to me. Napa, situated in a most beautiful valley of the same name, is filled with warm and friendly people, many of them having their origins in Italy. This valley produces the finest wine grapes, equal to any the world over. The sight of the ordered rows along the valley floor, contrasting with the wild growth and stone outcroppings of the ringing hills, affords a beauty scarcely to be matched elsewhere in the United States. It is fitting that Napa should join hands with the city of Como. My memory of it as one of the loveliest in Italy makes it a fitting partner for Napa in California, with similar topographical contrasts. Como, situated on a beautiful lake near the Swiss border, is primarily a tourist center, surrounded by small, well-kept farms, formal villas, while the incredible beauty of the Alps looms above. The industry of Napa is steel fabricating, cement products, gloves, clothing and fine leather, corresponding to Como's auto fabricating and quality silk industries.

The relationship between the cities will grow strong with the years. The characteristics they share—of beauty, of warmth, and friendliness, of small tradesmen, of industry, of tourism, of small but flourishing agriculture, of keen cultural interests—will knit the communities together.

The idea for town affiliation arose out of the people-to-people program of 1956. This was launched by President Eisenhower in September of that year, as a means of building new roads for national understanding. At the White House conference the President said:

> If our American ideology is eventually to win out in the great struggle being waged between opposing ways of life, it must have the active support of thousands of independent private groups and institutions and millions of individual Americans acting through person-to-person communication in foreign lands.

Such fine sentiments mean little without implementation. Some 70 cities are presently participating in the program. Napa now takes its place as one of these. The impetus was supplied by its mayor, Joe Greco. From the outset he has seen the tremendous possibilities of friendship with a city of another land. He himself is of Italian ancestry as is his wife. Once imbued with the idea, it was to his credit, more than any other, that the project reached fruition. He wrote to the mayor of Como, Lino Gelpi. Napa's sheriff, John Claussen, an amateur radio operator, offered his services to communicate with friends in the Como area.

Finally, Mayor Greco flew to Italy to formalize the relationship. Let him tell it in his own words:

> It was necessary for us to take a taxicab from the airport in Milano to the hotel in Como, Italy, where we were royally received by the mayor of that city, Avvocato (attorney) Lino Gelpi. I presented to him a case of six bottles of our Napa Valley wines and a gold key to the city of Napa, inviting him to visit with us some time in the very near future.
>
> The reception in Como will be something that will live in my memory for a good many years to come. Mayor Gelpi will long be remembered for his generosity. We had at our disposal his official car and driver. We were entertained at the best places. Cavilier Carlo Piatta and Chief of Police Hugo Bianchi drove us on a sightseeing tour around Lake Como, the funicular (railroad) and all of the museums. They really showed us and gave us a fine tour of all of the places of interest.
>
> One of the very important and amusing things was a tour of the Templo Voltiano, on August 7. The place was in charge of a Mr. Antonio Besano who acted as a caretaker and the person to escort you through this very famous memorial. When he heard that I was from Napa, Calif., and the Napa Valley, he asked me if I knew Mr. Pringle who came from the Napa Valley where he is an official of the Schramsberg winery. He told me that he has enjoyed a friendship of many years with Mr. Pringle. Each person who helped entertain us received a pair of our Napa Glove Co. gloves.

From Como, Mayor Greco toured over Italy, meeting mayors and city officials. Everywhere he met with the same warm, outgoing reception that he had met in Como. There was the gracious exchange of gifts, the symbols of our industry in Napa, fine wines and well-made gloves. In this manner, he visited Milan, Turin, Rome, Naples, and Salerno. He met relatives whose existence he was not even aware of previously. Late in August, this ambassador of good will returned to his native land.

Even then, his mission was not yet completed. He talked personally with His Excellency Signor Manlio Brosio, Ambassador of Italy, who congratulated him on the trip as a "wonderful gesture of good will," expressing the hope that it might be emulated by others.

The city of Como, Italy, seeking a champion here, asked Perry Como, the world-renowned singer, to act as honorary mayor of the city whose name he bears. Mr. Como graciously acacepted the office. In honor of the event, Mayor Greco designed and had struck a medal for presentation to Mr. Como.

Plans are already underway to demonstrate the city-to-city affiliation in practical terms. The city of Napa wishes to demonstrate to Como, Italy, how American ideals are reflected in our way of life. It will give our people of the Napa Valley a way of combating Iron Curtain propaganda. Mayor Greco, the city council, and members of the board of supervisors will join in urging participation by the people of Napa Valley. Citizens will write letters to pen-pal friends in Como. Sheriff Joe Claussen and others will establish radio contact. An idea to exchange children's school art will be encouraged. Exchanges of tourists and notables will be arranged. Support will be enlisted on the widest possible base, from the chamber of commerce, Kiwanis, Rotary, Lion's clubs, from organized labor, industry, and schools.

At the national level, a volunteer, nongovernmental committee, headed by Mr. Mark Bortman of Boston, stands ready to give professional assistance. All of this gives point and purpose to the statement of Senator CLAIR ENGLE: "The people-to-people program carried out through the sister-city mechanism is the most dynamic development in the field of U.S. foreign relations since World War II." The city of Napa, together with its dynamic mayor, Joe Greco, together with Como and Mayor Gelpi, will do their parts to make this promise an actuality.

To me this is a most hopeful, encouraging portent. My warmest salutations go to all who give this splendid project a helping hand.

The Honorable Wendell E. Green

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. O'HARA of Illinois. Mr. Speaker, on the last Thursday in August the circuit and superior courts of Chicago in Cook County, with the necessary exception of an emergency court, were closed. That day one of the most respected jurists on the circuit bench, the Honorable Wendell E. Green, was being buried, and his fellow jurists were gathered in mourning at the funeral services at St.

Thomas Episcopal Church, where Judge Green had been a vestryman.

Judge Green was the first Negro ever to sit on the circuit bench of Cook County. It was in 1950 that he was appointed by Gov. Adlai E. Stevenson to fill a vacancy in this high court of record. He was elected in 1951 and reelected in 1957. So highly was he esteemed by the lawyers of Chicago for his integrity, his legal learning and his judicial demeanor that he stood first in the poll conducted by the Chicago Bar Association.

He was born in Topeka, Kans., the son of an Episcopal minister. He was graduated from the University of Chicago and admitted to the Illinois bar in 1920. He quickly took his place among the ablest of defense counsel who practiced in the old criminal court building just north of the river. I saw him frequently in the years that followed in an era of great and renowned defense counsel. I always placed Wendell Green in the very top flight. He was masterful in examination, eloquent and convincing when addressing a jury.

In 1942 he was elected to the municipal bench, reelected in 1948. Thus four times, twice when a candidate for municipal judge and twice when a candidate for circuit judge, the people placed their stamp of approval on a man who was a good citizen, a great lawyer and a learned and just judge. Chicago has lost a son she ill can afford to lose. He left to his city, his State, his country and his profession a heritage of high standards.

My deepest sympathy goes to the widow, Lorraine, a member of the Chicago Board of Education, and to his brother.

President's Veto Threatens West Virginia

EXTENSION OF REMARKS
OF
HON. CLEVELAND M. BAILEY
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BAILEY. Mr. Speaker, when President Eisenhower stuck the coal research bill in his pocket and let it die he was saying in effect that he intended to let West Virginia, and all other States, where coal plays a principal part in the economy "wither on the vine."

This was how the late Frank Knox described Navy strategy in the Pacific during World War II. It was successful. Unless and until we have someone in the White House who understands this problem, West Virginia will continue to "wither on the vine."

Mr. Speaker, I include as a part of my remarks the following joint statement released to the press by my very able and esteemed colleague, the Honorable JOHN M. SLACK, and me.

VETO OF THE COAL RESEARCH AND DEVELOPMENT BILL

(Statement by Representative C. M. BAILEY and Representative J. M. SLACK)

In the hands of the President, the veto has become a knife in the back of every West Virginian. There are no valid reasons for the President's veto action. This subject has been discussed for more than 10 years, the bill was heard extensively in committee and was fully debated in both Houses. The President's so-called reasons are foggy, generalities designed to obscure the real causes of this veto, of which there are two.

First, it would set up an independent commission, to act independently, and thereby cut into the prerogatives of an existing department which is presently doing nothing about coal problems, and probably never will. The Eisenhower administration is more interested in a system of built-in bureaucracy than in establishing a method to counteract a major economic problem. This is noticeable throughout the White House approach to much of the legislation of this Congress, such as the vetoes of the public works, housing, and rural electrification bills. Yes, this is not the first veto designed to protect bureaucrats.

Second, it shows again the whip of the monopolistic, competitive fuel industries that can be cracked over the White House. During the past months, these lobbyists have been stating openly that the coal-research bill would be killed. They boasted it would never come out of conference. However, they failed in that move. Yes; the oily tentacles extend right into the President's study at 1600 Pennsylvania Avenue.

The veto method is worth noting, and we hope that all West Virginians will remember it. This bill passed the House by an overwhelming 251 to 54 vote, more than enough to override a veto. It had powerful bipartisan support. A veto would undoubtedly have been overridden if the Congress were still in session. This is a typically sneaky approach of the Dewey way of the GOP. It was repudiated in 1958, and will be driven from public office in 1960.

The coal industry represents the best American example of free enterprise standing alone without favor or special privilege. It asks no special favors now, only a chance to grow with the country on the basis of sound research. We will be charitable to this extent—we doubt that Mr. Eisenhower reads the bills he vetoes, or if he does, understands them. Before attempting to lecture his Soviet visitor on the virtues of representative democracy, it might be wise for General Eisenhower to learn the full responsibility of the job he now holds, and he might begin by studying the affairs of the Congress instead of listening to a few pet advisers whose loyalty is confined to special pressure groups.

We intend to reintroduce a new coal-research bill in the first minute of the first day of the second session of the 86th Congress, and to press for immediate action.

Steve Parker: Show Business Ambassador of Good Will

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. HOLT. Mr. Speaker, members of show business, as you know, have long been good-will ambassadors for the United States. One such good-will ambassador is producer Steve Parker who has personally done a great deal to improve our relations with Japan.

Mr. Parker, who is married to actress Shirley MacLaine, resides at 4001 Royal Oaks Place, Encino.

A token of the appreciation of Mr. Parker's efforts on the part of the Japanese nation was the recent award which was presented to him by the Japanese Consul in Los Angeles designating him "Man of the Year."

More recently, Mr. Parker rounded up the leading entertainers in Japan and brought them to the United States to be featured at the New Frontier Hotel in Las Vegas in his "Holiday in Japan" production. Critics have hailed this show as a worthy representation of the Japanese culture, one which will help many Americans understand that oriental nation.

It was for bringing this production to America that Mr. Parker received the Japanese Government's "Man of the Year" award.

During the past 4 years, Mr. Parker has also helped create Japanese understanding of America and of American business methods. While conducting his own entertainment enterprises in Japan, Mr. Parker has always been so courteous that he has created infinite good will for America and has even been commended for this by our Ambassador to Japan, Mr. Douglas MacArthur II.

He has further added to this country's respect abroad by instructing Japanese film makers in American motion-picture technical know-how.

One documentary film, entitled "Onsen," which he made in and about Japan was awarded first prize at the Southeast Asia Film Festival, thereby bringing further prestige to America in the Orient.

Another of his films about Japan, "Geisha," won first prize at the World Film Festival in Brussels, Belgium.

Mr. Parker has been extremely active in promoting Japanese charities, as have been he and Mrs. Parker in promoting national and local charities in the southern California area.

Appropriations, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF
HON. JOHN TABER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. TABER. Mr. Speaker, I submit herewith two tables for printing showing the progress of the appropriation bills, and both the legitimate and illegitimate variety.

The total amount made available under all appropriations coming through the Appropriations Committee into the Congress was $72,977,598,352. The illegitimate back-door appropriations totaled $5,701 million. This amount was $231 million above the budget.

The details of these things are shown on table II. Table I shows the first group.

This means that the Congress has made available to the Executive better than $80 billion which is more by far than our tax receipts can possibly come to.

The tables follow.

TABLE I.—*Comparison of budget estimates and appropriations, 86th Cong., 1st sess.*

[NOTE.—Excludes permanent appropriations]]

Bill	House				Senate						
	Budget estimates considered by House	Amount reported by committee	Amount passed	House action compared with budget estimates	Budget estimates considered by Senate	Amount reported by committee	Amount passed	Senate action compared with—		Final action, amount approved	Increase or decrease, compared to budget estimates
								Budget estimates	House action		
1959 APPROPRIATIONS											
2d supplemental	$2,864,954,526	$2,479,522,494	$2,657,402,994	−$207,551,532	$2,900,799,370	$2,820,040,054	$2,843,902,805	−$56,896,565	+$186,499,811	$2,764,500,380	−$136,298,990
1960 APPROPRIATIONS											
Supplemental	888,931,417	632,568,845	609,843,845	−279,087,572	1,218,090,555	1,076,186,108	1,076,186,108	−141,904,447	+446,342,263	977,345,608	−240,744,947
District of Columbia	(246,698,000)	(237,186,112)	(237,186,112)	(−9,511,888)	(245,990,000)	(241,569,402)	(241,702,402)	(−4,287,598)	(+4,516,290)	(241,289,076)	(−4,700,924)
Loan authorization	(35,400,000)	(33,800,000)	(33,800,000)	(−1,600,000)	(35,400,000)	(34,300,000)	(34,300,000)	(−1,100,000)	(+500,000)	(34,300,000)	(−1,100,000)
Federal payment	34,218,000	27,218,000	27,218,000	−7,000,000	34,218,000	29,218,000	29,351,000	−4,867,000	+2,133,000	27,218,000	−7,000,000
Treasury-Post Office	4,688,327,000	4,628,097,000	4,628,097,000	−60,230,000	4,688,327,000	4,663,158,600	4,664,027,600	−24,299,400	+35,930,600	4,643,363,000	−44,964,000
Interior	491,101,400	472,198,800	472,198,800	−18,902,600	491,101,400	487,211,025	487,211,025	−3,890,375	+15,012,225	481,809,100	−9,292,300
Labor-HEW	3,756,848,581	3,915,084,181	3,915,084,181	+158,235,600	3,756,848,581	4,124,460,581	4,124,460,581	+367,612,000	+209,376,400	4,016,485,981	+259,637,400
Independent offices	6,586,418,000	6,441,069,800	6,459,887,800	−126,530,200	6,586,418,000	6,561,578,600	6,561,578,600	−24,839,400	+101,690,800	6,504,382,200	−82,035,800
Agriculture	4,081,364,863	3,939,165,498	3,939,165,498	−142,199,365	4,081,364,863	3,975,505,148	3,975,774,848	−105,590,015	+36,609,350	3,971,362,673	−110,002,190
Loan authorizations	(388,000,000)	(421,000,000)	(421,000,000)	(+33,000,000)	(388,000,000)	(421,000,000)	(421,000,000)	(+33,000,000)	----------	(421,000,000)	(+33,000,000)
General government	13,608,500	13,338,500	13,338,500	−270,000	13,608,500	13,568,500	13,568,500	−40,000	+230,000	13,463,500	−145,000
State-justice-judiciary	682,387,600	649,896,700	651,896,700	−30,490,900	682,387,600	650,674,700	650,924,700	−31,462,900	−972,000	648,941,200	−33,446,400
Commerce	732,191,000	674,687,300	675,297,300	−56,893,700	732,191,000	715,328,500	715,328,500	−16,862,500	+40,031,200	712,672,900	−19,518,100
Legislative	105,460,005	100,279,350	100,279,350	−5,180,655	133,648,180	128,797,380	128,797,380	−4,850,800	+28,518,030	128,797,380	−4,850,800
Defense	39,248,200,000	38,848,339,000	38,848,339,000	−399,861,000	39,248,200,000	39,594,339,000	39,594,339,000	+346,139,000	+746,000,000	39,228,239,000	−19,961,000
Public works (vetoed)	*(1,185,406,259)*	*(1,185,406,259)*	*(1,185,906,259)*	*(+500,000)*	*(1,185,406,259)*	*(1,265,565,559)*	*(1,265,565,559)*	*(+80,159,300)*	*(+79,659,300)*	*(1,215,477,808)*	*(+30,071,549)*
Public works [1]	1,185,406,259	1,185,309,093	1,185,309,093	−97,166	1,185,406,259	----------	1,185,309,093	−97,166	----------	[1] 1,185,309,093	−97,166
Atomic energy	2,718,715,000	2,660,529,000	2,660,529,000	−58,186,000	2,718,715,000	2,711,829,000	2,711,829,000	−6,886,000	+51,300,000	2,683,029,000	−35,686,000
Mutual security	[2] 4,436,277,000	3,209,782,000	3,191,782,000	−1,244,495,000	[2] 4,824,484,137	3,691,269,508	3,692,262,137	−1,132,222,000	+500,480,137	3,626,718,137	−1,197,766,000
Titles I, II, and III; (MSA, etc.)	[2] (4,436,277,000)	(3,209,782,000)	(3,191,782,000)	(−1,244,495,000)	[2] (4,436,277,000)	(3,305,131,000)	(3,305,095,000)	(−1,131,182,000)	(+113,313,000)	(3,249,095,000)	(−1,187,182,000)
Titles IV and V; (supplemental and claims)	(----------)	(----------)	(----------)	(----------)	(388,207,137)	(386,138,508)	(387,167,137)	(−1,040,000)	(+387,167,137)	(377,623,137)	(−10,584,000)
Military construction	1,563,200,000	1,285,002,700	1,285,002,700	−278,197,300	1,563,200,000	1,428,178,700	1,428,178,700	−135,021,300	+143,176,000	1,363,961,200	−199,238,800
Total, 1960	71,212,654,625	68,682,565,767	68,663,268,767	−2,549,385,858	71,958,209,075	69,851,303,350	71,039,126,772	−919,082,303	+2,375,858,005	70,213,097,972	−1,745,111,103
Total, all bills	74,077,609,151	71,162,088,261	71,320,671,761	−2,756,937,390	74,859,008,445	72,671,343,404	73,883,029,577	−975,978,868	+2,562,357,816	[3] 72,977,598,352	−1,881,410,093
Total, loan authorizations	(423,400,000)	(454,800,000)	(454,800,000)	(+31,400,000)	(423,400,000)	(455,300,000)	(455,300,000)	(+31,900,000)	(+500,000)	(455,300,000)	(+31,900,000)

[1] Vetoed and overridden Sept. 10, 1959.
[2] Includes $500,000,000 for Development Loan Fund for fiscal year 1961 (not allowed).
[3] In addition, certain permanent appropriations became available automatically under previous law; January budget estimate was $8,593,000,000, but this is subject to upward revision principally due to increased cost of interest on public debt.

NOTE.—Indefinite appropriations are included in this table.

TABLE II.—*New authority to obligate the Government ("backdoor spending") carried in legislative bills (86th Cong.)—Public debt transactions and contract authorities*

Bill and subject	Executive requests		Senate	House	Final	Final compared with requests	
	Full basis	Basis comparable to final				Full basis	Comparable basis
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
S. 1094 (H.R. 4452): Bretton Woods Agreements Act (public debt) [1]	$4,550,000,000	$4,550,000,000	$4,550,000,000	$4,550,000,000	[1] $4,550,000,000		
H.R. 2256: Direct veterans loans (public debt)			100,000,000	300,000,000	100,000,000	+$100,000,000	+$100,000,000
S. 1 (H.R. 1011): Airport grants (contract authority)	200,000,000	120,000,000	465,000,000	297,000,000	126,000,000	−74,000,000	+6,000,000
S. 57: Housing Act of 1959 (public debt and contract authority) (vetoed)	(1,650,000,000)	(800,000,000)	(2,675,000,000)	(1,975,000,000)	[2] (1,300,000,000)	(−350,000,000)	(+500,000,000)
S. 2539: Housing Act of 1959 (public debt and contract authority) (vetoed)	(1,650,000,000)	(550,000,000)	(825,000,000)	(825,000,000)	[3] (825,000,000) [4]	(−825,000,000)	(+275,000,000)
H.R. 8678: Highway Act of 1959							
S. 2654: Housing Act of 1959 (public debt and contract authority)	1,650,000,000	800,000,000	925,000,000	925,000,000	[3] 925,000,000	−725,000,000	+125,000,000
Grand total	6,400,000,000	5,470,000,000	6,040,000,000	6,072,000,000	5,701,000,000	−699,000,000	+231,000,000

[1] $1,375,000,000 for immediate expenditure; $3,175,000,000 in nature of guaranty for World Bank bonds.

[2] In addition, provided for 45,000 public housing units (contract authority) estimated at $874,500,000 and, in addition, carried language permitting an additional number of about 145,000 at an estimated cost of some $2,825,000,000.

[3] In addition, provided for 37,000 public housing units (contract authority) estimated at $719,000,000.

[4] Increased gas tax by 1 cent from Oct. 1, 1959, until July 1961 at which time, for the 3 fiscal years 1962–64, bill actually appropriates to the highway trust fund, from the general fund, certain excise taxes estimated to total approximately $2,500,000,000.

Unrestricted Imports

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. DENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following:

On numerous occasions I have taken the floor to speak on the question of unrestricted imports and their effect upon the economy of our country.

Many times I find a questioning attitude on the part of some of my colleagues who, I am sorry to say, seem to have no concept of the magnitude of the variety of goods that have been flooding our market.

Setting aside the right or the wrong of high or low tariffs. Setting aside the question of high or low living standards.

Setting aside the argument of American-financed foreign competition. Setting aside everything except pure logic, I offer for the information of the membership of the House a very abbreviated list of ships and cargoes entering U.S. ports, September 9, 1959:

SAVANNAH

MV *Andrea Gritte*, August 25:

From Sidonia—galvanized tubes, 89 packages, order;

From Lisbon—marble slabs, 35 cartons, International Expediters.

MV *Marivia*, August 24:

From Santiago—rum, 50 cartons—McKesson & Robbins.

MS *Hassel*, August 21:

From Calcutta—burlap, 385 bales, Frank Samuel; 375 bales, order; 285 bales, D. C. Andrews; 1,526 bales, Ludlow Manufacturing; jute carpet backing cloth, 280 rolls, order; 360 bales, order.

MV *Ravnaas*, August 21:

From Calcutta—raw jute, 297 bales, order; burlaps, 75 bales, order; 25 bales, Louis Dreyfus; 50 bales, Produce Agencies; jute cotton bagging cloth, 350 bales, Innes Corp.; 310 bales, Belmont Burlap; jute cotton bagging, 200 bales, Riverside Bag & Burlap; 150 bales, Hanson & Orth; 400 bales O. G. Innes Corp.; burlap, 14 bales, White Lamb; carpet backing cloth, 600 bales, White Lamb & Finlay.

SS *Southwind*, August 19:

From Liverpool—Steel wire; low ortho, 60 drums, D. J. Powers; jute burlap, 164 rolls, Jute Industries; scotch whisky, 275 cartons, Brown Vinters; 100 cartons, Golan Import; 265 cartons, Schieffelin; 303 cartons, McKesson & Robbins; galvanized steel wire, 249 coils, John S. James.

From London—Black and galvanized pipe, 19 bundles, C. Tennant Sons; mustard bran, 270 bags, Atlanta Sales.

From Bremen—Burlap, 66 rolls, James Lees; 44 rolls, Miami Rug; 27 rolls, American Carpet Mills; 33 rolls, O. G. Innes; 34 rolls, A. De Swann; 22 bales, International Jute Products; staple fiber, 25 bales, P. Kaufmann; galvanized wire, 15 reels, Sherman & Reilly; beer, 401 cartons, Alko Distributing.

From Rotterdam—Beer, 375 cartons, Southern Marine Supply; formic acid, 65 drums, order; bicycles, 205 cartons, Bert Scheuer; tea, 200 cases, 50 chests, Tetley Tea Co.; ironware, 12 cases, White Hardware; plywood, 10 packages, S. R. Heger Lumber; choir pile mats, 17 bales, William D. Huff; brass rods, 10 cases, Rohner Gehrig; wire mesh, 254 rolls, John S. James; hot rolled mild steel, 13 pieces, order; burlap, 143 rolls, D. C. Motor Lines; 50 rolls, Stein Hall; steel wood screws, 29 cases, H. D. Kennedy.

From Antwerp—Tees, 50 lifts, Kurt Orban; flats, 21 lifts, Silbo Steel; wire nails, 500 cartons, Schuster Naval Stores; window glass, 51 cases, Veerman Inery; steel wire, 19 packs, Schuster Naval Stores; galvanized wire, 96 coils, Schuster Naval Stores; galvanized barbed wire, 500 reels, Schuster Naval Stores; steel wire mesh, 295 rolls, Amerlux Steel; steel channels, 17 lifts, Amerlux Steel; jute burlap, 20 bales, Textile Converting; bicycles, 6 cartons, L. D. Freedland; jute cloth, 8 rolls, A. De Swann; burlap, 234 rolls, Stein Hall; 167 rolls, White Lamb Finlay; 38 rolls, Robert F. Fitzpatric; 33 rolls, Gillespie & Co.; jute backing cloth, 30 rolls, Burlap Industries; galvanized staples, 100 kegs, Schuster Naval Stores; wire nails, 1,850 kegs, Schuster Naval Stores; galvanized wire, 314 coils, Schuster Naval Stores; steel wire, 125 coils, Schuster Naval Stores; hairon leather bends, 59 barrels, Atlanta Belting; staple fiber, 283 bales, P. Kaufman; galvanized wire, 155 coils, John S. James.

CLEVELAND

MS *Aragonese*, August 14: From Leghorn—Marble slabs, 22 pieces, United Marble.

From Genoa—Vermouth, 1,000 cases, Hammer Co.; wine, 15 cases, Hammer Co.

From Marseilles—Isogil hardboards, 106 bundles, A. W. Fenton.

From Cadiz—Wine, 50 cases, Rutman Wine.

MV *Virgilia*, August 28: From Bremen—Bicycles, 80 cases, Halle Bros.; Toys, 24 cases, Halle Bros.; Christmas tree ornaments, 21 cases, Halle Bros.; steel, 39,994 kilos rolls, tubing, Blasser Mericle; 3,680 kilos, rods, L. D. Peters; chemicals, 10 drams, Amer Felsol.

MS *Tinderfjell*, August 29: From Rotterdam—Wire rods, 1,132 coils, order; Cognac, 1,375 cases, Schieffelin & Co.; beer, 1,800 cases, order; canned ham and bacon, 287 cases, order; flower bulbs, 281 cases, A. Fenton.

From Hamburg—Brass rods, 199,659 pounds, order.

From Bremen—Glass, 63 cases, lamp shades, order.

From Antwerp—Green salted hides, 610 bundles, order; liquors, 490 cases, Old Peoria.

From Rotterdam—Steel nuts, 105 kegs, M. E. Dey; flower bulbs, 107 cases, M. E. Dey; edible casine, 800 bags, Salentine.

TACOMA

MS *Bonneville*, August 30:

From Hong Kong—lumber—20,000 thousand board-feet, East Asiatic Co.; 21,000 thousand board-feet, Heidner & Co.

From Nasipit—lumber—40,000 thousand board-feet mahogany, Jordan Pacific Co.; logs—100,000 thousand board-feet mahogany, Buffelen Woodworking.

MS *Chili*, August 29:

From Bremen—miscellaneous—15 cases, Western Department Stores.

OS *Indian*, August 27:

From Port Mellon—kraft pulp—2,160 bales, West Tacoma Newsprint.

SAN DIEGO

MS *Dowa Maru*, August 25:

From Kobe—wire nails—100 cases, order; jute twine—250 cases, order; glass—65 cases rolled, San Diego Glass; rayon blankets—40 bales, order; bolts and nuts—320 bags, order; wire mesh—50 rolls, order; wooden candy sticks—75 cases, order; wooden ice cream spoons—50 cases, order.

From Nagoya—ceramic tiles—143 cases, quality marble; bolts and nuts—240 bags, order.

From Yokohama—steel—117 bundles, bars, Winter Wolff; 177 bundles, bars, Southern Equipment; glass—56 cases, figured and window, order; fishing tackle—13 cases, A. E. Dann; toys—12 cases, A. E. Dann.

From Otaru—plywood—16 crates, U.S. Plywood; 54 crates, Robert S. Osgood; 24 crates, birch, Scarburgh Co.; 29 bundles, sawn birch, W. R. Grace; iwakura board—25 crates, Scarburgh Co.

MV *Patagonia*, August 22:

From Newport—cycles—144 cases, American Machine; pipe and galvanized pipe—661 bundles, 43 slings, Brumley Donaldson.

From Hamburg—bicycles—765 cases, order; wire netting—300 rolls, Commercial Steel.

From Rotterdam—glass—50 cases, window, Cottrell Leist; canned ham—100 cases, Fed-Mart Co.

From Antwerp—glass—33 cases, window, order; bolts and nuts—175 bags, order; canned goods—252 cases, order; steel—9,510 kegs, furring channels, order; galvanized pipe—42 lifts, order.

SAN FRANCISCO

MS *Dona Aurora*, August 26:

From Manila—desiccated coconut, 975 bags, Peter Paul, Inc.

From Hong Kong—toys, 34 cartons, Harper Robinson, 72 cartons, F. W. Woolworth; artificial flowers, 76 cartons, Floral Trading; cotton goods, 10 cases, Shalon Baby Wear; 130 cartons, World Wide Services; 33 cartons, Interstate Motor Lines; 50 cartons, Parker Corp.; rattan furniture, 152 packages, Bank of America; 14 barrels, Decorative Imports; 150 barrels, American Trust; Lauan plywood (Japan), 312 crates, Fidelity Trading; rattanware, 21 cartons, L. Skany; 31 crates, imported merchandise; acrylic buttons, 21 cases, Schner Block; wool, hooked rugs, 52 barrels, M. Grossman; tennis oxfords, 63 packages, F. H. Kaysing; artificial flowers, 43 cartons, American Import; fishing tackles, 48 cartons, Getz Bros.; cotton goods, 40 barrels, Marubeni Iida; 20 barrels, Black Export & Import; radios, 142 cartons, CM Import Export; gardening tools, 48 cartons, B. Petranker; glassware, 105 cartons, B. Petranker; glassbeads, 11 cartons, Century Jewelry Corp.; frozen frog legs, 80 cartons, M. S. Cowen; woodenware, 128 cartons, B. Petranker; grass mats, 20 cartons, Vandor Imports; pearls and novelties, 9 cases, Perfect Pearl; wooden stools, 115 cartons, American Siam Factories.

From Nagoya—Earthenware, 62 cartons, Far East; earthen, 31 cartons, B. Petranker Import; florist goods and pottery, 38 packages, Tapscott's; frozen swordfish, 125 pieces, Atalanta Trading; paperware, 8 cartons, Commercial Market; musical jewelry boxes, 13 cases, Arts & Crafts.

From Yokohama—Double yarn jacquard, 3 cases, Hanover Bank; frozen albacore, 1,250 pieces (22 tons), order; frozen yellowfin, 1,133 pieces (45 tons), order; radios, 62 cases, order; lighters, 14 cases, order; brass and iron wares, 39 cartons, F. W. Woolworth; woolen sweaters and slacks, 254 cartons, A. J. Fritz; toys, paper crackers, 90 packages, order; optical goods, 25 cases, order; toys and decorations, 72 cartons, order; cotton poplin, 19 cartons, order; toys, 362 cartons, F. W. Woolworth; 209 cartons, order; sweaters, 6 cases, Macy's; 41 cartons, A. J. Fritz; glassware, 32 cartons, E. W. Rice; antiques and decorative wares, 102 packages, order; iris bulbs, 75 cartons, order; wood, iron and stainless steel wares, 39 packages, Macy's; novelties, 17 cartons, B. Petranker Import.

SS *President Jackson*, August 25:

From Cochin—Mats, 53 bundles Montgomery Ward.

PORTLAND, OREG.

SS *Washington*, August 30:

From Nasipi—Lumber: 50 bundles mahogany, General Hardwood.

From Manila—Plywood, 15 crates, mahogany, U.S. Plywood.

MS *Kookaburra*, August 30:

From Shimizu—Alumina, 8,596 tons, Harvey Aluminum; alumina sulfate, 1 bag, Harvey Aluminum.

From Niihama—Alumina, 5,185 tons, Harvey Aluminum.

SS *Colorado*, August 30:

From Kobe—Steel pipe, 201,304 pounds, black, Huro Co.; glass mirrors, 40 cases, N.Y. Merchandise; steel wire, 20,304 pounds, Nissho, Calif.; copper tubes, 9 cases, Nissho, Calif.; nails, 87 cases, Nissho, Calif.

From Nagoya—Cutlery, 8 cases, Coast Cutlery; procelain, 940 cases, order; tile, 104 cartons, Chrlich Harrison.

MS *Kokokoku Maru*, August 30:

From Kobe—Nails, 616 cartons, Nissho, America; 400 cases, W. R. Grace; bird cages, 21 crates, Intern. Expediters; sewing machine heads, 8 cases, Elize Mercantile; steel sheets, 8,417 pounds, Nissho America Co.; plywood, 20 crates lauan, Balfour Guthrie; chains and parts, 18 cases, Intl. Expediters; wool and rayon rugs, 80 barrels, Miron Grossman; lumber, 244 bundles, order.

From Nagoya—Tulip bulbs, 81 cases, McHutchison; porcelain, 1,965 cases, order.

From Yokohama—Raincoats, 12 cases rubber, Lipman Wolfe; plywood, 122 crates, Balfour Guthrie; toys, 113 cases, N.Y. Merchandise; steel wire rope, 4 reels (8,509 pounds), Nissho, Calif.; lumber, 72 bundles hardwood, Dant & Marshall.

MIAMI

MS *Arimasan Maru*, August 26:

From Yawata—Glass, 48 cases sheet, Air Control Board.

From Moji—Wire, 22 reels, C. M. Whitney.

From Kobe—Books, 34 cases, Leon Adjmi; Sandals, 1,250 cases, Tessler Import, 127 cases, Pastene & Co.; oil lamps, 26 cases, Florida Tack Supply; nails, 1,100 kegs, Reedy Forwarder; shoes, 25 bundles, Lindsey Importers and Exporters.

From Nagoya—Tile, 130 cases—Louis Goldey, 44 cases glazed mosaic, Global Tile Importers, 217 cases, Central Tile; Toys, 73 cases pianos, Langfelder, Homma & Carroll; Porcelain, 50 cases, Amsterdam Trading; Christmas lights, 26 cases, Lindsley Import and Export; stainless steel, 105 packages, World Exports.

From Shimizu—Tuna, 100 cases canned, Mitsui & Co. From Yokohama—binoculars, 36 cases, Tanross Supply; radios, 88 cases, World Exports; plywood, 115 cartons, Hoenigh Plywood.

CRNS *De La Mercedes*, August 24:

From Caiibarien—Roofing title, 39,000 new and used, Milton Henrique.

MV *Oro Lobo*, August 22:

From Progreso—Shrimp, 580 cases, Frozen Food Processors; fish, 43 cases, Frozen Food Processors.

MV *Willi Bohmer*, August 19:

From Georgetown—Lumber, 290 pieces sawn greenheart, 63 round piles, Florida Greenheart.

MV *Searoad*, August 18:

From Havana—Pineapple, 300 cases crushed, Shafton & Co.; papaya pulp, 250 5-gallon tins, Shafton & Co.

MILWAUKEE

MV *Valeria*, August 28:

From Rotterdam—Bicycles, 19 tons, Irving Trust.

From Bremen—Beer, 8 tons, Federal District.

From Hamburg—Xmas ornaments, 24 cartons, Holtzermann, Inc.

MV *Caroline Smith*, August 27:

From Copenhagen—Fish preserves, 1 ton, order.

From Gothenburg—Copper sheets, 23 tons, M. E. Dey.

From Gdynia—Lactic casein, 55 tons, order.

MV *Concordia*, August 27:

From Liverpool—Leather lining, 1 ton, Wyenberg Shoe Mfg. Co.

Shoes—1 ton, Judson Sheldon.

Leather—8 tons, A. I. Scherer.

Linoleum—10 tons, Lowy Lino & Rug.

PHILADELPHIA

MS *Farida*, August 28:

From Paranagua—Coffee, 500 bags, American Stores.

From Ilheus—Cocoa beans, 3,000 bags, First National City Bank.

From Buenos Aires—Horse mane hair, 81 cases, Samuel Zeitlins; greasy wool, 15 bales, G. Ferguson; scoured wool, 27 bales, H. L. C. Bendike, 39 bales, Brown Bros. Harriman; textile cuttings, 8 bales, Girard Trust Bank; corned beef, 1,000 cases, Wilson & Co.; roast beef, 2,000 cases, Wilson & Co.

From Salvador—Cocoa beans, 1,000 bags, First National City Bank; 1,000 bags, J. H. Schroder.

From Buenos Aires to Baltimore (Philadelphia discharge)—Grease wool, 52 bales, Ott and Zimmerman; scoured wool, 44 bales, G. Ferguson.

From Salvador to Baltimore (Philadelphia discharge)—Piassava—100 bales, Maryland fiber.

SS *Mentor*, August 28:

From Kobe—Mandarin oranges, 3,000 cases, Mitsubishi Intern; Wilton carpets, 3 bales, Donald L. Baird; optical frames, 16 cases, Philadelphia Optical Manufacturing; wire cloth, 20 cases, Fenestra, Inc.

From Yokohama—Fishing flies, 6 cases, American Import; compasses, 3 cases, American Import; compasses, 3 cases, American Import; brass stems, 6 cases, 1,230 pounds, Baldwin Hardware; brass tubes, 45 cases, 10,091 pounds, Snyder Manufacturing; Lauan plywood, 36 cases, Pan Pacific Overseas.

From Shimizu—Mandarin oranges, 580 cases, Edward Bellet.

From Nagoya—Ceramic wall tile trims, 2,819 cases, Standard Tile; plywood, 80 crates, Heidna, Tacoma; sewing machine console tables, 104 cases, Brother Intern.

MS *Havjo*, August 28:

From Antwerp—Animal hair, 288 bales, order; staples, 100 kegs galvanized, Wilmod Co.; horse pancreas, 361 bags, Val Gelder Fanto.

From Rotterdam—Fruit, canned, 2,500 cases, D. Hauser; rags, 6 bales, Dumont Export Clothing; chains, 3 bundles, Anchor & Chain; horse fronts, 500 bundles, C. M. Simon.

From Bremen—Sweater clips, 25 bundles, Provident Tradesman; statice tartarica, 800 cases, Rice Bayersdorfer; steel wire, 22 barrels, Philadelphia National Bank; beer, 110 cases, Park Distributing; aluminum sheets, 24,134 kilos, Chase Manhattan Bank.

From Hamburg—Sodium antimonate, 500 bags (22,950 kilos), Pigment & Chemical; lead alloy, 181 ingots (5,086 kilos), Intercontinental Metal; brass pins, 5 cases, Globe Machine; pumpernickel, 60 cases, Penn Food; rye bread, 20 cases, Penn Food; bristles, 14 cases, N. Wagman, 46 cases, Gerard Trust Corn Exchange Bank; textiles, 36 cases, order; aluminum tubings, 24 cases, Morris Friedman; textile machines, 7 cases, Narrow Fabrics; bicycle bells, 40 cases, Victoria, 93 packages, American Viscose; waste rope, 907 bales, Perkins.

NEW ORLEANS

SS *Mayan Chief*, September 2:

From Honduras—Lead concentrate, 2,197 pounds, American Smelters.

From British Honduras—Lumber, 2,098 pieces of mahogany—order.

SS *Lempa*, September 2:

From British Honduras—Cohune, 140 bags—order; copra, 261 bags—order; coconuts, 350 bags; Otis, McAllister; lumber, 1,424 pieces mahogany and cedar—order.

From Honduras—Coffee, 413 bags—order.

From Guatemala—Coffee, 1,153 bags—order; abaca fiber, 800 bales—order; plywood 20 bundles, U.S. Plywood.

SS *Clarita Schroeder*, September 2:

From Surinam—Coffee 2,945 bags—order.

SS *Brattingsboro*, August 31:

From Cuba—Rum, 115 cases.

From Costa Rica—Abaca fiber, 2,515 bales—order; coffee, 250 bags—order.

From Canal Zone—Coffee, 750 bags; banana puree, 500 cases—Catz American; brushes, 14 crates—order; charcoal irons, 16 cases—order; pharmaceutical products, 28 drums, 51 cases—order; sewing machines, 245 cases—order; foodstuffs, 589 packages, 25 cases—order; toilet preparation, 101 cases—order; batteries, 50 cases.

SS *Koiku Maru*, September 1:

From Japan—Tube mats, 85 bales—order; sewing machine heads, 2,087 cases—order, 201 cases, sewing machine exchanges; iron nuts, 35 kegs—H. J. Schuter; footwear, 25 cases—Mitsubishi International; canned tuna, 130 cases—Mitsubushi International; fish nets, 20 cases—order; porcelain, 1,051 packages, 1,145 cases—order; 1,598 cases—Sears Roebuck; paper, 25 bales—order; lumber, 86 bundles maghogany—G. F. Tujague; cigarette lighters, 42 packages—order; canned salmon, 3,000 cases—order; furniture, 404 cases legs—Blumenfield; miscellaneous, 61 cases—M. Adeler's Son; plywood, 50 crates—U.S. Plywood.

SS *Balla*, September 1:

From Mexico—Agricultural implements, 45 cases, order; fiber, 410 bales, 100 cases, order; gum rosin, 106 drums, order; broomroot, 138 bales, order; istle, 80 bales, 125 cases, order; thread, 10 cases, order; cocoa beans, 42 bags, order; sisal fiber, 2,295, order; sisal paddings, 113 bales, order; sisal cloth, 344 coils, order; sisal baggasse, 170 bales, J. Fyfe; twine, 734 reels, 1,107 bales, 52 cases, 105 cases, order; 100 cases, 3 bales, Pan American Foods; 137 bales, 235 reels, 105 coils, Schermerhorn Bros.; bee honey, 998 drums, order; tequila, 119 cases, J. E. Comisky; rope, 385 bales, order; 172 bales, G. W. Rueff; 50 coils, Pan American Products; electric material, 14 cases, order; nets, 700 bales, Dyson Shipping; pineapple, 1,150 cases, G. W. Rueff; titanium dioxide, 110 bags, American Cyanamid; coffee, 1,269 bags, order.

SS *Arensdyk*, September 1:

From Germany—Fatty acid, 7 bags, 16 drums, 1 can, 2 cases, B. R. Hendrix; lamp shades, 40 cases, Lang Co.; bicycles, 490 cases, order; hardware, 2,500 cases, Fisher Cycle.

SEATTLE

F W *Lovejoy*, August 31:

From Powell River—Newsprint, 1,130, rolls, order.

From Blubber Bay—Agricultural hydrate, 1,600 bags, A. R. Smith.

SS *Saragen*, August 31:

From Wellington—Beef, 26,267 pounds, General Meats; 42,059 pounds, Meats, Inc.; 70,247 pounds, Jilgs Sausage; 92,975 pounds, Meats, Inc.; 20,769 pounds, International Packers; 23,499 pounds, Levback Trad; 124,813 pounds, S. & P. Meats; 71,604 pounds, Low Cost Markets.

From Dunedin—Beef, 24,000 pounds, Bank of California; 16,704 pounds, Bob Bilyed Meat; 28,672 pounds, Balfour Guthrie.

Clover, 8,806 pounds, Chas. Lilly.

From Lyttelton—Veal and bull meat, 23,872 pounds, Home Frozen Foods; 9,887 pounds, S & P Meats; 72,240 pounds, Cudahy Packing.

White Clover, 56 bags, Chas. Lilly.

From Napier—Beef, 46,420 pounds, order; 99,489 pounds, International Packers; 91,160 pounds, Bob Bilyou Meats; 31,200 pounds, Associated Grocers; 61,680 pounds, F. P. Dow.

From Auckland—Beef, 24,825 pounds, S & P Meats; 140 pounds, Pan America; 41,958 pounds, order.

Liver Meal, 300 bags, Wessel Duva.

Frozen Meat, 85,942 pounds, order; 16,747 pounds, Rath Packing; 94,059 pounds, Armour & Co.

TAMPA

MS *Wurttemberg*, August 31:

From Bremen—bolts and nuts, 233 cases, Biddle Purchasing; window glass, 340 cases, Florida Glass & Mirror; peat moss, 1,350 barrels, Bruco Peat Moss Corp.; toys, 42 cases, Metasco, Inc.; bicycles, 635 cartons, Metasco, Inc.

From Hamburg—beer, 400 cartons, A. J. Arango; liqueurs, 100 cartons, Key Liquors of Tampa; scrap tires, 4,908 pieces, Wholesale Tire.

From Rotterdam—ironware, 15 cartons, Standard Marine Supply; scrap tires, 228 pieces, Wholesale Tire Co.

From Antwerp—galvanized pipes, 37 lift bundles, Bank of the Southwest N.A., Portland cement, 59,400 bags, Blanc Sales; steel wire, 10 kegs, Schuster Naval Stores; steel, 340,590 kilos angles, beams, Franco Steel; 179,730 kilos angles, beams, Amerlux Steel Products; 44,800 kilos angles, J. L. Wilmotte; 27,880 kilos channels, A. J. Arango; 68,915 kilos, angles, beams, Fillette Green.

MS *Nopal Trader*, August 31:

From Buenos Aires—distillers grains, 2,221 bags, Jac. C. Uiterwyk; 4,620 bags, order.

MV *Clarita Schroder*, August 29:

From Curacao—Greenheart lumber, 1,401 pieces, Greenheart, Inc.; Greenheart piles, 29 pieces, Greenheart, Inc.

MV *Privateer*, August 29:

From Havana—Tobacco, 50 packs, Sack & Menendez; 85 bales, Olica Tobacco; 91 packs, Standard Cigar; 11 packs, Delgado Leaf Tobacco.

Mr. Speaker, I have reduced the number in order that I can cover various ports of entry as well as type of cargoes.

This is only a small percentage of the ships and cargoes that arrived in all U.S. ports.

Following is a list of all the ports covered in this issue of the "Import Bulletin":

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Mr. Speaker, unless a Member takes time to read a copy of this valuable Bulletin put out by the Journal of Commerce, he is operating in the dark on reciprocal trade and foreign aid legislation.

No nation in the world has ever set up such an elaborate and deliberate plan to destroy its own enterprise and production as has this country.

I want to add at this time the following summarization of activities that I think Congress and the people ought to know about.

If any Member of Congress can justify spending taxpayer money to build up not alone competition in production, but to actually send teams of Americans around the world selling goods for our competitors and at the same time shutting down our own plants.

Maybe we are trying to build a new type of world and maybe most of us want it that way, but when you learn that the main purpose of Khrushchev's is to soften us up for Russian imports, created by slave labor, then maybe we better ask the question: "Who will inherit the new world?"

IMPORT NEWS HIGHLIGHTS

U.S. imports of manufactured products continued through July at a near-record pace, sharp declines in the value of five basic commodities pulled the total value of July imports 9 percent below June's record total of $1,370 million. The imports of machinery, vehicles, and other processed goods brought the July value of imports to $12,248 million or 19 percent ahead of the $1,050 million recorded in July of last year. This category of freight included the heavy shipments of automotive stocks, business machines, wearing apparels, and other finished stocks which have met with ready acceptance here in consumer markets.

U.S. imports of bovine hides and skins in the first half of 1959 showed sharp increases over the January–June 1958 total, according to the Commerce Department. Relaxation of existing trade barriers between the United States and the Soviet bloc may be one of the most important results of the forthcoming talks between President Eisenhower and Soviet Premier Khrushchev, informed experts in Washington report. The Federal Ministry of Economics reports that the volume of trade between Germany and the United States has increased in the first 6 months of 1959 by $46 million, as compared with the same period of 1958. In the first half of 1958, the trade volume was $794 million. The exports of the Federal Republic to the United States increased in the first half of 1959 by $122 million. Imports from the United States during the same period dropped $77 million, or about 15 percent, to $440 million. Japan has suspended the authorization of spun rayon finished goods exports to the United States beginning September 1 for an undisclosed period. Interior Secretary Fred A. Seaton rejected an appeal by six lead and zinc smelting companies to scrap the current import quotas on two metals.

A five-man American trade mission representing the U.S. Department of Commerce has arrived to help Yugoslav exporters find new markets in the United States. The mission will stay in Yugoslavia for 5 weeks, visiting the Belgrade and Zagreb International Trade Fairs. The United States is trying to persuade Japan to end discriminatory import restrictions on dollar area goods. National Cotton Council opened fire on critics of its proposal for across-the-board import quotas to protect American manufacturers of cotton textiles. Ask for establishment of rigid import quota system. New outbreaks of rioting in Calcutta reported to have brought activity in the harbor to a virtual standstill.

More than 4,000 tons of pepper were exported from India during the first 6 months of this year with the United States topping other importers with 1,087 tons. The Soviet Union and Canada took the next largest quantities of 475 and 343 tons, respectively, according to the India Economic News-Letter. Indian hand-loom goods for export will soon be marked "certified" and "quality marked" to create confidence between ex-

porters and importers, according to specifications and plans now being finalized by the All India Hand-Loom Board. The scheme will cover varieties of cloth other than those already standardized for export, providing requests to this end are made by the exporter or overseas importer. British scientists have discovered a new way of thawing frozen fish in bulk so that the whole of the mass thaws at a uniform rate. This is a problem that has troubled fish industry of the United States, Canada, and Europe for many years. The first full-scale exhibit of port equipment will be held at the 1959 convention of the American Association of Port Authorities scheduled to open December 7 in West Palm Beach, Fla., Dudley W. Frost, president, announced. Direct jetprop all-cargo service to the Far East and south Pacific from eastern, midwestern, and west coast industrial and trade centers will result in a 60-percent reduction in transpacific airfreight rates, Seaboard & Western Airlines announced last week. Raymond A. Nordn, president of the certified transatlantic freight-mail airline, said his company had presented a plan to the Civil Aeronautics Board calling for 25 round-trip, all-cargo flights weekly on 3 new transpacific routes.

The Tariff Commission advised President Eisenhower there is no need to reopen an investigation of the tariff increase on dried figs ordered in 1952 by President Truman. The Commission reported no change in conditions to warrant a new study. The Senate Finance Committee has ordered the Tariff Commission to investigate the effects of starch imports on the domestic industry. The Commission is to report back the results of the investigation by March 31, 1960. The report will be concerned only with the amount and effects of the imports and will not contain recommendations for any action. The Department of Agriculture has been requested to study the possibility of reducing pork imports from Canada. In a letter to Secretary Benson, they asked him to use his authority to cut imports if the Canadian Government decides to dump its surplus pork into the United States at depressed prices.

Mr. Speaker, somehow I have been haunted ever since Khrushchev's invitation by a hazy picture of a man with an umbrella and a placard saying "Peace in Our Time."

Munich is not so far from Washington.

A Note of Appreciation

EXTENSION OF REMARKS
OF
HON. WILLIAM J. RANDALL
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RANDALL. Mr. Speaker, on this last day of the 1st session of the 86th Congress I want to express in the RECORD my thanks to my colleagues for their many kindnesses.

Seated in March for the unexpired term of the late George H. Christopher, I missed the benefit of orientation provided for the class of new Members. Although junior to this group everyone has been most considerate and even my fellow first-termers have been helpful.

I take this opportunity to thank the leadership of the House, the chairmen of the two full committees, of which I am a member and on which it has been my privilege to serve; as well as the chairmen of the subcommittees and those committee members with whom it has been such a pleasure to work; and all of those associated with the Clerk's office, and the office of the doorkeeper, the document room, and the many liaison representatives who have been generous with their assistance to a new Member.

Finally, I want to say that all this friendliness has been heartwarming and I shall forever be grateful.

Report of the Minority Leader on the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF
Hon. EVERETT McKINLEY DIRKSEN
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. DIRKSEN. Mr. President, in conformity with the unanimous-consent request which I presented to the Senate and to which there was agreement, I submit herewith the "Report of the Minority Leader on the 1st Session of the 86th Congress."

In this report I have sought to be factual, impartial, and unbiased in setting forth the record with particular reference to those items that I conceive to be of greatest importance. Another report, to be printed as a Senate document, will contain a résumé of all major legislation with which this session of Congress has dealt. These reports, I am sure, will be found at once constructive, informative, and useful.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPUBLICAN REVIEW OF THE 1ST SESSION, 86TH CONGRESS

I. STATE OF AFFAIRS WHEN THE 86TH CONGRESS CONVENED

With the hour of adjournment near at hand, we have reached the stage for a frank appraisal of the work of the 1st session of the 86th Congress.

For a full understanding of the work of this session, an appraisal must be something more than the cold statistics of laws enacted and laws left dangling until we meet again next January.

Congress does not meet in a vacuum. The conditions in which Congress meets strongly influence the outcome of legislative programs. And what goes on behind the scenes is often of equal or greater importance than what is done on the stage in the full glare of the public spotlight. A vote of 90 to 1 in the Senate on the final passage of a bill, for example, rarely reveals the important issues that were involved as the bill moved through the various stages of the legislative process.

The composition and control of Congress itself is affected by the national elections. The legislative program reflects the recommendations of the President and the judgment of congressional leaders. And the final result is influenced by the state of the Nation and the moods of the people.

In short, a better understanding of the work of this session will be had if we look at some of the conditions and forces which influenced the final results.

Condition of the economy when Congress convened

The work of the Congress was also strongly influenced by the condition of the national economy at the time Congress met.

At election time in 1958 there had been about 4 million unemployed. By January the number had increased to nearly 5 million, owing to the usual slack which follows the heavy temporary employment of the holiday season.

But as the President correctly noted in his state of the Union message, the Nation enjoyed a strong and expanding economy.

"A year ago the Nation was experiencing a decline in employment and in output. Today that recession is fading into history, and this without gigantic, hastily improvised public works projects or untimely tax reductions. A healthy and vigorous recovery has been underway since last May. New homes are being built at the highest rate in several years. Retail sales are at peak levels. Personal income is at an alltime high.

The President forcefully indicated that it was not the proper approach to a sound economy to push the panic button and call for a wide variety of great expenditures and new functions.

On the contrary, he pointed out that we can afford everything we clearly need, but it is wise to avoid waste, to spend prudently, to balance the budget, to deal firmly with the basic causes of inflation which could disrupt the sound growth of our economy, to encourage confidence, and to induce new private activity into the national bloodstream.

The 1958 election and a divided Congress

The sound policies endorsed by the administration are largely responsible for the record employment and personal income achieved during recent months. The administration deserves great credit for having resisted the many proposals to embark on extensive public works programs of dubious value during the 1957–58 recession.

It is unfortunate that the United States during this critical period of world history has been plagued with a divided Government where the executive branch is in the hands of the Republican Party and the Democrat Party has the responsibility for the enactment of the President's recommendations. In spite of these difficulties, a substantial record of accomplishment has been achieved which attests to the patriotism and inherent common sense of the Congress. Immediately following the election, certain labor groups attempted to take credit for the election of a Democrat Congress and few believed that the 1st session of the 86th Congress would enact constructive labor legislation, which had been opposed by labor bosses who had infiltrated the Democrat Party. It is significant that the conference report on the Labor-Management Reporting and Disclosure Act of 1959 was adopted in the Senate on a vote of 95 to 2, and in the House by a vote of 352 to 52. Thirty-three Republican Senators supported this measure and 138 Republican Members of the House of Representatives.

Several matters merit some comment in appraising the work of the 1st session of the 86th Congress and providing for a better understanding of the forces and motivations which dictated the actions which were taken.

Both Houses of the Congress have been overwhelming Democrat. In the House of Representatives, prior to the admission of Hawaii as the 50th State, the ratio was 283 Democrats to 153 Republicans. This gave the Democrats 65 percent of the membership

with a majority of 130. With the admission of Hawaii as a State, one more Democrat Member was added to the House of Representatives. In the 85th Congress, the Democrat majority was 35. Not since 1937 has there been a smaller Republican membership in the House.

In the Senate, the ratio was 64 Democrats and 34 Republicans prior to the admission of Hawaii. At the present time, the ratio is 65 Democrats and 35 Republicans. Again the Republican membership in the Senate is the smallest since 1941. Under our two-party system, the American people always have the opportunity to assign responsibilities to the party of their choice. It must be remembered that in 1937 there were only 16 Republicans in the U.S. Senate and 89 in the House of Representatives. Yet, within the short space of a decade, there were 51 Republicans in the Senate and 244 in the House of Representatives. The Republican Party had been given a clear mandate by the American people to legislate during the difficult period of readjustment from World War II. The record of the Eisenhower administration since 1952 in recommending economic policies which have led to a rapid recovery from the recession of 1957–58 gives promise that the Republican Party will be given legislative responsibilities again in the near future.

One of the consequences of a national election is the change in the committee structure of the Congress. In the 85th Congress most Senate committees gave the Democrat Party a majority of a single member. However, in the 86th Congress, in most cases, the Democrats enjoy a 2 to 1 ratio over the Republicans. Therefore, it was necessary to get substantial support from the majority party to make the Republican position prevail.

The equation for legislative action is quite simple. It consists of attitudes plus voting power. The presence of 31 more Democrats than Republicans, giving that party a 65 percent majority in the Senate, places not only great power but also attendant responsibility on the Democrat Party for the welfare of the country.

The heady wine of the election results led other groups which supported the Democrat Party and claimed credit for the victory to take off on flights of exhilaration, casting off economy and moderation as they zoomed their spending proposals into space. These groups were eager, determined organizations who were anything but shy in asserting their causes. They buttressed the so-called liberals who had been elected in the Democrat sweep and who impatiently awaited the opening of Congress so that they could bring the millenium to the American people.

The Americans for Democratic Action issued a program under the fetching title, "A New Deal for the 1960's." Its first line read: "Americans for Democratic Action interprets the November elections above all, as a demand for a New Deal.* * * This should be the overriding objective of the 86th Congress." There followed a list of proposals and recommendations so ambitious, when calculated in terms of expenditures, as would have bankrupted the Nation and given wings to the flights of inflation.

Political union leaders of the AFL–CIO were scarcely less modest in demands upon Congress. Claiming a major share of the credit for the election outcome, they were ready and insistent in clamoring for immediate action on a host of proposals, all of which carried astronomical price tags.

Among the Senators- and Congressmen-elect, a considerable number looked upon the election as a mandate to indulge in generous liberality with other people's money and to cure all of the ills of the Nation, real and fancied, by more Federal laws.

All such influences combined more or less to impress on the Democrat leadership in Congress that this was a new era, this was the space age, this was a time for bold and dynamic action, and that the so-called mandate derived from the people in the November election of 1958 was to be used to send the country spinning to new levels of something or other.

Immediately after the election, the prospective majority leader of the Senate, with his customary modesty and good sense, sought to tone down the exuberance of his followers and to put at rest the Nation's fears that a phalanx of Democrat spenders was poised for the opening gun of the 86th Congress.

Leaving a conference with the President at the White House a few days after the election, the Senator spoke in general of a program of "prudent progressivism" in the bracing air of confidence that the Congress would go forward to meet the challenge of the times. The Democrats would cooperate with the Republican President for the "2 more years" of his term and when they disagreed, they would present "constructive alternatives."

Later, but still in general terms, the majority leader listed "the kind of things I believe must be done." This was simply a topical list of items. How they were to be done, and at what cost to the Nation, was wisely left to the unfolding future.

II. THE PROGRAMS UNFOLD

The majority program

As the session opened, Congress was soon to see what lay behind the bold, dynamic program of the Democrat majority. The bright blueprints of glittering generalities began to take shape in the form of specific bills.

It included, among other things, a Federal aid to airports bill by Senator MONRONEY, of Oklahoma, and others. Bearing the title S. 1, this was a 5-year program to cost $565 million, a sum quite in line with concepts of the space age.

Then came a housing bill (S. 57), introduced by Senator SPARKMAN, and others, with provisions so broad and generous that it seemed as if a housing program was to take the form of castles in the air. Running well into the billions, the bill embraced urban renewal grants, college housing loans, new public housing units, direct loans to veterans, millions for planning and for training planning and housing technicians.

Indeed, so generous were the loans and grants to be that the bill looked more like a campaign document for 1960 than the work of "prudent progressivism" promised by the majority leader. Only a nursery building program for expectant mothers was missing from the bill, but possibly that was an oversight in the process of covering so many beneficiaries.

Among the other major measures sponsored by Members of the Democrat Party which were never enacted were the following:

Independent Rural Electrification Administration: In 1953, following a recommendation by the Hoover Commission, the Rural Electrification Administration was incorporated into the Department of Agriculture. This action recognized that the REA provided a service mainly to the agricultural community. The action of the Eisenhower administration, pursuant to the Reorganization Act, recognized the responsibility which the executive branch holds in the administration of such a program. The Democrat 86th Congress attempted to alter the normal chain of command and to reestablish the REA as a separate, independent agency within the Department of Agriculture. In effect, this would permit the almost uncontrolled use of $3 billion of public credit without effective Executive or congressional supervision. In President Eisenhower's words, this would result in a "major retreat from sound administrative policies and practice."

The measure introduced by Senator HUMPHREY, passed the Senate 60 to 27 on April 8; passed the House, 254 to 131 on April 15; and was vetoed on April 27. The veto was overridden by the Senate, 64 to 29, on April 28, and the veto was sustained by the House 280, to 146, on April 30. Thus, the President stopped dead in its tracks this deliberate attempt to discredit the Chief Executive and his Secretary of Agriculture by removing an important administrative function of the U.S. Government from proper regulation.

Social security—medical care: Congressman FORAND introduced in the House H.R. 4700, a bill amending the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, whether or not cash benefits have been applied for and are being received. Payments may be made for hospital services furnished an individual for 60 days of hospitalization in a 12-month period or for hospitalization in a nursing home for 120 days in a 12-month period less the period of actual hospitalization. Patients are free to choose the hospital or nursing home to be attended. The provisions of this act are to be administered by the Secretary of Health, Education, and Welfare after consultation with a National Advisory Health Council created by the measure. If enacted, the bill would constitute a big step forward in the movement to nationalize medicine.

Similar bills were introduced in the Senate: S. 881 by Senator MORSE, and S. 1056 by Senator MURRAY.

Construction of medical, dental, and public health educational facilities: Senator NEUBERGER introduced S. 2170, a bill to authorize a 10-year program of grants for construction of medical, dental, and public health educational facilities. For the fiscal year beginning July 1, 1959, and for each of the 4 succeeding years it authorized $50 million for grants for the expansion and improvement of existing schools of medicine, dentistry, and public health, and an additional $100 million for a 10-year period beginning July 1, 1959, for grants for the construction of new schools of medicine, dentistry, or public health. No action was taken on this proposal.

International medical research: Senate Joint Resolution 41, sponsored by Senator HILL and 63 other Senators, proposed the establishment in the Department of Health, Education, and Welfare of a National Advisory Council for International Medical Research and the establishment in the Public Health Service of a National Institute for International Medical Research. The purpose of the bill is to help mobilize the efforts of medical scientists, research workers, technologists, teachers, and members of the health professions generally, in the United States and abroad, for assault upon disease, disability, and the impairments of man, and for the improvement of the health of man through international cooperation in research, research training, and research planning. It authorizes $50 million annually to start the program.

While this measure appeals to the emotions, it must be viewed as one more spending measure added to the numerous international contributions already being made by the United States, such as the World Health Organization and the United Nations International Children's Fund (UNICEF).

The resolution passed the Senate by a vote of 63 to 17. Subsequently, the resolution was referred to the House Interstate and Foreign Commerce Committee. There was no provision for this item in the President's budget, and it has not been enacted into law.

Unemployment compensation: The Democrat mandate program also called for the enactment of legislation to encourage permanent maximum unemployment compensation. Senator KENNEDY and 33 cosponsors introduced S. 791, a bill to provide for unemployment reinsurance grants to the State, to revise, extend, and improve the unemployment insurance program. In addition to providing a permanent maximum unemployment compensation benefit period of 39 weeks, it would also provide unemployment benefits amounting to 50 percent of employees' weekly wage although it was limited to a maximum of two-thirds of the average weekly wage within a State.

The enactment of this program would have destroyed merit rating, a feature which has been a part of the combined Federal-State unemployment compensation system since its inception. This measure encourages employers to provide uninterrupted employment for their employees and would also have federalized unemployment compensation. In many cases it would have deterred any incentive for individuals to seek private employment even though their skills and efforts were badly needed in the furtherance of our normal free enterprise economy.

Unemployment commission: As the 86th Congress assembled, the prophets of gloom and doom were convinced that the recuperative powers of our free enterprise economy were no longer adequate to assure employment of our growing population. The majority leader proposed the establishment of a commission to study the employment situation in the United States. In order to dispel any partisan connotations over this vital issue, the minority leader and 66 Senators joined in sponsoring this impartial study of the employment situation. It is significant that the bill providing for this study (S. 1631) was introduced on April 8 and passed the Senate on April 10. However, the American economy was progressing at so rapid a rate that this measure never received consideration by the House as it was obviously unnecessary. Instead, a more modest study—by a Senate committee—was scheduled. This action thoroughly vindicates the position of the President and his economic advisers that the course which he had laid down at the beginning of the recession to restore the American economy without undue Government intervention was sound and in the public interest.

Youth Conservation Corps: Added to their already inflationary program was a Democrat proposal (S. 812) establishing a Youth Conservation Corps which was patterned after the Civilian Conservation Corps of the depression era. This measure proposed a nonrepayable yearly Federal expenditure of $375 million to $450 million, which would eventually cost nearly $4 billion over a 10-year period.

Supporters of this program have justified it on the grounds that it is an antidepression remedy, it is supposed to combat juvenile delinquency, and it is urged as an aid in natural resources conservation.

The present state of our economy would hardly justify enactment of this proposal. In 1933, when the CCC was established, there were 12,830,000 unemployed, or 24.9 percent of the total labor force. Today, there are only 3,744,000 unemployed, or just 5.1 percent of the labor force.

S. 812 provides for a regimented barracks life for 50,000 to 150,000 young men between the ages of 16 and 21, who "are citizens of the United States of good character." If they must be of good character, the bill is certainly not designed to mitigate juvenile delinquency. If enrollees must be of good character before they can enter the camps, it will not be possible for juvenile delinquents to be admitted to the camps. Of the 7,106,000 young men in the United States between the ages of 16 and 21, the enormous cost of this program would benefit only seven-tenths of 1 percent of the eligible young males in the country.

In commenting on the effect of the program in terms of the conservation program, the Departments of Agriculture and Interior indicated that they could do a much more effective job in the field of conservation by recruiting people trained in that type of work with the same funds.

This measure was passed in the Senate on August 13, 1959, by a vote of 47 to 45, but no action was taken by the House in the first session.

In agriculture, there was to be a new farm program to cure all the evils compounded over a quarter of a century, but the details of the program were not revealed, possibly because the majority did not, itself, know how to do the job.

Labor-management reform and civil rights were touched upon gingerly, possibly because the Democrat majority found itself in a hot box on each of these matters.

In the labor-management field the abuses uncovered by the McClellan committee had generated a heavy public demand for an end to labor racketeering, for protection of the rights of rank-and-file workers against unscrupulous union leaders, for protection of business and the public from secondary boycotts, organizational picketing, and other related abuses.

How to meet this demand and yet not offend union leaders whose powerful political support they sought, posed a real dilemma for the Democrat majority. The only possible way out seemed to be the Kennedy bill prepared with the aid of labor bosses and sweetened by changes in the Taft-Hartley law long sought after by union leaders.

In the civil rights field, the situation was equally difficult for the Democrat majority. The Republican administration and the public were pressing for further progress ever since 1957 when the Senate Republican minority leader forced the bill, passed by the House and embodying Republican administration recommendations, to the Senate floor where it was passed to become the first civil rights measure to be enacted in over 80 years. After Little Rock, the pressure for further legislation increased and it was clear that the 86th Congress would have to do something about it, reluctant as the Democrat majority was to touch the issue—even with the asbestos gloves offered by the majority leader in the form of a relaxation of the filibuster provision in Senate rules.

But what to do? The northern wing of the Democrat Party joined with a stronger body of Republicans to insist upon action. But the southern wing of the Democrat Party held back. How to satisfy the demand for civil rights enforcement without splitting the Democrat Party was the dilemma facing the majority leadership.

Nothing in the bold, dynamic program of the majority leader pointed the way out until a bipartisan approach took the preliminary step at the opening of the session of attempting to change rule 22—the filibuster provision which long had been the graveyard of civil rights issues. With his hand forced, the majority leader made a virtue of necessity and played a creditable part in finding a workable solution of the matter. After this skirmish, the real struggle for further progress in civil rights had to await the pleasure of a Senate committee controlled by Democrat opponents of the civil rights bills. As we shall see, the eagerness of this committee to bring forth a civil rights bill was anything but dynamic.

Such were the ingredients of the strange dish that came to be the Democrat majority program—a generous batter of spenders' delight, well moistened with the heady liquid of further expansion of the Federal Government, a liberal helping of welfare borrowed from their taxpaying neighbors, a dash of depression blues, a pinch (not more) of labor reform and civil rights, all raised to program proportions with the yeast and warmth of the 1958 elections. And this tasty dish—bearing the label "Caveat Emptor"—was set before the Democrat leadership to bake in the legislative oven.

The administration program

In contrast with the strange concoction cooked up by the Democrat majority, the Republican administration presented the Congress with a carefully worked out, responsible program. It aimed at balanced progress in meeting the Nation's needs. The price tags on the President's recommendations were moderate, and they added up to a little less than the expected revenues, so that there would be something in the cashbox to apply on the heavy national debt.

Few people really know how carefully worked out the administration's program is. The job has to be well done because, unlike the free-wheeling Democrat majority in Congress, the administration has to operate a huge Government, carry out the vast programs at home and abroad, pay the bills, and keep the Treasury solvent.

The budget is the administration's plan to do these things. Government Departments and the Budget Bureau start work a year before the President transmits the final budget message to the Congress. Between January and June they study carefully all the programs Congress has directed them to operate by previous laws. They study the requirements of national defense, the condition of the national economy, and the needs of the people.

Then each Department and agency comes before the Budget Bureau to present and justify its requirements. This is followed by a period of cutting and trimming until estimated Government spending is brought in balance with estimated Government revenues.

If this cutting and trimming is not done firmly, the Government will slide into deficits, heavier debt, and more taxes, as was done for so many years during the New Deal. We are paying for the excesses of the New Deal now by high inflated prices, by a heavy cut in the purchasing power of the dollar, and by enormous interest charges on the gigantic Federal debt.

The Budget Bureau takes the whole fall of the year to shape up the final program and then goes over it with the President in December. At that time all the big decisions on the program are finally made and the budget message is crystallized.

This is the heart of the program which the President submits to Congress in three basic messages: the state of the Union message, the budget message, and the President's Economic Report.

By the Constitution and the laws of the land, it is the President's duty to do these things. Charged with the duty of approving or vetoing the laws passed by Congress, he is a part of the legislative process as well as the Chief Executive of the Nation. Congressmen represent districts; Senators represent States; but the President is elected by and represents all the people.

When the administration program goes to Congress in January, it is the duty of Congress to consider it, to act upon the recommendations according to its best judgment, and then to appropriate the money and to pass the laws to carry out the program for

the fiscal year which runs from July 1 to the following June 30.

Following this careful procedure, then, the administration's program was developed. It covered many of the same fields embraced within the Democrat majority program, but with a difference in approach, as we shall see.

It included the following items:

1. The submission of a balanced budget for next year.

2. The reduction of Federal operations in any area where private enterprise can do the job including legislation for greater flexibility in extending Federal credit, and in improving the procedures under which private credits are insured or guaranteed.

3. Necessary action to make more effective use of the large Federal expenditures for agriculture and to achieve greater fiscal control.

4. Review and revise operating and benefit standards of the agricultural conservation program.

5. The development of a program designed to encourage greater participation by private enterprise in economic development abroad.

6. The adjustment of other fees and charges so that persons receiving special services will more nearly pay the cost of these services, which include fees to the Patent Office and to other agencies which render services benefiting a limited group of our citizenry.

7. Authorize revenue bond financing for TVA generating facilities.

8. Strengthen and improve housing mortgage insurance programs.

9. Continue for 1 year beyond June 30, 1959, the present tax rate on corporate income and the excise taxes on automobiles and parts, cigarettes, distilled spirits, and wines and beer.

10. Increase temporarily the Federal tax on motor fuels, raise the tax on aviation gasoline, and impose a similar tax on jet fuels.

11. Authorize a revision in postal rates.

12. Enact a permanent plan for the taxation of life insurance companies and adjust the present laws relating to the taxation of cooperatives.

13. Specify the treatment processes which shall be considered as mining for the purpose of computing percentage depletion allowances in the case of mineral products.

14. Grant wider administrative authority in setting interest rates and make certain adjustments in rates for various credit programs, as follows: Veterans' Administration programs of guaranteed and direct home loans; Federal Housing Administration programs of rental (including armed services) and cooperative housing (Sections 207, 803, and 213 of the National Housing Act); the college housing program of the Housing and Home Finance Agency; the loan program of the Rural Electrification Administration; and the ship mortgage loan program of the Maritime Administration.

15. Provide the President with authority to veto or reduce the amounts for specific items in appropriation bills and in other bills authorizing expenditures.

16. Raise the permanent debt limit by $2 billion, to $285 billion, and authorize a further temporary increase for the fiscal year 1960.

17. Amend the Employment Act of 1946 to make price stability an explicit goal of Federal economic policy.

18. Extend Federal regulation to bank mergers accomplished through the acquisition of assets.

19. Require notification to the antitrust agencies of proposed mergers by businesses of significant size engaged in interstate commerce.

20. Empower the Attorney General to issue civil investigative demands in antitrust cases when civil procedures are contemplated.

21. Make Federal Trade Commission cease-and-desist orders final when issued for violations of the Clayton Act, unless appealed to the courts.

22. Authorize the Federal Trade Commission to seek preliminary injunctions in merger cases where a violation of law is likely.

23. Amend the Securities and Exchange Act to extend the privilege of regulation A filings to a wider range of security issues.

24. Enact a program that will provide assistance, through development loans and grants for technical studies, to communities that have suffered substantial and persistent unemployment; and technical aid for the diversification of rural low-income areas and of towns heavily dependent on a major industry.

25. Enact a long-range program to conserve helium gas.

26. Provide for extending the coverage of the Federal-State unemployment insurance system to employees of firms having fewer than four workers, to employees of Federal instrumentalities, nonprofit organizations and certain other groups, and to workers in Puerto Rico.

27. Bring the provisions of the District of Columbia unemployment insurance system up to the standards recommended for the States.

28. Strengthen the State systems of workmen's compensation (State responsibility).

29. Extend the coverage of the Fair Labor Standards Act.

30. Improve the 8-hour laws applicable to Federal and federally assisted construction projects.

31. Carry out the principle of equal pay for equal work without discrimination based on sex.

32. Require reporting and disclosure of financial dealings between employers and employee representatives and their agents, and the filing of public reports on the status of union finances, organization, and procedures.

33. Prescribe standards to promote democratic procedures in union affairs.

34. Modify the law governing secondary boycotts, organizational and recognition picketing, and representation elections; and provide that States be given jurisdiction in labor-management disputes where the National Labor Relations Board declines to exercise authority.

35. Correct shortcomings in the Welfare and Pension Plans Disclosure Act.

36. Review and revise operating and benefit standards of military service credits for railroad retirement.

37. Expand non-Federal participation:
(a) Urban renewal.
(b) Flood control.
(c) School aid in federally affected areas.
(d) Waste treatment construction grants.
(e) Vocational education grants.
(f) Public assistance.
(g) Feed and seed assistance in disaster areas.

38. In other areas of human rights—freedom from discrimination in voting, in public education, in access to jobs, and in other respects—the world is likewise watching our conduct. The image of America abroad is not improved when schoolchildren, through closing of some of our schools and through no fault of their own, are deprived of their opportunity for an education.

The government of a free people has no purpose more noble than to work for the maximum realization of equality of opportunity under the law. That is the concept under which our founding papers were written. This is not the sole responsibility of any one branch of our Government. The judicial arm, which has the ultimate authority for interpreting the Constitution, has held that certain State laws and practices discriminate upon racial grounds and are unconstitutional.

39. Enlarge the resources of the International Monetary Fund and the International Bank for Reconstruction and Development.

40. Provide additional authorization for the Development Loan Fund.

41. Extend the mutual security program.

42. Extend the authority for sales of surplus agricultural commodities for foreign currencies and for the donation of such commodities for famine relief and other assistance.

43. More effective cooperation with the United Nations and its specified agencies including a reexamination of our own relation to the International Court of Justice.

44. Continue military draft, Reserve forces, and related legislation.

45. Repeal limitations on minimum strength of military Reserve forces and on disposal of unneeded military real estate.

46. Authorize sale of surplus military and other real property.

47. Review and revise operating and benefit standards of (1) Veterans' pension and other programs, (2) foreign bidding on certain military contracts.

48. Authorize statehood for Hawaii and home rule for the District of Columbia.

49. Disposition of the Alaska communications system and related facilities.

The important fact about such a program is that it has to be a balanced program. It has to deal with the immediate present and the long-range future. It has to balance the needs for defense with the needs for civilian operations. It has to balance domestic programs with oversea programs. It has to balance Government income and outgo. When it proposes spending, it has to think of taxes and debts and the need for protecting the spending power of the dollar.

It just isn't a question of balancing the budget, but the bigger problem of balancing all the parts within the budget. No Government will ever have enough money to do all that is demanded of it. First things have to be put first, and all other things in some proper order. If this is not done, we risk many dangers and even the solvency of the Government itself. The well-being of all our people depends upon a balanced plan of Government operations.

So long as Congress bears this in mind when it considers the budget, no great harm can be done if it enacts some new proposals or changes some of the President's recommendations. Congress never has to dot every "i" and cross every "t" in the President's program. After all, by the time Congress acts upon the President's program, some 18 months have elapsed and many conditions have changed. Congress has to take note of these changes in its legislation. But if it throws the whole thing out of kilter by taking potshots here and there, there is bound to be serious trouble.

That is what the Democrat majority threatened to do with all their freewheeling spending proposals. It is no excuse for them to say, "We appropriated less than the total sum the President requested—we balanced the budget." The question is: How was it done? If it was done by throwing a great many items within the budget out of line, just as much harm can be done as if the budget total itself was unbalanced.

Look at it this way: If a father spent half of his week's wages on golf clubs, leaving the children without needed shoes and the family with less groceries than it needs, it would certainly be no excuse for him to say: "I did not spend more than I earned." The same principle holds true of Government and the Nation's needs.

At many points, the Republican administration's program came into sharp conflict with the bills presented by the Democrat

majority. The next section of this report will describe in detail what then happened, what issues arose, and how they were resolved.

III. BATTLE OF THE BUDGET

Nowhere was Operation Retreat and Fallback more apparent than in the celebrated battle of the budget.

The President submitted a comprehensive budget plan, providing adequate funds for each of the many and diverse activities of the Federal Government, all fitted into an over-all framework of balance between revenues and expenditures. The President proposed various programs of assistance in the fields of housing, airports, depressed areas—all of which were carefully considered as parts of a total Federal program, with benefits and costs fully evaluated and balanced.

Specifically, the President submitted the following balanced budget in January 1959:

Receipts	$77,100,000,000
Expenditures	77,030,000,000
Surplus	70,000,000

This program was conditioned on Congress providing certain necessary increases in revenue, particularly in the areas of (1) the motor fuel tax, (2) postal rates, (3) so-called "user charges" for special Government services, and (4) miscellaneous revenue increases, including closing of tax loopholes. Congress granted only part of what was requested in motor fuel taxes and miscellaneous revenues, and none in postal rates or user charges. These failures to act were offset by unexpected increases in other revenues, due to the very sharp recovery in economic activity; but this same recovery also necessitated added expenditures. As a result, it appeared that the hoped-for surplus would be upset by about the amount of the neglected revenue requests.

The Democrat majorities in Congress embarked in January with great promises as to the programs which the Federal Government would undertake. In program after program—we were promised—the Democrats would do more than the President proposed.

But, when the President made plain his determination to stand firm on his balanced budget, public opinion rallied to his side. Congressional leaders were impressed by public opinion. As the session progressed, Congress' efforts to put up an outward show of fiscal restraint, in contrast to their earlier promise to spend, reflected their recognition that the President's position was basically in tune with the wishes of the people.

Despite unwarranted increases in some budget items, Democrat majorities on the Appropriations Committees cut back other programs, including mutual security and defense funds, sufficient to convey the appearance of substantial reductions below the President's requests for appropriations for fiscal 1960. But several millions of the claimed cuts in appropriations were, in reality, only "postponements" and will have to be restored in supplemental appropriations next year. And of the remaining claimed cuts—about $1 billion—most of them will not affect actual expenditures in fiscal year 1960, since long "lead-time" items were involved.

The strength of public support for the President's balanced budget stand was reflected in the effort by the Democrat leadership to draw attention toward reductions in formal appropriations bills and away from major increases in its own big spending proposals where actual appropriations will not be made until later budget years.

Of course, it is customary for the legislative to appropriate less money than the Executive requests in the formal appropriations bills. This has happened in every Congress, even during World War II and the Korean war.

Yet a somewhat different picture emerges if we take an overall view of not only formal appropriations bills, but also the major programs involving authorizations for later appropriations and/or public debt transactions which never require appropriations. In housing, airports, depressed areas, and other fields, Congress repeatedly tried to mortgage the future far beyond Executive requests.

Even here, however, public demand for fiscal responsibility exercised an effective restraining force. As shown below, original Democrat-sponsored bills were cut way back when it became clear that the President, backed by Republicans in Congress, was taking a determined fight to the country in the interests of preserving the value of the dollar. In many cases, Presidential vetoes enforced the demand of public opinion.

But again, many reductions claimed by the Democrat leadership were "paper" reductions. In some cases, for example, Congress took a multiyear administration request and cut it back to 1 or 2 years, appearing to reduce dollar totals, when, in fact, they were committing taxpayers' dollars far more than the original administration request. In short, they claimed to cut spending; but, in fact, they cut the calendar, while raising the rate of spending.

On the important issue of back door financing, people who believe in keeping a close rein on the spending of the taxpayers' money won a significant victory. A Democrat-sponsored effort was made to convert the Development Loan Fund to a 5-year $5 billion public debt transaction, cutting it loose from the appropriations process for the first time. A point of order was raised against this effort to bypass orderly appropriations procedures. While the issue was not pressed to the fullest, a clear-cut victory was scored to the extent that the Development Loan Fund was reduced way back and put on an authorization basis. The President has made known his position that this administration will never request further back door spending.

IV. OPERATION RETREAT AND THE BOX SCORE

What happened when these two opposing programs met in the legislative halls was a joy to behold. Any comparison of the measures as introduced with the same measures as signed by the President indicates all too clearly that there was a broad retreat and significant fallback from the New Deal-type of measures in the Democrat majority program.

The session just closed was a vindication of the President's good management in devising a program that made good sense to the people.

The victory belongs to the public which so strongly supported the President on the main issues of a balanced budget and responsible government. Had the people not been aroused, the Democrat 86th Congress would never have jettisoned the key measures of New Deal-type spending.

Republican Members of Congress who stood strongly for sound finance, for moderate progress, and for the correction of abuses such as in labor-management relations can be proud of their record in this session. Although they were in the minority, they fought the good fight and won.

Every veto message but one sent to Congress by the President has been sustained despite Democrat majorities in both Houses. The Democrat-controlled House couldn't muster enough votes to prevent the biggest lobby ever assembled by political labor leaders from taking a drubbing on labor-management reform.

The Democrat congressional leaders even silenced their party's national chairman, Paul M. Butler, who publicly demanded that they set a liberal course even if the measures passed ran into the President's vetoes.

That retreat and backtrack from an insupportable Democrat majority program is the main earmark of this first session of the 86th Congress becomes abundantly clear in the detailed analysis of the major public laws acted upon. Item by item, they are as follows:

Agriculture

The main agricultural problem facing Congress was again what to do in the case of a few commodities for which outmoded price-support programs have been too long continued.

The 85th Congress had grappled with the same problem and, after much lost motion, came up with compromise legislation dealing with cotton, corn, and feed grains, and rice. That wasn't perfect legislation, certainly, but it was a good compromise, and it dealt with the commodities generally held to be in the most trouble at the time.

It was evident even then that something ought to be done in this 1st session of the 86th Congress about wheat and perhaps about tobacco and peanuts.

Farm picture generally bright: Except for these three crops, and the problem of what to do about mandatory price supports in general, the agriculture picture was, and today is, fairly bright. Production is at the highest levels in history. Gross farm income is at a record level. Per capita farm income is the highest in history. Farm ownership is at a new peak, and the amount of money the individual farmer has invested in his farm, or the amount he has paid off on his mortgage, has never been higher. Transportation, telephones, television, electricity, and other aids to good living are more widely available on farms than ever before. The standard of living on farms is the highest ever. Of course there are serious unsolved problems, not the least of which is the cost-price squeeze. But, in general the main problem was and is what to do about the 16 commodities now under mandatory price supports, and particularly wheat, tobacco, and peanuts.

That was the problem at the start of this last session, and it is still the problem now. For the fact of the matter is that no law—not even one like last year's compromise Agricultural Act—has come out of this Congress.

It is true that wheat and tobacco bills were passed. But it is also true that these bills moved toward higher supports and stricter controls, and were therefore vetoed by the President.

Wheat problem: Wheat particularly presents an alarming problem demanding attention. By next year the Government will have $3.5 billion invested in wheat. A wheat carryover of 1.3 billion bushels existed in July and one of 1.5 billion bushels is indicated for next June 30. The cost to the taxpayers is $1.5 million every day for interest, storage, handling charges, and transportation. The $3.1 billion already invested by the Government in wheat represents a third of the total cost of all programs designed to support farm prices and income. But only 6 percent of all farmers benefit from this investment in wheat.

This situation in regard to wheat is indicative in the extreme of the overall problem of Government attempts to control production through acreage restrictions and to protect farm income through price supports.

Inaction of Congress: Because no major farm law has been produced during this session, and because it is generally felt that many people think Congress should have produced such a farm law, there have been attempts to fix the blame for this inaction of the Congress. Although Congress is the lawmaking body, there have been attempts to fix Congress' failure to act in this instance upon the Secretary of Agriculture.

The cry has gone up to the effect that he said he would write out the law for Congress, but didn't do so. To begin with, he did write out the law for Congress, as appears later. But, even if he did not do Congress' work for it, and even if he said he would, how does this get Congress off the hook? It cannot. The responsibility to write laws rests with Congress—even farm laws.

Definite program offered: But, let the record speak.

On January 29, 1959, President Eisenhower and Secretary of Agriculture Benson recommended that Congress either abandon parity and relate mandatory farm price supports to average market prices, or, if it insisted on keeping parity, allow the Secretary to set supports anywhere from zero to 90 percent of the parity price.

"The price-support and production-control program has not worked," the President said. He said there were three main things wrong with it:

"1. Most of the dollars are spent on the production of a relatively few large producers. * * * It does not help the farmers in greatest difficulty. * * *

"2. The control program doesn't control. Mandatory supports are at a level which so stimulates new technology and the flow of capital into production as to offset, in large part, the control effort. * * *

"3. The program is excessively expensive. * * * Budgetary expenditures primarily for the support of farm prices and farm income are now equal to about 40 percent of net farm income."

Specific recommendations: The President made these specific recommendations:

"I recommend that prices for those commodities subject to mandatory supports be related to a percentage of the average market price during the immediately preceding years. The appropriate percentage of the average market price should be discretionary with the Secretary of Agriculture at a level not less than 75 and not more than 90 percent of such average. * * *

"If, despite the onrush of science in agriculture, resulting in dramatic increases in yields per acre, the Congress still prefers to relate price supports to existing standards, the Secretary should be given discretion to establish the level in accordance with the guidelines now fixed by law for all commodities except those for which supports presently are mandatory."

The President also served notice that he opposed direct payment and multiple-price programs. "Difficulties of the present program," he said, "should not drive us to programs which involve us in even greater trouble. I refer to direct payment programs, which could soon make virtually all farm people dependent, for a large share of their income, upon annual appropriations from the Federal Treasury. I refer also to various multiple-price programs, which would tax the American consumer so as to permit sale for feed and export at lower levels."

Administration program spelled out: The President said more than this. He gave considerable detail as to both what he wanted and what he did not want; but these were the highlights.

Now, attached to the President's message to Congress was a memorandum for the President from the Secretary of Agriculture. It went into still more detail, stressing the alternative presented by the President and applying them particularly to wheat, tobacco, and peanuts. This memorandum also went on to call for extension of Public Law 480, extension of the conservation reserve, and certain other recommendations.

Thus the administration program was very well spelled out, even before Secretary Benson appeared before the Senate Committee on Agriculture and Forestry on February 16 and 17. It was spelled out in even greater detail at that time. Again the Secretary presented in more detail the alternate programs outlined by the President, preferring, as the President had, the program to relate support prices to average market prices within a range of 75 to 90 percent.

Legal language provided: It is true that the Secretary did not bring with him to the committee the legal language covering his and the President's recommendations. He did agree to supply such legal language, and subsequently did. Wheat legislative language was sent March 12, 1959. Legislative language for peanuts was forwarded on April 2, 1959. Legal language with reference to extension of Public Law 480 was forwarded on April 17, 1959. Legislative language for tobacco was forwarded on April 20, 1959. On May 1, 1959, there was forwarded a combined draft on all of the above legislation.

How then, can one explain the cry that the Secretary said he would send proposed legislation to Congress but did not?

Could it be that this was a kind of smokescreen to cover up the fact that no general agreement could be reached among those most critical of the Eisenhower-Benson program? It is hard to be sure. It is interesting, however, that at the time there were newspapers and other reports to the effect that Senate Democrats jointly would propose their own broad farm legislation, but those reports died out, and, of course, no such joint proposition is before Congress.

No cure-all offered: It may be accurately charged, and had been, that Secretary Benson did not send to Congress a so-called omnibus farm bill designed to cure all the ills of all the farmers and straighten out all the kinks in all the history of farm legislation in one fell swoop.

But it cannot be accurately charged that the Secretary ever said he would be so rash as to attempt such a feat.

The record of the hearings before the Senate committee makes it abundantly clear, for instance, that it was agreed no changes would be proposed for the crops covered by the Agricultural Act of 1958. So, any so-called 1959 omnibus bill would be less than "omnibus," at least to that extent.

Excerpts taken out of context, together with the fact that, as usual, the hearing transcripts were edited for clarity, have been used to try to show that the Secretary of Agriculture said he would send up legal language for an all-inclusive new farm law. But the most any objective appraisal of the entire record shows is that the Secretary agreed to send to Congress the legal language which, indeed, he has sent, but which Congress has seen fit to ignore.

Responsibility of Congress: But, no matter how much may be said about what the Secretary of Agriculture did or did not do, said or did not say, the undisputable fact remains that Congress is the lawmaking body, Congress has the power and the obligation to make the laws, and when Congress fails to take action in a field where action is needed, Congress and Congress alone is ultimately responsible.

Extension of Public Law 480: Late in the session, Congress passed a bill (H.R. 8609) extending Public Law 480, the Agricultural Trade Development and Assistance Act.

The final measure, as worked out in a Senate-House conference, extended title I (sales of surplus commodities for foreign currencies) for 2 years to December 31, 1961, with an increased authorization of $1.5 billion per year. It also extended title II (famine relief donations) for the same period with an increased authorization of $300 million per year.

Among other features of the measure was one authorizing the establishment of a permissive 2-year food-stamp plan for the distribution of $250 million worth of surplus food per year to needy people in the United States.

Anti-inflation legislation

During most of this session's deliberations decisions were shaped largely by the shadow of mounting inflationary pressures.

Defense against inflation was a paramount concern. The President's vigorous stand for a balanced budget, supported by Republicans on Capitol Hill, was motivated basically by a desire to protect the value of the dollar against further attack from inflation. Not only in the overall battle of the budget, but on many individual legislative battlegrounds—like housing, airports, depressed areas—Republicans stood against inflation and for a stable cost of living.

But, in addition to these important issues, several proposals were advanced dealing directly with the problem of inflation.

Senator PRESCOTT BUSH introduced legislation (S. 64) which would amend the Employment Act of 1946, to establish the prevention of inflation as a major goal of economic policy. This bill was endorsed by the President in his 1959 Economic Report.

The Republican Party is in accord with the objectives of the Employment Act, but believes that increasing employment opportunities must be found within a stable, noninflationary economy. Balance must be maintained in the goals of economic policy. Therefore, the act must be amended to include a stable price level—as well as ample job opportunities—as our objective.

Democrats in Congress presented an alternative solution which would require either the Federal Trade Commission or the Council of Economic Advisers to review price increases by leading firms. This proposal amounted to price control by admonition. Such a procedure would destroy the foundatons of our free economy, and impair the usefulness and objectivity of the Council of Economic Advisers.

The Joint Economic Committee is currently reviewing the economy and is conducting a special investigation which the Democrats have sponsored to determine how growth and price stability may be achieved simultaneously. The work of this committee will be appraised very carefully.

The President's own battle against inflation led to the creation of a Cabinet Committee on Price Stability for Economic Growth. Vice President RICHARD M. NIXON is Chairman. This Committee was created "to follow governmental and private activities affecting costs, prices, and economic growth; initiate studies by Government or by groups of private citizens of price stability in relation to economic growth; seek ways to enhance productivity in the American economy and to build a better public understanding of the need for reasonable price stability in a free society and of the conditions necessary to achieve this objective."

This Committee is concerned with fostering economic policies which will promote growth of the national income without inflation. It has issued several instructive interim reports.

Atomic energy

In contrast to the Democratic policy for direct Government participation in the development of large-scale nuclear reactors, the President recommended that this program be developed by private enterprise. As a compromise measure, Senator ANDERSON, Chairman of the Joint Committee on Atomic Energy, introduced S. 2094 which appropriated $55.5 million for the cooperative power reactor program. This bill was enacted into Public Law 86-50 on June 23, 1959.

In his budget message, the President noted that the United States, at the Second Conference on the Peaceful Uses of Atomic Energy in Geneva during September 1948, had demonstrated the range and scope of its research and development in the peaceful application of this energy.

The Congress, in response to the President's program, authorized $229.9 million for the Atomic Energy Commission for 1960. Portions of this appropriation will be used for civilian reactors, biology and medical facilities, reactor development supporting facilities, and isotopes development facilities. In addition, the necessary amounts were appropriated to maintain our defense needs under the national security program.

In addition, the President called for expanded participation in international undertakings, such as Euratom. The Congress followed his recommendation by authorizing $10 million for a Euratom development and research program.

An appropriation of $2,683,029,000 (H.R. 8283) for the Atomic Energy Commission, to cover all of its various activities including the production of fissionable materials, the purchase of uranium, and the operation of its facilities, was signed into Public Law 86–164 on August 18, 1959.

On January 19, 1959, the President declared:

"This administration intends to explore all possible means of attaining armament control under adequate inspection guarantees despite the recent suspension of negotiations on means of avoiding surprise attack."

Testing of nuclear weapons by the United States has been suspended since October 31, 1958. Although the suspension was originally to last for only a year, it has been extended for an additional 2 months.

Civil rights

One of the most significant facts of our time is this: the Civil Rights Act of 1957 was the first important civil rights legislation to be enacted in over 80 years. The Democrats always talked about civil rights but never did anything about it.

And, it must be remembered, it was the Republican leadership in the last Congress which made civil rights legislation possible. It happened this way: The administration civil rights bill (H.R. 6127) passed the House June 18, 1957. Ordinarily it would have been referred to the Senate Judiciary Committee where it surely would have died—because of a committee filibuster. However, through a deft parliamentary maneuver, former minority leader William F. Knowland objected to referral of the bill to the Judiciary Committee and he rounded up enough votes to sustain his objection on a rollcall vote. This action had the effect of placing the bill on the Senate Calendar where it could be called up for consideration by a majority vote at any time. Which it subsequently was.

The act passed in 1957 was designed basically to protect the voting rights of the Negro. It set qualifications for Federal jurors, independently of State laws, and provided for an additional Attorney General to handle civil rights laws. Moreover, it established a six-member, bipartisan Commission on Civil Rights with a life of 2 years. The law as finally passed was limited in scope principally because of Democrat opposition to part III of the bill. This section dealt with enforcement powers to protect not only voting rights, but a variety of civil rights.

Four Republican Senators on January 17, 1959, introduced a bill (S. 435) to give the Attorney General authority to seek civil injunctions against segregation in schools, parks, and other public facilities—the very authority removed from the act of 1957. These four Senators were JAVITS and KEATING, of New York, CASE of New Jersey, and SCOTT, of Pennsylvania.

Forced to show his hand by this action, Majority Leader JOHNSON introduced a civil rights bill which was woefully inadequate. This fact is attested to by the subsequent action of many of his Democrat colleagues.

Senator PAUL H. DOUGLAS, Democrat, of Illinois, January 29 introduced still another civil rights bill (S. 810), cosponsored by a bipartisan group of 17 Senators. The provisions of the bill were identical to those of H.R. 3147 previously introduced in the House. It is significant that in a statement accompanying the bipartisan measure, DOUGLAS attacked the civil rights measure introduced earlier by JOHNSON. He called the Johnson bill an "ostrichlike proposal" that ignored the school integration problem. "You cannot determine," DOUGLAS declared, "whether it is for or against compliance with the Constitution."

In a February 5, 1959, civil rights message, President Eisenhower made seven specific proposals for legislative action this year. They were:

"(1) Provide expressly that force or threats of force to obstruct court orders in school desegregation shall be a Federal offense.

"(2) Give the FBI additional investigative authority in crimes involving the destruction of schools or churches by making interstate flight to avoid detention or prosecution a Federal offense.

"(3) Authorize the Attorney General to inspect Federal election records and require that they be preserved for a 'reasonable period of time so as to permit such inspection.'

"(4) Provide a temporary program of Federal assistance to State and local agencies to help meet additional costs directly occasioned by desegregation programs. Also, provide a temporary program to make technical assistance available to State and local educational agencies in preparing and implementing desegregation programs.

"(5) Provide temporarily for education of children of members of the Armed Forces when State-administered public schools are closed because of desegregation difficulties.

"(6) Establish a statutory Commission on Equal Job Opportunity Under Government Contracts.

"(7) Extend the life of the Civil Rights Commission until 1961."

The President declared that "Two principles basic to our system of Government are that the rule of law is supreme, and that every individual, regardless of his race, religion, or national origin, is entitled to the equal protection of the laws. We must continue to seek every practicable means for reinforcing these principles and making them a reality for all."

Filibustering in the Democrat-controlled Constitutional Rights Subcommittee of the Senate Judiciary Committee has prevented any action by the full Senate on the civil rights issue, despite attempts by Republican Members to have a bill reported. The subcommittee did vote, however, to remove the section dealing with enforcement powers from all bills having such provisions.

Debt management

The Democrats have long advocated easy money and low interest rates regardless of the fact that permanent inflation would ultimately require controls or result in the destruction of our entire monetary system. For some years the Democrats have attacked the sound fiscal policies of the Republican administration.

The management of the Federal debt, so much of which is now being forced into inflationary short-term obligations, presents a serious problem to the Treasury as well as the Federal Reserve Board and the banking system of our country. If inflation is to be prevented and controls are not to be imposed, it is necessary for the Federal Government to compete with other borrowers in the money markets of the Nation for necessary funds to finance the Federal deficit.

The President, in a special message delivered to the Congress on June 2, 1959, requested the removal of the present 3.26 percent interest rate ceiling on savings bonds. The Congress enacted H.R. 9035 which would increase the maximum rate to 4¼ percent.

However, a corresponding request for removal of the 4¼ percent ceiling on all long-term U.S. bonds was never granted. Democrats on the House Ways and Means Committee, after months of wrangling, decided to grant only the savings bond request—despite a renewed presidential plea for action on August 25, 1959.

At the present time there is no maximum interest rate applicable to short-term Government indebtedness which does not exceed 5 years' duration. In order that more of the Federal debt may be funded into long-term maturities, the ceiling on interest rates on securities maturing after 5 years will have to be removed.

The President also requested an increase in the permanent debt limit to $285 billion as well as an increase in the temporary debt ceiling covering the Government's operations through June 30, 1960. The necessary congressional approval was enacted on June 25, 1959, and was signed into Public Law 86–74 on June 30, 1959.

Depressed areas

In the case of depressed areas legislation, the retreat and fallback was total. Initially, the Senate committee demanded all or nothing and reported out the Douglas bill at full cost and without modification. An effort on the floor to substitute the administration bill was defeated; so was a compromise offering. Then the unmodified $389.5 million Democrat package was forced through by the surprisingly narrow margin of 49 to 46. Chronologically, the closeness of that vote—on a measure which had sailed through the Senate on two previous occasions by much wider margins—was perhaps the first real portent of the coming operation fallback. As it turned out, after that close Senate vote, the depressed areas legislation died completely, even despite a tentative move in the House to cut back the amount by one-third.

Education

The Democrats raised the age-old question of Federal aid to education again in the 86th Congress.

Senator MURRAY submitted S. 2, designed to extend Federal influence into the field of education by providing $25 per school-age child in fiscal 1960 with the grant rising to $100 per child in the fourth year. It has been estimated that this would cost $1,085,000,000 in the first year, and that the total would rise to a staggering $4,746,000,000 in the fourth year. The total expected expenditure would have $11.4 billion over a 4-year period. The bill would also extend Federal regulation further into the field of education by prescribing the manner in which the money would be spent, specifying that the only programs for which it could be used would be school construction or teachers' salaries. The bill also provided that the money should not be given to a State unless it has met certain requirements in terms of what the proposal calls the school effort index. This bill was never reported.

Senators MCNAMARA and HART introduced S. 8, designed to authorize an emergency 2-year program of Federal financial assistance in school construction to the States. It authorizes $500 million a year and would distribute the Federal funds to States on the basis of population and wealth. The States would be required to match the Federal funds. Toward the end of the session, this bill was reported from committee, but no further action was taken.

Public funds can never be spent without some degree of regulation and control. Those who advocate Federal largess to assist education, health, and other worthwhile local activities, delude themselves if they believe that such programs can be accomplished without inviting complete centralized control over what traditionally have been local

responsibilities. Yet both these bills would further interject the Federal Government into the field of education.

Experience also indicates that every tax dollar must be collected locally and then returned for admittedly worthwhile projects less the Federal overhead. The American people have the ingenuity and ability to finance these necessary and obviously beneficial programs without being subjected to this unnecessary overhead expense.

Senator HUMPHREY introduced S. 1087, a bill to establish a program of scholarship aid to students in higher education and to provide facilities and assistance to institutions of higher education. It would establish a National Council on Student Aid and authorizes such sums as may be necessary for administering the awarding of certificates of scholarship. The scholarship stipends are not to exceed $1,500 for any academic year, and the duration of any student's education shall not exceed 4 academic years. The awards shall be made without regard to sex, creed, race, color, national origin, or residence.

The President's program was introduced by Senator MORTON and seven cosponsors as S. 1016. It authorizes a 5-year program of assistance to school districts in meeting the debt service on loans for construction of urgently needed elementary or secondary public school facilities. The Secretary of Health, Education, and Welfare requested this legislation. Recognizing that our schools are presently housing almost 2 million students in excess of their capacity and another 2 million students are housed in inadequate or obsolescent buildings, he requested this program so that public schools—both elementary and secondary—could finance up to $3 billion worth of construction during the next 5 years.

If enacted, the maximum annual Federal payments would be about $85 million. According to the Department of Health, Education, and Welfare, the Federal Government would "annually advance half of the funds required by needy school districts to pay the principle and interest charges on bonds issued by the districts to finance school construction projects." The administration's program also indicated specifically that the Federal authorities would "exercise no direction, supervision or control over the personnel, curriculum or program of instruction of any school or school system."

A second proposal would make it possible over the same period for institutions of higher learning to accelerate the construction of $2 billion worth of facilities which will be needed in the years immediately ahead to provide for the ever-increasing numbers of youth reaching college age. The program was announced as a 5-year emergency measure.

No major legislation in this field was enacted by the Congress in this session.

Federal aid to airports

The bold, dynamic program heralded by the Democrat majority—if such it was—got underway with S. 1, Federal aid to airports.

This first bill pointed up significantly the differences in the philosophy of the administration and that of the Democrat-controlled 86th Congress. The bill, introduced by Senator A. S. MIKE MONRONEY, of Oklahoma, and others, called for a 5-year program to cost $565 million. In its astronomical dimensions it was quite in line with the concepts of the space age.

Ignored was the fact that President Eisenhower vetoed a similar bill last year after Congress adjourned and this year had recommended over the next 4 years to aid States and communities to develop airports—the amounts of $65 million for the first year, $55 million in 1961, $45 million in 1962, and $35 million in 1963, or a total of $200 million.

It was obvious—and he took this into consideration—that due to the immense strides made by the aviation industry, the ever-increasing use of planes for transportation, the Federal Government would have to give aid to the industry. This aid would be in the form of increased navigational aids, longer runways for jet and other large planes, traffic towers, and other facilities for passenger safety.

However, with the usual lavish disregard of the taxpayers' money, a bill was presented which included such luxury terminal facilities as cocktail lounges, bars, night clubs, theaters, private clubs, garages, hotel rooms, commercial offices, and other similar features. As attractive as some of these things might be, certainly by no stretch of the imagination can they be classed as essential to the safety of passengers or increased aid to navigation unless it was intended to provide radar between a cocktail lounge and a night club.

As originally passed by the Senate, S. 1 provided for a 4-year extension of the act with expenditures of $100 million a year, plus $65 million in discretionary funds or over twice as much as the President proposed. Also, there was included continued Federal participation in the construction of terminal facilities, except for parking lots and areas used for commercial enterprises not related to public aviation.

As passed by the House, S. 1 provided a 4-year extension at $63 million per year, with $65 million in discretionary funds for a total of $317 million or $117 million more than the President requested. However, it prohibited use of Federal funds for the construction of any airport building or parking lot. But, in both of these bills, the frills still remained.

Due to the resolve of those who were determined to aid in the needs of the ever-burgeoning aviation industry, but who were determined that the taxpayers' hard-earned money need not aid in the building of cocktail bars, hotels, and night clubs, a compromise bill was finally passed extending the time for making airport grants for 2 years—1960 and 1961.

Here again, for purely political reasons, the Democrat-controlled Congress refused the President's request for a 4-year extension on the cynical grounds that it is their hope that a change of administrations will take place and the way will be freely opened to go on the spending spree they intended to in the first place.

As it stands, the extension was made for 2 years in the same amounts of $63 million annually as was authorized previously. The administration had made it perfectly clear that the funds were to be used portal to portal, as it were, following the safety concept which begins when the doors of the airplanes close about the passengers, continuing until the doors are opened after the passengers reach their destinations.

Much to-do was made that the authorization was below the President's request and therefore a saving. What these pseudo-savers fail to mention is that the program as approved by this Democrat-controlled Congress is but for 2 years, whereas the President's request was for a 4-year program.

The Democrat leadership's false claim of savings was achieved by comparing:

A 4-year administration program of $200 million with a 2-year congressional program of $126 million. If we want to have an accurate comparison, we should compare:

A 2-year administration program of $120 million with a 2-year congressional program of $126 million. Or we could also compare:

A 4-year administration program of $200 million with a 4-year program projected to $252 million.

When the bill finally reached the President's desk in June, S. 1 might be termed the bell-cow of the budget-busting measures for it carried in its final version $6 million more than the President's budget called for over the 2-year period. I am aware of the Democrat boast that they claim to have saved $2 million under the President's request. But they fail to point out that this claimed savings is the difference between the $65 million the President recommended for the first year in grants instead of the $63 million voted. They are as silent as the grave about the second year (1961), when the President recommended a sum of $55 million, while the sum voted was $63 million for that period. It was signed into law despite this, since the act would have expired on July 1 with all Federal aid stopped at that time for much-needed grants for air safety.

Holding the line in its concept that the lives of American people are more important than an ornate club bar or night club, States and communities now can go ahead with real safety measures helpful to aviation transportation in this air-minded age.

Hawaii

The Republican platforms of 1952 and 1956 carried a strong, positive plank for Hawaiian statehood. For almost 7 years in a Democrat-controlled Congress, Republicans fought for admission of Hawaii to the Union. Now, at long last, after a long fight, it is a State—and a member of the Union only after ceaseless Republican efforts in Congress. The people of Hawaii had repeatedly expressed, in one form or another, their desire to join the Union, and through the constitution which they enacted in 1950, they showed conclusively their contempt for those connected with the Communist Party by stipulating that they may not hold any public office.

The Congress has also enacted legislation requested by the President to facilitate the transition of Alaska from its status as a territory to its new position as a self-governing, sovereign State. H.R. 7120 was signed into Public Law 86-70 on June 25, 1959. Similar measures will, of course, be taken with reference to Hawaii.

Republicans have fulfilled the mandate contained in the 1952 and 1956 Republican platforms to grant statehood to Alaska and Hawaii.

Highways

The Federal Government has undertaken a long-range Interstate Highway System based on the expected needs of traffic in 1975. The initial program provided for the creation of a trust fund to be expended on a matching fund basis in the Federal Highway Acts of 1956 and 1958. As it was enacted, the law provided that the program be financed principally by a tax levied on motor fuels.

In his budget message, the President recommended that this tax on automotive fuels be increased by 1½ cents per gallon, since taxes at the existing rate were not adequate to meet the needs of the program. The President and the Congress have believed that this program should be financed principally by highway users, who are its chief beneficiaries. It has always been recognized that a portion of the cost, particularly in the case of the Interstate System, is a proper charge of the Federal Government in connection with the national defense and the promotion of interstate commerce.

The legislation which the Congress sent to the President did not meet his demands, as it increased the rate only 1 cent per gallon instead of the 1½ cents which had been requested. The 1-cent increase should result in a revenue increase of approximately $330 million annually. If the President's request had been granted in full, the additional revenue would have totaled approximately $495 million. If the projected program is to be continued on a pay-as-you-go basis, the rate of highway construction must

slow down somewhat, due to the failure of Congress to provide the full 1½-cent tax increase.

Housing issues

There is no divergence of opinion that adequate housing for all of our citizens is a worthy goal and that Federal assistance in certain instances is necessary to achieve that goal.

The questions arise as to where that assistance is to be given and in what manner—through loans, matching grants, or outright gifts.

It is in answer to those questions that the philosophy of the Republican and Democrat Parties part company.

One of the first important pieces of legislation to reach the floor of the Senate was S. 57, the so-called omnibus housing bill, which was sponsored by the Democrat majority. This inflationary measure at the beginning called for a budget-shattering authorization of $2,964,725,000, as compared with the administration's request which would have had an ultimate price tag of $1,660 million. The committee's recommendations would have involved expenditures of $235.8 million more than had been provided for in the President's budget for fiscal year 1960. This legislation was introduced during a period when the President's proposed budget provided a slim surplus of $70 million.

The administration felt that the general objectives of the housing program are excellent. But, the administration felt that more might be done through private enterprise, and that under no conditions should a public program be undertaken at the expense of creating a chaotic inflationary situation. The administration proposals were embodied in S. 65, introduced by Senators CAPEHART, BUSH, BENNETT, and BEALL; S. 612, introduced by Senators BENNETT and CAPEHART, and S. 1017, introduced by Senators MORTON, SALTONSTALL, PROUTY, YOUNG of North Dakota, SCOTT, JAVITS, BUSH, MUNDT, ALLOTT, CASE of New Jersey, and COOPER.

S. 57, as finally passed by the Congress, was reduced to $1.4 billion, clearing the Senate by a vote of 56 to 31. The President vetoed the bill, and his veto was later sustained by the Senate by a vote of 55 to 40.

There was not only a matter of cost above the President's budget which was involved in this bill. It contained some major innovations. In its departure from current law and practice, it would have meant new Federal intervention in the housing field.

It would not be amiss to say that perhaps the President would not have vetoed the bill on cost alone, but when Congress voted completely new programs of Federal loans, at subsidy prices, for such as college classrooms, the veto became inevitable.

The President stated in his veto message:

"For many months I have been looking forward to approving a sound and constructive housing bill. New homes are now being built at near record rates. I had hoped to receive from the Congress legislation that would further advance the cause of better housing for Americans within the limits of fiscal responsibility.

"To my disappointment, the Congress has instead presented me with a bill so excessive in the spending it proposes, and so defective in other respects, that it would do far more damage than good."

The President then called attention to the fact that the bill would tend to substitute Federal spending for private investment by requiring the Federal National Mortgage Association to buy mortgages under par under its special assistance program, regardless of the price these mortgages command in the open market. In addition, the bill also limited the fees FNMA may charge when purchasing mortgages.

The provisions of that bill, authorizing college housing and college classroom loans at subsidized interest rates, additional Federal purchases of cooperative housing mortgages, and a new program of short-term loans by the Federal Government on the security of mortgages, would also substitute public for private financing.

The President called attention to the program placing needless limitations on the FHA program and impairing its soundness. Instead of removing the wholly unnecessary limit on the amount of the mortgage insurance authority of the FHA, the bill would continue these programs on a hand-to-mouth basis. Also, through lower downpayments and longer maturities, the bill would introduce underwriting provisions of questionable soundness into a number of FHA's loan insurance programs.

The President pointed out, in his veto, that the bill contained provisions which were discriminatory and unfair, because the way the bill was written, a few large cities, by making early application, could tie up all the funds available under the urban renewal program. The administration was specifically prohibited from preventing this discrimination against the smaller cities which had not as yet entered the program and did not have planning staffs. Further, S. 57 would extend credits to cities retroactively by counting streets and other local improvements they already intended to construct as part of the cost of urban renewal—this inclusion to take in improvements made by cities up to 5 years before commencement of the project. With local cash contributions averaging about 14 percent of the cost of acquiring and preparing a project site for development, S. 57 would have reduced these contributions even further.

As is readily seen, the subsidies for these various projects would come out of the pockets of all taxpayers, regardless of any advantage their particular city or town might derive from the bill.

What would have been the effect on the budget?

It is difficult to estimate because of the lag between commitments to spend funds and the actual spending. Under the vetoed bill, most of the dollar amounts were commitments for future spending, with small effect on the 1960 budget.

The urban renewal grant program, for instance, involved a 6-year $2.1 billion commitment, accounting by far for the largest item in the bill.

College loans have a lag of about 28 months between legislative authorization and actual expenditures, according to HHFA estimates.

Those who believe in large spending programs—who believe the Government should intrude itself into the whole fabric of our national life regardless of the cost, present or future—decided, for political reasons, to attempt to override the President's veto of S. 57. Quite frankly, on the floor of the Senate, they stated that regardless of results, they would make the attempt for that reason. The attempt was made and failed.

Hurriedly, then, a new housing bill was concocted—still containing some of the features objected to by the President.

The political overtones were evident. Not only did this bill exceed the President's recommendations, but, by limiting the duration of the FHA mortgage insurance authority to October 1960, the spenders made sure that a housing bill would have to be enacted in 1960—an election year—which they hoped would give them an opportunity to include some of the vetoed measures.

Left in the bill was authorization for 37,000 new public housing units, despite the fact, as the President pointed out, there are over 100,000 previously authorized public housing units as yet unbuilt.

Also, despite the President's objections, the new bill contained the new $50 million loan program to help build college classrooms. No one doubts the necessity for more classrooms in colleges, but, by the wildest stretch of the imagination, they cannot be called housing and have no place in a housing program. Apropos of this program and the new $50 million program to help build homes for older people, the President, in his first veto message, had stated: "To the extent that these and other programs merely displace private financing they lead to Federal spending that is entirely unnecessary."

Left in the bill was the "back door" direct loan method of financing urban renewal which bypasses the regular appropriation process. This leads to more deficits, but since it does not show up on the books, it is ignored.

Heedless of the President's warnings, the House and Senate approved the new bill, which, although less costly than the original bill, still contained all the features which the President had found objectionable.

Despite the claims of the Democrat spenders that they had reduced the President's budget figures, the shorter spending periods for some of the measures would have made so-called savings artificial and short-lived.

The President fired back this second bill with a clear veto message, showing how Congress still failed to balance costs and benefits properly. Again a politically inspired move to override this veto failed, this time by a margin of 58 to 36.

So, a reluctant Democrat leadership—having failed twice to force through excessive spending housing bills—finally passed a moderate bill, which the President could accept.

This then, briefly, is the story of housing legislation, touching only the highlights. The picture is clear. Under the guise of helping the people in various aspects of the housing field, an attempt was made to thrust the Federal Government into subsidized housing of all types—some of it far afield from actual housing itself. All this would have been at the expense of the taxpayer, at the expense of deficit financing, at the expense of inflation.

It recalls the old political slogan—spend, spend, tax, tax, elect, elect.

But because of a determined and reasoned defense by the President—enforced by two vetoes—Congress was forced to come down to a more moderate bill, far more in keeping with the genuine housing needs of the people.

No better illustration of the effective leadership of the Eisenhower administration occurred during the 1st session of the 86th Congress.

Labor legislation

One of the most bitterly contested issues in the 1st session of the 86th Congress was labor union reform. The McClellan committee began hearings in February 1957 and uncovered wholesale evidence of crime, corruption, and collusion operating in the field of labor-management relations.

Shocked at these disclosures, this Republican administration called for prompt corrective legislation last year. A bill falling far short of the administration's recommendations was passed by the Senate. In the House of Representatives Speaker RAYBURN kept the bill on his desk for 40 days and prevented it from being adequately debated in committee. Finally on August 18, in the adjournment rush, an attempt was made to take up the measure under a suspension of rules—a device to limit debate and prevent floor amendment. It was defeated. The Democrat chairman of the House Education and Labor Committee, GRAHAM A. BARDEN, of North Carolina, declared it was "an insult to the House and no compliment to their intelligence" to expect passage under suspension.

So, for political purposes, labor reform was killed for 1958—a congressional election year.

In his January 28, 1959, labor message, President Eisenhower again urged prompt action by the 86th Congress. He said there was a need for effective legislation—

"To safeguard workers' funds in union treasuries against misuse of any kind whatsoever.

"To protect the rights and freedoms of individual union members, including the basic right to free and secret election of officers.

"To advance true and responsible collective bargaining.

"To protect the public and innocent third parties from unfair and coercive practices such as boycotting and blackmail picketing."

An administration bill (S. 748) was introduced by Senator BARRY GOLDWATER, a member of the McClellan committee and ranking Republican on the Senate Labor Committee. This bill would have adequately met the specific recommendations of the McClellan committee's first interim report.

The President's recommendations as contained in S. 748 were sound, balanced, and realistic. They were neither pro nor antiunion—nor were they pro or antiemployer. Most important, they called for needed amendments to the Taft-Hartley Act relating to secondary boycotts and blackmail picketing. Moreover, they called for elimination of the so-called "no man's land." (The "no man's land" is created by the inability of the National Labor Relations Board to adjudicate all labor-management disputes involving interstate commerce which properly lie within its jurisdiction—thus leaving thousands of small unions and employers without legal remedy since the Supreme Court has held that Federal labor legislation preempts State statutes.)

Unfortunately, the Democrat-controlled Senate Labor Committee, possibly with an eye on the 1960 elections, ignored the President's reasonable recommendations. Instead it reported out the pathetically weak Kennedy-Ervin bill—S. 1555. This measure was conspicuous not for what it accomplished but for the objectives it failed to achieve.

Its most obvious failures were the following:

It did not impose fiduciary obligations, which could be enforced by rank-and-file union members, on union officials.

It did not impose the effective sanctions of denial of tax immunity and access to the National Labor Relations Board, the National Mediation Board, etc., on unions violating the bill's provisions.

It did not solve the "no man's land" problem by permitting the States to exercise jurisdiction in those classes of labor cases which the NLRB refused to entertain.

It did not limit organization and recognition picketing by unions which clearly do not represent a majority of the employees of the picketed employer.

It did not close the loopholes in the present law dealing with secondary boycotts.

When the Kennedy-Ervin measure reached the Senate floor, many attempts were made to strengthen it. Most of them were rejected by a solid Democrat bloc. The highlight of the debate was Senator JOHN L. MCCLELLAN'S, Democrat, of Arkansas, introduction of his "bill of rights" amendment. This dramatic move took on added significance for two reasons: (1) MCCLELLAN is chairman of the Senate Labor Rackets Committee; and (2) his sponsorship of the "bill of rights" amendment indicated a sharp split between himself and Senator KENNEDY—chief sponsor of S. 1555 and chairman of the Senate Labor Committee.

Briefly, the McClellan bill of rights amendment provided equal rights to each union member; identical voting rights and equal protection under a union's rules and regulations; freedom of speech and assembly without interference from or penalty by the union; freedom from arbitrary financial exactions with a stated limitation on initiation fees; protection of the right of a member to sue; procedural safeguards against arbitrary disciplinary action by the union; the right of candidates for office in a union to obtain its membership list; and enforcement provisions and penalties for violations.

The union democracy amendment was passed by a vote of 47 to 46. All but 2 of the 46 votes against this very necessary amendment were cast by Democrats in opposition to the party's chairman of the rackets committee—the most informed man in the Senate regarding labor reform.

The bill of rights provision was later modified to eliminate obvious loopholes and what some feared would be used as union-busting provisions. Also Federal bureaucracy was taken out of the amendment, leaving its enforcement to union members. Moreover, the modifying amendment removed the extremes raised by the McClellan amendment but clearly assured the rights of union members.

An amendment to plug Taft-Hartley loopholes respecting blackmail picketing and secondary boycotts was defeated by a vote of 24 to 67. All but two Senate Democrats voted against this vitally important amendment.

The same fate was dealt another McClellan amendment which would have eliminated the "no man's land" problem. It was rejected by a vote of 39 to 52. Of the 52 votes in opposition to the amendment, 43 were cast by Democrats.

On final passage, the Kennedy-Ervin bill—weak though it was—was endorsed by a 90 to 1 vote. Republicans voting for the bill were, in the main, convinced that even though the measure fell far short of the Nation's need, it was better than no bill at all.

In the House of Representatives, the labor reform issue was more involved but more easily resolved. In the first place, there were three bills—as well as the Senate-passed Kennedy-Ervin measure—which the House considered. One was a very mild bill (favored by the AFL–CIO) introduced by JOHN F. SHELLEY, Democrat, of California, which was quickly defeated; the second was the committee bill—a middle-of-the-road measure comparable to the Kennedy-Ervin bill—which had the backing of the Democrat leadership; and the third was the Landrum-Griffin bill. The latter was the strongest and met with the specific recommendations of the McClellan committee as well as the administration objections to the Kennedy-Ervin bill.

At first blush—what with unprecedented lobbying by some labor leaders and support of the leadership—it appeared that the middle-of-the-road committee bill would get final House endorsement.

President Eisenhower took the issue directly to the people.

In an August 6 nationwide radio-television address he called for the passage of a fair and effective law. Specifically, he said:

"I want only effective protection from gangsters and crooks for the people of America—for the men and women who labor with their hands, their minds, their energies, to make America a better place for themselves and for their children."

The President cited a typical example of blackmail picketing and declared emphatically: "I want that sort of thing stopped. So does America." Then he gave a typical example of secondary boycotting. Again he declared: "I want that sort of thing stopped. So does America." With respect to the "no man's land" problem, he said: "I want the no man's land abolished, because I believe that small unions and small businessmen have rights, just as everyone else."

Mr. Eisenhower then told the people which legislation the administration favored, which legislation was needed to curb abuses revealed by the McClellan committee.

"In the House of Representatives the Labor Committee bill is even less effective than the Senate bill. It, too, fails to deal with picketing and boycotting practices which I have described.

* * * * *

"Neither the Senate bill nor the House committee bill will really curb the abuses the American people want to see corrected.

* * * * *

"The administration bill is still before the Congress. There is also before the House a bipartisan bill jointly sponsored by two members of the House Labor Committee—Mr. LANDRUM, of Georgia, a Democrat, and Mr. GRIFFIN, of Michigan, a Republican. The Landrum-Griffin bill is a good start toward a real labor reform bill, containing many of the corrective provisions which I have urged."

The House August 14 passed the Landrum-Griffin bill by a vote of 303 to 125. While patterned after the Senate-passed Kennedy-Ervin bill, it was much stronger in that it outlawed most forms of organizational picketing, all secondary boycotts, all forms of hot-cargo agreements, and provided criminal penalties for union officials who violate members' rights. Moreover, under provisions of the Landrum-Griffin bill, a formula was worked out which resolved the no man's land problem.

The measure then went to conference where Senate and House conferees battled it out for 12 days. Senator KENNEDY, conference chairman and sponsor of the original Senate bill, promised August 17 to return to the Senate for instructions if the conferees could not reconcile the Senate version, which did not include the President's Taft-Hartley requests, with the House version which did.

Prolonged Senate debate was threatened when Senator KENNEDY August 28 introduced a resolution asking the Senate to instruct the conferees to insist on a Taft-Hartley compromise proposed by him. The same day, the minority leader introduced a resolution asking instructions to accept the House version. Debate was precluded by the final agreement of the conferees late September 2.

The final bill marked a signal victory for the administration. It was largely the House bill and contained at least 90 percent of the administration's recommendations. The conferees reached agreement after Senator KENNEDY dropped his demand for a provision to let building trades unions picket a joint construction site.

As finally passed, the measure provided a bill of rights for individual union members outlining voting privileges, and other activities within his union. It also gave him the right to file a Federal civil suit for relief if his rights were abused, and made it a crime, subject to fine and imprisonment, if violence or threats were used to interfere with rights guaranteed by the bill.

Annual financial reports by unions and some employers (who deal with labor relations consultants, "middlemen" etc.) are required. (These records must be kept intact for 5 years.) Penalties are provided for those who fail to carry out the requirements of this section.

Specific regulations concerning trusteeships are imposed which will eliminate the abuses some unions have been guilty of in placing local unions in a virtual state of suspended animation under the guise of trusteeships.

The measure also spelled out rules and regulations with respect to union elections giving the rank-and-file member much more freedom in electing his union officers.

Fiduciary obligations are imposed upon labor union officers. Criminal penalties are provided for those who steal, embezzle or otherwise misappropriate union funds entrusted to them. Extortion picketing is also outlawed.

With respect to the Taft-Hartley amendments requested by the President, the measure was very specific.

It permits State labor relations agencies and State courts to assume jurisdiction over labor disputes the NLRB declines to handle, but bars the NLRB from enlarging the categories of cases it declines to handle. This takes care of the "no man's land" problem.

The bill permits the President to designate an acting NLRB General Counsel if the office becomes vacant.

It makes it an unfair labor practice for a union to try to coerce or threaten an employer directly (but not to persuade or ask him) in order—

To get him to join a union or sign any illegal "hot cargo" contract.

To get him to stop doing business with another firm or handling its goods.

To get him to recognize a union if the NLRB had already certified another union as his workers' bargaining agent.

To force him to assign work to members of one union, rather than another, in a jurisdictional dispute between unions representing his employees.

To get any other employer to recognize a union not certified as the representative of his employees in an NLRB election. (Direct coercion of an employer by a union for these purposes was not previously covered by the secondary boycott prohibitions.)

Moreover, the bill as it went to the White House makes it an unfair practice for a union to induce supervisory workers, or any single worker, to refuse to handle goods, or to strike, for any of the purposes outlined above. It also specifies that union inducement of employees not to handle work "farmed out" to their employer by a struck firm is not a secondary boycott.

The bill makes it an unfair labor practice for a union and an employer to sign a so-called "hot cargo" contract under which the employer agrees not to do business with any other firm; nullifies any such existing contracts; exempts from this provision garment industry contracts barring a jobber from subcontracting work on a single garment to unorganized shops, and building industry contracts barring a firm from subcontracting work at its job site to an unorganized firm.

The conference-approved measure further bars organizational or recognition picketing by a union: if in the absence of an unfair labor practice by an employer, the employer already recognized another union or there had been any NLRB certification election in the previous 12 months; or if the union had been picketing for 30 days and had not asked for an election. If the union claimed its picketing was purely informational, it could picket for longer than 30 days without seeking an election, provided the picketing did not cause the employees of the firm involved to stop working or prevent deliveries or pickup of goods.

The bill also brings under picketing and secondary boycott prohibitions of the bill and the Taft-Hartley Act several groups of workers not previously covered, including railroad, airline, farm, and local government workers.

The bill permits the NLRB to allow strikers fired during a strike and not entitled to reinstatement to vote in an NLRB representation election conducted within a year after the strike began.

It bars a union from picketing a retail store to advertise that the store is handling the goods of a firm the union was striking, but permits other forms of such advertising—handbills, for example—if they do not cause the store's employees to stop working or prevent pickups and deliveries.

Finally, the bill permits building trades firms and unions to sign union contracts in advance of a construction job, even if the union had not won an NLRB certification election or did not represent the majority of the existing or potential employees. Such contracts could require the employees to join the union within 7 days (except in States with laws barring the union shop), require the employer to hire through the union, or permit the union to set up experience and training qualifications for employees.

National defense and related matters

The big fact of life that we as a nation must face is the continuing cold war, coupled with the ever-present threat of hot war.

This explains the intense emphasis of the Congress and the administration on national security and mutual security, on foreign affairs, on scientific research and space exploration, on atomic energy, and all related matters.

To be unprepared to sustain the cold war struggle or to repel attack should it come is unthinkable.

It is a fact that dominates our policies as the administration and the Congress explore every avenue in the unceasing quest for durable peace.

President Eisenhower has repeatedly shown that he is devoting his life to the quest for peace.

While the Communist-dominated nations speak of a desire for friendship, their leaders have precipitated military strife in the tiny kingdom of Laos at a critical period when the leaders of communism and the free world are supposedly attempting to find a possible solution to the cold war.

In his state of the Union message to the Congress, the President said:

"Keeping the peace in today's world more than ever calls for the utmost in the Nation's resolution, wisdom, steadiness, and unremitting effort."

He went on to say:

"We cannot build peace through desire alone. Moreover, we have learned the bitter lesson that international agreements, historically considered by us as sacred, are regarded in Communist doctrine and in practice to be mere scraps of paper."

Defense expenditures dominate our budget: More than two-thirds of our Federal budget goes for defense and preparedness in case of future war and to pay for past wars.

For current preparedness, we face costs of $40 billion for our Armed Forces and $3 billion for mutual security; and for costs arising out of past wars, $5 billion for the Veterans' Administration and $8 billion for interest on the public debt. Yet, until the threat to our survival diminishes, we dare not let up in our efforts to stay strong against any potential enemy or to let our guard down.

Every American has the sincere hope that the world situation will resolve itself so that energies and resources of all mankind may be devoted to utilizing the magnificent scientific and technological achievements of this generation to provide higher living standards rather than concentrating so large a share of our energies on the defense of our precious liberties as well as those of our allies against aggression.

The question of our Nation's survival transcends partisan politics. Republicans and Democrats alike cooperated in this session of Congress to keep America strong, both militarily at home and in partnership with our free world allies.

Each year the Congress makes a further investment in military equipment and troops to strengthen our defense forces. This session of Congress approved $40.5 billion in new funds for the Army, Navy, Marine Corps, Air Force, and Department of Defense for pay, equipment, missiles, ships, aircraft, operations and maintenance, research and development, and military construction.

As is its constitutional prerogative, the Congress made some changes in the budget requests for the Armed Forces. Generally speaking, the changes made this year were in recognition that time and events had overtaken a budget that was prepared many months ago. The administration likewise moved with the times. At the urging of Congress, the administration revised its air defense plan involving the Bomarc and Nike-Hercules missiles. Congressional appropriation action reflected this changing emphasis, cutting back even a little further in those programs.

On the other hand, the Congress voted funds to step up our offensive ballistic missile programs and our efforts to defend against ballistic missiles fired at us by an enemy. Congress provided extra funds for general war preparedness. Congress also approved extra funds for limited war forces, especially for Army modernization of combat equipment. Antisubmarine warfare funds were increased.

Congress took care of the No. 1 priority of the Navy—a modern attack aircraft carrier—by providing $35 million for procurement of long leadtime components—mainly atomic reactors—for a new nuclear carrier to replace a conventional carrier of World War II vintage. The Senate had earlier voted the full cost of a nuclear carrier ($380 million), and the House had first omitted any funds for another carrier although the President's budget reqested $260 million for a conventional carrier. In this way, the Congress approved the President's recommendation for a replacement carrier with modern equipment and a flight deck sufficiently large to handle the Navy's very high speed aircraft.

Congress approved the military personnel strengths proposed in the budget for the Army, Navy, and Air Force, but added funds for more Marines, Army Reserves, and Army National Guard. In the case of the Marines, $43.1 million extra was added for an end strength of 200,000 on June 30, 1960, compared with the budget strength of 175,000. Both Houses approved additional funds for 300,000 Army Reserves and 400,000 Army National Guard, increases of 30,000 and 40,000 respectively over the budgeted strength. Congress made the higher personnel strength figure a mandatory floor in the case of the Army National Guard.

Congress also extended for 4 years the induction provisions of the draft act, the Reserve enlistment program (6-month trainees), the doctor and dentist draft act, special pay provisions for doctors, dentists, and veterinarians, and the Dependents Assistance Act.

Summing up, for military functions of the Defense Department, Congress provided funds totaling $39.2 billion ($19,961,000 less than the budget request), and, to help finance defense costs, $430 million in cash transfers from revolving funds $90 million more than the budget). For military construction, Congress approved $1,363,961,200, which was $199,238,800 less than the budget request. There was general agreement that the increases would further strengthen our forces and the reductions would not impair our forces and the reductions would not impair our defense posture.

Natural resources—public works

Since 1955 the President has recommended legislation to authorize the sale of revenue bonds by the Tennessee Valley Authority. On August 6, 1959, the President approved H.R. 3460, which authorized TVA to sell up to $759 million worth of long-term bonds to pay for future expansion of power facilities.

President Eisenhower was reluctant to sign the measure because it contained a provision which directed that TVA's annual power construction program be sent to the President, who, in turn, would pass it along to Congress for consideration. The President could recommend changes, but any changes Congress made would be by concurrent resolution, not subject to a Presidential veto. However, the Congress enacted legislation which repealed this provision and it was approved

by the President on August 14, 1959 (Public Law 86–157).

The 1960 budget required expenditures of $1.1 billion for flood control, navigation, irrigation, and related activities of the Corps of Engineers and the Bureau of Reclamation. The President stated that "In view of this record program, no funds are provided in the 1960 budget for starting construction of new water resources projects."

Over this recommendation, the Democrat-controlled Congress passed a public works appropriation bill which included 67 unbudgeted projects estimated eventually to cost over $800 million. In vetoing the bill, H.R. 7509, the President said that "It ignores the necessity for an orderly development of America's water resources within the Nation's fiscal ability." The bill totaled $30,071,549 more than administration requests.

A second bill was passed and sent to the President still containing the 67 unbudgeted projects. The legislation was again vetoed, but both Houses overrode the veto.

In order to help initiate a program to find new ways to use coal and cheaper methods of production, the Congress passed H.R. 6596, which established a Coal Research and Development Commission. The Commission would have the responsibility of carrying on research to develop new and more effective uses of coal, to expand existing uses, and reduce the costs of production and distribution.

For the last 2 years the administration has proposed major mining legislation, but the Congress has failed to take any decisive action on establishing a national long-range minerals policy. However, piecemeal remedies were proposed and the Senate Interior and Insular Affairs Committee ordered reported two such measures. House Concurrent Resolution 177, passed by the House on August 26, 1959, requests the President to examine existing programs for their effectiveness in stimulating depressed mining industries, to advise Congress on actions taken to this end, and to suggest necessary legislation. S. 1537 charges the Secretary of the Interior with carrying out a national mining policy and orders him to report to Congress annually on the state of the domestic mining industry and recommend legislation necessary to implement the policy. Both bills declare it to be in the national interest for the Government to encourage development of domestic mineral resources, a sound mining industry, and research to promote efficient use of mineral resources.

Space programs

During the past year tremendous progress was made in the development of our knowledge of outer space. The administration has sought to show the world the many peaceful uses to which abilities in this field may be put. Last Christmas the President expressed his sentiments for peace and good will to the entire world from a satellite which transmitted his voice as it circled the globe. More recently, the United States successfully launched two monkeys into orbit, Able and Baker. They were returned to the earth's atmosphere unharmed. This is a major scientific breakthrough.

For the Nation's civilian space agency, Congress approved appropriations totaling half a billion dollars, $500,575,000 in exact figures. This was $29,725,000 less than the budget request, despite strenuous efforts of the Senate to grant the full $530,300,000 requested for the National Aeronautics and Space Administration.

It was a 14-percent cut in the NASA budget request for supplemental 1959 funds and a 5-percent cut in the regular 1960 appropriations request. A 20-percent slash was made in supplemental 1959 funds asked for Project Mercury, the man-in-space program. Instead of $20,750,000 in research and development funds for manned space flight, the final supplemental amount allowed for 1959 was $16,675,000. Substantial funds for this project were approved for 1960, but if the man-in-space program is to go ahead as budgeted, funds will have to be taken from other space projects to make up the 1959 cut.

Authorizing legislation for the full amount of the budget requests for 1959 and for 1960 was approved by both Houses of Congress. But House delay on the actual appropriations resulted in a point of order that the authorization for 1959 supplemental funds had expired. Thus, research and development and construction and equipment funds requested for 1959 were stricken from the House bill.

As the appropriation bill passed the House, 1959 funds were cut 59 percent and 1960 funds, 9 percent. Considering the total request ($530,300,000) for the 2 years, the House cut overall was $68,225,000, or 13 percent.

The Senate, however, restored all the cuts and unanimously (79 to 0) granted the full amount of $530,300,000 asked for 1959 and 1960 to carry forward the Nation's important space projects and activities.

But the House conferees refused to restore more than $38,500,000 of the House reduction, leaving a $29,725,000 final reduction, which amounted to a 5.6-percent cut in the budget request.

The Senate backed in full the program presented by the head of the Nation's civilian space agency, T. Keith Glennan, who asserted:

"Any reduction in the NASA's tight budget will have a critical effect on the Nation's space program."

Mr. Glennan testified:

"Moreover, if the Congress slices an already lean NASA budget at a time when this Nation has barely begun its space effort, the world will conclude that the United States is having second thoughts about facing the Communist challenge in this field.

"Our present budget has no slack whatsoever.

"As further evidence of our tight belts, I would like to state that we do not have a single 'backup' vehicle for any of our scientific experiments. Each must be a one-shot affair, and if the booster malfunctions, we will simply have to lay the experiment aside."

Space projects that might be cut back or delayed by cuts in NASA appropriations include Project Mercury man-in-space flight; Project Rover nuclear propulsion program; work on the 1½-million-pound thrust, single-chamber engine needed to carry manned expeditions to the moon and back; the Vega rocket propulsion system to place more than 5,000 pounds in an earth orbit; the Centaur space vehicle to place more than 8,000 pounds in a 300 mile orbit and capable of soft-landing a 730 pound scientific payload on the moon; and our tracking and data acquisition network.

Nevertheless, the House conferees were adamant and insisted on allowing only $91,400,000 for salaries and expenses, a $3,030,000 cut; $16,675,000 for research and development, 1959, a $4,075,000 cut; $318,675,000 for research and development, 1960, a $14,395,000 cut; $21,825,000 for construction and equipment, 1959, a $2,425,000 cut; and $52 million for construction and equipment, 1960, a $5,800,000 cut. This made a total of $500,575,000 for NASA, a reduction of $29,725,000 in the Budget request.

Taxation

General revenue revision: The President has requested a general survey and revision of our tax structure. The Ways and Means Committee has indicated that such a study will begin in November 1959.

Corporate and excise taxes: The Congress has enacted legislation to provide a 1-year extension of the existing corporate tax rate and the excise taxes on alcohol, cigarettes, automobiles, and parts in accordance with the President's request. If this legislation had not been enacted, the corporate tax rate would have reverted to 47 percent as of July 1, 1959. The tax rate extension act also contained provisions to reduce the tax on personal transportation from 10 to 5 percent effective July 1, 1960. The act also provides for repeal of the tax on local telephone service effective July 1, 1960. In addition, Congress raised the gas tax by 1 cent a gallon, specifically to finance the Interstate Highway System.

Life insurance companies: The taxation of life insurance companies has long posed a difficult problem and special provisions of a temporary nature were enacted periodically. The 1st session of the 86th Congress enacted permanent legislation to provide an equitable formula to tax income of life insurance companies. It is based on a consideration of net investment income, underwriting profits, and capital gains. This legislation will increase the Federal tax yield by about $500 million.

State taxation of interstate commerce: The entire concept of State taxation of interstate commerce by the individual States was confused in February 1959, by two Supreme Court decisions which upheld "the constitutionality of State net income tax laws levying taxes on that portion of a foreign corporation's net income" earned within the taxing State. The implications of these rulings left the business community in a climate of uncertainty as to whether several States could tax the same transaction and as to whether a State could tax the profits on the sales made within its jurisdiction, even though the firm has no offices within the State.

As a stopgap measure, the Congress passed S. 2524 on September 3, 1959, which provided for limitations on any State imposing a tax on a foreign corporation engaged in interstate commerce. In addition, the measure provided for a congressional committee to study the problem for the purpose of recommending permanent legislation to the Congress.

Incentives for foreign investment: The President requested the development of a program designed to encourage greater participation by private enterprise in economic development abroad.

The administration's program was incorporated in H.R. 5, introduced by Representative Boggs. This legislation would provide for the creation of special American corporations called foreign business corporations. These corporations would receive special tax treatment in that their taxes would be deferred until such time as they are returned to parent domestic corporations or paid out in dividends to American stockholders. These corporations, although operating on foreign soil, would be considered to be domestic corporations. Such a program would provide incentive for private investment abroad. There has been no action upon this legislation although the House Ways and Means Committee has tentatively approved the bill.

Veterans

During this past session, several steps were taken to liberalize the benefits available to veterans. Foremost among these was a major change in pension payments which increased benefits for well over a million non-service-connected veterans and their dependents. This new pension payment plan which, in principle, was one of the President's 1959 legislative recommendations, set up pension payments on a sliding scale, geared to need, instead of the flat payments made previously.

In addition, widows and orphans of World War II and the Korean conflict were granted the same pension benefits as widows of World War I. This equality of eligibility feature is expected to provide, in the first year, pension payments to 206,000 World War II and Korean veterans' widows and orphans who previously could not establish eligibility.

Other measures benefiting veterans this session included: an additional amount of $100 million (over the $150 million already authorized) for direct home loans for veterans in rural areas where private mortgage money was scarce; a provision of $18 million in medical research; $32 million in hospital construction, which with balances from prior years will permit expenditures for hospital construction of $67 million; and an increase of $24 million in hospital care. Several lesser measures, although not of major significance but nevertheless of benefit to veterans, were also enacted, such as broadening the definition of the term "child"; providing medical care for veterans residing abroad with peace time service-incurred disabilities; and others.

Pending in the House Veterans' Affairs Committee at the end of the session was a measure, sometimes referred to as the GI bill for veterans of the cold war, to provide readjustment assistance for peacetime post-Korean veterans. This bill has passed the Senate July 21, 1959.

V. MISCELLANEOUS MATTERS

Rule 22

The first order of Senate business during this session of Congress involved changes in Senate rules relating to limitation of debate. Also, for the first time in its history, the Senate voted directly on the question of whether its rules were continuing.

By vote of 72 to 22, the Senate adopted a rule change providing that (1) a filibuster could be ended by vote of two-thirds of the Senators present and voting instead of by two-thirds of the entire Senate membership, (2) cloture was extended to motions to proceed to consider a change in the Senate rules, and (3) the Senate rules shall continue from one Congress to the next unless they are changed as provided in these rules.

The rule change thus made followed rejection by vote of 60 to 36 of a proposal that the Senate declare, in effect, that it was not bound by the rules of any previous Senate, except to the extent to which it was willing, by a mapority vote, to be bound.

The rule 22 amendment was effected against a backdrop of conflicting issues. On the one hand was the perennial issue of how to advance the cause of civil rights in the face of opposition by a determined minority of Senators. In this connection, the advancement of civil rights has long been a Republican objective and continues to be in the Republican tradition. This cause has more than once been thwarted by inability to secure the votes necessary to invoke limitation of debate, thereby bringing to an end a filibuster or a threat of one.

In 1957, however, a civil rights bill was enacted. It was the first such legislation to become law in over 80 years, and it had passed the Senate without a filibuster. Some sponsors of stronger civil rights legislation now sought through rule 22 changes to end the threat of filibuster against that objective.

On the other hand, there was the undoubted fact that rule 22, during the long history of the Senate, had protected the prerogatives of individual Senators and the rights of minority groups in the Senate against arbitrary action by a majority. In addition, there was the fact that the Senate never before had undertaken to write its rules at the beginning of a new Congress. The rules had always carried over from one Congress to the next. Thus, the working of a drastic rule change with respect to Senate rules, especially rule 22, could have even more extreme consequences in terms of the effect of that action on the Senate as an institution.

The size of the vote by which the new amendments to rule 22 were adopted (70 to 22) lent emphasis to the proposition that Senate rules could not be changed by drastic means. Moreover, rule 22 would continue to safeguard individual prerogatives and minority rights in the Senate, while at the same time it would insure a reasonable rule for providing an end to filibusters whose sole object is to prevent the Senate from reaching a vote on an issue.

Nominations

Major nominations: While, in general, major nominations of the President were confirmed, this rule was not without a notable exception. That exception was the nomination of Lewis L. Strauss to be Secretary of Commerce.

In our entire history only one other Cabinet nomination, that of Henry A. Wallace to be Secretary of Commerce, has taken considerable time. Between the date of its referral to committee and final approval, the total elapsed period was about 5 weeks.

Now let us see what happened in the case of the Strauss nomination. His recess appointment by President Eisenhower was announced on October 24, 1958. On November 13, 1958, he entered upon his duties as Secretary of Commerce. His nomination was sent to the Senate for confirmation on January 17, 1959, and it was immediately referred to the Senate Committee on Interstate and Foreign Commerce. The committee took no action whatever for 2 months, until March 17, when it held its first hearing. Thereafter, over the period between March 17 and May 14, there were 16 days of hearings, with a printed record of over 1,100 pages. The nomination was reported to the Senate by a divided vote on June 4. Debate commenced on June 5 and ended June 18, when the Senate rejected the nomination by vote of 49 to 46. From the time of submission of the nomination to the date of final action, 22 weeks had elapsed.

But foot-dragging and delay were only among the least unusual features concerning this nomination. It involved a man who had served with distinction in various outstanding capacities under five Presidents. His background and competence for the post were above reproach.

Despite this, the hearings, at times, were conducted more as a trial of an accused than as an inquiry into the fitness for Senate confirmation of a Presidential nominee. Witnesses were not limited to those who came voluntarily to testify against the nominee—some were sought out. There were charges by innuendo. The hearings were cluttered with irrelevant testimony. Minutiae of a record of over 40 years of distinguished public service of the nominee were carefully combed for whatever material prejudicial to him could be found. Red herrings like the Dixon-Yates case were carefully planted. It made no difference that there was no proof of the nominee's lack of honesty and that his participation in the Dixon-Yates case was insignificant. More important, apparently, was that this case had come to have political overtones.

It is somewhat ironic that, only a short time after Senate rejection of this nomination and after his opponents had condemned the nominee for his businessman's viewpoint that the Dixon-Yates contract was valid, the U.S. Court of Claims upheld the contract as legally valid, stating that there was no conflict of interest involved.

Opponents criticized the nominee for his part in the loss of security clearance by Dr. J. Robert Oppenheimer. It made no difference that Mr. Strauss was but 1 of 9 top-echelon Government officials who had had responsibility for making a decision and that seven had ruled against Oppenheimer.

Mr. Strauss was condemned for being too security conscious. And while, in the face of the international Communist conspiracy, opponents could not criticize his early advocacy of a program to develop the H-bomb, he was heaped with abuse for claiming too much credit for the part he had played.

In the end, personal and political antagonism to the nominee's personality, his views and opinions prevailed. Precedent was shattered and a Presidential appointment was rejected for the first time in our history on the basis of criteria that had never before been used.

Unbridled partisan political demagoguery was a characteristic not only of the Strauss nomination, however. A case in point was the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil. The conduct of hearings on her nomination was such that, despite her proven competence, her usefulness for service in the office became too greatly impaired. Even though confirmed, she resigned immediately thereafter.

Politically motivated tactics such as these have not only denied to the Government the services of highly competent people, but have tended to discourage others from serving.

The judiciary and related offices: For almost 8 months of the session, the Democrat majority dragged its feet on the confirmation of Federal judges, district attorneys, and marshals. Delay in confirming judicial appointments was particularly bad because of overburdened court dockets, an overworked Federal bench, and the consequent long delays forced upon litigants. Justice too long delayed becomes injustice and weakens the people's confidence in government.

One nomination languished so long in the Senate Judiciary Committee that, to avoid personal difficulties and embarrassments, the nominee requested the President to withdraw his name. Other distinguished men had to wait for months while politics determined their careers.

It was not until the closing days of the session, and only after concessions were made to the Democrat leadership, that they consented to break the log jam.

Investigations

The power and authority of each branch of Congress to conduct investigations is one of the most effective of all instruments for assembling useful data and information on which to base legislation. Obviously, the data and facts to be assembled must and should be germane to a legislative purpose. This fact was emphasized by the Supreme Court in the case of *Watkins* v. *United States*, 354 U.S. 178 (1957), in which the Court commented on the constitutional limitations upon congressional investigations, as follows:

"We have no doubt that there is no congressional power to expose for the sake of exposure. * * * The theory of a committee inquiry is that the committee members are serving as the representatives of a parent assembly in collecting information for a legislative purpose. Their function is to act as the eyes and ears of the Congress in obtaining facts upon which the full legislature can act."

The Court also said:

"The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal

Government to expose corruption, inefficiency or waste. But broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress."

Coupled with almost unlimited subpena power this investigative authority must be prudently and discriminately used if there is to be confidence in and real usefulness for the results.

The first session of the 86th Congress appears to have broken all records for investigations not only in terms of money but in terms of variety and number.

The money authorizations for investigations as nearly as they can be compiled at this time totaled $8,787,000. This total represents authorizations to select and standing committees of both the Senate and the House. In addition, two such authorizations were provisions for funds to joint committees. For example, the Joint Committee on Washington Metropolitan Problems received a total authorization of $55,000 for 1959.

The following is a tabulated breakdown of authorizations for investigations funds:

Investigations Funds, 86th Congress

SENATE COMMITTEES

Standing:	*Authorized*
Aeronautical and Space Sciences	$10,000
Agriculture and Forestry	25,000
Armed Services	200,000
Banking and Currency	180,000
District of Columbia	10,000
Finance	10,000
Foreign Relations	520,000
Government Operations	345,000
Interior and Insular Affairs	220,000
Interstate and Foreign Commerce	527,500
Judiciary	1,552,500
Labor and Public Welfare	130,000
Post Office and Civil Service	100,000
Public Works	135,000
Rules and Administration	85,000
Select and special:	
Small Business	120,000
Labor-Management	750,000
Water Resources	175,000
Unemployment Problems	100,000
Senate total	5,195,000

HOUSE COMMITTEES

Agriculture	$50,000
Armed Services	150,000
Banking and Currency	105,000
District of Columbia	10,000
Education and Labor	160,000
Foreign Affairs	150,000
Government Operations	640,000
House Administration	20,000
Interior and Insular Affairs	60,000
Interstate and Foreign Commerce	475,000
Judiciary	200,000
Merchant Marine and Fisheries	75,000
Post Office and Civil Service	75,000
Public Works	125,000
Science and Astronautics	300,000
Un-American Activities	327,000
Veterans' Affairs	110,000
Ways and Means	300,000
Select and special: Small Business	260,000
House total	3,592,000
Grand totals	8,787,000

It should be noted that the grand total set forth in this tabulation of $8,787,000 represents authorizations for but the 1st session of the 86th Congress, and is already more than two-thirds of the $12,109,090.28 which was authorized during the entire 85th Congress.

The personnel involved in these investigations is indeed substantial. A large number of staff members were involved. Furthermore, many persons were serving on investigative committees who may have been obtained from Federal agencies either on a reimbursable or nonreimbursable basis.

For example, in the Senate alone, the total number of staff members involved in such investigations during the period January 1, 1959, through June 30, 1959, was 391. The following is a tabulation of the total number of such employees on Senate investigating committee staffs, by committee:

Armed Services Preparedness Subcommittee	23
Banking and Currency	7
Housing Subcommittee	8
Foreign Relations	7
Foreign Policy, Disarmament, Latin American and Canadian Relations Subcommittee	8
Disarmament Subcommittee	1
Government Operations:	
Subcommittee on Reorganizations and International Organizations	8
Permanent Investigations Subcommittee	13
Interior and Insular Affairs, two resolutions	25
Interstate and Foreign Commerce	31
Judiciary:	
Immigration and Naturalization Subcommittee	10
Administrative Practice and Procedure Subcommittee	6
Constitutional Amendments Subcommittee	2
Antitrust and Monopoly Subcommittee	47
Trading With the Enemy Act Subcommittee	8
Constitutional Rights Subcommittee	15
Refugees and Escapees Subcommittee	3
Patents, Trademarks and Copyrights Subcommittee	14
Internal Security Subcommittee	24
Juvenile Delinquency Subcommittee	13
Labor and Public Welfare	9
Problems of the Aged Subcommittee	8
Labor Subcommittee	7
Post Office and Civil Service	1
Investigation of Federal employee group life insurance program, the civil service system, and the postal service	6
Study of administration of the postal service and desirability of Federal health program	7
Public Works: Investigations Subcommittee	4
Rules and Administration: Privileges and Elections Subcommittee	8
Labor-Management (McClellan) Committee	53
Small Business Committee, two resolutions	15
Total	391

The cost of these investigations is not confined to Government personnel but necessarily includes the cost to the countless private individuals and organizations who must prepare testimony and make personal appearances. In many instances these appearances or hearings are mere duplications of previous investigations and the new testimony is no different from that previously given.

Notwithstanding the obvious fact of overwhelming Democrat control of Congress and, therefore, of the subjects under investigation by congressional committees, the administration stood up remarkably well under the scrutiny of such investigations. They failed notably to turn up corruption and scandal in Government under a Republican administration.

It may be of some interest to note the wide range of subjects of inquiry, however. The following is a list of such subjects, taken at random:

Problems of hungry children in the District of Columbia.

Effectiveness of the juvenile court systems.

Problems of independent logging operators and small sawmill owners.

Navy Department refusal to supply gun factory report to Representative RICHARD E. LANKFORD.

Lamb and meat grading.

Undersea warfare.

Distressed poultry areas.

Juvenile delinquency control.

Employee radiation hazards.

Importation of foreign excess property.

Present and future problems relating to management of the radio spectrum.

Oceanography and ocean research.

Psychochemicals.

Unsuccessful firing in certain missile programs.

"Monkey shot" outer space project.

Soviet Fair art exhibit.

Dual distribution practices of certain tire manufacturers.

Administered prices in the baking industry.

Antitrust laws and professional team sports.

The insurance industry.

VI. PRESIDENTIAL EXERCISE OF THE VETO

From time to time during the session, in speeches on the Senate floor and away from the Senate, there was much talk of the "veto pistol" and of government by veto. In fact, a wholesome respect for the President's veto power by the majority was a decided factor in its retreat from the positions which it first asserted on a number of bills. The dimensions of the original Democrat program were dictated by the alleged conviction of the majority that it had a mandate from the November elections for bold, dynamic, and almost unrestrained action in many fields.

The legislative power which the Constitution bestows upon the Congress and the President is a responsibility which must be fulfilled in accordance with the respective oaths of office. The Constitution specifically states that "Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it." This is not a negative power, as it is so often interpreted. The Constitution requires that the President shall sign it if he approves and does not limit this power except to state that if he does not approve, he shall return the measure to the House in which it originated.

Thus, the President has legislative power equivalent to the two Houses of Congress. This power is not a privilege, it is a responsibility which is bestowed upon the President. If the President did not indicate his disapproval of legislation which he did not favor, he would not be fulfilling his constitutional obligations.

It has been said that the Presidential legislative power is a negative one, because he cannot propose legislation in the sense that the House of Representatives or the Senate can propose legislation. This is not true. The President may, and in fact is required by the Constitution to make proposals. The Constitution charges the President with the responsibility to "give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient."

Over the years, it has become the practice of the President and his advisers in the executive branch of the Government to draft and submit legislation to the consideration of the Congress. Also, it has become a tradi-

tion that the ranking Member of the President's political party on the committee or subcommittee to which the bill will ultimately be referred will introduce the President's proposed legislation. For example, the President submitted to the Congress his proposal for labor legislation. It was introduced by Senator GOLDWATER, who is the ranking Republican member of the Senate Labor and Public Welfare Committee.

The President's determination to check inflation and to achieve a balanced budget through the use of his veto power was one of the most important instruments for energizing confidence both at home and abroad not only in a sound dollar but in our desire to preserve fiscal integrity. It was one of the truly effective forces in achieving a reduction in appropriations and a retreat from the "back door" approach to the national coffers.

The basic concept of the Republican Party is that by achieving a balanced budget and preserving the value of the dollar, confidence is generated, investment is stimulated, jobs are created, and the vitality of our free enterprise system is maintained.

The attitude of the country toward the President's courageous leadership was manifested by congressional acquiescence to more realistic spending. This sound Republican approach was supported by the great influx of written opinion which came to the desks of Members of the legislative branch over a period of many months.

This interest throughout the country, the President's determination, and the vigorous Republican support in the House and Senate was like a powerful alchemy which completely converted the alleged mandate to spend into a wholesome political passion to economize and proved by all odds to be the greatest force in achieving a balanced budget.

Another way of showing that Mr. Eisenhower did not abuse his responsibility in the exercise of the veto is to compare his action with that of his two immediate predecessors, Presidents Roosevelt and Truman. The following table sets forth this comparison:

President	Regular veto	Pocket veto	Total vetoes	Vetoes overridden
Roosevelt, F. D	371	260	631	9
Truman	180	70	250	12
Eisenhower	61	86	147	1

In addition to the relatively few important vetoes of legislation during this session of Congress, there were several outstanding instances where the threat of a veto resulted in operation retreat by the Democrat-controlled Congress. One of these was S. 1, the Federal airport bill, which passed the Senate early in February. Only the day before the Senate had passed the housing bill which the President subsequently vetoed and which, if enacted into law, would have unbalanced the tight but balanced budget submitted in January by the President. The airport bill would have thrown the budget still further out of balance by providing annual expenditures at the rate of $100 million instead of authorization at a much lower rate which the President had requested. This legislation thereafter shuttled back and forth between the House and the Senate until June 17 when it passed the Congress and went to the White House, providing for a continuation of expenditures at the existing rate, to wit, $63 million per year.

Action on the TVA funding bill, H.R. 3560, was one of the most significant occurrences during this session. From the very outset the President made it abundantly clear that since TVA was an executive agency, he did not propose to diminish the authority of his office over all executive agencies, because he esteemed any such action as a disservice to the Executive Office itself and to those who would succeed him in the years to come in these responsibilities. Accordingly, when House and Senate agreed to virtually bypass the President in the manner of authority and control over the power program of the Tennessee Valley Authority, it was generally felt that the President, in view of his pronounced views on the subject, would entertain the idea of vetoing such a measure.

What happened becomes one of the most significant chapters in legislative history. After endless conferences both branches of Congress finally agreed to take immediate action on an amendment to the bill which was then before the President for signature, to cure this defect in the bill. The Congress thereafter passed and the President approved S. 2471, which effected a cure of this defect. All this emphasizes the President's constitutional role in the legislative process, and was one of the most interesting legislative retreats in the history of Congress.

President Eisenhower, up to the time of the adjournment of the 1st session of the 86th Congress, had exercised his veto power on 147 occasions since his inauguration. His views were sustained by the Congress in all but one instance, the public works bill.

Had it not been so close to the end of the session and had it not been a public works measure in which congressional interest ran high, it is quite likely that this veto would not have been overridden. In that case, President Eisenhower's remarkable record of having all his vetoes sustained would have been something new in legislative history.

Even so, the record of only one veto lost in almost 7 years of Presidential tenure is a superb testimonial to the good sense and high national purpose on which President Eisenhower grounded his objections to legislation.

While we are speaking of records, we have another interesting fact to add to the history of vetoes.

In a single session, the President vetoed each of two bills twice: the housing bill and the public works bill. A preliminary check of presidential vetoes in the past fails to show any similar occurrence in our history.

It is necessary to go back more than a hundred years (117 years to be exact) even to find another instance in which a President vetoed only one bill on the same subject matter twice in the same session of Congress.

This took place in President Tyler's administration. During the second session of the 27th Congress in 1842, President Tyler vetoed two successive tariff bills.

Times were different then and Congress took care of only a small amount of the Nation's legislative business because President Tyler vetoed a total of only 10 bills.

So President Eisenhower's two double vetoes in the same session is something of a historical record.

In appraising this unique record, it is important to note that only during the first session of the 83d Congress did the President enjoy the opportunity of cooperating with a Congress controlled by Republican majorities in both Houses.

VII. MEASURES AWAITING ACTION NEXT SESSION

There are a number of the President's legislative requests which have been ignored by the Congress. A few of the more important are listed below:

Early in the session the President submitted a balanced budget. Although the upturn in the economy has resulted in increased revenue estimates for the coming year, the authorizations for increased spending by the Democrat Congress have resulted in a probable deficit in the budget for the forthcoming fiscal year.

The President's program specifically requested authority for the Executive to veto or reduce individual items in appropriation bills. The Congress has taken no action on this request.

Although price stability and the control of inflation is the most serious problem confronting the economy, the Congress has not amended the Employment Act of 1946 to make price stability an explicit goal of Federal economic policy as the President had requested.

The Congress also ignored the President's request that the provisions of the Fair Labor Standards Act be extended to cover approximately 2 million additional workers. Although hearings have been held, this proposal has not been acted upon.

The so-called Simpson-Keogh bill is an important bit of unfinished business. The bill would allow self-employed persons to set up voluntary retirement programs, within limits, on the same tax basis as employees who are now covered by employer-employee pension plans. Passed by the House, this bill received hearings in the Senate Finance Committee and will unquestionably be a major item of business before the Senate in the 2d session of the 86th Congress.

A bill to release the Treasury from its unrealistic 4¼ percent interest rate ceiling will demand attention very early in the next session. As long as the ceiling is held at 4¼ percent, the Treasury cannot sell long-term bonds. This forces the public debt into short-term bonds (where there is no ceiling) and stokes the fires of inflation. Not only is it inflationary, but the ceiling on long-term rates does not even prevent interest rates from rising. The full impact of rising interest rates is merely transferred out of the long-term money market to the short-term money market where the upward pressure is immediately placed on all other short-term rates, including consumer installment debt.

Legislation restoring interest rate flexibility will have urgent priority in the next session. President Eisenhower gave this action a "must" tag as late as August 25, 1959.

The Senate Rules Committee has before it a resolution which would, in effect, prohibit so-called back door financing. This resolution grew out of the successful challenge to back door financing procedures thrown up against the proposed 5-year Development Loan Fund proposal. The Rules Committee is studying this question and results of the study could turn into one of the important questions before the 2d session of the 86th Congress.

The President's area assistance program awaits action after having been frustrated for the fourth successive year by Democrat insistence on their own more costly measure. The Democrat bill extends the Federal Government's responsibility far beyond what it reasonably should be and commits the Federal Government to guarantee what it can never produce—namely, perpetual prosperity to each and every village and town regardless of changing economic conditions. But because the Democrats in Congress have insisted on this controversial approach, the President's self-help, locally oriented program remains to be enacted.

The House Ways and Means Committee has scheduled fall hearings on general tax reform. The Treasury Department has been cooperating with the committee in extensive studies backing up these hearings. If action could be kept free from politically inspired appeals to voter blocs, long-needed tax reforms to stimulate economic growth and progress could be an important possibility in the next session of Congress. Reduction of total tax revenues, however, can be considered only in the context of budget balance, and some start on paying off the burdensome public debt.

In 1958, the Congress enacted the Postal Policy Act of 1958 establishing for the first time on a statutory basis the principle that

postal rates should be adequate to cover all costs of operating the postal establishment.

In 1959, the President recommended in his budget message an adjustment in the postal rates so as to increase the revenue of the Post Office Department by $350 million in order to bring about the objectives of that act.

In his message the President also indicated that there are certain public service costs which the Post Office should not be required to cover out of its postal revenues. In accordance with the President's message, the concept of public services as defined in the act requires these necessary but special costs to be charged against the general Treasury revenues. Therefore, he asked the Congress to correct this situation by amending the Postal Policy Act of 1958 to assure a more equitable sharing of postal operating costs between mail users and the general public. Such a program would result in adequate funds not only to meet the requirements of the Post Office Department, but also to carry on the research and capital programs which are already underway.

Congress failed to give the President the requested postal legislation. Failure to plug up the $350 million deficit in postal revenues played a major part in upsetting the balance in the President's budget.

The next session of Congress will also face the need for legislation in the following fields, discussed in detail above: agriculture, civil rights, education, and amendment of the Employment Act.

Other bills pending in committee as the first session closed included:

Alaska mineral leasing bill (H.R. 6940), passed by both Houses but vetoed in 1959.

Home rule for the District of Columbia, passed by the Senate on July 15, 1959, but blocked in the House District Committee.

The GI bill for post-Korean veterans, passed by the Senate on July 21, 1959, and pending in the House Veterans' Affairs Committee.

Aid to educational television, passed by the Senate on April 13, 1959, and referred to the House Interstate and Foreign Commerce Committee.

Bank mergers legislation, passed by the Senate on May 14, 1959, and referred to the House Banking and Currency Committee.

Air pollution control legislation, passed by the House on September 1, 1959.

VIII. FOREIGN AFFAIRS

Although the Constitution places the basic responsibility for the conduct of our foreign affairs upon the President, the responsibility falls upon the Congress to enact legislation to implement his foreign policy. They continue to determine the course of our national policies.

Many of the difficulties which have confronted the American economy, particularly American agriculture, stem from two world wars during a period of 45 years. Actually for the past 20 years, the American economy has been largely influenced by the overriding necessities of maintaining our defenses first against Fascist aggression during World War II, and, more recently, to preserve the balance of peace against Communist encroachments.

High defense expenditures, military stockpiling, atomic energy installations, research programs for missiles and advanced weapons have all contributed to the inflationary pressures, high taxes, and a huge Government debt. The wise conduct of foreign affairs during this troubled period will provide an opportunity for those concerned primarily with our domestic affairs to bring them into balance and equilibrium.

The Congress is to be commended for its strong bipartisan support of the Administration in the field of foreign affairs.

While there have been honest differences of opinion with reference to the most appropriate policy to follow in promoting our domestic economy, Republicans and Democrats alike have supported the basic objectives of American foreign policy as they have been enunciated by President Eisenhower.

The death of one of the world's greatest statesmen, the late John Foster Dulles, our former Secretary of State, was a severe blow to our quest for peace.

When Congress convened the Soviet threat to upset the existing status in West Berlin still hung over the Western Powers. The firm stand taken by President Eisenhower with obvious bipartisan approval in Congress averted a crisis and led to the Geneva meetings of Foreign Ministers.

At these meetings, firm insistence by the United States and our Western allies on their right of access to West Berlin under wartime agreements had the direct effect of persuading the Soviet Union to back away from its earlier threats to alter the status of West Berlin through unilateral action.

Mutual security

The program termed "of transcendent importance" to U.S. security by President Eisenhower, one of the great military leaders of all time, did not fare so well in the Democrat-controlled 86th Congress.

The President has called our expenditures for mutual security "fully as important to our national defense as expenditures for our own forces." He has stated his conviction that "for the safety of our families, the future of our children, and our continued existence as a nation, we cannot afford to slacken our support of the mutual security program."

The Democrat-controlled Congress reduced the President's request of $3.9 billion for mutual security, military, economic, and technical assistance to other countries.

In connection with the Development Loan Fund portion of the mutual security legislation, an attempt was made to invoke the back door approach to the Federal Treasury, bypassing the Congress and the whole appropriations process. The Democrat-controlled Senate Foreign Relations Committee proposed a 5-year loan program of $1 billion each year—an aggregate commitment of $5 billion—to be obtained directly from the Federal Treasury. For the 5-year period the Development Loan Fund would not have to come before the Congressional Appropriations Committees and justify its requests for funds to carry out its program. The representatives of the American taxpayers would have had no opportunity to check up on the activities of the Fund to insure proper expenditures.

The administration had requested $700 million for the Development Loan Fund for the single year 1960, the funds to be obtained through the customary appropriations process.

In the face of spirited opposition of Senate Republicans and the administration, Democrat sponsors of the back door approach had to retreat. The Senate authorized appropriations for a 2-year period: $750 million for 1960 and $1,250 million for 1961, to be obtained in the usual manner through congressional committees. These amounts were later reduced in House-Senate conference to $700 million for 1960 and $1,100 million for 1961. Thus, the final version voted by the Congress approved the principle of appropriations rather than direct spending by the Fund out of the Treasury.

Some disappointment was felt by the administration when Congress failed to appropriate the full amount of funds requested for mutual security, but in the last analysis Congress has an equal responsibility with the President to use its judgment on the size of these appropriations.

Congress strengthened the hands of our allies by providing for the loan of two submarines to Italy, two submarines to Turkey, and two destroyers to the Republic of China.

Other measures

The Congress further strengthened American policy by the passage of a joint resolution designating the third week in July as Captive Nations Week so as to call to the attention of the world, and particularly to those people subjected to Communist imperialism, that "the people of the United States share with them their aspirations for the recovery of their freedom and independence."

In other areas Congress substantially supported the President's recommendations in matters of foreign policy. It increased the U.S. subscription to the capital stock of the International Bank for Reconstruction and Development (Bretton Woods Agreements) by $3,175 million, and the U.S. quota in the International Monetary Fund by $1,735 million.

The International Monetary Fund and the International Bank for Reconstruction and Development have played an important role in furthering our foreign policy as well as in the overall development of economic stability throughout the world.

The President, on February 12, 1959, asked the Congress to authorize the U.S. Governor of the International Monetary Fund to request and consent to an increase of 50 percent in the quota of the United States in the International Monetary Fund and authorize him to vote for an increase of 110 percent in the capital stock of the Bank, and, subject to such increase becoming effective, subscribe on behalf of the United States to 31,750 additional shares of stock in the Bank, amounting to a doubling of the U.S. subscription.

On March 19, 1959, the Senate proceeded to consider a measure (S. 1094) to implement the President's request. The President had requested that the authorization be made effective immediately. This request was based on the political and economic situation which confronted us. In a deliberate attempt to achieve political gain by unbalancing the 1960 budget, the Democrats amended this legislation to provide that the authorized funds should be included in the 1960 budget. In other words, they could not be spent until after July 1, 1959. There is no justification for such an amendment except that it provided a supposed political gain for the Democrat Party. The American people will not be fooled by such tactics. They recognize that if the 1960 budget is unbalanced, the blame lies completely with the Democratic Party in control of the legislative branch of the Government.

Congress also provided for U.S. participation in a new Inter-American Development Bank patterned after the Bretton Woods institutions with a subscription of $350 million to the capital stock of the Bank and a $100 million subscription to the fund.

In the field of international sports events, Congress authorized an appropriation of $500,000 in support of the third pan-American games to be held in Chicago, 1959; and extended an invitation to the International Olympic Committee to hold the 1964 Olympic games at Detroit, Mich.

A number of treaties of commerce and friendship and others covering consular rights, avoidance of double taxation, fishing rights, communication agreements, and commodity agreements such as sugar and wheat were approved by the Senate in the course of the session.

Most important are the International Wheat and Sugar Agreements. The International Wheat Agreement (Executive E, 86th Cong.) was an extension of a similar agreement which was first entered into in 1949. It provides for a subsidy of 70 cents on the export of wheat and is intended to stabilize world markets in this commodity. The Sugar Agreement (Executive D, 86th Cong.)

has a similar basic purpose, namely, price stabilization but achieves these objectives in a different manner. The treaty assigns quotas to sugar exporting countries and provides that importing countries will limit their imports from countries which are not participating.

The Senate also approved a protocol to the Convention on Duties and Rights in the Event of Civil Strife.

As Congress adjourned, the United States rounded out its seventh year since the end of the Korean war in which no American boys were engaged in foreign wars.

IX. THE STATE OF THE NATION AS CONGRESS ADJOURNED

The 86th Congress was elected on November 4, 1958. At that time, the country was emerging from a recession.

President Eisenhower, in numerous statements during 1959, indicated that the policies he had advocated to promote sound recovery without either inflation or undue Government interference with the economy would once again produce new record levels of personal income and employment. The Republican position has been vindicated thoroughly. Most recent figures for the summer of 1959 show that personal disposable income will hit a record level; more people had jobs than ever before in history, and unemployment had receded to about 5 percent of the labor force.

As the recovery reaches vigorous boom proportions, the most important problem which has faced our country in the last 6 months has been the emerging threat of inflation. In his Economic Report to the Congress in January, the President said:

"Our objective must be to establish a firm foundation for extending economic growth with stable prices into the months and years ahead. This will not come about automatically. To attain our goal, we must safeguard and improve the institutions of our free competitive economy. These are basic to America's unassailable economic strength.

"If price increases were to accelerate, the continuing upward movement would sooner or later undermine the confidence on which our economic system depends and would eventually release drastic corrective forces."

It is essential that an inflationary spiral such as was seen during the administration of Harry S. Truman should not be repeated. During the period from 1945 to 1951, the Consumer Price Index rose 34.1 points, a 44.3-percent increase. During the period from March 1953 to June 1959, it rose only 10.9 points, a 9.6 percent increase.

In order to prevent renewed inflation, the President in his budget message presented a balanced budget. Throughout the session he made a vigorous defense of fiscal responsibility in issue after issue.

The strange approach of the Democrat-controlled Congress to issues affecting the Nation's economy was manifested by a spending program which was strongly reminiscent of the dark days of the depression.

Despite record levels of prosperity and mounting inflationary pressures, Democrats in Congress came up with one expensive piece of legislation after another. In the Senate they even pushed through a bill creating a Youth Conservation Corps, similar to the Civilian Conservation Corps of the dismal 1930's.

With prosperity all around them, it was difficult to see how the Democrat liberals could reach back more than 25 years for their theme. In 1933, there were 12 million unemployed, almost one out of every four members of the labor force. Today, there are less than 4 million unemployed, about one out of every 20 workers. There were 39 million people employed in 1933, but total employment is now 68 million—the highest in the Nation's history.

Despite all the signs of prosperity, the Democrats sought to push through depression-born, inflationary programs which would cost taxpayers billions and billions of dollars, increase the national debt and stoke the fires of inflation.

In contrast, the calm judgment of the Eisenhower administration and Republican leadership in Congress during the 1957–58 recession reaped dividends for the Nation as the 1st session of the 86th Congress ended. Instead of embarking on a crash program to counteract a recession already fading into history, the administration refused to panic and simply stepped up programs already in the works.

The effects of this adherence to fiscal sanity were dramatically evident in the first half of 1959.

The major economic indexes—output, income, and employment—hit alltime highs.

The gross national product was at a record $484.5 billion in the second quarter of 1959—up $14.5 billion from the first quarter and up $53.5 billion from the recession low in the first quarter of 1958. Almost 85 percent of this advance was in real terms, since prices were relatively stable.

Compensation of employees also reached new record levels of $278.9 billion. On the other hand, corporate profits after taxes at the beginning of the year were at an annual rate of $23.8 billion, which is about the level attained in 1956 when gross national product in current dollars was only $443.6 billion or 91.6 percent of the current level. In spite of the dire predictions of the Democrats, the 1959 prosperity has been widely shared.

Employment rose all through the spring and summer of 1959 to a record 67.6 million jobs. Unemployment fell. More Americans were at work than at any time in the Nation's history.

Average weekly factory earnings reached $90.09, compared with $83.50 in July 1958. Factory workers' earnings increased over the year by 10 cents per hour and $6.59 per week—with the cost of living relatively stable.

The American free enterprise economy has demonstrated its ability—without artificial respiration—to once again reach unsurpassed levels which have advanced the living standards of Americans beyond those attained under any other form of government.

Republican policies in 1959 were based on the confidence in our free institutions which the record demonstrates they deserve.

We have a tremendous future before us. We stand now at the threshold of a half-trillion-dollar economy.

We have the opportunity to bring to millions of American families the higher living standards, the greater security, the fuller measure of human dignity that are made possible by our expanding productive power and broad purchasing power.

The record of this session has vindicated Republican policies geared to the strength, not the weakness, of our great country.

Baron von Steuben Day, September 17

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, many men of great fame and illustrious name, born and brought up in other lands, took active part in our War of Independence and have thus endeared themselves to our people.

Names like Lafayette, Pulaski, Kosciusko, and others have become virtually household words throughout the country. The name Steuben has also attained similar well-deserved prominence. On the 229th anniversary of the birth of that gallant, gifted, and intelligent German who bore that famous name, we will pay our tribute to his blessed memory.

Baron Friedrich Wilhelm von Steuben, professional soldier, distinguished military expert, and able inspector general of our Continental Army, was born near the city of Magdeburg in central Germany on September 17, 1730. He served in the Prussian Army first as regimental officer and then as staff officer. In 1761 he was promoted to the rank of captain, and 2 years later he was cited in a personal letter from Frederick the Great for his services. Thereafter he served as general staff officer at the royal headquarters and as one of the aides-de-camp to the King. It was this specific training as staff officer that later qualified Steuben to the highest post as staff officer in the Continental Army.

When he joined Washington's staff in late 1777 he brought a technical training that was unknown in either the French or the British armies at that time.

His coming to America was almost accidental. In the spring of 1777 he met a friend of Benjamin Franklin in Germany who drew his attention to our War of Independence. At once his imagination was fired; in the summer he set out for Paris with letters to Franklin and Silas Deane. When Steuben met them, he told them of his accomplishments and his rank as captain.

But to Franklin and Deane that rank did not carry sufficient prestige; it was decided to "clothe" him with a high rank. Accordingly he was given letters by Franklin, Deane, and others in which he was introduced as a lieutenant general. Armed with these letters, and accompanied by an aide-de-camp, he arrived at Portsmouth on December 1, 1777.

In February of the following year he went to York, Pa., the temporary seat of the Government. He was received there with honors by the Continental Congress. When a special committee waited upon him to ascertain his aims, he waived all claim to rank or pay and asked only for his expenses as a volunteer in the Army. Then in keeping with his lofty ideals and perfect fairness, he stated his aims and terms. If his services were to contribute to the success of the American cause, he would expect compensation for his sacrifices in leaving Europe, but if his services should not prove beneficial, he would make no claim. His services were accepted at once, and he was directed to report to Washington at Valley Forge.

From then on the career of Steuben throughout the course of the War of Independence is well known. The profound impression he made upon Washington, his immediate appointment as acting inspector general of the Army, then 2 months later to the full rank of inspector generalship with the rank of major general, his miraculous performance in the rapid military training of our

forces, his distinguished role as general staff officer of Washington on the battlefield of Monmouth, and at the successful conclusion of the war his preparation, with Washington, of a plan for the future defense of this country are fully chronicled in our annals. After his honorable discharge in 1784, he became a citizen of this country. He died in New York City on November 28, 1794.

On the 229th anniversary of the birth of this great soldier of freedom we pay our tribute in honoring his noble service to our country.

The Nixon Touch

EXTENSION OF REMARKS
OF

HON. JOHN H. DENT

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. DENT. Mr. Speaker, the typical NIXON touch has been added to the Russian moonshot. NIXON creates doubt by suggesting it is not so. He wants proof or maybe confusion—you figure it out.

This is the same NIXON who rose to the Vice Presidency of the United States by being a rabid anti-Communist, follower of the late Joe McCarthy and one of the worst red-baiters in the history of the U.S. Congress.

Those of us who have kept silent, to date, on the Khrushchev visit have very good reasons for so doing.

Yesterday it meant disgrace, ridicule, loss of job and prestige, and even jail sentences to speak of Communist achievement or even to suggest coexistence.

Today we hear of the reformation in Russia; the need to coexist has now become the order of the day.

One wonders, what is to be tomorrow's line? Where, oh, where are the $200-odd billions spent in foreign aid to keep our allies from socializing politically or commercially with Russia; where are the $400-odd billions spent in the arms race?

If we had minted our money in silver dollars we could have climbed up to the moon on the billions we have spent kidding ourselves and our friends.

When NIXON went to Moscow he opened up Pandora's box and let loose the world's greatest propaganda flood ever set loose upon our honest, sincere and trusting world.

Now we find ourselves sandwiched between Russian moonshots, handshakes, bluff and personal magnetism and American Madison Avenue buildup over radio, TV, and the press on the Eisenhower-Khrushchev meetings changing the hammer and sickle into a cheese knife and a slice of watermelon.

Somewhere along the line the American people may decide one of two things—they may say Russia is all right, let's deal and trade and be buddy-buddy with the commies or they may say, this is a lot of malarkey, commies are still commies, they are still trying to take our kind of life away from us, this exchange meeting business is nothing but more political expediency and right now we want to know what is the position of the United States in this new and jumpy mess we have gotten into.

These are the worries of all the world, especially that part of the world we have tried to lead to believe we were their friends. The captive nations may also be wondering about this new type tea party.

Lost in the shuffle has been the complete change from the Dulles diplomacy to the Eisenhower-Nixon new look in foreign relations. One wonders where Herter is on all this new anti-Dulles diplomacy.

Herter was hailed by all the leaders in this country as a worthy successor to Dulles and one who would maintain the Dulles line of action. We have not only buried Dulles but it seems that we have made Herter and the State Department a minor office run by a page boy.

I happen to be one who believes Herter has the ability, experience, and the will to head the State Department. It is too bad he has been placed in the shadows in order to build a new Eisenhower and elect a GOP President.

When this country starts acting like a grownup and quits fooling around with make-believe, we will not have to worry about Russia or anybody else.

All we need is our own self-confidence and in the words of F.D.R. we have nothing to fear but fear itself.

Congressman Charles A. Boyle, Final Report, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF

HON. CHARLES A. BOYLE

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BOYLE. Mr. Speaker, under leave to extend my remarks, I submit herewith a summary of the 86th Congress, 1st session, which I am sending to my constituents:

DEAR FRIENDS: As I write my closing newsletter of the 1st session of the 86th Congress, the leaves of the Washington trees are turning yellow, the grass of the Washington parks and lawns are putting on their fall coats of brown, and eight of my kiddies are back in school; seven in Arlington, Va., and Pat, the oldest, matriculated at Loyola University in Chicago. This session, which has been the longest peacetime session since 1922, concluded as I moved to adjourn the House sine die while acting as majority leader for the fifth consecutive year.

The ever-growing bigness of government had necessitated the leadership again this session to use the much-overworked emergency provision of the 1946 Reorganization Act to keep us here in Washington. For without invocation of that procedure, the Congress should adjourn July 31 of each year. Although the bills introduced and pending in this session are not functus officio, and do not die between the first and second terms of the session, there is considerable irritation to the public because so many important and worthwhile bills are not processed for want of time. A good example of this situation obtained in Congressman O'BRIEN'S lake diversion bill, which, after passage by the House, was in the 11th hour of the session, referred to the Senate Foreign Relations Committee. The move resulted in postponing final action on this important bill until sometime after we return in January of 1960.

LABOR MANAGEMENT REFORM LEGISLATION

The most controversial and heated piece of legislation to reach the floor of the House in years was the labor management reform bill. Pressure was brought to bear upon the whole Congress, and was accentuated through mass media by the President, the Senate Rackets Committee and prolabor and antilabor forces. As a result, Congress was besieged by carloads of mail and the Capitol was crowded with hundreds of lobbyists and pressure groups. Labor-management reform was supported almost unanimously by Congress, but how to effect remedial legislation that would clear corrupt elements out of unions without imposing punitive measures on all unions caused much heated disputation on the bills.

The Senate passed the Kennedy-Ervin labor-management reform bill on August 25, 1959, by a vote of 90 to 1. When the legislation reached the floor of the House, the committee bill was sidetracked, and the Landrum-Griffin bill was substituted. The Senate and House bills were then sent to a conference committee to work out the differences between them. On September 4, 1959, I voted in favor of the conferees labor-management bill. It is my belief that failure of Congress to carry out this responsibility might well have touched off a wave of anti-labor sentiment that could have set back the cause of honest unionism.

CONGRESS OVERRIDES PUBLIC WORKS VETO

By a vote of 280 to 121 in the House and a vote of 72 to 23 in the Senate, the Congress overrode the President's veto of the public works appropriation bill by more than the necessary two-thirds vote, on Thursday, September 10. The measure automatically became law.

This action represented the first time in 6½ years that Congress had been able to override one of the 146 bills rejected by the President. Among the appropriations in this bill are a number of flood control, navigation, and reclamation projects which have considerable merit and are necessary for the welfare of our country. To note, as Mr. CANNON pointed out, "this legislation is a precedent."

HOME RULE FOR THE DISTRICT OF COLUMBIA

Recently, for the first time in a decade, hearings were held in the House on self-government for the District of Columbia. In past years the Senate has passed many home rule measures but all have been bottled up in House committees. As a sponsor of H.R. 5677, a bill on home rule for the District, I believe the time has come to install the rights of local self-government to nearly 1 million citizens of the District of Columbia. To me, it is a glaring contradiction that those who live in the very shadow of the Capitol of freedom and democracy, are denied the privileges of citizenship accorded everywhere to free people of the world. In a bipartisan-sponsored move, I signed with my fellow colleagues, a discharge petition to bring the vital issue of home rule promptly to the House floor for a vote. Although final action was not forthcoming prior to adjournment, the discharge petition will rest on the Speaker's desk to be called up as one of the first orders of business in January, when the 2d session of the 86th Congress convenes.

GREAT WHITE FLEET—HOUSE CONCURRENT RESOLUTION 319

A considerable amount of publicity has recently been given to the idea of reviving the Great White Fleet of Teddy Roosevelt

days and to put such a fleet to work for world peace. I have introduced a resolution which, according to a recent report, has the support of 351 Members of Congress in both Houses. This resolution calls for the President to use part of our mothball naval fleet to help carry surplus food and technical assistance to distressed and undeveloped areas in the world. Through this action, we can at least place a part of our mutual aid program on a person-to-person basis to insure maximum benefit to our country and to cost only a fraction of our foreign-aid program. It is my sincere hope that this program will be endorsed by the American people and soon become a reality. It has been publicized in a recent series of articles carried by Life magazine.

STATES RIGHTS

House Republicans joined with southern Democrats to pass the States rights bill, titled H.R. 3, for the second year in succession. The brief but far-ranging bill is designed to prevent Federal laws from striking down State laws in the same field where there is no irreconcilable conflict. It would do this by limiting the power of Federal courts to interpret Federal law. I again registered my opposition to the bill, as the effect of the proposed legislation could be to subordinate Federal legislation to State laws despite the specific constitutional provision that Federal law under the Constitution shall be the supreme law of the land. Passage of the bill in the present form would give rise to serious uncertainties as to its effect on judicial construction of State statutes applicable in the field in which Congress has the power to act, but has not yet acted. The measure would effect an appreciable increase and duplication of effort and result in annoyance occasioned by the necessity of complying with a mutuality of overlapping laws. The Senate killed the bill by one vote last year, and because I believe in the supremacy of Federal law and the Constitution, I hope that it will meet a similar fate in this Congress.

WORLD PEACE AND WORLD LAW

Last month, a committee was formed of Members of both Houses of Congress to promote peace through the advance of the rule of law in international relations. Unhappily for our time, communications and weaponry have so outdistanced the law and so shrunk and imperiled the earth that unless there is a broad and peaceful extension of the rule of law over the earth, there may be no one left to be ruled. The committee that was formed vigorously endorsed House Concurrent Resolution 211 calling for a revision of the U.N. Charter so as to develop and guarantee the rule of international law. Similar committees have already been formed within the Parliaments of the United Kingdom, France, West Germany, Italy, and Japan. To my way of thinking, this resolution and the formation of our committee, reflects thinking in a direction that is inevitable. Disputes between nations must be settled by the rule of law, not by the rule of war. The question is no longer whether world law is necessary, but how it can be made a reality. Through my periodic reports from Congress, you will be kept advised of our progress.

HOUSING LEGISLATION

The last week of Congress was highlighted by the drive for adjournment. Congress, for the third time this session, passed an omnibus housing bill. The President vetoed the first two, and as we adjourned, has not acted upon the third bill. It is my hope that the President signs this bill or many Federal housing projects, including urban renewal, will be eliminated or drastically curtailed for lack of funds. As Congressman RAINS, chairman of the Subcommittee on Housing, said on the floor of the House, the first housing bill was the best bill; the second was a good one, and the third compromise legislation was a fair one.

It was indeed sad to see neither the first nor the second bill receive the President's signature when they were pared down by congressonal leaders in order to fit the needs of the country without overtaxing the economy. Representative government is based on the art of compromise, and I feel Congress performed its obligation by reconciling its original request in this field to gain the approval of the administration. In turn, it is my belief that the President failed to meet the Congress half way, and a fair housing bill is the only legislation that will be enacted this session.

NEW VETERANS PENSION LAW

This year, Congress passed a new pension bill for veterans who are permanently and totally disabled from injuries or disease that are non-service-connected. This new bill provides for an increase in pension payments for many veterans. The most important feature, however, is the granting of pension benefits to thousands of widows and dependent children of veterans of World War II and the Korean conflict. Under the present laws, the widows and children of deceased veterans of World War II and Korean conflict, were eligible for pension benefits only if the veteran was receiving compensation from the Veterans' Administration at the time of his death for a service-incurred disability. The new law grants pension benefits to these widows and children on the same basis as has long been granted to the widows and children of deceased World War I veterans.

Under the new law, benefits payable are based on annual income from all sources, including social security and railroad retirement. Welfare aid is not counted as income. In the case of a veteran and spouse, all income of the spouse over $1,200 must be counted as the veteran's income for pension purposes.

This new law, Public Law 86–211, becomes effective July 1, 1960. Veterans on the pension rolls prior to that date will have the right to retain their present pension or elect to receive the new benefits if they so desire. The Veterans' Administration will shortly advise these veterans as to their rights under both the old and new law.

For assistance in applying for these benefits, I suggest you contact the Veterans' Administration regional office at 2030 West Taylor Street, Chicago 12, Ill.

BOND INTEREST RATES

On September 12 in a special Saturday session, Congress enacted compromise legislation to meet President Eisenhower's request for authority to increase rates on long-term Government bonds. The agreement reached after a long deadlock would allow the Treasury to boost interest rates on series E and H savings bonds to a ceiling of 4½ percent. These bonds, the types held by many individuals now, pay a top of 3.26 percent. The compromise also would give the Treasury authority to encourage big investors in long-range marketable bonds to swap them in advance of maturity for new issues, paying higher interest. Under previous lower rates of interest, the Government has had considerable difficulty in interesting big investors in buying Government bonds because they could receive higher interest rates on private investments.

KHRUSHCHEV VISIT

As I conclude this newsletter and prepare to leave Washington, my departure coincides with the arrival of Premier Khrushchev. I am sure the American public will receive him with courtesy and consideration. This is not because we approve of his acts or trust his motives, but because he is the leader of a powerful nation with whom we must deal wisely and realistically to avoid a nuclear war caused by miscalculation. The great opportunities afforded by the talks far outweigh the dangers which might conceivably exist. I do not think Mr. Khrushchev will change Soviet policy because of what he sees during his visit to this country. What will interest him, it seems to me, is that he will be able to judge for himself, in his official contacts, what are the levers of power and decision in the American Government and in the American society.

The last piece of legislation to pass the House was the mutual aid bill which had been amended by the Senate to include an extension of the Civil Rights Commission scheduled to expire by its terms on November 8, 1959.

During the adjournment, I will be available to discuss and handle any and all inquiries, requests, and matters within the scope of congressional activities. Feel free to call or drop me a note and I'll be happy to arrange a mutually convenient appointment.

Sincerely,

CHARLES A. BOYLE,
Member of Congress.

Washington office: 1415 New House Office Building, Washington 25, D.C.; CApitol 4–3121, extension 5315.

Chicago office: 11 South La Salle Street, Chicago, Ill.; FInancial 6–0440.

Increasing Air Traffic and the Noise Problem

EXTENSION OF REMARKS
OF
HON. ALBERT H. BOSCH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BOSCH. Mr. Speaker, one of the biggest problems in the Fifth Congressional District is the noise nuisance and danger from low-flying airplanes. New York International Airport—Idlewild—is located wholly within my district. This is a problem that has been with us for a goodly number of years but has become more acute with the advent of the commercial jet airliners. Commercial jet operations commenced at Idlewild in October 1958.

While the situation in my congressional district is probably the worst in the United States today, I know that the problem is not confined to the New York area. Therefore, for the information of all, I think it well to review here what we in Queens have found to be the problem, because I know many Members of Congress who have large airports in their districts have a problem and theirs will become more acute as air traffic grows and more and more jets are put into operation.

In July 1955 I called a meeting at the Federal Building, Idlewild Airport, to which was invited civic leaders in our area, officials of the Civil Aeronautics Administration, representatives, and other Long Island Congressmen. It was my thought that we could get together, discuss our problem and possibly work out a solution which would make Federal legislation unnecessary. This did not prove to be the case.

Because of the fact that those who had control over the operation of the

airports and air traffic took no action, I found it necessary early in 1956 to introduce legislation which I felt, if enacted, would go a long way toward alleviation of the problem. The three bills I introduced, briefly, would, first mandatorily lift the minimum ceilings for operation of commercial airliners; second, evoke criminal penalties for the violation of regulations governing the flight of airplanes; third, ban the operation of jet airliners from airports located in cities or counties having a population of 1 million. These bills were referred to the Committee on Interstate and Foreign Commerce. In July 1956 the Subcommittee on Transportation held hearings on these three bills. No future action was taken.

These same bills were introduced in the 85th Congress, but no action was taken by the committee.

During all this time, I continued to correspond with the Civil Aeronautics Administration, the Port of New York Authority, and the National Air Transport Coordinating Committee, seeking their cooperation in working out regulations which would bring about a manner of operating air traffic so that the noise therefrom would be reduced to a level that the airport neighbors could tolerate. I must say that very little was accomplished. The Port of New York Authority, which operates the airports in the New York area, namely, Newark, N.J.; Teterboro, N.J.; La Guardia, N.Y.; and New York International did ban jet operations until such time as they were tested and it was thought that the noise level was such that the airport neighbors could endure same. In October 1958 permission was granted by the New York Port Authority for the operation to and from Idlewild of the Boeing 707 and the Comet IV, under specified conditions without subjecting neighboring communities to intolerable noise.

The conditions under which the Port Authority permits jets to operate at Idlewild include a mandatory runway use procedure that requires that jet aircraft use overwater takeoffs whenever wind and other conditions permit. When these conditions do not permit, the planes are supposed to conduct their flight so as not to create a noise level to exceed 112 perceived noise decibels. Also takeoffs at night are to be permitted only over water from 10 p.m. to 7 a.m.

These conditions sound good, but it has not worked out so well in practice—weather conditions and other alleged reasons seem much too often to prevent "overwater" takeoffs and exceptions are continuously made to the rule regarding night flights. Also, you will note these regulations all affect takeoffs, not landings.

Due to the fact that jet operations were an accomplished fact in January, I reintroduced my bills on minimum ceilings and criminal penalties. Failure to get action on previously introduced legislation and feeling a new approach was warranted, I also introduced House Resolution 162 to create a select committee to conduct an investigation and study of the powers and functions of agencies over the operation of aircraft. I think it appropriate here to review some of the reasons I felt it necessary to introduce this legislation.

Prior to the enactment of the Federal Aviation Act and the establishment, under this act, of the Federal Aviation Agency, there was no regulation, backed up by law, which gave anyone jurisdiction over the noise problem of the aviation industry. In the New York area, as previously stated, the New York Port Authority specified certain criteria for the operation of jets. When these were announced it was reported in the press that Gen. E. R. Quesada stated that he would do everything he could to eliminate these restrictions on jet operations—this in October 1958 before he assumed office in January 1959 as Administrator of the Federal Aviation Agency. In addition to the regulations of the New York Port Authority, we have now the Federal Aviation Agency and the National Air Transport Coordinating Committee, a voluntary intraindustry committee to coordinate civil air transport operations in the metropolitan New York-New Jersey air terminal area. My experience proved that each time I tried to pinpoint responsibility for noise nuisance there was "buck passing" from one agency to another. To me, it seemed necessary that we go into this question of responsibility and determine who was responsible in each given instance for a particular problem and then, if there was no specified area of responsibility, by legislation fix same and give the proper organization the power to enforce it. For these reasons, House Resolution 162 was introduced.

House Resolution 162 was referred to the Committee on Rules. On July 29, 1959, I appeared before this committee in support of same. The committee realized the problem and was most sympathetic. However, because of a possible conflict in interest with the Committee on Interstate and Foreign Commerce, action was deferred so that consultation could be had with the chairman of that committee. On August 18, 1959, Hon. OREN HARRIS appeared before the Committee on Rules in opposition to House Resolution 162. It was his contention that the subject matter properly belonged before his committee. During his appearance before the Committee on Rules he, at the request of the chairman, agreed to call a meeting of his committee to go into the problem.

I might say here, that I had not been idle in the time that no committee action was in progress. I was corresponding with and meeting in person with those who I felt could be of assistance in finding a solution to this problem of noise. At a conference in my office on August 13, 1959, with Gen. E. R. Quesada and other Members of Congress from Long Island, I specifically requested General Quesada to give me the legal views of the Federal Aviation Agency on the authority to deal with the aircraft noise problem. Under date of August 24, 1959, I received a letter from General Quesada in which he stated:

> Thus, while I feel I have the basic legal authority to issue air traffic control regulations to suppress jet aircraft noise for the protection of people and property on the ground, I am, of course, not in a sound position to issue any such regulations until appropriate technical and legal studies are completed.

Mr. Speaker, this was the first time I had had anyone come out and state that authority existed for controlling noise. So, the Federal Aviation Agency says they have the power, under law, but they are not in a position to exercise it.

On August 26 and 27, 1959, the chairman of the Committee on Interstate and Foreign Commerce called an executive session of the Subcommittees on Transportation and Aeronautics and Health and Safety to consider House Resolution 162. Appearing before the subcommittees, in addition to myself, were Gen. E. R. Quesada, Administrator, Federal Aviation Agency; Hon. James R. Durfee, Chairman, Civil Aeronautics Board; and Mr. Stuart G. Tipton, president, Air Transportation of America. On request, representatives of the Port of New York Authority were allowed to sit in. At the conclusion of the meeting on August 27, the chairman announced that he intended to hold an open hearing in New York at New York International Airport at which time public testimony would be taken from the agencies involved with the air traffic problem, civic groups and private citizens. This meeting was held on September 7, 1959, Labor Day.

At the September 7 meeting the Port Authority testified as to their efforts to curtail noise, Mr. James C. Pyle, Assistant Administrator, Federal Aviation Agency, reiterated that the Federal Aviation Agency has "the authority to step into this picture and do something," and Adm. Charles E. Rosendahl, executive director, National Air Transport Coordinating Committee, reviewed the aims and purposes of his committee in this field.

Supposedly, all of us had one objective in mind—the abatement of noise without sacrificing safety. However, before the committee, the spokesman for the National Air Transport Coordinating Committee made the following statement:

> Responsibility for rules and regulations which govern the flight operation of aircraft lies with the Federal Government, and not with any other agency. You gentlemen, having been in on the drafting of the legislation of the act, I am sure appreciate that as much as anybody.
>
> It is, in our opinion, not appropriate that the airport operator seek to enforce flying regulations which are appropriately the responsibility of the Federal Government. Safety in air transportation will not be gained by a duplication in flying regulation.
>
> While the airlines and National Air Transport Coordinating Committee are wholeheartedly in favor of working with the airport operator for the reduction of noise, as they have done and will continue to do, there would be less confusion and there might be more result if the airport operator would not endeavor to form and enforce rules in an area which has logically been reserved to Federal jurisdiction.

From my work with the agencies, I have found that the Port of New York Authority has been earnestly concerned with the noise problem as it affects the

airport neighbors and here we have an example of one agency which is supposed to be working on the same problem publicly belittling the other. It is important to know also that the Port of New York Authority was a member, to the extent of contribution to the financial support, of the National Air Transport Coordinating Committee. As a result of the testimony of the National Air Transport Coordinating Committee spokesman, the Port of New York Authority on September 10, 1959, announced its resignation from the National Air Transport Coordinating Committee.

I believe that it has been conclusively proved that my constituents and I have not exaggerated the existing problem. Something must be done so that those living in the vicinity of large airports may enjoy their homes in relative peace and comfort, worship in their churches without undue disturbances, have their children educated without continued cessation of classroom work while planes pass over, and secure a good night's sleep without being awakened time and time again throughout the night.

Mr. Speaker, as I said before, this is a problem that is going to get worse unless action is taken now to meet it. The FAA states that it has authority under the Federal Aviation Act to issue regulations curbing noise, but it has not chosen to use this authority.

Mr. Speaker, I cannot urge too strongly that the Committee on Interstate and Foreign Commerce take affirmative action by recommending passage of effective Federal legislation prescribing mandatory regulations in this field.

Résumé of Activities of the House Committee on the District of Columbia, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. McMILLAN. Mr. Speaker, I take great pleasure in presenting to the House a complete résumé of all action taken by the Committee on the District of Columbia during the 1st session of the 86th Congress.

I consider the House District Committee one of the ablest and most outstanding committees in the Congress. During the past few Congresses, we have had as members of the committee five chairmen of other ranking committees in the House, and this year we have chairmen of two other ranking House committees as members of the District Committee.

I have experienced no difficulty in securing a quorum at all times even though every member of the District Committee is also a member of another major committee. The members of the House District Committee seem to be interested in the problems confronting the Nation's Capital, realizing that Washington was set aside as a Federal city, and are eager to devote much of their valuable time to making laws for the District of Columbia as a part of their congressional duties.

We are all interested in keeping Washington the most beautiful city in the world, and we make every effort to give the Police Department the assistance necessary to keep this a safe city for visitors to the Nation's Capital. Every person in the United States has a personal and financial interest in the city of Washington, in which millions and millions of dollars of taxpayers' money are spent annually for the purpose of housing Federal Departments, the Nation's Capital, and the White House. We have been successful in having several Federal buildings approved for the District of Columbia costing hundreds of millions of dollars while very few Members have been able to secure congressional approval of a single Federal building or any funds whatsoever for their individual towns or districts. Therefore, we feel that the people residing in the District of Columbia have the best of representation in the Congress.

I personally feel that the executive department of the Commission form of government here in the District of Columbia should work more closely with the Congress as I am certain we could accomplish more for the Nation's Capital if we were better informed regarding the background of all the employees who are administering and enforcing the laws we pass.

I want to take this opportunity also to thank Senator ALAN BIBLE and the other members of the Senate District Committee for their excellent cooperation in solving our mutual problems in connection with the affairs of the District of Columbia, and I am certain that during the 2d session of the 86th Congress we shall be able to pass all the legislation necessary to operate the Commission form of government successfully in the District of Columbia.

We are proud of the record made by the Committee on the District of Columbia in the 1st session of the 86th Congress during which we have secured House passage of 24 House bills and 11 Senate acts. I am pleased to present the following detailed account of the actions of our committee during this session:

DISTRICT BILLS, ACTS, AND RESOLUTIONS IN CONNECTION WITH WHICH THE HOUSE DISTRICT COMMITTEE HAS TAKEN ACTION DURING THE 1ST SESSION OF THE 86TH CONGRESS

H.R. 20, premarital examination of applicants for marriage licenses, provide for.

H.R. 76, small claims and conciliation branch of Municipal Court, amend act to increase jurisdiction to $100.

House Joint Resolution 297, Heliport, Commissioners authorized to make study concerning establishment, construction, and operation of.

H.R. 303, oldest inhabitants in the District of Columbia, conveyance of certain real property to.

H.R. 345, ophthalmic products, prohibit advertisement of retail sales price of.

House Concurrent Resolution 388, memorials to great statesmen of the United States in District of Columbia should be living memorials, provide for.

H.R. 580, law, practice of, amend act.

H.R. 835, attachment, and garnishment, amend law by modifying provisions for.

H.R. 836, attachment, and garnishment, amend law by modifying provisions for.

H.R. 874, banking system, dual, provide for in District of Columbia.

H.R. 875, dangerous weapons act, amend, creating a presumption in connection with the possession of.

H.R. 1378, Unemployment Compensation Act, amend.

H.R. 1379, home rule, provide for in District of Columbia.

H.R. 1380, Unemployment Compensation Act, amend.

H.R. 1647, Association of Childhood Education International, exempt certain real and personal property from property tax in District of Columbia.

H.R. 1844, Life Insurance Act, District of Columbia, amend.

H.R. 2317, licensing and bonding of collection agencies, provide for.

H.R. 2318, closing-out sale, provide for regulation of.

H.R. 2321, home rule, provide for elected commission form of government.

H.R. 2322, mileage tax, exempt certain common carriers of passengers from.

H.R. 2329, wages, exempt from attachment and garnishment in the District of Columbia.

H.R. 2511, penalties for willful concealment of goods on premises of stores, provide for.

H.R. 2518, evidence, provide for admission of in courts of District of Columbia.

H.R. 2519, responsibility for criminal conduct, provide for.

H.R. 2522, retirement of judges of municipal court, municipal court of appeals and juvenile court, amend.

H.R. 2530, widows, widowers, minor children, amend act granting right of possession of property.

H.R. 2749, Policemen and Firemen's Retirement and Disability Act, amend to make benefits apply to widows, orphans.

H.R. 2750, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of Police and Fire Departments.

H.R. 2755, penalties, establish certain increases for habitual criminals.

H.R. 2756, admissibility of confessions in criminal prosecutions, provide for.

H.R. 3004, evidence, rules to follow in insanity cases.

H.R. 3030, retirement compensation, Director, Metropolitan Police Force Band, provide for.

H.R. 3298, taxes, income, charitable contributions, deductible even though activities not carried on in District.

H.R. 3494, clergymen, communications made to them shall be considered privileged.

H.R. 3656, Unemployment Compensation Act, amend.

H.R. 3663, schoolchildren, purchase bus tickets from commissioners at reduced prices.

H.R. 3664, schoolchildren, amend act relating to fares.

H.R. 3735, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of Police and Fire Departments, their widows, widowers and children.

H.R. 3855, public adjusters, provide for licensing of.

H.R. 4005, physical therapy, regulate practice of by registered physical therapists.

H.R. 4071, Business Corporation Act, amend.

H.R. 4072, regulation of the practice of dentistry, amend act.

H.R. 4073, placement of children in family homes, amend act.

H.R. 4109, chiropractic—provide for issuance of a license to Anderson Brown.

H.R. 4192, ministers, certain communications considered privileged.

H.R. 4282, Sisters of the Visitation, of Georgetown, supplement and modify act relating to corporate powers.

H.R. 4283, Income and Franchise Tax Act, 1947, exempt certain officers of executive branch from payment of.

H.R. 4286, school census, amend act providing for taking of.

H.R. 4400, home rule, provide for in District of Columbia.

H.R. 4454, trustees, certain corporations, eliminate restriction on number of.

H.R. 4492, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of Police and Fire Departments, their widows, widowers, and children.

H.R. 4585, garnishments, amend law by modifying provisions for.

H.R. 4630, H.R. 4631, H.R. 4632, H.R. 4633, H.R. 4634, H.R. 4635, H.R. 4636, H.R. 4637, H.R. 4638, H.R. 4639, H.R. 4640, H.R. 4641, H.R. 4642, H.R. 4643, H.R. 4683, H.R. 4694, H.R. 4715, H.R. 4726, H.R. 4754, home rule, provide for in District of Columbia.

H.R. 4810, sales tax, exempt sales of food for human consumption.

H.R. 4820, home rule, provide for in District of Columbia.

H.R. 4853, indecent publications, amend act relating thereto.

H.R. 5210, A.B.C. Act, amend, permit Board to use discretion in requirement relating to the serving of beer at public tables.

H.R. 5244, domestic relations branch of municipal court, extend jurisdiction to cover the adjudication of the interests of husband and wife of personal and real property.

H.R. 5490, licensing of persons engaged in budget planning services, provide for.

H.R 5534, George Mason Memorial, name of 14th Street Bridge.

H.R. 5549, garnishments, amend law by modifying provisions for.

H.R. 5633, medical expenses, amend Income and Franchise Tax Act relative to deductions of.

H.R. 5677, home rule, provide for in District of Columbia.

H.R. 5889, indigents in judicial proceedings in the District of Columbia, provide for representation.

H.R. 6123, indecent publications, amend law relating thereto.

H.R. 6163, creation of Office of Administrator for Legal Assignments, provide for.

H.R. 6272, license, pharmacy, provide for issuance to Diodato Villamena.

H.R. 6301, tax refund to retail dealers on motor-vehicle fuels lost due to evaporation and shrinkage.

H.R. 6302, National Guard, amend act with respect to the compensation of certain civilian employees of.

H.R. 6378, American Society of International Law, use certain real estate in District of Columbia as natianal headquarters.

H.R. 6454, American War Mothers, Inc., exempt certain property from taxation.

H.R. 6585, Teachers' Salary Act of 1955, amend, grant additional compensation to coaches.

H.R. 6662, Hospital Center Act, amend, extend time during which appropriations may be made.

H.R. 6668, corporations act as trustees under deeds of trust, amend Business Corporation Act to permit.

H.R. 6738, fire prevention and safety laws applicable to schools in District of Columbia, strengthen.

H.R. 6772, annuities payable to certain annuitants from teachers' retirement and annuity found, increase.

H.R. 6773, Real Estate Commission, empowered to suspend or revoke licenses for certain activities by licensees.

H.R. 6820, tax refund to retail dealers on motor-vehicle fuels lost due to evaporation and shrinkage.

H.R. 6821, law, practice of, prohibit certain persons from engaging in.

H.R. 6893, Stadium Act, amend with respect to motor-vehicle parking area.

H.R. 6929, illustrations in District of Columbia annual report, allow use of.

H.R. 7074, Veterans of Foreign Wars, transfer tax exemption from building formerly owned by them to property now owned.

H.R. 7124, tuition, payment of by certain persons who attend public schools in District of Columbia.

H.R. 7145, mortgage loans by insurance companies, permit loans up to 75 percent of property value.

H.R. 7375, A.B.C. Act, amend, require retailers and wholesalers to file with A.B.C. Board minimum price of alcoholic beverages.

H.R. 7429, guardian, minor child, actions relating to.

H.R. 7458, bags, plastic, prohibit sale and distribution of.

H.R. 7493, taxicabs, installation of meters in, repeal section 8 of Appropriations Act, 1960.

H.R. 7507, tax, income and franchise, amend act with respect to deductions for charitable contributions.

H.R. 7639, license to practice dentistry, permit Hans Musaeus to take examination.

H.R. 7653, dogs, required to be kept on leash when they are in streets or other public places.

H.R.7683, Veterans of Foreign Wars, transfer tax exemption from building formerly owned by them to property now owned.

H.R. 7714, television service contractors, dealers, technicians, provide for regulation and licensing of.

H.R. 7907, St. Ann's Infant Asylum, amend act of incorporation.

H.R. 7989, Cultural Center, National, provide for deposit in special fund in the Treasury of the United States 1 mill out of every $1 for the advancement of.

H.R. 7996, National Woman's Party, Inc., exempt certain property from taxation.

H.R. 8081, home rule, provide for in District of Columbia.

H.R. 8143, Cultural Center, National, provide for deposit in special fund in the Treasury of the United States 1 mill out of every $1 for the advancement of.

H.R. 8204, suits against employees of District of Columbia government arising out of their operation of vehicles in scope of employment, defense of.

H.R. 8223, Cultural Center, National, provide for deposit in special fund in the Treasury of the United States 1 mill out of every $1 for the advancement of.

H.R. 8225, paregoric, amend Uniform Narcotic Drug Act to permit dispensing of by oral as well as written prescription.

H.R. 8285, salary increase, teachers, school officers, board of education employees.

H.R. 8320, District of Columbia Teachers College, authorize conferring of M.A. degree to certain students.

H.R. 8326, salary increase, teachers, school officers, Board of Education employees.

H.R. 8357, pensions, trusts, exempt from laws relating to perpetuities, restraints on alienation, and accumulation of income.

H.R. 8391, Junior College Division within District of Columbia Teachers College, authorize.

H.R. 8392, Stadium Act of 1957, amend.

H.R. 8415, Nonsovereign State, provide for admission of District of Columbia into Union as a.

H.R. 8493, Space Cadet Corps, incorporate.

H.R. 8527, pensions, trusts, exempt from laws relating to perpetuities, restraints on alienation, and accumulation of income.

H.R. 8693, Domestic Relations Branch, Municipal Court, extend jurisdiction to cover adjudication of the interests of husband and wife of real and personal property.

H.R. 8696, Police and Firemen's Salary Act of 1958, amend to remove certain inequities.

H.R. 8697, Redevelopment Act of 1945, amend with respect to the requirements for adoption of a redevelopment plan for a project area.

H.R. 8709, trading stamps, permit use of in District of Columbia.

H.R. 8734, age, prohibit unjust discrimination in employment because of.

H.R. 8768, A.B.C. Act, amend, require retailers and wholesalers to file with A.B.C. Board minimum price of alcoholic beverages.

Senate Joint Resolution 52, heliport, Commissioners authorized to make study concerning establishment, construction, and operation of.

S. 643, assessment for public improvements, to permit District of Columbia officials to use registered and certified mail in notifying property owners of.

S. 644, census, school, to amend the act regarding.

S. 645, dangerous buildings, to amend act regarding removal of.

S. 660, Business Corporation Act, to amend.

S. 685, Association for Childhood Education International, exempt certain real and personal property from property tax in District of Columbia.

S. 715, indecent publications, amend law relating to.

S. 745, condemned buildings, to conform the method of collecting assessments on.

S. 746, children, regulate placement of in family homes, amend act.

S. 866, illustrations in District of Columbia annual reports, to allow the use of.

S. 949, Ladies of the Grand Army of the Republic, provide for incorporation of.

S. 1159, Alley Dwelling Act, to amend to facilitate the acquisition of real property.

S. 1315, Blue Star Mothers of America, Inc., provide for incorporation of.

S. 1370, Redevelopment Act of 1945, to amend section 13 of.

S. 1371, birth certificates, transcripts of, to authorize Commissioners to fix and collect fees for in an amount which will reimburse the District for the cost of issuance.

S. 1372, Domestic Relations Branch, Municipal Court, extend jurisdiction to cover adjudication of the interests of husband and wife in real and personal property.

S. 1456, appointment of two additional juvenile court judges, provide for.

S. 1681, home rule, provide for in District of Columbia.

S. 1921, United Spanish War Veterans, Inc., exempt certain property from taxation.

S. 1966, insurance adjusters, public, provide for licensing of.

S. 2035, guardian, minor child, actions relating thereto.

S. 2445, District of Columbia Teachers College, authorize conferring of master of arts degrees to certain students.

BILLS AND ACTS WHICH HAVE PASSED HOUSE DURING 1ST SESSION OF 86TH CONGRESS

H.R. 303, Oldest Inhabitants in the District of Columbia, conveyance of certain real property to.

H.R. 836, attachment and garnishment, amend law by modifying provisions for.

H.R. 1844, Life Insurance Act, District of Columbia, amend.

H.R. 2317, licensing and bonding of collection agencies, provide for.

H.R. 2318, closing out sale, provide for regulation of.

H.R. 2322, mileage tax, exempt certain common carriers of passengers from.

H.R. 3030, retirement compensation, Director, Metropolitan Police Force Band, provide for.

H.R. 3735, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of Police and Fire Departments, their widows, widowers, and children.

H.R. 4072, regulation of the practice of dentistry, amend act.

H.R. 4192, ministers, certain communications considered privileged.

H.R. 4282, Sisters of the Visitation of Georgetown, supplement and modify act relating to corporate powers.

H.R. 4283, Income and Franchise Tax Act, 1947, exempt certain officers of executive branch from payment of.

H.R. 4454, trustees, certain corporations, eliminate restriction on number of.

H.R. 5534, George Mason Memorial, name of 14th Street Bridge.

H.R. 6123, indecent publications, amend law relating thereto.

H.R. 6378, American Society of International Law, use certain real estate in District of Columbia as national headquarters.

H.R. 6585, Teachers' Salary Act of 1955, amend, grant additional compensation to coaches.

H.R. 6662, Hospital Center Act, amend, extend time during which appropriations may be made.

H.R. 7145, life insurance, amend act to regulate, permit insurance companies to allow mortgage loans up to 75 percent of property value.

H.R. 7683, Veterans of Foreign Wars, transfer tax exemption from building formerly owned by them to property now owned.

H.R. 7907, St. Ann's Infant Asylum, amend act of incorporation.

H.R. 8225, Uniform Narcotic Drug Act, amend, permit paregoric to be dispensed by oral as well as written prescription.

H.R. 8392, Stadium Act of 1957, amend.

H.R. 8527, trusts, pensions, exempt from laws relating to perpetuities, restraints on alienation, and accumulation of income.

S. 643, assessment for public improvements, to permit District of Columbia officials to use registered and certified mail in notifying property owners of.

S. 660, Business Corporation Act, to amend.

S. 685, Association for Childhood Education International, exempt certain real and personal property from property tax in District of Columbia.

S. 746, children, regulate placement of in family homes, amend act.

S. 866, illustrations in District of Columbia annual reports, to allow the use of.

S. 949, Ladies of the Grand Army of the Republic, provide for incorporation of.

S. 1371, birth certificates, transcripts of, to authorize Commissioners to fix and collect fees for in an amount which will reimburse the District for the cost of their issuance.

S. 1372, domestic relations branch, municipal court, extend jurisdiction to cover adjudication of the interests of husband and wife in real and personal property.

S. 1921, United Spanish War Veterans, Inc., exempt certain property from taxation.

S. 2035, guardian, minor child, actions relating thereto.

S. 2445, District of Columbia Teachers College, authorize conferring of master of arts degrees to certain students.

DISTRICT BILLS AND ACTS WHICH PASSED BOTH HOUSE AND SENATE DURING THE 1ST SESSION OF THE 86TH CONGRESS AND WERE SENT TO THE PRESIDENT FOR HIS SIGNATURE

H.R. 303, Oldest Inhabitants in the District of Columbia, conveyance of certain real property to (Public Law 86–216).

H.R. 836, attachment and garnishment, amend law by modifying provisions for (Public Law 86–130).

H.R. 2317, licensing and bonding of collection agencies, provide for (Public Law 86–217).

H.R. 2318, closing out sale, provide for regulation of (Public Law 86–219).

H.R. 3030, retirement compensation, Director, Metropolitan Police Force Band, provide for (Public Law 86–356).

H.R. 3735, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of Police and Fire Departments, their widows, widowers, and children (Pocket veto).

H.R. 4072, regulation of the practice of dentistry, amend act (Public Law 86–98).

H.R. 4282, Sisters of the Visitation, of Georgetown, supplement and modify act relating to corporate powers (Public Law 86–32).

H.R. 4454, trustees, certain corporations, eliminate restriction on number of (Public Law 86–83).

H.R. 5534, George Mason Memorial, name of 14th Street Bridge (Public Law 86–86).

H.R. 6378, American Society of International Law, use certain real estate in District of Columbia as national headquarters (Public Law 86–208).

H.R. 6662, Hospital Center Act, amend, extend time during which appropriations may be made (Public Law 86–85).

H.R. 7145, mortgage loans by insurance companies, permit loans up to 75 percent of property value (Public Law 86–329).

H.R. 7683, Veterans of Foreign Wars, transfer tax exemption from building formerly owned by them to property now owned (Public Law 86–333).

H.R. 7907, St. Ann's Infant Asylum, amend act of incorporatoin (Public Law 86–202).

H.R. 8225, paregoric, amend Uniform Narcotic Drug Act to permit dispensing of by oral as well as written prescription (Public Law 86–206).

H.R. 8392, Stadium Act of 1947, amend (Public Law 86–378).

H.R. 8527, pensions, trusts, exempt from laws relating to perpetuities, restraints on alienation, and accumulation of income (Public Law 86–201).

S. 643, assessment for public improvements, to permit District of Columbia officials to use registered and certified mail in notifying property owners of (Public Law 86–46).

S. 660, Business Corporation Act, to amend (Public Law 86–106).

S. 685, Association for Childhood Education International, exempt certain real and personal property from property tax in District of Columbia (Private Law 86–156).

S. 746, children, regulate placement of in family homes, amend act (Public Law 86–177).

S. 866, illustrations in District of Columbia annual reports, to allow the use of (Public Law 86–101).

S. 949, Ladies of the Grand Army of the Republic, provide for incorporation of (Public Law 86–47).

S. 1371, birth certificates, transcripts of, to authorize Commissioners to fix and collect fees for in an amount which will reimburse the District for the cost of issuance (Public Law 86–178).

S. 1372, Domestic Relations Branch, Municipal Court, extend jurisdiction to cover adjudication of the interests of husband and wife in real and personal property (Public Law 86–241).

S. 1921, United Spanish War Veterans, Inc., exempt certain property from taxation (Private Law 96–161).

S. 2035, guardian, minor child, actions relating thereto (Public Law 86–268).

S. 2445, District of Columbia Teachers College, authorize conferring of M.A. degrees to certain students (Public Law 86–298).

DISTRICT BILLS WHICH PASSED THE HOUSE DURING THE 1ST SESSION OF THE 86TH CONGRESS AND ARE PENDING BEFORE THE SENATE

H.R. 1884, Life Insurance Act, District of Columbia, amend.

H.R. 2322, mileage tax, exempt certain common carriers of passengers from.

H.R. 6123, indecent publications, amend law relating thereto.

H.R. 6585, Teachers' Salary Act of 1955, amend, grant additional compensation to coaches.

DISTRICT BILLS WHICH PASSED THE HOUSE DURING THE 1ST SESSION OF THE 86TH CONGRESS, WERE AMENDED AND PASSED BY THE SENATE, AND WHICH WILL PROBABLY BE SENT TO CONFERENCE FOR ACTION

H.R. 4192, ministers, certain communications considered privileged.

H.R. 4283, Income and Franchise Tax Act, 1947, exempt certain officers of executive branch from payment of.

H.R. 6123, indecent publications, to amend law relating thereto.[1]

S. 715, indecent publications, to amend law relating thereto.[1]

Protest on Award of Contract to Foreign Producer

EXTENSION OF REMARKS

OF

HON. WILLIAM H. MILLIKEN, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MILLIKEN. Mr. Speaker, for the information of Members of Congress, I should like to insert in the RECORD a copy of the letter which I wrote on September 9 to the Comptroller General of the United States with reference to the award by the U.S. Corps of Engineers of a contract for hydraulic turbines for the Big Bend Reservoir in South Dakota. I have particular interest in this matter since the low American bidder, Baldwin-Lima-Hamilton Corp., is in my congressional district:

SEPTEMBER 9, 1959.

The Honorable JOSEPH CAMPBELL,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. CAMPBELL: I wish to protest the award by the U.S. Corps of Engineers of a contract to a foreign producer of the hydraulic turbines for the Big Bend Reservoir in South Dakota. The low American bidder, Baldwin-Lima-Hamilton Corp., has supplied the letters of protest which they have sent to you. I refer to file B–139912. Your decision in this matter will have long term impact on companies throughout the Nation which are selling to our Federal Government.

Aside from any Buy-American Act consideration, it is in the interest of the Federal Government and of national defense for the Government to limit its purchases of hydraulic turbines to American suppliers. These are the prime movers which are supplying hydroelectric energy for national health, safety, welfare, and defense. These turbines are designed to perform over a period of 50 years or more. Therefore, the original equipment should be purchased in this country so that replacement parts will be quickly available in time of war or peace.

The Baldwin-Lima-Hamilton Corp. has stated in its several letters that it has offered to supply these hydraulic turbines to the Federal Government at a fair and reasonable price. Its bid is based upon work to be performed by American labor in American shops, and equipment to be produced from American parts, materials, and supplies.

[1] These two bills, one passed by the House and the other by the Senate, contain differences which will probably be resolved in conference.

Its bid was 100 percent in conformity with the intent and objectives of the Buy-American Act and in support of American enterprise, labor, laws, and standard of living. But it lost the contract.

In its next proposal to the Federal Government to supply hydraulic turbines to the Tennessee Valley Authority for the Wheeler Dam, the corporation figured its price on the basis of the maximum amount of materials and labor that could be purchased from overseas and still have the bid called an American bid under current interpretations of the Buy American Act. The company offered hydraulic turbines which will contain 49-plus percent foreign-made components and materials. These will be made by foreign workmen in foreign plants, and will contribute nothing to the American economy. Through this extreme measure, the Baldwin-Lima-Hamilton Corp. was able to be the low bidder, and at least save a crumb for the American workman.

Thus, current interpretations of the Buy American Act have forced this company to purchase from foreign producers fully finished castings and other parts, which for years they had been purchasing from American suppliers in support of American wage earners, American enterprise, and in conformity with the letter, spirit, and intent of the Buy American Act. It is clear that current interpretations of the Buy American Act are forcing American producers to obtain parts and materials from foreign producers in order to compete for sales to our own Federal Government, under a statute which in the first instance requires the Federal Government to limit its purchase of supplies to those produced in the United States, made from supplies also produced in the United States.

It is your duty, under the Buy American Act, to make certain that the contract for the hydraulic turbines for the Big Bend Reservoir, referred to in file B-139912, be awarded to the low American bidder. Failure to repect the foreign bid in this instance will set a precedent which will shatter the Buy American Act.

Very sincerely yours,

WILLIAM H. MILLIKEN, Jr.
Member of Congress.

Mexican Independence Day

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, nearly 150 years ago today, on September 16, 1810, the Mexican people first demanded their freedom from the oppressive rule of the Spanish viceroys.

On that day Father Miguel Hidalgo y Costilla, a member of the lower clergy who had been profoundly influenced by the doctrines of liberty, equality, and fraternity of the French Revolution, gave the shout—"el grito"—of revolt and independence in the city of Dolores in northern Mexico. Hidalgo and his followers won several victories against the Spanish Royalists, but in 1811 they were finally defeated and their leaders were executed. Nevertheless, the banner of independence was not allowed to fall and the struggle continued for 10 long years until the last viceroy was crushed and Mexico became independent in 1821.

Since that date the path of an independent Mexico has not been smooth. Between 1821 and 1876, for example, Mexico had two regencies, two Emperors, several dictators, and enough Presidents to make no fewer than 74 governments. From 1876 until 1911, except for a short interval of 4 years, the country was under the dictatorship of Porfirio Diaz. Diaz was overthrown by the revolution of 1910 but the troubles of Mexico continued. The country was beset by civil wars, attempted revolutions, and political oppression. It was not until the Presidency of Lájara Cardenas, who was elected in 1934, that some measure of peace and stability came to Mexico. This atmosphere of peace was soon broken by World War II. On the other hand, however, the war brought a strengthening of Mexican-United States relations and in general left Mexico materially stronger.

We in the United States owe a great deal to our southern neighbors. The whole concept of the Western cowboy, his trade, his horse, his clothes, and his techniques are part of the rich heritage that Mexicans have contributed to our way of life. Originally, the first Americans who settled in Texas in the 1820's thought of themselves as farmers. It was their Mexican neighbors, whose herds had roamed the ranges since the early 1700's, who introduced them to the lariat, the branding iron, and the roundup of the longhorns. Soon it became an insult to refer to a Texan as a farmer. He was a "vaquero," or its English translation, cowboy. California, Colorado, New Mexico, and Nevada all bear the lyrical names that the Mexicans, who had lived in the borderlands since 1598, first wrote on their maps, as do innumerable rivers, mountains, cities, and towns from Texas to the Pacific Ocean. It was these Mexicans who eased the way for the immigrants pouring into the Southwest by freely sharing with them the immense fund of experience they had accumulated. In more recent years the Mexican-Americans have not diminished their contribution to our country; 375,000 men of Mexican origin served in the Armed Forces and because so many of them deliberately sought the most dangerous assignments they suffered casualties far out of proportion to their numbers. The Mexican-Americans also won a phenomenal number of awards for gallantry in action. For example, of the 26 Texans who received the Congressional Medal of Honor, 5 were of Mexican descent.

Unfortunately, though the Mexican-Americans contributed richly to the rapid development of the Southwest, few of them benefited from the vast changes that followed annexation. They were children of a simple folk culture speaking what was now a foreign language; strangers in a land they one had shared with the Indians. Thus, while the living standard of other Americans rose, that of the Mexicans fell appallingly. Yet, to so many Mexicans south of the border their northern neighbors seemed so rich that they began to head north in search of jobs—which usually lasted only for the length of the harvest. Thus, was born the problem of the migratory farm worker, or bracero, of whom over half a million enter this country each year.

Much has been done to improve the status of the migratory worker, and in fact all the Mexican-Americans. But it still not enough. On this, the anniversary of Mexican Independence Day, it is fitting that we once again rededicate ourselves to helping those Mexicans less fortunate than ourselves to whom we owe so much and make it possible for them to share in our great fortune as citizens of this great Nation.

Marquardt Contributes to San Fernando Valley Growth

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. HOLT. Mr. Speaker, once replete with orange trees, walnut groves, and farmland, the topography of California's San Fernando Valley has progressively changed within the past two decades to a major industrial and residential complex.

Today, more than 850,000 people reside in the valley area; more than 20,000 large and small businesses flourish. Contributing to the vital national defense effort and to the economic and sociological welfare of the valley community are a number of major industries engaged in research, development, and production of aircraft, missiles, rocketry, nucleonics, and electronics.

The valley's growth spiral is no mere coincidence but representative of a cycle which found its beginnings during the 1940's when the first groups of farsighted industrialists gambled on the potential of the area. As farm turned to factory and residences replaced orchards and groves, more industry and more people were attracted to the San Fernando Valley. This influx has generated an unprecedented community development program for new homes, schools, churches, shopping areas, hospitals, roads and streets, utilities, and recreational facilities.

Typical of the pioneer firms which established headquarters in the valley is the Marquardt Corp. at Van Nuys. The company, during its 15-year history, has achieved particular recognition as the developer and producer of the first operational supersonic ramjet engine, the cruise propulsion system for the Bomarc area defense missile.

Last month, the Los Angeles Chamber of Commerce, joined by more than 300 civic and business leaders, sponsored a salute to Marquardt testimonial luncheon in honor of the company's achievements and contributions to the community during the past decade and a half.

Marquardt had a modest beginning as the result of studies advanced in the field of ramjet propulsion by the company's president and founder, Roy E. Marquardt. His research perceived the

feasibility of utilizing waste heat to recover thrust at high speeds—a fundamental of the ramjet propulsion theory. The studies resulted in a Navy ramjet research contract under sponsorship of the University of Southern California, where Mr. Marquardt then served as director of aeronautical research. The company was formed in Los Angeles in 1944 to develop, manufacture, and test these first ramjet engines. These early projects established operational feasibility and contributed to new state-of-the-art design, manufacturing, and test techniques to support the propulsion studies. The initial ramjet work also fostered pneumatic control design and development—at first, as directly applicable to ramjet control, and later, more broadly in the supersonic inlet control field.

By 1948 the need became apparent for new facilities conducive to Marquardt's rapidly expanding operations. The San Fernando Valley offered an ideal site for physical expansion, particularly in the category of highly specialized advanced testing facilities. The valley, then boasting a population of approximately 250,000, provided a potential labor pool from which industry could draw qualified professional and semiprofessional personnel. When Marquardt leased the old Timm Aircraft plant at Van Nuys, the company was comprised of 170 employees, with approximately $50,000 in capital equipment and facilities.

Reflecting the growth of the valley, Marquardt has since expanded and diversified, and today, the company represents an enterprise which is national, and in some instances, international scope. In addition to its power systems group—propulsion, controls, and accessories, and test divisions—and ASTRO division at Van Nuys, the company operates a ramjet engine production plant at Ogden, Utah. Last year, Marquardt embarked upon a diversification program through the acquisition of its Pomona division and a subsidiary, Cooper Development Corp. in Monrovia, thus broadening its capabilities in the development of engine and missile systems, weapons support equipment, and research rocketry. In addition, the company has offices in Washington, D.C., Dayton, Ohio, and Orlando, Fla. Field service representation is also maintained at SAC bases throughout the United States, and in Canada, England, and West Germany.

Since establishing itself at Van Nuys, Marquardt has increased its personnel by 3,500 percent, two-thirds of whom are valley employees. The company's facility appreciation approaches $9 million in property, plant, and equipment—(exclusive of Government-furnished equipment and facilities)—an 18-fold increase over the original Van Nuys facility. An esablished valley landmark is the $15 million Air Force-Marquardt Jet Laboratory. This facility, which is capable of testing altitudes approaching 200,000 feet and mach numbers of 7 and beyond, makes possible the development of an entirely new generation of supersonic propulsion systems.

The future of ramjet propulsion continues to hold promise for advanced military applications as well as commercial uses. The Bomarc program and other weapon system concepts offer great potential for ramjet-powered antimissile applications. Advanced versions of the ramjet, combining it with rocket power, make ramjets feasible for space operation. Commercially, ramjet-powered transports are envisioned flying coast-to-coast in 1 hour by 1970.

By year-end 1959, Marquardt will have expanded its capabilities in the nuclear propulsion field with the addition of a nuclear systems division at Van Nuys. Anticipating its higher sales and earnings record in its history, the company, in its interim financial statement for the first 28 weeks of 1959, reported sales of $34 million and earnings of $860,000, up 34 percent and 50 percent respectively for the same period in 1958. Its current backlog is approximately $72 million, and the company is projecting a 70 percent increase in earnings over 1958 by the end of the year.

Representing an annual payroll of more than $23 million in the valley community alone, Marquardt paychecks are funneled through the usual channels of local commerce. Its combined payroll, including Pomona, Monrovia, and Ogden, Utah, provides more than $38 million invested in its respective communities.

The Marquardt Corp. is also representative of valley industry's sociological force, contributing its corporate and individual support to community welfare. In addition to its corporate sponsorship of youth groups and charities, the company encourages generous donations to worthy causes through its employee Give Once Club, a payroll deduction plan boasting participation of 85 percent of its employees.

Such firms as the Marquardt Corp., in anticipating the advantages offered by the valley locale, have prospered and have set a pattern for continued industrial expansion. During the 1958–59 period, four major industries in the valley expended $26 million in plant expansion and improvements and at least seven sizeable industrial firms are in the process of establishing valley plants or have announced plans to expand existing facilities.

Fight Against Obscene Literature Must Have Public Support

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. SAYLOR. Mr. Speaker, laws against sending obscene literature through the mail must have the working support of the general public to be effective. Only then will we be able to determine whether the legislation enacted by Congress is adequate.

The tremendous militant interest of many people have been evident in hearings to block mailing of lascivious material and to punish offenders. As one Member of Congress, I am impressed and grateful that witnesses included our Protestant, Catholic, and Jewish clergymen.

In view of this interest and the religious community's perennial attacks on lewd printed materials, I would like to suggest that ministers, priests, and rabbis set a common date for a weekend in which the laws would be explained and cooperation encouraged from the pulpit. Such action would be most helpful.

U.S. Army Commended for Decision To Make Wider Use of Air Transportation

EXTENSION OF REMARKS
OF
HON. RICHARD E. LANKFORD
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. LANKFORD. Mr. Speaker, as a member of the House Armed Services Committee, charged with the responsibility of making certain our defense dollars are spent wisely and prudently, it always is a welcome opportunity to be able to commend one of our armed services for taking steps to reduce expenses.

In this case, I want to call attention to a recent memorandum issued by the Army Chief of Transportation, Maj. Gen. F. S. Besson, Jr., in which General Besson points out that "air transportation as the primary mode of transportation to and from overseas for Army passenger movements in peactime is under active consideration."

On September 8, 1959, I sent General Besson a letter in which I commended him for recognizing the economies in money and manpower gained from use of air transportation in the movement of Army passengers. In my letter I expressed the feeling that the Army's transportation bill could be reduced further through wider use of air transportation for troop movements between stations in this country. I told General Besson of my concern that the Army has not been taking advantage of the tremendous economies to be realized from sending more of its passengers in groups by charter air transport which is the most economical air transportation available since its cost approximates one-half the cost of sending passengers on an individually ticketed basis via first-class air service. I was happy to receive a reply signed by Brig. Gen. F. T. Voorhees, Acting Chief of Transportation, Department of the Army, informing me that the Army has this matter under active consideration.

In addition to increasing the savings in money, wider use of charter air transport service is called for on the basis of national defense. The majority of the charter air transport carriers are supplemental air carriers who represent an important weapon in the Nation's arsenal, because they occupy a significant role in our mobilization planning. In any future military emergency these carriers will unquestionably be needed

to fill the military airlift gap just as they were called upon to do in the Berlin crisis of 1948 and 1949 and the Korean conflict of 1950. The Congress, the Civil Aeronautics Board, and the Defense Department all agree that the continued existence of these air carriers is of real value in the terms of national security.

Restricted as they are in the amount of civilian air transportation service they can perform, these carriers must look to Government business for the additional source of revenue needed to enable them to modernize and expand their fleets. So we see that wider us of their services by the military represents a sound investment in national defense with a savings in manpower and payroll as a clear byproduct.

So-Called Civil Rights Legislation

EXTENSION OF REMARKS
OF
HON. KENNETH A. ROBERTS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. ROBERTS. Mr. Speaker, I am sure no Member of this House will register surprise when I reveal that I am unequivocally opposed to the approval of any appropriation for the extension of the Civil Rights Commission.

Members know that I have consistently raised a protesting voice against any move which would stir up, either calculatingly or inadvertently, unrest in what would otherwise be harmonious relations between two or more races.

The people of Alabama and the Fourth Congressional District, which I very proudly serve, know of my position on this matter, for when I offered myself to the people of this district to serve them as their Congressman in 1950, I expressed my opposition to any breakdown in the racial segregation which a majority of all our people sincerely want.

Some of you will recall that I appeared before the committee last year, as I had before, in an attempt to prevent the enactment of the so-called civil rights measures which were dreamed up by certain professional ultraliberals to placate certain pressure groups.

I was in this Chamber at about this time 2 years ago urging that the unprecedented civil rights legislation then before us be rejected to protect the rights of the people, to preserve the rights of the States in conducting their own affairs, and to protect the use of the taxpayers' hard-earned money.

The Civil Rights Commission, which is under discussion again now, was authorized in that bill. Proponents were arguing for an oh-so-simple, trial period of only 2 years for this Commission. I asked then whether anyone honestly thought that the minority pressure groups who spawned such a powerful tool would allow it to perish once it was created.

Of course, I knew the answer before I asked, but if anyone had doubts they are now allayed. We are now faced with a proposal to extend this Commission for another 2-year period.

And for what? Newspaper reports have it that all of the members of the Commission but one—the newest member, a Negro—are ready to throw in the towel and will not accept another term if offered it.

The Chairman of this Commission has stated that many of the questions referred to it simply have no right answers. There evidently is confusion and discouragement concerning the function of this Commission.

I think the so-called report of the Civil Rights Commission which was recently submitted to us is the most incriminating evidence of all against this body.

This report is nothing more than a lengthy and costly attempt to justify the questionable action of the 85th Congress in creating such a commission. The document purporting to be a report rambles along through more than 600 prejudiced pages, and in the last analysis it is best described by one of the Commissioners who himself said it was an argument advocating preconceived ideas.

The Civil Rights Commission, armed with malicious intent, went out to find alleged irregularities whether they existed or not. In the process, it was itself a tool to stir up racial unrest and to set back harmonious race relations.

In my own State of Alabama, we saw the arrogant meddling of the Civil Rights Commission. It swooped down upon us, intimidating our officials and harassing our citizens in an attempt to find some grain of trouble upon which it could pounce.

I think Members need to reflect soberly and sincerely before they rush headstrong into following the lead of the civil rights bill of 1957; because one is sorely mistaken if he believes he is furthering the cause of racial advancement through the enactment of legislation such as this.

Congress, in enacting the bill setting up this Commission and the special division in the Justice Department, fanned the coals of mistrust and conflict which have smoldered since the Supreme Court 5 years ago betrayed the constitutional concept of government and sought to effect sociological changes through usurpation of power.

The action of the 85th Congress on this bill was the result of gain-seeking radicals attempting to implement this abuse of public trust through legislating a people's moral behavior. People do not change fundamental beliefs by force, and the Supreme Court and the Congress should realize this.

The Civil Rights Commission, by trying to project the Federal Government into such areas as elections, not only is treading on shaky legal grounds, it is helping to bring to a head the racial conflict which has been fostered through the past decade.

The emotional side—effects which accompanying this matter are splitting this Nation, leaving in its wake discord and strife.

The South has made tremendous progress since Reconstruction Days with the problem of accommodating a large minority group, distinct in race and culture, with a different origin and with different customs and practices. Our area was able to do what no other nation or section of a nation has ever been able to accomplish satisfactorily. It devised a system wherein two races of mankind could live peacefully with mutual respect. It is a system of separate-but-equal opportunities and facilities, allowing each race to work out its own destiny within its own people, allowing at the same time each race to preserve its own racial integrity. The Negro has benefited greatly from this mutually agreeable system; his race has made more progress in this country and made it faster than any other race of people in this history of man.

Pressure groups and politicians living outside the South have failed to understand our bicultural society and have fallen victim to plots and plans which seem to advance a minority group but which actually destroy the only society which protects this group.

An association of Southern Negroes recently reported to President Eisenhower:

> Racial hate and racial prejudice that was dead is now reconstructed. Threat of forced integration has created fear and hate in many of our white friends.

Extension of the Civil Rights Commission can only aggravate this situation. The Commission has served no good purpose. It has provided no new rights and granted no new privilege. It has only agitated trouble.

For the good of all concerned, this Commission should be allowed to die.

The provision authorizing its extension should be stricken from the mutual security appropriations bill, where it certainly has no right to be.

I have always tried to support adequate aid to our friends and allies. It has been my belief, and it still is, that it is infinitely better to send money and technical assistance to foreign lands than it is to send our boys in uniform.

However, if the appropriation for extension of the Civil Rights Commission is not removed from this bill, I will have no alternative but to vote against it.

At this point, I wish to insert an editorial which appeared in yesterday's Anniston Star in Anniston, Ala.:

[From the Anniston Star, Sept. 13, 1959]

CARPETBAG RULE THREATENED AGAIN

Nobody in this part of the country expected to receive a fair and sympathetic report from the U.S. Civil Rights Commission that was appointed by the President several months ago to make a study of the voting rights extended to the people of the country, which meant primarily the Southern States.

The Commission was composed in the main, of college presidents and other theorists who seldom leave their cloistered halls to get out into the midstream of life as it is being lived in the United States today.

Had the situation been otherwise, had they read the newspapers as they have related one orgy of racial crime after another in the large cities of the United States, they might have reported otherwise. For no person in his right mind would want to put the ballot into the hands of those who are making a mockery of the law and of common decency.

Admittedly, the South for many years has thrown up certain safeguards against the indiscriminate exercise of the franchise. Until the last few years, most Southern States imposed a poll tax and a literacy test, together with other restrictions that applied to voting by all citizens, white or colored.

But as education has advanced on the part of both races, thereby making it possible for more of the citizenry to cast an honest and intelligent vote, the poll tax has been abolished or reduced so as to enfranchise a larger segment of the citizenry.

Great progress was being made along that line, and we probably never would have had any outside interference against our civil rights as guaranteed under the Constitution of the United States had the Eisenhower political managers not put the Supreme Court of the United States on the bargain counter.

At the Chicago Convention of the Republican Party in 1956 when it seemed that Bob Taft might win the nomination for the Presidency, Ike's campaign managers promised to give the first vacancy on the Supreme Court to Governor Warren of California, if he would deliver that State's votes to General Eisenhower.

Warren delivered the goods, as it were, and as ill fate would have it, the first vacancy happened to be created with the death of Chief Justice Fred Vinson. And knowing that he was by no means qualified for that great responsibility, an effort then was made to get the California Governor to accept a lesser appointment.

But Eisenhower's emissaries strove to no avail. And it was because of that appointment of a legally incompetent man to exercise the vast power of Chief Justice that we here in the South are once more threatened with carpetbag rule and all the evils that accompanied reconstruction in this great area.

We already have seen Federal troops occupy and surround schoolhouses in Little Rock, Ark., prodding men, women, boys, and girls with the bayonets of their rifles in an effort to set up an educational system under martial law. And now we are threatened with the loss of our civil rights under the sentence of Ike's smelling committee.

Not only have we here in the South already seen the Constitution of the United States prostituted to pay a gambler's debt, as it were, but now as a consequence of Eisenhower's election and the appointment of a political theorist as Chief Justice, we are about to lose our whole Bill of Rights.

If the alleged abuses in the exercise of the ballot to which Ike's commission complains had been staged in any other setting than that of the South, we would have heard no more about it after their visit to this part of the country.

But if they are so exercised over the purity of the ballot and the inalienable rights of the people to vote, why doesn't the Eisenhower commission urge the granting of the franchise to the people of the District of Columbia?

We know the answer to that question as well as the commission knows it and as well as it is known by some hypocrites in the Congress. It is because if all the people were allowed to vote, as is threatened in the South, the Capital City of our Nation probably would have an ignorant and criminal Negro for its mayor.

That is unthinkable to a responsible majority of the Members of the House and Senate, as well as to the civil populace of Washington, who already are suffering losses through the impairment of property values resulting from the great influx of Negroes to the District since the second emancipation proclamation was laid down by Warren et al.

But the District of Columbia is by no means the only part of the United States that has suffered as a result of the attempt to integrate all the people of the country into one conglomerate whole.

New York, San Francisco, Chicago, Milwaukee, St. Paul and Minneapolis, Philadelphia, Kansas City, St. Louis, Detroit, and other of our larger cities in the North and West, are undergoing a saturnalia of sexual and other crimes that is without precedent in the entire history of this country.

In the opinion of this paper, therefore, it is far more important to invoke the majesty of the law in these large centers of population than it is to make a national issue out of the loss of some registration papers in a little community near Tuskegee Institute, to which the Alabama Legislature has just voted another large appropriation as an evidence of friendly racial relationships.

In spite of the memories of Reconstruction and carpetbag rule, in spite of an amendment to the Federal Constitution at the point of bayonets in order to punish the South, more of our sons on a per capita basis have volunteered to defend the Union in two world wars than any other region.

It would seem, therefore, that the U.S. Government could find something more constructive and of greater moment to worry about in this crucial period of history than to dig up the dry bones of yesteryear's tragedy to flaunt in the face of honorable citizens of our common country.

Public Law 86–211: The Veterans' Pension Act of 1959

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. SAYLOR. Mr. Speaker, the President has approved H.R. 7650, the Veterans' Pension Act of 1959, and it has been designated Public Law 86–211. The President signed this bill at Chequers in England on Saturday, August 29, 1959.

This is an event of tremendous significance. It is fair to say that this is the first basic sweeping, far-reaching provision of the pension structure of the Nation since the time of the Revolution. Up to now we have made a liberalization here, increased the rates there, and made generally minor changes. The bill which was reported unanimously by the Veterans' Affairs Committee represents several years of study, thought, and serious consideration by the committee and its staff. On this project, of course, we have had the full cooperation of the Veterans' Administration and for that we are extremely grateful.

It would not have been possible to enact this measure into law had it not been for the leadership of the chairman, the gentleman from Texas, the Honorable OLIN E. TEAGUE. He has displayed rare tact, judgment, and legislative skill in successfully piloting this measure into its final stage. I am sure that I speak for all other members of the Committee on Veterans' Affairs and most of the Members of the House of Representatives when I express these sentiments.

The bill was passed by the House on June 15, 1959, by a division vote—226 yeas to 34 nays. The Senate followed suit on August 13 by a record vote—86 yeas to 6 nays.

Basically, this legislation which is effective July 1, 1960, emphasizes and strengthens the principle of paying pension on the basis of need and disability. Today we have three rates of pension payable to our veterans—$66.15 monthly if the veteran is less than 65 years of age and has been on the pension rolls for less than 10 years; $78.75 if he is 65 years of age and has been on the rolls for 10 or more years; $135.45 if he is in need of aid and attendance or if he is so helpless or blind so as to require the constant aid of another person.. Income limits of $1,400 if single and $2,700 if with dependents must be met.

The determination of permanent total disability is made on a liberal basis. Such rating is granted—where the requirement of permanence is met—when there is a single disability of 60 percent, or two or more disabilities one of which is 40 percent in degree, combined with other disability or disabilities to a total of 70 percent, and unemployability attributed thereto.

Although age alone is not a basis for entitlement to pension, it is considered in association with disability and unemployability in determining permanent and total disability. The aforementioned percentage requirements are reduced on the attainment of age 55 to a 60-percent rating for one or more disabilities, with no percentage requirement for any one disability; at age 60 to a 50-percent rating for one or more disabilities; and at age 65 to one disability ratable at 10 percent or more. When these reduced percentage requirements are met and the disability or disabilities involved are of a permanent nature, a permanent and total disability rating will be assigned, if the veteran is determined to be unable to secure and follow substantially gainful employment by reason of such disability.

Public Law 86–211 retains the age, and disability requirements listed above provides for a pension of $85 monthly for a veteran with less than $600 annual income; $70 if his income is between $600 and $1,200; $40 monthly if his income is between $1,200 and $1,800. For a veteran with one dependent and having less than $1,000 annual income the pension is $90; it is increased to $95 if he has two dependents, and to $100 if he has three or more dependents. These rates are increased by $70 for the veteran who needs regular aid and attendance. For the first time the Administrator is authorized to furnish an invalid lift to this latter classification of veterans. This will be a real benefit since many of them are bedridden.

In connection with the rates of pension I think that Members of the House will be interested to know that nearly 200,000 veterans who are presently on the pension rolls have less than $100 annual income. Thus it is readily apparent the economic impact which this bill will have and the very practical effect it will have in helping this group meet its daily living problems.

The bill also provides substantial increases for widows and children. The rate today for a widow is $50.40 monthly.

This is increased to $60 if she has less than $600 a year income. If she has one child, the present rate is $63 and that has been increased to $75 for a widow with less than $1,000 annual income.

The most costly feature of this Public Law 211 is the so-called widows' equalization or parity. Up until now the widows of veterans of World War II and Korea have had to show at the time of their husband's death that he had some service-connected disability, however slight, in order to qualify for a non-service-connected pension. The widows of World War I veterans do not have to meet such a qualification and one of the provisions of Public Law 86-211 removes this disparity and places the widows of these three conflicts on an equal footing. This is of the greatest significance and in my judgment marks a real step forward.

It cannot be emphasized too strongly that the savings provisions which are a part of Public Law 86-211 give the fullest protection to the group of veterans who are presently on the pension rolls or who will come on the rolls prior to July 1, 1960. If it is to their advantage or to the advantage of a widow to elect to remain under the present rates, he or she may do so and be protected in that right so long as they may live. In other words, each veteran will have the choice of deciding whether he can receive a higher pension under the new law or under the old law. In either event his rights will be protected.

Now a word as to cost. The first-year cost of this proposal will be $309 million and it will drop each succeeding year for the first five years, when in the fifth year it will be $165 million. By the turn of the century, the year 2000, the total cost will be $9,319 million. Of this amount, $22 billion may be attributed to the widows equalization provision. Savings in excess of $13 billion are possible under the veterans' rates, to make the net cost approximately $9 billion as I have indicated earlier.

I want to close by saying, Mr. Speaker, that I think we have gone a long way toward solving our pension problem. The bill is a positive and constructive step forward.

Failure of Congress To Provide Needed Changes in Existing Farm Laws

EXTENSION OF REMARKS

OF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. WILSON. Mr. Speaker, as we approach the close of the 1st session of the 86th Congress, I wish to take this opportunity to make a frank and honest appraisal of the failure of Congress to provide needed changes in existing, obsolete farm laws which virtually everyone agrees are not really beneficial to farmers or agriculture generally.

Throughout history agriculture has often been faced with problems of shortages or surpluses. At the present time we are blessed with a God-given agricultural abundance brought about by a combination of generally good growing conditions and most important—the efficiency, creativeness, and hard work of farmers and ranchers.

The surpluses of some crops, particularly wheat, which have been created in most instances through unwise, unneeded, and unrealistic production incentive programs present serious problems, should have had remedial attention by this Congress. A stable, sound, expanding, and prosperous agriculture demands that Congress realistically face this pressing domestic problem. But the Democrat-controlled Congress has failed to act despite the presentation of reasonable, realistic, and beneficial proposals from this administration which had bipartisan support.

It is most unfortunate that this Congress has failed to accept and discharge its responsibilities on fundamental farm legislation.

The failure to honestly and courageously legislate to improve the farm surplus situation may be partially attributed to the surplus of another element. I refer to the surplus of demagoguery about agriculture during this session that has prevented attempts at statesmanship and placed roadblocks in the path of needed and beneficial legislative changes.

It almost appears sometimes that there are some public figures who would prefer to perpetuate certain farm problems so that they can exploit them for political purposes rather than dealing with them decisively and constructively in an attempt to find a real solution.

I know it is most disillusioning to many Members of the Congress to witness the efforts by some of our colleagues to shift responsibility for the failure to enact needed farm laws. Lest anyone forget, under our constitutional form of government it is still the Congress that passes the laws, and it is intellectually dishonest to infer that the executive branch is to be blamed because new laws were not passed.

There has been an overpowering surplus of demagoguery in recent months by some public figures who repeatedly emphasize in speeches and statements the need for changes in the farm programs. These same speeches and statements usually also attack and minimize the recommendations submitted by the President in his agricultural message last January and followed with testimony by the Secretary of Agriculture and the actual submission of draft legislation.

It almost appears some persons reason that the more they attack, the less they are obliged to offer constructive suggestions. Carried to extremes it would almost seem some have concluded that if they attack the administration enough they can completely divert attention from their failure to offer anything constructive.

Yes, there has been a great surplus of attacking and criticizing from some Members of Congress and a great shortage of constructive suggestions.

I am convinced that the American people will not be fooled by such demagoguery and unethical political tactics. The people of this Nation will remember that the House of Representatives in the 1st session of the 86th Congress was controlled almost 2 to 1 by the Democrats. The proportion in the Senate is almost the same. It does not make much logic for Democrats to attack the administration for shortcomings in farm legislation when the Congress is so overwhelmingly controlled by their party.

In the House Committee on Agriculture there are 22 Democrats and 12 Republicans. With this kind of proportion there has been a feeling of futility on the part of the minority.

Let me cite some examples: In the case of poultry and eggs there were severe attacks upon the Department and the administration. But those who shouted the loudest for some kind of action were most bankrupt of ideas when it came to suggesting or passing any legislation. In contrast, the Department has proceeded with poultry and egg promotion programs cooperating with farm groups and the poultry and egg industry. The Department has also initiated buying programs, and we are making progress with a difficult situation.

All of us want poultry and egg farmers to receive a fair return for their labors, but the demagogic attacks and unfounded charges by some public figures have certainly done nothing to improve the situation.

The Congress is controlled 2 to 1 by the Democrats. If they have some magical plan for poultry and eggs, why do they not pass it. The fact of the matter is they know that everything is being done that can feasibly be done, but many are not fair enough to admit it and would rather inflame public opinion by critical statements.

Certainly we are not going to repeat the egg fiasco of 1950 when the Government purchased eggs and stored them in caves in Kansas until they rotted and were destroyed at great expense and great damage to the poultry and egg industry.

The hog situation is similar. Historically, we have ups and downs on the hog price charts. I know it is the objective of most Members of Congress to lessen the intensity of drops in hog prices, but the worst thing for the hog industry is a lot of reckless statements. The next worst thing would be the passage of some of the cockeyed proposals that would get the Government in the hog business at the time we are trying to get less Government intervention in other so-called basic crops where we have had such a sad experience. Some of the wild production payment schemes for hogs that have been discussed would cost hog producers and other taxpayers considerable outlays of money and would seriously weaken the entire hog industry which is today basically sound.

The case of tobacco and wheat is especially graphic in evidencing the failure of Congress to pass realistic corrective legislation. After weeks of trials and procrastination Congress finally sent the

President legislation for wheat and tobacco that would have continued obsolete farm laws which have created the very difficulties we are now trying to straighten out.

Nearly everyone admits that existing farm laws are not adequate for a modern dynamic agriculture. Yet the Democrat-controlled Congress passed a farm bill that would have rigidly pegged prices at a time when we are striving to compete and expand markets. Winston-Salem, N.C., a few years ago was the largest tobacco market in the world, but today it is in southern Rhodesia, Africa. Cotton is another vivid example of what happens. This country has lost two-thirds of its world cotton market because of unrealistic inflexible pricing.

And yet with these facts, Congress has the nerve to insult the intelligence of the American people and pass farm legislation that would give us more of the same. Two wrongs do not make a right. In fact a continuation of the old outmoded laws would have further compounded our perplexing farm surplus problems and fortunately the President vetoed both measures for wheat and tobacco.

The vetoed wheat bill also would have made a compulsory cut of 25 percent in acreage for each wheat farm. Now this may not be a serious problem in some of the inefficient wheat raising areas where a few years ago they were producing virtually no wheat at all. These small 15-acre plots are mostly in areas where the farmer could take the cut in acreage and divert those acres into some other alternative crop almost equally as good.

But the traditional wheat-growing farmers of this country could not live with the 25-percent cut in acreage. It is unfair to them and devastatingly damaging to our Nation's agriculture that is dynamic and must be allowed to expand and prosper along with the rest of the expanding and prospering economy.

It is inconceivable that Congress would attempt to saddle the American farmer with repetition of programs that have such a proven bad record. I cannot imagine a single Member of Congress going to the precincts and telling his constituents, whether they be farmers or other taxpayers, in the towns and cities that he voted for the continuance of a program that has been proven so unworkable. This Congress had an opportunity to support and pass the Belcher amendment on wheat which was conceived on a bipartisan basis. The Belcher amendment was supported by the administration and offered a reasonable realistic compromise by providing more freedom to plant and a minimum price support providing adequate protection without the restriction and unfeasible incentives of existing programs that have done irreparable damage to the wheat industry and the traditional wheat farmer.

The responsibility for lack of statesmanship in agricultural legislation must objectively be laid at the feet of the Democrat controlled 86th Congress. This is a matter of great concern, not only to farmers but our entire population. We hear the statement that when farm income drops so do the sales of steel companies and the farm machinery manufacturers. This is so true, but here again what are the facts?

In recent weeks several of the farm machinery companies have reported the best years in their history. Steel sales were an all-time high until the recent strike and much of this was purchased directly or indirectly by farmers and ranchers.

Certainly there are serious problems facing individual farmers and ranchers with their operations. The cost price squeeze and related problems are everyday examples of this and certainly the Department of Agriculture and the Congress are striving to correct these in every feasible way. Let me cite some basic statistics which prove that agriculture is fundamentally strong:

First. Although the cost-price squeeze still exists as a basic problem, spiraling inflation has been almost halted. During the period from 1940 to 1952, the index of prices paid by farmers, including interest, taxes and wage rates, increased more than 100 percent. From January 1953 to August 1959, this index rose only 5 percent.

Second. Farm assets are at an alltime high—$203 billion as of January 1, 1959.

Third. Farmers have only $11 in debts for each $100 of assets. In 1940, the ratio was $19 for each $100.

Fourth. Owner equities rose 8 percent last year to a peak on January 1, 1959, of $197.8 billion.

Fifth. Farm ownership is also at a record high. Two out of every three farms are free of mortgage debt.

Sixth. The family farm continues to dominate agriculture. Ninety-six percent of our farms and ranches are family operations, about the same percentage as 30 years ago.

Seventh. Farm exports in the past 3 years have averaged over $4 billion annually—higher than any other 3-year period in the Nation's history.

Eighth. Big exports are benefiting the American people in two major ways: They strengthen farm prices and incomes and, by meeting urgent requirements of needy people abroad, they promote the interests of world peace.

Ninth. The inventory value of livestock on farms for January 1, 1959, was $18.1 billion—higher by 29 percent than a year ago.

Tenth. The level of living on farms is the highest in history, based on the percentage of farms with electricity, telephones, automobiles, and the purchasing power of the average value of farm products sold or traded.

These 10 points are evidence that agriculture is not in the hardship plight that some demagogs would have us believe. We are making progress and we will make further progress if there is less demagoguery that undermines confidence in agriculture and related industries. We will make additional progress if reasonable, realistic, and beneficial farm legislation is enacted early next year.

Without the needed legislative changes, the Department of Agriculture is continuing to do the best possible job with the means available.

Secretary Benson is a dedicated man and a fighter for the best interests of farmers. He has been a farmer most of his life. He has worked as a county agent and a representative of farm groups in many capacities.

No man or no group has a monopoly on all good ideas for the benefit of agriculture. But, certainly, Secretary Benson who has given his life to agriculture is a proven authority, especially in comparison to some of the self-appointed farm experts whose credentials and experience are very much lacking.

Mr. Speaker, under leave to extend my remarks, I include the following report:

REPORT OF DEPARTMENT OF AGRICULTURE SUBMITTED BY EZRA TAFT BENSON, SECRETARY

FOREIGN AGRICULTURE SERVICE

This administration is proud of the part it has played in making U.S. agricultural commodities available to other countries of the world.

In the past 3 years, agricultural exports have been higher than in any other similar period in American history, averaging over $4 billion annually. Currently yearly production from 40 million acres of U.S. cropland is moving overseas. That represents an area equal to the harvested acreage of the eight Rocky Mountain and the three Pacific Coast States.

These exports have strengthened prices and incomes of our farmers. Exports, though essential to every segment of the agricultural economy, have been especially important to wheat, feed grain, and rice producers; cotton and tobacco farmers; fruit growers; poultrymen; and producers of oilseeds.

At the same time, our shipments of food and fiber have strengthened American foreign policy. As we know, communism flourishes in a climate of want and hunger. Therefore, in meeting urgent human needs in the underdeveloped countries of the world, we are making our abundance—as President Eisenhower has requested—serve the cause of world peace.

The highly favorable farm export situation that prevails in this country today did not, in any sense, "just happen." It is the direct result of a carefully conceived plan of operation put into effect by this administration when it came into office in 1953.

Export statistics show that work was needed—and that work was done. From a low point of $2.8 billion in the fiscal year 1952–53, our farm product exports were built up steadily. In 1956–57, oversea shipments amounted to over $4.7 billion—an all-time high record. Export volume has strayed high to date, averaging over $4.1 billion in the past 3 years.

In setting up a program to enlarge foreign markets, the administration has built soundly.

One of its first steps was to abolish the old Office of Foreign Agricultural Relations, which had functioned largely as a study and research agency, and replace it with a Foreign Agricultural Service. The new FAS was given a major specific responsibility—to expand export of U.S. farm products. All its other activities have been correlated with that overall objective.

A phase of the reorganization was reestablishing the agricultural attachés as a part of the Department of Agriculture. Today, attachés represent the interests of American agriculture in 51 different posts throughout the world. As employees of the Department of Agriculture, rotating between service in

the United States and at foreign posts, attachés' activities abroad are closely coordinated with overall U.S. farm policy.

The administration recognized early that market expansion for U.S. farm products in many countries is being held up by high tariffs, embargoes, quotas, restrictions, and similar barriers to trade. Accordingly, it has been administration policy to press continuously for trade liberalization. The pressure is applied through the diplomatic service (including participation by the agriculture attachés), American participation in periodic meetings under the General Agreement on Tariffs and Trade, and activities of the International Monetary Fund. Much work remains to be done, but a number of countries have already lowered their barriers to American farm products.

The administration also recognized that farmers, transportation agencies, exporters, importers, and many other groups require accurate, timely information on foreign agricultural developments. To meet this need, the Foreign Agricultural Service has strengthened its reporting on a great many factors of foreign trade—foreign production, prices, policies, trade barriers, competition, and marketing opportunities.

A broad program of market promotion was launched by the Foreign Agricultural Service several years ago to acquaint foreign consumers with the high quality and wide variety of American farm products. In Switzerland, for example, promotion has pushed exports of poultry meat from virtually nothing in 1954 to an estimated 16 million pounds in 1959. In most of the countries where American cotton is being promoted, per capita consumption has risen significantly. In Japan, where a big effort has been made to promote wheat as a food, imports of U.S. wheat rose from an average of 38 million bushels in the 5 years 1950–54 to 51 million bushels in the 1957–58 marketing year. There are many other instances of successful promotion efforts, including participation in food trade fairs around the world. Much of this promotion work is carried on with the enthusiastic cooperation of U.S. farm and trade groups.

The administration has followed a fixed policy of emphasizing export sales for dollars. Largely because of the administration's efforts to keep prices of its commodities competitive in world markets, dollar sales in recent years have been substantial, accounting for 63 percent of the total exports. Dollar sales, of course, represent the traditional, the permanent way of transacting business in this country. Dollar sales of Government-owned commodities also promote the biggest return flow of cash to the U.S. Treasury.

However, some foreign countries lack dollar exchange. Recognizing this practical obstacle to trade, the administration supported enactment of Public Law 480—the Agricultural Trade Development and Assistance Act of 1954—which authorizes sales for foreign currencies. Foreign currency sales have turned out to be an unusual but effective means of utilizing surpluses, accounting for over a fourth of U.S. exports on a value basis since 1954. In the fiscal year 1959 more than half of the U.S. wheat exported—about 230 million bushels—was sold for foreign currencies. Also moving out of the country under the foreign currency authorization were two-thirds of our exports of edible oils, a fourth of our rice shipments, and a fifth of our cotton exports.

This administration has made good use of barter wherever feasible—exchanging surplus farm products for easily stored and urgently needed critical and strategic materials obtainable only in foreign countries. More than 60 million people in about 85 countries are receiving U.S. food through voluntary relief agencies carrying on foreign assistance programs. Other millions of needy people abroad have been assisted by grants of food and fiber to ease the effects of drought and other emergency conditions. This sharing of our abundance is doing much to create good will for the United States in areas where Communist regimes are trying hard to win the allegiance and the minds of men.

Despite this good record, President Dwight D. Eisenhower last January called for the surplus-producing nations of the world to explore anew additional means of using surplus food in the interests of world peace. Following the President's food-for-peace proposal, meetings were held with representatives of the exporting nations—Argentina, Australia, Canada, France—and the Food and Agriculture Organization (FAO). In an atmosphere of friendly cooperation, possibilities and problems were explored. Possibilities showing particular promise include:

Establishment of reserves to meet emergencies.

Increased donations for school lunch, institutional, and refugee feeding.

Refugee resettlement.

Projects for community self-help.

Several Government agencies are cooperating in food-for-peace planning.

Through cooperation with the other surplus-producing countries will come sound building. And sound building of food-for-peace progams is, in the administration's view, more important than speed—important as speed is.

In the months that lie ahead, the administration will continue to work for high-level exports of farm commodities. In this effort, the administration is sure in the knowledge that it is working not only in the interests of farmers, and the industries related to agriculture, but also in the interests of all the people. High-level exports will continue to strengthen farm prices and incomes for the agricultural segment of the economy—they will continue to promote peace. Despite the problems involved, our agricultural abundance is a valuable national asset. Wisely used, this asset can and will make a substantial contribution to the solution of the great problems of our time arising from hunger, insecurity, and fear of war.

COMMODITY STABILIZATION SERVICE

Dairy prospects brighter

The best balance in years between milk production and consumption of dairy products is being achieved in 1959. A greater volume of dairy products is flowing into consumer use through commercial channels. Government purchases so far this marketing year are down 25 percent from 1958. They are the lowest for the period since 1953 when heavy buying began. Continued extensive movement of Government supplies into many diverse channels of use has pulled the total dairy price-support inventory to its lowest level in 6 years. The market is now in a position to function virtually free of an overhang of Government stocks.

Sound price-support actions, within legislative authorizations, are contributing to this improved stability for dairy producers. Milk production has remained at a relatively stable level for the past 2 or 3 years. Increased consumption is eating into the milk surplus.

Corn program improved

During the past year, a basic change has been made in the corn program to bring about long-needed improvements. The old unworkable system of acreage allotments has been discontinued, and farmers are now at liberty to make their own decisions on corn planting. The level of price support is no longer dependent entirely on the outmoded parity standard but is based primarily on the price level of recent years. This new program was placed in effect following a favorable vote of more than 70 percent of corn farmers voting in a referendum in November 1958.

Better cotton program

The past year has marked the beginning of a move toward eased production controls and more realistic price supports for cotton. A definite halt has been called in the type of program which, through the years, has led to the loss of cotton export markets and the takeover of part of the domestic market by synthetic fibers.

New legislation enacted in 1958 made it possible for upland cotton farmers to make a choice in 1959 between complying with their "regular" farm acreage allotment, or planting a 40-percent larger allotment at a 15-point lower level of support. About 69,000 farm operators chose the greater freedom to produce, and increased their allotments by more than a million acres.

Further progress is assured for the years ahead. After 1960, the legal minimum for regular upland cotton price support will be lower than the old 75 percent of parity. This can serve to make cotton more competitive with synthetic fibers.

Continued improvement in wool

Continued progress is being made in expanding U.S. wool production, which in 1959 is reaching toward the highest level in 12 years. Each year more sheep are on U.S. farms and ranches, giving promise of future increases in production of strategic material which had dropped drastically during the 1940's and early 1950's.

The wool incentive program which began in 1955 is restoring sheep producers' confidence in the future of their industry. The payment program to encourage additional production is self-financing through use of duties collected on imports of wool and wool manufactures.

Grain storage adequate

Record-breaking grain crops and supplies are being adequately stored this year, in contrast to some former times when such smaller supplies created serious storage problems. Close cooperation among farmers, commercial warehousemen, and the U.S. Department of Agriculture during the past few years developed a coodinated attack in this vital area. Commercial warehousemen, with the Department's guidance in pinpointing areas of probable storage shortage, have greatly increased commercial capacities. The commercial space for grains and related commodities is now estimated at more than 4 billion bushels, nearly twice what it was in 1951. Farmers have also increased their capacity, with help from special Government loans to build new storage or improve existing facilities. As a result of this planned expansion, the Commodity Credit Corporation was able again this year to avoid buying any additional storage bins or facilities of its own.

Big surplus movement

During the past 6 years, surplus agricultural commodities with a cost value of more than $16.5 billion have been moved out of the Commodity Credit Corporation inventory and into useful consumption through the Department of Agriculture's coordinated disposal programs. Wheat, cotton, corn, and other feed grains, and dairy products accounted for nearly $13 billion of the total. This tremendous operation helped to hold down the size and cost of the Government's surplus stocks, at the same time making the commodities available for current use both at home and abroad. While sales for cash accounted for more than half of all inventory disposal, special programs, such as those authorized by Public Law 480, were utilized effectively.

Exports drawn from commercial stocks

Payment-in-kind export programs, under which commodities for shipment are drawn from commercial stocks instead of from Commodity Credit Corporation inventories, have

been broadened and made more effective during the past year. Under these programs, export demand is brought to bear directly on commercial markets, to the advantage of both industry and farm producers. Only the commodities used to make in-kind export subsidy payments come from Government stocks. By strengthening commercial market prices, these programs cut down on the flow of surplus commodities to CCC under the price-support program.

The shift to the payment-in-kind export program was begun with wheat in the fall of 1956. It has since been extended to corn, oats, barley, rye, grain sorghums, rice, and cotton.

THE CONSERVATION RESERVE

During this year, 250,000 farmers will receive more than $350 million for participation in the conservation reserve program of the soil bank. In return for these payments, they will hold nearly 23 million acres of cropland out of production during the 1959 crop season. If they had not been held in the reserve, these acres would have added to the already large surpluses of many agricultural commodities.

The conservation reserve contracts are for 3, 5, or 10 years. The contracts require a reduction in the total acreage of crops on the farm, and in addition call for the land to be devoted to conservation uses. Over 20 million acres of the reserve this year are in grass. Nearly 2 million acres are growing a stand of forest trees, with about 1 billion trees planted by the close of the 1959 season. Plantings of clover to benefit wildlife are being established on nearly a quarter of a million acres.

The 23 million acres in the conservation reserve are not producing surplus crops; they are not contributing to dust storms; they are not adding to the load of silt carried down stream by our rivers. They are helping to conserve our national resources.

RURAL DEVELOPMENT PROGRAM

The Eisenhower administration has initiated the first real program to deal with the needs of the small low income farmer. The rural development program was devised and is operating successfully in providing help to those farmers and rural communities who really need it. This is in contrast to the effect of some of the other farm programs that have helped those who need it the least.

The rural development program, now going forward in some 200 counties in 30 States, enlists private and public cooperation to raise levels of living in areas with many underemployed rural people.

Rural development committees have been organized in each of these States. State and local leaders are working toward a better balance between agriculture, industry, and other sources of income in these counties. Six Federal departments are supporting the work of State agencies, private citizens, and organizations. The program involves research, education, and community action.

Experience gained in the original program areas by participating groups has now permitted a widening of the program beyond the pilot stage in many States. To keep pace with these developments, Federal departments and agencies are redirecting many of their regular activities to serve more effectively the needs of rural people with seriously low incomes.

A major achievement is increasing national awareness of the harmful impact on the Nation's economic and social life of underemployment among rural people, the basic cause of low incomes on small farms and in rural towns.

In 1959 most rural development counties showed an increase in the number of off-farm job opportunities. Industry expansion continued. Several areas built new market and processing facilities. Farmers' marketing cooperatives were formed in some areas. Reorientation of agricultural production on small farms continued, with vegetable, livestock, and poultry enterprises increasing in numbers and output. Vocational training and vocational guidance received added attention.

The Department of Agriculture during the year continued to contribute special funds to the rural development program through allocations to the States by the Federal Extension Service, and additional expenditures for conservation work in demonstration counties and for research in cooperation with State experiment stations.

A major national workshop was held at Jackson's Mill, W. Va., in May 1959. This meeting brought together representatives of 34 States and all Federal Government agencies concerned in the program. Highlights of the meeting included addresses by Secretary of Agriculture Ezra Taft Benson; Dr. Karl Brandt, member of the Council of Economic Advisers; Under Secretary True D. Morse; and prominent State, agricultural, and economic development leaders. There was also intensive discussions among those attending the meeting of economic and social needs in underdeveloped rural areas and methods of strengthening rural development programs. The educational importance of this meeting cannot be exaggerated.

AGRICULTURAL MARKETING SERVICE

More than 12 billion pounds of surplus foods have been donated to school lunch programs, charitable institutions, and needy persons at home and abroad since 1953 under food distribution programs of the Agricultural Marketing Service. These foods have been supplied to more than 80 million people in this country and around the world.

Under the national school-lunch program, slightly more than 12 million children ate more than 2 billion nutritious lunches in 60,800 schools during the 1958–59 school year. In addition to Federal assistance in the form of surplus foods and appropriated funds, these schools purchased locally foods valued at about $515 million, a considerable market for farm products.

The special milk program, inaugurated in 1954, has resulted in a tremendous increase in milk consumption in schools, child-care institutions, and summer camps. In the 1959 fiscal year, over 2 billion half pints of milk were served to children in 78,300 schools and 1,100 institutions under the program.

Voluntary use of USDA inspection services for fresh and processed fruits and vegetables expanded continuously, and hit a record high level during the 1958–59 season.

Cotton classing for farmers under the Smith-Doxey Act increased from 63 percent of total United States ginnings in the 1952–53 season to 93 percent in the 1958–59 season—the highest percentage on record.

As a service to growers, all tobacco sold at auction is federally inspected and graded prior to sale. Since 1953, this service has been extended to nine new tobacco auction markets.

New Federal standards have been developed for many farm products in the last 5 years to bring to more than 360 the number of products on which quality standards are now available.

Crop and livestock reports issued by the Department give the public vital information on the Nation's agriculture. The reports are on acreage, yield, and production of crops; numbers, production, and slaughter of livestock and poultry; stocks of commodities on and off farms; prices paid and received by farmers; and farm employment and wage rates.

Intensive research aimed at improving agricultural estimating and forecasting has been conducted by the Department the past 6 years. New services have been added covering cattle on feed, potato utilization, and citrus production, and the indexes of prices paid and received by farmers were revised for the first time since 1950. The changes made in the overall program are paying off in more timely, accurate, and comprehensive crop and livestock reports.

The Federal milk marketing order program, which stabilizes marketing conditions and assures farmers of minimum prices for their milk, has been developed extensively since 1953. The program now includes 76 orders which regulate the handling of about 40 billion pounds of milk, as compared with 49 orders regulating handling of 26 billion pounds of milk in 1953. Nearly 189 thousand dairy farmers are now selling their milk in Federal milk marketing order areas.

Administration of the Packers and Stockyards Act has been strengthened during the past 6 years. An amendment passed by Congress in 1958 extends the jurisdiction of the USDA to all livestock transactions in interstate commerce. The program has been expanded to 1,528 posted markets, compared with 300 in 1953.

Poultry inspection, a major consumer protection service previously on a voluntary basis, was made mandatory for all poultry and poultry products moving in interstate or foreign commerce by the Poultry Products Inspection Act, effective January 1, 1959. As a result, the volume of poultry inspected during fiscal 1958 totaled nearly 3.5 billion pounds, and approximately 480 poultry processing plants were operating under inspection, compared with 254 in 1953.

Grading of farm products has increased considerably since 1953. Nearly 2 billion pounds of poultry were graded in fiscal 1959, as compared with slightly more than one-half billion pounds in 1953. Shell egg grading rose from 10 percent to 20 percent of eggs sold off farms. Inspection and grading of dairy products increased from about 1.6 billion pounds to approximately 2.8 billion pounds, and Federal grading of carcass beef increased from 21.6 percent of total production in 1950 to about 51 percent in fiscal 1959.

New emphasis and focus has been given to marketing research in the Department of Agriculture since 1953 when it was centralized in the Agricultural Marketing Service. This work is giving positive push to expanding marketing for farm products and improving marketing efficiency.

Savings in marketing costs resulting from this work are benefitting the American public by many millions of dollars each year, far outweighing its cost.

Mechanized grain aeration and fumigation in grain storage, developed through this research, is already saving more than $3 million each year in storage costs and the total is mounting year by year.

Improvements in handling of fruits and vegetables are saving over $5 million per year in marketing costs.

Research which has already led to establishment of new terminal markets in Philadelphia, Pa.; Atlanta, Ga., and numerous other cities in the last few years is cutting marketing costs for farm products by millions of dollars per year.

And these are but a few outstanding examples of similar savings spread across the fields of transportation, storage, processing, handling, and merchandising of farm products.

As part of the drive to streamline agricultural marketing, greatly increased attention has been given research to expand new and existing market outlets. This work represents a frontal attack on agriculture's need to gain markets, some of which it has been "researched" out of by nonagricultural industries. The market development work of the Agricultural Marketing Service, since 1953, has brought to light much information of value to farmers and marketers of farm products, including vital information

on consumer preferences, consumer reactions to newly developed products, consumer wants, and market reactions to tests of merchandising and promotion techniques.

FOREST SERVICE

During the last year, the Forest Service has made substantial progress in its three major fields of responsibility—the administration and management of the national forests; cooperation with the States and private forest landowners; and forest and range research.

In March 1959, Secretary Benson submitted to Congress a program for the national forests. This program was proposed to increase facilities of the national forests and to help meet the resource and recreational needs of a growing population and expanding economy. The Forest Service, at the Secretary's request, had launched Operation Outdoors in 1957 to build up recreation facilities. It has now inaugurated the broader program for the national forests, including both long-range conservation objectives and interim action proposals concerned with needs of the next 10–15 years.

Cash income from the national forests rose to $124 million for fiscal year 1959, the highest in history. In October 1958 the billionth dollar of national forest receipts from timber sales, grazing permits and other uses, was deposited in the U.S. Treasury. While the first billion dollars was received over a more than 50-year period, the next billion in income from these public lands will come in during the next 10 years or less if current trends continue.

National forest timber cut in fiscal year 1959 jumped 1.9 billion board feet to a new high of slightly more than 8⅓ billion board feet of timber with a value of almost $114 million. This compares with a cut of 6.4 billion feet in fiscal year 1958 and the previous high of 7 billion feet in fiscal year 1957.

More than 113,000 acres of national forest rangeland were rehabilitated during 1958 by reseeding and by the control of undesirable plants. The number of trained range management personnel on the national forests was increased.

A study has been launched of resources available for outdoor recreation on lands managed by the Forest Service. This study will supply information useful in meeting future recreational demands on the national forests. The information will also be available to the National Outdoor Recreational Resources Review Commission, established by Congress in 1958.

A recently completed 3-year project on a part of the San Isabel National Forest in Colorado has slowed surface runoff to the point where it no longer carries silt. Castlerock Creek, once subject to flash floods and quick dry-up, is now a year-long live stream supporting fish life.

During fiscal year 1958, more than 1½ billion trees were planted on America's forest lands. Of that impressive total 86 percent was on lands in private ownership. In calendar 1958, farmers planted trees and shrubs on 397,000 acres under conservation reserve (soil bank) contracts.

The fire control record set in 1957 for all forest lands, public and private, was improved upon in 1958, due largely to successful research in firefighting methods and equipment and to the continuing successful Smokey Bear cooperative forest fire prevention campaign. The increased use of smokejumpers, helicopters, and aerial spraying of chemicals has been of substantial aid in reducing fire damage during the past year.

During 1958 the Forest Service, in cooperation with the State foresters, conducted 25 meetings across the country in an effort to find ways of improving the 4½ million small forest ownerships which are a key to the Nation's future wood supplies. In general these lands are producing only a small part of their potential.

An important Forest Service landmark of the year 1958 was the publication of the final report on the Nation's timber situation, "Timber Resources for America's Future." This report, the most comprehensive ever made on the subject of the Nation's timber, emphasizes the need to step up wood products production by 83 percent to meet expected population increases and resulting demands by the year 2000.

Research in forest genetics has proved that some forest trees possess an inherent resistance to certain insects and diseases, and hybrids having this important quality are now being raised for large-scale planting on national forests. Results of recent experiments to improve forest tree nursery techniques not only insure better seedings, but permit substantial economies in commercial production of planting stock as well, From studies in watershed management scientists have discovered ways of manipulating forest cover on critical watersheds to increase water yields. Other research has made significant and valuable contributions to knowledge in the fields of forest fire suppression, forest products utilization and marketing, insect and disease control, and in the improvement of forest range for game and livestock.

SOIL CONSERVATION SERVICE

The Soil Conservation Service continued to provide technical assistance to farmers and ranchers throughout the country in applying effective conservation programs to the land. Assistance was furnished to an expanding number of small watershed projects, to an increasing number of soil conservation districts, to the agricultural conservation program, and to others in moving ahead with the soil and water conservation job.

During the 1959 fiscal year most of the field work in the Department's national soil and water conservation needs inventory was completed. The first nationwide compilation of its kind, the needs inventory is scheduled to be completed in 1960.

Improvements also were achieved in making and coordinating snow surveys for water forecasting in the Western States, and in the national cooperative soil survey in which the rate of soil mapping was stepped up approximately 18 percent over a year earlier. Soil scientists and range conservationists in fiscal 1959 made soil and range surveys on nearly 49 million acres, an increase of 8 million acres over 1958.

The SCS provided technical assistance to 2,791 soil conservation districts in fiscal year 1958, 40 more than in 1957. Service technicians assigned to districts worked with more than a million district cooperators in applying conservation programs and helped 91,335 develop new basic conservation plans.

Almost 95 percent of the Nation's farms and ranches and 90 percent of the farmland now are in soil conservation districts. By June 30, 1958, they had 1,794,411 cooperators operating about 540 million acres, or about 46 percent of the Nation's farmland.

As of August 1, 1959, the SCS was assisting 469 local organizations in preparing project plans under the Watershed Protection and Flood Prevention Act (Public Law 566), 103 more than a year earlier; of the total, installation of works of improvement, 59 more than a year earlier.

As of August 1, 1959, 2,961 farmers and ranchers had signed contracts under the Great Plains conservation program (Public Law 1021) which was launched in August 1957. The contracts signed covered more than 8 million acres for which the farmers had prepared complete conservation plans. During the 1959 fiscal year the Secretary of Agriculture designated 11 additional counties as eligible to participate in the program, bringing the total to 332. In July 1959, an additional eight were designated as eligible. The contracts call for 30 percent of the total cropland involved to be returned to permanent vegetation, mostly grass.

COOPERATIVE EXTENSION SERVICE

The work of the Cooperative Extension Service of the Department, working with the State land-grant colleges and universities, has been intensified to further meet the total farm and home management and adjustment needs of farm families. The Service also has increased assistance to communities in planning their own self-help adjustment programs, as typified by the rural development program, and has rendered greater assistance in the marketing of farm products and in helping more people better understand public affairs affecting them.

The result has been more specialized and intensified service in line with changing needs and, at the same time, more families assisted. The number of farm families assisted with improving efficiency has increased since 1953, despite a declining farm population. The 12½ million farm and nonfarm families assisted represents an overall increase of 50 percent.

More than 11,000 of the 70,000 farm families given such assistance in 1958 reached the point where they could carry out their own plans without further special assistance. This freed extension agents to extend this more intensive educational assistance to families in other communities.

Though the major extension effort is still devoted to assisting the nearly 4 million farm families with their production efficiency, and management problems, an increasing percent of extension time is being devoted to assistance with marketing, public affairs and community development problems.

The number of overall county advisory committees and councils with which extension agents are working increased from 3,874 in 1953 to 4,395 in 1958. The 1⅓ million local leaders, helping spread extension recommendations in their communities, is an increase of 20 percent over 1953.

Most suburban, small town, and city people are calling on extension agents for help, particularly, in connection with family living and consumer food buying. The number of homemakers assisted in nutrition or family feeding problems has increased 55 percent since 1953, and the number assisted with clothing problems 53 percent.

The 2¼ million boys and girls in 4–H Club work is nearly 10 percent more than in 1953. Major progress has been made in giving club members more training and project experience in management, basic science, and careers beyond farming available to them.

RESEARCH

Important developments in research and regulatory activities that have made agricultural headlines in recent years cover many fields. Examples include:

1. Establishment of pioneering research in numerous categories directed toward the discovery of basic natural laws and new facts and principles. At this time 15 such laboratories have been established.

2. New research facilities to insure future progress for agriculture have been established. The Plum Island Animal Disease Laboratory for research on foot-and-mouth disease and other foreign diseases of animals was dedicated in 1956. The National Seed Storage Laboratory, Fort Collins, Colo.; the Fruit, Vegetable, Soil, and Water Laboratory in Weslaco, Tex.; and the Fruit and Vegetable Products Laboratory, Winter Haven, Fla., were dedicated in 1958.

Five new laboratories are going into operation this year: The Soil Sedimentation Laboratory, Oxford, Miss.; the Soil and Water Laboratory, Watkinsville, Ga.; the North Central Conservation Field Laboratory, Morris,

Minn.; the Water Conservation Laboratory, Tempe, Ariz.; and the Laboratory for Wool Research, Albany, Calif. The National Animal Disease Laboratory at Ames, Iowa, is scheduled for completion late in 1960. And contracts will be let during the present fiscal year for: the Crops Research Laboratory at Logan, Utah; the Boll Weevil Laboratory, State College, Miss.; and new entomology laboratories at Tifton, Ga.; and Brookings, S. Dak.

3. Successful completion of the program to help stamp out foot-and-mouth disease in Mexico. This protects our own livestock producers from the dangers of a source of infection close at hand.

4. Cooperation with Florida in eradication of the Mediterranean fruitfly in less than 2 years after it was discovered in Florida and spread to 28 counties.

5. An expanded program looking toward eventual eradication of brucellosis. At the end of summer (1959) 20 States and Puerto Rico had achieved the status of modified certified brucellosis-free—a sevenfold increase over the number when the program started in 1954.

6. Release of the first isomgerm varieties of sugar beets removing the final obstacle to the mechanization of the crop.

7. Greatly expanded efforts to build farm markets through utilization research and development—work designed to aid processors in producing convenience foods, ease-of-care fabrics, and in turning farm surpluses to new industrial materials. Funds for this work have been almost doubled since 1953. Additional work initiated under Public Law 480 permits USDA to pay for cooperative research in scientific institutions abroad with foreign currencies from the sale of U.S. farm products.

FARMER COOPERATIVE SERVICE

Farmer Cooperative Service has continued to effectively carry on its research, educational, and advisory service work with farmer cooperatives in order to help farmers make better use of these mechanisms for improving their bargaining position and economic status.

This has meant intensifying its efforts to help these farm businesses adjust their operations to the many economic changes influencing agriculture.

The problems confronting farmers because of the growth of vertical integration and contract farming are an example. FCS has made a series of case studies of highly integrated cooperatives and has been developing some measures of the extent of integrated operations in cooperatives. It has issued publications based on surveys of what has been happening in petroleum and dairy cooperatives.

FCS has also been providing basic information for a number of cooperatives considering the possibilities of merger. Results of its studies have recently been used in mergers of four egg and poultry cooperatives in New England with a regional farm supply association and of two dairy associations in the Midwest. Other cooperatives are using studies of FCS in evaluating whether or not mergers will contribute to more efficient operations for their members.

To help keep up with the increasingly complex problems of cooperatives, FCS has been studying ways to help them strengthen their management. It has issued a report on the extent and ways key employees and farmer directors get management training. To help cooperatives develop better directors, it is now completing a study to find out what directors know about their jobs and what evaluation may be placed on their performance.

The Service has sponsored several national conferences of bargaining associations. It has been cosponsor of a series of regional member relations conferences to help cooperatives find ways to give their members a better understanding of their operations. Its studies have also contributed to annual conferences on research by those regional farm supply cooperatives that have established economic research departments.

Cooperation with land-grant colleges has increased. Starting in 1954 it has jointly sponsored five regional conferences and two national ones for research workers who deal with cooperative problems.

FCS has continued its efforts to help strengthen marketing operations of cooperatives—studying grain storage in the South to improve handling and get greater returns for this increasingly important crop in that area; conducting research to find the best ways to operate livestock auctions in the South and in the Northeast; and making numerous cost studies to help cooperatives reduce their operating costs.

One of the problems limiting the effective development of farm supply cooperatives is credit control. In 1955, FCS initiated a series of studies in various parts of the country to find better ways for cooperatives to handle farmers' accounts. It is also making a series of studies on inventory handling and control by farm supply associations.

The increased interest in possibilities of farmers using cooperatives to help improve their marketing and buying power is reflected in the larger number of requests for information and for publications issued by this agency.

FARMERS HOME ADMINISTRATION

Helping farm families strengthen their positions on family-type farms throughout the 50 States of the Nation and Puerto Rico and the Virgin Islands continues to be the objective of the Farmers Home Administration. The agency serves the farmers eligible for its credit by making and insuring loans suited to their individual needs and accompanying the loans with whatever farm and home management assistance is needed. The agency does not compete with other leaders.

The agency's loans help eligible farm families operate more efficiently; become owners of family-type farms by buying land and improving land and buildings; carry out measures of soil and water conservation; develop water systems for irrigation and farmstead use; take measures to protect small watersheds; and build or repair farmhouses and other essential farm buildings. The agency also extends emergency credit to farmers in areas hard hit by floods, drought, or other natural calamities.

The administration has sponsored measures in the past 6 years which have expanded the Farmers Home Administration's regular loan services, increased the number of the agency's credit services, and improved the efficiency of its operations.

To meet the increased cost of modern farming, the maximum amount a family-type farmer may be indebted for operating loans has been increased from $10,000 to $20,000.

To implement the rural development program, eligible farmers who have part-time employment off the farm may obtain operating and farm development loans.

The scope of the emergency loan program has been broadened in the past 6 years, especially in areas that experienced prolonged droughts and in other areas where farmers suffered losses to crops and property from hail, windstorms, and other causes.

Soil and water conservation loans, formerly available only as water facilities loans and in 17 Western States, are being made to farmers and their associations throughout the Nation.

The agency now is making loans to qualified organizations to help pay for planning and carrying out structural and land treatment measures to protect and develop small watershed land and water resources. The first loans of this type were made in 1959.

Loans to buy or improve farms and for soil and water conservation are made from funds advanced by private lenders and insured by the Farmers Home Administration, as well as from appropriated funds. This insured loan program has been greatly improved since 1953. Use of private capital reduces the need for appropriated funds. Routines for handling insured loans have been simplified and many steps have been taken to increase the attractiveness of this form of investment. While insurance companies and other large lenders have invested heavily in insured farm loans, country banks have come to be the principal sources of insured loan funds. Insured loans made during the fiscal years 1954 through 1959 totaled $202,457,000. During the 6 previous fiscal years the insured loans totaled $65,708,000.

There has been a general increase in the total loans of all types, made and insured, in the past 6 years. The fiscal 1959 total was $361,629,000. In 1953, the total was $228,461,000.

A similar increase is noted in borrowers' repayments. Collections totaling $347,700,000 were made in fiscal 1959, compared with $174 million in 1953.

Improvements made in the administration of the agency's operations since 1953 include speeding up loan service by placing more authority in county supervisors' hands, developing a well-organized training program for new employees, strengthening the audit system, shortening regulations, eliminating unnecessary forms, and consolidating four area finance offices into one national finance office.

The staffing pattern has been rearranged and placed on a more efficient basis which has resulted in the need for fewer employees and in greater opportunities for advancement by the more capable employees.

The agency has increased the emphasis on helping borrowers develop sound farming systems, making certain that it does not compete with other lenders, graduating borrowers to other sources of credit at the earliest opportunity, and helping applicants for credit make full use of private and cooperative credit sources.

RURAL ELECTRIFICATION ADMINISTRATION

During this session of Congress there has perhaps been more demagoguery and unfounded charges involving rural electrification than any other subject. It is a tragedy that this aspect of the Department of Agriculture's program that is so universally supported in the Congress should be subjected to the political shenanigans of a few who would unethically distort the true picture. I won't take the time to repeat or refute the incredible and ridiculous charges that were made in recent months against the Administration and against Secretary Benson involving rural electrification, but will let the record of accomplishment speak for itself.

Since January 1953, the Rural Electrification Administration has stepped up its activities to help 985 active rural electric systems and 661 rural telephone systems to meet a continuously rising demand for their services.

During fiscal year 1959, loans to rural telephone companies and cooperatives by REA reached a record fiscal year high of $98.9 million. Total telephone loans now stand at $575.2 million, and more than four-fifths of this amount has been loaned under this administration.

Loans to rural electric systems during fiscal 1959 totaled $177.3 million. About two-thirds of these funds will be used to help borrowers increase system capacity to meet the increase in the use of electricity by rural people. More than 32 percent of

the $3.9 billion in electric loans approved since REA began has been approved during the little more than 6½ years of this administration.

In recent years, REA has given particular attention to the needs of its borrowers for an expanding supply of power at lower cost. It has pressed the search for more economical means of power production and has assisted electric borrowers in obtaining substantial savings in initial investment and operating costs through interconnection, joint operations, and more efficient generating units.

During fiscal 1959, loans were approved to provide additional generating capacity in the amount of 163,600 kilowatts. Generation and transmission loans have accounted for almost 30 percent of the total loaned for rural electrification since January 1, 1953, compared with only 19 percent before that date. These have included first loans to five new G. and T. federations and to two established borrowers for conventional generating facilities to be used at proposed atomic energy plants. One of these atomic plants (Elk River, Minn.) is under construction.

Rural electric systems financed by REA serve more than 4.6 million consumers. About 800,000 of these received service during the past 6 years. This current rate of growth—about 130,000 a year—is expected to continue.

The average cost of power to rural residential consumers has dropped about seventenths of a cent per kilowatt-hour since 1952. The cost now is 2.65 cents per kilowatt-hour, the lowest in REA history.

REA activities since 1953 have brought strength and direction to the rural telephone program. This plus an improvement in supplies of materials and equipment after settlement of the Korean conflict, has speeded the job of giving better telephone service to rural communities. In early 1953, some 40 REA borrowers had cutover 85 dial central offices to bring new or improved service to 7,500 subscribers. As of June 30, 1959, 531 borrowers had cutover 2,062 new dial exchanges. Loans approved since January 1, 1953, will benefit about 900,000 farm families and other rural subscribers. Total telephone loans to date will benefit about 1,200,000 rural subscribers.

Given encouragement toward interdependence and self-reliance, REA borrowers have made substantial financial growth since 1953. Net worth of electrification borrowers has more than tripled, increasing from $161 million at the end of December 1952, to $515 million on December 31, 1958. During the period January 1, 1953, to June 30, 1959, the number of electrification borrowers behind in their payments dropped from 45 to 2. Payments on debt in advance of due date have risen from $52.5 million to about $146 million. In the much newer telephone program advance payments now stand at almost $1.6 million, and all but 13 borrowers are current or ahead of schedule on debt payments.

REA has streamlined procedures to speed processing of loans, give improved service to borrowers, and reduce administrative costs. With 11 percent fewer employees, REA is now carrying out much bigger electric and telephone programs than in 1952. Working with industry, REA carries on constant research to hold down construction costs and improve performance and service.

To help borrowers keep ahead of new power demands, REA has developed new techniques and approaches to long-range planning for rural electric systems. Borrowers will be able to schedule construction for several years ahead and to expand at minimum cost. New telephone construction is also planned to meet needs over an extended period.

CONCLUSION

Mr. Speaker, I submit these facts for consideration of the Congress and the Nation. When the smoke from inflammatory statements by demagogs has cleared away, these facts will continue to stand.

The Democrat-controlled Congress has failed to pass needed changes in existing, obsolete farm laws. While virtually everyone agrees a fresh approach is needed, Congress has not acted.

Meanwhile, agriculture is moving forward not particularly because of what Congress is doing, but in many cases, in spite of what Congress has failed to do.

Let the record stand and let the Nation know it.

Citizenship Day, September 17, 1959

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, if any single day in our history may be considered of premier significance, that day is September 17, 1787. It was on this date that the greatest political document ever penned by man was signed.

But the Constitution was so much more than a legal charter. It was, and forever remains, both a testament to inalienable human rights and a challenge to civic maturity. It guarantees basic freedoms and demands fulfillment of equally basic responsibilities. It is, in short, the ultimate arbiter of every American's rights and duties as a citizen.

That the Constitution is our primer of citizenship is officially manifest not only by the designation of September 17 as Citizenship Day, but also in the establishment of Constitution Week, which has been observed every year since 1955 during the period September 17 through September 23. The significance of Citizenship Day, however, has in no sense been lessened. It is still celebrated for its own intrinsic importance; but it also heralds a full week of commemoration of a heritage that is unique in all recorded history.

Although the objective student must admit that our fundamental body of law—the Constitution—is not a perfect instrument, he must at the same time treat with contempt the detractors of the men who labored far better than they knew that hot summer in Philadelphia so long ago. Despite fantastic developments in every field of human endeavor, as well as in social relationships, the Constitution, with its incredible elasticity, promises to serve so long as the United States exists as the greatest bulwark of our people's liberty and welfare. One of the more impressive testimonials to the wonderous wisdom and foresight of the Fathers is the fact that the Constitution contains only 22 amendments. True, it does not lend itself readily to amendment; but the fact remains that the people could have forced the adoption of innumerable amendments had they not been convinced through the years of the essential worth and permanence of the work performed by the delegates to the Philadelphia convention.

By setting up a Government of limited powers the Constitution recognizes the natural rights of the individual. All rights that he retains and does not delegate to Government, either State or National, constitute his natural, God-given rights; these are the liberties that a man must enjoy if he is to be a responsible human being. The Constitution recognizes the citizen's right to such freedoms, but it did not create them. They are part of every man's nature and can neither be given nor taken away by any government. The Constitution adds security to these rights by proscribing any infringement upon them by either the Congress or the States. This is the glory of the Constitution.

But if government by the people is to remain the world's most startling success story, more is required than a legal system that guarantees citizens the right to act with responsibility and wisdom. The people must forever exercise that right. They must forever recognize that the term "right" and "duty" cannot be separated in any context of citizenship; that one term suggests the other; and that for every right there is a corresponding duty. Our freedoms were not cheaply won; and they cannot be cheaply preserved.

Record of the Committee on Post Office and Civil Service During the 1st Session of the 86th Congress

EXTENSION OF REMARKS

OF

HON. TOM MURRAY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MURRAY. Mr. Speaker, the House Post Office and Civil Service Committee in the 1st session of the 86th Congress has established a remarkable record of continuing progress with respect to Federal employee and postal legislation.

The committee record in behalf of Federal employees is especially noteworthy in the light of the major employee benefits granted in the closing session of the 85th Congress, including a 10-percent retroactive salary increase for over 500,000 postal employees and nearly 1 million classified employees, a 10-percent cost-of-living annuity increase for 260,000 retirees and 80,000 survivors, and a number of fringe benefits. The additional employee benefits granted in the present Congress are particularly significant when viewed against this backdrop of liberal salary increases and other benefits to which they will be added.

The record of the committee also is a tribute to the diligence, interest, and fine cooperation of every member of the Post

Office and Civil Service Committee. Both personally and as chairman of the committee I welcome this opportunity to express to each member my deep appreciation for a job well done. The members have been most loyal and conscientious in their attendance at committee meetings and in the close attention they have given to committee legislation and special studies. In my judgment, we have never had a committee membership more able, more informed, and more devoted to carrying out our complex—and often controversial—responsibilities.

This summary is provided with the thought that it will be helpful to all Members during the recess as a convenient reference to committee actions during the 1st session of the 86th Congress.

FEDERAL EMPLOYEE BENEFITS
HEALTH INSURANCE

The Federal employees health benefits program (S. 2162), sent to the President by the House September 14, 1959, is one of the most beneficial employee measures approved in any recent Congress. There is no finer example of able and constructive legislative deliberations than demonstrated by our committee in taking this extremely complex and controversial legislation and working out a bill that has the unanimous support of every committee member, the wholehearted agreement of employees' organizations and of private enterprise that will provide the services, and the approval of the administration.

This legislation establishes a health program, with the Government sharing the cost, to protect Federal employees and their dependents against the high, unbudgetable, and financially burdensome costs of medical services. Employees will be able to purchase protection, at very low cost, from the oppressive expenses of normal medical care and often crushing expense of major or catastrophic illness or injury. The program also improves the competitive position of the Government in the recruitment and retention of competent civilian personnel.

Addition of the health program to the existing fringe benefits package for Government employees—which already includes retirement and survivor annuities, group life insurance, annual and sick leave, pay for job-connected injury or death, uniform allowances, and other benefits—places the Government on a substantially equal level with progressive private enterprise in respect to employee fringe benefits.

Basic and extended health protection is made available to 2 million employees and their dependents—some 4.5 million individuals. There will be free choice among four separate health plans, including a service benefits plan, such as the Blue Cross-Blue Shield organizations offer; an indemnity plan, such as now offered by certain insurance companies; any one of several Federal employee organization plans; and a comprehensive medical plan on either a group-practice or individual-practice prepayment basis. The plans will provide a wide range of hospital, surgical, medical, and related benefits. Both the service and the indemnity plan will include at least two levels of benefits. Thus, each employee will be able to select the plan best suited to his own needs.

The Government's contribution generally is 50 percent of the cost, but not less than $1.25 or more than $1.75 biweekly for an individual employee and not less than $3 or more than $4.25 biweekly for an employee and family, subject to certain special exceptions. Employees need not pass any physical examination and, in the event of separation from Government service, may convert their coverage to a private plan without physical examination. No person may be excluded because of race, sex, health status, or—at time of first opportunity to enroll—age.

This legislation enriches the Federal employees' fringe benefits package by a minimum $222 million annual health program, with the Government and the employees sharing the cost. It is widely regarded among employees as the equivalent in value of another liberal pay increase, on top of the 10-percent raise granted just last year.

OBSERVANCE OF LEGAL HOLIDAYS

The committee developed and approved H.R. 5752, now on the President's desk, to correct inequities in existing laws which deprive certain Federal employees of the right to a workday off when a holiday falls on Saturday or an employee's day off in lieu of Saturday. The bill requires that every employee receive a workday off for each one of the eight legal holidays every year, regardless of the day of the week on which any holiday may fall.

OVERSEA TEACHERS

Public Law 86–91 provides an up-to-date system of personnel administration, for teachers in schools conducted by the Department of Defense for dependents of the Department's personnel in oversea areas, which is comparable to the school systems in most public primary and secondary school jurisdictions in the United States. This legislation was developed through the Civil Service Subcommittee studies in cooperation with the Department of Defense and places in effect an Executive recommendation. It is also a direct implementation of a unanimous committee recommendation contained in House Report No. 2109, 84th Congress.

This act eliminates serious problems in the compensation and employment conditions of oversea teachers which stem primarily from the fact that they have been employed under civil service laws and rules designed for full-time classified employees—not for the teaching profession. For example, although the school year lasts only 9 or 10 months, oversea teachers' salaries have been on an annual basis, as in the case of the usual classified employees, so that they were being paid only nine- or ten-twelfths of the annual salary. They have been subject to the Annual and Sick Leave Act, which is entirely unsuitable in view of the school recess periods at Christmas and Easter and in the summer months. They have been receiving no pay or any of the usual oversea differentials and allowances during these recess periods.

Public Law 86–91 removes these teachers from the Classification Act of 1949, the Federal Employees Pay Act of 1945, the Annual and Sick Leave Act of 1951, and other unsuitable laws and regulations. They will have a separate salary and allowance system adapted to the requirements of the school program and consistent with that followed in the school system in the District of Columbia. No oversea teacher's salary will be higher than the salary for a comparable position in the District of Columbia school system.

This new law will contribute greatly to maintaining instructional and scholastic levels in schools for dependents of oversea personnel comparable to the levels which would be available were such personnel on duty in the United States.

OVERSEAS DIFFERENTIALS AND ALLOWANCES

Another important employee measure, developed by the committee through its Civil Service Subcommittee studies over the past several years, is contained in H.R. 7758, passed by the House September 7, 1959. This bill will improve and strengthen administration of overseas activities of the Government by establishing a coordinated and reasonably uniform system to compensate American citizens employed abroad by the Government for additional costs, hardships and inconveniences incident to their working assignments abroad. There will be uniform treatment for all oversea employees, to the extent practicable.

The bill embodies the principle that the Government should provide equal treatment for its oversea employees in respect to the additional expenses they incur because of their assignments abroad, over and above expenses of Government employees in the United States, and the hardships, inconveniences, and other differences in environment or conditions of employment which justify additional compensation or allowances.

The bill consolidates a wide variety of existing provisions of law granting allowances and differentials for the several categories of Federal employees in oversea areas. Provision is made for a temporary lodging allowance after arrival at a new oversea post and before final departure from the post; reasonable repairs to make substandard living quarters habitable; the inclusion of water as a utility covered by quarters allowances; advance payment of quarters allowances; allowances for maintenance of dependents where a separate establishment is necessary for them away from the post of duty; a post allowance to compensate for living costs higher than in Washington, D.C.; a transfer allowance upon assignment to a foreign post or at a post in the United States between foreign assignments; transportation of children—one round trip to the United States and back—for secondary or college education; a hardship post differential not exceeding 25 percent of basic pay for foreign conditions of environment warranting additional compensation; payment for packing and unpacking, transporting to and from storage, and storing furniture and household and personal effects of

employees assigned to foreign posts; payment of unusual expenses incident to the operation of official residences suitable for chief representatives of the United States, and other senior officials designated by the President, at foreign posts; and transportation of the motor vehicle of an employee to his oversea post subject to a general limitation that only one such vehicle may be shipped during each 4 years of oversea service.

Home leave, such as now provided for the Foreign Service, is authorized for other employees who complete 24 months of continuous service abroad, in addition to the usual annual leave. Authority to accumulate up to 45 days of annual leave, now available to classified civilian employees abroad, is extended to employees of agencies operating under the Foreign Service Act or related law. Existing income tax exemptions for foreign areas allowances—but not post differentials—are continued in effect for the foreign areas allowances contained in the bill.

The value of the additional employee benefits provided by this legislation is estimated at $3 million annually.

FORFEITURE OF FEDERAL RETIREMENT BENEFITS

H.R. 4601, developed in a special committee study after adjournement of the 85th Congress and passed by the House April 14, 1959, will correct certain harsh inequities caused by Public Law 769, 83d Congress, which prohibits Federal retirement benefits based on service of an individual who has committed any one of a great many types of minor as well as serious offenses. The committee bill continues and strengthens the existing prohibition against any Federal annuity or retired pay in the case of an offense involving the national security of the United States but restores other annuities—including survivor benefits—previously denied because of comparatively minor offenses having no relationship whatever to the national security. In many instances the offenses were so trivial there was no penalty and the individual continued in, or returned to, work and rendered long and faithful service until retirement. In these cases, there is no doubt of the individuals' complete loyalty or any semblance of an offense against the national security.

EARLIER COMMENCING DATES FOR RETIREMENT ANNUITIES

Under H.R. 8289, passed by the House September 14, civil service retirement annuities will commence the first day after separation from the service if immediate benefits are payable or, in the case of deferred benefits payable at a certain age, the first day after the prescribed age is reached. Benefits of surviving widows and children will begin the day after the death of the employee or annuitant on whose service they are based. Under present law, annuities and survivor benefits commence the first of the month following separation from the service or death, as the case may be. The bill is particularly helpful for widows and children, since their survivor benefits will become payable immediately after death of the employee or annuitant whereas under existing law the benefits are not payable for periods of as much as 30 days after death.

EXECUTIVE, ADMINISTRATIVE, AND SCIENTIFIC RESEARCH POSITIONS

The committee approved three bills authorizing new top management and scientific research positions necessary for the effective conduct of vital defense functions and other essential Government programs.

S. 1845 authorizes pay adjustments for Patent Office Examiner in Chief and designated Examiners in Chief from the present $12,770–$13,970 level to maximums of $17,500 and $15,150, respectively; an increase from 146 to 260 in the number of supergrade positions—$14,190 to $17,500—in the Treasury Department; and a net increase of 94 in supergrade positions available to the Civil Service Commission for allocation to other departments and agencies against a considerable backlog of requests—of which 20 are earmarked for the Department of Health, Education, and Welfare, 4 for the Bureau of Prisons, 3 for the Immigration and Naturalization Service, 1 for the Department of Labor, 15 for the Small Business Administration, and 1 for the U.S. Court of Military Appeals, upon justification by these departments and agencies. Pay of executive positions is adjusted as follows: Commissioner of Social Security from $17,500 to $20,000; and Deputy Commissioner and Chief Counsel of the Internal Revenue Service, Administrative Assistant Attorney General, and Administrative Assistant Secretaries of Agriculture, Labor, and Treasury from $17,500 to $19,000. The Administrator, Agricultural Research Service, presently paid $17,500 under the Federal Executive Pay Act, is transferred to one of the scientific research positions provided by the bill. The Departments of Agriculture, and Health, Education, and Welfare, respectively are granted 10 and 5 additional scientific research positions in the salary range $12,500 to $19,000.

Public Law 86–36 removes National Security Agency personnel from the Classification Act since the Agency security functions make it impossible to give the Civil Service Commission normal position classification and duty data; reestablishes the 50 existing Agency scientific research positions under the new act; and authorizes the Agency Director to fix salaries of other employees, as justified by levels of responsibilities, in relation to Classification Act salary rates, with not more than 50 supergrade positions in the $14,190–$17,500 range.

H.R. 6059 increases from 303 to 372 the number of supergrade positions—salary range $14,190–$17,500—and from 292 to 450 the number of scientific research positions—salary range $12,500–$19,000—in the Defense Department to perform necessary duties resulting from the greatly increased complexity and tempo of our defense effort.

POSTAL LEGISLATION

"CLEAN MAIL" LAW

Unanimous House approval of H.R. 7379 completed one of the finest public-interest actions ever undertaken and brought to fruition by a legislative subcommittee in a single session of the Congress. The bill will greatly strengthen the hand of the Postmaster General in carrying out his lawful responsibility to exclude from U.S. mails matter which is so repugnant to public policy as not to warrant the privilege of the postal service.

This legislation is the first, and it is believed the strongest, step in this Congress in an all-out committee effort to knock "pornography for profit" out of the mails in response to rising public anger at the veritable flood of vile matter that is bombarding homes, schools, children, men, and women throughout the Nation.

The bill also is a tribute to the unflagging zeal and the two-fisted attack of our Postal Operations Subcommittee on the insidious traffic in writings, pictures, movies, and the like—now flowing through all avenues of commerce—which has become a public scandal. The subcommittee, under the able chairmanship of the distinguished gentlewoman from Pennsylvania, Representative KATHRYN E. GRANAHAN, has developed and placed in effect a two-phase campaign to protect the public, as explained in the later discussion of the subcommittee studies.

H.R. 7379 makes two important changes in the law. It extends from 20 days to 45 days the time in which the Postmaster General may detain mail addressed to any individual or firm which he finds sending obscene or fraudulent matter through the mails. The existing 20-day period is entirely inadequate. The only way to stop purveyors of filth is to cut off the incoming flow from their illicit ventures, as will be done under the bill. The second change authorizes detention of mail when "the public interest" is affected due to the obscene or fraudulent nature of the matter giving rise to the detention order, in lieu of the existing authority to detain mail when necessary "for enforcement" of the statute excluding obscenity from the mails. This "public interest" standard is a tried and proved one, under which responsibilities for the enforcement of other public protection laws, such as the Securities and Exchange Act, have been carried out successfully in the public interest.

POSTAGE RATES FOR BOOKS AND LIBRARY BOOKS

H.R. 4595, pending in the Senate, revises and clarifies postage rate provisions under which books, library books, and related materials are mailed at special low rates. Either the third- or fourth-class rate or the book rate, whichever is cheaper, will apply to mailings of books and certain other educational matter. The book rates are extended to "sound recordings" in lieu of the existing application to "phonograph recordings." Periodicals may be mailed at the book rates in either bound or unbound form. Guides or scripts may be mailed with films and filmstrips at the book rates. Certain meaningless language is removed from the book and the library book postal rate provisions.

MINIMUM CHARGE ON THIRD-CLASS MAILINGS OF ODD SIZES AND SHAPES

Public Law 86–56 revises the minimum per piece charge for third-class mail of odd size or shape from 6 cents to 3½

cents. This revision eliminates serious hardship imposed by the 6-cent rate on churches, church organizations, nurserymen, and other small businesses and also removes difficult operating problems arising in the Postal Establishment because of the 6-cent charge.

OTHER LEGISLATION

H.R. 163, sent to the White House September 9, credits service—for retirement purposes—of U.S. commissioners, who are compensated by fees, on the same basis used to credit such service of other Government employees who are compensated by fees.

H.R. 8241 eliminates certain inequities which have operated to deprive former Members of Congress reemployed in appointive positions of their earned retirement annuities. Conditions affecting reemployment of former Members of Congress are placed on substantially the same basis now provided by law for other retired Government employees.

H.R. 6830, pending in the Senate, clarifies the law relating to sworn statements by publishers having second-class mail permits and extends to magazines the requirement—now applied to most newspapers—that the sworn statements show average number of copies of each issue sold or distributed to paid subscribers. The publishers support the bill, which will facilitate postal operations.

H.R. 5571, pending in the Senate, makes career postal employees with 3 years of service eligible for postmasterships at their offices, if otherwise qualified, even though they reside outside the town or the office delivery limits.

Public Law 86–169 authorizes credit to postal revenues of commissions on toll telephones in post offices; amounts received by employees for witness fees, travel expenses, and subsistence when subpenaed to appear officially in private litigation; and collections for loss of first-class registered matter not restored to the original owner.

Public Law 86–33 facilitates the training of postmasters by specifically authorizing such training under the Government Employees Training Act—Public Law 85–507.

Public Law 86–122 eliminates from Government salary laws an obsolete provision which is contradictory to existing budget and appropriation procedures. The provision eliminated purported to authorize salary costs, incurred in part in one fiscal year and in part in the following fiscal year, to be charged to the following year appropriations.

SPECIAL STUDIES AND INVESTIGATIONS

MANPOWER UTILIZATION SUBCOMMITTEE

The Subcommittee on Manpower Utilization has continued its study, begun in the 85th Congress, of the contracting out of Government responsibilities for administrative and management services, especially in the research and development of guided missiles. A preliminary report issued by the subcommittee in April points out several improvements made by the departments and agencies since the subcommittee began its investigation in November 1957. For example, the report shows that a recent Navy reorganization has corrected overlapping and duplication found within the Department of the Navy missile program at the time of the initial investigation.

Subcommittee hearings last December pointed up areas of possible conflict of interest in the Air Force ballistic missile program. The Secretary of the Air Force subsequently issued policy statements setting forth guidelines for research and development contractors dealing with hardware-producing contractors.

Among several other needed improvements, Department of Defense rotation policies for military officers have been revised so as to be more flexible and thereby reduce personnel turnover. Turnover in several key job areas in the military departments having primary responsibility for missiles was found by the subcommittee to be excessive.

As a continuation of the subcommittee's analysis of the missile program, the subcommittee chairman on February 10 requested the General Accounting Office to conduct an investigation and furnish answers to several basic questions raised by the subcommittee in its study of the utilization of scientists and engineers in the missile programs of the Defense Department. Close liaison has been maintained with the General Accounting Office in the development of this information and, when it is received, the subcommittee plans to issue a final report on the utilization of manpower in the missile programs.

Public hearings were held in February extending the scope of the study, and supplementing the preliminary report, on the utilization of manpower in the missile program. The hearings, which resulted in House Report 688, 86th Congress, related primarily to the Government's policy of contracting out the training of military personnel.

This report indicates a policy trend in the field of Government contracting which if uncorrected may well lead to avoidance of primary responsibility imposed on Government departments and agencies. The growing habit of responsible Federal officials to fall back on the contracting device whenever faced with a difficult or unpleasant task is a radical departure from fundamental principles relating to the performance of duties and responsibilities of our Government. This tends to create waste and extravagance and undermines the morale of the career Government employees.

The report recommends that the Defense Department operate its own training program for personnel assigned to military assistance and advisory duties and reappraise its policies relating to contracting for management or personnel services and for the performance of functions historically performed by the Department.

Working with representatives of the Department of Defense, several civilian departments, and the General Accounting Office, the subcommittee developed a new procedure, in the form of a manpower questionnaire, for determining employment trends and for evaluating manpower programs and policies at local field activities. The General Accounting Office will use the manpower questionnaire in the course of its regular audits of the activities. This manpower questionnaire should provide considerable basic information that previously has been lost through editorial processes in the chain of command. Currently the manpower audit is being conducted by the General Accounting Office in three military installations and two civilian field activities.

During July the subcommittee held public hearings as a further continuation of its investigation of the effect on utilization of Federal employees of the Government's policies on the contracting out of functions historically performed by the Government. Representatives of the General Services Administration, the Office of Civil and Defense Mobilization, and the International Cooperation Administration appeared and testified. As a result of these hearings, the subcommittee set for further consideration certain matters, such as the Government's policy of contracting out custodial services, the Department of Defense practice of allowing defense contractors to inspect their own work, and the allowances and benefits currently being paid personnel sent overseas by the International Cooperation Administration.

The subcommittee has increasingly noted the tendency in the executive branch to administer programs by committees, often with outside consultants. To provide initial data on this aspect of Government procedure, the Departments of Defense and Commerce have been requested to furnish the subcommittee information concerning their use of committees, including, among other matters, the number of committees which they now have, the composition of such committees, and the degree of overlap and duplication of these committees with other organizations in such Departments. The material is due November 1, 1959.

The subcommittee program for the recess period includes the following:

First. Analysis of new grade GS–15 positions created in the past year, as a followup on House Report 2706, 85th Congress, entitled "Legislative Control of Federal Positions and Salaries," which showed that in recent years the entire Classification Act compensation structure has been rewritten and revised upward by administrative action.

Second. Hearings in the late fall, in accordance with past subcommittee policy, at which the military departments, other selected departments and agencies, the Bureau of the Budget, and the Civil Service Commission will report on progress in improved manpower utilization. Among other matters for these hearings, the Department of Defense has been requested to collect information regarding the use by the military departments of U.S. citizens employed overseas. The information will include the number of employees by major geographic areas, types of work performed, and the benefits and allowances authorized for these employees.

Third. Onsite reviews of the results of the General Accounting Office use of the manpower questionnaire referred to above. It is expected that these reviews not only will point up local personnel and management problems at the activity level, but also will indicate broader

manpower areas of interest for the consideration of top management in the departments.

POSTAL OPERATION SUBCOMMITTEE

The Postal Operations Subcommittee devoted primary attention, during the 1st session of the 86th Congress, to the growing problem of use of the U.S. mails for the dissemination of obscenity and pornography.

The subcommittee conducted an intensive study directed toward corrective measures and held a number of hearings and conferences to obtain necessary information and recommendations from recognized authorized and from leaders at all governmental levels and in private life.

The subcommittee study and hearings have demonstrated that the circulation of obscenity and pornography, and its effect on the youth of America, by no means are confined to material moving through the mails. Lewd and lascivious writings, movies, photographs, pictorial representations, and other unfit matter finds its way into the hands of men, women, and children indiscriminately from every conceivable source. Although the subcommittee's basic jurisdiction relates to the postal service, there is an equally compelling need to keep this filth off the untold thousands of newsstands, drugstore counters, comic book displays, and other sales devices that are so attractive to youngsters. Its ready accessibility in these blatant sales offerings naturally seems to an adolescent to indicate its general acceptability and thereby builds a false impression in their young minds of the true moral standards of our society.

The truth of the matter is, young people in every city, town, and hamlet are being literally bombarded from all sides with a loose portrayal of sex that cannot help but weaken the moral fiber of these future leaders of our Nation. Nor does the damage end there. We have positive proof, in fact, of a direct and very dangerous connection between the reading and viewing of sordid literature and pictures and the frightening increase in juvenile crime and misbehavior.

Use of the U.S. mails is part of what appears to be a master plan for the wholesale promotion and condut of commerce for profit in obscenity and pornography. The problem has reached such serious proportions as to be of grave concern to every decent man and woman in America. This traffic in vileness is all the more vicious because its product is being aimed more and more to the young people and children—those known by the purveyors of filth to be the most susceptible and, therefore, the most likely source of ready income.

Thousands of fathers, mothers, teachers, ministers, priests, and laymen have asked intervention by the Congress to put a stop to unbridled dealing in smut. Many conscientious citizens have written to the subcommittee and to individual Members of Congress indicating their extreme concern and inquiring as to how they might unite with other right-thinking people in their communities to combat this menace to our society. The subcommittee plans to work in cooperation with these volunteers and with organized governmental, community, and civic groups which share our objective. The subcommittee report entitled "Obscene Matter Sent Through the Mail," containing findings and recommendations as well as a suggested program for community action, will be issued in the near future. The report is intended, and should serve, to bring the full power of public indignation to bear in this crusade and to encourage communities and civic groups to take effective action against the unscrupulous fringe of thoughtless people who deal for profit in filth and smut with no thought of the public welfare.

The subcommittee held public hearings in Washington during April and May to receive the testimony of the Postmaster General and other postal officials regarding the problem of enforcing existing law which declares obscene matter to be nonmailable. Supporting testimony was received from the legislative chairman of the Churchmen's Commission for Decent Publications; the president of the National Council of Catholic Men; the executive secretary of the Board of Christian Social Action, American Lutheran Church; the secretary of public affairs of the National Association of Evangelicals; the director of legislation, General Federation of Women's Clubs; and other leading authorities. Further valuable information was developed at hearings held in Philadelphia, Pa., during July, where the subcommittee was privileged to receive the testimony of a great American authority on the subject, Hon. Michael A. Musmanno, justice of the Supreme Court of Pennsylvania; the U.S. district attorney; the chief psychiatrist of the Municipal Court of Philadelphia; the executive director of the Youth Study Center of Philadelphia; and many other law enforcement officials and civic leaders.

On the basis of the results of its study and hearings, the subcommittee wrote the bill, H.R. 7379, to strengthen the law which declares obscene material to be nonmailable and to make it a more useful and effective instrument for the protection of the public. This bill, which has passed the House unanimously, is discussed more fully above.

CIVIL SERVICE SUBCOMMITTEE

The 1st session of the 86th Congress was highlighted by virtual completion of the Civil Service Subcommittee program, instituted in the 84th Congress, to improve and strengthen civilian personnel administration in the oversea activities of the Government. The subcommittee report, unanimously approved by the Post Office and Civil Service Committee and printed as House Report 2109, 84th Congress, contains a broad range of major recommendations relating to employment and working conditions of U.S. citizens employed by the Government abroad. These recommendations deal with four primary areas wherein corrective measures were found desirable as a result of a number of hearings and conferences held by the subcommittee in eight foreign nations in which the majority of Americans employed overseas are assigned to duty.

The first such primary area of recommendation—that the competitive civil service be extended to American citizens employed overseas—was placed in effect by executive action in the 84th Congress in accordance with the subcommittee recommendation.

The second, for the establishment of an effective and suitable compensation and employment system for teachers and other personnel in schools conducted by the Department of Defense for dependents of the Department's oversea personnel, was placed in effect by Public Law 86–91, discussed earlier. This act provides an up-to-date school system for these oversea teachers and other school personnel, along the lines of the District of Columbia primary and secondary school system, and is expected to greatly facilitate and improve oversea school activities while at the same time reducing personnel turnover and recruitment problems to a minimum.

The third, for clarification and coordination of the then widely varied policies with respect to allowances and differentials for the several categories of oversea civilian employees of the Government, is embodied in H.R. 7758, approved by the House September 8, 1959, as noted earlier. This bill will improve the operation of critical defense and other oversea activities of the Government through the establishment of a coordinated and reasonably uniform system of compensating American citizens for extra expenses and for hardships and inconveniences incident to their oversea assignments.

The fourth primary area of recommendation, for the establishment of a badly needed medical and health program for American citizens employed by the Government abroad, is embodied in H.R. 5178 and several companion bills on which final hearings were completed during the 1st session of the 86th Congress. Since this bill, like the other committee recommendations, is approved by the administration, early action is expected in the second session to place the proposed medical and health program for oversea employees in effect so that these employees will have appropriate health services and facilities on a reasonably uniform basis.

The subcommittee report and recommendations were highly commended in a letter from the White House, in these words:

> I would like to say first that this was an excellent report, carefully prepared and reflecting a comprehensive review of the facts, both in the overseas hearings and in the staff research. I believe that the liaison between your office and both my White House office and the Civil Service Commission has been a fine example of cooperative effort between legislative and executive branches of Government in developing sound legislation in this field of personnel administration.

CENSUS AND GOVERNMENT STATISTICS SUBCOMMITTEE

The Subcommittee on Census and Government Statistics held hearings concerning the 1960 census, and the new techniques developed by the Bureau of the Census, to utilize modern, high-speed electronic data-processing equipment to obtain a faster publication of the 1960

census of statistics at lower cost. It is anticipated that the bulk of the reports will be issued at dates 12 to 18 months ahead of those corresponding reports 10 years earlier.

The Director of the Census Bureau described an auxiliary electronic device called the FOSDIC, standing for the initial letters of film optical sensing device for input to computers. This piece of equipment will be used to microfilm copies of appropriately designed census questionnaires, read the positioned marks entered by the enumerators, and transcribe the information to tape in the form of magnetic spots, ready to be read by the electronic computer. The FOSDIC tape will then be placed in the electronic computer, where the results will be reviewed, tabulated, and finally transferred to other tapes for use on high-speed printing equipment.

Hearings were also held on the use of electronic data-processing equipment in other Government departments and agencies. The subcommittee hearings disclosed that there will be an increase of more than 300 percent in the number of Government employees engaged in office automation in the next 4 years. The present 4,000 employees engaged directly in the use of electronic data-processing equipment will increase to 13,000 by 1963.

Officials of the Bureau of the Budget and the General Accounting Office testified that they saw no danger that the growing trend to office automation will mean large-scale layoffs for Federal workers who have no experience or training in automation. They indicated that more often office automation has been adopted as a matter of necessity in order to get tasks done that could not be accomplished otherwise, rather than to get current work done by fewer employees.

It is contemplated that public hearings will be held at a later date, at which time representatives of business and leaders of industry and labor will be given the opportunity to testify with respect to the impact of Government reporting requirements. The subcommittee's approach to this inquiry will be with a view to reducing the cost to Government of obtaining and processing information and minimizing the burden upon business enterprises and the general public.

Representatives of the Bureau of the Budget, Bureau of the Census, and other Government agencies will be called upon to explain the part their agency plays in the Government's statistics operation.

It is also contemplated that further hearings will be held regarding the use of electronic data-processing equipment by Government departments and agencies. Inquiry will be made as to the position taken by the Bureau of the Budget on the findings and recommendations developed for the Bureau by the private management firm in its study of personnel problems of the U.S. Government in the adoption and use of electronic data-processing systems.

The subcommittee undertook a study of all statistical activities in the Federal Government. Inquiry is being made as to how many different agencies are asking the same people for identical or similar information. Information will also be developed to indicate the number and types of reports that businesses are required to submit to the various Government agencies.

Special attention will be given to eliminating outdated reports which may at one time have served a useful purpose but which are no longer of use. The study will include development of information as to the number of employees, and the cost involved, of all departments and agencies in the collection, compilation, preparation, and publication or other reporting of statistical data. The study will include not only those statistical activities which the department or agency conducts directly, but also those conducted by firms or organizations outside the Government under contractual arrangements.

The Federal statistical system is distinguished by decentralization and complexity. Although the Bureau of the Census is a large, well-equipped organization with a variety of statistical functions, it has by no means a monopoly on data collection and compilation. Over 60 bureaus, services, commissions, administrations, boards, and other agencies have important statistical functions. In addition, other agencies, while not considering their activities as statistical, collect or compile data for administrative, regulatory, or operating purposes.

Any serious critic of the public burden of Government reporting requirements upon business must recognize that a middle ground is to be sought. It must be conceded that the Government and the public, including business itself, need detailed and timely statistical information, and that at least some of it can be collected efficiently only by the Federal Government. However, unremitting attention must be devoted to limiting the burden to the least amount consistent with the needs and benefits. In this connection the subcommittee is in the process of drafting a report entitled, "Business Reporting Requirements of the Federal Government."

Atomic Energy and Our U.S. Shrimp Industry

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CRAMER. Mr. Speaker, just last month the very able gentleman from Georgia [Mr. PRESTON] presented to this body some of his views on our domestic shrimp market. He indicated actions necessary to alleviate the severe slump in the domestic shrimp market and pointed out very vividly that the shrimp industry in the United States is presently undergoing its greatest struggle for survival, due to a combination of factors.

Mr. Speaker, I have been studying the problem of our shrimp industry, which is a matter of very great concern to me, because the shrimping industry is of the greatest importance to thousands of my constituents in Florida. I am sure that all of you know that the shrimp ranks first in dollar value among all commercial fish in the United States today, yet the small amount of research conducted in the past years by the Federal and State agencies, while it has yielded some very valuable information, has merely scratched the surface of what can be a great and continuing boon to the shrimp industry in the United States today—indeed its very salvation.

Great strides are being taken by our U.S. industry through steadily increasing uses of radioactive isotopes and radiation methods made possible under the U.S. Atomic Energy Commission atoms-for-peace program.

All indications to date reveal that, despite the relatively small amount of research and development moneys expended by our Government thus far in this most important field, our standard of living—in spite of inflationary trends—and our national economy can be improved a hundredfold through the development and application of radioactive isotopes and radiation to industry of their very many proven uses in the fields of rubber, paper, steel, chemicals, electronics, and so forth, and their potential application to our fishing industry. My learned colleague from Georgia indicated his concern, and rightly so, over the tremendously increased imports of shrimp into the United States from foreign countries. I believe that he said some 40 countries ship at least some shrimp imports to the United States. This concern was very ably demonstrated in his quote of the figures from the U.S. Bureau of Fisheries. According to that Bureau the shrimp imports for the month of March 1959 totaled 8,492,000 pounds, or almost double the 4,986,000 pounds imported during the same month in 1958. I need not tell you, Mr. Speaker, what effect this has upon our own shrimp industry and its thousands of employees.

In view of the current status of radiation preservation of fish and other seafood products as I have learned of it, I can say that I am indeed encouraged with the great possibilities offered the U.S. fishing industry and urge that we fully support that portion of the atoms-for-peace program having to do with radioisotopes application to the preservation of food, including fish and other seafood products. Vast amounts of money can be saved, production can be increased, prices reduced, yet profits increased if we are able successfuly to preserve these very popular, very nourishing, yet highly fragile seafood products, thus eliminating the necessity for refrigeration, storage, and other costly aspects of the industry. If we are the first country to perfect this method, and we certainly should be the first, then I believe we would not need to be concerned about the amount of imports by other countries because we could then compete with them completely successfully, to such an extent that these imports would decrease and perhaps in time disappear.

The American fishing industry has approximately 160 separate species of

fish and shellfish which are sold in several thousand different market forms. Data should be made available to enable the processor to evaluate the relative economics of radiation preservation against those of icing, freezing, canning, and curing. There is no question but that in many cases slight increases in processing costs could be absorbed to make available fishery products in much more acceptable form. We are not the only country experimenting in the methods and techniques of using radioisotope irradiation for the preservation of fish. For example, a Prof. B. S. Swighart at Harwell, England, said in an address last month that the possibilities of low-level irradiation doses prolonging the shelf life of poultry and fish are equally promising. Fish appear to be more sensitive to the development of rancidity and color changes because of their greater susceptibility of fish oils to oxidation. Codfish cakes show a rather high acceptability even after treatment with sterilization doses. This is also true for other seafood products such as cooked crabmeat and oysters. Many other seafood products such as crabmeat, lobster meat, kippered herring, finan haddie, and so forth, have shown promise. Further articles on irradiation processing of foods in Britain indicate that nonfatty fish, cod and lemon sole, prove more suitable for radiation treatment, but even with these, however, flavor changes limit the maximum acceptable radiation dosage. A substantial increase in storage life of the order of three times under refrigeration was obtained when the radiation treatment was combined with an antibiotic dip. Conclusions to be drawn from these are that preliminary work strongly indicates that there will be commercial application for the radiation preservation of fish and other seafood products to extend storage life. Much experimental work remains to be done, however. Irradiation facilities located at dockside or on board ship will be required for future operations. Commercial application of radiation to extend the storage life of fish products will be contingent upon securing wholesomeness approval by the Food and Drug Administration.

The Atomic Energy Commission recently stated that its studies on the radiation preservation of foods have shown that the preservation of fish by ionizing radiations stand, perhaps, the closest toward being technically feasible of all the foods studied to date. The Commission recently authorized a small research contract with MIT for the purpose of determining the requirements for making fish preservation by irradiation an economic and industrial feasibility.

Mr. Speaker, I understand under this contract at MIT it is proposed to evaluate on a national level the possible uses of ionizing radiation for the preservation of fish. This study is to encompass the following points and provide answers to the following questions:

First. What is known regarding the technical status of the preservation of fish today?

Second. What are the more promising species and which are those less suitable for these purposes? What research work and what developmental work is necessary to provide radiation-preserved products on the market? This work may be arbitrarily broken down into the following areas: (a) Technological requirements, (b) economic considerations, (c) packaging requirements, (d) storage requirements, (e) radiation sources, (f) preferred method of irradiation geometry, (g) wholesomeness and toxicity testing.

This study will further show where the research and development should be undertaken nationally, who the people are, who might best do the work in each of its various aspects, how the work should be phased out in terms of time and in terms of money, what the other methods of sterilization of preservation of fish are, which may be competitive—such as antibiotics—when the Atomic Energy Commission should lend, diminish or cease its support entirely and when private industry should take over this work. Finally, how much money should such a program cost? All of this will be phased out in detail.

Mr. Speaker, I am most encouraged to know of research of this type being conducted by the Atomic Energy Commission and, from some knowledge of many of its past successes, I have every reason to be encouraged that the Commission will be successful in accomplishing this most important objective of preservation of fish and other types of seafood. I need not point out the importance of the U.S. fishing industry to our national economy, nor will I reiterate the many problems facing that industry today. Since the beginning of time when man first learned that fish are edible, the industry as such has almost been taken for granted. It has lagged far behind in the application of modern techniques, research, and development, and in Federal Government support. Speaking from firsthand knowledge of the U.S. shrimp industry, I know that very limited amounts of research moneys of Federal and State agencies have been allocated in the past years for carrying out essential research on shrimp in the Gulf of Mexico. The amount of funds is certainly not commensurate with the present value and the future importance of this resource.

The taxpayers of the United States have made a justifiable yet an enormous investment in the atom—some $10 billion in all. If dividends—tangible, direct money returns to the Government—can be earned on this huge investment, then in fairness to the U.S. taxpayer they should be earned. I submit that dividends are now being earned on the Government's modest investment in the AEC isotope program and that this program is now the only segment of the atoms-for-peace program where the Government is receiving direct money returns on its investment—these returns taking the form of greater amounts of taxes paid on profits earned through the application of radioisotopes to their industry. With the increased use of isotopes in our industry will naturally come increased benefits to the national economy in the direct form of savings reflected and increased taxes willingly paid to the Government. The Government benefits; the user of the isotopes benefits through more profits; and the whole economy improves.

Mr. Speaker, I am certain that this body will agree that the AEC isotopes development program with its many, many possible applications toward the improvement of our national economy through increased efficiency in our industry is one of the best bargains ever bought by the U.S. taxpayers. Yet, Mr. Speaker, this particular aspect of the atomic energy program is but an infant in comparison with the atomic power development program or the weapons program. It has barely begun its research into all of the many potential uses which will improve the lot of all mankind. I believe that this program in the Atomic Energy Commission will, in the not too distant future, repay tenfold the total cost of our vast U.S. atomic energy industry. I, therefore, urge that we at all times encourage and support the speedy development within the Atomic Energy Commission of its research and development program to promote the wide use of radioactive isotopes by both our Government and private industry.

In Washington With U.S. Senator Hugh Scott

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. SCOTT. Mr. President, I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD a summary of activities and comments upon my first session in the U.S. Senate, which I propose to send out as my regular newsletter to the people of Pennsylvania upon adjournment.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

IN WASHINGTON WITH U.S. SENATOR HUGH SCOTT

"It may be laid as a universal rule that a government which attempts more than it ought will perform less." (Lord Macaulay.)

By substituting "Congress" for the word "government" in Lord Macaulay's quotation, you can get a pretty good summary of the 1st session of the 86th Congress.

In January the Democrats came roaring into Washington with 2 to 1 majorities in both Houses of Congress and the mistaken impression that they had a mandate which included the keys to the U.S. Treasury. Before President Eisenhower had an opportunity to deliver his state of the Union message, spokesmen for the many wings of the Democratic Party began issuing manifestoes.

Those spendocrat legislative programs, frequently drafted just before a press conference, varied somewhat in details, but all seemed to agree that each thing wrong with the country could be cured by spending

another billion dollars. But they reckoned without the immense power of the Presidency, the militant Republican minority and the outrage of the American public which gives mandates to nobody.

The President offered the Nation a program to preserve prosperity and encourage progress, under a Federal budget of $77.1 billion. He warned that he would oppose Federal expenditures above that sum because they would require either increased taxes or borrowing—that hidden tax which creates inflation and drives up the cost of everything we buy.

In the following 9 months the President was able to stop almost every measure he did not want through the use of the veto or the threat of the veto. I was firmly in support of the President's proposals in every area except housing and public works—two fields where I believe the Nation, and our Commonwealth, need more help than the administration programs offered. I voted for substantial reductions in spending in other areas to compensate for the slight increased spending provided in the housing and public works bills.

Although the President could not get all the legislation he requested of Congress, since the Republicans constituted only one-third of the votes, he did succeed in forcing through several important laws. The most notable of these was labor reform.

Many legislators can claim authorship of the labor reform bills and amendments accepted by either the House or Senate. But the law as finally enacted should be called the "Eisenhower act," because it contains the key reform provisions which he urged upon Congress and which he explained to a nationwide television and radio audience. The public response to the President's broadcast was overwhelming. My office alone received some 9,000 letters and telegrams (all of which were answered, I am proud to say). These reforms will protect equally the public, union members, and honest union officials from the marauding of the minority of embezzlers, thugs, and extortionists in organized labor.

But although the President was able to stop almost everything he opposed, the "Won't Do" Congress balked in many areas very much in need of legislation. Civil rights, area redevelopment, and farm subsidies are three that are worth examining.

In civil rights, the President proposed a reasonable seven-point program. I cosponsored those proposals, plus two more which would have gone further than the President requested. Congress passed only one, to extend the life of the Civil Rights Commission.

For area redevelopment, the President proposed legislation which would provide $53 million for depressed areas like those we have in Pennsylvania. Believing that more money was needed, I sponsored an area redevelopment bill which would provide $203.5 million, and which I am hopeful that the President would sign if enacted. The Democrats sponsored a similar bill providing $389.5 million. The President is certain to veto the last, and for that reason, I voted against it when it reached the Senate floor.

The Democratic area redevelopment measure passed the Senate, but when it went to the House, the House Banking and Currency Committee trimmed it down to $251 million—almost the amount of money which I had proposed. Then it went to the House Rules Committee, whose chairman, Representative HOWARD W. SMITH, Democrat of Virginia, promptly pigeonholed it.

This situation on area redevelopment gives the Democrats the opportunity to tell whichever half of the story they find most palatable to their constituents. The members of the spendocrat wing can point to the big bill they pushed through the Senate. The members of the conservative wing can point to Mr. SMITH who goes off to his Virginia farm whenever he needs to stop progressive legislation.

This measure is hindered by a further political problem. No Democrat wants to enact a bill, like the one now before Rules, which is similar to one introduced by HUGH SCOTT, a Republican.

Finally, Congress failed miserably on farm legislation. The President urged Congress, in his state of the Union message and in a special message on the wheat bill, to reduce subsidies which are hurting farmers, consumers and taxpayers alike. But the Democratic majority enacted a bill (that I fought at every step) to raise subsidies, which in these times of farm surpluses is like pouring water on a drowning man. The President promptly vetoed the bill and nothing was enacted.

If logic were to prevail, we could say confidently that some farm subsidy relief is likely to be enacted in the next session of Congress. But logic does not prevail among those who are more concerned with the welfare of wealthy farmers and farm corporations than they are with everyone else in the Nation.

Also of interest to Pennsylvanians:

I was sponsor and cosponsor of 14 bills and resolutions which became law. They include Hawaii statehood, increased benefits for retired employees under the Railroad Retirement Act and Captive Nations Week. I supported and voted for the public works appropriations bill which provided funds for flood control, locks, dams and navigational aids to many areas of the Commonwealth. I helped in the Senate with Congressman GAVIN'S bill which authorizes a fish hatchery in northwestern Pennsylvania; also Congressman BUSH'S bill to establish Little League Baseball Week.

Other legislation which passed and which I voted for included: increased veterans pension benefits, Federal employees health insurance, extension of emergency unemployment compensation, two improvements in the immigration laws, mutual security, a bill to clarify taxation of interstate business and the highway financing bill.

Louis Kossuth, Hungarian Patriot (1802–94)

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, Louis Kossuth is undoubtedly the most colorful, the most venerated, and the best-known Hungarian in the modern history of the Hungarian people. He is at the same time one of the great pioneers and brave fighters for national freedom and democratic government in 18th century Europe. In addition, Kossuth may also be considered the greatest patriot of modern Hungary, and quite properly the father of modern Hungarian nationalism.

Lajos, or Louis, Kossuth was born in the small town of Manok in Hungary on September 19, 157 years ago, and was the son of a country lawyer. As the oldest of four children, he was originally destined to follow in his father's footsteps. At 19 he had already completed his studies at the University of Budapest and was back in Manok practicing law with his father. His talents and amiability, and his zeal for doing something good and extraordinary, at once won him great popularity. In 1825 he was appointed a deputy member of the National Diet (Parliament). He held that post first for a 2-year term, and then for another year in 1832. During those years had begun the formation of a Hungarian national party. Soon Kossuth became prominent among the liberal leaders of that party. In the late 1830's he began the circulation of his famous newsletters which included speeches made but not published at the National Diet. This was not to the government's liking, and attempts were made to suppress the newsletters. Then in 1837 he was arrested on a charge of high treason and condemned to 4 years' imprisonment. This imprisonment, it is said, served Kossuth well. There he had time to study the Bible and Shakespeare and acquired a wonderful knowledge of English.

Upon his release he became the editor of a newly founded liberal party paper. Thenceforth Kossuth was not content with reforms alone. By his violent attacks on Austrian authorities he aroused the Hungarian national pride. The government in Vienna was alarmed by his popularity, and attempts were made—by Metternich himself—to quiet him by the offer of a lucrative government post. But Kossuth was not to be bribed. In 1847 he was elected to the Diet in Budapest. There he became the leader of the extreme liberals. His eloquence and his impassioned appeals in dramatic situations made him the national leader of all liberals and nationalists. And in March of 1848, when the news of the Paris revolution reached Budapest, at once he became the leader of the European revolution. Again the government attempted to quiet him down by taking him into the Cabinet as Finance Minister. But Kossuth's soul still yearned for national freedom and liberation from the Austrian yoke. In July he had asked his countrymen to arm in self defense, in defiance of the government in Vienna. Soon the country was fighting the Austrians, and Budapest was under attack. In this struggle Hungarians fought heroically under Kossuth's leadership, and for more than a year they held back their superior foes, until the latter were joined by the Russian forces from the east. Thus caught between two powerful forces, Hungary's spirit of freedom, generated by Kossuth, was crushed in August of 1849, and Kossuth himself barely saved himself by escaping to Turkey.

With his forced departure from Hungary, Kossuth's career as the leader of his people in Hungary was at an end. Eventually he went to England, and there he was given a hero's welcome. In 1851 he came to this country, where he was welcomed with similar honors. He returned to Europe and lived the rest of his life in Italy, where he died on March 24, 1894. His body was taken to Budapest, and there he was buried amid the mourning of the whole nation.

Today freedom-loving and brave Hungarians may not be allowed to observe the birthday anniversary of their great patriot and loving fellow man, but we in the free world join all Hungarians in the free world in honoring the blessed memory of this great fighter for freedom and liberty on the 157th anniversary of his birth.

Report on Activities of Committee on Un-American Activities

EXTENSION OF REMARKS
OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following report on the activities of the Committee on Un-American Activities during the 1st session of the 86th Congress. This period covers the period from January 1, 1959, to and including September 1, 1959.

REPORT BY CHAIRMAN FRANCIS E. WALTER ON THE ACTIVITIES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES DURING THE 1ST SESSION OF THE 86TH CONGRESS

HEARINGS AND INVESTIGATIONS

During the period beginning January 1, 1959, and ending August 27, 1959, the committee interrogated 87 witnesses in public session and 70 witnesses in executive session.

SOVIET ESPIONAGE

Continuing its efforts to develop the fullest possible information on Soviet spy organizations both here and abroad, the committee interrogated Petr S. Deriabin, a former officer of the Soviet Secret Police—KGB. Mr. Deriabin's identity had been kept secret by U.S. security agencies since his defection in 1954. Publication of his testimony by the committee was the first revelation in the free world of the knowledge he had of Soviet espionage operations as a result of his years of service in the secret police.

Mr. Deriabin revealed that the KGB is divided into two major sections, one of which is charged with protecting the internal security of the Soviet state, and the other with carrying out espionage and various terrorist activities in foreign countries. The internal security section, he said, has approximately 16,000 officers who are charged with maintaining surveillance over and providing protection for the leaders of the Soviet Government. The foreign section of the KGB has about 3,000 officers assigned to its Moscow headquarters, and 15,000 more stationed in other countries of the world. This section, according to Mr. Deriabin, handles not only espionage but "assassinations, kidnaping, blackmail, and similar activities." Deriabin confirmed the testimony of other defectors from the Soviet Secret Police to the effect that Communist exchange delegations always include a number of intelligence or counterintelligence agents. He identified several who had been sent to the United States in recent years in various cultural exchange groups. While Deriabin could not give exact figures on the size of the Soviet Military Intelligence Force—GRU—he stated that it had many more agents than the KGB.

SOUTHERN CALIFORNIA COMMUNIST PARTY

In extensive hearings in Los Angeles in which 65 witnesses testified, the committee thoroughly explored the structure, objectives, and leadership of the southern California district of the Communist Party, a section that ranks second in importance in the U.S. conspiracy only to that of New York. The significance of the booming State of California in Communist plans for subversion of the United States can be gaged by the fact that, whereas this State was formerly combined with Arizona, Nevada, and the former Territory of Hawaii to make up the Communist Party's District 13, it was itself divided into two separate districts—the northern California district and the southern California district—in early 1957. A State coordinating committee was established to control and direct the operations of the two districts. Though the great majority of witnesses invoked the fifth amendment the committee with the help of several friendly witnesses was able to uncover a mass of information concerning the party's leadership and its methods of operation.

CURRENT COMMUNIST STRATEGY AND TACTICS

In hearings held in Pittsburgh, Pa., on March 10, 1959, the committee developed additional information on techniques now being used by the U.S. Communist Party aimed at hamstringing the committee's efforts to develop information by planning disruptive and obstructive conduct at its hearings. Information on the party's decentralization techniques and other underground security measures adopted to provide protection for its continuing large-scale operations was also developed.

Mr. and Mrs. Hamp Golden, who had served as FBI undercover operatives in the Communist Party for 12 years, explained how the Communist Party attempts to influence Members of Congress and other Government officials by deluging them with letters and telegrams on pending legislation and other national issues. They also described the operations of a number of Communist fronts in the Pittsburgh area and identified the Communist Party members who manipulated these organizations along the lines ordered by the conspiracy. Both Mr. and Mrs. Golden expressed the conviction that, though its visible members were fewer, the Communist Party is today more dangerous than it was in the past.

SECURITY IN DEFENSE PLANTS

The second day of the Pittsburgh hearings was devoted to the still largely unsolved problem of providing adequate security for industrial establishments holding defense contracts. Government officials testifying on this subject before the committee pointed out that Defense Department contracts do not preclude the employment of Communists within such facilities, or their working on parts of highly classified weapons, so long as they do not have access to classified information. In addition, the Defense Department cannot exclude Communists from communications facilities and powerplants, both of which are vital to our defense effort and production.

A. Tyler Port, Director, Office of Security Policy of the Office of the Assistant Secretary of Defense for Manpower, Personnel and Reserve, testified as follows on this point:

"The potential for bringing defense production to a halt by sabotage of power facilities is enormous, and the repercussions would be, I think, disastrous because if the power itself is cut off defense plants cannot produce and we will thus be denying ourselves the weapons which are so essential to our national defense effort."

The committee also produced evidence in its hearings that five prime contractors for the Department of Defense in the Pittsburgh area have contracts with the Communist-controlled United Electrical Workers Union, which serves as bargaining agent for their employees. Four officials of this union who were subpenaed to testify in the hearing invoked the fifth amendment when asked questions concerning their membership and activity in the Communist Party.

DEPORTATION AND DENATURALIZATION PROBLEMS

The third day of the committee's hearings in Pittsburgh revealed a serious loophole in U.S. security caused by the fact that the Government finds it impossible to deport alien Communists who have been ordered deported in accordance with the law because the Communist nation of their origin refuses to grant them travel documents. It also highlighted the great difficulties the Government encounters in trying to denaturalize active, hard-core Communists who have obtained U.S. citizenship by falsely denying party membership at the time of their naturalization.

Seven persons who were or had been the subjects of deportation or denaturalization proceedings testified before the committee in the course of these hearings. All but one, who was granted a continuance of his appearance on the grounds that deportation proceedings had not been completed, invoked the fifth amendment when asked about their Communist Party affiliations and activities. The deportation of one of these six persons had been frustrated by the refusal of an Iron Curtain country to grant travel documents for him. Deportation proceedings of the other five had been rendered ineffective because of a number of Supreme Court decisions.

In one of these decisions, *Rowaldt* v. *Perfetto*, the Supreme Court held that mere proof of an alien's Communist Party membership was not enough to warrant deportation, and that the Department of Justice would have to prove what the Court called "meaningful association" with the Communist Party. In another, *United States* v. *Witkevich*, the Court ruled that an alien against whom a deportation order had been outstanding for more than 6 months could not be required by the Attorney General to answer questions concerning Communist Party activities. In *Novak* v. *United States* and *Maisenberg* v. *United States*, the Court decided that to denaturalize a person who had obtained citizenship while a member of the Communist Party the Department of Justice not only had to prove that the person had been a member of the party and that the Communist Party advocated violent overthrow at the time, but also that the defendant knew at the time of his naturalization that the Communist Party engaged in such illegal advocacy. In the cases of the witnesses who appeared before the committee, all are now free to continue their Communist activities in this country.

INFILTRATION OF THE MEATPACKING INDUSTRY

In hearings held in Chicago on May 5, 6, and 7, 1959, the committee produced evidence of heavy Communist Party penetration of the meatpacking industry in that area. Ten officials of the United Packinghouse Workers of America, including the editor of the union's newspaper, were identified as party members in the course of the hearings. When they testified, they denied present membership in the conspiracy, but invoked the fifth amendment when asked if they had gone through the motion of a technical resignation so that they could testify they had resigned from the party while continuing their activities in the Communist operation. Three others who were identified as party members denied present membership, but invoked constitutional privileges when asked about membership in recent years.

John R. Hackney, an international representative of the Amalgamated Meatcutters and Butcher Workmen, who had been a member of the Communist Party, stated that the conspiracy had made special efforts to penetrate the meat industry "because the party

felt that the meat industry was essential to the national economy, and it was important that they build the party within the meat industry in the event that we had war with other nations, that we could control the meat industry and its various outlets."

Concerning the present state of Communist infiltration of that industry, Mr. Hackney stated:

"From my most current information and my experience and my activities in the party, I would say that the party is stronger now in the meat industry than it ever has been."

PASSPORT SECURITY

In hearings held in Washington, D.C., on April 21–24 and June 5, 1959, the committee highlighted the dangerous situation resulting from the Supreme Court passport decision of June 1958, and pointed up the great need for legislation to grant the Secretary of State the power to deny passports to Communists, and to invalidate passports which had already been issued.

Through the testimony of two State Department security officials, and evidence introduced into the record in the course of the testimony of 14 uncooperative witnesses with Communist and subversive backgrounds who presently hold passports or recently held them, the committee revealed that since the Supreme Court's decision, many leading U.S. Communists had been enabled to travel to the Soviet Union and had done so; that hundreds of persons with subversive backgrounds who had not applied for passports in many years had rushed to obtain them immediately after the Supreme Court decision; that passports have been granted to persons denied them in the past because of their Communist activities, and to persons who, in their appearance before the committee, invoked the fifth amendment to avoid saying whether or not they presently, or at any time in the past, had engaged in espionage against the United States for the benefit of the Soviet Union.

The hearings also revealed that witnesses who had obtained passports subsequent to the Supreme Court decision had traveled to Iron Curtain and non-Communist countries, where they had engaged in various activities designed to further the interests of the Soviet Union and to hamper the policies of the United States.

AMERICAN NATIONAL EXHIBITION, MOSCOW, JULY 1959

The committee chairman, Representative FRANCIS E. WALTER, addressing the House of Representatives on June 3, 1959, stated that, of the 69 artists whose works had been chosen for display at the American National Exhibition in Moscow in July and August of this year, 34 had records of affiliation with Communist fronts and causes. Twenty-two, or one-third of the total, he said, had significant histories of association with the Communist movement.

In hearings held in Washington, D.C., on July 1, 1959, two artists whose works had been selected for the exhibition testified. One of them, Ben Shahn, invoked the fifth amendment when asked if he had ever been a Communist Party member or had ever contributed his art works for the benefit of Communist enterprises. The other one, Philip Evergood, invoked constitutional privileges when questioned about present as well as past party membership, and also, when interrogated about his numerous activities in behalf of communism in the art field. Several other artists represented in the exhibition concerning whom the committee has evidence of Communist Party membership were not available to testify, having obtained passports and left the country after the Supreme Court passport ruling of June 1958.

Mr. Wheeler Williams, president of the American Artists Professional League, largest organization of artists in the United States, testified extensively on the Communist use of art as a weapon. He expressed the opinion that, in subverting the arts, the Communists had been "successful beyond their wildest hopes," and that the Soviet Union would be delighted with the fact that so large a proportion of artists chosen for the U.S. exhibition in Moscow had Communist Party or front affiliations. Mr. Williams gave the following characterization of the works chosen for the American exhibition in Moscow:

"It includes a number of 'social protest' paintings of no aesthetic or artistic importance; at least one revolting satirical lampoon; a heavy load of meaningless doodles in paint and bronze; and a few traditional works, only one or two of which have any outstanding merit. If it is judged on merit alone, it is a dismal and dreary potpourri.

"It fails utterly to give 'a true image of America' as it contains next to nothing to show the wondrous natural beauty with which God has endowed our beloved lands, to portray its glorious history, its heroes or its valiant people of varied races, and nothing to picture the wondrous architecture of our cities or charm and beauty of our villages and towns."

COMMUNIST TRAINING OPERATIONS

In hearings held on July 21 and 22 in Washington, the committee probed the indoctrination techniques used by the Communist movement to turn ordinary American citizens into dedicated hard-core conspirators. The hearing concentrated on the Faculty of Social Science in New York City, which is now the major Communist Party educational institution in this country. Evidence produced in testimony given in the course of the hearing establishes that the Faculty of Social Science is the successor of the Jefferson School of Social Science which had been dissolved by the Communist Party following the order of the Subversive Activities Control Board that it was a Communist front and should therefore register with the Attorney General. Twenty lecturers or officials of the Faculty of Social Science have been connected with the Jefferson school. Ten of them were subpenaed to testify in the hearing and invoked the fifth amendment when questioned concerning Communist Party affiliation and activity. The hearing also produced evidence that the Communist Party is carrying on secret training programs in conspiratorial tactics and strategy in key cities of the Nation.

TESTIMONY OF CLINTON EDWARD JENCKS

Jencks, a former official of the Communist-controlled International Union of Mine, Mill and Smelter Workers, testified before the committee in Washington on July 22. A number of years ago Jencks had been convicted of falsely signing a non-Communist affidavit under the Taft-Hartley Act. The Supreme Court, in the now-famous decision bearing his name, subsequently reversed his conviction on the grounds that the Government had not made available to him confidential reports made to the FBI by a witness who testified against him.

Jencks recently applied for and was awarded by the Woodrow Wilson Memorial Fund in Princeton, N. J., a graduate fellowship to study at the University of California with the purpose of entering the teaching profession. Testifying before the committee, Jencks admitted that in applying for the fellowship he had submitted a statement intended to make foundation officials believe that he had not signed the non-Communist affidavit falsely. Asked if he was telling the truth when he conveyed this impression, he refused to answer, invoking the fifth amendment. In the course of his trial for violating the Taft-Hartley Act, Jencks had been identified as a member of the Communist Party by several witnesses, including one former Communist who had been an official of the International Union of Mine, Mill and Smelter Workers.

REPORTS

Communist legal subversion

This report, though based only on testimony concerning Communists in the legal profession given incidental to the committee's investigation of other phases of Communist activity in the decade 1947–57, revealed that over 100 members of the bar had been identified as members of the Communist activity in the decade 1947–57, re- The report unveiled the techniques used by the Communist Party to undermine the United States, its Constitution and laws by party members trained in the law. It also brought up to date previous information published by this committee on the National Lawyers Guild, the major Communist front for lawyers in the United States. It gave information on the manner in which Communist lawyers abuse the courts of this country and attempt to instigate contemptuous behavior on the part of witnesses before congressional committees. On the basis of testimony given before this committee and information contained in the committee's files, it reviewed the various services rendered the Communist Party by members with legal training—the recruiting of fellow lawyers, espionage and subversion of government, service as officials of the Communist Party, assisting the party in circumventing the laws of the United States, taking leadership roles in Communist fronts, running for public office and serving as propagandists for Communist causes. Going to the crux of the problem Communists in the legal profession pose to the bar and citizens of this country, the report asked this question:

"How can a lawyer maintain his oath to uphold and defend the Constitution of the United States when he is an agent of a conspiratorial apparatus designed to destroy the Constitution?"

Report on the southern California district of the Communist Party

This report, based on hearings and intensive investigation, outlined the organizational structure of the California district of the Communist Party and the role Communist fronts are playing in party operations in that State. It also summarized the major elements of the program adopted at the April 1957 convention of the southern California district of the Communist Party and developments in special fields that followed the convention: youth recruitment, the new party line on Negroes, and stepped-up labor infiltration efforts. Also reported was detailed information on internal strife within the district, the names of 14 members who had recently resigned from the party, and biographical sketches of 85 Communist leaders and personalities in the district. Sixteen important Communist Party documents were included in the appendix of the report.

Communist lobbying activities in the Nation's Capital

The stepped-up lobbying operation in Washington designed to influence Members of Congress along lines favored by the Communist Party was described in this report. It revealed that a cited Communist front, the Emergency Civil Liberties Committee, and three major Communist-controlled unions—the United Electrical Workers, the International Longshoremen's and Warehousemen's Union, and the International Union of Mine, Mill, and Smelter Workers—maintain full-time lobbyists in the Capital. The three union lobbyists—Russell Nixon, Jeff Kibre, and Herman Clott—have all been identified as Communist Party members and have invoked the fifth amendment when questioned about party membership by congressional committees. The report

pointed out that by concealing their Communist connections and the nature of the organizations they represent, these lobbyists in effect defeat the basic purpose of the Federal Regulation of Lobbying Act of 1946, which is designed to keep Congress fully informed of the interests represented by those attempting to influence it. The report recommends amendment of the act so that it would require lobbyists to state whether they are members of the Communist Party or have been such since 1948, whether the organization they represent has ever been found to be Communist-controlled by a congressional body and whether such finding had ever been rescinded.

CONSULTATIONS

Language as a Communist weapon

The manipulation of language constitutes one of communism's most potent weapons in its drive for world domination, Dr. Stefan T. Possony, authority on psychological warfare and revolutionary techniques and political scientist of Georgetown University, told the committee. Communists, he said, consider words not as a means for communicating truth, as other people do, but as tools for promoting their revolutionary aims.

The key to Communist use of semantics is found, Dr. Possony said, in these two principles:

"Every Communist communication must convey an orthodox, that is, revolutionary activating message to the party and its followers.

"This same communication must convey a different, i.e., soothing, pacifying, and paralyzing message to the opponent of communism."

By utilizing language in this fashion, Communists mislead the non-Communist world as to their true intentions. In his consultation, Dr. Possony explained how Communists deceive many people and even political leaders in the free world by the use of terms such as "peaceful coexistence," "democracy," etc., which have an entirely different meaning to them than they have in normal usage. He also pointed out that negotiations, too, are considered by the Communists to be a conquest technique and are used by them to weaken the will of free people to resist.

Communist persecution of churches in Red China and northern Korea

In this consultation, five Protestant church leaders, natives of China and Korea, described the brutal campaign carried out by the Chinese and northern Korean Communists during the past 10 years to destroy all vestiges of Christianity in those countries.

At the present time, as a result of this campaign, no truly Christian churches are operating in Red China or North Korea, they said. The only ones permitted to operate are propaganda churches with ministers "picked by the Government to fill the pulpits and indoctrinate the people in communism." These churches are also used as showcases to hoodwink visitors from foreign lands into believing that freedom of religion exists in Red China.

No religious worship of any kind is permitted in the communes of Red China, and the institution of the commune system has enabled the Government to completely end the operation of churches in all areas where the system is in effect. The five clergymen also described the method used by the Communists in both countries to bring about the closing of the churches. These included the use of horrible tortures of ministers and active Christians to wring false confessions of espionage and similar crimes from them.

Control of the arts in the Communist empire

Ivan P. Bahriany, Ukrainian poet, novelist, and artist, who lived and wrote for years under Communist rule, described how the Soviet Government exercises strict control of all forms of artistic and literary expression so that they become vehicles for the service of the state. Mr. Bahriany, who was sentenced to a slave labor camp in Siberia for refusing to follow the party line in his writings and escaped to the West at the end of World War II, said that numerous writers whose works had not been deemed loyal to the Communist regime have been persecuted, imprisoned, and liquidated in the Soviet Union.

There are very dangerous features for the West in the present cultural exchange program, Mr. Bahriany said. Essentially, these exchanges are being used by the Soviet Union to deceive the non-Communist world by presenting false pictures of conditions in Communist nations—pictures which, for example, create the impression that artistic and literary freedom exist when there is really none behind the Iron Curtain and Moscow has for years carried out a concerted campaign to destroy all national cultures in captive areas under its control.

Who are they?

Continuing its series of biographical sketches prepared by the Library of Congress on leading figures in the history of world communism, the committee published a document on Karl Marx, the founder of communism and the chief theoretician of its early period. Marx was a sour, brooding, truculent man; lonely, unfeeling, friendless, and in constant revolt against society. He was an intellectual fanatic, grossly intolerant, arrogant, and self-assured. Dogmatic and insolent as he was, he treated with scornful contempt everyone who did not agree with him completely on everything. He developed a completely materialistic interpretation of life which proclaimed, as one of its basic truths, unremitting class struggle, the inevitability of continuous clashes between the bourgeois and proletariat until the former class had been liquidated. This sketch of Marx is a glimpse at the mysterious processes of a life which produced the ideological base for the most devilish and menacing force mankind has ever experienced.

WORK IN PROCESS

The committee has a heavy schedule of additional hearings and investigations, reports, and consultations for the remainder of the year 1959.

Multiple Use and the Proposed Wilderness Preservation System

EXTENSION OF REMARKS

OF

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. ASPINALL. Mr. Speaker, Uncle Sam is a very important landlord. Among other properties, he possesses large areas of lands containing various resource values. Many conflicts arise in the constructive conservation and wise use of these values. Most of them must be conserved, in the general use of the term, by the landlord himself but in the development and harvesting of those which should and must be put to use, private enterprise carries the greatest responsibility. To solve the conflicts and to regulate the private development of the public's lands in the most advantageous manner for the landlord is a continuing and difficult responsibility.

Recently at the mining convention of the American Mining Congress held in Denver, Colo., the Honorable AL ULLMAN, Representative from the Second District of the State of Oregon, delivered a most interesting and constructive paper on the "Multiple Use and the Proposed Wilderness Preservation System." Because of the thoroughness, and yet succinctness, with which Congressman ULLMAN presented his subject, and the value that such address can have for all Members of Congress, I am pleased to insert it in the CONGRESSIONAL RECORD:

MULTIPLE USE AND THE PROPOSED WILDERNESS PRESERVATION SYSTEM

(Remarks of Hon. AL ULLMAN, Representative from Oregon, before the 1959 mining convention of the American Mining Congress, Denver, Colo., September 14, 1959)

It is a privilege and a pleasure to join this fine convention of the American Mining Congress and to participate in your deliberations on these matters of important public policy. As a Member of Congress and of the Committee on Interior and Insular Affairs, I feel a keen responsibility for the wise and full use of our vast public resources.

Congress, nearly a century ago, recognized that mining on the public lands should be encouraged to develop mineral resources for the Nation's benefit. Congress has since settled on a policy of multiple uses of public lands on the basis that it is not in the national interest to promote any one use unduly at the expense of other uses.

A reorganized Federal wilderness system is now being sought by some who believe that the wilderness is becoming unduly subordinated to other uses of Federal lands. The proponents of the reorganized system define "wilderness" as "an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain."

My discussion of pending wilderness measures cannot be couched in definite terms since hearings have not been held by the Committee on Interior and Insular Affairs. This, however, does not prevent me from offering definite views on the general principles and policies involved.

My statement will cover the background of the current proposals, some principles of natural resources use, the relationship with the National Outdoor Recreational Resources Review Commission, and an analysis of pending bills, departmental views, and areas of disagreement and agreement.

BACKGROUND OF THE PROPOSED SYSTEM

The wilderness bill, as it is called, first appeared in 1957 in the form of measures introduced by Senator HUMPHREY and others.

Apparently these measures had their beginning on June 4, 1948, when Congressman Raymond H. Burke, of Ohio, then chairman of the Subcommittee on Conservation of Wildlife Resources, Committee on Merchant Marine and Fisheries, asked the Legislation Reference Service of the Library of Congress to study the preservation of wilderness areas. That study was issued in 1949 as a committee print.

In 1955 an address "The Need for Wilderness Areas," was delivered in Washington, D.C., by Howard Zahniser, of the Wilderness Society. This address was inserted in the CONGRESSIONAL RECORD by Senator HUMPHREY in February of 1956.

Senator HUMPHREY's legislative draft was then prepared and it was further developed during a conference of the Federation of Western Outdoor Clubs at Portland, Oreg., in April of 1956.

Senator HUMPHREY explains that his bill assumes that we can preserve an adequate wilderness system without sacrificing other

programs, but that there will not for long be any such areas to be preserved unless deliberate steps are taken now to preserve them.

Although it is true that there has been some encroachment on our Federal and private wilderness lands, it is my belief that this threat can be well contained under a sound and balanced land use program.

Wilderness use, I think we should agree, is a valid use among others, and should take its own place in a multiple-use pattern but should not be allowed to violate the basic principal of the greatest good for the greatest number.

We are all aware of the scientific, educational, scenic, and recreational aspects of wilderness. The fact that such uses are rather intangible ought not to be allowed to reduce their importance as against tangible uses which can be more readily evaluated.

A difficult technical problem in the evaluation of any recreational use is that no economic yardstick is readily available by which to measure it. This is also true of such things as fish, wildlife, and pollution control, which are not competitively priced in the marketplace. This explains the feeling of need among many groups to seek protection in statutes.

Also, certain commercial abuses have aroused these groups, such as those occurring so often when the mining laws are exploited by nonmining interests for nonmining uses.

The Bureau of Land Management informs us that about 9 out of every 10 average mining claims are held for purposes other than mining. Public lands held for multiple uses, including wilderness, and not available under any other law, can be located under the mining laws, with no opportunity for consideration of the importance of mining compared with other uses.

A result like that in the Al Sarena case gives credence to the need for change in our mining laws or their administration.

MULTIPLE USE OF PUBLIC LANDS

The general principle of multiple use is this: Each acre or area should be used for the combination of uses in which its productivity is highest. Only in allocating each acre and area according to its productivity can we expect to reach the highest efficiency in satisfying wants. This is the key to wise use, which is the essence of conservation.

Fortunately, most of our land can contribute in more ways than one to the satisfaction of our wants. This is especially true of Federal lands that are administered under principles of multiple use.

Little of our Federal land is limited to the output of only one commodity, service, or use. Determining which acreages and how intensively to employ and develop them in each use is the basic economic problem associated with Federal lands.

The conflict between the wilderness concept and downstream water use is well known in the West. It was not until recently that emphasis has been given to the nature and extent of these differences.

Sol Resnick, a University of Arizona hydrologist, testified before the Senate Committee on Interior and Insular Affairs that upstream operations to produce added water supplies in his State would be greatly impaired if the high runoff producing areas were to be set aside in a wilderness preservation system.

It is reported that President Theodore Roosevelt, a true conservationist, in each of six annual messages to Congress, referred specifically to the benefits to be derived from reclamation. Speaking of irrigation in his message of December 3, 1906, he said: "The Federal Government should seriously devote itself to this task, realizing that utilization of waterways and water power, forestry, and reclamation of lands are all interdependent parts of the same problem."

In hearings held by the Senate Committee on Interior and Insular Affairs several years ago, Mrs. Gifford Pinchot outlines the role of her distinguished husband in the conservation movement. She said that the first of the three great purposes of Mr. Pinchot was "to wisely use, protect, and renew the natural resources of the earth." She summarized by saying, "In other words, the greatest good, for the greatest number, for the longest time."

It is important that all concerned have a clear understanding of the far-reaching extent of the present Federal wilderness system that has developed under this multiple-use concept. In the national forests, for instance, wilderness as a proper land use has been recognized as national policy for over 30 years. As of 1957, there were nearly 14 million acres in 81 different wilderness-type areas within our national forests.

The national parks are thought by the Department of the Interior to fit comfortably into the wilderness category. I believe that that is a fair conclusion. A new national wilderness system would add little or nothing to wilderness use so far as national parks are concerned.

The multiple-use policy has been extended significantly in the past several Congresses. For example, there is Public Law 585, 83d Congress, providing for mining locations on land covered by mineral leases. There are Public Laws 167 and 359 of the 84th Congress providing for the surface management of unpatented mining claims, and permitting mining locations on land reserved for power development. There is Public Law 337, 85th Congress, providing for the operation of the mining and mineral leasing laws on public lands in military reservations. There is Public Law 66, a measure that I introduced in the present Congress, providing for the recreational leasing of the so-called O. and C. timber lands in Oregon.

The economic problem of proper land use cannot be solved once and for all. The relative productivity of each acre or area for different combinations of uses changes with the changing times—as the population grows, as technology develops, as we change our tastes or desires. We must have solutions to the problem that can be adapted to changing conditions. Our success in doing so depends largely on our accuracy in anticipating the extent of future changes.

NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

There must be carefully considered the relationship of the wilderness bills to the work of the National Outdoor Recreation Resources Review Commission, of which I am a member. The Commission from the beginning has had a mission of reviewing not only public recreational resources but also public wilderness areas, and the need for them. This review is now well on its way.

I am aware that a distinction is drawn between recreation use and wilderness use. I recognize that these two uses are not exact equivalents. However, the overlapping area seems to be broad. The wilderness bills themselves hold out that wilderness areas will be used, among other things, for recreational purposes.

Among those suggesting a delay until the Resources Review Commission's report is made is the Oregon division of the Isaac Walton League. The Oregon division, at a 1958 meeting with 20 chapters represented, did not endorse the wilderness proposal, although substantially agreeing with its objectives.

The Recreation Resources Review Commission's membership includes four Senators, four Members of Congress, and seven public members. It is chairmaned by Laurance Rockefeller, of New York. The members are people who have long been identified with the broad area to be studied.

Mr. Francis Sargent, former Commissioner of Natural Resources of Massachusetts, has entered on duty as Executive Director of the Commission, and a capable staff is at work in the Commission's office in Washington, D.C.

The Commission's evaluations are to be made on a State-by-State, region-by-region, and a national basis. Local and community relationships will play an important part. The act establishing the Commission defines outdoor recreation resources as the land and water areas and associated resources of such areas of the United States and its possessions which provide or may in the future provide opportunities for outdoor recreation, irrespective of ownership.

The Commission expects to serve as a clearinghouse of information and ideas. Its review will cut across all activities dealing with outdoor land use. Its work is already in progress.

It seems desirable as orderly legislative procedure to have available the facts and conclusions developed by the Commission before any far-reaching change is made in our Federal wilderness system.

We are looking to the Commission to recommend reasonable standards for the recreational use of Federal lands, including wilderness. Catastrophe to wilderness use could not occur before September of 1961 when the Commission's conclusions are to be reported.

PENDING LEGISLATION AND DEPARTMENTAL VIEWS

There is no single wilderness bill before the Congress. Actually 11 bills are pending before the Committee on Interior and Insular Affairs. The typical bill reflects modifications based on Senate hearings and discussions in the preceding Congress. The bill's purpose has been editorially described as a "modest innovation."

The typical bill blankets all existing Federal wilderness areas into a National Wilderness Preservation System. The System would serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment, at the same time leaving the areas unimpaired for future use as wilderness. The national forests would continue to be used for multiple purposes including wilderness.

Contained are procedures for bringing national forest lands, national park system lands, national wildlife lands, Indian lands, and Federal lands of other classes within the system. Public notice and public hearings are provided for. Deadlines are prescribed. Apparently the final decisions in cases of protest would be made by the heads of agencies, reviewable by the courts only under extraordinary circumstancs.

Also provided are procedures to accomplish later adjustments such as area additions and eliminations. Each of these, so far as new authority granted in the bill is concerned, would become effective only after a waiting period during which Congress might adopt an opposing concurrent resolution.

The measures prohibit use by commercial enterprises conflicting with wilderness purposes. Of special interest to miners is a provision that would allow prospecting and mining in a particular national forest area, along with water and related road projects, only if the President determines that such use will serve the public interest.

The bill would establish a new Federal agency—the National Wilderness Preservation Council.

The House Committee on Interior and Insular Affairs has held no hearings but has available the record of Senate hearings and has received the views of several departments.

The Department of the Interior feels that the traditional method of establishing or adding to national parks by act of Congress would be preferable to the procedure offered

by the bill. Under the Department's recommendation, the highest and best use of each proposed wilderness unit would be individually examined.

The Department of Agriculture sees no need for the National Wilderness Preservation Council. The Department asked that the bill be amended to allow 15 years in which to determine the wilderness status of present primitive areas, now being restudied and reclassified.

The merit of the departmental conclusions, and that of all other matters associated with the pending bills, remain for the consideration of the committee.

AREAS OF DISAGREEMENT AND AGREEMENT

In conclusion, it seems evident that the discussion and hearings to date have indicated substantial areas of disagreement and agreement.

My own reaction is that the main disagreement to be resolved pertains to the proper organization of governmental control of Federal land use in general.

The users of Federal lands organize themselves into groups to influence Federal land-use policies and decisions and such action is often effective. A persistent question for the land administrator is how much weight to give to the presentation of a given point of view, especially if opposing views are not present or are not organized.

The most tragic blunders in public land administration usually have resulted from listening to only one of the affected sides or groups.

A few years ago the Presidential Advisory Commission on Water Resources Policy concluded that the greatest single weakness in Federal water-resource programs was the lack of coordination between Federal agencies and with State and local interests. I suspect that this is also true in Federal land-use programs affecting wilderness and other uses.

In this respect the statement of Arthur M. Roberts, of the Forestry and Conservation Association, during Senate hearings on wilderness legislation, is significant. He said: "The bill implies a dissatisfaction with the competence of the professional forester and the career land administrator. It would set the precedent of making Federal land-use decisions by a balance of political pressures rather than by the discretion of experienced career administrators as at present."

The point has been made that the quality of wilderness areas to be preserved, and not quantity alone, is important. I was impressed by a statement before the Senate Interior Committee by Keith Petrie, who styled himself as a "devoted believer in wilderness areas," but who wisely asked: "Wouldn't it be more logical to set aside smaller areas and maintain a true wilderness status along with some other areas where horses could be used, and other areas where mechanical transportation can be used?" His question suggests that greater flexibility of land use and control is needed than can be obtained through actions that can be taken only by the Congress or the President.

Concerning the present Federal program, I was particularly impressed by a grassroots statement which was made by Virlis L. Fischer, past president of the Mazamas, the well-known Oregon mountaineer club. Fischer is a man who has visited on foot every wilderness-type area in the States of Oregon and Washington. He stated that "the wilderness is not likely to disappear, because the Forest Service is doing an excellent and thoroughly commendable job of preserving it." I could venture the observation here that some commercial interests think that the preservation job of the Forest Service is a bit too thorough.

Fischer went on to say: "I further believe, and it has been well demonstrated, that public opinion is powerful enough to protect the parks in time of emergency from the vagaries of an undependable Secretary." He added: "It is even good for public opinion to assert itself on occasion."

There is wide agreement, I am sure, as Senator JACKSON has phrased it, that "it is the obligation of this generation to preserve for future generations a quantity of wilderness in its untrammeled, natural state."

The area of difference lies in how to accomplish this, the amount and location of areas to be retained in wilderness-like status, and how to reconcile the wilderness uses with other uses, in small areas and in large, so as best to serve the interests of people, locally, regionally, and nationally, and best to administer the Federal lands as a public trust.

Congressman John D. Dingell Reports to the People of the 15th District of Michigan

EXTENSION OF REMARKS
OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. DINGELL. Mr. Speaker, as I do at the conclusion of every session of Congress, I am reporting to my people on the 86th Congress, 1st session.

During this session I served on the Committees on Merchant Marine and Fisheries and on Interstate and Foreign Commerce.

I maintain two offices to serve the people of my district, one in Washington, D.C., and the other in Detroit at 7310 Grand River Avenue.

I. SUMMARY OF BILLS INTRODUCED BY THE HONORABLE JOHN D. DINGELL

SOCIAL SECURITY

H.R. 3851, to reduce the retirement age for men to 60 and for women to 55.

H.R. 3854, to raise the amount which may be earned by social security recipients, without reduction in social security benefits, from $1,200 to $1,800.

H.R. 3897 and H.R. 5923, to provide that social security beneficiaries receive 60 days of hospitalization each calendar year. H.R. 5923 is identical to the Forand bill on which hearings have been held and which a number of us intend to work to enact next session.

H.R. 3853, to liberalize the definition of permanent and total disability to allow many disabled persons now improperly excluded from disability retirement to secure benefits under that section of the Social Security Act.

CIVIL RIGHTS

H.R. 351, an omnibus bill outlawing discrimination in employment, transportation, housing, and voting, and establishing a vigorous Federal Fair Employment Practices Commission and Federal Fair Employment Practices Code. This bill would outlaw lynching and the payment of a poll tax as a prerequisite to voting.

H.R. 352, to authorize the Attorney General of the United States to file civil actions for injunction on behalf of citizens whose civil rights are interfered with or are threatened with interference.

H.R. 353, outlawing lynching and crimes of violence perpetrated because of race, creed, or color of the victim.

H.R. 354, outlawing discrimination in employment because of race, creed, or color and establishing a strong Federal Fair Employment Practices Commission to enforce fair employment practices.

H.R. 4261, to make permanent the Federal Civil Rights Commission and to enable the Commission to continue working for full equality for all under law.

FEDERAL CONTRIBUTORY HEALTH INSURANCE

H.R. 4498, to provide for a program of Federal contributory health insurance sustained by contributions from employer and employee alike to a fund like the social security trust fund. From this fund each citizen would be entitled to full payment of all hospital bills, doctor bills and medication. Thus, for the first time Americans would be offered a full and complete guarantee of effective health protection. No longer would full and adequate medical care be the property of only the well-to-do.

UNEMPLOYMENT COMPENSATION

H.R. 3558, to better provide for the needs of the unemployed by establishing Federal standards for unemployment compensation, so that payments to unemployed covered by State programs would be two-thirds of the weekly wage of the unemployed individual or half the average wage within the State, whichever is less, and to provide that duration of benefits be not less than 39 weeks.

MINIMUM WAGE

H.R. 6239, to increase the minimum wage to $1.25 an hour to raise the wage level in the low wage parts of the country. This bill would reduce the inducement of industry to move from Michigan into low wage areas.

LEGISLATION TO HALT BOMBINGS OF HOMES, SCHOOLS, CHURCHES, TEMPLES, AND OTHER BUILDINGS

H.R. 500, to outlaw transportation of explosives in interstate commerce for the purpose of destroying homes, property, or life of another. This bill was offered to help punish those responsible for bombings because of race, creed, or color and make vigorous Federal action possible in cases of this kind.

When such bombings occur under this bill it is presumed that it was done with explosives transported in interstate commerce, which would enable vigorous, immediate Federal action.

FOOD STAMP LEGISLATION

H.R. 5191, to provide for issuance by the Secretary of Agriculture of surplus food certificates to the needy and persons on welfare in the several States. Such certificates would be redeemable for surplus commodities through regular channels of distribution. This bill would distribute to the needy many foods not available under present wasteful and inefficient programs. I am happy that in part through my efforts substantially identical legislation has been enacted by this Congress and should shortly become law.

II. LEGISLATIVE RECORD OF THE 86TH CONGRESS, 1ST SESSION

A. BUDGET AND APPROPRIATIONS

Contrary to what the President would have us believe about his desire for economy, his budget requests were cut substantially by the Congress.

In his original budget to the House the President requested $74,077,609,151, providing for appropriations and other new obligational authority. His revised budget request to the Senate for this purpose was $74,859,008,445. The amount approved by the Congress was $72,977,598,352, a cut of $1,881,410,093.

In addition, the President requested $6,400 million to provide funds for lending authority within the Department of the Treasury. The amount approved by the Congress was $5,701 million, a cut of $699 million.

The total of all the President's budget requests to the House was $80,477,609,151, and his revised budget requests to the Senate totaled $81,259,008,445. The Congress cut this to $78,678,598,352, a decrease in the President's budget of $2,580,410,093.

B. IMPORTANT LEGISLATION ENACTED

HAWAII ADMITTED AS THE 50TH STATE

Public Law 86–3 admitted Hawaii as the 50th State.

EXTENSION OF TEMPORARY UNEMPLOYMENT COMPENSATION

Public Law 86–7 extended benefits of the Temporary Unemployment Compensation Act of 1958 for 3 additional months to jobless whose State payments expired before April 1, 1959.

SURPLUS FOOD FOR THE NEEDY

H.R. 8609 extends Public Law 480 for sale, barter, and donation of American surplus foods abroad but includes new provisions similar to H.R. 5191, my bill to establish a food stamp plan for distribution of surplus foods to needy through certificates issued by the Secretary of Agriculture and authorizes $250 million to carry out this program. I vigorously supported the floor amendment which accomplished this.

VETERANS

Public Law 86–73 authorizes $100 million for direct housing loans to veterans and raises interest rates on veterans' loans from 4¾ to 5¼ percent, which will again make such loans available.

Public Law 86–211 increases non-service-connected pensions to veterans of World War II, the Korean conflict, and their survivors, and establishes payments based on need. Under this law no veteran now pensioned will receive a benefit cut. It offers a substantial increase in benefits to widows and dependent children.

RAILROAD RETIREMENT AND UNEMPLOYMENT COMPENSATION ACT

Public Law 86–28 increases the pension of railway employees and liberalizes railroad employees' unemployment compensation.

HEALTH INSURANCE PROGRAM FOR FEDERAL EMPLOYEES

S. 2161 provides that the Government will pay part of the cost of private health insurance carried by Federal employees after July 1, 1960.

HOUSING, URBAN RENEWAL, HOUSING FOR THE LOW-INCOME GROUPS AND HOUSING FOR THE AGED

This Congress enacted S. 2654 to provide for housing for the aged, substantial funds for urban renewal, low-priced public housing for low-income groups, to extend for 5 years the time during which families of veterans have preference for admission to public housing projects, and to liberalize FHA mortgages to enable more Americans to own their own homes.

CIVIL RIGHTS

The Civil Rights Commission was extended for 2 years on the last day of the session by adding a rider to the mutual security appropriations bill. This was a major triumph in view of the fine report of the Civil Rights Commission.

LABOR REFORM LEGISLATION

The House and Senate after bitter debate and conference enacted a compromise labor bill. Although not in complete accord with my ideas, I did support this compromise labor bill to strike at corruption and to eliminate an issue which had diverted Congress long enough from other areas of important legislative activity.

III. LEGISLATIVE RECORD OF THE HONORABLE JOHN D. DINGELL

I have attempted to carry out a liberal, vigorous legislative program. I have taken particular interest in Federal programs for research into disease and for hospital construction. I have worked to expand the responsibilities and capabilities of the Food and Drug Administration to protect our consumers from filthy, adulterated food, from foods given chemical treatments of unknown safety, and to protect the Food and Drug Administration from constant attacks by special interest groups. I worked hard to secure enactment of food stamp legislation to help all our people have an adequate diet.

I have worked for the liberalization of the social-security program and have testified repeatedly before the Committee on Ways and Means urging liberalization of this program.

I have appeared at every opportunity before the House Committee on the Judiciary testifying for good civil rights legislation and was a sponsor of the discharge petition which brought H.R. 6127, the civil rights bill of the last session, to the floor of Congress for vote to become law. I am presently active in securing signatures on another discharge petition to bring H.R. 8601 to the floor for more progress in this most important field.

This bill provides more effective enforcement of the civil rights of Americans. The bill provides stiff penalties for obstruction of court orders in public school desegregation cases and makes flight in interstate or foreign commerce to avoid prosecution or punishment for damaging or destroying any building or other real or personal property a crime. It requires preservation of Federal election records and authorizes their inspection by the Attorney General. It would enable the Federal Government to provide for the education of all children of members of our Armed Forces, whether or not they are residents on Federal property, when public schools have been closed because of desegregation decisions or orders.

I worked for legislation to raise the minimum wage and to assist the unemployed of the city of Detroit and State of Michigan by enactment of minimum standards for unemployment compensation.

During previous sessions of Congress I supported S. 2888, a stringent reform bill requiring registration, reports and full disclosure of all welfare and pension funds, which became law. During the 85th Congress I supported the Kennedy-Ives bill to reform and clean up corruption in the labor movement. That bill was defeated by Republican Members who wanted an issue and no legislation. This session I supported the Kennedy-Elliott labor reform bill reported by the the House Labor Committee. I opposed the so-called Griffin-Landrum bill because it was an effort by antilabor groups to injure the rights of honest working men and women under the guise of striking at corruption and racketeers.

The Griffin-Landrum bill would have favored sweatshops and low wage nonunion areas to the injury of our Michigan businessmen, industries, and workers. It would have been a major inducement for Michigan industry to move to low wage areas which under that bill could not be organized so that workers could achieve a fair wage.

Visit of Nikita Khrushchev

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. DULSKI. Mr. Speaker, I was shocked when I read in the press about the Department of State's preparations for the welcoming ceremonies for Mr. Nikita Khrushchev. His visit to the United States is an insult to all of the subjugated nations for whom America is the ideal of democracy and a beacon of hope. It blasts the hopes of captive people everywhere and strengthens the hand that holds them down.

Moral principle alone should dissuade us from conferring respectability and legitimacy to our enemy. Passage of time does not outlaw the murder of an individual or a nation, and Mr. Khrushchev is the ruthless dictator who ordered Russian tanks to smash the Hungarian freedom movement, rose to prominence as the hangman of the Ukraine, and maintains himself in power as the butcher of Budapest.

May I remind you of some of Mr. Khrushchev's statements such as, "We shall bury you" and "Your grandchildren will live under socialism," and I charge that he has no interest in peace and never intends to make any contribution toward it.

I characterize this visit as a 1959 Pearl Harbor by the Premier of the most brutal

government and political philosophy of all history. I warn that we must not become infected by the Communist virus being brought here by Nikita as a representative of a system of atheistic tyranny.

While the Premier is here, church bells should ring on behalf of the people slaughtered behind the Iron Curtain, and prayers should be said over and over again for the enslaved people of the world and true peace on earth.

Let us not overlook the fact that the President of the United States is the head of a state and is entitled to a higher degree of courtesy than Mr. Khrushchev who, technically and legally, is not the head of a state.

Summary of Veterans' Legislation, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. TEAGUE of Texas. Mr. Speaker, during the 1st session of the 86th Congress 16 bills have been enacted into law which originated in the Committee on Veterans' Affairs.

The substance of this legislation is important, and I think that the 1st session of this Congress has indeed been an outstanding one insofar as the subject of veterans' legislation is concerned.

I list below a summary of our activities, showing the 16 laws enacted as well as the bills which have been passed by the House and are pending in the other body, and the bills which have been reported and are awaiting disposition of the House during the second session.

VETERANS' LEGISLATION

The 1st session of the 86th Congress has been most productive insofar as legislation for veterans and their dependents is concerned. Our program for veterans and their dependents is unequaled anywhere else in the world, and the most important veterans' bill considered each session is the Veterans' Administration appropriation bill which finances the operation of our extensive veterans' program.

There are 22,600,000 veterans living in the United States. The Nation's veterans, together with their families, make up about 45 percent of the total population of the United States. The Veterans' Administration is the third largest agency of Government in expenditures. Its operations are exceeded only by the Department of Defense and the Department of Agriculture. Seven percent of the Treasury's income from taxes is spent on veterans' benefits.

The Veterans' Administration operates 170 hospitals and on any average day the Veterans' Administration's patient load exceeds 114,000. The insurance program operated by the Veterans' Administration is the biggest undertaking of its kind on earth. The face value of Government life insurance policies for veterans is valued at nearly $43 billion and there are over 6 million policies in force.

The veterans' housing program is an important phase of the Nation's housing program. We are inclined to think of the Federal Housing Administration as the principal housing agency, but the fact is that in recent years the Veterans' Administration has been responsible for a greater volume of private residential housing than has the Federal Housing Administration. Under the housing programs for veterans of World War II and Korea, a total of $46 billion has been loaned. The Veterans' Administration has guaranteed more than $25 billion of this amount. The Veterans' Administration has had very satisfactory repayment experience and losses on veterans' loans have been less than losses on conventional loans.

More than 10 million veterans have been trained under the education and training programs administered by the Veterans' Administration. One-half of all World War II veterans received some training. Two out of every five Korean veterans have enrolled in training. Total expenditures on educational benefits for World War II and Korean veterans has now exceeded $20 billion.

The compensation and pension programs account for the biggest single area of expenditure in the Veterans' Administration. We spend just over $2 billion annually on compensation for service-connected disabilities and service-connected deaths. We spend about $1,150 million on pensions for veterans and dependents. Our total expenditures for both compensation and pension for next year will be $3,307 million. These payments go to 3 million veterans, widows, and dependent children.

To finance this extensive program for veterans and their families, it is necessary that the Congress appropriate more than $5 billion each year. The appropriations bill for this fiscal year for the Veterans' Administration was $5,042,544,000. The magnitude of this figure certainly makes it obvious that the most important piece of veterans' legislation going through the Congress each year is the VA appropriations bill.

In addition to appropriating funds for the continuance of veterans' programs already in operation, the Congress passed a number of laws which amended and extended existing programs.

VETERANS' HOUSING

Public Law 86–73 makes an additional $100 million available to the Administrator of Veterans' Affairs for immediate use in the direct home loan program. Congress made these additional funds available for the purpose of reducing extensive waiting lists which had developed throughout the country. Under the direct home loan program the Veterans' Administration makes home loans to veterans residing in small towns and rural areas. Private financing has not been available in smaller towns and rural communities and it has been necessary for the Congress to make funds available to the Veterans' Administration for direct loans in these areas. The demand for financing has always exceeded the supply of money. Early in this year the waiting list of applicants had reached 58,000 throughout the United States and the limited amount of money available to the Veterans' Administration was totally inadequate. The additional $100 million was made available for the specific use of the Veterans' Administration in reducing waiting lists.

This same act permitted the Administrator of Veterans' Affairs to raise the interest rate on Veterans' Administration guaranteed and direct loans not to exceed 5½ percent per annum. The provision of law requiring the Veterans' Administration interest rate be not less than ½ percent below the FHA rate was repealed.

This same legislation authorized the Administrator of Veterans' Affairs to refuse to appraise homes for builders and lenders suspended by FHA.

Public Law 86–239 expends the program of assistance for severely disabled veterans in acquiring homes equipped with special facilities made necessary by the character of their service-connected disabilities. This act brings into this program those with compensable permanent and total disabilities incurred when such disability includes, first, blindness in both eyes, having only light perception; plus, second, loss, or loss of use, of one lower extremity such as to preclude locomotion without the aid of a wheelchair. Also, it removes the limitation that where eligibility is based on loss, or loss of use, of both lower extremities that such loss must have been due to certain specified conditions.

GUARDIANSHIP

Public Law 86–146, commonly known as the guardianship bill, was enacted to establish better controls over the estates and funds of incompetent veterans where the veteran is under a guardianship and does not have close relatives. In the past, some of these individuals have accumulated large estates and upon their death these estates were passed on to distant relatives, who had little or no close connection with the veteran and no legitimate claim to funds paid by the Treasury for the veteran's benefit.

Public Law 86–146 restricts payment upon death of an incompetent veteran of gratuitous veteran benefits deposited in the "personal funds of patients' trust fund" to a wife, child, or dependent parent. If the veteran does not have relatives in these categories, the funds are returned to the Treasury of the United States. This legislation provided a control on the building up of estates by incompetent veterans receiving hospital care at public expense. This step was taken to prevent the accumulation of large estates. Where the veteran is hospitalized in a State institution, his funds can be used to pay for his care.

FORFEITURE

Prior to the passage of Public Law 86–222, the Administrator of Veterans' Affairs had the authority to forfeit the rights of veterans, widows, children, and dependent parents to all gratuitous benefits under laws administered by the Veterans' Administration. Forfeiture was authorized in two categories:

First. Where the Administrator finds the one claiming benefits has been guilty

of mutiny, treason, sabotage, or rendering assistance to an enemy;

Second. Where a false or fraudulent statement has been made concerning any claim for benefits.

The forfeiture decision of the Administrator was final and not subject to review in the courts. Forfeiture, if adjudged, forfeits all benefits and continues for the lifetime of the forfeited individual, unless pardoned by the President.

This law continues the authority of the Administrator to forfeit in all cases where the guilty person resides, or is domiciled, outside the jurisdiction of the U.S. courts.

Where the accused resides, or is domiciled, within the United States at the time of the offense, the new law eliminates the authority of the Administrator to impose a forfeiture based upon false or fraudulent statements. Forfeitures previously imposed are not affected. This law also provides for automatic forfeiture of rights to gratuitous veterans' benefits in all cases of conviction of certain specified offenses involving loyalty or security. A Presidential pardon restores the right to benefits.

Authority of the Administrator of Veterans' Affairs to make an apportionment award of disability compensation to dependents of veterans in cases of administrative forfeiture for fraud or forfeiture for offenses involving loyalty or security is terminated.

COMPENSATION

Public Law 86–187 increases the presumptive period for service connection for the disease of multiple sclerosis from the present 2-year period to 3 years.

Public Law 86–188 provides that Hansen's disease—leprosy—developing to a degree of 10 percent within 3 years from the date of a veteran's separation from service shall be considered to be service connected.

Several other bills relating to compensation were being processed by the Congress when it adjourned. This legislation carries over to the second session.

The House had passed and sent to the Senate H.R. 268 which provides a statutory award of $47 a month for deafness in both ears, having absence of air and bone conduction.

H.R. 283, pending in the Senate, provides that if a veteran, as a result of a service-connected disability, has suffered the anatomical loss or loss of use of one foot, or one hand, or one or more creative organs, or both buttocks, or blindness of one eye, having only light perception, the rate of compensation therefor shall be $47 per month for each such loss, or loss of use of, independent of any other compensation provided. Present law limits payment to one statutory award of $47 per month for all such losses, except where the losses are in addition to other combinations of disabilities specified in the law. Under this bill, the total payment in any case may not exceed $309 unless the loss or loss of use is in addition to certain combinations of disabilities specified in the law, in which event the total payment may not exceed $450. The loss of more than one creative organ would, for this purpose, be considered a single "loss." In peacetime cases the rates are 80 percent of the above-mentioned rates.

H.R. 5996, pending in the Senate, authorizes payment of a lump sum of the total amount of compensation, representing the statutory awards of $47 monthly for the anatomical loss, or loss of use of, a creative organ and $67 monthly for arrested tuberculosis, which would have been payable for the period August 1, 1952, to date of bill's enactment had claim therefor been filed on August 1, 1952. This bill applies to cases in which condition was determined to be service connected before August 1, 1952, and would require reduction of amount payable by any such statutory awards paid during that period.

H.R. 7211 has been reported by the House Veterans' Affairs Committee and was pending on the House Calendar when the Congress adjourned. This is a very important bill which establishes a new statutory rate of disability compensation for certain service-connected seriously disabled veterans. A monthly rate of $265 would be authorized for a veteran who has a service-connected disability rated as total and, one, has additional service-connected disability or disabilities independently ratable at 60 percent or more; or, two, by reason of his service-connected disability or disabilities is permanently housebound.

PENSIONS

The non-service-connected pension legislation enacted this session of Congress for veterans and widows is the most important veterans' legislation of this session. The new pension act, Public Law 86–211, modifies the non-service-connected pension program for veterans of World Wars I, II, and the Korean conflict and for their widows and children. This bill will provide $308 million in additional benefits during its first year of operation. It will provide more than $1 billion in additional benefits during its first 5 years of operation. Seventy percent of all pensioners, married and single veterans, widows, and orphans, or 838,000 cases, will get substantial raises in pensions under the new act. Seventy-two thousand veterans and widows will be added to the pension rolls because the income limits are being raised from $1,400 to $1,800 for the single person and from $2,700 to $3,000 for the married person. Two hundred and six thousand widows of veterans of World War II and Korea will be added to the rolls as a result of the equalization feature which makes widows of veterans of World War II and Korea eligible for a pension on the same basis as widows of World War I veterans. This extremely important provision will provide $22 billion in benefits to widows and dependent children in the next 40 years.

The new pension act will help a total of 1,116,000 veterans, widows, and children during its first year of operation. The new act will become effective July 1, 1960. Any person on the rolls on that date will have the privilege of remaining under the old program, with no change in pension rate, or eligibility status. If a person can benefit under the new act and, as has been pointed out, 838,000 cases on the rolls will benefit under the new act and may choose to elect the higher benefits of the new program.

The new pension act brings into existence several new concepts. The non-service-connected pension programs for veterans and widows of World Wars I, II, and Korea have been based on the concept of need. However, the needs test operated unfairly in some instances and were ineffective in others. The new pension legislation creates the sliding scale concept of need. In other words, the veteran or widow with very little other income or resources receives more, while the veteran with substantial outside income and other means receives correspondingly less.

The new law and the Veterans' Administration regulations regarding counting income are approximately the same with one or two important exceptions. Under the new program all income from private and public retirement systems, annuities, endowments, and the Social Security program are counted as income after the individual has received payments back from those programs equal to his contributions. The income of the spouse, if not estranged, is counted as income except that $1,200 of the spouse's income is exempt. The new pension act grants discretionary authority to the Veterans' Administration for finding the net worth of the veteran, or widow, or child, which could lead to a determination that the applicant is not eligible for a pension because of high net worth. This provision has operated in the past in the case of dependent parents. It has been applied generously by the Veterans' Administration and has served to exclude only those individuals with very substantial net worth, who are not actually in need of help.

The new pension act does not change the basic eligibility requirements which now exist. A veteran must have served 90 days during a period of war and must have received an honorable discharge and his disability must not be the result of willful misconduct or vicious habits. The Veterans' Administration maintains a schedule of required non-service-connected disabilities in conjunction with age. At age 65 or over, only a 10 percent disability is required. Under 55, a veteran must have a single disability of 60 percent or two or more disabilities, one of which is 40 percent in degree, combined with other disabilities to a total of 70 percent. For the intervening age group of 55 to 60 and 60 to 65, the percentage of disability is reduced. The Veterans' Administration must make a finding that the veteran's disabilities are permanent in nature and as a result of the disability the veteran is unable to secure and follow substantially gainful employment. Upon being determined eligible under these requirements, the veteran is subject to the income limits which I have described. These income limits are being changed by the new legislation to the sliding scale concept. The detailed schedules are available for those who are interested.

The non-service-connected pension programs have been liberally administered by the Veterans' Administration. The non-service-connected pension rolls

for living veterans are increasing by more than 10,000 a month. It is estimated that by the end of 1961 half of all living World War I veterans will be on the non-service-connected pension rolls.

EDUCATION AND TRAINING

Congress passed two laws this session relating to education and training programs.

Public Law 82–236 provides war orphans' educational assistance to children of veterans of the Spanish-American War where the veteran dies as a result of a disability incurred in or aggravated during that period of service. The orphans of World Wars I, II, and Korean veterans are now eligible. Many persons were surprised when this legislation was being considered in Congress to learn there are 33 children of Spanish-American War veterans young enough to participate in the program.

Congress passed another law liberalizing the provisions of the education and training program for Korean veterans which relates to changes of program. This amendment provides that a veteran may change from one program to another where the first program is a prerequisite or generally required for entrance into pursuit of the second program. This will not be counted as a change.

There are several important bills for educational benefits which have passed certain stages of the legislative process and which will be before the Congress in the next session.

H.R. 4306 will extend educational assistance for children of persons who die as the direct result of armed conflict or while engaged in the performance of extrahazardous service during peacetime after January 31, 1955, and before the end of compulsory military service. This bill has passed the House and is pending in the Senate.

The Senate has passed and sent to the House S. 1138, known as the peacetime benefits bill. This bill provides for education and vocational training, vocational rehabilitation for those veterans who suffered service-connected disabilities, and guaranteed and direct loan assistance in the purchase of homes, farms, livestock, and machinery to be used in farming operations. This bill is also limited to those veterans who entered service after January 31, 1955, and will be before this committee next session.

MISCELLANEOUS LEGISLATION

Other legislative acts passed by the Congress in the first session are as follows:

Public Law 86–103 extends for 10 years—until June 30, 1970—the present authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

Public Law 86–109 requires that the Veterans Canteen Service pay reasonable charges for the use of space, buildings, and structures furnished by the Veterans' Administration, the amount of charges to be determined by the Administrator of Veterans' Affairs.

Public Law 86–113 liberalizes statutory bar to benefits available to a veteran discharged during a period of hostilities on his own application or solicitation as an alien by presuming that he was not so discharged in the absence of affirmative evidence establishing the fact.

Public Law 86–116 grants to employees of the Manila, Republic of the Philippines, office of the Veterans' Administration, who are U.S. citizens, certain allowances and benefits similar to those enjoyed by Foreign Service personnel—transportation, home leave, and so forth.

Public Law 86–152 extends authority of the Veterans' Administration to provide hospital and medical care abroad to include U.S. citizens temporarily residing abroad who require hospital care and medical treatment for peacetime service-incurred disabilities.

Public Law 86–195 includes as a "child" for purposes of laws administered by Veterans' Administration, with certain exceptions, one who was a member of the veteran's household at the time of his death and who was adopted by the veteran's spouse within 2 years after the death, unless at the time of the veteran's death the child was receiving regular contributions toward his support from some individual other than the veteran or his spouse, or from any public or private welfare organization furnishing services or assistance to children.

Public Law 86–212 makes applicable to a competent veteran who disappears the provisions of existing law which provide that where an incompetent veteran who is receiving compensation for a service-connected disability disappears, the Veterans' Administration may pay to his wife, children, and parents the compensation otherwise payable to such veteran, amounts payable to each not to exceed the amount payable if the veteran had died from a service-connected disability.

The House has passed and sent to the Senate H.R. 270, which increases the monthly pension payable to holders of the Congressional Medal of Honor from $10—payable to those honorably discharged upon attainment of the age of 65 years—to $100—payable at any age and without regard to whether the holder was discharged or is on active military duty.

Goals and Hopes, 1959: Some Achieved, Others Remain

EXTENSION OF REMARKS

OF

HON. THOMAS H. KUCHEL

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, a statement by me on the achievements of the 1st session of the 86th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

When this 86th Congress assembled last January, the people were told of ambitious programs of legislation which would be enacted and there were predictions that a host of national problems would be attacked vigorously and effectively.

A backward look shows, I deeply regret to say, that in truth one must search painstakingly through the record of the first session to find noteworthy achievements. Though we passed several excellent pieces of legislation, much more remains to be done if we are to discharge our responsibilities to the Nation. Thankfully, a number of measures with unquestioned merit passed one branch or the other, or were put on the calendar ready for early consideration, and can be enacted in the coming year providing a spirit of determined cooperation motivates the second session.

The characterization that some 1959 goals were achieved relates directly to legislation which I have no hesitation in describing as truly significant and constructive and with which I personally had more than a little to do. The Labor-Management Act of 1959 will stand as a monument to the ability of Congress to subordinate selfish interests, to resist intimidatory pressures, to respond to the will of the people, and to approach a pressing national problem from the viewpoint of the overwhelming public interest. The admission of the territory of Hawaii to our Union as the 50th State is a heartwarming and an inspiring demonstration that America not only preaches but in the fullest sense of the word practices democracy in its highest sense.

The labor reform law is without doubt the outstanding legislative accomplishment. This long-overdue statute will protect the public and the members of labor organizations as well against selfish and unprincipled abuses at the hands of some arrogant labor bosses who regrettably have achieved positions of great power. It does not damage or threaten to harm trade unionism. It will put an end to unwholesome conspiracies between a minority of conscienceless employers and labor leaders.

I am gratified that the final version of this legislation contains, with some minor modifications, the compromise bill of rights for union members, which I had the honor of sponsoring in the Senate. As a result, the rank-and-file cardholding laborer in America now is free to speak up in defense of his opinions, to advocate policies and practices in the conduct of union affairs, and to enjoy all of the rights of self-determination within his labor organization which the United States advocates in the field of political government.

In admitting Hawaii to our Union, the 86th Congress has strengthened our Nation and provided encouragement to peoples of many races praying for recognition and greater dignity. I was ranking minority member of the subcommittee which drafted the Statehood Act. Our most distant 50th State will be a meeting place for the ideologies, the religions, the cultures, and the social beliefs of the East and the West. Now enjoying all the benefits of statehood, Hawaii beckons to other polyglot areas of the globe as a beacon showing the way for those with determination and faith. The island State will be a symbol for others working for unconditional acceptance in the family of nations.

The inventory of creditable legislative actions properly should include the measures to resolve the fiscal difficulties which threatened continuance of our Interstate Highway System and to extend the Federal program of investigation into the grave national problem of air pollution. Less satisfaction can be derived from the manner in which there finally came laws extending Federal aid for airport improvements and continuing assistance in the field of housing.

Only partial progress was made toward carrying out President Eisenhower's imaginative and dynamic recommendations for

further steps in the international field, moves which would have carried forward U.S. efforts to bolster the prospects of long-lasting peace through building up less fortunate nations and for countering the Communist threat of economic penetration.

As a convinced supporter of our President in the field of foreign policy, I was happy to have the opportunity to vote for additional moneys for the Development Loan Fund and for establishment of the Inter-American Development Bank. These are meritorious investments in the cause of democracy and peace. I am heartily in accord with the principle of placing greatest possible emphasis on loans in place of grants.

The Inter-American Bank is an especially commendable enterprise. Together with other free republics of the Western Hemisphere, we are sharing in providing the capital for this institution in proportion to our capacities and resources. This is a worthwhile example of international partners putting their shoulders to the wheel in a common interest.

Two years ago, after a thorough review of our mutual-security program, the Development Loan Fund was created. It is to the great credit of Congress that this constructive supplement to our foreign economic policy has been supported with actual appropriations, although not as liberally as circumstances require. This Fund exists to help the economic development of peoples less fortunate than ourselves. It does so by providing long-term repayable loans, instead of grants or gifts, to economically and technically sound projects in a characteristically American fashion.

The question may be asked, Why do we need more such programs and institutions? The answer can be found in recent challenges flung by Soviet Premier Khrushchev. He has emphasized the Communist intention of infiltrating neutral nations, and even those siding with Western democracies, by economic means. The Soviet leader himself supplied the explanation when he told a group of the Senate: "We value trade least for economic reasons and most for promoting better relations between countries." Stated less diplomatically, this means simply using aid and trade to advance the spread of world communism. The United States cannot afford to lose by default in this field of competition.

In the same way, I felt we were taking constructive action by responding to the President's recommendations in the area of national defense. For myself, I regret some reductions were made in appropriations for certain of the mutual-assistance programs, inasmuch as I am thoroughly persuaded we must continue providing military aid to free peoples.

The negative or debit side of the congressional ledger is a cause for disappointment and, in a sense, stands conspicuously as a shameful blot.

It is deplorable the 86th Congress lacked the fortitude to subscribe entirely to the President's proposals for reinforcing the Treasury's fiscal position by removing an unrealistic interest ceiling which handicaps the sale of Government securities.

Who can enjoy peace of mind in regarding the perpetuation of the farm surplus mess, the refusal to deal realistically with the folly of maintaining a $9 billion accumulation of warehoused agricultural products, and the unwillingness to revise the unworkable price support formulas?

The disgraceful postponement of additional civil rights legislation which the President recommended looms as a painful obstacle in the way of attempts to guarantee minorities of American citizens full enjoyment of the prerogatives and privileges due under our Constitution.

While the Senate in the early days of the session approved a change in rules relating to cloture, my own view is that very little was accomplished in effectively providing for the elimination of the undemocratic filibuster from the Senate. In the closing days of this session, we continued the Civil Rights Commission amid a general commitment that the balance of the President's civil rights proposals will be debated early next year. That will give the country an opportunity to judge whether or not the Senate rules change gives us any more opportunity to proceed, in orderly fashion, toward a final vote on public questions. Let it be clearly understood that the Senate Judiciary Committee has refused to approve any civil rights proposals at all. Thus, if a motion is made to take from the committee any bill on this subject, it is easy to prophesy that an animated talkathon will be launched by way of preventing a vote on the motion. That will be the time to judge whether the rules change is effective. I suggest that if there is to be any civil rights legislation along the Eisenhower lines, it will be the Members of the party of Lincoln who will be required to lead the fight to win.

The slim record of achievement during the recently ended session may be due in large part to the fact that the United States is passing through another one of our occasional cycles of divided governmental responsibility.

With a Chief Executive and Cabinet from one party and with the leadership and the preponderant majority of the Congress representing the opposite political faith, controversy and disagreement were understandably inevitable. To the undeniable credit of the greatly outweighed Republican minority and a segment of Democrats with capacity to rise above partisanship, the brakes were applied successfully to a variety of ill-advised, hastily conceived, freewheeling, spending proposals. The taxpayers of our Nation should feel grateful that we in the minority thwarted a gigantic would-be boondoggle appealingly put forward under the label of aid to economically distressed cities, and that by upholding two Presidential vetoes we forced abandonment of most objectionable giveaway features of the housing bill.

The curse of air pollution, which first was recognized as a real menace as well as an exasperating inconvenience in my own State of California, has been the target of scientific attack by Federal agencies in support of many local, private, State, and other non-Federal groups for a number of years. The Congress which just adjourned gave renewed assurance that resources, know-how, and facilities of the U.S. Public Health Service, the Bureau of Mines, the Bureau of Standards, and other Federal units will be utilized further in the war on smog.

As I pointed out to the Senate several times, this problem is national in scope and significance. There is no denying that while much has been learned regarding causes and character of this phenomenon, our engineers, chemists, physicists, and other technical experts still do not feel they are on the verge of any breakthrough in solving it. Therefore, it would have bordered on the ridiculous to continue the Federal research and investigation program for only 2 years. That was why I insisted the public interest can best be served by a 4-year extension of the 1955 act, which I also had the honor of authoring. Hence, I am heartened the 86th Congress concurred in my urging that this activity be authorized for continuance until at least June 30, 1964.

The threatened breakdown of our highway construction program has been averted, although the way chosen out of our fiscal dilemma is not 100 percent satisfactory. It would have been far wiser and sounder had we raised the gasoline tax 1½ cents for 4 or 5 years, in accord with the recommendations of the President and his advisers. I fear that in these days of ever-mounting demands on the Federal Treasury we will confront another crisis less than 2 years hence.

Writing a promissory note in the form of future diversion of some of the automobile excise taxes in order to pay the Federal share of interstate highway projects is liable to mean only a new necessity of finding a source of replacement revenue to maintain our level of governmental income for general purposes.

It was a matter of pleasure for me that the Congress did see fit to enact some legislation providing limited welfare benefits for our people. In this field, I was happy to be cosponsor of the bill, which now is law, increasing assistance to retired railroad workers and to have brought about inclusion of California firemen and policemen in the social security system.

Some measures which I had the privilege of cosponsoring moved through the Senate and may next year be approved by the House and thus in time constitute forward progress. Among these are a resolution creating an international medical research institute, to pool the knowledge of many nations in the hope of conquering diseases and ills which know no national boundaries, and another setting up a commission to deal more imaginatively and effectively with recurrent unemployment.

In the next session, I also trust that, after years of delay and uncertainty, decisive action will be taken on legislation to provide local governments with limited payments in lieu of taxes which constitutionally cannot be levied on Federal property. The experimental bill, of restricted scope, of which I am a cosponsor, finally received endorsement of the Government Operations Committee and is on the Senate Calendar. This measure, despite its conditional application, would lighten the financial load on many counties in California, where the Federal Government owns almost half of all the land.

The constant hopes of California for Federal assistance in dealing with and overcoming recurrent water problems were borne out to varying degrees in the 1959 session.

A meaningful and reassuring step forward in this field was the decision to provide funds with which the Reclamation Bureau may plan for and proceed with installation of hydroelectric generating facilities at Trinity Dam. This immense new unit of our Central Valley project is progressing ahead of schedule; hence, it would have been foolhardy and undeniably contrary to the national interest to delay longer this decision. In the long run, I am certain the Nation along with California will rejoice that the attempt to emasculate the Trinity law under the guise of a mislabeled "partnership" in power production failed again in the House of Representatives. With this beguiling but unwise proposition buried, the Federal Government now can go ahead at full speed to make certain the Trinity unit will be able to grind out kilowatts as a byproduct to delivering life-sustaining water when the reservoir reaches a working level in 1963.

The first session took commendable action toward satisfying southern California's mounting requirement for added water for domestic, industrial, and municipal purposes and simultaneously meeting central California's acute immediate need for supplemental supplies for agricultural use when the Senate approved the San Luis legislation which I introduced with my colleague, Senator ENGLE, as cosponsor.

Despite heated controversy over the right of Californians to distribute and utilize their own water subject only to limitations in State laws enacted by their own legislature, the measure authorizing joint Federal-State construction of San Luis Dam and Reservoir now is in position for favorable final action early in 1960. As this bill has been reported to the House, I trust that before this time next year Congress will have placed its stamp

of approval on the forward-looking plans for building facilities on the west side of San Joaquin Valley essential to rescuing agricultural lands threatened by falling water tables and imperative in bringing into reality intrabasin transfers which will provide added quantities for the thirsty coastal areas from Santa Barbara south through Los Angeles to San Diego.

Similarly, California as a whole can applaud the creation by the Senate of the Select Committee on National Water Resources. With shortages threatening in many areas, new requirements materializing, and pollution uncontrolled, this body of which I am vice chairman will strive to chart a course by which the United States can rectify the shortcomings of nature, profit from the ingenuity of the human mind, adapt new technical and scientific methods, and lay the groundwork for programs carrying the United States into a richer future.

Ever grateful for Federal assistance in conserving and utilizing its water resources, California once more is indebted to the Congress and the executive branch of the Federal Government for continuing aid in protecting its people and their material developments against ravages of nature.

Further participation of the Army Engineers in flood prevention and flood control projects will enrich our State and in turn benefit the entire Nation. With 1960 funds provided for public works, planning and construction will be carried on the length and breadth of our State with such widely separated developments as San Jacinto River-Bautista Creek in Riverside County in our southernmost extremity and the Eel River in the northern Redwood region.

The appropriations will finance continuance of works in the populous Los Angeles metropolitan area, and Black Butte Dam on a tributary of the Upper Sacramento River, and permit a start on New Hogan Dam on the eastern edge of the Central Valley. Funds contained in the 1960 Public Works Appropriation Act will bring near completion badly needed harbors at Playa del Rey and Port Hueneme, and will make possible desperately required improvement at the Port of Redwood City and at Half Moon Bay. Among the long-range flood protection programs which now can be prosecuted with unrelenting vigor are those in the Santa Ana River Basin and on the lower San Joaquin and the Sacramento Rivers.

With our population having passed 15 million and considering our vast area of nearly 160,000 square miles, California requires Federal assistance in these fields. The Congress recognized this by providing $57,082,000 for building and $117,000 for planning flood control works, as well as $13,128,000 for prosecuting improvements of rivers and harbors for navigation.

In addition, because the constant growth and undiminished development of our State mean we must ceaselessly anticipate future needs, the 1960 funds include $575,000 for navigation surveys and examinations and almost $310,000 for flood control investigations.

One highly significant action by the 86th Congress illustrates how the Federal Government can extend a helping hand to local groups who wish to overcome their own problems.

The recent session wisely provided upwards of $10,764,000 for six small water supply and water distribution projects in California which have been planned and engineered by and will be built by local conservation and irrigation districts. These loans under two farsighted laws enacted by the 84th Congress to supplement and complement undertakings by the Federal Government will be repaid by the local groups so that no net expenditure is imposed on the National Treasury, yet Congress contributes toward material progress in overcoming serious water shortages.

By this means, brighter opportunities will be opened for residents of the Chowchilla, Saucelito, Santa Ynez, Pleasant Valley, Georgetown Divide, and Jackson Valley areas of my State.

Forest resources of California are tremendous. Millions of acres of timberland held by our Federal Government are of great present and even greater potential worth to the entire Nation, as well as to the citizens of my State. It is gratifying, therefore, that the 86th Congress made possible a beginning of the comprehensive program for broader utilization and better protection of our national forests. I was happy to have a chance as a member of the Appropriations Committee to support items for fire prevention and suppression, especially in the thickly settled southern California coastal plain, where serious blazes present a subsequent menace of disastrous floods, and for additional access roads so tourists, vacationists, and sportsmen, as well as lumbermen, may derive ever-increasing benefit from remote locked-up areas.

The record of the 1st session of the 86th Congress may not be brilliant in comparison with past performance, but the manner in which it was carried on demonstrates the merits and advantages of our traditionally American two-party system.

Our concept of liberty, based on freedom of choice at the ballot box, can be translated into action only through the vigor of our political organizations and the earnestness of the elected representatives of the people. As Senate minority whip, I am devoted, along with my Republican colleagues, to strengthening our party and making it responsive to the needs of the people.

The final decisions reached by majorities of conscientious, patriotic legislators guarantee the permanence of government of the people, by the people, and for the people, in the Lincoln tradition. Our kind of free government would be impossible under patchwork coalitions which guide some Western nations or under the subservient followers of one-party dictatorships that characterize other lands, both inside and outside the Iron Curtain.

The Republican Record in the 86th Congress, 1st Session

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CHIPERFIELD. Mr. Speaker, the Republican Party gave America three great gifts in the 1st session of the 86th Congress.

A major breakthrough on world peace.

A closely balanced budget.

A law to clean the crooks and power-grabbers out of unions.

Not one of these tremendous attainments would have been given a ghost of a chance last January. And Democrats fought the balanced budget and effective labor reform right down to the wire.

The breakthrough for peace was a personal victory for President Eisenhower. His European visits cemented Western unity in advance of the exchange of visits between himself and Nikita Khrushchev. Coupled with Vice President NIXON'S triumphant trips to Russia and Poland, the President's mission erased the myth that America has no friends abroad. America can be proud of them both.

Though no one man, no one party, and no single nation can guarantee a permanent peace, the Republican President has taken the boldest, most imaginative steps toward that goal of any statesman on the globe.

Today the whole world knows—and Khrushchev had the opportunity to learn—that the cold war can be brought to an end. The world already knew that under President Eisenhower's leadership peace has been maintained for 7 years, without appeasement of Russia or Red China.

The nearly balanced budget represents another Republican miracle. And clear proof that voters will respond to a sound, pay-as-you-go principle in Government finance, resisting the "free money" bait which the Democrats attached to nearly the whole of their vast spending programs.

The 1st session of the 86th Congress once again established the Republican Party as the party which stands for a sound, honest dollar.

The first session also reestablished the Democrat Party as the spending party. The session had scarcely begun before the spenders had introduced bills carrying an estimated 5-year price tag of more than $117 billion, most of it in addition to the carefully trimmed $77.1 billion budget submitted by the President.

Democrats advanced budget-busting airport, housing, and community facilities measures, but no plan for financing these projects. The delicately balanced budget depended upon additional revenues before new programs could be undertaken.

By the end of the session, action or inaction by the spenders had pushed the budget figure up to nearly $79 billion. While they trimmed regular appropriations requests, they boosted authorizations for future spending, some of it by the back-door route which bypasses the regular appropriations committees. The so-called decreases do not cover, for example, $231 million in authorizations for back-door spending not sought by the President.

Nevertheless, a near miracle occurred. The pace of the spenders slowed. Repeated warnings by the President and the Republican leadership brought carloads of mail demanding economy. The Democrats' wasteful housing bill, after a series of setbacks, including two Presidential vetoes, was revamped to the administration's position and passed. The spenders' bills seeking wildly extravagant funds for depressed area relief and aid to education failed to emerge. The spenders' wasteful proposals for airport construction were abandoned in conference, and a less costly measure substituted.

It is clear that, but for Republican leadership, backed by strong public demand for economy, 1960 Federal spending would have been far more than the total finally approved. There is a chance

that a balanced budget, as sought by the President, may yet be achieved before the close of the fiscal year because of revenue increases.

Strong and constructive labor reform legislation was another Republican achievement which seemed impossible last January. Efforts to strengthen the Taft-Hartley Act failed last year. Few thought a good bill could survive this year.

And here the Democrats presented a curious spectacle. On the one hand, a special Senate committee had produced the evidence of union abuses which clearly showed a strong bill was necessary. Yet somehow the Democrats sponsored only weak bills in which they had considerable help by union bosses.

The turnaround came after President Eisenhower's televised address to the Nation which crystallized the whole picture of union corruption and the need for a cleanup law. Again a courageous band of Republicans in Congress followed through on the public demand for reform which the President's address created.

The Landrum-Griffin bill, as finally signed by President Eisenhower, is not an antilabor bill. It is prounion and propublic.

It guarantees many basic rights to labor union members. Among these are equal rights to union members in the conduct of union affairs; protection against arbitrary dues increases; protection of the right to sue; free and fair union elections; safeguards against improper disciplinary action and protection of union funds.

At the same time, Democrats themselves admit that the bill will destroy no basic union rights.

The bill's strong ban on secondary boycotts and blackmail picketing protects the public against abuse of union monopoly powers, and the provision giving State labor boards jurisdiction over disputes now refused by the National Labor Relations Board will strengthen the hand of small business in labor disputes.

Before leaving this labor reform issue, it is interesting to recall that while some union leaders can be expected to attack the Republican Party for legislation which would curb their abuse of power, their complaints go far beyond the labor issue. Republican efforts to curb extravagance in public housing and farm programs, for example, also bring attacks by the so-called union leaders, although these issues have nothing to do with labor.

But if improved hopes for peace, less Federal spending, and real labor reform were the main Republican achievements in this session of Congress, there are many others which fall closely behind these measures.

During the whole session, the President and the Republican Members fought to refinance the growing costs of the vital 41,000 mile Interstate Highway System. The highway trust fund, set up 3 years ago to receive special revenues for highway building, was nearly exhausted. Over $2 billion was needed to keep the program going in fiscal 1960. There were two ways to get this money. One was through an additional Federal tax on gasoline. The other was through transfer of the $2 billion-plus from the general fund of the Treasury. This last step would only have meant postponing a tax increase.

The President believed that the wiser course was to face up to the tax increase this year, and a 1-cent-per-gallon tax on gasoline finally was agreed upon. This increase will be applied only until July 1, 1961. Thereafter, about half of the present excise taxes on autos and parts and accessories will be transferred from the general fund to the highway fund. These steps will permit work on the Interstate System to continue, though at a slightly reduced rate.

Though Democrats took the "easy way" of cutting the President's foreign aid requests, Republicans in the House pushed through a bill—H.R. 7500—calling upon the Secretary of State to set up an Office of Inspector General and Comptroller to enforce fiscal responsibility in any and all mutual security programs.

Statehood for Hawaii, a Republican platform pledge, succeeded with the personal backing of the President and strong bipartisan support. The new State will raise the Senate membership to 100 and House membership temporarily to 437.

SUMMARY

The basic Republican achievement in the first session was to demonstrate that, despite the Democratic majorities elected in 1958, public opinion still supports government in the public interest. The session also showed that President Eisenhower and Republican Members in Congress were capable of recognizing their opportunity for leadership and forcefully carrying through. At the close of the session, the Nation's confidence still rests with President Eisenhower and the Republicans in Congress.

Congressman William S. Broomfield Reports to the People of the 18th District of Michigan

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EXTENSION OF REMARKS
OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BROOMFIELD. Mr. Speaker, Congress has completed the first year of what has proved to be so far an extraordinarily busy session. In this report to the people of the 18th District of Michigan I would like to emphasize that it was public opinion, pure and simple, which helped decide many of the issues of the day for us here in Washington.

In almost every instance the legislation passed here in Congress this year was sound and worthwhile. Out of the hundreds of bills enacted into law, only two or three deviated from the principles of a balanced budget and a continuing fight against further inflation which has cost our citizens so dearly in the past.

BALANCED BUDGET

First of all, we were able to achieve a balanced Federal budget, and we have a good chance of even coming out with a surplus by the end of the current fiscal year next June.

Congress appropriated some $73 billion for the multitude of operations of the Federal Government. This amount is $1.9 billion under the amount requested by President Eisenhower, in spite of the fact that a great many Members of Congress were complaining that the President's budget was too stringent in the early months of this session.

It took 10 Presidential vetoes to bring Congress into line with administration policy of maintaining the purchasing power of our dollars, but the President's veto was overriden only once.

Major accomplishments of Congress during the legislative year which just concluded are:

Labor reform: A sound workable program to protect union members, employers, and the general public from violence, extortion, misuse of power, and corruption on the part of some of our labor leaders. This bill, certainly one of the most important enacted by Congress and signed into law by the President, is a direct victory for the people of our Nation, who let their Representatives and Senators know in no uncertain terms that they favored a sound, enforceable labor reform bill.

LABOR BILL OF RIGHTS

In addition to the fund reporting by unions, members are guaranteed the right to attend union meetings, make their views known, nominate candidates for union offices, and vote secretly for these candidates.

A number of unfair labor practices are barred by this new law, in most instances to protect employers and employees of firms who have no active part in a labor dispute.

This bill will permit honest unions to carry on as they have in the past without restriction of their legitimate objectives, but it will serve as a sharp curb against the corrupt elements which have infiltrated into high places in some of our strongest unions.

Statehood for Hawaii: Our first island State was added as a full-fledged member of the Union. Creation of this, our 50th State, carries out a promise made to Hawaii during the last century and means that all territories of our Nation have now achieved statehood.

Gasoline tax: Continuation of our 41,000-mile Interstate Highway System was assured after congressional approval of a 1-cent-a-gallon gasoline tax increase for a period of 22 months.

DEATH VERSUS DOLLARS

The issue in this matter was death or dollars. If our present traffic accident death rate continues, we will have lost more Americans to traffic accidents by 1975 than our Nation lost in battle in the Civil War, Spanish-American War, World War I, World War II, and Korea combined. This new system of superhighways, which is being built at a rapid rate, has reduced death tolls by as much as 40 percent.

If this extra gasoline tax had not been approved, then a number of States—including Michigan—would have been forced to cut back their construction programs for a 2-year period.

REIMBURSEMENT DEFEATED

Also, I am happy to say that a fight conducted both in my own Public Works Committee and on the floor was successful in defeating a provision which would have reimbursed a handful of States to the tune of $4.2 billion to pay for toll roads which will become a part of the Interstate Highway System. Every cent we can find should go into the construction of these new, safe superhighways. Congress can consider reimbursement of these toll-road States at a later date after the Interstate Highway System is completed. Otherwise, we would have been faced with spending all of our highway funds to pay for roads which are already in existence and none on new construction, which is the purpose of the entire program. The Federal Government pays 90 percent of the cost of these new highways. There is no reason why a few States should be paid 100 percent or better for these roads.

Housing bill: After three tries, Congress approved a housing bill which met with the approval of the administration. Home buyers were given aid to the tune of $8 billion in new authorization for FHA.

GI LOANS INCREASED

Downpayments were reduced, while a new 5¼-percent ceiling on GI home loans was approved to meet current market conditions.

Urban renewal projects will be continued by new authorization included in the housing bill, and colleges will be permitted to obtain loans for dormitories.

Taxes: An additional $175 million a year will be raised through a new system of taxing insurance companies. Current taxes on corporations, cigarettes, liquor, and autos were extended. The power of States to tax corporations in another State was curbed. Hearings and discussions on general revision of income and excise tax laws will start in November, and it is hoped that proposed legislation will be ready to be acted upon by Congress early next year.

Veterans' pensions: A general revision of pension laws was approved by Congress, which, in most instances, increases pensions to veterans to veterans receiving non-service-connected benefits, widows and children of disabled veterans.

NEED STRESSED

Emphasis was placed upon need rather than outright, automatic benefits. Korean veterans were given liberalized educational benefits.

National debt: Because of the budget deficit during the last fiscal year, Congress regrettably had to increase the permanent debt limit from $283 billion to $285 billion, while the temporary ceiling was raised to $295 billion. It is hoped that this rise in the national debt, so inflationary in nature, will be stopped by this year's balanced budget and by continuation of sound fiscal policies on the part of Congress.

Health insurance: Federal employees will begin to enjoy medical and hospital insurance at low cost.

GOVERNMENT PAYS HALF

This bill provides that the Government will contribute up to one-half the cost of this insurance, while the employee will pay the remainder. It is expected that this bill will bring health insurance benefits in line with those plans now in effect in many segments of private industry.

Defense: Continued a program of providing funds for missile development, and antimissile missiles to guard our cities against atomic attack; provided extra funds for Army modernization, cut funds for antibomber missile programs, authorized construction of an atomic-powered aircraft carrier, extended military draft for another 4 years. In all, a sound program was enacted to guarantee that our Nation is ever in readiness to cope with Communist aggression in any part of the world.

PUBLIC WORKS "PORK BARREL"

There were two notable failures by Congress. The first was overriding the President's second veto of the public works appropriation bill. This bill contains 67 new projects not authorized by the Bureau of the Budget or the Corps of Engineers. They are of doubtful value. The danger is that although first-year costs are comparatively low, they will cost our Federal Government some $800 million in future years to complete. In effect, Congress has given authority to dig 67 new basements for buildings which are not necessary. Next year, we can expect that the money to complete these "pork barrel" public works projects will be sought in Congress at a huge, continuing expense to our taxpayers.

As a member of the House Public Works Committee, I consistently opposed this bill to feather the nest of a few Congressmen who want to point with pride at a Federal project in their district.

TVA EXPANSION

Also passed into law was a bill to permit the Tennessee Valley Authority to float bonds to finance new power projects. This bill contains a number of dangers, one of which is expansion of the TVA network of tax-supported facilities at the expense of other areas of our Nation. In Michigan, we have been faced with the situation of State officials from TVA areas coming into our State to lure industry into their home areas. Michigan has contributed a vast amount of tax dollars to help pay for these TVA facilities. In effect, therefore, Michigan workers are being asked to pay taxes so that they can have their jobs taken away from them by cheap, tax-free power provided by TVA.

Other bills passed: Federal aid to States for airport construction and improvement, increased authorizations for the school milk fund program, renegotiation law to recapture excessive profits on defense contracts, new authority for small business loans, rigid enforcement laws to make prosecution of antitrust suits easier, aid to schools in federally impacted areas.

BILLS SPONSORED

Since last January, I have sponsored a number of bills on a great variety of subjects. One of the most important of these is a proposed constitutional change to prevent passage into law of "pork barrel" projects designed to enhance a particular Congressman in the eyes of his constituents by authorizing useless or doubtful Federal projects. This change would permit the President to extract such items from appropriation bills containing otherwise important projects. This is one change which has been requested by Presidents of both political parties for the past half century. So far, Congress has failed to back this very necessary constitutional amendment.

Still another bill I sponsored would do away with our present farm subsidy and price support program. Under the terms of this bill, our present surplus stocks would be "frozen" for a 2-year period while we figured out an orderly plan to dispose of these surpluses which are costing us literally billions of dollars a year in subsidy and storage payments.

COSTLY FARM PROGRAM

Congress failed miserably in dealing with this problem during the current year. Our Agriculture Department budget is the third most costly item for our taxpayers, topped only by defense and interest payments on our national debt.

It seems that some Members of Congress and those who are receiving huge Federal subsidies for storing surplus farm products are the only ones who want to continue the present program. Recent polls of farmers have shown that the majority of them are opposed to our present price support and subsidy programs, and that they feel they should either be curtailed or abolished.

There is a great amount of public funds, dollars collected from the pockets of our citizens, which could be saved by an end to this program of paying farmers for not raising crops, for storing crops which our Nation does not need. We should place these surplus crops on the world market where they belong and permit the price of farm goods to seek their own level. Food, clothing, and products of agricultural goods would be cheaper for all of our citizens if this were permitted to happen.

It is my hope that Congress will take prompt notice of these facts of farm life next year.

SOCIAL SECURITY REVISION

There is a very serious change which needs to be made in our social security laws if our senior citizens are not to continue suffering because of Federal inaction. This change is incorporated in a bill I have introduced to raise the amount permitted to be earned in addition to social security payments. The present limit is $1,800. This should be raised to at least $3,000. The House is expected to consider this proposed change I have introduced early next year when revisions of the social security laws are considered.

Encouragement of the settlement of homesteaders in our new State of Alaska is the reason for another bill I have in-

troduced. It would permit surplus foods to be distributed to these settlers until such time as they obtain title to their land. In my opinion, one of the greatest dangers these settlers face in their first year is lack of food. By distribution of this food from our enormous surplus stocks we would take away much of this fear and thereby encourage more families to settle in this new State. Alaska faces no problems which cannot be licked with the help of more residents. Our Federal Government should take proper action to insure that this State is settled, as it has in former years, to encourage settlement in other States of our Union.

OBSCENE LITERATURE BAN

A bill which I cosponsored to provide the Postmaster General with powers to detain first-class mail in cases dealing with obscene and lascivious literature has passed the House of Representatives and will undoubtedly be acted upon by the Senate early next year. This bill is an effort to further curb the activities of the filthmongers, who have made a big business out of peddling obscene material to children. This is one kind of racket which must be stopped in its tracks, and I intend to continue to support this bill to the fullest in the hopes that these powers will be granted by Congress so that another weapon can be provided to cut off the huge profits which these dealers in obscenity are making for themselves.

At least a partial victory was won in my efforts to make it mandatory that the cost of oversea congressional junkets be revealed. New rules have been adopted by the House requiring its Members to report their expenses to their respective committee chairmen. Not all of these trips abroad are unnecessary or wasteful, by any means. But a Member of Congress should have no difficulty in explaining his reasons for such trips and expenditures of funds to his constituents if he does take them.

BOND ISSUE BACKING

Two other bills I introduced are now in the hands of House committees. The first would provide that the full faith and credit of the Federal Government be placed behind municipal bond issues for sewage treatment and water supply. The reason for this bill is to provide lower interest rates for communities for these very vital projects. At present, our cities and counties are having a difficult time obtaining money at a rate that is not prohibitive, mainly because bond risks are figured on available tax base, not on what will happen in the future. Federal backing of these bond issues would permit communities to construct needed facilities for the future at lower interest rates.

LOCAL REIMBURSEMENTS

In addition, I have introduced a bill which would require the Federal Government to reimburse local communities for local taxes and special assessment payments. At present, the Federal Government is exempt from paying such taxes, and a great number of communities are suffering because of this. Local communities have to provide facilities for Federal installations at no cost or accept whatever the Federal Government decides to contribute as handouts.

Under this new plan, a board would be established which would set up equitable reimbursements to our local communities for the use of these municipal facilities. This would be a much fairer way of doing business.

NEED FOR ACTION

So far, Congress has dodged a number of very important issues, which I hope will come up for final action early next year. We must decide on a broad new program of civil rights so that all our citizens in every corner of our Nation will be able to reap the full benefits of American citizenship and education. We must come up with a farm program which does away with the present topsy-turvy system of paying farmers for not growing crops, which wastes more than a million dollars a day in storage of surplus crops alone, which prices our farm goods out of the reach of our own citizens as well as out of the world markets. We must provide a realistic interest rate policy on our national debt which will not serve to further inflate our economy. We must raise the existing interest rates on long-term bonds just as we have done for savings bonds so that our mammoth national debt can be managed on a sound basis.

DISTRICT OF COLUMBIA HOME RULE

We must provide home rule for the District of Columbia. We must give the citizens of this Capital City a right to vote and a right to help in our elective process. We must provide these people with the right of self-determination and stop the practice of using Congress as a mammoth, unwieldly city council.

I have signed discharge petitions to bring the home rule issue to the floor of the House, and I hope that we will at least be permitted to discuss the merits of this matter next year.

OAKLAND COUNTY POLL

Earlier this year, I conducted a poll among 12,000 of my constituents on issues facing Congress. I was careful to send these questionnaires to areas which represented a fair cross section of Oakland County, Mich., the congressional district which I represent. It is revealing at this time to note that a great many of the recommendations of my constituents were in substantial agreement with the action taken by Congress during this first session.

For instance, 63 percent of those who answered the poll indicated that they favored an increase in the gasoline tax to maintain pay-as-you-go financing for our Federal highway program. These citizens said they would be willing to pay the 1½-cent increase requested by the President. Congress approved a 1-cent-a-gallon increase and earmarked a portion of auto excise taxes for this vital program.

HOUSING FUNDS

Some 66 percent were opposed to further increases in funds for housing. Congress held the line on its spending on this program to comply with the President's recommendations. Most of the cuts were in public housing, where the Federal Government has a backlog of better than 100,000 units which have not yet been built although they have been authorized.

Sixty-eight percent opposed added payments under the soil bank plan, while 82 percent opposed our present farm subsidy programs. The soil bank was held at its present levels, but no action was taken to get rid of the subsidy program, mainly because the Agriculture Committee refused to bring any such measure to the floor of the House.

AIRPORT GRANTS

Sixty-seven percent were opposed to increases in grants to airports, and Congress held the line on this program.

A measure which would have permitted the Federal Government to invest its money in cocktail lounges, motels, plush waiting rooms and other luxury facilities was defeated. Federal money will be concentrated on providing vital safety facilities for our Nation's system of airports, safety facilities which are badly needed because of the start of jet passenger service from one end of our Nation to the other at near-sonic speeds.

Those questioned favored a hold-the-line approach on further postal subsidies, and I am happy to say that our Federal Government did not raise the funds available to the Post Office Department for this purpose, nor were new laws passed to increase these subsidies.

UNITED STATES-SOVIET EXCHANGE

Almost 70 percent favored a freer flow of political leaders, students, farmers, businessmen, and so forth, between the United States and the Soviet Union, and we have seen that this matter has been taken care of by a greatly increased number of such visits in both directions during recent months.

It is interesting to note that those who were in favor of greater Federal spending were 64 percent in favor of raising extra revenues necessary through higher taxes, rather than through an increase in our national debt, which has now reached the staggering sum of $290.1 billion. Because we were able to pare costs and trim unessential programs, no tax increase has been necessary and none is foreseen for the coming year. We have proved that a great amount of money can be saved by wise and judicious appropriation and authorization of funds by Congress, and by enlightened and sound administration by our President and his executive branch of the Federal Government.

LABOR REFORM

Although the question of proposed labor reform legislation was not included in the questionnaire—because no labor reform bills had been seriously considered by either the House or the Senate at the time the questions were formulated—no questionnaire was necessary on this issue. The mail into my office and those of most of my colleagues in the House became a deluge. In almost every instance, union members and nonunion members asked for strong labor reform legislation, and they got it.

This was a remarkable example of democracy in action, of the weight of the individual voter making his wishes known on a problem of importance to all of us in the United States. The House

Post Office reported that mail has never been so heavy since President Truman relieved General MacArthur of his command in the Far East.

All in all, it demonstrated that the people of our Nation know what they want, and they are not taken in by propaganda schemes and campaigns. It shows that they still can make their views felt on Members of Congress, and that our principles of government are still sound and working in topnotch shape.

SOUND BUDGET

They have voiced similar approval of attempts to run our Federal Government in an orderly fashion with a balance between income and outgo. They have proved that they are more interested in maintaining the value of the dollar at home and abroad than in being lured by the Lorelei of free Federal projects for their areas which would surely force our Government even closer to the financial rocks.

VOTERS VICTORIOUS

The voter has proved that he is still king in this country, as he should be, and that we in Congress are but servants of the people, not their masters.

If there is any doubt of the strength of our people, in their belief in freedom and individual expression, in the control which they have over their Government, then they should look to the record of Congress for an indication, as well as to a national income which is rising to record heights, a gross national product which is expected to increase sharply by the end of the year, and a renewed confidence and stability by all segments of our population in our ability to continue to lead the world in achievements in every field of worthwhile endeavor.

One method of making our democracy work is to bring a Congressman close to those he represents, to see that he makes himself available to hear complaints, to answer questions about the Federal Government and its operations, to discuss future policies of Federal agencies as established by the House of Representatives and the Senate.

DEMOCRACY IN ACTION

As I have in the past, I intend to continue my policy of talking things over with my constituents. During the month of October, I intend to visit every community in my district. Also, my district office at 2300 North Woodward, Royal Oak, will be open as well as my office in Washington in room 1422, New House Office Building. If any of the residents of Oakland County would like to discuss any matter with me, I will be most happy to do so.

The record we have achieved so far in Congress in balancing the budget, holding the line on useless and unnecessary Federal expenditures, drafting adequate labor reform legislation, and providing for continuance of our highway construction program, has been excellent in almost every case. We must continue this dedication to duty, in making sure that the hard-earned money collected from our taxpayers is used wisely and well.

CITIZENS' INTERESTS FIRST

Next January, Congress will convene again to debate the problems facing our Nation and the world, and will try to come up with the right answers. It is my hope that next year will be as successful in its attempts as the present one, and that issues will be met head on and problems solved promptly and efficiently, always keeping the interests of our citizens in mind.

The best method by which this can be accomplished is through close cooperation between the Congressman and his constituents. Letters and personal discussions are invaluable aids in learning all sides of an issue, and I intend to spend my time between now and the reconvening of Congress in finding out the views of those I represent. All are welcome to come in and discuss Federal problems with me.

The Vexing Problems of Our Aging Population Demand Affirmative Legislative Action

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EXTENSION OF REMARKS
OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. VAN ZANDT. Mr. Speaker, although the desperate plight of the aged has been apparent for years, it has been reemphasized by the White House Conference on Aging Act, approved by the 85th Congress, together with recent testimony before a Senate Subcommittee on Problems of the Aged and Aging.

That the problems of our elderly citizens are not to be minimized is clearly revealed by highlights in the testimony given before the special Senate Subcommittee on Problems of the Aged and Aging.

It is disclosed that there are some 15 million Americans 65 years of age or over, which represents an increase of over 400 percent in the number since the turn of the century. It is estimated that by 1975 the number of Americans who have passed 65 years of age will be 20 million.

In his testimony before the special Senate Subcommittee on Problems of the Aged and Aging, it was predicted by Dr. Maurice E. Linden, director of the Philadelphia Mental Health Division, that—

In the year 2000, Americans will enjoy an average longevity of 82 years.

He added:

Physiologists tell us that the human physical and chemical organism is so designed and engineered by nature as to be capable of living to 125 years providing no impeding disease occurs.

The immensity of the problem of finding a solution to the needs of the aged and aging was admitted by Dr. Howard A. Rusk, Department of Health, Education, and Welfare consultant when he told the Senate subcommittee that "the very size and complexity of development of service for our aged makes overall planning for such services difficult."

Meanwhile, over 15 million Americans 65 years or over are struggling for existence on pitifully low incomes. For example, three-fifths of them in 1958 had annual incomes of less than $1,000; one-fifth had incomes between $1,000 and $2,000; while the remaining fifth had incomes of more than $2,000. When you consider the fact that the value of the dollar is about 48 cents, it is not difficult to realize the agonizing plight of over 15 million Americans, whose toil and taxes in their productive years made a major contribution to the future welfare and growth of this Republic.

Another disconcerting fact is that there are millions of our aged who through no fault of their own were denied the opportunity while employable to acquire social-security coverage with the result that now in their declining years, they are forced to rely on the public-assistance programs in the various States, which carry the stigma of charity in the minds of many recipients.

The overall problem of our aged is growing in its intensity when it is remembered that in the United States in 1900 there were only 3 million people over 65 as compared to over 15 million in 1959. When you consider the recent statement by the U.S. Public Health Service that a child born in 1958 could expect to live 69½ years, the lengthening of the life span through the development of miracle drugs and the advancement of medical science presents convincing evidence to support the assertion that the problems of the aged are constant and not diminishing.

Meanwhile, amid the suffering and privation of millions of our elderly citizens, a series of studies, conferences, and congressional hearings have proceeded year after year in an effort to cope with the most compelling social problem facing this Nation. Yet while we grope our way toward a solution to the distressing problems of our aged, they in turn have found the expression "the golden years of retirement" an empty and meaningless phrase.

In the field of legislation, since my election to the 76th Congress 20 years ago, each succeeding Congress has had a variety of legislative measures pending before it designed to provide an adequate and uniform old-age pension law. Unfortunately, we have never been given the opportunity to consider fully old-age pension legislation, with one exception, and that was during the 76th Congress, when the House of Representatives defeated the original Townsend plan, which has since been modified and reintroduced in succeeding Congresses by a host of Members on both sides of the aisle.

During this 1st session of the 86th Congress, the revised version of the Townsend bill is exemplified by H.R. 4000 and H.R. 4001, which are identical bills embodying the Townsend plan for national insurance. Over a score of Members of the House of Representatives, representing both political parties, have gone on record as expressing their

willingness to become cosponsors of the legislation.

Briefly, the 1959 Townsend plan as embodied in H.R. 4000 and H.R. 4001 is presented as an amendment to the Social Security Act, repealing or suspending, as the applicable case may be, the various provisions of old-age, survivors, and Federal disability insurance and instituting in place thereof the Townsend plan program under title II of the act.

Sponsors of H.R. 4000 and H.R. 4001 point out that the features of the Townsend plan bill include coverage for all American citizens alike; double the average benefits of the aged and disabled on social security; greatly reduce costs of public assistance on the State and Federal levels; automatically adjust benefits to changes in costs of living; wipe out fear of poverty in old age; and end loss of purchasing power by Americans aged and disabled, thus maintaining high employment.

In view of the fact that this 1st session of the 86th Congress is nearing adjournment, there is no possible chance of securing committee or floor action on H.R. 4000 or H.R. 4001. For that reason and since during my congressional career I have devoted much time and study to the problems of our elderly citizens who as a group are increasing over three times as rapidly as the rest of our adult population, it is my sincere hope that early in the next session of the 86th Congress which will convene in January it will be possible to secure legislative action on H.R. 4000 and H.R. 4001. It is my considered judgment that in view of the mounting seriousness of the plight of the aged that concerted action must be taken on securing hearings on the legislation so that its merits may be presented publicly.

Such action is imperative in view of the compelling need to rescue our elderly citizens from their plight and thereby restore attractiveness and worthwhile meaning to the descriptive phrase, "the golden years of retirement."

Wrongs Existent in the New Labor Bill

EXTENSION OF REMARKS
OF

HON. GERALD T. FLYNN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. FLYNN. Mr. Speaker, during my campaign and since, I have repeatedly stated and announced that I was in favor of a strong labor control or labor reform bill to curb excesses. I stated that I favored the original Kennedy bill introduced last year and that I would vote for the Kennedy bill as originally drafted by Senator KENNEDY this year. I stated that I believed there were abuses in labor which needed correction, that the public should be protected from labor leaders who abuse both their power and their financial position. In supporting the Kennedy bill, I kept faith with that promise. I did not pledge to vote for a bill which amended the original Wagner Act and I do not believe that Congress should have been forced to vote at one time on two separate measures—a labor reform bill and a bill amending the basic labor law, known as the Wagner Act and the Taft-Hartley Act.

I, therefore, voted against the conference committee bill because it did more than contain good and sound labor reform legislation. It contained amendments to the labor law which I felt were not pertinent and did not belong in the labor reform bill. A study of the bill definitely indicates to me that the bill, as finally drafted, does materially change the Wagner Act and does all but emasculate it, for the reason, that under the terms of this bill, a large percentage of American labor and industry, I believe in excess of 50 percent of all the working men and women of America and over 90 percent of all employers, will be denied rights that organized labor and management have enjoyed from the time the Wagner Act was passed in 1934 up to the present time. I believe that any bill which does this emasculates the Wagner Act. Let me pinpoint exactly what I mean.

Prior to the decision of *Guss* v. *Utah* (353 U.S. 1) various States having labor-management laws were able to exercise jurisdiction in the regulation of labor disputes involving employers whose business affected interstate commerce over which the National Labor Relations Board declined to exercise its jurisdiction.

The Guss decision made this impossible and created a vast area which was subject to no regulation. An area in which the Federal board, in many instances, refused to act and in which the exercise of State authority was banned. It was estimated that the "no man's land" area applied to approximately 25 percent of the working force and 90 percent of all employers. This was set forth in a bulletin of the U.S. Department of Commerce—the Department of Health, Education, and Welfare, pages 4–6, table 1A. This bulletin was known as County Business Patterns.

Even before the Guss against Utah decision, in States where there was no State labor board, no one had jurisdiction of cases in which the National Labor Relations Board failed to act. Both management and labor in those cases were denied the benefit of a labor court or labor control.

In my home State of Wisconsin, it was estimated, in 1958, that approximately 29 percent of the working force and about 92 percent of all employers were within the no man's land, as a result of the Guss decision. In many of the States, particularly in the South, this percentage was much higher. It is to be remembered that 37 of the States of the Union have no State labor board at all, and it is only in 13 States that machinery has been set up to hear the cases which fall within the no man's land provision. In addition to this, the National Labor Relations Board has such a backlog of cases that many matters which should be expeditiously determined are delayed for such a period of time that they also must be considered to be in no man's land. I doubt if any State having right-to-work laws, such as many of the 37 have, will bother to pass State laws similar to the new Federal labor law or that they will set up State labor boards to hear labor cases.

Of major concern to this Congress has been the elimination of racketeering in labor-management relations. It is hard to conceive of a better opportunity for racketeering to flourish, than to have no regulation available, either at a State or Federal level, to govern labor disputes either among the smaller employers and smaller collective bargaining units throughout the land, or among some of the larger units which are not engaged in interstate commerce. The National Labor Relations Board should have been directed to take jurisdiction of "no man's land" cases and apply a uniform Federal law.

By the turning over, through the labor reform bill, of the "no man's land" cases to the States, we have thrown these matters into State courts for handling. In those States, 37 in number, where there are no labor boards, labor laws, or labor courts set up to take jurisdiction, it means that we have permanently placed those cases which the National Labor Relations Board does not handle—in a permanent "no man's land."

It means that we are denying the people involved in these labor disputes, both the employers and the employees, the right to a hearing before a tribunal of law. We are supplanting the rule of law with the rule of economic power. This is as it was before the passage of the Wagner Act during the Roosevelt administration in 1934. Today large areas of our country have returned to the same type of labor chaos we had before passage of the Wagner Act in 1934.

We heard extensive testimony indicating that service industries, usually employing small numbers of persons, had been the most easy prey for the racketeers. The continuing vacuum in the labor relations law, in at least 35 States or possibly 37, encourages rather than discourages the continuance of unfavorable practices in labor-management relations. The Guss decision indicated that courts wanted uniformity in labor law, but it is hard to see how uniformity will be achieved by turning labor matters over to the varying laws of 37 separate States in addition to the National Labor Relations Board. The only uniformity apparent to me is the fast-growing practice of returning stable labor relations, which have been fostered by State and Federal statutes, to the anarchy which existed prior to the enactment of the Wagner Act, Employment Peace Act, and the Taft-Hartley Act.

In the no man's land cases now assigned to States that have no State labor law or State labor board, the right of employees to be represented by labor unions and to engage in active bargaining will now be determined by economic force, rather than by secret ballot; the

right of employees to be free from discriminatory discharge and other abuses because of union activities will be dissipated; and the rights of employers in these areas to be free from illegal picketing and from secondary boycott will go unprotected even under the terms of the new law, because this law will not apply in these instances. In 1958, 62 percent of all charges of unfair labor practices filed in the first quarter of that year were filed by individuals. It is difficult to understand how such individuals, over whom the NLRB has jurisdiction, should have rights and remedies more worthy of protecting by a uniform Federal labor policy than those individuals who are employed in enterprises falling within the no man's land area. This same argument applies to the rights of labor organizations and, in particular, to the rights of employers who are located in those areas, and who will now find themselves without any tribunal before which they can bring their labor grievances, and who will be at the mercy of labor leaders, corrupt or otherwise, and who will have to fight it out on the basis of economic power as between the power of their own organization and power and wealth of the union with which they are dealing.

The only uniformity apparent to me in the no man's land area is a chaos of no regulation which has now been permanently written into the labor-management law. If the Southern States, those which have right-to-work laws, continue with the same viewpoint that they have had over these many years and choose not to pass labor legislation, it amounts to forbidding the States from enforcing labor relations violations, either upon the complaint of management or labor if the violations are in the no man's land area.

Let us look for a moment at what this will mean to the average employer. Now that the Federal law turns these matters over to the States, the employer can be sued by any employee in the State court because of an alleged violation by the employer of a union contract or because the employer failed in some manner to do what the employee alleges should have been done. This is going to subject employers from these States to a rush of lawsuits brought by individual employees and by their labor organizations. These will be civil suits, damage suits, if you will, wherein the injured party will be seeking a remedy in terms of dollar damages. This is not in accordance with the terms of the Wagner Act. It is a gross change, and one of the changes which I say emasculates the original Wagner Act. Large increases in these suits can be expected in the absence of any other means of resolving labor disputes. The individual workman and his labor organization must now also be aware of the fact that it can be sued in a State court. You can only think for a moment before you realize the serious implication that this will have throughout the Nation.

Insofar as uniformity of labor law in the future is concerned, we need only think of what will happen when 37 States start deciding cases, under 37 different laws, if they eventually pass them, and when 9 circuit courts of appeals pass on National Labor Relations Board decisions. It will be almost impossible for any State administrative agency to guarantee consistency of interpretation, no matter how hard it tries and no matter what the spirit of the administrators toward the statutes is. This, again, is a return to the situation that we had prior to the passage of the Wagner Act in 1934. It is chaos—it is chaos both for management and for labor in a large area of labor-management relations. This includes all business which is not engaged in interstate commerce and it includes many small businesses and retail establishments in addition thereto, plus all cases referred by the National Labor Relations Board.

For a moment, let us analyze what has been so frequently stated here in Washington during the discussion of the labor-management bill. The charge has been repeatedly made that Southern States have been doing everything within their power to get eastern and northern industry to move from their home locations to the South. It has been charged that southern areas have guaranteed a work force which will work at a rate of pay below the union rate which the company pays in its present locations. It has been pointed out that the Southern States guarantee a docile work force which will not organize a union because of the existence of right-to-work laws in many of the Southern States. It has been pointed out that guarantees have been made to the owners of industry as to the substandard labor relation situation which will exist if they move to the Southern States. The charge has been made that much eastern and northern industry has taken advantage of these representations and has already moved. I can only speculate as to what this will mean. In my hometown of Racine, Wis., if industry, to avoid our average wage of about $2.35 per hour, moves to a Southern State where the wage is only $1.25 per hour, how can the industrial committee of the chamber of commerce under the direction of George Wheary bring new industry to Racine, in the face of this substandard competition? Yet it is the removal of industry from Racine and the rest of the First District of Wisconsin that the 1959 Labor Reform Act tends to induce, in favor of southern competition. This is the result of a Dixiecrat-Republican alliance over labor and civil rights.

The thought, however, has been that in any of these industries where the National Labor Relations Board had jurisdiction, the inviting State could not guarantee that their glowing promises would be kept, for the reason that the Federal law would apply. The workingmen in the East and North had an opportunity of picketing the plant if there was just cause. They have an opportunity of asserting that there has been an unfair labor practice, and taking the employer before the National Labor Relations Board. On the contrary, the employer if he lived up to all the laws, had a right to go before the National Labor Relations Board, to secure justice insofar as he was concerned. It is important, however, that in many of these cases, the union men who were thrown out of work were able to follow the plant into a new location, and through collective bargaining, and through the assertion of economic power, as permitted under the Wagner Act, were able to get concessions to save jobs and get wage increases for the working force.

Now the Southern States through the passage of this law are able to have the Federal Government write into its charter a law protecting them and guaranteeing the enforcement of the southern statutes affecting labor which are on their books. In other words, the Southern States with 1890 labor laws, can now enforce them without any fear of recriminations by unions, by the previous working force, or by the public generally. When these Southern States send their products made with substandard labor, and nonunion labor—at prices which will only tend to hurt northern manufacturers and when this merchandise is shipped back into the other States for sale, it will be unlawful to conduct a secondary boycott. It will be unlawful to engage in any practical activity which will tend to force the hand of the employer to comply with more reasonable labor-management relations. Industry can now move into the South where right-to-work laws exist and with virtual immunity pay such wages and pursue such labor policies, and then sell on the competitive market with northern industry. The result of this will be to bring down wages in the North to the level of wages paid in the South and the ultimate result will be to reduce the standard of living of all Americans to the standard of those working in these sweatshops. Yes, this again emasculates the Wagner Act and returns labor-management relations to the same basis it was prior to the passage of the Wagner Act during the Roosevelt administration in 1934.

The Landrum-Griffin conference report bill will not only slow down further the growth and the strength of the trade union movement but it will eventually lead to more regressive developments. By this, I mean that this has only whetted the appetite of the enemies of labor and their drive will soon start to bring labor under the heel of the antitrust law and the passage of a national right-to-work law. I say that if this happens, it will be the breakdown of American democracy.

The Landrum-Griffin conference report bill was a vote to speed the flight of industry from the North to the largely unorganized South. Yes, industry will now move into not only the unorganized South but also, the never-to-be-organized South.

Another strongly motivating factor in my vote against the Landrum-Griffin conference bill was the open invitation for the powerful unions of the Nation to take over the small, struggling unions. Under the terms of this conference agreement, only the well-entrenched international unions, with great assets and legal talent, will be able to meet the legal delays, the legalistic entanglements, and slanted antilabor decisions of the State courts, operating under State statutes and decisions. This, in turn, means that

the small unions which cannot afford to fight against these handicaps will be absorbed by the big unions, which have caused the people of America, who have been given an antilabor brainwashing over the past several years, to demand so-called reform legislation. The Landrum-Griffin conference report, in its seventh section is not corrective. It is punitive and destructive of legitimate union aims and activities.

This bill, as stated above, means that small unions because of all the provisions placed therein, will be required to seek membership in the bigger and more powerful unions, and the day of union merger is here, just as is the day of business merger. As we get big unionism to match big business, we will indeed have a new type of economy. I ask you—is this for the best interests of America and the people of America? I do not think so and I, therefore, voted against the conference bill.

It is to be remembered that the teamsters organization, including Hoffa and Beck, were not Democrats and were not supporters of the Democratic Party in the last several campaigns. They backed the Republican Party and recently I saw a picture of Dave Beck standing side-by-side with our President and the two of them were smiling at each other. It is to be noted that the Teamsters Union was discharged from membership in the AFL–CIO and I question what the status is of Beck and Hoffa, insofar as their membership is concerned, in the Republican Party.

It is noteworthy also to see that the hysteria which the chamber of commerce and the National Manufacturers Association worked up over the activities of these two Republican labor leaders was the very thing that the Republicans and southern Democrats here in Congress used to put American labor in a straitjacket—labor supported the Democratic Party because the Republican Party always refused to understand or sympathize with their problems. There is no question about it, we in the North feel that the Republicans and the Democrats of the South made a deal, with the South supporting the labor bill which is so beneficial to members of the Republican Party, and the South—in return for the North supporting the anticivil rights legislation.

Of course, we were not present at the conference and can only presume what must have taken place for the North and virtually the Solid South to vote so uniformly on this bill. I feel that the southern Democrats and the Republicans made a deal on labor and civil rights, just as it is charged the Republicans made a deal on colored support in the last election.

It is going to be noteworthy to see, when northern businessmen receive an analysis of this bill, that they are going to find there is as much bad in it for them as there is good. I voted against this bill because it was bad for businessmen as well as bad for labor. I was wholeheartedly in favor of the first six sections of the labor bill.

Business can now be sued and harassed in the State courts by their employees and their labor organizations. They can now be held liable in money damages. Can you imagine an employer, when a union starts to organize his plant, raising his employees' wages? This employer can now be sued for having engaged in an unfair labor practice in trying to prevent the formation of a union. Can you imagine the employer being held liable in money damages with a judgment rendered against him because of this activity? Yet, this is exactly what can and will happen to employers under this act.

In 1934 President Roosevelt, because he had a social conscience and because he wanted to bring stability out of labor chaos, proposed and had passed the Wagner Act, in order to make labor and management relations stable and in order to promote the growth of the trade union movement and to raise the standard of living of the American people.

With the passage of the Landrum-Griffin bill, we are denying the privilege of the Wagner Act to a large percentage of American men and women. We have emasculated its terms and while we have not denied its use entirely, we have curtailed its use and so limited it as to make it ineffective and inoperative. We have taken away from American union men and women, the powers that they need to deal on an equal footing or terms with management when labor disputes arise. I am happy to have been one of those who voted against the conference committee report and bill, and again, I repeat, it is my opinion that this bill emasculated the Wagner Act. I believe, in making this statement, that any newspaper should read carefully before impugning my motives. If it wants to disagree, that is its right, but on a matter of this importance, I do not believe it has the right to disagree and impugn motives at the same time.

It is interesting to note that of the 52 votes against the bill, 27 came from New York and Pennsylvania. These votes were not votes against the labor reform provisions of the bill any more than mine was, but these were votes against enacting a Federal law which would freeze a right in the Southern States to continue a raid on northern and eastern industries and mills. These votes opposed giving Federal sanction to archaic State labor laws of the South and preventing the Federal Government from enforcing fair labor-management standards in Southern States; then enabling Southern States to compete unfairly with the North and East by selling sweatshop products to our people. Yes, permitting the South to become an industrial empire at our expense while, at the same time, it reduces the standard of living of all American working men and women.

I will not mention the unfair bonding provision of the act which excludes all but a few chosen bonding companies from getting the bonding business of union officers and trustees.

The employer is much worse off, under this act, insofar as informational picketing is concerned, for the reason that it may now go on indefinitely, whereas it is felt that the Curtis case, now before the Supreme Court, will uphold the principle that picketing is not legal, under Taft-Hartley, unless the union had the backing of a majority of the employees. Under the new act, this is not necessary.

The State courts of the Nation will be filled with injunctive proceedings by both management and labor because, when the National Labor Relations Board failed to act, either side, just as in the 1920's, can go to court for an injunction. Employers can be sued in State courts for an injunction to stop firing employees for union activities, for threatening employees during a union organizing campaign, for trying to buy their allegiance with pay raises or for refusing to bargain in good faith. Unless the States pass appropriate laws, these injunctive suits can never be settled in 37 States, because the State courts lack the authority to go further; to do such things as ordering an election or determining right of representation. There will be labor chaos and economic force supplanting order and peace in the labor-management field.

The special privileges given the building trades do not apply in the 19 States that have right-to-work laws. These privileges are in effect a closed shop right, which is outlawed in the right-to-work States.

As long as I am a Member of Congress, you may be assured that I will not vote for any legislation that does violence to any segment of our economy. This includes both management and labor. Neither will I vote to aid Southern States at the expense of my home State and other Northern States.

I believe in assisting all segments of our economy, if I can do so without injuring or tearing down some other segment of the economy.

Montana Increases Its Share of Federal Funds

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me relative to the State of Montana increasing its share of Federal funds.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MIKE MANSFIELD

MONTANA INCREASES ITS SHARE OF FEDERAL FUNDS

Montana has again increased its share of Federal funds that are distributed throughout the 50 States in the form of grant-in-aid programs, salaries and maintenance for Federal agencies, and construction funds for various federally sponsored projects. A survey of fiscal year 1959 expenditures indicates that Montana received slightly more than twice the amount that the State contributed in the form of income and excise taxes.

In fiscal year 1959, which came to a close on June 30, 1959, Montana and its residents received $286,288,970 in Federal moneys, an increase of $52,165,414 over the previous fiscal year. According to early estimates an additional $11,020,115 will be channeled into the State during the current fiscal year, 1960.

In fiscal year 1958 the Treasury Department collected $138,940,000 in income and excise taxes in the State of Montana. On the basis of these tax collections in our State compared with the amount of money spent by the Federal Government in Montana during the same period, Montanans received $2.06 for every $1 collected in taxes by the U.S. Treasury.

The Department of Agriculture continues to be the largest contributor to the economy of the State. This includes funds expended in its many diverse activities, such as research, the Forest Service, the soil-conservation program, the soil-bank program, the Rural Electrification Administration, and the Farmers' Home Administration, to mention only a few. The second largest contributor is the Department of Defense with the increased Air Force activities at Malmstrom Air Force Base at Great Falls and the Glasgow Air Force Base. The Department is planning new Army National Guard Armory construction at Butte and Plentywood.

The Department of Commerce is also among the top three big spenders in Montana. A large part of their expenditures is centralized in the Bureau of Public Roads and its work on the construction of the Interstate Highway System, which is now well under way in the State. Also, the Bureau of Census activities will increase during the current fiscal year, in view of the preparations and work needed for tabulating the new 1960 census.

On the back of this sheet is a tabulation of the expenditures made by the departments and agencies of the Federal Government that are active in Montana—actual expenditures for fiscal year 1959, estimated expenditures for fiscal year 1960, and a column indicating whether we may anticipate an increase or decrease in the funds to be expended in the current fiscal year. [Printed below in RECORD.]

The 1st session of the 86th Congress has been a busy Congress—we worked hard—and Senator MURRAY, Congressmen LEE METCALF, LEROY ANDERSON, and I were fortunate in obtaining some big items for Montana, but we also actively supported legislation which will benefit Montanans in many different ways. We are in the Nation's Capital to assist and to help, whether it be a major emergency such as the earthquake in southwestern Montana or whether it be a problem of concern to only one individual.

Federal expenditures in Montana, by Federal departments and agencies

Department	Fiscal year 1959 actual	Fiscal year 1960 estimate	Increase (+) or decrease (−)
Agriculture: Agricultural Research Service, Extension Service, Forest Service, Soil Conservation Service, ACPS, Agricultural Marketing Service, soil bank program, Commodity Stabilization Service, CCC, REA, FHA, Federal Crop Insurance Corporation, General Counsel	$101,992,229	$98,845,151	−$3,147,078
Defense: Army, Navy, Air Force	72,817,000	77,419,000	+4,602,000
Commerce: Bureau of Census, Coast and Geodetic Survey, Bureau of Public Roads, Weather Bureau	31,886,615	38,057,106	+6,170,491
Interior: Bonneville Power Administration, Bureaus of Land Management, Indian Affairs, Reclamation, Geological Survey, Mines, Sport Fisheries and Wildlife, National Park Service	29,221,807	34,799,715	+5,577,908
Veterans' Administration	18,527,000	18,527,000	
Health, Education, and Welfare: Printing House for Blind, Office of Education, Office of Vocational Rehabilitation, Public Health Service, Social Security Administration	11,092,394	10,098,751	−993,643
Post Office	9,521,221	9,852,000	+330,779
General Services Administration	6,161,751	4,859,800	−1,301,951
Labor	2,848,398	2,599,871	−248,527
Treasury: Bureau of Customs, Internal Revenue, Savings Bonds Division	1,378,438	1,393,825	+15,387
Justice: Legal activities, Immigration and Naturalization Service	767,574	777,500	+9,926
Interstate Commerce Commission	46,602	51,425	+4,823
Office of Civil and Defense Mobilization	27,941	28,000	
Total	286,288,970	297,309,144	+11,020,115

Record of Hon. Gerald R. Ford, Jr., Fifth District, Michigan, in the 1st Session, 86th Congress

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the 1st session of the 86th Congress.

The record includes all rollcall votes and all quorum calls. The description of bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. I want to be able to provide any interested constituent with a simple compilation of my voting and attendance record.

During this session there were 90 quorum calls and 86 rollcall votes. Because of attendance as an official delegate at the sessions of the Interparliamentary Union I was not in Washington for 11 quorum calls and 20 yea-and-nay votes. Prior to leaving for these meetings I missed three quorum calls and two rollcall votes for an attendance record of 96.5 percent. An explanation of my position on each of the rollcalls missed is given in the chart by an announced pair or in the footnotes.

During my 11 years in the House of Representatives, including the 1st session of the 86th Congress, I have responded to 1,965 out of 2,048 quorum calls and rollcalls for an overall attendance record of 95.9 percent.

Voting and attendance record of Representative Gerald R. Ford, Jr., 5th District of Michigan

Roll-call No.	Date, 1959	Measure, question, and result	Vote
1	Jan. 7	Quorum call	Present.
2	Jan. 7	To elect Speaker of House. (Rayburn 281 to Halleck 143)	Halleck.
3	Feb. 4	Quorum call	Present.
4	Feb. 4	H.R. 2256, to recommit motion designed to delete additional funds for direct housing loans. (Defeated 123 to 277)	Yes.
5	Feb. 4	H.R. 2256, to provide additional funds for direct loans, to remove certain requirements with respect to the rate of interest on guaranteed loans. (Passed 310 to 89.)	No.
6	Feb. 5	H.R. 2260, to extend until July 4, 1963, the induction provisions of the Universal Military Training and Service Act. (Passed 381 to 20)	Yes.
7	Mar. 4	Quorum call	Present.
8	Mar. 5	Quorum call	Present.
9	Mar. 11	H.R. 4221, to adopt H. Res. 205, the open rule providing 6 hours of debate on measure to provide for the admission of the State of Hawaii. (Passed 337 to 69.)	Yes.
10	Mar. 11	Quorum call	Present.
11	Mar. 12	S. 50 (substituted for H.R. 4221), to provide for admission of the State of Hawaii into the Union. (Passed 323 to 89.)	Paired for.[1]
12	Mar. 12	Quorum call	Absent.[1]
13	Mar. 13	H.R. 1, to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into Illinois Waterway for navigation. (Passed 238 to 142.)	No.
14	Mar. 13	S. 79, to amend Federal Food and Drug and Cosmetic Act to permit the continuance of established coloring practices in orange industry. (Passed 213 to 94.)	No.
15	Mar. 16	Quorum call	Present.

[1] Long standing speaking engagement.

Voting and attendance record of Representative Gerald R. Ford, Jr., 5th District of Michigan—Continued

Roll-call No.	Date, 1959	Measure, question, and result	Vote
16	Mar. 17	Quorum call	Present.
17	Mar. 18	Quorum call	Present.
18	Mar. 19	Quorum call	Present.
19	Mar. 19	H.R. 1011, an amendment to reduce from $297,000,000 to $200,000,000 the amount of Federal aid for airports over a 4-year period. (Defeated, 194 to 214.)	Yes.
20	Mar. 19	H.R. 1011, an amendment to require annual appropriations for Federal aid for airports. (Defeated, 191 to 216.)	Yes.
21	Mar. 19	H.R. 1011 (S. 1), to authorize Federal aid for airports totaling $297,000,000 for a 4-year period. (Passed, 272 to 134.)	No.
22	Mar. 23	H.R. 2575, to authorize the appropriation of $500,000 for the 3d pan-American games to be held in Chicago. (Passed, 257 to 109.)	No.
23	Mar. 24	Quorum call	Present.
24	Mar. 25	H.R. 4452 (S. 1094), to amend the Bretton Woods Agreements Act to increase the U.S. quota in the International Monetary Fund and its subscription to the International Bank for Reconstruction and Development. (Passed, 315 to 57.)	Yes.
25	Apr. 14	Quorum call	Present.
26	Apr. 14	Quorum call	Present.
27	Apr. 15	Quorum call	Present.
28	Apr. 15	H.R. 1321, to amend Reorganization Plan No. 11 of 1939 to transfer from Secretary of Agriculture to REA Administration the authority of approving or rejecting rural electrification loans. (Passed 234 to 131.)	No.
29	Apr. 16	Quorum call	Present.
30	Apr. 16	H.R. 5674, to authorize certain construction at military installations. (Passed 377 to 7.)	Yes.
31	Apr. 29	Quorum call	Present.
32	Apr. 29	Quorum call	Present.
33	Apr. 30	Quorum call	Present.
34	Apr. 30	To override President Eisenhower's veto of Rural Electrification Administration bill. (Defeated 280 to 146; ⅔ majority required.)	No.
35	Apr. 30	Quorum call	Present.
36	May 4	Quorum call	Present.
37	May 6	Quorum call	Present.
38	May 7	Quorum call	Present.
39	May 7	H.R. 3460, to recommit to committee, bill to amend TVA Act of 1933 relative to financing its power program with proceeds from revenue bonds. (Defeated 182 to 23.)	Yes.
40	May 7	H.R. 3460, to amend TVA Act of 1933 relative to financing its power program with proceeds from revenue bonds. (Passed 245 to 170.)	No.
41	May 11	Quorum call	Present.
42	May 18	Quorum call	Present.
43	May 18	Quorum call	Present.
44	May 19	Quorum call	Present.
45	May 19	Quorum call	Present.
46	May 20	H.R. 7007, to suspend rules and pass bill to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1960. (Passed 294 to 128.)	No.
47	May 20	To recommit Department of Agriculture appropriation bill in order to insert provision limiting farm price-support loans to $50,000. (Passed 262 to 105.)	Yes.
48	May 21	Quorum call	Present.
49	May 21	S. 57 (Housing Act of 1959), to adopt Thomas amendment to require direct congressional appropriation of funds in lieu of present Treasury authorization method of financing. (Passed 222 to 201.)	Yes.
50	May 21	S. 57, on motion to recommit bill and insert provisions of H.R. 7117, for the text of the committee substitute amendment. (Defeated 189 to 233.)	Yes.
51	May 21	S. 57, to extend and amend laws relating to the provisions and improvement of housing and the renewal of urban communities (Passed 261 to 160.)	No.
52	May 25	Quorum call	Present.
53	May 26	Quorum call	Present.
54	May 26	Quorum call	Present.
55	May 27	Quorum call	Present.
56	May 27	H.R. 7176, on recommittal motion to insert language limiting President's handling of emergency fund. (Defeated 171 to 229.)	No.
57	May 27	H.R. 7343, to increase appropriations of Department of Justice by $2,000,000. (Passed 266 to 133.)	No.
58	May 27	H.R. 7086, on motion to recommit bill to limit the extension of Renegotiation Act to 27 months. (Defeated 153 to 264.)	Yes.
59	May 27	H.R. 7086, to amend and extend for 4 years the Renegotiation Act of 1951. (Passed 375 to 7.)	Yes.
60	May 27	Quorum call	Present.
61	June 2	Quorum call	Present.
62	June 2	Quorum call	Present.
63	June 3	Quorum call	Present.
64	June 3	H.R. 7454, on final passage of $38,400,000 defense appropriation bill. (Passed 393 to 3.)	Yes.
65	June 4	Quorum call	Present.
66	June 5	Quorum call	Present.
67	June 8	Quorum call	Present.
68	June 9	H.R. 3610, to recommit the bill in order to add an amendment requiring States to match the Federal grants for construction of sewage treatment works. (Defeated 156 to 240.)	Yes.
69	June 9	H.R. 3610, on final passage of the Federal Water Pollution Control Act. (Passed 254 to 142.)	No.
70	June 9	H.R. 7509, to add to public works appropriations bill the sum of $500,000 for water lily eradication program. (Passed 199 to 198.)	No.
71	June 9	H.R. 7509, to add to public works appropriations bill the sum of $75,000 for planning of a river project in Wisconsin. (Defeated 192 to 203.)	No.
72	June 9	H.R. 7509, to recommit the public works appropriations bill in order to reduce by 5 percent each construction item of $5 million or more. (Defeated 149 to 251.)	Yes.
73	June 9	H.R. 7509, on final passage of the public works appropriations bill. (Passed 380 to 20.)	Yes.
74	June 10	Quorum call	Present.
75	June 10	S. 1901, to recommit the tobacco price support bill in order to freeze price supports at 1958 level for next 3 years. (Defeated 138 to 260.)	Yes.
76	June 10	S. 1901, to amend sec. 101(c) of the Agricultural Act of 1949 and of 1945 to stabilize and protect the level of price support for tobacco. (Passed 250 to 149.)	No.
77	June 11	Quorum call	Present.
78	June 12	H.R. 7246, on recommittal motion to insert provisions of Belcher amendment (H.R. 7611) for text of H.R. 7246, to amend existing laws with respect to acreage allotments and price supports for wheat for 1960–61. (Defeated 141 to 224.)	Yes.
79	June 12	H.R. 7246, to amend existing laws with respect to acreage allotments and price supports for wheat for 1960–61. (Passed 188 to 177.)	No.
80	June 12	Quorum call	Present.
81	June 12	H.R. 6596, to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a coal Research and Development Commission. (Passed 251 to 54.)	Yes.
82	June 15	Quorum call	Present.
83	June 15	Quorum call	Present.
84	June 15	H. Res. 293, to adopt the rule providing for the consideration of 4 hours of debate on, and the waiving of points of order against, H.R. 7500, to amend Mutual Security Act of 1954. (Passed 277 to 93.)	Yes.
85	June 16	Quorum call	Present.
86	June 16	Quorum call	Present.
87	June 16	Quorum call	Present.
88	June 16	Quorum call	Present.
89	June 17	Quorum call	Present.
90	June 18	Quorum call	Present.
91	June 18	S. 1968, on accepting conference report on bill to strengthen wheat marketing quota and price support program. (Defeated 202 to 215.)	No.
92	June 18	H.R. 7500, to amend Mutual Security Act, as amended. (Passed 271 to 142.)	Yes.
93	June 19	Quorum call	Present.
94	June 19	H.R. 7749, to increase amount of obligation issued under 2d Liberty Bond Act, which may be outstanding at any one time. (Passed 255 to 177.)	Yes.
95	June 22	Quorum call	Present.
96	June 22	H. Res. 288, to adopt rule providing for consideration and 5 hours' debate on H.R. 3 to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. (Passed 233 to 116.)	Yes.
97	June 22	Quorum call	Present.
98	June 23	Quorum call	Present.
99	June 23	S. 57, to adopt conference report on Housing Act of 1959. (Passed 241 to 177.)	No.
100	June 24	Quorum call	Present.
101	June 24	H.R. 3, on motion to recommit bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. (Defeated 191 to 227.)	No.
102	June 24	H.R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. (Passed 225 to 192.)	Yes.
103	June 29	Quorum call	Present.

Voting and attendance record of Representative Gerald R. Ford, Jr., 5th District of Michigan—Continued

Roll-call No.	Date, 1959	Measure, question, and result	Vote
104	June 30	Quorum call	Present.
105	June 30	H. Res. 294, to adopt rule for consideration of H.R. 5752 relating to observance of legal holidays by Federal employees. (Passed 339 to 42.)	No.
106	June 30	Quorum call	Present.
107	July 1	On motion to recommit S. 1120, respecting reserves required to be maintained by member banks of the Federal Reserve System. (Defeated 60 to 309.)	No.
108	July 7	H. Res. 295, to disapprove Reorganization Plan No. 1 of 1959. (Passed 266 to 124.)	No.
109	July 7	H.R. 4957, to recommit bill to amend United States Code to provide for admission of certain evidence and confessions. (Defeated 138 to 261.)	No.
110	July 7	H.R. 4957, to amend United States Code to provide for admission of certain evidence and confessions. (Passed 262 to 138.)	Yes.
111	July 20	Quorum call	Present.
112	July 21	Quorum call	Present.
113	July 22	On motion to adopt conference report on H.R. 7500 to amend further the Mutual Security Act of 1954 as amended. (Passed 257 to 153.)	Yes.
114	July 23	Quorum call	Present.
115	July 23	H.R. 3460, on motion to order previous question on H. Res. 326, a resolution to agree to Senate amendments to H.R. 3460, the TVA financing bill. (Passed, 244 to 166.)	No.
116	July 27	Quorum call	Absent.[2]
117	July 27	H.R. 7072, to provide for the participation of the United States in Inter-American Development Bank. (Passed, 230 to 87.)	Absent.[3]
118	July 28	Quorum call	Present.
119	July 29	H.R. 8385, mutual security and related agencies appropriations bill. (Passed, 279 to 136.)	Yes.
120	July 30	Quorum call	Present.
121	July 31	Quorum call	Present.
122	Aug. 3	Quorum call	Absent.[4]
123	Aug. 5	H.R. 7740, to suspend rules and pass bill to amend Agriculture Adjustment Act of 1938 with respect to preservation of acreage and reallocation of unusual cotton acreage allotments. (Passed, 308 to 90.)	Yes.
124	Aug. 10	Quorum call	Present.
125	Aug. 10	Quorum call	Present.
126	Aug. 10	Quorum call	Present.
127	Aug. 11	Quorum call	Present.
128	Aug. 12	Quorum call	Present.
129	Aug. 13	Quorum call	Present.
130	Aug. 13	H.R. 8442, to adopt Landrum-Griffin amendment (H.R. 8400) to replace language of labor-reform committee bill. (Passed 229 to 201.)	Yes.
131	Aug. 14	H.R. 8342, on motion to recommit labor-management and disclosure bill (Griffin-Landrum text). (Defeated 149 to 279.)	No.
132	Aug. 14	H.R. 8342, on final passage: Labor-management and disclosure bill (Griffin-Landrum text). (Passed 303 to 125.)	Yes.
133	Aug. 14	H.R. 7040, on motion to disagree with Senate amendment No. 1 which would increase from $10,000,000 to $25,000,000 the Federal contribution to civil defense. (Passed 240 to 166.)	Yes.
134	Aug. 17	H.R. 6904, to establish an Advisory Committee on Intergovernmental Relations. (Passed 335 to 31.)	Yes.
135	Aug. 17	H. Con. Res. 269, expressing sense of Congress against seating of Communist regime in China as representative of China in United Nations. (Passed, 368 to 2.)	Yes.
136	Aug. 18	Quorum call	Present.
137	Aug. 18	Quorum call	Present.
138	Aug. 19	Quorum call	Present.
139	Aug. 19	Quorum call	Present.
140	Aug. 19	Quorum call	Present.
141	Aug. 20	H.R. 8609, to adopt the request for separate vote on Sullivan amendment authorizing institution of food stamp plan for distribution of surplus commodities. (Passed, 232 to 127.)	No.
142	Aug. 20	H.R. 8609, to amend Agriculture Trade Development and Assistance Act of 1954. (Passed, 305 to 53.)	No.
143	Aug. 24	Quorum call	Present.
144	Aug. 26	H.R. 1341, on motion to recommit bill to require passenger-carrying motor vehicles purchased by the Federal Government agencies to meet certain safety standards. (Defeated, 125 to 265.)	Paired.[5]
145	Aug. 26	H.R. 5421, to provide program of assistance to correct inequities in the construction of fishing vessels. (Passed 272 to 108.)	Paired.[6]
146	Aug. 27	Quorum call	Absent.[7]
147	Aug. 27	S. 2539, on recommital motion designed to delete provision of $50,000,000 loan fund for construction of classrooms and to spread the $550,000,000 urban renewal funds over 2 years in lieu of 1 year. (Defeated 156 to 231.)	Paired for.
148	Aug. 27	S. 2539, to extend and amend laws relating to provision and improvement of housing and renewal of urban communities. (Passed 283 to 105.)	Paired against.
149	Aug. 29	Quorum call	Absent.[7]
150	Aug. 29	H.R. 2247, on engrossment and 3d reading of bill to authorize the conveyance of certain real property to Sacramento County, Calif. (Passed 203 to 94.)	Paired.[8]
151	Sept. 1	S. 2162, on approving Government employees health insurance bill. (Passed 382 to 4.)	Paired.[9]
152	Sept. 1	H.R. 7889, to require rice marketing quota for rice when the total supply exceeds the normal supply. (Passed 330 to 52.)	Paired.[9]
153	Sept. 1	H.R. 3151, to suspend rules and pass bill relating to withholding for purposes of income tax imposed by certain cities on the compensation of Federal employees. (Defeated 251 to 133; ⅔ required for suspension passage.)	Paired.[9]
154	Sept. 2	Quorum call	Absent.[7]
155	Sept. 2	H.R. 7509, to override President's veto of public works appropriation bill. (Defeated 274 to 13; ⅔ required.)	Paired against.
156	Sept. 2	H.R. 4279, to authorize Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas La Feria division. (Passed 281 to 114.)	Paired against.
157	Sept. 2	Quorum call	Absent.[7]
158	Sept. 2	S. 2524, to prevent under certain conditions States or political subdivisions from imposing on a person a net income tax on income from interstate commerce. (Passed 359 to 31.)	Paired.[9]
159	Sept. 3	Quorum call	Absent.[7]
160	Sept. 3	H.R. 8678, Federal Aid to Highway Act of 1959. (Passed 243 to 162.)	Paired for.
161	Sept. 4	Quorum call	Absent.[7]
162	Sept. 4	S. 1555, to adopt conference report on Labor-Management Reporting and Disclosure Act of 1959. (Passed 352 to 52.)	Paired.[9]
163	Sept. 4	Quorum call	Absent.[7]
164	Sept. 4	H.R. 9035, to recommit bill to permit issuance of series E and H U.S. savings bonds at interest rates above existing maximum and to permit Treasury Secretary to designate certain exchanges of Government securities to be made without recognition of gain or loss. (Defeated 133 to 256.)	Paired for.
165	Sept. 4	H.R. 9035, to permit issuance of series E and H U.S. savings bonds at interest rates above existing maximum and to permit Treasury Secretary to designate certain exchanges of Government securities to be made without recognition of gain or loss. (Passed 378 to 7.)	Paired.[9]
166	Sept. 5	Quorum call	Absent.[7]
167	Sept. 5	Quorum call	Absent.[7]
168	Sept. 5	Quorum call	Absent.[7]
169	Sept. 8	H.J. Res. 352, to suspend rules and pass bill to authorize study and review in connection with proposed additional building for Library of Congress. (Passed 323 to 46.)	Paired.[10]
170	Sept. 8	H.R. 9105, fiscal 1960 appropriations for public works. (Passed 303 to 93.)	Paired against.
171	Sept. 8	H.R. 9069, to provide standards for issuance of passports. (Passed 371 to 18.)	Paired.[9]
172	Sept. 9	S. 2208, to provide for equal treatment for States of Alaska and Hawaii under Federal Airport Act. (Passed 309 to 75.)	Paired.[10]
173	Sept. 10	Quorum call	Absent.[7]
174	Sept. 10	To override President's veto of public works appropriations bill. (Passed 280 to 121.)	Paired against.
175	Sept. 15	H.R. 8385, to adopt conference report on mutual security bill. (Passed 194 to 109.)	Yes.
176	Sept. 15	On Senate amendment to extend the Civil Rights Commission for 2 years. (Passed 221 to 81.)	Yes.

[2] Speaking engagement in Michigan.
[3] In Michigan, if present would have voted "Yes."
[4] In Michigan.
[5] On official leave to attend Interparliamentary Union; if present would have voted "No."
[6] If present would have voted "No."
[7] On official leave to attend Interparliamentary Union in Warsaw as delegate from House of Representatives.
[8] If present would have voted "No."
[9] Would have voted "Yes."
[10] Would have voted "No."

Address of Hon. Paul H. Douglas, of Illinois, Before Second Annual Convention of the Illinois State Federation of Labor and Congress of Industrial Organizations, September 8, 1959

EXTENSION OF REMARKS
OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD the speech which I delivered to the convention of the Illinois State Federation of Labor and Congress of Industrial Organizations in Chicago on Tuesday, September 8, 1959, in which I analyzed some of the basic issues before the Congress, the labor movement, and the country in connection with labor legislation.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY U.S. SENATOR PAUL H. DOUGLAS BEFORE THE SECOND ANNUAL CONVENTION OF THE ILLINOIS STATE FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, TUESDAY AFTERNOON, SEPTEMBER 8, 1959

Hon. PAUL H. DOUGLAS (U.S. Senator from Illinois). My old friend Reuben Soderstrom, friends and fellow members of the labor movement of Illinois, I understand that today is politicians' day [laughter] and that you want to get rid of us so that you can get on with the business of the Illinois labor movement.

We meet, good friends and brothers and sisters, at a critical time in the history of our country and in the history of one of its central institutions, the labor movement. We are faced, not only with the question of how we may best resist the threats to freedom posed by communism, but also with the issue as to how we may best eliminate dishonesty and unsavory alliances within the American labor movement itself, at the same time that we encourage honest and progressive unions to fulfill their historic mission of helping the weak and developing democratic institutions which strengthen our national life.

As one who has been a member of the labor movement nearly 40 years, and who has worked with you to enact measures to help the conditions of labor, I think I am entitled to speak frankly to you, and I shall do so this afternoon and make what I am afraid will not be regarded as a diplomatic speech.

We need to remember that honest unionism has its internal as well as its external enemies. Both groups have contributed to the legislative crisis with which we have been faced in Congress and in the Nation.

LABOR'S INTERNAL ENEMIES

First, let me speak frankly about the internal enemies of labor. The misdeeds of a substantial group of so-called labor leaders—as revealed in evidence presented to the McClellan and other committees—are both more serious and more widespread than was formerly believed. These men have done more harm to the labor movement than anything that has happened in a long time.

There is no use for us of the labor movement to pretend otherwise, or to try to protect them merely because they carry a union card.

It is true that these wrongful acts are not characteristic of the vast majority of unions. But they are still too many and too serious.

It is true that the responsible leaders of organized labor, such as George Meany, Walter Reuther, Al Hayes and a host of others, have fought these abuses with all the strength they possess and have taken severe disciplinary action against many of the worst offenders. All credit to these men and to the AFL–CIO which has stood behind them. But it is still true that valiantly as these honest leaders have fought, and real as the improvements which they have effected are, there is nevertheless a whole deluge of abuses which they have not been able to cure, but which definitely need to be removed and to be removed as soon as possible.

It is true that unions are not the only places where gross abuses of power and downright corruption occur. It is true that between 600 and 1,000 cases of bank embezzlements by hitherto trusted officials come to light every year, while numerous other cases are hushed up and are never known about. It is true that hundreds of millions of dollars ($300 millions, according to the last figures I heard of) of social security contributions withheld by employers from the payrolls of their workers have never been turned over to the Treasury as should have been the case.

But this does not excuse those union officials who have misappropriated the money contributed by their members.

It is true that there is a good deal of corruption in business circles in the widespread padding of expense accounts, in charging off excessive entertainment costs as business expenses to reduce their taxes, and in the use of gifts generally to purchasing agents as a covert form of bribe.

These are some of the moral sicknesses of American society and of erring human nature. I do not blame labor for resenting the general tendency to headline its failures and to play down or bury the news of comparable business corruption and abuse. But the fact that dishonesty and breaches of trust are practiced by many of the same people who point the finger of scorn at labor does not excuse those few labor leaders who have the same lax standards. The fact that others are doing something wrong does not give anyone a hunting license to go and do likewise.

The very fact that labor unionism is a movement dedicated to helping the individually weak and to aid the relatively more hard-pressed groups in the Nation should make members and officers live according to a higher standard than that of the average of society.

No sane person expects men in the rough and tumble of life to become plaster saints. But, even though as mortals we are not perfect, and at times are even sinful, this does not mean that we should give up the struggle to make ourselves and our institutions better. And we do not have to be granted the credentials of a saint before we have the obligation to help clean up ourselves and the world about us.

After a fairly wide acquaintanceship, I can say that I have known only three saints, of whom at least two (one of them Jane Addams, of this city) were bitterly attacked. If we only permitted the saints to take the lead in the field of reform, there would be far too much work for too few people. So the rest of us erring mortals must struggle on at the task.

WHAT'S RIGHT WITH LABOR

I would like, as I speak about these matters and about some of the things in which some labor leaders have erred, to emphasize, however, what is right in labor as well as what is wrong. For we should not forget, and society should not ignore the fact, that when the labor movement began in this country, we had the 12-hour day and the 6-day week, and in steel the 7-day week; that it has been through the efforts of the labor movement, plus the increase in productivity, that the hours were reduced, first to 10 and then 8, and Saturday became a holiday, so that men could see their families on weekends.

It is true that the labor movement has raised the wages of labor. Formerly common labor was 20 cents an hour, and skilled labor was perhaps 40 or 50 cents an hour. Those days are gone, and the standard of living of the American workers has risen, both because of increased productivity and because of the increased pressure of unions.

As one who has had nearly 30 years of experience in struggling for a better protection for old age and protection against the risks of unemployment, I can say this, that we never would have been able to pass old-age pensions and unemployment insurance if it had not been for the devoted work of the labor movement.

My acquaintanceship with Reuben Soderstrom began in those days, and we owe him a debt of gratitude for the way he has helped in both of these matters.

We could not have passed a minimum wage law had it not been for organized labor seeking to raise the wages of those who were not themselves members of unions, but who because of economic weakness suffered from low wages.

We should struggle on to improve the health and health care of the American people. And I can say that in all these battles, we generally have had nearly all of the employer groups in the country against us and nearly all the labor groups with us.

The Nation owes the men and women who struggle for these causes a debt of gratitude, because after they have been put into effect, the bitter opponents begin to concede that these measures should have been adopted before they were. But it is always afterward, never before.

I want to pay tribute also to men like John Fitzpatrick who 50 years ago, when the Chicago Federation of Labor was dominated by the racketeers, with Ed Nockels and others threw out, at the risk of their own lives, some of that early group and made the Chicago Federation of Labor a clean organization.

I want to pay tribute to the men and women who at personal sacrifice have defended the rank and file of their members. Those are innumerable.

So along with the statements of what is wrong with labor, let me emphasize again what is right with labor. But let me make two very simple points, and I ask you to ponder about them.

MISLEADERS SHOULD BE RETIRED

It is intolerable to me that men like Dave Beck should have had such tremendous power in a section of the labor movement. It is intolerable that such men as Eugene C. James of the old Laundry Workers Union, and Jimmy Hoffa and Joey Glimco of the Teamsters should continue as union leaders. It is intolerable that others like them should still be in positions of power. It is the duty of all good union men to see that misleaders of labor like these should be retired from office at the earliest possible opportunity and that rules and procedures be adopted which will prevent any such abuses of trust in the future. This is a crucial duty and upon its adequate performance much depends.

CONSTRUCTIVE GOVERNMENT HELP IS NEEDED

My second observation is likewise very simple. This essential job cannot be adequately performed without affirmative and constructive help from Government. Congressional investigating committees are frequently unfair and often violate the rights of privacy of individuals. But the committees have two powers which are essential in digging out corruption and abuses. They can issue subpenas and compel attendance. They can then put witnesses under oath and subject those who testify falsely to prosecution for perjury.

This has enabled facts to be brought out which the AFL–CIO with all the best intentions in the world, would never have been able to disclose. Responsible labor leaders have freely acknowledged to me that the investigation of welfare and pension funds—which I presided over—gave them facts that were the basis of significant cleanup actions which they took.

I do not believe that we could have exposed the men who disgraced the old Laundry Workers Union, and who were in league with some of the most evil forces in this country, if we had not had these powers.

I took pains however to see to it that labor as a whole was not criticized, and I put in the record the facts about honest pension and welfare funds, such as the Painters Union under Charlie Youngblood, and others, including Tom Burke here [applause], to see that a balanced picture was presented.

Moreover, it became apparent that legislation could also do much to help clean up the abuses which were revealed.

It was quite clear more than a year ago that the McClellan committee—like my investigation which resulted in a law to protect welfare and pension funds—had brought to light enough information to provide a sound basis for legislation.

However, there were those who used the findings of the McClellan committee as an attack not so much on the crooks and on corruption as on the labor union movement itself as a whole and the legitimate and needed functions of unions to organize and bargain collectively. In fact, there were members of the McClellan committee itself who seemed far more anxious to smear Walter Reuther and the clean and effective unions than they were to ferret out corruption and wrongdoing.

SENATE PASSED STRONG ANTICORRUPTION BILLS IN 1958 AND 1959

Nonetheless, the Senate of both the 85th and 86th Congresses passed a good strong cleanup bill without the punitive features which were aimed not at corruption but at the labor movement itself.

The first basic principle of those bills was disclosure. Sunlight is a great disinfectant. Much of the evil in the world comes from the fact that men think they can sin in private and their sins will never come to light. To require that essential facts about union receipts and expenditures (or company receipts and expenditures) be made public is an effective way of seeing that the money of the members is well and honestly spent. This was also the basic requirement in my welfare and pension fund disclosure law which, though weakened in the House, still is a great step forward and furnishes a foundation upon which we can build.

The Kennedy bills had similar sets of requirements and, in addition, provided against a number of unethical practices, which I would like to list:

1. There was to be full publicity to members, the general public, and to Government about union receipts and expenditures.

2. Strict penalties were provided for the embezzlement of union funds, false reporting, destruction of records, rigging elections, etc.

3. Men convicted of criminal offenses were debarred from holding office or positions of trust for 5 years after the termination of their sentence.

4. Blackmail or shakedown picketing was outlawed.

5. Periodic and democratic elections of union officers were required; once every 3 years and by secret ballot in local unions, and once every 5 years in the international unions.

6. Trusteeships of local unions by their internationals were limited to 1 year.

7. There were also included requirements for partial reporting of management expenses in the field of industrial relations in order to expose union-busting dealings with men like Nate Shefferman.

The bill which passed the Senate last year by an overwhelming vote was defeated in the House by the familiar coalition of the vast majority of the Republicans and the Southern Dixiecrats. This year, substantially the same bill was reported out of committee, including some "sweeteners" such as legalizing prehire agreements in the building industry and allowing economic strikers to vote.

In 1959, on the floor of the Senate, a so-called bill of rights for union members was added. This prohibited coercion against union members and provided criminal penalties to enforce the right of free speech within unions with orderly hearings and trials in cases of expulsion. One very dangerous requirement—later deleted by the Senate—was that each candidate for office was to be furnished with the mailing list of members. This could have been used by employers who, by putting up dummy candidates, could have obtained possession of these lists and thus put economic pressure upon the members.

There were also added provisions outlawing the hot cargo contracts in the transportation industry, dealing with the no man's land problem, restricting picketing where another union had valid bargaining rights or an election had just been held, etc.

KENNEDY BILL WAS MORE EFFECTIVE CLEANUP BILL THAN LANDRUM-GRIFFIN

Now let me emphasize that the drafters of the Landrum-Griffin bill, which was substituted for the Kennedy bill in the House, incorporated virtually all of these features of the Kennedy bill, but in many cases, imposed weaker penalties and greatly softened the requirement on management reporting. The extraordinary spectacle was therefore presented that the bill which the business community was demanding as a tough bill was actually less severe in correcting crookedness and abuses of power inside the unions than the Kennedy bill, which was derided as a "cream puff," "milk toast," "watered-down" measure.

Jimmy Hoffa quickly sized up the situation and correctly remarked that there was nothing in the Landrum-Griffin bill which would hurt him.

Now I am sure that those in the labor movement know that this is true. But there has been so much misinformation on this subject and so much propaganda from the press, the chamber of commerce, and the National Association of Manufacturers that I think it is worth quoting what Senator GOLDWATER, from the extreme right, had to say on the floor of the Senate on August 18, 1959, and I commend this to the editorial writers of the Chicago newspapers. [Applause.] I now quote from a statement of Senator GOLDWATER:

"There are many significant provisions in S. 1555, the Senate bill, which are far more effective in reaching the evils of racketeering, dishonesty, corruption, and abuse of power than are the provisions of the Landrum-Griffin bill, and, hence, in these respects the Senate bill is actually tougher than the House bill."

That is the end of GOLDWATER, and now I will go on with DOUGLAS. [Laughter.]

Thus, what we did in the Senate was to pass an effective cleanup bill—a bill which was a better bill and which went further than the Landrum-Griffin bill in those areas which needed attention. The Senate bills, in both 1958 and 1959, were properly aimed at the real problems and quite properly avoided, in most cases, provisions aimed at weakening legitimate union activity.

In the Senate we largely prevented the adoption of provisions aimed at making a genuine "cleanup" bill a union "smashup" bill.

Furthermore, notwithstanding all the propaganda to the contrary, the Senate bill included both fair and adequate provisions concerning extortionate picketing (which, incidentally, the Landrum-Griffin bill copied almost word for word), hot-cargo agreements, and the "no man's land" cases.

LANDRUM-GRIFFIN BILL STRUCK AT LEGITIMATE UNION OBJECTIVES

In the House, however, events took a different turn. The chamber of commerce, the National Association of Manufacturers, most of the press, the President, and the Republican Party determined to strike at the fundamental objectives of legitimate unionism in the guise of trying to do something about corruption. Not until July 27, and not until after the House Labor Committee had reported out a good bill embodying, for the most part, the principles of the Kennedy bill, did the Landrum-Griffin bill even see the light of day.

As I have already pointed out, it copied the provisions of the Kennedy bill in many respects, except that it weakened those provisions and penalties having to do with the real abuses which the McClellan committee brought to light. But it added three general provisions which were aimed at breaking the weak and struggling unions which are now so valiantly trying to organize in the South and other nonunion areas.

It was especially severe on the textile workers, the retail clerks' unions, and the furniture workers, and in the three provisions which dealt with the subject of "no man's land" cases, organizational picketing, and secondary boycotts.

There was a lot in it which would have hurt honest and legitimate trade unions. Let me deal with these three areas in turn.

"NO MAN'S LAND"

1. When the National Labor Relations Board had jurisdiction, but, for one reason or another, had declined to exercise it, the Kennedy bill provided that the State agencies were to exercise it, but in doing so were to abide by the Federal decisions and the law in Federal courts. The Landrum-Griffin bill provided that State law or lack of law was to prevail. Since most States do not have labor-relations acts—38 out of the 50 States do not have labor-relations acts—this meant that there would be no basic guarantees of the right to join unions and bargain collectively so far as "no man's land" was concerned.

When these provisions went to the conference committee of the two Houses, the Senate made the great concession of accepting the Landrum-Griffin provision, but providing that the area of this no man's land was not to be enlarged beyond what it now is, namely, primarily in the field of small establishments. The fact that this proposal at first was spurned by the Landrum-Griffin supporters showed that they wanted and expected the Labor Relations Board to give up jurisdiction over a large area to which the Labor Relations Act now applies and, by a future administrative refusal to act, to de-

prive workers of the legal protections which Congress willed them to have. In other words, the industrial jungle which prevailed prior to the Wagner Act was to be allowed to creep back through failure of the Labor Relations Board to act.

The one true remedy for this problem for which I will work, and have worked, is to provide the Labor Relations Board with sufficient funds and personnel so that the law can prevail for anyone, and every one, and then see that we get men on the Board and on the administration of the Board who believe in enforcing the law, instead of using the law to defeat the organization of labor. [Applause.]

So much for no man's land.

BAN ON ORGANIZATIONAL PICKETING

2. Second, and perhaps most important of all, the Landrum-Griffin bill would have outlawed virtually all forms of peaceful, organizational picketing. I have already pointed out that the Kennedy bill had outlawed blackmail and hot cargo picketing. It had also prohibited picketing by one union after another legitimate union had been recognized—and I emphasize that word "legitimate." It cannot be a fake union—or for 9 months where the workers had by vote rejected collective bargaining.

But the Landrum-Griffin bill shut off virtually all organizational picketing, even when the employer was himself guilty of unfair labor practices. Since under the Labor Board's decisions, an employer can campaign against a union inside the factory and can call the employees together in captive audiences for that purpose, to prevent unions from peacefully trying to persuade workers outside a factory or place of business to join a union is highly unfair.

It was designed, as I have said, to prevent unionism from getting a foothold in unorganized industrial areas. This would have kept the South nonunion territory and would have enabled southern employers to pay lower wages and grant fewer fringe benefits than in the North and Midwest. This would have helped them draw additional industry away from such States as our own, to the damage of our employers and localities as well as our labor. I wonder if this was fully realized by the Illinois employers who wrote me demanding that the Landrum-Griffin bill be enacted into law.

Now let me emphasize that I most emphatically do not believe in the use of violence or threats of violence in connection with picketing. Nor do I believe in mass picketing, for this blocks the streets which are the property of the community and down which nonunion workers—like anyone else—are entitled to walk. Such acts as these are already illegal under the common law, and they both can and should be dealt with by the local police and courts.

But I do believe that advocates of unionism have the right under the Constitution to try peacefully to persuade other workers to join a union and to do this by signs and by nonthreatening and nonabusive language. If a sweeping prohibition of these rights had been confirmed by law, then the beginnings of unionism in most unorganized areas would have withered on the vine. It would have been virtually impossible for it to have grown, and its present strength would have been gradually eroded.

SWEEPING SECONDARY BOYCOTT PROVISIONS

3. Finally, the Landrum-Griffin bill would have returned to the old mistaken doctrine laid down over 30 years ago by a reactionary court in the Bedford Stone case. It said that the workers in one plant have no legitimate interest in what happens in another plant and cannot withhold their work or custom because the plant is nonunion or is out on strike. By giving all forms of the secondary boycott a bad name, the Landrum-Griffin bill sought to atomize labor and insulate the workers in a nonunion plant from receiving the help which union men elsewhere in the same or allied trades would give.

I concede that the whole question of secondary boycotts is one of the most tangled in labor law and one of the most difficult to regulate. The Taft-Hartley Act sought to impose a more or less blanket restriction which applied primarily to mass or concerted secondary action by labor.

But the Landrum-Griffin bill sought to go still further by imposing these restrictions on union appeals to "any individual," and by broadening the provisions to apply to any union acts "to threaten, coerce or restrain any person." The bill also extended the narrow Senate provisions so as to cover all so-called hot cargo contracts. It would have prevented virtually all secondary action against a firm regarded as "unfair" by organized labor. This would have prevented the garment trades by agreement with the jobbers from eliminating sweatshop conditions in the shops of subcontractors. It would have prevented all appeals to consumers of "unfair" products. It would have prevented workers in plant X from refusing to work on "struck goods" transferred from plant Y, or building trades workers from refusing to work on nonunion material or side by side with nonunion workers. The legal position of the secondary boycott should not be subjected to any such meat-ax treatment.

OLD GOP-DIXIECRAT COALITION PASSED LANDRUM-GRIFFIN BILL

As we all know, or should know, the Landrum-Griffin bill was put over in the House by the old coalition of northern conservative Republicans and by southern Dixiecrat Democrats. I want you to listen to this account of the vote very carefully, if you will. On the key vote by which the Landrum-Griffin bill was substituted for the House committee bill by the margin of 229 to 201, all but 17 Republicans voted for the Landrum-Griffin bill as did all but 13 Congressmen from the South. Only 17 out of 153 Republicans voted against the Landrum-Griffin bill, and 134, I believe, voted for it. The vote of the Republicans was approximately 8 to 1. And this applied also to the southern Democrats; of the 105 southern Members, only 13 voted against the Landrum-Griffin bill, and 91 voted for it, one being absent. So that the South voted almost 7 to 1 for the Landrum-Griffin bill. And this was the coalition.

Now I hope I will not be accused of being partisan if I say that the members of the Democratic Party from the North and West stood almost to a man against the Landrum-Griffin bill with only rare exceptions. [Applause.] Of the 201 votes against the Landrum-Griffin bill, 184 came from the Democratic Party, and of these 184, 171 were from the North and the West. And if we come down to cases, there are 14 Democratic Congressmen from Illinois, and 11 Republican Congressmen. All 11 Republican Congressmen voted for the Landrum-Griffin bill; all of the 14 Democrats from Illinois voted against the Landrum-Griffin bill. [Applause.]

Those figures I think can be put down on cards and you should keep them inside your pocketbook. [Laughter.]

I want to say here, too, that part of the bargain was probably a trade by the Republicans of their votes on effective civil rights measures in return for southern support to get the unions. This is the essence of the bipartisan coalition, in which Mr. HALLECK, our neighbor from Indiana, with the aid of the Illinois Republicans, with the possible exception of one Member, and the southern Democrats, led by HOWARD SMITH, of Virginia, go along together. The two groups killed civil rights. The two groups put in antilabor legislation.

This powerful coalition, therefore, seems to have as its main purpose the stifling of the rights and ambitions of those groups in our society who are at the bottom of the economic and social totem pole. I refer, of course, to the weak and struggling unions of the South and other unorganized areas, and to the Negro in the South and elsewhere whose rights can only be gained when he is guaranteed the equal protection of our laws by civil rights legislation and the right to organize and bargain collectively through the unionization of the South. These 229 Congressmen and the forces behind them must bear a heavy burden, for not only do they in effect support the privileges of the strong and powerful, but they have actively worked against the interests of the weak and the poor.

HEAVY PRESSURES GENERATED BY THOSE HOSTILE TO LEGITIMATE LABOR GOALS

They were able to put this over because many employer groups have used the public indignation aroused by the Hoffas, Becks, and Glimcos to strike a body blow at labor organizations themselves. I received at least 10,000 letters and telegrams demanding that I vote for the Landrum-Griffin bill. Many of them were completely sincere, although those who wrote them were imperfectly informed. Some of the letters—I do not know how many—appear to have been coerced and, to support this belief, I now read from two letters which I have received; one signed by a brave woman whose identity I will not, of course, reveal, and the other which though unsigned gives every indication of being genuine. This is the first letter:

"It was my unfortunate duty as an employee of * * * [the name was given, but I will not read it] to have to type an extremely harsh and abusive letter addressed to you. The letter was largely concerned with the Landrum-Griffin bill and was written by one of the executives in the department in which I work.

"I have very little knowledge of the Landrum-Griffin bill but have every confidence that your opposition to it is prompted by a deep concern for what is best for our country as a whole." [I hope you will forgive me if I read the next sentence.] "My husband and I have always regarded you as one of our most capable and dedicated statesmen and have admired your independent stand on all issues.

"The extremely poor working conditions in this company, which has a long record of strong opposition to the labor movement in every way and which is one of the most profitable in the State, is a strong argument for the good the unions have accomplished in other companies."

This letter for the Landrum-Griffin bill was apparently signed by her, but she wanted to clear her conscience by writing me that she was coerced into writing it.

The second letter is this:

"I dare not sign this letter, but beg you to read it.

"I wonder how many other stenographer-secretaries have spent days and days writing and wiring Senators and Congressmen urging support for the Landrum-Griffin bill—contrary to their personal convictions, but in the names of various firm executives, their friends, relatives, and employees. This is not 'thought-control' as in Russia, but certainly not a wholesome atmosphere.

"Please, in evaluating your mail, consider the availability of secretarial service to management who advocate strong labor control—and the lack of it (in large part) to those supporting labor.

"ONE OF YOUR ARDENT SUPPORTERS."

Perhaps the truth of the whole drive was well summed up by our Chicago philosopher, Mr. Dooley, who from his saloon on Archer Road observed as follows over 50 years ago; when he was discussing the open shop:

"An' so it goes on, Hinnissey. An' who gits the benefit? Thrue, it saves th' boss money, but he don't care no more f'r money thin he does f'r his right eye.

"It's all principle wid him. He hates t'see men robbed av their indipindence. They must have their indipindence, regardless av anything else.

" 'But,' said Mr. Hennessey, 'these openshop min ye menshun say they are f'r unions iv properly conducted.'

" 'Shure,' said Mr. Dooley, 'iv properly conducted. An' there we are: an' how would they have this conducted? No strikes, no rules, no contracts, no scales, hardly iny wages, an' dam few mimbers.' " [Laughter and applause.]

As a result of the tremendous pressures which were generated by those groups who are hostile to the legitimate goals of organized labor, there was an organized attempt to have the Senate accept the Landrum-Griffin bill without any change at all. And a motion to that effect was made by my distinguished colleague from Illinois, the leader of the Republican Party. I am happy to say that we resisted these pressures and instead sent the bill to a conference between the House and Senate. I myself would have voted against the Landrum-Griffin bill had it come to a vote in the Senate, because I believe that its punitive provisions more than outweighed those provisions which were designed to get at genuine abuses. I made my position clear to the Chicago papers which attacked me for it.

I was asked by a Chicago newspaper, immediately after the Landrum-Griffin bill was passed by the House, what my attitude would be. I suppose it would have been possible for me to have hedged and to have said I would consider this when the bill came over. This would have been the safest political course to take. But I felt that would not be proper, and I declared that I would vote against the Landrum-Griffin bill if it were not appreciably modified, and take the consequences.

Immediately thereafter the one Chicago newspaper which in the past has supported me came out with an editorial denouncing me. They were, however, kind enough to publish a copy of my reply. If it will mean, as it probably will mean, the united opposition of the reactionary forces of this State, and all the newspapers of this State, I stand by that position. [Applause and cheers.]

CONFERENCE COMMITTEE ELIMINATED WORST PARTS OF LANDRUM-GRIFFIN BILL

I am happy to report that the conference committee greatly limited and modified the worst parts of the Landrum-Griffin bill which went far beyond any attempt at genuine reform. The conference modifications resulted in the following major changes:

We saved the garment industry from the provisions of the Landrum-Grffiin bill which would have outlawed their present contracts with jobbers which provide for wages and working conditions in the shops of third-party contractors who actually produce the clothing. Instead, we were able to write in a proviso so that their practices which have ended sweatshop conditions in that industry could continue. A similar protection was inserted for subcontracting agreements for on-site work in the building construction industry.

We also saved the union movement, and the communities and industries that depend upon its rising standards, from the punitive provisions of Landrum-Griffin which would have virtually outlawed all organizational picketing. While these provisions now are not perfect, they changed the fundamental aim or effect of the Landrum-Griffin bill, which was to almost totally prevent the organization of the South and the nonunion areas.

While picketing at secondary-boycott sites is outlawed, the House bill went further and would even have prevented the passing out of handbills or ads in the newspapers. This provision in the House bill was changed so that handbills, radio programs, advertisements, etc., aimed at the public, including consumers, would at least be permitted in these secondary situations. I think that is proper and an exercise of our constitutional right of free speech.

Under the compromise, we also protected the right of employees of a secondary employer to refuse to cross a picket line in the case of a primary strike. The Landrum-Griffin bill, as written, appeared to take this right away.

The conference took out the restrictions of Landrum-Griffin on the right of employees to refuse to work on struck goods.

The conferees eliminated a section of the Landrum-Griffin bill about which no one was even aware until the very last minute—because it was camouflaged in legal language—which would have permitted damage suits against unions which were picketing for legitimate organizational purposes.

Under the Landrum-Griffin bill, union membership lists could be copied by employer stooges and such lists could have then been used by the employers to campaign against an existing union official, and for a management-dominated candidate for union office. The compromise provided that any member who is a bona fide candidate for union office could inspect such lists, but could not copy them, and that mailings must be made by the union.

The Landrum-Griffin bill provided for reporting by the employer in the case of labor consultants, like the union-undermining Nathan Shefferman, or in the case of expenditures of funds against the unions, but only when such expenditures were illegal under the law. The absurdity of this alleged protection is apparent when we ask ourselves, "How many employers are going to turn themselves in for illegal activities?" Yet we all know that for almost every union official who has gone wrong, a management official has made a payoff. The conference committee largely took the provisions of the Kennedy bill on this issue which provides for the reporting of these expenditures, whether legal or illegal.

We also won the provisions that economic strikers can vote in NLRB elections for at least 12 months after the strike begins. And the Senate sections authorizing prehire agreements in building construction were restored to the bill. These were great improvements over the Landrum-Griffin provisions.

FURTHER MODIFICATIONS NEEDED

I do not want to leave you with the impression that the conference committee came out with a perfect bill. There are still some provisions which should be changed or modified, and I hope that this can be done in the next session of the Congress.

The first has to do with the no man's land provisions of the bill. We modified the worst provisions of the Landrum-Griffin bill in this matter. Under the Landrum-Griffin bill, as I have said, the no man's land cases were to be turned over to State agencies, and were to be settled by State law in State courts. We all know what this would have meant in States like Mississippi, Georgia, South Carolina, and some of the nonunion rural States of the Midwest Great Plains. A further defect was that under the Landrum-Griffin bill, it was possible that the NLRB would in the future actually give to the States jurisdiction over cases which it now itself handles.

We modified these provisions so that the NLRB could not refuse jurisdiction over cases it would now take under the standards which presently prevail. We further gave them authority to delegate some of their decisionmaking to the regional directors in election cases. Thus the net effect was to keep Federal jurisdiction in those areas where it now exists, and also to provide a better opportunity for the Board to handle a greater number of cases through its regional offices.

The bill does provide, however, that State agencies or courts may assume jurisdiction over the cases which the Board declines. Because this opens up the possibilities of serious antiunion restrictions in the States like Mississippi, Georgia, South Carolina and some of the nonunion rural States of the Great Plains, as well as in the right-to-work States, I think this provision should be amended. I hope we may by later legislation provide that when the State agencies handle these cases, Federal law with appeals to Federal courts should apply so that we can have some uniform application of labor law throughout the 50 States, and not let the higher standards and business stability of organized areas be threatened by the competition of union-busting, open shop areas.

In addition to the inadequacy of the no man's land provisions—even though they improved greatly on the Landrum-Griffin bill—there is also the problem of employees in the construction industry whose traditional rights were certainly under attack by the secondary boycott provisions of the Landrum-Griffin bill. It has left serious questions of legality with respect to strikes, picketing and boycotts involving contractors and subcontractors, and whether or not so-called on-site picketing in the construction industry would be legal under the bill. I am joining Senator Kennedy in backing further legislation (S. 2643) to correct these weaknesses.

I feel vindicated in my original position that the Senate should not have adopted the Landrum-Griffin bill and that the bills should go to conference between the two Houses. I say this because the final bill modified most of those provisions of the Landrum-Griffin bill which went beyond any attempt to stop crooks and racketeering but which struck at the basic and traditional rights of legitimate trade unions.

Consequently, we now have a bill which I supported in good faith and which, for the most part and with some few exceptions, is aimed at the crooks and corruption and those practices which genuinely needed to be changed. At the same time—again with a few exceptions—the bill does not greatly strike down those legitimate union activities which the Landrum-Griffin bill, as it passed the House, would have done. You will realize of course that it is not permitted to amend a conference report. It must be accepted or rejected as a whole.

POSITIVE ACTIONS BY UNIONS THEMSELVES ARE ALSO ESSENTIAL

Legislation and law enforcement, of course, are not the only answers to what is needed for a strong and clean labor movement.

The honest, responsible and democratic operation of unions by their members and leaders on their own initiative is also essential—now as always.

Legal requirements can be—and I believe will be—of great assistance. But they are no substitute for the constant vigilance and positive actions of thousands of local and international unions and of millions of loyal and honest union members. This voluntary self-control is also a mighty bulwark against corruption, and for members' rights, stable

labor-management relations, and the public interest.

The internal moves to keep labor's house clean and to scrape off the barnacles or leeches that seek to use the movement for their own selfish ends are also a major protection against ripper legislation which enemies of labor often propose in the false guise of reform. I shall always oppose such hypocritical drives—as in the so-called right-to-work bills—still being pushed in many States. But labor's own record of voluntary action will be its best assurance to the public of the responsibility and maturity which they expect.

The work of the ethical practices committee under the leadership of Al Hayes has been a major step in this direction. I know of no comparable effort by employer groups to rid their ranks of the less-publicized, but no less-prevalent, abuses on management's side. The activities of the ethical practices committee deserve your full support. And I hope that in the internationals, the State and central bodies, and in the locals, as well as at the top level of the AFL–CIO, labor can use this difficult situation in which it has been placed by a small minority of its people, to show the public the essential honesty and responsibility of a movement which has done and must continue to do so much for the achievement of the best promises of American life.

Now let me say this. I have noticed in talking with some rank-and-file unionists that they will excuse the activities of men like Jimmy Hoffa by saying he brings back good contracts to them, he has improved our wages and working conditions, and therefore we do not care what he does, so long as he brings back the bacon for us.

Well, I want to say if that attitude is persisted in, if the activities of corrupt leaders are excused simply because in Robin Hood fashion some of the largess is distributed to the rank and file, the American labor movement will be discredited.

Frequently in politics when some of us have tried to clean up situations we are told, "Well, so and so may be corrupt, but he gets things for the people in his district." And they will excuse him.

What we need in this country is higher ethical standards amongst voters, amongst citizens, amongst employers, amongst professional men, and yes, amongst unionists as well. [Applause.]

In the days when the commies were infiltrating some of the unions and had leadership in some of the unions, some rank-and-file members would say, "Well they may be commies, but they bring back the bacon for us. Why should we oust them?"

Well, thank God the American labor movement has cleaned house in that matter, and I hope we clean house in this matter just as we did in the commie matter. [Applause.]

I can remember the excuses in the 1920's for Sam Insull. When he was bribing the politicians of both parties, people would say, yes, he is a corruptionist, but he turns the lights on for us, or our stock is going up in value. And it was not until there was a financial collapse that Insull lost his standing before the general public. The evils which Samuel Insull sowed in the field of politics in Illinois and Chicago continue until this very day, and it would have been well for the business community of this city if they had shown some moral sense in dealing with Mr. Insull.

I can remember in the summer of 1929, going up and down La Salle Street, trying to find some businessmen who would help us try to get the financial practices and rate schedules of Mr. Insull probed, and we could only get one man in the entire city of Chicago who was a businessman or a banker to stay with us.

So when people say that labor should clean house, I say, yes, most certainly labor should clean house; but did you clean house on Insull? Are you cleaning house on the people who practice abuses amongst your members? Are we politicians cleaning house as we should?

The truth is that we are sinful and mortal men; but we should try to be better, and for the sake of the labor movement, we folks have to clean house. I say we folks have to clean house because if the Becks, the Hoffas, the Glimcos continue to dominate certain unions, continue to dominate those unions which they now dominate—I have to be careful in what I say—we are in for even worse times than we have at present. Do not let them wrap the flag of the decent honest labor movement around them and drag you down to destruction. Do not let them do it. [Applause.]

THE STEEL STRIKE

Now let me say a word or two about the steel strike. This strike has gone on too long. There is no question but that it affects the entire labor movement and that your interest in the strike, therefore, is as great—if not as direct—as that of the men who are now on the picket line.

The antiunion forces in the country are now making a drive against unions in general. As I have pointed out, these forces wrote provisions into the Landrum-Griffin bill which were aimed at the weak and struggling unions, and at the legitimate activities of stronger unions, in the guise of fighting corruption. The steel industry is further using the cry of "inflation" not only to prevent any forward step in wages or working conditions, but also in an effort to reduce the hard-won rights which now exist.

Now I have examined very carefully the facts which the Department of Labor published only a few days ago on conditions in the steel industry. While hourly wages in the industry averaged $3.10 per hour, when one looks at the average annual earnings of the wage employees, we find that in 1958 these were only $4,840 and, in fact, averaged $510 less than in 1957. Thus, while the industry points to the $3.10 hourly figures in its full-page ads, you and I know that $4,800 per year is barely enough to provide for even the basic needs of a family of five.

But yet we all know that for industry to pay an adequate wage, production must provide the funds to do so. What are the facts about production and productivity in this industry?

The report does not adequately show the tremendous increase in productivity in the steel industry in the first half of 1959, for the Department of Labor combined the figures for the last half of 1958 with the first half of 1959 so that no firm figure for the first 6 months of 1959—when productivity increases have been very high—could be shown.

I believe that working men and women have a right to share in the increase in productivity and the increase in the efficiency of their work. Even from the facts on productivity increase given in the report—which show a 20 point or 13-percent increase in output per man-hour from fiscal year 1958 to fiscal year 1959—it is clear to me that there can be some improvement in wages and working conditions in the steel industry.

This can be based entirely upon increased productivity and can be done without increasing the price of steel or producing inflationary conditions.

These facts present a firm basis on which bargaining in good faith can take place. I say that it is time for the industry to get on with it and try to work out a solution based on the facts. This will benefit the industry, the employees, and the public as a whole.

As you, my friends in the Illinois AFL–CIO, make your plans for the coming year in this convention, I know you recognize that the challenges to the labor movement are great. Your growing power has brought new responsibilities, and an increasing economic, legislative and political pressure from your opponents.

But your opportunities for service to your members, to the underprivileged of all groups, to the economic growth of our country, and to the defense of freedom everywhere are also great.

Now, good friends, it would have been easy for me to have come here, and to have made a conventional speech, saying that all was well in the house of labor, and denouncing the political reactionaries, but ignoring the true issues. But true friends are not those who conceal the truth from their friends. Frank speaking, even at personal cost, is necessary in these matters. So I hope that we can go forward, on a double front; that we can cleanse the movement itself, just as John Fitzpatrick and Ed Nockels cleansed the Chicago Federation of Labor 50 years ago, and that at the same time we can defend labor from the attacks of its enemies, get back some of the rights which have been taken away from us, push forward to protect the unorganized and the unskilled, and defend the human and civil rights of all Americans regardless of their race, their color, or their national origin. Thank you very much.

[The delegates responded with a standing ovation.]

In Memory of Nikola Petkov

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, it is remarkable that Khrushchev should affect the air of offended innocence when Americans received him during his visit here in a spirit of cool reserve.

Khrushchev wants us to forgive and forget Soviet misdeeds of the past and present. But the catalog of these offenses against humanity is long and serious, and we as a morally sensitive nation cannot ignore them. There is something tragically coincidental that the commemoration of the death of Nikola Petkov, the Bulgarian agrarian leader, should fall during the visit of Premier Khrushchev to the United States; for more than anything else this anniversary should be a reminder that the Soviet Government respects only force and power in international relations, and that it does not hesitate to employ the harshest means to achieve its ends.

Nikola Petkov represented a genuinely democratic segment of Bulgarian political life. His political attitudes fall within the great American tradition of democracy. Petkov had sought desperately to preserve even a small segment of Bulgarian democracy. But the future of his nation, as that of all other east European states, had been foredoomed by 1947. Against the assertion of total Soviet power over Bulgaria, Petkov could not prevail. On June 5, 1947, he was arrested and in August was tried on false charges of conspiracy against the government. A Communist-manufactured publicity campaign demanded the death penalty. Tried by Communist judges and

in a state where local Communists and the Soviet conquerors were bent on establishing a Soviet satrapy out of Bulgaria, Petkov did not have a chance for survival. He was condemned to death on August 16. The death sentence was carried out on September 23, 1947.

Thus, for all practical purposes, the way was cleared for total sovietization of Bulgaria.

In the charges brought against Petkov, there was no truth; nor was there even a pretense of justice as we know it in his trial. This was a political act brutally calculated and carried out to destroy a man who opposed Soviet power.

As Americans we cannot be insensitive to such grave injustices and acts of brutality. The death of Petkov was one of many inhuman Soviet misdeeds that altogether helped create in the American mind a disturbing image of Soviet power and political conduct. This is not a distorted image, and all the state visits of Soviet leaders, who must, after all, share some moral responsibility for these acts, cannot change it.

It is with this thought in mind that again we commemorate the death of a great Bulgarian, Nikola Petkov.

More Economic Fantasy

EXTENSION OF REMARKS

OF

HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PORTER. Mr. Speaker, Mr. Reese H. Taylor, chairman of the board of the Union Oil Co., of California, and I have been having some interesting correspondence. Again, under unanimous consent previously granted, I include one of Union's Oil's advertisements, in which that company appears to be educating the public in the basics of economics. I feel that it is doing no such thing, but is, in fact, misleading it.

Following the advertisement, which appeared in the September 7, 1959, issue of Life, is my reply to Mr. Taylor.

The matters follow:

THE ONLY WAY YOU CAN REDUCE YOUR TAXES

"From time to time there are factions who argue that special taxes should be levied against a business or industry.

"And there is always the same reason given—these special taxes will help to relieve the burden of the 'little man,' the average taxpayer.

"This is a beguiling promise. And a great delusion.

"Take our own company as an example. Union Oil has no source of income except what our customers pay us. So every dollar we spend in the conduct of our business is a customer's dollar.

"It's a customer's dollar whether we pay it out for a truck, a tanker, a service station, a salary or a tax.

"Each time our taxes are raised, we have to get the extra money out of the customer by increasing prices.

"Every business does the same thing, or it couldn't keep its doors open. No matter what company pays the taxes, its only source of income is its customer.

"Direct and indirect taxes are, in fact, a major part of overhead of every business. And they always have to be paid. By you."

Arthur Mackenzie is assistant manager of our tax division.

His logic, we think, highlights a simple truth. You cannot lower your own tax burden by increasing someone else's.

The only way to reduce everyone's taxes—including the ones you pay, is to cut needless Government spending at all levels.

Your comments invited. Write: chairman of the board, Union Oil Co., Union Oil Center, Los Angeles, Calif.

Mr. REESE H. TAYLOR,
Chairman, Union Oil Co.,
Union Oil Center, Los Angeles, Calif.

MY DEAR MR. TAYLOR: You may remember that once before, at the end of July, I took the liberty of addressing certain remarks to you concerning an advertisement which the company of which you are the able chairman placed in the July 13 issue of Life. That one contained some very dubious generalizations by you and by Mr. Charlie Perkins, purchasing agent of your company. Your new advertisement in the September 7 issue of Life, containing certain statements presumably made by the assistant manager of your tax division, Mr. Arthur Mackenzie, is, frankly, every bit as alarming to me as your earlier statement. It is hard for me to believe that any person whom you would be willing to have on your payroll as an assistant manager of your tax division could set forth for publication such naive nonsense as is contained on page 11 of Life's September 7 issue.

We can, of course, agree that taxes are one of the costs of doing business, and in this respect are like any other cost—wages, materials, services, etc.—that a business has to pay. In the long run, of course, no business can succeed which does not cover these costs and have enough profit to serve as an incentive to continue its operations. But to conclude from this fact that "each time our taxes are raised we have to get the extra money out of the customer by increasing prices" is an utterly fallacious conclusion, as any freshman student of economics could tell you. Raising prices to the consumer is, in fact, sometimes not even a feasible alternative. If a tax were imposed, for example, on fuel oil, but not on natural gas, or on other competitive fuels, it might be economic suicide to raise the price of fuel oil. In this respect, again, taxes are like any other cost which may go up. Sometimes a business finds it prudent to pass the increased cost on to the consumer, sometimes it is utterly impossible. Alternatives must be constantly examined, such as cutting other costs, increasing productivity, changing the product mix of the company, reducing dividends, and cutting executive salaries.

The conclusion you reach that "you cannot lower your own tax burden by increasing someone else's" is again quite untrue, as any student of the history of taxation knows. Every change in tax rates inevitably shifts the relative tax burden in one direction or another. If more taxes are gained from excises on tobacco, liquor, and playing cards, consumers of these items are assuming a part of the tax burden which otherwise would fall on others. If the oil industry gets a depletion allowance that is considered by many tax experts and myself as excessively generous, a relatively heavier burden falls on other businesses and individuals. If the tax rates on individuals are steeply graduated, those with lower incomes benefit directly. If corporate taxes are reduced, corporations, their officials, and their stockholder-owners, and in the rare instances where such reductions result in price cuts, even their customers may benefit. But a correspondingly greater burden falls upon the rest of the economy.

Of course, in the abstract, it is easy to say that cutting needless Government spending at all levels is the only way to reduce everyone's taxes. But this platitudinous generalization is of absolutely no help to anyone concerned with the determination of what the Government should spend. As you well know, Mr. Taylor, there is not a single Government program which does not have its spokesmen and advocates, those who insist that spending on their particular programs is essential and necessary. Nothing is of more constant concern to the Members of the Congress than seeing to it that the appropriations it authorizes are necessary for the security and welfare of our people. Our committees are vigilantly on guard against waste, fraud, and inefficiency. Aided by the General Accounting Office, and the Bureau of the Budget, the Congress is constantly aiming to keep Government expenditures to a point where they are economically sound and benecial to the American people.

But, Mr. Taylor, you must not forget that in a growing country such as ours, and in a world fraught with dangers to our national security, we would fail in our duties to our people, if we were directing our attention exclusively toward cutting expenditures. Russian military might has taught us to redouble our efforts for a strong national defense—and that costs money. Sputnik showed us the spectacular advances of Soviet science, and demonstrated the need for accelerating American education in science and technology—that too costs money. Our growing population and expanding economy make expenditures on schools, highways, hospitals, imperative. None of this comes cheap. If you feel, Mr. Taylor, that these, or any other specific Government programs should be abandoned, I should be glad to hear about it. But please don't just ask for cutting down Government spending at all levels. That is too much like saying you're against sin.

Let me assure you I don't like taxes any more than you do. I have to pay them on my salary, just the way you do on yours. Excise taxes, sales taxes, property taxes, eat into my income in a painful way. But I would never be able to live with myself if I thought for a moment that reducing these taxes was more important than the security of the United States and the welfare of its people. I am sure you feel the same.

No, let's not just "cut needless Government spending." Let's eliminate needless Government spending. But let us be sure that we know what spending is needless before we start to swing the meat ax around cutting down programs whose termination or reduction would place the security and the welfare of our people, of our children, and of our children's children in jeopardy.

With best regards,

Sincerely,

CHARLES O. PORTER,
Member of Congress.

The Fight in 1959 for Hawaiian Statehood

EXTENSION OF REMARKS

OF

HON. RALPH J. RIVERS

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RIVERS of Alaska. Mr. Speaker, under leave to extend my remarks I submit my impressions of what I think was one of the major accomplishments of the 1st session of the 86th Congress, and convey my congratulations and thanks

to my colleagues in the House of Representatives who worked so hard and cooperatively toward their goal. The subject of which I speak is the granting of statehood to the Territory of Hawaii and bringing this island empire into the family of States of our great American Union.

Aside from the overwhelming majority of the people of Hawaii who had struggled for years to gain admission of their Territory as a State, I feel that I as an Alaskan who is also less than a year old as a fully endowed American citizen, probably have a better basis than most for understanding the human values involved. As the sole Member of this House from the now second newest State, my memory is fresh as to how it feels to be a colonial on the outside looking in, as contrasted with the fulfillment of being on the inside looking out.

As a youth raised in Alaska, and as an adult who has spent his mature years in Alaska, I had never been eligible until less than 10 months ago, to vote in a Presidential election, or until less than 10 months ago, to vote for U.S. Senators and a Representative to the Congress, or even for Governor.

The people of Hawaii had, until passage on the enabling legislation, been in exactly the same situation. The frustration—the feeling of helplessness in charting our own course of destiny—is something that can be fully understood and appreciated only after having experienced it. It is basic to our American heritage of economic and political independence—something ingrained in the minds and hearts of Americans, that has its origin in the years long before the American Revolution lead to the establishment of the Original Thirteen States. As Americans, our educational backgrounds, our cultural evolution—even our economic philosophy—all have taken a part in establishing in each of us the craving for sovereignty—not absentee government.

The people of a territory organized by the Congress under the American flag can for a period of years be satisfied to conduct a program of limited self-government—under tutelage, if you please—but only with the promise and in the hope that it will be only a temporary situation. After having gained experience and a fair degree of political maturity and economic self-sufficiency, the people of such a territory find themselves eager to be graduated and awarded the full measure of American political rights and responsibilities. The people of Hawaii had undeniably demonstrated that they and their great homeland were ready for graduation. This Congress refusing to be further delayed, tackled the problem early in the session, and before the Congress was many weeks old, embraced the Territory of Hawaii as an inalienable part of the Union, and removed them from the twilight zone of territoriality. Another goal of the Democratic Party achieved.

But I would not leave the impression that the only benefit derived has been for the people of Hawaii. Far from that. The United States as a whole will benefit from the enabling of these peoples to fully participate in the conduct of our national affairs, thereby obtaining the benefit of the fine contributions which all of us know they will make as our 50th State. We have already seen clear evidence of this in the Senators and Representative the State of Hawaii has sent to the Congress. Serious, honorable, intelligent and dedicated men—men of good will—men from varied ethnic groups—a real lesson in democracy.

We in the House naturally know our colleague, Congressman DANIEL K. INOUYE, better than we know those in the other body. A Japanese-American, lawyer, combat veteran, and hero, a young man of vision and determination, he typifies Americans everywhere. This able gentleman will, I am certain, do great credit to the State of Hawaii, the United States of America and the House of Representatives. His youth and vigor are priceless assets, and we shall all be proud and thankful to have him in our midst.

In closing, I would say that in granting statehood to Hawaii, the 1st session of the 86th Congress has built another monument to the greatness of the United States.

War on Unions

EXTENSION OF REMARKS
OF

HON. ELMER J. HOLLAND

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. HOLLAND. Mr. Speaker, under leave to extend my remarks, I wish to include in the RECORD the following speech which I made before the Pennsylvania State Board of the American Bakery and Confectionery Workers, AFL–CIO:

WAR ON UNIONS

In the April 1958 edition of Steel Labor, the United Steelworkers of America warned their membership by a front page story that "war had been declared on the unions."

They pictured many brochures received by my office that were being used to undermine union activities, union leaders, and the union membership in general.

The war on unions gained in momentum. Labor forces were not mobilized; and we find out that the American labor movement has lost, by default, the first battle.

The year 1959 shall be known as the year of crisis for labor.

Let us go back, just a little, and see just what happened.

For many, many years propaganda and pamphlets, which were definitely antilabor, have been shoved aside and ignored. Many who received them felt there was no planned program on the part of big business who refused to accept labor as a part of our economic life and who objected to negotiating with labor to give them their share of the profits of our capitalistic system.

While I was a member of the Pennsylvania Senate I received many pamphlets and speeches against labor; but, in 1956, when I took office in Congress, I was amazed by the amount of antilabor material that came to my desk daily.

Brochures, books, reprints of speeches by leading industrialists, copies of editorials, and all kinds of folders and statements that were nothing but out-and-out "union busting" throwaways were being received by me and by every other Congressman and Senator down in Washington.

On numerous occasions, when addressing union meetings back here in the district, I pointed out this fact; indeed, I stressed the seriousness of the atmosphere that was being created in Washington concerning labor in general.

When the McClellan committee came into being, in January 1957, they started their investigative hearings. Every exposé they made concerning labor—any segment of it—was played up by the daily papers, from coast to coast. The television stations gave "blow by blow" shows of the hearings. The radios, in our cars and in our homes, repeated again and again stories of isolated cases of violence and corruption until they convinced the listening public that these were normal, everyday occurrences.

The year 1958 saw the start, therefore, of the labor bills.

The Kennedy-Ives bill was passed by the Senate—with only one vote against it. That was Senator BARRY GOLDWATER'S—and he opposed it because he said it was too weak.

That bill was defeated in the House by a coalition of reactionary Republicans from the North and the southern Democrats because, they said, it was not strong enough.

The year 1959 will be noted in the history of the labor movement as the greatest year for all those who opposed unions—for the antilabor forces, with their high-powered advertising companies, joined ranks in a well-planned campaign of brainwashing the American public.

Not until the House voted and the Landrum-Griffin bill went to the Senate for conference, did the rank and file of labor wake up and realize the setback they had received.

It was then too late to do much about it.

The representatives of organized labor were on the job, they had talked with the Members of the House and the Senate; but—let's be honest—we were not swamped by mail from home, from our district, from the average union member.

The reason for it, the average member of each and every union was confused. The Madison Avenue boys had done an excellent job in painting a foggy picture.

Bernard Nossiter, a columnist in the Washington Post, analyzed the labor bill lobby very calmly and revealed and reviewed what has happened to the citizens of our country—and that includes the members of labor, organized and otherwise. He says:

"Sophisticated business lobbying—combined with conscious manipulation of public mood—is being credited with a major role in the passage of the strong labor bill. Details of this skilled operation began coming out this week."

He goes on to say that the core of the technique was to focus on the "uncommitted House Members—particularly those in marginal districts. In those districts a deliberate effort was made to translate public anger at the disclosures of union corruption, by the McClellan committee, into a barrage of letters urging the Congressmen to vote for a tough bill."

The major organizations involved were the National Association of Manufacturers and the U.S. Chamber of Commerce—aided by many of their own State groups, such as the American Farm Bureau Federation, the American Retail Federations, the National Small Business Men's Association.

Mr. Nossiter states that while these groups did not march in perfect steps together—the degree to which they cooperated and coordinated their efforts was the greatest that had been experienced by business.

They did not descend upon Congress; they went after only those Members who were in

marginal districts. That is, the men who won by only 5 percent, or less, of the popular vote and who had never voted on a labor bill. They found there were about 120 in this group.

However, they discovered that, out of these 120 Members, some definitely favored a bill, but were not committed; and by a process of elimination they decided to concentrate on 54 Congressmen and the districts in which they lived.

The McClellan committee, with all its publicity and exposes, had set the public mood.

So early in June this group started their major effort.

They set about systematically to arouse the constituents in these marginal districts and get them to flood their Congressmen with mail demanding the passage of a "strong labor bill."

One important tool was the television show "Sound of Violence."

Do you remember seeing it, or hearing about it—the hour-long show portraying union hoodlums in the jukebox field that the Armstrong Cork Co.'s Circle Theater had shown in April? An estimated 25 million saw that and heard, at its end, an appeal from Senator MCCLELLAN asking the American people to do something about the evils shown in the play.

The Armstrong Cork Co. very obligingly decided to show the drama again in July, and the business lobbyists cooperated fully.

Mr. Nossiter states that local affiliates of the National Association of Manufacturers and other trade associations told their members where and when the show could be seen. They advised employer members to urge their employees to watch it, and they encouraged their members to get their employees to write their Congressmen on the labor bill.

The Washington Post states that:

"The strategists discovered that TV stations in 27 key congressional districts would not carry the rerun of the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important congressional districts urging people to watch and then write their Congressman."

Not satisfied with that, the paper further states that "an estimated 4½ to 5 million mailing was made telling about the show and requesting letters be written to Congress; and an estimated 15 to 20 million persons were said to have watched the rerun of the show."

Late in July the Landrum-Griffin bill was introduced in Congress.

The heat became even hotter in Washington.

These organizations made brief tape recordings for radio and TV, featuring Congressmen LANDRUM and GRIFFIN, and starting in August these tapes were run quite frequently as public service features or under local sponsorship in 35 of these crucial congressional districts.

In one congressional district, the paper pointed out, a good sized corporation sent its foremen out to ring neighbors' doorbells; they claim that this produced 3,000 letters in 1 week which urged that particular Congressman to vote for a stiff bill.

The vote for this bill came on August 13, and it won by 28 votes.

Since the entire group of 54 had originally been selected on the premise that they leaned toward a soft bill, the lobbyists claim their work helped produce this victory.

"Business lobbyists, so pleased with their efforts, expect to use these techniques with more success in the future," so states Mr. Nossiter of the Washington Post.

That is what happened:

No doubt you have read the recent reports appearing in the papers that business—big business—is realizing that it must become active in politics, in the affairs of our Government. The Gulf Corp., for instance, has announced that it will endeavor to get its people interested in the part they must play in politics.

Only a couple of weeks ago the papers reported on a group of political science students from the various large corporations in and around Pittsburgh who went to Harrisburg to learn how laws were passed and see the house and the senate in action.

If anyone over the age of 10 today thinks that business has not been active in politics for the last 50 years or more, his education has been very inadequate.

What have the National Association of Manufacturers, the U.S. Chamber of Commerce, the national right-to-work advocates been doing?

I would certainly call the steady barrage of mail, letters, articles, copies of speeches, and antilabor material that I have been receiving ever since I went to Washington a program of activity in politics.

I think they meant to say they are going to become "more active."

And, when you see how they worked on this so-called labor reform legislation, you can see what is in store for us.

The chips are down.

We are in an economic war.

Although the leaders and representatives of big business pay lipservice to good unions, they are out to do away with them, if possible.

Senator BARRY GOLDWATER—I believe you have heard tell of him—said: "I am for unions, but I like the unions without officers or members."

Mr. Roger Blough, the Wall Street lawyer now the head of the United States Steel Corp., said:

"Unions have gone too far, too fast."

Mr. Blough, incidentally, was much in favor of the Landrum-Griffin bill, or even a stronger one, if it could have been passed. He was all for Government control of the unions and Government interference with the internal affairs of labor organizations. However, he lost no time, nor did he hesitate, in telling the Government—and President Eisenhower—that he wants no Government interference with his steel strike. He wants no factfinding body to look into his problems.

Up to date, the President has cooperated fully with Mr. Blough.

Why?

Drew Pearson told us why just a week or so ago. He stated:

"Personal friends of the President (who are members of industry active in the U.S. Chamber of Commerce, the National Association of Manufacturers, the national right-to-work organizations) have convinced him that he should stay out of the present steel strike controversy so the steel companies can give the unions a defeat it will not soon forget."

Mr. Pearson further pointed out that the following individuals contributed $214,250 to Mr. Eisenhower's 1956 campaign for reelection and he listed:

"National Steel, with Mr. George Humphrey contributing $37,200.

"Republic Steel, with Messrs. James Black and George Allen (Ike's bridge crony and farm partner) contributing $16,000.

"United States Steel, with the executives of the company contributing $26,800.

"Armco Steel, with Mr. and Mrs. Charles Payson, Mr. Kenneth Spencer and other officers contributing $96,450.

"Bethlehem Steel, with its executives contributing $8,750.

"Inland Steel, with Mr. and Mrs. E. L. Ryerson contributing $3,150.

"Jones & Laughlin, with its executives contributing $25,800."

If that is not taking an active part in politics, what is?

I would say that the steel business invested rather heavily in Ike, and, up to date, their investment has paid off. He is doing as they ask.

Do you realize that if steel management can get a contract they dictate every other corporation will do the same thing, or try to?

We must realize right now this is no cold war on distant shores.

This is a hot war right here at home—on how our own economic future will turn out.

Let me show you just how serious it is.

The Landrum-Griffin bill was passed by a coalition of northern Republicans and southern Democrats—after the President of the United States had made a public appeal for its passage by means of a coast-to-coast television program.

The reason why it passed is not too difficult to find when you look at the economic picture.

The Congressmen from the southern right-to-work States, almost unanimously, supported this bill—that is, Alabama, Arkansas, Florida, Mississippi, Tennessee, Texas, and Virginia.

Do you know the per capita income in these States—that is, the average yearly income down there? Well, here they are:

Alabama	$1,300
Arkansas	1,200
Florida	1,800
Georgia	1,400
Mississippi	1,500
North Carolina	1,300
South Carolina	1,200
Tennessee	1,400
Texas	1,800
Virginia	1,600

In Pennsylvania our average income is $2,100.

Did you know that in those Southern States—where they are continually fighting against Federal aid to education and the improvement of our schools—the percentages of draftees turned down because of illiteracy is—

Alabama	42.6
Arkansas	32.1
Florida	31.3
Georgia	37.0
Mississippi	49.9
North Carolina	32.4
South Carolina	49.8
Tennessee	28.9
Texas	23.1
Virginia	31.9

In Pennsylvania our turndown was only 9.5.

Did you know, or could you believe, that in Georgia laws prohibit mass picketing? In Alabama, Florida, Georgia, North and South Carolina, Tennessee, and Texas there is no compulsory workman's compensation laws? There is no minimum-wage law in Alabama, Florida, Georgia, Mississippi, North and South Carolina, Tennessee, and Texas. Arkansas, the home of the great defender of the laboring man, Senator MCCLELLAN, has a minimum-wage law. It is 16 cents per hour.

A mayor from one of the cities of Mississippi wrote a northern manufacturer, and said:

"No one will tell you whom you must employ. All detrimental State laws for industrial operations have been repealed. The closed shop in Mississippi has been outlawed. Industrial wages are from 50 cents to 95 cents per hour lower than in the Northern States."

The passage of the Landrum-Griffin bill will guarantee the continuation of cheap labor and unbelievably poor working conditions for the workers.

The northern Republicans, who voted for this bill, apparently want to see those conditions and wages exist in the Northern States as well.

Oh, I was in favor of the original purpose of the so-called labor reform legislation—to eliminate crooks and racketeers in both management and labor.

But the Landrum-Griffin bill did not do this.

The truth is—rather than being a reforming bill it turned out to be a deforming bill.

Mr. A. H. Raskin, of the New York Times, stated:

"On the ironic side is the possibility that the law, for all its emphasis on stamping out union rackets, will prove a legal umbrella for hoodlum-infested paper unions. The bill prohibits picketing for union recognition where an employer has lawfully entered into an agreement with another union. This provides a strong incentive for deals by unscrupulous employers and racketeers who go into the 'union business' by the simple expedient of printing a fistful of independent charters. Contracts with such complacent outfits can serve as insurance against recruiting drives by bona fide unions. Proving that there is anything wrong about the arrangement is always difficult. With the added vigilance the crooks have learned, as a result of the McClellan committee, it is going to be even harder to establish collusion in the future."

Mr. Raskin goes on to say that:

"The most substantial revision in union practices will flow from the rules governing picketing to force union recognition and the virtual ban on secondary boycotts. With the spread of subcontracting in many major industries, the prohibition on union action to compel the sending of work to unionized contractors or even to unstruck shops may mean a significant decline in the automatic extension of organization in the mass production fields.

"To a considerable extent, the secondary boycott ban accomplishes one of the chief aims of those who have been trying vainly for many years to bring unions under the antitrust laws.

"It makes it illegal for unions to put pressure on employers not to do business with other employers as a means of influencing their labor standards."

There are numerous other points that I could bring out that, in very subtle ways, will hinder the organizational work and growth of the unions.

Under the new law, the Washington Post reported over 55,000 labor unions would have to file reports on their organization within the next 90 days. In addition 37,000 financial reports and 1,000 reports on trusteeships would have to be made before April 1.

As a sidelight they also stated that 400 to 800 new employees would have to be hired to handle all the paperwork these reports entail.

The President, who does not hesitate to veto legislation on the pretense of cutting expenditures and living within his budget, will not veto this bill that would add possibly 800 new jobs—these are jobs to hamstring labor. The legislation he saw fit to veto would only help people.

The average union member must wake up, he must realize that all this hogwash the "soap salesmen on TV and radio" are selling is just that; he must realize that the sponsors of these programs—the news, dramas, plays, and so forth—are not investing millions in TV and radio time to improve the worker's lot. They are not.

They must make their investments pay off.

And they are doing just that—when they can dictate to the President of the United States and tell him to stay out of the strike picture, when they can convince working men and women to bombard their Congressmen with letters asking for punitive legislation that will retard the progress of the working people in America.

Business is indeed active in politics.

If labor doesn't want to lose what little it has left it better become active, too.

Labor today—or ever, in fact—hasn't the millions required for advertising by television, radio, and the newspapers; we must count on legwork, on personal contact with neighbors, friends, and fellow union members; we must go back to ringing doorbells and the telephone campaigns if we want to stay as a participating part of this economy of ours.

The battle of automation is on us right now; provisions must be made for many displaced workers; displaced by machines, not by other workers.

Provisions must be made for better education for our youth so that they will be prepared to take their place in the new automation age and the dawning of the space age.

Provisions must be made for proper medical care for our citizens and especially for our elder citizens now on pensions and social security.

Much is to be done for the general welfare of our people.

This is no time to sit back and relax. We must fight to regain what we have lost and go to even greater heights.

It is up to you, your fellow union members, your friends, and your associates.

The future depends on you.

Record of the 1st Session, 86th Congress

EXTENSION OF REMARKS
OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PRICE. Mr. Speaker, the 1st session of the 86th Congress has been a long and highly productive one in the sense that the Democratic majorities moved steadily forward on a progressive, sound, and responsible course. The necessary authorization and appropriation bills were given careful scrutiny, they were trimmed where this seemed desirable, and they were passed expeditiously. The country's foreign policy was upheld, the mutual security funds deemed essential were voted after the President's proposals had been properly considered and reviewed in accordance with legislative responsibility and obligation.

The 86th Congress, as did preceding Democratic Congresses, reduced the budget requests of President Eisenhower. The President asked for $74,858 million. The Congress lopped $1,882 million from this. In the two sessions of the 85th Congress, the budget submitted by the President had been cut over $5 billion.

The Congress labored diligently to reduce spending authorizations below those recommended by the President, without sacrificing important programs to strengthen the economy in the long run.

It is only candid, however, to report that the session was in many ways a frustrating one, because the Eisenhower administration tried to reverse the election of very solid majorities last November by the formidable threat of vetoes.

An odd thing seemed to happen to the administration. Whereas President Eisenhower only a couple of years ago—in January 1957—presented what might have been called a New Deal budget, showing a great deal of concern for social services the people need and deserve, he showed in 1959 that he had backed clear away from this position. In 1957 he was almost directly attacked by the man who was then his Secretary of the Treasury, George M. Humphrey, and the upshot was that he surrendered. He became increasingly obsessed with what he chose to call the spending issue, and he never again bothered to ask himself whether what he labeled spending was for a good purpose or a bad, wasteful purpose. He used to talk about modern Republicanism and progressive conservativism and the middle of the road. But these phrases disappeared after his surrender to Humphrey, who left the administration to become president of a large steel company.

The record is clear—on such subjects as housing, school construction, slum clearance, health programs, which are of enormous importance to the great majority of Americans who live in cities and in suburban areas close to cities, he moved steadily to the right of the late Senator Taft. He became more conservative on these subjects, and even on labor legislation, than Taft had been. Because of this, the record of the session was a record of the collision between realistically progressive Democratic ideas and the President's rigid determination to veto the results of the 1958 election.

We must understand two things:

First. There has been no political cold war between the President and the Democratic Congress such as the Republicans used to predict. This is the third Congress in succession in which Democrats have held a majority under a Republican White House, and yet partisanship has been held to a minimum.

On foreign policy, the President has been upheld. No one has attempted to embarrass him in regard to such things as the meetings with Khrushchev, or our relations with our North Atlantic allies. The basic foreign policy of the United States, which originated with President Truman and two great Secretaries of State, George C. Marshall and Dean Acheson, has been sustained wherever the President felt it carried him.

Second. The President, on the other hand, might be considered to have used his veto power and the threat of his veto to wage a kind of political cold war on the 1958 election returns by stubbornly blocking the development of domestic programs the people have repeatedly shown they demand. As of the close of this session, he allowed no new programs, and only the vigor of Congress prevented him from scaling down those already in existence.

My own work has been concentrated, as usual, in the area of the two committees on which I serve—the House Committee on Armed Services and the Joint Congressional Committee on Atomic Energy.

It is fair to say that American development of a nuclear-powered aircraft has been pushed through by our efforts and against the opposition of the administration, which, in familiar fashion, has

seemed more worried about budget balancing than about the security of the Nation. It has seemed to feel, at least, that a technically balanced budget was a greater element in our security than nuclear-power development. It is a viewpoint with which I do not agree.

I worked as a member of a special subcommittee headed by Congressman HOLIFIELD, of California, which delved deeply into the subject of the dangers from nuclear fallout, on which the future of the whole world may depend, and the subcommittee broke through the barriers created by the administration to produce an interim report that both abates unnecessary fears and emphasizes the directions in which we should move.

The subject of radiation hazards in industrial operations also was studied comprehensively. This is a whole new field, involving safety precautions, public health, insurance responsibilities, and the proper obligations of the Federal Government in meeting a new national problem. It is a difficult area, involving State and Federal cooperation, but the work must still be done, and we have made progress.

In addition, I was directly involved in one of the President's celebrated vetoes.

In cooperation with Senator HUBERT HUMPHREY, of Minnesota, I sponsored a bill to reverse an Eisenhower administrative reorganization plan of 1953 which, in the judgment of Congress, placed the lending policies of the Rural Electrification Administration in the hands of the REA's enemies. A resolution was passed to cancel the reorganization plan and restore the REA as an agency operating with some initiative and creative responsibility, but still subject to the direct administrative control of the Secretary of Agriculture. It was the belief of Congress that the administration had violated its 1953 promises that the REA would not be hamstrung by the reorganization plan.

The President vetoed the bill, and a valiant effort to overturn the veto failed by just four votes in the House. I was deeply disappointed, because I believe in the REA and do not think that its proud record justified the Eisenhower-Secretary Benson treatment of the rural electric-and-telephone systems as an unloved stepchild. In another sense, also, I felt that the failure of the overriding vote was disappointing, because it gave the White House political advisers a sense of security in threatening that various other measures would be vetoed. The effect was that there was little pressure on the administration to try to find reasonable areas of compromise, and the end result was that Congress was unable to pass perfectly reasonable programs that would have commanded the general support of the public.

The palace guard went too far, at last, on the second public works bill authorizing water development projects even after Congress had reduced the public investment to the total the President set as his limit. At this both Houses rebelled, because it is intolerable for a veto of such projects to be defended on the argument that nobody but the Budget Bureau has any policy control in the development of America's waterways, rivers and harbors. Congress, too, has a role to play, and it asserted its constitutional rights to authorize projects for the enhancement of America's national resources.

This ended the President's record for "never having a veto overridden"—a record temporarily preserved only by the device of a White House survey leading to his signature on an earlier airport construction bill because he was reliably informed by his party leaders that he could not win on a veto.

The efforts of Congress to pass a sound and fair labor-management bill were seriously impeded by administration efforts to make political capital from an issue that should have nothing to do with partisanship.

Looking backward, perhaps everyone can realize that all the bills seriously offered in Congress were equally strong in the sense that they would impose ground rules that honest union leaders are glad to accept and which, in fact, they long ago accepted in practice in overwhelming numbers without the need of a law. But the Republicans in Congress did not want the Democrats to get credit for passing an effective but fair bill, so they shouted that our bills were "weak." A GOP spokesman let it slip out that he wanted a "killer" or no legislation at all, and this was the attitude of the administration. President Eisenhower even endorsed a section of the legislation that his own Secretary of Labor Mitchell had opposed in testimony, and the Secretary had to swallow the reversal.

Insofar as the legislation actually injures honest unions, particularly small and weak unions in antiunion low-wage sections of the country, it will be bad class legislation rather than a reform proposal. It will damage Illinois industry and industry specifically in Madison and St. Clair Counties, where our unions are strong, well established and are not going to be broken. By encouraging low-wage sections to continue to try to attract runaway business, it may increase the differential in prosperity and good wages between areas. I would have greater preferred a sound reform bill, limited to reform, rather than anything advocated as "killer" legislation and sponsored with partisan purposes.

There are a great many credits in the record of the session in which Congress resisted attempts of the administration to kill useful and desirable programs.

For instance, the White House group says that Federal spending in what are called federally impacted areas, where there are large concentrations of people due to defense or other Government activities, is wrong. Several school districts in Madison and St. Clair Counties participate in this program. Congress did not agree and refused to nonappropriate the program out of existence.

The White House also tried to scale down or abandon the relatively new antipollution program, under which cities are helped to meet their massive problems of water pollution and sewage disposal. The matter of pure water supplies is surely a national issue, but Mr. Eisenhower's advisers tried to argue that self-reliance would be sapped unless we abandoned our efforts to promote the swift development of antipollution systems with Federal aid.

Congress refused to go along with this, and after both Houses had passed bills to increase the program, instead of killing it, it was agreed to hold the measure in conference committee until next January when Congress is back in session and action can be completed without risking a pocket veto. After Congress reconvenes, the President will have to veto the bill directly by refusing his signature or let it become law. The total program will not be seriously impeded by the 4 months of delay.

Congress repeated its pattern of the last several years and insisted on authorizing and appropriating more money for medical research than the President said he wanted. The sum is not big in a relative sense, and it would be folly to let people die unnecessarily of cancer and cardiac diseases when substantial breakthroughs may be made by the investment of a few millions more in money.

This Democratic Congress has been an economy Congress. Despite the hocus pocus constantly talked about by the administration, the session has actually slashed the proposed spending programs of the Budget Bureau in bill after bill. It has slashed the proposed authorization bills, sending each of them under the careful scrutiny of expert committees and trained committee staff experts.

A certain trickery is involved when people toss around Government spending figures without any clear sense of ethics. One might suppose, for example, that an administration that talked about economy so frequently would have a proud record of budget balancing, but in fact President Eisenhower rolled up a record peacetime budget deficit of $12 billion for his last fiscal year. Even more embarrassing to him, however, was the danger that he might have another deficit in fiscal 1960, which is an election year. So we saw instance after instance in which, for bookkeeping purposes only, the White House tried to get spending charged against last year rather than the 1960 fiscal books. It does not mean either more or less spending, but merely involves a political talking point.

There can be trickery also in such things as the highway program. Mr. Eisenhower insisted on raising gasoline taxes to pay for the interstate system, which was threatened with a slowdown. There were obviously many ways to raise the money—by general revenues or by setting aside funds from taxes already imposed, as well as by raising gasoline taxes again. But the administration kept on demanding the highest possible raise in gasoline taxes—which would give the White House credit for keeping the program rolling and Congress the blame for imposing special new highway-user levies that, in the opinion of many of us, were unnecessarily and improperly high. A compromise was obviously required, and it would have been easier to get if the administration had not adopted so self-righteous an attitude in regard to its own proposals.

Perhaps the greatest service of the session has been in its demonstration of the clashes of philosophy between the administration and the Democratic majority. Look at the record of programs blocked by vetoes or threats of vetoes:

They include an effort to develop a new farm bill. They include Federal aid to schools, where administration hostility forced the scaling down of bills and even the smaller programs were not given a green light.

They include housing, where the President vetoed a comprehensive but compromised bill, then vetoed a somewhat scaled down bill, and finally accepted only a third measure.

The President gave no affirmative leadership for an improved minimum wage system, to meet needs that are now apparent to modernize a sound program. When the administration was asked to help modernize the unemployment compensation system, it refused, and said that no such thing was justified. When hearings were held on a bill to improve the social security system by liberalizing retirement age provisions, the Secretary of Health, Education, and Welfare went before the committee and said he was against it.

A highly respected liberal Republican, Senator AIKEN, of Vermont, said after the last election that the President's trouble was that he didn't understand the difference between waste and useful and desirable public investment. I thoroughly agree, and I regret that the session has demonstrated that this failure in comprehension in the White House has been more flagrant rather than modified.

The result is to leave us a great deal of work for next year—and the work will have to be done no matter what the difficulties are.

The 1st session of the 86th Congress came to an end after finally approving the mutual security appropriation bill and extending the life of the Civil Rights Commission for 2 years. It had been in continuous session longer than any other session of Congress since 1951.

White Sox Live in Second District

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. O'HARA of Illinois. Mr. Speaker, as the 1st session of the 86th Congress nears the end I think it is proper that I should acquaint my colleagues with the inside secret of why the Chicago White Sox are on the eve of winning their first pennant in 40 years. I appreciate the fact that my distinguished colleague and beloved friend from the 5th district, Mr. KLUCZYNSKI, has a prior claim on the White Sox because their park is in the district that he so ably represents, and also JOHN KLUCZYNSKI is one of the most loyal and rabid White Sox fans that Chicago has ever known. But, Mr. Speaker, the circumstance of the location of the park is small indeed to the circumstance of where the players live when they are in Chicago. If they did not get good rest at night and good food and live in the choicest of residential environment, how could one expect them to win ball games?

Here, Mr. Speaker, is the inside secret. The White Sox players when they are in Chicago live in the great Second District. Everybody knows of Early Wynn. His name will go down as that of one of baseball's immortals, and Billy Pierce, and Dick Donovan and Gerry Staley, all deserve to be in the hall of fame. They may play baseball in a lot in JOHN KLUCZYNSKI's district, but they get the strength and build up the morale to win games by living when they are in Chicago among the good people and in the beautiful environment of the Second District.

As my colleagues so well know, I have always maintained that most of the good things of the world either come from or have some connection with the Second Congressional District of Illinois. I am happy to have this opportunity of informing my colleagues before we adjourn that when the White Sox finally cinch their first pennant in 40 years the Second District will be claiming a lot of the credit.

Noel Nelson, whom Ken Harding and others at the last Democratic National Convention will favorably remember, has furnished me with the evidence. Fourteen of the White Sox players and two coaches live at the Piccadilly Hotel, at 5107 Dorchester Avenue, in the heart of the district that I have the honor to represent. They are Jim Landis, center field; Bubba Phillips, third base and outfielder; Nellie Fox, second base; Jungle Jim Rivera, outfielder; Sherman Lollar, No. 1 catcher; Luis Aparicio, shortstop; Ken McBride, pitcher; John Romano, No. 2 catcher; Gerry Staley, relief pitcher; Rudolpho Arias, pitcher; Turk Lown, relief pitcher; Ray Moore, pitcher; Bob Shaw, pitcher; Norman Cash, infielder; Tony Cuccinello, third base coach; Don Gutteridge, first base coach.

Early Wynn, Billy Pierce and Billy Goodman live at the Flamingo Hotel at 5520 South South Shore Drive. Al Lopez, the great manager of the White Sox, and Earl Torgeson, the great first baseman, live at the Shoreland Hotel. Pitcher Dick Donovan lives at the Country Club apartments, 5530 South South Shore Drive.

Miss Nelson adds:

Now, Congressman, as you can see from the above, we have so far 19 out of the 25 regular players on the team, plus the manager and two coaches who live in your district. You know, of course, that they are not permanent or voting residents—but this is where they live about half the year, while they are playing. Moreover, I know that for years the majority of the players have lived at the Piccadilly or Flamingo hotels. Nellie Fox, for instance, I believe has stayed at the Piccadilly ever since 1950, when he came to the White Sox. The manager of the Piccadilly Hotel told me that Barry Latman might move in there within the week.

It may turn out that most of these remaining players plus the two other coaches may live in the district. Also, as you of course know, Bill Veeck, owner of 56 percent of the team, lives at the Sherry Hotel, and I believe this is his legal residence. In fact, I'm sure of it.

To the list furnished me by Miss Nelson should be added, of course, the name of "Chuck" Comiskey, grandson of Charles Comiskey, whom we all called "the Great Roman," and son of Louis Comiskey. The Comiskey of the third generation is a product of our Second District, and a graduate, if I remember correctly, of a high school in Hyde Park.

The Battle of the Budget

EXTENSION OF REMARKS
OF
HON. BYRON L. JOHNSON
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. JOHNSON of Colorado. Mr. Speaker, one of the major battles of the session just concluded involved the impact of congressional and Executive action on the budget.

The Congress reduced the President's requests by $1,881 million. There was one request we could not reduce—that was the request for additional sums to pay interest. The January budget request was for $8.1 billion for interest for the present fiscal year. The President's message of June 8 estimated the interest cost at $8.6 billion. With the subsequent increases in interest rates, we may expect the actual figure for fiscal 1960 to be nearly $9 billion.

The administration's hard money policy has, in the past year alone, added nearly $1 billion to the cost of operating the Federal Government. Since 1953 it has added approximately $3 billion a year to the annual cost. These increases in the tax burden did not add $1 worth of service to the people of the country. They did subtract from the services we can perform.

The additional sum we will spend in interest this year is more than the sum of all of the major budgetary items in dispute between the Congress and the President.

The annual cost of the housing bill vetoed by the President was roughly $100 million a year. The clean streams bill, H.R. 3610, which rests in conference would have cost an extra $50 million in the House version or $30 million in the Senate version.

The depressed-areas bill which rests in the Rules Committee would have cost only a few million dollars apart from the loan program it contained. The airport bill was cut by $37 million and service to the public was cut as a result.

The public works bill was vetoed because it included 67 construction items authorized by the Congress which would have cost this year about $35 million. The President claims they involved a future commitment of $804 million. But these are not sums wasted as interest payments are wasted. These are investments in the water resources of America.

The highway program for 1960 was cut back by $300 million under Presidential pressure.

In addition to these items of expenditure, Mr. Speaker, there has been a continuing battle over certain loan programs. It is regrettable that the administration cannot see the difference between expenditures and loans. For example, the loan program of $50 million for college classrooms cut from the housing bill would not cost the taxpayer anything. Every cent would be repaid with interest.

It would be most helpful if the public discussion of complex fiscal matters would be conducted in a manner which adds to public understanding. The misrepresentation and deceit which surrounds administration discussion of these issues betrays a contempt for the intelligence of the public or else an inadequacy on the part of these officeholders. The American people are entitled to a candid explanation of the facts, not only about the public purse but about all public issues.

I submit, Mr. Speaker, that every dollar which this Congress saved the taxpayers by trimming these essential services and essential investments in the public welfare are being spent in this same year in payments to moneylenders because of the administration's refusal to adopt sound monetary, credit, and fiscal policies.

The Democratic Party deserves credit for its refusal to permit the Treasury to commit the taxpayers to 30- and 40-year loans in this period of high interest rates. It appears regrettable that rather than mend its ways the administration chooses instead to abuse us for defending the taxpayer's interest.

The Democratic Party is to be congratulated, Mr. Speaker, for persisting in its desire to give the taxpayers service for the money taxpayers pay. We shall continue to do so, notwithstanding the calumny and misrepresentation which appear to be our lot. For we have faith in the good judgment of the people at the polls.

Agriculture and the 86th Congress

EXTENSION OF REMARKS
OF

HON. CHARLES B. HOEVEN
OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. HOEVEN. Mr. Speaker, the 1st session of the 86th Congress has now drawn to a close. At this point it seems especially appropriate to review for a few moments what this session of Congress accomplished and what it did not accomplish on one of the more prominent problems of our economy today—the agricultural problem. I believe most Members of the Congress will agree that agriculture occupied a great deal of their time during the past few months.

Agriculture is very important to every man, woman, and child in these United States. Agriculture is our most basic industry upon which our whole existence depends and from which a large segment of the population makes a livelihood. Agriculture is vital not only to the millions who are engaged in it directly but to many more millions of people whose interests and occupations are tied closely with agriculture in the transporting, processing, delivering, and servicing of our food and fiber. Indeed, our very lives depend upon this very vital industry, and its importance is well recognized by Members of Congress. It is with this recognition that we give prominence to the problems of agriculture.

We should give agricultural legislation first consideration in our deliberations. The American farmer must receive equitable treatment at the hands of government.

We all agree that the man who is feeding and clothing us so efficiently and well—the American farmer—is entitled to a fair return for his efforts. He should not be shackled with regulations and restrictions which will be adverse to his welfare and that of the American public.

Much has been said about the farm mess. Probably most people are aware of the so-called farm problem. The inclination has been to point the finger of blame at the farmer. I rise to the defense of the farmer in this situation. He is not to blame, as most informed people know. If there is anyone to blame, it is someone other than the man on the farm.

Many opponents have cast particular blame on the administration for the farm problem. Actually, many of those who would blame the farmer or the administration for the farm problem are trying to cover up their own lack of responsibility. Actually, no individual should be blamed for the farm problem. But certainly the bulk of responsibility should be accepted by the Congress itself.

Our constituents know that it is the responsibility of Congress to draft, debate, and pass needed legislation. That is not the responsibility of the administration or anyone else. The responsibility can only be that of the Congress. We cannot dodge that responsibility.

We must accept the truth for what it is. One truth that is self-evident is the fact that the 86th Congress is controlled by the Democratic Party in a ratio of around two to one. As a matter of fact, the House Committee on Agriculture, as constituted, includes 22 Democrats and 12 Republicans. By this majority the Democratic Party must accept the principal responsibility for congressional action or inaction as it regards agriculture. The responsibility rests squarely on the Democrats in the present session. That majority party has controlled the legislation during this session from start to finish. By an overwhelming majority, as exists this session, the Democratic Members, if they so chose, could have brought forth the kind of legislation which is so badly needed. Instead, they did little to provide a sound, practical, and workable farm program. The majority party failed to face up to the realities of the farm situation despite an ever-increasing volume of criticism over the tremendous surpluses that are accumulating and the mounting costs of the farm program. The majority party, by failing to act, has provided the basis for still greater farm problems in the future.

The desire of the Democrats to act as politicians instead of statesmen has created a farm situation which will be much harder to correct than if remedial action had been taken. Because the majority party chose to take a course of inaction as pertains to sound farm legislation, the farm problems will accumulate even more another year.

The Democrats have quibbled on the farm problem. They not only failed to take the initiative in writing needed new basic farm legislation, they chose to avoid those difficulties by doing nothing about them, or in those instances where they tried to do something they took such ridiculous action that they knew beforehand the legislation would be vetoed.

The party in control of Congress this session made no strong attempt to provide sound remedial legislation for farmers. Again and again they dodged the issues that were squarely before them. Their main attempts were in the form of criticism of the administration. Honesty and statesmanship would have been a wiser course. Because of the delaying tactics that have been used the farm problem will undoubtedly worsen. It is entirely possible that the hue and cry that will be raised in the future will force legislation which will compel the withdrawal of some of the assistance programs needed by farmers.

The problems of agriculture and the differences between those of us who are close to agriculture are often far out of proportion to our accomplishments and our agreement. Bipartisanship efforts for greater agricultural research, for an expanded school milk program, for improving and strengthening the farm credit system, the expansion of activities on the control and eradication of plant and rodent pests, and the extension of Public Law 480 each stand as constructive and sound steps taken in the first session of this Congress for the overall improvement of Agriculture.

During the 86th Congress I personally and in conjunction with my Republican colleagues on the Committee on Agriculture urged the Secretary of Agriculture to take what I feel were two constructive steps in our agricultural program.

The first was to expand the types and varieties of commodities eligible for donation to needy persons and to welfare institutions. In particular, this covered peanut butter and some vegetable shortening. I am happy to say that later in the year the Secretary of Agriculture saw fit to carry out my recommendations. My second recommendation was that the Secretary take a long and hard look at recent developments in the hog-marketing situation in Canada. We from the Corn Belt are very much concerned over recent reports that the Canadian Government is considering the institution of a compensatory payment program on live hogs and dumping its surplus into the United States. While everybody is for mutually advantageous trade, we should not sit idly by. If Canadian Govern-

ment-subsidized pork is dumped into this country at a time when our free livestock industry is facing an overabundant supply of pork, we may have to limit imports. I have been assured by the administration that it will closely scrutinize developments in Canada and take appropriate action if necessary.

I am disappointed, however, that we in Congress have not been able to approach some of the really huge problems of agriculture, such as surpluses and farm income, in an equally statesmanlike and bipartisan manner. I am disappointed that the Congress has not seen fit to seriously consider the President's recommendations on agriculture while sending to him completely unsound and unacceptable proposals.

There has been a lot of political talk about the corn crop, about the poultry situation, about food distribution, and about the hog situation. But there has been absolutely no action by the Congress on these important aspects of agriculture. The administration has conducted purchase programs on both eggs and pork and it has been doing an outstanding job of distributing our surplus food to needy people, to welfare institutions, and to children in the school lunch and school milk programs. The following table illustrates the dramatic increase in our food distribution activities under this administration:

Surplus foods distributed in the United States

Fiscal year	Quantity	Cost
	Pounds	*Dollars*
1953	161, 100, 000	68, 700, 000
1954	417, 800, 000	155, 200, 000
1955	492, 500, 000	167, 700, 000
1956	789, 100, 000	234, 600, 000
1957	1, 061, 900, 000	236, 400, 000
1958	871, 600, 000	185, 400, 000
1st half 1959	558, 400, 000	113, 700, 000
Total	4, 352, 400, 000	1, 161, 700, 000

[In thousands]

Fiscal year	Children in school lunches	Needy persons in institutions	Needy persons in family units	Total
1953	9, 300	1, 300	100	10, 700
1954	9, 400	1, 400	1, 100	11, 900
1955	10, 200	1, 300	3, 290	14, 790
1956	10, 900	1, 400	3, 170	15, 470
1957	11, 900	1, 400	3, 485	16, 785
1958	13, 600	1, 400	4, 665	19, 665
1st half 1959	14, 100	1, 400	5, 230	20, 730

The logical inconsistency of the Democratic-controlled 86th Congress on farm legislation was readily apparent on the two important farm bills vetoed by the President. These bills dealt with wheat and tobacco.

The tobacco bill merely tampered with tobacco price supports, while the wheat bill would actually have raised price supports.

The tobacco industry was thoroughly aware of the fact that the ever-rising parity formula with tobacco price supports keyed to it at 90 percent of parity was steadily pricing this great industry out of the world market. The industry also was keenly aware that further acreage cuts would be necessary on an already drastically cut acreage unless price supports were lowered and the surplus buildup was reversed.

The Democratic leadership fully realized these tobacco "facts of life." But rather than face the problem squarely and forthrightly they pushed through Congress a bill which would freeze future tobacco price supports from going higher in dollars and cents than they were in 1959. This was a real freeze bill—only the freeze was in effect a ceiling price, not a sound approach to help tobacco farmers. The bill also provided that this freeze or ceiling price on tobacco would remain in effect until 90 percent of the old parity formula reached the 1958 level of support or until 90 percent of the new parity formula dropped below the 1958 level. This proposal was mere political window dressing designed to fool farmers.

Anyone who studied the tobacco situation knew that the old formula—which is based on tobacco prices received over 40 years ago—would not catch up to the 1958 level for at least 5 years.

Expecting the new formula to drop below the 1958 level was sheer wishful thinking. Experts stated it would not happen in the foreseeable future.

The sum and substance of the vetoed tobacco bill was that the Democratic-controlled Congress did not want to admit the failure of the 90 percent of parity price support program on tobacco. They wanted their cake and they wanted to eat it too. They wanted to continue 90 percent of parity for tobacco above all else, but they did not want to lose any more exports or face further acreage cuts.

When the bill came to the floor of the House, I offered an amendment, which was supported by the minority, to call a spade a spade and freeze tobacco price supports for 2 years at the 1958 level. There was no sound reason why tobacco should set the precedent of being the only commodity under the old parity formula. The Democratic-controlled Congress rejected my amendment and then professed profound misunderstanding when the President vetoed the bill. As the President pointed out:

> The bill's demerits are fundamental and far reaching. The bill takes a long step backward by resurrecting 90 percent of old parity as one basis for determining support levels for tobacco. The Congress itself discarded the old parity formula years ago.

The tobacco bill was not sound legislation. It was mere shadowboxing.

It was indeed ironic that at the conclusion of the debate on the tobacco bill, which would have accepted a 90 percent of parity religion in tobacco price supports, the Democratic leadership called up the wheat bill that raised price supports. The tobacco bill at least recognized what the present harmful program was doing to it. The wheat bill, on the other hand, not only failed to recognize the shortcomings of the present wheat program but it also stepped backwards to a disproven 90 percent of parity concept on this important crop.

As we pointed out in our minority report on the wheat bill, the shortsighted approach made by this legislation would have cost the taxpayers of the United States an estimated $110 million per year more than the present program, and it would not begin to deal with the problem of surplus in this basic grain.

There was a great deal of argument about the cost of this bill, but the record is clear that experts within the Department of Agriculture—not me, not the Congress, and not the Library of Congress—estimated the increased cost of the bill to taxpayers to be $110 million per year.

In addition, this wheat bill, which was not supported by farm organizations or wheatgrowers, would have imposed a 24 percent cut in the acreage allotment of every wheat farmer in America. It would have imposed some of the most stringent penalties to farmers ever on the lawbooks. It would have left the referendum outcome in the hands of only one-third of the wheat farmers in this country.

It was undoubtedly the poorest piece of farm legislation in this session of Congress. Even the Democratic-controlled House rejected the bill after it had gone to conference with the Senate. But rather than assume their rightful responsibility, the Democrats passed the buck to a sincere and conscientious President. Knowing fully in advance that it would be vetoed, they attempted to shift the blame for their own failure to the shoulders of this administration.

Mr. Speaker, it is high time we in Congress face the issues on agriculture squarely and honestly.

It is my earnest plea that the 86th Congress forgo its political ambitions and approach the problems of agriculture in a statesmanlike and candid manner.

There have been a number of efforts in the 86th Congress to find an easy way out of the farm problem. There have been many who have shown by their frantic efforts that they are under the illusion that there is an easy way out. There is no easy way out of the difficult position that the farm economy now finds itself. The farm problem must be recognized as being, in large part, the result of the laws passed by Congress under the impression that those laws were for the great benefit of the farmer.

There are too many who consider themselves a friend of the farmer, and who are under the illusion that you can tamper with the economics of farming for political purpose and gain, and do good to the farmer. That just is not so. We can see the fallacy of that thinking all around us right now, in the form of the tremendous, costly, surpluses of such important farm crops as wheat, corn, and cotton.

Some people, including a number of the majority party in Congress now, apparently believe there is no surplus of farm products—that we can sell anything if we try hard enough. This has been appropriately described as trying to sweep our problems under the rug. There is a market potential, and we should do whatever is practical to develop our markets. But there is a limit to what we can sell, and a limit to what we can even give away. Too many are prone to close their eyes to the hard facts of reality in

agriculture, and recognize that our production capacity today exceeds our markets. Sometime this fact must be faced—sometime soon. The time is already far past when we should have recognized it. The majority party must recognize that and face up to it. Their shadowboxing with the farm problem during the past session must stop. They must get down to the business of facing the facts before it is too late.

What Is the Truth About Russia?

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. SIKES. Mr. Speaker, what is the truth about Russia? What are the people like? How do they live? What do they want? Are they a menace to us? Should we suddenly change our way of thinking about them and relax our guard? How far can we trust Mr. Khrushchev?

These are hard questions to answer. There are too many conflicting ideas and reports. It is difficult to know what to believe. I am one of the increasing number who have been to Moscow. In a brief time these are things I saw.

A church built for 800, crowded to overflowing with an estimated 2,500 who filled every inch of space. They stood in the aisles and spilled out into the streets from every entrance in a drizzling rain. And this was one of three 2-hour services held during the day. This in a Communist nation where God is not recognized and there is no religion except service to the state. But here in this crowded church were no police, no visible threat to the search for God. And never have I seen more hunger for God or a greater yearning for hope of the future than in that gathering in Communist Moscow.

The service was Protestant and there was much to carry me back to childhood country services I had known in the United States. The distinguished, bearded old minister read each line of the hymns, followed in beautiful chorus by the voices of the congregation. A large communion cup was passed—it was first Sunday—with a napkin which each worshipper used to wipe the lip of the cup before passing it on. The wine was real—no grape juice imitation—and it seemed to me some parishioners took a bigger drink than custom required.

But tragedy walked heavily in that church despite its overflow crowd and the hunger for God in the faces of the people. There were almost no young people; almost no men—only women, old women. The young people have other things, other beliefs, to occupy their minds. The men are afraid for their jobs, or their standing.

The Communists oppressed all religious services at first. Not only are they atheistic, but the church in Russia was too closely associated with the ruling class. The czars were held next to God. Now the Communists allow religious services, but discourage them. As a result, Moscow which had 400 churches before the Red revolution, now has 40 with twice as many people in the city. But the training of ministers and priests is starting again.

At the other end of the scale are the children. They are being taught to live without God. Fresh, apparently happy, well fed and carefree, they looked very much like the children of the democracies, except that most dressed uniformly and the boys wore the emblem of the hammer and sickle. For 10 years they go to school 6 days a week, with course work much more rigorous and intensive than ours. Languages, math, and science are stressed throughout. Then the good ones are screened for trade school and university, the others go into the labor force. There are no frills. The children are educated—not entertained. These 10 years are considered the equivalent of 12 of ours. In fact, some have said these 10 years leave Soviet children as well educated as junior college graduates in the United States.

The result, an indoctrinated, disciplined, and highly trained citizenry drilled for the job on hand and well prepared for it. Is this a process to be emulated by the democracies? Certainly not. But it is a process which can well get the most out of the minds and bodies of people who live in a controlled economy. Church going is a voluntary thing which has come into disrepute in Russia. Not so education. It is a fetish but a required one, which instills doctrine much more firmly than the knouts of the czars or Stalin's firing squads.

I saw the Russian Fair in New York City and I saw the U.S. Exhibition in Moscow. Both were very good exhibits. I am confident ours was well worth the money we spent. It contains some strikingly American things. One of these was the Circorama which was a circular building in which the audience was completely surrounded by a moving picture of Americana. It was a magnified and tremendously effective improvement on cinerama. A thrilling panorama of American scenes completely surrounded the audience and you had the sensation of being on a moving platform which took you from one end of America to the other. The typical American home and American automobiles were big sensations. So were many other items.

Two million seven hundred thousand people saw our exhibition in 6 weeks. Many thousands had to be turned away. Much more is known about America in Russia today as a result of the American Exhibition. To the Americans who viewed it and doubtless to many Russians it was not perfect. There were too many pictures instead of actual objects. The Russians have seen pictures of their own advanced achievements and those of the satellite nations. They are much more impressed with something they can touch and examine. I felt that our art selection as a whole was poor. In no sense did it measure up to Russian paintings at the New York Fair, and I expressed a frank dislike for some of the examples of modern art which were displayed. One of the fair officials told me he had actually seen Russians stand and look at those paintings with tears in their eyes. I told him it was enough to make most anybody cry.

There were things in the Russian fair in New York which were very skillfully interlaced with propaganda. There were folksy examples of beautiful everyday products such as laces and ceramics which appeal to nearly everyone. The first book in the Russian book section was an Orthodox Russian Bible. They stressed free medical care which touches home to every person who has paid a high medical bill in the United States. They pointed up their educational system, the existence of which many Americans are just beginning to learn.

They used an easy to reach well known New York building. Our exhibition was housed in a more inaccessible park in buildings which had to be speedily designed and built. They were striking, but they did not measure up in the eyes of the Russians to a series of unusually beautiful, permanent exhibition buildings which were designed for each of the 24 Republics in the Soviet empire as part of a perpetual fair. This would be equivalent to a fair in Washington with separate buildings to house and set forth the history of products of each of the 50 States of the Union.

The Russians have an ability to put their best foot forward and to disguise and hide the shabby facts of life which still exist for the great majority of their people. For instance they can line up almost as many jet airliners on the Moscow Airport as can be found in all the remainder of Europe or America combined. This is impressive but it does not compensate for rough, muddy roads, truck or horse drawn transportation, and slow, inadequate train service which most of the populace must depend upon.

In their battle to make Moscow the showplace of the Russian empire, they have lined a few main streets with huge, many storied, impressive appearing apartment buildings. Perhaps these are just a facade. Certainly they are not the deep solidly constructed buildings of the United States, but they are there and a few years ago they were nonexistent. Many more are under construction. But wherever you turn, just a block away still stand the poor, small, crowded structures in which most of the populace still lives, with several families taking turns at each bathroom and kitchen. Construction, which some call good and others bad, is proceeding rapidly and each day brings improvement. High rents, which are the bane of existence in so many places are nonexistent here. Rents are graduated at about 5 to 7 percent of the earnings of the tenant.

Moscow boasts a subway system which undoubtedly is the best in the world. The stations are showplaces of glass and marble. Perhaps this offers pride in communal achievement which offsets crowded living and sometimes outdoor privies and community wells.

To search out the bad and ignore the accomplishments in Russia would be

foolhardy. They are making progress and their progress is accelerating. The unveiling of the MIG 15 during the Korean war was the first concrete demonstration of this progress. It astounded our aircraft designers by its capabilities and numbers. Then came the sputniks with more spectacular and equally unanticipated accomplishments. Russian diplomatic and propaganda gains have not been accidental. They are just as well planned and just as spectacular. The Russians play a shrewd, hard, patient game in which the left hand professes not to know what the right is doing.

Because Russia historically is a backward nation in which many millions live under hardship and oppression; and because we are reluctant to assoicate success with a form of government hostile to our own, we are accustomed to underestimate the Russians. We overlook the fact that they have produced many great leaders whose brilliance was lost in the nearer glitter of Western statesmen and scientists. Now we know Russia can produce great accomplishments when they concentrate on specific objectives.

Russian industry has, of course, concentrated on weapons of war, with primary stress on missiles and other new superweapons. Trucks and heavy farm equipment have had major attention. Gradually, as tooling up has progressed, there has been a shift toward production of consumer goods and export items. The fact that factories may be outdated and unsafe is of no consequence where manpower is unlimited and no value is placed on human life. Their jets may be inefficient, but they provide swift links with the farflung corners of the Russian Empire. Production all along the line is low compared with ours and methods are often crude, but there is no unemployment, and costs are unimportant to a government which owns everything. In Russia every shoulder has been put behind the same wheel. There are no dissenters. Stalin liquidated them. His successor wears a velvet glove, but it still covers an iron hand.

By our standards, the people live very poorly. Their food is principally cabbage, potatoes, and bread. Meat once or twice a week is the rule. But I did not see anyone who appeared hungry. There is a system of social security for those who cannot work. The clothing of the people is plain and unattractive. But I saw no one in rags. Cosmetics seldom are seen, and equally scarce is the hair styling of the West. Their furniture is limited and generally poor, but there are radios and a surprising number of television sets. They have commercial transportation and some freedom of movement. This adds up to a far different story than that of life under the czars. In simple truth, the Russian people—unattractive as the picture may be to us—are better off than they have ever been. They are harnessed to their wheel of life, but they are beginning to enjoy advantages which they never knew before, and they are told by the best propagandists in the world that conditions will continue to improve. Actually, Russia has always been a police state. The czars and the ruling class held the power of life and death over their frightened and miserable subjects. Stalin geared them to a specific pattern of development and intensified the power of the police. Now there is some relaxation of severity; the people breathe more easily and find it pleasing. By American standards, they still are a backward people, but they do not know anything about American standards and have not had much chance to learn. We should give them that chance at every opportunity.

Neither they nor the satellite people will revolt. There is not anything to revolt with. There is no prospect of help if they were to revolt. Russian troops are everywhere. The puppet governments know which side their bread is buttered on and play the Communist line without deviation. Contrary to general belief, the satellite forces are not equipped with the newest Soviet weapons. There is always the chance they might go over to the other side in a real showdown. But Hungary demonstrated the chances for a real showdown between East and West are exceedingly remote, and no one wants to risk being another Hungary. As conditions improve a little—and they also are improving in the satellite nations—there is less likelihood of revolt. Hunger and misery as a cause for revolt are gradually being reduced. The people of the satellites in many instances knew better days before World War II than they have known under communism. But their conditions now are better than at any time since they came under Communist domination.

In Russia there is no private ownership of land. All land and buildings were seized by the state, without compensation to the owners. Those who resisted were exterminated or imprisoned. The former owner of the American Embassy in Moscow, now leased by the United States, was smarter than most. He traded title to his property for a visa. This procedure for communization of property was part of Lenin's hatred for all who cast a longer shadow than he, but he masked it under his interpretation of Marxism. Now there is a slight shift away from this pattern. A person who is in favor may under some conditions lease a small plot of ground to work in his spare time, or even to build a house on. Savings accounts are encouraged. Investments generally are in government bonds, on some of which 3½ percent interest is paid. Those who receive interest generally are selected by nationwide lottery. There is some installment buying, but mostly on a layaway plan in which the merchandise is held by the seller until purchase is completed.

Normally a worker progresses by accomplishing the work quotas which are assigned to him. Nearly all work is on a piecework basis. Basic salaries generally are about the same for all except highly trained personnel such as doctors and engineers. Theirs runs higher. The starting scale appears to range from less than 300 rubles per month for some unskilled workers to more than 5,000 for a few top technical and scientific people and artisans. By diligent work and by enjoying the favor of the party leaders a person may progress up the scale until he has doubled his starting salary or a little more. In the same way he can get better living quarters. Some can earn considerably more than the official scale. These include dentists, artists who are allowed to earn extra income and Communist officials.

Women workers are seen everywhere in Russia, often doing the most menial types of work. Women street cleaners appear to predominate. Others work in the fields. They appear to do the same work as men in road and building construction. Many are also found in fields requiring top skills. It is said that women doctors predominate.

Since the economy is state owned and controlled, there is no requirement to show a profit. Service therefore may be and often is poor in public places. In the hotels this is particularly evident. Redtape and regulation are rampant, and an attempt to cut through or bypass the redtape just produces additional delays. There is no other stone-faced indifference to match that of the Russian bureaucrat.

The press, the radio, and the TV are strictly controlled. There is only one line of thought, the carefully censored party line. Everything published or printed must conform.

The Russian is a reserved individual. In public he is not in any sense an extrovert. But for the most part the people give the impression that they would like to be friendly. Time after time I led off with a smile and a word of greeting to individuals. Usually, after a somewhat startled look and a delay of a second or two, there would be an answering half smile and some response in Russian. On a few occasions there appeared to be mild hostility, but no general animosity.

Movements in Russia are less restricted probably than at any previous time. You are given the idea that you can go anywhere and see anything you want. But you will find that you are being shuttled into certain carefully selected areas where you will be shown the best side of everything. If you suggest or request diversion into other areas you will begin to encounter excuses and slowdowns. If you insist on going where you are not wanted you may not be told it is impossible, but things just seem to happen to your plans. Your waiter will begin to take twice as long as he normally would to serve you. Your Intourist guide and car may become lost before you start the trip or may take an entirely different route after it is started.

It has been said many times that only a very few people in Russia are Communists. This is true and deliberate. The Soviet leaders have complete control of the masses and do not want too much competition at the top. The party pie can be sliced only so many ways. A few likely prospects are allowed to join the party, notably among the young but most people make no effort to do so. They assume government is out of their hands and none of their business.

Scattered throughout the Soviet satellites there are remnants of the former governing class and former property

owners. In Russia nearly all of these were liquidated or driven out. It is terribly depressive to talk with one of these because they are people who live without hope. Most of them live from hand to mouth and know there is no hope of change for better. Their property was taken from them without compensation. Their jobs are gone. The people whom they formerly looked upon as inferiors now dictate their livelihood. They do not make it an easy existence.

All along the line communism maintains a solid grip on the countries behind the Iron Curtain. There is no reason to expect political miracles. There is no more likelihood of a quick shift in policy behind the Iron Curtain than there is reason to anticipate the democracies will turn to socialism. There are no nations which are in position to break away from Communist dictatorship. Any that try will be subjugated with varying degrees of ruthlessness. Hungary and Poland are the extremes in the way in which satellites are dealt with, but the grip of communism is just as secure in each for the time being. State socialism is an accomplished fact with which we shall have to live for an indeterminate time. Possibly as conditions improve and as the people learn more of life in the democracies they will demand and get more of the better things in life. But this will take time.

To look for a sudden overthrow of communism, supported as it is by vast military organizations which dominate a defenseless population is to refuse to look facts in the face. It is equally unrealistic to think that communism is looking for a war with the democracies. The Soviets are doing too well without a war. They will use it only as a last resort. But in the meantime they have concentrated on massive weapons of destruction and in their ability to overrun vast territories if necessary. And there will continue to be one instance after another where the Communists bite off bits and pieces of territories all over the face of the globe.

When Khrushchev said, "We'll bury you," he simply meant socialism will triumph over capitalism and that the Communist hierarchy fully believes. Whether by fair means or foul is of no consequence. With them the advantages of communism is a religion—the only religion they recognize. There is no opposition party to offer the people an alternate course. It is state socialism or nothing. The populace knows nothing about the advantages of capitalism. They get steady doses of propaganda for their system of government and against ours. Anyone who disagrees too openly finds himself in prison. A few years ago he would have been shot. That is some improvement. The fly in the ointment is the fact that conditions of the people behind the Iron Curtain are improving. It is hard to argue with even a little success when we have nothing else to offer them.

Now this final word. To return to the democracies is like a breath of fresh air. Not only do you see the difference; you feel the difference. Instinctively you find yourself taking a closer look at America and all that it offers to each of us. The important thing is that America not forget its own objectives, its own capabilities, its own accomplishments. When the great Franklin D. Roosevelt said, "We have nothing to fear but fear itself," he might well have included this new threat from a new ideology. America is far, far ahead in nearly all the things which make for good living and provide opportunity for the individual. If we falter now, it will be our own fault. There may well be a requirement for belt tightening. Competition from abroad, both in trade and in world leadership is certain to increase and to become more difficult to meet. We must be geared to take these in our stride by dedication to our ideals and by renewed determination to preserve them. Unlimited resources still lie within our reach. We stand at the threshold of a rich civilization which, with proper guidance, can become a universal civilization. Our system demonstrably works better for the good of the greatest number. The American ideal, remote for many, yet attainable, beckons to all mankind.

The Red Willow Dam

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WEAVER. Mr. Speaker, under leave to extend my remarks, I would like to discuss briefly Red Willow Dam and Reservoir near McCook, Nebr. First authorized 15 years ago, the project was reauthorized last year and first construction funds were appropriated this year.

When Red Willow dam is finally built, it will be a tribute to the combined and sustained efforts of countless people in the McCook area in our State and here in Washington. There were untold numbers of men and women involved in this long struggle. A number of their names come to mind readily, but there were too many who worked too long and too hard to eulogize them individually now.

The fight for Red Willow was long and the obstacles numerous, but we have finally won that fight and construction seems to be only months away instead of the far-distant dream which it has been over the years.

For my part, I have fought vigorously for this project. Cooperating with our two Senators from our State of Nebraska, we got the reauthorization legislation enacted last year. In this we received strong support from the Secretary of the Interior and the President of the United States. All agreed and understood that Red Willow is an integral and vital part of the Frenchman-Cambridge project in Nebraska.

It was with this understanding that we once again appealed to the Congress this year for funds for construction of the project. This appeal met with sympathetic understanding from both the House and Senate Public Works Appropriations Subcommittee. For this, we owe much gratitude to the effective backing we received from the Honorable BEN JENSEN, of Iowa, the ranking minority Member of the House Committee. Without his support we could not have won our fight.

This year's victory, however, does not stands a complete project; when the waters of Red Willow Creek are stored for the use of mankind rather than perend the story. Only when Red Willow mitted to run riot to destroy men and their works, only then will the story be fully told.

When it is told, a myriad of names of many fine men and women will stand out in bold letters for the great service they have rendered their area, their State, and, in fact, their Nation.

I am proud to have been of some service in getting this story written.

One-fourth of the Historical Buildings in Existence in This Country in 1941 Have Since Been Destroyed, Many of Them by Modern Highways Financed by the Federal Government

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, according to a recent estimate one-fourth of the historical buildings in existence in this country in 1941 have been destroyed, many of them by the modern highways financed in part by the Federal Government.

This is a shameful thing. Many kinds of criteria are considered by the highway builders in reaching their decisions as to where highways should be located but criteria as to the national, regional, or local historical and architectural significance of buildings which may lie in the path of these highways are not taken into account. I think that President Eisenhower and the Federal highway officials must shoulder a large part of the blame for this disregard of the precious and irreplaceable heritage which is being destroyed by the Federal highway program. I have said before and I will say again that never before have powerful Federal officials shown so little interest in, or knowledge of, the importance of the great heritage which is ours in the buildings linking us with our past.

We are horrified when we read about the destruction of great libraries or priceless art by military commanders in the field from ancient times to the World War of recent years. In this century all governments have set up elaborate procedures to prevent such destruction whenever possible. But how much more must we condemn the heedless, thoughtless destruction in peacetime of our priceless cultural heritage by high Federal officials who will not raise a finger to require that Federal funds shall not be used to aid such destruction?

A Saturday Evening Post cover of July 18, 1959, by the distinguished artist, John Falter, of Bucks County, Pa., calls attention to the loss of our Nation's historic sites and structures due to the accelerated pace of highway construction. The painting shows engineers laying out a new highway route through the wing of a typical historic old Bucks County stone farmhouse while the owner waves his hands in anger and frustration.

This anger and frustration has become increasingly widespread as the federally assisted highway program takes an increasing toll of our historic sites and structures. John Oakes called attention to this situation in an article: "Conservation: Our Historic Sites Are in Danger"—New York Times, December 1, 1957; as did Nona Brown in the same newspaper—September 28, 1958—in an article entitled "The Fight To Save the Nation's Landmarks." A recent Reader's Digest article early this year entitled "Wanton Disregard of Our Nation's Heritage" points out that at least 25 percent of the finest historical and architectural buildings existing in 1941 have since been destroyed.

The urgency of this situation requires the immediate passage of several bills which have been introduced in this Congress by Senators JAMES E. MURRAY, HUBERT H. HUMPHREY, and JOSEPH S. CLARK, Jr., and by a number of Members of this House, particularly my H.R. 285, H.R. 3509, H.R. 4046, and H.R. 6680. The major stumbling block to the enactment of this legislation is the lack of any report by the administration setting forth the position of President Eisenhower on this matter of historic preservation. It is a matter of record that when the administration is really interested in something it can furnish a report on legislation within a matter of a few days at most, yet months have dragged by without a report on this legislation which has as its purpose the preservation of our cultural heritage.

There are increasing signs that the American people are getting fed up with the run-around the administration is giving them on this subject, Mr. Speaker, and are determined to do something about it. One heartening example of this newly found determination, which could have important results in encouraging similar action elsewhere, took place recently in New Jersey.

Here is what happened, something reminiscent of some of the farm auctions of the depression years of the 1930's when neighboring farmers simply refused to bid more than a nominal sum for the farm, its stock, and its equipment which was up for sale. Then, having bought the farm, it was given back to the hard-hit farmer who had owned it.

On Tuesday, September 8, 1959, the historic Old Brick Tavern at Perryville, in Hunterdon County, N.J., was sold to make way for new Interstate Highway 78 which will connect Phillipsburg, N.J., with the Holland Tunnel. The Trenton (N.J.) Evening Times declared on September 10, 1959, that—

Fortunately for history, Robert Trubek, of Clinton, N.J., paid $250 to secure the building which was built in 1813 to serve as an inn for stagecoach travelers between New Brunswick and Easton.

Trubek, who was the only bidder, will spend $20,000 to move the tavern to a new site where it will be reconditioned and then sold. Any profits will be to the Hunterdon County Medical Center in Flemington.

The rest of the story is told by B. A. Sorby, of the Delaware Valley Protective Association, who wrote me that—

Lack of awareness on the part of highway officials as to the great loss of historic sites and buildings occasioned by current construction is graphically illustrated by the Hunterdon County Democrat's story of September 10 which stated: "There was some pleading on the part of the auctioneer for other bids (on the tavern) on the grounds that both the State and Federal Governments had an interest in achieving the highest possible net return."

Mr. Sorby adds that—

Not only was Mr. Trubek allowed to preserve the building as part of our historic heritage, but the State and Federal Governments were urging that he be forced to pay the highest possible price for the privilege.

Best wishes for success in obtaining immediate passage of your bills.

Let us hope that this action by the good people of New Jersey proves contagious, and that the citizens of other States are encouraged to emulate this fine example even to the extent of staging another Boston Tea Party if necessary to save our historic shrines.

I include here the text of my bill H.R. 6680, regarding which I shall continue to hope, perhaps in vain, that the Secretary of the Department of the Interior and the Director of the Bureau of the Budget will report favorably before the end of this year. I also include some correspondence, and articles from the Trenton Evening Times, the Trentonian, and the Hunterdon County Democrat which, taken together, reports on this matter in much greater detail than I have been able to.

The matters follow:

H.R. 6680

A bill to amend the Historic Sites Act of August 21, 1935, to provide a method for preserving sites, areas, buildings, and objects of national, regional, or local historical significance which are threatened with destruction by federally financed programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461), is amended to read as follows:

"It is hereby declared that it is a national policy to preserve for public use historic sites, areas (including sections of cities), buildings, and objects of national, regional, or local significance for the inspiration and benefit of the people of the United States."

SEC. 2. Section 2 of such Act (16 U.S.C. 1462) is amended by redesignating paragraph (k) as paragraph (m) and by adding after paragraph (j) the following new paragraphs:

"(k) Carry out (insofar as practicable and appropriate) the same duties and functions with respect to historic areas (including sections of cities) as those which are specified in the preceding paragraphs of this section with respect to historic sites, buildings, and objects.

"(l) Protect and preserve, in the manner provided in section 8 and through the performance of such other functions of the type described in this section as the Secretary may deem appropriate, historic sites, areas (including sections of cities), buildings, and objects of national, regional, or local significance."

SEC. 3. Such Act is further amended by adding at the end thereof the following new section:

"SEC. 8. (a) Whenever the Secretary receives a petition from any State or political subdivision thereof, or from the American Institute of Architects, the National Trust for Historic Preservation, or any other organization recognized by the Secretary for purposes of this section as being concerned with historic preservation, alleging that a Federal project or program or a State or local project or program financed in whole or in part with Federal funds will seriously damage or destroy a historical site, area (including a section of a city), building, or object of national, regional, or local significance, or upon his own motion, the Secretary shall conduct an investigation, which shall include (but not be limited to) holding public hearings or affording the opportunity for such hearings, for the purpose of determining whether or not such site, area, building, or object is of national, regional, or local historical significance.

"(b) Whenever the Secretary determines under subsection (a) that a site, area, building, or object is of national, regional, or local historical significance, he shall forthwith determine whether or not the proposed project or program will seriously damage or destroy it.

"(c) Whenever the Secretary determines under this section that a site, area, building, or object of national, regional, or local historical significance will be seriously damaged or destroyed by a Federal project or program (actual or proposed) or by a State or local project or program which is or will be financed in whole or in part with Federal funds, he shall submit such determination to the head of the Federal department, agency, or instrumentality under the jurisdiction of which the project or program is to be carried out; and after the receipt of such determination the head of such department, agency, or instrumentality shall not commence or further proceed with such project or program, or expend or approve the expenditure of any Federal funds (or further Federal funds) for such project or program, unless and until such project or program has been modified and the plans, specifications, and contracts thereunder amended so as to provide to the satisfaction of the Secretary for the preservation of the historic site, area, building, or object involved. Such modification or amendment may be made notwithstanding any provision of law limiting the right of a department, agency, or instrumentality to modify a project or program or amend plans, specifications, or contracts, but shall otherwise be subject to all the provisions of the law under which the project or program is being or will be carried out."

SEC. 4. The Secretary of the Interior, in consultation with the American Institute of Architects, the National Trust for Historic Preservation, and other organizations recognized by the Secretary as being concerned with historic preservation, shall make a continuing study of the tax advantages, technical and financial assistance, and other incentives which could be provided (by legislation and otherwise) to promote and encourage the restoration and preservation of sites, areas, buildings, objects, and antiquities in the United States of national, regional, or local historical significance by the Federal Government, and by States, political subdivisions, private organizations, and individuals, giving appropriate consideration to the

methods which have been used to encourage such restoration and preservation in other countries and in areas of the United States where intensive programs for historic preservation have been successfully carried out.

DELAWARE VALLEY
PROTECTIVE ASSOCIATION,
Stockton, N.J., September 14, 1959.

FRANK THOMPSON, Jr.,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR MR. THOMPSON: In reference to my letter of August 8, 1959, with enclosures, in regard to the Old Brick Tavern, near Hampton, N.J., and your bills H.R. 285 and H.R. 4046, please advise the status of these bills. The information is needed for news articles I am writing.

Apparently the need for immediate passage of these two bills is increasingly realized now that the Federal highway program is again underway. The Doylestown (Pa.) Intelligencer states: "CURTIN backs bill to protect shrines." No mention is made of the author or number of the bill, but I assume Mr. CURTIN was referring to your proposed legislation.

The Trenton Evening Times (September 10) story, "Vintage Homes Versus Pikes," is based on the enclosed release which I sent out to the New York Times, New Brunswick Daily Home News, Newark Evening News, Newark Star-Ledger, Easton Express, Hunterdon County Democrat, Lambertville Beacon, South Rutherford Leader-Free Press, Red Bank Register, and Doylestown (Pa.) Intelligencer. I do not know how many of these papers carried the story other than the Trenton Times.

The Trenton Evening Times of September 14 carried a followup story on Mr. Trubek's plans for restoration of the tavern.

Lack of awareness on the part of highway officials as to the great loss of historic sites and buildings occasioned by current construction is graphically illustrated by the Hunterdon County Democrat story of September 10, which stated: "There was some pleading on the part of the auctioneer for other bids [on the tavern] on the grounds that both the State and Federal Government had an interest in achieving the highest possible net return." Apparently not only was Mr. Trubek to be allowed to preserve the building as part of our historic heritage, but the State and Federal Government were urging that he be forced to pay the highest possible price for the privilege.

Best wishes for success in obtaining immediate passage of your bills.

Yours sincerely,

B. A. SORBY.

NATIONAL TRUST FOR
HISTORIC PRESERVATION,
Washington, D.C., August 19, 1959.

Mr. B. A. SORBY,
DVPA Director for Raven Rock,
Stockton, N.J.

DEAR MR. SORBY: Thank you for the carbon of your letter of August 8, to Congressman FRANK THOMPSON, Jr., concerning the old Brick Tavern, on Route 22. We have been informed about the plight of this house some time ago, and I enclose carbons of my correspondence concerning this important landmark. I hope very much that my letters to the Federal and State road commissioners may be helpful, and, at your request, I am sending a letter to the editor of the Democrat, Mr. D. H. Moreau, a copy of which is enclosed.

With all good wishes,

Sincerely yours,

RICHARD H. HOWLAND,
President.

[From the Trenton Evening Times, Sept. 10, 1959]

VINTAGE HOMES VERSUS PIKES—BATTLE OVER HISTORIC LANDMARKS

An angry homeowner watches a group of surveyors plot the course of a new turnpike or expressway which will surely cut across the yard of his old stone farmhouse.

That scene is repeated as many homeowners in New Jersey prepare to do battle with the State highway department on the age-old issue of new roads versus vintage homes.

The Hunterdon County Historical Society, the Delaware Valley Protective Association, and individuals such as D. H. Moreau, editor of the Hunterdon County Democrat, have been battling the relentless advance of modern highways through Hunterdon County's historical heritage.

"No one gets excited about any of this unless it hits close to home," said one anti-highway man. "And by then it's often too late."

One big hope of the homesteader who is resisting with all his resources the new superhighways is a congressional bill now stalled in committee.

Introduced and promoted by Congressman FRANK THOMPSON, Jr., the land-saving bill would bar Federal-supported highways (which includes most major projects) from adversely affecting historical sites, buildings and objects of national significance. Thus far THOMPSON's bill has gone nowhere, however.

One-fourth of the historical buildings in existence in this country in 1941 have been destroyed, according to one estimate.

Pointing up the problem in New Jersey are two mammoth Federal-supported highway projects soon to be undertaken by the State highway department. Both projects will affect this country's architectural history.

On Tuesday the historical Old Brick Tavern in Hunterdon County's Hampton was sold to make way for new Interstate Highway 78 which will connect Phillipsburg with the Holland Tunnel.

Fortunately for history, Robert Trubek, of Clinton, paid $250 to secure the building which was built in 1813 to serve as an inn for stagecoach travelers between New Brunswick and Easton.

Trubek, who was the only bidder, will spend $20,000 to move the tavern to a new site where it will be reconditioned and then sold. Any profits will be to the Hunterdon County Medical Center in Flemington.

And a similar preservation move is welling up in Shrewsbury, near Red Bank, where the mayor, town council, and residents are trying desperately to halt the proposed widening to four lanes of a two-lane highway in the town's center.

The town is now planning a celebration of the 300th anniversary of the Shrewsbury Grant issued by King Charles in 1664. Colonial structures in the town will be renovated for the celebration.

[From the Trentonian, Aug. 31, 1959]

SEEK TO SAVE FAMED OLD BRICK TAVERN

(By Eleanore Nolan Shuman)

The fate of the venerable Old Brick Tavern at Perryville, 2½ miles west of Clinton, is uncertain but public interest is great. Will the State raze it after it takes possession tomorrow or will some private source provide funds to have the structure moved? The picturesque building, considered one of the best examples of early American architecture in Hunterdon County, is important for its historic as well as its artistic values.

Famed as a dining place on the old Brunswick-Easton Turnpike, the tavern entertained travelers and traders. Here, it is said, thousands of cattle and sheep changed hands annually. Just as the landmark became established because of its location on the turnpike, so now it faces extinction because of its situation on a modern freeway. U.S. Highway 78, under joint Federal and State construction, calls for the removal of the building for it prevents the construction of an underpass at the Jutland-Norton intersection. No crossings are allowed on highway level.

The edifice, an important part of the heritage of New Jersey, was restored faithfully by its last two owners, Mr. and Mrs. Francis Marckstein, who found the place in a frightful condition when they purchased it 4 years ago. The ballroom, probably the handsomest room of the period in Hunterdon, contains a mantel, a work of art, that was restored after hours of hard and painstaking work.

The interior details of the house are of great merit and the Marcksteins were quite encouraged when they sold their home to the State last June, because they were told to leave everything intact. This led them to believe that perhaps some of the valuable items, such as the mantels and trim, might be preserved.

The architecture of the building is of the colonial period although it was built as late as 1813. This is possibly because the architect-builder, Cathhart, convinced the original owner that a dignified building would attract the genteel carriage and stagecoach trade. The building was almost completed in September 1813 when a courier rode up the highway and told the mechanics working on the building of the surprise victory of Commodore Oliver Hazard Perry over the British Fleet on Lake Erie. The craftsmen who were just putting on the last pair of rafters decided to celebrate. They finished their work, nailed a small bush on the peak of the roof as was the custom, poured some whisky over it and christened the place Perryville, which name it still retains as a post town.

The tavern was popular during the pre-Civil War period but with the decline of the turnpike traffic due to the perfecting of the railroad, the building, after 1873, was used as a dwelling. Since the Marcksteins worked on it, the place has been restored to the original.

Many groups are fighting to keep the building intact, particularly the Delaware Valley Protective Association, which is pledged to preserve the charm of the Delaware Valley. Under the leadership of Hal Clark of Doylestown, and Berthold A. Sorby of Raven Rock, a wealthy donor may be influenced to contribute toward the moving and conserving of the structure. The undertaking is expensive but the building is a historic scenic asset that must be preserved.

The Delaware Valley marches on. Its progress is heartening. Sometimes there is a little too much progress and historic values are forgotten. As travelers speed over distance-melting superhighways, they seldom consider the old structures they are speeding through but the public is beginning to care as they realize that our valuable historic heirlooms cannot be replaced.

[From the Hunterdon County Democrat Flemington, N.J., Aug. 6, 1959]

BULLDOZERS WILL RAZE OLD BRICK TAVERN UNLESS STEPS TO SAVE IT SOON MATERIALIZE

(By D. H. Moreau)

What will happen to the "Brick Tavern" at Perryville after the State takes possession September 1?

From all that has been revealed it will be razed. Bulldozers will move in and level the proud building, reminiscent of a century and a half ago when men traveled by stagecoach between New Brunswick and Easton and this was one of their stopping places—one of the handsomest and finest of its day and still one of the best examples of colonial architecture in this part of New Jersey.

There is talk, yes, of efforts to save the building, but so far they are only in the

talking stage; for all intents and purposes the structure has but 3 weeks to stand.

Mr. and Mrs. Francis J. Marckstein, who bought the building 4 years ago, after receiving solemn assurances from officials in the highway department that the then existing Route 22 would not encroach further in that direction, are sick at heart.

IN PATH OF PROGRESS

"It has been hard to take. I have shed all the tears I am going to shed. We've just had to face the fact that we cannot stand in the path of 'progress' and are trying to be philosophical about it all," said Mrs. Marckstein as she ushered us into the commodious kitchen of the once popular tavern. In June the Marcksteins signed an agreement of sale with State highway negotiators.

The kitchen, like the entire building, was in a frightful state when she and her husband took possession. Skilled in the handcrafts and an engineer in his own right, Mr. Marckstein started working on the old building and continued with the able assistance of his wife until well into 1958, when it seemed that nothing would dissuade the engineers from changing the course of the new freeway toward which the U.S. Government had appropriated millions. Formerly designated FAI 102—it is now U.S. 78 on the official records.

KITCHEN A MUSEUM

The big kitchen, with its broad fireplace, furnished with the utensils gathered by the Marcksteins, who spent years collecting and dealing in antiques, stands as a veritable museum—a display that would grace Williamsburg, Va., or Shelburne, Vt.

As a concession to this modern age Mrs. Marckstein had installed a new electric range, refrigerator, and some other appliances, but everything is in keeping with the days when meals were prepared in this big kitchen for hungry and travel-weary patrons of the stagecoaches. These lumbered past, bound for Easton and the West, or headed for Brunswick and the Raritan River boat to New York.

Incidentally, the building did not have running water when the Marcksteins took possession. There was electricity, a few single bulbs suspended from the ceilings served as a reminder that Thomas A. Edison had improved on coal-oil lamps and candles. Heat has also been installed—but not a pipe or a duct is visible.

LOVELY DOORWAY

The center room, which in stagecoach days was reception-dining room, is entered from the highway through a handsome arched doorway, with its heavy six-panel door. This was two rooms when the Marcksteins took over. A partition had been run through its center and the broad fireplace had been boarded up for a stove. It is quite different now, restored to its original simplicity and commodiousness. This room is handsomely and comfortably furnished in period antiques, including windsor dining chairs, an antique table, and upholstered easy chairs. There is a simple shelf mantel over the wide tapered fireplace.

At the far end and to the left one enters what in former times had been the bar room. This originally had been two rooms as there were two fireplaces and evidences of a partition. The Marcksteins believe these two rooms were ladies sitting rooms in the original tavern. A later owner had installed a chair rail with wainscoting beneath—as protection from bar customers who were wont to lean their chairs against the walls.

The mantel at the south side of this room is beautifully designed, giving full evidence that the builder and designer of the tavern was no ordinary craftsman. The bar was long since removed; the records show that no license was held there since early in the present century. As stated, there is no opening where formerly there was a fireplace on the side which served as a combination parlor and hall. In one corner a stairway leads gracefully to the upper floor.

GRAND BALLROOM

There are two small bedchambers at the west end, atop the stairs. To the left you enter what is now the large master bedroom. The Marcksteins and many who have seen the room, believe it once served as a ballroom. On this room the builder spared nothing when it came to providing a handsome and appealing interior. The ceiling is surprisingly high for a room of the period. In the center of the east wall is a mantel which has made the mouth of many a decorator water.

"It's the finest I've seen anywhere and I have seen a good many," said Mrs. Marckstein. Its exquisite hand carving is in keeping with the design of the smaller and less ornate mantel on the first floor. And the motif is carried out in door and window trim.

The Marcksteins worked for weeks to bring out the detail of this lovely mantel, which had been covered with innumerable layers of paint of different colors, not to mention soot, smoke, and dirt. To top it off, a later generation of owners had built a partition from wall to wall running smack into the fireplace and mantel. But they had spared this work of expert craftsmanship. Today the trim is finished in a lovely Williamsburg green and the bedroom furnishings are in keeping, including the handsome bedspreads, a little rocker-chair crib by the fireplace, attractive sidetables, drapes, rugs, and other furnishings all of the period. Few museums boast a finer interior than this. And it is authentic, even to the wide-board floors, all hand finished.

Over the kitchen end there is a single, low-ceilinged chamber, replacing what in later years had been two rooms. The old building now has 7 rooms, as compared with 11 when the Marcksteins took over from the estate of Mrs. Clarence Zabriskie. The Zabriskies had once tilled the surrounding acres, now whittled down to a single acre at the southwest intersection of the Jutland-Norton road and Route 22.

WHY PERRYVILLE?

The history of Brick Tavern and how its site got the name Perryville is told in Snell's History of Hunterdon and Somerset Counties, published in 1881. Snell says in his chapter on Union Township:

"Another tavern was one that was built by Cornelius Carhart, along whose lands the New Jersey Turnpike ran. It was built of brick and is sometimes called the Brick Tavern. It was erected in September 1813, at the time of Commander Perry's victory on Lake Erie, the news of which was received through a courier as workmen were putting on the last tier of joists, who were so overjoyed at hearing of the victory that when they put on the last pair of rafters and nailed the bush on the peak, as was the custom of the day, and poured some whisky out of a bottle on it, they unanimously called it Perryville, which name it still remains as a post town. But it has not grown much since that day, only one dwelling and a blacksmith shop having been added to the tavern. It was a place that for many years (until the time of railroads) entertained drovers and droves—more than any one hotel in all this section of country; thousands of cattle and sheep annually changed hands here. Railroad facilities have in great measure broken up the traffic."

How come that Brick Tavern is in architecture of the colonial, rather than a later period? By 1813 concessions were being made by builders to a more modern style. Mrs. Marckstein believes that Carhart must have been an older man who adhered to the colonial style or possibly the architect-builder convinced him that it was worth the extra cost to erect a building of more dignified style to attract the carriage and stagecoach trade.

As a stopping place for drovers, the inn may have been found a bit too dignified and stylish—leading to interior changes like making two sitting rooms into a larger barroom and cobbling the ballroom into two bedchambers.

HARDESTY HOUSE

But tradition says that the Brick Tavern catered to the inner man only. The old Hardesty House, farther west a few hundred yards and on the opposite side of the road and erected in 1843, put the drovers and the stagecoach patrons up overnight after they had been wined and dined at Brick Tavern. Here Monroe DeMott, Clinton real estate broker, who a few years ago restored Hardesty House, found plenty of evidence that lots of patrons, horses, and cattle had been accommodated.

The big buildings back of Hardesty House burned last year. The barn, 80 feet long, had many stalls for horses and a carriage house, 150 feet long, with more than ample space for coaches and wagons. Hardesty House had plenty of rooms also for accommodating the drovers and travelers.

When Mr. DeMott was excavating near Hardesty House he uncovered one of the old turnpike mileposts with the legend "32 Mi. to Brunswick." He set it in concrete and it now graces the front yard of the house, now owned by Wintrop Clement.

TAVERN SIGN

The swinging tavern sign which formerly hung on the turnpike side of Brick Tavern now graces the walls of the Hunterdon County Historical Society in Flemington. Its weathered face bears the likeness of "Old Hickory"—General Andrew Jackson.

Dr. I. S. Cramer, late of Flemington, rescued the sign years ago and it was given to the Historical Society for its collection of antiquities.

There had been at least two buildings across the Jutland road on the opposite corner—a blacksmith shop and barn. Only one of these remains.

The more popular entrance to the tavern in the days when it still served as a licensed place of refreshment was through the door in the west end. This formerly had a broader porch with a peak roof, as evidence in the brickwork shows. The bar was long since removed but the legend persists that it was a lively place—and at times a place of great solemnity.

THE WAKE

Once the proprietor, one Peter Mulvey, patronized his own barrel a bit to excess and passed out. His patrons solicitously lifted the proprietor's bulk to the top of the bar, folded his arms, placed candles either side of him as for a wake. When Mulvey came to and noted the joke that was being played on him he quickly cleaned house of the jokesters.

David Wean and his sister, Miss Ella Wean, of Pittstown, whose uncle's wife was a daughter of Peter Mulvey, recall having visited the place when the Mulveys were there. Mr. Wean remembers 55 or 60 years ago when the hotel was conducted on the premises. To the best of the recollection of members of the Mulvey family, Peter conducted the tavern about 11 years, commencing in about 1874. At that time the farm contained about 100 acres.

Published records of the line of ownership fail to show Mulvey's ownership.

PRIOR OWNERS

Cornelius Carhart, Jr., sold the tavern and 100 acres April 1, 1833, to Daniel VanSyckel. The price was $4,661.77. Earlier deeds show that the elder Carhart had sold his son four

parcels between 1794 and 1805, 8 years before the tavern was erected.

VanSyckel owned the property until 1864 when John T. Leigh bought it for $7,000 and resold it the next year to Joseph VanSyckel for $8,450. Two years later Joseph VanSyckel sold it to Joseph Stires for $9,000. Those were boom (post-Civil War) times. The railroad had not yet made its impact on turnpike travel.

By 1870 the crash had come and traffic had gone to the rails. Richard Bellis, sheriff, took over, selling the property to Mary Taylor, who in turn in 1873 sold it to Cornelius V. Hall. Apparently the Taylors had been tenants before Mary Taylor bought, because a map printed in 1851 shows the building and the legend "S. Taylor Hotel." Another township map of 1860 designates the site with the name "John M. Leigh."

In 1879 H. C. Beldon, sheriff, conveyed the property back to Mary Taylor and in 1889 the sheriff, this time John T. Cox, stepped in, selling the property to the executors of Charles T. Tomlinson, deceased. William Deremer bought the place in 1902 and soon conveyed it to Clarence A. Zabriskie. The latter family never conducted a hotel there but used it as a farmhouse, and after his death Clarence's widow, Mary J. Zabriskie, continued to live there. In 1955 the Marcksteins became the owners.

THE FUTURE?

The Marcksteins plan to move soon to a dwelling in Petticoat Lane, between Annandale and Cokesbury, which they bought recently from Andrew Fox. Mr. and Mrs. Marckstein have been given not the slightest clue as to the State's plans for "Brick Tavern." They were told that everything in the building must be left intact, which has encouraged them to feel that some of the valuable items, such as the mantels and trim, may be preserved. The Marcksteins, when told that the building stood in the highway's path, inquired into the possibility of moving the structure. They found that it would have to be encased in a steel framework for reinforcement and would have to be moved in two sections, the kitchen wing being separated from the main structure. They said that lack of nearby property on which it could be placed and the necessity of removing electric power lines to provide clearance, discouraged them.

Recently some individuals have given further study to the possibilities of moving the house in the direction of "The Hensfoot," near the Jutland school and preserving it for some public purpose or selling it eventually, any net return to go to a charity. These plans are still nebulous.

It looks at this writing as though, soon after September 1, the bulldozers will take over.

Needed: A Department of Science

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I made concerning the need for a Department of Science.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEEDED: A DEPARTMENT OF SCIENCE

More than 2 years ago, before the adjournment of the 1st session of the 85th Congress, the Committee on Government Operations, through its Subcommittee on Reorganization, of which I was chairman, undertook a study directed toward the reorganization of the civilian science program of the Federal Government. That was 2 months or more before Sputnik No. 1 was sent into orbit by the U.S.S.R.

Immediately following this important development in the science field, which indicated that the Soviet Union was far ahead of the United States in the space field, there was a tremendous upsurge of public opinion in support of immediate action to eliminate existing deficiencies in the civilian science program of this country.

Pursuant to action taken by the Committee on Government Operations, the Subcommittee on Reorganization developed legislation entitled "The Science and Technology Act of 1958," which was introduced in the 2d session of the 85th Congress as S. 3126. This bill proposed the creation of a Department of Science and Technology; Standing Committees on Science and Technology in the Congress; to establish National Institutes of Scientific Research; to authorize a program of Federal loan and loan insurance for college or university education in the psysical and biological sciences, mathematics, and engineering; to authorize the establishment of scientific programs outside of the United States; and for other purposes.

The program outlined in the report submitted to the Senate in the form of a Senate document (S. Doc. 90, 85th Cong.) resulted in many legislative actions designed to carry out the objectives set forth in Senate Document 90. In furtherance of the program the Subcommittee on Reorganization held hearings on certain aspects of the civilian science activities, particularly as they related to the Federal Government's documentation program, and issued a summary of actions taken by the Commmittee on Government Operations and other committees of the Congress soon after the convening of the 86th Congress. This was printed as Senate Report No. 120 of the 86th Congress on March 23, 1959. Although a number of constructive actions have been taken to bring about improvement in the civilian science structure of the Federal Government and certain new agencies have been created, there still remains much overlapping and duplication among the existing Federal agencies and it is essential that the necessary reorganizations be effected without further delay.

Among the steps already taken to accomplish necessary reorganizations in the civilian science field was the appointment of a Special Assistant to the President for Science and Technology; the creation of the President's Advisory Committees on Science and Technology and on Government Organization; the Interdepartmental Committee on Scientific Research and Development, later superseded by the Federal Council for Science and Technology; the extension of the authority of the NACA through the creation of the National Aeronautics and Space Administration, and the establishment of Committees on Science in the House and Senate.

While these steps have been helpful and undoubtedly are necessary actions toward accomplishing the overall objectives of perfecting Government operations in the field of science, further consideration must be given to still existing inadequacies not only in these agencies but in other areas which must be coordinated with operations of a similar or related character and reorganized under more cohesive administrative controls.

There are approximately 50 agencies which perform some science and research activities having direct application to the overall science program of the Government. In addition to the four Presidential advisory groups dealing with science, there are three major independent science agencies or commissions, the National Science Foundation, the NASA, and the AEC, and more than 40 components of other departments and agencies which operate science and engineering programs supposedly related to the major departmental mission for which the departments were established, or for which special agencies were created. Some of these internal agencies, such as the National Bureau of Standards, Office of Technical Services in the Department of Commerce and science functions of other departments which are performing services not directly associated with the primary mission or even related functions of the departments in which they are now located. Consequently, they do not receive the technical administrative direction necessary to insure operation at their highest potential. On the other hand, some of these internal agencies, which include the National Institutes of Health, the Agricultural Research Service, the Advanced Research Projects Agency, and the Science Advisor to the Secretary of State, perform services which most authorities on science programs of the Government feel do have direct application to the program areas of the respective departments in which they are located and should retain their present status.

From the beginning, the committee, in its studies of these problems, studiously avoided involving the civilian science activities with the applied science and research programs of the military departments which pertain to national defense and come within the jurisdiction of other committees, or with advisory or coordinating agencies or officials within the Executive Office of the President performing high administrative and policy functions under the direction of the President.

The major objective of the Science and Technology Act of 1958, which I introduced as chairman of the Subcommittee on Reorganization and International Organizations, was to bring about, under a Secretary at the Cabinet level, coordination and centralization of those Federal activities in the field of basic civilian science, now scattered among existing departments, as well as those which had grown haphazardly following World War II.

The Subcommittee on Reorganization has continued to press for action by the Congress during the past 2 years on its original proposal to create a Department of Science and Technology. Early in the 86th Congress a bill was introduced, S. 676, to create such a Cabinet post. Hearings were held on this and related measures, during which it developed that there were so many varying points of view as to whether a Department of Science should be established and as to what Federal activities should be incorporated within such a Department, that the committee proposed that a commission patterned after the Hoover Commission on Reorganization of the Executive Branch of the Government should be created to recommend legislation designed to reorganize the civilian science programs of the Federal Government. That bill, S. 1851, Calendar No. 400, was reported favorably to the Senate on June 18, 1959, and has been pending on the calendar since that date.

According to a news release issued September 11, the British Government is now proposing to establish a Cabinet post on science. This action is strikingly opposite from the position taken by the U.S. Government, which refuses to take the lead in establishing a coordinated science program within the Federal Government. The British Science Mission, attached to the British Embassy in Washington, has secured from the Committee on Government Operations full details regarding that committee's studies and recommendations and, although our Government has failed to recognize the failings of the present program and the urgent necessity of taking aggressive and constructive action, the British have utilized the very same material to accomplish the ob-

jectives of the legislation this committee has been advocating.

It took a sputnik to get action on other areas of the original science and technology act proposed by the committee in the 85th Congress. I trust that the new moon rocket which has been successfully launched by the Soviet Union will awaken this Congress to the need for action without further delay. I realize that there is little chance to get action on the bill proposed by the Committee on Government Operations this session, but I feel that it is my duty to point up to the Senate that there is presently pending, and has been pending on the Senate Calendar for more than 2 months, constructive legislation which, had it been approved as recommended, would have placed the United States in a far more advanced position to meet the challenge of Soviet science than will be possible when the Congress reconvenes next year.

A Look Ahead at Federal Welfare Legislation

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, I include as part of my remarks a speech I was privileged to deliver at the northeast regional conference of the American Public Welfare Association on Friday, September 11, 1959, held at the Ambassador Hotel, Atlantic City, N.J.

The speech follows:

A LOOK AHEAD AT FEDERAL WELFARE LEGISLATION

(Speech delivered by Representative FRANK THOMPSON, JR., Member of Congress, Democrat of New Jersey, to Northeast Regional Conference of the American Public Welfare Association, Ambassador Hotel, Atlantic City, N.J., September 11, 1959)

In his fine book, "The People, Yes," Carl Sandburg included a vignette from our pioneer past which, it seems to me, is especially appropriate for this occasion. He pictures an early sodbuster in Kansas, leaning on his gatepost, studying the horizon and trying to understand "why God ever made the grasshopper and why 2 days of hot winds smother the life out of a stand of wheat and why there was such a spread between what he got for grain and the price quoted in Chicago and New York."

A newcomer drove up in a covered wagon asking, "What kind of folks live around here?"

"Well, stranger," the sodbuster replied, "What kind of folks was there in the country you came from?"

"Well," said the newcomer, "they were mostly a lowdown, lying, thieving, gossiping, backbiting lot of people."

Said the sodbuster, "Well I guess, stranger, that's about the kind of folks you'll find around here."

But as the dusty gray stranger had just about disappeared beyond the horizon, another wagon drove up.

"What kind of folks live around here?" the driver asked.

Again the sodbuster countered, "Well, stranger, what kind of folks were there in the country you came from?"

"They were mostly a decent, hardworking, law-abiding, friendly lot of people," was the reply this time.

"Well," said the sodbuster, "I guess, stranger, that's about the kind of folks you'll find around here."

I like to think that you as welfare administrators and social workers and I, as a politician, have in common an abiding and unconquerable faith in people, however tired, despairing, or hostile they may be when they come to us. Both of us know when we go to work each morning that the day will bring to us people with new problems—very human problems having to do with their own individual well-being. Mine may come in the form of a crudely scrawled letter, laboriously written in pencil on grubby paper, asking why an orphaned grandson raised by his grandparents from a baby, is not entitled to social security benefits under the law? Or why a needy family which moved from one State to another in search of a job, has been denied assistance? Or, on the other hand, perhaps it is a neatly-typed letter from an irate taxpayer demanding to know why his good tax money is being spent to support the shiftless, the lazy, and the no good.

It is an ancient and honorable battle in which we are engaged, each in his own way. For centuries there have been those who have said that providing education for the common people would give them false notions of their own importance; that the proper treatment for those who have fallen on hard times is a debtor's prison; or that the people are a "great beast." Others in our own generation have—in the name of some people's republic—exploited human weakness and misery as an instrument for the advancement of the state.

May I say right here that I am profoundly aware of the statesmanship your organization has shown through the years in providing legislators with the necessary facts, and the even more necessary goals for better welfare legislation. I know that, for almost 30 years the American Public Welfare Association has been providing forums such as this one to consider the social and economic needs of people, and creating a climate for Federal, State, and local cooperation to meet these needs. I know that the really remarkable advances in public welfare during this period can usually be traced to the deliberations, and the action of this organization. Starting in 1930, at a time when public welfare was still viewed with suspicion, its support contributed to the first Federal emergency relief bills in 1933, and to the Social Security Act in 1935. Through the years since that time, even though the headlines shifted from relief programs to the threat of war, to war itself, then to unprecedented prosperity and foreign policy, you have continued to provide often-unheralded leadership in the sacred task of promoting the general welfare.

Your leadership, and your advice, has led to the expansion and the liberalization of our social security system so that now 9 out of 10 of the working people of this country are provided with its protection. Your wisdom has led to a new program of benefits for the disabled and the social security benefit structure has been revised upward to bring it more in line with the needs of people in an expanding economy.

But I know you would be the first to say that we have only begun to meet the total problem which faces us in this area. There is no better illustration of this fact than the subject you have chosen for me, "A Look Ahead at Federal Welfare Legislation."

Because I know I am addressing a group of professionals, I do not at this time propose to deal with such subjects as revised matching formulas for the Federal-State public assistance programs or the precise amount by which social security benefits should be increased, as important as these matters are. I know your program is sound in these respects.

Rather I would like to look briefly at what seems to me to be the most important immediate issue and then to look further ahead at some of the upcoming problems which we as legislators and you as public welfare people must be thinking about.

Right on our doorstep is the problem of the continuing growth in our population. We can, in the years immediately ahead of us confidently predict that there will be more marriages, more babies, more school children, more disabled or chronically ill persons, and more old people. By 1965, it is reliably estimated, our population will have grown by 16 percent, or 26 million people. And it will have grown especially at the younger and older ends of the age scale. The number of people in the age group past 65 is increasing at the fastest rate. It is expected to be 25 percent larger in 1965 than it was in 1955. During the same period, the number of children under 15 is expected to increase by 17 percent. In contrast, the number of people between age 15 and 65 is expected to increase by only 13 percent during this decade. This means that there will have to be more medical, educational, and welfare services—more schools, more child services, more hospitals, more nursing homes, and other specialized institutions. It means the social welfare services—public and private—must expand at least 15 percent in the next 10 years if we are merely to maintain our current level of services in proportion to population.

You are already aware of the dimensions of some of these problems. Of immediate concern is the problem of providing better health care for all of our people and particularly for our aged. In his testimony before the Committee on Ways and Means of the House of Representatives in July of this year, Prof. Wilbur J. Cohen, representing the American Public Welfare Association, pointed out that, more and more, the new applications for old-age assistance come from persons who, although they are receiving social security benefits, cannot meet their medical requirements with this limited income. As a result, medical care payments in public assistance in 1958 are estimated at $400 million.

Then he listed the following cold, hard, facts:

The number of aged persons is increasing over a thousand each and every day. Both the number and proportion of the aged in the population is increasing.

Since 1947–49 the overall consumer price index has increased about 24 percent. Medical care costs have risen over twice as fast—49 percent. But hospital room charges have risen 105 percent—and are continuing to increase.

Hospital room rates have increased 71.2 percent from 1948 to 1956, while all medical care costs increased 31.7 percent. Private expenditures for hospital services have increased from 1 percent of per capita disposable income in 1948 to 1.16 percent in 1952, 1.33 percent in 1954, and 1.43 percent in 1956—a 43 percent increase from 1948.

In 1955 public and private expenditures for hospital care in all general and special, short- and long-term hospitals was $4.3 billion, of which 26.6 percent came from general tax sources. If mental and tuberculosis hospitals are included, the total expenditures reached $6 billion, and the portion coming from tax sources was 43.8 percent. From these figures, it can be seen that the issue is not whether public funds shall be used to finance hospital care but in what manner and to what extent.

This is a matter upon which I need your advice. I am, of course, aware of the advantages of using the method of social insurance to meet these needs in the manner set forth in the Forand bill. And I am impressed with the way the American people—who are sometimes accused of being overly

addicted to buying now and paying later through installment plans—have in their social-security plan endorsed the method of accepting a regular reduction in their take-home pay to provide for themselves in the future. An important feature of the Forand bill, in my opinion, is the fact that it uses this method so that the cost of health protection in retirement is paid during the individual's working lifetime rather than during the period when he is retired and, therefore, living on a reduced income. The bill has the further advantage that the costs of protection are related to ability to pay, whereas most private voluntary health plans must use a flat rate which increases with the number of dependents. Thus, in a voluntary plan an individual with several dependents, but an income of only $2,400 a year, pays a higher premium than does a single individual with no dependents earning $4,800 a year. From a social point of view, this is not only undesirable, but unnecessary. And by applying the tested social concept of social insurance the Forand bill would adjust this inequity so that the $2,400-a-year man with several dependents would pay just half of the amount required from the single man earning $4,800 a year. Moreover, the cost of this protection would, under the Forand bill, be shared equally by the employer.

But I must say, honestly, that I need your advice on one point which troubles me. There is, I believe, considerable evidence that we have not yet solved the problem of good hospital utilization. Responsible hospital administrators and some members of the medical profession are concerned, I know, with the fact that present prepayment plans have sometimes resulted in an overuse of hospital facilities for relatively minor ailments. I hope there will be careful study of this matter, with some imaginative thinking, so that the beneficial purposes of the Forand bill will not be frustrated by the possible overuse of our critically short hospital facilities.

We are just beginning to understand the possibilities of what I believe you refer to as progressive patient care. In brief, as I understand it, its purpose is to put the right patient in the right bed by providing short-stay hostels for elderly patients undergoing examination but not requiring expert nursing; convalescent facilities for patients who have not recovered enough to return to their own homes but do not require full-time care; the development of out-patient geriatric clinics in close association with hospital departments of physical medicine, and to put more emphasis on home care programs.

Private nursing homes, I understand, have been increasing rapidly, usually without any formal affiliation with community hospitals, often with inadequate supervision, inadequate diets, no physiotherapy, and medical care only on the basis of immediate need. You know better than I do whether we have the kind of nursing homes we need to provide the nursing home care described in the Forand bill.

We need more experience with home-care programs, such as the one developed at Montefiore Hospital in New York City, under which the patient who no longer requires hospital care but needs continuing medical, nursing, and related services is transferred to his home while the hospital continues to supply medical service at any hour, social service, nursing care through the visiting nurse service, housekeeping service is necessary, and transportation for treatment at the hospital at greatly reduced costs.

We need to construct more chronic disease hospitals which would serve as centers for professional and public education, for research, for training professional and auxiliary personnel, and for the development of administrative leadership, as well as for the care of patients. Such hospitals could be designed to provide rehabilitation, including therapeutic or curative workshops, and as a center for convalescents and home-care activities.

I hope that the public welfare legislation of the future will take account of some of these problems. And I hope that interest in building better nursing homes, and better chronic disease hospital centers can be aroused at the community level, because some of the legislation needed to help build the kind of medical plant I have described is already on the statute books in the form of the Hill-Burton hospital construction program.

Looking to the long-range future, with which I am especially concerned today, I would like to speak very briefly of the new problems and the new opportunities which will call upon your courage and imagination—and the courage and imagination of the Congress—if we are to build the kind of public welfare program which America deserves.

One of these problems arises from the increasing mobility of our people. Surveys by the Census Bureau show that 9 out of 10 Americans have moved at least once during their lifetime and that 1 out of 5 change their residence every year. They are moving west; they are moving from farms to cities; and they are moving from the large cities to the suburbs. Although social mobility is one of the finest aspects of American life, I do not need to tell you that it also creates some problems. This is an area which the Federal Government has largely ignored. Meanwhile, the vestiges of the Elizabethan poor laws which at this very time, are denying a full measure of aid and comfort, are taking their toll of many needy people.

Your proposal that the Federal Government should participate financially only in those assistance and other welfare programs which are available to all persons within the State who are otherwise eligible without regard to residence, settlement, or citizenship requirements would help to solve some of these immediate problems. But I think you will also agree with me that more cash alone will not do the job. We must also have more trained people to assist these unrooted and dispossessed families in the adjustments they must make by reason of their mobility. And, most important of all, perhaps, we must overcome a natural tendency at the Federal level in our prized State-Federal system of government, to overlook our responsibility for the rights of those modern pioneers who cross State lines in search of a better life.

In particular we must be concerned with the migrant agricultural workers—who are responsible for the full vegetable counters in our supermarkets. I am glad to know that the Honorable HARRISON A. WILLIAMS, Jr., of New Jersey is chairing a subcommittee of the Senate Committee on Labor and Public Welfare, which is conducting hearings on this important and complex problem. Moving from crop to crop to make a living, they often live in a shadowland which denies regularized schooling to their children, the rights of establishing residence so that they can vote and qualify for welfare services, or the kind of community life which most of us enjoy.

By far the greatest challenge to our social thinking of the future, in my opinion, can be stated, however, in just one word—automation. A recent study by the National Planning Association sees automation as the key to the greater productivity we need to meet the competition from Communist countries, as well as the "higher living standards and easier life that our people are demanding." But automation also bids fair to produce the kind of severe resettlement problems which plagued 17th and 18th century England following the enclosure movement. We can also anticipate that, over the next 5 or 10 years, the great changes of automation to come will produce a surplus of job-seekers and that, as this study points out, "not only individuals but entire communities may be bypassed * * * if automation makes it cheaper for industries to build whole new plants than to remodel exsiting ones." The study further states:

"Since the need for labor will not be so great, these plants can move away from areas where the labor supply is large; and as nuclear power develops they will no longer be tied to existing power sources * * * whole communities may need assistance if their inhabitants are not to become victims of the age of automation."

Welfare planning for the future, therefore, must take account of the fact that industry, too, is increasingly mobile; that our present unemployment insurance structure is totally archaic under such circumstances; that even the much-needed Federal help for the general assistance program is only a stopgap measure in alleviating the need arising from these sweeping changes. It calls for programs for retaining of workers in the new skills of the age of automation and an increase in the number of teachers of these news skills; it calls for new concepts in community planning and for a better understanding of resettlement techniques and opportunities; and, finally, it calls for a reassessment of our social security, unemployment, retirement, and disability programs to eliminate the discouraging gaps into which so many of our workers fall.

Labor Secretary James P. Mitchell and Health, Education and Welfare Secretary, Arthur S. Flemming, have, as you know, been calling for the employment of older workers. Yet the Federal Government itself does very little to train or employ older workers. Without positive steps to enable older workers to find employment on a fair basis with other workers, these words of the Federal officials fall pretty flat.

Dr. Harry J. Johnson, president of the Life Extension Foundation, points out that other countries do not have our type of mandatory retirement programs because "Other nations do not feel they can face the industrial consequences of shelving a large segment of their most productive people when they are still able to work."

The chairman of the National Committee on the Aging, G. Warfield Hobbs, points out that half of the country's 9,000 scientists and 32,500 engineers over 65 are retired and he comments that "We talk of educating youngsters in science but we overlook those we already have."

At the present time, even if a Federal employee wants to work past his mandatory retirement age and is capable of doing so he finds that he cannot because of the narrow restrictions imposed by the very officials of the Federal Government who have been busily exhorting private industry to set an example in the employment of older workers.

Senator PAT MCNAMARA, chairman of the Subcommittee on Problems of the Aged and Aging, has been holding some very productive hearings in Washington. The subcommittee says, in its summary of expert views, issued recently, that—

"If a man has the misfortune to lose his job at the age of 45 or over, his chances of finding new employment are slim. * * *

"If the Federal Government does not pursue a policy of making possible full employment, or almost full employment, we will be wasting our human resources. This is both foolish and destructive. Older workers who are willing and able to work have a legitimate claim to employment, and have every right to governmental recognition of this claim."

Charles O'Dell, director of the department of older workers of the United Auto Workers, AFL–CIO, and formerly special assistant on older worker programs to the Under Secretary, Department of Labor, told Senator MCNAMARA'S subcommittee that "the Secretary

was unwilling to contemplate legislative measures but was greatly interested in educational measures to do something for the older worker."

That is exactly the point I have been making.

To my mind, one of the most challenging aspects of this new age for our public welfare people and our legislators alike, is the prospect of increasing leisure time. The National Planning Association's study predicts that "the 3-day weekend, or the 3-month vacation" may be a reality within the next decade. It adds that this additional leisure, unless we learn what to do with it, may well tend only to increase the individual's "sense of insecurity * * * isolate him psychologically, create problems which he is unprepared to face and drive him to socially harmful actions." For, as David Reisman has held, "many Americans look on additional leisure as a threat, a problem, a burden, or hazard."

In contemplating these new problems let us remember the ringing words of Franklin D. Roosevelt when, in the face of similar problems he took the position that "the only thing we have to fear is fear itself." I hope our thinking is big, creative, and broad in its scope. For it may well be that we have somehow stumbled into an era which can produce not only fearful bombs, or rockets to the moon—but also can provide the means of combating those ancient enemies of all mankind—hunger and disease.

Those of us who carry the conviction that our people can be trusted—that they are mostly a decent, hardworking, law-abiding friendly lot of people if they have a chance to be—must look forward to the opportunities for a better life offered by this new age. Our concept of appropriate welfare measures has been remarkably expanded at this point in history—from the beggar waiting outside the castle; through "Christmas baskets for the poor"; through grocery orders and bundles of clothes on a more or less orderly basis; to the increased dignity of cash relief, and primary reliance on social insurance.

With Federal leadership, and with your sustained efforts and concern, I believe our concept of the appropriate scope of welfare programs will be expanded to include not merely the attainment of adequate food, shelter, and medical care, but also those other aspects of the better life which includes the right to live with meaning rather than merely to exist. On this note, I would like to close, as I began, with another quotation from Sandburg's "The People, Yes."

"The people so often sleepy, weary, enigmatic, is a vast huddle with many units saying:

" 'I earn my living. I make enough to get by and it takes all my time. If I had more time I could do more for myself and maybe for others. I could read and study and talk things over and find out about things. It takes time. I wish I had the time.' "

Political and Economic Developments in Korea

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the political and economic developments in Korea.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

On May 14 last I rose in this Chamber to discuss certain ominous political developments in the Republic of Korea. I pointed out that the South Korean Government had shut down the Catholic-sponsored newspaper, Kyung Hyang Shinmoon, which had been critical of President Syngman Rhee's regime. I inserted, along with my remarks, editorials and signed articles from the Washington Post and Times Herald, the Christian Science Monitor, and the Commonweal which likewise expressed serious misgivings about various efforts of the Korean Government to silence or obstruct political opposition.

I had hoped that my modest statement, together with constructively critical editorial comment in this country, would encourage the millions of Koreans who are earnestly working and praying for the full fruits of genuine political democracy and sustained economic development. I even harbored the hope that some steps might have been taken to lift or ease some of the present restrictions against the opposition Democratic Party in Korea.

But my hopes, I regret to say, have not been fulfilled. The opposition newspaper closed down last April 30, under an official charge of "treason," is still silent. An AP dispatch dated September 8 from Seoul stated that the Kyung Hyang Shinmoon "lost its second legal battle in 10 days against Government action suspending its publication. The Seoul Appeals Court at a 3-minute session declared the suspension order was constitutional. The publisher announced he would appeal to the Supreme Court." (Washington Post and Times Herald, Sept. 9, 1959.)

In addition to the restrictions on free political debate and activity which I mentioned in my May 14 comments, I would like to point out that the South Korean Government has erected further barriers to the civil liberties of its people.

In my earlier comments I referred to the three restrictive laws adopted by the Korean National Assembly last December 24, adopted incidentally while members of the Democratic Party were physically restrained by the Government from entering the chamber. These laws, designed to restrict the opposition party and to perpetuate the party in power, have not been repealed. Under the so-called local autonomy law, which gives President Rhee the "right" to appoint local officials, 559 elected mayors and other administrators will be replaced this month by Presidential appointment. Previous to the enactment of this law, these officials were elected by the people they represent.

Further, the New York Herald Tribune of May 20, 1959, reported the Korean Government "warned political parties may well be outlawed if they fail to submit reports to the Government on political activities. A Government memorandum said political parties should notify the Government 10 days in advance of any political gathering and submit a report on the result of such a meeting within 5 days after it is held." This appears to be a clear attempt to intimidate if not to destroy the Democratic Party.

Mr. President, democratic government requires understanding tolerance and self-discipline. I do not want to be placed in the position of glibly recommending that every government be patterned after the American form. But I submit that the minimum requisite for democratic development is the right of an opposition party to exist, to publish its views and to organize freely. I submit that this basic right is seriously compromised in the Republic of Korea today.

If I believe in free political debate in Korea, I believe in the same right here. In this spirit I recently included as an extension of remarks two views on the Korean situation which are somewhat different from my own. One was a report, "Korean Comeback", by Ernest K. Lindley, which appeared in the August 3 number of Newsweek. I agree with much of this statement, but I was frankly in error when I said that "the Republic of Korea has attempted to work within the framework of the 1948 Constitution." The three restrictive laws passed by the National Assembly on December 24, 1958, violate the spirit if not the letter of the Constitution. And the restrictions on freedom of the press and on assembly also violates the spirit of the Constitution. I also said in my introductory remarks to Mr. Lindley's report: "I have spoken out on certain actions in the Republic of Korea which were not compatible with a free society. Evidence of strong-arm tactics by the majority party cannot be excused or ignored."

Later I inserted in the RECORD an article which appeared in the August 19, 1959, number of the Christian Science Monitor. It was written by Robert T. Oliver and entitled, "South Korean Skies Clear." This article paints an encouraging picture of economic development in Korea. This was a source of gratitude to me. But after it appeared in the RECORD I was informed by several reliable sources that the article was seriously inaccurate.

I feel an obligation to set the record straight and note certain facts about the Korean economy which do not correspond to the picture portrayed by Mr. Oliver.

With respect to the economic prosperity of the Korean farmer, as cited by Mr. Oliver, between June 1957 and July 1959 the prices which Korean farmers have received for their grain have declined approximately 33.3 percent, while over the period from December 1958 to the present, the prices of goods which they must purchase to live have risen approximately 17 percent. Today the Korean farmer is worse off than he has been at any time since 1955. To counteract the plight of the Korean farmer, the Government has found it necessary to establish a grain exchange program under which they can convert ther rice holdings for other grain, including wheat flour, available from Government stocks..

Regarding the prosperity of Korean industry, let me refer you to a report of the Pusan Chamber of Commerce published in April or this year. A survey conducted by 12 of the chamber's field investigators, covering 1,112 plants and employing about 28,000 workers, shows that only 30 percent of the plants were working full time, that 14½ percent had suspended operations completely and that the remainder were working only part time. Subsequent investigation revealed that these adverse conditions of the industrial manufacturing phase in the Korean economy are confined not only to the Pusan area, but were also found to be present in the entire field of Korean manufacturing industry. The April 1959 issue of the Korean Chamber of Commerce lists on page 43 the following relevant data on this subject. Of a total of 45 classes of businesses, covering 5,251 industrial establishments 2,261 or 43.1 percent were in full operation; 1,465 or 27.9 percent were operating on reduced schedules; and 1,525 or 29 percent of these plants were completely shut down. The factors which brought about the reduced operations of these facilities are given in the report as follows:

1. Lack of credit: 50.8 percent.
2. Lack of effective market: 27.7 percent.
3. Difficulties encountered because of excessive taxes: 9.6 percent.
4. Power shortage: 1.8 percent.
5. All other causes: 10.1 percent.

A recent official Republic of Korea Government survey places unemployment at 6 percent of the total population, which would yield a figure of about 1.3 million. Since the

government survey makes no allowances for underemployment, particularly, underemployment in rural areas, this figure understates substantially the real facts. Trained American observers estimate total unemployment as being in excess of 2 million. When one considers that the total ROK active work force is probably not more than 8½ to 9 million, we see that roughly 22 to 25 percent of the active work force is totally unemployed.

Next, let me make a few observations on the much-advertised stabilization program in Korea which was designed to cure her inflationary ills. In this connection, I would like to summarize very briefly the results of a recent staff study by Robert F. Emery of the U.S. Federal Reserve Board. According to Mr. Emery, the three Korean stabilization programs have been only partially successful. The real aim of price stability, he says, has been achieved. But this has been partially fortuitous since there has been a significant increase in agricultural output each year. Some objectives of each program, he adds, have been achieved, but these have tended to be in the minority. Although Korea, in the opinion of Mr. Emery, has succeeded in obtaining greater price stability, there still exists major economic problems. One is the attainment of economic self-sufficiency and independence from U.S. aid. Another obstacle to self-sufficiency, he notes, is the difficulty of expanding export markets. There is a great need, he says, for the Koreans to come to terms with the Japanese on many problems since Japan is the natural market for many Korean products. For economic progress, it will also be important, says Mr. Emery, for Koreans to provide an attractive climate for domestic and foreign investments with economic stability through appropriate monetary and fiscal policies.

In an interview given in the Far Eastern Economic Review for March 1959, Mr. In Sang Song, Minister of Finance of the Republic of Korea, reaffirms most of Mr. Emery's conclusions, although the Minister is not quite as optimistic of Korea's future as the American observer. Thus, the Minister, when asked to estimate the period within which the Republic of Korea might reach self-sufficiency, stated: "On present assumptions, it is very hard to say. If I am obliged to answer, I would say that self-sufficiency is very hard to envisage in the foreseeable future."

In a recent editorial the Korean Republic, the official Republic of Korea English language newspaper, comments as follows: "Every Korean economic official, every American aid administrator, and every Korean import-export trader is aware that foreign trade imbalance is this country's primary problem. For the moment, balance is achieved through help from America. But that is an expedient and a temporary one. Unless something is done, the day will come when Korea's modernized economy will stand on the brink of ruin because it cannot buy what is required to keep the wheels turning." Incidentally, Korean exports during the past year fell more than 30 percent.

These few facts clearly indicate that economic developments in Korea are not quite so encouraging as Mr. Oliver would have us believe.

With respect to Mr. Oliver's statement that educational developments in Korea have been most encouraging in recent years, it is true that the Korean school situation has improved tremendously since 1953. But it must also be pointed out that much of the credit for this development is the result of American Army efforts in building schools in Korea, of the ICA training program for primary and secondary schoolteachers, and finally and perhaps most importantly, of the heroic sacrifices of Korean parents in behalf of their young ones. This Korean parents do at considerable cost and hardship to themselves and their children since education in Korea has not infrequently deteriorated into what we Americans would call an unconscionable extortion in which even the poorest of peasant parents are victimized by avaricious school officials.

Finally, I would like to say a word about our foreign aid program in Korea. As a strong supporter of development loans, technical assistance and economic grants, I am deeply concerned that our aid program be administered as efficiently and honestly as possible. We have an obligation to the American taxpayer as well as to the ordinary Korean citizen for whom the aid is intended.

Since our aid program started in 1953, we have allocated more than $2.8 billion for Korean economic aid. Considering the need and the threat, this great sum is not out of line. But we must ask ourselves whether this aid is being efficiently and honestly administered. We must ask whether any of it is being diverted for illegal purposes, purposes for which it is not intended. With this in mind, Mr. President, I intend shortly to devote myself to a thorough study of our aid program in Korea.

In conclusion I want to make it abundantly clear that I have long admired the courage and steadfastness of the brave and patient Korean people. They have suffered great hardships both at the hands of the Japanese and the Communists. They deserve the best that this troubled world can offer. They deserve security, political and economic security.

At this point, I include the following supporting documents along with my remarks: an editorial from the official Republic of Korea English language newspaper, the Korean Republic, entitled "Know-How of Trade," which appeared on August 21, 1959; an article, "South Korea's Economic Future—Self-Sufficiency 'Unforeseeable,'" which appeared in the March 26, 1959, Far Eastern Economic Review; and the conclusion of a staff study by Robert F. Emery of the Federal Reserve Board, "The Korean Financial Stabilization Programs," August 25, 1959.

[From the Korean Republic, Aug. 21, 1959]

KNOW-HOW OF TRADE

Technical assistance granted under the American aid program has been highly important to Korea. Many U.S. technicians have come here to teach and to work with their Korean counterparts. Hundreds of Koreans have been sent to the United States and other countries to study at universities, in technical institutes, and with various industries.

As foreseen by William E. Warne, the former UNC Economic Coordinator, results have been gratifying. Best of all, this is a project that will pay increasing dividends as the years go by. The skills imparted and absorbed will not disappear, but will be passed on to others and will contribute to the technical base that Korea must have for its modernization.

With the financial stringencies of the 1959–60 American aid year, technical assistance may be cut slightly. But both Americans and Koreans are determined to maintain the program at maximum intensity, and even to augment it in certain categories.

One of these is the area of international trade, where Korea has much to gain but very little experience to work with. Before the turn of the century, this was the "hermit kingdom," and trade outlets to foreign lands were frowned upon or forbidden entirely. China was the only exception, and that country had its own difficulties with the "barbarians" from European civilizations.

Then came the Japanase occupation period. Any Korean goods that went beyond the borders of Japan were handled by the Japanese. Korea had no chance to acquire the slightest know-how about foreign trade. The Japanese were succeeded by the American military government, and no sooner had we regained sovereignty than we were plunged into the tragedy and destruction of the Korean war.

From 1953 until a year or so ago, all energies had to go into reconstruction and rehabilitation. There was neither time nor opportunity nor exports for foreign markets.

Now, however, we are entering upon a new era. Some of our industries will produce exportable surpluses—textiles, flatglass, household utensils, and handicrafts, for example. In good harvest years, rice will be available. Korea is rich in minerals that await exploitation and the development of foreign markets.

Every Korean economic official, every American aid administrator, and every Korean import-export trader is aware that foreign trade imbalance is this country's primary economic problem. For the moment, balance is achieved through help from America.

[From the Far Eastern Economic Review, Mar. 26, 1959]

SOUTH KOREA'S ECONOMIC FUTURE—SELF-SUFFICIENCY "UNFORESEEABLE"

Question. How would you sum up the results to date of the U.S. aid program to Korea, Mr. In?

Answer. It is quite good so far. The first stage, of course, was relief; most of the money in the beginning was spent on disease control and similar objectives. The second stage was to rehabilitate the facilities that had been destroyed—factories, schools, hospitals, and so on. That stage was completed last year. Everything except housing is now above its prewar 1949 level. The third stage, from 1958, was economic development. The United States and the Republic of Korea have agreed to establish a long-range economic council to build up the Korean economy.

U.S. money has throughout been used to procure raw materials, equipment and services, and the Korean currency, which has been produced in the form of counterpart funds, has been used partly for military support, partly for rehabilitation and economic development.

Question. What is the total sum received so far in U.S. aid?

Answer. Approximately US $2,000 million.

Question. And it has been slightly lower in the last year or two?

Answer. It reached a peak of $323 million in 1957. Last year the total was $215 million, and for 1959 it will be $210 million.

Question. It is envisaged on both sides that the U.S. aid program will gradually taper off?

Answer. The purpose of both Governments is to make the Korean economy viable and self-supporting. First of all the objective is to produce more goods internally in order to decrease expenditure on imports, for example, of cement, cotton yarn, textiles, flatglass, and paper.

Question. Are you already self-sufficient in those commodities?

Answer. Almost, but not all. We can now export glass and cotton textiles, but in the others we are not quite self-sufficient. In the future, if we get a fair entry into world markets, I am sure we shall be able to export quite considerable quantities of cotton textiles.

Question. Which markets do you have in mind, Mr. In?

Answer. Last year we sold about US $1.5 million worth of cotton yarn to Hong Kong and sheeting of similar value to the United States. Our major market would be south Asia, especially Burma, Thailand, and Vietnam.

Question. You are confident of gaining entry to these markets in spite of competition, for example, from Japan and Hong Kong producers?

HOPES FOR TEXTILE EXPORTS

Answer. Yes, we have after all two particular advantages. Wages are low in the Korean industry in the first place, and it is equipped with very modern plants from the United Kingdom and the United States, in the second place.

Question. You believe that in quality and price your products have a good chance?

Answer. Yes, our quality matches that of our competitors, and our prices are competitive, we believe. One problem is the question of using American imported argicultural surplus raw cotton. The U.S. authorities object to this cotton being used in export goods.

Question. They wish you to replace such cotton by private purchase. Is this already being done, in fact?

Answer. We are still discussing this problem, and the two countries are approaching basic agreement on the matter. Another difficulty is that our industry is still enjoying a growth in domestic consumption. Manufacturers are reluctant to develop the oversea market in this context, regarding it as too risky. We have, you see, little experience of foreign markets.

Question. Is any action being taken at Government level to promote exports?

Answer. Well in the first case we subsidize the foreign exchange to meet the difference between the domestic price and the export price. Secondly, we have sent joint trade missions of Government and commercial representatives to Vietnam and Thailand. But this program is not yet active, and we shall be sending more missions shortly.

Question. Can we return to the question of the long-term importance of the U.S. aid program, Mr. In?

Answer. Yes. U.S. aid to Korea will undoubtedly decrease year by year, not necessarily gradually. I would put it this way, that the trend is downward. Now our balance of payments position is very unfavorable, and to fill the gap we must export more. There is a great potential in several fields. We have good mineral resources—tungsten (though the world market is depressed at the moment), graphite, phosphor, iron ore, and anthracite coal. Japan should be a big market for these minerals.

Then there is fish and marine products. The China proper market has been lost, but we should be able to increase our shipments of aga-aga and other fish products to oversea Chinese communities in Singapore, Malaya, and other south Asian countries. Already we are exporting dried fish, and Japan should be able to take some raw fish. Handicrafts is another potential, particularly for the North American market.

Question. Are you also relying on higher rice exports?

Answer. Rice is a major export item. We tried last year to sell abroad 200,000 metric tons, but succeeded only in exporting 5,000 tons to the Ryukyu Islands. Japan should be a major buyer, but she has long-term arrangements with other southeast Asian countries. Next year we expect to export rice to Japan, Israel, and the Philippines.

Question. You have the same target of 200,000 tons for 1959?

Answer. Yes. That would bring in some US$30 million.

Question. Are woolen textiles another potential export?

Answer. The emphasis now is on the domestic market, but there is enough capacity for internal requirements, and with ultra-modernized German machinery installed in Taegu we will soon be able to export.

Question. To which markets?

Answer. To those which Hong Kong serves. Our wage levels should make us competitive in those markets.

Question. At the moment you import all your wool tops?

Answer. We are now importing some raw wool from Australia, but a wool-top factory is to be built soon, and from 1961 or so we shall not need to import wool tops any more.

Question. Going back to the broader question, Mr. In, how long do you think it will take for Korea to become self-supporting?

Answer. That depends on two other questions: How long will the present military tension last? When will divided Korea be unified? At the moment we spend 36½ percent of our budget on defense, and as long as that is necessary we shall need some outside assistance. North Korea, on the other hand, has hydroelectric power, iron ore, and better quality bituminous coal. A steel industry could be developed there on a large scale. South Korea has the labor resources, but the North has the natural resources and fuel.

Question. Assuming no change in these factors, what is your estimate of the period within which self-sufficiency might be reached?

Answer. On present assumptions it is very hard to say. If I am obliged to answer, I would say that self-sufficiency is very hard to envisage in the foreseeable future. We have 630,000 soldiers in this country, the third largest army in the world. Given the continuance of military tension, U.S. military aid should go on.

Question. I would like to ask about the question of inflation, Mr. In. For the past 2 years you seem to have been rather successful in holding prices down. Is this likely to continue?

Answer. In 1955 we agreed with the United States that if prices rose by more than 25 percent the hwan would be devalued. A financial stabilization program was drawn up. In fact the money supply increased markedly at the end of 1958, but prices remained stable.

This was partly because of the rise in production and the supply of commodities, and partly because of the new confidence in the stability of the hwan currency. Savings have risen considerably over the last 2 years, and we are confident this trend will continue.

Question. What is the position of foreign investment in Korea, Mr. In?

Answer. We welcome it. A foreign investment encouragement law has been submitted to our Congress, drafted by U.S. experts, and we had hoped it would be passed by the end of last year. But there has been some delay. It will be enacted very soon. It opens the door wide to foreign capital, and contains three major elements: (1) Guaranteed remittance of profits and interest in foreign exchange; (2) certain guarantees against expropriation; and (3) taxation incentives of 3- to 5-year tax holidays.

Question. There is no limit to the percentage foreign holdings in a new company?

Answer. None.

Question. And no restriction on the employment of foreign staff?

Answer. No.

Question. Do you have significant inquiries from potential oversea investors now?

Answer. Many offers have come, but mostly people are awaiting for the new law to be passed. There is interest in goldmining, stevedoring and manufacturing by U.S. concerns, and also some inquiries from Germany and Austria.

Question. Do you attach any hopes to increased tourist trade in Korea?

Answer. We are already earning considerable foreign exchange from U.S. forces in Korea, and now my Government has agreed on a basic policy on tourism. A new Tourist Promotion Institution will soon be set up.

Question. Is not the exchange rate a handicap for tourists?

Answer. There is no chance of changing the official rate of 500 hwan to one U.S. dollar. Actually the exchange rate has a triple meaning—for imports, for ICA-financed goods and for changing money for the U.N. forces here. We intend to maintain the official rate.

Question. But the new import tax effectively changes the rate as far as imports are concerned?

Answer. The minimum for ICA and Korean foreign exchange imports is now effectively 650 to 1, yes.

Question. Finally, Mr. In, it is sometimes said by economists that a country in the position of Korea would do better to invest its money in raising the quality, quantity and grading of its agricultural and primary products than by trying to industrialize too fast. What is your comment on that?

Answer. Our growth of population cannot be supported by agriculture alone. A country like Korea, with 30 million people—22 million in the South and 8 million in the North—must be industrialized.

Question. Thank you very much, Mr. In.

THE KOREAN FINANCIAL STABILIZATION PROGRAMS

(By Robert F. Emery)

The three stabilization programs have been only partially successful. The general aim of price stability has been achieved, but this has been partly fortuitous since there has been a significant increase in agricultural output each year. Some aims of each program have been achieved but these have tended to be in the minority.

Nevertheless, the programs have been useful in that they have highlighted certain worthwhile aims which might have been largely ignored otherwise. In addition, the programs have provided a framework for continuous review and revision of the plans to achieve stability. It is quite likely that less stability would have been achieved in the absence of the programs.

Although Korea has succeeded in obtaining greater price stability, there still exist many serious economic problems. A major one is the attainment of economic self-sufficiency and independence from U.S. aid. This will be difficult to achieve unless the large military force is reduced to moderate size. Another obstacle to self-sufficiency is the difficulty of expanding export markets. There is a strong need for the Koreans to come to terms with the Japanese on many problems, since Japan is the natural market for many Korean products. For economic progress, it will also be important for Korea to provide an attractive climate for domestic and foreign investment, with economic stability maintained through appropriate monetary and fiscal policies.

These goals will not be achieved overnight. As U.S. aid declines—it probably reached its peak in 1957—Korea will be forced to take steps to become increasingly self-sufficient. The recent achievement of relative price stability has already been helpful in increasing time deposits and creating funds for investment. This in turn should help promote increased investment, leading to higher exports and increased output in general. While the volume of U.S. aid will probably continue to decline, Korea will undoubtedly continue to receive technical assistance from the United States as the country continues to work toward economic self-sufficiency and a higher standard of living.

The Public Works Veto

EXTENSION OF REMARKS

OF

HON. ALLEN J. ELLENDER

OF LOUISIANA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. ELLENDER. Madam President, my attention has just been called to an

editorial by Mr. David Lawrence in a recent issue of U.S. News & World Report. That editorial is so biased and contains so many inaccuracies that in my humble judgment an answer is required.

Madam President, I ask unanimous consent that the pertinent portion of that editorial be placed in the RECORD, together with a reply which I have prepared.

There being no objection, the pertinent portion of the editorial and the reply were ordered to be printed in the RECORD, as follows:

IRRESPONSIBLE GOVERNMENT

(By David Lawrence)

By overriding the President's veto of a bill to provide more than $1 billion for various public works projects, Congress in the last few days has dramatized for the Nation the irresponsibility of our present-day Government.

Many meritorious provisions are contained in this particular bill, but 67 projects are included which have never been passed upon by the Bureau of the Budget or given the necessary study by the Army Engineers, who usually examine in advance all such proposals. The President pleaded in vain that these 67 projects be eliminated now and examined later.

Why, then, did more than two-thirds of the Members of both Houses of Congress vote to enact the bill anyway?

Only because selfishness apparently reigned supreme, as considerations of local politics seemed to replace the courage that statesmen ought to exhibit in dealing with the national interest.

Worst of all, however, the country was given an exhibition of disorderly government—a species of legislative anarchy.

Time and again Congress has felt the "lure of the pork barrel" as Members from one section are bludgeoned into voting for bills that benefit another section in order to get support for their own projects.

The remedy, of course, is to amend the Federal Constitution to permit the President to veto any item in an appropriation bill so that it would require a two-thirds vote to enact into law any single provision to which the Executive, as the representative of the national interest, takes exception. New Jersey, for example, has such an article in its constitution, and it is working well.

This reform has long been advocated by Senator HARRY BYRD, of Virginia, Democrat, and many other experienced legislators. But it doesn't seem to catch the fancy of the modernists or the so-called liberals who prefer the reactionary practices of the past.

The record of the two parties, moreover, on the public works bill tells a story of the failure of the majority party in Congress. Thus, the Democrats in the House voted 260 to 5 in favor of the measure, while the Republicans voted 116 to 20 against it. In the Senate, the Democratic majority likewise voted to override the veto.

That's the way the two major parties lined up on the issue of fiscal responsibility and orderly government.

REPLY TO MR. LAWRENCE

I was much disappointed to read the editorial by Mr. David Lawrence in a recent issue of U.S. News & World Report entitled "Irresponsible Government." The first portion of that editorial dealing with the action of the Congress in overriding the President's veto of the public works appropriation bill displays what in my judgment is a threefold lack of knowledge on Mr. Lawrence's part of the subject matter about which he was writing.

The principal fields in which Mr. Lawrence's homework is deficient are: (1) The program itself, that is, the objectives, accomplishments and present posture; (2) the 67 individual projects that were the subject of the veto; and (3) primary responsibility in this field, that is, the President vis-a-vis the Congress.

This year as in previous years, the Senate Appropriation Committee's reports and labor debate on the bill discuss the overall program and the urgent necessity for the continuation of the program on a long-range, well-planned basis.

Of course, Mr. Lawrence is entitled to his own views as to whether or not the Federal Government should participate in such programs as resource development. But to my surprise, this question is not even considered by Mr. Lawrence. In fact, he says, "Many meritorious projects are contained in this particular bill, but—," and then he launches into an attack on the 67 unbudgeted new starts.

The point he completely misses is the fact that most of the meritorious projects to which he refers were in fact started by the Congress in previous years—just as these 67 projects are being started this year—and were the occasion for sharp rebukes of the Congress at that time by the President. It is apparent, then, that next year when the President recommends funds for the continuation of these 67 projects they will have reached a new plateau and will themselves be classified as meritorious under Mr. Lawrence's reasoning process.

What is more, Mr. Lawrence would lead the reader to believe that the 67 unbudgeted projects have never been presented and passed upon by the Bureau of the Budget or given the necessary study by the Army Engineers who usually examine in advance all such proposals.

In this contention Mr. Lawrence has made two grievous errors: (1) That was not the reason for the President's veto. He should have read the veto message. (2) With respect to the 52 Corps of Engineers projects in the bill, in each and every case the Corps of Engineers testified as to an engineering capability for construction, which means that these projects had been given the necessary study by the corps. Also in connection with the authorization of these projects the appropriate reports of the Corps of Engineers were referred to the Bureau of the Budget and to other interested Federal agencies in accordance with procedures existing at the time of submission of the respective reports. Each of the 67 projects has been studied by the Corps of Engineers or the Bureau of Reclamation, as the case may be, and considered by the legislative committees of both Houses of the Congress, or has been specifically authorized in a law signed by the President. By and large, planning funds for these projects were recommended by President Eisenhower and the Bureau of the Budget for planning, either in the current or prior fiscal years.

I repeat: If Mr. Lawrence had read the President's veto message he would have found that the question raised was entirely a matter of timing rather than of the merits of the projects.

Before discussing the justification in this particular case I think it is interesting to note that the Congress has always reserved to itself the field of internal improvements. This is especially true of waterway improvements. The Congress acts in this area under its commerce, war, Federal property, and general welfare powers. Indeed, the Supreme Court of the United States has said: "It is for Congress alone to decide whether a particular project, by itself or as a part of a more comprehensive scheme, will have such a beneficial effect on the arteries of interstate commerce as to warrant it. That determination is legislative in character." (*Okla.* v. *Atkinson*, 313 U.S. 508, 527; 1941.)

In connection with the Senate's consideration of the second public works appropriation bill, I provided the Senate with a critique of the President's veto message. It is surprising that Mr. Lawrence did not acquaint himself with the facts in this case before undertaking his editorial.

I would not expect him to read the 3,200 pages of testimony taken by the Senate subcommittee of which I am chairman over a period of several months prior to its decision on this bill. I do not suppose he even glanced at the last hundred pages or so which are devoted entirely to testimony by the Corps of Engineers with respect to unbudgeted new starts recommended by Members of Congress and outside witnesses. Nevertheless, he sets himself up as some sort of authority in this field.

If we had felt that he had the time to review this testimony or any portion of it, he would have found a detailed justification for every project. In each case he would find that the Engineers testified that they could economically and efficiently use at least the amount of money provided in the vetoed bill.

Mr. Lawrence seems to take the position that the President alone should make the decision as to whether or not there should be any new projects and to make the individual selection of such projects as may be recommended.

Certainly if Mr. Lawrence intended that any serious study or consideration be given to (a) a determination of whether there should be new projects, or (b) which ones should be started, he does not really contemplate that the President would do this job. He has in mind the delegation of such authority to some bureaucrat in the Bureau of the Budget or other branch of the executive department who is probably totally unfamiliar with the problems involved.

He refers to the overriding of the veto as a "species of legislative anarchy." Certainly Mr. Lawrence has a better understanding of our Government than is implied in that phrase.

Under our Government the President has the responsibility of submitting an executive budget to the Congress. The Congress has the constitutional responsibility of examining and approving or modifying the recommendations of the President.

It was certainly within the President's constitutional authority to veto the public works appropriation bill or any other bill. It is also within the constitutional prerogative of the Congress to reconsider the bill in the light of the Presidential veto.

If Mr. Lawrence now believes that the Congress must approve every proposal submitted by the President his philosophy has changed completely from the days when he criticized the dictatorship of President Roosevelt.

If the Congress is to be accused of anarchy because once in 6½ years they override a Presidential veto, one could easily conclude that in Mr. Lawrence's opinion a considerable saving could be accomplished by eliminating the legislative branch of the Government and turning the workings of our Government over to a nameless, faceless group of bureaucrats who would rule our country by executive fiat, beyond the reach of private citizens.

Program of Economic Aid

EXTENSION OF REMARKS

OF

HON. PORTER HARDY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. HARDY. Mr. Speaker, on September 3, appearing at page 17999 in the

RECORD, I called attention to a news item carried in the press which indicated that a program of economic aid to the members of the Central Treaty Organization for the current fiscal year had been announced by an official of the State Department on September 2. I pointed out that the foreign aid appropriations bill had not passed and suggested that if the press comments were accurate the announcement of a program was premature and improper.

I am glad to be advised concerning the actual announcement which Mr. Donald D. Kennedy made. Mr. Leonard J. Saccio, Acting Director, International Cooperation Administration, has furnished me with the pertinent portion of Mr. Kennedy's statement, which reads as follows:

At the time of the London meeting, I stated that the total U.S. economic aid in all forms to the pact members under our bilateral program for the year ending June 30, 1958, amounted to around $300 million. The total for the year ending June 30, 1959, comes to around $470 million—up over 50 percent. I mention this only to provide factual support to general statements as to our interest in and strong desire to help those associated in this organization.

Clearly, Mr. Kennedy's remarks were in connection with appropriations made in prior years. Whatever may have been the actual expenditures in fiscal year 1959, his comments would indicate that $470 million had been obligated from the fiscal year 1959 appropriation.

I am glad to have the record complete and bring it to the attention of the House.

Final Report to the People

EXTENSION OF REMARKS
OF

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mrs. DWYER. Mr. Speaker, the 1st session of the 86th Congress was filled with contradictions.

Its overall record was uninspiring; yet, it produced some notable and far-reaching results.

The session lasted longer than any peacetime session in 19 years; yet, it put off until next year so much controversial business as to assure that the presidential election year of 1960 will be one of the stormiest in congressional history.

The majority party in both Houses of Congress began the session with majorities of almost 2 to 1; yet, most of the major legislative issues were shaped by a united minority party acting in concert with a great President and an aroused public.

KEEPING PEOPLE INFORMED

In this, my final report to the people, I shall summarize briefly the highlights of this congressional year as they appeared to me and as they concerned the people of Union County. I have found, in company with many of my colleagues here, that this year-end summary is a valuable way to carry out my promise to keep the people of Union County informed of the activities of their Representative in Congress.

For me, the session ended in a dramatic and significant way.

Shortly after 4:20 a.m., Tuesday, September 15, the final two rollcall votes were cast in the House—votes which, incidentally, kept my voting participation record at 100 percent.

In view of the arrival of Soviet Premier Khrushchev just a few hours later that day, the two bills—both of which I supported—were especially symbolic. One provided funds for the mutual security program, the military and economic foundation of free world strength, and the other extended the life of the Civil Rights Commission, a guardian of the rights and freedoms that belong to all our citizens, regardless of race, religion, politics, or national origin.

These votes, I hope, expressed for Mr. Khrushchev at least in part the American ideal of freedom at home and freedom abroad.

WELCOME TO AMERICA

Immediately after voting, I raced to Washington National Airport and caught a 5 a.m. flight to Idlewild International Airport—just in time to welcome to our country another arrival from Soviet Russia, this one a victim of the tyranny and oppression of nearly 16 years in a Siberian slave labor mine.

For me, it was a heart-warming way to conclude the congressional year, the final event in a yearlong struggle to reunite a Hillside father with the son he thought had died at the hands of the Nazi invaders of Poland in 1940.

Despite the happy ending, the legislative record of the first session was a hodgepodge of successes and failures.

The two chief successes—budget reduction and labor reform legislation—account for the characterization of the session as the year the people spoke and the Congress listened.

The year did not begin this way. The big Democratic majorities opened the session with promises of huge spending programs to lift the country out of a recession that even then—as President Eisenhower had predicted—was rapidly ending.

A BALANCED BUDGET

The session closed, nevertheless, with a balanced budget in sight and with Administration spending requests cut by about $1.3 billion, though the House earlier had trimmed an additional billion dollars which the Senate later restored.

The reasons: a vigorous economic recovery and record high employment which made many proposed programs unnecessary, hundreds of thousands of letters and telegrams demanding that wasteful spending be stopped, and a series of courageous Presidential vetoes which blocked excessive spending.

The same kind of public insistence accounted for passage, too, of an effective labor reform bill. Repeated disclosures of corruption, abuse of power and disregard of union members' rights made it impossible to ignore the public demand for legislation to clean up certain elements in the labor movement.

REMOVING THE MILLSTONE

The law signed by the President is a sound one. No decent union or honest union official will be hurt or handicapped by it. On the contrary, the constructive efforts of the AFL–CIO and many individual unions to make of the labor movement a more effective and responsible vehicle for the welfare of working people should be greatly strengthened. Racketeers and unprincipled bosses have hurt labor. This law will help free labor of a heavy millstone around its neck.

I hope that responsible labor leaders will think twice before making a political issue of the labor reform measure. The Landrum-Griffin bill was first passed by the House, 303 to 125, and later in modified form by the Senate, 95 to 2, and again by the House, 352 to 52. On all the votes, a majority of both parties supported the bill.

Moreover, union members and the general public will wonder about opposition to a bill which, for the first time, provides enforceable guarantees of members' rights. The future of American labor, after all, depends on the respect and cooperation it earns from the American people as a whole.

Among other accomplishments of the first session, all of which I supported, were these:

A good housing bill which will bolster a vital part of our economy.

HELP FOR THE NEEDY

A comprehensive rewriting of veterans' pension laws which adjusted benefits more closely to needs and provided benefits, for the first time, to needy widows and orphans of World War II and Korean war veterans.

Stronger Federal prohibitions against mailing pornographic literature and increased penalties were approved by the House.

An immigration law which will make it easier and faster for American residents to be reunited with their families.

A new cooperative health and hospitalization insurance program for Federal employees.

Increased appropriations for health and medical research in the fields of cancer, heart, and cardiovascular diseases—the principal causes of death—as well as other serious diseases. This bill also included funds for research into cystic fibrosis, a deadly disease that strikes particularly at little children. Since this is a matter of special interest with me, I worked closely with Appropriations Subcommittee Chairman FOGARTY to assure sufficient funds for this important work.

STATEHOOD FOR HAWAII

Statehood for Hawaii, our 50th State, which formally entered the Union on August 21.

Continuation of the Interstate Defense Highway program at a somewhat reduced level.

An increase from 3¼ to 4¼ percent in the interest rate ceiling on Government savings bonds—to help do justice to the small bondholders and to encourage this more desirable way of financing the national debt.

Provision for more loans for small businesses.

Increased price supports for already-glutted markets in wheat and tobacco—which an ill-advised Congress approved—were stopped by Presidential vetoes. I voted against these bills.

Both my committees were active this year. The Intergovernmental Relations Subcommittee, of which I am ranking minority member, continued its lengthy investigation of the waste and inefficiency in the billion-dollar programs involving sales of cotton and other agricultural surpluses.

We are hopeful that our recommendations will help save millions of dollars for American taxpayers.

MAKING A LAW

The subcommittee's most satisfying accomplishment was final passage of a bill, cosponsored by Chairman FOUNTAIN and myself, creating an Advisory Commission on Intergovernmental Relations. We are confident that the Commission can contribute greatly to improving Federal-State-local relations and placing them on a more logical, efficient, and economical basis. I found it most satisfying to have been a part of this legislation from its very beginning—our nationwide hearings, the drafting of recommendations and a bill, the joint House-Senate conference and then final passage in both Houses and on to the White House for the Presidential signature making it the law of the land.

The Banking and Currency Committee was just as busy. Two measures stand out: First, the passage of a housing bill that conformed, after two Presidential vetoes, with the major provisions I recommended in my minority report to the first bill, especially a new program of loans to encourage the construction of special low-rent housing for elderly people; and second, the authorization for United States participation in the Inter-American Development Bank, which will make loans to Latin-American countries in an effort to raise living standards throughout our Western Hemisphere.

UNION COUNTY IN WASHINGTON

The interests of Union County also figured in the record of the 86th Congress' first session:

After unnecessary delay, Congress granted consent to an interstate compact creating the New York-New Jersey Transportation Agency, which will provide for coordinated use of existing commuter facilities in the metropolitan area, and will prepare a long-range plan to help solve the commuter crisis.

Congress appropriated funds which, I expect, will complete the two huge navigation projects in our area: the deepening of the Arthur Kill channel for larger oceangoing vessels, and the vertical-lift railroad bridge over the channel between Elizabeth and Staten Island. I supported both projects in testimony before the Appropriations Committee.

Progress was also made in meeting some of the post office needs of the county. The Post Office Department, at my urging, provided new buildings for Mountainside and Berkeley Heights, and approved a substation for the Bayway area of Elizabeth. In addition, I secured the personal cooperation of the Postmaster General for a review of Union County facilities and assurance of early action on the more important requirements.

REPRESENTATION DAY BY DAY

But most of the congressional business affecting Union County consisted of the day-by-day activities involved in representing a growing, diversified, articulate congressional district—one of the largest in the country.

Helping people through the often tangled procedures governing social security, veterans' benefits, immigration, the military services, and cooperating with labor leaders, union members, business and professional people and others in their relations with the Federal Government—this is a large part of a Congressman's work and the source of some of the most satisfying things I have been able to accomplish.

There are obvious gaps in this review of Congress' record. Those gaps tell the story of Congress' failures. And they foreshadow a 1960 session of crowded legislative calendars and intense controversy.

For instance, despite the pressing need to raise the unrealistic limit on earnings allowed for recipients of social security, and the dozens of bills—including my own—to increase these limits, no action was taken. Likewise, no education legislation of any significance was passed this year, in spite of Russian progress and our own very apparent shortcomings. Nor was civil-rights legislation passed, or an adequate bill approved providing necessary authority for long-term debt management.

The issue of nepotism in the staffing of congressional offices, which created such a scandal earlier this year, has not been satisfactorily resolved. And the question of excessive noise from jet aircraft at the Newark Airport, about which I testified before a House committee, must be settled properly.

COSTLY FAILURES

On two problems in particular congressional inaction was costly: the failure to revise the tremendously expensive and wasteful farm program, and the failure to help commuters by amending last year's Transportation Act to require greater consideration of the public interest before passenger trains are allowed to be removed.

Both these situations demand early attention from Congress next year. Fortunately, I have obtained assurances from the House Interstate and Foreign Commerce Committee that my commuter bill will be considered as soon as the Senate acts on Senator CASE's companion bill.

It is becoming all too obvious that further efforts to reorganize and streamline the Defense Department are urgent, and legislation to accomplish this has already been offered. Major tax changes will also be proposed.

No final action was taken this year on the fair trade bill; changes in the unemployment compensation laws were sidetracked, minimum wage legislation bypassed, and medical care for the aged postponed.

Some of these bills are essential; some very desirable, especially if conditions and budgets permit; and others are merely controversial.

All of them, however, guarantee a lively 2d session for the 86th Congress.

During the period Congress is in session, it is impossible to be in Union County as much as I would like. But I know you expect me to remain on the job here in Washington on a fulltime basis. As in past years, this session demonstrated again that anything less than fulltime attention is simply not enough. There is no time for other jobs or outside interests.

BACK AT HOME

From now until Congress reconvenes next January, I shall be spending most of my time in Union County, meeting and talking with as many of my constituents as possible, learning what you think about the great issues facing our Nation, studying local needs, and helping wherever possible with problems you or your neighbors may have with the complex Federal Government.

It has been a great privilege to represent you at the seat of our Nation's Government, and I deeply appreciate the confidence you have placed in me. I look forward to continuing this work next year; to exchanging ideas and views with you through your letters, your replies to our opinion survey, and my report to the people; and to serving you in every way possible, both in my Washington and Elizabeth offices.

One last word: there may be a few duplications in the lists we are using to send this report to you and your neighbors. If you receive more than one copy, please overlook it; it is unavoidable. Also, if you do not now receive my report to the people regularly, and wish to do so, please let me know. Thank you very much.

The Fight in 1959 for Adequate Water Resource Development

EXTENSION OF REMARKS

OF

HON. DON MAGNUSON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MAGNUSON. Mr. Speaker, the President's record of never having had a veto overriden by the Congress finally fell before a determined effort to get along with the task of developing our Nation's water resources.

It has been said that the difference between an Old Guard Republican and a "Modern" Republican is that the former believes as a matter of principle that nothing should be tried for the first time, whereas the latter believes as a matter of principle that a new idea should be tried for the first time, but now is not the time.

Whichever faction the administration belongs to has made little difference as in 4 years out of 7 White House policy has been "no new starts" on flood control, navigation, power generation, and reclamation projects.

Even a presputnik fourth-grade child could figure out that even though the

administration in 1953 took over a going program for the orderly development of our water resources, if we never started any new projects to replace those which were completed, this important national effort sooner or later would come to a halt.

After months of hearings—over 800 witnesses were heard by the House Appropriations Subcommittee alone—and deliberation by both House and Senate, the Congress in mid-August passed a $1.2 billion public works appropriation bill.

Nine days later the President vetoed the bill. In his veto message he singled out for criticism 67 unbudgeted projects, 67 new starts added by the Congress. In typical modern Republican fashion, he implied that these might be all right in the future "at the proper time," but that now was not the time. He was concerned not so much about the impact on the fiscal year 1960 budget—an additional cost of about $50 million—as on the total $800 million cost he said would be necessary to complete all of the new projects.

In all too familiar fashion, the President used some debatable arithmetic to arrive at the total future cost of $800 million. Careful analysis shows a future impact closer to $500 million. Thus, for example, the largest single project, the Allegheny River Reservoir in Pennsylvania, already was under construction but had been held up by litigation which the Supreme Court recently ended. Its cost, $113 million, should not be called a new start. Three of the projects carrying a total future cost of $49 million had not yet been authorized by law, and therefore the appropriation would lapse. Six small reclamation loans were included in the total of $17,100,000—since this money would be repaid, it should not have been counted. One item of $59,607,000 for the Trinity River powerplant in California was recognized as necessary in the President's veto message but counted in the total nonetheless. Nine of the projects, all small, would be completed in 1 year, and thus have no impact on budgets after 1960, the ones the President was concerned about. The elimination of these 20 projects and other similar adjustments brings the total down to about $500 million.

The real controversy, then, boiled down to an argument over whether Congress should appropriate money to start 47 new projects having a total impact on budgets beyond the current one of $500 million. Most of these 47 projects were small ones. The largest has a total estimated cost of $71,400,000; only one other would cost more than $50 million. Thirty-three would cost less than $10 million. All told, they represent an increase of approximately 10 percent over the total cost of all projects in the President's budget. In fiscal year 1960 we will complete 40 projects with a total cost of $300 million. Should these be replaced with new starts, or should the national program be allowed to taper off? This was the essential question before the Congress.

On September 2 the House failed by 1 vote to override the veto. A determined House Appropriations Committee, not willing meekly to rubberstamp the Presidential dictate nor to abandon the policy of starting new projects to replace those completed, quickly reported out a new bill with all controversial projects left in but with a 2½ percent reduction across the board for all projects, old and new. The 2½ percent cut guaranteed that the total spending for public works in fiscal year 1960 would be no more than called for in the budget.

The President quickly vetoed the new measure, as expected.

On September 10 the House, by a vote of 280 to 121, and the Senate, by an equally decisive vote of count of 73 to 23, voted to override the veto.

The measure became law without the President's approval.

Endorsements of Work of Senate's International Health Study

EXTENSION OF REMARKS
OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the work of a Senate subcommittee of the Committee on Government Operations in its international health study.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

ENDORSEMENTS OF WORK OF SENATE'S INTERNATIONAL HEALTH STUDY

I appreciate the confidence which the Senate kindly demonstrated in work in which I am privileged to serve as chairman when it approved on September 9, Senate Resolution 176. This resolution provided for an additional $10,000 for a subcommittee of the Committee on Government Operations for the conduct of its international health study.

This study was originally authorized under Senate Resolution 347, 85th Congress. It was extended under Senate Resolution 42 of the 86th Congress. Now, this modest additional sum will be provided to enable us to carry on our work.

It is a work which, has met with general approval throughout our Nation.

Virtually since the establishment of the health study in August 1958, an unending volume of congratulatory messages have poured in to the subcommittee. Hundreds of these commendations have covered not only approval of the study in principle, but approval of its work in practice.

These kind commendations have come from eminent doctors, researchers, deans of medical schools, editors of medical publications, biologists, chemists, and others.

I have now compiled some of these commendations and wish to share them with my colleagues.

OUR APPRECIATION OF TRIBUTES FROM CONGRESS

The quotations which follow refer to sentiments from the American public in general and from the medical profession specifically.

An additional entire section could have been prepared in terms of the kind reception which has been given to our study by Members of the Senate and House of Representatives.

In particular, we have welcomed the reactions which have come from the two most distinguished experts in Congress in this field. I refer to the senior Senator from Alabama [Mr. HILL], dean of the Senate's work in this area, and the able chairman of the House Appropriations Subcommittee for the Department of Health, Education, and Welfare, the Honorable JOHN FOGARTY.

I could cite as well messages from other Members of the Senate. No Member of Congress has given us more encouragement than our able colleague from Oregon [Mr. NEUBERGER], who, down through the years has devoted himself so ably to the cause of advancing medical research.

FIVE PUBLICATIONS DUE IN NEXT MONTH

I should like to make a few additional points with regard to this study:

Thus far we have issued five committee publications. By this time, next month, I believe that we may have released an additional five publications; and before the end of this year perhaps still another five publications.

These various booklets cover a vast array of topics in international medical research and medical assistance. Often, they bring together data for the first time ever presented by a congressional committee.

The reception to these publications, in particular, has been unanimously favorable. Quotations from some of those comments will be found in the paragraphs which follow:

Very shortly, we are sending to the Government Printing Office the sixth print in our series. It is entitled "Health in Laos—Background Information on Medical Problems in an Underdeveloped Country."

This particular print symbolizes the speed and care with which, I believe, the subcommittee has addressed itself to urgent problems of America's international health program.

Let it be noted that the subcommittee did not actually commence operations on this study until mid-October 1958. Since that time the factual record will show that the subcommittee has covered about as broad a range of activity as any subcommittee with comparable resources with which I am familiar.

I mention this not for any personal reason; nor do I cite the endorsements of the subcommittee for any personal reason.

A TRIBUTE TO THE SENATE

This is a team effort—involving six members of the subcommittee and the staff.

We have all been working together harmoniously to get the facts and present the facts.

So, I collect these commendations with humility and not to draw attention to any one individual. Rather I seek this means of paying tribute to a body which does deserve tribute, namely, the Senate itself and the committee process itself.

I present this material in effect, so that the public will see what I for one believe is substantive congressional work of a caliber which all men of good will can and will approve, irrespective of partisan or other factors.

Often, we legislators read and hear criticisms of the Congress and of its committees. Here then are views of a different kind from highly responsible Americans. And they are views on an all-important subject—human health.

Since much of this correspondence which will be quoted has been sent to us in confidence, it is necessary to withhold the identity of the individuals who sent the commendations. I have, however, used a brief descriptive introduction to denote the background of the individual who has written in.

Finally, let me note this fact: It is not the purpose of this subcommittee in its study to analyze specific health legislation; that is not in our jurisdiction.

Rather it is the standing jurisdiction of the Senate Committee on Labor and Public Welfare.

RECOMMENDATIONS TO BE PRESENTED IN JANUARY 1960

But it is safe to say that out of this Government Operations subcommittee will come recommendations on the basis of which important health legislation can be formulated and advanced.

Already the Senate has enacted into law a number of recommendations which I personally as an individual Senator, rather than formally as subcommittee chairman, have submitted.

I believe, too, that in the 2d session of the 86th Congress, certain subcommittee recommendations which we will formally make, as a body, as of January 1960, will likewise be introduced and, I hope, ultimately enacted into law.

When the Senate Rules Committee considered Senate Resolution 176, the chairman of the Committee on Government Operations [Mr. McCLELLAN] sent to it a detailed memorandum setting forth some of the facts with regard to the broad nature of the subcommittee's work. I have taken a few pertinent excerpts from that memorandum and attach them to these quotations.

There follow now:

1. The excerpts from the memorandum sent to the Rules Committee, describing some of the work of this subcommittee.

2. The excerpts from a few of the many messages of approval which have come to the subcommittee.

EXCERPTS FROM MEMORANDUM OF AUGUST 25, 1959, PRESENTED BY THE COMMITTEE ON GOVERNMENT OPERATIONS TO THE SENATE COMMITTEE ON RULES, SUMMARIZING THE WORK OF THE SENATE INTERNATIONAL HEALTH STUDY

1. The subcommittee is engaged in as what has been described as the most "comprehensive such study of international health ever undertaken by a congressional committee."

It is necessarily comprehensive because the goals set forth in the authorizing resolution were both broad and diverse.

In seeking to fulfill these goals the subcommittee naturally has had to secure expert scientific judgment throughout the United States and the world.

2. This judgment has now been received by the subcommittee in length, diversity, and high quality.

The subcommittee has received well over a thousand helpful letters as reports from medical specialists and other scientists alone. This is in addition to a still larger number of messages from interested laymen.

The experts' correspondence includes innumerable detailed suggestions, often in the form of 5 to 10 pages single space memorandums. These have come from such diverse and highly respected sources as—

1. Deans of medical schools throughout the United States and foreign countries.

2. Winners of the Nobel Prize in chemistry, physiology, and medicine.

3. Officers and committee chairmen of the American Medical Association, and of many specialized medical groups in fields such as pediatrics, cancer, heart disease, etc.

4. Officers and committee chairmen of scientific organizations at home and abroad in such fields as biology, chemistry, biophysics, biochemistry, etc.

5. Presidents and other officers of American pharmaceutical companies.

6. State health officers and other medical experts of the 50 States of the Union.

7. Ministers of health of foreign countries.

8. Presidents of medical academies and secretaries of medical associations abroad.

9. Editors of American medical journals.

10. Officers of American voluntary organizations engaged in medical research and assistance.

11. American Ambassadors stationed overseas.

12. Presidents of American scientific research foundations and institutes.

13. Heads of rehabilitation centers throughout the United States.

14. Presidents of American businesses with extensive health programs overseas.

And others.

This wealth of analytic material represents, in the subcommittee's judgment, a tremendous asset. The analysis of this correspondence, to be followed by the formulation of recommendations, is necessarily a time consuming and complex task. It is, however, a task which should prove extremely rewarding to the Congress and to the American people.

3. Within the year since the setting up of the study the subcommittee has been engaged in other specific health tasks as well. Thus:

(a) It will be recalled that in November-December 1958, the chairman of the subcommittee personally held conferences in nine European countries with medical leaders.

(b) Here in Washington there have been literally scores of informal conferences with individual medical experts and representatives of Federal agencies.

(c) In addition, 2 days of formal hearings were held on July 9 and 16, 1959. At that time, outstanding experts testified on more than a dozen types of medical problems.

(d) To date, the subcommittee has issued five separate committee prints. These have not only been well received, but in at least one instance two entire printings have been entirely exhausted in supply. Indeed, if all of the bulk requests for other prints had been approved, virtually the total supply would be exhausted today.

COMMENDATIONS OF SENATE INTERNATIONAL HEALTH STUDY RECEIVED IN CORRESPONDENCE

The winner of a Nobel prize:

"It is a source of great encouragement to me to find that in recent years some Senate investigations are being conducted with such high standards of judgment and values as those maintained by your own subcommittee and a few others. * * *

"The corrected (material is) being returned today to (your subcommmittee staff) whose intelligent and helpful cooperation I much appreciate."

The president of an organization providing international health assistance:

"I cannot commend too highly the efforts of your committee in promoting greater interest on the part of the U.S. Government in international health and medical research."

The editor of a Minnesota medical journal:

"The thoroughness in which you have gone about compiling information and getting advice in connection with your subcommittee is indeed commendable. One can never tell where a good idea will come from, and the more sources the more likely a well prepared program."

The editor of a nationwide medical journal published in New York:

"I think the subcommittee should be congratulated on the fine work they are doing in the field of international medical research."

The president of one of America's greatest petroleum corporations:

"I heartily endorse the study that your committee is making, looking, as I understand it, toward a higher degree of coordination between various organizations, both governmental and quasi-governmental in these fields."

A researcher in a major U.S. corporation:

"I would like to take this opportunity to commend you and your committee most highly for the uniformly excellent, valuable, and interesting publications which have appeared to date."

A member of the faculty of a major American medical school:

"I would like to take the opportunity of congratulating you on the very high caliber of the publications which have so far been made.

"I have found these of very great interest and of assistance to me in the teaching of international health in this school. I would be very happy if you would continue to send me all of the publications of your committee. I can assure you that none will be wasted."

The dean of a school of public health:

"I am in receipt of your committee report on the status of world health, and wish to congratulate you upon the excellence and conciseness of this report. It is a most valuable document, demographically and epidemiologically.

"Our school of public health plans to incorporate this material into our regular instructional program, and for this purpose would very much appreciate receiving 100 copies of the report.

"Again may I express our thanks for an excellent and useful document."

The dean of another school of medicine:

"I want to thank you for sending me your comprehensive report, 'United States and the World Health Organization,' which I have read with profit and pleasure. It gives a clear and lucid exposition of the workings of an organization which is most important to the well being of our United States. I agree with your 10 principal findings and particularly with your statement on page 4 where you say 'Only when the highest echelons of government take a deep and continuing interest in health problems can further substantial progress be made.' "

A faculty member at Harvard Medical School:

"I should like to compliment the subcommittee on its excellent work and hope that these views may be of assistance to it."

A director of research at the University of California Medical Center:

"Let me congratulate you and your committee on important work well done."

A superintendent of a board of recreation in a New Jersey community:

"I have just finished a quick reading of your Committee Print No. 5 on Cancer. I believe that you and the members of your committee are to be congratulated on the splendid job you have done with this report."

The minister of health in a Mideast nation:

"It is a source of continuing pleasure and inspiration to observe the expanding interest which the Senate of the United States and, particularly, the Subcommittee on Reorganization and International Organizations is taking in problems of international health."

A dean of veterinary medicine at a Midwest university:

"I personally feel that your proposed committee print on veterinary medicine is an excellent idea, one of great challenge and one that will be very beneficial in informing the public of the many and varied facets of veterinary activities."

A Federal research official:

"May I take this opportunity to congratulate you on the splendid work you are doing in advancing all phases of international relations and especially in the health field."

An officer of the International Hospital Federation:

"Your personal interest and leadership and that of your colleagues on the subcommittee of the U.S. Senate is inspiring and

should do much to advance further our common objective of a state of good health which we desire for all mankind."

A distinguished physician at the Mayo Clinic:

"I have read with a great deal of interest and considerable care the outline which you sent me concerning the Committee on Reorganization and International Organization.

"The author of the outline certainly has a very comprehensive knowledge of the problems involved and if the outline could be followed the results would make a notable contribution to the organization of governmental or quasi-governmental agencies in the field of international health."

The dean of a Pacific coast medical school:

"I have reviewed the material which you sent concerning Senate Resolution 347 (for the international health study). I believe that the objectives of this * * * legislation are sound.

"Best wishes in your efforts to move forward with legislation which will further enhance these objectives."

A vice president of an American pharmaceutical company:

"After looking over your subcommittee's program, we think it excellent."

The executive director of a medical institute:

"I wish to congratulate you and your staff on the excellent report 'International Medical Research.' I was particularly impressed with the succinct, but well-rounded, outline."

An officer of the American Psychiatric Association:

"You are certainly undertaking a broad-based and very important investigation and I can assure you that the American Psychiatric Association will aid this project in every way possible."

The dean of a Southwest school of medicine:

"The timely purpose of your committee in focusing attention upon the variety of organizations which are participating either in international medical research or international medical service programs is to be commended."

The dean of a west coast school of public health:

"All of us are deeply grateful to you for providing us the initial committee print, itemizing as it does so very effectively so many of the contributions of international medical research. This is a most exhaustive and valuable opinion."

A distinguished Canadian neurologist:

"I am writing to let you know how much we feel that your work is appreciated. I believe that your approach to the problem of understanding between the West and the East is very sound and most promising for the future. I would like to have you know that we who are engaged in scientific pursuits and medical research are thoroughly back of you in this undertaking and will give you firm and energetic support."

A Minnesota expert on children's problems:

"Thank you very much for the three initial publications issued by your committee. They were very well done and contain a lot of basic material about health in the world."

The executive secretary of a Minnesota voluntary health agency:

"The first report of a study of international health and medical research was most impressive and I must commend you and your subcommittee on the excellent preparation and material. This report should certainly have an extremely wide and receptive audience. I would be grateful if your office could send me an additional six copies which I would distribute from here."

Three citizens in Palo Alto, Calif.:

"We wish to congratulate you for your service to mankind and to the Nation in attempting to promote coordinated further research into cancer and heart disease, and to the cause of world peace by enlarging the area of cooperation between scientists and governments of Communist nations and our own. This is a particularly valuable work of statesmanship and one for which the American people owes you a debt of gratitude."

A distinguished leader of the American Medical Association:

"For myself, the members of the committee * * * and the council * * *, I wish to express appreciation of your invitation to make recommendations concerning international health research and assistance programs in which the United States participates. As I am sure you are aware, the American medical profession is firmly convinced of the worth of such projects, since new discoveries in medicine are never the exclusive province or property of one nation, and from the standpoint of expressing the true American spirit of cooperation and helpfulness. * * *

"I wish to assure you again of the committee's great interest in your study and its appreciation of your desire to make certain that health research is conducted efficiently, economically, and with a view to the ultimate improvement of the health, not only of our own citizens, but of our fellow men throughout the world."

The secretary general of a medical association in the Far East:

"We received two prints sent me by your heartful kindness such as namely 'the Status of World Health' and 'International Medical Research.'

"It was very effective and usefulness for us.

"We also knew your plan of studying international health, current congressional activities of interest especially to establish a National Institute of International Medical Research.

"How brilliant a plan it is.

"I suppose perhaps so many existing human pain and suffering by numerous ailments shall be reduced or eradicated by your Senate's new activities."

The dean of a Midwest medical school:

"I most certainly highly approve of the preliminary work plan for the study of international health programs.

"As a former (officer) of the Association of American Medical Colleges' Committee on Foreign Medical Education, I was struck by the many governmental and nongovernmental agencies involved in international health programs.

"I believe the committee will be able to accomplish a great deal in redefining our many programs and offering us better information."

A Report to the People

EXTENSION OF REMARKS

OF

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RHODES of Pennsylvania. Mr. Speaker, I again take this opportunity of reporting to my constituents, the people of Berks County, the 14th Congressional District of Pennsylvania.

PURPOSE OF REPORT

This report summarizes my activities during the 1st session of the 86th Congress, the position I have taken on important issues coming before the Congress, and the record of the Congress itself. It supplements my radio broadcasts, news reports and newsletters.

COMMITTEE WORK

I have served on the Interstate and Foreign Commerce Committee and the Committee on House Administration. The Commerce Committee has wide jurisdiction over transportation, communication, public health, railroad retirement, and matters affecting Federal regulatory agencies. I am also a member of the Health and Safety Subcommittee.

BILLS INTRODUCED

Bills I introduced call for improvements to the Social Security Act, an increase in benefits under the Railroad Retirement Act, to improve the unemployment compensation system, to broaden representation on the Federal Reserve Board, and to expand the public health training program. Other bills I have introduced are to prevent wholesale abandonment of passenger train service, to limit publishers' second-class mail subsidies, to provide a health benefits program for retired Government employees, to encourage the hiring of middle-aged and older workers, and to increase earnings of the social security trust funds.

BOOSTING BERKS

Berks Countians are particularly interested in the many Federal projects and programs in our area, all of which directly benefit our local economy and our people.

Each month an estimated 24,000 Berks County residents receive social security benefit checks totaling $1.5 million. Thousands more receive railroad retirement benefits and veterans' pensions. Unemployment compensation also helped several thousand unemployed Berks workers and their families.

Federally guaranteed home loans have been obtained by many Berks residents. Small business loans have been made to a number of firms to improve and expand their business. Efforts of local leaders to bring new industry into Berks County have had my full cooperation. Planning and construction work on several federally assisted highway projects has moved forward.

In Reading, the Walnut Street urban renewal project has become a reality, while the Cherry and Court Streets projects are moving ahead in their planning stages. The Reading Housing Authority's aged housing project has been approved. All are being assisted by Federal funds. The new $650,000 Naval and Marine Corps Training Center in Reading will soon be dedicated, while ground has been broken for construction of the National Guard Armory in Kutztown. $275,000 in Federal funds will go for construction of a new terminal building at the Reading Municipal Airport.

A number of Berks' townships and boroughs have received Federal funds for planning construction of sanitary-sewer systems and water-supply systems. Berks' industry continues to receive a considerable amount of defense contract and subcontract work.

RECORD OF THE FIRST SESSION

The first session of this Congress was characterized by the consistent refusal

of the President and his administration to meet Congress halfway in working out the type of legislative program in the best interests of the American people. The use and threat of the veto made real progress on many of the most important issues difficult and often impossible.

For example, Congress was forced to pass three housing bills—two vetoed. The unbroken string of 145 Eisenhower vetoes was finally broken when both the House and Senate overrode his second veto of the public works appropriations bill.

Like most Congresses, much of the work of the first session will not bear fruit until next year. Some worthwhile legislation was enacted during the 1st session of the 86th Congress. In many areas, partial action was taken by either the Senate or the House. In others, little progress was made. Each of these categories of legislation are discussed below.

CONTROL OF CONGRESS

Despite the largest paper Democratic majorities in the House and Senate in two decades, the actual margin of control on most issues in the 86th Congress has been in the hands of the administration, aided by a coalition of Republicans and conservative southern Democrats. The coalition relies on the veto power of the President and the ability of the conservative majority on the House Rules Committee to prevent many major legislative proposals from reaching the House floor for debate.

This combination has blocked enactment of such vital measures as aid to education, area redevelopment, civil rights, improved unemployment compensation standards, and amendments to the Employment Act to promote price stability. Also a more adequate housing and urban renewal program, an expanded water pollution control program, community facilities legislation, a Youth Conservation Corps, a hospitalization and medical insurance program for social security recipients, natural resource development, and many similar types of programs essential to the well-being of our people.

ADMINISTRATION FISCAL POLICIES

The last fiscal year ended with the largest peacetime deficit in our history—$12.5 billion, despite the fact that the 85th Congress reduced the administration's spending requests by over $5 billion. The 1st session of the 86th Congress cut President Eisenhower's budget by $1.8 billion.

The cost of living stands at a record high. Effects of the economic recession are still being felt in hundreds of communities throughout the Nation. Unemployment continues to be a major economic problem.

The national debt has risen to $290 billion, an increase of more than $20 billion since President Eisenhower took office. Interest on the national debt has increased sharply because of the hard money, high interest rate policies of the administration.

The annual cost to the American taxpayers of these policies is an estimated $10 billion over pre-Eisenhower years in higher taxes, higher payments on homes, cars, business loans, and other items bought on credit. Hard money policies have raised the interest rates on business loans and Government bonds to their highest levels since the 1930's and continue to be the major inflationary force in our economy.

Hard money has made it more difficult for many small businesses to borrow for expansion purposes and is a big factor in causing higher local and State taxes. Many State and local governments have been forced to curtail needed public works, school construction, and other essential projects. Our rate of economic growth has been sharply curtailed as a result of these administration economic and fiscal policies, while the Soviet Union exceeds our rate of growth by an ever larger margin.

Past efforts in Congress to conduct a full investigation of administration fiscal policies have been blocked by the conservative coalition. Renewed efforts must be made in the next session for such a probe. I believe the people are entitled to know the facts about these financial dealings which are harmful to all but a small minority of citizens.

One of the most important victories in this session of Congress was the rejection by the House by a 2 to 1 vote of the administration's request for an increase in the legal ceiling on long-term Government bonds. Interest on series E and H savings bonds owned by millions of Americans was properly raised. I saw no good reason why interest rates on bonds bought by the average citizen should be so much less than those held by big financial interests. Congress did, however, stand firm against lifting the long-term bond rate which has already reached the record high in 35 years, but the President is pressing hard to increase these already high interest rates.

UNFAIR DOUBLE STANDARD

While paying record high interest to large banks and insurance companies which purchase Government bonds, the administration has been borrowing from the social security trust fund at abnormally low rates of interest. Under this double standard, the people who have paid into the trust fund are being shortchanged by $260 million a year or $750,000 a day.

This loss would help pay the cost of needed improvements in the Social Security Act. The administration has regularly opposed liberalized amendments to this law. Its fiscal policies actually rob old folks of social security benefits to which they are justly entitled. I have introduced a bill to require the Government to pay the social security trust fund a comparable rate of interest to that which it pays big financial interests. This would put a stop to this shocking double standard.

CONGRESS VERSUS IKE

In the more partisan atmosphere of the session, a number of bitter fights between Congress and the administration developed. Among the victories scored by Congress were the rejection of the President's request for an increase in the bond interest rate ceiling, the refusal to consider his request for another increase in first-class postal rates, and the overriding of his veto of the public works money bill.

Congress also ignored the President's opposition to the water pollution control program, rejected his proposed cutback of the Federal school aid program in districts affected by governmental installations, and scaled down his request for increased Federal gas taxes.

LABOR-MANAGEMENT REFORM

In the last Congress I strongly supported the Kennedy-Ives labor reform bill. It was defeated then by the coalition of Republicans and southern Democrats.

There was virtually no difference in the anti-racketeering provisions of the Kennedy-Ervin bill passed this year by the Senate, the House committee bill which I supported, the Landrum-Griffin bill eventually passed by the House, and the final conference version finally enacted into law.

I opposed the substitution of the Landrum-Griffin bill for the committee bill because I felt that a number of its provisions were overly restrictive and punitive. Several sections of the bill would have made it virtually impossible for unions to organize in backward areas of the South, thus affecting the competitive position of northern industry and northern workers who enjoy decent labor standards.

The conference committee headed by Senator KENNEDY made some 15 changes in the Landrum-Griffin bill, removing many of the most objectionable features which would give unfair competitive advantages to southern industry. Because I felt that reform legislation was necessary, I voted for the final conference version of the bill enacted into law.

Here is a summary of other major legislation enacted by the 1st session of the 86th Congress, legislation of general interest which had my support and vote:

MEASURES ENACTED

Hawaii was admitted as our 50th State.

An omnibus housing bill was finally passed, providing public housing units, an aged housing loan program, continuation of the urban renewal program, the college housing program, and the FHA loan-guarantee program.

The Federal Airport Act was extended.

Health insurance was provided for Federal employees and their families, with the Federal Government paying part of the premium cost.

Increased funds were voted for hospital construction and for medical research on cancer, heart disease, and other killing and crippling diseases. Funds were provided under the Hill-Rhodes Act for public health education purposes.

The Renegotiation Act was extended for 3 years, providing for the recovery of excess profits on defense contracts.

Corporate and excise tax rates were generally extended. The tax on local telephone calls was repealed and the transportation tax on persons reduced from 10 to 5 percent, both effective on June 30, 1960.

The draft law was extended for 4 years, although I personally favored only a 2-year extension and a study as to how military manpower could be better utilized.

At the administration's request, the national debt ceiling was raised to $285 billion, with a temporary increase to a $295 billion ceiling.

The uninterrupted construction of the 41,000-mile Interstate Highway System was assured by enactment of a temporary 1-cent-per-gallon increase in the Federal gasoline tax. I opposed the President's request for a 5-year 1½-cent-per-gallon increase and supported the compromise measure only as a last resort to prevent the stoppage of the highway program because of the anticipated deficit in the trust fund later this year.

Funds were provided for our National Defense establishment and for continuation of the mutual security program. Participation in the Development Loan Fund, the Inter-American Development Bank, and increased subscription in the International Monetary Fund and World Bank were authorized.

The air-pollution control program, of importance to Pennsylvania and other industrial States, was extended for 4 years. I was selected by House Speaker SAM RAYBURN to serve on the Senate-House conference committee on this legislation. The public health traineeship program was extended for a 5-year period.

Temporary Unemployment Compensation Act benefits were extended for 3 months to jobless whose State payments expired before April 1, 1959.

The Federal Credit Union Act was broadened and liberalized.

The non-service-connected veterans' pension program was revised to base the amount of pensions on need. While agreeing with many of the provisions of this bill, I could not support the fundamental changes which it makes in the entire pension system. The new law also ignores what I believe is the need for a separate pension program for World War I veterans. However, World War II and Korean widows were made eligible for pensions on the same basis as World War I widows. The new pension levels will not reduce the pension of any veteran now on the rolls, but will apply to those becoming eligible for pensions after July 1, 1960.

PARTIAL ACTION

Partial action was obtained on other important legislative proposals during the first session.

Area redevelopment legislation to provide Federal loans and grants to economically depressed sections of the country was passed by the Senate, approved by the House committee, but is stalled in the House Rules Committee.

A comprehensive civil-rights bill has been reported by committee, but is also blocked by the Rules Committee, as is a Federal school-aid bill for construction of needed classrooms and to improve teachers' salaries. A Federal-aid school-construction bill has been approved by a Senate committee.

A bill to amend the Employment Act of 1946 to promote price stabilization and a bill extending coverage under the unemployment compensation system have also been stalled by the Rules Committee.

A measure to establish a Youth Conservation Corps to work in national parks and forests has been passed by the Senate.

The "health for peace" bill has also been passed by the Senate, as has legislation to curb monopolistic bank mergers, and a bill to provide GI educational, home purchase, and rehabilitation benefits to post-Korean veterans. A bill providing home rule for residents of the District of Columbia was also approved by the Senate.

The House has passed bills to tighten the postal laws against obscene material, to reduce the cabaret tax from 20 to 10 percent, and to permit tax reductions of up to $2,500 a year for self-employed persons who set aside part of their income annually for voluntary retirement plans.

Other measures approved by House committees included a bill to provide grants to local communities and nonprofit agencies to finance projects to combat juvenile delinquency, and a bill to establish a National Fair Trade Act.

No action was taken on bills to raise the minimum wage and broaden coverage under the Fair Labor Standards Act. Hearings were held on my public health education bill and on a proposal to provide a hospitalization and surgical insurance program for persons eligible for social security benefits. Hearings on measures to liberalize the Social Security Act will be held in the next session.

AVAILABLE FOR MEETINGS

This report obviously cannot discuss each of the measures mentioned in much detail. Other issues before Congress have not been dealt with because of space requirements. As in past years, I again welcome the opportunity to appear before any group in Berks County to speak and answer questions on any issue which may be of interest. Contact my office in the Reading Post Office Building with any such request or on any other matter with which you are concerned.

Observance of National Wine Week—A Quarter Century After Repeal

EXTENSION OF REMARKS
OF
HON. CLEM MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. CLEM MILLER. Mr. Speaker, I should like to invite the attention of the Members and the Nation to National Wine Week, October 10 through October 17, which this year also marks the silver anniversary of the Wine Institute in California. It signifies also the passing of a quarter of a century since the repeal of prohibition.

Wine growing is an essential outlet for an important portion of the fruit crop of the Nation. There are 543 bonded wineries throughout the country operating in 22 States, and these crush about 1½ million tons of grapes each year. The principal growing areas lie through California, the Pacific Northwest, the States surrounding the Great Lakes, including New York, and in the Southeastern States.

Winegrowing is essentially a farmer's occupation, conducted by and for farmers. It is estimated that at least 75 percent of the fruit crushed by wineries is a direct farmers' operation, and that only about 25 percent is handled on a commercial, arm's-length basis. In their work our winegrowers are the most painstaking of dedicated taskmasters. Winegrowing is an important element in the farm economy.

California long has been proud of its table wines, the production of which is particularly important in the north coast district which I represent. The Sonoma-Mendocino area and the Napa Valley are two of the four fine dinner-wine districts linked around San Francisco, the wine capital of America. The others are the Livermore-Contra Costa and Santa Clara-San Benito-Santa Cruz areas. These areas are noted particularly for their red and white dinner wines but also produce excellent sparkling wines and appetizer and dessert wines. Last year these wine districts produced 49 percent of California's table wines and 1.2 percent of the State's dessert wines.

I should like to invite particular attention to the vineyards to the north because it is here that I am primarily concerned—in Sonoma and Mendocino Counties and in the Napa Valley. The vineyards lie in serene valleys stretching along both sides of the Redwood Highway. As in other coastal districts, many of the vineyards also form orderly patchwork on the hillsides—a situation suited particularly to the growing of premium quality red and white table wines. This picturesque region each year draws hundreds of thousands of visitors who come to enjoy the warm hospitality of the winegrowers.

Winegrowing is the oldest farm industry in California. For many decades it was the most important of the State's many agricultural industries. Today grape growing ranks second among all California crops and is our No. 1 food crop. The industry is rooted in the Spanish colonization by the Franciscan fathers. As each new mission was established, vines were planted as one of the first steps in transforming a wilderness into a civilization. Padre Junipero Serra, who established Mission San Diego in 1769 and planted wine grapes there, discovered that California was especially favored for winegrowing. Descendants of the vines planted by the missionaries still are bearing. Derived from Spanish grapes which reached California via Mexico, the variety was called the Mission grape.

In the early 1830's choicer grape varieties were brought from Europe to Los Angeles. Within a generation wine growing was the principal industry of the Los Angeles district although the area has long since lost that association. But the great change from the Mission grape to finer, pedigreed European varieties occurred a generation later and was brought about by Agoston Haraszthy. This Hungarian nobleman, since called the father of modern California viticulture, first grew new European varieties in San Diego in 1849. In 1857 he established his Buena Vista vineyard near Sonoma, north of San Francisco. As did other immigrants with wine growing backgrounds, Haraszthy realized that California was a wine land of bright promise. Here was little of the excess of cold or sun, or hailstorms, or severe mildew, or other factors often troublesome in European wine districts. In 1861, under commission from the State of California, Haraszthy went to Europe and brought back more than than 100,000 cuttings of about 300 varieties of grapes, all choice wine types. Haraszthy's bringing of these parent vines was followed by the great modern expansion of the industry.

In 1874 the dread insect pest of the vine, phylloxera, struck a crippling blow to the California wine industry. Another virulent scourge wiped out vast vineyards in the Anaheim district of southern California and won the name Anaheim disease. Vineyards of that district were never replanted. But research learned

that the European vines could be made safe from phylloxera by grafting them to hardy native American vine roots. Mass replanting was accomplished and the production for wine continued upward. In 1912 U.S. production of wine reached a preprohibition peak of 56 million gallons, with 90 percent of it from California.

Today, a quarter century after repeal and the rehabilitation of the vineyards, laid fallow by prohibition, the demand for California wines has more than doubled. Approximately 125 million gallons a year now are consumed. Much of this increase can be attributed to grower advertising and education programs carried on for the industry by the Wine Advisory Board and the Wine Institute with headquarters in San Francisco.

I am sure my colleagues will want to join with me and the people of my district and my State in our observance of National Wine Week, honoring the oldest farm industry in California.

Highlights of Congressional Activities of the 86th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

THE NEW CONGRESS

Mr. WATTS. Mr. Speaker, the convening of the new 86th Congress on January 7 saw the division between the parties more pronounced than it has been since the early days of the Rooseveltian era—the New Deal. In the House of Representatives the division was 282 Democrats to 153 Republicans; in the Senate 62 to 34.

PROGNOSTICATIONS AND PREDICTIONS

It was a field day for the political analysts. Their predictions as to what might be expected because of the lopsidedness of the membership were as numerous and varied as their reasons for the cause of the Democratic trend. Dire and somber were many in their forecasts, anticipating a spendthrift and wasteful Congress; others, just as dour and gloomy, anticipated traveling over wide-open roads toward the welfare state. Others, concluding that the Democratic trend evidenced the public's dissatisfaction and disclaimer of the administration's policies—which placed greater importance upon strengthening and restoring the economy of foreign countries than upon clearing the stagnant and polluted economic waters at home—predicted aggressiveness in meeting and dealing with our own domestic problems.

FACTS AND REALITIES

As the session unfolded, it became evident that the 86th Congress was solid and substantial. Although the existence of a divided government substantially hampered the legislative efforts, the calendar of achievements emphasizes the basic reality that the Congress was a most productive one in terms of National needs. In meeting many of the domestic demands, the administration offered nothing other than an adamant and negative attitude—but the Congress, through appeasement methods, was able to get through a program adequate to meet the requirements on a temporary basis.

Unfortunately, in the field of agriculture, which has always been looked upon as the barometer of our economic life—and of first importance to Kentucky and the Sixth Congressional District—progress was stymied due to this no-progress attitude being implemented by the veto power of the President.

THE WORK OF CONGRESS

The Congress remained in session for 251 days, adjourning September 14. This represented the longest session since 1951. There were 13,837 measures introduced; 2,237 measures reported, and approximately 289 public and 185 private bills enacted into law. To record its proceedings 20,088 pages of the CONGRESSIONAL RECORD were used.

COST OF GOVERNMENT

Government operating costs, like the cost of living, went up. And, while the Democratic Congress acted with alacrity to dispel the stigma which the administration so avidly attempted to affix to it—spendthrift and wasteful—the final sums appropriated represented the largest peacetime expenditure fiscal year in our history. Yet, the end result reflected approximately $1.9 billion less than the moneys the President originally requested.

As in recent previous years, analyses of the contemplated "costs" disclose that well over one-half the operational moneys required and appropriated were for military and defense purposes:

Analysis of appropriations

Appropriated—86th Cong., 1st sess.	$72,978,000,000
Less deficiencies incurred in fiscal 1959	2,765,000,000
Appropriations for regular operations, fiscal 1960	70,213,000,000
Less:	
Defense Department, operations	39,228,000,000
Military construction	1,364,000,000
Mutual security (military and defense activities)	2,100,000,000
Total security, military needs and activities	42,692,000,000
Balance, other than military and defense activities	27,521,000,000

INTERNATIONAL AFFAIRS

Dominating the administration's idea of importance was its program calling for continuation of the so-called mutual security program—foreign aid for rehabilitation and development. While substantially reducing the money request of the President for these programs' operations, the moneys authorized and appropriated by Congress were, in its opinion, adequate for the needs.

In addition, the Congress authorized participation by the United States in the Inter-American Development Bank, established primarily for the purpose of bettering the economic positions of the nations of the Western Hemisphere, and to strengthen their trading potentials in the international field.

Further, the Congress authorized increased subscription for U.S. participation in the International Monetary Fund, and the International Bank for Reconstruction and Development. These organizations are comprised of friendly nations, and have for their purpose and objective the stabilization of the various monetary systems, and providing a source of money for repayable long-term loans for eligible reconstruction and development projects.

ON THE HOME FRONT

Fiscal management: Following the urgent request of the administration, the Congress authorized an increase in the debt limit of $2 billion, which fixed the limit officially at $285 billion. In addition, it provided for a temporary increase of $10 billion to $295 billion, expiring June 30, 1960. In this connection, it is interesting to note that the interest cost of carrying the national debt has increased about 40 percent since 1953, the latest estimate being about $9 billion in interest in 1960.

Statehood: Provided for, contingent upon its acceptance, the Territory of Hawaii to be admitted to the Union as the 50th State.

Labor-management relations: Enacted an effective law to close the door of opportunity for unscrupulous persons preying upon honorable labor, management, and the public. In view of recent actions taken by certain labor leaders, the effectiveness of the law is already being evidenced.

General: Although confronted with stubborn opposition, the Congress was able to provide in a limited way for the continuation of housing, airport, health, and water-conservation Federal-participation programs.

The Congress provided for a supplementary financing program to provide moneys to defray the cost of continuing work on the Federal Interstate Highway Systems.

Authorized 43 new atomic-energy projects.

Increased lending authority of the Small Business Administration; authorized the Federal Reserve Board to lower reserve requirements of member banks; limited holding-company control of savings and loan associations; and expanded the lending and borrowing authority of national banks.

Extended the life of the voluntary home mortgage credit program, which assists buyers in small communities to find financing; raised limitations on expenditures under the special school milk program; extended for 5 years programs for training public health personnel and advanced training for professional nurses; extended for 4 years the Federal air pollution control program; and provided for a health insurance program for Federal employees.

GROUNDWORK FOR FUTURE ACTION

This Congress did not complete action on every proposition before it. No Congress has ever been able to do this in any one session. Even though the session has ended, the Congress endures. The problems that have not been settled will be carried over and considered the next session.

Groundwork for consideration of many issues has been laid through committee hearings, and so forth. During the interim, before the convening of the next session, committees will explore many important areas; principal among these will be made by the Ways and Means Committee respecting our present tax structure and the administration of our social security laws.

Further exploration of the field of agriculture will be made and it is hoped that from these will be devised new approaches to the many problems incident to the welfare of our farmers. Also, we are hopeful that time will see a mellowing of certain attitudes, so that agriculture might receive more friendly and sympathetic consideration.

This Congress has rendered effective service commensurate with its obligations to the Nation. Of course, of prime importance, and of great concern to me, are the specific needs of our own congressional district. The call upon me by individuals of our district has increased with each session. I received over 15,000 communications, and have been able to assist many of you with your problems. It is a genuine satisfaction to be of help, and to witness your interest and understanding in our democratic processes, in which we all place our hope.

Public Power a Yardstick of Fair Electricity Costs for All America

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WOLF. Mr. Speaker, I am shocked by the propaganda campaign for private electric power companies have been carrying on in nationally circulated magazines.

A recent advertisement asks the question, "How much is public power costing the people of your State?"

The answer to this query is quite simple: Nothing. Federal funds invested in the development of our national hydroelectric resources are not costs charged to the American taxpayer.

Before any such project is approved by the Congress, it must pass rigid examinations which prove that benefits to be derived will exceed costs. They are, if you please, our Nation's investments in the full use of our natural resources, which in every case are self-liquidating from the sale of wholesale electric power.

Such projects produce electricity at wholesale costs which are less than half those the power companies formerly demanded. They are also a competitive influence, a yardstick by which the American people are able to measure the fair costs of electricity, even outside the areas of Federal power development. This competitive influence spreads like the ripples from a stone dropped in a pond. All America now benefits in some substantial degree from lower rates created by this competition.

I should like to rephrase the power companies' question and ask, "How much is propaganda advertising costing America's independent electric light and power companies, and how much is it costing their rate-paying consumers?"

The costs of a national advertising campaign designed to discredit our national resource policy and indirectly to question the integrity of all Members of Congress who during the past half century have supported our great Federal power program, are not so easy to determine.

When the Federal Power Commission rapped the knuckles of a group of 76 power companies last July 15 for including the costs of politically inspired propaganda advertising in their retail power rates, it listed the contribution made by each of the companies.

These companies paid a whopping $1,286,083.15, or an average of nearly $17,000 each, for just the 1957 advertising campaign. How much has the 1958 campaign cost? And how much is the 1959 campaign costing?

The answer, based on the 1957 figures, would be millions.

I submit that the power companies should not be denied the right of freedom of expression. Let them have their say. I would like to see them build their business and promote their own services by positive, constructive advertising. But, so long as they engage in a campaign which nurtures doubts and fears in the mind of the American people then I want to see these millions spent from their own funds, and not handled as operating expenses which are deducted from income for income tax purposes on the one hand and added to their consumers' electric bills on the other.

DAV Services in Kentucky

EXTENSION OF REMARKS
OF
HON. JOHN C. WATTS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WATTS. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of Kentucky citizens has recently come to my attention. The organization rendering these services, the Disabled American Veterans, is well known to all of us, but the breadth and extent of their great humanitarian efforts apparently passes unnoticed and certainly is not appreciated to the extent that they should be.

DAV SETUP

Of the several congressionally chartered veteran organizations, the American Legion, the VFW, the Amvets, and so forth, which have State departments and local chapters, the DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war.

Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited every compensated disabled veteran. Its present national commander is Bill H. Fribley, of Crestline, Kans. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger; its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris, all located at its national service headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities, some 2 million, the DAV can never aspire to become the largest of the several veteran organizations. Nevertheless, since shortly after its formation in 1920, the DAV National Headquarters, located in Cincinnati, Ohio, has maintained the largest staff of any veteran organization of full-time trained national service officers.

DAV SERVICE OFFICERS

One hundred and thirty-eight of them are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration and in its central office in Washington, D.C. They have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert to the problems of other less well-informed claimants.

The DAV national service officer in Kentucky is Mr. James M. Howard, located in the Veterans' Administration regional office, 1405 West Broadway, Louisville. Veterans' Administration hospitals coming under the jurisdiction of this office are a 350-bed general medical hospital at Fort Thomas; a 1,171-bed neuropsychiatric hospital at Lexington, a 494-bed general medical hospital at Louisville, and a 186-bed tuberculosis hospital at Outwood, Ky.

KENTUCKY FACILITIES AND SERVICES

The department commander is Mr. Troy Bowling, Lexington, Ky., and the department adjutant is Mr. Edward A. Gafford, 1908 Woodfield Road, Louisville, Ky. Mr. Gafford also is a past national junior vice commander; presently he is a member of the Kentucky State Parole Board and chairman of the Finance Committee on Employment of the Physically Handicapped. Mr. Raymond D. Webb, Louisville, an employee of the Kentucky Selective Service System,

serves as the assistant department adjutant; he is a disabled naval veteran with long government service.

During the last fiscal year, the Veterans' Administration paid out $95,358,000 for its veteran program in Kentucky, including $30,931,880 disability compensation to its 38,486 service-disabled veterans. These Federal expenditures in Kentucky furnish substantial purchasing power in all communities.

Only about 12 percent, or 4,529, are members of the 62 DAV chapters in Kentucky. This is a strange record in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officer in behalf of Kentucky veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	72,502
Claims folders reviewed	60,418
Appearances before rating boards	40,717
Compensation increases obtained	4,743
Service connections obtained	1,526
Nonservice pensions obtained	2,162
Death benefits obtained	621
Total amount monetary benefits obtained	$2,952,001.58

These figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32; and in the central office they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Kentucky veterans, their dependents, and their survivors.

SERVICES BEYOND STATISTICS

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel, and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter. Pertinent advice was furnished to all disabled veterans, only about 10 percent of whom were DAV members, their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guarantee loans for homes, farms, and business, and so forth. Helpful advice was also given as to counseling and placement into suitable, useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems. Every claim presents different problems.

VETERANS' BENEFITS NOT AUTOMATIC

Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans, not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult, too many times impossible. A Claims and Rating Board can obviously not grant favorable action merely based on the opinions, impressions or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential. The Veterans' Administration, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

PROSECUTING CLAIMS

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances, and facts, and of the pertinent laws, precedents, regulations, and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

The VA has denied more claims than it has allowed, because most claims are not properly prepared. It is very significant, as pointed out by the DAV Acting National Director of Claims Chester A. Cash, that a much higher percentage of those claims which have been prepared and presented with the aid of the DAV, or other veterans' organization's national service officer, are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

VA REVIEWS

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and reduced as to about 27,300 others at an aggregate loss to them of more than $28 million per year. About 2 percent—1.8—of such discontinuances and reductions have probably occurred as to disabled veterans in Kentucky, with a consequent loss of about $560,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. I urge every disabled veteran in Kentucky to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of the American Red Cross, just as a protective measure.

DAV COSTS FOR SERVICES

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent, expert national service officer.

Measured by the DAV's overall cost of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating-board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

FINANCING DAV SERVICES

Evidently, most claimants are not aware of the fact that the veterans service organization receives no Government subsidy whatsoever. In the case of the DAV it is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tags—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously sent in a donation, more than 1 million owners of sets of lost keys have received them back from the DAV's Idento-Tag Department, 4,176 of whom, during the last 8 years, were Kentucky residents.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much-needed public support as will enable it to maintain the invaluable nationwide service setup on a more adequate basis. So much more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating $3,330,000 exclusively for salaries to its national service officers. Its reserves having been thus nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all serviced claimants, DAV members, and other social-minded Americans, by direct donations, by designations in insurance policies, by bequests in wills, by assignments of stocks and bonds, and by establishing special types of trust funds.

PERPETUAL REHABILITATION FUNDS

A special type of memorial trust fund originated about 3 years ago which concerned disabled veterans members of the DAV chapter in Butte, Mont., which es-

tablished the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation. Recently it added another $100 thereto. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,100, equivalent to about $5 per DAV member.

SUPPORTING AMERICAN ORGANIZATIONS

Each claimant who has received any such rehabilitation service can help to make it possible for the DAV to continue such excellent rehabilitation services in Kentucky by sending in donations to the DAV Service Foundation, 1707 18th Street, NW., Washington, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member.

Every American can help to make our government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints, labor unions, trade associations, and various religious, fraternal and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service-giving veterans organizations—United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, the Veterans of World War I, the Disabled American Veterans, and the Amvets. All of America's disabled defenders, who are receiving disability compensation, have greatly benefited by their own official voice—the DAV.

Amphibious Demonstration Landing at Erie, Pa., July 22, 1959

EXTENSION OF REMARKS
OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. KEARNS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a report of an amphibious demonstration landing at Erie, Pa., July 22, 1959, in connection with the opening of the St. Lawrence Seaway and the now historic Operation Inland Seas under the direction of the U.S. Navy.

It was my privilege to accompany Rear Adm. E. B. Taylor, U.S. Navy, commander of Task Force 47, on the U.S.S. *Willis A. Lee* and witness part of the demonstration.

The U.S. Navy marked the opening of the St. Lawrence Seaway with its now historic Operation Inland Seas by directing a naval task force of 28 warships and 7,500 men into the Great Lakes during the month of July 1959 for amphibious assault landing demonstrations and port visits. In command of Task Force 47 was Rear Adm. Edmund B. Taylor, U.S. Navy, aboard the destroyer leader U.S.S. *Willis A. Lee*—DL–4.

It was fitting that the seaway's opening should be celebrated by a visit of sailors, marines, and ships of our Navy. This was the first appearance of U.S. warships in the lakes, since Commodore Oliver Hazard Perry built and launched his own ships on the spot in 1813. The opening of the Great Lakes has created a tremendous inland sea of some 75,000 square miles and in effect extended the U.S. coastline by more than 3,000 miles.

An amphibious operation, one of the most complicated military maneuvers, is defined as "an attack launched from the sea by naval and landing forces embarked in ships and craft, involving a landing on hostile shores." The organization which conducts such an operation is called the amphibious task force.

For the demonstration landing at Erie, Pa., on July 22, the amphibious task force commander was Capt. R. B. Derickson, Jr., U.S. Navy, commander of amphibious squadron 8, embarked in the attack transport U.S.S. *Cambria*—APA 36. With the task force commander in his command ship was the landing force commander, Lt. Col. W. E. Antley, U.S. Marine Corps, in command of the U.S. Marine Corps 2d Battalion, 6th Regiment of the 2d Marine Division.

Many months of planning went into the operation leading up to the demonstration on Erie's Presque Isle beach. Early in the spring of 1959 Navy and Marine officers visited each port of call in the Great Lakes, speaking with civic leaders and port authorities. Captain Derickson and Lieutenant Colonel Antley met with the mayor of each city that had been selected for an amphibious demonstration.

Simultaneously, officers and men of underwater demolition unit 2, more familiarly known as frogmen, operating from the high-speed transport U.S.S. *Kleinsmith*—APD 134—and, from a submarine, were conducting underwater reconnaissance missions for intelligence purposes. Accurate hydrographic information of the landing beaches prior to landing is essential. This includes the beach slope, type of bottom, location of natural and manmade obstacles, mines, surf conditions, and existing currents. This information was passed to beachmasters, boat coxswains, and commanding officers of landing ships. While operating in beach surf zones the frogmen were able to gather other vital information regarding the location of coastal defense and antiboat guns, "enemy" fortified installations in the immediate beach vicinity and the accessibility of the beach for tracked and wheeled vehicles.

As a result of the visits made in the spring of 1959, five cities were chosen for amphibious assault landings: Chicago, Milwaukee, Cleveland, Erie, and Rochester.

For the assault demonstration, seven ships provided by the amphibious force, U.S. Atlantic Fleet, which is commanded by Vice Adm. George C. Towner, U.S. Navy, landed 1,500 marines of the 2d Battalion, 6th Marines, from Camp Lejeune, N. C. To provide realism to the landings, hypothetical military situations were developed. Five small independent countries, bordering on the Great Lakes, friendly with the United States and Canada, were tottering from internal disorders created by anti-Western rebels. Each of the five countries had asked for U.S. help.

The problem at Erie, the country known as powershovelland, was to rout the enemy and return control of the city to its citizens.

With H-hour approaching, the transport group of the task force arrived off Erie's Presque Isle beach and prepared to land the landing force. Meanwhile ships of the gunfire support group and aircraft from the landing force aviation group continued last-minute bombardment which theoretically had been taking place for days. The landing site was systematically bombarded to destroy specific installations, defenses, and troop concentrations which would interfere with the landing.

On the shore, immediately behind the enemy-held beach, some 30,000 spectators had been gathering since the previous evening to witness the historic amphibious assault.

About 3,000 yards off the beach, the attack transport U.S.S. *Cambria*—APA 36—the command ship of the amphibious task force, commanded by Capt. E. C. Finney, U.S. Navy, stood by to debark her troops. Her troops capacity is 1,386 men, or 1 Marine battalion. Captain Derickson directed the operation from *Cambria*.

Lying just to seaward of the *Cambria* the attack cargo ship U.S.S. *Oglethorpe*—AKA 100—commanded by Capt. C. W. Flenniken, U.S. Navy, began her primary mission of delivering the marine heavy equipment to the landing beaches. This ship's amphibious lift capacity is 8,755 tons.

On either side of *Cambria*, two landing ships tank, U.S.S. *Terrebonne Parish*—LST 1156—commanded by Lt. Comdr. E. E. Sullivan, U.S. Navy, and U.S.S. *Suffolk County*—LST 1173—commanded by Lt. Comdr. P. E. Lowen, U.S. Navy, prepared to launch amphibious vehicles loaded with marines, through their huge bow doors. Also in the task force were the landing ships dock U.S.S. *Donner*—LSD 20—commanded by Comdr. Homer Tolivaisa, U.S. Navy, and the U.S.S. *San Marcos*—LSD 25—commanded by Comdr. J. J. May, U.S. Navy. The LSD's have a large well deck which is used to transport preloaded troop equipment in landing craft. The craft are launched through the ship's stern by flooding the well deck. This is known as ballasting down. On their afterdeck the LSD's have a helicopter platform from which two troopcarrying helicopters can be operated.

Directly off the beach about 2,000 yards the seventh ship in the amphibious task force, U.S.S. *Kleinsmith*—APD 134—commanded by Lt. Comdr. P. A. Schwemley, U.S. Navy, acted as base ship for underwater demolition team personnel, the frogmen who conducted underwater reconnaissance and demolition missions. She also marked the line of departure which was the seaward end of the boat lanes.

An underwater demolition team boat from the *Kleinsmith* approached the beach with swimmers on a mission of

searching out and destroying underwater and beach obstacles which might interfere with the approach of landing craft. Using evasive tactics to avoid enemy gunfire, the UDT boat utilized a rubber boat tied alongside for casting the frogmen. Each swimmer carried several packs of high explosives used to destroy obstacles on the beach.

After planting their explosive charges, the frogmen swam seaward for pickup by boat. Each man was snared by a recovery loop attached to the speeding boat. This maneuver calls for the utmost in precision timing and physical strength.

While the frogmen carried out their part in the operation, a squadron of A4D Sky Hawk jet aircraft from Marine Air Group 14, Cherry Point, N.C., maintained a protective air patrol over both the task force and landing beach.

As the UDT boat returned to its ship, landing vehicles tracked—LVT's—loaded with marines, prepared to form the first wave to hit the beach.

In order to further prepare the beach area for landing, destroy enemy defenses, and neutralize the defenders, a simulated tactical atomic bomb was detonated over the beach. The planners had settled on an airburst in order to accomplish maximum effect and preclude the possibility of creating residual radiation which deny the beach and surrounding area to our troops. The bomb was delivered by the smallest of all atomic bombers, the A4D Sky Hawk, on a low-altitude bombing maneuver. These maneuvers are known as over-the-shoulder or loft bombing and were developed to enable high-speed aircraft to deliver weapons from low altitude to escape enemy radar, and to afford the pilot and aircraft a reasonable chance to get away from the effects of the atomic blast.

Following the A-bomb explosion, HUS marine helicopters, in vertical assault, began lifting assault troops from the flight decks of two dock landing ships. Continuous waves of helicopters landed marines behind the enemy shore defenses. Others helo-lifted vehicles, equipment, and supplies ashore.

During normal vertical assault operations, HUS helicopters operate generally from an amphibious assault ship, an LPH. The LPH is designed to transport and operate helicopters, to provide servicing and maintenance facilities for them, and living accommodations for that portion of the battalion landing team based aboard. The HUS can also operate from many other types of amphibious ships such as the LST and LSD used in the landing at Presque Isle.

The first wave of marine landing vehicles tracked personnel—LVTP 5—hit the beach according to plan just 45 minutes after the invasion began. These amphibious vehicles swim at 6 knots and their tracks provide them with the means to ride over partially submerged reefs and obstacles offshore. On land an LVTP can travel at 30 miles per hour and traverse obstacles which would normally stop wheeled vehicles. They are provided with .30-caliber machineguns and are capable of carrying 35 fully equipped troops. Overhead cover keeps the seas and spray out, and gives protection from flash and radiation of atomic weapons.

The second wave, consisting of landing craft vehicle personnel—LCVP's—dropped their ramps and discharged their troops on the beach. The marines advanced rapidly, taking advantage of such meager cover and concealment as the beach afforded. An enemy pillbox which had not been destroyed by bombing and naval gunfire opened fire on the invading troops. An officer of the landing force signaled for a flamethrower attack on the pillbox, and in seconds it was destroyed.

Wave after wave of landing craft surged shoreward, carrying first the assault troops, and then heavy equipment including tanks and bulldozers. The newest and most powerful antitank weapon, the ONTOS, sped from a landing craft into the surf and onto the beach. In addition, LCU landing craft disgorged marine M–48 tanks into relatively deep water along the beachline. These tanks can wade through about 8 feet of water when prepared for this type operation. The M–48 tank mounts a 90-millimeter gun and weighs less than 50 tons. Two machineguns: a .30-caliber machinegun mounted coaxially with the 90-millimeter gun and a .50-caliber machinegun on a cupola mount for use against ground and air targets add to its firepower.

Last to come ashore was a utility landing craft—LCU—with a Marine Corps Honest John rocket and launcher. The Honest John rocket is the longest range artillery weapon used in the Marine Corps, propelling a 2½-ton projectile over 15 miles. It is simple in design and simple to operate. It has considerably more battlefield mobility than conventional artillery and one round can deliver on a target the demolition effect of hundreds of artillery shells.

With the arrival of the Honest John, the landing was completed. Having established their beachhead, the marines set up a command operations post and informed the amphibious task force commander that the beach was secured.

With the scheduled waves on the beach, the nonscheduled waves commenced their landing, followed by the general unloading of logistic support, rations, ammunition, gasoline and oil, and other material necessary to maintain the landing force on the beach.

Naval activity on and immediately seaward of the beach is heavy and must be controlled by a coordinator, the beachmaster and his beach party team. He is a naval officer trained in boat control, ship to shore communications, and the various forms of liaison which direct the amphibious operation from water to land. This is the final link in the Navy's chain for getting the marines ashore.

Included in the beach party team at Presque Isle were 30 sailors of Beachmaster Unit 2 from the naval amphibious base, Little Creek, Va., who brought to the beach such traditional naval skills as visual signaling, seamanship, and boat handling, salvage and repair. Landing ships and craft were constantly on the move bringing in additional troops, supplies and equipment. They landed at designated off-loading sites marked by range markers and flags and when safely unloaded retracted from the beach to reload in the transport area.

To assist him in controlling this traffic, the beachmaster was in communication by radio, semaphore and flashing light with the boat group commander, primary control vessel, and ships in the transport area. By means of these communications, landing ships and craft with their embarked troops and equipment were beached at the right place and at the right time.

Attached to the beach party team was a salvage section composed of 1 officer and 12 sailors of the amphibious Seabees. It was their job to salvage damaged and swamped landing craft during the operation, in order to keep the beaches clear for oncoming boats and landing ships.

The beachmaster and his beach party team with its varied skills is prepared to assist in beach defense if required. Every man is combat equipped and trained in basic landing force tactics.

The amphibious task force at Presque Isle demonstrated its capability to prepare the beachhead with naval gunfire, air bombing, rocketing and strafing, prior to landing the landing force. It then supported the force ashore with air and naval gunfire; and finally provided continuous logistic support during the entire amphibious operation.

The demonstration at Presque Isle was an example of the balanced fleet concept of the Navy. Combatant ships to carry the offensive war away from the United States and to the shores of the enemy; amphibious ships to transport and land the landing force and to maintain them at the objective; fleet aviation to protect the task force and provide close air support to the landing force; and landing forces of Marines, armed, trained, equipped, and ready to be committed to preserve the peace we have fought so hard and long to win.

Although a campaign of peace and good will, history will record Operation Inland Seas as a naval operation ranking in significance with Commodore Perry's actions in Lake Erie on September 10, 1813.

To paraphrase Commodore Perry—we have met the people of the Great Lakes and we are proud to have had the opportunity.

Tenth Anniversary of Dr. Konrad Adenauer's Assumption as Chancellor of German Federal Republic

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EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. WILEY. Mr. President, when the Chancellor of Germany, Dr. Konrad Adenauer, had arrived at his 10th year as Chancellor of the German Federal Republic, the President of the United States

and Secretary of State Herter forwarded to him certain telegraphic messages. The telegrams express my own personal sentiments. I am happy to ask that they be inserted in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

His Excellency Dr. KONRAD ADENAUER,
Chancellor of the Federal Republic of Germany, Bonn:

On the 10th anniversary of the assumption of your duties as Chancellor of the Federal Republic of Germany, I send most cordial personal greetings. On behalf of the American people I congratulate you for your historic contribution not only to the affairs of your own country but to those of the European community as a whole. Through your dedication and inspiring leadership, the Federal Republic has risen out of the chaos of war to a position of influence and responsibility in the community of free nations. Moreover, there has been developed in Germany a government guided by the principles of democracy and motivated by a sincere desire to play a positive role in the great movement toward European cooperation and integration. Your effective work in developing understanding between our two peoples has also been a contribution of major significance. It was a most valued and enjoyable opportunity to confer with you in Bonn recently, and I wish you many more productive years in the interests of your own country and those of the free world.

With assurances of my continued esteem and friendship,

DWIGHT D. EISENHOWER.

SECRETARY OF STATE HERTER'S MESSAGE TO CHANCELLOR ADENAUER

As you complete your 10th year as Chancellor of the Federal Republic of Germany, I wish to convey to your heartiest congratulations for a decade of fruitful endeavor for Germany and the free world. In the face of great odds you have guided the material and spiritual restoration of your nation on the path to peace and freedom. I wish you the best of health and strength. I shall continue to rely on your close and friendly cooperation as we seek to realize our common objectives.

Robert H. Goddard—House Joint Resolution 19

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include therein a recent very ably written and timely editorial, "The 40-Year Trip to the Moon," which appeared in a recent edition of the Worcester Telegram.

This editorial, commenting on the gold medal authorized by Congress in recognition of the great scientist, Prof. Robert H. Goddard, deals with significant portions of the career of this great man.

Viewing his relations with the Government in retrospect and appreciating that out of his early scientific papers published many years ago came the basic ideas that made possible the recent rocket flight to the moon, it is evident that this honor has been all too long delayed.

To send a rocket to the moon was Professor Goddard's dream. Beset by an army of incredulous skeptics and doubting Thomases, he persisted with little encouragement indeed to conduct his complex experiments.

Looking back at his sorry experiences and the shabby treatment he received from Government officials and others, one fact stands out with stark clarity—lack of vision, yes, with few exceptions, even lack of common courtesy and consideration from Government officials and the industrial and academic leaders of Goddard's day.

A crippling intolerance of his ideas faced him at almost every turn. More often than not, he was rejected and turned aside. In only a few instances was he encouraged and helped. Only his incredible courage and tenacity sustained him.

If Government officials had exhibited, even so moderately, a degree of interest in Goddard's revolutionary concepts that the Germans displayed in the few years prior to World War II, this country would, without a doubt, be so far out in front in the current missile race and in space exploration that no other nation could presently match us.

But we cannot cry over spilled milk, nor in pardonably lamenting the stupid decisions of Government officials and others that turned Professor Goddard brusquely aside when he was on the threshold of miraculous achievements. It is too late to cancel out these grotesque errors of judgment.

That they have gravely handicapped this Nation in its military posture, in national defense, and in exploration potential could never be denied. These errors have irreparably harmed American science and the national interest, safety, and well-being.

That they have given to our possible enemies immeasurable advantages which the American Nation itself should have achieved is very clear.

We can only make the best of these grave mistakes and the ghastly critical situation that has directly flowed from them.

At the same time, we should more than piously hope that such mistakes shall not be made again; more importantly, that they are not being made even now, as numerous indications suggest.

I am gratified that at least House Joint Resolution 19, which I introduced in the Congress, also sponsored by my distinguished colleague, Congressman DONOHUE, was so fittingly passed and written into law. It at least affords some measure of belated recognition for one of history's greatest men.

The editorial referred to follows:

[From the Worcester (Mass.) Telegram, Sept. 14, 1959]

THE 40-YEAR TRIP TO THE MOON

"In my experiments I generally used a powder with an energy content of 563 calories per pound. With such a propellant, it would be possible to shoot a device * * * as far as the moon." (Dr. Robert H. Goddard in his paper on "A Method of Reaching Extreme Altitudes," submitted to the Smithsonian Institution in 1919.)

It was never given this man to see his dream come true. But he knew—40 years ago—that scientists could and would land a rocket on the moon. Goddard's conviction and the basic work which he did in the field have proved to be the most important propellant of all.

While the Russians are getting credit for landing the first manmade device on the moon's surface, it is appropriate to acknowledge the man who first told us (and them) that the feat could be accomplished.

Congress has voted a gold medal in honor of the late Robert H. Goddard, and no tribute could be more deserved. As the pioneer of rocketry, he merits all the honor that we—or the space age—can give him.

Goddard was a shy man and was repelled by the sensationalism with which his theories about space flights were treated in the press. As a man of science, he was appalled at the popular distortions of his ideas and the exaggerated reports of his undertakings. He wanted a privacy he could rarely achieve, but he also wanted an acceptance of his theories that a fearful and incredulous public denied him.

Thanks to the vision and generosity of a few individuals, Charles D. Walcott, of the Smithsonian Institution, Charles A. Lindbergh, and Daniel Guggenheim, Goddard was able to carry his experiments forward on a modest scale. If he had been able to persuade the American military leaders of his time that the rocket could be utilized as an instrument of national defense, the story of World War II might have been far different. As it was, the United States did not recognize military rocketry until the Germans—by copying some of Goddard's later models—produced the V–2 weapons used against Britain.

Emerson's observation that "to be great is to be misunderstood" was all too applicable to Robert H. Goddard. But on the day last week that Congress voted a gold medal in his honor, the Strategic Air Command launched a ballistic missile which traveled 4,400 miles from California to Wake Island. On the same day, in the Caribbean, a recovery crew aboard a Navy destroyer pulled from the water a test version of a space capsule designed to carry the first American astronaut into space.

The quiet Worcester physicist whose determination and genius opened a new epoch in human history had at last beyond all question been recognized both by his Government and by science.

And the newest scar on the moon's surface is testimony to Goddard's greatest. With his rockets he launched the whole science which has produced such triumphs.

Annual Report to Constituents by Hon. Stuyvesant Wainwright, of New York

EXTENSION OF REMARKS
OF
HON. STUYVESANT WAINWRIGHT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WAINWRIGHT. Mr. Speaker, this is my seventh annual report from Washington to Long Island. I submit this report at the end of each session so that our people may have a public accounting. With your permission, Mr. Speaker, I will address myself directly to the men and women of Suffolk and Nassau Counties.

This was a year of contrast. This was a "big-spending" Congress. It had heavy Democratic majorities in both Houses. The administration, under President Eisenhower's leadership, wished to steer a moderate course. The President's philosophy was to pay for the Nation's spending rather than forever ignore the national debt. Congress, not deterred by the President's position, paid little heed. To me it was encouraging to note the thousands upon thousands of letters and cards that poured into Congressional offices protesting big spending.

This Congress has not been all negative. There are certain positive factors. For example, Hawaii was ushered in as our 50th State. This was an historic vote. In the field of foreign aid Congress gave the President a strong bill. Undoubtedly the subject of most public interest was labor legislation.

In my report last year I mentioned that the 85th Congress failed to give the American people a much needed labor reform bill. This year the President signed a measure essentially similar to the one for which I voted, the Griffin-Landrum bill. This will, we hope, be an effective stop to labor gangsterism. It may permit democracy within the American labor movement. Because of my vote in favor of the Griffin-Landrum labor bill certain labor leaders on Long Island refused to allow me to address the rank and file members on Labor Day. President James Carey of the Electrical Workers Union wrote me a threatening letter. The leader of the Brotherhood of Railway and Steamship Clerks has indicated that he will seek to purge me in the next election because of my attempts to curb racketeering in the labor movement.

Other important pieces of legislation were the housing and the public works bills. In regard to housing I supported the Federal Housing Administration program for Long Island. Building is an important part of our economy and must be sustained. The public works bill, the "pork barrel" of Congress, contained a sum which I obtained for the continued dredging of Fire Island Inlet. On the other hand, it also contained many millions of dollars of unauthorized projects. Therefore, when the President vetoed the bill, I supported his veto. This was the crucial test whereby the President's banners were upheld by one single vote.

While evidence mounts daily that crime is on the increase, particularly in the major cities, Democratic leaders in Congress refused to cooperate with the Eisenhower administration in providing funds for the research and correction of this tragedy facing the American scene. Furthermore, one of our supreme advantages over the Soviet type of government is protection under that great document, the American Constitution, yet Congress failed to enact any new form of civil rights legislation at this session due to the fact that the Democratic leadership did not wish to offend the southerners.

As for public legislation introduced by me, the one that received the most comment on Long Island was H.R. 7575, designed to restrict irresponsible trading on future prices of potatoes. I do not believe that gambling of this kind is a sound practice, especially when it involves the livelihood of the producing element in this country. Amongst other legislation I initiated were bills for the establishment of a Federal Advisory Council on the Arts; Federal grants for studies of juvenile delinquency; an amendment to the Highway Act to provide not less than a billion and a half for interstate and defense highways; the encouragement of competition in procurement by the Armed Services; American war damage claims, the assistance of universities in marketing and retiring bonds, and H.R. 3389 for the encouragement of voluntary pension plans by self-employed individuals.

In addition to the bills which I have just enumerated, it was a pleasure to have convinced Congress to recognize Moriches and Shinnecock Inlets as Federal projects. The public works authorization bill, which includes these projects, is still pending. Despite the reported opposition of the New York State Park Commissioner, Robert Moses, I think that the program has a good chance of passage during the second session of Congress. In this same regard, certain articles which I have written about the "bridge which doesn't go anywhere"—across the Shinnecock Canal—might interest Park Commissioner Moses in supporting funds for the construction of the approaches. The beach erosion stabilization program is almost completed and should be included in the 1961 planning year for the budget. Our individual public works projects, such as Montauk Harbor, Port Jefferson Harbor, the Federal channel in the Great South Bay, Brown's River, and many others, were reviewed by Col. Charles Duke, the new Army district engineer. He made his first tour of Long Island as my guest early this summer.

In the important field of mail service we added 10 new post offices and 3 new branch offices to the facilities of the Congressional District. The branch office located in the Central Islip State Hospital should receive special note as this one turned into a personal battle with the Post Office Department which we were luckily able to win. We have extended rural free delivery to Manorville and improved services at Center Moriches, Port Jefferson, and Sayville. The continued growth of Long Island requires the continued expansion of these necessary postal facilities.

During the course of the past 7 years this report has served as a barometer in terms of predicting the economic future. These reports have been highly accurate, including a prediction of the slump of late 1957 and 1958. A significant factor in this favorable outlook is the allocation of many millions of dollars as our portion of national defense contracts. I have continually required the Defense Department to certify that Long Island get its adequate share of defense contract allocations. However, we also received more than a million dollars in Housing and Home Finance Agency aid. The town of Huntington, as a specific case, was the beneficiary of over $600,000 for urban renewal. Perhaps not so pleasant an aspect of continued expansion and prosperity is demonstrated by the number of housing complaints handled this year. Many dozens of these cases were referred to my office, and I am happy to report that the vast majority have been successfully resolved. At the time of this report only 11 are still pending.

Not all is success. Many years ago the Bluepoint oyster and the oyster from Long Island Sound provided income and good living to a large number of people. The oyster is being destroyed by the starfish. Congress can help eradicate this destruction to a national resource. Yet, due almost exclusively to a lack of personal understanding on the part of key people on the Merchant Marine and Fisheries Committee, the measure has been quietly and effectively pigeonholed. In the meantime the industry perishes.

The major time-consuming operation of a Member of Congress is not legislation; it is the care of his constituents in terms of their individual requests. This office receives nearly 100 letters a day asking assistance on some matter or other. It is impossible for me to check out personally each letter. I read them all and make sure proper action is taken. This year we processed many hundreds of servicemen's and military cases as well as an unusually large number of veterans' problems. We have had over a thousand requests for different publications, documents, and surveys. We have helped in the procurement of numerous visas and expedited over 200 passport and citizenship cases. In addition, I have held almost daily meetings with constituents who come to Washington to "get action." This means cutting red tape.

Two personal events are worth mentioning. First was my appointment to the Foreign Affairs Committee. This senior group is always a most sought-after billet. Also, Speaker of the House SAM RAYBURN reappointed me to the Board of Visitors of the U.S. Military Academy. This is especially pleasing in that it is not customary under Democratic leadership to reappoint Republican Members to the Board. The merit of giving a comprehensive examination for the service academies has proved its worth. A Congressional District usually has one appointment to each service academy for a particular year. This year from the First Congressional District four of my applicants were appointed to the Air Force Academy, three to the Naval Academy, two to the Military Academy at West Point, and five to the Merchant Marine Academy. No other Member of Congress can boast this record.

Finally, in an effort to keep the public informed as to events here in Washington, I have continued to write a weekly news column. This is published as a public service in your local newspapers. Through the courtesy of the various Long Island radio stations I have brought you a special radio report every Sunday. At my own expense the annual questionnaire was mailed out so that your views could be obtained. This report is distributed under similar conditions. In addition, some 30 special

reports have been disseminated as events occur. I have held office hours in Huntington, Long Island, and in Wainscott on alternate weekends so that those who cannot afford the trip to Washington can receive proper service.

It has been a pleasure and an honor to serve you in Congress. I hope I shall continue to be able to render you these services. Your comments, suggestions, and criticisms are always welcome. No man is perfect, myself least of all. An effective democracy must involve, by its very nature, the interest and opinions of all its member citizens.

Mr. Speaker, I thank you for this opportunity to address my annual report to the people of the First District of New York.

Congress and the Doctor

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, many important national issues of concern to America's doctors are presently pending before the Congress of the United States. These issues range from proposals for a form of compulsory national health insurance to Federal aid for medical schools, and from tax equality for professional retirement programs to inflation. The latter—inflation—constitutes our most serious domestic problem.

In the recently completed 1st session of the 86th Congress, active consideration was given to several of these subjects. It is likely that the second session, beginning next January, will find further legislative action being taken. Accordingly, as the elected Representative of the patriotic citizens of the 18th Pennsylvania Congressional District, it is appropriate that a report of these legislative matters be made to the distinguished doctors whom I am honored to include among my constituents.

Before dealing with specific legislative subjects, I would observe that present-day conditions demand that the medical practitioner be knowledgeable on political considerations. Such factors as the numerous social programs being advocated which affect the practice of medicine, the increasing importance of the economics of medicine, the 30-year trend toward greater reliance on Government paternalism in solving human problems, and the expansion of governmental research and health regulatory activities make it imperative that every doctor keep informed on legislative issues before the Congress. It is equally important that doctors fulfill their citizenship duty by standing for principles of Government in which they believe as Americans and by supporting the candidates who stand for those principles.

It was my privilege recently to prepare a commentary for publication in the AMA News in which I urged doctors to abandon their traditional avoidance of political matters. In that article I said that awareness by the doctors of the political realities is necessary in the interest of good medicine for the benefit of our Nation's citizenry. I acknowledged that "medical doctors are fine patriotic Americans with one very serious shortcoming." The serious shortcoming to which I referred was the way in which doctors shun politics and political activities as though such things were someone else's responsibility. I went on to urge doctors "to assume their full citizenship roles with greater diligence by participating in that American institution—politics." In that article I said in part as follows:

> American physicians should acquaint themselves with the principles and the records in office of the two great national political parties. They should support with their endeavors and their resources the candidates of the party they find best qualified to assume responsibility of government at the Federal, State, and local levels. Through their daily contact with the people, doctors and other professional men are particularly qualified to understand the needs and concerns of the citizens they serve and can bring their leadership to bear in achieving meritorious national objectives.
>
> This political activity of a doctor would be in his self-interest as a citizen and even more important it would be in the best interest of our Nation and our community life across the land.

In essence, it is my conviction that the issues confronting our Nation are so crucial in terms of human welfare, the preservation of our free enterprise way of life, and the continued greatness of our Nation that America's doctors must find opportunity to become patriotic political forces so that our communities, States, and Nation can benefit from their informed viewpoints.

Among the legislative highlights of direct interest to medical practitioners on which action was taken during this past session of Congress was a bill, H.R. 10, which I was privileged to cosponsor, providing tax deferment on self-employment income paid into a restricted retirement program. This so-called Simpson-Keogh bill would remove from our Federal tax structure a present discrimination against self-employed individuals and would tend to give to such taxpayers comparable retirement opportunities with that accorded under present law to employed persons. I am happy to report that we were successful in having this legislation approved by the Committee on Ways and Means and by the House of Representatives. It is now pending before the Senate Finance Committee, and it is my hope that the legislative process on this meritorious proposal can be successfully completed next year.

Other matters of direct interest to doctors within the legislative jurisdiction of the Committee on Ways and Means on which I serve as ranking Republican member come under the subject of social security amendments. These include old-age and survivors insurance coverage for physicians, medical and hospital care for OASI beneficiaries, and the administration of existing health and medical programs under the Social Security Act.

The question of whether or not doctors should be mandatorily brought within the coverage of the Social Security Act is a problem that the Congress has been considering for several years. Recently a number of State medical societies, including Pennsylvania, have gone on record as being in favor of such an extension of coverage. It is possible that this subject will again be before the Congress next year. It must be acknowledged that there are valid arguments representing both the pros and cons of this question.

In summary form the arguments in favor of such coverage for doctors include the facts that doctors as consumers pay at least in part the cost of covering other individuals under the act. This results because the employment taxes to some extent are passed on as a cost of doing business. If the doctor is required to pay for the protection of others under the program, he might just as well participate in the program himself. Social security benefits are tax free and as such could be an important consideration in a doctor's retirement plan either for age or disability as well as protection for his survivors.

The arguments against coverage of physicians include a recognition of the fact that doctors for the most part do not retire as early as most other groups and that they would therefore not have a reasonable expectation of recouping in benefits the amount of their tax contributions. This is a factor of increasing significance in the years ahead when the tax rate ultimately is scheduled to go as high as 6¾ percent on an annual taxable base of $4,800 on self-employed income. It will be my purpose to continue to give careful study to the relative merits pertaining to this issue so that I may properly represent the best interests of the medical profession.

The second legislative matter concerning social security that is of direct interest to the medical profession involves the so-called Forand bill, H.R. 4700, which would provide hospital, nursing home, and certain medical benefits for OASI beneficiaries. This legislation was the subject of public hearings by the Committee on Ways and Means this past July. During the course of these hearings the Medical Society of the State of Pennsylvania was ably represented before the committee by a distinguished general practitioner from nearby Indiana, Pa., Dr. Daniel H. Bee, who is chairman of the board of trustees of the State society.

Dr. Bee properly expressed concern over the efficacy of handling the medical care problems of the aged through Federal intervention, the effect such a program would have on existing voluntary health insurance plans, the impact of the proposal on individual initiative and self-help and the possible disruptive consequence to the all-important physician-patient relationship. Dr. Bee pointed out the great progress we have made in our State of Pennsylvania in providing medical care for our aged and he called attention to the fact that in

our State no aged or indigent person has gone without medical care providing he seeks this care from his physician.

In a speech in the House of Representatives which I made on August 27, 1959, on this subject, I called the attention of my colleagues to the progress that the medical profession working in conjunction with the insurance industry is making "to assure adequate medical care for all our citizens on a nondiscriminatory basis and within the framework of our free enterprise system." I went on to say:

> This progress is being made without subjecting the medical profession to domination by the dictates of Government bureaucracy and without launching our Nation on the discredited path of a system of national health insurance. It is encouraging to me that our citizens dealing on the basis of free enterprise have made the progress that has been achieved in meeting their medical and health needs by individual and collective initiative without reliance on Government paternalism.

I am confident that further consideration of the Forand bill will be before the Committee on Ways and Means and the Congress next year. It is important that those who do not believe that H.R. 4700 represents a workable solution to medical care needs for the aged should develop appropriate alternatives. It will, of course, be my purpose next year to continue my endeavors in cooperation with the medical profession to guard our citizens and Nation against the disastrous consequences of compulsory national health insurance.

In November of this year the Subcommittee on the Administration of the Social Security Laws will conduct a public hearing on the manner in which the social security disability program is being administered. It is likely that medical organizations will be represented by spokesmen at these hearings.

Other important legislative highlights in the past session of Congress included an expanded program of nursing home development with the Federal Housing Administration guaranteeing up to 75 percent of private loans for construction of proprietary nursing homes. A health insurance program for civilian Federal workers was also approved. The Medicare program of treating qualified dependents of military personnel in civilian hospitals was also approved. For fiscal year 1960, $400 million was authorized for the National Institutes of Health and an augmented Hill-Burton program of Federal aid for hospital construction was also authorized. With respect to international implications of medicine the Senate approved a $50 million annual program for international medical research, and it is likely that this proposal will receive House consideration next year.

The foregoing summary calls to the attention of the medical practitioners in the 18th Pennsylvania Congressional District some of the legislative considerations before the Congress. It is my hope that during the adjournment period and during the legislative session next year I will have opportunity to discuss these matters and other national issues with the distinguished members of the medical profession in my district either individually or at meetings of their respective county medical societies. It is my hope that by working together in this way for the betterment of our citizens' health and the improvement of the medical services available to them, we can contribute to soundly conceived medical progress.

In closing, Mr. Speaker, I would like to give deserved praise to the great contribution the doctors in my district have made to the public advancement through their professional service and through their selfless contributions to community welfare. The role of a doctor is one of great responsibility, and I am proud of the manner in which the members of the medical profession in my constituency have without exception wholeheartedly and capably fulfilled that responsibility.

Report to the Voters of the 10th Congressional District of New York

EXTENSION OF REMARKS
OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mrs. KELLY. Mr. Speaker, the 1st session of the 86th Congress convened and adjourns with war clouds engulfing the entire world. The density of the clouds fluctuated with the actions of the leaders of the Kremlin. As heavy and ominous as the clouds were with the appearance of the sputnik and lunik, and the Soviet moonshot, they increased with the overt, aggressive actions of the Soviets in the Middle East, the Far East, Tibet, Latin America, Central America, including Cuba, in Europe again with the Berlin impasse, and once more in southeastern Asia—Laos.

A diminishing of the war clouds followed appeasement of the comrades in the Ministers' meeting, a pending but never accomplished summit meeting, and finally plans for an exchange of heads of state.

Thus, it can be said with no exaggeration that Congress met and adjourns in one of the most trying times in the history of the United States.

The international outlook for the Democratic-controlled Congress was not made felicitous by the Republican-controlled executive branch of the Government. Congress convened labeled by President Eisenhower, in his role as leader of the Republican Party, as being controlled by political radicals, spendthrifts and gloomdogglers.

Bear in mind that when Congress convened, President Eisenhower, in his state of the Union message, promised "a sensible posture of defense against the growing might of the Soviet Union," and in the next breath he warned we must "guard against feverish building up of vast armaments." The observing public saw Congress placed publicly between the horns of the dilemma.

Congress was faced with the problem of meeting the Soviet menace, of placating the administration in its request for the highest budget in peacetime, of grappling with a $9 billion interest on the national debt, of increasing the limit on the national debt, and of passing a Mutual Security Act. Domestic issues became secondary and/or dependent upon the cost of meeting the Soviet menace, balancing the budget and controlling inflation.

The entire policy of the Republican administration was in a state of fluctuation. A cooperative state of mind and action on the part of Democratic legislators was tried to the point of frustration. President Eisenhower requested legislation and then vetoed bills because they were too much or too little. Most of the bills passed to date have been cut below the President's recommendations.

The visit of the Soviet Premier is repugnant to me because no credence can be placed upon the word of a Mikoyan, a Kozlov, or a Khrushchev. The gain, if any, does not outweigh the loss of trust by our allies, the creation of more apathy and misinterpretation by Americans, causing a quasi-insecurity among free people everywhere, and the propaganda use this visit will be made of in Moscow and other capitals inimical to the U.S.S.R. All of this created confusion in Congress on legislation without positive leadership from the executive branch.

Adherence to the absolute moral principles upon which our country was founded should dissuade us from conferring respectability and legitimacy to the dedicated enemy of free men and free institutions.

The reversal of policy and the confused and confusing pattern of weak Executive leadership has, in effect, pulled the rug from under the Congress. Despite this background, the record of the 86th Congress, 1st session, has made history on the positive side of the ledger, thanks to a strong and dynamic Democratic leadership.

The total request for authorization presented to Congress by President Eisenhower was $80-odd billion. That which was finally appropriated by the Congress was over $78 billion. Congress reduced about $2,580 million from the President's request. In spite of this there will be a deficit of $12 billion. This does not include the near $9 billion interest on the national debt. In line with the same financial difficulty, the General Accounting Office which reviews all Federal spending is investigating the $60 billion to $125 billion reported obsolete surplus military material property of the armed services. The sale or relocation of this material should certainly cut back Federal spending in the years to come.

INTERNATIONAL

FOREIGN AID

Looking back over more than a decade of foreign aid, several major trends can be observed. A reduction in the mutual security program has been made possible by closer congressional scrutiny of the many detailed items that go into the foreign aid package, by more careful administration resulting from tighter ground

rules written into the law, by the improved economic position of many aid recipients chiefly in Western Europe. These nations are able to carry all the costs of their economic development and almost all of their military responsibilities.

Within the program itself three major shifts in emphasis have taken place. First, the percentage of total aid that goes into nonmilitary—or economic—projects is greater. Military equipment can be shipped abroad very rapidly. But economic aid cannot be shipped. It must be transplanted through people and existing institutions. Adaptation to changing economic circumstances is relatively slow. Corresponding changes in social outlook, in values, and in institutions must be made if economic assistance is to have any firm roots. Although we now give aid in one or several forms to almost every country outside the Iron Curtain, it must be done at a rate that can be absorbed by the recipient. Hence, we have been moving into projects that are modest in their capital requirements.

A second shift has been away from outright grants of money to loans. The Development Loan Fund, created in 1957, is an instrument of our aid program that has made possible this change. The greater use of loans places on the borrower a responsibility for more careful planning of the use of the money and for devising means to repay the loan through improved tax systems. These loans are repayable in local currency. It is quite possible these repayments made in local currency will be reloaned to borrowers in that particular currency.

Finally, and perhaps most significant for the future, is the fact that more of our aid is going to non-Western countries. The newly established Governments of south and southeast Asia and of Africa are receiving technical and economic assistance. The importance of this aid lies not so much in the amounts involved as in the fields of activity for which it is used. Chief among these are agriculture, education, and public health. This is the real grassroots approach that will lay the base for future economic development.

INTER-AMERICAN DEVELOPMENT BANK

In this session Congress took an important step toward contributing to the economic development of Latin America. It authorized U.S. membership in the Inter-American Development Bank.

This new hemisphere agency will make loans in Latin America for projects to supplement other sources of credit. It will also assist these countries in formulating development programs and in engineering projects. Its technical assistance will help these nations obtain capital from other sources as well as from the Inter-American Development Bank.

CANADA

In our greater concern with situations and countries overseas there has been a corresponding neglect of our relations with Canada. Yet Canada is one of our best customers and most important allies. Two years ago, Members of Congress undertook to correct this indifference and, as a result of the Coffin-Hayes report, I introduced in the House of Representatives House Joint Resolution 254, which became Public Law 86-42. This law authorized the participation of the United States in parliamentary conferences with Canada. A Canada-United States interparliamentary group was subsequently organized. I deem it a great privilege and honor to have been appointed by Speaker RAYBURN to be the chairman of the House of Representatives delegation on this important interparliamentary group. This is the first interparliamentary group in the history of the United States.

At meetings last June, we gave attention to defense efforts and to economic and trade problems. Among the more important of the latter that we discussed were oil, copper, natural gas, uranium, lead, and zinc. Questions affecting the boundary waters between the two countries were also considered.

It was not the purpose of the meetings to solve problems between the two countries. But we did educate each other in the dimensions of the problems and the political attitudes in both countries that affect solutions. All of us who participated gained a new insight into the importance of keeping problems between the two countries under constant study. I look forward to the meetings to be held in the United States next winter.

NATIONAL

NATIONAL DEFENSE

With Russia's recent announcement of a stepped-up military program, it is more important than ever for the United States to maintain its military forces, develop new and superior weapons, and to provide manpower for our Armed Forces. The Democratic Congress, recognizing the U.S. position of world leadership, authorized a defense program which not only meets the present need, but, from the economic viewpoint, curbs unnecessary spending. Under the defense appropriation, new emphasis was given to research and development and our missile projects. The question raised by many is the overemphasis on the deterrent power with a weakening of brush-fire capability.

The general defense appropriation was $39,228,239,000, in comparison to an appropriation of $39,602,827,000 last year. Allocation of funds were made as follows: Air Force, $17.2 billion; Army, $9.2 billion; Navy, $11 billion; operations of Department of Defense, $1.3 billion.

In order to maintain our Military Establishment at 2,520,000 men, the draft laws, including those pertaining to doctors, were extended to July 1, 1963, by Public Law 4.

Our future security, from a military standpoint, is to the greatest extent based upon missile development. During the last session of Congress a new agency called the National Aeronautics and Space Administration was created to coordinate and direct missile development. This agency is now in full operation and is doing everything possible to close the missile gap between the U.S.S.R. and the United States. At this session, under Public Law 45, the Congress appropriated $485,300,000 for the work of this agency in the coming year. The largest single item provided for is $70 million to be utilized for research into the problem of manned space flight.

Other laws enacted which relate to national defense and internal security are:

Public Law 149: Authorizes a $1.2 billion program of construction projects at Army, Navy, and Air Force installations here and abroad in accordance with our modified continental air defense plan.

Public Law 23: Provides $110 million for construction of modern amphibious warfare vessels and landing craft. This will permit greater utilization of new operational concepts developed by the Marine Corps.

Public Law 50: Under this law the Atomic Energy Commission is to embark on a $229.9 million new construction program. Much of this will be devoted to the civilian atomic power program.

Public Law 89: The Renegotiation Act was extended to December 31, 1961. Under the administration of this act excess profits on defense contracts should be recovered.

Public Law 155: Strengthens control of officer personnel of the Regular Armed Forces by providing for involuntary retirement.

Public Law 96: Extends to August 1, 1963, the special enlistment program provided by section 262 of the Armed Forces Reserve Act of 1952. This is the program which permits an 8-year enlistment by boys between 17½ and 18½ years of age, 6 months of which is active duty, the remainder being spent in the Reserve.

GOVERNMENT REORGANIZATION

By virtue of action of the 86th Congress, the territories of Hawaii and Alaska were admitted to statehood. This action overshadows all others in the area of governmental reorganization. The admission of the new States was long awaited and, I am sure, was welcomed by all. I am confident that both of the new States will take their place, with the other 48, in contributing and participating in the economic and social growth of the United States.

The Senate rule to close debate was amended to require a two-thirds vote of those present and voting, instead of two-thirds of the full membership. This important change will be most helpful in preventing extended filibustering when matters such as civil rights are being considered.

Public Law 238: Increased to $3,000 the limit on claims which the Government may settle administratively.

Public Law 209: Under this law an award known as the National Medal of Science was established. It is to be awarded to individuals making outstanding contributions to national security and public welfare.

NATIONAL ECONOMY

To meet the highest peacetime budget ever presented to Congress and at the request of the President, it was necessary to authorize a permanent national debt limit to a total of $285 billion. A temporary increase of $10 billion, making a total of $295 billion, was authorized to

June 30, 1960. These increases were necessary to continue our defense and foreign aid programs without drastic and crippling reductions in national spending for roads, housing, and the general public welfare. The President's promise of a balanced budget has not been fulfilled. The Congress, however, in attempting to curb inflationary trends, made cuts in most of the financial requests made by the Executive. This is but another example of this Congress' determination to take up the reins of leadership where they were dropped by the President.

There were no important changes in the income tax laws other than a new tax imposed on underwriting profits and investment income of life insurance companies.

The 52-percent corporate income tax rate and the existing schedule of excise taxes on alcoholic beverages, cigarettes, automobiles, parts and accessories were continued. There was, however, a reduction in the transportation tax from 10 to 5 percent and the tax on local telephone calls was repealed. Both of these changes will become effective June 30, 1960.

At the beginning of the session, the President requested a 2-cent-per-gallon increase in the Federal gasoline tax. The Democratic Congress found that our Interstate Highway program could continue with little or no increase in the tax. Under constant threat by the administration of discontinuance of highway construction, we had no choice other than to yield and vote a 1-cent-per-gallon increase, which will remain in effect for 22 months, until July 1, 1961. Two billion dollars has been appropriated for Federal aid to highway construction for the fiscal year ending June 30, 1961.

PUBLIC WORKS

The President's second veto of the public works bill was the first of his vetoes which the Congress overrode. This worthy bill, which earmarks $24 million for improvements to New York Harbor and the Hudson River, is based on a minimum domestic spending level and will not have the inflationary effect claimed by the President.

More adequate airport facilities have been guaranteed by the passage of Public Law 72, which extends the Airport Act to June 30, 1961, and authorizes $126 million of Federal grants to States on a 50–50 matching basis. This is particularly important to modernization of airport facilities in the heavily trafficked New York area.

HOUSING

After two vetoes by the President, a compromise public housing bill was enacted. The bill authorizes expenditure of $1 billion, of which $50 million is earmarked for loans to aid housing for elderly persons. This excellent provision was one of those objected to by the President. It was only after a hard fight by the Democratic congressional leaders that the President consented to this provision. A total of 37,000 new public housing units are authorized by the bill.

SMALL BUSINESS

A bill to increase the lending authority of the Small Business Administration from $500 million to $575 million was passed by the House and the Senate. I was particularly happy to vote for this increase, since it has always been my feeling that small business is the backbone of our country.

CIVIL RIGHTS

In the closing hours of the congressional session, the life of the Civil Rights Commission was extended for 2 more years. While I had hoped for more affirmative action in this area, no civil rights bill reached the floor for a vote. In January I will fight for a broader civil rights program and expect that this will be one of the first orders of business.

VETERANS AND SERVICEMEN

Public Law 211: Increased non-service-connected pensions of World War II and Korean veterans and their survivors on a revised scale based on need.

Public Law 99: Extends for 2 years, to July 1, 1961, the privilege of free importation of gifts from servicemen abroad.

Public Law 239: Provides grants to aid totally disabled veterans to acquire specially equipped housing.

CONCLUSION

The responsibility of serving the residents of my district for the past 9 years has been a great privilege. My office is open 6 days a week and letters sent to my Washington office receive immediate attention. My address is EDNA F. KELLY, Member of Congress, Washington 25, D.C.

During such times as Congress is not in session and I am not out of the country on matters concerning my chairmanship of the Subcommittee on Europe of the House Committee on Foreign Affairs, I am available to see my constituents personally at the Madison Club, 739 Eastern Parkway, Brooklyn, on Monday and Thursday evenings.

Statement Concerning Gering Valley

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WEAVER. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to comment briefly on one of the most important projects in Nebraska contained in the recently approved public works appropriations bill. I refer to the Gering-Mitchell Valley flood control project for which at long last the Congress has appropriated $341,250 to start construction work.

This project has been authorized for 15 years. Its construction is long overdue.

Mr. Speaker, had the Congress acted 4 years ago to provide construction money, this project would have cost less than $1 million. As it is we will have to expend in the vicinity of $4 million to complete the project by beginning now. In the event flooding conditions come during the construction period it is possible that these costs would rise rapidly.

During the course of hearings on the public works appropriation bill, information was brought out both in the House and before the Senate that if this project is not started now and completed within the next 3 to 4 years, it will be too late to do anything at all about the Gering Valley. A great deal of very valuable, very productive land will be washed away completely. The property will become completely valueless. And in an era when our population increase foretells of a time when this Nation will be a have-not nation as far as food production is concerned, the loss of this valuable land would be a national tragedy instead of merely a local one. We cannot allow that to happen.

The Fight in 1959 for Effective Water Pollution Legislation

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BLATNIK. Mr. Speaker, effective control and abatement of water pollution is essential if our Nation is to continue to grow and prosper. Once a plentiful resource, water has become and will become in the future more precious than any other single resource we have.

By 1980 reliable experts predict that the demand for water, caused by increasing population and expanded industrialization, will equal the available supply of 600 billion gallons a day. It is obvious that within the next two decades we will be unable to waste a single drop of the water supply which is so essential to the Nation's economy, public health and security as well. Polluted water, Mr. Speaker, is wasted water and we must therefore begin now to provide the necessary facilities to prevent this waste.

Three years ago a Federal grant-in-aid program was instituted providing $50 million each year to the Nation's communities to assist them in the construction of sewage treatment plant facilities. As a result of this program construction of such facilities has increased 75 percent over the average construction level of the previous 5 years. While this is great progress, we are still falling behind in sewage treatment plant construction at the rate of approximately $200 million a year. For this reason I introduced H.R. 3610, which would provide an additional $50 million a year for community grants-in-aid. Experience under the existing program shows that for every Federal grant dollar, 4 local dollars are invested in construction. Thus, the additional Federal aid pro-

vided for in my bill would boost construction to the level necessary to provide the needed facilities.

On June 9, 1959, H.R. 3610 passed the House overwhelmingly. Late in the session the Senate passed an amended version providing only $80 million a year for the next 10 years rather than the $100 million figure provided by the House. Because of the lateness of the session it was impossible to arrange a conference and so the measure will go over until next year, when early in the session the conferees will meet and iron out the differences between the House and Senate bill. Passage of this legislation by the House and Senate by overwhelming votes in both bodies indicates a recognition on the part of this Democratic Congress of the seriousness of the water-pollution problem and an acceptance of the responsibility in meeting it. This was all the more significant, Mr. Speaker, when you consider the adamant opposition of the administration and the Republicans in Congress to adequate pollution-control and abatement legislation. While professing to be against water pollution, the administration and its spokesmen oppose every measure designed to solve the problem. They attempt to sidetrack effective legislation with unworkable gimmicks, such as the telephone-tax rebate scheme which actually was advanced by the administration subsequent to the repeal of the tax by the Congress.

In an almost Alice-in-Wonderland setting, Mr. Speaker, we heard administration and Bureau of the Budget spokesmen oppose H.R. 3610 and offer as an alternative to it a rebate to the States of a percentage of the telephone tax if the States would divert these funds to treatment plant construction, although the administration required no assurance from the States that the funds would be used for this purpose. This is not a new administration proposal, but it is almost unbelievable that they persist in advancing it after the telephone tax upon which it is based has been repealed.

Another roadblock gimmick advanced by the Republicans in the House, after even they rejected the administration's proposal, was the proposition that any Federal grants in the future must be contingent on a matching State grant. After what must have been a diligent search, the proponents of this proposition cited the Federal aid highway program as a precedent. They conspicuously failed to mention the Hill-Burton hospital construction program, the Federal-aid airport program, school construction in federally affected areas, slum clearance and urban renewal, and flood prevention and watershed protection programs, all of which provide Federal grants-in-aid to communities without the requirement of State matching grants.

This proposal is obviously a back door attempt to kill the existing Federal grant program by attaching to it a condition precedent which everyone knows has not been met in the past, and there is no assurance it will be met in the future. Mr. Speaker, in spite of outright opposition and outlandish counterproposals, the Congress was able to pass an effective bill. The details will be worked out as stated above and I want to assure you and the Nation that this Democratic Congress will not give up in its attempts to solve the serious problem of water pollution.

Imports of Surplus Military Rifles Impair the National Security and Endanger a Vital Connecticut Industry

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. DODD. Mr. President, I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD the following statement which I have prepared concerning the serious damage to our domestic arms industry posed by the large-scale importation from abroad of surplus military rifles.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR DODD

IMPORTS OF SURPLUS MILITARY RIFLES IMPAIR THE NATIONAL SECURITY AND ENDANGER A VITAL CONNECTICUT INDUSTRY

I want to bring to the attention of the President of the United States and to the Members of this body a problem which is most important to the national security of the United States and to the economy of the State of Connecticut.

The problem

This is the problem of hundreds of thousands of surplus military rifles being imported into the United States, sold here as sporting rifles at prices with which the American arms industry cannot compete, and thus threatening to destroy the defense readiness of this industry which is so essential to our national defense.

On June 29, 1959, six of the leading firearms manufacturers filed a petition with the Office of Civil and Defense Mobilization asking for relief against these excessive imports of military surplus. It is my hope that the Director of the Office of Civil and Defense Mobilization will act urgently and act favorably on this petition so that the President will impose quotas on these surplus imports and remove this threat to our national security.

Industry's responsibility

In April of this year, General Lemnitzer, the Army Chief of Staff, told the Senate Armed Services Committee:

"In my opinion, the introduction of the new (nuclear era) weapons in no way diminishes the role of the ground soldier."

As recently as August 3 the Army revealed at the Army Association meeting here in Washington what it described as its "ultimate weapon"; the fighting soldier of the future. This ultimate weapon is to be equipped with all the modern gear science has developed—including the new lightweight M–14 rifle; and it was even announced that the Army is developing an even lighter rifle for the soldier of the future:

"The individual weapon that the soldier of the future carries is the M–14 rifle chambered for the 7.62 mm. round. It is believed, however, that today's technology which is being applied by military-scientific teams will eventually produce for the soldier a weapon extremely light in weight and of high velocity. This weapon, in conjunction with other types now under development, will make it unnecessary for the soldier of tomorrow to clash with the enemy in hand-to-hand and bayonet-to-bayonet type combat."

Of special importance is the fact that it was made clear at the Army meetings in August that the policy of the Defense Department with respect to small arms requirements places major production responsibility on private industry. Modern weapons are developed by a combination of engineering skill in the Government arsenals and the research and production skill of the firearms industry. Industry's first assignment is to participate in the development of the new lighter rifles; industry's second assignment is the production and quantity output of these modern weapons. But increasing military surplus imports have reduced the capability of the American firearms industry to carry out these mobilization assignments and are threatening to cause still greater injury to the small arms industry.

Action is needed and action is needed now.

The industry

The American small arms industry consists of 22 companies with major plants and offices in 12 States of the United States. Its products are distributed through approximately 1,000 wholesalers and over 100,000 retailers located in every State in the Union. Every Senator in this body has constituents who are affected by this problem. As a part of the mobilization base of the United States, the small arms industry is called on in times of a national emergency not only to produce arms but also to develop new designs for our country and for our allies and to modify existing arms for more economic and speedy production. The technical skill and know-how acquired by this industry from years of specialized experience and given to other industries during wartime is a matter of record, as is the magnificent wartime production record of each company in the industry.

Connecticut's contribution

In the State of Connecticut, I am proud to say, we have the largest concentration of manufacturers of commercial sporting arms. These companies include, among others, High Standard Manufacturing Corp., Remington Arms Co., Inc., Marlin Firearms Co., O. F. Mossberg & Sons, Inc., and Winchester-Western Division, Olin Mathieson Chemical Corp. These companies manufacture a large percentage of the centerfire rifles produced in the United States. The thousands of workers employed by these companies and their suppliers reside in every congressional district in our State and are a vital segment of the Connecticut economy.

These American firearms manufacturers, together with firearms manufacturers in Massachusetts and New York, have the only capacity in private industry for rapid expansion of arms production. The industry's skilled manpower, equipment, and research personnel can be transferred to emergency arms production with minimum leadtime. This defense readiness of the domestic firearms industry is maintained in peacetime by its commercial market without burden on the Federal budget.

Surplus imports threaten defense capability

The industry's defense capability has been severely impaired by increasing imports of surplus military rifles sold at a fraction of their cost. Between 1955 and 1958 surplus rifle imports have increased over 20 times from 8,402 in 1955 to 171,965 in 1958. By 1958 imports actually exceeded domestic sales. In 1959 import figures for the first 7 months indicate that surplus military rifles

are being imported at a rate four times greater than in 1958, the record year for surplus imports.

These surplus rifles are coming primarily from Italy, England, Sweden, and Germany. Reports which the industry has received indicate that other countries, including the U.S.S.R., are about to release additional supplies of surplus Carcanos, Lee Enfields, Mausers, Manlichers, and other centerfire rifles. In short, there appears to be no end to the supply abroad; and since the United States is the only major market for these guns—European governments refuse to permit their people to buy these military rifles—the outlook for the American firearms industry is very grave indeed.

The effect to date

The effect to date of these surplus imports on our American industry has been severe:

Centerfire sales: down 50 percent.

Employment: one-third of the skilled production workers lost.

Profits: down 99 percent to eight-hundredths of 1 percent of sales.

Research expenditures: down 13 percent.

This tremendous impact is due to the extremely low prices of surplus military rifle imports. This year their average imported cost has been under $6 after shipping costs, duty, etc. Such rifles sell at prices from $14 to $30 in direct competition with American sporting rifles retailing between $80 and $130.

Connecticut's skilled workers hard hit

Of greatest importance, I believe, is the loss to the industry and thus to the defense readiness of the United States of the many hundreds of skilled production workers, some of whom had 30 years or more of specialized experience in arms production. Many of these laid-off employees have taken other jobs or moved from their communities to other areas and are not, therefore, available for arms reemployment in the event of an emergency. The seriousness of the employment decline cannot, of course, be measured solely in numbers because part of the manpower loss has occurred in job categories for which there are few or no replacements in any industry except the arms industry. Unless this decline is arrested, therefore, the consequences to our national defense posture could be very grave.

Industry supported by peacetime market

Of particular importance is the fact—startling to me—that Government defense contracts do not support this essential industry and make up for displaced sales. From 1950 to 1953, during the Korean war, total firearms sales by these companies to the U.S. Government amounted to $2,075,222. In the 6 years since Korea total firearms sales to the Government amounted to only $839,000. Thus, this industry is self-supporting; it relies almost entirely on its commercial sporting arms market to maintain its plant and equipment, skilled employees, and research and development.

Threat of U.S. surplus

In addition to surplus imports, the U.S. Government owns large supplies of surplus military rifles, the numbers having been estimated at several millions. At the request of the Department of Defense, the Business and Defense Services Administration of the Department of Commerce recently undertook an impact survey to determine the effect of sales of domestic surplus on the American market. Pending the outcome of the BDSA survey, the Department of Defense, I am happy to say, has discontinued the sales of surplus rifles except for small amounts of surplus generated locally at Army surplus disposal depots. I am hopeful that the BDSA report will be favorable to the American arms industry and that the threat of our own surplus will no longer burden this stricken industry.

Proposed solution to import problem

In view of the threat to the industry's mobilization base created by increasing imports of surplus military rifles, the leading manufacturers of the industry filed a petition with the Director of the Office of Civil and Defense Mobilization under the national security provisions (sec. 8) of the Trade Agreements Extension Act of 1958, asking that imports of surplus military rifles be reduced by quotas to their average of 1945–1955. Anyone who has studied the legislative history of section 8 would agree that the American firearms industry was precisely the kind of industry Congress had in mind in providing for administrative relief against excessive imports.

The relief requested in the OCDM petition is, in my judgment, entirely reasonable. It does not embargo all surplus rifles from being imported into the United States—it only reduces them to their historical postwar level: 1945–1955.

Of equal importance: the proposed restriction does not run counter to our international trade policy nor is it inconsistent with our defense objectives.

Imports of surplus rifles make no defense contribution; the importers have no production capacity and carry on no arms research.

Restricting imports of noncommercial military rifles will not affect the economies of our allies and friends since surplus sales make no contribution to the commerce of these nations and are not important to their balance of payments. Surplus rifles are not part of normal international trade.

CONCLUSION

The facts show that the small arms mobilization base of the United States is in jeopardy.

The present and future threat to the defense capacity of the American arms industry is grave.

The national security has been and will continue to be impaired unless relief is granted.

The proposed relief is entirely reasonable and is consistent with American international trade policy.

I urge that the OCDM act favorably and act urgently on this problem which is so vital to our country's security.

Hon. Thomas H. Burke

EXTENSION OF REMARKS
OF
HON. STEPHEN M. YOUNG
OF OHIO
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement made by me on the late Honorable Thomas H. Burke.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR YOUNG OF OHIO

Thomas H. Burke was in his lifetime my good friend. He and I were colleagues in the House of Representatives throughout the 81st Congress. The death of this fine American is not only a loss to those of us who knew him personally and were his friends, but to the entire labor movement and to all Americans.

Tom Burke was a man of unquestioned honesty and integrity, whose life was dedicated to the advancement of men and women who toil. He was an outstanding American labor-union leader in the finest sense of the word. His years of devotion to the cause of furthering social legislation and his faith in the democratic form of government have earned him an honored place on the long list of distinguished Americans.

I am proud that Ohio sent Tom Burke to Congress. I am honored that I was privileged to serve with him. To his family and many friends I extend my deepest sympathy in their great loss.

Activities of the Committee on the Judiciary, 86th Congress, 1st Session

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CELLER. Mr. Speaker, during the 1st session of the 86th Congress, the Committee on the Judiciary of the House of Representatives found itself charged with major responsibility in many areas of congressional concern.

Of the 10,676 bills introduced in the House, 28.7 percent of this total was referred to this committee. Of this number, 1,002 were public bills, House and Senate, and 2,284 were private bills, likewise of House and Senate, giving to this committee 3,286 bills in all. Exclusive of private legislation, approximately 185 hearings were held on legislation pending before the committee. Seventy-six public bills were acted upon favorably by the committee, of which 44 became public laws; 29 of which are still pending before the Senate; two pending before the Rules Committee, H.R. 8601, civil rights bill, and H.R. 2739, Patent Office fees; and one pending House action on amendment proposed by the Senate, H.R. 5747, bankruptcy bill.

Of the private immigration bills, 140 became private laws; 4 are pending in the Senate; 173 individual bills were incorporated in House joint resolutions; 15 were deleted from joint resolutions by the Senate; 401 were tabled; and 49 were deferred.

Of the private claim bills, 86 were enacted into private law; and 97 are pending in the Senate; 178 passed the House.

Of major public interest are such bills as H.R. 8601, the civil rights bill; H.R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; S. 2524, relating to the power of the States to impose net income taxes on income derived from interstate commerce; S. 726, to amend section 11 of the Clayton Act to provide for the more expeditious enforcement of cease and desist orders issued thereunder, and for other purposes; H.R. 3088, to amend sections 353 and 354 of the Immigration and Nationality Act; H.R. 6118, to amend section 6 of the act of September 11, 1957—immigration and nationality; H.R. 5896, to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens; H.R. 2725, to amend chapter 3 of title 18, United States Code, so as to prohibit the use of

motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes. Of these, the civil rights bill, H.R. 8601; H.R. 3 which has involved the doctrine of Federal preemption; and S. 2524, State taxation of income from interstate commerce, were probably the bills of greatest controversy. S. 2524 was enacted into law adopting the minimum exemption standard prohibiting the States from taxing income from the mere solicitation of orders to be fulfilled and shipped from out of the State. H.R. 3, enacted by the House, is pending before the Senate Judiciary Committee, and the civil rights bill, perhaps most controversial of all, is pending before the Rules Committee of the House.

A review of the activities of the subcommittees, which follows, indicates the enormous amount of work done and is evidence of the faithful performance of the individual members of the committee in reviewing and reaching decisions on the matters before them. I am grateful for the cooperation and the conscientious consideration which the members gave to this committee. I appreciate, also, the harmonious and excellent staff work which has enabled the Members to go forward vigorously in the discharge of their responsibilities.

REPORT ON ACTIVITIES OF SUBCOMMITTEE NO. 1, COMMITTEE ON THE JUDICIARY, DURING THE 1ST SESSION OF THE 86TH CONGRESS

Subcommittee No. 1 of the Committee on the Judiciary has special jurisdiction over all legislation pertaining to immigration and nationality, and jurisdiction over any legislation assigned to it by the chairman of the full committee.

In the field of immigration and nationality. Subcommittee No. 1 has acted on the following bills:

H.R. 2807 creates a single, separate, statutory form of judicial review of administrative orders for the deportation and exclusion of aliens from the United States. Aliens may seek judicial review of an order of deportation by filing a petition in the U.S. circuit court of appeals, orders of exclusion to be reviewed exclusively by writs of habeas corpus. Such orders shall not be reviewed until all administrative remedies have been exhausted. The bill provides for trial de novo of substantial claims to American nationality by persons who have been ordered deported. The bill passed the House on July 6, 1959.

H.R. 3088 amends certain provisions of sections 353 and 354 of the Immigration and Nationality Act which specify exemptions from the loss of U.S. citizenship by naturalized citizens by including parent or parents of a U.S. citizen who is or are accompanying such citizen for the purpose of remaining with him while he has his residence abroad for reasons specified in the law. Honorably discharged veterans who served during the Korean conflict are included in the exemption from automatic loss of citizenship by reason of residence abroad, which exemption is enjoyed by veterans of the Spanish-American War, World War I, and World War II. The bill changes from 25 to 15 years the residence requirement which precludes the loss of citizenship by naturalized citizens residing in a foreign country. The bill was enacted into law on August 4, 1959 (Public Law 86–129).

H.R. 5896 reclassifies close relatives of U.S. citizens and aliens admitted for permanent residence in the United States in the preference portion of the immigration quotas and expedites reuniting of certain families. Alien adult unmarried sons and daughters of U.S. citizens are reclassified to the second preference classification; alien adult sons and daughters of aliens admitted into the United States for permanent residence are placed in the third preference classification. Immigrants registered on the consular waiting lists prior to an established date, who have a preferential quota status, and spouses and minor children of aliens admitted into the United States under the Refugee Relief Act of 1953, who have a preference status, are considered to be nonquota immigrants; accompanying spouses and minor children are held to be nonquota immigrants. Spouses and minor children accompanying fourth preference beneficiaries are included in that category. The number of alien children adopted by U.S. citizens in whose custody they remained for over 2 years is limited to two unless necessary to prevent the separation of brothers and sisters. The bill passed the House on July 6, 1959, and was enacted into law September 22, 1959 (Public Law 86–363).

H.R. 6118 extends for 2 years section 6 of the act of September 11, 1957, the discretionary authority vested in the Attorney General to grant waivers of exclusion in the case of spouses, parents, and minor children, including minor adopted children of U.S. citizens or of aliens lawfully admitted for permanent residence, notwithstanding the fact that such close relatives are afflicted with tuberculosis.

The same bill also extended the law relating to the immigration of orphans. The bill authorizes the Attorney General to investigate the facts in each case to determine the validity of the adoption and the good moral character of the interested parties.

The bill was enacted into law September 9, 1959 (Public Law 86–253).

As usual, Subcommittee No. 1 worked extensively on private immigration and nationality legislation, and the summary of that action follows:

One thousand, six hundred and ninety-five House bills, House joint resolutions, and Senate bills were referred to the Committee on the Judiciary. Of those, 140 became private laws, 4 are pending in the Senate, 173 individual bills were incorporated in House joint resolutions, 15 were deleted from joint resolutions by the Senate, 401 were tabled, 49 were deferred, and 913 are pending before the committee.

In addition, there were 5 Senate concurrent resolutions, 1 House concurrent resolution, and 1 House resolution, covering the cases of 185 aliens, which were approved by this committee.

Under the general jurisdiction of Subcommittee No. 1, the following bills were considered:

H.R. 1992 extends the application of chapter 37, title 18, United States Code, relating to espionage and censorship, to acts committed anywhere in the world by repealing section 791 of that title, which provides that the provisions of chapter 37 shall apply only within the admiralty and maritime jurisdiction of the United States, on the high seas, and within the United States. The bill passed the House on March 2, 1959.

H.R. 4154 permits the indictment and trial of an offender or joint offenders who commit offenses abroad against the United States, in the district where any of the offenders is arrested or first brought; and also prevents the statute of limitations for tolling in cases where an offender or any of the joint offenders remain beyond the bounds of the United States by permitting the filing of an information or indictment in the last known residence of any of the offenders, or in the event that the residence of any of the offenders in the United States is not known, by filing indictment or information in the District of Columbia. The bill passed the House on March 16, 1959.

H.R. 8461 amends the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules on Judicial Procedure by extending the life of the Commission for an additional 2 years, to December 31, 1961. The purpose of the Commission is to investigate and study existing practices of judicial assistance and cooperation between the United States and foreign countries with a view to achieving improvements. The bill passed the House on August 17, 1959, and was enacted into law September 16, 1959 (Public Law 86–287).

S. 355 adds a new section to title 18 of the United States Code to prohibit the use by collecting agencies or private detective agencies of any emblem, insignia, or name, or the words "national," "Federal," or "United States," or the initials "U.S.," for the purpose of conveying, or in a manner reasonably calculated to convey, the false impression that such business is a department, agency, bureau, or instrumentality of the U.S. Government. The bill passed the House amended on August 17, 1959, and was enacted into law on September 21, 1959 (Public Law 86–290).

S. 1947 (House companion bill, H.R. 7126) confers on the Customs Court the authority to appoint various clerks and other employees and to authorize the appointment of a marshal and deputy marshal, which appointments are intended to be in accordance with presently prevailing laws relating to such appointments in other U.S. courts. The bill passed the House on August 31, 1959, and was enacted into law September 9, 1959 (Public Law 86–243).

SUBCOMMITTEE NO. 2—GENERAL JURISDICTION OVER JUDICIARY BILLS, AS ASSIGNED SPECIAL JURISDICTION OVER CLAIMS

During the 1st session of the 86th Congress, the subcommittee conducted hearings on 30 different days. These covered public as well as private claims measures.

Consideration was given to a total of 327 bills and resolutions.

The subcommittee considered two bills which provided for the amendment of the tort claims provisions of title 28 of the United States Code. H.R. 6000, providing for an increase in the administrative settlement authority of section 2672 of that title, was introduced in accordance with the recommendations contained in an executive communication from the Post Office Department. The bill passed the House with the amendments formulated in the subcommittee, which provided for increasing the authority of heads of agencies to settle tort claims against the Government by payments up to $2,000. This limit was increased by the Senate to $2,500, and the House agreed to that amendment. The bill became Public Law 86–238. The other bill relating to the Tort Claims Act as now codified in title 28, was H.R. 7577, concerning the liability of Government drivers. The subcommittee held an extensive hearing on H.R. 3283, introduced in accordance with an executive communication from the General Services Administration, and related bills on this subject. The subcommittee's recommendations as to amendments to H.R. 3283 were accepted by the full committee and were embodied in H.R. 7577 which was reported by the committee. It passed the House but no action was taken in the Senate prior to adjournment.

H.R. 4821, providing for amendments to the Texas City Disaster Relief Act, was the subject of a hearing before the subcommittee. The subcommittee recommended amendments to the bill to limit the proposed changes to certain categories of claims. The bill was reported with those amendments, and the bill passed the House and Senate in the form recommended by the subcommittee. The bill became Public Law 86–381.

The subcommittee considered two bills amending section 2734 of title 10 of the United States Code concerning claims arising in foreign countries as the result of the noncombat activities of the Armed Forces of the United States. H.R. 2741 provided that the Secretary of the Treasury would have the same authority to act in behalf of the Coast Guard in the settlement of such claims as only the Secretaries of the military departments previously possessed. The bill passed the House and Senate, and became Public Law 86–223. The other bill, H.R. 2740, would increase the period during which such claims might be filed from 1 to 2 years, and was introduced in accordance with the recommendations of an executive communication from the Department of Defense. It passed the House, but no action was taken in the Senate prior to adjournment.

A bill, H.R. 470, which would permit the settlement of claims arising as the result of the use of a motor vehicle anywhere, or the use of property of the United States on a Government installation when the claims would not be cognizable under any other law, was favorably considered by the subcommittee and was reported to the House by the full committee. The bill passed the House, but no action was taken in the Senate prior to adjournment.

The subcommittee also considered a bill, H.R. 7529, which would confer jurisdiction on the Comptroller General to waive indebtedness based on erroneous payments by the Government to its employees, members of the military services, or persons formerly in such categories, when the department concerned recommends relief and collection would be against equity and good conscience. The bill was reported to the House and passed, but no action was taken in the Senate prior to adjournment.

The Committee on the Judiciary reported three bills validating certain payments to Armed Forces personnel, their dependents, or employees of the military departments. H.R. 2975 validated certain quarters allowances to civilian employees who served in London, England, between January 1, 1949, and August 16, 1953. That bill passed the House and Senate and became Public Law 86–26. H.R. 4615 validated a group of about 80 transportation requests and payments of mileage or per diem, or both, to members of the naval service for travel performed in accordance with the terms of the bill. The bill became Public Law 86–25. H.R. 8106 provided statutory authority for all temporary storage of household effects of members of the Navy under an interpretation of the joint travel regulations of the uniformed forces which was subsequently challenged by the Comptroller General. The bill passed the House, but no action was taken in the Senate prior to adjournment.

A number of bills granting relief of State or political subdivisions within States were referred to the subcommittee. Among the bills recommended favorably was H.R. 322, compensating Monmouth County, N.J., for damage to a bridge, which became Public Law 86–128. H.R. 7605, for the relief of the State of Oklahoma, which was introduced in accordance with the recommendations of the Court of Claims in a congressional reference case, provided for the payment of $652,019.71 in settlement of the claims of that State based on the agreement embodied in a stipulation between the State and the Federal Government. That bill became Public Law 86–369.

The bill, S. 1330, providing for an additional payment of $4,000 to the city of Fort Myers, Fla., by an amendment to an act passed in 1958, was reported by the committee. That bill became Public Law 86–180. The bill, H.R. 2390, for Madeira Beach, Fla., settled the city's claim for the cost of erosion control, and became Public Law 86–353.

The subcommittee considered a number of bills which did not relate to its special jurisdiction over claims. The bill, H.R. 2725, barring the use of aircraft or motor vehicles in the hunting or capture of wild horses or burros, and similarly barring the pollution of water holes used by such animals to kill them or effect their capture, was such a bill. It was reported by the committee, passed the House and Senate, and became Public Law 86–234. A bill, H.R. 4012, providing for the observance of the centennial of the establishment of the Department of Agriculture, and the establishment of land-grant colleges, was reported by the committee after being favorably recommended by the subcommittee. The bill passed the House, was reported in the Senate, but no further action was taken in that body prior to adjournment. The subcommittee held hearings on bills concerning standards to be observed in the establishment of congressional districts, and also on bills to provide representation of indigent defendants in criminal proceedings in the Federal courts. The subcommittee had not made a final recommendation to the full committee as to these two subjects at the time of adjournment. The subcommittee also considered the bill, H.R. 8107, which was the subject of a 2-day hearing. This bill, which would have imposed criminal penalties for the use of U.S. savings stamps for trade promotion, was adversely acted upon by the subcommittee.

The following tabulation indicates the workload of this subcommittee in connections with claims against the Government:

Referred to subcommittee:	
Private, House bills	538
Private, House joint resolutions	1
Private, House resolutions	11
Private, Senate bills	23
Total	573
Public, House bills	76
Public, House joint resolutions	13
Public, House resolution	1
Public, Senate bills	2
Total	92
Grand total	665
Approved by subcommittee:	
Private, House bills	195
Private, House resolutions	6
Private, Senate bills	18
Total	219
Public, House bills	13
Public, House resolutions	1
Public, Senate bills	1
Total	15
Grand total	234
Private, House bills adversely	54
Private, Senate bills adversely	1
Public, House bills adversely	28
Total	83
Reported to House:	
Private, House bills	181
Private, House resolutions	6
Private, Senate bills	15
Total	202
Public, House bills	13
Public, House resolutions	1
Public, Senate bills	1
Total	15
Grand total	217
Passed House:	
Private, House bills	178
Private, House resolutions	6
Private, Senate bills	15
Total	199
Public, House bills	13
Public, House resolutions	1
Public, Senate bills	1
Total	15
Grand total	214
Pending in Senate:	
Private, House bills	97
Public, House bills	2
Total	99
Public laws enacted	11
Private laws enacted	86
Bills vetoed (private)	9

Sent six private claims bills of the House to the Court of Claims by House resolutions.

SUBCOMMITTEE NO. 3—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER PATENTS, TRADEMARKS, COPYRIGHTS, AND REVISION OF THE LAWS.

This subcommittee processes such general legislation as is referred to it and also legislation relating to patents, trademarks, and copyrights. It also has jurisdiction over the revision of the laws, classifying all laws of a general and permanent nature to the 50 titles which comprise the United States Code. In all, 161 bills were referred for the subcommittee's consideration; 18 bills were acted upon favorably; 55 bills were recommended for tabling; and 88 bills are pending. The following statement highlights some of the legislation processed by the subcommittee.

General legislation

General: The subcommittee processed H.R. 3, a bill establishing rules of interpretation for Federal courts involving the doctrine of Federal preemption. This bill, which has already passed the House, sets up a statutory rule of construction to guide the courts in future actions in construing existing statutes by providing that no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field of law to the exclusion of all State laws on the same subject unless Congress so states or unless there is a direct and positive conflict between the congressional act and the State law so that the two cannot be reconciled or consistently stand together.

In the field of evidence, the subcommittee favorably recommended and the House passed H.R. 4957, relating to the admissibility of evidence (popularly referred to as the Mallory bill). This legislation resulted from the Supreme Court decision in the case of *Mallory* v. *U.S.*, 354 U.S. 449, and provides a statutory rule of evidence for the admissibility of confessions and other evidence in criminal proceedings. This legislation is written so as to protect the constitutional rights of the individual as well as the rights of society in the field of criminal law enforcement.

Another bill of major importance is H.R. 2369, introduced as the result of the Supreme Court decision in the *Yates* case (354 U.S. 298) wherein the conviction of 14 known Communists for violating the Smith Act was set aside because, among other things, of the meaning of "organize" as that term is presently interpreted in the act. The instant legislation, which has already passed the House, clarifies the term "organize" so as to mean a continuing process of organizing groups and recruiting new members for the Communist Party.

The subcommittee also processed H.R. 3216—habeas corpus. This legislation is in-

tended to restrain the abuse of the use of this great writ in lower Federal courts by prisoners who have been convicted in State courts and who seek to have the action of the State courts reviewed and reversed by the lower Federal courts.

Other bills relating to the courts generally on which this subcommittee acted, and which have already passed the House, are H.R. 2978 (peremptory challenges) and H.R. 7559 (interlocutory relief).

Pending in the subcommittee and worthy of mention is H.R. 4186, which would permit appeals by the United States in criminal proceedings after the commencement of the trial on denial of motions to suppress evidence. This legislation is under study and the views of the Judicial Conference of the United States have been requested.

Compacts: Three bills relating to interstate compacts passed both the House and the Senate. They are H.R. 7474, reestablishing a part of the boundary line between the States of Virginia and West Virginia; House Joint Resolution 465, granting additional authority to the Missouri-Illinois Bi-State Development Agency; and H.R. 5711, which is a recently concluded compact between the States of Indiana and Illinois setting up a bi-State agency known as the Wabash Valley Commission, to develop the natural resources of the Wabash Valley area.

Pending in subcommittee is House Joint Resolution 402, which would give permission to the District of Columbia as well as the States of Virginia and Maryland to enter into a compact to regulate transportation in the greater Washington, D.C., area. Since Congress in this instance will be performing a double function (granting congressional consent to the States of Virginia and Maryland and also acting as a principal contracting party for its agent, the District of Columbia), a thorough study is being made in an effort to resolve the many practical, political, economical, financial, and other problems inherent in a bill of this nature, so that the compacting parties, in a cooperative and united way, may regulate transportation in the National Capital area.

Crimes: Among the bills of a general nature on which favorable action was taken by the subcommittee were H.R. 6817, to broaden the provisions of the Foreign Agents Registration Act; S. 1647, relating to penitentiary imprisonment; S. 1645, concerning computation of prisoner good time allowances; H.R. 6309, delimiting the restrictions on the shipment of water hyacinths; and H.R. 4386, concerning the destruction of boundary markers on Indian reservations.

The subcommittee held extensive hearings on H.R. 15 and some 38 similar bills making it a Federal offense to import, transport, possess, or use explosives in interstate commerce. This legislation was introduced as the result of bombings of schools, churches, synagogues, and public buildings in various sections of our country. While no action was taken on these measures, it should be pointed out that the text of one of the bills, H.R. 4344, formed the basis for title II of H.R. 8601 (civil rights) which was favorably reported by the full committee.

Patents, trademarks, and copyrights

Patents: The subcommittee considered H.R. 2739 which increases fees payable to the Patent Office. There has been no increase in patent fees since 1932, although salaries and other administrative costs of the Patent Office have risen considerably. It is felt that these increases will permit the Patent Office to increase its personnel and to reduce further the tremendous backlog of applications in the Patent Office. Because of the backlog, it presently takes 3 to 4 years to process patent applications.

Copyrights: The subcommittee approved H.R. 4059, which will authorize suits against the United States where the Government or its employees have infringed copyrights owned by individuals and others. Today the Government is immune from being sued although the Government employee is not. The instant legislation permits suit in the Court of Claims and exempts from liability the Government employee when he is acting within the scope of his employment.

The subcommittee conducted exhaustive hearings on H.R. 5921, which would remove the present exemption in the copyright law on coin-operated machines. The removal of the exemption would authorize authors and composers to license the public performances of songs, etc., when played on jukeboxes. Because of the great interest in this legislation as well as the many legal and practical issues involved, the subcommittee plans to give further study to this legislation before taking action in the matter.

Revision of the laws

Classification of laws to codes: The subcommittee's primary function regarding the revision of the laws is the classification of the public laws to the United States Code and the District of Columbia Code. During the first session of this Congress there have been more than 250 public laws comprising somewhat more than 500 pages in the Statutes at Large. These, together with some 75 or more laws awaiting the President's signature at the time of adjournment, will have to be examined to determine their classification to the United States Code. This work will be completed during the recess.

The laws of a general and permanent nature will be incorporated in the first supplemental of the United States Code, 1958 edition, and the laws relating to the District of Columbia will be incorporated in a cumulative supplement VIII of the District of Columbia Code, 1951 edition.

Preparation of code supplements and new edition: All the work in connection with the preparation of the new edition of the United States Code has been completed. Preparation of copy for the printer entailed the preparing of more than 25,000 sheets and more than 76,000 inserts embracing the laws enacted since the publication of the 1952 edition of the Code. This copy resulted in more than 14,000 printer's galleys which have been read for correction. To date more than 9,000 pages of proof have been received, read, and returned to the Government Printing Office, constituting all the text and the tables for the new edition. There will be almost 2,500 pages of index still to be received and read. It is estimated that the entire new edition will consist of 13 volumes and at the present date 5 volumes have been delivered by the Government Printing Office.

In connection with the preparation of the supplement for the District of Columbia Code the reports of the decisions of the Supreme Court of the United States, Courts of Appeal, and the District Courts, since July 1, 1958, have been studied in order to incorporate notes to decisions affecting the Code. All the laws relating to the District of Columbia enacted during the first session of the Congress will likewise be studied, classified, and incorporated in the next cumulative supplement.

In all the work on the new edition and supplements of the United States Code the committee has had the benefit of the excellent services of the West Publishing Co. and the Edward Thompson Co., lawbook publishers.

Enactment of titles into law: During the past 16 years the work of improving the United States Code by enacting into law the several titles of the Code has been carried on by the subcommittee. At the beginning of this Congress 15 titles of the United States Code had been enacted into law and one title was eliminated by consolidating it with title 10, "Armed Services." At the beginning of this session a bill to enact into law title 39, the Postal Service, was brought up to date and introduced. It was speedily considered for the second time by the subcommittee and ordered favorably reported to the House by the committee. This bill passed the House early in March and is now pending in the other body. It is hoped that it will be enacted into law during the second session of this Congress. During the past 3 years the staff of the subcommittee has worked very closely with the Office of General Counsel of the Civil Service Commission in the preparation of a bill to enact into law title 5, Government Organization and Personnel. This work culminated in the introduction of a bill near the end of this session. At the present time a draft report is being prepared to be circulated as a committee print explaining to the interested agencies and departments the source of each section of the revised title and explaining precisely what the intention of the committee is. This draft report will be circulated during October with the hope that the views of the executive departments and agencies will be received early during the second session so that the bill may be favorably reported.

Similarly, preliminary work has been going on for more than a year in the preparation of a bill to enact into law part II of the District of Columbia Code, entitled "Judiciary and Judicial Procedure," and has also culminated in the introduction of a bill near the end of this session. A preliminary draft of the bill had earlier been circulated to the courts, the District government, and other interested parties for an expression of views. It is hoped that this bill may also be reported favorably to the House during the next session of this Congress.

Cooperation with other committees and agencies: Throughout the year the subcommittee's law revision counsel maintains a system of cooperating with other committees of the Congress and with the other two branches of Government. Innumerable inquiries regarding the proposed classification of laws are answered and assistance given in connection with the drafting of bills, particularly those affecting titles of the code that have been enacted into law.

Summary of Subcommittee No. 3

Bills referred	169
Bills on which hearings were held	65
Bills favorably reported to full committee	19
Bills reported to House	19
Bills adversely reported to full committee	56
Bills passed House	17
Senate bills processed	2
Bills pending in subcommittee	94
Bills pending in Senate	15
Bills which became public law	6
Bills vetoed	0

SUBCOMMITTEE NO. 4—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER BANKRUPTCY AND REORGANIZATION

The continuing increase in the number of bankruptcy cases has caused Subcommittee No. 4 to devote much of its time during the first session of the 86th Congress to the problems of simplifying bankruptcy procedures to expedite the handling of those cases. Experience has shown that the Bankruptcy Act contains a number of needless formalities and cumbersome procedures. Hearings were held on a substantial number of bills directed at those problems. They include the following:

H.R. 4340: This bill simplifies the filling of vacancies among referees in bankruptcy and in doing so will have a salutary effect on keeping calendars current. The bill has

been passed by both Houses and signed by the President.

H.R. 4345: This bill eliminates the requirements that referees transmit certain papers to the clerk of the court prior to bankruptcy. This, too, has become law.

H.R. 4692: Under present law, the district judge has the responsibility for issuing orders of adjudication in voluntary bankruptcy cases and orders of reference in both voluntary and involuntary cases. This bill would relieve him of that administrative duty. It has become Public Law 86–64.

H.R. 4693: This bill will achieve an econorders of adjudication in voluntary bankruptcy system by consolidating the referee's expense fund and the referee's salary fund into a single fund. It is now Public Law 86–110.

In addition to these improvements in internal administration, the subcommittee acted on a number of bills simplifying procedures for the parties to a bankruptcy proceeding.

Thus, H.R. 6816 would eliminate the requirement that proofs of claim must be submitted under oath.

H.R. 8858 would eliminate the need for the verification of pleadings under oath and thus make the procedure in bankruptcy consistent with the Federal Rules of Civil Procedure. This has become public law.

H.R. 6556 would clarify the filing time for review of orders of referees, and H.R. 7233 would require claims in chapter XIII proceedings to be filed within 6 months after the first meeting of creditors.

It has been called to the attention of the subcommittee that certain abuses have arisen in bankruptcy proceedings. The subcommittee acted favorably on a number of bills to eliminate those abuses.

H.R. 5747 strengthens the provisions of the Criminal Code in respect to the concealment of assets by individuals in contemplation of bankruptcy.

H.R. 8708 gives the referee additional authority to scrutinize the fees paid to attorneys to insure that they are reasonable and fair.

H.R. 4346 eliminates false financial statements as a ba- to the discharge of an individual, nonbusiness bankrupt and thus eliminates the practice of using such statements to intimidate a debtor.

H.R. 4150 authorizes the bankruptcy court to determine the effect of discharge, upon the application of both the creditor and the bankrupt.

All of these bills have passed the House.

In order to make possible wider use of the wage earner plan type of proceeding under chapter XIII, the subcommittee approved legislation eliminating the monetary limitation and eligibility for filing under chapter XIII. This has become public law.

Two bills of major substantive consequence to the Bankruptcy Act were also considered by the subcommittee and both have passed the House. They are: H.R. 2236 and H.R. 7242. H.R. 2236 places a 3-year limitation on the priority and the nondischargeability of taxes. H.R. 7242 is a highly complex bill which seeks to insure an order of distribution consistent with the underlying purposes of the Bankruptcy Act. Both bills are now before the Senate Judiciary Committee.

In addition to fulfilling its primary legislative responsibility in the field of bankruptcy, the subcommittee considered a number of other bills referred to it. The subcommittee acted favorably upon H.R. 2979, authorizing district court judges to appoint law clerks without first obtaining the approval of the chief judge of the circuit. This bill has become Public Law 86–24.

The subcommittee approved H.R. 4060, which relieves the Comptroller General of the responsibility for fixing the date on which the statute of limitations commences to run in certain Miller Act payments. This bill is now Public Law 86–135.

The subcommittee ordered favorably reported H.R. 5396, which authorizes the transfer of certain maritime claims between the district court and the Court of Claims. This bill has passed the House and is now before the Senate Judiciary Committee.

A very large number of holiday and incorporation bills were referred to the subcommittee and a number of these have been enacted.

A statistical summary of the work of the subcommittee during the 1st session of the 86th Congress follows:

Number of public bills referred to subcommittee	108
Number of public bills on which hearings were held	36
Number of public bills reported to full committee	40
Number of reports filed	25
Number of public bills passed House	25
Number of public bills pending in the Senate	9
Number of Senate bills disposed of	6
Number of public bills approved by the President	12

SUBCOMMITTEE NO. 5—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER ANTITRUST MATTERS

Subcommittee No. 5—which exercises general jurisdiction over a variety of subjects, including such topics as civil rights, the Federal judicial system, and particular jurisdiction over antitrust matters—had referred to it a total of 186 bills, 50 of which were disposed of by recommendations to the full committee. Seven bills were enacted into public law.

A total of 26 days were spent in conducting hearings on various bills referred to this subcommittee.

This subcommittee devoted considerable time to the consideration of a number of bills relating to various civil rights proposals. During the course of the hearings over a thousand pages of testimony was taken from various witnesses, including Representatives in Congress, Cabinet members, State and local officials, as well as private individuals. At the conclusion of the hearings, this subcommittee recommended to the full committee a civil rights proposal, which was subsequently reported to the House as H.R. 8601. At the close of the first session, this bill was pending before the House, as was a request to the Rules Committee for a hearing to grant a rule for consideration of the proposal.

Among the bills enacted into law was one raising the travel and subsistence allowance for Federal judges from $15 to $25 per day maximum. Another new public law defined a new official station for retired judges, and a third waived existing provisions of the judicial code so as to permit new court facilities to be constructed for the district court at Durant, Okla. Another bill enacted into public law was a Senate bill which provided for a U.S. Park Commissioner for Grand Canyon National Park. A new public law amended the existing provisions of the Federal judicial code so as to permit noncitizens the privilege of filing actions in forma pauperis. Another public law granted the consent of the Congress to an interstate compact between New York and New Jersey relating to transportation. Finally, a proposal which increased the authority of the Attorney General to acquire land adjacent to Federal penal institutions was enacted into public law.

Number of public bills referred to subcommittee	186
Number of public bills on which hearings were held	58
Number of public bills reported to full committee	50
Number of reports filed	9
Number of public bills passed House	8
Number of public bills pending in the Senate	0
Number of Senate bills disposed of	1
Number of public bills approved by the President	7

ACTIVITIES OF THE ANTITRUST SUBCOMMITTEE

Legislative

Thirty-one bills were assigned to the Antitrust Subcommittee during this session. The subcommittee considered 18 of these bills during 9 days of hearings. One bill, S. 726, was reported to the House, and on approval by the President on July 23, 1959, became Public Law 86–107.

On May 27 and May 28, 1959, the subcommittee held hearings on H.R. 432, H.R. 2977, H.R. 6049, and S. 726, bills designed to facilitate enforcement of the prohibitions of the Clayton Act against price discrimination, tie-in arrangements, mergers, and interlocking directorates. These bills changed Clayton Act enforcement procedures to make the cease and desist orders issued by the Commissions and Boards with jurisdiction under section 11 final orders in the same manner as the cease and desist orders now become final when issued by the Federal Trade Commission, pursuant to the procedures set forth in the Federal Trade Commission Act. Automatic finality of its Clayton Act orders had been requested by the Federal Trade Commission for more than 20 years.

Previous enforcement procedures of the Clayton Act permitted a defendant to engage in the same illegal practices three times before effective legal penalities could be applied as a result of action by the Commission or Board vested with jurisdiction. These procedures were changed to permit the Commission or Board's cease and desist order to become final and conclusive 60 days after its issuance, or upon completion of judicial review.

Once final, the cease and desist order is enforced through direct reference to the Attorney General of the facts of the violation. Punishment is by fine recovered in a civil action brought by the United States. S. 726 became Public Law 86–107 on July 23, 1959.

On June 25 and 26, 1959, the Antitrust Subcommittee conducted hearings on a series of identical bills, which would amend section 2(a) of the Clayton Act so as to provide for mandatory functional discounts—H.R. 848, H.R. 927, H.R. 2788, H.R. 2868, and H.R. 4530. These bills would make it necessary for a manufacturing seller to grant in good faith "a reasonably adequate" price differential to wholesalers. The bills would require such differential to be "reasonably calculated" to allow the wholesalers' customers to compete with like firms which purchase directly from the seller. During the hearings, the subcommittee received testimony from the sponsors of the bills, representatives of the Federal Trade Commission and the Department of Justice, and from spokesmen from the National Association of Tobacco Distributors, National Frozen Food Distributors Association, National Candy Wholesalers Association, National Oil Jobbers Council, and the American Bar Association.

On August 20 and 21, 1959, the subcommittee conducted hearings on two bills, H.R. 7191 and S. 753, which would authorize cooperative associations of milk producers and marketing agencies owned by such associations to bargain in concert for the sale of milk and milk products with groups of dealers, processors, or other purchasers. These bills would expand the exemption from the antitrust laws that has been granted in the Capper-Volstead Act to agricultural cooperative associations, to additional marketing arrangements by milk producer cooperatives.

S. 753 had been passed by the Senate on April 30, 1959.

During the hearings, the subcommittee received testimony from the sponsors of the bills, representatives of the Department of Justice and the Federal Trade Commission, and spokesmen of the National Milk Producers Federation, as well as from representatives from a number of milk cooperative associations and independent dairies.

In September 1959 the Antitrust Subcommittee held the first 3 days of hearings on a series of bills designed to exempt from the antitrust laws a number of activities in the organized professional team sports of baseball, basketball, football, and hockey—H.R. 2266, H.R. 2370, H.R. 2371, H.R. 2372, H.R. 2373, H.R. 2374, and H.R. 8658.

During the hearings the subcommittee devoted particular attention to the problems involved in extending the antitrust exemptions for these sports to arrangements that affect other industries, particularly the broadcasting and telecasting industry. The subcommittee received testimony from several Members of the Congress, from the commissioner of organized baseball, and from representatives of television stations in Topeka, Kans., Buffalo, N.Y., Terre Haute, Ind., and New Orleans, La.

Investigative

On May 26, 1959, the Antitrust Subcommittee issued its report on the investigation it had conducted during the 85th Congress on the consent decree program of the Department of Justice. This 379-page report was based on a record of hearings which contained more than 4,500 pages of testimony from 34 witnesses. The subcommittee report was signed by Chairman CELLER and Representatives PETER W. RODINO, JR., LESTER HOLTZMAN, and HERMAN TOLL. There was also a minority report, signed by WILLIAM M. MCCULLOCH, WILLIAM E. MILLER, and GEORGE MEADER.

In the administration of the antitrust program of the Department of Justice, the subcommittee ascertained that approximately 75 percent of all equity proceedings that have been instituted by the Attorney General to enforce the antitrust laws have been terminated by negotiation rather than by litigation. Since World War II there has been a general trend toward more consent judgments, and in recent years the practice of negotiating settlements has accelerated.

As a result of its study, the subcommittee concluded that currently there are too many consent decrees accepted by the Department of Justice in relation to judicial decision after litigation. As it now operates, the report states the consent decree program of the Department of Justice results in the judicial function being superseded by an administrative procedure in which there are no rules to safeguard the public interest and the interest of parties who are not involved as parties in the Government's case.

The Antitrust Subcommittee recommended that the Department of Justice revise its consent decree procedures: (1) To provide notice to the public of the terms of proposed consent decree; (2) to establish a waiting period between agreement by the Government and the defendant and the entry of the decree; (3) to afford private parties affected by the terms of the decree an opportunity to intervene in the Government's case in order to present objections to the court to the terms of the consent decree; (4) to require, when a consent decree is submitted to the court for approval, an accompanying written statement to be filed that sets forth the facts involved in the litigation, the defendant's position, the meaning of the provisions used in the decree, and the reasons that are the basis for the Department's compromise.

To supplement its survey of the Antitrust Division's general consent decree policies and procedures, the subcommittee made two case studies. For these studies the subcommittee selected the oil pipeline consent decree, *United States* v. *The Atlantic Refining Co., et al.*, civil case No. 104060, District of Columbia, December 23, 1941, and the A.T. & T. consent decree, *United States* v. *Western Electric Company and American Telephone and Telegraph Company*, district court of New Jersey, January 24, 1956.

In connection with its investigation of the Federal Communications Commission's relationship to negotiations for the A.T. & T. consent decree, the subcommittee ascertained that the Commission had failed, despite repeated recommendations by its staff over a number of years, to investigate telephone rates or even to conduct a general telephone rate inquiry. The subcommittee noted, also, that as a result of a $65 million long distance telephone rate that had been authorized by the FCC in 1953 without a hearing, long distance telephone users may have been overcharged $159 million in the years 1955, 1956, and 1957.

To remedy this situation, the subcommittee recommended that the FCC institute "promptly a comprehensive formal rate investigation." Shortly after the report was issued, the FCC acted upon the subcommittee's recommendation. As a result of preliminary study, on July 24, 1959, the FCC ordered A.T. & T. to cut long distance telephone rates by $50 million a year.

In connection with its investigation of the oil pipeline consent decree, the subcommittee studied the effects of Interstate Commerce Commission regulation on enforcement of the oil pipeline consent decree. The subcommittee concluded that while the ICC nominally is responsible for regulation of the oil pipeline industry, in practice the industry itself decides what the ICC will do, and is able to determine the extent and character of its own Federal regulation. As a result, the interests of the general public have been subordinated to the private interests of the oil pipeline companies.

On the basis of the subcommittee recommendations, the ICC terminated two long-standing practices which have contributed materially to the orientation of its activities to the oil industry viewpoint. The ICC no longer permits personnel of the pipeline companies to work in the Commission offices in order to assist in the preparation of ICC records and recommendations. In addition, the ICC has severed its relationship, which had existed since 1933, with the Engineers-Accountants Valuation Subcommittee of the American Petroleum Institute. In its report, the subcommittee commended the ICC for these actions.

Shipping investigation

During this session, the Antitrust Subcommittee staff has continued the preliminary inquiry into antitrust problems in the operation of ocean shipping conferences. This inquiry was started on August 1, 1958. For more than 9 months staff counsel have been examining thousands of documents in the files of 60 ocean freight conferences and 8 individual U.S.-flag steamship lines.

The documents selected for public hearings by the subcommittee staff reveal business practices by steamship companies and ocean freight conferences that raise serious questions under the antitrust laws. The documents also present equally serious questions with regard to the effectiveness of the antitrust exemption provisions in the Federal maritime law, as well as the adequacy of Federal Maritime Board regulation of competitive practices in this industry.

Public hearings have been scheduled to begin in New York City in October 1959. It is expected that the hearings will be extensive and that representatives from all segments of the ocean freight industry will be called upon to testify to assure that the subcommittee receive all opinions on these vexing factual problems.

European television

On March 16, 1959, Chairman CELLER released the report on his study of television broadcasting in the United Kingdom, France, and Italy. This report, entitled "Aspects of Television in Western Europe," was based on Mr. CELLER's firsthand study in the fall of 1958 of European television operations. It supplements the Antitrust Subcommittee's investigations during the 84th and 85th Congresses of the American television broadcasting industry.

Konrad Adenauer Celebrates 10th Anniversary as Chancellor of the Republic of West Germany

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me relative to the Chancellor of the Republic of West Germany, Konrad Adenauer, who celebrates his 10th anniversary in office September 15.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

Many of my colleagues, and public officials throughout the country, including the President and the Vice President, have paid tribute in recent days to one of the great statesmen of the world, a true champion of freedom and democracy.

I refer, of course, to the Chancellor of the Republic of West Germany, Konrad Adenauer, who celebrates his 10th anniversary in office on September 15.

At this time I wish to join in the felicitations and to express the hope that God may grant Chancellor Adenauer many more years in which to carry on his brilliant fight for peace and justice among nations.

The transformation of West Germany out of the chaos of war into a healthy and powerful nation is due in no small part to the statesmanlike qualities displayed by the Chancellor during his 10 years in office, to his rugged determination to fight for freedom for his people against all odds. Communists repeatedly have threatened to "throw the book" at this 83-year-old champion of democracy, but he has moved forward steadily, never flinching in the face of the warlike utterances from Moscow.

The Chancellor, a man of big heart, who has gained the respect of the entire free world for his unceasing efforts to atone for the crimes of the Nazi regime, takes little credit upon himself for the remarkable progress made by West Germany under his able administration.

Instead, he has shown himself not above extending thanks to others, including former enemies of his country, for the helping hands they have extended to help West Germany rise again from the ashes of total war.

During the celebration of his 10th anniversary in office, the Chancellor said of the

United States: "The brotherly hand stretched out to the conquered nation made possible the restoration of the Federal Republic as a democratic and free state in the community of nations."

Here is a man whose name and whose accomplishments in the cause of peace forever will be etched in the pages of history.

The Fight in 1959 for Freedom of Information

EXTENSION OF REMARKS
OF
HON. JOHN E. MOSS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MOSS. Mr. Speaker, the year 1959 saw the present administration carry secrecy to unprecedented lengths. Officials in the executive branch far down the administrative line from the President have taken it upon themselves to deny information requested by Congress and its agent, the Comptroller General. The denials were in violation of duly enacted laws, including the Budget and Accounting Acts of 1921 and 1950 and the mutual security authorization of 1959. Administration officials, with increasing frequency during the year, claimed a privilege beyond the law to determine what information Congress—and therefore the public and the press—shall have about the operations of executive departments and agencies.

Congress, and the House Government Information Subcommittee in particular, have been challenging administration officials to cite statutory authority for withholding information. In many documented cases, information has been released after it was shown that there was no authority for secrecy. Such progress, slow and painstaking, has been recorded in reports of the House Government Operations Committee based on the subcommittee's work.

At the same time, however, officials, unable to produce statutory authority for the secrecy they are imposing, have found it handy to claim an undefined, unlimited "privilege." Research has shown conclusively that such a sweeping claim is recognized by neither the Constitution, the statutes, nor the courts.

Administration officials argue that the only information they withhold is advisory material, consisting of "personal opinions." How a document, written by a Federal official as part of his official job, can be a personal matter has never been explained. Nevertheless, subcommittee hearings have shown that information withheld from the Comptroller General included blank forms and the table of contents of a report on procurement activities of the Military Sea Transportation Service. By no stretch of the imagination can such material be considered personal opinions to be hidden from congressional or public view for fear that the official involved may be inhibited from expressing the truth as he sees it. The doctrine of secrecy has been extended so far that the head of the International Cooperation Administration which administers the foreign aid program testified that he believed he could withhold from Congress any document in possession of his agency.

Unfortunately, the most flagrant abuses of the claim of privilege have occurred when Congress has sought to examine the efficiency in the use of tax funds in the field of defense, space research, and foreign aid—each an area of immense importance and immense cost.

Fortunately, Congress served notice this year that it will no longer tolerate the unbridled imposition of secrecy by thousands of satellite presidents in the executive departments and agencies. The Mutual Security Appropriations Act of 1960 provides that if information is refused about a foreign aid project, funds for that project will be cut off automatically unless the President personally supports the refusal and sets forth his reasons for so doing. This is but a first step in the reassertion of the constitutional rights which are basic to a democratic society and a representative form of government. But it does place the issue of secrecy squarely in the hands of the President. What he does about it will determine whether the Government of the United States follows the constitutional principles or whether Congress must take further, more drastic steps to prevent government in secret.

A Special Report on the Labor-Management Reform Act by Representative Jessica McCullough Weis

EXTENSION OF REMARKS
OF
HON. JESSICA McC. WEIS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mrs. WEIS. Mr. Speaker, millions of words have already been written about the Labor-Management Reform Act. Certainly it was the most controversial, the most far reaching, and the most important piece of legislation enacted by this 1st session of the 86th Congress.

Hundreds and hundreds of my constituents wrote me at the time this legislation was being considered, and because of its importance I submit the following report prepared by Congressional Quarterly on the major provisions contained in the bill as it was finally accepted by both Houses.

It is, of course, impossible to evaluate the provisions of this bill until they have actually been put into effect and we have had an opportunity to observe the consequences. But I am convinced that the bill will go a long way toward rooting out the corruption and racketeering which had worked its way into the labor-management relations field. At the same time, I do not believe that this bill will harm the clean, democratically run union; it will, in fact, protect and promote honest trade unionism.

Mr. Speaker, I should like to insert at this point in the RECORD the report on this legislation:

REPORT ON THE LABOR-MANAGEMENT REFORM ACT

I. BILL OF RIGHTS

Guarantees union members "equal rights and privileges" to nominate candidates, vote for union officers, participate in union meetings, and caucus with other members under "reasonable rules and regulations" established by the union.

Bars unions from raising dues or initiation fees or making special assessments except by secret-ballot majority vote or, in national and international unions, by majority vote of the executive board or convention.

Bars unions from preventing a member from appearing before any governmental judicial, legislative or administrative proceeding, or from suing the union; provides that the member exhaust "reasonable" union hearing procedures for up to 4 months before instituting a proceeding against the union; bars employers from financing or prompting such suits.

Requires a union, before disciplining a member, to give him written charges, a full and fair hearing, and reasonable time to prepare his defense.

Requires unions to furnish members with copies of collective bargaining contracts, and to inform members of the provisions of the bill.

Permits a union member whose rights under the bill of rights section were infringed, or who was fined, expelled, suspended, or disciplined by the union for exercising any right guaranteed him by the bill, to file a Federal civil suit for relief; makes it a crime, subject to a $1,000 fine and 1 year in prison, to threaten or use violence in order to interfere with rights guaranteed union members by the bill.

II. LABOR-MANAGEMENT REPORTS

Requires all unions to adopt constitutions and bylaws and to register them, and other information outlining their financial and organizational structure, with the Secretary of Labor.

Requires unions to file annual reports with the Secretary detailing assets and liabilities, receipts and sources, payments to any employee receiving more than $10,000 from the union, loans to union members or employees aggregating more than $250 to one person, loans to businesses and other disbursements; the information would be made available to any union member on request, and a member could sue in Federal or State court to get permission to examine records necessary to verify the reports.

Requires officers and employees of unions to file annual reports with the Secretary outlining possible conflict-of-interest payments and receipts and stock and other financial transactions of themselves or members of their family with employers or employer middlemen.

Requires employers who paid money to union members or representatives, other than ordinary wages, or to labor relations consultants (middlemen), for the purpose of influencing employees on their collective bargaining rights, to report the details of such payments to the Secretary of Labor; similar reports would be filed by labor relations consultants but lawyers would not have to report on legitimate lawyer-client relationships and payments.

Makes all the reports filed under this section public information, to be made available for inspection by the Secretary.

Requires anyone filing a report to maintain records to corroborate it for 5 years.

Makes it a crime not to file a report, to make false statements on it, or to destroy

or make false entry in records required to be kept; permits the Secretary of Labor to seek injunctions and orders in Federal courts to prevent or stop violations of the reporting section.

III. TRUSTEESHIPS

Requires any union exercising trusteeship over a union local to file semiannual reports with the Secretary of Labor detailing the conditions of the trusteeship and the financial condition of the local; makes it a crime not to file, to file falsely or to destroy records; makes the reports public information.

Permits trusteeships only for the purpose of carrying out the "legitimate objects" of the union; makes it a crime to count the votes of a local under the trusteeship in a national union election unless the local's delegates were chosen by secret-ballot majority vote, or to transfer money, except normal yearly assessments, from the local to the national union.

Permits the Secretary of Labor or a member of a local under trusteeship to file civil suits to prevent violations of the trusteeship requirements; in such suits, a trusteeship would be presumed valid for 18 months from the date of its establishment, not to be disturbed except on "clear and convincing proof" of bad faith in establishing it. At the end of 18 months, it would be presumed invalid but could be extended by the court.

Elections

Requires local unions to elect officers by secret-ballot majority vote at least once every 3 years; national unions and intermediate bodies at least once every 5 years and 4 years, respectively, by secret ballot or vote of delegates elected by secret ballot.

Requires these elections safeguards: Bona fide candidates given the right to require the union to comply with reasonable requests to mail the candidate's campaign literature to members of the organization, at his expense (enforcible by civil court suit); in unions with union shop contracts, the candidate would also have the right to inspect the membership lists; candidates given the right to have observers at polls and counting of ballots; reasonable opportunity given to nominate; preservation of ballots; no use of union or employer funds to finance a candidate.

Permits the Secretary of Labor to conduct an election for recall of a union officer guilty of serious misconduct if the union did not have adequate recall procedures.

Permits a union member who claims the union is violating its own or the bill's election or recall safeguards, and who has sought remedy through internal union procedures but has not received a decision for 3 months, to ask the Secretary of Labor to seek a Federal court order for a new election or recall election under the Secretary's supervision.

Fiduciary and other safeguards

States that union officers occupy positions of trust and are obligated to handle and spend union money and property solely for the benefit of the union and its members, in accord with its constitution and bylaws.

Permits union members to sue in Federal or State courts to recover damages or ask an accounting when a union officer is alleged to have violated the trust imposed above, and the union has made no attempt to recover.

Makes it a crime to embezzle, steal, or otherwise misappropriate union funds; makes it a crime for a union officer handling union moneys not to be bonded.

Bars a union from lending more than $2,000 to any officer or employee, and from paying the fine of an officer or employee convicted of violating the bill.

Bars from union office for 5 years persons convicted of specified felonies or of violations of the reporting or trusteeship provisions of the bill; Communist Party members would be barred for a similar period. All such persons also would be barred from serving as labor relations consultants or as officers of associations or groups of employers dealing with any union. Violation would be a crime. An existing requirement that officers of unions seeking to use the auspices of the National Labor Relations Board sign non-Communist affidavits is repealed.

Outlaws payments, except bona fide wages and fringe benefits to union representatives by employers or employer "middlemen," and makes it illegal to accept or solicit such payments; outlaws truck unloading fees.

Makes it a crime to picket for the purpose of extortion.

Gives the Secretary of Labor power to investigate, with the right of subpena, suspected violation of any provisions of the bill except the bill of rights and the Taft-Hartley Act amendments.

IV. TAFT-HARTLEY ACT

Permits State labor relations agencies and State courts to assume jurisdiction over labor disputes the National Labor Relations Board decline to handle, but bars the NLRB from enlarging the categories of cases it declined to handle.

Permits the President to designate an acting NLRB General Counsel if the office were vacant.

Makes it an unfair labor practice for a union to try to coerce or threaten an employer directly (but not to persuade or ask him) in order: to get him to join a union or sign any illegal hot cargo contract; to get him to stop doing business with another firm or handling its goods; to get him to recognize a union if the NLRB had already certified another union as his workers' bargaining agent; to force him to assign work to members of one union, rather than another, in a jurisdictional dispute between unions representing his employees; to get any other employer to recognize a union not certified as the representative of his employees in an NLRB election. (Direct coercion of an employer by a union for these purposes was not previously covered by the secondary boycott prohibitions.)

Makes it an unfair labor practice for a union to induce supervisory workers, or any single worker, to refuse to handle goods, or to strike, for any of the purposes outlined above. (Previously, supervisors were not covered by the secondary boycott prohibitions, and inducement of a worker to stop working was banned only if he ceased working in concert with other workers.)

Specifies that union inducement of employees not to handle work "farmed out" to their employer by a struck firm was not a secondary boycott.

Makes it an unfair labor practice for a union and employer to sign a so-called hot cargo contract under which the employer agrees not to do business with any other firm; nullifies any such existing contracts; exempts from this provision garment industry contracts barring a jobber from subcontracting work on a single garment to unorganized shops, and building industry contracts barring a firm from subcontracting work at its jobsite to an unorganized firm.

Bars organizational or recognition picketing by a union: if in the absence of an unfair labor practice by an employer, the employer already recognized another union or there had been any NLRB certification election in the previous 12 months; or if the union had been picketing for 30 days and had not asked for an election. If the union claimed its picketing was purely informational it could picket for longer than 30 days without seeking an election, provided the picketing did not cause the employees of the firm involved to stop working or prevent deliveries or pickup of goods.

Brings under the picketing and secondary boycott prohibitions of the bill and of the Taft-Hartley Act several groups of workers not previously covered, railroad, airline, farm, and local government workers.

Permits the NLRB to allow strikers fired during a strike and not entitled to reinstatement to vote in an NLRB representation election conducted within a year after the strike began.

Bars a union from picketing a retail store to advertise that the store was handling the goods of a firm the union was striking; but permits other forms of such advertising (handbills, for example) if they do not cause the store's employees to stop working or prevent pickups and deliveries.

Permits building trades firms and unions to sign union contracts in advance of a construction job, even if the union has not won an NLRB certification election or does not represent the majority of the existing or potential employees. Such contracts could require the employees to join the union within 7 days (except in States with laws barring the union shop), require the employer to hire through the union, or permit the union to set up experience and training qualifications for employees.

Labor-Management and Disclosure Act of 1959

EXTENSION OF REMARKS

OF

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. DIRKSEN. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD the text of the address by President Eisenhower on the need for effective labor reform delivered from his office at the White House, Thursday evening, August 6, 1959, as actually delivered.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

My fellow Americans, I want to speak to you tonight about an issue of great importance to every man, every woman, and every child in this Nation. It is above any partisan political consideration. It affects every American, regardless of occupation, regardless of political affiliation.

I speak of labor reform legislation.

In these few minutes I hope to place before you some salient facts affecting this matter so that all of us may more fully understand what is at stake.

This Nation needs a law to meet the kind of racketeering, corruption, and abuses of power disclosed in many instances by the Senate investigating committee headed by Senator MCCLELLAN. For 2 years I have advocated such a law.

For many months, newspapers have carried extensive accounts of racketeering and corruption in labor-management matters. Many of you have actually witnessed disclosures of this corruption on television in your own homes. It is a national disgrace.

The legislation we need has nothing to do with wages, or strikes, or problems we normally face when employers and employees disagree. Nor am I talking of any new approach to collective bargaining. Nor about any new labor-management philosophy. I

am talking solely about a reform law, a law to protect the American people from the gangsters, racketeers, and other corrupt elements who have invaded the labor-management field.

You know, a great deal is being said and written about this subject. We hear one bill called a weak bill, another a strong bill, and so on. The American people are not interested in adjectives or in labels. They are interested in a law which will eliminate the abuses.

I want only effective protection from gangsters and crooks for the people of America—for the men and women who labor with their hands, their minds, their energies, to make America a better place for themselves and for their families.

We all know that only a small minority of individuals among unions and employers are involved in corrupt activities. We know that the vast numbers of employers and union officials are honest, and deplore corruption as much as you and I deplore it.

But any corrupt minority is too large.

The damage that such a minority does to working men and women, and to the American public cannot be tolerated.

After all—employers and unions operate in this field under the sanction and protection of Federal law. The people very properly look to their Government to pass effective laws to stop abuses.

To date, legislation to correct these deplorable conditions has not been enacted. Meanwhile, the evidence of abuses has continued to mount before congressional committees. Chief among the abuses from which Americans need protection are the oppressive practices of coercion.

Take a company in the average American town—your town. A union official comes into the office, presents the company with a proposed labor contract, and demands that the company either sign or be picketed. The company refuses, because its employees don't want to join that union. And remember, the law definitely gives employees the right to have or not to have a union—clearly a basic American right of choice.

Now what happens? The union official carries out the threat and puts a picket line outside the plant to drive away customers, to cut off deliveries. In short, to force the employees into a union they do not want. This is one example of what has been called blackmail picketing. It is unfair and unjust. This could force the company out of business and result in the loss of all the jobs in the plant.

I want that sort of thing stopped. So does America.

Take another company—let us say, a furniture manufacturer. The employees vote against joining a particular union. Instead of picketing the furniture plant itself, unscrupulous organizing officials, in this case, use another scheme. They picket the stores which sell the furniture this plant manufactures. The purpose is to prevent those stores from handling that furniture.

How can anyone justify this kind of pressure against stores which are not involved in any dispute? They are innocent bystanders. This kind of action is designed to make the stores bring pressure on the furniture plant and its employees—to force those employees into a union they do not want. This is an example of a secondary boycott.

I want that sort of thing stopped. So does America.

The blackmail picket line and the secondary boycott cannot possibly help the working men and women of America.

Another important problem is that of the so-called no man's land. Under existing law, the States have practically no authority over labor cases, according to Supreme Court decision.

Here is a typical example of what can happen in this situation: A labor dispute occurs at a small plant. The union—or the employer—goes to the Federal Labor Board. The Board says the case is too small for Federal action—because it has only a small effect on interstate commerce. Then the union—or the employer—goes to State officials, but they can't do anything because the States have no authority. That leaves the worker and his employer in this no man's land—cut off from Federal or State help.

What is the result? The disputing parties have no recourse to law. So, all too often, the dispute is settled—if we can use such a word—by force, with a test of strength between them, with damage to one or both, and to the community.

I want the no man's land abolished, because I believe that small unions and small businessmen have rights, just as everyone else. I want to give the States authority to deal with cases the Federal Board cannot and should not handle and, by all means, we must not bring every case to the Federal level, as some have proposed. In this kind of situation the States can act more promptly and more effectively than can the Federal Government.

Now any reform bill worthy of the name must also protect the individual rights of union members—within their unions. It must assure them of fair elections. It must assure them of honest handling of their money—money made up by dues often collected under auspices of Federal law. It must also give to the Government effective authority to investigate and enforce these provisions. Unless it does these things—and deals effectively with the problems of coercive picketing, boycotting, and the no man's land—it is not a reform bill at all.

Now let us examine what Congress has done so far this year. Has its action measured up to the minimum requirements I have outlined to protect the American people? I regret to say that, as yet, the answer is no—definitely no.

The bill which passed the Senate in April is not effective. It does not deal with or curb the picketing or boycotting practices I have described. And while it purports to deal with the no man's land, it gives no real relief.

In the House of Representatives, the Labor Committee bill is even less effective than the Senate bill. It, too, fails to deal with picketing and boycotting practices I have described. Its provisions relating to the no man's land go precisely in the wrong direction. And it actually exempts about 70 percent of all unions from reporting on their finances. It even removes criminal penalties against those who violate the rights of union members.

Neither the Senate bill nor the House committee bill will really curb the abuses the American people want to see corrected.

However, Congress need not limit itself to such a choice.

The administration bill is still before the Congress. There is also before the House a bipartisan bill jointly sponsored by two members of the House Labor Committee—Mr. LANDRUM, of Georgia, a Democrat, and Mr. GRIFFIN, of Michigan, a Republican. The Landrum-Griffin bill is a good start toward a real labor reform bill, containing many of the corrective provisions I have urged.

Again I emphasize: Labor reform is not a partisan matter. Further, I don't come before you in any partisan sense. I am not a candidate for office. In this or other issues, I do not seek the support of any special interests. I am only trying to make sure that American workers and the public get the kind of protection that Americans deserve.

Nearly 100 years ago Abraham Lincoln in his memorable address spoke of the sacrifices made so that, in his words, "government of the people, by the people, for the people, shall not perish from the earth." That was the question he posed to our Nation in his generation.

In our lives and actions, the people of America, in private and public sectors, daily face millions of choices with this continuing question always in the background.

As the Congress prepares to vote on labor reform, this great question is still, as always, with us. In the basic sense, the issue is: Shall the people govern? If they do not, crooks and racketeers could prevail.

This business of government—including this question of labor reform—is your business. It is every citizen's business.

Americans want reform legislation which will be truly effective. It is my earnest hope that Congress will be fully responsive to an overwhelming national demand.

Thank you and good night.

Food for Our Needy Citizens

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RABAUT. Mr. Speaker, for a long time now we in the United States have found ourselves in the curious and shameful position of seeing around us all the wealth and prosperity of the richest nation in the world and of seeing amidst all this wealth some of our fellow citizens going hungry.

In my opinion, it is a thoroughly disgraceful thing for the wealthiest nation in the world to allow any of its citizens to go hungry. Yet there are many Americans going hungry every day. Surely this is not the American way. It is not the human way either. What is worse, this shameful circumstance has been going on at the same time that our Government has been holding huge quantities—presently $9 billion worth—of surplus food in storage. This has been the deplorable situation for some time.

Happily something has finally been done to remedy this implausible disgrace. Legislation establishing a food stamp plan to distribute surplus foodstuffs to our own needy has finally passed Congress. This passage comes after several unsuccessful tries. For myself this was the fourth Congress in which I introduced food stamp legislation. In its final form the bill which passed will permit the Secretary of Agriculture to distribute up to $250 million worth of surplus foods to those in need. The mechanics of the distribution are simple. Food stamps will be issued to the needy and they will simply redeem these stamps at the nearest retail outlet participating in the plan for food items on the surplus list of the Department of Agriculture. Participation in the plan is not mandatory for anyone, although reaction by retail food merchants has been largely favorable.

State officials and local welfare authorities have also been enthusiastic. Last year 32 State Governors testified in favor of the enactment of food stamp

legislation. I am sure that when this plan goes into operation, the wisdom of Congress will once more be made manifest. For, indeed, this is wise legislation. It is proper and humane legislation. This program will accomplish the dual objectives—both desirable—of supplying food to our hungry and indigent fellow citizens and of reducing in this wonderfully simple way the huge food surpluses that perennially plague our farmers, economists, and Government.

I believe the present bill will prove to be only a beginning. I believe that the basic concept and the scope of the plan will burgeon beyond all anticipation. It is not too much to think that eventually the whole of our farm surplus may be reduced to a proper minimum by this simple and humane expedient of feeding our hungry countrymen. Let us hope so.

Import Restrictions

EXTENSION OF REMARKS
OF

HON. FRANK CARLSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. CARLSON. Mr. President, on previous occasions I have discussed with my colleagues here on the Senate floor the problem of excessive oil imports, a matter of continuing concern to this Nation and particularly to my State of Kansas. As you know, following many, many months of careful study and deliberation, President Eisenhower instituted the mandatory oil import program under authority granted him by Congress by the so-called National Defense Amendment—section 8 of the Trade Agreements Extension Act of 1958.

The program has now been in operation about 6 months. Although it has not solved all of the problems of the independent oil producer arising from excessive imports, it has reversed the dangerous trends that were leading this Nation down the path of complete dependence on foreign oil.

Not long ago I received a copy of a letter addressed to some of my distinguished colleagues from New England in which the Independent Oil Men's Association of New England, Inc., referred to my remarks made here on the Senate floor regarding the operation of the import program.

The New England group was somewhat critical of my appraisal of the program, particularly as it applies to imports of residual fuel oil.

Understandably, there are differences of opinion on this important issue. For that reason, I wish to place in the RECORD copies of this exchange of correspondence in order that my colleagues may have the benefit of the two points of view. Also I would like to include for the RECORD a recent letter to the membership of the Independent Petroleum Association of America from its general counsel, Russell B. Brown, covering the latest developments on this matter.

Again, let me say that the program has stemmed the tide of excessive oil imports and in my opinion, is serving the overall best interest of the security and welfare of the Nation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 8, 1959.

Senator GEORGE D. AIKEN,
Senator PRESCOTT S. BUSH,
Senate Office Building
Washington, D.C.

MY DEAR SENATORS: On page 16 of the August Oil Producer's Independent Petroleum Association of America trade magazine, there appeared an article which referred to both of you specifically.

This article claimed that Senator CARLSON'S remarks on the floor of Congress were effective in reducing opposition to the mandatory oil import program, and that New England Congressmen were "reassessing their ideas about the import program." While I feel that you were probably unimpressed, although courteously attentive to the Senator's arguments, I should like to react to it in the hope that, by such, you can more easily substantiate your current position.

Senator CARLSON bases his arguments on the premise that the Presidential order of March 10 is in the best interests of national security.

We in New England do not agree with the premise and feel that the President was misinformed; hence, do not agree with the conclusions which Senator CARLSON reaches.

I should like to reiterate that oil has international significance, and in times of emergency the whole must be considered. Certainly, this is a basic tenet of any discussion of our national security needs.

Several facts indicate that the United States needs healthy available imports equally as much as, if not more than, a government dominated and protected domestic oil industry.

First, to protect our allies, the U.S. oil industry in the past, in cooperation with Venezuela, supplied oil-short Europe with product during the Suez crisis. In the future, it is entirely possible that the United States, especially (being a net importer of petroleum products), may be required to rely heavily upon neighbors for fuel, as they have on us. To ask these neighbors to find new markets now may mean that such fuel may not be available at a future time when we need it most. Obviously, we cannot even now produce all we need, let alone in such an emergency.

Second, so far as the east coast is concerned, it is shorter from Venezuela to Boston than it is from the gulf, and since neither the existing pipeline facilities nor any other means of transport are adequate to carry the needed volume of fuel, it must be concluded that the shortest line may well be the safest, in the interest of national security, so far as the industrial east coast is concerned.

Third, since the United States of America is not living in a vacuum (a fact long acknowledged by expenditures of billions of dollars, starting with the Marshall plan), we must continue to support our neighbors and help their economies flourish. The United States of America encouraged foreign investments by U.S. oil concerns, asked that these concerns be treated equitably, and cannot pull out without disrupting the economies of U.S. citizens and foreign nations.

The biggest apparent contradiction which I find in the Senator's remarks is that he credits the mandatory controls system with increasing U.S. drilling activity (manifestly because producers will get greater dollar recovery because of the import system), then turns and states there has been a net reduction in dollars recovered, and assures readers that Government surveillance will keep prices just and reasonable.

These statements do not appear to be compatible.

I also question the Senator's price analysis. He mentions the average price of all products, say in Boston. I do not know what this is, and anything short of a system whereby the price of each product sold times the number of gallons of products sold at that price in Boston, weighted properly, then grouped by refinery recovery on each product, would seem to be worthless.

I do not know where such sales figures are available on a daily basis, which is what would be needed to do the analysis properly, and I'm not sure that this procedure of adding apples and oranges is significant to the argument.

Looking at his price comparison, I should like to use figures seasonably comparable, rather than taking a February price and company it with a June price. Also, since residual oil now costs New Englanders 10 cents a barrel more today (when there is a glut of oil on the world market) than it did before the import controls (or the Senator's speech), I shall use September 1 figures for the last several years:

No. 6, Boston, tank car: 1953, $2.29; 1954, $2.19; 1955, $2.69; 1956, $2.83; 1957, $2.96; 1958, $2.46; 1959, $2.56.

While the Suez crisis understandably bid the price of No. 6 to a high level, it is equally understandable why after the crisis, under free competition, it would normally seek somewhat lower levels. What is alarming, however, is that No. 6 price should jump 10 cents a barrel between 1958 and 1959, at a time when oil is flowing out of everyone's ears. Clearly, the mandatory program is the basis for the increase.

As to the director of the program determining if price increases are just and proper, I take the liberty of stating that Uncle Sam has been unsuccessful in finding a price that is just and reasonable for the gas producer, since the famous Phillips decision of 1954 (in which 8 prior years of litigation failed to also set successful criteria for judging what is just and reasonable).

This editor sympathizes with the marginal farmer and the oil producer. However, the sympathy should end when we must support marginal operations which cost us so heavily in subsidy and control, which becomes a burden to our total citizenry, and also has the effect of stifling progressive domestic producers who cannot get themselves extricated from Government control and grow normally. This helps neither the producer nor the consumer in the long run.

Cordially,
INDEPENDENT OIL MEN'S ASSOCIATION,
WILFRED H. HALL, *Executive Secretary.*

Mr. WILFRED H. HALL,
Executive Secretary, Independent Oil Men's Association of New England, Inc., Boston, Mass.

DEAR MR. HALL: I appreciate your sending me a copy of your letter of September 8 to Senator AIKEN and Senator BUSH, wherein you take issue with my contention that the Presidential order of March 10 limiting oil imports is in the best interest of national security.

At the outset, I would like to point out that perhaps no issue has had such careful study and consideration on the part of Government as that of oil imports. You may disagree and it may be that you have information superior to that available to the Government but both the executive branch and the Congress, after several years diligent study, have concluded that it is essential in the interest of national security to encourage the exploratory and development efforts of the domestic petroleum industry and that to do so, it is necessary to place a reasonable limitation on oil imports.

The action taken by the President is extremely moderate. It is not drastic or precipitate in degree. This is evidenced by the fact that total petroleum imports during the last half of this year are estimated to average 1,630,000 barrels daily as compared with 1,750,000 barrels daily for the last 6 months of 1958. It is obvious, therefore, that any contention of drastic effect either here at home or abroad cannot be attributed to the President's oil import program.

In your letter you refer to the United States as "being a net importer of petroleum products," and conclude that as a result the United States in the future may be required to rely upon outside sources for its petroleum requirements. You further state: "Obviously, we cannot even now produce all we need." It is true that the United States is now a net importer of petroleum products but it is erroneous to conclude that this is evidence that we are not self-sustaining. The fact is that domestic production of crude oil presently is substantially shut-in. Almost 3 million barrels daily, approximately one-third of our productive capacity to produce crude oil, is shut-in for lack of market. This is more than total imports. Of course, no one is advocating that all oil imports be eliminated.

Further in your letter you state: "We must continue to support our neighbors and help their economies flourish." I fully agree with this general proposition but in applying it I feel that we must use a degree of reason. In the first place, the domestic petroleum industry has made a very substantial contribution in carrying out the objective you state. Since World War II oil imports have roughly tripled. An examination of what has happened since 1955 is further revealing. Since then domestic production has been almost static whereas most foreign areas have enjoyed substantial increases. For example, comparing 1958 production with 1955 production, the picture is as follows:

	Percent
United States	−1.5
Venezuela	+20.5
Middle East	+31.0
Far East	+21.5

During this same period, imports into the United States from each of these areas have increased very substantially.

It seems to me that these facts demonstrate that the domestic petroleum industry has made a substantial contribution to the economies of the other oil-producing areas in the world.

You state that you find an apparent contradiction in my statements that U.S. drilling activity has increased since the mandatory oil limitation was imposed and that stability in the producers' market is still lacking. I believe that you will find that these statements are compatible. Statistics indicate that there has been some improvement in drilling activity as reflected by the fact that during 1959 the total wells drilled is some 6 percent above 1958. I am confident that this increase in activity is due to an anticipated improved market situation on the part of oil producers. It is true, however, that so far under the oil import program domestic production has not increased as expected and crude prices have declined. For these reasons, domestic producers have not had the improvement in market outlet which is essential to a sustained expansion of drilling activity.

In your letter you further state that you question my price analysis and cite the fact that residual fuel oil in September 1959 sells in Boston at $2.56 as compared with $2.46 in September 1958. You overlook, however, that the September 1959 price of $2.56 continues to be substantially below the $2.96 price in September 1957, the $2.83 price in September 1956, or the $2.69 price in September 1955. I doubt that you will find many other commodities which are selling substantially below their price of September 1955.

It appears to me that there is ample evidence that the President's oil import program has not operated to impose unreasonable prices upon consumers.

Very truly yours,

FRANK CARLSON.

INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA,
Washington, D.C.

To the Members of the Independent Petroleum Association of America:

Despite a marked improvement in general business conditions during the past year, the domestic petroleum industry continues in an unhealthy state. Low production allowables, uneconomic refinery runs, burdensome inventories of refined products and weakening prices are evidence of the industry's problem.

Although the present situation is serious, the outlook is not hopeless. No one doubts the demand for oil will increase in the future. This requres a healthy, expanding industry—not an industry weakened by depressed prices and reduced output.

Looking ahead, there are certain encouraging factors that could provide a basis for a renewed confidence and a further realization of the domestic industry's potential. The problem of burdensome inventories is being corrected by restricting crude oil production, but there is an urgent need for a more realistic level of refinery operations. An improved inventory position and increasing seasonal demands within the next 60 to 90 days should result in a substantial recovery in crude oil production from the present depressed level. It is essential that prices also recover to meet the higher costs of providing additional supplies.

Looking ahead, the mandatory import program is one of the encouraging factors. Under the program for the remaining months of this year, total imports of crude and products are scheduled to be about 200,000 barrels daily less than during the same period last year and at least 500,000 barrels daily below what they would have been had import trends continud.

Experience may prove that the current import limitations are not adequate to accomplish the long-range objective of maintaining a healthy domestic industry. Progress has been made, however, with imports no longer taking an increasing share of the market in the United States.

The need to continue the import program on a firm basis has become increasingly obvious. It is disturbing, therefore, to be faced with widespread attacks on the program and efforts to undermine its effectiveness. During recent weeks, much of this effort has been directed at the limitations on imports of residual fuel oil.

Public statements as to possible shortages of residual fuel oil have been made by officials of importing companies, such as the address last week at the meeting of the Texas Mid-Continent Oil & Gas Association by Mr. M. A. Wright, a director of Jersey Standard.

Mr. Wright stated: "The members of the oil industry who are in the heavy fuel oil business anticipate a difficult time in supplying their customers this winter. Present forecasts indicate sizable shortages under the existing import allocations."

One effect of statements such as the one above is to scare the public and thereby lessen confidence in the industry. Here is an official of one of the largest suppliers of this product telling his customers there will be a shortage. A Washington newspaper reported that Mr. Wright had "warned the country" regarding this shortage.

The loss of public confidence from such statements is reflected in the fact that Congressmen and Senators from various New England States have expressed concern as to possible residual fuel oil shortages to President Eisenhower.

I do not believe it is either justifiable or constructive to create fear and doubt in the minds of the consumers as to the ability of the industry to meet our oil requirements, particularly by people who have it within their power to avoid such shortages.

It was both gratifying and commendable that Capt. M. V. Carson, Jr., Oil Import Administrator, quickly pointed out that there is no evidence indicating any shortage will occur.

In report No. 795 of June 11, 1959, I pointed out that the evidence clearly showed there was an ample supply, rather than a shortage, of residual fuel. This was supported by the fact that residual fuel prices had declined by 20 to 30 percent during the past 2 years. Developments since June substantiate the conclusion that adequate supplies of residual are available under the import program. Further, these developments support the Government's policy of maintaining the limitations on imports of this product.

For example, prices of residual fuel continue at relatively low levels. This is reflected in the following table:

U.S. refinery market	Residual fuel oil prices per barrel				
	Feb. 1, 1957	Feb. 1, 1958	Feb. 1, 1959	June 1, 1959	Sept. 1, 1959
Gulf coast	$2.75	$2.35	$2.00	$2.00	$2.00
New York	3.30	2.75	2.37	2.37	2.37
Midwest (group 3)	2.45	1.45	1.90	1.60	1.40
California	2.70	2.70	2.15	2.15	2.15

Source: Platt's Oilgram Price Service.

These low prices are inconsistent with the existence, or even the threat, of shortages. Likewise, inventories of residual fuel oil are adequate. In fact, these inventories exceed the "desirable" levels as submitted to the Texas Railroad Commission by the executives of 24 companies including Jersey Standard last March. This testimony showed a desired level of about 50 million barrels of residual fuel stocks as of November 1, 1959. Actual inventories on September 11, when residual stocks normally are less than on November 1, amounted to 59 million barrels, or 9 million barrels above the consensus of the 24 companies as well as Jersey's own estimate.

Imports of residual fuel oil during July (the latest month for which official figures are available, provide further evidence that there is no threat of shortage or need to increase import quotas. In that month, according to a recent analysis by the Interior Department, less than 12 percent of the total allocation for the last 6 months was imported. In contrast, July imports amounted to 14 percent of the 6-month total import volume in 1957 and 1958. In other words, imports of residual fuel oil have been less than normal. This indicates there was no fear on the part of importing companies at that time of any impending shortage.

Finally, the basic purpose and underlying intent of the import program is the assurance of adequate supplies of all petroleum products for the American consumer. The program specifically guards against shortages or unreasonable prices.

There are means within the current program which assure petroleum consumers of adequate supplies at reasonable prices. They are:

1. A provision which gives the Government flexibility on a month-to-month basis to review the existing residual fuel oil allocations and revise them upward or downward as demand increases or declines.

2. Importing companies can bring in more low gravity crude and process it for a higher yield of residual.

3. As Captain Carson stated, companies which have imported their maximum under the Government's allocation could, should a spot deficiency occur, purchase residual from other importers or domestic refiners.

We have suggested that, if and when circumstances might change so as to justify increased imports of residual fuel, it would be desirable to provide that each importer having an allocation to import crude oil would have the option to import residual fuel on a barrel-for-barrel basis to be charged against his crude oil allocation. The large importers of crude oil (who generally are the large suppliers of residual) would then be in a position to provide additional residual fuel at any time at reasonable prices.

The fundamental problem today is surplus, not shortages, depressed prices, not unreasonable prices. Restoring the industry to a healthy condition, capable of meeting the increasing demands of the future, is the real matter that should be of mutual concern to industry, Government, and the general public.

Very truly yours,

RUSSELL B. BROWN,
General Counsel.

The Outlook for Legislation That Will Affect Business in 1960

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WILSON. Mr. Speaker, one of the most articulate spokesmen in the field of economics is our esteemed colleague from Missouri, the Honorable THOMAS B. CURTIS. Mr. CURTIS recently reviewed the legislative action we have been engaged in during this session of the 86th Congress and speculates on what we might expect in the next session.

Mr. Speaker, under leave to extend my remarks, following are the remarks by the gentleman from Missouri which I am sure will be most interesting and informative to all:

THE OUTLOOK FOR LEGISLATION THAT WILL AFFECT BUSINESS IN 1960

(By Hon. THOMAS B. CURTIS of Missouri)

I am always hesitant about making any political forecasts partywise or legislativewise. What happened and, more startling, what didn't happen in the almost adjourned 1st session of the 86th Congress makes me more hesitant than ever about predicting what the 2d session of the 86th Congress will do.

However, one does have a better idea of what a second session of a Congress will do than a first session, if only for the reason that a second session begins where the first session left off and does not start anew. Bills that were introduced in the first session do not have to be reintroduced. Bills that were reported out of committee or passed by one body remain in status quo and do not have to retrace again their legislative steps.

A great deal of what will happen depends upon the economic condition of the Nation. Those who erroneously judged what the first session would produce, I believe did so because they had not anticipated the rather unexpected rate of recovery from the recession. However, there is little question that this rapid recovery enabled President Eisenhower to maintain his position of cutting back on new appropriations contemplated by the Congress and took the steam out of the bold and imaginative program that majority leader Senator LYNDON JOHNSON announced for the Congress in January 1959.

A great deal of what the next Congress will do depends upon the concern and interest shown by the people. Certainly there would have been no Landrum-Griffin Labor Act if the people, by and large, had not shown an unexpected interest in anti-labor-racketeering legislation. I used the adjective "unexpected" advisedly, because for several months the Congress dragged through its hearings and its marking up a labor management bill without any political leaders of the Congress seemingly aware of the fact that the people were deeply concerned about what the Congress was or was not doing. It is perfectly true that President Eisenhower, the press, and radio and television commentators did an unusually good job of simplifying in a rather accurate manner what the true and somewhat complicated issues were, but if the people had not been interested in the matter I am satisfied that the news media would have drifted off to reporting other issues with which they thought the people might be concerned.

I take the trouble to develop this thought a bit because you gentlemen here, and your counterparts throughout the Nation, have it in your power to no little degree to determine what the legislation affecting business for 1960 will be.

Business (as a whole) showed no concern about three pieces of legislation passed in the last session of the Congress which, in my opinion, deeply affected all American business. The only concern shown was by the businesses immediately affected by the three pieces of legislation. The complexion of the private enterprise system was considerably affected by these measures.

As a politician and a legislator, I have become quite conscious of a politically active and surprisingly powerful group who do concern themselves with the more lasting effects of specific pieces of legislation upon the complexion of the private enterprise system. The difficulty is, as far as I am concerned, that this group believes that a federally planned economy is necessary to cope with the problems that our society faces today and, accordingly, it promotes any bit of legislation which moves our society closer to this goal. I think it is necessary for those who believe that better economic decisions are reached through the interplay in a free and competitive marketplace than through bureaucratic planning and decision to be more politically active in promoting this basic idea. To do this, proposed legislation must be analyzed to determine whether it is good or bad in attaining this goal and the analysis publicized for political effect.

The first law was the increase of taxation on the life insurance companies by about 90 percent. Why does this concern the private enterprise system? Because the pressures on the Congress to expand the social security program by increasing benefits and increasing social security taxes to pay for these benefits are directly related to the extent to which the private insurance companies can handle the job of providing for the retirement of our people and spreading the risks to them from death and disability. There is no question that the ability of the private insurance companies to meet the social problems I have referred to has been seriously cut down as a result of this tax increase. The insurance industry can live with the taxload, but it will find it difficult to keep pace with the growing needs of our people in these areas. In essence, we are merely substituting Federal Government capital formation and bureaucratic administration for private capital formation and private administration.

The second law was the extension of the Renegotiations Act. Why did this law effect the private enterprise system and not just the aviation companies who claimed to be hurt by its existence and its administration? Because this law sets the entire climate for doing business with the Military Establishment which spends the bulk of the Federal moneys for goods and services. The present procurement practices of the Federal Government, affected as they are, by the Renegotiations Act are not in accord with the basic principles of a free and competitive market. Indeed, they tend to weaken and destroy competition in the marketplace and substitute in its stead competition in a bureaucracy.

The third law was the cut in the excise tax on telephones. Why should a relatively minor cut in an excise tax in an isolated area affect all business? Primarily because it was one other break in the line against tax reduction until basic reform and tax reduction can be brought about. Last year it was the railroads and the truckers who broke the line; this year the telephone companies. Are we to presume that these two excises were the most economically damaging taxes or tax rates in our Federal tax system? Or are we to conclude, as I am afraid we must, that these were the two taxes concerning which the most political pressure was generated for their easing? Secondarily, the telephone excise-tax cut, like the freight excise-tax cut the year before, was accomplished at the sacrifice of important constitutional and congressional procedures which, from a practical standpoint, means much to business. Both of these cuts were accomplished by an amendment in the Senate to a House tax bill on another subject. Under the Constitution, the House alone can originate tax legislation, and, under proper congressional procedure, only amendments germane to that House bill can be made by the Senate. Under Senate procedures, there is no way of protecting a tax bill on the floor of the Senate, as there is in the House, through the granting of the traditional closed rule against all amendments by the Rules Committee. The floodgates of Senate-originated tax legislation through improper amendments to House bills have been opened up by both the railroads and the telephone companies in their ill-considered haste to help their own causes. Along with the Senate amendment to cut back the telephone excise tax, another Senate amendment to eliminate the stock-dividend credit almost prevailed. If this had been accomplished, the limited good attained in shifting some investment capital in the private sector of our economy would too quickly have been lost. I know nothing that would have been more damaging to the private-enterprise system if this had occurred. Business should examine congressional procedures and also the composition of the present 25-member House Ways and Means Committee to determine whether it is to their interest to continue to undermine the time-tested and

beneficial procedure which vests the taxing powers essentially in the Ways and Means Committee of the House of Representatives.

To recapitulate, what happens in the 2d session of the 86th Congress which affects business depends greatly upon the economic well-being of the country. It also depends upon what businessmen themselves do or do not do.

There are some small clouds on the horizon which should alert us to the possibility that 1960 will not be the great boom year presently predicted. However, if 1960 does live up to its expectations, I do not believe there will be very much legislation which specifically affects business passed. There will be no tax revision or tax reduction of any consequence. I regret to make this prediction, because I feel very strongly that tax revision is badly needed. Indeed, if basic tax reform does not come soon, we are going to have another recession, largely as a result of our tax structure. The hearings on basic tax reform this year that the Ways and Means Committee has scheduled this fall will be as unproductive legislative-wise as were the hearings the committee held the first session. The Treasury Department still remains unconvinced that there is such a thing as the law of diminishing returns in taxation and looks at each proposed tax revision which lowers a rate or removes an item from the tax base, even though the rate or the item clearly impedes healthy economic growth, as a loss of tax revenue. Even though our knowledge of economics is still quite primitive, surely the gross underestimates and overestimates of Federal revenues by the Treasury Department over a period of years, resulting from its failure to estimate economic growth or recession accurately, should convince Treasury that economic growth alone produces billions of dollars of additional revenue and recession cuts out billions of dollars of revenue.

There is no question in my mind that the Congress will take the interest ceiling off long-term Federal bonds. Possibly we may not even wait for the second session of Congress for this to come about. The money market may become so acute in the next month that a special session will be called to accomplish this purpose. The failure of the Congress to act responsibly in the field of Federal debt management by giving to President Eisenhower the power he requested to sell long-term Federal bonds in the marketplace has produced one of the clouds on the economic horizon that I mentioned.

It is fantastic that the Democratic leaders of the Congress should be willing to risk the economic health of our country in the hopes of maintaining a public image they believe their party has of being against high interest rates. In the first place, if this image exists, it is based upon illusion—not reality—and, therefore, cannot long remain. In the second place, refusing to face up to reality will cause higher interest rates than necessary. The large Federal debts resulting from continued deficit financing cause high interest rates, and further deficit financing will make it worse. Yet, up to the present, a do-nothing course is the one the Democratic leaders of the Congress have steered.

I have mentioned the pressures on the Congress to expand the social security program. There are two basic areas in which the increase will come about: (1) Raising the base wage upon which social security taxes are based. The theory is that since the program was first enacted the average wage in the United States has increased greater than the previous increase made in the social security base wages; (2) extending the coverage to include hospitalization and medical costs (the Forand bill). At the present time I regretfully predict that legislation along both these lines will probably be enacted at the next session of the Congress. Social security taxes will be increased, the increase—as usual—to go into effect after the 1960 elections, the increased benefits to go into effect shortly before. All of this increased tax will, of course, be reflected rather quickly in an increase in the cost of living index.

Inflation is apt to be out in the open before the second session is too far along. In this event stand-by controls over credits and some prices probably will be voted. The President probably would veto the bill and the veto be unsustained.

New Federal appropriations will be stepped up and the Federal expenditure rate will be increased. Through juggled bookkeeping, however, a semblance of a balanced budget will be presented. The net result, however, will be inflationary because expenditures will exceed revenues.

There will probably be some legislation liberalizing the tax treatment on foreign investment, but there will be no extension of the Western Hemisphere Trading Corporation Act with its 14 percent tax differential to others areas of the world.

Regrettably, there still will be no sensible farm program. Nor will there be coordination of the various foreign aid programs. There may be some real steps taken toward military unifications in the procurement and distribution field, but there will be little movement of the Federal Government and, in particular, the military out of the fields of private enterprise they have usurped. Twenty-six and one-half billion dollars of military surpluses will be dumped at the same time we are generating more surpluses through inefficiency and triplicate procurement procedures.

There probably will be a correction of the Small Business Lending Corporation Act to permit holding companies to enter the field. There probably will be an extension of the investment trust tax treatment to include equity holdings in real estate.

There probably will be some increase in minimum wage and some extension of it. After all, this is an election year and the party in control of the Congress will go a long way to smooth down the ruffled feathers of the powerful national labor leaders. The only factor that might change this picture is our export-import picture. Competition in foreign trade is reaching the point where the national labor leaders are becoming concerned about whether our costs will hurt us in the foreign market. The attitude of the labor leaders in Western Europe where competition in the foreign trade market has always been a powerful economic force toward increased labor costs should give us an indication of what the attitude of our own labor leaders might be.

There will be great pressure basically to alter the unemployment compensation program to federalize it. I do not believe this pressure, even under the climate of an election year and the desire to placate the labor leaders, will be sufficient to change a system which has proven to be quite successful in three recessions. However, a downturn in the economy and an upturn in unemployment could rapidly change this picture.

I believe something will come out of the studies the Joint Economic Committee is presently engaged in, into the problems of price stability, maximum employment, and economic growth. My own hopes are that something will be done in the area of antitrust legislation and not in the area of credit and price controls. I think those who believe in the private enterprise system must recognize that if the marketplace is not kept free and competitive the pressures on the political government to regulate prices administratively are vastly increased. Much is gained through self-discipline, but I find entirely too little self-discipline in our society in all phases of social and economic action.

To sum up, I think the second session of the Congress will produce little legislation that will affect business, primarily because President Eisenhower will veto most measures that the Congress would pass through the political pressures that I have mentioned and, in most instances, I believe the Congress will sustain the vetoes. On the other hand, I believe there are so many basic things that need correction, to recapitulate: Tax laws, farm program, military unification, fiscally sound foreign aid—that business and the economic welfare of the Nation will be adversely affected by the predicted inaction of the second session of the 86th Congress.

Tribute to Donald B. Fitzpatrick

EXTENSION OF REMARKS
OF
HON. MELVIN R. LAIRD
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. LAIRD. Mr. Speaker, I think it is always a testimonial to an American citizen if he gives freely of his time, without compensation, in an advisory capacity to his Government. That has happened in the case of Mr. Donald B. Fitzpatrick, who is in charge of recruitment and training of engineering personnel for the Allen-Bradley Co., of Milwaukee, Wis.

He came to Washington and served 6 months, without compensation, as adviser to the Director, Electrical Equipment Division of the Business and Defense Services Administration. I think a testimony to a citizen of such character, who has displayed such unselfishness to his country, deserves a place in the CONGRESSIONAL RECORD, and, under unanimous consent, I include a tribute to Mr. Fitzpatrick in the CONGRESSIONAL RECORD in connection with my remarks:

During the past 6 months, Donald B. Fitzpatrick, in charge of recruitment and training of engineering personnel for the Allen-Bradley Co., of Milwaukee, Wis., has served as w.o.c. adviser to the Director of the Electrical Equipment Division, in providing technical advice on the mobilization activities of the Business and Defense Services Administration and the Department of Commerce, as they applied to the products and facilities of the electrical industrial controls and related equipment.

Mr. Fitzpatrick served in the Navy during World War II. After discharge, he attended Rensselaer Polytechnic Institute and Purdue University and obtained his electrical engineering and master of science degrees. Through 1955 he taught control engineering at Purdue University. Both as a professor and with his company, his interests have been in the building of our defenses through scientific and engineering education. While serving as professor, and because of his interest in the underlying causes of juvenile delinquency as a deterrent to complete utilization of the Nation's resources, he used his free time cooperating with the Indiana State police in observing and analyzing causes.

His informal interest in psychology was later directed to the preparation and conducting of industrial exhibits.

The 6 months active service in the Electrical Equipment Division, BDSA, just concluded, is a prelude to his becoming associated with the BDSA executive reserve.

His wide knowledge of electrical controls enabled him to prepare reports affecting the overall mobilization readiness of the electrical industry, especially the highly important motor and control segment. America's posture of readiness has been advanced by the self-sacrificing willingness of Mr. Fitzpatrick in preparing himself for active participation under emergency conditions and by his review and criticism of mobilization plans.

On August 14, Mr. H. B. McCoy, Administrator of the Business and Defense Services Administration, presented to Mr. Fitzpatrick, on behalf of the Secretary of Commerce, a certificate of merit in recognition of his outstanding Government service during the past 6 months. In addition, the Secretary of Commerce gave Mr. Fitzpatrick a flag that was flown over the Capitol as a token of recognition of his service to the Nation, the Business and Defense Services Administration, and the Department of Commerce. Mr. McCoy in his own behalf presented a personal letter of congratulations.

The New Spirit in Immigration

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RABAUT. Mr. Speaker, one of the more notable accomplishments of the recent Congress was in the field of immigration. The bill which Congress passed has now become Public Law 363—part of the immigration code of the land.

I should like to point the deserving finger of recognition at Representative FRANCIS WALTER, of Pennsylvania, for the long and arduous work he put in on this bill. Compliments are in order also for Representative CELLER, of New York, who was instrumental in getting the bill out on the House floor and for Senator PASTORE, of Rhode Island, who assisted in the improving amendments added in the Senate.

However, the most commendable aspect of all is that this act has written into the impersonal objectivity of our immigration laws the essence of the great American spirit. In short, a place has been made for the human element. A statement made on the floor during the debate on this bill hit exactly the right note:

> This measure firmly reasserts the principle that the reuniting of families shall be one of the basic and permanent cornerstones of our immigration policy. By passing this bill we show once again that America, even though she operates through the cold quotas and figures of the Immigration and Nationality Act, is willing to change those figures where human suffering is at stake. We demonstrate that, in the final analysis, our democratic feelings shape our decisions.

Basically the bill reclassifies certain close relatives of U.S. citizens and aliens lawfully admitted for permanent residence in the United States. Such reclassification will expedite the reuniting of certain families. The bill also provides for the granting of nonquota status—that is, without regard to any existing quota—to certain close relatives of U.S. citizens and legal permanent resident aliens if these relatives were registered on a quota waiting list before December 31, 1953, and in whose behalf petitions were approved prior to January 1, 1959. This provision will benefit approximately 57,000 persons.

Mr. Speaker, this is basically a bill to reunite families that we have been seeking to bring together. It will help people who have been waiting hopelessly, often for years, to join their families here in the United States. As was said on the House floor, it is a bill that any person who has any human feeling must be glad to see become law.

Perhaps the true essence of the new law has best been summed up by Senator PASTORE when he called it an equitable bill fashioned sincerely in the American mold that makes for the sanctity of the family and the security of the home.

General Pulaski, Polish Soldier of Liberty

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RODINO. Mr. Speaker, October 1 is the day which we have set aside to honor Casimir Pulaski, the Polish soldier of liberty.

Our country has never forgotten the services and sacrifices of this great Polish patriot, who gave his life, 180 years ago, for the cause of American independence.

Pulaski's entire life was dedicated to the struggle for liberty and freedom. In Poland, he was born to wealth and privilege. Yet he did not hesitate to give up everything for his ideals and for his country. In a period when Poland was preyed upon by her neighbors, and kept in a state of weakness and decay by foreign invaders, Pulaski arose as the man who was willing to take desperate steps for the liberation of his nation.

By the time he was 21, he had fought and defeated the Russians in several battles. By the time he was 24, all Europe knew him as a great fighter and patriot; as one who was willing to fight and die for Polish freedom.

When he was forced to flee Poland, he set out for America, largely through the auspices of Benjamin Franklin, who recognized the value of his services to the War of Independence. He went to yet another country to fight once again for liberty.

His contributions to the Revolutionary cause are a matter of history. His daring and skill won the trust and support of George Washington. The zeal and exploits of his legion won the admiration and gratitude of all the Colonies.

Pulaski died, at the age of 32, at Savannah, in the thick of a battle for liberty. His is the story of a patriot and fighter: "an enemy of kings."

But Casimir Pulaski is more than a great soldier, patriot and idealist. He is the symbol of the unconquerable spirit of Poland, which today once again is beset by foreign invaders. His memory symbolizes the centuries-old struggle of Poland against subjugation, and the hope and the dedication in the hearts of Polish patriots everywhere to the cause of liberty. May Poland's valiant sons—the heirs of Casimir Pulaski—one day restore their great nation to sovereignty and independence.

Report to the People of the Sixth District of Michigan

EXTENSION OF REMARKS
OF
HON. CHARLES E. CHAMBERLAIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CHAMBERLAIN. Mr. Speaker, each year I send to the people of Michigan's Sixth District a summary of the major legislative actions taken or not taken during the congressional session.

Under leave to extend my remarks in the RECORD, I include my report on the 1st session of the 86th Congress, which follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 1959.

As in a football game, this is now the half-time for the 86th Congress, a breather to review what's happened to date, as well as to look ahead.

The first session has been primarily occupied with labor reform legislation and budget problems. In both, final action was controlled by the outspoken demands of American citizens, evidence of the responsiveness of our Government to the will of its people. For your convenience I have summarized major legislative activity as concisely as possible in this final report.

For the third year, I plan to take my mobile office throughout our district and expect to be in your area. My schedule will be published in your local paper. If you have a problem or would like to discuss legislative matters, I hope you'll drop by. No appointment is necessary and everyone is welcome.

With my best wishes, I am,

Sincerely yours,

CHARLES E. CHAMBERLAIN.

LABOR REFORM

No single issue created as much controversy and public response as labor reform legislation.

In the closing rush of the 85th Congress last year, a weak reform bill was brought before the House under a parliamentary maneuver permitting no amendments and limiting debate to only 40 minutes. The bill was defeated in the hope that more effective legislation could be enacted by the next Congress.

After months of indecision, Congress was at last prodded into action by the American people. With days for debate—rather than 40 minutes—the House voted 229 to 201 to substitute the Landrum-Griffin bill for the milder version brought to the floor by the Labor Committee. Support grew and by

time for final rollcall the bill won approval by the decisive majority of 303 to 125. In one of the longest conferences in legislative history the conferees worked to reconcile the differences between the Senate and House bills. The bill they reported was hammered out in the strong image of the Landrum-Griffin measure. The conference report was accepted by overwhelming votes—in the Senate, 95–2; in the House 352–52—and signed into law September 14.

Its major provisions:

A bill of rights for union members to help them control their own unions and keep racketeers out. This includes secret ballot, periodic elections, right to speak up against policy, inspection of union contracts, financial reports to members, fair disciplinary procedures and court protection of rights.

Requires unions to file detailed reports with the Secretary of Labor on all financial transactions (including loans) and the workings of union constitutions and bylaws.

Requires reports on trusteeships.

Closes the "no man's land" gap between Federal and State jurisdiction by giving States authority over small business labor disputes now rejected by the National Labor Relations Board.

Deals effectively with "hot cargo" agreements.

Closes loopholes on secondary boycotts.

Prohibits "blackmail" type of organizational picketing.

THE 1960 BUDGET

Last January the President submitted a budget calling for expenditures of just over $77 billion, with expected revenues of $77.1 billion—a surplus of $70 million for fiscal 1960.

The intervening conflict over fiscal policy persisted until the daylight hours (6:22 a.m.) of September 15, when Congress adjourned. The President's demand for fiscal integrity repeatedly clashed head-on with the many spending programs advocated by the majority leadership. The deep concern of the American people over Government spending—as expressed by thousands and thousands of letters—strengthened the drive for a balanced budget. The real key to the President's generally acknowledged success, however, was his bold use of his veto power.

Twice he returned housing bills, resulting finally in passage of a third and acceptable measure. His first veto of the public works appropriation bill was upheld by a single vote, but, for the first time, Congress overrode his veto of a second bill which retained the 67 unbudgeted projects to which he objected.

Public sentiment and the imminence of further vetoes combined as an influence for economy. The result was a victory for financial responsibility.

OTHER MAJOR LEGISLATION

Hawaiian statehood: Early action to make Hawaii our 50th State.

Excise taxes: Again extended wartime tax rates on autos, corporations, liquor, and tobacco; scheduled repeal of local telephone tax and 50-percent reduction in passenger travel tax for next July 1. House (but not Senate) passed bill to cut the cabaret tax from 20 percent to 10 percent.

Highway construction: To finance program without drastic curtailment, gas tax was raised 1 cent a gallon until June 1961; for 3 years thereafter one-half of the 10-percent auto excise tax was earmarked for highways.

Draft: Because of continued cold war pressures, the Universal Military Training Act was extended another 4 years, until 1963.

Veterans' pensions: New formula for determining pensions of veterans with non-service-connected disabilities and their widows and children. Substitutes a different and more equitable principle, based upon need; current pensions not adversely affected.

Mutual security: Program of military and economic aid to our allies was continued after the President's requests were reduced by $700 million.

Small business: Increased the revolving fund for loan to small businesses by $75 million.

Housing: After two vetoes, a more limited bill was presented and passed. Among other provisions, this action continued FHA authority to make housing loans.

National debt: Again, the debt ceiling had to be raised * * * to $285 billion permanently, $295 billion temporarily.

Debt financing: To avoid inflationary pressures of short-term financing, the President requested authority to increase interest on savings and long-term bonds. Congress raised rates on savings bonds only.

TVA: The Tennessee Valley Authority was authorized to issue $750 million worth of bonds for expansion and improvement of its power-producing facilities. Because of subsidy and tax advantage, TVA continues to attract industry to its area.

UNFINISHED BUSINESS

Despite one of the longest sessions for several years, many important issues remain unresolved. Here are a few:

Wheat surpluses: Another version of higher price supports and controls which led to wheat overproduction was passed, and vetoed. Congress acted neither to override nor to present an alternative bill. The vetoed measure would have increased price supports from 75 to 90 percent of parity and reduced wheat acreage by 25 percent. In his veto message, the President pointed out that from 1954 to 1958 acreage was reduced 25 percent but yield per acre increased 30 percent because the poorest land is retired and better production methods are concentrated on the remainder. In the absence of new and better legislation, the old program—ceiling on long-term Government bonds as effect.

Debt financing: Failed to lift the interest ceiling on long-term Government bonds as urged by the President. Request is sure to come again next year.

Civil rights: A rider extending the Civil Rights Commission for 2 years was attached to the mutual security bill, but the real showdown was put off until next year.

Depressed areas: The Senate-passed bill reported by House Committee and awaits action.

Federal aid to education: A House bill was approved by committee but not acted upon.

Tax reform. A study of the Federal income tax structure starts this fall with the possibility that legislation will be presented next year.

Obscene mail: A bill to aid in enforcement of postal laws against this growing threat was passed by the House, no action by Senate.

PUBLIC PROJECTS

Included in the military construction appropriation bill was $551,000 for an Army Reserve Center in Flint. Other progress this year: working plans are being drawn up for the major remodeling and expansion of the Lansing Federal building, new postal facilities have been or will be built in Lansing (East Michigan Avenue branch), Brighton, Swartz Creek, and Webberville.

COMMITTEE WORK

While floor action is often colorful, the real spade work is done by the various committees. Dealing with the vital problems of keeping our Nation militarily strong, my new assignment on the Armed Services Committee has been stimulating and rewarding. Some 50 bills considered by the committee were passed by the House and either enacted into law or await Senate action when Congress reconvenes. Included among them were the draft extension, authorization for military construction, reserve matters, and many others essential to the giant task of keeping the United States strong enough to deter aggression and to resist it if ever necessary.

To gain background for this complex job, I have inspected many facets of our defense system. Most important was a tour of Western Europe and Berlin during Easter recess at the height of the Berlin crisis. I have cruised underwater aboard the atomic submarine *Skate* (not under the polar cap), flown in our military jets, and also visited our own Michigan bases as my schedule would permit.

Next session, as a member of the special Great White Fleet Subcommittee, I shall study the bold peace plan to use a part of our "mothball" Navy—financed by public subscription—to send help and supplies to needy or disaster-stricken areas of the world.

In addition to Armed Services, I was appointed to the House Administration Committee, which does the housekeeping for the House of Representatives.

SOME RANDOM NOTES

Voting record: During this session I had a voting record of 98 percent. Votes missed were excused because of official business.

Congress itself: With the entry of Alaska and Hawaii into the Union, the 86th Congress has a full House of 437 seats with one vacancy.

The Democrats have a heavy majority:

Senate:	
Democrats	65
Republicans	35
House:	
Democrats	283
Republicans	153

Following the 1960 census there will be a reapportionment. Thirteen States are expected to lose seats and seven, including Michigan, to gain. Population growth will probably give us 2 more seats in the 1962 election, making a total of 20 for Michigan.

Some statistics: A total of 13,837 measures were introduced in the House and Senate, of which 385 were enacted into Public Law. Those not acted upon may be considered next session. To report the debate and proceedings of the session, the CONGRESSIONAL RECORD, including the Appendix, contained 26,444 pages, some 40 million words.

Visitors: Since January over 600 visitors from home stopped by our Washington office. You're always welcome.

Milk Industry Problems

EXTENSION OF REMARKS

OF

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. STEED. Mr. Speaker, I desire to commend my colleague from Colorado, Mr. JOHNSON, and to take this opportunity of again thanking him on behalf of the subcommittee studying milk industry problems for his cooperation during the time we have worked on the situation in the Denver area.

The consumers in his State have a champion who has been most effective in looking after their interests, both for the present and for the long range. Our work has been made a great deal easier and certainly more effective by his timely, able, and courageous assistance.

He is due much credit for the progress already made.

I also want to commend Mr. Scott Daniels, executive director of the National Independent Dairy Association, for the great help he has rendered this committee. In Denver, as in many other areas, his help has made important and essential contributions to the work of the committee. I have come to know him as another true champion for the American free enterprise system in its finest sense.

We know from the overwhelming facts that have been given to us that our dairy industry is under heavy pressure toward monopoly. If this trend is not stopped, the time is coming when milk consumers will be at the mercy of monopolistic interests. Milk is far too important to be permitted such a fate. Men like Congressman JOHNSON and Mr. Daniels are greatly needed in our endeavors to keep the milk industry on a free competitive basis.

The Dividend Credit Tax Loophole: Who Benefits and How Much

EXTENSION OF REMARKS
OF
HON. STEVEN V. CARTER
OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. CARTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to invite your attention and that of my colleagues to another great giveaway area of our present Federal tax system where, instead of being of benefit to the public in general, a comparative handful of wealthy people are allowed to reap a multi-million-dollar harvest through the stock dividend credit loophole.

At this point I will include a table to demonstrate just who reaped the benefits, according to figures of the Internal Revenue Service for the year of 1957:

Total number of returns filed	59,825,121
Number claiming dividend credit	2,989,335
Percent of total returns claiming credit	5
Total number of taxable returns filed	46,865,315
Number claiming dividend credit	2,888,207
Percent of taxable returns claiming credit	6.2

Distribution of return showing dividend credit (taxable returns only)

Income level	Returns showing credit		Dividend credit claimed	
	Number	Percent of total	Amount	Percent of total
			Thousands	
Under $5,000	668,636	23.2	$15,685	5.3
$5,000, under $10,000	1,002,887	34.7	37,931	12.7
$10,000, under $20,000	736,272	25.5	56,337	18.9
$20,000, under $50,000	381,631	13.2	79,764	26.8
$50,000 and over	98,781	3.4	107,666	36.3
Total	2,888,207	100.0	297,383	100.0

You will note that in 1957 dividend credit claimed, or, in other words, revenues denied to the Government by virtue of this loophole, amounted to more than $297 million. And who do you think got the lion's share of this money? Three and four-tenths percent of the people claiming this credit—those in the over $50,000 income bracket—received 36.3 percent of that $297 million. By way of contrast, those people in the under $5,000 bracket, who comprised 23.2 percent of the returns claiming dividend credit, got only 5.3 percent of the $297 million. It is my understanding that this loophole is now costing the Federal Government in excess of $335 million, and in addition to that, there is a $70 million loss due to the $50 dividend exclusion provision, taken by stockholders prior to the actual tax computation.

I think you will agree, Mr. Speaker, that this type of loophole in our Federal tax system is clearly contrary to the principles of progressive taxation and the ability to pay. Neither can the elimination of this loophole be termed as harmful to incentives. Bear in mind that this money arises as stock dividends of corporations, corporations that have their own built-in methods through which to raise expansion capital. Today's administered prices are yielding record-high profits. In addition, other tax benefits yield them enormous depreciation reserves. The October 1958 issue of Survey of Current Business, page 20, shows that between 1947 and 1957 manufacturing corporations got only about 2 percent of their new money from stock sales. Seventy-four percent came from retained profits and depreciation reserves, and the remainder from borrowing.

So once again, Mr. Speaker, as I have done in the past, I call upon my colleagues on the Ways and Means Committee to be ever mindful of their duty to all Americans when they are in the process of framing our tax laws, to be unyielding in the face of pressure from special interest groups, and to place the burdens of taxation where they can best be borne.

Polish Independence Day: A Day of Tribute and Reminder

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RODINO. Mr. Speaker, under leave to extend my remarks, I want to join all Polish-Americans in their commemoration of Polish Independence Day, which falls on November 9. This was the day on which, in 1918, in the aftermath of the First World War, Poland was proclaimed an independent state.

It is fitting that all of us take note of this day, both by way of tribute and by way of reminder.

It should be a day on which we pay tribute to all the Polish people, who struggled so bitterly for independence and freedom, and who were forced to part with it so quickly.

At the same time, it serves as a poignant reminder of the true nature of Russian tyranny and imperialism.

Particularly at this time, when Khrushchev has just been with us professing peace and friendship, it is important to remember the fate of another country which was also once assured that Russia was her friend. As we begin to assess Mr. Khrushchev's words and intentions, it will not hurt to be reminded of the Katyn massacre, or of the betrayal at Warsaw. It will not hurt to remember what happened to another, weaker, people which put its trust in Soviet promises.

Poland's hopes were bitterly shattered, her momentary independence terminated, and her people placed under Russian subjugation. But despite Russian domination, the spirit of her people has remained strong. Hope has remained in their minds and hearts. It is this hope and spirit which we must applaud today, and which persuades us that one day, somehow, Poland may once again be free.

World Affairs Study Guide

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement concerning the 1959–60 World Affairs Study Guide prepared by the Minneapolis Star.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

I have just received a copy of the 1959–60 World Affairs Study Guide, prepared by the Minneapolis Star. This guide was edited by Mr. William C. Rogers, director, Minnesota World Affairs Center, and Mr. Herm Sittard, educational reporter of the Minneapolis Star.

The World Affairs Study Guide is an excellent job in every respect and I commend it to communities throughout the United States. Let me indicate the four main subdivisions of the guide:

I. Our role in world affairs.

II. Our European and Latin American allies.

III. The Communist world flexes its muscles.

IV. The uncommitted world.

There are a total of 26 different topics, each of which is introduced by basic booklets, usually paperback, which are available for serious adult educational purposes. Any American who would follow through this study guide reading a substantial portion of the basic booklets recommended would become very well informed on the contemporary problems of international politics as well as the issues of U.S. foreign policy.

I am deeply impressed by the fairness which characterizes this guide, as well as by its readability and attractiveness for the

intelligent reader. I earnestly hope that many local communities will follow the good example set by Minneapolis. This World Affairs Study Guide merits the attention of national organizations seriously concerned with education in the field of foreign affairs.

I congratulate Mr. Rogers and Mr. Sittard, as well as their associates, who went beyond the line of duty in preparing this excellent educational material.

State Department Dining Room Area

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mrs. BOLTON. Mr. Speaker, earlier in the year when the State Department appropriation was before the House, inadequate explanation was given of the item covering the state dining room in the new State Department Building, and considerable misunderstanding arose. It seems appropriate to clarify the matter before the 1st session of this 86th Congress adjourns.

It has been growing increasingly clear that the lack of a state dining facility large enough to handle the formal functions involved in receiving heads of foreign governments and other prominent officials has become a vital need of government. With the ever growing number of official visitors, it becomes increasingly important to maintain ample facilities for their reception. The new state dining room, which is designed to seat a maximum of 126 people, will be the only Government-owned facility outside the White House adequate for handling formal state functions.

In the recent supplemental appropriations bill for 1960, funds were provided to complete the extension and remodeling of the State Department Building, including $263,000 for furnishing the entire eighth floor. Developed in what would have otherwise been unused roof space the area includes the state dining room, covering 5,455 square feet; a reception room where guests may be received, measuring 1,870 square feet; and a drawing room where guests may gather before and after dinner, covering 2,325 square feet. The remainder of the floor, 7,925 square feet, takes advantage of the less expensive construction cost to locate the normal dining facilities for secretarial rank personnel.

Comprising some 17,575 square feet, this entire area is to be decorated and furnished for $263,000, in accordance with the $15 per square foot standard established by the General Services Administration.

It is planned that the part of the floor where important foreign guests will be officially entertained should be fully representative of the American people and their historical, cultural, and industrial progress. Therefore, decorations and furnishing as planned will be early American, while exclusively American woods, marble, woven fabrics, and reproductions of early furniture styles will be used.

As a member of the State Department Subcommittee of the Committee on Foreign Affairs, I would like to compliment the Department on the development of these much-needed facilities. Certainly their availability will make it easier for our Government to return appropriately the hospitality extended to American officials visiting foreign countries.

Summary of Congressional Action, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF
HON. JOHN E. HENDERSON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. HENDERSON. Mr. Speaker, the following is a brief summary of action of the 1st session of the 86th Congress which is being distributed to my constituents in the 15th Congressional District of Ohio:

SUMMARY OF CONGRESSIONAL ACTION, 1ST SESSION, 86TH CONGRESS, PREPARED BY JOHN E. HENDERSON, MEMBER OF CONGRESS, 15TH DISTRICT, OHIO

The following is a brief summary of the 1st session of the 86th Congress which extended from January 7 through September 14, 1959.

STATISTICAL DATA

1. Of 12,037 bills introduced, 380 were enacted into new public laws during the session. Another 236 private bills for the assistance of individuals were enacted.

2. The House of Representatives was in session a total of 141 days. Senate sessions covered 140 days.

3. It took 18,180 pages of fine print to record the proceedings of the House and Senate in the CONGRESSIONAL RECORD. In addition, over 8,400 pages of comments and extraneous material were published in the Appendix of the CONGRESSIONAL RECORD.

4. There were 87 rollcall votes in the House.

5. The session authorized the expenditure of $73,678,598,352 by the Federal Government.

In addition to the billions mentioned above, here are some of the ways in which the action of Congress will affect you:

NEW TAXES

1. Extended the corporation income tax of 52 percent for another year.

2. Continued wartime excise taxes for another year.

3. Extended excise tax on telephone service, but added a termination date of June 30, 1960, for the tax on local phone service.

4. Extended excise tax on transportation to June 30, 1960, but agreed to reduce tax from 10 percent to 5 percent next year.

5. Increased life insurance company taxes to the extent of $215 million.

6. Increased the Federal gasoline tax another cent per gallon. Following the 2-cent increase in Ohio, I voted against this measure.

OTHER

1. Congress increased the national debt limit to $285 billion, with a further temporary increase to $295 billion. This further postponement of the day of repayment passed easily, delaying the inevitable time when the rising debt must be paid.

2. Extended the Draft Act to July 1, 1963.

3. Hawaii admitted to statehood. It is hoped these two new States, Hawaii and Alaska, will not insist on receiving special concessions accorded territories, but that they can carry on all of their local functions as equal States of the Union.

4. Enacted emergency legislation to prevent States from imposing income taxes on business transactions of corporations in another State where the firm maintains no plant, factory, office, or warehouse in the taxing State.

5. Continued the school lunch program.

6. Extended legislation to permit the barter of U.S. surplus agricultural commodities for certain needed resources from abroad.

7. Passed labor reform legislation (the so-called Landrum-Griffin bill).

8. Continued the foreign aid program. More billions, with not enough Members voting no.

9. Passed legislation establishing a new formula for payment of veterans pensions for non-service-connected disabilities. The legislation also gives widows of World War II and Korean conflict veterans pension rights similar to those previously enjoyed by World War I veterans' widows.

10. Irked Khrushchev and the Soviet Union by designating July 4 as "Captive Nations Week" and passed a resolution expressing the feeling that Red China should not be admitted to the United Nations.

11. Authorized the TVA to issue bonds for financing its operations.

12. Strengthened the Federal Trade Commission's powers to enforce its orders against unfair competition in American business.

13. Increased the interest rate on series E and H Government bonds.

14. Amended the Federal Communications Act to eliminate confusion in the requirement to grant equal radio and TV time for political candidates.

15. Enacted housing legislation. The President signed the third version passed by Congress.

16. Extended the life of the Civil Rights Commission to investigate charges of efforts to deny individuals the exercise of their constitutional rights.

ON THE MINUS SIDE

1. Among the failures of the session was the neglect of farm legislation. Congress failed to come to grips with the problem of farm surpluses, soaring storage charges, acreage controls and price supports. The present extravagant program, a demonstrated failure, has been with us for more than a generation. It does little to help the small farmer who needs help and is vastly increasing the cost of Government borne by farmer and nonfarmer alike.

2. Failed to answer the significant problems of inflation. The gusto of the majority to enact costly new legislation was blunted in mid-session by public demands against new spending which would apply new inflationary pressures. Increasing reduction in the value of the dollar can come from one-sided increases in interest rates on short-term Government bonds.

BOX SCORE

Voted "Yes" in 45 rollcall votes.
Voted "No" in 39 rollcall votes.
A "No" vote is very often a vote to defeat costly, unworkable legislation.

UNFINISHED BUSINESS (PARTIAL ACTION TAKEN)

1. The House took steps to provide that State laws which parallel Federal laws are concurrently enforcible except where Congress has specifically preempted jurisdiction in a given field. The Senate has not acted on this legislation.

2. The House also passed legislation to permit prosecutions for espionage committed outside the United States and another bill

to deny passports to persons whose presence abroad would endanger American security. The Senate is still to act.

If you know of someone who would like a copy of this report, it may be obtained by writing Congressman JOHN E. HENDERSON, House Office Building, Washington 25, D.C. Should you wish additional information on the foregoing legislation, kindly call or write.

Columbus Day: Symbol of American Brotherhood

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RODINO. Mr. Speaker, as the author of H.R. 418, which seeks to declare October 12 a legal holiday, I have a deep interest in the celebration of Columbus Day.

Columbus Day is already a legal holiday in many, many States. I look forward to the day, which I fully expect to be soon, when Congress will see fit to follow the lead of these States and appropriately honor the man who braved uncharted seas to discover America.

Particularly in these days of overwhelming challenges, in this space and atomic age, it is appropriate to recall the dauntless faith and courage which brought Columbus across the seas nearly 500 years ago. In facing the challenges of today—of the conquest of space, and of the attainment of peace on earth—we need to draw strength and encouragement from his daring example.

The celebration of Columbus Day has gathered increased momentum in recent years because of the activities of the National Citizenship Committee for Columbus Day. For the past 2 years, I have been happy to serve as national chairman of this committee. It has been an inspiring experience.

The great contribution which the National Citizenship Committee has made is the underlining of Columbus Day as a symbol of inter-American friendship. As a result, more and more people everywhere have become immediately aware that Columbus discovered America—both North and South—and that we are bound together by the bonds of brotherhood to some 20 other American Republics: that we are, in truth, Americans all.

Too many of us still know too little about the people in the other American Republics. It is the goal of Columbus Day celebrations to increase inter-American understanding, and Columbus Day is in fact rapidly becoming the occasion for a reaffirmation of inter-American solidarity and brotherhood.

Moreover, it is rapidly becoming the occasion for joint dedication to the great principle which all Americans have in common.

For all the nations in the Western Hemisphere are bound together, regardless of nationality, race, culture or religious belief, by their belief in freedom of the spirit and freedom of opportunity. These have been the spiritual symbols of America since her discovery, so many years ago, by the great Italian sailor. These are the spiritual symbols by which America is known in many parts of the world. It is the joint mission of the Americas—North and South—to get these principles across to all other peoples, and thereby prove the value and effectiveness of our Western way of life.

We of the Western Hemisphere have a leadership responsibility that transcends anything man has heretofore faced. We must meet that responsibility with the faith of Columbus to the end that freedom of spirit and freedom of opportunity may one day be the heritage of all mankind.

It is heartening to note that people everywhere have rallied to the call of the National Citizenship Committee to make Columbus Day a day of rededication to inter-American understanding and inter-American ideals. The response has been magnificent. More than ever before, increasing numbers of Senators, Congressmen, Governors, and mayors are making speeches and issuing proclamations encouraging its celebration, and increasing numbers of communities and schools throughout the Nation are learning to appreciate its significance and importance.

This year, more towns and cities than ever before, in both Americas, will set aside October 12 in recognition of our mutual heritage and mutual goals. More and more people are developing an interest in Latin America and a appreciation of American brotherhood. More and more people, through participation in the friendship programs and educational exchanges which the National Citizenship Committee is sponsoring, are learning to understand each other.

The display of enthusiasm must stir us to further activity. I am hopeful that Congress very quickly will join in the mounting enthusiasm and declare October 12 a national holiday—in honor of Christopher Columbus, the historic discovery of America, the principle of inter-American solidarity, and the historic ideals for which America proudly stands.

Special Citation to the United States Lines

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. GARMATZ. Mr. Speaker, the maintenance of highest standards of sanitation is an attainment of greatest importance to the general public, especially to that segment of our people who utilize seagoing transportation. For this reason, I bring to the attention of the Congress the exceptional record of the United States Lines, which has just resulted in the award of a special citation of the U.S. Department of Health, Education, and Welfare.

This citation has been presented for the third year following inspections showing an earned rating of 95 or better upon official Public Health Service inspections of each of the 58 vessels of this company.

Gen. John M. Franklin is president of United States Lines, and his creditable record of service encompasses notable performance not only in overall direction of this company's operations but also in important assignments accepted at the request of the President and Cabinet officers. He is acknowledged as one of the foremost executives of the maritime industry of the world.

Remarkable is the achievement earning this year's special attainment because it followed the most careful inspections of 166 separate items of sanitary construction and maintenance. Previous citations to this company were awarded in January 1957 and 1958.

The successful operations of United States Lines ships involved cover calls at ports in Europe, the Far East, and Australia, and at all east coast and gulf ports in the United States.

Statement by Senator Humphrey on S. 950, the So-Called Jukebox Bill

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on S. 950, the so-called jukebox bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I have recently been in receipt of communications from residents of my State expressing their views on S. 950, the so-called jukebox bill, introduced by the able senior Senator from Wyoming [Mr. O'MAHONEY], and a group of his colleagues, including myself. Perhaps it may be of assistance to the Members of this body if I comment on the status of this proposed legislation.

Last year, a similar bill, after approval by the appropriate Federal agencies including the Department of State and the Register of Copyrights, was favorably reported by the Senate Judiciary Committee. The committee report—No. 2414, 85th Congress, 2d session—fully set forth the background of this measure, together with the arguments of both proponents and opponents.

In the past few weeks, under the leadership of the chairman of the House Judiciary Committee [Mr. CELLER], sponsor of a similar measure in the House, meetings have been held between the proponents and opponents of the bill—that is, between representatives of the owners of the musical property and representatives of the jukebox operators and manufacturers. At these meetings, attempts have been made to work out not only the matter of suitable compensation to composers and other copyright owners for the use of their musical property in jukeboxes, but also technical details, including procedures for surveying use of

music used in jukeboxes, collecting royalty fees, and the like.

The able chairman of the Senate Judiciary Subcommittee on Copyrights [Mr. O'MAHONEY] recently expressed his hope that in the improved climate now existing, "means may be found whereby the composers who give the Nation its songs may receive the just rewards of their genius and efforts."

I join in the Senator's hopeful outlook, so characteristic of his courage and optimism. The meetings which have been held and which are to continue may soon result in a meeting of minds between the users of music used in jukeboxes and the owners of that music.

The principal legal authorities of the country, as well as the Federal agencies concerned, have made it clear that as a matter of simple justice and equity, the composers are entitled to a reasonable fee for the commercial use of their music in jukeboxes—which for 50 years have been exempt from payment under the antiquated copyright law of 1909. After the careful study made last session by the Senate Judiciary Committee, and the hearings held both in the Senate and the House, the question is no longer whether jukeboxes, alone among all commercial users in the Nation, should continue uniquely to benefit from an exemption which in effect accords them a special privilege. Clearly, jukeboxes should be treated exactly like all other commercial users.

The question, as I say, resolves itself not down to "whether," but merely down to "how" and "how much." As I have said, it is my hope that discussions between the interested parties will shortly clarify the matter of rates and procedures. At all events, I firmly believe that the Senate should remove the jukebox exemption, especially as today's large and modern jukebox industry does not seem to me to merit in any way the special privilege accorded it almost accidentally by a law enacted 50 years ago, intended to apply to conditions of that era, and not to electronic mass users of musical property today.

Progress Report for America's Veterans

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, yesterday's veterans have become our Nation's leading citizens of today. The patriotic service these Americans rendered to their country as young men in military life is now being translated in civilian life into leadership in government, agriculture, business, labor, and the professions. To my esteemed constituents who are included among our Nation's 23 million veterans, I would, Mr. Speaker, submit a progress report on recent achievements benefiting our deserving ex-servicemen.

The Republican Party has made commendable progress in leading our Nation toward the fulfillment of its obligation to America's veterans. The Republican administration, under the leadership of President Eisenhower, has provided for our veterans improved pensions and dependents' benefits, better medical and hospital care facilities, more realistic educational opportunities, and more adequate business aids.

As a consequence of this farsighted and understanding attitude of the Republican administration toward the veteran we find that for the fiscal year 1960 legislation was passed by the Congress and approved by the Executive providing approximately $5 billion in budgetary expenditures for veterans' services and benefits, including $3.3 billion for compensation in pensions, more than $900 million for hospital and medical care expenses, and approximately $500 million for veteran education and training.

Among other major legislation to be enacted in 1959 was the Veterans Pension Act providing liberalized pension levels which give the greatest recognition to those veterans in the greatest need. This important legislation also improved the equity in compensation paid to veterans' dependents and survivors. To assure a strong national defense the Selective Service Act was also extended during this recently completed first session of the 86th Congress. This legislation will assure that America's youth will be trained and highly skilled in military science in the event that a predator undertakes an attack upon our Nation.

The Congress has passed legislation to strengthen the protection accorded to veterans who become victims of multiple sclerosis and leprosy and has also liberalized the educational and training rights of veterans under the so-called GI bill. Steps also have been taken to assure effective housing programs for veterans. The status of American veterans under the Immigration and Naturalization Act has been improved.

Among other legislative measures that veteran organizations patriotically supported that were enacted during the 1st session of the 86th Congress were statehood for Hawaii, construction of modern naval vessels, protection of the estates of incompetent veterans derived from veterans' benefits, and improved educational opportunities for veterans' children.

The year 1959 has been a year of accomplishment for veterans. To date under the vocational rehabilitation available to disabled veterans we find that approximately 700,000 disabled veterans have been trained to assume a productive self-sustaining position in society. Ten million of our veterans have received education and training under the GI bill. Fifty-five million dollars has been devoted to providing homes for paraplegics, and more than 6 million veterans have received loans for homes, businesses, and agriculture. In 1959 we have found approximately 200,000 veterans a month receiving outpatient care at government medical installations, and 113,000 veterans were receiving hospital care in veterans and related hospitals. Approximately 6½ million American veterans have retained the protection for their survivors accorded by GI insurance. Almost 4 million veterans and dependents are presently receiving compensation and pensions.

Capable and patriotic work has been done by the numerous veterans organizations effectively representing the interests of veterans throughout the Nation. These organizations have worked not only for the benefit of the veteran but they have diligently sought to support the general welfare of all our citizens and to foster a realistic national preparedness program. These veteran organizations are to be commended for their endeavors in behalf of the veteran and for their patriotic interest in a strong America and a dynamic free enterprise economy.

Mr. Speaker, it is my privilege to be personally acquainted with many of the veterans who reside in my constituency. I know personally of the deeds of valor they performed in military life, and I am equally aware of the outstanding service they render to country and to their home communities in civilian life.

I have always been determined that our Nation should give proper and appropriate recognition to the veterans in any time of possible need after the battle is won. It is, therefore, with a sense of accomplishment that I can report these recent achievements in behalf of our veterans that have been accomplished under President Eisenhower—a distinguished veteran in his own right. Under his leadership and the leadership of the Republican Party I am sure we can look forward to continuing progress in providing proper benefits for our deserving veterans.

The Fight in 1959 Against Court Curbs

EXTENSION OF REMARKS
OF
HON. JAMES M. QUIGLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. QUIGLEY. Mr. Speaker, happily, the attempts to restrict the powers of the Supreme Court made little headway in the 1st session of the 86th Congress. It is not often that a Member of the House gives thanks for the Senate of the United States, but when it comes to court-curbing legislation, I do it from the bottom of my heart.

It was on June 24, 1959, that the House by a rollcall vote of 225 to 192 passed H.R. 3, the perennial proposal of Virginia's arch-conservative, Congressman HOWARD SMITH, which presumes to tell the Supreme Court how to run its business. The Senate, which last year killed the bill by a margin of one vote, failed to move it out of subcommittee this year. And that, let us hope, is where it rests.

The June 24 vote was perhaps the high-water mark of the conservatives in the 1st session of the 86th. In that vote, only one Democratic Congressman north of the Mason-Dixon line—and not all those below it—voted with a solid phalanx of 115 Republicans for a measure that would have denied effectively civil rights within any State that wished to do it.

While in appearance H.R. 3 is one of the simplest bills ever considered by the Congress, in reality, it is probably the most far-reaching piece of legislation ever to come before the House.

Congressman SMITH's bill concerns itself with what the lawyers call the doctrine of Federal preemption. In a nutshell, this legal doctrine holds that the States may act in certain areas of the law unless the Federal Government by act of Congress has preempted—that is, taken over—in those areas. The doctrine was first conceived by Chief Justice John Marshall as long ago as 1824 when we used it to decide the case of Gibbons against Ogden. Since that date it has been an integral part of the law in this country.

However, Judge SMITH and his followers contend that in recent years the Supreme Court has perverted this doctrine by devising a new and mean twist which they call implied exemption. This is lawyers' language for saying that the Court has implied an intention on the part of Congress to exclude States from areas of the law where Congress never intended this to happen. The supposedly classical example of implied exemption was the case of Pennsylvania against Nelson. In that case Steve Nelson, who was secretary of the Communist Party in Pittsburgh, was convicted under Pennsylvania law for sedition against the United States. The Pennsylvania Supreme Court threw out the conviction on the grounds that Congress, when it passed the Smith Act back in 1939, preempted for the Federal Government the matter of prosecution for sedition against the United States. On appeal, the U.S. Supreme Court agreed that the Pennsylvania Supreme Court had properly interpreted the law.

HOWARD SMITH thinks otherwise. As the author of the 1939 Alien Registration Act, he insists that he never intended to stop Pennsylvania or any other State from prosecuting all they wanted to in this area. He contends further that, since he did not intend it and his act did not say it, he cannot imagine how or why the Court would ever imply it.

The fact of the matter is that back in 1939 when the Smith Act passed, HOWARD SMITH nor any other Member of Congress even gave any thought to—let alone had any fixed intention on—the question of preemption. When the question arose later, the Court came to its conclusion by implication on the basis of the overall purpose and scope of what Congress did. As a matter of fact, this is exactly how Justice Marshall came to his conclusion as to congressional intention back in 1824, and, since Congress almost never spells out its intention on preemption, implication has been the way the Court has almost always had to resolve the question. "That which is clearly implied is of equal force as that which is expressed" was the way Justice Butler stated it back in 1929.

But for the Howard Smiths, what a conservative Butler Court could do is "verboten" to the more liberal Warren Court. H.R. 3 says that unless Congress says specifically that it preempted a field of law the Court may not imply it. And H.R. 3 would apply to every law that Congress ever passed, not just the ones it will pass hereafter.

In the end, unfortunately, the bill passed the House by 33 votes.

In defeat, however, I take consolation from a number of factors. First, I am pleased about the part I was able to play in fighting against this law-wrecking bill. Second, I am proud of the performance of the Democratic membership of the House which voted almost 3 to 2 against the bill as opposed to the Republicans who voted almost 4 to 1 in favor of the legislation. Finally, I feel secure in the knowledge that H.R. 3 and other similar court-restricting bills stand little chance of enactment in the Senate as it is presently constituted.

Education and the Space Age

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. RABAUT. Mr. Speaker, I should like to address myself to a crisis that exists in this country. The crisis is in the field of education. I need not dwell on the role of a good, sound educational system in assuring the future of any nation. It is vitally important. History bears out the fact that this importance has long been recognized and taken into account in the formulation of national policies. Nations that have achieved greatness in the world scene have looked closely to their educational process and have drawn heavily on it to maintain that greatness. This is the lesson of history. We must heed this lesson. So it must be with our Nation.

Yet, as we play our present part on the stage of history, I fear we are not heeding history's lesson. We have reached greatness. What remains, then, is to maintain this hard-earned status. Only since the turn of this century has the United States been reckoned as a great world power. Yet today—a scant half-century later—we are facing a test of not merely whether we can continue to be a great nation but whether we shall continue to exist at all. In the face of this test we are not accepting the friendly, free advice of history—and of commonsense—that it is on the solid education of our young that we shall stand or fall.

Recently those of us who are on the Appropriations Committee had the privilege of hearing testimony on this subject by Adm. Hyman Rickover. Admiral Rickover has devoted a great deal of time to the study of this problem. In his testimony before our committee he gave ample demonstration that he is an extremely well versed and astute observer of the educational systems and trends in the world today.

What Admiral Rickover had to say about our educational system as compared with that of the Soviet Union was both startling and alarming. Most of us have for a long time been inclined to believe without serious question the popular allegation that our schools are the best in the world. It is only natural that we should do this. It is compatible with our national pride to believe it. However, after Admiral Rickover concluded his report it was apparent, at least to me, that the simple truth is that our educational system has room and considerable need for improvement. In this age—the space age—this is a serious thing to have to say. Yet it is true. We must accept this fact and alert ourselves to the danger it holds for the future of our Nation.

Awareness is the first step in the necessary direction. How many of us knew that at the time when Russia was spending over 10 percent of her national income on education, we were spending but 3 percent? I certainly did not. How many in this country were aware that while some 10 million Russians are studying English, a scant several thousand Americans are studying Russian? Admiral Rickover says that in 1957 the Russians had 1,475,000 scientific and professional people—we had 1,330,000. This is about a 10-percent imbalance in favor of the Soviets. But how many of us know about the comparative rates of progress in the field of education? First, the graduate of the Russian secondary school is the educational equivalent of our student entering junior year of college; second, in education, their rate of progress is increasing at 6 to 7 percent a year; ours at 3 to 4 percent. Consequently we are not only behind in levels of achievement but we are losing ground. We are, in short, being smartly outstripped. This could cost us our very existence.

I could go on at great, great length on this subject. I shall not do so. What I would like to do, by way of concluding, is to leave for due consideration a few pertinent thoughts. In doing this I quote Admiral Rickover:

> We must not permit anyone else to have a higher rate of education than we. It could lead to great national danger. Russia has a standard of living about one-third that of ours. Yet in terms of their national product they devote more than twice what we do to education. So, all factors considered, the support they give to education represents a national effort several times as great as ours.
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> We ought, first of all, to disabuse ourselves of the quaint notion that we were ahead of all the world in providing public education.
>
> The paradox is that the more educated we are, the better does our system of government function, yet we are not doing all that is possible to become educated. On the other hand, the more educated the Russians are, the more the present regime is internally subjected to criticism, no matter how strong it may become externally; yet the Russians are doing all they can.

I do not say these things as a doom prophet. I say them in the hope that we may alert ourselves as a nation and rise to meet the problem with a solid, constructive front. I say to all my countrymen: "Ponder these things well, America. Ponder them and move forward with dispatch and with the firm resolution and undeniable determination that only a free people united in purpose can achieve."

Our effort to stay on top in education should be concentrated in three major fields.

(a) Give adequate financial support for both school construction and teachers' salaries.

(b) Strive for increased excellence in both science and the humanities. We cannot survive the struggle by abandoning the ideas and principles which have made us great.

(c) Take positive and effective means to support and maintain the private educational system of the country alongside the public system. Private education is essential to progress in providing some measure of competition in teaching excellence and some measure of building cost analysis.

Private education is a natural heritage that gave this country a noble start. Examples such as Yale and Harvard and others bear this out. Private education is a right enjoyed by our citizenry. It should not be a right that can only be exercised at considerable cost and hardship. It is my firm belief that in conjunction with an aid to education bill—we make specific provision to assist the private educational institution in this, her hour of need. She has provided so much with so little.

Problems Facing Congress When It Returns

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. RODINO. Mr. Speaker, the adjournment period is traditionally one of reevaluation of past achievement and reassessment of future goals. I would like to discuss some of the problems which we have not yet solved, and which, in my opinion, should have immediate priority when Congress returns.

Many of these problems are concerned with serious gaps—areas of underdevelopment—in a country which is otherwise the most fully developed in the world. One of the biggest jobs before Congress, it seems to me, is to see to it that no group is left behind in the general prosperity.

This is, after all, an era of unprecedented national productivity and national wealth. With all the great resources at our command, there seems no reason why we cannot channel our productivity not only for an attack on the conquest of space, but for an attack on the very real problems yet remaining to us here on earth.

OUR SENIOR CITIZENS

One group for which we have failed to make adequate provision is our elder citizens.

Our elder citizens are a permanent and rapidly increasing part of our society. There are 15 million Americans 65 years or older in the United States today. According to present estimates, this figure will exceed 20 million by 1975.

Our scientific and medical achievement, which promises more and more of us increased longevity, leaves us with a great responsibility. We have helped people to live longer; now, we must help them to make those added years fruitful and more productive.

Instead, we end to treat them as a useless appendage, and we do very little to help them solve their problems. In this area, as in others, we tend to excel in scientific advances and suddenly wake up to find we cannot keep pace sociologically with what we are doing scientifically.

The problems facing the aged are numerous: problems of mental and physical health, problems of finances, social integration, employment, and housing.

The forthcoming White House Conference on the Aging will be held in January of 1961 in order that all the experts and resources of the country may be pooled to determine what can best be done to help our senior citizens attain a full and useful adjustment. The recommendations of the conferees will be available by May of that year, and Congress will be well advised to give their report immediate attention.

The urgent and pressing need for public housing for the elderly is being illustrated by the current experience in my State of New Jersey. In the first such project in the State, which opened on September 16 in Asbury Park, some 700 applications were received for facilities which could accommodate only 10 percent of that number. I am pleased to point out that New Jersey is planning several other housing projects of a similar nature, including the construction of 500 housing units in Newark which is expected to begin shortly.

I might mention that my State has been one of the first to recognize the need for constructive programs for the aged. Activities relating to the elderly have been transferred from the department of health to a special division on the aging, to demonstrate that the problem is not simply one of health, but rather a complex one requiring separate and specialized treatment. For some years now, New Jersey has been holding conferences on the State and community level and has begun positive activities on the basis of these studies and discussions.

The experience of New Jersey and of States with similar programs will be made available to the rest of the Nation at the forthcoming White House Conference on the Aging. This conference is the result of a resolution sponsored by Congressman FOGARTY and myself, among others, in the 85th Congress, in order that all the experts and resources of the country may be pooled to determine what can best be done to help our senior citizens attain a full and useful adjustment.

It is my understanding that preparations for this conference, which will be held in January of 1961, are well advanced. The recommendations of the conferees will be available by May of that year, and Congress will be well advised to give their report immediate attention.

SOCIAL SECURITY

But the financial problems of the aged do not have to await further study. They can be solved immediately by amendment of the social-security laws.

I have long advocated a liberalization of benefits, and particularly of the income limitations, which are unfair and unrealistic. Instead of penalizing those older citizens who can and wish to engage in some form of employment, we should be encouraging them to engage in productive activity to the extent of their ability.

In addition to the elimination of the income limitations, I should like to see action in the second session on H.R. 1955, a bill which I introduced to reduce the age of eligibility to 60. Men who have worked for 40 or more years deserve the opportunity to spend a few more of their later years in comfort and leisure. The high rate of productivity which we have achieved in this country should make it possible for all working men and women, by retiring earlier, to share in its benefits.

Finally, I would like to see a system of health insurance for the elderly. I have received many letters from constituents who are concerned, and rightly so, with the difficulty of affording adequate medical care in their later years. Private health insurance companies have failed to adequately care for this need. It is therefore incumbent upon us to provide for adequate health insurance through the social security system.

HOUSING

In its recent report, the Civil Rights Commission delivered the following indictment:

> Congress has declared the goal of the Federal housing policies to be a "decent home and a suitable living environment for every American family" with "the elimination of substandard and blighted areas." Yet, despite this national goal, and despite the national wealth, and despite the science and technology of the 20th century, the mounting housing needs of the American people are not being adequately met.

The Commission went on to point out that in 1950 there were 16 million substandard housing units in the United States, and that at least 2 million citizens occupy slum-type dwellings in New York City alone.

In testimony before congressional committees mayor after mayor of every major city stated that while local units could help—by enforcing housing codes and by sharing the cost—they could not make a dent in the problem of housing, slum clearance, and urban renewal without Federal assistance.

Yet, despite these facts and figures, the administration has maintained that we cannot afford either public housing nor adequate urban renewal.

In the face of determined Republican opposition, and over two vetoes, the Congress barely managed to retain the provisions for 37,000 new housing units—not enough to cover the needs of a single major city—and an equally scant $650 million for the clearance of slums.

I think the economy of failing to expand our housing program is shortsighted. It takes no account of the long-

run expenditures for prisons, courts, police protection and health care which represent the hidden costs of the slums. Nor does it consider the fact that every neglected slum breeds more slums and presents future problems of even more gigantic proportions.

But the question transcends mere monetary considerations. The cost must be calculated in terms of human misery: in the failure to permit millions of Americans to live in conditions of sanitation and relative comfort, and in the depriving of millions of youngsters of the chance to develop into sound, contributing citizens.

The need for an expanded housing program has been fully documented. I hope that we may focus our attention more sharply on the problem and work toward a more adequate solution.

OUR ROLE IN EDUCATION

We are presently faced with tremendous scientific accomplishments by our foremost enemy. In a strikingly short period, Russia has managed, partly through emphasized education, to catch up with us in many areas and overreach us in others. Yet we seem willing to permit the educational potential of our population to remain largely untapped.

This is a tragedy, not only to the country as a whole, which must do without the contributions of those who lack the opportunity to develop to the full extent of their abilities, but also to those thousands of young men and women who are forced to lead dissatisfying and unproductive lives.

Education has too long been a forgotten program in our society. Partly due to the old bugaboo that Federal aid will mean Federal domination, we have for years put off doing something constructive in this direction. Now that the National Defense Education Act has passed, let us hope that this time-worn debate has been relegated to the mothballs to which it belongs. The Defense Act, token effort though it is, at least breaks through this one barrier, and establishes once and for all the principle that the Federal Government has a significant responsibility in the education of American youth.

But the National Defense Education Act was only a drop in the bucket, a little spurt in response to sputnik. Under it, a timid $770 million was authorized, to be spent over a period of years. Under its loan program, many youngsters were given the opportunity to continue their studies in 1958 and 1959, and many more will be given that opportunity in the years immediately ahead. But how many thousands of equally capable young men and women must still live out lives of frustrated ambitions and denied hopes!

Nor is an expansion of the scholarship-loan program the only thing that is necessary. We should become involved in school construction; and we need more teachers, better salaries, more classrooms, broadened curriculums, additional counselors, and school psychiatrists. I wonder how much of our juvenile delinquency might be solved if potential delinquents had uncrowded classrooms and competent, unharried teachers to help them grow and learn as individuals.

We need not only more scientific training, but extended curriculums in the humanities as well. A literate, educated citizenry is as important to our national defense as are trained physicists, not only because educated citizens can vote intelligently, but because they can provide the leadership and the ideas in the years to come.

The States cannot provide these facilities themselves. They need aid and direction from the Federal Government. We in Congress must take hold of our responsibilities and launch an intensive, full-scale attack on the problem.

MINIMUM WAGE

One of the most immediate problems to face Congress on its return in January will be the minimum wage legislation. The bill which I, along with many others, introduced, would raise the minimum wage to $1.25 an hour and extend coverage of the Fair Labor Standards Act to many other workers, including those in retail and cannery industries.

The arguments for adequate minimum wage legislation are too well known to require repetition. We are all aware that, while many of our working men and women are the best paid in the world, many, many others are trying to raise families on substandard wages. And all of us know that inadequate standards permit unscrupulous employers to compete unfairly with other industries in other parts of the country which pay fair wages.

It is my understanding that the administration, after some vacillation, has decided to oppose any increase in the minimum wage and to recommend only very limited extension of minimum wage coverage.

I hope that Congress, notwithstanding this opposition, will see fit to make substantial improvements in the minimum wage law. We cannot have a healthy, balanced economy if some segments of our population are enjoying unprecedented prosperity and others are denied the right to earn $1.25 an hour. Our increasing productivity must be utilized so that everyone may share in a better standard of living.

CIVIL RIGHTS

The record of the first session of this Congress on civil rights was a great disappointment. As a member of the Civil Rights Subcommittee of the Judiciary Committee I had hoped that this session would bring positive achievement in the fight for equal rights and opportunity for all.

The subcommittee reported to the full committee an eight-point program which to my mind is the absolute minimum legislation which must be enacted. We recommended:

First. Obstruction of court orders in the area of school desegregation is to be a Federal crime.

Second. Flight to avoid prosecution for bombing is to be a Federal crime.

Third. Federal election records are to be retained for 2 years, and may be subpenaed by the Attorney General.

Fourth. The Civil Rights Commission is to be extended for 2 years.

Fifth. The Attorney General is to be authorized to institute civil proceedings against those who deny to others equal protection of the laws.

Sixth. The President's Commission on Equal Job Opportunity under Government Contracts is to be given a statutory basis.

Seventh. Schools are to be set up for the education of children of the Armed Forces stationed in areas where the schools have been closed because of desegregation.

Eighth. Grants are to be made available to States to aid them in effecting desegregation.

As we all know, only one of these proposals received consideration.

But the problem is not taking care of itself. The report just released by the Civil Rights Commission draws a graphic picture of how racial minorities are being denied rights which other Americans take for granted. The report pointed to communities which practice wholesale disenfranchisement of Negro citizens—frequently by intimidation and violence. And the documentation of discrimination in housing and education is equally shocking.

These conditions make immediate legislation necessary. The first session left the situation untouched. It will be up to the second session to enact effective civil rights legislation, along the lines I have outlined.

FOREIGN SERVICE ACADEMY

At this time of increasing tensions, which seem bound to be with us for the foreseeable future, a whole reassessment of the mechanics and machinery of our foreign policy is long over due. One of the directions this reassessment might take is whether we are equipped with adequate represenatives abroad.

Publications like "The Ugly American" have raised serious questions about the efficacy of our diplomats and the adequacy of their qualifications. But whatever the merit of that particular book, the recent visit of Khrushchev to this country points up the immense complexities of our relations with the Soviet Union, and the absolute need for diplomats and foreign affairs experts who are sufficiently trained and knowledgeable to deal with the situation.

I introduced a bill this past session which would establish a Foreign Service Academy wherein young men and women interested in a Foreign Service career could be trained at an early stage in their education for the complexities of the task which awaits them. Such a program could provide us with a pool of dedicated, trained people from which we could draw our diplomatic representatives. Moreover, it would insure that these representatives would be thoroughly familiar with the language, customs and people of the countries to which they are subsequently assigned.

Thought might be given, also, to whether or not heavy contributors to political campaigns necessarily make the finest ambassadors. We expect our doctors to study medicine and we send our

lawyers to law school. I wonder whether we should not expect all our diplomats to undergo similar training. A Foreign Service Academy might go a long way in establishing a tradition of professionalism in all levels of the diplomatic service.

RESEARCH

Although we have made great strides in medical research, our achievement is probably far less that it might have been if we had been willing to give it our fullest support. Many diseases—cancer, heart disease, arthritis—remain unconquered. They continue to kill many Americans every year.

Life, and the physical ability to live it fully, is, after all, the most prized possession we have. We have the responsibility to do whatever possible—without stint—in the war against disease and untimely death. We must be prepared to pour money and men into medical research to insure that our lives will be vigorous ones.

We have led the world in many of our scientific endeavors; we can also show the way here. Our advances in medical research could well be shared with others all over the world, and could prove to be one of the best approaches we could utilize in creating friendship and understanding. Certainly helping other countries in their battle against disease would be a wonderful way of spreading good will and bringing people together.

OTHER GOALS

These are just some of the goals before us. In addition, we must ask ourselves where we are going in civil defense, and what measures we must take to strengthen ourselves on this score.

We must reevaluate and increase our technical assistance program, so that other countries may be better able to approach our standard of living.

We must reexamine our entire tax structure, with a view toward both closing existing loopholes and lifting the burden from those least able to pay. Particular attention must be given to proposals for increasing tax exemptions to individual taxpayers.

We must redouble our efforts to prevent waste and inefficiency in Government spending. I am hopeful that my bill, H.R. 8105, will be given prompt consideration. This bill sets up a Joint Committee on the Budget, which would oversee all budgetary matters in order to forestall waste and effect the greatest efficiency and economy in Government expenditure.

Finally, we must deal in adequate terms with the problem of unemployment. Despite our economic recovery, 35 major labor areas are still classified as "critical," that is, with an unemployment rate exceeding 6 percent. We might also consider whether the 6 percent "norm" is not too high, and whether we can ever afford to be complacent about unemployment when this many Americans are out of a job. Nor can we ignore the implications of automation, and the need for directing future labor surpluses into other activity. All of these problems make necessary a long-range program which is designed to both prevent unemployment and make it less painful when it occurs. And particular emphasis must be placed on helping our depressed areas, which remain pockets of unemployment regardless of the general prosperity.

All these goals are not visionary. They are perfectly possible if we know how to set our sights and properly plan for their accomplishment. We are entering an era in which our achievements in the realm of space are almost phenomenal—certainly they were unthought of in the past. The conquest of space is fast becoming a reality because we were unwilling to say "it is impossible." Instead, we mobilized our efforts and are approaching success.

Why should we not have the same approach to problems on earth—problems we know about and understand. Surely we can win success with these as well if we attack them frontally and determinedly move forward.

We cannot rest on today's laurels. To be content with the status quo is inevitably to retrogress. There is only one direction, and that is forward—to further progress, expansion, and development, and to the elimination of all the gaps in our economy between those who have and those who have not. We can accomplish all these things if we are willing to focus all our attention and effort to the achievement of the programs I have outlined.

Accomplishments of the House Committee on Interior and Insular Affairs During 1st Session, 86th Congress

EXTENSION OF REMARKS

OF

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. ASPINALL. Mr. Speaker, at this midpoint in the 86th Congress I would like to present a brief report on the accomplishments of the House Interior and Insular Affairs Committee during this first session. It has been a great honor and experience to have assumed the chairmanship of this committee, and, before making my report, I would like to express my sincere appreciation and thanks to all members of the committee and to the committee staff for their cooperation and assistance and for their conscientious, diligent attention to the committee's work and activities. Only through such cooperation and diligence were the achievements of the committee during this first session made possible.

I especially want to recognize the leadership of the subcommittee chairmen—Hon. LEO W. O'BRIEN, chairman of the Subcommittee on Territorial and Insular Affairs; Hon. WALTER ROGERS, chairman of the Subcommittee on Irrigation and Reclamation; Hon. GRACIE PFOST, chairman of the Subcommittee on Public Lands; Hon. JAMES A. HALEY, chairman of the Subcommittee on Indian Affairs; and Hon. ADAM C. POWELL, chairman of the Subcommittee on Mines and Mining.

I want also to express my sincere appreciation to Hon. JOHN P. SAYLOR, ranking minority Member, for the fine cooperation he has given me. I am particularly pleased, too, with the work of the committee's professional and clerical staff, the members of which have set a high standard of performance in committee activities and service to committee members.

STATISTICAL ASPECTS

In this report, I will comment first on the statistical aspects of the committee's work and then on the legislative activity of the committee. Of course, the bare statistics with respect to the committee's workload and performance do not tell the whole story of the committee's accomplishments, but they do help to show in convenient form the quantity of work that was assigned to the committee, the immense amount of time the committee and its members spent on these matters, and the results to date.

First, a bit of history to give us some perspective. The number of bills and resolutions referred to the committee during the first session was greater than ever, and the number of bills that become law was larger than it has been during any first session since the 81st Congress. I present herewith a little table showing the number of bills referred to the committee, the number reported by it, the number which passed the House, and the number which became law during the 1st sessions of the 82d, 83d, 84th, 85th, and 86th Congresses:

	Referred	Reported	Passed House	Enacted
82d	368	83	67	29
83d	421	105	94	58
84th	486	103	97	68
85th	572	79	78	55
86th	641	87	84	71

It will be noted that two other first sessions produced more reports and more bills which passed the House, but none produced as many bills that passed both Houses and were signed by the President. I want, in this connection, to note that this result reflects the excellent cooperation and understanding that we have had with our counterpart committee in the other body.

Next, and in more detail, the figures for the session that has just ended. During the 141 legislative days of the 1st session of the 86th Congress, the Committee on Interior and Insular Affairs convened a total of 158 separate meetings, made up of 121 subcommittee meetings and 37 full committee meetings. Of the 641 bills and resolutions referred to the committee, 381 have been disposed of during this first session and 260 are still pending in the committee. A total of 87 bills or resolutions were approved by the committee and reported to the House, of which 71 passed the House and Senate and were enacted, 1 concurrent resolution was approved by both bodies, 2 bills passed the House and Senate and were vetoed, 10 passed the House and are pending in the Senate, and 3 are awaiting House floor action. Twenty-six of the bills that were enacted carried Senate numbers; 45 carried House numbers.

With respect to subcommittee responsibilities, 13 of the 87 bills and resolutions which received committee approval came from the Subcommittee on Irrigation and Reclamation, 6 from the Subcommittee on Territorial and Insular Affairs, 30 from the Subcommittee on Public Lands, 27 from the Subcommittee on Indian Affairs, and 8 from the Subcommittee on Mines and Mining. Three were handled by the full committee. Of the 260 bills pending before the committee at the end of this first session, 24 were Senate-passed bills.

LEGISLATIVE ACTIVITY

The jurisdiction of the Interior and Insular Affairs Committee covers a wide range. The committee is responsible for legislation relating generally to Puerto Rico, Guam, the Virgin Islands, American Samoa, Antarctica, the Trust Territory of the Pacific, and the insular possessions of the United States. In the field of irrigation and reclamation, the committee's principal responsibility is for legislation relating to existing and potential multiple-purpose irrigation and reclamation projects, including policies and procedure applicable to such projects. Its responsibilities include legislation involving the public lands generally, forest reserves and national parks created from the public domain, and military parks, battlefields and national cemeteries. It has responsibility for legislation involving the relations of the United States with the Indians and Indian tribes, including their care, education, and management, the allotment of Indian lands, and claims paid out of Indian funds. In the field of mines and mining, the committee's responsibilities include legislation involving mining interests generally, the mineral resources of the public lands, and the mineral land laws.

TERRITORIAL AND INSULAR AFFAIRS

The most important measure to come out of the Interior and Insular Affairs Committee during this session was the bill providing for the admission of the State of Hawaii into the Union. This action alone would mark the session as a productive one for the committee and the Congress. In view of the many years and many sessions of Congress devoted to this matter, it is very gratifying that Hawaii's admission as our 50th State followed so closely the admission of Alaska as the 49th.

One other measure involving our new States deserves specific mention. This is the Alaska Omnibus Act which made many changes in Federal laws—changes that became necessary and desirable upon Alaska's admission into the Union. Most of these changes are designed to put Alaska under the same general laws, rules, and policies as are applicable to all other States. Other provisions of the bill will also make the transition from territorial status to statehood easier and smoother than it would otherwise be.

Several other bills, of a minor nature, relating to Alaska, Puerto Rico, the Virgin Islands and Guam were reported by the committee, passed by the House, and enacted during this session.

There are several pieces of legislation presently before the committee which have broad implications for the future of the Commonwealth of Puerto Rico. In order that the committee may have adequate background for the consideration of this legislation the services of a special consultant were obtained to make a firsthand, on-the-spot study of the progress Puerto Rico has achieved since enactment of the Commonwealth Act of 1952. An excellent report has been prepared which will be of great value to the committee in its planned comprehensive hearings in Puerto Rico this fall.

IRRIGATION AND RECLAMATION

In the field of reclamation and the development of the Nation's water resources, the most important committee action was the approval of H.R. 7155, to authorize the San Luis unit of the Central Valley project, California, and to open the way for a joint Federal-State development in the San Luis area. Favorable action on this urgently needed project, which will involve a Federal cost of about $290 million, concludes several years' work and study on the part of the committee. This bill was not acted on by the House during the first session.

Three reclamation project authorizing bills which passed the House are H.R. 968, to authorize the Bully Creek extension of the Vale reclamation project in Oregon—$3.3 million development; S. 994, to authorize the Spokane Valley project in Washington and Idaho—$5.1 million development; and H.R. 4279, to authorize the La Feria rehabilitation project in Texas—$6 million development. All three of these bills also passed the Senate and were enacted.

The long-standing problem as to whether the Federal Government or the Pacific Gas & Electric Co. would construct the power facilities of the Trinity River project in California was settled once and for all by turning down the so-called partnership proposal. This action was the key to the inclusion of funds in the public works appropriation bill for initiating Federal construction of the powerplants. Further delay in providing these funds would have meant large revenue losses to the Federal Government.

PUBLIC LANDS

The committee reported more bills in the field of public lands, national parks, and so forth, than in any other field. It approved bills establishing four national park units—the Minute Man National Historical Park in Massachusetts, H.R. 5892; the Arkansas Post National Memorial, H.R. 6108; Wilson's Creek Battlefield National Park in Missouri, H.R. 725; and the Chesapeake and Ohio Canal National Historical Park in Maryland, H.R. 2331. H.R. 5892 was enacted, H.R. 6108 is pending in the Senate, and H.R. 725 and H.R. 2331 are pending in the House.

A great deal of time was spent considering the Chesapeake and Ohio Canal National Historical Park bills that were referred to the committee. The problems that were particularly troublesome involve potential conflicts in use of the land and water resources of the Potomac basin. The committee resolved the matter by providing that park lands would be available upon Federal statutory authorization for future necessary nonpark uses such as municipal water supply and thereby cleared the way for enactment of this important legislation.

The committee also approved H.R. 5412, which increases the acreage which may be patented to States and local governments under the Recreation and Public Purposes Act of 1926. Among other things, this bill provides that up to 6,400 acres may be conveyed in any one year to any State for not more than three recreational sites. For the years 1960, 1961, and 1962, these figures are doubled. S. 1436, in which the language of H.R. 5412 was substituted, was enacted.

Other measures approved by the committee and passed by the House in this field include several for revising the boundaries of existing national parks and monuments, a few relating to national shrines and monuments, several relating to land exchanges, and one extending the leasing provisions of the Recreation and Public Purposes Act to certain lands in Oregon which have heretofore been excluded from its operation.

INDIAN AFFAIRS

Many Indian bills were approved by the committee and passed the House. All are important to the Indian tribes they relate to or affect. Three are important enough to mention here. One is H.R. 8587, which provides for the equalization of allotments on the Agua Caliente Reservation in California. The problem of finding an effective way of securing a reasonable degree of equalization among those to whom full allotments have not already been made, without parceling out certain lands which the band wants to retain in tribal ownership, has been troublesome for a long time. It is a real accomplishment to have this problem satisfactorily resolved.

The second is H.R. 6128 which provides for division of the tribal assets of the Catawba Indian Tribe of South Carolina among its enrolled members. This bill provides for the closing of the membership roll and for terminating Federal services to the Catawba Indians.

The third bill, H.R. 2722, provides for the final disposition of the affairs of the Five Civilized Tribes of Oklahoma, a matter which has been pending since 1906. The bill provides for the establishment of a corporation or a foundation which will handle the sale of certain lands, distribution of per capita funds, and the management of mineral interests.

MINES AND MINING

In the field of mines and mining, the committee approved several important measures. One was the coal research and development bill which had as its objective encouraging and stimulating the production and conservation of coal in the United States through research and development. It would have created a Coal Research and Development Commission as an independent agency to administer this research and development program. Unfortunately, the bill was pocket-vetoed by the President, although

it had passed both Houses by very substantial majorities.

Another is House Concurrent Resolution 177, declaring that it is in the national interest to maintain a sound and stable domestic mining and mineral industry without critical dependence on foreign sources. It calls for reviews of existing agency programs with a view toward using them more effectively to increase production and employment in the critically depressed mining and mineral industries of the country. The resolution points out that further delays in recovery would cause irreparable damage to mining and mineral properties, waste of human and natural resources and loss of productive capacity, and would have a depressing effect upon the national economy and threaten national security.

The hearings on the resolution made clear the precarious state of important segments of our domestic mining and mineral industries. Among the causes of the current condition are the administration of Government purchases, contracts, loans, grants, technical assistance, and barter—all or many of which have directly or indirectly caused abnormal stimulation of foreign development.

During the consideration of the resolution, there was discussion of the extent to which Government might reasonably go in assisting in the increased production and employment in the mining industry. The resolution establishes as a present goal more effective use by the executive agencies of their existing authorizations to protect the critically depressed domestic industries and to provide increased production and employment. None of the requested reviews or studies would be aimed at increasing production or employment beyond a prudent economic limit with due consideration to the public interest.

The committee also approved, and the Congress passed, H.R. 6939 which increases the acreage in Alaska which may be held under coal lease by any one person or firm from 2,560 acres to 10,240 acres or, in some circumstances, to 15,360 acres. This puts Alaska on the same basis as other States.

One other bill deserves mention. The committee approved S. 2181, to amend the Mineral Leasing Act. This bill provides a means whereby bona fide and innocent purchasers of oil and gas leasehold interests in public lands can be dismissed from contests brought by the Department of the Interior for alleged violations by prior leaseholders of acreage limitations. S. 2181 was enacted.

FIELD HEARINGS DURING ADJOURNMENT

In my opinion, proper performance by the Interior and Insular Affairs Committee of its mission requires its members to be familiar with the people and places under its jurisdiction and the local situations that give rise to legislative matters referred to it. It is for this reason that I favor on-the-ground hearings and inspections and have authorized several trips this fall for a number of special subcommittees.

In connection with territorial and insular affairs, I have authorized a visit to the Pacific to include Guam and the Trust Territory of the Pacific and comprehensive hearings in Puerto Rico and the Virgin Islands. I have authorized a special irrigation subcommittee to inspect potential and existing reclamation projects in the Upper Colorado River Basin and in California. I have also authorized a special public lands subcommittee to hold hearings in Oregon and California on national park and public land matters.

Special Milk Program

EXTENSION OF REMARKS
OF
HON. ALEXANDER PIRNIE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. PIRNIE. Mr. Speaker, the health of our children is a matter of utmost concern to every Member of Congress and to every parent in the United States.

Providing extra milk to improve the health of our children is a program we can all support.

I want to commend the New Holland Machine Co., New Holland, Pa., for producing a fine color motion picture, "More Milk for Danny." The motion picture, produced with the cooperation of the National Milk Producers Federation, is designed to encourage more schools to participate in the special milk program established in 1954 by Congress, and supported by Congress since that time.

The purpose of the program is to enable children in schools, summer camps, and in child-care centers to obtain more milk by making milk available to children at reduced prices.

Program statistics show that the objectives of the program as stated by Congress are being realized. More schools and child-care institutions are participating in the program each year and more wholesome, nutritious milk is being consumed by children. Over the past 3 years the number of one-half pints of milk consumed under the program increased to more than 2 billion a year.

The fact that the special milk program has made it possible to move this quantity of milk through normal channels of trade at favorable producer prices, as well, adds support to the merits of the program. It benefits our dairy farmers; at the same time it improves the health of our children.

In encouraging greater school and community participation in the special milk program, the motion picture produced by the New Holland Machine Co. greatly furthers the interests of our children's health, our dairy farmers, and of Congress.

The picture, "More Milk for Danny," tells the dramatic story of how milk aids children's health and how parents and school officials can arrange to make it possible for their local schools to take part in the program. The film will be shown in communities coast to coast.

The value of the motion picture in aiding the special milk program has been noted by a number of officials of the U.S. Department of Agriculture which is charged with responsibility for administering the program. These following statements reflect a high regard and deep appreciation for the excellence of the film.

By Clarence L. Miller, Assistant Secretary, USDA:

Your movie, "More Milk for Danny," is a generous contribution to the advancement of the special milk program. We appreciate your making this movie available for public use and hope it will receive wide distribution. It tells a convincing story of community action to localize a national program.

By O. V. Wells, Administrator, Agricultural Marketing Service:

This movie is very good. We welcome industry assistance in telling the special milk story. I congratulate the producer of this film for calling attention to the fact that the success and maintenance of the program depend primarily on local interest and support.

By Martin D. Garber, Director, Food Distribution Division, AMS, USDA:

Congratulations on a fine film. "More Milk for Danny" strikes me as much more than an interesting and entertaining documentary—and it surely is that. But it also tells a vital story, about an important Department activity, the special milk program. As audiences view it, and are moved by it, the film will serve to benefit both the children to whom more milk is made available—and the farmers who thus sell more milk. Both are commendable objectives.

By Herbert D. Rorex, Chief, School Lunch Branch, Food Distribution Division, AMS, USDA:

I want to compliment you on the effective way, in "More Milk for Danny," you have explained the Department's special milk program. We're very much pleased with your direct, understandable explanation of how the program works—and the true-to-life portrayal of the program's place in the community.

It is hoped that a widespread viewing of "More Milk for Danny" will stimulate increased consumption of milk by all our people, promoting a healthy America.

The Future of Democracy

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, during the Communist World Youth Festival in Vienna, Austria, last summer, a daily newspaper, the Vienna Daily News, was published as an unofficial and independent voice against the official Communist line at the festival. I was asked by the editor of this paper to prepare a statement for the paper which was published in seven different languages and circulated widely among delegates and visitors to Vienna.

Mr. President, I ask unanimous consent to have my article "The Future of Democracy," inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Vienna Daily News, July 30, 1959]

THE FUTURE OF DEMOCRACY

(By Hon. HUBERT H. HUMPHREY, of Minnesota)

The word "democracy" will probably be the most used and the most misused word during the Vienna Youth Festival of 1959. Ever since the enlightenment the democratic creed has been the leading political philosophy in the Western World and in many parts of Asia and Africa as well. Today both the Communist world and the free world claim to be the standard bearers of genuine democracy.

The young leaders at this festival and their counterparts throughout the world cannot escape the fateful choice between the two major competing political philosophies in the world today, both of which claim to be democratic.

Let me state what I believe genuine political democracy is. Democracy means "government of the people, by the people, and for the people," to use the words of Abraham Lincoln. Almost every believer in democracy would agree with this definition, but there is considerable disagreement in applying it in practice.

PERVERSION OF MARXISM

"Government for the people" means that certain basic human rights must be guaranteed to all citizens, even to minority groups whose views may differ radically from those of the majority. In the United States, for example, Democrats, Republicans, Socialists, and Communists as citizens enjoy the same basic rights and privileges. They are protected by the same laws. If they are accused of violating any of these laws, they are tried by the same courts. All political groups have a right to freedom of speech and freedom of the press.

"Government by the people" means there must be free and periodic elections, in which the citizens can choose between alternative sets of leaders to govern them. A free election is not a single slate election. A free election is a secret election. A free election offers the voter choices between men and issues. A free election is open to all citizens of voting age regardless of sex, creed, or color. In all candor, I must admit that the United States has not yet fully met this last requirement of a free election, but we are making progress in breaking down the last barriers which prevent some of our citizens from exercising their democratic birthright.

"Government of the people" means that political minorities should have the right to organize and to propagate their views as long as they do so peaceably. This includes the right to organize an opposition party, the right to seek public support for the views and candidates of that party, the right to vote for the party, the right to run for office if selected as the party candidate, and the right to serve in public office if elected.

Genuine democracy must meet these three standards if it is to be worthy of the high tradition which gave it birth. Not all governments which call themselves democratic meet all these standards, and some governments do not meet any of them.

Democracy grows out of the history and character of a people and it cannot be imposed by fiat. I believe that democratic government is the most effective form of government ever conceived by man, because it takes into account both man's longing for justice and man's inclination to injustice. Genuine democratic government is probably the most difficult form of government to achieve, but I believe it is worth the effort.

FUTURE OF DEMOCRACY

Does democracy have a future? Viewed against the backdrop of history, modern political democracy is still a relatively new and untried form of government. In the past three decades democratic government has been severely challenged from without by new systems of totalitarianism and tyranny which rule by coercion and fear rather than by freely given consent. Democracy is always challenged from within by ignorance, by apathy, and by the pursuit of special privileges at the expense of a common good. The future of democracy cannot be taken for granted—but it can be encouraged and promoted.

I believe democracy will survive and grow if those who understand its true meaning dedicate their lives to its fulfillment. It will survive if true democrats the world over recognize the peril in which genuine representative government stands today. Democracy can be the faith and fact of the future if the young people of today dedicate themselves to the proposition that "government of the people, by the people, and for the people shall not perish from the earth."

Report of the Majority Leader on the 1st Session of the 86th Congress

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. McCORMACK. Mr. Speaker, when this session of the 86th Congress convened on January 7, the United States and its allies had just rejected Soviet Premier Khrushchev's threat against Berlin as a "public repudiation of solemn engagements"—and the U.S.S.R. had launched its first moon rocket.

Today, as we move toward adjournment, the visit of Mr. Khrushchev to this country coincides with new Communist aggressions against small nations of the Far East, and indeed, even against India.

Thus our going forth, as with our coming in, is in the shadow of historic events.

It is against this background of a momentous era, fraught with the fate of mankind's future and extending beyond this world to the outermost realms of space, that the ultimate record of the 86th Congress must be written.

This has been an active and arduous session, and at this point I want to congratulate the membership of the House of Representatives for a task well done. Members on both sides of the aisle are to be commended for their industry and their devotion to duty, requiring many long hours of work in committee, and frequent protracted sessions on the floor.

As majority leader of a Democratic Congress—the third successively elected by the people during two terms of a Republican President—I may say frankly there were occasions and issues on which the administration could have been more amenable and cooperate with and to the constructive aims of the majority party in the Congress.

Our differences, however, did not extend in any great degree to the broad front of international relations which, after all, under the Constitution, are within the foreign policy jurisdiction of the President. For example, President Eisenhower invited Mr. Khrushchev to our country. He assumed this responsibility under powers possessed by the President under the Constitution.

I do not know how far in advance other Democratic leaders were informed, but my first information was 15 minutes before the President's press conference, at which the invitation was announced. There was, so far as I have been able to find out, no bipartisan efforts made to ascertain whether or not this invitation should be extended.

After the invitation was extended, Democratic leaders and Members showed their bipartisan understanding—after the fact—by making no public criticism, and showing a restraint of a statesmanlike nature.

This raises an interesting hypothetical question. "Would Republicans have evidenced the same restraint if a Democratic President had issued the invitation?"

It will be interesting and watched closely, and from the angle, if analyzed correctly, to observe during the months ahead, "the law of natural and probable consequences" operating as a result of the visit of Mr. Khrushchev.

In this field, as in national defense, the 86th Congress has written a record of full support of America's leadership of the free world in the struggle against totalitarian forces seeking world domination by godless communism.

As a matter of fact, the great majority of the Democratic majority of the Democratic Members stand for firmer foreign policy, and stronger national defense than does the President, and a substantial percentage of his party.

In other words, the Democratic Party supports the President, plus.

If, for example, the Democratic Party had its way—our Army and Marine Corps would be stronger and larger, as well as, with our Navy and Air Force, modernized.

In 1958, Congress appropriated funds to maintain an Army at a strength of 900,000 officers and enlisted men, and the U.S. Marine Corps at 200,000 but the President ordered a "freeze" on the extra money appropriated for these purposes, and proceeded with reducing our Army below 900,000 and our Marine Corps below 200,000.

Congress can appropriate but cannot force or compel the President to spend.

This year, instead of appropriating enough money for a 900,000-man Army, because the President, as he did last year, would freeze and not spend the money to keep our Army at the above strength, the Democratic-controlled Congress appropriated over $400 million toward modernizing our Army—furnishing it with up-to-date instruments of warfare. This is only the first step, as a large percentage of our military equipment and weapons are still of the World War II kind.

Let us hope the President will not freeze this extra money to be used for such an important purpose.

In the field of international affairs, America's policies and programs in this struggle for freedom have evolved over more than a decade of the postwar period since President Harry S. Truman first took his courageous stand in saving Greece from Red action, turned aside Communist infiltration of France and Italy, and thwarted threats against Iran and Turkey. The Marshall plan, the Atlantic Pact, and the programs of economic assistance and military aid not only revived and rehabilitated once war-torn and stricken Western Europe, but also helped restore their prosperity so that today they are contributing an increasing share of their own resources to defense of all the Western allies.

For our own part this year the Congress, in the authorization act for the mutual security program, provided that hereafter military aid will become a part of the national defense budget. The emphasis in economic assistance is shifting from outright grants to repayable loans.

Also, the stream of aid is being directed more and more toward the Far East, the Middle East, and Africa, in recognition of the need of new and free countries swept into being on the tide of revolutionary aspirations. We must help them gain the economic strength to fight disease, poverty, and illiteracy which are the breeding grounds of communism, and to take their rightful place in the democratic world.

To this end the mutual security appropriation bill provides for $3.2 billion plus for the fiscal year of 1960, with increased appropriations for the Development Loan Fund for the present fiscal year, and a larger amount for fiscal year 1961. The appropriation bill also provides for military assistance for defense support, for technical cooperation, for special assistance, and also for the President's contingency fund. There is a backlog of several billions of dollars. This program is vitally important in the defense of the free world, and in the national interest of our country.

There are some persons in our country who honestly oppose this program. An examination of what would result if their views were carried out is the best evidence of the weakness of their position. Such persons honestly believe in what is called the fortress America concept. With no mutual security program, this would be the probable ultimate result. Fortunately, this concept is rejected by the great majority of Americans of all political groupings. It would result in America being alone in the world.

However, the administration should administer this program so that the maximum results are obtained for the American taxpayer, and for the countries and their people's benefiting, that the end result sought, of containing and rolling back international communism, is substantially contributed to by this great program.

In view of the recommendation of the President's own Draper Committee that this whole program for survival be established on a long-range basis, there are many who find it regrettable that the President saw fit to scuttle a congressional plan for 5-year financing of the Development Loan Fund directly through the Treasury instead of on an annual appropriation basis.

By applying the political shibboleth of back-door financing to the proposal, President Eisenhower personally lent encouragement to opponents to make serious inroads upon the entire mutual security program—and then attempt to put the blame on Congress. Yet the President has employed this method of financing on frequent occasions when it suited his purpose.

The Congress authorized increased U.S. subscription to the World Bank whose financial and technical resources are used primarily in development of electric power, transportation, communications, agriculture, forestry, and industrial expansion of underdeveloped countries. Likewise our quota of support for the International Monetary Fund was increased, as have been the quotas of other nations, to aid it in facilitating the expansion of foreign trade, eliminating exchange barriers, and stabilizing currencies.

To help strengthen the economy of our good neighbors to the south, the Congress provided for establishment of and participation in the Inter-American Development Bank. This legislation fills a need long felt by the Latin American Republics for an institution to meet their particular problems of expansion and growth by development of their resources.

The new Bank will have a capital of $1 billion, with an investment of $450 million by the United States, and $550 million by 20 Latin American Republics to supply credit, technical and organizational assistance in the development of specific projects.

The House of Representatives has passed a bill renewing for 3 years the President's authority to implement the terms of the International Wheat Agreement, which the Senate ratified along with the International Sugar Agreement.

One of the great reserve assets the free world has is the 100 million and more persons in Communist-dominated countries who despise Communists and their Kremlin dictators, and who are hoping and praying for an early deliverance from the yoke of communism. In their prayers and hopes they look to America for leadership.

In the last Congress the House and Senate passed the Captive Nations Week resolution, which electrified those people and caused pain and consternation among Soviet leaders, particularly Mr. Khrushchev.

This resolution at this time in the world's history was an outstanding achievement of the recent session.

Under no conditions should any agreement be made with the Soviet Union by the President, or representatives of our country, that will result in selling the people of these countries, so to speak, down the river.

Such action will be a violation of our country's solemn promise. It would not be in the national interest of our country. In the passage of this resolution, the Congress recognized these facts. Any such agreement would be contrary to the intent and the will of Congress.

In the world of today and tomorrow, the State Department must think soundly and function efficiently and effectively. The Congress has given it the means to do so, and if further legislation is necessary, will quickly pass the same.

In this respect a bill passed in the recent session to strengthen and improve the organization of the State Department is important.

In the field of national defense a major achievement of this Congress was the enactment of a Defense Department appropriation—if administered effectively—that reasonably assures the United States of Armed Forces of such great strength and so well equipped as to give pause to the possible intentions of any would-be aggressor.

The Democratic Members, in the main, felt that world conditions called for greater national defense, and would have strongly supported the President if he had requested additional funds, as well as additional taxes for national defense. It is the feeling of the great majority of Democratic Members—and in fairness, there are Republican Members—who feel that in the present world emergency, that if we are to err, it is better to err on the side of strength than on the side of weakness. However, the Congress, as hereinbefore stated in several important aspects, strengthened the overall defenses of our country. As I have said, it is hoped the President will not use his freezing policy of last year. If anyone thinks the Kremlin has changed its intent of world domination on existing evidence, they are living in a dream-world.

It is natural, even in the world of today, to hope for the best, if accompanied by the logical thought of preparing for the worst.

This appropriation bill improves overall the defensive and the attack capabilities of each branch of our services—a result attained, I may say, Mr. Speaker, only after many months of controversy in which the Congress resolved differences between the Executive and his own Chiefs of Staff by exercise of its constitutional powers and responsibility.

Staying within the figure requested by the President, yet refusing to sacrifice national security on the altar of false economy, the House and the Senate enacted a measure which in several important respects revised the administration's program.

The budget request for the Department of Defense, not including military construction was $39,248,200,000. The final version of the bill provided $39,228,239,000, or $19,961,000 less than the budget request.

In approving the Defense Appropriation Act, 1960, the committee and the Congress took several major steps making significant changes in the defense program of the Nation. Reductions in the dollar estimates were made where they could be made safely, and a number of substantial increases in certain programs were directed.

As already mentioned, substantial amounts were provided to modernize the equipment of our Army. Four hundred and seventy-five million dollars was made available for this purpose, above the budget estimate, including $100 million in directed reprograming from previously available funds. This increase also provides $137 million for accelerating development of the Nike-Zeus, the only missile we have for defense against ICBM's.

Provision was made to assure survival of a larger part of our retaliatory bomber force, in case of surprise attack, by giving the President discretionary authority in the use of funds to order the immediate imposition of an airborne alert. Such an alert would put a number of our Strategic Air Command bombers in the air 24 hours a day every day, where they would be safe from surprise attack, should the tensions of the world at any particular time require it.

Substantial sums were saved, both in this fiscal year and over future years, by compelling the administration, through action on the appropriation requests, to conduct a thorough review of the entire concept of defense against air attack. As a result of that restudy, the amount to be applied over a period of about 12 years to defense against enemy aircraft will be reduced to a figure substantially below the $49 billion that had been estimated as the total accumulative cost by 1963.

For a strong defense against any future attack, the Congress readopted the time-tested formula of a good offense being the best defense, and provided funds for accelerating the Atlas and Minuteman intercontinental ballistic missiles. For fiscal year 1960, $172 million has been added above the budget to these programs by the Congress. In addition, provision was made giving the Secretary of Defense authority to transfer up to $150 million more for acceleration of such missile programs from lower priority items should such action seem advisable at a later date.

In another area, the Congress paid heed to the statement of Adm. Arleigh Burke, Chief of Naval Operations, who said:

> We need to improve our capability to combat submarines. Since World War II, the submarine has progressed faster than the antisubmarine warfare capability to combat it.

Faced with the imminent threat of nuclear-powered missile-launching submarines in the Soviet fleet, the Congress provided funds in the amount of $137 million above the budget for antisubmarine warfare, including an atomic antisubmarine submarine.

As was the case last year, the Congress has again provided funds for maintaining the Marine Corps, the Army National Guard, and the Army Reserve at 200,000, 400,000, and 300,000, respectively, which strengths represent increases of 25,000, 40,000, and 30,000 above the budget estimates.

In summary, congressional action on defense appropriations for fiscal year 1960 results in a good law, provides greater military strengths in several key areas than had been budgeted for, does not weaken essential defenses in any area, and all within a figure of $20 million below the budgeted total of $39,248,200,000.

Internal administration conflicts and uncertainty over missile priorities, interservice rivalries, and alleged influence efforts by competing manufacturers, brought action by this Congress for a closer check by the Armed Forces committees on procurement and construction programs.

Amendments written into the Military Construction Authorization Act provide for a modification of the continental air defense plan involving Bomarc and Nike missile sites pending a review of the program by the Secretary of Defense to be submitted to Congress no later than September 15 of this year.

In addition, the broad authority now given the Executive in procurement of aircraft missiles for naval vessels has been restricted to require specific authorization acts by the Congress before appropriations are made.

In other defense actions, the Congress enacted measures authorizing:

Extension of the Universal Military Training and Service Act.

A $110 million construction program of modern naval vessels for 1960.

Funds for the Atomic Energy Commission construction projects for 1960 including those for peaceful uses of the atom.

Reorganization of the Bureaus of Aeronautics and Ordnance in the Department of the Navy into a new Bureau of Naval Weapons to meet the streamlined needs of a modern Navy.

Involuntary retirement of Regular officers of the various branches of the armed services to facilitate promotions and strengthen control over the quality of personnel.

Reserve Officers Career Incentive Act.

Military Construction Act for fiscal year 1960.

Readjustment pay for warrant officers.

Various inquiries and investigations to improve and strengthen the Defense Department, such as (a) adequacy of transportation for mobilization, (b) utilization of military manpower, (c) influence and favoritism in obtaining contracts, (d) acquisition of Wherry housing.

Extension of the Renegotiation Act for 3 years to aid in recovery of excessive profits on defense contracts, and launching of an intensive study of the whole range of procurement and renegotiation policies.

For peaceful purposes and results, nearly a half billion dollars has been appropriated for research and satellite launching activities of the National Aeronautics and Space Administration. This agency was established by law as a result of close and understanding bipartisan action. It is intended and hoped that those administering this agency will give leadership in this very important field that will bring great benefits to our country and to mankind.

In the field of internal security, to protect the Nation from conspiratorial subversion by Communist agents, the House of Representatives has passed and sent to the Senate, bills to—

Amend the Criminal Code to permit prosecutions for espionage directed at, but committed outside, the United States.

Clarify the term "organize" as used in the Smith Act to apply to continuing Communist activities.

Expedite procedures for review and execution of deportation orders against undesirable aliens who now misuse the law as an instrument of delay.

Broaden provisions of the Foreign Agents Registration Act.

Give authority to the Secretary of State to deny passports to persons furthering the international Communist cause or whose presence abroad would endanger our security.

Make final orders of the Subversive Activities Board against Communist organizations applicable to their successor groups.

An act creating a single, separate, statutory form of judicial review of administrative orders for the deportation and exclusion of aliens from the United States.

Mr. Speaker, a new chapter in U.S. history was written in the 86th Congress with the granting of admission of Hawaii to the Union as the 50th State. This new star in our flag symbolizes the spirit of true democracy. For Hawaii is peopled by many races and creeds, loyal Americans, who have demonstrated that in diversity there can be unity and that all can live together in peace and harmony.

This example is further attested by the composition of its first delegation in Congress which includes Americans of Japanese and Chinese descent as a native of the United States.

As Hawaii follows Alaska into the Union, we hail this bright new jewel in Liberty's crown.

Various laws affecting natural resources, transportation, and other areas of Government interest have been enacted to fully integrate the new States into the Federal system.

The House has voted to extend the authority of the President, under the Reorganization Act of 1949, to propose plans to Congress for changes in the structure or functions of Government departments or agencies.

Establishment of a permanent Advisory Committee on Intergovernmental Relations has been enacted into law. Such an agency, it is felt, can be of great assistance in the solution of mutual problems growing out of conflicting and overlapping functions.

By amending the Communications Act to exempt news-type programs from the equal-time requirement for political candidates on radio and television, the Congress has clarified somewhat a situation that threatened to confuse the public and impose burdens on the networks.

In the field of national economy, during the past session a controversial labor reform bill was enacted into law.

There was no marked differences of opinion on the protection of trust funds, of eliminating racketeering actions, and of protecting the election rights of union members. The three bills considered in

the House of Representatives adequately covered these reforms. Labor practically unanimously favored such provisions.

It was in connection with certain provisions of the substitute bill adopted in the House that there was sharp division, with close to one-half of the membership of the House feeling that certain provisions of the substitute bill invaded and impaired the legitimate field of union activities.

The result of the House and Senate conferees, who worked hard and long, and without regard to still existing differences of opinions, worked constructively, was a recognition that some provisions of the substitute bill went too far in this respect, and the conferees recommended relief that both bodies accepted.

Time will tell if there are still provisions in the bill enacted into law that invade and impair legitimate union activities. If so, no one would want such provisions to remain as a part of our law.

It is wrong under the guise of reform to invade or impair the legitimate field of business, industry, or finance.

It is equally wrong in the case of labor.

If the operation of the law just enacted discloses that some of its provisions invade or impair the legitimate field of union activities, the Congress can and should quickly repeal such provisions.

The blanket indictment of all of labor and all labor leaders by some persons and groups is not only unjustified, but inconsistent with the truth. Leaders in the ranks of labor, like those in business, industry, and finance are at least 98 percent honorable and trustworthy.

It is wrong to indict 100 percent of any group of Americans for the wrongdoing of 1 or 2 percent.

Furthermore, in the recent visit of Mr. Khrushchev to our country, the leaders of labor conveyed to the recent visitor, in a firm and definite manner, their love of America, and what our country stands for. There was no subservience on the part of such Americans—leaders of labor.

Mr. Khrushchev left our shores with the definite impression that labor in America stands for "a government of law, and not of men," and that American labor, organized and unorganized, is vigorously opposed to international communism and its objectives and purposes.

In the field of fiscal affairs the last session made a marked contribution, reducing by well over $1.5 billion the budget estimates submitted by the President to the Congress. In the last 5 years of Democratic control, the Congress has reduced President Eisenhower's budget estimates by over $12 billion. On the question of spenders the record shows the President recommended the spending, during the past 5 years, of $12 billion more than authorized by the Congress.

Upon the recommendation of President Eisenhower, extended to July 1, 1960, the 52 percent corporate rate tax, and the existing schedule of certain excise taxes.

Reduced from 10 to 5 percent the present tax on transportation of persons, and repealed tax on local telephone calls, effective June 30, 1960.

Despite the Republican promise in 1952 and in 1956 to reduce the national debt, it has sharply increased during the present administration.

President Eisenhower recommended another increase in the recent session.

Recognizing the necessity, the Congress responded and raised the national debt limit by $2 billion to $285 billion, and a further temporary $10 billion increase to $295 billion to June 30, 1960.

The President recommended that the ceiling of 4½ percent on long-term Government bonds be lifted, and also on E and H savings bonds.

The Congress passed a bill relating to E and H savings bonds, increasing the ceiling to 4¼ percent. The necessary orders have been issued to increase the interest on these bonds to 3¾ percent. This will (a) benefit millions of present holders of these bonds, (b) prompt them to hold them, rather than cash them in, (c) increase future purchase of these bonds.

The other request, relating to the lifting of the 4¼-percent ceiling on long-term bonds was not granted, in whole or in part, during the past session.

The responsibility for the present situation of high interest and tight money rests upon the shoulders of the Republican administration and the Federal Reserve System. These policies have already increased in less than 7 years the interest paid yearly on our national debt by close to $4 billions. In addition, private borrowers, and of State, city, and county governments, are paying several billions of dollars more now each year in interest than they did in 1952.

Only a few years back the Treasury Department could have made long-term refinancing at less than 3 percent, but instead of following this sound policy, the administration resorted to short-term borrowings of 5 years or less.

As a result of the administration's failures in abdicating its proper responsibilities to the Federal Reserve System, the country is faced with even higher interest rates.

It is also to be noted that no long-term bonds become due until well in 1960.

The Congress, in the interest of our people, used good judgment in not acting on this recommendation until next year. We will then have an opportunity to evaluate the situation better.

To make the record clear and correct, I call attention to an understanding arrived at between the Secretary of the Treasury and the Ways and Means Committee—a majority of whom were in agreement—to lift the ceiling on long-term bonds, and including a sense of Congress provision, in substance, calling upon the Federal Reserve System to cooperate in keeping interest rates from rising too high and too sharply.

This was a reasonable request in the best interest of our people.

The agreement was no sooner made public than it received the open opposition of the Chairman of the Federal Reserve Board, and a few days later, the opposition of President Eisenhower.

These facts clearly show that the responsibility does not rest on the shoulders of the Congress.

If the situation next year, due to policies the Democrats have had no control over, calls for legislation increasing or lifting the ceiling on long-term bonds, it is hoped the President and the administration will show a more understanding and cooperative spirit.

At the request of the President, for the fifth time in 5 years, the Congress has passed legislation raising the limit of the national debt, either on a temporary or a statutory basis.

In 1953, the year President Eisenhower assumed office, the national debt was $258.5 billion. Today, having risen more than $31 billion since that time, it stands at the highest peacetime figure in history—$289.7 billion, and this, despite the Republican promise in 1952 to reduce the national debt.

The legislation enacted by this 1st session of the 86th Congress lifts the statutory limit by $2 billion to $285, and provides for a temporary $10 billion increase to $295 billion until the end of the current fiscal year, June 30, 1960.

There is some substance to the administration claims that rising defense costs and flexibility of management of the debt require this action. Still it comes with ill grace from an administration which has achieved this sad record after close to 7 years in office to label the Democrats as "spenders" and to pose as the only true apostles of economy and guardians of the dollar value.

The 52-percent corporate income tax rate and the existing schedule of excise rates on alcoholic beverages, cigarettes, automobiles, parts and accessories were extended to July 1 of next year, but the transportation tax for persons was reduced by half—from 10 to 5 percent—and the tax on local telephone calls repealed, both effective in the next fiscal year.

To meet the rising costs of the interstate highway program, President Eisenhower recommended an increase—temporary—of 1½ cents in the Federal tax on gasoline and diesel fuels. The Congress enacted a temporary 1-cent-per-gallon increase in the present 3-cents-a-gallon Federal tax on gasoline and diesel fuels with a saving to those affected of one-half cent per gallon. The increase, effective October 1 for a period of 21 months, will make possible a continuance of Federal allotments to the States on a sound basis, and prevent any interruption of the construction of schedules of the States where contract commitments had already been made.

In addition to the revenue from the gas tax boost, the act provides for a future transfer to the highway trust fund of portions of the automobile and parts excise taxes for a limited period.

This is a matter of great importance to our country, and to business and employment. This is one of the outstanding accomplishments of the past session.

For the first time in 10 years the rates of income tax on the earnings of life insurance companies was established on a permanent basis. This problem, the more complex by reason of the varying

types of companies, corporate and mutual, was solved with fairness to the companies, to the policyholders and to the stockholders, and with a substantial increase in revenue to the Government. This is a difficult and delicate task well done.

The increasing growth in air traffic and inception of the jet age spurred a continuance of the Federal Airport Act. The Congress extended its provisions to June 30, 1961, and authorized $126 million in grants to the States on a 50–50 matching basis, with funds for terminal facilities limited to essential items.

The Democratic-controlled Congress recognized that larger appropriations should be made in this important field. However, we were faced with a Presidential veto. While we authorized more effective operation of this program during the next 2 years that the President recommended, in the interest of as much advancement as possible, we passed a bill that might not meet a veto. This is what happened. With a divided Government, rather than no legislation in this field being enacted into law, the Democratic Party took the constructive course of making as much progress as possible.

The lending authority of the Small Business Administration was increased by $75 million until next fiscal year. Mounting demands upon its business loan program required this step and have justified congressional recognition of its necessity and value to this segment of our economy.

The efforts of small business to compete against their larger competitors have suffered because of gaps in the law making it difficult for the Federal Trade Commission to enforce the provisions of the Robinson-Patman amendment to the Clayton Act. Before this Congress acted, a company could grant illegal price discriminations three times before effective penalties could be applied. This Congress has amended the law so as to provide that the cease and desist orders issued by the Commission enjoining discriminatory prices become enforcibe within 60 days.

Of importance is a bill that will assist the small business wholesalers of gasoline. Previously gasoline jobbers were required to pay the excise tax when they received the gasoline from the refiner. There was a measure of unfairness in this situation because there was considerable gallonage lost by the wholesalers due to evaporation, shrinkage, and other similar losses. The bill that has passed the Congress permits these wholesalers to pay the tax on the quantities of gasoline sold and thereby remedies the situation prevailing previously wherein these wholesalers were paying an excise tax on gasoline that had been lost due to shrinkage and evaporation.

Other actions were taken during the past session of advantage to small business in being able to more successfully compete with big business, which is highly favored by the present Republican administration.

The Democratic Party has shown by its actions that it is the real friend of small and independent businesses.

Amendments to the Clayton Antitrust Act enacted by this Congress will strengthen the hand of the Federal Trade Commission in protection of consumers' interests. This legislation, by reducing redtape, will expedite procedures for the enforcement of cease-and-desist orders by the Commission against firms engaging in misleading advertising and deceptive sales methods.

The laws governing national banks have been revised to expand both their lending and borrowing powers and by clarification and elimination of ambiguities.

Lowering of the reserve requirements of member banks of the Federal Reserve is authorized, and holding company control of savings and loan associations is limited in other measures approved in this field.

One of the recommendations of President Eisenhower was to increase postal rates, particularly first-class mail, from 4 to 5 cents. It was only last year that postal rates were increased, the first-class mail—the only paying and profit-making part of our postal rates—was increased from 3 cents to 4 cents.

The Democratic Party takes the position a further increase in first-class mail is unjustified, placing an unnecessary and unfair burden upon the vast users of this mail—furthermore, postal rates were only increased last year.

The Democratic Party finds it difficult to understand why the President recommended this increase.

The President in a recent statement criticized the Congress for not increasing the postal rates. This is an indication on his part that the Republican Party will make this a political issue.

If so, the Democratic Party accepts the issue, with the Republican Party standing for an increase of 25 percent in first-class mail, following a 33⅓-percent increase only last year, and the Democratic Party at this time and for the forseeable future, is opposed to the increase from 4 to 5 cents recommended by President Eisenhower.

This Congress has met its obligation to men who served their country in time of war by enactment of a law revising pensions for veterans with non-service-connected disabilities, and for widows and dependent survivors.

The scale of payments is readjusted to eliminate present inequities under which some veterans are receiving pensions who should not, while others are denied benefits who should receive same.

Under the new act, it is estimated 65 to 70 percent of the 805,000 veterans and 450,000 widows now on the rolls will receive increased pensions. None presently on the rolls will be removed.

At the same time, this legislation equalizes the status of World War II and Korean war widows with those of World War I. Beginning next July, they will be eligible for benefits regardless of whether their husbands' disabilities were service connected or not.

The Congress has bolstered the program for direct housing loans to veterans by enacting an increase of $100 million in authorization of this Veterans' Administration fund.

The program is especially designed to assist veterans living in smaller communities and rural areas to whom private types of financing is not available, as it is to those in metropolitan areas. The new authorization, together with funds to become available in 1960 under existing law, should go far toward reducing the waiting list of more than 40,000 veterans seeking direct housing loans.

The Congress has added additional legislation as follows:

An act to permit payments of benefits to veterans who were inducted as aliens—largely during World War I—and who were subsequently discharged without application or solicitation on their part.

An act providing for veterans of the Korean conflict, receiving education or training under the Korean GI bill, a change from the pursuit of one program to the pursuit of another will not be considered a change of program if the first program is prerequisite to, or generally required for, entrance into pursuit of the second. As an example, where a veteran may have declared his educational objective to be the attainment of a master's degree and he later decided that he wishes to attain a doctor's degree, this change of objective would not be considered a change of program.

An act that makes applicable to a competent veteran who disappears the provisions of existing law which provide that where an incompetent veteran who is receiving compensation for service-connected disability disappears, the Veterans' Administration may pay his wife, children, and parents the compensation otherwise payable to such veteran, amounts payable to each not to exceed the amount payable if the veteran had died from a service-connected disability; also

An act that increases the presumptive period for service connection for the disease of multiple sclerosis from the present 2-year period to 3 years; also

An act that provides that Hansen's disease—leprosy—developing to a degree of 10 percent within 3 years from the date of a veteran's separation from the service shall be considered to be service connected; also

An act that includes as a child for purposes of laws administered by the Veterans' Administration—except those relating to insurance and the disposition of personal property of a decedent left upon the premises of a VA facility—one who was a member of the veteran's household at the time of his death, and who was adopted by the veteran's spouse within 2 years after the death, unless at the time of the veteran's death the child was receiving regular contributions toward his support from some individual other than the veteran or his spouse, or from any public or private welfare organization furnishing services or assistance to children.

Also passed by the House are these other bills to—

Provide incentives for Reserve officers to continue on duty beyond their obligated service period through increase of readjustment pay;

Amend the Reserve Officer Personnel Act to equalize promotion opportunity

in various branches of the armed services;

Extend the period during which families of veterans have preference for admission to public housing projects;

Provide $100 a month pensions for holders of Congressional Medals of Honor.

The program, popularly known as Public Law 480, for disposal of surplus farm commodities, was strengthened and again extended—this time for 2 years.

Under this Agricultural Trade Development and Assistance Act, sales, barter for strategic materials for our defense stockpiles, and donations of millions of tons of the Commodity Credit Corporation's vast stores of surplus are either sold in private transactions, provided for the peoples of other countries in exchange for foreign currencies, or put to humanitarian use for relief of suffering and want in famine, flood, and other emergencies abroad.

An amendment in this year's bill permits the Secretary of Agriculture to establish a food stamp plan for distribution—from groceries, up to $250 million worth of food—to certified needy families in this country. This plan, which is not mandatory, would be put into effect experimentally in trial areas and would terminate for study and final decision January 31, 1962. This plan was opposed by Secretary Benson; why, it is hard to understand. Secretary Benson should carry out the intent of Congress.

The language of the new act places increased emphasis upon the efforts to develop further means for expansion of the foreign markets for American agricultural products. To this purpose, at least 5 percent of the foreign currency counterpart funds are to be devoted. It also authorizes long-term loans by the United States to finance sales of surplus to other nations for dollars.

Amendments were added adjusting the limitation on soil conservation rental payments and the marketing quota for 1960 extra long staple cotton.

However laudable this important measure, it will not solve the problem of surpluses.

Every effort by this Congress to tackle the basic issues of falling farm income and overproduction have been rebuffed by the Eisenhower administration. He stands by the Benson theory of lower prices as the means of cutting production and reducing surpluses.

In the meantime, while the cost of the things the farmer buys has been rising, he is getting less and less for his own products. Farm income has been dropping. In the last 4 years, net income of farms has averaged only $11.9 billion as compared to $15.3 billion in 1952.

And farm population—which was 24.2 million persons living on 5.4 million farms in 1952—was down to 20.8 million on 4.7 million farms in 1958.

An increase of over $4 million was provided over the budget to strengthen the research and control work of the Department, much of which results from the increasing threats of insect pests and diseases to the crops of our country.

The budget estimates for the soil conservation program were increased by $7 million over the 1960 budget request to provide technicians to assure adequate assistance to the 2,861 districts expected to be in existence by June 30, 1960, and to meet the needs in watershed and flood prevention work.

Restored was the full $250 million for the agricultural conservation program for 1960, for which the budget proposed a reduction of $100 million. This is the fourth time since 1953 that a substantial cut of this nature has been proposed by the budget.

For the school-lunch program for fiscal year 1960, there was provided an appropriation of $100 million plus a transfer of $43,657,248 from section 32 funds for food purchases. This total of $143,657,248 is compared with $135 million provided for fiscal year 1959 and a budget estimate of $100 million for 1960.

There have been provided sufficient funds for the lending programs of the Rural Electrification Administration and the Farmers Home Administration to assure farmers sufficient credit to meet the difficult economic problems facing them. The budget request for REA appeared to be adequate. A total of $33 million had to be added to the budget request for the Farmers Home Administration to accomplish this.

In early January, the administration through Secretary Benson, promised to submit to the Congress in time to be considered, a broad legislative program.

Despite efforts to have Secretary Benson submit his program with accompanying legislation, he failed to do so before Congress adjourned.

The vetoes of the wheat bill and the tobacco bill were not only unnecessary, but unjustified.

Congress did everything possible to harmonize its views with those of the administration, but the administration did not cooperate as evidenced by the Presidential vetoes of the wheat and tobacco bills. As a result of the vetoes by the President, important segments of our farming community continue to suffer.

It is evident that the great accumulation of wheat surpluses is a No. 1 farm problem. The administration made no recommendations on this or any other agricultural product.

The Congress acted. It passed a good bill reducing the wheat acreage in 1960 by 25 percent below 1959. This would have brought wheat plantings down to 41 million acres and would have reduced production substantially. This would have been less than half the 84 million acres our farmers seeded to wheat 10 years ago. This legislation represented a willingness of our farmers to assume great sacrifices to bring down the wheat surplus.

The President vetoed this bill.

He did so because it included price supports, but overlooked the fact that such price supports were necessary to prevent great hardships to wheat farmers while they were reducing their crops so drastically.

The tobacco bill, also vetoed by the President, was a good bill, the effect of which was to prevent increases in the support prices of tobacco, so that our tobacco might continue to compete price-wise in the world markets.

All interests in tobacco, producer and industry, supported this legislation.

The vetoes of these two bills, undoubtedly upon the recommendations of Secretary Benson, are contrary to the best interests of these important segments of American agriculture, and of our national economy.

The plight of the dairy farmers, also our chicken farmers, particularly in egg and butter products, is another striking illustration of the lack of leadership of the administration. When the administration acted, and then only when public opinion demanded action, it was too late and too litttle.

Other agricultural bills were enacted by the Congress which permit extension of the crop insurance program into additional counties; authorizes leasing of cotton acreage allotments during crop years 1959 through 1961; provides for sale of feed for livestock in emergency areas; authorizes refinancing of loans on family-size farms under the Bankhead-Jones Farm Tenant Act.

The House Committee on Agriculture sent 118 bills that had been introduced to Secretary Benson for a report of the Department's position thereon. This is the procedure all committees follow with reference to departments and agencies that bills filed relate to.

Of the 118 bills sent to Secretary Benson to determine his position on them, he approved only 8 of them, and most of them were of a minor nature. He disapproved proposed changes, or did not report at all, with respect to all the others. Secretary Benson opposed all legislation providing fundamental improvements in the operation of farm laws to increase the income of farm families.

For example, Secretary Benson opposed legislation to balance the price supports of small grains to their feed value relationship with corn.

He opposed an additional authorization of $3 million for the special school milk program.

He opposed legislation based on a report of a commission to increase research in industrial uses of products of our farms.

He opposed the food stamp plan—food for the needy.

With the price disaster earlier this year in the poultry industry, Secretary Benson opposed legislation relating to the situation, and to long-range problems of this industry.

His efforts to change policy of REA contrary to existing law and to the intent of Congress, are well known to interested farmers and their organizations.

The failure to meet the crisis in the farmer price for hogs is another striking illustration of the administration's disregard for the farmer. Last July prices for hogs dropped to the lowest level in 15 years. The committee reported a bill, which is opposed by Secretary Benson and the administration.

I could mention a number of other bills that were blindly opposed by Secretary Benson and the administration.

At present writing, Secretary Benson is visiting countries abroad, both inside the Iron Curtain and outside. With the failure of his leadership to the farmers of America, it is difficult to see how he can give good advice to the farmers of other countries.

After two vetoes by the President, the Congress passed and sent to the President for his signature a housing bill substantially the same as two he previously vetoed during this session, and one he also rejected in 1958. The President signed the third bill. This is due to the firmness of Democratic leadership.

This is a bill designed to meet the needs of an expanding population, the problems created by migration to the suburbs, the necessity for restoration of slum areas, and large-scale redevelopment of our urban centers. The measure passed by overwhelming vote.

Increases by $8 billion the authority of the FHA to insure construction loans;

Provides $650 million for loans and grants to communities for urban renewal, with $350 million becoming immediately available and the balance July 1, 1960;

Makes available funds for loans to provide residential housing for elderly families, as well as for financing construction of nursing homes for the aged;

Authorizes the construction of 37,000 additional public housing units;

Reduces downpayments on new homes constructions with FHA insured loans.

Provides $300 million to help finance construction of college dormitories.

While the bill passed by Congress does not carry out the feelings of the great majority of the Democratic Members, the bill represents progress in the best interests of our people. The Democratic Party did not take the position of "all or nothing." Giving practical consideration to a divided government, and having in mind the theory of the best progress possible, the Democratic majority acted constructively, and in the highest traditions of statesmanship.

In addition, the Congress in separate legislation, renewed the voluntary home mortgage credit program which is a help to home buyers in smaller communities in finding financing not normally available to those outside of large cities.

Everyone recognizes the importance of medical research and the part the Federal Government can play in this important field.

The Congress made a large increase in this field over the President's budget estimate. The increased appropriation was nearly $106 million. For example, it is estimated that 16 million of our people suffer in some degree from mental disorders; almost as many are partially or totally disabled by diseases of the heart and the circulatory system, including cerebral vascular diseases. There are 11 million of our people suffering from arthritis and rheumatic diseases, and cancer afflicts 700,000 and annually takes in death 250,000 persons.

Certainly, finding the answers to these and other diseases means more to our people and to humanity than it would ever be possible to measure in dollars and cents.

Wonderful progress has been made in past years in the field of medical science. For example, 1 cancer patient out of 3 can now be saved, as compared to 1 out of 4 as recently as 1938; approximately 80 percent of all persons with epilepsy are capable of regular, productive employment. The major cause of blindness among infants has been practically eliminated. With new drugs and methods of treatment, it is possible to prevent crippling in 70 percent of patients suffering from rheumatic disease, as well as marked advances in other diseases, and conditions of human suffering.

And in this progress, appropriations made by the Congress have played a most important part.

In addition, the Hill-Burton hospital construction program—a matching grant program—was increased from the budget estimate of $101,200,000 to $186 million. This program meets the enthusiastic support of our people.

The construction of health research facilities—on a matching basis—authorizes an appropriation of $30 million each year. This act was passed in 1956. The President, for fiscal year 1960, recommended $20 million. The Congress appropriated the full amount—$130 million.

The pollution of our streams has become a national disgrace. The existing law authorizes an annual appropriation on a matching basis of $50 million annually. For fiscal year 1960, the President recommended $20 million. The Congress considered this amount to be inadequate, increasing it to $50 million for this fiscal year—1960.

These are outstanding achievements on the part of Congress, of inestimable value to our people.

In the health field, substantial increases in appropriations were made for medical research by the National Institutes of Health and other institutions, and extended for 5 years programs for training of public health personnel.

In providing for the continuance of the air pollution control program, the Congress authorizes funds to continue research projects and technical assistance for local health authorities.

The special school milk program which has benefited millions of children throughout the land was given an increased limitation for expenditures to $85 million for 1960 and to $90 million for 1961.

Legislation was enacted to give various States additional time to bring nonprofessional employees of school districts under the Social Security Act.

We have provided increased benefits under the Railroad Retirement and Unemployment Compensation Acts. This is a measure of major importance to the several hundred thousands of railroad employees and their families.

Of major importance to Federal employees and their families, which was under consideration for several years and supported by all organizations of Federal employees, is the bill establishing a Government-wide Federal employees health benefit program. This bill is one of the significant acts of this session.

A bill of great importance to our people is one that provided for strengthening the authority of the Post Office Department in curbing the use of mails for the distribution of obscene and fraudulent matter. This bill, which passed the House, when enacted into law, will improve the procedures and criteria for the prevention of obscene material going through the mail.

The House also passed a bill establishing a licensing and control system over the manufacture of narcotic drugs in pursuance of international agreements with other nations to cut down their illicit trade.

Also passed by the House is a bill allowing tax deductions for professional self-employed who set aside income for a voluntary plan. This is meritorious legislation and should be enacted into law next year.

By margins in excess of the two-thirds majority necessary, both the House and the Senate overrode the President's veto of a second public works appropriation bill.

The measure provides $1.3 billion for flood control, waterpower, river and harbor improvement, and anti-beach-erosion projects throughout the country.

President Eisenhower's veto message of the original disclosed two things:

First, that he was misinformed as to the status of many of the projects which he classified as "new starts." Actually, they had not only been authorized and budgeted but construction was already under way on some of them.

Second, that he showed a lack of sympathy and understanding with the fundamental policy of conservation of our natural resources. He took the shortsighted position of viewing only the dollars spent on such projects, rather than that they are an investment which returns manifold dividends to our country, as well as protection to our people.

This appropriation bill will bring benefits to millions of persons in various parts of the country. The President took an adamant position of all or nothing on his recommended projects. The Congress included projects of long standing and of great merit. The appropriations provide for an orderly development of our natural resources and represents an investment in America which will bring back manifold returns. Every project has been considered by Congress and authorized by law. The people of the areas of the country who will benefit from this bill are indebted to the Democratic Members of the Congress for the final action.

The Democratic Party is proud of its part in the passage of this bill.

The important problem of public works projects on our rivers and harbors, in the improvement of navigation, and of flood control, was recognized by the passage of an authorization bill, that will permit appropriations in excess of $600 million in the years ahead. Such legislation, and later appropriations, are an investment in America.

One of the greatest examples of Federal public works projects, the Tennessee Valley Authority, for the first time was put on a self-financing basis by the Congress. The new law gives TVA authority to issue up to $750 million in revenue bonds to finance additional facilities. It was due to Democratic insistence that this bill became law.

The problem of pollution of our streams, with its consequent dangers to health and water supplies, was effectively met by the House with passage of a bill increasing from $50 million to $80 million a year the sum which may be appropriated.

These funds are to be used as grants to local governments to help pay the cost of construction of sewage-treatment works.

The Federal allocations represent 30 percent of the cost of the projects as against 70 percent provided by the community.

During the closing days of the session, the Senate passed a bill providing for further increases. The differences between the two branches will be adjusted next year.

In the field of reclamation and development of the Nation's water resources, and in the field of flood protection, bills of import to various parts of our country were passed, and some others were reported out of committee for action next year.

Also, in the field of public lands, many bills were enacted into law.

In the field of Indian affairs, a number of bills of import to our Indian tribes were enacted into law.

The interstate compact for conservation of oil and gas, which was established by oil-producing States with the consent of Congress, was authorized to be extended for another 4 years by legislation enacted into public law.

In the field of immigration and naturalization, important legislation was passed of a progressive and humane nature; among which was a bill enabling the reuniting here of many thousands of families of law-abiding aliens now permanently residenced in the United States. This bill is a decided step in the right direction which many interested persons and groups hope will be followed by future legislation extending its humane benefits.

A measure of great import to the several States relates to State taxation of income derived from interstate commerce. The Congress had to act quickly on this matter during the recent session. While the bill is a step in the right direction, the passage of this bill is not intended to be a final or comprehensive solution of all the problems of State taxation of income derived from interstate commerce. A study by appropriate committees will be carried on to determine what further legislation, if any, is required.

The extension of the Civil Rights Commission should and will be followed in the next session by the passage of legislation that will extend existing law in the protection of the constitutional rights of all persons.

In the next session, legislation increasing the minimum wage, and extending coverage under this law will be acted upon.

Much has been written about the vetoes of President Eisenhower, and that only 1 out of 146 vetoes has been overridden by the Congress. The fact is that most vetoes are on minor bills, and no Congress undertakes to override such a veto.

It must be borne in mind that overriding a veto requires a two-thirds vote of those present and voting thereon. This vote is difficult to obtain, even on legislation—suspension of the rules—requiring such a vote where there is strong opposition. The record shows that where an attempt was made to override a veto, and it failed, that the overwhelming majority of the Democratic Members followed their leadership. Where a majority vote was required to pass a bill, a clear majority was obtained.

It is significant to note that on the three widely publicized vetoes that the President finally accepted practically the same housing bill as he vetoed on two occasions; that the Congress overrode the second veto of the public works appropriation bill, which is practically the same bill that the President vetoed, and the Rural Electrification Administration bill failed in the House by only four votes in obtaining the necessary two-thirds vote.

An unfortunate pocket veto of the President is the bill establishing for a limited period of time a Research Commission for the Coal Industry.

There is no segment of American industry more adversely affected economically than the coal industry, with resultant widespread unemployment.

Through this Commission that the bill established might have been discovered new uses of coal, bringing new life to the industry, and hope of future employment to the unemployed coalworkers and their families. This measure was not only sound, but humane.

To say the least, it is most unfortunate that the President pocket-vetoed this bill which would cost so little, but could bring so much good.

There is no person in the entire country who more enjoys the confidence and respect of the people of the country—North, East, South, and West—than does Speaker SAM RAYBURN. Everyone knows that, while he is a strong Democrat, above all he is a dedicated American.

With his 47 consecutive years of service in the Congress, Speaker RAYBURN's long experience enables him as a top expert to appraise a Congress or one of its sessions.

At the end of the 1st session of the 86th Congress, Speaker RAYBURN said:

> I have never known a group of men and women assembled in this Chamber who I thought were more dedicated to the job they were trying to do here than the Members of the 86th Congress.
>
> We have done, in my opinion, a tremendous and outstanding job.

While the record of the 86th Congress remains to be completed at the termination of its 2d session, the Speaker's appraisal of the past session—the 1st session of the 86th Congress—is correct, and, I might add, in spite of the difficulties raised by Presidential vetoes.

In a government of party division between the executive and the legislative, it is imperative that political policy should not hamper either in their respective duties. This Congress has striven to meet the President more than halfway. We have leaned over backwards showing a willingness to compromise to obtain agreement on legislation necessary to the welfare of the country. We did not sacrifice principle in doing so, but, on the other hand, neither did we take an all-or-nothing attitude.

It is sincerely to be hoped that with our return for the second session in January, the President will be of like spirit.

A Report to the Citizens of the 13th Congressional District of New Jersey

EXTENSION OF REMARKS
OF

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. GALLAGHER. Mr. Speaker, following is my end of session report to my constituents whom I have had the privilege and pleasure of serving in this session of Congress:

A REPORT TO THE CITIZENS OF THE 13TH CONGRESSIONAL DISTRICT—THE CHALLENGE IN GOVERNMENT

Nearly a year has passed since the voters of New Jersey's 13th Congressional District elected me to the U.S. House of Representatives to serve in the 86th Congress. While the press has been most generous and most fair in reporting for you the positions I have taken on the various issues before this Congress and the general activities of my office, I feel it is appropriate to file with you an end-of-session report on the year's work. I have listed in these pages a summary of my actions on the major issues before the Congress, and other activities in which I have engaged on behalf of the people I am privileged to represent.

In this column I would like to discuss briefly some of the many problems of Government and especially what, in my mind, is a fundamental issue we are facing in Government today.

With the exception of periods when the country was actually at war, no Congress has been faced with problems of such magnitude and complexity as those which confront the 86th. We have before us matters which range from the orbits of outer space to the corridors of the United Nations. Some of these may seem, at times, to be beyond solution, and, indeed, it requires great courage to face up to the challenge of our times.

We have been witness in the past 10 years to a tremendous increase in the population of our own country, and of the whole world. We have marveled at the unbelievable advancements in science. We have followed, not without some trepidation, the coming of age of world communism and the emergence of the Soviet Union as a giant among nations. In the East we have watched China, with its massive population, awaken like a restless dragon.

Suddenly, in the last year of the decade, the full impact of this great population

growth, the advancements in military science and the shifting of power in world politics has come to bear with world-shaking consequence on modern civilization.

Generally, the many problems with which the Congress struggles fall into two categories, domestic problems which most intimately and immediately affect our own citizens and those of greater scope which affect not only our own people, but people the world over.

We are, of course, most conscious of those problems that have come about mainly as the result of our own rapidly increasing population. There continues to be a demand for adequate housing for the growing young families that are the real strength of our Nation and a pressing need for aid to education, not only to the extent of providing sufficient classroom space and a decent standard of pay for the teachers into whose hands we entrust the intellectual and character development of our children, but for the advanced study of young men and women upon whom will depend the future well-being and development of our country.

All of this adds up to a tremendous challenge not alone to the Congress, but to the people of America.

There has been throughout this legislative year, as you know, marked differences of opinion between the heavily Democratic Congress and the Republican administration. As I have studied the positions established and the actions taken on the various major legislative matters, it became quite clear to me that the really fundamental issue is whether the Federal Government will face up to the challenge of this dynamic age by meeting the demands of a growing Nation and its rapidly expanding population, to include such things as a strong defense force, full educational opportunities, adequate housing, care of the aged and mentally ill, public transportation, adequate sanitary systems and water supply; or whether it will compromise this challenge through unrealistic and ultraconservative fiscal policies.

I am as conscious as any citizen of the dangers of inflation, and I have strongly opposed reckless spending projects in Government. But the threat of inflation must not be used by the advocates of the tight dollar to thwart the progress of this country and to deny any of our citizens a decent standard of living and equal opportunities in every field.

The record of service in my first year in the Congress, as you will see in reading this report, favors generally those programs that attempt to provide the needs of a growing Nation. I am convinced that if America is to remain strong and free it must meet realistically the challenge of this period in our history. In this I feel that I reflect generally the feelings of the citizens of the 13th district.

CORNELIUS E. GALLAGHER,
Member of Congress, 13th District, New Jersey.

THE STRENGTH OF OUR ALLIANCE

We are living in an age in which the United States is filling the role of leader of the free nations. The security of any one of them is dependent on the strength of the alliance.

Our day-to-day dealings with the governments of these free nations and with the governments of the Communist nations constitute a major activity of our Government. A great deal of time in the Congress is devoted to a continuing study of this particular function of Government.

Every Member of Congress is assigned to one or more committees, and a good deal of time is spent in committee work. I am assigned to the Foreign Affairs Committee and the Subcommittee of Foreign Economic Policy and Europe. It is a rare privilege for a new Member to receive such an important assignment and I am grateful to the House leadership for the confidence they have shown in me.

MISSION TO BERLIN

As a member of the committee, I was afforded an opportunity to observe closely political activity in the European nations and relationships that exist between these nations. The committee had before it as witnesses not only ranking members of our State and Defense Departments but prominent leaders of European countries.

Work on the Foreign Affairs Committee led to my selection to head a special study mission to Berlin during the crises in that German city last spring. Following our return a good deal of time was devoted to writing the Berlin Report, a document which served as a guide for the Foreign Affairs Committee in its deliberation on the Berlin matter.

A recommendation which I made in the report calling for the United States to serve notice that it was prepared to fire the first shot or drop the first bomb, if there should be conclusive evidence that an enemy was preparing to wage war on this country, brought outraged Communists to their feet to denounce me. These denunciations were printed in Pravda and in the Communist newspapers of Red China.

FOREIGN AID

Many weeks of the committee's time were devoted to hearings on the mutual security and foreign aid bills. The last public act of the late Secretary of State John Foster Dulles was his appearance before our committee. I had occasion to note at the time that it was evident that he was in intense pain, unafraid of death and drew the strength to testify in this important hearing from his keen sense of duty.

There is no denying that some abuses exist in the foreign aid program, but there is overwhelming evidence that this program is vital and effective in our efforts to stem the spread of communism throughout the world. Not only did I vote for the foreign aid bill, but I was assigned to assist in assuring its passage when it came to the floor for a vote.

KHRUSHCHEV VISIT

I can report that among the members of the House Foreign Affairs Committee there was concern over the President's invitation to the Soviet Premier, Mr. Khrushchev, to visit the United States. My particular concern was for the tremendous propaganda effect of such a visit in nations throughout the world, particularly in the captive nations. While I had serious reservations about the visit, I pointed out at the time that the ultimate responsibility for the conduct of our foreign affairs rests with the President and once he had made his decision it was our duty to support him, regardless of our personal feelings.

COMMON MARKET STUDY

Following adjournment of the first session, I was selected to be a member of a special study mission which is going to Europe to observe the operation of the European Common Market and the development of integration programs in Western Europe. As an adjunct to the mission, I was assigned to make a study of economic development in Poland and trade relations between that country and the Soviet Union. This aspect of the work will require my visiting Moscow and Warsaw where I will confer with economic advisers of the U.S. Embassies and other trade officials.

UNEMPLOYMENT COMPENSATION

There is obvious need for improvement in our unemployment compensation laws. The present law, passed some years ago, is wholly inadequate to meet the problems of the large number of unemployed throughout the country, particularly in labor distressed areas. Hudson County, which is included in the Newark labor market area, is considered, by virtue of continued unemployment of 6 percent of its total labor force, to be a distressed labor area.

I cosponsored in the House a bill which was similar to one introduced in the Senate by Senator KENNEDY of Massachusetts. My bill, H.R. 3563, was designed, among other things, to do the following:

Establish benefits equal to not less than 50 percent of weekly wages, but not more than two-thirds of the average weekly wage in the State.

Establish a uniform payment period of 39 weeks. (It is now 26 weeks.)

Passage of this bill would bring an end to the patchwork approach to the serious problems of the existing program which pays too little in benefits for too short a period of time.

Early in the session the Congress voted a temporary extension of authority to pay unemployment benefits for a period of 39 weeks. The extension is to October 31, 1959. Although I voted for this, I protested at the time that this was merely an expedient and not the real solution to the unemployment compensation program.

The Congress failed to enact legislation, such as Senator KENNEDY and I proposed, however this legislation should be given a top priority in the next session.

In my efforts to get action on this legislation during the session, I appeared before the House Ways and Means Committee and urged that an effective bill be brought to the floor.

CAVEN POINT

The economy of our area suffered as the result of the decision by the Department of the Army to abandon overseas shipping through its terminal at Caven Point. I devoted a great deal of time in an effort to force a reversal of this decision, carrying my protest as high as the Secretary of Defense, for, in my opinion, the abandonment of its splendid facilities at Caven Point not only was harmful to local economy and added to the problems of our already economically distressed area, but it was a ridiculous move that in no way benefited national economy. The Army may one day regret that it gave up a major deep water channel, direct highway access, ocean terminal. From a standpoint of military preparedness it was certainly an ill-considered move. It has never been explained to my satisfaction why the Army permitted the spending of more than $2 million in public funds to build new facilities at Caven Point which were abandoned without ever being used. Already these brand-new structures are showing signs of the rapid deterioration that hits deserted buildings.

I consider the abandonnment of the Caven Point facilities to be the most wasteful and thoughtless decision by a Government agency that I encountered in my first year in Washington.

CIVIL RIGHTS

The final act of the Congress was to pass a foreign aid bill to which was attached a rider providing for extension of the life of the Civil Rights Commission.

It is most regrettable that the Congress, its efforts in this important field blocked by a strong group of southern legislators, failed to vote a comprehensive civil rights program.

It was impossible to force a bill out of either the Senate or the House Judiciary Committees, the chairmanship of both being held by members from Southern States.

There is agreement between Democratic and Republican leaders that a comprehensive civil rights bill will be an early order of business in the second session, and it is hoped that some action will take place no later than next February.

When it appeared that the will of the southerners would prevail in the civil rights matter, I wrote the President urging that he make a nationwide television appeal for public demand for civil rights action, similar to his appeal for a labor reform bill. I felt that the civil rights matter was of equal importance.

In the House many Members signed a discharge petition seeking to force floor action on a civil rights bill despite the failure of the committee to report on a bill. I was one of the signers of the petition. It failed to gain sufficient signatures in the closing days of the session.

A bill aimed at restricting action of the U.S. Supreme Court in civil rights matters was introduced in the House and passed despite strong protests of many Members. I took a determined position against passage of the bill (H.R. 3) and urged its defeat in a speech on the floor of the House. The bill failed to come up for a vote in the Senate.

HOUSING PROGRAM

Probably no matter before the 86th Congress in its 1st session was given as much attention as public housing. The great majority of the Members, both Democratic and Republican, of both the Senate and House favored continuing a sound and constructive public housing program.

The Congress passed three separate housing bills. Two of these were vetoed by the President who favored a drastically reduced housing program. Following the first veto, the Congress passed a second housing bill which was a compromise, an effort to meet the President halfway. The second bill, while it reduced authorized Federal funding, still retained authority that would have permitted continuing the program at an adequate level.

The third housing bill, while it contained authorization for construction of 37,000 units of low cost housing for families displaced as the result of slum clearance projects, a $50 million authorization for loans for housing for elderly persons, and funds for urban renewal, was only a bit higher than the cost of the administration bill. The final bill provided for an expenditure of about $1 billion over a 2-year period.

I favored a more liberal housing bill than that which was finally passed and was particularly distressed when President Eisenhower vetoed the second housing bill.

Early in the session I introduced a bill calling for a lowering of limits from 65 to 62 years as the age at which individuals might apply for public housing under the elderly persons provisions. I took this action because a large percentage of persons at age 62 are incapacitated or able to work only part time and are frequently forced to live on reduced incomes.

WAR ON INFLATION

My mail is heavy with letters from constitutents who are concerned with the continuing threat of inflation. I share this concern and I am conscious that big Government spending is a contributing factor. However, some of the economic practices of business are likewise contributing factors. Inflation will be effectively blocked only through cooperation of Government, business and the consumer public. While I advocate wise and prudent spending by our Government agencies, as I said in another column of this report, ultraconservative fiscal policies and too tight a pinch on dollars can black the full development of the country's resources, slow down our scientific and engineering programs, compromise our national defense and deny our citizens many of the Government services to which they are entitled. A proper balance in economy with sensible restraint on Government spending would check inflation if business and the consumer public does its part.

The staggering amount of interest which the Federal Government is required to pay on borrowed money is a matter of increasing concern. This is a matter of serious concern and I am certain that the Congress next year will undertake a study of this problem.

IS CONGRESS THE BIG SPENDER?

The public likes to pin the big spending tag on Congress. This is a year when we would do well to follow Al Smith's advice and take a look at the record in this regard.

A. The President's budget for fiscal year 1960 called for $74 billion.

B. The Congress appropriated $72,977,598,352, cutting the President's budget requests by about $1.8 billion.

The Congress trimmed the President's budget requests for the operation of nearly every Federal agency except the Department of Health, Education, and Welfare. It increased that budget by $25 million, principally for medical research.

Congress cut the President's request for supplemental appropriations by $376 million.

It also cut backdoor spending, which was approved by the President, by several hundred million dollars.

LABOR BILL

One of the most bitter fights during the 1st session of the 86th Congress was over a so-called labor reform bill. Senator KENNEDY, of Massachusetts, had introduced legislation in the Senate which attempted to correct some of the abuses in some labor unions. There were some Members of the Congress and the administration who felt that a stronger and more drastic bill was needed than that proposed by Senator KENNEDY and considered favorably by the House Labor Committee, with certain amendments. The result was the Landrum-Griffin bill which was passed by the House. I favored the bill supported by the House Labor Committee and voted against the Landrum-Griffin bill because I felt that in attempting to stamp out abuses which are known to exist in a few labor unions, it restricted legitimate union activities and may prove to be harmful to the honest and upright unions. A Senate and House conference committee, headed by Senator KENNEDY, brought forth a compromise bill which finally was passed by both Houses by large majorities. I voted for the bill as approved by the conference committee.

NONRESIDENT TAX

For many years residents of New Jersey working in New York have been required to pay a tax on income derived from their New York employment. This is not so in the case of New York residents employed in New Jersey. It is grossly unfair to our New Jersey residents and I am deeply concerned for the several thousand citizens of the 13th Congressional District who commute to work in New York and are forced to pay New York State income tax. Early in the session, I was cosponsor of H.R. 4198, a bill that would permit compacts between States to grant uniform tax treatment to nonresident workers. The bill was referred to the Judiciary Committee. During the committee hearings on this bill I appeared as a witness and urged favorable action by the committee. The legislation never reached the House floor for consideration. However, Governor Rockefeller, of New York, has assured me that he will continue to give attention to this problem and there is every indication that the unfair burden imposed by New York State will be eased. I am hopeful that this will be so in the near future.

MEADOWLAND DEVELOPMENT

Important to the economy of Hudson County is the eventual development of its vast meadowlands. Studies are being made by a number of communities and the State of New Jersey who have banned together in a joint effort. During the first session I appeared before the Appropriations Committee and urged that Federal funds be made available in order that the Army engineers might undertake preliminary studies for eventual development of the meadowlands.

GASOLINE TAX

Although I had reservations about increasing Federal taxes on gasoline, I voted in favor of a bill authorizing the increase after having been assured that this was the only means of continuing the Federal highway construction program. Cancellation or postponement of highway construction in New Jersey would not only be harmful to local economy and mean the loss of work by many highway employees, but would delay completion of very badly needed additional expansion of our road nets.

CAN WE BE OF SERVICE?

Very early in my first year in Congress, I learned the importance of maintaining a close relationship with the citizens whom I represent. The interest of the citizens of our district in their Government is evidenced by the large volume of mail which is received in my office in Washington, and by the great many residents of the district who visit in my congressional office in Bayonne.

This interest of citizens in their Government has proven to be of great assistance to me. For I benefit by the views expressed and my actions are guided by the interest of my constituents. I gained a great deal of personal satisfaction in being of assistance to residents of the district whom I have been able to help.

Besides my congressional office at 783 Broadway where I hold office hours each Friday evening starting at 7 p.m., and where my resident secretary, Joseph Topoleski, may be contacted, I also maintain a congressional office in the Main Post Office Building at Warren and Montgomery Streets in Jersey City where my resident secretary for Jersey City, Donald Monahan, and my congressional aid, Mrs. Marcella West, may be contacted.

Report on 1st Session, 86th Congress

EXTENSION OF REMARKS

OF

HON. THADDEUS M. MACHROWICZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MACHROWICZ. Mr. Speaker, as the 1st session of the 86th Congress comes to an end, I would like to review, for the benefit of my constituents, some of its accomplishments.

It has been a long and hard-working session. It has been a session which encountered the problems that are bound to arise when a government is divided with one party in control of the executive department and the other party in control of Congress.

But the length and the work and the difficulties are only incidental to the really important fact so far as the American people are concerned. The basic reality is that, though in some instances Congress has not stood sufficiently firm in meeting the Presidential veto or threat of veto of good and needed legislation, particularly in the housing, labor, area redevelopment, and social security fields, nevertheless this has been, in my opinion, a productive session in terms of national needs.

LABOR-MANAGEMENT REFORM LEGISLATION

The most controversial and heated piece of legislation to reach the floor of the House in years was the labor-management reform bill. Pressure was brought to bear upon the whole Congress, and was accentuated through mass media by the President, the Senate Rackets Committee and prolabor and antilabor forces. As a result, Congress was beseiged by carloads of mail and the Capitol was crowded with hundreds of lobbyists and pressure groups. Labor-management reform was supported almost unanimously by Congress, but how to effect remedial legislation that would clear corrupt elements out of unions without imposing punitive measures on all unions caused much heated disputation on the bills.

The Senate passed the Kennedy-Ervin labor-management reform bill on August 25, 1959, by a vote of 90 to 1. When the legislation reached the floor of the House, the committee bill was sidetracked, and the Landrum-Griffin bill was substituted.

I opposed the Landrum-Griffin bill in the House because, in addition to containing some good and needed provisions for ridding labor unions of racketeers and protecting the rank and file workers from abuses, it also contained amendments to the Taft-Hartley law and other provisions, which would clearly injure the legitimate union movement and make it more difficult and almost impossible for the unions to organize in areas where labor was not yet organized. It is my belief that this fact is the reason many of the southern Democrats supported the Landrum-Griffin bill in the belief that with cheap unorganized labor in the South, the chances of inducing industry to move from States like Michigan, in the North, would increase.

I supported the moderate and effective committee bill, which was defeated in the House, but when the House and Senate conferees agreed on a modified version of the House bill, with at least some of the objectionable features removed, together with the rest of my Michigan Democratic colleagues, I voted in favor of the conference report, knowing that this was the last opportunity to get any kind of a labor-management reform bill out of Congress. It is my belief that failure of Congress to carry out this responsibility might well have touched off a wave of antilabor sentiment that could have set back the cause of unionism.

HOUSING LEGISLATION

The last week of Congress was highlighted by the drive for adjournment. Congress, for the third time this session, passed an omnibus housing bill. The President vetoed the first two, and as we adjourned, has not acted upon the third bill. It is my hope that the President signs this bill or many Federal housing projects, including urban renewal, will be eliminated or drastically curtailed for lack of funds. As Congressman RAINS, chairman of the Subcommittee on Housing, said on the floor of the House, the first housing bill was the best bill; the second was a good one; and the third compromise legislation was a fair one.

It was indeed sad to see neither the first nor the second bill receive the President's signature when they were pared down by congressional leaders in order to fit the needs of the country without overtaxing the economy. Representative government is based on the art of compromise, and I feel Congress performed its obligation by reconciling its original request in this field to gain the approval of the administration. In turn, it is my belief that the President failed to meet the Congress halfway, by failing to approve a fair housing bill.

NATIONAL DEFENSE

We live in an age of pushbutton warfare and we are one of the great powers on earth. Another great power, Soviet Russia, through her leaders, has said on numerous occasions that it has the thermonuclear power to destroy the United States within half a day.

Members of Congress, even before this session, have made every effort to determine whether this Nation is adequately prepared to deter Soviet aggression.

The Gaither report, which was kept secret longer than it should have been, said in part:

> The United States is moving in a frightening course to the status of a second-class power.

The Rockefeller report said:

> Unless present trends are reversed, the world balance of power will shift in favor of the Soviet bloc. If that should happen we are not likely to be given another chance to remedy our failings.

Adm. Hyman G. Rickover stated:

> I think it is almost too late. This is what I worry about. * * * Some of my money for fiscal 1958 which was appropriated by Congress several months ago has not yet been made available to me.

Secretary of Defense McElroy said:

> By 1962 the Russians may lead the United States in guided missiles by as much as 3 to 1.

Gen. Thomas Power, Air Force Strategic Commander, stated:

> I think you are just risking the whole country. That is how important I feel it is. The force which is now programed is not adequate because it is not coming fast enough.

Faced with these grim facts, the Congress approved a measure to create a new National Aeronautics and Space Administration with nearly $500 million to spend; extended the draft to 4 years; extended the Renegotiation Act under which the Government recovers excessive profits on defense contracts, and in general did its best to overcome the administration's avowed intention of lagging behind the Soviet Union in long-range missiles and other thermonuclear instruments of war.

National defense is a continuing struggle between those who would economize to a point of national risk and those who recognize the need for a first-class defense even if it means tightening belts.

In January Members of Congress once more will examine the Nation's defense structure with an eye toward further improvements.

CIVIL WORKS

The President vetoed two civil works appropriation bills, but the Congress overrode his second veto.

Civil works measures long have been termed "pork barrel" by cynics of Government. Actually, civil works provides money for flood control and reclamation projects.

There is nothing "pork barrel" about a flood. More than 1,000 urban communities in the United States have been classified as flood-endangered areas. The flood threat is increasing with the expansion of suburban areas.

During the tragic floods of 1955 damage in the United States was estimated at $1 billion, or approximately the total amount of the civil works measure which was approved over the President's veto.

TAXES

Congress extended for 1 year the Korean war corporation taxes and certain excise taxes. The transportation and local telephone taxes were reduced.

New levies were imposed on life insurance companies which will return the Government another estimated $215 million annually.

HIGHWAY PROGRAM

It looked for awhile as if the Federal highway program would be faced with a financial roadblock. As a final resort, Congress increased the Federal gas tax from 3 to 4 cents. This tax becomes effective October 1, 1959, and continues for 21 months.

RAILROAD WORKERS

The Congress approved a measure increasing pension and jobless benefits under the Railroad Retirement and Unemployment Acts.

VETERANS

Congress provided $100 million for direct housing loans to veterans. Readjusted non-service-connected disability pensions and provided new pensions for widows.

AGRICULTURE

Congress extended the surplus farm products law. Introduced a Federal food stamp plan for needy families in a few trial areas of the country. I regret that Secretary of Agriculture Benson has indicated that he will not put the plan into effect despite the action of Congress.

POSTAL AND BOND INTEREST RATES

Congress declined to increase postage rates or interest rates on long-term Government bonds but did increase rates on E and H series savings bonds to a maximum interest of 4¼ percent.

AIRPORT PROGRAM

A $63 million matching Federal aid to States was approved this session for airport improvements for the fiscal years of 1960 and 1961.

INTERNATIONAL AFFAIRS

In this continuing struggle between the free world and the Communist bloc it is necessary for the United States to bolster the economic and military strength of our Allies.

This Congress established a new Inter-American Development Bank to finance projects in Latin America. Congress also boosted U.S. subscription to the World Bank.

A foreign aid measure was approved which included $2.1 billion in military assistance and another approximately $1 billion in economic assistance.

THE NATIONAL DEBT

Congress, at the request of President Eisenhower, raised the legal limit of the national debt to $295 billion. The national debt in 1952, when President Eisenhower assumed office, was $265 billion, or roughly $30 billion less than the present amount.

HAWAII STATEHOOD

A 50th State was born this session of Congress with the admission of Hawaii. The borders of the United States now extend northward to within a few miles of Soviet Siberia and into the strategic Pacific.

These are, I believe, the major accomplishments of the 1st session of the 86th Congress. There were, of course, some fields where Congress should have acted, but did not. I shall attempt to discuss them later.

Is Tight Money the Only Way To Fight Inflation?

EXTENSION OF REMARKS
OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. REUSS. Mr. Speaker, the 1st session of the 86th Congress might well be called an educational session in the area of economic policy—educational for the Members of Congress, for the American people, and perhaps even for the members of the executive branch.

There has been much serious thought and serious discussion devoted this year by many Members of the House and Senate to our economic problems and our economic future.

Unfortunately, most of our serious discussions of economics have been overshadowed by repeated political charges against the majority party of budget busting, heavy spending, and fiscal irresponsibility—charges which cannot be substantiated because they are not true, and charges which, whatever their imagined political value, have contributed nothing but confusion to honest efforts to solve the real economic problems our Nation faces.

However, Mr. Speaker, I am sure that the American people have not been fooled and will not be fooled by such political shouting, which is intended to divert attention from serious discussion of our real economic problems—how to maintain a strong and growing America, with maximum employment and sustained economic growth, without inflation.

Mr. Speaker, I hope that the political crying towels will be thrown away after this session, and that in the 2d session of the 86th Congress we will come to grips with reality, forget the slogans, and get down to the serious business—on both sides of the aisle—of developing sound economic policies which strengthen instead of weaken the United States.

In this connection, I submit for the RECORD the following article which I have just prepared for Commonweal magazine:

IS TIGHT MONEY THE ONLY WAY TO FIGHT INFLATION?

(By HENRY S. REUSS)

A few days short of adjournment, the Democratic Congress handed the Republican administration one of its few defeats of the 1959 session. By a nearly party line vote, the House rejected, 256 to 133 the administration request for removal of the 4¼ percent interest ceiling on U.S. bonds, a ceiling which has been in effect since 1918.

The vote was based mainly on instincts. The Republicans' instincts were with tight money and Andrew Mellon; the Democrats' instincts were with adequate money and Andrew Jackson. The larger question behind the controversy over the 4¼ percent interest ceiling—the question of how best to fight inflation—has not been explored, either by the administration or by Congress.

During the debate, Democrats pointed out that refusal to lift the 4¼ percent ceiling would entail no disastrous consequences for Treasury financing. No Treasury obligations of more than 5-year maturity come due until November 15, 1960. Refunding—the issuing of new securities to replace those that come due before then—can proceed without reference to any interest ceiling. By November 15, 1960, Democrats hope that interest rates will be lower and that the Treasury will be able to sell obligations for less than 4¼ percent.

Meanwhile, why permit the Treasury to saddle generations of future taxpayers with issues of 30-year U.S. bonds at 5 or 6 percent interest? For the next year, refunding operations can just as well be handled by issuing securities of 5 years or less, followed by their refunding at lower rates.

WHY PAY MORE LONGER?

In short, Democrats argue that if the taxpayers are to pay more than 4¼ percent on Government borrowings, it is better to pay it on shorter term obligations than to be stuck with high interest payments for 10, 20, 30, or 40 years.

The dust has partly settled on the interest ceiling issue for the moment. But the question remains: Is the administration's method of fighting inflation—tight money and high interest rates—the way to do it?

High interest rates have been brought about in several ways. On numerous occasions the Treasury has put a higher interest coupon on a new issue than the market required. Then, too, the Federal Reserve has repeatedly raised rediscount rates—the rate which Federal Reserve banks charge member banks for loans it makes to them. Most important of all, the increase in the money supply from 1954 to 1958 was held down to 6.6 percent, compared with a 21.6 percent increase in gross national product during this same period.

Sometimes the administration tries to escape responsibility for high interest rates, asserting that these rates are simply the result of "supply and demand" for money. But this argument overlooks the fact that the administration controls the supply of money through its power to create bank reserves, and controls a good part of the demand for money through the borrowing and credit activities of the Government.

FISCAL POLICY IS BETTER

Critics of administration economic policy argue that a one-track tight-money policy is far inferior to fiscal policy—the expenditure and taxing policy of the Government—as a means of fighting demand inflation. A tight-money policy, say these critics, retards economic growth, and it fails to make contact at all with some of the most disturbing actual price rises, where the trouble is not primarily excessive demand but interference on the supply side.

Let us look at the first proposition: that a policy of extreme monetary tightness is undesirable, and that better anti-inflationary results, with less damage to the overall economy, can be obtained by a policy of fiscal tightness.

Monetary restraints operate by raising interest rates. By making it more expensive to borrow, this discourages activities which are most easily discouraged by high interest rates. In the main, these are activities, both private and public, which require long-term capital.

On the private side, this takes in the whole housing and construction industry. In 1952, a $10,000 FHA mortgage at 4 percent interest could be paid off over 25 years at a total cost of $15,840 (of which interest was $5,840). In 1959, the same mortgage, now at 5¼ percent, would cost $18,000 to pay off (of which interest is $8,000). The extra $2,160 would have bought another bedroom and bath.

Capital expenditures in new plant and equipment—particularly by small businesses—are likewise sensitive to high interest rates, and are likely to be curtailed.

HALTS LOCAL PROGRAM

On the public side, State and local public works program—vitally needed schools, highways, hospitals—are stretched out, or cut out, because of higher interest rates.

The dangerous effects of all this, on employment, on growth, on meeting national needs, are obvious.

But one may ask, Doesn't tight money restrain consumer spending as well as capital spending? All the evidence is that high interest rates restrain consumer spending only in a marginal way. Today's interest rates are the highest in a generation. Yet consumer spending is at an alltime record high. If interest rates go up, downpayments are reduced, the period of installments strung out from here to eternity, and few installment purchasers ever know the difference.

Nor do consumers tend to increase their savings substantially when interest rates rise. Today, for example, the overall percentage of consumer savings has not expanded despite record breaking interest rates.

INVESTMENT, GROWTH SUFFER

The administration's obsession with monetary restraints, therefore, fights inflation at the expense of investment and national growth.

During 1947–52, with a policy of adequate money, but fiscal tightness, resulting in a budget surplus of $12.4 billion, our growth was at the healthy rate of 4½ percent a year. During 1953–58, a period of tight money, but loose fiscal policies, resulting in a deficit of $8.5 billion, our growth rate declined to around 2 percent a year. (Compare this with the 5- to 6-percent growth rate achieved during the same period in Western Europe and the 8 to 10 percent achieved in the Soviet Union.)

Besides slowing our rate of growth, the administration's combination of tight money and loose fiscal policies has reduced the management of the national debt to a shambles. Higher and higher interest rates have meant lower and lower market prices for outstanding U.S. securities. This is the largest single factor causing the present crisis in managing our $290 billion national debt.

If price stability, economic growth, and a well-managed national debt are primary objectives of national policy (as they should be), then there is a strong case for abandoning the administration's tight money, fiscal laxity policy and substituting a policy of fiscal tightness and adequate money. A look at next year's budget can give us the outline of such a changed policy.

BUDGET CAN SHOW SURPLUS

If the present recovery continues, there is no reason why the budget to be submitted in January of 1960 cannot adequately provide for the Nation's needs and still show a surplus of $2 to $3 billion. If fat and waste are trimmed from the budget, particularly in the defense and farm programs, expenditures need not run substantially above the present year's $77 billion level. If the temptation is resisted to support a vote-catching election year tax reduction, present prospects are for a surplus of several billions.

The surplus could and should be increased—perhaps to $5 billion—by plugging some of the large loopholes in our tax structure: the oil depletion allowance, failure to report dividend and interest payments, and excessive entertainment deductions, for example.

A substantial Federal surplus would in itself go far to bring an end to the present tight-money, high-interest, growth-discouraging position. The surplus could be used to retire some of the national debt. Banks and other lenders could use the funds thus obtained to make needed loans both to the private sector of the economy and to State and local governments. With credit more available, interest rates would go down. Growth would be spurred, and the national debt made more manageable.

UPGRADING FISCAL POLICY

Happily, there are signs that forces in both the administration and Congress are beginning to see the advisability of downgrading monetary policy and upgrading fiscal policy as a method of combating demand inflation.

Henry Wallick, just appointed to the President's Council of Economic Advisers, had this to say at the 29th Alumni Conference of the School of Business Administration, University of Michigan, on May 9, 1959: "The combination of fiscal-monetary policy that I envisage here is one of the surplus in the budget—you might call it a 'firm' budget policy—and, with a budget surplus, a relatively more relaxed monetary policy. This combination would favor growth because it means more saving and lower interest rates."

And Representative WILBUR D. MILLS, of Arkansas, the extremely hard headed chairman of the powerful House Ways and Means Committee, has scheduled a series of hearings between now and January for a thoroughgoing overhaul of tax loopholes.

But even if the emphasis shifts from monetary to fiscal policy as a means of fighting inflation, attention must still be given to those areas of price rises which seem to occur because of what happens on the side of supply, rather than because of excess demand.

LOOK AT ADMINISTERED PRICES

The administration has virtually closed its eyes to administered prices as an inflationary factor. Yet it is clear that the largest part of our cost-of-living increase in recent years is a direct result of the practice of key industries, such as steel, autos and petroleum, to raise prices whether justified or not—a practice which can be foisted on the public because such industries are dominated by a few companies and a few men, and everybody goes along for the ride to higher profits.

There must be vigorous enforcement of the antitrust laws to halt interlocking collusion against the public interest by administered pricing.

In addition, it is high time that the Government began to perform its duty as the public's factfinder and educator in cases where industrywide price increases, and related wage increases, may tend to be inflationary. There is need, I think, for legislation, such as that proposed by Senator JOSEPH CLARK of Pennsylvania and myself, establishing Government machinery to give the people the facts on profits, wages, prices and productivity in controversies of vital national concern, such as the current steel strike. A truly informed public opinion can have a moderating effect at the bargaining table.

Food prices to the consumer likewise continue to rise, despite drastic reductions in the family farmer's income. And at the same time the Department of Agriculture budget goes up and up, while millions of farm folks leave the land.

FARM PROGRAMS GONE SOUR

Obviously, our farm programs have gone sour. Nearly everyone agrees that the piecemeal approach to the farm problem must be replaced with a total overhaul of agricultural legislation, and for months Congress has awaited Secretary Benson's new farm "package." But it has not come, and vetoes have met the admittedly piecemeal efforts of Congress to lessen the problem.

Perhaps the Brannan plan is a term in disrepute. But having seen the agriculture experts and the farm organizations and farmers themselves unable to come up with a solution, I am willing to try almost anything different from what we have now. For why shouldn't food prices reflect what is happening in our farm economy, so that the consumer benefits from lower prices? And why shouldn't the family farmer who follows sound agricultural and conservation practices get direct help if he needs it? It could hardly cost more than the existing mess.

The cost of hospital and medical care is another area of major concern. Short supply, as well as increased demand, makes health care a fast climbing item of family expense, and our expanding, longer living population only adds to the problem. Increased research activity, which the Government has helped to spur and which we clearly need, may add to the shortage of practicing physicians. Moreover, present population growth (3 million a year) surpasses current projections of the rate of increase in medical school enrollment or in number of physicians. And shortages already exist in many specialized areas of medicine, not to mention nursing and related health-care occupations.

To keep the cost of health care from skyrocketing further, we need more doctors, more nurses, more hospital facilities, more training facilities, more nursing homes, and more research. And initially, we need more planning and coordination of private and public effort to attack the needs.

SLOGANS DON'T SOLVE PROBLEM

If, therefore, we are going to face our economic future at all, we must face it honestly, head on, and in its many aspects. Coupled slogans can, of course, fool the public (as well as the slogan writers), but they seldom serve the public interest. It is hardly the answer to shout repeatedly, as the administration does, that it is against inflation and against spending. I know no one in Congress (and few outside it) who is for inflation, Democrat or Republican.

Of course there's room to argue how much to spend on what—and the public should know that the issue between Democrats and Republicans is not one of spending or not spending, but whether what we spend is meeting the priorities of our national needs and whether the taxpayer is getting his money's worth.

On the one hand, the President's defense, agriculture, or foreign aid budgets are not sacred cows, automatically beyond criticism. Nor, on the other hand, are such congressionally approved programs as urban renewal, housing, water pollution control, hospital construction, and medical research to be considered beyond the needs or capabilities of the United States just because the Budget Bureau doesn't like them.

LET'S OPEN BOTH EYES

The economy of the United States must be strong if we are to meet the worldwide challenge of international communism and still take care of our pressing domestic needs. This means sustained economic growth, maximum employment, and price stability. The present administration's policies have fallen short on all counts, and the heart of the problem is in the administration's one-eyed view of inflation as the only evil, and of tight money as the only answer.

If we can only open the other eye, and get some depth perception, we will find there is more than one road leading away from inflation and toward growth and stability.

Significant Small-Business Legislation Passed by the 86th Congress, 1st Session

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EXTENSION OF REMARKS

OF

HON. JOHN SPARKMAN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. SPARKMAN. Mr. President, only a few years ago Mark Twain's well-known comment about the weather was often paraphrased to express the thought that "everyone talks about small business, but no one ever does anything about it."

That observation is now seldom heard, because it is no longer in accord with fact. In recent years, the Congress has demonstrated its awareness of the peculiar problems of small business and has acted through noteworthy legislation to assist small firms.

At the conclusion of the 85th Congress, it was my pleasure to insert in the RECORD a summary of laws enacted by that Congress, the primary purpose of which was to help our nationwide community of over 4 million small-business firms remain as competitive factors within our free-enterprise system.

The most important enactments of the 85th Congress in behalf of small business, it will be recalled, were passage of the Small Business Tax Adjustment Act, the Small Business Investment Act of 1958, and various statutes which, taken together, were calculated to increase the share of small concerns in Government purchases. Had none of these laws been passed, however, the action of the 85th Congress in making the Small Business Administration a permanent agency of the Government would, of itself, have marked a significant milestone in the growing acknowledgment of small business as a vital element of our national economy.

This good work was carried forward during the 1st session of the 86th Congress.

For example, the Congress responded with sympathetic understanding and quick action to complaints from many small businessmen that two U.S. Supreme Court decisions handed down in February would increase their liability to multistate taxation on that portion of their business carried on in interstate commerce. What alarmed thousands upon thousands of small businessmen, and especially those who merely send traveling salesmen into neighboring States or who conduct mail-order businesses across State lines, was the not-ungrounded apprehension that the 36 States and some 8 cities already taxing interstate commerce would intensify their efforts to collect revenue from out-of-State concerns. Added to this was the fear, subsequently justified, that additional States would be encouraged to tax the income of foreign companies.

In a dissenting opinion, Justice Frankfurter summed up the feelings of the business community when he stated: "It will not, I believe, be gainsaid that there are thousands of relatively small or moderate-size corporations doing exclusively interstate business spread over several States. To subject these corporations to a separate income tax in each of these States means that they will have to keep books, make returns, store records, and engage local counsel, all to meet the divers and variegated tax laws of 49 States, with their different times for filing returns, different tax structure, different modes of determining 'net income' and different, often conflicting formulas of apportionment."

Justice Frankfurter went on to say that "this will involve large increases in bookkeeping, accounting, and legal paraphernalia to meet these new demands. The cost of such a farflung scheme for complying with the taxing requirements of the different States may well exceed the burden of the taxes themselves, especially in the case of small companies doing a small volume of business in several States."

On April 8 the Senate Small Business Committee held public hearings on this problem. A second hearing was held on May 1, in Boston. In all, the opinions of more than 80 businessmen, trade association representatives, accountants, and tax experts were received by the committee.

On June 25, 15 members of the committee cosponsored a joint resolution I introduced, designed to bring about more uniformity in the application of State statutes dealing with the taxation of out-of-State corporations.

In its essential particulars, Senate Joint Resolution 113 was similar to Public Law 86–272, approved September 14, 1959.

Public Law 86–272 limits the power of States to tax certain income derived from interstate commerce by granting tax immunity where the only business activity in a State by an out-of-State company is solicitation of sales. To secure such immunity, the orders resulting from sales solicitation must be sent out of the taxing jurisdiction for approval or rejection, and shipment of the goods so ordered must be made from outside the taxing State. This covers traveling salesmen, who merely solicit orders in interstate commerce, mail-order houses, and also independent contractors such as brokers, who may solicit orders for several out-of-State firms.

By this last provision, when an independent contractor maintains an office within a State, an out-of-State concern, selling through that contractor, is not subject to an income tax at the point of solicitation.

Title II of Public Law 86–272 also calls for a broad study of taxation of interstate commerce by the Senate Finance Committee and the House Judiciary Committee. The committees will report to Congress with proposals for such additional legislation as may be indicated by July 1, 1962.

The passage of this particular legislation illustrates how sensitive and responsive the Congress has become to the needs of our Nation's small businessmen. It does not, as we know, stand alone as an example of how the 1st session of the 86th Congress demonstrated its alert interest in the problems of small business.

In Public Law 86–376, Congress took steps to make its 1958 small business tax concessions more useful. Section 2 of this act, an amendment to the Internal Revenue Code, provides, with specific application to community-property States, that in determining the number of shareholders of a small business, a husband and wife owning stock jointly shall be counted as one shareholder. The reason for this amendment was that under the Small Business Tax Adjustment Act of 1958, a corporation with 10 or fewer stockholders may elect to be taxed as a partnership. Formerly, many owners of small firms in community-property States were excluded from taking advantage of this option.

Public Law 86–376 also contains an amendment to the Small Business Investment Act which exempts small business investment companies from the personal holding company surtax. This will make it possible for investment companies providing long-term and equity capital for small firms to be formed by family interests and other small groups of investors.

A significant reform of a long time inequity in the field of taxation was another accomplishment of the 1st session of the 86th Congress. Under present excise tax laws, independent wholesalers, distributors, and jobbers have been put at a serious financial disadvantage compared with their larger integrated competitors. This has arisen, since many excise tax payments become due when the first sale is made; therefore, independents have become liable for excises when they purchase their supplies from the refiner or manufacturer, while the integrated producer often pays no taxes until he sells his product to the ultimate consumer. Under a provision of Public Law 86–342, the Federal-Aid Highway Act of 1959, jobbers and other independent distributors of gasoline are given the same treatment as refiners and are not liable for taxation on their stocks until sold. This not only frees a large monetary investment previously tied up in taxes, but it also prevents the distributors from being taxed on gasoline spilled or lost through evaporation. In summary, this new law brings a much greater degree of equity between the independent wholesaler and the major oil company which is both his supplier and his competitor. During the coming year, I shall press for legislation bringing this same degree of rationality and fairness to other segments of our economy, such as independent tire dealers, which are also burdened by these Federal excise taxes.

In the antitrust field, headway was made with the passage of a bill I introduced, S. 726, which became Public Law 86–107. This law was designed to end the cumbersome and time-consuming procedures which had been necessary to achieve enforcement of cease-and-desist orders issued by the Federal Trade Commission and other regulatory agencies under section 11 of the Clayton Act. In brief, this law provides that such orders become effective within 60 days, unless the orders are appealed to the courts.

In addition, amendments to the Small Business Act of 1958 provide authorization for an additional $75 million to the Small Business Administration's lending authority and make it possible for that agency's appropriations to be used, beyond 1960, for management-aid programs.

Taken all in all, the session of Congress just ended continued to build upon the groundwork of small-business legislation which was laid by the 85th Congress. This is not to say, however, that every needed legislative aim was achieved. Much remains to be done to lessen the impact of taxes on small firms and to sharpen the tools of antitrust enforcement.

I feel confident that the 2d session of the 86th Congress will address itself with determination to carrying forward the good work so well begun.

Appropriate legislative committees and the Small Business Committees of the Senate and House have accomplished substantial preliminary work in the form of hearings and reports on measures calculated to improve the competitive position of small firms. Many such bills have already started on their legislative journey and will carry over into the second session. For that reason, I am hopeful that final congressional action on these bills may be taken early in 1960.

Jews in the Soviet Union

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed

in the CONGRESSIONAL RECORD a statement by me concerning an article in the New Leader.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I should like to call to the attention of my colleagues in the Senate and to the American public a remarkable journalistic effort. I refer to a special report prepared by the editors of the New Leader on "Jews in the Soviet Union," which appeared on September 14, 1959.

The New Leader is a distinguished and highly respected periodical dealing with international and domestic issues. In this special issue devoted to the important subject of the Jewish minority in the Soviet Union it has rendered a valuable service to the American people and to the cause of freedom everywhere. The editors believe that this study, which took an entire year to complete, is valuable primarily because it consists almost entirely of documents from Soviet and non-Soviet Communist sources. They point out that this is the first time these documents from various parts of the world have been brought together and printed systematically within one coherent historical and political framework.

I commend this exceptionally fine job of political reporting to all persons interested in Soviet affairs and in the rights of minorities throughout the world.

Interim Report of the Committee on Government Operations, House of Representatives, for the 1st Session, 86th Congress

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mrs. KEE. Mr. Speaker, I am pleased to present the following interim report on the activities of the Committee on Government Operations in the first 9 months of the 86th Congress:

INTERIM REPORT OF THE COMMITTEE ON GOVERNMENT OPERATIONS, HOUSE OF REPRESENTATIVES, FOR THE 1ST SESSION, 86TH CONGRESS

Jurisdiction

The jurisdiction and duties of the Committee on Government Operations are set forth in rule XI(8) of the House of Representatives as follows:

All proposed legislation, messages, petitions, memorials, and other matters relating to * * * (a) budget and accounting measures, other than appropriations, and (b) reorganizations in the executive branch of the Government shall be referred to the Committee on Government Operations.

The Committee on Government Operations shall have the duty of (1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports; (2) studying the operation of Government activities at all levels with a view to determining its economy and efficiency; (3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; (4) studying intergovernmental relationships between the United States and the States and municipalities and between the United States and international organizations of which the United States is a member.

Organization

In order to perform its functions and to carry out its duties as fully and as effectively as possible, the committee, under the leadership of its chairman, the Honorable WILLIAM L. DAWSON, of Illinois, at the beginning of the 86th Congress, established five regular subcommittees, which among them cover the entire field of executive expenditures. The names and chairmen of these subcommittees are as follows:

Executive and Legislative Reorganization Subcommittee, Hon. WILLIAM L. DAWSON, chairman.

Military Operations Subcommittee, Hon. CHET HOLIFIELD, chairman.

Government Activities Subcommittee, Hon. JACK BROOKS, chairman.

Intergovernmental Relations Subcommittee, Hon. L. H. FOUNTAIN, chairman.

Foreign Operations and Monetary Affairs Subcommittee, Hon. PORTER HARDY, JR., chairman.

In addition, two special subcommittees were organized to handle special problems. The first two listed are continuing their studies, and the last completed its work early in the session.

Special Donable Property Subcommittee, Hon. JOHN W. MCCORMACK, chairman.

Special Government Information Subcommittee, Hon. JOHN E. MOSS, chairman.

Special Subcommittee on the Reno Interstate Highway, Hon. JOHN A. BLATNIK, chairman.

Investigative reports

During the 1st session of the 86th Congress the Committee on Government Operations approved and submitted to the Congress 12 reports of an investigative nature. In addition, one committee print consisting of a staff study was published. At the close of the first session a considerable number of reports and investigations were under preparation. These will be considered by the subcommittees and the full committee early in the second session. A number of hearings have been programed for the recess between sessions.

For convenience, the published reports and the committee prints are listed here with the name of the originating subcommittee. A more detailed discussion of the material will be found below in the breakdown of the committee's activities by subcommittee:

First report (H. Rept. No. 228): "Results From Recommendations Made During 85th Congress in Reports of Committee on Government Operations." (Full committee, Congressman WILLIAM L. DAWSON, chairman.) (Minority views.)

Second report (H. Rept. No. 234): "Availability of Information From Federal Departments and Agencies (Air Force Refusal to the General Accounting Office)." (Special Government Information Subcommittee, Congressman JOHN E. MOSS, chairman.) (Minority views.)

Third report (H. Rept. No. 292): "Reno-Sparks-Verdi Interstate Highway (Bureau of Public Roads, Department of Commerce)." (Special Subcommittee on the Reno Interstate Highway, Congressman JOHN A. BLATNIK, chairman.)

Fourth report (H. Rept. No. 293): "Whether Reservoir Lands Should Be Acquired by Exchange of Timber Lands." (Executive and Legislative Reorganization Subcommittee, Congressman WILLIAM L. DAWSON, chairman.)

Fifth report (H. Rept. No. 300): "Civil Defense in Western Europe and the Soviet Union." (Military Operations Subcommittee, Congressman CHET HOLIFIELD, chairman.)

Sixth report (H. Rept. No. 525): "Kings Mills Ordnance Plant (Party Line Fence)." (Executive and Legislative Reorganization Subcommittee, Congressman WILLIAM L. DAWSON, chairman.)

Seventh report (H. Rept. No. 546: "U.S. Aid Operation in Laos." (Foreign Operations and Monetary Affairs Subcommittee, Congressman PORTER HARDY, JR., chairman.)

Eighth report (H. Rept. No. 674): "Military Supply Management (Single Manager Agencies)." (Military Operations Subcommittee, Congressman CHET HOLIFIELD, chairman.)

Ninth report (H. Rept. No. 684): "Disposal Problems of Government-Owned Nickel Plant at Nicaro, Cuba." (Government Activities Subcommittee, Congressman JACK BROOKS, chairman.) (Minority views.)

Tenth report (H. Rept. No. 1112): "Military Air Transportation (Executive Action in Response to Committee Recommendations)." (Military Operations Subcommittee, Congressman CHET HOLIFIELD, chairman.)

Eleventh report (H. Rept. No. 1121): "Organization and Management of Missile Programs." (Military Operations Subcommittee, Congressman CHET HOLIFIELD, chairman.)

Twelfth report (H. Rept. No. 1137): "Availability of Information from Federal Departments and Agencies (Progress of Study, Aug. 1958–July 1959)." (Special Government Information Subcommittee, Congressman JOHN E. MOSS, chairman.) (Minority views.)

Committee print

Notes on the Jurisdiction of the House Committee on Government Operations.

Legislation

The legislative jurisdiction of the Committee on Government Operations encompasses a wide range of very important governmental operation. It includes all matters relating to budgeting and accounting measures other than appropriations and all matters relating to reorganizations in the executive branch of the Government. In addition, property disposals and matters relating to Federal property and administrative services are referred to the committee. The committee studied a large number of legislative proposals and reported 14 favorably to the House. These are discussed more fully under the subcommittee breakdown below, but those reported are listed here for convenience, with the name of the subcommittee which initially considered them:

H.R. 766, to amend section 5 of the act of July 16, 1914, relating to penalties for the use of Government-owned vehicles for other than official purposes. (Executive and Legislative Reorganization Subcommittee.)

H.R. 1321, to amend Reorganization Plan No. 2 of 1953. (Executive and Legislative Reorganization Subcommittee.) (Passed House as S. 144 and was vetoed by the President. House failed to override veto.)

H.R. 2386, to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land. (Government Activities Subcommittee.)

H.R. 3722, to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes. (Special Donable Property Subcommittee.)

H.R. 5140, to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time in conformity with the provisions of the act. (Executive and Legislative Reorganization Subcommittee.)

H.R. 5196, to increase the maximum rates of per diem allowance for employees of the Government traveling on official business,

and for other purposes. (Executive and Legislative Reorganization Subcommittee.)

H.R. 6263, to amend the Employment Act of 1946 to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability. (Executive and Legislative Reorganization Subcommittee.)

H.R. 6904, to establish an Advisory Commission on Intergovernmental Relations. (Intergovernmental Relations Subcommittee.)

H.R. 7062, to provide for payment of annuities to widows and dependent children of Comptrollers General. (Special Donable Property Subcommittee.) (Public Law 86–87.)

H.R. 7465, for the establishment of a Commission on Metropolitan Problems and Urban Development. (Executive and Legislative Reorganization Subcommittee.)

H.R. 7681, to enact the provisions of Reorganization Plan No. 1 of 1959 with certain amendments. (Executive and Legislative Reorganization Subcommittee.)

House Resolution 295, to disapprove Reorganization Plan No. 1 of 1959. (Executive and Legislative Reorganization Subcommittee.) (Adopted July 7, 1959.)

S. 900, to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes. (Government Activities Subcommittee.) (Public Law 86–215.)

S. 902, to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes. (Government Activities Subcommittee.) (Public Law 86–31.)

Reorganization plan

Only one reorganization plan was transmitted to the 86th Congress by the President during the 1st session. This, Reorganization Plan No. 1 of 1959, was designed to transfer certain functions in connection with forest exchanges and with mineral materials in national forest land from the Secretary of the Interior to the Secretary of Agriculture. The committee held a hearing on the plan and reported favorably a resolution of disapproval (H. Res. 295) which was adopted by the House on July 7, 1959. The basic objection to the plan was that it did not afford adequate protection to the public's interest in the minerals situated on forest lands to be disposed of in the exchanges by the United States. In place of the plan the committee reported favorably H.R. 7681 which will accomplish most of the objectives desired by the President but at the same time preserve the responsibilities of the Secretary of the Interior with respect to minerals in the forest lands. This bill was passed by the House on September 2, 1959, and is now before the Senate.

Committee action on reports of the Comptroller General

Rule XI, clause 8(c)(1) of the rules of the House, imposes the duty upon this committee to receive and examine reports of the Comptroller General referred to it and to make such recommendations to the House as it deems necessary or desirable in connection with the subject matter of the reports.

In discharging this responsibility all reports of the Comptroller General received by the committee are studied and analyzed by the staff and referred to the subcommittee of this committee to which has been assigned general jurisdiction over the subject matter involved.

During the first session a total of 111 reports of the Comptroller General have been received by this committee. After preliminary staff study, these reports were referred to subcommittees of this committee, as follows:

Military Operations Subcommittee	49
Government Activities Subcommittee	28
Foreign Operations and Monetary Affairs Subcommittee	15
Inter-Governmental Relations Subcommittee	11
Executive and Legislative Reorganization Subcommittee	8

Periodic reports are received from the subcommittees on the action taken with respect to individual reports, and monthly reports are made to the chairman on the status of all reports received. During the session, the subcommittees used the reports to further specific investigations and reviews. In some cases, additional information concerning the findings and recommendations of the Comptroller General was requested and received from the administrative agency involved, as well as from the General Accounting Office. In another section of the committee's annual report dealing with the activities of the various subcommittees more specific information on the action taken on these reports is included.

The committee maintains complete files of all the Comptroller General's reports received, and a record is kept showing the subcommittee to which referred, the date of referral and the action taken. All the reports received during the session will be reviewed by the committee in the light of additional information obtained and action taken by the subcommittees and determination will be made whether specific recommendations to the House are necessary or desirable under rule XI.

Subcommittee breakdown

Following is a more detailed description of the committee's activities arranged according to the subcommittees primarily interested in the subject matter involved. At the chairman's request, the subcommittee reports were prepared in accordance with the following outline:

Outline for Annual Subcommittee Reports

I. Investigations:

(a) List investigative reports issued with name of reports, date issued and a summary of each.

(b) List and describe other investigations not resulting in a formal report.

(c) Give money savings or recoveries as a result of any investigations, together with the estimated dollar amount of each.

(d) List and describe any other remedial measures taken and any nonmonetary benefits attained as a result of investigation.

(e) The number of days hearings were held.

II. Legislation:

(a) Total number of measures referred to the subcommittee.

(b) Reports issued with title, date, and summary of each, and description of subsequent legislative action on reported measures.

(c) Number of days of hearings held.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation:

(a) Number of each received.

(b) Wherever action has been taken, name the report acted on, hearings held, if any, describe the action taken, and the resulting monetary and nonmonetary benefits.

IV. Prior activities of the subcommittee of current or continuing interest:

(a) The cumulative money savings or recoveries from such prior activities, naming them.

(b) Other action, executive or otherwise, taken on such prior activities resulting in some affirmative benefit.

V. Projected program for the remainder of the 86th Congress.

EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOMMITTEE, HON. WILLIAM L. DAWSON, CHAIRMAN

I. Investigations

(a) Reports issued:

1. "Whether Reservoir Lands Should be Acquired By Exchange Of Timberlands." House Report No. 293. Issued April 23, 1959.

This report stemmed from hearings conducted in the 85th Congress concerning the reservoir land acquisition policies of the Corps of Engineers and the Department of the Army. One of the questions raised during the hearings concerned efforts of the lumber industry to have Government forest lands conveyed to private companies in exchange for their private forest lands acquired by the Government for reservoir projects. The committee concluded, on the basis of reports from the Departments of the Army, Interior, and Agriculture opposing such exchanges, and on the basis of the committee's own studies, that such exchanges would be contrary to the public interest and overall economy and efficiency, and that the payment of money compensation should continue as the method of acquiring private timber lands for reservoir projects, as is the case in acquisition of other types of land.

It is not feasible to estimate the monetary savings resulting from this report. However, the conclusions of this report will greatly benefit the Nation in protecting the watersheds and the resources of the public lands and national forests against depredation and exploitation of America's timber, minerals, grazing, wildlife, and recreation resources, as well as the sustained yield forest industries that are now dependent upon the Federal forest lands.

2. "Kings Mill Ordnance Plant (Party Line Fence)." House Report No. 525. Issued June 10, 1959.

This report presented the frustrating efforts on the part of a small farmer in Ohio to replace a broken-down woven wire fence between his property and that of the adjoining ordnance plants, and the alleged failure of the Ordnance Department to cooperate by bearing its share of the cost. The Ordnance Department's principal reason for not constructing the fence was that the property was being declared excess and it was no longer responsible for the care and maintenance of the property. Investigation disclosed that the holding agency still retains custody and accountability for excess and surplus real property and is expected to perform the physical care, handling, protection, maintenance and repair, pending transfer to a Federal agency or disposal.

The Ordnance Department confirmed the inequity and remedied the situation by erecting its portion of the party fence.

3. "Federal Real and Personal Property Inventory Report (civilian and military) of the U.S. Government Covering Its Properties Located in Continental United States, in the Territories, and Overseas as of June 30, 1958."

"The Federal Real and Personal Property Inventory Report as of June 30, 1958," was issued in December of 1958 as a committee print. It presented the committee's annual compilation of real and personal assets of the Federal Government.

(b) Investigations not resulting in a formal report:

1. Importation of foreign excess property: An investigation was begun and hearings were held on the new regulations issued by

the Department of Commerce on the importation of foreign excess property. A number of complaints had been received by the subcommittee that small businessmen in the importing field were not being treated fairly. The investigation is continuing and further hearings may be held.

2. Water resources development—Columbia River Basin: Hearings were begun concerning complaints by many organizations in the Pacific Northwest that the report of the Corps of Engineers on the Columbia River Basin disregarded requirements of law to provide plans for comprehensive and coordinated development of the Columbia River Basin. The hearing began on August 13, 1959, and preliminary information was obtained. The hearing was recessed but has not been concluded.

3. Budget and accounting procedures of the Federal Government: The subcommittee is making a continuing investigation and study of the budget and accounting procedures of the Federal Government, including the joint program to improve accounting in the Federal Government.

4. Administrative organization, procedure, and practice: The study of administrative organization, procedure, and practice is continuing with an analysis being made of replies from agencies to the committee's questionnaire.

(c) Monetary savings or recoveries as a result of investigation. Undetermined.

(d) Other remedial measures taken and nonmonetary benefits. Included in I(a) above.

(e) Days of hearings held. Three days of formal hearings were held during this session.

II. Legislation

(a) Number of measures referred to the subcommittee: Eighty-four legislative measures were referred to the subcommittee.

(b) Reports issued:

1. House Report No. 235, H.R. 1321, amending Reorganization Plan No. 2 of 1953, March 20, 1959: The report indicated that the bill would restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans, without the supervision or direction of or any other control by the Secretary of Agriculture; and to reestablish in the REA the functions vested in the agency by the 1936 act. The committee based its approval on the fact that "legislation is now required to attain the nonpolitical independence with which Congress intended the Administrator to act, and to reinstate the powers which Congress intended the Administrator to exercise."

The bill was passed by the House and Senate and vetoed by the President. The veto was sustained.

2. House Report No. 367, H.R. 5140, further amending Reorganization Act of 1949, May 18, 1959: The report indicated that the bill would amend the Reorganization Act of 1949 to extend the authority granted the President to transmit reorganization plans to the Congress for 2 more years. The committee stated that "although very few reorganization plans under the act have been proposed by the President in recent years, the act has, when utilized, proved to be a useful tool in effecting reorganizations in the executive departments and agencies."

The bill was passed by the House, but no action was taken by the Senate.

3. House Report No. 539, H.R. 6263, amending the Employment Act of 1946, June 12, 1959: The report indicated that the bill would amend the Employment Act in two major respects: (a) By declaring it to be the sense of Congress that the President should give due effect to certain provisions of the act which are referred to and in some cases made more precise; and (b) by requiring the President or any agency he designates to hold public hearings on certain price and wage increases, impending or in effect. The committee felt that in carrying out the policies of the Employment Act the President and the Council of Economic Advisers had not been giving sufficient attention to all of its provisions. The committee believed also that the Federal Government should take appropriate steps to discourage price increases which would affect national economic stability. The public hearings proposed would be a practical approach to a serious problem. They would assist in mobilizing public opinion against unjustified price increases and thereby help prevent or reduce them.

The bill was reported to the House and referred to the Committee on Rules. No further action has been taken to date.

4. House Report No. 586, House Resolution 295, disapproving Reorganization Plan No. 1 of 1959, June 26, 1959: Reorganization Plan No. 1 of 1959 was transmitted by the President to Congress on May 12, 1959. Under the Reorganization Act of 1949, there is no provision whereby Congress can modify the plan except by legislation, and the plan would become automatically effective unless within 60 days either House of Congress disapproved the plan.

The plan would have transferred to the Agriculture Department all the functions of the Secretary of the Interior in making exchanges of public national forest lands for private lands, as well as sales of such lands, and also certain mineral materials in acquired national forest lands. As a result of hearings on the plan, the committee recommended, and the House adopted, House Resolution 295 to disapprove the plan because it failed to provide for the protection and conservation of valuable minerals owned by the United States; because it would create confusion in adjudicating the validity of mining claims on national forest land; because the language of the plan was ambiguous as to what mineral materials would be involved in dispositions from acquired national forest lands; and because it vested unlimited discretion in the Secretary of Agriculture to delegate authority without safeguards concerning public notice and opportunity for public comment as previously required by Congress.

5. House Report No. 633, H.R. 7681, enacting provisions of Reorganization Plan No. 1. of 1959, with certain amendments, July 3, 1959: Since some features of the reorganization plan would achieve several useful purposes, the Committee, on July 3, 1959, issued House Report No. 633, recommending adoption of H.R. 7681 which would enact the beneficial features of the plan, together with several amendments designed to safeguard the public interest by insuring that the Secretary of the Interior would continue to exercise functions with respect to minerals on the national forest lands; that the Secretary of Agriculture would not assume the function of determining or adjudicating the validity of mining claims which conflict with forest exchange or sale applications; that the Secretary of Agriculture would not under the Materials Act dispose of minerals subject to the mineral leasing or mining laws; and that would omit the unlimited power of delegation found objectionable in the plan as submitted.

H.R. 7681 passed the House on September 2, 1959, but no action was taken by the Senate.

6. House Report No. 683, H.R. 5196, increasing per diem travel allowances, July 16, 1959: The report pointed out that the bill would amend the Travel Expense Act of 1949 to increase the maximum per diem allowance from the present $12 to $15 per day; increase the mileage rate for motorcycles from 6 to 7 cents per mile and for autos and aircraft from 10 to 12 cents per mile; and provide reimbursement for parking fees. The committee concluded from the evidence before it that there had been a sufficient increase in cost of travel since the act was last amended in 1955 to warrant the higher ceilings proposed.

The bill passed the House but no action was taken in the Senate.

7. House Report No. 889, H.R. 766, penalty for use of Government vehicles, August 12, 1959: The report stated that the bill would modify the existing fixed statutory penalty for the unauthorized use of Government-owned vehicles to give discretion to the heads of departments and agencies in fixing the disciplinary action in any given case. The committee stated: "It is sound administrative practice to handle such cases on their merits and to permit the department head or his representative to give consideration to all such factors as the length and quality of service of the officer or employee involved before fixing the penalty.

The bill was placed on the Consent Calendar but passed over without prejudice until the next session.

8. House Report No. 940, H.R. 7465, creating a Commission on Metropolitan Problems and Urban Development, August 18, 1959: The purpose of the legislation is to create a commission to "study and investigate the problems of municipalities and metropolitan expansion, with special reference to the need, in terms of adequate governmental structures, to establish sound revenue policies as related to State and National revenue policies, and to determine the services which such governmental structures should provide. It shall also study existing and developing efforts to cope with municipal and metropolitan problems including Federal policies and programs and any need for improved coordination thereof." The committee was convinced "that the problems of the Nation's cities and metropolitan areas have grown to such magnitude that a temporary Federal Commission to make a comprehensive study and propose solutions is mandatory."

The bill was reported but no action was taken by the House.

(c) Days of hearings: Thirteen days of hearings were held.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation

(a) Number of each received:

Eight reports on audits and reviews made by the General Accounting Office were received by the subcommittee. All these reports were reviewed and analyzed by the staff, and specific actions taken on the findings reported are shown below:

(b) Action taken.

1. Audit of the Alexander Hamilton Bicentennial Commission: This report was found to contain no findings which require consideration by the Congress, and no further subcommittee action will be taken thereon.

2. Audit of the Federal prison industries: This report was found to contain no findings which require consideration by the Congress, and no further subcommittee action will be taken thereon.

3. Audit of revolving fund operations, Corps of Engineers: The staff ascertained that GAO recommendations calling for agency action have been adopted. While the other recommendations are not such that would require specific committee action, the entire report will be studied further for possible relevancy to other operations of the Corps of Engineers which are under current review by the subcommittee.

4. Audit of Rural Electrification Administration: The findings and disclosures in this report were reviewed in the light of previous

work of this committee in the rural electrification area, and in the light of legislation which was then pending. No further action of the committee was considered necessary or desirable in connection with the specific matters reported.

5. Review of management controls of the District of Columbia government: Conferences were held between committee staff and officials of the District of Columbia government to ascertain progress of corrective actions to deficiencies reported by GAO. In most cases the corrective action entails conversion from existing accounting system to a cost or accrual basis, and considerable time will be involved in effecting the change. Status reports have been received and the work appears to be progressing satisfactorily. Staff followup will be undertaken periodically.

6. Short form report on audit of Columbia River power system: This report was reviewed by the staff in relation to similar problems disclosed in the audit report on Central Valley Basin program submitted during the 85th Congress. The Secretary of the Interior was requested to advise on any progress in correcting the deficiencies reported. Conferences were held with GAO officials on the overall progress being made. Information was received that GAO is now conducting a current review of the program, and that report thereon will be submitted soon. Further committee action is deferred pending receipt of the current report.

7. Audit of the Tennessee Valley Authority for fiscal year 1958: The findings and recommendations were reviewed in the light of the provisions of H.R. 3560, and TVA was also requested to comment on GAO findings and to inform the committee of progress being made to resolve difficulties encountered in connection with defective turbogenerators purchased from Westinghouse. The reply has been studied in the light of the report and the new legislation. Staff followup will continue in connection with the reported deficiencies, but further specific action is deferred pending receipt of GAO's report for the current year's operations of TVA.

8. Review of spoil disposal activities, Corps of Engineers (civil functions): The Department of Defense has been requested to comment on the findings of GAO in this report. Further committee action will be held in abeyance pending receipt of reply to the committee request.

IV. *Prior activities of the subcommittee of current or continuing interest*

No items.

V. *Projected program for the remainder of the 86th Congress*

(a) Bills not yet acted upon are being processed for hearings in the second session including major legislation involving amendments to the Government Corporations Control Act; payments in lieu of taxes; budget and accounting procedures; creation of new departments, and others.

(b) The investigation into the importation of foreign excess property is continuing, with the probability that further hearings will be held and new legislation developed.

(c) The study of the Corps of Engineers report on the Columbia River Basin is continuing and preparations are being made for further hearings.

(d) The study of administrative organization, procedure, and practice is continuing and a report is being prepared for approval by the subcommittee.

(e) The compilation of the annual inventory has begun and the report should be issued in December of 1959.

(f) The audit reports referred to the subcommittee are being studied and recommendations for further action are being prepared.

(g) The analysis of Hoover Commission recommendations is being continued for possible recommendations of savings to the departments.

(h) A review of actions taken by the departments on recommendations in current or prior reports will be continued and followed.

MILITARY OPERATIONS SUBCOMMITTEE, HON. CHET HOLIFIELD, CHAIRMAN

I. Investigations

(a) Reports issued:

1. "Organization and Management of Missile Programs," 11th report by the Committee on Government Operations, House Report No. 1121, September 2, 1959 (156 pages).

This report presents for the first time in a public document a comprehensive and systematic account of the major missile programs in the United States. It examines the Department of Defense agencies and organizations for top-level direction of the missile programs, the field agencies and operations of the three military departments in this area, and procurement and management methods.

The report gives particular attention to the background of the Air Force ballistic missile programs and the role of the Ramo-Wooldridge Corp. and Space Technology Laboratories, Inc., as technical managers of these programs for the Air Force.

Other matters considered are missile costs and reliability, air defense problems, military-civilian space relationships, and military service roles and missions.

The subcommittee concludes that the Army and Air Force have no uniquely different role in regard to strategic missiles, and that for efficient and economical weapon development, production and deployment in the future, that the two military services should be merged. The President is asked to direct the appropriate authorities to undertake preparatory studies. In the case of the Ramo-Wooldridge and Space Technology Laboratories enterprises, the report recommends that if the Air Force is to retain a private corporation for technical management functions, the company should be converted into a nonprofit institution.

2. "Military Air Transportation (Executive Action in Response to Committee Recommendations)," 10th report by the Committee on Government Operations, House Report No. 1112, September 1, 1959 (29 pages).

This is the second report of the Military Operations Subcommittee on military air transportation and related civilian reserve support. It gives an account of recent developments in this field and action taken in response to the committee recommendations contained in the first report (H. Rept. No. 2011, 85th Cong., 2d sess.).

This report points out that during the year since these recommendations were drafted there have been encouraging signs of responsive action in the Department of Defense, the interested civil agencies, and the Congress. Further, the subcommittee's investigations, hearings, and report have had a healthy influence in clearing up many misconceptions about the Military Air Transport Service (MATS) and have helped lay a solid foundation of fact and judgment for a national reappraisal of military-civil roles and relationships in air transportation.

Except for the observations made in the course of this report, the subcommittee presents no new recommendations. It believes that the recommendations made in the first report still are basically valid.

3. "Military Supply Management (Single Manager Agencies)," eighth report by the Committee on Government Operations, House Report No. 674, July 15, 1959 (49 pages).

The report contains the first systematic account of the single manager program established in 1956 in the Department of Defense and the progress made under the plan, which makes a single agency in one military department responsible for the procurement, inventory management, stock fund maintenance, warehousing, and distribution functions for all military departments in a given commodity area. The agency is established by the "single manager," who is the Secretary of the military department with the predominant interest in the commodity area.

The report presents recommendations with the objective of deriving the greatest possible savings from the single manager program as it exists and as it can be strengthened. The Department of Defense is asked to explore new ideas along similar lines, or by the addition of new policies, including the use of the General Services Administration in procurement and distribution of common supply items.

4. "Civil Defense in Western Europe and the Soviet Union," fifth report by the Committee on Government Operations, House Report No. 300, April 27, 1959 (109 pages).

This is the fifth civil defense report prepared by the subcommittee in the course of its continuing study and investigation of civil defense matters during the past 4 years. It brings together for the first time in a public document a systematic account of civil defense activities of eight NATO allies (Great Britain, France, Germany, Denmark, Norway, the Netherlands, Belgium, and Italy), two neutrals (Sweden and Switzerland), and the Soviet Union as a great contending power.

The report also discusses the strategic implications of civil defense, including questions of deterrent capabilities, survival after attack, and the considerable effect of the civil defense measures which have been undertaken in the Soviet Union.

(b) Investigations not resulting in a formal report:

1. Wasteful operation of test aircraft by the Air Force: The staff investigated the use of engine-test YC–121F aircraft, on which tests were completed, for administrative aircraft purposes by the Air Materiel Command, when allegations were made that this use entailed grossly excessive maintenance and operating costs.

The Air Force decided to withdraw these costly aircraft from inventory following the staff inquiry. The estimated money savings are listed in I(c)1 below.

2. Surplus property disposal: The staff has continuously scrutinized military surplus disposal actions, investigating more closely those which indicated dissipation of valuable Government resources. From time to time the field agencies of the General Accounting Office are utilized to assist in checking disposal actions. A report was received from the General Accounting Office on disposal of a large quantity of common supply items at the Naval Supply Center, Oakland, Calif.

3. Military clothing procurement: Following its investigations and reports in this area, the subcommittee staff has received and investigated, from time to time, complaints of irregularities in contract awards. In accord with a recommendation in House Report No. 1168 (85th Cong., 1st sess.), the General Accounting Office was requested to review the operations of the Military Clothing & Textile Supply Agency. This report finally was completed and incorporated into the larger scope of the Military Supply Management investigation (see I(a)3 above).

4. Petroleum storage contract award: The staff investigated the award of a long-term construction and storage contract by the Military Petroleum Supply Agency. The question of the validity and propriety of an award on the basis of a bid for a 20-year period was presented to the Comptroller General, who decided in favor of the successful bidder. The subcommittee reported on this matter in House Report No. 674, "Military Supply Management," and also brought it to the

attention of the chairman of the House Armed Services Committee, which is responsible for the authorizing legislation for long-term contracts of this kind.

Two Members of Congress who were interested in this matter received oral and written information from the staff.

5. Military-civil programs for airflight safety: The staff has reviewed developments in air traffic control, following the establishment of the new Federal Aviation Agency, with respect to military-civil relationships and cooperation in this area. In view of the complex administrative problems involved and the importance of efficient air traffic management, this inquiry will be continued (see part V below).

6. Air Force procurement in Alaska: The staff investigated several complaints alleging irregularities in contract awards or alleged lack of competition due to sole-source procurement by the Air Force. The Members expressing interest in these matters were duly advised of the results of the investigations.

7. Withdrawal of request for proposal after negotiation with initial low bidder by Ordnance Tank Automotive Command: The staff investigated a complaint alleging irregularities, which was submitted by a Member of Congress through Chairman DAWSON. The results of the inquiry were transmitted to the Member under dates of March 31 and April 29, 1959.

8. Alleged favoritism and preferential treatment in licensing import of excess military property: The staff investigated allegations concerning the actions of officials in the Office of Foreign Excess Property, Department of Commerce. The complaint was received directly from an unsuccessful applicant for a license to import Army surplus tires bought in Italy and from a Member of the Senate. The office named was the subject of investigation by Chairman DAWSON's subcommittee, as reflected in House Report No. 2601, 85th Congress, 2d session.

The Senator and the complainant were furnished a report of the staff inquiry.

9. Effect of labor difficulties on military procurement of custodial services: The staff investigated complaints received from building maintenance union officials in California about certain military contract awards to companies lacking union organization and allegedly engaging in wage-cutting, which practices led to faulty performance. Military and General Services Administration practices and procedures in relation to custodial services were studied, and note was taken of recent General Services Administration instructions to contracting officers to take into account the influence of labor relations on capability to perform service contracts of this nature. Copies of the report were sent to interested Members of Congress and the complaining parties.

10. Award of contract for Capehart housing: The staff investigated a complaint submitted by a Member, alleging an irregularity in an award for Capehart housing in a certain area to a firm other than the low bidder. The inquiry entailed examination of the structure of bid invitations for Capehart housing. A report of the staff inquiry was submitted to the Member.

11. Alleged lack of competition in fresh milk procurement at certain military installations: Several allegations have been received of an unhealthy condition in procurement practices of this nature. The matter was brought up with the Military Subsistence Supply Agency at the military supply management hearings, which indicated that the responsible officials at higher levels may have insufficient information and control in this area. Further inquiries will be undertaken at selected installations.

12. Employment of retired military officers in defense industry: The staff examined existing statutory provisions relating to this subject and prepared draft legislation proposing one of several alternative approaches to remedial action.

13. Alleged refusal of certain military bases to utilize private contractors for performance of base services: This complaint was investigated, and the staff report on current military policy and practice and planning for future procurement of these services was submitted to the Member who first brought the matter to the attention of the subcommittee.

14. Allegation that certain Air Force specifications for liquid penetrant inspection materials are unnecessarily restrictive: Several Members of Congress have expressed an interest in this allegation. The complaint is currently being investigated by the General Accounting Office. The subcommittee staff is following the course of the investigation to determine whether there is any need for further congressional action.

15. Alleged unjustifiable placement of defense contracts with Canadian manufacturers: A report on current practice and policy in this area was submitted to the Member who put the matter before the subcommittee.

16. Planned move of a portion of the Navy Purchasing Office from Washington, D.C., to General Stores Supply Office, Philadelphia: The staff investigated complaints received from various manufacturers of hand tools. Several Members of the House and Senate also expressed interest in the matter. The Secretary of Defense was asked to present a justification of this proposed move in terms of economy and efficiency.

17. Problem of effecting settlement between the Navy Department and a small contractor for work previously performed: A report of the full history of the contract and contractor's performance, and a statement as to the Navy's position in the matter were furnished to the Member who presented this case to the subcommittee.

18. Alleged bidder collusion on certain hardware bids on military procurement: This complaint is currently under investigation by the staff.

19. Problem of recovery of an overpayment made to a military enlisted man: A verbal report was given to the Member who presented the matter to the subcommittee, and a solution was proposed by the staff.

(c) Monetary savings or recoveries as a result of investigation:

1. The savings estimated to have resulted from the investigation into the improper use of engine-test aircraft for administrative purposes by the Air Materiel Command (see I(b)1 above) are $610,500 annually.

2. As ascertained in House Report No. 1112, "Military Air Transportation (Executive Action in Response to Committee Recommendations)" (see I(a)2 above), the Air Force has acted to stabilize procurement of commercial airlift services. Prior practice allowed MATS to procure airlift largely on a 30-day "call" basis, with a highly disruptive effect on the industry. The committee proposed that firm contracts be awarded for 12-month periods, and that more carriers be brought under the firm-contract program. As a result of the Air Force action under this recommendation, testimony was that the aggregate of bid prices was $13.6 million less than the original estimate based on experience under the short-term contracts.

In addition, dollar savings which cannot be estimated will result from procedural reduction in bidding, evaluation, negotiation, and award of contracts under the new system.

3. As ascertained in House Report No. 674, "Military Supply Management (Single Manager Agencies)" (see I(a)3 above), the Department of Defense estimated conservatively the following dollar savings resulting from the establishment of the single manager program:

a. Reduction of 600 personnel at an estimated annual payroll reduction of $3 million.

b. Concentration of stocks in fewer storage locations and reduction of 4 million square feet of storage space.

c. Net savings of $2.3 million from consolidation of inspection and test facilities.

d. A one-time saving of $87 million resulting from drawdown of existing stock to fill current needs, reducing procurement by that amount and creating cash in stock funds for use in other areas.

e. Even greater savings resulting from the elimination of duplicating transportation and storage systems, which cannot be estimated, but which are believed to be the greatest benefit of the program.

While the subcommittee does not claim that this year's investigations produced these savings, the report makes clear the role of this subcommittee and predecessor subcommittees in the formulation and establishment of the single-manager concept and program. Some part of these savings may, therefore, be the direct result of the subcommittee's previous efforts, and more important, they tend to illustrate what the subcommittee hopes to achieve by further studies in the supply management field.

(d) Other remedial measures taken and nonmonetary benefits:

1. "Organization and Management of Missile Programs," House Report No. 1121 (see I(a)1 above).

Although large direct money savings will result from an Army-Air Force merger, as recommended in this report, many nonmonetary benefits also would be realized.

As summarized at page 156 of the subcommittee report:

"With a single military service to develop, build, and deploy ballistic missiles, obvious advantages would seem to accrue:

"The talents and resources of both services can be unified, preserving the best in each system, and eliminating enormous overhead in manpower and facilities.

"Technical capabilities of the Army and the Air Force will be teamed with a diversified missile industry to produce future weapons efficiently at lower cost. The difficult situation confronting the Air Force in respect to Ramo-Wooldridge (STL) will be automatically eliminated.

"The bitter controversy over air defense missions will be ended. Great savings in money will be realized. Service morale and prestige will be heightened. Air defense will get needed emphasis in military planning and budget allocations.

"The military role and interest in space will become clarified. The need for ARPA as intervenor for advanced research in weaponry and space will be eliminated. ARPA functions can be redistributed between NASA and the unified military service, reducing civilian-military competition and duplication in space.

"The interservice conflicts over airlift, tactical support aviation and other matters will be ended, and integrated planning for limited war as well as strategic missions can be effected.

"Problems between the unified military service and the Navy would remain, but these would be of vastly lesser dimension; and ultimately, if weapon logic dictates, a single service in place of three could be organized."

The subcommittee will report future developments at a later date.

2. "Military Air Transportation (Executive Action in Response to Committee Recommendations)," House Report No. 1112 (see I(a)2 above).

The following nonmonetary benefits were achieved in the field of military air transportation:

a. Positive action was taken by the Appropriations Committees of the House and Senate consistent with subcommittee recommendations. For several years there had been a running controversy between the Appropriations Committees and the Department of Defense about the meaning and effect of language in the appropriation bills regarding the procurement of commercial airlift by MATS. The subcommittee pointed out that the intent of Congress could be more clearly manifested, and fruitless controversy avoided, by earmarking specific dollar amounts in the yearly appropriation bills for MATS commercial augmentation.

This step was taken for the first time in the fiscal year 1959 Defense Appropriations Act, which provided that $80 million of the MATS funds for airlift could be spent only by contracting with commercial air carriers.

In the 1960 Defense Appropriations Act, this sum was increased to $85 million. The designation of specific dollar amounts for MATS' commercial augmentation does not represent an added appropriation to MATS, but an allocation of funds within MATS' budget structure.

b. The subcommittee proposed that if the Department of Defense did not develop an effective program for expanding the use of commercial air services, the Congress should adopt appropriate legislation toward this end. Two types of legislative proposals have been made for increasing the civil airline's share of military airlift. One, sponsored by the Civil Aeronautics Board and introduced as S. 1548, would establish a congressional declaration of policy that civil aircraft facilities be used to the maximum extent, subject to considerations of economy and defense. The other, adopting a statutory formula previously applied to the maritime trade and introduced as H.R. 5265, H.R. 5451, and H.R. 5715, would require at least 50 percent of the Government's air transportation requirements to be performed by commercial air carriers.

c. Following the subcommittee's investigations and hearings in military air transportation, the General Accounting Office decided to institute a long-range audit program of MATS, including a review and evaluation of management and operations under the industrial fund concept recently applied to MATS air transport operations.

d. The subcommittee endorsed a basic reevaluation of civil air policy, to put into better perspective the competing roles of military and civil air carriers and to establish guidelines for long-range policy. The last such study was made in 1954 by the Air Coordinating Committee.

Several studies now are planned or under way in this field:

(1) The President has directed the Secretary of Defense to prepare a study of MATS' peacetime and wartime roles.

(2) Apart from the study mentioned in No. (1) above, the Department of Defense initiated a transportation study to examine the effectiveness of MATS and the other single manager transportation agencies, as part of a broad management survey.

(3) The subcommittee has been advised that the President's Air Coordinating Committee is undertaking to update its 1954 study. This study will be made under the auspices of the Department of Commerce with OCDM lending its full support.

(4) The Federal Aviation Agency is reviewing the 1954 report of the Air Coordinating Committee and considers as one of the new agency's major tasks the giving of serious attention to the establishment of national aviation policy.

e. The subcommittee recommended that MATS modernize its air fleet and concentrate on serving specialized military requirements rather than operating an airline competitive with the civil airlines. The Department of Defense has agreed to stabilize the MATS capability for future operations.

f. The subcommittee made several recommendations directed toward strengthening the Civil Reserve Air Fleet program. As a result, the Department of Defense has directed the Air Force to complete approved programs for purchasing and placement of CRAF spares and equipment at the earliest practicable time and to take positive action on standby contracts with the civil air carriers taking part in the CRAF program. The subcommittee has been advised that the job of moving material to all sites for the 1960 CRAF fleet was expected to be finished this year. In addition, a new draft of the proposed standby contracts was submitted to CRAF carriers, a majority of whom accepted it, and negotiations have been planned with 19 individual carriers. Negotiations have been completed with at least one carrier.

g. As a result of the subcommittee's recommendation that MATS change its contracting methods, MATS contracts for airlift by the commercial carriers are now let on a 12-month basis, resulting in some degree, at least, of stabilization of commercial airlift services rendered to MATS.

3. "Military Supply Management (Single Manager Agencies)," House Report No. 674 (see I(a)3 above).

This report provided the first systematic survey of the single manager concept for military supply management for the Congress and the public. It was learned that there has been considerable opposition and competition in carrying the plan into effect, and various recommendations were made which should put more attention on the failures of certain service elements to support Department of Defense policy and work for the most efficient supply systems possible. It was recommended that the single manager plan be given a further and more emphatic trial and strengthening to attempt to gain all possible economies, and that other management plans and modifications or extensions of the single manager plan also be attempted in order to achieve even greater economies. Moreover, the investigations and hearings that were the basis of this report opened up many new questions and problem areas that will undoubtedly be of value to this and other committees in searching for new means of achieving greater economy and efficiency.

The subcommittee believes that renewed consideration is being given to an increased role for the General Services Administration, which could eliminate some existing duplication, and that other steps that will be explored in supply systems consolidation will contribute to true unification of unprofitably duplicating and competing systems among the military services.

4. "Civil Defense in Western Europe and the Soviet Union," House Report No. 300 (see I(a)4 above).

This report provided the Congress and the American people with the first survey of civil defense measures abroad which affect both U.S. planning and global military strategy. This and the other civil defense reports of the subcommittee have been called basic to the study of civil defense by many of the foremost civil defense planners and national and State consulting and policy groups.

(e) Days of hearings held.

A total of 14 days of public hearings were held by the subcommittee. A breakdown of these hearings, as well as other briefings and executive sessions, is as follows:

1. Organization and management of missile programs: February 4, 5, and 6, March 2, 3, 5, 13, and 20, 1959. In addition, briefings and field investigations and executive sessions amounted to 18 days as follows: November 29, December 5, 1958; January 8–11 and March 21–23, 1959.

2. Military supply management (single manager agencies): May 25 and 26, 1959; executive sessions and briefings, 1.

3. Military Air Transportation (executive action in response to committee recommendations): May 11, 12, 13, and 14, 1959.

II. Legislation

No legislative measures were referred to the subcommittee during the session under review.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation

(a) Number of each received: 56 reports from the Comptroller General were referred to the subcommittee by Chairman DAWSON.

(b) Action taken:

A report on "Review of Procurement Practices Covering the Award and Administration of Advertised Contracts by the Military Clothing and Textile Supply Agency" (Executive Committee No. 1023) was submitted by the Comptroller General in response to a recommendation in House Report No. 1168, 85th Congress, 1st session. Matters contained in this report were considered in the subcommittee's hearings on Military Supply Management.

Additionally, the following General Accounting Office reports were examined and analyzed by the staff for possible future investigations:

1. Aeronautical spare parts management:

a. Executive Committee No. 120 of January 7, 1959, a report on procurement of Hi-Value aircraft spare parts at the Sacramento Air Material Area.

b. Executive Committee No. 121 of January 7, 1959, report on a review of selected activities of the aviation segment of the Navy supply system.

c. Executive Committee No. 205, a report on a review of activities of the supply department, Naval Air Station, Alameda, Calif.

d. Executive Committee No. 519 of February 5, 1959, a report on review of the aircraft engine overhaul pipeline in the Department of the Navy.

e. Executive Committee No. 1127 of June 23, 1959, a report on review of Air Force requirements and orders for aeronautical spare parts at San Antonio Air Materiel Area.

f. Executive Committee No. 1139 of June 26, 1959, a report on followup review of aeronautical spare parts at Oklahoma City Air Material Area.

2. Ship parts supply:

a. Executive Committee No. 132 of January 7, 1959, a report on review of selected activities of the Ship Parts Control Center, Mechanicsburg, Pa.

b. Executive Committee No. 622 of February 25, 1959, a report on feasibility of consolidating the Submarine Supply Office with the Ship Parts Control Center.

3. Ship repair:

a. Executive Committee No. 134 of January 7, 1959, a report on review of the settlement of shipbuilders' requests for price increases for damages arising from Government delays in furnishing plans and materials (Bureau of Ships).

b. Executive Committee No. 1081 of June 9, 1959, a report on review of ship overhaul contracting activities by the Industrial Managers (Bureau of Ships).

c. Executive Committee No. 1167 of July 6, 1959, a report on review of supply management and production control activities of selected U.S. naval shipyards (Bureau of Ships).

IV. Prior activities of the subcommittee of current or continuing interest

Due to the nature of the investigations undertaken by this subcommittee, all reports are of continuing interest. As indicated above, prior reports contributed to current hearings and reports, and continu-

ous notice is taken of subjects relating to past reports and investigations.

As mentioned above, the earlier reports of the subcommittee in the civil defense area have continued to be basic texts for everyone interested in the field.

The committee's report on "Rocket Launcher Procurement" (H. Rept. No. 2660, 85th Cong., 2d sess.) has resulted in many improvements in the Armed Services Procurement Regulation. The subcommittee intends to issue a special report on this matter.

Several earlier reports assisted in laying the foundation for the single manager program in the Department of Defense, described (at I(a)3 above) in the military supply management hearings.

The committee's report on U.S. military aid and supply programs in Western Europe (H. Rept. No. 1371, 85th Cong., 2d sess.) also remains a basic text in this field, and the committee will continue to examine military aid programs that are subject to deficiencies similar to those found in this report.

V. Projected program for the remainder of the 86th Congress

The projected program of the subcommittee will include the following subjects:

1. Organization and management of missile programs—followup investigations and collateral inquiries.

2. Special problems in military procurement and supply management.

3. U.S. military aid programs in South America.

4. Surplus property disposal—examination of management program, including centralized surplus information center and disposal offices, administration of program, and new techniques, including closed-circuit TV auctions.

5. Automatic data processing system planning and management—introduction to the problems which have arisen in the installation and use of ADPS. This program is planned for procurement and services of $350 million for the next fiscal year.

6. Military-civilian relationships in air traffic management.

7. Other investigations which appear worthy of special effort.

GOVERNMENT ACTIVITIES SUBCOMMITTEE, HON. JACK BROOKS, CHAIRMAN

I. Investigations

(a) Reports issued:

1. "Disposal problems of Government-owned nickel plant at Nicaro, Cuba" (House Rept. No. 684, 86th Cong., 1st sess., July 17, 1959).

Summary: This report is based on public hearings held April 23 and 24, 1958, and subsequent study in connection with operational and disposal problems of the Government's $85 million nickel plant at Nicaro, Cuba.

The report emphasizes that ore royalties charged the Government by the Freeport Sulphur Co. for ore utilized at the plant are excessive; details the beneficent role of the Government in Freeport's acquisition of the ore bodies; points out that a grossly misleading comparative cost analysis was supplied by General Services Administration officials to the GSA Administrator in connection with Freeport ores and those owned in the same area by the Bethlehem Steel Co., and presents the facts showing that the Freeport firm ordered a private investigation into the personal life of a high GSA official with whom the firm was attempting to negotiate an estimated $50 million contract in connection with the Government's nickel plant.

Appended to the report is a letter dated March 20, 1959, from the GSA Administrator pointing out that, as a direct result of testimony in the subcommittee hearings, GSA made a downward adjustment in the amount of Freeport-owned ore taken for the Nicaro plant. The Administrator said this resulted in a saving for the first 7 months of the 1958–59 fiscal year of $740,540 and added that the saving to the operation and the Government over the remaining 9 years of the ore contract term will be over $2 million a year if the royalty ore requirements are held to this adjusted level and normal operating conditions ensue.

Attention of the Department of Justice was called to appropriate findings and recommendations in the report, those dealing with the Freeport Sulphur Co.'s private investigation into the GSA official's personal life. The specific recommendations read: "2. That the Department of Justice study the transcript of the subcommittee hearings and pertinent supporting matter to determine whether charges of conspiracy to prevent Ira D. Beynon from discharging his duties as an officer of the United States should be initiated against the Freeport Sulphur Co., and its responsible personnel (18 U.S.C. 372)." The Justice Department, in a letter dated August 27, 1959, said it had studied the transcript of the hearings and "concluded that violations of Federal criminal statutes cannot be developed" and that the file is being closed. The Justice Department failed to contact the subcommittee to secure the pertinent supplementary material cited in the recommendation.

Attention of the Internal Revenue Service was called to the following recommendation:

"3. That the Internal Revenue Service consider the reported admission that the Freeport Sulphur Co. deducted as a 'business expense' the cost of its investigation into the private life of Ira D. Beynon, a U.S. Government official with whom it was doing business, and determine whether this was a legitimate deduction."

The U.S. Treasury Department, in a letter dated September 9, 1959, reported that the matter "will be given careful consideration upon examination of the 1957 return (Freeport's)." Earlier years' returns are now being examined and the agency said that until the 1957 return is examined "and the taxpayer has exhausted his rights of appeal, we are unable to give you the information required."

General Services Administration, in a letter dated September 15, 1959, advised the subcommittee that it is "inviting responsible private interests to submit offers for the purchase of the nickel plant at Nicaro, Cuba." The GSA thus is instituting compliance with recommendation No. 7, which reads: "That the Administrator of General Services proceed without undue delay in the efforts to dispose of the nickel plant, but that no offer be accepted which would not assure a reasonable return to the taxpayers."

Additional views were filed.

(b) Investigations not resulting in a formal report:

1. The subcommittee's investigation of the Government's $248 million nickel-cobalt contract obligations at Moa Bay, Cuba, and Braithwaite, La., begun during the 85th Congress, resulted in public hearings May 11 and 12, 1959, and subsequent study. Printed transcripts have been distributed and it is anticipated that a report on this investigation, with appropriate findings and recommendations, will be prepared for presentation early in the next session.

A preliminary review of the facts brought out in the hearings and the subcommittee's continuing study indicates that the Government's contract No. DMP 134 with the Freeport Sulphur Co. is one which needlessly exposes the Government to an unnecessary expenditure of some $200 million for nickel and $48 million for cobalt.

Facts introduced in the hearings point out that the Nation's taxpayers apparently have a quarter-billion dollar obligation for nickel and cobalt they didn't need when the contract was made and don't need now. Authoritative testimony stressed that the so-called nickel shortage, which brought on the expansion of the stockpile goal and this contract, was not a real one. Accurate evidence shows that the Government, itself, both created the shortage and solved it by simply reducing the amount of nickel diverted to the stockpile, bringing supply and demand for nickel into balance soon after the contract with Freeport was signed in March 1957.

Cobalt was not in short supply when the contract was signed, as decisively shown in the hearings, and the market price, soon after the contract took effect, dropped to $1.75 per pound from the $2 per pound contract price—already indicating a loss of nearly $6 million on cobalt purchases alone. Under the contract with Freeport, which calls for the Government to purchase nickel at the highest market price in the past 28 years—74 cents a pound—evidence shows that each 1-cent drop in the price of nickel would mean an inventory loss of $2,700,000 to the American people.

The hearings reviewed in detail the circumstances under which the Government awarded the contract to Freeport, despite recommendation by qualified Government experts that it accept an offer by a Bethlehem Steel Co. subsidiary, which gave the Government access to the same nickel capacity, and greater reserves, but without the obligation to purchase any nickel or cobalt—and to purchase such nickel as it needed at 10 percent under the market price. Bethlehem desired an Import-Export Bank loan at 4½ percent interest to finance its proposed program, while Freeport, with 80 percent accelerated amortization and a guaranteed market with the Government, planned to finance privately. The Office of Defense Mobilization ruled out Government loans as an incentive, thus eliminating the Bethlehem offer.

Among the other points brought out in the hearings was that the Government built and operated a pilot plant at Braithwaite, La., to test and perfect the Freeport nickel extraction process at a cost of nearly $6 million, placing Freeport in a position to develop its ores at Moa Bay, Cuba. The Braithwaite plant then, virtually intact, was sold to Freeport for approximately $214,000. Many other facets of both DMP 134, the nickel-cobalt contract, and DMP 105, under which the Government built and operated the experimental plant in Louisiana, were examined in the hearings and continue under study.

2. The subcommittee, after an investigation by staff members and a study made at subcommittee request by the General Accounting Office, held a public hearing on August 18, 1959, concerning the conversion of dwelling accommodations to office space in the Arlington Towers project (Fourth Arlington Towers Corp., FHA project No. 000-00085).

Apparent violation of Federal Housing Administration regulations by the Fourth Arlington Towers Corp., the insured mortgagor, was the principal subject of the hearing. Printed transcripts of the hearing will be distributed upon receipt from the Public Printer and it is anticipated that a report, with appropriate findings and recommendations, will be prepared for presentation early in the next session.

Testimony by responsible witnesses and facts presented for the record showed that no authority was granted by the authorized agency, FHA, for the conversion to commercial use of 26 residential units involving approximately 20,000 square feet of space located in the Jefferson Building, Arlington Towers, Arlington, Va., and the subsequent leasing of this space by the General Services

Administration for use by the Foreign Service Institute of the Department of State. Satisfactory evidence of disposition of the furniture and equipment formerly in the converted dwelling space was not presented when the subcommittee raised the question at the hearing.

Two violations of the Fourth Arlington Towers Corp. charter were shown unmistakably at the hearing:

(a) The conversion to office space was made without the permission of the FHA.

(b) The GSA entered into a 10-year lease of the space when the charter specifically limits the lease period to 3 years.

The hearing also brought out that FHA had taken no action to correct the cited violations until they were called to agency attention by the subcommittee, although it was shown that the agency already possessed knowledge that the conversion was taking place, contrary to regulations. Conflict appeared in testimony between officials of the GSA and FHA as to whether verbal approval had been given to GSA by FHA to proceed with the lease. Written approval was not granted, according to evidence presented at the hearing.

The FHA, in a letter dated August 24, 1959, supplied supplementary information requested by the subcommittee during the hearing. The agency indicated that it will reach a decision in the matter, in the light of the points brought out in the subcommittee hearing, as expeditiously as possible and will keep the subcommittee informed of its progress.

3. The subcommittee pursued the investigation begun in the 85th Congress by the then authorized subcommittee which had called the attention of the Secretary of the Interior to the fact that its regulations in regard to the adult vocational training of Indians was inconsistent with the law as passed by the Congress. As a result of the followup on the initial investigation, the Department of the Interior sponsored legislation to assist the agency in this program. The legislation (S. 1565) passed the Senate and is pending in the House Committee on Interior and Insular Affairs.

4. Investigated circumstances connected with GSA invitation to bid NY-DOPA 122 (87,000 square feet for designated center city office and storage space in Philadelphia, Pa.), all bids for same having been rejected by GSA on February 2, 1959. The GSA, at subcommittee request, explained in detail the basis for this action and furnished information concerning the bids received and a copy of the invitation for subcommittee evaluation. GSA received bids on the new invitation July 20, 1959, but award date of the contract has been extended indefinitely, with reported bidder assent, in order to permit completion of a GSA study to determine if presently leased space in Philadelphia can accommodate this need. The matter continues under study by the subcommittee.

5. Having reviewed many proposed sales of surplus property resulting from the Veterans' Administration practice of declaring portions of VA hospital grounds excess, the subcommittee made an overall study of such sales and held conferences with VA officials on the matter. The VA reports it has completed its program of screening its facilities for excess property and does not anticipate further reducing its standards for hospital land areas.

6. Investigated circumstances surrounding leasing of 146,000 square feet in the new Universal Building in Washington, D.C., by GSA for occupancy by the Civil Aeronautics Board. Study indicated the lease was handled according to regulations and that the space leased was most suited to the need and that GSA had secured a 30-cent per square foot reduction from the amount bid. GSA officials pointed out that the successful bidder (Cafritz) is one of the few builders in the area who will complete an office building without requiring that space be leased in advance of completion. The officials pointed out that GSA, in its normal function of meeting space requirements, has to provide space on a fiscal year basis and has no authority to contract for lease space 2 years in advance of completion, which puts the agency in the position of having to take space available when the need arises. GSA officers said when requirements are known sufficiently in advance and an agency is willing to wait, GSA will draw up specifications to meet the agency's particular need and give consideration to new construction.

7. Investigated operation of the GSA's Board of Review, with emphasis on the Board's workload and length of time required to render a decision on cases heard. The problem originally came to subcommittee attention in investigation of the case of a single individual, who did not receive a decision until more than a year after his case was heard by the Board. The subcommittee requested a full report from GSA on the Board's workload and other cases on which decisions were long delayed. The GSA Administrator furnished the subcommittee a detailed report, indicating numerous delayed decisions, and said steps were being taken immediately to remedy the situation by assigning additional personnel to the Board. The matter has continued under subcommittee study, and consideration is being given to preparation of an appropriate report for presentation early in the next session.

8. Investigated contract between the Government and Union Oil Co. and Ohio Oil Co. for oil-gas development in the Knik Arm area of Alaska, determining that the contract qualifies under law for exemption from the Department of the Interior's customary maximum oil-gas lease acreage limitations. No exclusive rights are granted by a development contract and various commitments represent guarantees of the contractor's intent to actually explore and drill on the area covered by the contract. In the course of the investigation, Interior officials said that, in effect, the contractor aids the Government, which now owns about 99 percent of the vast land surface in Alaska, in adding to the still limited information available on the new State's geology.

9. As part of continuing evaluation of air safety procedures and air traffic control under the Federal Aviation Agency, the subcommittee inquired into the agency's investigation of the two Capital Airlines accidents which occurred May 12. Held conferences with FAA investigators and attended CAB hearings in Baltimore, Md., on July 8, 9, and 10. Will evaluate Board's findings upon their release.

10. Investigated contract awards by General Services Administration for leasing of Air Route Traffic Control Centers to be constructed at Hampton, Ga., and Oberlin, Ohio, in connection with protests against the awards made by McCloskey & Co. and J. H. Pomeroy & Co., Inc. The Comptroller General was requested to comment and, after his review of an administrative report by the GSA, he explained in detail why there was no proper basis for action in the matter.

11. Investigated practices of the Civil Service Commission in connection with exceptions made in use of the Federal Register for hearing examiners. Studied opinions submitted at subcommittee request by concerned legal groups and a report submitted by the Commission, and prepared new inquiries with the objective of a possible public hearing on the matter when the investigation is completed.

12. Investigated Housing and Home Finance Agency, particularly the Public Housing Administration and the local authorities with respect to economy and efficiency of operation in the Government interest.

13. Investigated reported employee morale problems in GSA's Transportation and Public Utilities Service and studied details of the proposed personnel changes in the planned reorganization of the service. The reorganization plan is being put into effect, and the matter continues under subcommittee study.

14. Investigated rejection by GSA of bids for approximately 100,000 square feet of space in Detroit, Mich., including clinical space, to be occupied by the Veterans' Administration. Apparent cause for the high bids was the request for clinical space in the same building where other offices were located, GSA officials explained. Clinical space requires special wiring, equipment, plumbing, etc., they pointed out. GSA received permission to readvertise, splitting the clinical space into a separate offering. Bids were opened July 22, 1959, and GSA has not completed its evaluation of them. The subcommittee is continuing its investigation.

15. Investigated organization of the new Office of Saline Water, Department of the Interior, evaluating personnel assignments and plans to carry out provisions of the legislation passed in the 85th Congress.

16. Electrical power deficiencies in St. Thomas, V.I., were brought to subcommittee attention. Subsequent investigation brought assurance from the Department of the Interior that immediate steps were being taken to relieve the power situation on St. Thomas by installation of a new 2,000-kilowatt generator and rebuilt 500-kilowatt emergency generator. The Department said when these facilities are put in use it will not be necessary to operate the older equipment as much as in the past, and service outages should be almost eliminated.

(c) Monetary savings or recoveries as a result of investigation:

1. Appended to the subcommittee's report, ninth report of the Committee on Government Operations, titled "Disposal Problems of Government-owned Nickel Plant at Nicaro, Cuba" (H. Rept. No. 684, 86th Cong., 1st sess., July 17, 1959), is a letter dated March 20, 1959, from the Administrator of General Services pointing out that, as a direct result of testimony in the subcommittee hearings, GSA has made a money-saving downward adjustment in the amount of privately owned ore taken for the Nicaro plant. The hearings were part of an extended investigation of the matter.

The GSA Administrator said the result was a saving for the first 7 months of the 1958-59 fiscal year of $740,540 and added that the saving to the operation and the Government over the remaining 9 years of the ore contract will be over $2 million a year if the royalty ore requirements are held to this adjusted level and normal operating conditions ensue.

(NOTE.—Other money savings appear in sec. III and in sec. IV.)

(d) Other remedial measures taken and nonmonetary benefits:

1. The subcommittee established conformity of various agencies, including the Department of the Army, in submission of explanatory statements in connection with proposed negotiated sales of surplus property, thus enhancing the efficiency of administration of recently enacted provisions in the Federal Property and Administrative Services Act of 1949, as amended.

2. Additional personnel were assigned to the GSA Board of Review, as a result of subcommittee study, to lighten the Board's

workload and enable it to render decisions in a shorter time than in the recent past.

3. A new generator and a rebuilt generator were to be put into immediate use in St. Thomas, V.I., by the Department of the Interior, following a subcommittee investigation, to eliminate excessive electrical service outages.

4. The Department of the Interior sponsored legislation (S. 1565) to correct inconsistencies in its regulations with regard to the adult vocational training of Indians, following sucbommittee investigation.

(e) Days of hearings held:

Three days.

II. Legislation

(a) Number of measures referred to the subcommittee:

During this session of Congress the subcommittee has had a total of 31 measures referred to it for consideration. These measures include 28 House bills and 3 Senate bills.

(b) Reports issued:

Reports of the 86th Congress, 1st session, which accompanied proposed legislation reported from the subcommittee are as follows:

1. Report No. 368, dated June 1, 1959 to accompany S. 900 reported in lieu of H.R. 3152.

Summary: The purpose of the bill was to amend section 204 (b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes.

S. 900 passed the House with amendments on June 1, 1959, and the Senate agreed to House amendments August 20. Approved September 1, 1959, as Public Law 86–215.

2. Report No. 290, dated April 23, 1959, to accompany H.R. 3153. (S. 902 substituted).

Summary: The purpose of the bill was to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes.

S. 902 passed the Senate April 10, 1959, and was referred to Government Operations and reported out April 23, as a substitute for H.R. 3153. Passed the House May 18 and became Public Law 86–31 on May 26, 1959.

3. Report No. 890, dated August 12, 1959, to accompany H.R. 2386 (S. 47).

Summary: The purpose of the bill is to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land.

Bill passed the House August 31, 1959 and passed Senate September 9, 1959.

In addition to above, staff study was made of a number of bills, including H.R. 5993, H.R. 6011, and H.R. 6669. These bills all had the same purpose, i.e., to permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes. It was concluded the wording in H.R. 6669 was preferable, and this bill was passed out by another committee and became law.

Study was made of H.R. 5456, the purpose of which was to provide for the relocation of the National Training School for Boys, and for other purposes. While its purpose was commendable, the bill as drafted cut across jurisdictional lines of three committees, and it was recommended to the Justice Department that they redraft the bill to avoid this conflict. No action was taken in the subcommittee on the original bill and the redraft had not reached it when Congress adjourned.

(c) Days of hearings:

Hearings were held on legislative matters on 5 separate days.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters which are not legislation

(a) Number of each received:

1. The subcommittee has received a total of 68 explanatory statements of proposed negotiated disposals of Government surplus property for consideration during the 1st session of the 86th Congress. The statements are submitted to the committee in accordance with provisions of section 203(e)(6) of the Federal Property and Administrative Services Act of 1949, as amended, and each has been thoroughly reviewed. The original acquisition cost of the property proposed for sale amounted to $34,629,944 and had a current appraised value of $7,087,713, while the proposed disposal price was $6,895,090. Two of the explanatory statements concerned leasing of Government property at a rental of $12,960 for a 1-year period prior to sale.

Fifty-eight explanatory statements pertained to the disposal of real property having an original acquisition cost of $32,685,707. This same real property had a current appraised value of $6,400,381 and the proposed disposal price was $6,240,471.

Eight of the proposed sales were of personal property which had an acquisition cost of $1,944,237, and a current appraised value of $687,332. This property was being sold for $654,619.

2. GAO audit reports, 32.

(b) Action taken:

A. Negotiated sales:

1. In 26 instances of the 68 explanatory statements, more information was felt necessary to evaluate the proposal, and the responsible Government officials accordingly were interviewed. The disposal agency's files also were examined in those cases, and particular attention was given to a study of the appraisal upon which the sales price was based. In five cases it was determined there was sufficient cause to warrant a personal inspection of the property being sold to properly evaluate the material made available to the committee. In those cases an investigation of the circumstances surrounding the negotiation was undertaken which included interviewing of the prospective purchaser and other interested parties, as well as a study of the real estate market in the locale of the subject property. Consultation with local real estate appraisers and review of real estate sales in local land title and abstract companies was necessarily included. These five cases were:

(a) Proposed sale of the former Marine Corps warehouse in Philadelphia, Pa., by the Department of the Navy, to the city of Philadelphia. The building had been appraised at $625,000 in 1957 and at $390,000 in 1958, and was to be sold for $100,000. The property was inspected and Navy and city officials interviewed. The warehouse had been constructed on city-owned land which was leased to the Government. There was no alternative to sell other than to the city, as the 10-year, nonrenewable lease had expired prior to submission of the disposal plan to Congress. The Government's rights were limited to removal and off-site use or demolition and salvage of resultant material which would have been for less than the $100,000 offer from the city. Efforts made by the subcommittee to encourage continued Government use of the warehouse were to no avail, and the city considered its offer of $100,000 the maximum it would pay.

(b) Proposed sale of the Naval Industrial Reserve Ordnance Plant, DOD No. 361, located at Nicetown (Philadelphia), Pa., by the Department of the Navy to Midvale-Heppenstall Co., Inc. The facilities, constructed on company-owned land, had an acquisition cost of $10,867,661 in 1941, and were appraised at $443,000. The proposed sale price was $389,500, plus a release of the Government's contract obligation to remove the facilities and restore the premises at Government expense, the cost of which was estimated to be $434,000. After personal inspection of the property and interviews with company officials, the Administrator of GSA was asked to make a technical study of the appraisal and the proposed terms of the sale and furnish the subcommittee with a report of his findings. The Administrator's report concluded that the findings in the appraisal were considered sound and that "in light of the contractual relationship, it is our view that the offer of Midvale is fair and reasonable and should be accepted." The subcommittee, therefore, advised the Department of the Navy that it would have no further recommendations regarding the proposed sale and they could proceed with disposal plans.

(c) Proposed negotiated sale by GSA of a portion of the Soldiers' Home Reservation in the District of Columbia to the National Shrine of the Immaculate Conception for $85,000. The property was inspected and terms of the negotiation and the appraisal upon which the price was based were thoroughly reviewed. It was concluded, that because of the restricted use to which the property could be placed, the sale should be consummated.

(d) Proposed sale by the GSA of a portion of the Camp Adair Military Reservation in Benton County, Oreg., to the Plywood Products Corp. The property to be sold consisted of 123 acres improved with several frame buildings considered to have only salvage value. A recent appraisal listed the value of the improvements at $7,000, and the land at $23,400 for a total value of $30,400. GSA proposed to sell the property for $35,000.

GSA central and regional office files were reviewed and the appraisal thoroughly studied. Local real estate appraisers were consulted, and tenants occupying certain of the buildings were interviewed with respect to their future interest in the property, and conferences were held with the prospective purchaser. It was concluded that the sales price was less than its fair value and would return a greater amount to the Government if exposed for sale through competitive bidding. It was recognized, however, that in the interest of equity and a moral obligation on the Government's behalf, that that portion under lease to the Plywood Products Corp., and on which they have made substantial improvements, should be sold by negotiation. The value of that portion was determined to be $35,000. The remaining portion was believed to have a value of $15,000.

It was, therefore, recommended to the Administrator of GSA that the negotiated sale should not be consummated for less than $50,000, and that if the entire portion of 123 acres should be sold by negotiation, then provision be made for Plywood Products to continue the leases with other tenants on the same terms as presently included in the Government lease. This latter provision is satisfactory to the other tenants. The net savings to the Government in this instance will be $15,000.

(e) The proposed sale of the Naval Supply Depot, Spokane (Velox), Wash., by the GSA to the D–J Co. of Seattle, Wash., for $2,100,000. The personnel of the central and regional offices of GSA were interviewed and a personal inspection made of the property. Information was developed relating to the possibility of a higher offer for the property

than the one accepted by GSA. The subcommittee, therefore, recommended to GSA on September 21, 1959, that consummation of the sale to the D–J Co. be rejected and that a new offer be considered which will result in savings of approximately $450,000. The new offer now has been received by the GSA.

B. GAO audit reports:

1. Review of financing and construction of post office and courthouse public building project at Rock Island, Ill., under the lease-purchase program, GSA, June 1958. Upon recommendation of the subcommittee and with the cooperation of the Appropriations Committee, an authorization to use funds from savings on new construction projects was made to enable GSA to pay off the Government's lease-purchase obligation on this project. This action will eliminate the necessity of the payment of interest and real estate taxes, with a resulting saving to the Government of approximately $1,800,000.

2. Audit of Washington National Airport, CAA, Department of Commerce (succeeded by FAA), 1956–58. FAA queried by letter as to corrective action taken. Agency reply shows substantial compliance with GAO recommendations.

3. Audit of abaca fiber program, GSA, 1958. In replying to subcommittee letter, agency states that it is now complying with GAO recommendations.

4. Audit of General Supply Fund, GSA, 1958. Agency has been requested to notify subcommittee of corrective action it is taking in compliance with GAO recommendations.

5. Audit of Reconstruction Finance Corporation Liquidation Fund, GSA, 1958. Agency reply to subcommittee inquiry shows that the corrective action taken is satisfactory.

6. Review of selected activities of the government of the Virgin Islands, 1958. Agency concurs and states that it will comply with GAO recommendations.

7. The following, containing similar findings and recommendations, are under consideration as a group and the Housing and Home Finance Agency has been requested to report corrective action taken in each instance in accordance with GAO recommendations:

(a) Municipal Housing Authority of Buffalo, N.Y., 1959.

(b) Housing Authority of New Orleans, La., 1959.

(c) Housing Authority of Philadelphia, Pa., 1959.

(d) Housing Authority of St. Louis, Mo., 1957.

8. The reports below, are similar in nature, and inquiry has been made concerning the corrective action taken in each case:

(a) Audit of District of Columbia Redevelopment Land Agency, 1957 and 1958. Agency reply shows compliance with GAO recommendations.

(b) Audit of National Capital Housing Authority, 1954–58. No comments have been received thus far from the agency.

(c) Review of Puerto Rico Insuring Office, FHA, 1958. Agency reply is under subcommittee study to determine the need for possible further corrective action by the agency.

(d) Audit of Federal Housing Administration, 1954–57. Corrective legislation recommended in the GAO audit is under study in the Housing Subcommittee, House Banking and Currency Committee.

(e) Audit of Public Housing Administration, 1957. Examining need for legislation recommended by GAO.

(f) Review of Home Mortgage Section, Mortgage Insurance Division, FHA, 1958. Awaiting agency reply to subcommittee query.

(g) Review of slum clearance and urban renewal activities in Puerto Rico, HHFA, 1958. Detailed agency reply is under further study.

9. The following reports are under staff study:

(a) Norfolk Redevelopment and Housing Authority, Norfolk, Va., 1959.

(b) Housing Authority of the City and County of San Francisco, Calif., 1959.

(c) Audit of Federal National Mortgage Association, 1958.

(d) Audit of Bureau of Public Roads, Department of Commerce, 1957 and 1958.

10. After detailed analysis and review, no action was deemed necessary on the following GAO reports:

(a) Review of loan guarantee program, CAB, 1958.

(b) Audit of Government Printing Office, 1958.

(c) Audit of Federal Housing Administration, 1958.

(d) Audit of Public Housing Administration, 1958.

(e) Housing Authority of Boston, Mass., 1959.

(f) Detroit Housing Commission, Detroit, Mich., 1959.

(g) Louisville Municipal Housing Commission, Louisville, Ky., 1959.

(h) Alaska International Rail and Highway Commission, from July 30, 1957, to June 30, 1959.

(i) Audit of Virgin Islands Corporation, 1958.

(j) Audit of Veterans Canteen Service, VA, 1958.

(k) Investigation of alleged procurement procedures, St. Elizabeths Hospital, HEW, 1958. (Referred from the Intergovernmental Relations Subcommittee.)

IV. Prior activities of the subcommittee of current or continuing interest

(a) Cumulative money savings or recoveries:

1. The subcommittee's investigation and hearings in 1958, resulting in its report of July 17, 1959, titled "Disposal Problems of Government-Owned Nickel Plant at Nicaro, Cuba" (H. Rept. No. 684, 86th Cong., 1st sess.), have resulted in direct savings in operation of the plant. Based on authoritative figures, a total of approximately $2,500,000 should be saved on ore costs for the nickel plant for the 1958–59 calendar year. The downward adjustment in the amount of privately owned ore taken for the Nicaro plant was made as a direct result of testimony in the subcommittee hearings, resulting in the large savings.

2. The subcommittee, during the 85th Congress, blocked the proposed negotiated sale of the Naval Industrial Reserve Shipyard at Newport News, Va., because the price of $3,510,000 appeared grossly out of proportion to the true fair market value of the $20,391,000 facility. GSA, at the subcommittee request, withdrew its delegation of authority to the Secretary of Defense to dispose of the facility and made a new appraisal. The new appraisal has been evaluated by GSA during the 1st session, 86th Congress, and the subcommittee has continued liaison with the agency as negotiations to sell the plant at the new price were initiated. As a result of the subcommittee's insistence on the true fair market value, it is now estimated that the shipyard will be sold for a price at least $2 million more than the one originally proposed, and may exceed that estimation by a considerable amount.

3. The subcommittee initiated study during the 85th Congress of a GAO review of financing and construction of post office and courthouse public building project at Rock Island, Ill., under the lease-purchase program. After study, upon recommendation of the subcommittee and with the cooperation of the Appropriations Committee, authorization was made in the 1st session, 86th Congress, for GSA to use funds from savings on new construction projects to pay off the Government's lease-purchase obligation on this project. This action will eliminate the necessity of paying interest and real-estate taxes over the canceled period, resulting in a direct saving to the Government of approximately $1,800,000.

4. On August 18, 1958, the subcommittee received an explanatory statement from the GSA proposing to sell a surplus 209-acre portion of the Veterans' Administration Hospital Reservation in St. Cloud, Minn., to the city of St. Cloud for $24,000. The city was to retain a portion of this 209-acre tract for park purposes and turn the balance over to St. Cloud Opportunities, Inc., a quasi-public organization designed to improve employment opportunities in St. Cloud. This organization was financing the purchase through negotiation and intended to use the property for industrial purposes.

The subcommittee, after a review of the appraisal and contacts with individuals, concluded in a letter to GSA, "Since the city of St. Cloud plans to convey most of the acreage for the purpose of commercial development, it is recommended that its sale be by advertised, competitive bidding rather than by negotiation. It is understood that the portion of the acreage with use restrictions was intended for park and recreational purposes; that portion can still be acquired by the city for 50 percent of its fair market value."

The St. Cloud Opportunities, Inc., was not prohibited from bidding competitively by its charter.

The GSA transferred 27.4 acres of the property to the city for park and recreation purposes for $932.50, which represented 50 percent of its value. The remaining 182.31 acres which under terms of the proposed negotiated sale would have returned $22,135 was disposed of in accordance with the subcommittee's recommendation. On August 27, 1959, the 182.31 acres were offered at public auction and a high bid of $36,463 was received from the St. Cloud Opportunities, Inc., an increase of more than 50 percent and a cash return of more than $13,000 above the terms proposed in the negotiated sale.

(b) Other affirmative benefits:

1. The Veterans' Administration reported the adoption of changes in its burial procedures, recommended by the subcommittee, designed to expedite arrangements for interment in national cemeteries. The changes urged by the subcommittee were adopted and in Circular 10–240, December 17, 1958, the Veterans' Administration set forth the revised agreement reached with the Quartermaster General, which is now in effect. The new procedure is correcting situations, such as the subcommittee pointed out to the VA, in which interment was delayed 5 days over a holiday period because of failure to use commercial telegraph or telephone communications, working a hardship on the family of the deceased.

V. Projected program for the remainder of the 86th Congress

1. Examination of all negotiated sales and leases of Government property referred to the subcommittee.

2. Examine and take necessary action on all GAO reports referred to the subcommittee.

3. Study developments in the operation and proposed disposal of the Government's nickel plant at Nicaro, Cuba. Continue study of production figures and resulting savings. Observe negotiations to sell the plant under the invitation to bid announced September 15, 1959, by the GSA Administrator, and prepare to review final terms.

4. Study transcript of public hearings of May 11 and 12 and supplementary material with the objective of preparing a report to be submitted early in the next session on the nickel-cobalt obligations of the U.S. Government.

5. Study transcript of public hearings of August 18, 1959, and supplementary material with the objective of preparing a report to be submitted early in the next session on the unauthorized conversion of dwelling accommodations to office space in the Arlington Towers project (Fourth Arlington Towers Corp., FHA project No. 000–00085). Maintain liaison with Federal Housing Administration in regard to corrective action to be taken as a result of facts established in the hearing. Distribute printed transcripts of hearing upon receipt from Public Printer.

6. Study developments in connection with the proposed sale of communications facilities at the Newport (R.I.) Naval Base and similar Department of Defense proposals.

7. Study negotiations of the General Services Administration to sell, under a new appraisal price requested by the subcommittee, the $20 million Naval Industrial Reserve Shipyard at Newport News, Va.

8. Take action on inquiries and complaints within jurisdiction which are filed with the subcommittee.

9. Develop study of GAO reports concerning FHA sale of residential housing in Richland, Wash., and Oak Ridge, Tenn.

10. Observe action taken by General Services Administration to utilize the funds from savings on new construction projects, recommended by the subcommittee and authorized with the cooperation of the Appropriations Committee, to pay off the Government's lease-purchase obligation on the post office and courthouse public building project at Rock Island, Ill., in order to save the Government approximately $1,800,000 by eliminating the payment of interest and real estate taxes for the canceled period.

11. Continue study of activities of the Housing and Home Finance Agency, particularly the Public Housing Administration and the local authorities, with respect to the economy and efficiency of their operation in the national interest.

12. Further examine steps taken by the General Services Administration to alleviate the heavy workload of its Board of Review, which had caused many decisions to be delayed excessively. Review details with the objective of preparing a report on the matter to be submitted early in the next session.

13. Examine results of study being made by General Services Administration to determine if presently leased space in Philadelphia, Pa., will accommodate the need outlined originally in GSA invitation to bid No. NY–DOPA 122, all bids for the same having been rejected by GSA on February 2, 1959. Award of the contract on a new invitation of July 20, 1959, has been extended by GSA to permit completion of the study. Review details of contract awarded.

14. Develop further material and continue study of report by Civil Service Commission in connection with subcommittee query regarding exceptions made in use of the Federal Register for hearing examiners. Evaluate material developed with the prospect of conducting a public hearing in the matter.

15. Continue study of Federal Aviation Agency problems in connection with air safety procedures and air traffic control. Evaluate CAB findings in connection with two crashes which occurred May 12.

16. Continue study relating to the operation and reorganization plans being put into practice in the GSA's Transportation and Public Utilities Service.

17. Continue examination of proposed lease of office space, including clinical space, for the Veterans' Administration in Detroit, Mich. Evaluate report to be submitted by GSA regional office.

18. Review negotiated sales of surplus property, considered by the subcommittee in recent sessions, which involved sale of "scrambled" facilities or of Government plants built upon property belonging to another party, with a view to preparing a special study of the overall situation and its heavy cost to the taxpayers.

INTERGOVERNMENTAL RELATIONS SUBCOMMITTEE, HON. L. H. FOUNTAIN, CHAIRMAN

I. Investigations

(a) Reports issued: No formal investigative reports were issued during 1959. In a letter sent to the Department of Agriculture on September 12, the subcommittee made a number of informal recommendations concerning policies and procedures of the Department in financing sales of surplus agricultural commodities for foreign currencies. Information disclosed by subcommittee investigations was also called to the attention of appropriate officials of the departments or agencies concerned in a number of other instances.

(b) Investigations not resulting in a formal report:

Activities of the Commodity Credit Corporation

The subcommittee's major investigative effort has been devoted to a comprehensive inquiry into activities of the Commodity Credit Corporation. Particular subjects being examined by the subcommittee include the following:

Resale to U.S. military forces of agricultural commodities sold or subsidized by CCC.

Sales for foreign currency of surplus agricultural commodities sold or subsidized by CCC. Some foreign currency sales have been financed by CCC; others by the International Cooperation Administration. Particular attention is being given to the possibility of cotton sold by CCC being financed for export by CCC on the basis of a higher quality.

Storage of CCC-owned commodities, particularly where such commodities are stored in present or former Government facilities.

Commuter Transportation in Metropolitan Areas, With Particular Reference to the New York-New Jersey Area

The staff made a preliminary study to determine the appropriateness of subcommittee hearings and further investigation of this problem. This study was undertaken because of increasing concern for the ability of existing mass transportation facilities to serve the needs of commuters in our large metropolitan areas and the further deterioration of commuter rail and ferry service, especially in the New York metropolitan area, due to the enactment by the Congress of the Transportation Act of 1958.

Health Research Activities of the National Institutes of Health, U.S. Public Health Service

Considerable staff time has been devoted this year to a study of the economy and efficiency of the numerous extramural health research programs administered by the National Institutes of Health. With larger amounts being appropriated each year by the Congress for an expanded medical research effort to conquer the major killing and disabling diseases. It becomes increasingly important to review the administration of these programs. Attention is being given to the NIH grant and contract arrangements for health research.

Investigation of Conflict of Interests in Department of Health, Education, and Welfare

The staff has investigated a possible conflict of interest on the part of an official of the Department of Health, Education, and Welfare. Further information has been requested from the Department to provide a basis for subcommittee action.

(c) Monetary savings or recoveries as a result of investigation:

Foreign Currency Transactions

Both the Department of Agriculture and the International Cooperation Administration are studying a number of foreign currency transactions in order to determine whether claims should be filed. The ICA has already filed a claim for approximately $100,000 as a result of one transaction brought to its attention by the subcommittee. The subcommittee is currently studying a number of CCC financed cotton transactions in order to ascertain whether excessive payments have been made and, if so, whether such payments can be recovered.

Resale of CCC Commodities to U.S. Armed Forces

As a result of disclosures at subcommittee hearings, the Army obtained new contracts for furnishing of recombined milk for troops in Japan, Okinawa, and Guam which are expected to save about a million dollars annually.

Approximately $50,000 was refunded to the Department of Agriculture by a dairy firm which had purchased a substantial quantity of nonfat dry milk from CCC for less than 10 cents per pound and resold it to the U.S. Armed Forces for more than 30 cents per pound.

(d) Other remedial measures taken and nonmonetary benefits:

The armed services and the Department of Agriculture have taken steps to coordinate their activities with a view to preventing windfall profits through resale to the Armed Forces of agricultural commodities sold or subsidized by the Commodity Credit Corporation.

The Department of Agriculture and the International Cooperation Administration have taken or are taking certain steps to strengthen their policies and procedures with respect to financing sales of agricultural commodities for foreign currencies.

(e) Days of hearings held: 7 days of investigative hearings were held during the 1st session of the 86th Congress.

II. Legislation

(a) Number of measures referred to the subcommittee: Four bills were referred to the subcommittee: H.R. 656, H.R. 6904, H.R. 6905, and H.R. 8478.

(b) Reports issued:

Report No. 742, "Establishing an Advisory Commission on Intergovernmental Relations," was issued by the committee on July 31, 1959. This report summarizes the purpose and background of the legislation and the testimony presented in hearings to substantiate the need for an advisory commission. It also outlines the committee's concept of the nature of the Commission, the cooperation expected from the States, and the several amendments adopted by the committee.

H.R. 6904 was passed by the House under suspension of the rules on August 17, 1959. The bill passed the Senate, amended, on September 10. The conference report was agreed to by both House and Senate on September 12, and the bill was signed by the President on September 24.

(c) Days of hearings: Four days of hearings were held jointly with the Senate Committee on Government Operations on the identical bills H.R. 6904, H.R. 6905, and S. 2026.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation

Eleven formal reports to the Congress by the General Accounting Office were referred to the subcommittee during the 1st session of the 86th Congress and have been or are being studied. In addition, the subcommittee has requested and received from the GAO a number of reports made to executive agencies as well as special studies made for the subcommittee and detailed workpapers on which some of the reports to Congress are based. These documents have been or are being studied by the subcommittee.

IV. Prior activities of the subcommittee of current or continuing interest

(a) Cumulative money savings or recoveries.

Purchase Resale Transactions

As a result of the subcommittee' investigation of cheese and butter purchase-resale transactions, the Government has now recovered more than $2 million, and it appears likely that further recoveries will be made.

Polio Vaccine

The five manufacturers of polio vaccine were indicted for price fixing after a subcommittee investigation. It is expected that trial of these cases will begin on October 13 in Trenton, N.J. The Justice Department is also considering the possibility of civil suits to recover damages for overcharges on Government vaccine purchases.

School Lunch Program

The Justice Department is presently considering income tax cases involving possible civil and criminal liability in connection with transactions related to distribution of surplus commodities to schools and institutions in Illinois.

Transportation of Household Effects

At the subcommittee's request, the Bureau of the Budget conducted a study of transportation of household effects of Government employees. This study indicated a possibility of substantial savings through contracting for movement of household effects on a competitive basis, rather than reimbursing each individual employee at a standard rate. The Budget Bureau is encouraging executive agencies to take advantage of such savings wherever possible.

(b) Other affirmative benefits: No items.

V. Projected program for remainder of the 86th Congress

During the remainder of the 86th Congress, the subcommittee will continue its surveillance of the operations of departments and agencies under its jurisdiction. Particular attention will be given to:

Continuation of the subcommittee's investigation of the Commodity Credit Corporation, including preparation of a comprehensive report setting forth the subcommittee's findings and recommendations.

Continuing and intensifying the subcommittee's examination of the various health research programs being administered by the National Institutes of Health with view to encouraging the maximum possible economy and efficiency in this important field.

Studying operations of the Bureau of Public Roads.

Observing activities of the Advisory Commission on Intergovernmental Relations with a view to recommending any legislative changes needed to make this body more effective.

FOREIGN OPERATIONS AND MONETARY AFFAIRS SUBCOMMITTEE, HON. PORTER HARDY, JR., CHAIRMAN

I. Investigations

(a) Reports issued:

1. House Report No. 546, 86th Congress, "U.S. Aid Operations in Laos," issued June 15, 1959.

This report resulted from a comprehensive study of the U.S. aid program in the southeast Asian kingdom of Laos. The purposes of the study were to determine:

a. How and by whom the decision was made as to the number and type of military forces (i.e., "force objectives") the United States would support in Laos;

b. The relationship between the force objectives and the level of aid (i.e., the overall dollar amounts) set for Laos; and

c. Whether the U.S. aid program in Laos was being administered efficiently, economically, and according to law.

The report concluded principally that:

a. In the case of Laos, the determination of force objectives was a political decision made by the Department of State, despite contrary recommendations by the Joint Chiefs of Staff;

b. The high level of economic aid necessary to support such a force had been beyond the capacity of Laos' meager economy to absorb. Inflation and profiteering followed and hampered the objectives of the mutual security program;

c. The administration of the U.S. aid program in Laos was inadequate in effectiveness, scope, and supervision; in fact, in a number of demonstrated instances it was tainted with corruption;

d. ICA and the Department of State have sought to excuse deficiencies and maladministration in the aid program in Laos with the assertion that our aid program, however poorly administered, has saved Laos from going Communist; and

e. On the evidence, a lesser sum of money more efficiently administered would probably have been more effective in achieving economic and political stability in Laos and in increasing its capacity to reject Communist military aggression or political subversion.

The committee recommended, inter alia, that:

a. The Congress should be advised fully as to the extent to which the Department of State participates in determinations (such as those concerning force objectives) which are generally regarded as military in nature;

b. The use of cash grants to provide mutual security assistance should be minimized in favor of aid in kind;

c. Levels of aid should not be set so high that they exceed the absorptive capacity of the local economy.

d. ICA should improve its control mechanisms so that its procedures and standards are complied with, and opportunities for corruption are minimized;

e. State, Defense and ICA should reexamine their roles with respect to Laos in the light of the basic objectives of the mutual security program and the needs of the country; and

f. Congress should amend the Mutual Security Act to improve procedures and control mechanisms in the mutual security program and to provide Congress with better information respecting the determination of individual country levels of aid.

(b) Investigations not resulting in a formal report:

1. Federal agencies having international lending functions: The Export-Import Bank, the Development Loan Fund, and the International Cooperation Administration provide loans and loan guarantees for the financing of economic enterprises located in foreign countries. With respect to such functions, each agency has somewhat different purposes, authorities and methods of operation. In addition to these U.S. agencies, there are a number of international agencies having similar financing functions, such as the International Bank for Reconstruction and Development (World Bank), the International Finance Corporation, and the recently established Inter-American Development Bank, in which U.S. participation was authorized by the act of August 7, 1959.

As part of a more general study of the U.S. agencies, including their relationships to one another and to the international agencies, the subcommittee has begun preliminary studies of the operations of the Development Loan Fund and the Export-Import Bank of Washington.

a. Development Loan Fund: The subcommittee held a series of hearings to discuss with DLF officials procedures and practices in the conduct of DLF's operations.

The subcommittee staff has undertaken preliminary studies of the operations of the Development Loan Fund, including extensive examination of certain DLF files. In connection with a number of specific issues revealed or confirmed by documents, the staff prepared eight narrative reports for the purpose of briefing the subcommittee members prior to the conduct of hearings on these questions while abroad.

Much time and effort of the subcommittee and its staff were devoted to clearing (in major part successfully) obstacles placed in the path of the subcommittee's access to documents in DFL's official files. These obstacles had been raised both in the name of the executive privilege doctrine currently being invoked by the executive branch and in the name of the so-called third-agency rule (whereby a document originating with ICA, for example, would be released by DLF only on ICA's specific approval).

b. Export-Import Bank of Washington: The subcommittee held a hearing in the nature of an economic briefing. Officials from the Export-Import Bank and the State Department testified.

The staff made a preliminary study of the operations of the Export-Import Bank, including the matter of the terms of the Bank's sale to outside investors of obligations held in its investment portfolios. In addition, summaries of certain Export-Import Bank loans were prepared for the use of the subcommittee in connection with its current inspection and study trip to Europe and the Near East.

2. Federal Reserve System: The subcommittee held an introductory hearing at which the Chairman of the Board of Governors, Federal Reserve System, and a number of aids, provided details about the duties and activities of the Board.

The subcommittee conducted preliminary analyses relating to (1) the question of outside audit of operations of the Federal Reserve; and (2) areas of the Board of Governors' operations which might warrant further subcommittee inquiry.

3. Office of Evaluation, International Cooperation Administration. In order to begin a study of ICA's Office of Evaluation, the subcommittee chairman, on February 26, 1959, requested the Acting Director of ICA to provide full information and documents relating to the activities of the Office of Evaluation. ICA declined to furnish, on the grounds of executive privilege, an important category of documents, namely, copies of all reports, memoranda, and other evaluation documents prepared by the Office of Evaluation.

Moved by this and similarly based frustrations of the subcommittee's work, the chairman successfully sponsored amendments to the Mutual Security Act of 1959 and to the Mutual Security Appropriations Act, 1960, designed to assert the intent and the right of Congress to have full access to information needed for its effective consideration of legislation and appropriations for the mutual security program.

4. St. Lawrence Seaway Development Corporation: The subcommittee is making some inquiries concerning regulations of the St. Lawrence Seaway Development Corporation which bar small pleasure craft from parts of the Seaway. Matters discussed in the Corporation's latest response are now under study.

5. U.S. Information Agency: The subcommittee had concluded hearings at the end of the 85th Congress into the operations of the Persian Service of the Voice of America. This inquiry was concerned primarily with allegations relative to the lack of proper and effective monitoring and control of the content of oversea broadcasts. During the current year, officials of USIA have examined into particular, detailed allegations. The results of this inquiry were embodied in a report to the chairman from the Director of USIA, dated July 21, 1959. In the subcommittee's view, several key elements of the allegations were not fully disposed of. Fur-

ther consultation is planned between the subcommittee and the Agency.

(c) Monetary savings or recoveries as a result of investigation:

Manifestly, no accurate quantitative measurement can be made of the dollar savings resulting from improved procedures and performance on the part of ICA which have been stimulated by the subcommittee's investigations. Moreover, in the case of the mutual security program, conservation of funds through more effective planning and more efficient practice ordinarily will mean a saving in the sense of giving more real foreign aid for the funds available.

Because of the magnitude of foreign aid funds and the nature of their use, even small improvements in procedure and practice may result in very large money savings indeed. The minimization of cash grants recommended by the committee, which now appears to be the trend in ICA, could, in Laos alone, mean at least a 10 percent improvement in the effectiveness of U.S. aid funds. On the basis of the level of cash grants in 1957, this would represent more than $3 million worth of aid.

Exposure by the subcommittee investigation in Laos of unlawful or unreported gain on the part of certain persons employed by ICA will probably result in tax recoveries, with penalties, aggregating several thousand dollars.

The Department of State has advised that the U.S. attorney's office now has under review the possibility of prosecuting legal violations by the Universal Construction Co. The U.S. operations mission to Laos has been instructed to file a claim of $4,311.39 as the result of the substandard construction of 14 houses. The general counsel of the International Cooperation Administration is reviewing the legal steps possible to secure additional recoveries.

(d) Other remedial measures taken and nonmonetary benefits:

1. Legislative measures: As a result of obstacles to the obtaining of essential information encountered by the subcommittee in its investigations of the mutual security program, the subcommittee chairman sponsored several legislative amendments which the 86th Congress enacted as parts of the Mutual Security Act of 1959, and the Mutual Security Appropriations Act, 1960. The action thus taken represents a substantial fulfillment of the ninth recommendation of the committee's Laos report, viz:

"That the Congress give serious consideration to amendments proposed in this year's mutual security bill by the House Committee on Foreign Affairs, intended to improve programing procedures and control mechanisms in the mutual security program and to provide the Congress with more detailed and significant information respecting the determination of individual country levels of aid than has heretofore been available."

Subsection 537(f) of the Mutual Security Act was amended to require greater specificity in the request for authorizations and appropriations with respect to (1) how the proposed level of aid for a given country is arrived at; and (2) how a particular level of forces for a given country is determined.

Subsection 533A(d) of the Mutual Security Act of 1959, which deals with the Office of Inspector General and Comptroller (a new office in the Department of State with responsibilities relating to the mutual security program), requires that all documents and other material relating to the activities of that Office shall, on request, be furnished to the GAO and to appropriate committees or subcommittees of Congress.

Subsection 534(b) of the Mutual Security Act of 1959 requires that on request of the GAO or appropriate committees and subcommittees of Congress, ICA shall furnish all documents and other material relating to its activities.

Section 108(d) of the Mutual Security Appropriations Act, 1960, provides a conditional limitation on ICA expenditures under the act. The limitation, which will operate against the use of funds for a given country, project, or activity, will become effective whenever 35 days after a written request, ICA has not furnished to the GAO or an appropriate committee or subcommittee of Congress any document or other material relating to ICA administration with respect to a given country, project, or activity. However, the limitation will not operate if, during the 35-day period, there is furnished a certification by the President that he has forbidden the material to be furnished and stating his reasons for doing so.

The need for this limitation on expenditures arose when ICA, acting on policy direction from the President and notwithstanding the enactment of subsections 533A(d) and 534(b) of the Mutual Security Act, persisted in its refusal to the subcommittee of the evaluation documents which the chairman had requested on February 26, 1959.

2. Other measures: The Department of Justice, the Department of State, and ICA are actively studying factual and legal aspects of the Government's civil and criminal recourse against U.S. citizens who, as the committee's Laos investigation has revealed, appear to have violated Federal law.

(e) Days of hearings held:

1. Laos investigation, 19 days.
2. Development Loan Fund, 3 days.
3. Federal Reserve Board, 1 day.
4. Export-Import Bank of Washington, 1 day.

Total, 24 days.

II. Legislation

(a) Number of measures referred to the subcommittee:

H.R. 8302, 86th Congress, by Congressman PATMAN, to provide for a GAO audit of the Federal Reserve System from 1913 through 1958.

H.R. 6605, 86th Congress, by Congressman HARDY, to amend Reorganization Plan No. 7 of 1953.

(b) Reports issued: None.

(c) Days of hearings: None. (But, see item (b)2, under part I above.)

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation

(a) Number of each received: The subcommittee has received 15 reports to the Congress by the Comptroller General of the United States.

(b) Action taken:

1. Audit of St. Lawrence Seaway Development Corporation, fiscal year 1958.

Report examined and analyzed. No action taken.

2. Audit of Federal Deposit Insurance Corporation, fiscal year 1958.

Report examined and analyzed. No action taken.

3. Audit of Export-Import Bank of Washington, fiscal year 1958.

Report examined and analyzed. Being used in connection with current study.

4. Audit of Federal Home Loan Bank Board, fiscal year 1958.

Report examined and analyzed. No action taken.

5. Audit of Federal home loan banks, fiscal year 1958.

Report examined and analyzed. No action taken. Comptroller General's chief recommendation re evasive practice of Federal savings and loan associations which reorganize into State companies is under consideration by legislative committees of Congress.

6. Audit of custodianship functions, Office of the Treasurer of the United States, fiscal year 1957.

Report examined and analyzed. Comptroller General stated that Treasury did not agree with GAO on the need for a joint study of U.S. tax and loan accounts in commercial banks.

The subcommittee chairman corresponded and conferred with Treasury officials, and on June 12, the Secretary of the Treasury advised the Comptroller General that a study would be initiated by Treasury in about 90 days. GAO will have a significant part in the study either initially or on review. The Treasury has been asked to keep the subcommittee currently informed.

Collaterally, the subcommittee staff prepared a legislative history study of the provisions of law prohibiting payment of interest on demand deposits in banks which are members of the Federal Reserve.

7. Examination of economic and technical assistance program for Pakistan, ICA-Department of State, fiscal years 1955–57.

Report examined and analyzed. Being used in connection with current study.

8. Audit of Office of Defense Lending, Treasury Department, fiscal year 1958.

Report examined and analyzed. No action taken.

9. Audit of Bureau of Engraving and Printing, Treasury Department, fiscal year 1958.

Report examined and analyzed. No action taken.

10. Audit of Bureau of Customs, Treasury Department, December 1958.

Report examined and analyzed. No action taken.

11. Audit of proposed economic assistance program for China (Taiwan), Korea, and Vietnam for fiscal year 1959.

Report examined with analyzed. Being used in connection with current study.

12. Audit of Bureau of the Mint, Treasury Department, fiscal years 1956–58.

Report now under study.

13. Followup review of economic and technical assistance program for Laos.

Report examined and analyzed. No action taken.

14. Audit of Development Loan Fund, fiscal year 1958.

Report under review in connection with current study.

15. Examination of economic and technical assistance program for India, fiscal years 1955–58.

Report now under study.

IV. Prior activities of the subcommittee of current or continuing interest

(a) Cumulative money savings or recoveries:

The following paragraph is quoted from this subcommittee's annual report of last year:

"Because of its very nature, the work of the subcommittee has an impact, in varying degrees, on all phases of our foreign aid program. Recommendations for improvement of operations and procedures in ICA/Washington can result in savings in our foreign operations. And exposing slipshod work and wasteful spending in Cambodia will, to the extent corrective measures are taken based on our recommendations, have a chain reaction and inevitably bring about more efficient and economical operations in Pakistan and Vietnam. Although the amount of money saved in this way is undoubtedly large, there is no way it can be estimated with a degree of accuracy sufficient for the purposes of this report. However, firm figures can be arrived at in certain cases which, even without projection, demonstrate that the work of the subcommittee during the past year has resulted in significant money savings and possible money recoveries. It is estimated that these savings and recoveries will amount to at least $1,500,000."

There followed a listing of the specific activities from which it was believed these

savings would be developed. Final determination of amounts in each case waits either upon completion of a particular project (and determination of its final total cost) or upon legal action by the Department of Justice or the Internal Revenue Service, not yet accomplished. The estimate of savings remains valid but cannot be further refined at this time.

(b) Other affirmative benefits:

The general nature of this subcommittee's operations is such that it is not always feasible to analyze it in terms of the specific, discrete "activities," each completed at a given point and time. The bulk of the subcommittee's effort is devoted to continuing examination of the foreign-aid program, and it is in this field that major benefits, monetary and otherwise, have resulted. Some of its work, however, such as the effort to obtain for the Congress clear, accurate, and complete information on the program's operation, must, in the nature of our Government, be continuing, even though the objectives will probably never be fully accomplished. It is not always possible to say that a particular remedial action arose from a particular prior activity. In the case of this subcommittee's oversight of the foreign-aid program, remedial action seems to be a continuing step-by-step process. Several of the general lines of improvement are, however, listed here:

1. The clarity, accuracy, completeness, and usefulness of the annual mutual security budget presentation to the Congress have been improved each year for the past several years; in large part, this reflects executive branch reaction to specific recommendations of this subcommittee.

2. This and other committees and subcommittees of Congress have long been plagued with the problem of obtaining adequate information from the executive branch concerning operations conducted with the funds that the Congress appropriates. In the case of the mutual security program, the intent of the Congress to obtain such information, and the power to do so, have both been clarified by the Hardy amendments to this year's mutual security authorization and appropriations acts.

3. The several related reports of this subcommittee on the operations of different facets of the mutual security program provide, taken together, a handy primer to the program, useful to the Congress and the public alike.

4. The continuing scrutiny by the subcommittee of ICA contractual procedures, and operations thereunder, has resulted in a demonstrable improvement in the quality thereof.

5. In the opinion of the Comptroller General, there is evidence that more weight and substance are being given to GAO audits of foreign-aid operations as a result of this subcommittee's followthrough activities on ICA operating deficiencies disclosed by GAO.

V. Projected program for the remainder of the 86th Congress

1. Continuation of a detailed study of certain U.S. lending agencies, including their relationships to one another and to the international lending agencies; these U.S. agencies would include the ICA, the Development Loan Fund, and the Export-Import Bank, as well as the coordinating body, the National Advisory Council on International Monetary Problems.

2. A subsequent inquiry into the acquisition of foreign currencies, especially under Public Law 480, and lending policies and practices in conjunction with such currencies.

3. An inquiry into the effectiveness of ICA's Office of Evaluation and its successor, the Office of the Inspection General and Comptroller (created by the Mutual Security Act of 1959).

4. Continuation of a study of the operations of the Board of Governors, Federal Reserve System.

SPECIAL SUBCOMMITTEE ON DONABLE PROPERTY, HON. JOHN W. M'CORMACK, CHAIRMAN

I. Investigations

(a) Reports issued: No formal investigative reports.

(b) Investigations not resulting in a formal report:

The subcommittee has kept in constant contact with the donable surplus property program and the Federal and State agencies responsible for its operation, namely, Department of Health, Education, and Welfare; General Services Administration; Office of Civil and Defense Mobilization; Department of Defense; and the National Association of State Agencies for Surplus Property. State agency operations visited during the session were Virginia, Maryland, Pennsylvania, Michigan, Minnesota, South Dakota, Montana, and Washington. Two State regional meetings were attended and the annual meeting of the National Association of State Agencies for Surplus Property.

As a result of the constant informal investigation of the program and the problems which arose, a number of bottlenecks were eliminated and the program continued to grow as will be indicated by the following table:

Fiscal year	Property allocations		
	Personal	Real	Total
1954	$107,042,941	$10,750,698	$117,793,639
1955	132,174,248	16,088,495	148,262,743
1956	204,497,417	14,375,151	218,872,568
1957	234,862,274	7,303,250	242,165,524
1958	302,458,448	9,478,715	311,937,163
1959	363,329,562	21,179,482	384,509,044

(c) Monetary savings or recoveries as a result of investigation:

The eligible donees received surplus property with acquisition cost of $361 million during the fiscal year 1959 and during the month of July 1959 it amounted to $32,800,593. The use of this property for purposes of education, health, and civil defense, instead of selling it for a few cents on the dollar, indicates a large saving to the taxpayer at a time when our institutions sorely need this help.

In addition, the military agencies now state that they prefer to donate the property rather than employ other disposal methods since time is saved by this method and this means money savings as it costs one-half of 1 percent of the cost value of the property per year to hold it.

II. Legislation

(a) Number of measures referred to the subcommittee: 38 bills were referred to the subcommittee during the session.

(b) Reports issued:

1. Pensions for Comptroller General's dependents (H.R. 7062). This bill was reported from the Government Operations Committee June 12, 1959; Report No. 540. It passed the House June 15, 1959. Reported in the Senate June 18, 1959; Senate Report No. 403 and passed the Senate July 6, 1959 (Public Law 86-87).

2. Surplus property for firefighting organizations. Reported from Government Operations Committee August 12, 1959; Report No. 891, passed the House August 31, 1959. (H.R. 3722 pending in the Senate Government Operations Committee.)

3. Foreign excess property bill (H.R. 8398). Subcommittee reported to full committee but action not completed.

(c) Days of hearings: 2 days of formal hearings.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislative

No reports received.

IV. Prior activities of the subcommittee of current or continuing interest

(a) Cumulative money savings or recoveries:

The subcommittee report of August 15, 1958, detailed in some length the action taken with respect to the curtailment of cost of telephone services for the SAGE project. As Congressman VINSON stated, "The investigation of SAGE had reduced the estimate of the telephone services from $240 million per annum to $157 million per annum. This is a saving of $83 million per year or a saving of $830 million over the 10-year period."

It has not been considered necessary to attempt to determine in detail the savings from this continuing project or investigation applicable to the current year. However, on a straight line projection the saving would be $83 million as Congressman VINSON stated on the House floor on April 12, 1956. Further, the cumulative savings for the 4-year period, 1956-59, would be $332 million.

A second prior activity of considerable current interest involves the work of the GSA in appearing before the FCC as a representative of the Government as a user of utility services in order to obtain fair and equitable rates for the SAGE project.

Authority for the GSA stems from section 303, Public Law 968, 84th Congress, 2d session, which was developed by the subcommittee and the House Armed Services Committee following the investigation of SAGE by the subcommittee in 1955. Upon passage of Public Law 968 the subcommittee chairman wrote to the White House asking that steps be taken to implement the law so that GSA would have the resources requisite to appearing before the regulatory agencies concerned. Fifty thousand dollars was made available from the President's emergency fund for the purpose and GSA intervened in hearings before the FCC. Later it became necessary on several occasions to assist GSA in obtaining additional funds to continue the work.

The GSA work has been highly successful. As stated in the July 1959 report of the subcommittee:

"The Civil Service Commission recently considered savings claimed by GSA personnel who petitioned the FCC for lower rates for the Federal Government as a user of utility services.

"After investigation, the Civil Service Commission awarded $10,000 to the personnel involved in handling this matter before the FCC on the basis that $15,385,000 would be saved annually by the Government over a contemplated 10-year period.

"It was estimated that a 15 percent saving on rates applied to SAGE alone or $10 million annually and for civilian agencies other than SAGE $4,600,000 annually, making a total of $14,600,000 reduction on telephone rates.

"In addition, a reduction of 18.9 percent was effected in Western Union rates for certain services or $785,000 per year. The total annual savings for all classes is estimated at $15,385,000."

A third prior activity of great potential is the so-called McCormack amendment to the Department of Defense Reorganization Act of 1958. The purpose of the amendment was covered in detail in last year's report. The amendment reads:

"Whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common to more than one military department

by a single agency or such other organizational entities as he deems appropriate. For the purposes of this paragraph, any supply or service activity common to more than one military department shall not be considered a 'major combatant function' within the meaning of paragraph (1) hereof."

The potential importance of this amendment caused a number of Senators and Representatives to write to the Secretary of Defense requesting information as to what actions had been taken or were contemplated with respect to its implementation.

V. Projected program for the remainder of the 86th Congress

The subcommittee has pending 29 bills to expand the donable program to various groups. The administration opposes the expansion of the program but at the same time has not adequately staffed and organized the Department of Health, Education, and Welfare to enable it to screen and allocate all existing surplus property which is useful and needed for the purposes of education, health, and civil defense agencies which are now eligible donees. As a result, much useful and needed surplus property is not being taken but is sold for a few cents on the dollar of acquisition cost.

The subcommittee plans hearings on pending bills and hopes to develop information as to total availability of surplus property and executive agency plans to further improve the existing program.

The Department of Defense has announced that it has $26.7 billion of surpluses marked for disposal and it is expected that the annual rate of disposal will be near $10 billion for several years. The Congress through the current Department of Defense Appropriation Act, Public Law 86-166, section 611, has permitted the Department of Defense to use all receipts from sales in order to accelerate the disposal program. This means a speedup in the disposal program and the eligible donees for surplus property must be geared to a higher speed than heretofore or more good property will be sold.

It is evident that the donable program will continue at a high rate for some time to come and also that more and more bills will be introduced to make surplus property available for meritorious purposes so long as the defense program continues at such a high level and State, county, municipal, and other activities are deprived of much-needed funds.

As stated above, in July the donable program amounted to over $32 million and it is expected that the volume for the current year will exceed last year's total of $361 million by a considerable amount. It seems that the program for the remainder of the 86th Congress will be more active than ever.

"[From the Washington Post, Sept. 11, 1959]

"Schools Buy U.S. Surplus Equipment for Classes as Little as Cent a Pound

"(By Jean White)

"For as little as a cent a pound, schools and colleges carted off $280 million worth of Government surplus property last fiscal year, Arthur S. Flemming, Secretary of Health, Education, and Welfare, announced yesterday.

"District public schools took advantage of the bargain bulk rates to buy two 10-ton truckloads of surplus material at $100 a load. In the loads, science teachers have found items like permanent magnets and oscilloscopes worth $60 each on the regular market, Keith Johnson, supervising science director in the public schools, said.

"Most of the surplus equipment, he added, is stripped down for parts for demonstrations and student projects. The mixed assortments include items like tubes, condensers, resistors, transformers, vacuum pumps, meters, and motors.

"The district has been dealing with the area warehouse at Blue Plains for surplus equipment.

"Yesterday at a press conference, Flemming described a supermarket operation now set up at military installations at Oakland, Calif., and Norfolk, Va. Science teachers can shop in person, pick out the equipment they want, pay a cent or two handling charge, and take the equipment away with them that day on a cash-and-carry basis.

"At Norfolk so far, Flemming said, nearly half a million dollars worth of property has been distributed to 55 schools for industrial arts, physics, engineering, science, and technical courses.

"Surplus property is now one of the biggest single sources of Federal aid to education, he added, and is also allocated for health and civil defense uses. Last year the District got $1,348,981 in movable surplus items."

SPECIAL SUBCOMMITTEE ON GOVERNMENT INFORMATION, HON. JOHN E. MOSS, CHAIRMAN

I. Investigations

(a) Reports issued:

1. "Availability of Information From Federal Departments and Agencies (Air Force Refusal to the General Accounting Office)," second report by the Committee on Government Operations; House Report No. 234, March 19, 1959.

This report resulted from the subcommittee's hearing with the Comptroller General, the Secretary of the Air Force, and other witnesses on November 12 and 13, 1958, relative to the refusal of the Air Force to make available to the Comptroller General a report entitled "Survey of Management of the Ballistic Missile Program." This hearing was held at the specific direction of Chairman WILLIAM L. DAWSON. The report stated that the Secretary of Defense had issued a directive granting the Secretaries of the services authority to refuse information to the Comptroller General. The report concluded that the DOD directive was issued without statutory authority, and that it modified and contravened the Budget and Accounting Acts of 1921 and 1950. The report also concluded that the sole basis on which the Secretary of the Air Force refused access to the information in question was a claim of executive privilege, based upon the Attorney General's memorandum attached to the May 17, 1954, letter from the President to the Secretary of Defense.

2. "Availability of Information From Federal Departments and Agencies (Progress of Study, August 1958-July 1959)," 12th report by the Committee on Government Operations; House Report No. 1137, September 3, 1959.

This report covered general investigative work of the Special Subcommittee on Government Information. It presented details on 35 specific cases or general areas of restrictions on information from the Federal departments and agencies. It also detailed the refusal, by a subordinate official of the Navy Department, of an unclassified study of the Naval Gun Factory requested by a member of the House Armed Services Committee. The Naval Gun Factory case was the subject of hearings by the Special Subcommittee on Government Information on April 20 and 23, 1959, and the refusal was again based on a claim of executive privilege. The report concludes that, notwithstanding a specific directive by the Secretary of Defense, an Assistant Secretary of the Navy took it upon himself to refuse the information to a Member of Congress on the basis that he was "the alter ego" of the Secretary of the Navy.

The report also covers the followup action by the subcommittee on the effect of Public Law 85-619, the amendment to the "housekeeping" statute (5 U.S.C. 22), which was enacted by the 85th Congress. Other matters documented in the report include:

a. The Defense Department shrouded the Atlas-Score talking satellite project in deep secrecy and, when the event was publicized, created the false impression that the satellite was more than twice as big as the largest comparable Russian satellite.

b. The Defense Department repeatedly used the claim of military security to refuse information about the use of monkeys in scientific research, then lifted the restrictions to publicize successful research efforts.

c. The Defense Department refused to release pictures of the outside of the Titan missile even though the outside configuration had been declassified and the missile stood in full public view, but pictures were released of the President viewing the completed missile just before the November 1958 elections.

d. The Defense Department reorganized information activities to give the Department's public relations office greater control over the release of information by the military experts.

e. Executive agencies used the excuse of security censorship to delete nonsecurity information from congressional testimony.

f. The Federal Aviation Agency refused to make public reports on malfunctions of new-type altimeters installed in commercial jet airplanes after restricting use of the altimeters, claiming the public might misinterpret the facts.

g. The Federal Power Commission refused to make public a Commission staff report on a proposed power exchange contract, claiming the staff would not comment freely on controversial matters if the information were available to the public.

h. The Labor Department claimed Federal-State cooperation would be weakened by public access to Bureau of Employment Security analyses of administration of State unemployment insurance laws.

i. The Bureau of Prisons denied public access to studies of conditions in local jails for fear of controversy, claiming an executive privilege for the restriction.

j. The Housing and Home Finance Agency refused to make public audit reports of local housing authorities financed with Federal funds, claiming employees would not comment freely if the information were made public and asserting an executive privilege to restrict the reports.

k. The Civil Service Commission claimed an executive privilege to hide the result of an investigation of irregularities in a Virginia rural mail carrier examination.

l. The White House refused a congressional request for information on Operations Coordinating Board guidelines directing Defense Department information policies, claiming an executive privilege to withhold the information.

m. The Housing and Home Finance Agency claimed an executive privilege to refuse information on an investigation of the Los Angeles City Housing Authority to the California State Legislature, the attorney general of California, and to the Congress.

n. The General Accounting Office reported the citation of "executive privilege" for numerous refusals by executive agencies to make available information which the agencies are required by law to provide the GAO.

o. The Civil Service Commission reversed its earlier policy of making public the names of retiring Federal employees, contending that the information should be restricted because there was no law authorizing the release even though no law prohibited it.

p. The Electronic Production Resources Agency in the Defense Department reversed the policy of making available to the public nonsecurity statistics after the Department of Commerce protested release of the information.

q. The Department of Justice continued restrictions on access to information about Federal prisoners.

(b) Investigations not resulting in a formal report:

1. The following investigations by the Special Subcommittee on Government Information have not yet resulted in formal reports:

a. Hearings were held on April 20, 21, and 23, 1959, with representatives of the General Accounting Office and the Department of the Navy on the Navy's refusal to make available to the GAO a copy of a report on procurement activities of the Military Sea Transportation Service.

b. The National Aeronautics and Space Administration reversed its decision to withhold the names of firms which had submitted bids on the space capsule project, but the subcommittee's investigation is continuing into charges that details of the negotiated bids are not made available to Congress.

c. The subcommittee, after investigating the availability of the records of public courts-martial, is drafting statutory language to correct the restriction.

d. The proposed discontinuance of an annual report by the Interior Department on investment and expenditures of the Colorado River Dam fund was investigated and proposed amendatory language has been submitted to the Executive and Legislative Reorganization Subcommittee which is considering the legislation in question, S. 899.

e. The subcommittee asked the Post Office Department to justify restrictions on photographs of postal employees in the process of screening objectionable material sent through the mail.

f. Following a subcommittee investigation of restrictions on photographers and newspapermen seeking information about the St. Lawrence Seaway, the St. Lawrence Seaway Development Corporation made arrangements to improve access for photographs and news coverage.

g. The subcommittee, at the request of a Member of Congress, investigated the availability of a Federal Aviation Agency medical file concerning a disqualified pilot.

h. An investigation of the refusal of the Department of State to furnish a Member of Congress blank visa forms revealed that the visa forms are serially numbered and controlled, but arrangements were made to make sample forms available to any Member of Congress.

i. The availability of information about Mercury Astronauts has been discussed with officials of the National Aeronautics and Space Administration who agreed that no public information will be withheld under an exclusive contract for the Astronauts' personal stories.

j. The Department of State, following a subcommittee investigation, made available a copy of a letter the Department sent to the New York Commission Against Discrimination.

k. The subcommittee is investigating the Defense Department's ban of a proposed book by Gen. Thomas S. Power, Commander in Chief of the Strategic Air Command.

l. At the request of a Member of Congress the subcommittee studied the legal aspects of a Defense Department prohibition against dissemination of a report on water contamination.

m. A Pennsylvania contractor was permitted to talk to a Navy technical expert to whom he had been denied access after the subcommittee looked into the matter at the request of a Member of Congress.

n. A Department of Defense agency, following a subcommittee inquiry, took steps to remove restrictions on British technical documents which already had been declassified by the British Government.

o. The subcommittee is continuing an investigation of restrictions on statistics of sales at Army and Air Force post exchanges.

2. The subcommittee provided assistance in obtaining information from Federal executive departments and agencies to the following Members of Congress: FRANK M. COFFIN, EMILIO Q. DADDARIO, DANIEL J. FLOOD, HARLAN HAGEN, BURR P. HARRISON, BYRON L. JOHNSON, RICHARD E. LANKFORD, MORGAN MOULDER, GEORGE MCGOVERN, DON MAGNUSON, CHARLES O. PORTER, GEORGE M. RHODES, PAUL G. ROGERS, JAMES ROOSEVELT, J. T. RUTHERFORD, JOHN BELL WILLIAMS, Senators FRANK CHURCH, STUART SYMINGTON and WILLIAM PROXMIRE.

3. The subcommittee also provided assistance to numerous historians, scientists, researchers and students of government by providing material on Federal freedom of information problems and suggesting sources for additional detailed material.

4. Subcommittee Chairman Moss and Majority Member FASCELL led discussions of specific freedom of information problems at meetings of a number of major organizations.

(c) Monetary savings or recoveries as a result of investigation:

Actual money savings from improvement in the information practices and policies of the Federal Government often are impossible to estimate. A free flow of information in a democratic system, however, results in a responsible—and thus efficient—government.

(d) Other remedial measures taken and nonmonetary benefits:

Improvements in information practices of the executive branch range from the assignment to the President, himself, of the responsibility for refusing information to Congress about the foreign aid program to the removal of restrictions on Bureau of Public Roads statistics about the Nation's highway needs. Following are some of the benefits:

1. At the direction of Chairman WILLIAM L. DAWSON, the subcommittee assisted Congressman PORTER HARDY, Jr., of Virginia, chairman of the Foreign Operations and Monetary Affairs Subcommittee, in drafting amendments to the Mutual Security Act of 1959 and the Mutual Security Appropriations Act of 1960. The purpose of the Hardy amendments was to curtail the use of executive privilege as a claim of authority to deny information to the General Accounting Office and committees of Congress, and the ultimate effect of the amendments as finally adopted will be to require the President, himself, to justify any refusals of information.

2. The Budget Bureau clarified restrictions on testimony by Defense Department witnesses before congressional appropriations committees, after contending that military experts are not completely free to express personal views at variance with budget requests.

3. The Comptroller of the Currency initially refused to make public the blank forms filled out by persons applying for national bank charters, contending that only legitimate requests for the blank forms should be honored, but later made the blank forms available when asked to cite statutory authority for the refusal.

4. The Federal Aviation Agency made available a previously restricted engineering report on the materials to be used in paving the new Washington International Airport.

5. The Agriculture Department clarified regulations which had been misused to restrict public access to crop allotment records, particularly in California.

6. The Interior Department made available previously restricted information on leases of public lands and took steps to revise information practices in Bureau of Land Management offices.

7. The Navy provided reports of tests of an arctic cargo sled to the designer of the sled who had been trying to get the information for 10 years.

8. The Army disclosed information on medical payments after a private citizen had tried for 8 years to obtain the information.

9. The Bureau of Public Roads removed restrictions on the availability of nationwide highway statistics, making the information available to local government officials who needed it for tax-planning purposes.

(e) Days of hearings held:

Three days hearings with 13 witnesses were held so far by the Special Government Information Subcommittee during 1959.

II. Legislation

No legislative measures were referred to the subcommittee.

III. Reports received such as notice of negotiated sales, General Accounting Office audit reports, and similar matters considered which are not legislation

No such reports were referred to the subcommittee.

IV. Prior activities of the subcommittee of current or continuing interest

(a) Cumulative money savings or recoveries:

1. Estimated savings of approximately $400,000 a year result from Defense Department adoption of recommendations that unnecessary restrictions be removed from "historical" military documents. Following subcommittee hearings and recommendations adopted by the House Government Operations Committee, the Defense Department in September 1958 issued a directive declassifying nearly all Defense Department documents originated before January 1946. The immediate saving in storage costs alone is estimated at $400,000 each year, based upon the volume of stored documents which no longer require the expensive protection given to highly classified material. Additional savings in shipping costs are realized each year.

2. Annual savings of more than $100,000 continue to accrue from the abolition of the Office of Strategic Information in the Department of Commerce—an agency for which appropriations were deleted following subcommittee hearings and full committee recommendations.

(b) Other affirmative benefits:

The Treasury Department adopted regulations providing for public access to applications for tax exemptions filed by nonprofit organizations. The regulations were based upon a law passed during the 85th Congress, following subcommittee hearings and full committee recommendations on the tax exemption information question.

V. Projected program for the remainder of the 86th Congress

1. The subcommittee will complete work on a report, to be filed in the 2d session of the 86th Congress, covering a cooperative research project with the Library of Congress into all laws authorizing Federal restrictions on information.

2. The subcommittee is working with the House Interstate and Foreign Commerce Committee on possible legislation as a result of the investigation of the Federal Aviation Agency concerning the availability of reports on malfunctions in aircraft.

3. Possible legislative solutions to the abuses of executive privilege are being developed. Possible legislation includes appropriation limitations to prevent excessive use of executive privilege, and legislative action to permit a court test of the executive privilege claim.

4. A report on the Navy's restrictions on a report of the Military Sea Transportation Service's procurement practices will be completed.

5. Current investigative work which will be continued includes:

a. Improvements in the Department of Defense declassification policies.

b. Defense Department restrictions on nonmilitary information about missile and satellite programs.

c. Department of Commerce involvement in restrictions on statistics about post exchange sales.

d. The legal status of Government employees who contract to sell "personal" information which is valuable only through virtue of their Government employment.

e. The Defense Department policy restricting bylined articles or book by military leaders.

f. Air Force restrictions on information about contracts.

g. Availability of statistical export information from the Bureau of Customs.

h. Possible amendments to the public information section of the Administrative Procedure Act.

i. Department of Agriculture restrictions on information about cattle grazing permits.

j. Department of Agriculture restrictions on information setting the policy for storage of surplus farm products.

k. Restrictions on historical documents filed in the National Archives.

l. Preparations for censorship in the event of a national emergency.

m. Defense Department policy banning the publication of books, magazine articles, etc., by military policy experts.

SPECIAL SUBCOMMITTEE ON RENO HIGHWAYS, HON. JOHN A. BLATNIK, CHAIRMAN

This subcommittee was created for the purpose of investigating and reporting on complaints received by the committee concerning the interstate highway being built through Reno, Nev. The subcommittee held 3 days of hearings in Reno and thereafter submitted a report entitled, "Reno-Sparks-Verdi Interstate Highway (Bureau of Public Roads, Department of Commerce)" which was approved by the full committee and issued on April 23, 1959, as the third report by the Committee on Government Operations (H. Rept. No. 292, 86th Cong., 1st sess.)

The report contained four conclusions and recommendations as follows:

A. The record does not support charges that Federal participation in financing the construction of a downtown interstate highway through Reno would be a wasteful expenditure of Federal moneys.

B. Although there was technical compliance by State officials with Federal statutory requirements on public hearings, the Reno controversy stems from the inadequacy of communication from the State on justification for the proposed route to local officials and citizens and indicates the need to amend directives of the Bureau of Public Roads affecting public hearings.

C. Guidelines with respect to consideration of economic effects of route location should be contained in Bureau of Public Roads directive.

D. The investigative function of the Bureau of Public Roads must be strengthened.

Tom Burke

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. KENNEDY. Mr. President, I ask unanimous consent that there be included in the CONGRESSIONAL RECORD a brief statement about Tom Burke, who so many of us knew and respected.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TOM BURKE

All of us who knew and worked with Tom Burke loved him for his sincerity, and we were deeply moved by his death on September 12, 1959.

In 1935, he was a skilled workman in a Toledo factory who joined with and led other workers to form a unit of the United Automobile Workers Union. Although he subsequently attained high political office, he never lost his interest in his fellow workers. He was elected to the Toledo City Council and then to the 81st Congress where he served with ability and devotion to his ideals. He brought to the House Labor Committee firsthand knowledge of the struggle of American workmen to build democratic unions. This personal experience in the labor movement and deep concern for improvement of the American education system, coupled with his natural candor and judgment, made his advice extremely useful to the Congress.

In recent years, as legislative representative of the CIO and of his own United Auto Workers Union, Tom continued to fight for social legislation and to defend with great dignity the rights and institutions of American working men and women.

Tom Burke had a distinguished career of public service. I know we are all richer for having known Tom and the country is better because of him.

The Record on Housing and Urban Renewal—Some Progress in the First Session, More Must Come

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MOORHEAD. Mr. Speaker, despite the opposition of the administration, the first session of the 86th Congress did make some progress in the important field of housing and urban renewal. Much more, however, remains to be done in the next session.

Despite two vetoes, a housing bill providing for continuation of minimum programs in urban renewal and housing was enacted.

The bill, as finally passed, will provide funds to keep present housing programs going, at least until next year. The FHA program, so necessary to the private homebuilding industry, was continued, and 37,000 additional units of public housing were authorized.

The successful voluntary home mortgage credit program was extended to help provide FHA and GI financing in rural communities. Home improvement loans under FHA to enable homeowners to continue improving properties were extended. Amendments were added to older laws which should stimulate farm housing research and production of more rental and cooperative housing.

In one most encouraging forward-looking step the bill recognized the particularly pressing housing needs of elderly citizens by authorizing $50 million to be used as loans on liberal terms to private nonprofit groups, such as labor unions and charities, to build housing for the elderly.

The bill encourages FHA loans for the construction of nursing homes, which are desperately needed.

In another advance, the bill recognizes social and economic patterns of our times by an avoidance-of-foreclosure provision designed to prevent citizens from losing their homes because of sudden, communitywide unemployment or other economic factors over which the homeowner has no control.

Much more, however, remains to be done.

The $350 million in slum clearance grants which the bill makes available immediately, and the $300 million to be made available next year, will hardly be enough to cover the projects already approved and others for which applications are pending, let alone the many new urban renewal plans which realistic leaders in cities throughout the country are now drawing up in the interest of continued orderly growth. More public housing will be needed, if only to provide for persons displaced by urban renewal, highway, and other programs.

Long-term, low-interest Government loans to help our colleges expand facilities were deleted from this year's bill because of the President's vetoes. Such loans should be provided next year, either in the new housing bill or in other legislation.

Beyond this, we must face the stark fact that, by 1975, we will have to draw upon our combined private and public resources to build better housing for 22½ million families occupying substandard dwellings.

Fortunately, there is every likelihood of a new housing bill at the next session.

The additional $8 billion overall new authority granted by the present bill to the FHA to enable it to continue insuring loans under its various programs will be used up some time in 1960.

The vexing problem of how to assure an adequate supply of mortgage credit to the homebuilding industry remains unsolved. In periods such as the present when the administration is applying a tight money noose to our economy, the housing industry inevitably becomes the number one victim.

We must somehow find an answer to this "feast or famine" problem if we are to sustain a productive and ever-expanding homebuilding industry. This industry is absolutely vital, not only in meeting the growing needs of our people, but also in maintaining the basic health of our overall economy.

A partial answer may lie in the encouragement of the central mortgage bank type of facility which was proposed by the homebuilders.

The use of mortgage pools managed by commercial banks and sold to pension funds and similar organizations may be the means of tapping the potential reservoir of mortgage credit. Partly because

of administration problems, these funds have shied away from mortgage investments, but mortgage pools, administered by commercial banks, and possibly with a Government guarantee, might be attractive investments for these funds into which vast amounts of capital are now flowing.

Lack of basic research has created a problem which has defied housing experts for decades. That is the question of how to produce housing at lower costs so that prices of new housing can be brought more into line with the income of the average American family.

Homebuilding corporations are too small to carry on their own research programs. It seems to me that the solution to this basic problem is an expanded program of housing research. Yet, sadly, Government-aided housing programs do not include a research program. Despite the vast stake which all of us have in meeting this great challenge in the housing field, we are presently failing to provide the research tools which will help to find the answers. By a broad and effective Government-assisted research program we may be able to find ways of making housing production more efficient and lowering the costs of home construction and home ownership.

Against heavy opposition, Congress has maintained housing programs for at least another year. For this the Nation can be thankful, but more, much more, remains to be done.

Record Progress in Flood Control for Central Massachusetts

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. PHILBIN. Mr. Speaker, 4 years ago Hurricane Diane hit the Northeast with a devastating blow, leaving behind a trail of ruin, destruction, and death. It was on August 19, 1955, that Diane dumped some 19 inches of rain on central Massachusetts and caused one of the worst flood disasters in the history of our area.

In central Massachusetts, which makes up most of the Third Congressional District, seven persons died and an estimated $110 million in property damage was caused.

Today, just 4 short years after this great disaster, we in central Massachusetts are beginning to see the results of a $40 million flood prevention program which got under way almost simultaneously with the rehabilitation program set up immediately after the floods. In these 4 years, there have been inaugurated in New England more flood control projects than in all the previous years of Federal flood work in our section.

When the Congress met in January of 1956, the Massachusetts Congressional Delegation Committee on Flood Control and Rehabilitation recommended eight new construction starts to speed flood control in Massachusetts: Barre Falls, Buffumville, East Brimfield, Hodges Village, Worcester Diversion, West Hill, Westville, and Littleville.

Mr. Speaker, I am pleased to report to the House today that the efforts of the Massachusetts delegation in Congress have been 100 percent successful in getting these vital and necessary projects completed or on the way to completion. In fact, by 1960, those Massachusetts areas hit by the 1955 floods should be afforded a high degree of protection against future floods.

Four of these projects have been completed or are in the final stages of construction: Barre Falls, Buffumville, Hodges Village and Worcester Diversion. East Brimfield will be completed with funds voted by Congress this year. Westville construction will be initiated with funds voted by Congress this year over the President's veto. West Hill construction will be substantially advanced with the $975,000 made available by Congress this year, and finally, the advance planning of Littleville will get under way with the $98,000 authorized by Congress in this year's appropriation bill.

This is a remarkable record of achievement, Mr. Speaker, in such a short span of time but, in final analysis the success of this flood program is due to the urgent and extensive work of many officials and agencies, local, State and Federal, and many individuals who joined to speed the vital and necessary work ahead. Our deep appreciation and gratitude to the House Committee on Appropriations must be reiterated again and again because these good colleagues not only completely evaluated our desperate plight, but moved speedily with a fine spirit of sympathetic understanding and effective support and cooperation to extend Massachusetts and New England the relief and protection from floods for which we had such urgent need.

It is most unfortunate, in my opinion, that such rancor and misunderstanding have been raised as a result of the events surrounding the public works bill this year.

For 2 years in a row, the President directed that there be no new construction starts. This all-embracing order took in all projects. As a result, our Committee on Appropriations last year, and this year, tempered this sweeping rule by providing funds for urgent projects. The committee showed great wisdom and courage in voting these funds because there is no question that a blanket Presidential policy of this kind would be bound to work hardship. No better illustrations than West Hill and Westville have demonstrated the need for relaxation of this arbitrary order.

These projects are required as a direct result of the 1955 floods. Had they been instituted after the 1938 floods, Westville and West Hill could have saved in 1955 many lives and millions of dollars in damage. Why, then, include them in a blanket ban on new construction? Not only was the President's directive and subsequent vetoes of the two public works bills this year most disappointing, but these actions have been entirely incomprehensible. I am at a complete loss to understand such an inflexible policy.

Westville, for example, is a project which has been penalized twice by the very fact that construction funds were deferred until such time as its companion East Brimfield project was in the advanced stages. Congress acquiesced in 1956, at a time when funds were being sped for New England flood control, in an engineering judgment that Westville could be built for less if East Brimfield were built first. Subsequently, the President denied funds for Westville last year and again this year, because it was new construction, thus canceling out a sound engineering judgment prompted largely by motives of economy.

I believe that the Appropriations Committee has shown great foresight and a true apprehension of the real meaning of economy by voting necessary funds for Westville and West Hill. Already deferral of these projects has resulted in heavier costs and expenditures. Further delay would make a bad situation worse and I commend and thank the committee and the Congress for advancing these projects now in the interest of human life and property.

What makes the public works situation all the more incomprehensible, Mr. Speaker, is the fact that the foreign aid bill requested by the President this year contains money for new starts—new starts which are denied in our own country—on water development projects and many other large public works scattered all over the world totaling $320 million—all extracted from the pockets of American taxpayers.

This amount of $320 million represents just a little less than the money required for all of New England's flood needs for generations to come. Yes, Mr. Speaker, the present estimated cost of all of the 60 authorized flood control projects for New England, including those which have been completed, those under construction, and those not yet started, is estimated at only $330 million. This is just $10 million more than provided this year for new construction in foreign lands at the expense of the American taxpayer.

Again, to illustrate, Mr. Speaker, how modest our Federal requests are, this $330 million is less than the cost of one single large project in the West, for instance, the John Day Dam and Reservoir on the Columbia River in Oregon and Washington.

True, New England in past years has been passed by for flood control funds largely because of its own indifference, but now that the need is urgent and recognized by our people, let us not gamble with future losses of life and property by budgetary restrictions on such projects as Westville and West Hill and other worthy projects.

This year has seen truly remarkable progress toward the achievement of a flood-control program for New England and particularly for the Central Massachusetts area.

In June a flood-control compact was signed at Hartford, Conn., between Massachusetts and Connecticut to facili-

tate Federal construction of the four major dams in the Thames basin: Buffumville, Hodges Village, East Brimfield, and Westville. In addition, the compact, resulting from legislation I was pleased to cosponsor in the 85th Congress, has provision for reimbursement to Massachusetts by Connecticut for 40 percent of the tax losses suffered by landtakings for these dams and reservoirs in the Commonwealth. A six-man commission, of which my good and able friend, Mr. Samuel Sheard, of Sturbridge, is chairman, will assess the tax losses as they affect the individual communities. I am much indebted to Mr. Sheard for the valuable aid rendered by him and his group.

On October 17, Woonsocket in the Blackstone basin will dedicate the newest link in New England's flood prevention program when the South Main Street dam in the center of the city is formally completed. Some $5 million has been channeled into the project by the Federal Government to build the dam and bridge and deepen, widen, and straighten the Blackstone Channel from the Uxbridge-Rhode Island line.

On October 3, ground is being broken for the Hopkinton Dam and Reservoir in New Hampshire which may ultimately become one of the largest Federal flood projects east of the Mississippi. The estimated cost is $30 million of which $5,429,000 is provided this year. This project is vitally important to the Merrimack basin. It will save life and property in the future.

This summer marked the groundbreaking for West Hill in the Blackstone basin, the first major flood control project in Blackstone Valley proper. This is a $2,400,000 dam and reservoir project, for which Congress has previously voted $498,000 and for which $975,000 is being made available this year. The Army Engineers have estimated West Hill would have prevented $12,215,000 in damages had it been in operation during the 1955 floods.

Congress has been keenly aware of the Blackstone Valley flood problem for some time past and has demonstrated time and time again its deep concern by taking concrete and effective steps to help. Just 15 years ago this past May, Congress voted $43,000 to begin the planning of West Hill. In 1956, the House took the unprecedented action of voting $100,000 to speed the West Hill planning despite the lack of needed State concurrence, a vital requirement before Federal funds can be made available.

This action was all the more welcome because the engineers had previously indicated their workload was such after the 1955 floods that they would have great difficulty in utilizing these funds in view of the planning workload for other New England projects. Luckily, the engineers' misgivings proved to be groundless and the West Hill planning went ahead instead of being delayed another year.

Again, last year, and as I have stated, Congress reiterated its approval of the West Hill project by making available construction funds despite the budgetary freeze on new construction starts. This congressional action made possible the earmarking of $975,000 this year for West Hill construction, thus gaining more valuable time.

Indeed, Mr. Speaker, this has been a good year for New England flood control. Initial approval has been given by the Congress for the authorization of West Thompson Dam and Reservoir on the Quinebaug near Putnam, Conn. This would be the fifth in a series of dams to provide flood protection for communities along the French and Quinebaug Rivers in Massachusetts and Connecticut in the Thames basin.

The five projects when completed—three are in varying stages of completion with Buffumville in operation, Hodges Village for all practical purposes completed, and East Brimfield nearing completion—these projects should provide the Thames basin with the most effective protection of any similar basin in the United States, according to the Army Engineers.

This basin, one of five major watersheds in New England, is the one which has seen more than $62 million in damages in the past 20 years.

Completion of the $2,900,000 Buffumville Dam provided a vital protection from the often rampaging waters of the Little River above Webster. Army Engineers estimate that the Buffumville Reservoir has a storage capacity of 12,700 acre-feet, equivalent to 4.2 billion gallons at spillway crest elevation. At full capacity in time of floods, the reservoir will extend about 1.7 miles upstream on the Little River itself and about 1.9 miles upstream on the southerly branch of Little River. A permanent pool of 200 acres is being maintained and a recreational area with free use of all facilities has been developed by the engineers this past summer.

Finishing touches to the $5,300,000 Hodges Village Dam and Reservoir, companion project to Buffumville, are now being made. Operation tests on the sluice gates and a general cleanup of the area will complete the work.

Whenever flooding occurs, the waters of the French River will be controlled behind the 55-foot dam and dikes for about 3 miles.

The East Brimfield Dam and Reservoir, another Thames basin project, is designed to provide major reductions in flood damages at Southbridge. It is a $7,400,000 project which will occupy a 2,270-acre basin in Sturbridge, Brimfield, and Holland.

A permanent pool, suitable for recreational activities, will be located immediately above the dam. Storage of water in the lower areas of the reservoir will occur rather frequently, but complete filling of the reservoir will not occur except during major floods.

Some 2,840 acres of land, including about 225 dwellings, are required for East Brimfield. This requirement—and other Federal landtaking for flood control in our area—has meant great sacrifices on the part of the people and the communities involved, as often as not not even indirect beneficiaries of flood control, and it certainly is a tribute to these good people that they have been willing to sacrifice needed land, some of it improved, for the greater benefit of those communities below who have suffered from previous floods.

It is understandable that there should be reluctance to leave these homes, some of which have been in the family for generations, and every effort is being made by the Army Engineers to ease this trying period of transition.

Additional progress was made this year, Mr. Speaker, with the completion of the Ware local protection project. This was one of the first projects authorized by the Bush-McCormack Act, speeding small flood control projects up to $400,000 in Federal cost without specific congressional authorization. In July of this year, rains totaling 3.21 inches fell on Ware, raising the level of the Ware River to an unusually high level for the summer months.

Despite the heavy July rainfall, there was no serious flooding. The Barre Falls Dam closed its flood gates and waters were impounded, thus alleviating the heavy flow of water downstream on the Ware River. According to Ware Water Department Superintendent James W. Reilly, the local protection project at Ware helped to prevent flooding, largely as the result of dredging made possible by the Bush-McCormack Act.

Some considerable concern was felt at Ware about the final cost of the Ware local protection project since the Federal Government could only allot $400,000 for the needed work.

It now appears that Ware will be billed only about $2,500 for this work, recent estimates of the final cost having been set at $402,500. Original estimates of Ware's share were set as high as $20,000.

There remains work to be done, Mr. Speaker, because there is a continuing need for solutions to the water disposal problems of all parts of our great Nation. Changing land uses have brought new flood prevention requirements, but the continued cooperation of the State and Federal Governments is bringing about concrete remedies to many troublesome areas.

In the Blackstone basin, surveys are continuing under the $95,000 voted by Congress in varying amounts since the 1955 floods. This amount includes $20,000 voted this year to continue the study of the Blackstone Valley's flood problems.

Thus far, similar studies in the Chicopee basin carried out by the Army Engineers with funds for the Northeast flood survey have shown the need for local protective work at Three Rivers above Palmer, local protection at West Warren on the Quabaug and local protection on Conant Brook at Monson, the latter involving a dam and reservoir. Further definite engineer recommendations are awaited by the Congress for legislative action.

In addition, flood protection projects are contemplated under the watershed protection program of the U.S. Department of Agriculture through the SUASCO project on the Sudbury, Assabet, and Concord Rivers in the Merrimack basin and Upper Quabaug project in the Chicopee basin.

In addition, the Army Engineers are giving special attention to the Merrimack basin under the Northeast flood study, with particular attention to the Nashua River in the Fitchburg-Leominster area. This summer the Engineers initiated a special study of the Merrimack basin and consideration is being given to all possible reservoirs which might increase the degree of protection provided by the existing channel improvement project on the Nashua in Fitchburg.

As it can be seen, Mr. Speaker, the central Massachusetts area is moving forward in harnessing the floodwaters which have spread so much destruction in the past. The advancement and progress of our flood control program to date makes that much easier the no less vital tasks which lie ahead.

And so again, Mr. Speaker, in behalf of my esteemed colleagues, all our people and myself, I express heartfelt thanks to all those in and out of this great Congress who so effectively helped us in our hour of desperate need and in safeguarding the future flood protection of our district, State, and area.

Food Stamp Plan Makes Sense Both From Economic and Humanitarian Standpoints

EXTENSION OF REMARKS
OF
HON. JAMES C. OLIVER
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. OLIVER. Mr. Speaker, one of the most monumental problems facing this country today is the almost inconceivable amount of surplus foods stored by the Federal Government as a byproduct of our overall farm program.

We are indeed in a dilemma. Our legislative program, combined with an extremely efficient agricultural economy, has produced the most bountiful crop in the history of mankind. The basic economic law of supply and demand dictates the unwisdom of dumping our surplus on the world market because of the resulting chaotic effect on the economies of the Nation and the world. On the other hand, we have millions of undernourished Americans to whom survival itself is most precarious. Is it not ironic that so many are starving in the midst of plenty?

In my opinion, Congress has provided the tools which, while not solving the problem in its entirety, will certainly be a forward and constructive step toward providing food for the needy at home. I refer to the recently enacted food stamp plan. If the President would follow the intent of Congress and place this plan into effect, the now idle surpluses would be reduced and many of the unfortunate citizens would be given the means to supplement their meager diets.

Beyond question, a healthy America is essential to a strong America. In this connection, I appealed to the President to use the tools given him by this Congress and put into effect pilot food stamp projects in distressed areas of our country.

My letter in this regard follows:

Hon. DWIGHT D. EISENHOWER,
The President of the United States,
Washington, D.C.:

Please accept my humble apology for burdening you with additional problems, especially when you are already overburdened with the details of the Khrushchev visit and talks in the interest of all mankind.

But, the daily problems of existence of many unfortunate constituents of mine weigh heavily upon me, also. In the Biddeford-Sanford area of the First Congressional District of Maine there has been for several continuing years, because of economic depression, a condition of surplus and distressed labor which persists even in these times of relative job security in other parts of our country.

Consequently, those of us who represent this district, and that, of course, includes yourself through yours, the highest office of the land, have the direct responsibility to protect the individual welfare of these good citizens who, through no fault of their own, need the support of their fellow Americans in order that they and their families may have something more than a mere existence. They, too, are a part of this great Nation. They have contributed to its growth and they have made it possible over the years, through their conscientious work, for many of the financially secure to achieve the material security which they are now enjoying. But, Mr. President, hundreds and thousands of these most respectable constituents of yours and mine are existing on standards of living far below the levels necessary for self-respect and dignity. Of these facts you must be aware, even though your hours are filled to overflowing with the details of the responsibilities of American and world leadership which bear down so heavily upon your shoulders.

Despite these burdens, none of us in national office today can shrink especially because of ideological reasons from the responsibility of meeting the minimum needs, to say the least, of individual citizens and family groups who need help. Adequate food supplies, with some consideration, at least, for a decently balanced diet, seem to me to be a "must" in our consideration for these good, but needy, people of our own country.

To meet this minimum need the Congress has enacted a permissive food stamp program and, as you know, the language of the bill declared it to be the intent and purpose of the Congress that such a food-for-the-needy distribution plan with an annual limitation of $250 million should be initiated at your discretion which, in my opinion, should be made applicable in several experimental localities where chronic unemployment has caused these conditions of poverty and undernourishment to develop and persist.

It is with regret that I have noted newspaper comment attributed to you to the effect that you do not intend to honor this intent of Congress. The reasons stated are to the effect that the Federal Government is already contributing to a disproportionate degree to the subsistence needs of these needy people, as well as that the stamp plan would only replace existing food distribution programs by Federal agencies. Of course, you have never stood in one of these food lines and observed the inadequacies and the indecencies of the present distribution plan under the current surplus commodities distribution program. I wonder if you know that butter was recently discontinued by Secretary Benson although the only remaining fat in this unbalanced food distribution program. Cheese was formerly included, and gave these worthy Americans some variety from the drab items to which they are now doomed by your Secretary of Agriculture, who refuses to use funds under section 32 of customs receipts, where he has broad authority, if he was only ideologically minded to use them.

When you say, Mr. President, that a disproportionate load would be borne by the Federal Government if these very meager provisions of the food stamp plan were implemented, I wonder if you are mindful of the general welfare clause of our Constitution, which obligates us to treat all Americans with the dignity and justice to which they are entitled.

You have never hesitated to urge upon us the need to shoulder far-reaching obligations for the undernourished and the underprivileged of all the foreign areas of the world. I realize that you are a deeply religious and Christian man. I know that Secretary Benson is the same. But, I respectfully submit that neither you nor Mr. Benson are practicing what you preach. If we are our brother's keeper, and I believe that we are, then surely, we should never hesitate to see to it that our brother gets some small part of the fat that this great and wealthy Nation has and will continue to accumulate. It occurs to me that the Secretary may be touring Soviet Russia and other foreign areas looking for needy brothers to "keep," while consciously overlooking the undernourished of America.

In closing, may I respectfully remind you that Ambassador Lodge, during the past few days, brought Premier Khrushchev up to date on the type of capitalism which we enjoy, and, in correcting the Premier, our able Ambassador told him that we practice humanitarian principles toward all our people, stressing our social-welfare laws. Your expressed intention to bypass the intent of Congress and deny to our people the humanitarian justice implicit in the food stamp plan certainly is not in keeping with the words of Mr. Lodge.

I urge you, Mr. President, to apply the provisions of this stamp plan, and to name the Biddeford-Sanford area of Maine as a pilot area for this program. My worthy, but needy, people are looking to you for this Christian consideration.

Most respectfully yours,
JAMES C. OLIVER,
Member of Congress.

Interpretation of Labor-Management Reporting and Disclosure Act

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. KEARNS. Mr. Speaker, section 8(e) of the Labor-Management Reporting and Disclosure Act makes it an unfair labor practice for a labor organization and an employer to enter into any agreement whereby the employer ceases or refrains or agrees to cease or refrain from doing business with any other person. The act makes such agreements void. The section provides, however, that the prohibition against such agreements does not apply to the construction industry relating to work to be done at the construction site. My attention has been called to a statement in the CONGRESSIONAL RECORD by Senator MCNAMARA on September 14—page 19785—to the effect that, in his opinion, the

prohibition on hot cargo agreements was not intended to prohibit a fabrication-type clause where the work of fabrication could be done or performed at the jobsite. This view of Senator McNAMARA does not coincide with mine. In my opinion it is contrary to the clear and literal meaning of the act and would, if accepted, open up a Pandora's box of evils in the construction industry which Congress meant to eliminate, not only in the Reporting Act but in the Taft-Hartley Act as well.

The Senate bill merely outlawed hot cargo agreements with common carriers. The House amendment interdicted agreements not to do business with another entered into by any employer. At the time of the consideration of this amendment there had been some discussion of a proposal to permit unions to picket a construction site if they had disputes with any contractor on the job. It was partly in this frame of reference that the proviso to section 8(e) was written which provides—

> That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer in the construction industry relating to the contracting or subcontracting of work to be done at the site of construction.

As in the common-situs picketing problem, it was the location of the work that we had in mind and, as a reasonable compromise, we provided that the agreement must relate to work actually done at the site. Work done or products manufactured, processed, fabricated, and so forth by another employer away from the construction site could not be subject to a hot cargo agreement. It was not intended to restrict an employer's freedom to do business or purchase from any other person and to decide in what form the product or materials shall arrive on the job. Furthermore, to interpret the proviso to cover any work or product which could be done at the site would permit restrictions on the installation of many other products besides prefabricated pipe which arrive on the job in prefabricated form. This certainly was not in my mind.

The conference report supports my view. It states, at page 39, that the proviso in question relates only and exclusively to the contracting or subcontracting of work to be done at the site of construction and that it does not exempt from section 8(e) agreements relating to supplies or other products or materials shipped to the site of construction. The legislative history in the Senate is also in accord with my view. On September 3, 1959, Senator KENNEDY, in reporting the conference agreement to the Senate, said at page 17900 of the RECORD:

> It should be particularly noted that the proviso relates only to the "contracting or subcontracting of work to be done at the site of the construction." The proviso does not cover boycotts of goods manufactured in an industrial plant for installation at the jobsite, or suppliers who do not work at the jobsite.

Senator MORSE also said, on the same day at page 17884 of the RECORD, in referring to the hot cargo amendment:

> First. It would prevent a union from protecting the bargaining unit it represents by obtaining an agreement not to subcontract work normally performed by employees in the unit.

The Senate Committee on Labor and Public Welfare printed a section by section analysis of the act, published September 10, 1959, and stated with respect to the section in question that the prohibition against hot cargo agreements does not apply to the construction industry relating to work to be done at the construction site.

It seems clear to me, therefore, that an employer, even in the construction industry, retains the freedom to choose how the products or materials he utilizes shall arrive on the job—prefabricated or not—and that such freedom cannot be restricted by agreements with labor organizations.

Accomplishments of the Senate Committee on Interstate and Foreign Commerce

EXTENSION OF REMARKS
OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. MAGNUSON. Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD a report on the accomplishments of the Senate Committee on Interstate and Foreign Commerce of which I am chairman.

There being no objection, the report was ordered to be printed in the RECORD as follows:

The Committee on Interstate and Foreign Commerce, of which I am chairman, had a busier year in the 1st session of the 86th Congress than we did in the 1st session of the 85th Congress. There was more legislation referred to us, more reported to you, more bills were passed by the Senate, and more of our bills signed by the President than in the session 2 years ago.

The Senate, through resolutions, instructed us this year to make a thorough study of the world trade situation and of the Nation's transportation system. These studies are under way and will be carried on during the recess of Congress. Interim reports will be ready when the second session convenes next January.

We also recommended, and the Senate approved (S. Res. 136), a major expansion of ocean research. We are lagging behind in this very important field. We need modern ships, laboratories, and more trained oceanographic scientists. Legislation to implement this recommendation has been introduced and there will be extensive hearings next year.

During the congressional session just ended your committee had referred to it a total of 241 bills and resolutions, compared to 199 in the 1st session of the 85th Congress. Of that number we reported to the Senate a total of 71 bills as compared with 54 2 years ago. The Senate passed 66 of these bills as compared with 52 in 1957.

At the end of the session this year 24 Senate bills were pending in House committees as compared to 16 2 years ago, and 13 Senate bills were reported by House committees as compared with 10 in 1957.

A total of 19 Senate bills were passed by the House, the same number as it passed in the 1st session of the 85th Congress.

The President signed 33 of our bills as compared with 30 2 years ago. During the session we acted upon 778 nominations of which 19 were to major posts in the Government while 2 years ago we acted upon 520.

During the year the full committee and our subcommittees held 34 executive meetings as compared with 30 2 years ago. The full committee devoted 49 days to hearings and the subcommittees held hearings on 64 days.

Four hundred and forty-five witnesses appeared before the various hearings.

Number of bills (Senate and House) and resolutions referred to committee	241
Number of bills reported by committee	71
Number of bills passed by Senate	66
Number of Senate bills pending in House committees	24
Number of Senate bills reported by House committees	13
Number of Senate bills passed House	19
Number of conference reports filed in House	4
Number of meetings of conference committees	8
Number of bills signed by President	33
Number of bills vetoed by President	1
Number of routine nominations referred to committee and acted upon	759
Number of major nominations referred to committee and acted upon	19
Number of executive meetings of full committee and subcommittees	34
Number of days of hearings conducted by full committee	49
Number of days of hearings conducted by subcommittees	64
Number of bills, nominations, and miscellaneous legislation on which hearings were held	117
Number of witness appearances before the committee	445

I want to express my deep appreciation for the friendship and hearty cooperation which all members of our committee have given me in expediting the work of the committee and for the long hours they have so willingly devoted to our work. It has been a pleasure to work with each of them and I especially wish to commend the new members who plunged into the stacks of work with the same enthusiasm that has been shown by the oldtimers in our group. I want them to know I deeply appreciate it.

Our committee staff worked long hours, cheerfully and with complete cooperation, and I speak for the full committee when I thank them for it.

Legislative proposals affecting practically every important phase of the Nation's maritime and fishing industry were among the 77 bills acted upon or given initial consideration by our Merchant Marine and Fisheries Subcommittee. Of these, 35 were reported by your committee and 34 received Senate approval. Twenty-five were sent to the President for signature. One measure was vetoed by the President.

With the shipping industry embarked on a vessel replacement program involving overall expenditures of $3 billion to $4 billion vessel financing was among the more urgent matters considered. Two measures of special significance enacted into law in this field were S. 1434, to authorize Federal ship mortgage insurance for vessels after construction and S. 2148, to permit issuance of public bonds to finance vessels while under construction as well as when actually in service. Both were designed to reduce the interest charges to the companies on their long-term financing. Another bill, S. 1671, to permit a flexible rate of interest instead of the statutory 3½ percent, where construction is financed by the Government, was held for further consideration.

Other spurs to vessel construction enacted were H.R. 6838 (S. 2473) to redefine the term

"citizens of the United States" as it appears in the shipping and vessel documentation statutes in order to resolve conflict in interpretation by the Government agencies involved; and S. 2013, to permit additional time for commitment of funds for construction of vessels for the sadly depleted coastwise trades. H.R. 6888 permits a "citizen" corporation to have a minority representation among its managing directors, and makes possible free participation in construction and financing of vessels by certain large corporations formerly unable to participate freely.

The urgent need for increased scientific knowledge and data concerning the Nation's shorelines and offshore waters, in the interest of national security, was recognized by committee introduction and favorable action on two bills, S. 2483 and S. 2482, to provide greater flexibility in the performance of the functions of the Coast and Geodetic Survey.

The shipping companies using the Panama Canal were aided by enactment of H.R. 4328, which relieves the Panama Canal Company of annual interest payments approximating $250,000 on an emergency fund never used, thus reducing the base amount of the Government's canal investment on which toll payments are based.

Other major matters given consideration by the subcommittee, but held over for further study and action in 1960 were:

Pilotage on the Great Lakes.

Nuclear icebreaker for the Coast Guard, as well as development of nuclear propulsion for commercial vessels.

Amendment of the Merchant Marine Act with regard to foreign holdings of operators receiving or applying for operating differential subsidy.

Licensing of ocean freight forwarders.

Authorizing increased construction subsidies.

Exchange of older vessels for more modern vessels from the reserve fleet.

Status of faculty and staff of the U.S. Merchant Marine Academy.

The subcommittee also gave thorough attention to the meeting at the State Department in June of foreign government representatives complaining of this Government's maritime policies in aid of shipping. Prior to the meeting, a committee member and staff representative visited England for talks on the matter, and the committee staff participated actively in meetings with State Department people to prepare the U.S. position. It is felt that the meeting with the foreign representatives was helpful toward resolving at least some of the foreign misunderstanding of our shipping policies.

The President vetoed H.R. 8728 (S. 2598). The Federal Boating Act of 1958 set up a numbering system for boats of more than 10 horsepower, with authorization to the States to have their own numbering system—subject to Federal approval for the sake of uniformity. Under the act, such State systems had to be in effect April 1, 1960. Your committee was informed some States could not meet that deadline, so the legislation that was vetoed was introduced and passed. It would have extended the date to April 1, 1961.

This subcommittee, with respect to its jurisdiction over fisheries and wildlife, held hearings in Alaska, Seattle, Wash., and in the District of Columbia. During the recess, additional hearings are scheduled in Alaska, Oregon, and Idaho.

S. 1391, to amend and clarify the Black Bass Act, and S. 1575, to continue research on the effects on wildlife of the use of insecticides, were reported, passed by the Congress and signed by the President.

S. 1262, to inaugurate a research program to increase game and sport fishing in reservoirs and dams; S. 1576, to establish a salt water research laboratory; S. 2053, to authorize the Fish and Wildlife Service to accept a fish hatchery from the State of South Carolina; S. 2578 (H.R. 5421) to provide $5 million per year for 3 years to assist in modernizing our fishing fleet; and S. 2632, to assist Delaware and New Jersey to develop a strain of disease-resistant oysters, were all reported to, and passed by, the Senate.

S. 2086, to establish a National Wildlife Disease Laboratory, was reported to the Senate, but no action was taken before the end of the session.

Our Communications Subcommittee, chaired by Senator JOHN O. PASTORE, held extensive hearings on more than 20 bills and 3 resolutions, involving various phases of the communicaitons industry, ranging from a bill that would permit the merger of international telegraph and marine carriers to expediting and accelerating the development of educational television.

Two of the bills were enacted into law. First, S. 2424, amends the Communications Act so as to exempt from section 315 of the Communications Act, the so-called equal opportunity provision involving legally qualified candidates for public office, bona fide newscasts, news interviews, news documentaries and on-the-spot coverage of news; the second was Senate Joint Resolution 47, that authorized certain communication activities at the IX Plenary Assembly of the International Radio Consultative Committee, held in the United States in April 1959.

S. 1735, to repeal the section of the Communications Act which permits the Commissioners to receive an honorarium for making speeches or writing materials for publication; S. 1736, to eliminate the requirement of an oath or affirmation on certain documents filed with the FCC; S. 1737, to authorize the imposition of certain violations of the rules and regulations of the FCC in the common carrier safety and special service fields; S. 1738, to amend section 5(c) of the Communications Act so as to redefine the duties and functions of the Commission's review staff; S. 1740, to amend section 202(b) of the Communications Act so as to give the FCC legislative authority to regulate charges and services of common carriers for the use of microwave and other point-to-point circuits, along with the use of wires in chain broadcasting or incidental to radio communication of any kind (the FCC's present authority in this respect is now limited to the use of wires under section 202(b)); and S. 1898, to amend section 309(c), the so-called protest provision of the Communications Act, which permits a party to protest a grant that is made without a hearing (the proposed amendment would provide a pregrant hearing procedure in order to eliminate the present hearing procedures that result only after a grant is made without a hearing), were all reported to, and passed by the Senate.

S. 1734 would amend the Communications Act so as to prohibit any person, as well as the staff of the General Counsel, Office of the Chief Engineer, and those who participate in a case of adjudication designated for hearing by the Commission, from directly or indirectly making any presentation respecting such case to the Commission, or any member thereof, any hearing examiner, any assistant to a Commissioner or any member of the review staff, unless all parties to the case were duly notified and given a chance to participate. This bill was reported to the Senate, but remained on the calendar at the end of the session.

Extensive hearings were held by the subcommittee on the community antenna television and booster problem, which resulted in two bills. S. 1886, which was limited to the so-called booster problem, passed the Senate and is now awaiting action in the House. S. 2653, a bill which would place the community antenna television systems under the jurisdiction of the FCC is presently pending on the Senate calendar. These bills are the final result of the hearings held by the committee last session with regard to the problem of bringing television to small communities.

Your committee held hearings on S. 12, cosponsored by Senators MAGNUSON and SCHOEPPEL, which would expedite the utilization of television in our public schools and colleges. This bill was unanimously reported and passed by the Senate early in the session. The House Interstate and Foreign Commerce Committee after holding hearings on the bill voted to conduct a field study during the recess period.

Your committee has received two interim reports from the FCC with regard to its progress in the so-called television allocations problem. We have been following this subject for some time, hoping that the FCC would submit some final recommendations. For one reason or another, such as awaiting the report of the Technical Allocations Study Organization, created by the Commission, and its negotiations with the Military Establishment, final recommendations have not been made. The committee hopes to hold further open hearings on this subject with the purpose of resolving the difficult UHF–VHF allocations as quickly as possible.

Extensive hearings were held on proposed legislation which would permit the merger of international telegraph and marine carriers. Many suggestions for amendments were made during these hearings and a second committee print has been prepared incorporating some of these suggestions. This print has been submitted to the Government agencies and interested parties for comments. The committee proposes to act on this legislation one way or another as soon after the second session convenes as is possible.

Last year our Aviation Subcommittee headed by Senator A. S. MIKE MONRONEY, completely rewrote the laws governing civil aviation. The result was a new, unified Federal Aviation Agency headed by a civilian administrator with complete control over our airspace and air traffic. The act was approved August 23, 1958, with most of its provisions becoming effective 60 days later.

Many amendments to this act were suggested during the 1st session of the 86th Congress, but your committee took the position that a longer look at this new law should be taken before changes were made. We have done just that, and plan hearings and resulting action during the second session.

S. 1, a bill to extend the Federal Airport Act, as passed by the Senate, would have increased the amount of matching funds available to the States for airport construction. The House decreased the amount of authorized funds, and with a deadlocked conference, the old act was merely extended 2 years. Your committee is convinced of the inadequacy of existing law, but is now of the opinion that no real improvement can be made until the next Congress.

S. 1368, a bill to facilitate the financing of new jet and turboprop aircraft was reported, and became law. Under existing law, mortgages on separate propellers could not be registered. Today a modern propeller can cost as much as $25,000. With an estimated expenditure of $4 billion for fleet modernization in the next 3 years, this additional protection for holders of security interests will aid in the financing of the new air fleet. Further, this bill exempted from liability arising out of the operations of aircraft, those persons whose sole interest in the aircraft or its parts was a mortgage or security interest.

Legislation authorizing interstate compacts for the development and operation of airports, use of certified mail by the Federal Aviation Agency, and the transfer of certain historic buildings on the Chantilly Airport

site to the Fairfax County Park Authority of Virginia was recommended, and became law. The Congress also enacted legislation to make eligible our two new States, Alaska and Hawaii, to receive allocations from the discretionary fund provided for in the Federal Airport Act.

Various other matters were considered in open committee hearings, and the Subcommittee on Aviation is continuing its careful appraisal of the impact of Military Air Transport Service on our commercial carriers.

During the 85th Congress our Surface Transportation Subcommittee, under the leadership of Senator GEORGE A. SMATHERS, recommended, and the Congress enacted, the first major amendments to the Interstate Commerce Act since 1940 (Transportation Act of 1958). The effectiveness of the new act has been under continued study, with hearings at which representatives of both the carriers and the agencies testified. Hearings were also held on many proposed amendments, the most important of which follow:

BILLS INVOLVING COMMON OWNERSHIP OF VARIOUS FORMS OF TRANSPORTATION

S. 452 would forbid common ownership between various forms of transportation, and would make it unlawful for groups of employees in one segment of the transportation industry to participate with, or support activities of, groups of employees in separate segment of transportation industry to interrupt normal operation of separate segment.

Diametrically opposed to S. 452, as far as common ownership of transportation agencies is concerned, are the following:

S. 1353 would allow ownership of motor carriers under part II of the Interstate Commerce Act by other forms of transportation;

S. 1354 would amend the Federal Aviation Act to remove restrictions against carriers other than air carriers engaging in the business of an air carrier;

S. 1355 would allow ownership of water carriers under part III of the Interstate Commerce Act by other forms of transportation; and

S. 2189 would allow freight forwarders to acquire control of common carriers subject to parts I, II, and III of the Interstate Commerce Act.

BILLS INVOLVING AMENDMENTS OF THE TRAIN DISCONTINUANCE PROVISIONS CONTAINED IN SECTION 13a OF THE INTERSTATE COMMERCE ACT

S. 1331, under the present law where States have jurisdiction, trains and ferries operating across State lines may be discontinued by filing a 30-day notice by a railroad, unless the Interstate Commerce Commission orders an investigation, in which case ICC may direct continuance of trains involved for as much as 4 months. After completion of hearing, in which burden of proof is on those wanting trains continued, and upon making necessary findings, the Commission may order the trains continued for a period of up to 1 year. (Trains and ferries operating intrastate are within jurisdiction of the State regulatory body but the railroad may file a petition with the Interstate Commerce Commission if discontinuance is refused by a State body or is not acted upon within 120 days.)

S. 1331 would, on trains or ferries crossing State lines:

1. Require obtaining certificate of public convenience and necessity from either a State body or ICC, thus eliminating jurisdictional "no man's land" caused by giving ICC jurisdiction over passenger trains only where States exercise it.

2. Make hearing mandatory; hearing now discretionary with ICC.

3. Shift burden of proof to carrier; now on those wishing train continued.

4. Give ICC authority to continue train for unlimited time while investigation is conducted, to replace present limit of 4 months.

5. Eliminate 1-year limit on ICC orders of continuance after investigation completed.

6. Allow ICC to impose conditions in connection with discontinuance of service which includes conditions to protect employment of railroad workers whose jobs are adversely affected by discontinuance of trains.

S. 1450, a bill to modify section 13a(1) of the Interstate Commerce Act to require institution of an investigation by ICC of each notice of proposed discontinuance of train or ferry and would eliminate the 4-month limitation on the period the train can be ordered continued while the investigation is being conducted.

BILLS THAT WOULD GIVE THE INTERSTATE COMMERCE COMMISSION ADDITIONAL AUTHORITY TO ESTABLISH COMPENSATION TO BE PAID FOR THE USE OF FREIGHT CARS

S. 1789, S. 1811, and S. 1812. These bills would give the Interstate Commerce Commission additional authority to take into account elements other than the bare costs of ownership of a freight car in establishing per diem rates for freight car use. The purpose is to overcome the decision of *Palmer* v. *U.S.* (75 F. Supp. 63 (1947)) in which a three judge Federal court held use of word "compensation" in section 1(14)(a) of Interstate Commerce Act precludes the Interstate Commerce Commission from establishing per diem charges in excess of the bare cost of car ownership to owning railroads. Senator SCHOEPPEL held field hearings on this legislation, and S. 1789 was reported favorably by the committee. It is now pending on the Senate Calendar.

BILLS INVOLVING ALASKA TRANSPORTATION

S. 1507, to make Interstate Commerce Act applicable to for hire water carriers operating between ports of Alaska and ports of other States.

S. 2451, to establish a joint board (composed of members of the Interstate Commerce Commission, Federal Maritime Board, and Civil Aeronautics Board) and to require mandatory through routes and joint rates for carriers serving Alaska, Hawaii, and other States.

S. 2452, is the same as S. 2451 except it would make permissive rather than mandatory the filing of through rates and joint rates.

S. 1508, to provide for Interstate Commerce Commission regulation of the Alaska Railroad.

S. 1509, to provide "grandfather" rights for motor carriers and freight forwarders operating within Alaska and between Alaska and other States and for water carriers operating within Alaska. This bill was passed by the Senate and is now pending in the House.

S. 2514, to make the Alaska Railroad a Government corporation.

BILLS INVOLVING TRANSPORTATION SAFETY

S. 1806, to amend the Transportation of Explosives Act, would (1) bring radioactive materials and etiologic agents (live viruses such as polio vaccine) under the act; (2) bring contract and private carriers under the act—make them subject to maximum penalty of $10,000 and 10 years imprisonment rather than the maximum penalty of $500 provided under section 222(a) of the Interstate Commerce Act; (3) tighten up packing requirements for shippers submitting material covered by the act to carriers for transportation; (4) redefine "knowingly" in the act to mean violations by anyone "knowing" that the ICC has outstanding a set of regulations for the transportation of explosives. (The Federal courts have held that "knowingly" at present means "knowingly" violating the Commission's safety regulations.)

S. 1806 was approved by the Senate and is pending in the House.

S. 1964, to amend the Accident Reports Act to require that all injuries on railroads shall be reported; this standard would replace the present ICC standard that a reportable accident is one that causes workers to be absent from their jobs for 72 hours; would require that accidents be reported in all departments of railroads rather than injuries limited to actual operation of the trains as presently required by ICC regulation.

S. 1425, to give the ICC authority over rules and regulations for operation of railroad track motor cars.

In addition, hearings were held on S. 2417, a bill that would repeal the future application of the second proviso of section 206(a)(1) of the Interstate Commerce Act that now allows obtaining the right to participate in interstate and foreign commerce by an intrastate carrier upon registration of a State certificate with ICC; present rights of carriers now operating would be protected; but in the future intrastate carriers wishing to participate in interstate and foreign commerce would be required to obtain certificates of public convenience and necessity from the ICC.

For some time I have been deeply concerned over our lag in studies of the oceans. Such studies, I believe, are vital to our defense, to the operations of our fisheries, to our commerce and navigation, and to our knowledge of factors affecting our weather and climate. Accordingly, I introduced Senate Resolution 136, which recommends a major expansion of ocean research and surveys; construction of scientific ships and laboratories to replace old and obsolete existing vessels, and Federal encouragement in the training of oceanographic scientists. This resolution was cosponsored by all members of your committee and by Senator JACKSON, and was adopted without dissent by the Senate on July 15, 1959.

To carry out the recommendations of Senate Resolution 136, on September 11, 1959, I introduced S. 2692, which would establish a comprehensive 10-year program of ocean research and surveys, aid the national defense, and authorize the construction of research and survey ships and facilities. Your committee has held informal hearings, at which five members of the Committee on Oceanography of the National Academy of Sciences—National Resource Council testified. The bill was cosponsored by Senators SCHOEPPEL, BARTLETT, YARBOROUGH, CASE, ENGLE, SCOTT, MCGEE, and BUTLER, all members of the committee, and by Senators HART, SMITH, and CLARK. In addition to the purposes I have mentioned, the bill proposes systematic studies of effects of radioactive materials in marine environments and would authorize appropriations. The appropriations to be authorized by the bill, which is entitled "Marine Sciences and Research Act of 1959," would be in addition to all other appropriations provided for the various departments, agencies, bureaus, and offices engaged in similar or identical functions.

This is very important legislation, and we hope to bring it to the floor during the second session of this Congress.

Your committee held hearings on six bills to amend the Federal Power Act, of which S. 2263 and S. 2264 were reported to and passed by the Senate.

S. 2263 would exempt hydroelectric projects under 2,000 horsepower from certain licensing provisions of the Federal Power Act. The bill actually raises this limitation from 100 horsepower. S. 2264 would prohibit the abandonment or curtailment of interstate electric power sale or transmission without approval of the Federal Power Commission. This bill would bring the Federal Power Act in line with the Natural Gas Act.

Of the other bills, the most important are S. 1782 and S. 2262. This legislation is designed to enable the comprehensive use of an entire river basin to the advantage of all hydroelectric power users and producers. It is claimed that in the Columbia River Basin alone this type of operation would yield over 500,000 kilowatts of additional firm capacity.

Senator ENGLE conducted the hearings, and the committee has asked for additional facts and statistics that may require additional hearings.

Senator HARTKE conducted hearings for your committee on S. 1283, a bill to regulate the interstate distribution and sale of packages of hazardous substances intended or suitable for household use. The evidence produced at the hearing was, to say the least, shocking. We were told that yearly deaths from the substances this bill would regulate amount to approximately 5,000 more than all of the so-called dread diseases such as scarlet fever, meningitis, polio, and diphtheria combined.

I have long been interested in this problem, and am happy to report that, as a result of our hearings, industry and government are now in substantial agreement on this legislation. I anticipate the committee will report a clean bill next session.

We also held hearings on S. 1787, a bill to protect the consumer by requiring the labeling of any decorative hardwood product. This bill, with respect to certain hardwood products, is along the lines of the Wool Products Labeling Act, the Fur Products Labeling Act, and the Textile Labeling Act. More work is necessary on this legislation before further action can be taken.

In keeping with its general responsibility for matters pertaining to foreign as well as domestic commerce, your committee initiated a comprehensive study of the foreign trade of the United States. At the close of the session, a staff of specialists had been assembled, and the study was well underway. An interim report is expected to be ready for presentation to the Congress shortly after the opening of the next session.

The aim of the study is to identify and examine the trends and forces affecting our commercial relations with other countries of the world and to evaluate the significance of current changes in terms of the long-range interests of the United States. In its first phase the study will concentrate on U.S. exports with an exploration of the competitive position of U.S. products in world markets. Subsequently, it will turn to the question of imports in relation both to the domestic economy and to the possible expansion of export markets; the effect of common markets and free trade zones of American foreign commerce; the significance of U.S. investment in foreign production; implications of the Sino-Soviet trade expansion program and related questions.

In light of the fact that foreign trade presently accounts for some 8 percent of the gross national product of the United States and that its continued expansion is regarded as essential to the continuing prosperity of our domestic economy, the committee attaches more than ordinary importance to this study. An intensive look at the total picture of changing world trade patterns since the war may reveal opportunities to strengthen the American position without detriment to the position of our world trade partners whose economic welfare in the long run is vital to our own.

The study of transportation authorized by Senate Resolution 29 and expanded by Senate Resolution 151 has been started, and an initial study group has been assembled. It has been recognized for several years that an overall look at transportation in the light of current and projected conditions was imperative. This was again emphasized during the hearings which preceded the Transportation Act of 1958. Transportation—second only to agriculture in the Nation's industry—is too vital to our economy and our defense to permit its ability to serve the Nation to deteriorate.

In its first phase, the study will explore and evaluate what has been done in this field. Information is being accumulated from all available sources including industry and the various Government departments. Subsequently, the study will explore the actual implementation of the national transportation policy vis-a-vis the intent contained therein and the inconsistencies that may exist between the policy and specific examples of legislation and/or regulation.

We must keep before us at all times the thought that each mode of transportation should develop according to its inherent advantages—present or potential. It must be our aim that regulation and Federal aid be administered equitably toward the best good of our entire Nation. We must maintain a flexibility that will facilitate adjustment to the constantly changing economic and technological situation.

Toward these objectives the following study concept was developed. It will be expanded or restricted as the study progresses.

I. Background analysis: The examination of basic considerations in such areas as public interest, social investment, competition, monopoly, and the question of more or less public participation in regulation and aid.

II. Studies in areas and methods of regulation: Regulation by independent commissions, evaluation of administrative policy, possible areas of reduced, extended, or clarified control.

III. Studies in the area of public aid: Public investment and coordination of aid programs.

IV. Studies in equity and transportation policy: Various proposals dealing with allocation and recoupment of costs of public facilities used by commercial interests.

V. Special problems: Examination of specific areas such as rail passenger deficit, commuter and rural service, defense requirements.

Studies are also in process at the Department of Commerce, and they will be examined prior to our proceeding so as to avoid areas of duplication. The Secretary of Commerce has promised complete cooperation.

Your committee anticipates a busy session in 1960.

Columbus Day, a National Holiday

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. PHILBIN. Mr. Speaker, one of the outstanding Members of the House, the distinguished gentleman from New Jersey, Congressman PETER W. RODINO, JR., has introduced H.R. 418 which seeks to declare October 12, Columbus Day, a legal holiday.

I want to congratulate Congressman RODINO for the great ability, zeal, and enthusiasm with which he has pursued the laudable objective of making Columbus Day a national holiday. His efforts are an appropriate accompaniment to his valuable, effective work in many important fields with which the Congress is concerned. Congressman RODINO'S service in the Congress has reflected great ability, dedication, and unswerving purpose in serving his district and the Nation.

The designation of Columbus Day as a national holiday has already been too long delayed. I hope that the Congress at an early date will give suitable attention to Congressman RODINO'S bill, H.R. 418, and effect its enactment.

At this time I will not elaborate on the many reasons which suggest the propriety of favorable action on this measure. Christopher Columbus was one of the great men of history, an intrepid explorer who, with extreme courage faced untold dangers to discover a great new continent and establish the first settlements here which have led to the fabulous, historic developments of the Americas, and particularly of our own great, beautiful Nation.

Many States, including my own State of Massachusetts, have recognized Columbus Day and there is every reason why the Nation should give fitting recognition to the memory and heroic exploits of a great son of Italy whose achievements made possible the establishment of the greatest government of all times and many other governments and nations of the Western Hemisphere which share with us the common legacy of democracy, freedom, and justice.

Americans of Italian blood and descent, who have made such great contributions to America, and all true lovers of liberty, are interested in H.R. 418 and I hope that it will be passed without further delay, and am proud to pledge myself to that most appropriate objective.

An Address to the Polish Army Veterans Association of North America

EXTENSION OF REMARKS
OF
HON. JOHN BRADEMAS
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BRADEMAS. Mr. Speaker, I should like to include in the CONGRESSIONAL RECORD the text of an address which I was privileged to deliver on September 6, 1959, in South Bend, Ind., to the Polish Army Veterans Association of North America.

The address follows:

I am honored indeed to have been invited to address the delegates attending the 29th annual convention of the First District of the Polish Army Veterans Association of North America.

The citizens of South Bend, Ind., are proud that we are able to act as hosts to members of your great organization from eight States—Indiana, Illinois, Wisconsin, Iowa, Nebraska, Kansas, Minnesota, and California.

It is particularly appropriate that we should be meeting in the month of September 1959, because it was just 20 years ago that the brave people of Poland suffered the cruel invasion of Hitler's armies. The invasion marked the beginning of the most terrible war that mankind has ever known, a war in which over 6 million Poles sacrificed their lives.

Only a few days ago, speaking from the Chamber of the Parliament of Poland in Warsaw, my good friend and distinguished colleague in the House of Representatives, the Honorable THADDEUS MACHROWICZ, spoke of the terrible days of September 1939. Congressman MACHROWICZ, who was born in Poland and was an officer in the Polish Army during World War I, addressed the opening

session of the Interparliamentary Union meeting in Warsaw. He spoke in Polish with great feeling and emotion about the bravery and sacrifices of Poles in World War II. His speech was received, according to those who heard him, with a tremendous ovation.

The same spirit of dedication to country and love of human freedom which motivated Congressman MACHROWICZ caused some 20,000 Americans during World War I to organize an army at Niagara-on-the-Falls, Ontario, Canada, to join the army of Polish Gen. Jozef Haller in France and to fight on the Allied side with great courage and sacrifice.

Most of you are veterans of that remarkable experience, and some of you are Americans of Polish extraction who fought in World War II.

As we think about that first bond forged between the nations of Poland and the United States in World War I, we must recall how the Polish people, tragically divided among the sovereignties of Prussia, Russia, and Austria-Hungary, were forced to fight brother against brother.

The triumphant campaigns of General Haller's army, however, helped to shape into reality the free and united Poland envisioned by President Woodrow Wilson in the 13th of his famous 14 points.

As President Wilson's Secretary of War, Newton D. Baker, said, "The American contingent of the Polish Army is made up of men moved by the inspiration of the principles involved on the Allied side of the conflict, and their presence on the Western Front represents their adherence to America as the country of their adoption and to Poland, free and self-governing, as the country of their extraction."

It was a cause of inspiration to those who loved freedom throughout the world when, in March of 1920, the Polish Army, one-fourth of its men having recently crossed the Atlantic from America, closed its campaigns at Putsk on the Baltic by reclaiming the sea from which Poland had been cut off for over 200 years.

Poland stood united and free.

Poland had shown that, although impoverished and weak, she was ready to fight to achieve her political independence.

There are, indeed, few nations of the world who feel such a fervent love of country as the Poles. Only a Polish poet would describe his land, as did the great Adam Mickiewicz, as "the Christ among nations."

This deep patriotism, born in part of a profound religious feeling, is a spirit with which we are familiar in the United States. Ever since the days of Pulaski and Kosciusko, the contributions of persons of Polish origin have been felt in every area of American life. We see these contributions in the sciences, the arts, and in the work of many of my distinguished colleagues in Congress of Polish descent, men such as Senator MUSKIE, of Maine; Congressmen MACHROWICZ,, LESINSKI, and DINGELL, of Michigan; KLUCZYNSKI, PUCINSKI, and DERWINSKI, of Illinois; ZABLOCKI and O'KONSKI, of Wisconsin, and DULSKI, of New York.

Right here in South Bend, Ind., we are familiar with the fine work of Americans of Polish origin. At the turn of the century, one-fifth of the population of our city was Polish-American, and today many of the outstanding leaders in our community are of Polish background.

The peoples of the United States and of Poland have therefore many links that bind our destinies together. Both our peoples love freedom. Both love peace. It was General Haller himself who once said, "I have never known a fighting man in all of Poland who was not at heart a man of peace."

We do not know now what will be the future for Poland. We hope that the future will bring both freedom and peace. What we do know is that the deep religious faith of the Polish people and their burning love of country will not die.

I can think of no better way to conclude my remarks to you who are members of the Polish Army Veterans Association of North America than to read to you some moving lines written this month by a great American newspaperman, Ralph McGill.

Mr. McGill's essay is entitled "The Cardinal's Sermon."

He writes:

"A news story sets you to thinking.

"It is from a town in Poland.

"It is Czestachowa. It is an old city on the Warta River. It is on a rail junction. It is a busy town, manufacturing textiles, paper, steel, leather.

"Here is a capsule history. In 1655 the Swedes attacked in an invasion of Poland and Russia. This time a group of Pauline Fathers held out in a monastery. They delayed things long enough for the main Polish Army to seize the invaders. In 1705 the Swedes tried again. And failed. The Russians succeeded in 1772. The Prussians took it in 1793. In 1914 the Germans captured it. They did it again in 1939.

"It is a city which has known centuries of misery, suffering, cruelties, disappointments, grief and not much joy.

"The other day it was in the news. Some 100,000 Poles came there to celebrate the anniversary of that victory over the Swedes. It was, as it had to be, a patriotic and religious ceremony. After all, it was a monastery that withstood the seige. Cardinal Wyszinski was there. Thin and pale, he preached a sermon and assisted in a Mass. The hymn and the chants mingled with the industrial sound of the nearby steel plants.

"Now, you must understand Poland is Communist. Mr. Gomulka, a tough, dedicated Communist, is head of it. But he is a Pole. So is the cardinal. Poland is communistic, but it is not Russian. So, the cardinal said in his sermon: 'Governments come and go, but the families and the church remain.'

"No believer," writes McGill, "be he Jew, Roman Catholic, Protestant, or Moslem, can fail to be thrilled by the pale, thin cardinal standing there in Poland proclaiming his faith and that of his people."

Long after governments have passed which deny the dignity and freedom of man, the faith of Cardinal Wyszinski, the faith of the people of Poland, will endure.

Gen. Jack Person: A Credit to his Country

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. PORTER. Mr. Speaker, in the area I represent, the Fourth Congressional District of Oregon, there are presently 15 active authorized public works projects under the supervision of the Civil Works Division of the Army Corps of Engineers. There are also seven navigation studies and five flood control studies authorized in the district at the present time. A number of proposed projects will undoubtedly be authorized after the Congress has had time to study in detail the recently completed Engineer revision of the so-called 308 Report. In addition, there are 12 completed navigation and flood control projects in my district, all of them requiring various degrees of annual maintenance.

I say this, Mr. Speaker, to emphasize the importance to me and my constituents of the Corps of Engineers. The Corps, in its function of carrying out the congressionally authorized program to harness the vast natural water resources of the Nation, has become an important economic factor in southwestern Oregon. In fact, the Corps has become so important to the area I represent in Congress that I consider one of my most critical jobs in Washington is to act as liaison between my constituents and the Corps.

For that reason, I have felt particularly fortunate over the past 3 years that the man who has headed the civil works functions for the Corps of Engineers has been a man not only of great technical ability but a man of such pleasant personality that my relations with him have been among the best I have experienced since coming to the National Capital.

The man of whom I speak is Brig. Gen. John L. Person, known as Jack Person to his friends. After almost 3 years as Assistant Chief of Engineers for Civil Works, General Person retired from the Army on June 30 of this year, completing 30 years of capable service to his country. What the Army has lost, the city of Louisville, Ky., has gained. General Person now holds the position of executive consultant to the Metropolitan Sewer District at Louisville. So he has not retired from the engineering profession, just from the Engineers.

General Person is a product of the U.S. Military Academy and the Massachusetts Institute of Technology, and he has had a distinguished career with the Corps of Engineers, serving in a great variety of important positions in various parts of the country and overseas. On the day of his retirement General Person was awarded the Distinguished Service Medal by the President of the United States, certainly the least his country could do in appreciation for a career of service which reflected the greatest possible credit on the Army and, in particular, on the Corps of Engineers.

The medal was awarded "for exceptionally meritorious service in a duty of great responsibility" to quote from the citation which accompanied it. The citation went on to say that—

> Brigadier General Person distinguished himself by eminently meritorious service to the Government in a succession of key positions of great responsibility during the period June 1946 to June 1959.

The citation correctly termed him "an officer of rare and exceptional ability," and it concluded with these well-deserved words of praise:

> His outstanding service in all of his assignments constitutes a major contribution to the national welfare, to the development of the natural resources of the United States and to the strengthening of the national defense. General Person's long and distinguished career represents significant achievement in the most cherished traditions of the U.S. Army, and reflects the utmost credit upon himself and the military service.

I could not agree more. Jack Person has had a full life so far—and he is not yet 53 years old. I wish him the best of luck in the future and I am sure he has many years of fine service ahead of him in his new position. But I know he is

sorely missed by his many friends in Washington, D.C.

On September 1 General Person was succeeded in office as Assistant Chief of Engineers for Civil Works by Brig. Gen. William F. Cassidy, who came to the post from a tour of duty as senior logistics adviser to the army of the Republic of Korea. I am looking forward to meeting General Cassidy, and I am sure I can expect the meeting to be the beginning of another pleasant relationship with a top career officer of the U.S. Army Corps of Engineers.

Report to the 11th Congressional District of Michigan

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. KNOX. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to include the following report to my constituents, the people of the 11th Congressional District of Michigan:

YOUR WASHINGTON OFFICE REPORT

(By VICTOR A. KNOX, Member of Congress)

NATIONAL DEFENSE AND INTERNAL SECURITY

History teaches us that the way to preserve the peace of the world is to have a strong defense, and for our national defense program Congress has appropriated over $39 billion for fiscal year 1960. Advancements in the field of space exploration and rocketry is deemed essential if we are to remain a preeminent power; for such space purposes $485 million was appropriated.

The Air Force Air Guard at Alpena County Airport will receive $105,000 for operational facilities. Kincheloe Air Force Base at Kinross, Mich. will receive $1,006,000 for troop housing, training, maintenance, and supply facilities.

GOVERNMENT AND REORGANIZATION

The 86th Congress provided five rows of six and four rows of five stars in Old Glory with the addition of Hawaii as the 50th State.

AGRICULTURE

I regret to report that this session of the Congress failed to enact any constructive legislation for the farmer. President Eisenhower vetoed a grossly inequitable wheat bill and no leadership effort has been made to bring this up for reconsideration or to act on an omnibus farm bill. Many abuses exist in our farm program which should be corrected, and I fervently hope this will be accomplished in the 2d session of the 86th Congress.

NATURAL RESOURCES

Of great importance to the people of Michigan was legislation that would have granted diversion of water from Lake Michigan into the Chicago drainage canal. This legislation, which I have always opposed, passed the House; however, on September 2, after many days of debate, the Senate referred the bill to the Foreign Relations Committee for further study.

Contained in the public works appropriation bill that had been vetoed twice by the President, but finally approved on September 10, are funds for the following projects: Construction at the Grand Marais Harbor, $292,500; planning for the Hammond Bay Harbor, $19,500; improvements to the South Canal of the St. Mary's River, $2,479,425; and $357,825 for planning the new Poe lock. I believe you would be interested in knowing that from July 1, 1952 to June 30, 1959 some $38,283,000 has been spent in the 11th Congressional District for civil works projects, not including funds that are needed for normal operations and maintenance of existing projects.

HEALTH AND WELFARE

Effective July 1, 1959, those eligible for benefits under the Railroad Retirement Act received a 10 percent increase.

Effective July 1, 1960, the pensions received by the veterans of World War I, World War II, and the Korean conflict, and their dependents will be increased. Under the provisions of this law the widows and orphans of the veterans will be eligible for pensions on the same basis as those dependents of World War I. This law will provide a 10 percent increase or more for 854,406 individuals who are now on the pension rolls, and provide benefits for an additional 72,039 cases that are not now eligible. I believe it is interesting to note that this year the total number of pension cases is expected to reach about 1,331,824 and by 1970 it is expected to be 2 million. The dollar cost of all pensions paid so far for all wars and conflicts in which the United States has engaged totaled $20,293,-751,000 on June 30, 1959.

The Congress provided $100 million for direct housing loans to veterans raising the interest rate ceiling from 4¾ percent to 5½ percent, so as to assure availability of funds.

The special school milk program for 1959 was increased by $3 million, and the authorization for this program for 1960 will be $85 million and $90 million for 1961.

After two Presidential vetoes acceptable housing legislation was finally enacted. This provides for the spending of some $1 billion; earmarking $650 million for urban renewal loans; $179 million for public housing; and $250 million for loans for college housing.

NATIONAL ECONOMY

After considerable difficulty in reaching agreement on providing funds to finance the Federal aid highway program, Congress enacted legislation that provides a 1 cent a gallon increase in the Federal motor fuels taxes effective October 1, 1959 to July 1, 1691. With this motor fuels revenue and 5 percentage points of the existing manufacturer's excise tax on passenger cars and 5 percentage points on the existing excise tax on automobile parts and accessories beginning July 1, 1961, and ending June 30, 1964, funds should be available to maintain this program on schedule.

The 1st session of the 86th Congress made history in adopting labor reform legislation. I do not believe we can claim that this action was either a personal victory for the President nor for the Republicans and the conservative Democrats who supported the provisons of the Landrum-Griffin bill. It was instead a victory for the working people of our country and the pubilc. The enactment of such legislation was an example of the people asserting their rights when sufficiently aroused. The powerful and well-financed labor bosses could not defeat the demand of the people that legislation be passed which would drive racketeering and corruption from the ranks of organized labor, and that the rights of the individual union members be protected. The new law does these things. It contains a bill of rights with enforcement provisions; then it adds protection to the public as well through the curbing of secondary boycotts, organization and recognition picketing, and in settling the no man's land between State and Federal jurisdictions.

ADDITIONAL BENEFITS RECEIVED IN THE DISTRICT

In 1959 new post offices were dedicated at Mackinaw City, Mackinac Island, and Ellsworth. New facilities will also be provided in McMillan and Newberry. An extensive repair program is in progress at Menominee.

The sewage treatment plant at Escanaba received $58,200 of Federal funds; the sewer pumping station and sewage treatment plant at Sault Ste. Marie received $250,000; the Presque Isle Electric Co-op received a loan of $50,000 and the Cloverland Co-op received $2,650,000; Cheboygan received a loan in the amount of $620,000 for 40 low rent family dwellings.

The Office of Civil Defense and Mobilization has approved Gaylord as the location and placement of Civil Defense Emergency Hospital. The equipment that will be furnished by the Federal Government consists of a complete hospital unit of 200 beds and includes everything from bandages and X-ray machines to equipment for 3 operating rooms.

From September 28 to October 15 I will make a tour of the 16 counties in the 11th Congressional District. It is my hope that my travels through the district will give me opportunity to greet you personally and obtain the benefit of your views on important national issues as well as to be of service to you with respect to any problems you may have involving Federal affairs.

Because of my position as a ranking member of the Committee on Ways and Means I have been designated by the Speaker of the House of Representatives to be one of two House Members attending the meeting of the contracting parties to the General Agreement on Tariffs and Trade to be held in Tokyo, Japan, beginning October 26; therefore, it will be necessary that I return to Washington after the district tour in order to leave on this important assignment. During the meetings in Japan I will study steps that may be taken by our Government and business community to protect the jobs of our citizens against unfair import competition as well as to expand our export markets.

From November 18 to December 16 the Committee on Ways and Means will be holding panel discussions on the various provisions of the Internal Revenue Code, and I will have to be in Washington for these sessions. My Washington office will be open during the adjournment period of the Congress to handle all matters pertaining to the 11th District.

The thousands of letters that I have received during this session from the district were most welcome. It is good to have the views of the people back home, either for or against a legislative proposal, or on any other problems in which you are interested.

DAV Services in Georgia

EXTENSION OF REMARKS
OF
HON. IRIS FAIRCLOTH BLITCH
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mrs. BLITCH. Mr. Speaker, it is with a deep sense of gratitude that I present an exceptional record of vital rehabilitation services freely extended to thousands of Georgia citizens. Those who have benefited directly or indirectly from these splendid humanitarian services owe much to the source which made it possible.

DAV SETUP

Among the several congressionally chartered veteran organizations, which have State departments and local chapters in Georgia, is the Disabled American

Veterans. The DAV is the only such organization composed exclusively of those Americans who have either been wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war. Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited every compensated disabled veteran very substantially. Its immediate past national commander is another judge, Judge David B. Williams, of Concord, Mass. Its present national commander is Bill H. Fribley, of Crestline, Kans., a member of the Kansas Legislature. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer N. Freudenberger, its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris—all located at its national service headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veteran organizations. Nevertheless, since shortly after its formation in 1920, the DAV national headquarters, located in Cincinnati, Ohio, has maintained the largest staff of any veteran organization of full-time trained national service officers, 138 of them, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C. They have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert as to the problems of other less well-informed claimants.

DAV SETUP IN GEORGIA

In Georgia the DAV maintains an office located in the VA regional office, 441–449 West Peachtree Street NE., Atlanta 8, Ga. The DAV staffs this office with two national service officers and two clerks. Mr. Roy E. Bevel is the national service officer in charge.

Each of the DAV chapters in Georgia has a service officer who volunteers his energy and time in making initial contacts with veterans or members of their families, assisting them in completing routine and initial steps for claims and forwarding same on to the national service officer in Atlanta for processing and followthrough.

The department commander is Mr. W. L. Jackson, Post Office Box 3047, Macon, Ga., and the department adjutant is Mr. Ralph E. White, 1310 Lakeview Drive, Macon, Ga. The immediate past department commander is Mr. Bill Todd, 121 Central Avenue SW., Atlanta 3, Ga., serving for 3 consecutive years.

In Georgia the VA maintains three hospitals and one domiciliary; one 300-bed general-medical hospital at Atlanta; one 1,329-bed neuropsychiatric hospital at Augusta; one 421-bed general medical and tuberculosis hospital at Augusta; one 500-bed general medical at Dublin, and one 640-bed domiciliary at Thomasville, Ga. All of these beds are not filled by Georgia residents; many of them are veterans from almost every State in the Union who go or are sent to the Southeast because of climate conditions.

During the last fiscal year, the VA paid out $110,822,574 for its veterans program in Georgia, including $28,478,464 disability compensation to its 35,890 service-disabled veterans. These Federal expenditures in Georgia furnish substantial purchasing powers in all communities. Only about 8½ percent—3,033—are members of the 45 DAV chapters in Georgia.

SERVICES EXTENDED

This 8½ percent is strange, in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officers in behalf of Georgia veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	73,943
Claims folders reviewed	61,619
Appearances before rating boards	32,149
Compensation increases obtained	2,303
Service connections obtained	586
Nonservice pensions	824
Death benefits obtained	133
Total monetary benefits obtained	$1,713,911.20

These above figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years they reported 83,611 claims handled in such district offices, including monetary benefits of $20,850,335.32, and in the central office, they handle 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Georgia veterans, their dependents, and their survivors.

These figures fail properly to paint the picture of the extent and value of the individualized service and advice, consideration, counsel, and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guaranty loans for homes, farms, and businesses, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

PROSECUTION OF CLAIMS

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death, or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—too many times impossible. A claims and rating board can obviously not grant favorable action merely based on the opinions, impressions, or conclusions of persons who submit notarized affidavits. Specific, detailed pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what action for additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skills, except in behalf of worthy claimants, with justifiable claims.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon, than is the case of those claimants who have not given their powers of attorney to any such special advocant.

Another fact not generally known is that under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued and reduced as to about 27,300 others at an aggregate loss to them of more than $28 million per year. About 1.7 percent of such discontinuances and reductions have probably occurred as to disabled veterans in Georgia, with a consequent loss of about $476,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. I urge every disabled veteran in Georgia to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of

the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent expert national service officer.

COST OF DAV SERVICE

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

Evidently, most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income of its idento-tag—miniature automobile license tags—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they have previously sent in a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's idento-tag department, 4,756 of whom, during the last 8 years, were Georgia residents.

FINANCING DAV SERVICES

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much-needed public support as well as will enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much more could be accomplished for distressed disabled veterans if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

During the last 10 years the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating $3,300,000, exclusively for salaries to its national service officers. Its reserves having been thus nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all service claimants—DAV members and other social-minded Americans—by direct donations, by designations in insurance policies, by benefits in wills, by assignments of stocks and bonds, and by establishing special types of trust funds.

DAV MEMORIAL HONOR ROLL

A special type of memorial trust fund originated about 3 years ago with concerned disabled veteran members of the DAV chapter in Butte, Mont., which established the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation. Recently it added another $100 thereto. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,100, equivalent to about $5 per DAV member.

Each claimant who has received any such rehabilitation service can help to make it possible for the DAV to continue such excellent rehabilitation service in Georgia by sending in donations to the DAV Service Foundation, 1707 18th Street NW., Washington 9, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member, for which the total fee is $100 if born after January 1, 1922; $75 for those born between January 1, 1902 and 1922; and $50 for those born before January 1, 1902, or World War I veterans, payable in installments within 2 full fiscal year periods.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations, and various religious, fraternal, or civic associations. All of America's veterans ought to be members of one or more of the patriotic, service-giving veteran organizations—United Spanish War Veterans, the VFW, the American Legion, the AMVETS, and the DAV. All of America's disabled defenders who are receiving disability compensation have greatly benefited by their own official voice—the DAV.

The More Things Seem To Change in the Cold War, the More They Remain the Same

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EXTENSION OF REMARKS
OF
HON. WALTER H. JUDD
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. JUDD. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech delivered to the national strategy seminar, National War College, July 22, 1959:

THE BASIC THEMES

(By Hon. WALTER H. JUDD, of Minnesota)

General Armstrong, gentlemen, Dr. Kramer's kind remarks recall the years I worked in China as a doctor. In 1930, when I spent 8 months in an area under the Chinese Communists, they were then a little band of supposedly domestic revolutionaries, so-called agrarian reformers, controlling only two mountainous counties. From that time to this I have been a salesman for one idea: that Communists act like Communists. Unfortunately, I have been an unsuccessful salesman, as has almost everybody else who has tried to sell this idea. People insist on believing that they will act like nationalists, that Communist governments operate in terms of national interests. Therefore, if we offer a Communist government in Moscow something that would satisfy the legitimate interests of the Russian people, as Russians, we hope the Communist government there will be influenced or attracted thereby. Or the same in China. It is not so.

A very important official in Washington once said to me that he wasn't too concerned about Red China because he was sure that the interests the Chinese Communists have as Chinese would lead them into conflict with the Soviet Union. I had to say, rather unwisely, I suppose, "This proves, sir, only that you don't know anything about communism." He didn't like it.

The Chinese Communists do not act like Chinese. They were borne Chinese; they speak Chinese; they look like Chinese; but they are not Chinese. They have rejected every value and principle of Chinese culture and thought.

Chinese Communists act like Communists. They are not Chinese patriots; they are part of a world revolution.

We also imagine that Communists act like capitalists. If we will offer them some trade and some profits then they will think in terms of what we consider to be their legitimate interests, their material profits, and we can do business with them. But they don't operate in terms of profits. They are not capitalists.

And they are not Democrats. They are not interested in the well-being and the wishes of the people in the sense that democratically minded people are.

And they are not Christians. We always appeal to them on the basis of Christian, humanitarian motivations. But they are not Christians; they are not humanitarians. This is not to say they are bad people; they are Communists. They are good people, according to Communist standards.

We insist on projecting our values into the minds of people who reject and denounce those values, people who say the values are bad, even when men live up to them; and then we are upset when they don't live by our values. Why do we expect it?

All this is an unintended prelude to what I want to talk about this morning. People say, what a changing world ours is almost from moment to moment. I heard the 8 o'clock news on my car radio this morning. There was speculation about what Mr. Khrushchev had said yesterday. Didn't this hint a basic change in Soviet policy? Always we talk about changes that supposedly are taking place.

Of course, there are great changes in weapons; there are changes in machines; there are changes in means of communication, transportation, gadgets. But have there been many changes in human beings? What is done with the new gadgets is determined by what human beings think and feel, what is in their minds; their vanities, their ambitions, their urges, their follies, their foibles. These remain pretty much the same. In the end it is the human heart, the human being, that is our big problem. Not the machine, but the men who control it.

Looking at our world situation today, sometimes I think that the more things seem to have changed, the more they remain the same.

I

The first thing that remains the same, I have already mentioned: There still is in the world a Communist conspiracy, operated, directed from the Kremlin in Moscow with substations here and there. It has not changed.

Its objective remains the same—world conquest.

It is also still true that we are its main target. Why? Because we are all that stands between it and world conquest. When they are apparently aiming at Quemoy, or at Lebanon, or at something like West Berlin, we are the real target.

When a football player grabs the ball and starts to run, it is a touchdown that he is after on every play. If he can't get a touchdown, at least he hopes he can get a first down, or a few yards. If, at Geneva, they can't get the world by tricking us, maybe they can get a first down by disintegrating the West; or at least they may be able to get West Berlin. And if they can't get that, maybe they can get three or four yards—a thinning out of our forces in West Berlin—an acceptance of East Germany. If not that, at least they can hold the ground they have. They know they can hold that because we have told them in advance that we are not going to try to take anything away from them.

We are like a team that would stand on its 40-yard line and say to the opposing team, "Now, if you try to go through us, we will hold. We will fight back to stop you. But don't worry, we want to have good relations with you; if one of your fellows should drop the ball, we assure you that we will not grab it and run to your goal line. We are just holding on our 40-yard line."

Nobody ever yet won a football game that way. We can't win this kind of a world contest by just being on the defensive. No wonder they want to have conferences. They can't lose. And they can win.

But why we should want to go, I don't know; because we can't win; we aren't trying to win. And we can lose.

If you let me take the offensive and try here, try there, without any fear of defeat or even of reprisal, because you have assured me ahead of time that you are never going to try to score on me, then on one of my probings sooner or later I will break through and win.

Our maximum is just to maintain the status quo. Please, Mr. Khrushchev, be nice enough to give some more assurances like the ones you made before, which you didn't keep. I don't know what will give greater value to a new promise than the old one had. But we almost plaintively plead with them to give us another settlement, to let us hold just what we got at the last settlement.

The status quo is our maximum; it is their minimum. They can't lose; we can't win.

Their objective remains the same. No one can show the slightest evidence of any change in it.

Furthermore, the objective must remain the same. It can't change. They can no more have communism without this fixed, unchanging objective of world conquest than you could have Judaism without the Ten Commandments, or Christianity without the Sermon on the Mount. This objective is the heart of communism as the Ten Commandments are the heart of Judaism. We want communism without communism.

Why must it remain the same? The Communists will explain that to you over and over again, as they did to me in south China 29 years ago when I had some of them as my patients; and again in 1937 and 1938 in north China, when I had another batch of them as patients, including Lin Piao, later the commander of the Fourth Field Army which killed a lot of our boys in Korea. They spent endless hours explaining this. They don't apologize about communism. They boast of it. This is what they believe. They think we are stupid not to see that it is bound to win.

This objective of world domination must remain the same because their great goal is peace, defined in their terms. In order to get peace, they have got to abolish private property, and the capitalistic system which is based on private property. They believe that as long as anyone has capitalism, there will always be wars, because capitalism, based on the belief that individuals have a right to hold property as their own, develops selfishness in man, develops aggrandizing, acquisitive tendencies in man. Men try to get what doesn't belong to them. Then, of course, there are wars.

So they have to abolish the capitalistic system if there is to be peace. But they can't abolish the capitalistic system unless first they conquer the world. That is why the objective of world conquest cannot change. And since we are all that stands between them and world conquest, we are the main target. If we can be confused or lulled into slumber, or divided or separated from our allies; if they can weaken us, they soon will have the rest of the world. Then they can destroy the capitalistic system and the institution of private property. Then they can take children away from their parents so that the parents won't have the opportunity to teach them that they have rights of their own—just because they are human beings.

Then they can brainwash the youth, as they call it; bring them up just as Pavlov brought up dogs, really. He demonstrated that by strict control of the environment of young dogs, he could condition them to make automatic, predictable, unvarying responses. The dogs didn't decide Yes or No according to their own individual wills. They always gave the same answer to the same stimulus.

You and I believe that man has the capacity to make moral judgments. He has a free will. He can say "Yes" or "No," according to what we call his conscience. Communists say we believe these things only because we have been taught them by our parents or our teachers or our religious leaders, by our Declaration of Independence, and so on. But it isn't really so; we would not imagine we have the capacity to make individual decisions as men if we had not been taught that. And if we are not taught a belief in private property as a right, then we won't have an acquisitive urge to get it.

Human beings trained and conditioned by them, without the crazy notion of individual rights that we have been taught, will be cooperative and will think in terms of the masses. Nobody will want anything for himself. And then, of course, policemen won't be needed. And a government will not be needed. And the state will wither away, and men will have the perfect society with peace.

We object that they can't go against human nature. They say they aren't trying to go against human nature; that there isn't any such thing as human nature. Human nature is what you make it. We make it acquisitive and selfish. They are going to make it selfless.

So it is to get peace, and no government at all, that they must first have an all-powerful government—in the Kremlin. It must be all-powerful now in order to conquer the world and get rid of capitalism and these false ideas from the past—and then abolish itself.

It all sounds so convincing. You sit and listen to them in their enthusiasm and sometimes you wonder whether after all we are right, or they.

Of course, this line appeals to the youth in all countries because it promises quick and final answers. Young people everywhere are idealistic, they care about poverty, disease, squalor. They want to improve conditions. They care about the needs of men. Communism offers such attractive solutions.

So, naturally, their first target ideologically in any country is the mind of youth. By the time they get around to uprisings of soldiers, laborers, or peasants, they already have it in the bag. They have already enlisted the youth and trained them long and hard in the Communist faith and methods, as you are, I hope, being trained here, but in a different philosophy.

We say there is a North Star in the world. You don't have to chart your course by it if you don't want to; but there is a North Star. They say that there isn't any North Star. There are no such things as right and wrong, good and evil.

We say you can go with the grain in the wood, or you can go against the grain. But it is better to find the natural grain and go with it. They say there isn't any natural grain; they can make man and the world what they want them to be.

Look around you, gentlemen. Superficially examined, you can find an awful lot in the world that appears to be on their side.

So the Communist objective remains the same. It has to remain the same.

Their strategy also remains the same. It too is fixed. It is permanent revolution.

They are at war, first of all, with their own people. There would be a better chance of our getting along with them, making real peace with them, if they would first make peace with their own people, both in Russia and in China. But permanent revolution is an inherent part of communism. It is a way of life.

The tactics also remain the same—complete fluidity. Everything depends on the situation. One approach to the rich, another to the poor. One to the majority, another to the minority. One to the white, another to the black or to some other race. One to the nativeborn, one to the immigrant. One to the rural fellow, one to the city dweller. This is not just duplicity, this is smart tactics.

When they are winning, they are hard, tough, relentless. At Dien Bien Phu, the French asked for a truce for 24 hours to evacuate the wounded. The Communists, of course, wouldn't give them a truce. Not because they are cruel, but because their objective is victory. They are not humanitarians.

When they are losing, they are soft smiling, seductive. When they were losing in Korea, they said, "Let's have a truce." Truce is one of the five T's they persue tactically.

In the Chinese Communist catechism, which the youth are taught, there is a very illuminating sentence by Chou En-lai: "A truce is the military equivalent of the political tactic of coalition."

In politics, if you have enough votes to win, you don't ask for a coalition, you hold an election. But if you don't have enough votes you don't have an election as the way to get to power, you call for a coalition. For example, in Germany today, because they couldn't win an election, they urge a coalition of East and West Germany.

In politics, a coalition. In war, a truce. Not as a means of getting peace but as a means of getting victory. To them a truce is not a peace move; it is a military tactic.

If they haven't enough military strength to win, don't fight. Get around the table and maybe you can, by stalling, pretended negotiation, etc., get there what they couldn't win on the battlefield. When they couldn't win on the battlefield in Korea, they proposed a truce—not to end the struggle, which was our naive notion, but to win the struggle. End the fighting in Korea, where they couldn't win, to shift to Vietnam, where they could win. They really won in both places that way.

At the end of the war in China when Chiang Kai-shek had the upper hand, had the Communists surrounded in the northwest, for the first time was in a position to defeat them, they said, "We want a truce; we want a truce." We listened to them and forced the Generalissimo into a cease-fire. Four times in one year, 1946, we induced him to order a cease-fire. We put an embargo on 30-caliber ammunition for the 30-caliber rifles we had supplied to his best troops. The morale of Chiang's armed forces and of the Chinese people was destroyed. You can't build any military force or a football team up to a morale peak ready for

battle four times in one year, call the game off, and then be able to get the morale up again.

Soldiers and people both said, "Is communism an enemy or isn't it? If it is an enemy, let's fight it. If our leaders are going to have tea with them, then it must not be an enemy. Why die? Let's make terms."

Our American Ambassador to China was ostentatiously sent up to Yenan and hobnobbed with the Communists, putting both the enemy, and the Government of China, our ally, on an equal basis. Chiang Kai-shek was finished, of course, with his own people. They knew he could not make it if we were not really going to help him win. If we had treated the English, French, Italians, or Greeks after the war, the way we treated the Chinese, not one of them could have made it either.

We didn't give the Chinese proper aid to try to help them win. We tried to force them into a coalition with the Reds—because we didn't understand communism.

In Greece, the policy we followed was right. Mr. Truman deserves great credit for it. In 1947, he said, "It must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." Absolutely right.

We didn't go into Greece and say, "Listen, you ought to arrange a coalition with the Communists. You mustn't have a civil war. You mustn't have bloodshed. You must have a truce." Instead, we said, "We will help you only if you resist a coalition with the Communists and fight them instead." And we helped them build up their forces for that purpose.

Even so, we didn't make much headway until, 6 months later, we sent over General Van Fleet and authorized him to "advise and train at all levels." I fought, bled, and lost in efforts to get those same six words into the directive of our military mission in China in 1947. It never was done. On the contrary, our military mission in China was forbidden by us to advise and train the troops. They couldn't go within 50 miles of the battle lines. They couldn't go out with the forces in the field. They had to sit in Nanking and work out a logistic system on paper.

In Europe, we said, "We will help you only if you keep the Communists out of your government." In China, we said, "We will help you only if you take the Communists into your government."

In Europe, we said, "You must oppose the Communists." In China, we said, "You must appease the Communists."

In Europe, we said, "You must win the civil war." In China we said, "You must not win the civil war; you must have a coalition."

Our policy in Europe was right. It succeeded. Our policy in China was wrong. It failed, of course.

Why did we follow opposite policies on the opposite sides of the globe? Partly because somebody didn't discover that the planet no longer has four separate strategic areas; the Western Hemisphere, North Atlantic, Mediterranean, the Far East. The planet now is one strategic area. A major breakthrough in any one of the four will have disastrous repercussions on the others.

The first T, then, is truce, in any area where they are in trouble, in order to shift to some other area where they may be stronger.

The second T tactic is talk.

People say you never lose anything by talking. You don't? It was during 2 years of talk at Panmunjom that they got the H-bomb. It was during 2 years of talk on disarmament, our hopes lifted one day and dashed the next, all shadow boxing, that they got sputnik. Then they said, no more talks on disarmaments. The talks had served their purpose. There have not been any serious talks since.

Trade is another. Lenin said, "You can always count on the cupidity of the capitalists." So whenever they get in a jam they offer some trade.

This is an old one. You remember that in 1933 the Communist regime in Russia was at almost its lowest ebb. They were in great trouble at home. Litvinov came here and said, "You have a depression. There is mass unemployment in the United States. Don't you want to put your people back to work? Why don't you recognize the Soviet Union, and have a vast expansion of trade?"

So we recognized them, for that and other reasons. Did our trade go up? No; it went down. We have never had as much trade with the Soviet Union in a single year since 1933, when we recognized it, as we had had each of the 5 years before we recognized it. We had much better economic relations with them before we had official relations with them.

Because Communists are not capitalists. They don't trade for commercial reasons, to satisfy the needs of people, to improve their lot, to build better relations, to make a living in the process, and in the end to develop peace. Trade is a weapon for conquest, just like a bomb.

Mr. Mikoyan came over here in January. He obviously had a maximum objective. He hoped he could get some $2 billion worth of credit from the United States, so that they could use our money to buy our goods and machines, and then we would kid ourselves that we had sold them something.

I don't know whether he really thought he could get that. Probably not. But it couldn't do any harm to try. And if he didn't make any headway on that, at least he could make some headway at confusing us and softening us up.

To try to accomplish that, he used the next T, trust. He said, "Why don't you trust us? Why are you so suspicious?"

Most Americans are decent; they were caught in their consciences. They thought, "Well, it is kind of mean of us. Maybe we should trust them more."

Why didn't we insist that they first give us just one good reason to trust them?

I have a friend who was a great football player at Minnesota in the years when we had great football teams there. Three years ago this fall he said to me—this was when the Communists were in one of their periods of turning on the charm and the talk and the soft, smiling, seductive tactics, "Now they are allowing some Americans to come into Russia, they are raising the Iron Curtain. WALTER, you are just playing the same old tune I have heard you play for 20 years. Why don't you change the tune? We ought to give them the benefit of the doubt, believe the best of them, have faith in them, trust them."

I said to him, "How much is two times two?"

He said, "Four."

I said, "Why don't you change that answer? It is the same old tune you have been playing for 20 years. I am getting tired of that tune. Why don't we make it two times two is five, for a while?"

There are some things in arithmetic you can't argue about. And there are some things in communism you can't argue about.

I said to him, "Let's go out to the football game." The first game was coming up the succeeding Saturday—"I don't know much about football. You explain it to me. I think I can hear you say, 'Now, WALTER, keep your eye on the quarterback. He is the key man. Watch how skillfully he fakes a hand-off to the right—to confuse or mislead the other team, and then he will run or pass or something else to the left.'

"When you tell me that, I am going to say, 'How dirty can you be, imputing all those evil motives to that nice, clean-looking young Minnesota quarterback? You ought to believe the best of that boy. You ought to trust him. You ought to give him the benefit of the doubt. You are suggesting that he would trick that other team, that he would mislead them, deceive them. You ought to have faith in him."

I said, "You will say to me, 'WALTER, haven't you ever read the football manual? Don't you know that football is based on two things: power and deception? If you have enough power, you go through. If you don't have enough power, you use tricks. And that boy is the quarterback only because he is the very best man on the team at deceiving the other side.'

"When you make that speech to me, I will say to you, 'Haven't you ever read the Communist textbooks? Don't you know that communism is based on two things: power and deception?' " No, we haven't read. That is the trouble. We don't read. He thinks I ought to read the football manual, but he won't read the Communist manual. Just as a lot of people wouldn't read Hitler's manual. He wrote it all out—Mein Kampf—so everybody would be sure to know, but we wouldn't pay attention to his rule book; we insisted we could do business with him—on our terms.

Likewise, we insist that Communists are going to play by our rule book. No; they are going to play by their rule book; and their rules are power and deception.

Mikoyan is not their number two man because he is good at telling the truth. It is because he is good at deceiving the opponent. He is a smart quarterback, that is all.

If they haven't enough power to go through Turkey, they shoot a forward pass over Turkey to Nasser or Iraq. If they can't drive through Western Europe where we are standing firm, they try an end run across North Africa from Suez through Algeria to Morocco. If they can't get through Vietnam just now, they shoot a forward pass over Vietnam to Sukarno in Indonesia. He isn't sure he is the eligible receiver as yet, but the Commie pass is there for him to gather in if at any moment his confidence in us is shaken.

I hope you will forgive me for being so elementary. I work in a place now where I have to be elementary.

The only thing important in all this is that two times two is still four. We will never get anywhere with all the complicated speculation of commentators about supposed changes in Communist plans and purposes. All the little shades of offers and counter-offers at Berlin or Geneva or elsewhere don't make sense until we know by heart the rules by which the enemy plays.

This is not to condemn; this is just to recognize facts.

Mr. Mikoyan asked, "Why are you so negative? Why don't you take a more positive attitude?"

Some here said, "Well, he may be right; perhaps we shouldn't be so negative."

Why didn't we come back and say, "Who is it that is negative?" How many times have they used the veto at the United Nations? Eighty-seven times. How many times have we used it? Zero.

Then he said, "Well, what is the difference between our troops going into Budapest and your troops going into Lebanon?"

A lot of our people thought, "Well, he probably has got something there." No, he didn't have a thing there.

Why were our troops in Lebanon? Because nine countries within one 24-hour period said we had to come within 48 hours, and they included Greece, Turkey, Iran, Jordan, Lebanon, Saudi Arabia, Israel, Tunisia, and Morocco—or the Middle East from Morocco to Pakistan would be gone.

We went into Lebanon at their request. Did anybody request the Russian Communists to come into Budapest?

Second, what happened while we were there? Not a Lebanese lost his life. Twenty-seven thousand Hungarians were killed by the Reds in Budapest in a week.

Third, are we still in Lebanon? No, we got out just as soon as our mission was accomplished. Have they gotten out of Budapest? No, indeed. Every Hungarian would give almost anything except his honor to get them out.

Yet this man had the gall—not the gall but the skill in deception—to get up and say with a straight face, "What is the difference between Lebanon and Hungary?" And some Americans were stricken in their consciences.

Then he said, "How would you feel"—and you hear this repeated again and again by American clergymen, professors, statesmen, Congressmen, etc.—"How would you feel if we Russians had bases in Canada and Mexico, the way you have bases all around us, encircling the Soviet bloc?"

We tend to say, "Well, by George, that is right. You can't really blame them for being scared."

But there isn't a shred of validity to that argument if you take a good look at it. Why do we have bases around them? Because the threatened countries asked us to build them. When did we build the bases? After the end of World War II, we had come home and scrapped all our oversea bases, scrapped everything, until the Reds started their moves in Greece and Turkey and started the Berlin blockade and took over Czechoslovakia. It was then that we had to rebuild bases at the request of those people, in order to defend them and us against Soviet expansionism. Our bases are the consequence, not the cause of Soviet actions.

Have you known any Mexicans or Canadians asking Russians to come over and build bases in Canada and Mexico to defend them against the United States? If we were imposing our will upon Canada and Mexico the way the Communists are upon Czechoslovakia, and now in Tibet, or wherever it may be, the Reds ought to be building bases in Mexico and Canada to defend those peoples against the United States. But we are not threatening or forcing our will on our neighbors.

And yet these same old Communist themes, hammered out over and over again, continue to chip away the resolve of the American people and their confidence in their own cause.

We are prisoners of our decencies. We are victims, if I may put it that way, of our codes of sportsmanship. If a man on our football team clips, even though the penalty makes us lose the game, we don't yell; he violated the rules. But Communists don't have our rules. It is not dirty on their part when they deceive; it is just madness on our own part when we refuse to recognize that Communists act like Communists.

Fire doesn't freeze like ice; fire burns like fire. Ice doesn't burn like fire; ice freezes like ice.

Communism doesn't act like nationalism, capitalism, democracy, Christianity, humanitarianism. It acts like communism.

Truce, talk, trade, trust—all in order to get time. Time—for them to work and to get us to relax.

We have always given them the time. Whenever and wherever we had them over a barrel and they asked for time, we gave it to them.

Change the game from football to boxing. About the eighth round you see one of the contenders suddenly get very affectionate with his opponent. He just embraces him so lovingly.

Now, you don't have difficulty understanding a clinch. You know it doesn't mean that he has given up his desire to win the boxing match. You know that he is in trouble and his clinch is an effort to hang on, to get time until his head can clear, so that he can win, not so that he can lose.

Every time the Communists get into a little difficulty, they clinch. And we say, "Now they are changing; they have decided to give up communism and they are going to be democrats and we can do business with them."

But the more things seem to change, the more they remain the same.

II

What else besides the Communist conspiracy remains the same? The cold war; we have to resist the conspiracy.

Some people act as if the cold war is something that Mr. Acheson first or Mr. Dulles later thought up as a good policy for us to follow. I can assure you there isn't anybody in our country, or at least in the Congress, who likes the cold war. It is not a policy of choice; it is a policy of necessity.

What are the alternatives? One is surrender; do you want that? The other alternative is hot war. Do you want that? With those as the only alternatives, we have no choice except the cold war.

III

But we can't continue the cold war indefinitely. For one reason, it costs too much.

This noon at 12 o'clock we are going to vote—I hope we will adopt it—on the conference report on the mutual security bill. My committee has been working on that bill for more than 4 months, every day. There is almost $3.6 billion in it. Who wants to appropriate that for allies plus $40 billion for our own Armed Forces? No one. Yet if we don't spend more and more for our own defenses and those of other free countries, we invite insecurity—and disaster. But if we do spend more and more for arms and aid, and our currency continues to go down in value, we invite inflation—and disaster.

Either way, disaster. How would you vote?

This is why Mr. Khrushchev has said, "We will bury you." He thinks they are already far enough along so that possibility is in sight. I don't know. But I know there comes a point in a disease beyond which a patient can't be pulled back. Yet as a doctor I don't quit. I have seen many patients that looked hopeless, but we kept on working. Every once in a while a miracle can take place and we save them in spite of the odds. Sometimes the other side too makes mistakes that can save us.

Looked at superficially, they seem to have the edge today, with us in a box. We can't continue the cold war indefinitely. It costs too much and besides, we haven't enough patience; we get frustrated; we want quick answers. Some day we are likely to say "Yes" here or there, in order to get apparent relief from the tensions, and fall into their trap. We cannot escape the cold war.

IV

Another fact that remains unchanged is that we can't call the cold war off except on their terms; and their terms are surrender.

Mr. Roosevelt tried to call it off. He went to Teheran and made agreements; he went to Yalta and made agreements. Out of them came the division of Poland, and the division of Korea, giving the Communists North Korea and Manchuria. Many of our problems in the East and West today came out of those two conferences. We were trying to call the struggle off by giving them what would satisfy their national interests. But Communists don't operate in terms of national interests; they operate in terms of an international conspiracy.

Mr. Truman tried to call the cold war off. He went to Potsdam and there agreed to divide Germany and give them East Germany, in order to reassure them that they wouldn't have anything to fear on their west. The result is what we are wrestling with at Geneva now.

Mr. Eisenhower tried to call it off. He went to Geneva and tried his best to get a settlement. He succeeded in certain things.

No. 1: At that conference we didn't give away anything that did not belong to us; and that was a precedent.

No. 2: A lot of people in Europe thought that we were about to drop atomic bombs, that we were itching to start an atomic war. They had been fed that line. He convinced them that it was not so. People relaxed inside, our Allies and friends.

No. 3: The Communists didn't succeed in splitting the West, as they had hoped they might be able to do.

No. 4: He hit upon that inspired proposal of aerial inspections. "You come and take a look at us; we will give you our table of organization and let you see our armaments and fortifications if you will let us see yours."

I say this was inspired first because it was right and second, because it was smart. Whatever they answered, we were bound to win. If they said, "Yes," then we could inspect and photograph their installations, and learn a lot that we don't know. They would inspect and photograph ours and not learn anything that they don't know already.

If they said, "No," then it would be clear that they were the ones blocking peace, not we.

All these were gains. What was the loss? The big loss that outweighed the gains?

Mr. Eisenhower, in his eagerness to end the cold war convinced them (I think most of our own people demanded that he try to convince them) that they didn't need to be afraid of us—as if their aggressiveness and truculence are based on fear of us, rather than on Communist objectives. He assured them that they had nothing to fear from us; that we would never fight unless we were attacked. That is all they wanted to know.

Mr. Khrushchev went back from Geneva, called all his boys together and had one sentence for them: "We have nothing to fear from Eisenhower." Two weeks later he started operations in the Middle East, the armament of Egypt, and so on.

The mess in the Middle East came right out of Geneva. We went there to try to end the struggle; they went there to try to win the struggle to see how soft we were and where to make the next move with least danger to themselves. Yet some are today passionately urging further similar conferences with them.

We have lost every conference at the summit since the first one in 1918–19 when Woodrow Wilson tried it. Don't misunderstand me. A conference at the summit to finalize, to sign and seal, and to dramatize agreements already worked out can have great value. The conference at San Francisco in 1951, the signing of the Japanese Peace Treaty, was such. But if it is a conference to negotiate in public, it is fantastic to put faith in such a procedure with such an adversary.

"Open covenants, openly arrived at," Mr. Wilson said. This was the big mistake that jeopardized the rest of his magnificent career.

Open covenants, yes. Once they are arrived at, they have to be submitted openly to legislatures and to world public opinion, for rejection or acceptance. But they can't be openly arrived at.

I will bet that when you were negotiating with a certain lady to try to persuade her to throw in her lot with you for life, it was not in public.

As soon as she agreed, you rushed back to the fraternity and shouted "Boy, she said yes." Open covenants, yes; but not openly arrived at.

Nothing really important is negotiated in public. The steelworkers today are not negotiating in public. Neither side could make a concession in public because its own

people would tear it to pieces. But if they do the negotiating in private, each can make concessions. When they announce the agreement, there is a protest, but the quid pro quos are visible and it is accepted.

We go to the summit to try to get a bona fide settlement. They go there to try to appeal to our people over the heads of our governments, to divide and weaken our leaders by appealing to the hearts and desires of the people, their hopes and fears. There is no change in the fact that the Communists terms are surrender.

Of course, they don't demand surrender all at once. They are willing to to take it island by island, city by city, ally by ally, position by position, and principle by principle.

And they don't demand surrender under the name "surrender." They know that would be too difficult. They are perfectly willing to take it under some other name. For example, "disengagement" is one of the popular names for surrender.

We disengaged ourselves in Korea, you remember. It would be too difficult to hold on to the tip of that peninsula. Avoid trouble; disengage, we were told. So we withdrew our forces and thereby invited the Communists to come in—as they did.

Then we woke up to the fact it wasn't just the tip of Korea that was at stake; it was Japan, the confidence of the people of Asia in us, and the confidence of the people of the world in the United Nations collective security system. We had to go back in, not to save that tip of Korea, but to save our position in the Pacific and the world.

The Communists were angry at our reversal. I don't blame them. We had pulled out and given them a green light to come in. Naturally it did not occur to them that we would give up something we were interested in keeping. Then after we had invited them in, we turned around and drove them out—which was the first time we had ever double crossed the Kremlin.

Another name for surrender—Mr. Lippmann uses this one almost every week—is "a realistic readjustment." We aren't doing too well on the 40-yard line, so we should realistically readjust on our 30-yard line. Well, we may have to do it, but let's not kid ourselves that it is an advance. It is a retreat.

Another term is "a new approach." This is an intriguing one. We must have a new approach. We must be more flexible. Just why do we need a new approach if we are right?

There are five things I have told my 3 daughters all the years. One is that the first word for a girl is "no." Whatever the proposal, "no." You can change it later from "no" to "yes" and no harm is done. But if you have first said "yes" sometimes you can't change it back to "no." So the first word is "no."

The Communists know that. They have won victory after victory with one word: "Nyet." But we seem to have lost that word. Almost we pursue them, urging them to be nice enough to let us make another concession.

We make a new approach. They say, "no." So we make another new approach. They say, "no." We make another concession, and say, "This is our last offer." They say, "no." Then after a few days or weeks, we will make still another offer. No wonder they are confident that by being adamant, we will eventually whittle away our whole position—which equals surrender.

Why can't we also say "no," no matter how many times, until there is a real concession by them?

They say, "It is an abnormal situation to have your troops in Berlin." Why don't we reply, "Not as abnormal as for you to have your troops in Budapest."

They say, "We want Berlin to be a free city." Why not reply, "Gladly, when you agree to all Germany's being a free country."

They will also be glad to take our surrender under the name "peaceful coexistence." Peaceful coexistence is another fake move by their quarterback to give the impression that the world revolution has been called off. But note that they don't call it peace. They call it peaceful coexistence. That is smart. Peace means a settlement. Peaceful coexistence means: "Please, won't you be nice enough to let us Communists coexist peacefully as long as you are stronger, until we can become stronger?"

Then it will mean peaceful submission by us.

The Chinese have a saying that the only way you can get unity with a tiger is inside the tiger.

Fortunately, there are two other ways you can get peaceful coexistence with a tiger. One is to have him in a cage—containment. The other is to be strong enough to compel peaceful coexistence; which means you have got to have a chair to hold him off, and a whip to divert his attention, and a gun to shoot if necessary.

We can have peaceful coexistence with communism, if we are strong enough to compel peaceful coexistence—until it is weakened from within by its own inhumanities.

But the term "peaceful coexistence" to them doesn't mean coexistence by a genuine settlement. It means coexistence by our peaceful submission—achieved by them by the threat of force, if possible; or by the use of force, if necessary whenever they can become strong enough or we weak enough so that they think they can win.

Here is a book, "The Black Book on Red China," by Edward Hunter, the man who first organized our information about brainwashing in China. Hunter has a chapter on the "Code Language." A word means one thing to us but another thing to them. They can make a foreign language, in effect, out of our words: people, masses, peace, aggression, liberal, reliable. You ought to get the book and go down through the list of terms.

Lenin is reported to have said that the first steps in preparing a people for takeover are to debase its vocabulary and to debauch its currency. These are the two means by which people communicate with each other: words and money. If you destroy the integrity, the honesty of both, there is no way people can communicate. How can you negotiate when they don't mean by good English words the same things we mean by those words? The Communist pros know what we mean by our words; we don't know what they mean. We are helpless, like a ship without a rudder.

Another example is the phrase, "relax tensions." They say we must relax tensions—meaning give up our opposition to their further expansion. No; we must never relax tensions, until the causes of the tensions are removed. We must maintain tensions against whatever oppresses human beings and is aimed at destruction of ourselves. The problem is how to maintain tensions against tyrants without burning up from tension within.

I was trained in medicine in the period when we didn't know much about typhoid fever except that the patient had a very high fever. It seemed a good idea to bring the fever down—relax the tension. A standard treatment, when the temperature got above a certain level, was to put the patients in ice cold water. It frequently killed the patient, but it brought the fever down.

Relaxing tensions is a code word for peaceful surrender.

Well, if the conspiracy remains the same; and the conflict remains the same; and we cannot continue the conflict—the cold war—indefinitely; and it still is true that we cannot call it off except on their terms, and their terms are surrender; what else remains the same?

▼

It is still true that we have to win this struggle. And win the cold war is what we have never really tried to do.

Why haven't we tried to win the cold war? For two main reasons, I think. First, the fear that if we were to win the cold war, it might precipitate the hot war. If we push them back into a corner, they may cut loose with their bombs.

Now, that is a genuine hazard. But look at the alternative.

I wish more people in politics and newspaper writers and so on, had to study surgery. Surgeons have to make that kind of dangerous decision every day. A lady comes in with a malignant tumor in her breast. We tell the husband we shall have to remove the breast. He protests. "Doctor, it may take her life; it is mutilating. It is cruel, bloody. It is too dangerous."

We say, "The alternative is to do nothing, and that is more dangerous. She may die if we operate, she is certain to die if we don't operate."

Therefore, we follow the course which may lead, it is true, to a somewhat earlier death; but it more probably may prevent her death. To do nothing has greater risk, and no hope. To operate has less risk and some hope.

So, although it means taking the patient's life in our hands, we do not hesitate to choose the course of less risk and greater hope.

There is an inescapable risk in living on the same planet with this kind of a conspiracy, gentlemen. You can't drive your car back downtown through the traffic without risk. You can sit at home and perhaps live a little longer, but what kind of a life?

There is risk of hot war if we try to win the cold war, but there is also hope, both of freedom and of peace. And no other course gives hope.

A second reason why we haven't really tried to win is this: We have had a feeling that if we can just avoid a shooting war, we Americans will, of course, always win any other kind of war. This is not something we have thought out; it just flows from our typical American self-assurance.

We, of course, will always win any economic struggle. We haven't argued that, we just sort of know it in our bones. Are we so sure now?

We, of course, will win any educational struggle. Are we so sure? Last year in a big high school in my city of Minneapolis, there were 400 graduates and the top 5 honor students all came to this country from DP camps since the war. Are they smarter than our youngsters? No; they work harder; they appreciate their opportunity. We can win the educational struggle, if we work harder. But it isn't automatic.

We have taken for granted that we, of course, will always win any scientific struggle. Sputnik punctured that conceit.

If you are from out of town, you may not have heard the story that went around Washington after our Atlas satellite went up last Christmas with the President's voice coming back. The story was that as sputnik and our Atlas moved in their orbits, they ran across each other and Atlas said in English, "Good morning," and sputnik said in Russian, "Good morning."

They went around a few more days and they came across each other again. Atlas said in English, "How are you?" and Sputnik answered in Russian, "How are you?"

They went around a few more days before they came close again. This time Atlas said, "Now, nobody is listening any longer, let's both be natural and talk German."

There is no certainty that we will win, unless we work harder than they do. It isn't enough to outsit the Commies; we have to outwit them.

Another of these comforting assumptions is that we will, of course, win in any exchange-of-persons program. If we can

just avoid a shooting war and have enough people go back and forth, editors, professors, businessmen, farmers, youth, Congressmen, the Russians and we will get to know and understand each other better. Our system is better and will rub off on them. Theirs is bad and won't rub off on us.

This is an attractive idea; but it isn't necessarily so. I am all for exchange of persons—if we understand it is a tough contest and are willing to make the effort necessary to win. We won't win automatically.

The first reason is because there cannot be a real exchange. Who goes over from our side? Anybody who wants to go. He may be the most ignorant and naive person in our country, may never have read any of their rule books, may be totally unequipped to deal with them. But he can go if he wants to. He is like a brave soldier going into battle—with no training.

Who comes over from their side? Any Russian who wants to? No; only those who are reliable, which means so thoroughly indoctrinated and tested that their bosses are sure they can trust them. And, further, they are skilled in presenting Communist ideas, trained in the dialectic—that is, agents.

Who goes over from our side? Farmers. Whom do they send over? Agents.

Who goes over from our side? Journalists—to get information. Who is sent from their side? Agents—to sell their ideas.

Who goes over from our side? Professors. Who comes over from their side? Agents.

From our side, Congressmen and Senators. Their side, agents.

From our side, clergymen. Their side, agents.

From our side, students. Their side, agents.

From our side, businessmen. From their side, agents.

Why are they now opening a chink in the Iron Curtain? The reasons are easy to see, I think. First, they don't need the curtain so much now. In the beginning, they didn't want to us to see how weak they were, because they assumed that if we saw how weak they were, we would move in on them, as they would move in on us if they saw we were weak. But now they don't need to keep things so concealed, because they are not weak; they are strong. They are glad to have us see that.

Besides, they may have waked up to the fact that the Iron Curtain was probably a historical mistake in the beginning. They don't need to have an Iron Curtain in order to maintain a dictatorship.

Hitler didn't have an Iron Curtain. Who were his best salesmen around the world? Goering? Goebbels? Not many believed them. His best advertisers were American tourists—especially those who boasted that they were hard-headed, practical business people. They didn't need to bother with ideas, or words. They could tell by what they saw.

What did they see? Streets clean, trains on time, no unemployment, no beggars, maternity benefits for the women, summer vacations at public expense, highest standards of living in Europe. What was wrong with that? A system with such fine results must be all right. Don't look in the gas chambers over there. "We can do business with Hitler."

Who believes Khrushchev? Not very many. Some believed Mikoyan. Not so many believed Kozlov. But if our own Americans come back from Moscow and say, "We found the people of the Soviet Union very friendly and earnestly desiring peace," doesn't that prove we can get along with the Soviet Union? No. It merely proves that the people of the Soviet Union are very friendly and earnestly desire peace. It doesn't prove anything at all about the Soviet Government.

The people in every country are friendly. The people in every country want peace. But the people don't have anything to do with their government in a Communist state. That is the point.

We want to make it easy. If the Russian people are friendly, we conclude that, therefore, we can trust the Soviet Government. Or if the Soviet Government is evil and aggressive and we must resist it, then we seem to think we have to hate the Russian people, for some immature and nonvalid reason.

We will lose, not win, in this exchange of persons if the Americans who go over and see that the ordinary Russian people are friendly conclude that therefore we can relax and trust the Communist rulers.

We aren't so foolish in other walks of life. We don't say, "Put the rotten apples in with the good ones. There are only two rotten ones in the whole barrel. The good apples will prevail over the rotten apples."

We don't say, "It is too cruel to isolate and quarantine that TB case or that smallpox case. How can the patient get better if he isn't allowed to associate with healthy people? Put the diseased with the healthy. The healthy will prevail over the diseased."

No; it is the other way around. If you want to live, you had better keep persons with a vicious, contagious disease quarantined until cured or the disease has run its course.

In economics, we don't say, "Don't worry about that unsound currency; don't worry about the bad Communist economic system. Ours is sounder and it will prevail." It will? Almost the first and most elementary law of economics is that bad currency drives out good.

What goes on that these simple themes that they play over and over again still have such plausibility and appeal? Why do we still insist on believing what we want to believe; or that our honest words mean to them what they mean to us? We just won't do our homework.

VI

There is another fact I want to mention which still remains the same. It is still true that meeting them with firmness and strength, what I call the four P's—power in support of principles, pledges, and peoples—prevents aggression.

Six times in the years after the war they probed us, tested us; and we stood firm. The first three probes were in Azerbaijan, in Greece and Turkey, and the Berlin blockade. We and others stood firm, defied them—and worked hard. The Kremlin blustered—but backed off. No war.

The fourth was the NATO proposal. The Kremlin threatened that it represented Western war-mongering and would lead to war. We all went ahead and formed the alliance anyway in order to build greater strength and unity. The Soviets haven't moved a foot against any NATO country.

The fifth test came over the proposal to give Germany her independence, allow her to rearm, and bring her into Western European union. The Soviets screamed that this was a reconstruction of Hitlerism. (They are playing that record again now.) They warned that this would surely lead to war. To underline their threat, they unilaterally abrogated their treaties of nonaggression and friendship with England and France. Some people panicked, but the West kept its nerve.

You know, when they get tough, we generally do pretty well. It is when they smile that we get confused.

We all went ahead to give Germany her independence. She threw in her lot with the West, began to rearm. Did it lead to war? No. A few weeks later the Kremlin said, "Let's sit down and have a nice, chummy conference about Austria."

We got the only diplomatic victory in Europe in all these years—the first time they have withdrawn troops—right after we had stood firm when they were threatening war.

The next was in the Formosa Straits in 1954–55. We had been backing up in Asia for a decade, except for 1 year in Korea. The Chinese Reds shouted that nothing could prevent their taking Formosa. Finally, the President said one day in a press conference: "If they take Formosa, they will first have to run over the Seventh Fleet." Apparently they went out and took a look at the Seventh Fleet—and decided not to take Formosa. Instead, they went down almost immediately to the Bandoeng Conference and said, "We don't like bloodshed; we are men of peace. Let's all sign agreements based on the five principles of peaceful coexistence."

Confronted with strength on their west, no war; "Let's negotiate."

Strength at last on their east, no war; "Let's negotiate."

Why? They wanted to go south for the moment, where there wasn't any strength. They could come back to the east and west later—whenever we relaxed.

Here was the Middle East—a strategic prize second only to Western Europe. The bridge to Africa; the Suez Canal; oil. Besides, it was boiling with conflicts. England, Greece and Turkey quarreling over Cyprus; North Africa against France; and the Israel-Arab dispute. Where was there ever better fishing?

Logically, the first of the three probes they have made in the last year was in the Middle East. Some asked, "Why are our troops going to Lebanon? Why are you Congressmen always so interested in greasy oil for Wall Street millionaires?"

Now, we weren't interested in greasy oil for millionaires anywhere. We were interested in the fate of the United States, Europe, and the whole free world.

The fate of Europe was directly involved in the Middle East. And we are vitally interested in Europe's survival. We have put quite a bit of effort and money into it—two wars plus the Marshall plan.

In Western Europe is the largest body of highly skilled manpower in the world—275 million people as against our 175 million. Just as capable, and, all the countries together constituting the world's second best workshop. But they don't have adequate fuel. They don't have enough coal; and atomic energy is not yet economically or technically feasible. So, most of their fuel is oil.

Europe gets its oil from three main sources: The Middle East, Venezuela, and the United States. The largest amount comes from the Middle East which has two-thirds to three-fourths of the world's known reserves of oil. The Soviet Union doesn't need the oil, but if it can shut it off from the West—if it can break the pipelines or disrupt the oil fields of the Middle East, then Europe is dependent upon the other two sources.

What is the second largest? Venezuela. Is there any mystery about the preoccupation of world communism with Venezuela?

If they can knock that supply out also, then Europe will be dependent upon the third source, the United States. Again, we are the target. Bleed the United States—bleed her oil, bleed her money.

If these things should happen and Europe becomes dependent on us, and we don't furnish the oil, then Europe's wheels will grind to a halt; Europe's people won't have work to do; soon they won't have food to eat; there will be unrest and revolution. And the Soviet Union can get Europe—through Iraq and the Middle East. This is part of why we had to go into Lebanon. The Soviets threatened atomic missiles. We all stood firm and acted resolutely. No war.

Their second test in the last year was at Quemoy. People asked, "Are we going to go to war over Quemoy?" No. There never was a chance of that. The President made that assurance repeatedly. But the issue never was Quemoy.

We got into a war a hundred years ago, a terrible war, following the bombardment of an island that lies off the coast of South Carolina just about the same distance as Quemoy lies off the coast of China. But you wouldn't contend that we got into the Civil War over Fort Sumter. We got into the Civil War and fought 4 years over what kind of a country this was to be; or whether it was to be one country—an issue with which we had been struggling for almost a hundred years.

Fort Sumter was an incident, an occasion. It was not the cause. The same with Quemoy. The issue was not Quemoy, a pile of rocks. The issue was conquest by the use of force. Are disputes to be settled by lawless violence and aggression, or by civilized means?

The stake was not Quemoy; the stake was the whole Far East. The Communists were not trying to get just that island. We were not trying to save just that island. They were after—and they said it openly many times—Quemoy, Matsu, Formosa, and "expulsion of the United States from the Western Pacific." Our position in the Pacific was the real target.

If they could show the people of Korea, Japan, Taiwan, Philippines, Vietnam, Indonesia, India, Burma that the United States is what Mao has called it, a paper tiger, that it is an undependable ally, one that puts its tail between its legs and runs when threatened, then the Reds would soon have the Far East. That is what they were after. The stake was Asia, and our own security in the Pacific.

And the problem never was Quemoy. The problem was, and is, Red China. People ask, "What are we going to do about Quemoy?" Well, is that island hurting anybody? We'd better keep our eye on the ball and ask instead, "What are we going to do about Red China?" That is a problem, believe me. I hope we aren't going to do anything that will make it stronger, and a still bigger problem.

Some people suggest that maybe we can solve the problem by helping the Chinese Communists win. That was Mr. Atcheson's theory for a time—that the way to make the Communists fail was to help them win. So we should work for a coalition in China, recognize them, trade with them, etc.

Other people say, "Well, they are there; realism demands that we recognize them." Now we are fully aware that they are there; but that does not mean we should recognize them officially and thereby make them stronger. It isn't because we are hiding our heads in the sand or trying to deny their existence, as some charge, that we refuse to give them official recognition. Rather, it is because we are acutely aware of their existence—and we don't want to make them any stronger.

We have negotiated with them officially 87 times in the last 5 years—at Geneva and Warsaw—trying to get them to let out our prisoners of war, as they promised to do, and to agree to refrain from the use of force in the Formosan Straits. They have demanded every time "withdrawal of the United States from the western Pacific." That is the price. Give up Asia—which would mean the demoralization and disintegration of the free world.

There are gangsters in Chicago, but we don't say that therefore we ought to bring the gangsters into the FBI, because how can the FBI plan its campaigns against the gangsters if it doesn't have the gangsters in the FBI to help it plan its campaign against the gangsters?

That is supposed to be realism. Of all courses, the most unrealistic is to build up one's enemies.

Then there is the universality argument. Some say, "Bring them into the United Nations, because all existing governments should be in it." Again, they won't read. The United Nations was never intended to be a universal organization. The language of the charter is plain and clear.

At San Francisco, the founders of the United Nations debated and rejected the concept of making it a universal organization. It is supposed to be an organization of peace-loving nations against gangsters, not a league with the gangsters. The charter says, "membership shall be open to other peace-loving nations which will accept the obligations of the charter." What is the first of the obligations? "To refrain from the use or threat of force in international disputes." Read it.

If you want to change the United Nations and make it a league with the gangsters, then amend the charter. But don't nullify it and make a mockery of it and its principles and commitments. Millions of people want the United Nations to be an instrument for freedom, and justice, and peace in the world. Don't drag it down to the level of the lawless; bring them in only if they are willing to come up to its level.

People said Mr. Dulles was just stubborn, capricious, arbitrary in keeping the Chinese Communists out. No, the United States is not keeping them out. They are keeping themselves out. They refuse to qualify. All they have to do to get in is to meet the entrance requirements by renouncing in a dependable way the use or threat of force against their neighbors.

A youth comes to a university and says, "I want in."

The registrar says, "What are your qualifications?"

"I went through the eighth grade."

"Sorry, you can't get in unless you have a high school diploma."

"I can't? It says 'university.' That means universal. That means everybody is entitled to be in. Besides, I have a gun. You let me in or I will shoot."

If the Chinese Reds want in, just let them qualify by giving up their aggressive expansionism. They will be admitted at the next session which begins in 6 weeks. But, of course, they can't give up conquest by the use or threat of force until they give up communism.

It is easy to see why the Communists want in. It will give them prestige, influence, power. That is why all Communists everywhere work day in and day out for Red China's admission. They know that would give them the ball game. We ought to know it too. If the strong accept them, can the weak continue to resist them? The Communists know, and so do the other peoples of the Far East, that once Red China is admitted, it won't have to fight for the rest of Asia.

Someone always objects, "But Russia is in the U.N. What's the difference?" The difference is that Russia got in at the beginning while pretending to be peace-loving and democratic and willing to fulfill international obligations. Red China does not even pretend.

It is bad enough to have made such a mistake when most people didn't know. What excuse is there for making it again when everyone does know?

The question is asked, "Well, if we are not going to admit Red China, why not kick out the Soviet Union?" It is a good question, but a useless one. It is not possible to kick out the Soviet Union. Under the charter it can veto its own expulsion.

Someone will say, "But how can we influence the Chinese Communists if we don't have them in the United Nations?"

Well, how can we influence them if we do have them in? We have had the Soviet Union in from the beginning. Can you show me one instance where we have had success in changing its policies?

This is the argument of the lady who thinks that the way to reform a brute is to marry him. It never works, but some are always trying it. Why doesn't it work? Because once she has married him she has lost her bargaining power. Why in the world should he reform after he's already got her?

Likewise, Red China wants in without changing her ways so that she can have all the advantages of being in, plus all the advantages of being out. In both places she will be working against it. Here again, we didn't see what Communists were really after.

President Roosevelt had what he called the grand design. It was described in articles in the Saturday Evening Post or Colliers, written by Forest Davis and Ernest Lindley, in 1943 and 1944, OK'd by Mr. Roosevelt personally. The grand design was to make concessions here and there as necessary to get the Soviet Union to join in forming a world organization for peace.

In the last speech he ever made, he said that he didn't like the concessions he had made at Yalta regarding Poland, but he thought they were necessary and justified if we got the Soviet Union to come along—the assumption being that if they came in, the rotten apples would be cured by association with the good apples. I don't say this in criticism of him. We were all part of that same pattern of thought—or all who hadn't learned about Communists the hard way. We hadn't learned their basic themes.

We were too naive to realize, too decent even to suspect, that if they came into the United Nations, it would be for exactly opposite reasons from the reasons that motivated us.

We thought that everybody that joined would come in, of course, in order to use the organization as a means of resolving disputes. The Communists joined in order to be in a position to make sure that the organization did not succeed in resolving disputes.

Why? The answer is simple. They have a world organization of their own—the Communist Party. It has organized, efficient, disciplined units in every country of the world. They intend to win for their world organization. What could be more advantageous than to have a seat in the rival world organization—the United Nations—where, perfectly legally under the Charter, they can keep it crippled, emasculated, ineffective—while their world organization goes to town? They joined the United Nations to make sure it doesn't work. Naturally they have vetoed every key decision that was in the direction of real peace. It is all plain to anyone who will look.

The third probe this year was at Berlin—still going on. Remember that cool firmness and strength have not yet led to war. Weakness, softness, indecision, vacillation, have led to war four times this century. The way to prevent aggression should be clear to all.

VII

Another fact that unfortunately remains unchanged is that we have developed no adequate defense against this enemy. Why? Because we haven't yet quite accepted the fact that this is a different kind of enemy from any we have faced previously.

We have West Point to train men for land warfare. We have Annapolis to train men for naval warfare. We have added Colorado Springs to train men for air warfare. But now we have an enemy who doesn't limit himself to these ways of fighting—he wages total warfare. For that we have no academy—except, perhaps, this seminar. No academy working to understand and systematize our knowledge of, and to train men and populations to fight total warfare—military, economic, political, educational, cultural, social, propaganda, deception, subver-

sion—and a dozen more. We have no organization, no agency that is concentrating on just this—specializing in it.

There are recognized rules for traditional warfare. But this is a different kind of warfare—with quite different rules. We haven't learned them; in fact, haven't formulated them, as Clausewitz and others formulated the rules of traditional warfare.

We are like Braddock and his Red Coats when they came over to this country to fight the Indians. He insisted on fighting Indians according to the rules of warfare in Europe that had come down from the Knights of the Round Table. Opposing armies wore different colored uniforms so each would know which were the proper targets to shoot at. They lined up in proper order according to the codes of chivalry. Braddock insisted on fighting the American Indians according to European positional warfare—the only kind he knew. You know what happened to him. He lost.

Fortunately, he had along with him a man named George Washington, who knew something about the Indians. His scouts didn't hesitate to be so mean and unorthodox as to get down behind the bushes and fight Indian warfare. They saved the day.

We haven't any organized unit responsible for doing on a comprehensive scale or official basis, the work that is necessary to develop a science for fighting this different kind of warfare. And we don't have a body of disciplined men, either governmental or civilian, trained in total warfare as the Communists' cadres have been trained for years in how to create riots, how to organize subversion, how to break down communications, how to paralyze the will and the industry and the government of other nations.

Our Foreign Service is magnificent for the old kind of diplomacy, trained to observe, to analyze, to report, to interpret and to transmit. But now our Ambassadors are called upon to manage in some countries a $200 million foreign aid business every year. How many executives does our whole country have that are qualified to conduct such complicated operations? How many such executives are in our Foreign Service? Who is being trained to carry on the kind of total war we are in the midst of now?

VIII

We not only have no adequate defense; we have developed no adequate offense. We have not thought out and systematized the science of taking the initiative for our total cause. Not just with our arms, but with our ideas, the values and the virtues of our system which have given dignity to human beings and better living standards than any other ever has. How many can sell that system with contagious enthusiasm, or even explain it?

We haven't let loose in our world the dynamic forces of freedom in our day, as our forefathers did in theirs causing peoples everywhere to look toward the "American dream" with stars in their eyes.

In short, we haven't got a strategy for victory. We have only a strategy for holding what we have. Can we hope to win just by holding? No, we must have a strategy of victory.

You remember what our national anthem says? "Blest with victory and peace."

The first condition is victory. It has been demonstrated again and again that it is possible to get victory and still not get peace.

But it is not possible to get a peace that will last without victory. We haven't developed a strategy of victory for this kind of war. We haven't mobilized and released in the world the truly revolutionary forces of freedom.

Well, what are we to do? First, wake up. The Communist target is not just land. The target is man—the mind of man, the whole of man.

Second, we have to study our enemy far more thoroughly. It is so elementary to say that we must know our enemy that, again, I apologize. But it is the big essential.

Some of us have introduced a bill to set up a Freedom Commission to study this whole matter—as the Atomic Energy Commission concentrates on atomic energy and the Space Committee on astronautics. It would have authority also to set up a Freedom Academy so that, somewhere in our Government, there would be an organized group of people working day and night like men in a monastery, to master this new warfare.

Third, we must know ourselves; beef up our weak spots, and concentrate on our strengths. It is by development of our own strong points that we can win victory.

It is the same old fundamentals: Know our enemy; and know ourselves.

The Commission would develop the science of total warfare, it would arrange to train specialists in it, both governmental personnel and selected civilians—journalists, professors, scientists, executives, Reserve officers just like yourselves. It would train them to be professionals in these basic Communist themes, so that our people can't be fooled.

Fourth, we must not let the Communists win any more victories. They are in trouble today—in Berlin, in the Soviet Union itself, in Red China. Keep them in trouble.

Naturally, they want to liquidate West Berlin—for at least three big reasons. One, it stands there as a showcase of freedom. Who will believe their propaganda for communism when in West Berlin people are living so well, and across the street in Communist Berlin are living in misery?

Two, West Berlin is an escape hatch from slavery to freedom. Three million people since the war have come through that escape hatch—from East to West. Two thousand every week. Two to five hundred a day—right now. Naturally, the Reds would like to close that. Especially would they like to have us help them close the door and turn the key in the lock of the jail which is Eastern Europe.

Three, they are afraid of East Germany. They are not so afraid of attack by West Germany; they know it cannot start a war. But they have 22 divisions tied up in East Germany just to hold down the East Germans.

Doubtless they would like to move into Iran—there is good fishing in the Middle East right now, and their radio attacks the Government of Iran every day. But they hesitate to start too big operations in Iran, or anywhere else, just now because East Germany and the satellites might blow up.

And yet we seem to be trying to liquidate the West Berlin situation. I don't know why. They are in far greater trouble there than we are. Let's keep them in trouble, unless and until they are willing to make real and solid concessions.

They are in trouble in Russia, especially among the youth. They wouldn't be reorganizing the educational system that has brought them world leadership in science if they did not have some real difficulties there. Universities that produce scientists—men who ask questions—produce also revolutionaries. But I haven't time to discuss that here.

They are in trouble in China. You hear people say, "Look at the power of the Chinese Communists. They can put 600 million people into communes. Now, they do have a powerful police state, but such a use of their power is not a sign of strength; it is evidence of terrible weakness. Do you know any country where the people enthusiastically support their government and the government has to lock them up every night? And doesn't dare let them out to work in the fields by day except under armed guards like convicts on a road gang? This is a sign of incredible weakness; it reveals the mass opposition of the people.

The Communists are in trouble at home. Stand firm against any steps or concessions or deals that will help them out of their trouble.

IX

There is still one more fact that remains unchanged—the most encouraging. The urge of man to be free has not been crushed or washed out. It is stirring mightily once more in the world. Not so much among those of us who are still free, but among those who have been deprived of their liberty. And the Communists are afraid, most of all, of that yearning of man for freedom.

At the United Nations where I served as one of our delegates 2 years ago and dealt with the Communists daily, I became convinced:

1. That they are not afraid of attack by us. They know we won't start a war; and despite their threats, they are not going to start one—yet.

2. They are afraid of the people behind the Iron Curtain. Hungary really shook them. I think they believe that they have got to win the whole world, including the United States, within the next few years; or the forces of freedom at work within their own countries and the satellites will weaken them so that they will lose the whole world, including the Soviet Union, within the next few years. Therefore, they are men in a hurry.

3. Before they dare start action against the outside world, they must first break the will-to-resist at home. The people they are afraid of are the 900 millions behind the Curtain, among whom the urge to be free and to live in dignity is moving mightily again.

4. How can they break the will-to-resist behind the Iron Curtain? There is only one way: to confuse and beguile and soften us up; and get us to abandon those millions to their fate.

Their efforts are designed to break the will-to-resist of the captives by trying to weaken our will. If they can get us, under the slogan of relaxing tensions, to accept what Khrushchev calls "the historic changes"; that is, to accept the enslavement of the peoples of Eastern Europe—then that may bring the beginning of the end of the opposition of those peoples.

How long can the people there resist the tyrants if the West accepts those tyrants and appears willing to abandon their victims?

Gentlemen, the strongest weapon we have is not our atomic bomb. And our best ally is not England or any other country; it is 900 million human beings behind the Iron Curtain. They are the most dependable ally, the most strategically located, the one the Communists know they cannot fool, the one the Communists are concerned about most of all.

The test to which you and I ought to subject any proposal made by anybody is just this: If we were to follow the proposed course, would it strengthen the oppressors? Or the oppressed?

Would it give the dictators more influence, power, prestige, respectability, acceptance? Or would it weaken them?

Conversely, if we were to follow the proposed course, would it strengthen or weaken the will-to-resist of the people, their hopes, their morale, their determination to hang on and to bleed the despots by millions of pinpricks, until they can be weakened and pulled down from within?

Does America stand with the oppressors? Or with the oppressed?

Do we believe we can get lasting peace by deals with tyrants at the expense of their victims? Or do we stand with peoples against tyrants?

All this means: Do we believe in ourselves? Do we have as much faith in our faith as they have in theirs?

Steadfast firmness and strength in support of the right, of freedom, and of our own historic principles is not a sterile policy. It is an extraordinarily productive policy. Don't abandon it, especially right now when it is getting results.

The key is power. But not just power.

It is power in support of principles.

It is power in support of pledges, honorable commitments—so that free men everywhere will know that we won't let them down, we will not break our word.

And it is power in support of peoples, as against tyrants.

It is time for freedom to be on the march. Toynbee has said, "When the frontier between two civilizations stands still, time operates on the barbarians' side." Why? Because they have the will to win. They are tough. They are willing to work.

Too many of us are saying to Khrushchev, "Please let the frontier stand still. It's too bad what you have done to those whom you have already beaten down; but if you will just let us alone, let us enjoy our comforts, what you did to them will be all right with us." This is the way of suicide.

But if, instead, our people will take the trouble to study the Communists and study ourselves and really work at our faith the way they work at theirs, I haven't the slightest doubt as to the outcome.

The Democratic Web of Inflation

EXTENSION OF REMARKS
OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, President Eisenhower recently defined inflation as being—"when you take a market basket full of money to the grocery store and bring back your pocketbook filled with groceries."

The distinguished Democratic chairman of the House Appropriations Committee [Mr. CANNON] had this to say about the impact of the Democratic-controlled 86th Congress on inflation:

> We cannot escape the responsibility for the situation as we find it today. Congress spent the money and increased the national debt and brought on the inflation. The responsibility is right here on this floor. We cannot offer an alibi. We cannot pass the buck. * * * Congress did it and let no one try to make the people back home believe any different. * * * this Congress has doubled the cost of breakfast, doubled the cost of school clothing. * * * Congress has increased the cost of living, of every family in the district of every Member of this House.

Bear in mind the chairman of the House Appropriations Committee was talking about a Congress in which the Democratic Party has a majority of 283 to 153 in the House and a majority of 65 to 35 in the Senate—a margin in each House of almost 2 Democrats for every 1 Republican.

Regrettably these remarks are applicable not only to the 86th Congress. Mr. CANNON'S remarks are equally applicable to previous Democratic-controlled Congresses such as the 85th and 84th Congresses, the 82d and 81st Congresses, the Democratic-controlled Congresses from the 79th through the 73d Congress.

In the last 27 years the Democratic Party has had control of the Congress in 23 years and has approved deficit spending budgets or deficiency appropriations resulting in deficits in 20 of those years. The average annual deficit in those 20 years of Democratic deficits was $13.5 billion.

Fiscal year 1951 was the only year in the last 27 years in which a budgetary surplus occurred while the Congress and the Executive were under the exclusive control of the Democratic Party. We will all recall that this unusual Democratic surplus happened under revenue circumstances of the highest individual, corporate, and excess profits tax rates in our Nation's history and while our defense spending for the Korean war was mired in bureaucratic indecision after 5 years of Truman neglect of our Nation's military preparedness.

The other 2 fiscal years, 1956 and 1957, in which budgetary surpluses occurred while a Democratic-controlled Congress was in power, can in almost exclusive measure be attributed to the diligent endeavors of the Eisenhower administration to place our Federal Government on a pay-as-you-go basis. It should also be remembered that these surpluses were realized after economic growth had been stimulated by a $7.5 billion tax reduction program accomplished by the Republican administration and the Republican 83d Congress when a budget surplus was at hand.

Since the last Republican Congress in 1953–54, we have had 5 years of Democratic legislative control. The record documents the inescapable conclusion that without the Republican administration and the Republican minority in Congress to serve as a bulwark for the protection of our Nation's fiscal and monetary integrity, the American people would today be caught in a web of disastrous inflation spun by the Democratic Party. The Democratic Party has used its control of the Congress in the past 5 years to try to return this Nation to the discredited spending practices of the voter-repudiated Democratic Fair Deal. The Democratic Party in seeking to undermine the budget-balancing endeavors of the Republican administration has kept our Nation from making the progress we otherwise would have made in bringing order to our Nation's fiscal and monetary affairs.

Since the advent of the Eisenhower administration in January 1953 certain political demagogues have consistently carped at the administration's fiscal and monetary policy. In essence they have claimed that on the fiscal side we have spent too little and on the monetary side we have inflated not enough. Either these advocates of "spend more and pay later" are dissatisfied that our tax rates are too low or that our $290 billion public debt should be higher; this conclusion is evident from their relentless clamor for more spending, more Federal Bureaucracy with less States rights, and more erosion in the purchasing power of the dollar.

Criticism by the irresponsible demagogues with respect to the Eisenhower administration's endeavors to protect the purchasing power of the citizen's dollar is not seriously heeded by most thinking people. Unfortunately in recent weeks responsible House Members in positions of Democratic leadership have begun to parrot the leftwing line of budget buffoonery. Our Nation's economic strength demands that inflation and its causes be effectively dealt with by all thoughtful citizens regardless of party. It is only in this way that we can curb inflation, foster meaningful economic growth for our Nation, and preserve the vitality of our free enterprise system.

Mr. Speaker, in the remainder of my remarks I would like to restate briefly the recent criticism of the administration's monetary and fiscal policies, examine into the validity of that criticism, review the fiscal accomplishments of the Eisenhower administration, and then examine inflation's causes and its impact upon our economy.

In essence, the criticism is that the monetary policies of the administration are inconsistent with its fiscal policies in that so-called tight money thwarts economic growth and that when inflationary deficit financing is added, the combination results in rising prices without achieving full employment. The charge is also made that the administration is responsible for deficit financing and loose fiscal policy. Now that we have stated the charge, let us examine the facts. Let us see what political party is responsible for loose fiscal policy—high taxes, deficit spending, and mounting debt.

For convenient reference I will at this point in my remarks include as table 1 a summary of budget totals and public debt for the period 1933–59:

TABLE 1.—*Budget totals and public debt 1933–59*

[In millions of dollars]

Fiscal year	Budget receipts	Budget expenditures	Surplus (+) or deficit (−)	Public debt at end of year
1933	2,021	4,623	−2,602	22,539
1934	3,064	6,694	−3,630	27,053
1935	3,730	6,521	−2,791	28,701
1936	4,069	8,493	−4,425	33,779
1937	4,979	7,756	−2,777	36,425
1938	5,615	6,792	−1,177	37,165
1939	4,996	8,858	−3,862	40,440
1940	5,144	9,062	−3,918	42,968
1941	7,103	13,262	−6,159	48,961
1942	12,555	34,046	−21,490	72,422
1943	21,987	79,407	−57,420	136,696
1944	43,635	95,059	−51,423	201,003
1945	44,475	98,416	−53,941	258,682
1946	39,771	60,448	−20,676	269,422
1947	39,786	39,032	+754	258,286
1948	41,488	33,069	+8,419	252,292
1949	37,696	39,507	−1,811	252,770
1950	36,495	39,617	−3,122	257,357
1951	47,568	44,058	+3,510	255,222
1952	61,391	65,408	−4,017	259,105
1953	64,825	74,274	−9,449	266,071
1954	64,655	67,772	−3,117	271,260
1955	60,390	64,570	−4,180	274,374
1956	68,165	66,540	+1,626	272,753
1957	71,029	69,433	+1,596	270,537
1958	69,117	71,936	−2,819	276,242
1959	68,158	80,699	−12,541	706,841

NOTE.—The change in the public debt from year to year is not necessarily the same as the budget surplus or deficit. It reflects also changes in the Treasury's cash balances, the effect of certain trust fund transactions, and direct borrowing from the public by certain Government enterprises.

In evaluating the data in table 1, it should be remembered that the House was under control of the Democratic Party in the 72d Congress and that actions of the Democratic 73d Congress

acted to increase the deficit in fiscal year 1933. Similarly the Democratic 81st Congress by action on Truman requested deficiency appropriations was responsible for the final deficit figure of $1.8 billion in 1949. On the other hand, the Republican Party and the Republican 80th Congress deserve major credit for the economies instituted that led to the budgetary surplus of $754 million in fiscal year 1947.

Turning now to the taxing side of the budget ledger, we find that since the advent of the personal income tax in 1913—approximately 47 years ago—the Democratic Party has controlled the Congress for 31 years and the Republican Party for 16 years. In the 31 years of Democratic control our Nation had 20 major Democratic tax increases. The Republican Party, on the other hand, in its 16 years of stewardship as the majority party in Congress has enacted nine major Republican income tax decreases.

The most noteworthy of these Republican tax decreases occurred during the Republican 80th Congress, when an annual tax saving of $5 billion was given to the American people, and during the Republican 83d Congress, when an annual tax reduction of $7.5 billion occurred. Without these Republican tax reductions made possible by Republican economy, the Democratic-imposed tax burdens on our Nation's economy by now might well have snuffed out of existence our free enterprise system and brought on Government regimentation of our economic life.

Democratic tax policy has traditionally been dedicated to broadening the tax base and increasing the tax rates so that under the Democratic Party we have reached the point of taxation according to inability to pay.

Turning now to the expenditure side of the budget ledger, we find that a succession of record high Democratic tax increases was inadequate to finance even greater Democratic spending so that in the period of the New and Fair Deals the public debt was increased by approximately $250 billion. With respect to spending, the Democratic Party's record has been characterized by promises of frugality and performances of profligacy.

In connection with this review of the Democratic Party's record of fiscal extravagance it is interesting to note that the distinguished majority leader of the House when he was a member of the House Committee on Ways and Means joined in signing supplemental views in the committee report accompanying the revenue bill of 1932 to the House, in which he said:

> From this brief statement [with reference to the fiscal position of the Federal Government] it is unmistakably evident that we cannot afford to have an unbalanced budget for 3 consecutive years, and that the committee is warranted in its position that the best interests of the country require that the budget for 1933 be balanced.

I sincerely regret that the gentleman's party did not give more heed to this perceptive observation by their very able and patriotic colleague. After he made that comment, Democratic majorities in the Congress proceeded in 13 successive years to approve budgetary deficits which were brought to a halt only in 1947 when a Republican Congress was in power. It should be noted that the largest budgetary surplus in the history of our Nation was realized during the Republican 80th Congress in 1948 in the amount of $8.4 billion. Budget expenditures which were reduced in the Republican 80th Congress began a Democratic rise in the 81st Congress which was not reversed until the Republican Party returned to control of the Congress in 1953.

Examining further the record of more recent history we find the following with respect to budget expenditures: In the last Truman budget year the Democratic Congress approved expenditures of $74.3 billion. Fiscal years 1954 and 1955 were Eisenhower budget years in which the President had a Republican Congress to work with and we find a record of declining expenditures in each of those years in the amount of $67.8 billion and $64.6 billion, respectively. With the advent of Democratic control of Congress in calendar year 1955, the Republican trend of declining Federal expenditures was reversed and budget expenditures again began to rise so that for the years indicated expenditures were: fiscal year 1956, $66.5 billion; fiscal year 1957, $69.4 billion; fiscal year 1958, $71.9 billion; and fiscal year 1959, $80.7 billion.

A portent of future spending levels is found in the pattern of new obligational authorizations enacted in preceding years. New obligational authority is an authorization enacted by the Congress prescribing obligations to be incurred by Federal agencies for the payment of money. As these advance spending authorization levels rise and also become current, they exert virtually unmanageable upward pressures on expenditure levels. As our review of the expenditure record has revealed that the Democratic Party is the party of the spenders, so does a review of the new obligational authority record reveal that the Democratic Party is hopelessly committed to rising spending in future years. There follows a summary of new obligational authority voted by the Congress for the period 1952 through 1959:

Fiscal year:	*Amount (billions)*
1952	$91.4
1953	80.3
1954	62.8
1955	57.1
1956	63.2
1957	70.2
1958	76.3
1959	81.4

It is to be noted that the decline in future spending authorizations began in 1953 when the Republican administration and the Republican Congress took office in January 1953 and began to restore order out of the fiscal chaos left by the Truman-Democratic Party. Fiscal year 1955 was the last budget prepared by the Republican Congress and the new obligational authority began to rise in 1956 under a Democratic Congress.

The rising levels of budget expenditures and new obligational authorizations under a Democratic-controlled Congress are directly attributable to the politically motivated conviction of the Democratic Party that the Federal Government can spend the taxpayer's dollar for governmental schemes better than the taxpayer can spend his money to provide for his family's living and educational needs. This fact can be documented by observing that in the 84th Congress the Democrats provided for nearly 200 new or increased spending programs largely imposing Federal aid on the States. The 85th Congress and the 1st session of the 86th Congress have produced similar records of usurpation of authority by the Federal Government to the detriment of the functioning of our State and local governments and the pocketbooks and liberties of our citizens.

A further demonstration of the extravagant spending proclivities of the Democratic Party is found in a review of some of the reckless spending bills introduced in the House and Senate by Democratic Members of the Congress in the 1st session of the 86th Congress. Only a partial list of 22 such bills introduced in the House has an estimated 5-year price tag of $152.3 billion. It should be remembered that these "antitaxpayer" proposals are in addition to the regular spending levels that would be required by the so-called typical budget. This raises the somewhat rhetorical question, "In the light of this record how can it be sincerely contended that it is the administration that is responsible for the loose fiscal policies extant today in our Federal affairs?"

The Democratic majority in the 86th Congress did not merely content itself with introducing spending bills. That Democratic majority worked desperately to bust the budget for 1960 and make more difficult budget balances in future years. Table 2 shows the expenditures that were avoided because of Presidential vetoes, bills defeated, and bills on which action was delayed.

Table 2

[In millions]

	Ultimate additional authorized net spending[1]	Expenditure effect on 1960 budget
BILLS DEFEATED		
S. 722, area redevelopment (1960–63)	$337	$10
S. 12, grants to States for educational TV	50	5
S.J. Res. 41, international medical research	50	10
S. 812, Youth Conservation Corps	375	25
S. 1138, peacetime ex-serviceman's readjustment benefits (1960–73)	3,500	10
PENDING IN CONFERENCE		
H.R. 3610, water pollution grants (based on Senate action) (10 years)	300	30
Total	4,612	90
BILLS VETOED BY PRESIDENT		
Housing programs in excess of those finally enacted	531	
Total	5,143	110

[1] Passage of these bills would have added $110 million to 1960 expenditures and considerably more in the next few fiscal years. This would have produced a deficit of $15 million for 1960 rather than the $95 million surplus.

Unfortunately the Democratic budget-busters did succeed in adding additional expenditures to the budget proposals of the President for fiscal year 1960. The budget message for fiscal year 1960 submitted to the Congress in January 1959 called for an expenditure level of $77 billion; it is now estimated fiscal year 1960 expenditures will total $78.9 billion. Table 3 presents a summary analysis of the net fiscal impact of legislative action on the budget in the 1st session of the 86th Congress:

Table 3

The net fiscal impact of all congressional actions in the first session of this Congress upon the President's budget recommendations submitted for fiscal year 1960 is as follows:

1. Net expenditures [1] for fiscal year 1960 were increased by $597 million.
2. Net expenditures over a period of future years after fiscal year 1960 were increased an additional $11.5 billion.
3. Pending legislation passed by one or both Houses of Congress and now awaiting further congressional action in January would cost in future fiscal years an additional several billion dollars beyond the President's requests.[2]

SUMMARY

[In millions]

	Expenditure effect in 1960	Expenditure effect over period of years
A. Actual congressional reductions in President's requests	−$81	−$1,033
B. Increases through "back door financing"	+110	+231
C. Other increases:		
1. In appropriation acts	+25	+2,233
2. In new substantive legislation	+45	+10,125
3. Nonapproval of revenue proposals	+498	+540
Total effect of all congressional actions on President's budget	+597	[3] +12,096
Deduct 1960 expenditure effect		597
Increase after 1960		11,499

[1] Spending required by congressional action over President's requests, plus revenues requested by President but not granted.

[2] These bills include the following: Peacetime ex-servicemen's readjustment benefits (S. 1138), Youth Conservation Corps (S. 812), international medical research (S.J. Res. 41), grants to States for educational television (S. 12), area redevelopment (S. 722), and water pollution (H.R. 3610).

[3] Of this amount $258 million is in loans repayable over a period of years.

Thus, it is apparent that the Democratic budget-busters not only adversely affected the 1960 budget but they have made balanced budgets more difficult of attainment for years to come by enacting Government programs that America's taxpayers cannot afford.

To demonstrate the implications of the spending actions of the Democratic-controlled Congresses under the Eisenhower administration, it can be pointed out that if the spending levels in the period 1956–60 had been held to the 1955 budget level approved by the last Republican Congress, the citizens of our Nation would have saved $44.4 billion for an average of almost $9 billion per year.

Mr. Speaker, despite unthinking contentions to the contrary, in evaluating responsibility for fiscal policy, it must be remembered that no expenditure can be made by the executive branch of the Government without such expenditure first having been authorized by the Congress. Such an authorization may take the form of an appropriation, either current or permanent, or an authority to spend from debt receipts. Therefore, it is clearly a basic truth under our form of government that the amount of expenditure in any year is determined by the action of the Congress. It is also clear that if we have spent too much or been "fiscally loose," it is the Congress that must accept the responsibility for the fact and the consequence. It serves no useful purpose to attempt to shift the blame to where it does not belong.

The Democratic Party must assume sole responsibility for 93.4 percent of our national debt. In 1953 the debt stood at $266 billion. Under the present administration, hamstrung in its endeavors to foster fiscal responsibility by three Democratic Congresses, the debt has risen approximately $19 billion. On June 30, 1933, the debt was $22.5 billion, which was $1.5 billion less than the $24 billion debt left by the Woodrow Wilson Democratic administration. Therefore, the Democratic administrations of Wilson, Roosevelt, and Truman are responsible for the entire national debt incurred prior to 1953. That Democratic total is $266 billion, or 94.3 percent of the total public indebtedness. The Democratic Party must also assume a pro rata share of the responsibility for the cost of maintaining that debt. Democratic responsibility for the debt arises from that party's undeviating commitment to deficit financing and governmental spending in excess of an expenditure level that can be sustained by our national resources.

Mr. Speaker, this review of the fiscal facts of our Nation clearly shows that it is the Democratic Party that has led our Nation down the path of fiscal folly of extravagant spending, mounting indebtedness, and inflation-eroded dollars. From these facts it is inescapably clear that the Democratic Party in a search for an inflation scapegoat should have ended its hunt at its own front door.

Mr. Speaker, thus far I have reviewed the record of our two great political parties in providing fiscal leadership. The record has proved that the Republican Party when in control of Congress has slashed spending and given meaningful tax reduction to the American people within the framework of a balanced budget that provided a surplus to be used for urgent debt reduction. On the other hand that same record has proved the Democratic Party to be the party of rising taxes, rising spending, and rising public debt. We have also determined that the record of loose fiscal policy that has prevailed during most of the last 27 years must be attributed to the actions of the Democratic majority in the Congress because of its predominant control over the Federal Government's taxing and spending.

Mr. Speaker, I will now turn to a refutation of the charge that the Eisenhower administration's fiscal and monetary policies have not been conducive to economic growth. In reviewing the accomplishments of the Eisenhower Republican administration since January 1953, it might be well for us to review briefly the fiscal position of the United States at the time the Eisenhower administration took office and see what the Republican Party has done to establish order out of Democratic fiscal chaos.

The following is a brief recitation of the fiscal problems irresponsibly left by the previous Democratic administration when the Republican Party came to power in January of 1953:

First. The Federal debt equaled 89 percent of our annual national income. Because of the stringent fiscal policies of the Republican administration and the prosperity that our Nation has experienced under that administration, the national debt today equals 79 percent of the Nation's annual national income.

Second. The Democratic Party had approved budget deficits of almost $10 billion in each of the fiscal years 1953 and 1954. By instituting Republican frugality the Democratic-proposed deficit for 1954 was reduced by more than $6 billion. In addition to these Democratic planned deficits, the outgoing Democratic administration had also left $80 billion in unpaid obligations that had to be met by the Republican administration.

Third. The Democratic-caused spiral of inflation had reduced the purchasing power of the dollar from 100 cents in 1939 to 77 cents in 1945, and that purchasing power declined to 52 cents by 1952.

Straightening out the Truman-Democratic messes of war in Korea, budget deficits, and runaway inflation were the most urgent matters for correction by the Republican administration and the Republican Congress in 1953. In dealing with these problems, the Republican Party did not overlook the need to foster economic growth.

America's progress under the leadership of the Republican Party has been the greatest in the history of the world. Contrasting economic events of the past 6 years with comparable data for the Truman era we find the following astounding accomplishments:

First. Employment and family income: In 1959 the average number of gainfully employed stood at 65.3 million persons compared to 61 million in 1952. Average annual family income after taxes which was $4,570 in 1952 increased 24 percent to an average level of $5,675 by 1958. The average family purchased 12.5 percent more in goods and services in real terms in 1958 than in 1952. In the same period farm income per worker increased 13.1 percent.

Second. Housing: From January 1953 through August 1959 6.7 million American families moved into new nonfarm homes; nearly 32 million families now own their own homes or nearly 22 percent more than in 1952.

Third. Cost of living: The success of the Eisenhower administration in curbing the Truman-Democratic runaway inflation has brought stability to the cost of living and because public confidence has been restored in our Government's determination to safeguard the purchasing power of the dollar, an incentive to more saving has resulted. The average annual increase in the cost of living for the 6-year period 1953–58 was 1.4 percent contrasted with an average annual increase of 5.8 percent during the 8 years of the Truman administration. The average per capita sav-

ings has increased 12 percent over what it was in 1952.

Fourth. Capital investment: Business capital expenditures for new plant and equipment averaged $21 billion a year during the 8 years of the Democratic administration and $35 billion during the 6 years of the present Republican administration. These capital outlays increased 24.6 percent in 1958 over 1952.

Fifth. Small business: A record total of 4.6 million business firms was reached in the second quarter of 1959. New business incorporations showed a remarkable growth in 1958 and 1959. The administration has effectively worked to abolish Federal enterprises competing with private business.

Sixth. Fiscal data: Federal taxes in terms of net budget receipts from all sources amounted to 22.2 percent of national income in 1952, as compared with 18.8 percent in 1958. Budget expenditures in fiscal year 1959 were 17.4 percent of gross national product, as compared with 19.3 percent in fiscal year 1952. The average relationship of budget expenditures to gross national product during the 8 calendar years of the last Democratic administration was 19.6 percent compared with a relationship of 17.3 percent during the 6 calendar years of the Eisenhower administration. The public debt per capita was $1,688 in December 1952 as compared with $1,612 in December 1958.

A comparison of allocation of interest payments on the public debt by groups of recipients is set forth in table 4:

TABLE 4.—*Estimated distribution of the interest on the public debt, calendar years 1946, 1952, and 1958*

[In billions of dollars]

	1946	1952	1958
Individuals:			
Savings bonds	$0.8	$1.5	$1.4
Other Federal securities	.5	.3	.4
Total	1.3	1.8	1.8
Commercial banks	1.4	1.3	1.6
Mutual savings banks	.3	.2	.2
Insurance companies	.6	.4	.3
Nonfinancial corporations	.2	.4	.5
State and local governments	.2	.2	.4
Miscellaneous investors	.2	.2	.4
Federal Reserve banks	.1	.4	.7
Government investment accounts	.7	1.2	1.5
Total interest expenditures	5.0	6.1	7.4
Addenda: Percent interest expenditure of national income	2.8	2.1	2.0

Mr. Speaker, this brief recitation of a few of the highlights of the economic accomplishments under the Republican Party clearly demonstrates public confidence in the policies and public approval of the principles for which the Republican Party stands. These attainments are conclusive proof of the wisdom and foresight of Republican leadership.

Mr. Speaker, Democratic deficit spending and the inflation it creates are the gravest threat to the vitality of our free enterprise system. There can be no peaceful coexistence between inflation and economic opportunity.

Inflation is the most dangerous domestic economic problem confronting our Nation in our endeavors to keep fully defended against international communism. Inflation occurs when the total volume of money expenditures increases more rapidly than the supply of goods and services bought and sold. Man's resistance to the limitation of his environment creates the subjective basis for inflationary pressures. Rising prices are merely the symptom and not the cause of inflation. While I do not profess great learning in the science of economics, an empirical examination of present-day circumstances clearly points the finger of blame for inflation on the spending proclivities of Government. For example, in the period from 1948—our low point achieved under the Republican 80th Congress—to 1957, Government purchases of goods and services rose more than 200 percent, while private expenditures rose 71 percent.

The increase in Government spending was partly the result of rising prices, but even after making adjustment for this factor, real Government purchases rose by more than 100 percent. This Government spending has caused the governments on the Federal, State, and local levels to take in government revenues one-third of the net national income which suggests that we are well on the road to socializing the income of the people.

It is the inescapable conclusion that what policy the Government takes with respect to spending, taxing, and debt management will be a major factor in determining an inflationary or deflationary course of events. Therefore, one of the first lines of defense against inflation is to control the spending activities of the Congress—to discipline ourselves so as to avoid promises that cannot be kept and to abstain from overloading the economy. It is the Congress that must face up to the uncomfortable political decisions that are demanded by the stern facts of life.

Inflation has no constructive relationship to economic progress. Inflation is not a cause of national growth. Inflation perpetuates and aggravates the hardship and disaster that accompany the cycle of boom and bust. As Mr. Raymond Moley has recently described it, as quoted from page 52 of House Report No. 1148, 86th Congress:

> Inflation is the prescription for bureaucratic tyranny * * * thwarts the individual's means of self-help and personal security by withering his savings and the value of his income * * * transforms the normal transactions of business into speculative gambles, especially for small business * * * spawns demagogs to make the processes of politics and Government a compound of false promises, deceptions, hidden taxes, and worthless benefits * * * rots the fabric of constitutional government. * * * The Nation's credit is the final, ultimate sacrifice. This means economic disaster * * * eagerly awaited by communism.

It is by the restraint of inflation and by the creation of an economic environment providing an incentive to save that we pay the minimum price for economic progress. As the late Prof. Sumner Slichter wrote in the Harvard Business Review for September-October 1957:

> The greatest danger confronting the economy today is that political pressure will force the abandonment of credit restraint. The result would be an acceleration of price increases.

Mr. Speaker, the high level of Government spending approved and virtually forced by the Congress is the strongest evil nurturing inflation today. High levels of Government spending even with a balanced budget during a period of strong business activity are inflationary because a large part of such expenditures go for purposes that neither make more goods or services available nor add to productive capacity. Steps the Congress might take to return to individual control any significant portion of the funds now used by the Federal Government would be steps in the right direction. Failing this, the combined pressures of taxation and personal debt upon disposable income will create irresistible demands for inflation and will reduce to a trickle savings, the lifeblood of productivity. While the easy availability of money for spending is not a sufficient cause of inflation, it is a necessary condition. Stabilization of our Nation's cost of living must be a primary aim of Federal economic policy.

Mr. Speaker, we have demonstrated that spending approved by the Democratic Party during the periods of their control of the Congress and of the administration have created the principal cause of inflation in the United States. The active money supply has been expanded from $36 billion at the end of 1939 to $138 billion at the end of 1958—an increase of 283 percent. We have noted that in the 13 years of a Democratic administration in the period 1939–58 the purchasing power of the dollar dropped 48 cents. The average drop in the value of the dollar during the 8 Truman-Democratic years was more than 3 cents per year.

Table 5 sets forth the wholesale price index for the period 1932–58 to demonstrate the impact of inflation on the price level.

TABLE 5.—*Wholesale price index, 1932–58, all commodities*

(1947–49—100)

Year:	Average
1932	42.1
1933	42.8
1934	48.7
1935	52.0
1936	52.5
1937	56.1
1938	51.1
1939	50.1
1940	51.1
1941	56.8
1942	64.2
1943	67.0
1944	67.6
1945	68.8
1946	78.7
1947	96.4
1948	104.4
1949	99.2
1950	103.1
1951	114.8
1952	111.6
1953	110.1
1954	110.3
1955	110.7
1956	114.3
1957	117.6
1958	119.2

An analysis of the wholesale price index by the administration during which

price level increases occurred is set forth in table 6:

TABLE 6.—*Wholesale price index (1947–49—100)*

1932	42.1
1944	67.6
Rise under Roosevelt	[1] 25.5
1944	67.6
1952	111.6
Rise under Truman	[2] 44.0
1952	111.6
June 1959	119.5
Rise under Eisenhower	[3] 7.9

[1] 60.6 percent gain over 13 years.
[2] 65.1 percent gain over 8 years.
[3] 7.1 percent over 7 years, counting 1959.

It will be noted that of the increase of 77.4 points, 25.5 points occurred during the Roosevelt administration, 44 points occurred during the Truman administration, and 7.9 points occurred during the Eisenhower administration. It may be concluded from these tables that the Republican Party has not totally succeeded in stopping inflation, but the inflation would be considerably worse if the Democratic Party were returned to control of both the Executive and the Congress. It is also to be noted that during the period from 1953 through 1955 when we had the beneficial effect of the Republican Party in control of both the Executive and the Congress, we had a sustained period of stability in the price level.

Despite the relentless efforts of the Democratic Party to build an "expending economy" instead of an expanding economy, the Republican administration has succeeded in pursuing fiscal policies that have lent forces of stability to the price levels to mitigate at least in part the deficit fiscal policies approved by the Democratic-controlled Congresses.

Rising interest rates just like rising prices are symptoms of inflation. There can be no question that the Democratic-created budgetary deficits have put upward pressures on price levels and interest rates.

The record peacetime deficit of $12.5 billion voted by the Congress for fiscal year 1959 has regenerated the fires of inflation as well as raised the level of the public indebtedness to a new record high. In approving this unprecedented peacetime budget the Democratic Party claimed it was overcoming a recessionary trend in our economy, but it is significant to note that the upturn in the economy occurred in April 1958—long before any of these spending programs took effect. But even if such spending had been necessary for fiscal year 1959, a point that I do not concede, the argument of a recession cure cannot be used with respect to the spending level in the 1960 budget. And yet the Democratic Party in the Congress continued its spending ways. As was pointed out earlier in my remarks, the Congress increased net expenditures in 1960 by almost $600 million over the 1960 budget and added $11.5 billion more spending for the years after fiscal 1960.

The Democratic Party has pursued this reckless use of the appropriation process in an effort to curry voter favor. By substituting dollar politics for party principle the Democratic Party seeks to gain the favor of the American people even though it is at the expense of the stability of our monetary structure. As my distinguished committee chairman and colleague [Mr. MILLS] recently said with respect to the difficulty of controlling appropriations in the face of increasing spending authorizations:

> It is certainly true * * * that you cannot make authorizations for programs that will cost so much money and then expect through the process of appropriations to materially reduce those authorizations.

The President of the United States in stressing the need for a balanced budget said:

> By avoiding a deficit, it will help prevent further increases in the cost of living and the unfair tax that inflation imposes on personal savings and incomes.

In the first session of the 86th Congress the Democratic Party voted to increase authorizations and to increase spending not only in fiscal year 1960 but in future years as well. I would also point out to my Democratic colleagues that you cannot consistently vote to override Presidential vetoes of profligate spending bills and then turn around and criticize the administration for loose fiscal policies.

An example of confused Democratic fiscal and monetary inconsistency arose in the 1st session of the 86th Congress during the consideration of the President's request for legislation to facilitate economical and efficient public debt management. In regard to this legislation the Democrat majority in the Congress refused to approve the President's request which was universally supported by informed economists and fiscal authors as being in the interest of sound debt management. The result of this Democratic refusal to act is inevitably going to be the creation of further inflationary pressures to the detriment of citizens living on fixed incomes, wage earners, farmers, consumers, small business—indeed, every segment of our American economy.

In an effort to shift the blame for this irresponsible Democratic failure to act, Democratic spokesmen have endeavored to blame the administration for rising interest costs. One of the arguments they advanced is that interest rates in the immediate post-World War II period did not advance appreciably. They present tables demonstrating this fact. They omit from their argument the fact that during much of this time the Federal Reserve was pegging the price of Government bonds with disastrous inflationary consequences. They omit from their tables precipitous decline in the purchasing power of the dollar in the period from 1946 through 1952, and also a listing of average annual yields on municipal bonds for a similar period.

In table 7 I provide that data for the period 1946–58:

TABLE 7.—*Average annual purchasing power of the dollar,[1] 1946–58, with 1946 as 100*

	Cents
1946	100.0
1947	87.3
1948	81.1
1949	81.9
1950	81.1
1951	75.1
1952	73.5
1953	72.9
1954	72.6
1955	72.8
1956	71.8
1957	69.4

[1] Based on the Consumer Price Index as compiled by the Bureau of Labor Statistics.

AVERAGE ANNUAL YIELDS OF MOODY'S AAA MUNICIPAL BONDS, 1946–58

	Percent
1946	1.10
1947	1.45
1948	1.87
1949	1.65
1950	1.56
1951	1.61
1952	1.80
1953	2.31
1954	2.04
1955	2.18
1956	2.51
1957	3.10
1958	2.92

Office of the Secretary of the Treasury, September 25, 1959, Debt Analysis Staff.

Source: Moody's Municipal and Government Manual.

Mr. Speaker, there is no doubt that the Congress could, for a time, artificially keep the interest rates payable on the public debt at a prescribed level by requiring the Federal Reserve to support Government bond prices, but fortunately for the economic survival of our Nation, the Congress has not seen fit to enact legislation requiring the Federal Reserve to take such a disastrous inflationary course.

President Eisenhower cited the failure of the Congress to enact legislation that he had requested dealing with the public debt as being the "foremost disappointment" in the legislative record of this past session of Congress. He went on to say:

> This refusal, by forcing the Treasury to rely exclusively on inflationary short-term borrowing, may reduce the contribution to price stability that a balanced budget helps to provide and could make most difficult the maintenance of confidence both at home and abroad in our determination to manage our fiscal affairs soundly.

The Cabinet Committee on Price Stability for Economic Growth had this to say with respect to the actions by recent Congresses on budgetary authorizations and spending:

> The committee has noted an alarming tendency in the Congress to work toward only an illusory balance in the budget, by substituting for current appropriation commitments for later years which will make it exceedingly difficult to avoid future deficits.

Thus, we have the Democratic-controlled Congress acting in opposition to debt reduction, committing our Nation to

continued levels of high spending, and refusing to give authority to the Executive to engage in proper debt management practices.

Mr. Speaker, tax reduction, expenditure reduction, and debt reduction are things which we have discussed a great deal and done very little about. The only positive actions that have been accomplished in the direction of these meritorious objectives in recent decades have been taken when we have had a Republican majority in the Congress of the United States.

In the conduct of our Nation's fiscal and monetary affairs as in other things, the past is prolog. The American people if they want more inflation, more taxes, and more public debt should support the Democratic Party. If on the other hand the American people believe in pay-as-you-go Government, in a sound dollar, and in less onerous tax burdens, the Republican Party must be restored to majority control of the Congress of the United States.

My statements today have not been political arguments but are instead a recitation of fiscal facts. In the contest between free enterprise and communism, the economic strength of our Nation is as essential as our military strength. I submit, Mr. Speaker, that the means to both economic and military strength lies in placing our Nation's future in the hands of the Republican Party. The Democratic web of inflation must be broken so that national growth can flourish under the Republican Party free of inflation's lure.

Report by Congressman William H. Avery to the 1st Congressional District of Kansas on the 86th Congress

EXTENSION OF REMARKS
OF

HON. WILLIAM H. AVERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. AVERY. Mr. Speaker, following my usual custom, I am submitting a report to the 1st Congressional District on the 1st session of the 86th Congress. In a report of this nature it is only possible to present the accomplishments of the session and workload of the office in brief outline form.

This was the longest session of the House of Representatives since 1789 except 1940 and the war years, including the first session on Labor Day in 17 years. More than 20,000 pages were used in the CONGRESSIONAL RECORD to cover business transacted. Almost 14,000 bills and measures were introduced.

Regarding my congressional and committee activity, the following is a brief statistical summary:

One hundred percent voting attendance record.

Answered 88 of 89 quorum calls for 98.8 percent record.

Attended 75 sessions of Interstate and Foreign Commerce Committee for a 99 percent record.

Five hundred and thirty-seven bills referred to and/or considered by Interstate and Foreign Commerce Committee.

Attended all meetings of the Small Business Committee.

One hundred percent attendance as Private Calendar Committee ranking minority member.

Introduced amendment to limit Commodity Credit loans to any one farmer to $50,000. Avery proposal adopted on floor of the House by a rollcall vote.

Studied 250 private bills as member of Private Calendar Committee.

One of two Congressmen selected to appear on special panel at National Watershed Congress.

Held over 100 conferences with officials in Government agencies on cases for constituents.

To give you some idea of our office operation, for the period of January 4 to October 1, 1959:

Received 6,960 first-class letters from district for an average of 30 per working day.

In total received and answered 17,800 pieces of mail.

Mailed out 40,220 pieces of mail, of which 23,950 was first-class mail.

Processed cases with VA for veterans from every county in district.

Handled over 600 matters dealing with Agriculture Department.

Five hundred and forty-five individuals visited the office in Washington.

Received 100 newspapers per week from district, 15 per week from elsewhere.

Assisted in many types of cases for constituents, such as, immigration, Coast Guard, patents and trademarks, small business, civil service, Bureau of Employees Compensation, passports, and problems of servicemen.

One of the most significant activities of your office in Washington was the inaugural of the "Week in Washington" special nonpartisan educational project for college juniors to see Government firsthand. The following schools participated: Kansas University, Kansas State University, Washburn University, St. Benedict's College, and Mt. St. Scholastica College.

The schools select the students with only two requirements—they must be residents of Kansas and in the top half of their class. The schools are instructed the political background of the applicants is not to be considered in the selection.

Upon notification of the student selected, a work project is assigned by this office. The project is an actual job which is for the work routine of the office and in the public interest. The job requires several hours each day for a period of no less than 1 month. For example, one of the projects was a public opinion poll and research survey on Federal issues. In consideration for this work the student is retained on the payroll for a sum not to exceed $150. The money received is applied by the student to his travel expenses. The student is responsible for all expenses.

While in Washington the students visit Congress, committee hearings, both national committees, and historic sites. Appointments were arranged with members of both political parties—each student prepared three questions and asked each person these questions. In general, it is our desire to have the students attempt to obtain as concise a picture as possible of Government and politics at the national level.

To date four students have participated in the project. There are only four other such programs in existence on Capitol Hill.

The following is a brief summary of the appropriations and Federal activity for our district:

Flood control projects, $21,137,025.

Military construction, $2,584,000.

Repair and construction of Federal buildings, $881,700.

Equipment improvements and repairs to post office facilities, $574,447.

Turning to the topic of legislative activity during this session, I am submitting for your information and interest a listing of my vote on major legislative actions before the House. An attempt has been made to make the listing as complete as possible. In the event you should desire additional information regarding any particular vote or legislation, I will be most happy to attempt to furnish such. The listing includes voice votes as well as recorded votes.

First. Introduced and urged passage of amendment to limit commodity credit loans to $50,000. Avery proposal adopted by rollcall vote. During debate in the House your Congressman stated it was never the intention of Congress to subsidize corporation farms. Yet without some limitation the Agriculture Secretary is powerless to refuse to grant support loans to any producer who planted within his acreage allotment. Under this practice some loans have exceeded $1 million.

Second. Voted for the Landrum-Griffin labor-management reform bill, is now public law. This is one of the highlights of the session. Senator MCCLELLAN'S investigations of racketeering and corrupt practices in certain labor unions had clearly shown the need for some kind of strong corrective legislation to protect the rights of individual workers.

Third. Supported resolution opposing seating of Communist Chinese regime in the United Nations, resolution passed by House.

Fourth. Supported continuing the Federal highway programs by means of a 1-cent-a-gallon gasoline tax increase to avoid deficit spending, became public law. Under the Interstate Highway System there are 803 miles authorized in Kansas, with some $20 million allocated for Kansas. To fail to extend the program on a sound fiscal basis could have resulted in economic detriment to our State.

Fifth. Voted for bill to promote increased research for finding new industrial uses for farm products, passed

House, pending in Senate. Your Congressman testified before Agriculture Committee in support of this measure stating:

Agriculture must speed up its research efforts in developing more uses for farm commodities. The bill would not create any new so-called Government agency. It calls for the Secretary of Agriculture to utilize the land-grant colleges. Such an approach would permit the facilities at Kansas State to be used.

Sixth. Voted against a greatly expanded Federal aid to airports program on basis of fiscal responsibility. Program was extended at present rate.

Seventh. Voted for veterans' pension plan, enacted as public law.

Eighth. Supported the President's veto of two public works appropriation bills objectionable because of the inclusion of unbudgeted projects costing more than $800 million. The second veto was overridden.

Ninth. Voted for bill to deny passports to persons furthering international communism and whose presence abroad would endanger American security, is now public law.

Tenth. Voted against increasing appropriations by $500 million above administration request for Federal water pollution control, passed House, pending in Senate.

Eleventh. Voted for extension of Public Law 480 to enable us to exchange our agricultural surplus for foreign currencies and make food available to hungry people at home and abroad, is now public law.

Twelfth. Supported the President's request to raise interest rates on Government savings bonds. Also supported his request for authority to raise interest rate on long-term Government bonds. Congress refused to vote the latter request, increase of interest rates on savings bonds now public law.

Thirteenth. Voted to extend the law permitting adoption of eligible foreign orphans, enacted as public law.

Fourteenth. Voted to exempt bona fide news programs from law requiring radio and TV stations to give equal time to all political candidates, is now public law. Presented testimony in support of bill.

Fifteenth. Supported President's veto of bill to give Administrator of REA authority to approve or disapprove loans without concurrence of Secretary of Agriculture, veto sustained.

Sixteenth. Voted for health benefits program for Federal employees, is now public law.

Seventeenth. Supported extension of corporate liquor, cigarette, and automobile excise tax rates, is now public law.

Eighteenth. Voted to extend the life of the Civil Rights Commission for 2 years, passed Congress, is now public law.

Nineteenth. Supported the President's request for funds for the mutual security program, or foreign aid, is now public law.

Twentieth. Voted for the third housing bill satisfactory to the President after voting against two previous vetoed measures loaded with excessive spending programs, third bill enacted as public law.

Twenty-first. Voted for statehood for Hawaii, is now public law.

Twenty-second. Supported legislation to strengthen authority of Post Office Department to curb use of mails for distribution of obscene or fraudulent matter, passed House, pending in Senate.

Twenty-third. Voted for extension of law granting assistance to schools in areas affected by Federal activities, enacted as public law.

Twenty-fourth. Supported increase in benefits under Railroad Retirement Act, is now public law.

Twenty-fifth. Supported added authority to Small Business Administration to make loans, is now public law.

Twenty-sixth. Supported bill to extend Bankhead-Jones Act authorizing refinancing of loans on family-size farms, enacted as public law.

During the recess, I will be in the district. While your office in Washington will be open to take care of your inquiries, we will also have an office in the Hotel Jayhawk in Topeka. I will attempt to be there in person as much as possible. However, I intend to travel extensively throughout the district and as a result will not be in the office at all times. I feel it is important to travel extensively in every county in the district to see as many people as possible, to renew acquaintances, and to discuss problems. My schedule now calls for about a speech a day in every county until mid-December.

Please contact me at any time if you feel "Your Office in Washington" can be of assistance. Also, I would enjoy hearing from you at any time regarding legislative matters which are of interest to you. Your views and comments are important. Knowing what you think will better enable me to represent you effectively in Congress.

Salute to Dr. Adenauer

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. CELLER. Mr. Speaker, Nikita Khrushchev arrives in the United States on September 15, on the day leaders of the free world will be congratulating Dr. Konrad Adenauer on his 10th anniversary as Chancellor of free Germany. For many Americans, this coincidence will revive memories of the decade that began with the Berlin airlift and brought the free world to the Berlin ultimatum earlier in the year. It will also focus American attention on the sharply divergent postwar roads traveled by the former partners in the Molotov-Ribbentrop pact.

Many memories of evil doings by both the Soviets until Stalin and by the Nazis under Hitler come to mind, but in this 20th century atomic era, we must face forward to ways of peace and understanding and not look backward upon the horrors of misunderstanding and war.

In Germany, an indomitable old man who survived the Hitler terror to reach an age that richly entitled him to honorable retirement instead took up the heavy burdens of government leadership and led his people in one of history's remarkable episodes of moral, political, and economic regeneration.

In his 10 years at the helm of free Germany, Konrad Adenauer opened a new chapter in European history by promulgating the doctrine that Franco-German amity and cooperation were indispensable cornerstones in developing a structure of European unity and security. His refusal to yield before the most menacing threats of the Soviets when he cast his nation's lot with NATO, his steadfast friendship and collaboration with the late John Foster Dulles, and his insistence on free elections as the only honorable formula for a just all-German solution made him the No. 1 target of Kremlin invective and propaganda that sought to depict him as bent on revenge for Germany's defeat in World War II.

The contrasting postwar histories of communism under Stalin and Khrushchev and the Federal Republic of Germany under Konrad Adenauer were vividly recalled to millions of Americans when the coincidence of Dr. Adenauer's 10th anniversary and Khrushchev's arrival in the United States was singled out for comment by leading Members of Congress, some of whom made no secret of their distaste for the Khrushchev visit.

Still fresh in American recollection as the Khrushchev arrival draws near is the observation of Konrad Adenauer in a letter of August 30, responding to another of the ballistic missives Khrushchev regularly hurls at the German Chancellor. Wrote Dr. Adenauer:

The truly decisive question, which will determine the whole future of all of us, is that of all-out armament with conventional and nuclear weapons. It is devouring immeasurable sums, which would otherwise benefit the social and cultural advancement of mankind. Moreover, it is creating an atmosphere of tension such as precedes the outbreak of a devastating storm in nature.

It was against the background of this invitation to Khrushchev to accompany his professions of peaceful intentions with observable deeds, an invitation that had been repeatedly extended through the years by Dr. Adenauer, the late John Foster Dulles, and the leadership of the entire free world, that the United States took time out from its preparations for the reception of Nikita Khrushchev to pay tribute to the gallant old man of Bonn.

From President Eisenhower came a tribute to Dr. Adenauer for helping his country rise "out of the chaos of war to a position of influence and responsibility." The full text of the President's message read:

His Excellency Dr. KONRAD ADENAUER,
Chancellor of the Federal Republic of Germany, Bonn:

On the 10th anniversary of the assumption of your duties as Chancellor of the Federal Republic of Germany, I send most

cordial personal greetings. On behalf of the American people I congratulate you for your historic contribution not only to the affairs of your own country but to those of the European community as a whole. Through your dedication and inspiring leadership, the Federal Republic has risen out of the chaos of war to a position of influence and responsibility in the community of free nations. Moreover, there has been developed in Germany a government guided by the principles of democracy and motivated by a sincere desire to play a positive role in the great movement toward European cooperation and integration. Your effective work in developing understanding between our two peoples has also been a contribution of major significance. It was a most valued and enjoyable opportunity to confer with you in Bonn recently, and I wish you many more productive years in the interests of your own country and those of the free world.

With assurances of my continued esteem and friendship.

DWIGHT D. EISENHOWER.

Vice President NIXON hailed "this dedicated statesman and leader who has had such a vital part in guiding the physical and spiritual reconstruction of Germany and in restoring her to a position of honor in the community of nations."

Tributes to Dr. Adenauer were sounded by the leaders of both parties of both Houses of Congress, in some cases with pointed references to the Khrushchev tour of the United States. Senator STYLES BRIDGES, Republican, New Hampshire, took the floor of the Senate on September 11 to call attention to the coincidence of Chancellor Adenauer's anniversary and Khrushchev's arrival date in the United States. Senator BRIDGES placed special emphasis on "the great courage and wisdom of Chancellor Adenauer in his fight against what initially appeared to be the overwhelming odds in favor of communism in Germany." He told the Senate that Dr. Adenauer's achievement was all the more praiseworthy "because his government was born out of a nation that had lived for years under the totalitarian philosophy of Hitler and today it stands as one of the foremost nations living under the free principles of democracy."

On September 11, in the House of Representatives, I, who had ever been a relentless foe of the old Nazi regime in Germany, rose to hail the achievements of Chancellor Adenauer, Foreign Minister Brentano, Economics Minister Erhard, and their colleagues "in reestablishing West Germany as a liberal nation in the liberal world, dedicated to the principles of individual freedom and democracy."

I called for U.S. insistence that "East and West Germany be made one Germany." I reaffirmed the determination of the American people "to assure the world that we will never let Berlin down; that Berlin, now an island in a Communist sea, must be integrated into a unified Germany."

Secretary Herter has praised the German Chancellor for "a decade of fruitful endeavor for Germany and the free world." He added:

In the face of great odds you have guided the material and spiritual restoration of your nation on the path to peace and freedom.

In a concluding sentence, Secretary Herter declared:

I shall continue to rely on your close and friendly cooperation as we seek to realize our common objectives.

Typical of the American press reactions to the Adenauer anniversary has been editorial comment such as that contained in the Chicago Daily News. Noting that September 15 marks Dr. Adenauer's 10th year as Chancellor of the German Federal Republic, the Daily News said:

At 83, he is among the world's great statesmen, and the flourishing condition of his country is a tribute to the quality of his leadership. The Chancellor's devotion to freedom cost him dearly in the days of the Hitler dictatorship, which he spent in hiding when not in jail. In the world of today it is heartening to find this dedication to liberty triumphant in the end.

Credit for one of "the great achievements of this decade" was given to Dr. Adenauer by Representative BOYLE, Democratic, of Illinois, in an address to the House of Representatives on September 13. The Illinois Congressman took note of "the miracle of German economic recovery." But he saw even more significance in "the acceptance and development of political as well as economic freedom." He voiced particular praise of Dr. Adenauer and his colleagues for the Government support given to the establishment of good intergroup relations in the Federal Republic. He observed:

Churches are flourishing in Western Germany. They have been particularly active in promoting German-Jewish relations to atone for the horrible crimes of the Hitler regime.

The Government—

He said—

has led the way in exemplary execution of the restitution and indemnification payments to victims of Nazi barbarism, and most German parties have supported the laws calling for the payment of large sums to the State of Israel.

Finally, Congressman BOYLE pointed out:

This year again German Brotherhood Week was under the patronage of President Heuss.

Congressman BOYLE's comments were warmly seconded by Representative REUSS, Democrat, of Wisconsin, who asserted:

Thanks to the leadership of men like Adenauer and Heuss, and the responsible stature of the other party leaders, the Federal Republic is firmly a partner of the Western alliance. The chances of the continued growth of democracy in Germany are the best they have ever been in that country's history.

These and similar statements in the Congress proved to be the preface to an outpouring of tributes to Dr. Adenauer that came from the most notable civic, political, and religious leaders of the United States.

The Archbishop of New York, Cardinal Spellman, has marked Dr. Adenauer's anniversary with a message hailing the German Chancellor for "the preservation of peace in his country and throughout the world."

Gen. Lucius Clay and Gen. John J. McCloy, each of whom represented the United States in the crucial German aftermath of World War II, and hence have had a close look at the achievements of Adenauer's leadership in Germany, were among the first to mark the Chancellors' 10th anniversary.

General Clay declared:

Chancellor Adenauer's leadership in the rebuilding of democracy in West Germany, in bringing West Germany into the free world, and in trying to create a new French-German relationship based on understanding and trust have contributed much to the growing strength of the free world and to his stature as a statesman.

General McCloy asserted that Dr. Adenauer "has emerged as one of the world's leading statesmen in a particularly trying period filled with domestic and international problems of the greatest magnitude." He praised the Chancellor's "warm spirit of Western European unity based upon a new and broad understanding with France." His contributions to his own country and the free world, General McCloy said, "mark him as an international figure as well as the leader of his country."

Adlai E. Stevenson saw in Dr. Adenauer a man who will "leave a lasting impression on this generation." He praised the German Chancellor for the peaceful, prosperous, free, and friendly Germany he has helped create.

Senator HUBERT HUMPHREY, one of Nikita Khrushchev's more recent debating adversaries, praised Dr. Adenauer for a caliber of leadership under which "German democracy and freedom have flourished." Senator HUMPHREY went on to say pointedly:

Chancellor Adenauer's unyielding opposition to Soviet pressure and Soviet threats deserve to have the gratitude of the free world.

The roster of distinguished Americans who came forth voicing recognition of Chancellor Adenauer's achievements in this decade of office included:

Senator WILEY, Republican, Wisconsin, who praised the German leader's outstanding service.

Representative CHARLES HALLECK, Republican, Indiana, minority leader, House of Representatives, who paid his respects to Dr. Adenauer for a decade of distinguished leadership.

Maj. Gen. Julius Klein, retired, who saw in Dr. Adenauer "a leading spokesman against Soviet aggression and a courageous advocate of democracy."

Representative THOMAS E. MORGAN, Democrat, Pennsylvania, chairman of the House Committee on Foreign Affairs, praised Dr. Adenauer "as one of the great and outstanding statesmen of our time."

Governor Stratton, of Illinois, took note of "the reconstruction, progress, and production of Germany under the leadership of Chancellor Konrad Adenauer" and said this was a "dramatic demonstration of the ability of a free people, working under a free government, to improve their standards." He added that Chancellor Adenauer's leadership was "an inspiration to freedom-loving people throughout the world."

Senator THOMAS J. DODD, Democrat, Connecticut, one of the major figures in

the postwar trials at Nuremberg declared that under Chancellor Adenauer's direction "democracy has been firmly reestablished in Germany." He added that Dr. Adenauer personally "has been a bastion of strength in the West by his unwavering steadfastness, courage, and dedication to the cause of freedom, during the difficult times of the past decade."

Senator PAUL H. DOUGLAS, Democrat, Illinois, asserted that Chancellor Adenauer's service took in "an outstanding contribution not only to his own country but also the essential unity and cooperation of the free nations."

Finally, Dr. Adenauer has found great favor with our American people, who all wish him good health and happiness. And I would like to quote an expression: "While the candle still burns I can do some mending."

Dr. Adenauer's candle of life still burns and he can still do much good work, not only for Germany, but for the peace of the world.

Lincoln Sesquicentennial Commission

EXTENSION OF REMARKS
OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me concerning the activities of the Lincoln Sesquicentennial Commission.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

As Chairman of the Lincoln Sesquicentennial Commission, which was established in 1957 by Public Law 85-262, I recently distributed to Members of the Senate and the House of Representatives a packet of materials and memorandums reporting, in brief survey, the activities of the Commission to date in connection with the commemoration of the 150th anniversary of the birth of Abraham Lincoln, the 16th President of the United States.

The members of the Commission have approached the observance with a basic premise in mind—that there should be participation in the observance by all the people of our country, from all walks of life, of all ages, and that the observance should extend beyond our shores to the peoples of the world. Our effort was based upon the assumption that the people needed only to be reminded of the observance, and that they would undertake participation through their own initiative. We have followed this approach in all aspects of the undertaking—in cooperation with State sesquicentennial commissions, educational institutions, churches, the press, broadcasting media, the motion pictures, unions, and numerous clubs, societies, and associations.

At the outset, the staff of the Lincoln Sesquicentennial Commission prepared a basic publication, a handbook, which spelled out in broad terms the objectives intended by the Congress, which offered a brief chronology of the life of Mr. Lincoln, reprinted some of the more famous quotations from his public statements and private communications, and presented specific suggestions for the participation of individuals and organizations throughout the Nation.

I am glad to say that there has been a groundswell of enthusiasm for the observance of Lincoln's birth. Newspapers, magazines, radio and television stations, churches, schools, union organizations, industries, and others have turned their attention to Mr. Lincoln and his life with such spontaneity and enthusiasm that one working closely with the Commission soon had the feeling that Abraham Lincoln walked again in this land.

The Commission itself, of course, has undertaken many specific programs. The Commission published a booklet, entitled "The Lincoln Ideals," and asked newspapers and broadcasters to offer this booklet without cost to readers, listeners, and viewers of Lincoln programs who would write to: Lincoln, Box 1959, Washington, D.C. Letters have come from every State in the Union, including the new States of Alaska and Hawaii, and whether by a wandering broadcast signal or by word of mouth the news reached people in many foreign lands, for the Commission has received requests in at least 30 different languages for "The Lincoln Ideals." Filling these orders alone has been a large task, and I am told that the Commission has printed and distributed over 150,000 of these booklets.

The Commission published also a smaller pamphlet under the title of "Abraham Lincoln Said." The press run on this piece has now reached 250,000. Over 100,000 have been given to visitors at the Lincoln Memorial in Washington, and 35,000 have been distributed on sightseeing buses here and elsewhere. Fourteen airlines, both domestic and overseas, are supplying this booklet to their passengers. Many State fairs cooperated also, exhibiting special Lincoln material and distributing the "Abraham Lincoln Said" pamphlet.

The Commission has distributed to newspapers throughout the Nation condensed quotations from Mr. Lincoln, under the title of "Lincoln Line-A-Days." These have been widely used, in some cases with line drawings illustrating the daily quotation.

The Commission has so far published four issues of the Lincoln Sesquicentennial Intelligencer. The first issue was four pages, the second contained six, and the last two have required eight pages to report sesquicentennial activities even in brief fashion. The Intelligencer is mailed to news media, associations, schools, union and industrial organizations, scholars, collectors and people in Government.

One of the most gratifying developments has been the enthusiasm with which State commissions and State historical societies have devoted themselves to the sesquicentennial observance. These State commissions are active in 25 States throughout the Nation, and all of them have reported to the national Commission their activities and the response of the people of their States—which has been reported in the Intelligencer.

The Commission has initiated a special school campaign in cooperation with the National Education Association, and the results of this program have been most gratifying.

I am sure that Members of Congress will never forget the joint session of Congress held last February 12, when Mr. Carl Sandburg, one of the Commission's honorary members, and Mr. Fredric March spoke in an historic and moving ceremony.

The U.S. Information Agency has been working on Lincoln Year projects since January, and has sent a great volume of material throughout the world—for the name of Lincoln is known, and held in respect, in every country in the world.

There are many indications of the interest in this commemorative program, and I shall mention a very simple one. As nearly everyone has noticed, a new Lincoln penny was minted this year. The Director of the Mint, Mr. William Brett, told me that by some presently unpredictable date in 1960, more of these coins will have been minted than any other coin in the history of the Nation.

It has not been a surprise to learn that the name "Lincoln" is still magic in our land, and that the principles and ideals for which he stood hold the interest of the people of the world.

Mr. Lincoln had many qualities which can well be recalled in these days. He believed in frugality. On February 21, 1856, Mr. Lincoln wrote to a Mr. George P. Floyd of Quincy, Ill., as follows:

"DEAR SIR: I have just received yours of the 16th, with check on Flagg and Savage for $25. You must think I am a high-priced man. You are too liberal with your money.

"Fifteen dollars is enough for the job. I send you a receipt for $15 and return to you a $10 bill.

"Yours truly,

"A. LINCOLN."

The Committees on Appropriations of the House and Senate, while understanding the value of the work of the Commission, have very properly limited appropriations for its work to the minimum they believed appropriate. I am glad to say that the Commission has respected the desire of the Congress that it be economical in its expenditures. The Commission returned to the Federal Treasury $3,735.87 of the 1958 appropriation of $37,500, and $32,520.73 of its 1959 appropriation of $350,000. I can assure the Senate that some additional amounts of the 1959 appropriation will be returned following certain fiscal adjustments in the Commission's program. The Commission's appropriation for 1960 was reduced to $145,000; it will exercise the same care in the expenditure of these funds, and will endeavor to return a part of this appropriation to the Treasury.

I would like to express my personal appreciation for the work of my colleagues on the Commission, those appointed by the President of the United States, by the Speaker of the House of Representatives, and by the President of the Senate, and for the excellent support given us by the 77 honorary members of the Commission. I insert at this point the names of all those who are serving now, and who have served as members of the Commission.

The Commission has extensive plans for additional projects in the concluding months of Lincoln Year. A full report of these and the preceding events in the observance will be contained in the Commission's final report to the Congress.

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The President of the United States, ex officio.
The President of the Senate, ex officio.
The Speaker of the House of Representatives, ex officio.
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Hon. F. Jay Nimtz.
Hon. William E. Jenner.
Hon. John M. Robsion, Jr.
Mr. Jouett Ross Todd.

Record of Committee on Public Works in the 86th Congress, 1st Session

EXTENSION OF REMARKS
OF

HON. CHARLES A. BUCKLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BUCKLEY. Mr. Speaker, under leave to extend my remarks, I include the following summary of public works legislation reported by the Committee on Public Works during the 1st session of the 86th Congress:

GENERAL STATEMENT

The Committee on Public Works had 430 bills referred to it during the 1st session of the 86th Congress. These dealt with such subjects as navigation improvements, flood control, water pollution, beach erosion, highways, bridges, public buildings, land conveyances, and water supplies.

The committee acted upon 100 river and harbor, flood control, and watershed resolutions proposed by individual Members of Congress, which require only committee action. The civil works resolutions authorized review survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in project reports submitted to Congress if the projects are found feasible and are approved by the Board of Engineers for Rivers and Harbors, the Chief of Engineers, and the Secretary of the Army. The watershed resolutions were acted upon pursuant to the Watershed Protection and Flood Prevention Act—Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress—which requires watershed projects having more than 4,000 acre-feet of total capacity to be approved by the Committee on Public Works.

The committee studied and gave particular attention to the needs of every section of the country in reporting the omnibus river and harbor and flood control bill of 1959, believing that continuing conservation and control of the Nation's water resources is necessary and desirable. The committee found it necessary, too, to enact emergency legislation to continue the interstate program on a reasonably uniform schedule, to prevent the economic disadvantages which would result from drastic fluctuations in the level of the program.

The formal opening of the St. Lawrence Seaway on June 26, 1959, marked the beginning of the last phase of one of the most tremendous projects ever to affect the economy of the United States and the Midwest in particular. In order to utilize the seaway to its full capacity, other concomitant projects are necessary. One is the deepening of the connecting channels in the Great Lakes to depths commensurate with the seaway. The other is the deepening of the major harbors to accommodate the shipping which will be able to use the seaway and the connecting channels. Deepening of the connecting channels has been authorized. Deepening of several of the major harbors on the Great Lakes is authorized in projects included in the 1959 Rivers and Harbors and Flood Control Act.

For many years there has been need for a law to provide continuing and permanent authority for carrying out a program for the repair, remodeling, improving and construction of public buildings in communities throughout the Nation at the least possible cost. A patchwork of laws going back to 1870 and regulations drawn under emergency conditions of depressions and wars hindered the orderly planning and construction of public buildings. The Public Buildings Act of 1959, which originated in the Committee on Public Works, abolished many obsolete laws and will provide a much-needed basis for the planning and construction of public buildings in the future.

The committee again held extensive hearings on legislation to authorize the Tennessee Valley Authority to finance needed additions to its power system by the issuance of revenue bonds. The House and Senate approved the legislation and it became a public law on August 6, 1959.

One of the most important measures acted upon by the committee in this session was the bill to amend the Federal Water Pollution Control Act to increase the authorization of funds for construction of sewage-treatment plants. The bill passed the House and Senate and is awaiting conference action.

Following action on the 1959 Highway Act, a special subcommittee on the Federal-aid highway program was appointed to study policies, procedures, and practices involved in the administration of the road program. The investigation was deemed necessary and desirable in the light of numerous serious complaints about the program from many sources during committee hearings and floor debate on the bill providing an additional increase in the Federal gasoline tax. The initial phase of the subcommittee's activity will be devoted primarily to intensive investigative work by the staff. Public hearings will follow, possibly early in the next session.

I have had splendid cooperation and invaluable aid from all committee members. I am grateful to Representatives GEORGE H. FALLON, CLIFFORD DAVIS, JOHN A. BLATNIK, ROBERT E. JONES, and FRANK E. SMITH, who served so ably as subcommittee chairmen. The committee is fortunate in having an efficient, hard-working staff of experienced persons, and I commend them for innumerable tasks well done.

Following is a summary of the bills and resolutions acted upon by the committee in the first session:

Bills and resolutions enacted into law

Public Law No.	Bill No.	Date approved	Title
41	H.R. 2228	June 11, 1959	Mount Vernon Memorial Highway, additional land in exchange for dredging privileges.
35	H.R. 4695	May 29, 1959	Amend title 23 of the United States Code—Highways, to increase period in which construction shall commence on rights-of-way.
[1] 137	H.R. 3460	Aug. 6, 1959	Tennessee Valley Authority Act of 1933, amend re sale of revenue bonds.
203	H.R. 2193	Aug. 25, 1959	Designating Coyote Valley Reservoir in California as Lake Mendocino.
100	H.R. 904	July 17, 1959	Renaming New Richmond locks and dam, Ohio, as the Captain Anthony Meldahl locks and dam.
193	H.R. 2191	Aug. 25, 1959	Designating Petaluma Creek, Calif., as Petaluma River.
77	H.R. 5515	July 6, 1959	Big Sandy River, Ky.-W. Va., increase authorization relating to dam No. 3.
189	H.R. 109	Aug. 25, 1959	Designating dam and reservoir on Pound River, Va., as the John W. Flannagan Dam and Reservoir.
93	S. 42	July 17, 1959	Storage space in Table Rock Reservoir, Mo., for water supply for a fish hatchery.
249	H.R. 7645	Sept. 9, 1959	Public Buildings Act of 1959.
191	H.R. 1074	Aug. 25, 1959	Repealing act of Aug. 9, 1939, creating Louisiana-Vicksburg Bridge Commission.
190	H.R. 802	....do.....	Validating and confirming a contract between the United States and the town of Bridgeport, Wash.
82	S. 692	July 13, 1959	Authorizing sale of certain lands at Table Rock Dam and Reservoir project, Missouri, to State of Missouri.
228	S. 300	Sept. 8, 1959	Amending the act establishing a study commission on certain river basins in the State of Texas.
264	S. 2291	Sept. 14, 1959	Plaque in honor of Hon. Sam D. McReynolds on site of Chickamauga Dam.
328	H.R. 7125	Sept. 21, 1959	President Adams Parkway, study of feasibility.
307	H.R. 616	....do.....	Designating dam across Lampasas River, Tex., as Stillhouse Hollow Dam.
334	H.R. 8035	....do.....	Designating Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the Gen. Edgar Jadwin Dam and Reservoir.
342	H.R. 8678	....do.....	Federal-Aid Highway Act of 1959.
297	S. 2230	....do.....	National Cultural Center Act, amend re disposition of donated funds.
347	S. 1473	Sept. 22, 1959	Sale of certain land to First Baptist Church of Plymouth, Mass.
348	S. 2362	....do.....	Conveyance of land at John Day lock and dam to city of Arlington, Oreg.
248	H.R. 968 (S. 962)	Sept. 9, 1959	Improvement of channel to Port Mansfield, Tex. (S. 962 included in H.R. 968 by Senate amendment.)

[1] Amended by Public Law 86-157 (S. 2471) to delete certain language from sec. 15d(a)

Bills passed by the House and pending in Senate committee

Bill No.	Passed House	Title	Bill No.	Passed House	Title
H.R. 1	Mar. 13, 1959	Lake Michigan, diversion of water into Illinois Waterway.	H.R. 8171	Sept. 9, 1959	Rail transit crossing across Bay of San Francisco.
H.R. 7634	July 16, 1959	River and harbor and flood control omnibus bill, 1959.	H.R. 5738	----do----	Public wharf in Waukegan Harbor, Ill., Waukegan Port District.
H.R. 7808	July 8, 1959	Designating new lock on St. Marys River at Sault Ste. Marie, Mich., as the John A. Blatnik lock.	H.R. 5349	Sept. 14, 1959	Conveyance of certain real property to Orange County, Calif.

Bills reported by the committee and pending on House Calendar

Bill No.	Reported from committee	Title
H.R. 8347	Sept. 5, 1959	National wildlife refuge at Jackson lock and dam, Alabama.

Bills approved by House and Senate and awaiting conference action

Bill No.	Passed House	Title
H.R. 3610	June 9, 1959	Federal Water Pollution Act, amendment to sec. 6 re sewage treatment plant construction grants.

Bills approved by Senate and referred to committee

Bill No.	Passed Senate	Title	Bill No.	Passed Senate	Title
S. 219	Apr. 29, 1959	Government Printing Office annex building.	S. 2440	Aug. 19, 1959	Designating Green Peter Dam and Reservoir, Middle Santiam River, Oreg., as the Douglas McKay Dam and Reservoir.
S. 601	----do----	Authorizing construction of Bardwell Reservoir, Tex. (included in H.R. 7634).	S.J. Res. 115	----do----	Pan American Health Organization headquarters site.
S. 846	May 20, 1959	Designating Cannelton lock and dam, Indiana, Ohio River, as the George Ewing lock and dam.			
S. 1632	----do----	Authorizing modification of existing navigation project for Kahului Harbor, island of Maui, Hawaii (included in H.R. 7634).			

There follows herewith a digest of the important legislation of national interest and effect handled by the committee:

DIGEST OF FEDERAL-AID HIGHWAY ACT OF 1959 (PUBLIC LAW 86-342)

Title I of the new law does the following:

(a) Amends section 103(b) of the Federal-Aid Highway Act of 1956, as amended, by decreasing the authorization for fiscal year 1961 by $500 million, from $2,500 million to $2,000 million.

(b) Amends section 8 of the Federal-Aid Highway Act of 1958, as amended, by approving the 1956 estimate of cost of completing the Interstate System as the basis for apportioning funds to the States for the fiscal year 1962. This estimate had previously been approved for the 1960 and 1961 fiscal years.

(c) Authorizes an additional $2 million to be appropriated for parkways for the 1960 fiscal year.

(d) Directs the Secretary of Commerce to make a study of the need for extension of the Interstate System in Alaska and Hawaii, and report to the Congress by January 14, 1960, with recommendations as to the approximate routes and mileage thereof.

(e) Amends the Federal standards for State regulation of billboards along the Interstate System to exempt from the standards "those segments of the Interstate System which traverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use, as of the date of approval of this act, is clearly established by State law as industrial or commercial."

(f) Provides for the use of emergency relief funds for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads whether or not such highways, roads, or trails are on any Federal-aid highway system, with the Federal share of 100 percent payable on account of such work performed with emergency funds on such roads on the public domain.

(g) Increases the authorization for bridges over Federal dams from $10 to $13 million.

Title II provides additional financing for the highway trust fund for the period from October 1, 1959, to July 1, 1964. The Federal tax on gasoline, diesel fuel, and special motor fuels is increased by 1 cent a gallon. The increase is effective for 21 months, from October 1, 1959, to July 1, 1961. Five percent of the 10 percent excise tax on automobiles and 5 percent of the 8 percent tax on automotive parts and accessories are earmarked to be allocated to the highway trust fund from July 1, 1961, to July 1, 1964. Several other miscellaneous provisions are included in this title which was handled by the Committee on Ways and Means in the House and the Committee on Finance in the Senate.

The bill became a law with the signature of the President on September 21, 1959.

DIGEST OF TVA SELF-FINANCING (PUBLIC LAW 86-137)

For several years the Tennessee Valley Authority warned that it faced a power shortage. The TVA not only provides power to a burgeoning economy in formerly depressed areas in seven States, but its operations contribute greatly to public health and provide recreation on more than 10,000 miles of manmade lakes behind its dams.

To meet power demands, this legislation was enacted granting the TVA authority to sell up to $750 million worth of revenue bonds to finance expansion of its facilities. Passage of the bill and Presidential approval on August 6, 1959, removes the threat of a power shortage in the important TVA region and will permit these areas to continue sound economic growth.

DIGEST OF THE PUBLIC BUILDINGS ACT OF 1959 (PUBLIC LAW 86-249)

This law provides the basic statute which vests in the Administrator of General Services authority and responsibility for acquiring, constructing, altering, repairing, remodeling, improving or extending public buildings and acquiring the necessary sites or additions to sites in connection therewith.

It authorizes a program of public building construction by direct appropriation, which, in the estimation of the committee, will facilitate the construction, at the least possible cost, of public buildings in communities throughout the Nation where an urgent need has been apparent for some years.

Projects initiated under this program must be submitted to the Committees on Public Works of the Senate and House, respectively, for approval, except in the case of alterations costing less than $200,000 and new construction costing less than $100,000.

The bill won bipartisan support, passed House and Senate without controversy,

and received Presidential approval on September 9, 1959.

DIGEST OF FEDERAL WATER POLLUTION CONTROL ACT AMENDMENT (H.R. 3610)

The purpose of this bill is to further stimulate construction of needed municipal waste-treatment facilities to prevent the discharge of untreated or inadequately treated sewage or other waste into the waters of the Nation.

The bill amends section 6 of the Federal Water Pollution Control Act (33 U.S.C. 466e) dealing with grants for treatment-plant construction by authorizing—

(a) Grants for projects in the amount of 30 percent of the estimated reasonable cost thereof or $500,000, whichever is the smaller, with the provision that no grant of more than $250,000 shall be approved for a project in any State until all previously filed applications from that State and political subdivisions thereof for grants not exceeding $250,000 have first been approved.

(b) Municipalities to join together to build joint treatment facilities with the amount of grant allocable to each community as if it were a separate project.

(c) Reallocation of grant funds from States not using funds because of lack of projects to States having projects approved for which grants have not been made because of lack of funds.

(d) One hundred million dollars to be appropriated for purposes of construction grants for any fiscal year.

(e) An aggregate of $1 billion to be appropriated for such purposes.

The Senate amended the bill in several respects. One major amendment would reduce the amount authorized to be appropriated for construction grants to $80 million in any fiscal year and to $800 million for the 10-year period which the bill would cover.

The bill is awaiting conference action to reconcile differences between the House and Senate versions.

DIGEST OF RIVERS AND HARBORS AND FLOOD CONTROL OMNIBUS BILL (H. R. 7634)

This is an authorization bill containing a number of navigation, beach erosion, and flood control projects. Title I would authorize 36 navigation projects and 2 beach erosion projects (shore protection). Title I would authorize 10 flood control projects and increase the monetary authorization for 6 river basins.

No legislation enacted by the Congress is subjected to more study, evaluation, and closer scrutiny than measures authorizing civil works improvements. This bill is no exception. All of the projects in it have been certified as economically sound, promising a greater ratio of benefit than cost.

Included in the bill are a number of authorizations for surveys of similar problems in other localities to be carried out by the Corps of Engineers.

Improvement of waterways has been an important factor in the development and economic growth of the Nation. Piers, wharves, elevators, warehouses, and trackage, developed by local interests as a result of these improvements, help to add to this growth. Civic and local interests must often contribute to the cost of flood control remedial work and harbor and channel improvements with cash, rights-of-way and spoil areas for dredged material.

The bill was approved in the House on July 16, 1959, and is pending in the Senate.

The Need for Closer Relations Between Korea and Japan

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. FEIGHAN. Mr. Speaker, the cause of a free and independent Korea has long enjoyed the sympathy and support of the American people. Our sympathy and support for this cause is anchored in our historic belief that all nations and people are, by right, entitled to the blessings of self-government.

We attested to our belief following World War II when we supported the demands of the Korean people for national self-determination. Dr. Syngman Rhee, the leader of this cause, had spent many years in the United States before World War II, where he espoused the aspirations of his people for national independence. It was only natural that he should return to his native land following the war and there to lead the way in the rebirth of his nation. Dr. Rhee was elected as the first President of the Republic of Korea, in free and unfettered elections, a fitting reward for his lifetime of service and sacrifice for the cause of Korean liberty and independence. One of the many unfortunate consequences of allowing the Russian Communists to assume the false character of allies of the free world alliance, was the division of Korea into two zones of military occupation. The so-called 38° parallel line was agreed to at Yalta, during the time of this strange alliance with the Russian Communists. Thus, today, we find a divided Korea. One-half is free and self-governing. The other half is under the ruthless, inhuman tyranny of Russian proconsuls whose only loyalty is to Moscow and its goal of world conquest.

Our support for the cause of Korean freedom and independence was again demonstrated in 1950. Then the Russians provoked a war of aggression in Korea, supported by the Red Chinese army. An effort was made to drive the United States out of Asia and to put all of Korea under the inhuman control of Moscow. President Harry S. Truman met this wave of tyranny with swift and direct action. The United Nations, as a consequence, organized its first joint command in support of freedom and against an unprovoked war of Communist aggression.

We Americans will never forget the sacrifices our young men and women made on the battlefields of Korea. Nor will we forget the valor of the Koreans as they fought for the survival of freedom's cause in northeast Asia. Our memory is fresh to the valor and sacrifice of those who came from many countries of the free world to defend freedom's cause.

Had Korea fallen, Japan, the next country on the list of the Communist aggressors, would have been subjected to the tyrant's whip. In this respect the people of Japan owe a just debt of gratitude to the people of Korea and to all the countries who stood with the Koreans in their fight against Communist aggression.

The United Nations properly branded the North Korean puppets and the Red Chinese as criminal aggressors for starting the war in Korea. The resolution of the U.N. still stands on the books. So long as it does, no civilized nation will have any relation with the illegal Russian-puppet regime in North Korea. Nor will Red China be admitted to the United Nations. Any dealings with the puppet regime in North Korea discredits the U.N. and will, if persisted in, eventually destroy the U.N. by discrediting it as an organ working toward peace and justice in the world. The same goes for the case of Red China.

A growing number of Americans are showing concern over the worsening of relations between the Republic of Korea and Japan. This concern results from the realization that misunderstandings between Korea and Japan weaken the fabric of the free-world community. In particular, it weakens the position of freedom's cause in northeast Asia. That is why I have concerned myself with the question of Korean nationals now living in Japan and the problems this has created for both Korea and Japan in the postwar era.

At present there are some 600,000 Koreans living in Japan. These unfortunate people want nothing more than the opportunity to live in peace, in a climate where they are accepted and where they can work out their destiny as free men. At present they are destitute. Lacking acceptance, and uncertain of what the future holds, they are desperate. This situation cries out for remedy, for a solution based upon human justice.

The Governments of Korea and Japan have not been able to reach a settlement of this problem. While these two free Governments remain in disagreement as to a solution of the problem, the Communists are busy exploiting the disagreement to their own advantage.

On the one hand the Government of Korea charges Japan of secret dealings with the puppet regime of Communist-occupied North Korea and efforts at the forced deportation of these 600,000 Koreans into the hands of the Communist regime in North Korea.

On the other hand Japan is rightfully concerned with the Communist penetration of the Korean community living in Japan and, in particular, with the threat this poses to their internal security.

Several years ago, during a visit to Japan to study the administration of the Refugee Relief Act, I became acquainted firsthand with this problem. I was convinced that Communist agents were making a concerted drive to manipulate this problem as a wedge between the Koreans and the Japanese. As usual, the Communists were trying to win the allegiance of people by playing upon their miserable plight and lack of hope for the future. It was clear to me then that the Communists were playing a game calculated to make both Japan and Korea the losers.

Now the outlines of the Communist plan are out in the open.

They relish seeing the Japanese accused of engaging in acts of forced deportations because they know this will alienate the many friends Japan has won in the postwar era. They enjoy anything which casts the Japanese nation in the role of oppressor, as cold to human values and human rights.

The Communists enjoy equally anything which will keep open the wounds Korea feels from that era of the past which Japan has denounced. Moreover, the Communists seek to pour salt into these reopened wounds so as to distract the Korean nation from its role as defender of a critical flank of the free world.

Thus the Communists are using the sad plight of some 600,000 Koreans to accomplish these two objectives.

It is not my purpose to pass judgment upon the merits or demerits of the case as seen by Japan or Korea. My singular purpose is to warn of the dangers involved in allowing this problem to worsen and reach a climax out of which no one but the common enemy—the Communists—can benefit. Normally, this is a problem which should be resolved through negotiations between the Governments of Korea and Japan. Such efforts made to date have failed to produce a remedy. The matter is now being handled on what might appear to be a nongovernmental basis, that is, between the Red Cross Society of Japan and the so-called Red Cross Society of Communist-occupied North Korea. The legitimate government of the Republic of Korea is being ignored.

The Japanese Government cannot expect the American people to close their eyes to the obvious. It is clear that the Japanese Red Cross can not act in this case without the approval and assistance of the Japanese Government. This is a reality of life and we Americans are realists. We are also aware that any so-called Red Cross Society in North Korea is nothing but a facade—a cheap and shoddy cover for the puppet regime installed there by the Russian Communists. The link of negotiation between the Government of Japan and the illegal regime in North Korea is painfully obvious.

I point up these facts not to be critical in a negative sense, but to emphasize the need for a remedy to this problem, based upon direct negotiations on a governmental level, in a spirit of justice and amity. It appears further efforts at bilateral settlement between Japan and Korea will not produce the desired results.

The Republic of Korea is anxious to have these Korean nationals repatriated to free Korea. The people concerned, that is, the overwhelming majority, want to return to free Korea. However, there remains open the question of maintaining the personal and property rights of these people during the repatriation. There is also involved the question of a free choice, that is, the voluntary movement of these people as against measures of duress.

Accordingly, I propose that the good offices of a third nation, a free nation, be accepted by the Governments of Korea and Japan. This is clearly a problem of free Asia and should, therefore, be settled by free Asians. The people of free Asia have come a very long way along the road to democratic self-government during the past decade. We Americans rejoice in this accomplishment and look forward to an unprecedented era of prosperity and progress for the people of free Asia. We believe free Asia has the leadership to resolve problems which may arise between the nations of that vast area.

Specifically, I propose that the Governments of Korea and Japan invite the Government of the Philippines to exercise its good offices in finding a remedy for the 600,000 Koreans now in Japan.

I am confident the Government of the Philippines would act in the name of all humanity and would find a solution which would bring justice to the 600,000 people directly concerned and at the same time heal the old wounds which the meddling Communists have opened on the body politic of both Japan and Korea.

Here, I believe, is an opportunity for both Japan and Korea to remove any doubts which may exist as to their good faith in resolving a problem which has earned both the interest and concern of large numbers of people throughout the world. Here, too, is an opportunity for Japan and Korea to strengthen the cause of human freedom by starting down the road together toward a long era of friendly relations and mutual assistance.

Recruitment of Agricultural Workers

EXTENSION OF REMARKS

OF

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. MORSE. Mr. President, I ask unanimous consent that there be included in the CONGRESSIONAL RECORD an excellent statement on the proposed regulations of the Department of Labor pertaining to the recruitment of agricultural workers, prepared by Mr. Norman O. Nilsen, Commissioner of Labor of the State of Oregon, which was presented in his behalf by the Honorable EDITH GREEN, U.S. Representative, Third Congressional District, State of Oregon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF NORMAN O. NILSEN, COMMISSIONER OF LABOR, STATE OF OREGON, PRESENTED BY HON. EDITH GREEN, MEMBER OF CONGRESS, THIRD CONGRESSIONAL DISTRICT, STATE OF OREGON, PUBLIC HEARING CALLED BY SECRETARY OF LABOR, JAMES P. MITCHELL, SEPTEMBER 10 AND 11, 1959, WASHINGTON, D.C., PERTAINING TO AMENDMENTS TO INTERSTATE RECRUITMENT OF AGRICULTURAL WORKERS AND PLACEMENT POLICY

Before discussing whether conditions warrant the proposed regulations, it is well to remember that the agricultural industry has literally no investment in the public employment services of the various States. The farm placement activities of these services are financed exclusively by industries covered by unemployment compensation acts. Since agriculture is not covered, it makes no dollar contribution. The activities of the services do not receive money from general taxation and therefore do not make even an indirect contribution.

I am not objecting to this system, necessarily, but I do believe that it becomes more imperative that the farm placement activities use care and diligence to prevent the undermining of agricultural labor conditions. In the nature of things, if the agricultural industry were supplying any of the funds which support farm placement activities a case might be advanced for allegiance to the immediate or special interests of the agricultural employers. At least, they would earn a large voice in how their contributions were spent. Under the circumstances, however, we are all on an equal footing in making recommendations as to the activities of the farm placement service, regardless of whether or not we are connected with the agricultural industry.

Patently, under these circumstances, there can be no excuse for any activity which fails to accord minimum standards of fair job placement, housing and wages of workers supplied interstate through the farm placement activities of the public employment services of this country.

The major justification for the proposed regulations, however, are the conditions suffered by many of this country's migratory farm workers—conditions which Government should not countenance at all, let alone conduct itself in such a way as might encourage such conditions. There is incontrovertible evidence of the existence of these conditions but they should be reviewed briefly at this time.

We in Oregon have made an exceptionally close study of their existence and can cite them, chapter and verse. However, every State in which any study has been made has found conditions similar, or worse, to those found in the State of Oregon. A number of State agencies, at the request of a State legislative interim study committee, conducted the extensive survey in 1958 which led to the accumulation of a mountain of information on conditions in Oregon. The Bureau of Labor interviewed over 1,200 migrants in a scientific sampling of this State's sizable migrant population. In doing so, staff members of my department worked long hours, 7 days a week, during many weeks—they lived with the migrants, worked in the fields with them and sought them out wherever they were—in the camps, in the fields, even in the railroad jungles and the taverns if that was where they were. Other agencies took assignments related to their jurisdiction.

In Oregon the public employment service is not under the Bureau of Labor. This separate department, therefore, had a different assignment from ours. The State employment service interviewed over 4,000 growers

with respect to their problems and their viewpoint. The welfare department talked to all of the migrant applicants for aid during a 2-month period throughout the State. The board of health interviewed 2,000 migrants relative to their health and checked the sanitation of a large number of camps and fields. The industrial accident commission checked over 500 trucks and buses for safety.

The following comments relate in very brief form the findings of these agencies pertinent to the three major areas treated by the regulations proposed by the Secretary of Labor at this hearing:

HOUSING—TITLE 20, CHAPTER V, SECTION 602.9 (D)

The Oregon State Board of Health reported that over one quarter of all migrant housing facilities in their survey sample were in a condition, or of a type, which were so unsatisfactory as to be menaces to the public health of the State of Oregon. The board of health, moreover, showed that many, many more than one-quarter of the facilities were unsatisfactory in one respect or another, conditions which also would be considered as unhealthful.

The Bureau of Labor found in one county, for example, 14 percent of the migrant population had no shelter other than bedding rolls, tarp and stick arrangements, or personal automobiles. This 14 percent included many family groups, and the total migrant population at the time in this county exceeded 3,000. This same county housed nearly one-quarter of their migrant population in tents, some of which were large platform tents, but many of which were ordinary camping equipment.

The Bureau of Labor found throughout the State that a one-room cabin was the typical situation for a family, or for three or four single migrants. Of those family heads and singles in buildings of one kind or another in our survey sample, 75 percent were in one-room cabins; 65 percent of the families were in one-room cabins. We found these families, approximately 650 rooms, or an average of 4.7 people per room.

We took no average measurement information on the size of the cabins, but anyone familiar with migrant housing knows that the cabins are extremely small. In this one room the parents eat and sleep, feed and bed their children, entertain their friends, store their belongings, and breed and bear more children.

Although the Oregon Board of Health survey, even more than the Bureau of Labor survey, contains conclusive information, the Oregon State Employment Service survey adds insight into the economic context upon which we must focus some attention.

One thousand and seventeen farm operators with migrant housing answered an employment service question which showed that only 15.5 percent of their family units, and 14.6 percent of their barrack units, have been constructed since 1952. There is considerable doubt that the percentage is as high with respect to the proportion of workers accommodated. The only figure available on proportion of workers accommodated was on the barrack type. Of the barrack units built since 1952 (14.6 percent of the total barracks), only 6.3 percent of the total worker capacity was accommodated. (Tables XVII and XVIII, 1958 Farm Operator Survey, Oregon State Employment Service.)

These statistics are dramatized by the most frequent estimate of these farm operators that the life expectancy of their migrant housing was between 10 and 14 years (table XX). With 85 percent of the present housing units already over 7 years old, it is obvious that new construction was not keeping pace with the need.

Furthermore, of the 4,273 farm operators reporting (1,017 of whom had some housing), only 53 were planning any expansion (table XXI).

Since this is the housing situation, it would appear unjustifiable for a Federal agency to sanction importation of workers into a State without some prior investigation of the adequacy of the housing. If such a substantial proportion of the housing is of a quality below decent standards, it is more than likely that a substantial proportion of the imported workers would be inadequately housed.

Many of the growers in Oregon have housing of which they can be proud, and of which the State can be proud. Most Oregon farmers have accommodations which would meet any standards likely to be set. It is, however, the minority of the growers about whom we must concern ourselves, and it is that unfortunately sizable minority who should not receive the benefit of farm placement service activity until some improvement is shown in their housing.

PREVAILING WAGES—TITLE 20, CHAPTER V, SECTION 602.9 (C)

In our survey of the migrant in Oregon in the early part of the 1958 season, the Bureau of Labor found the average weekly earnings of the male migrant to be $32.36 per week. This figure was corroborated by the Oregon State Employment Service study of payroll and man-day figures supplied by the growers themselves. The grower figures reflected average pay per man-day as being $5.37 in the year 1957 for all seasonal farm workers. The low level of earnings of the individual cannot be ignored, even though the earnings of a total family, often cited, might reasonably support them if they were able to earn consistently. In our survey we found the average family earnings to be $80.36 during the season.

The regulations of the Secretary of Labor take on particular importance for the State of Oregon if we are to maintain the standards we now have, inadequate as they are. Farm earnings in Oregon are among the best in the country. In view of the extremely low level of actual earnings, however, we certainly should not permit Government funds to be used in such a way as might undermine wage standards already lower than necessary to maintain a minimum decent standard of living.

AVAILABILITY OF LOCAL WORKERS—TITLE 20, CHAPTER V, SECTION 602.9 (A) AND (B)

The problem of assuring local workers of employment opportunities before clearing an order for out-of-State workers requires consideration of several basic problems and concepts. The most prominent basic concept involves the theoretical benefit to the workers of improved wages and conditions in their local area as a shortage of workers improves their competitive situation. The automatic brake on any runaway effect of such a local shortage is normally that as wages and conditions improve, outside labor is attracted to that area.

These homely statements apply more to industry than to agriculture, however, because heretofore some agricultural industry recruiting practices have prevented agricultural wages and conditions from keeping pace even relatively with industry. The agricultural industry has demanded that Government supply more workers to meet labor shortages, instead of improving wages and conditions to attract more workers.

While I am not desirous of hurting the agricultural industry, nor of shutting off services to the industry, nor of promoting sudden changes in the patterns of which I complain, I am certainly in accord with allowing basic economic forces to help the situation. Supplying outside labor when not absolutely essential to prevent grievous loss to the agricultural industry acts as a restraint on basic economic forces to the detriment of the wages and conditions.

By being overanxious to supply foreign labor to the Nation's large farms, we have allowed a vampire bat to feast at the expense or our migrant and seasonal farmworkers. The net result in the Western States is that we have two tidal waves of workers flooding over the areas. The Mexican nationals have been moved into the Southwestern States and then into California in such numbers that local farmworkers have not been in much demand, and in such numbers that it could not help but have a deleterious effect on wages and conditions which would have improved more under normal economic circumstances. As the foreign tidal wave grew, the domestic labor which normally lived in those areas or normally served those areas was forced to run to the North in search of a better competitive situation. As these domestic migrants moved north more and more pressures were placed on the competitive situation of local farm labor in Oregon and other States deleterious effect of this second tidal wave of displaced domestic workers has further worked to limit improvement in farmwork conditions.

This statement does not propose to turn back the clock. The Nation must work itself out of this situation carefully, responsibly, and gradually in order not to do an injustice to either our workers or economy. Nonetheless, the Secretary of Labor must be supported in the promulgation of such regulations as are here proposed which will act to curb unnecessary recruiting of outside labor.

Even while avoiding irreparable harm to the agricultural industry, there must still be sufficient pressure maintained on the industry to cause it to more energetically seek answers to the problems of its employees. In any event, Government funds should not be spent in such a manner as to relieve the industry of the responsibility and the need for seeking such answers.

CONCLUSION

To all thinking persons of good conscience, it must be apparent that there is an illness in American economic and social life resulting from the conditions under which our migrant farmworkers live and work. The agricultural industry, perhaps through no fault of its own, has not been able to solve even the uppermost of these problems. Since migrants, either individually or collectively, are not in a position to defend their own interests, and since we cannot realistically expect the industry to make any more substantial progress than it has in the past, it is incumbent upon Government to provide the necessary minimum protections for these citizens and fellow human beings in our country.

The case is so strong for the regulations as proposed by the Secretary of Labor that it is clear that they do not go far enough. How can anyone argue for the expenditure of public funds to bring workers to an employer who is not able, or will not, provide a minimum standard of decency, either through sufficient wages to maintain such a standard or through a combination of wages and housing facilities which would assure such a standard? There can be no reason why the various State employment services, supported as they are by the Federal dollar, should be permitted to dispatch to any farm employer, any labor, interstate or intrastate, if the housing of that employer does not meet minimum standards of sanitation, or if the working conditions and wages provided by that farmer undercut the general level in the area.

Actually, the proposed regulations will not make a substantial contribution to the progress of the domestic migrant worker, but they are important in any event. Substantial progress remains to be made and should

be made through legislative and community approaches to the problem, preferably supported or even led by the agricultural industry. At the administrative level, however, certainly these regulations as proposed are the very least that we in this country should expect of a public official with the power and responsibility conferred by statute upon the U.S. Secretary of Labor.

This is all the more true because the standards under the proposed regulations will remain in most States fixed at a level considerably below the level guaranteed by contract to the foreign nationals we import to the competitive disadvantage of our own workers.

It has been a privilege for my testimony urging adoption of the regulations to be entered in the record at this most important hearing by the Honorable EDITH GREEN of the Third Congressional District in Oregon. I trust that the results of this hearing will be a further indication that we are belatedly recognizing our responsibility as a nation to provide minimum levels of protection for our farmworker fellow citizens.

Report on the Progress of the 86th Congress, 1st Session, to the People of the 32d Congressional District of New York

EXTENSION OF REMARKS
OF

HON. SAMUEL S. STRATTON
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. STRATTON. Mr. Speaker, as the 1st session of this 86th Congress, of which I have had the honor and privilege to be a Member from the great 32d District of New York State, draws to a close, I would like to review briefly for the people of my district some of the highlights of these exciting 8½ months—what we have accomplished as well as what remains to be done, for the Nation as well as for our own district.

REPRESENTING MY DISTRICT

May I say at the outset, Mr. Speaker, that when I campaigned for Congress last fall I promised the people of my district that if they sent me to Washington I would be sure to speak up loudly and strongly for the interests of our district, and I would work and fight as hard as I knew how to meet the special needs of our area. I assured the people that the Members of Congress would certainly come to know of our district, and would be made well aware of the kind of legislation required to meet our problems.

This, Mr. Speaker, as you know, I have sincerely tried to do, and I hope I may have succeeded in some measure in carrying out these objectives.

REPORTS TO THE PEOPLE

I also promised to keep my people posted on what was going on here in Washington, what I was trying to do as their Congressman, what were the big issues pending before us, how I had voted on these issues, and the reasons why. This, too, Mr. Speaker, I have sincerely tried to do—with weekly newsletters to my constituents, monthly television reports, and periodic press and radio releases. My people may not all approve 100 percent of every vote I have cast, but at least they know how I voted and they know the reasons why.

This final report to them is being made in this same spirit, as an accounting to which they are rightfully entitled of the stewardship I have tried to render for them as their personal representative in the seat of our National Government in Washington.

THE SESSION IN BRIEF

This has been a long session of Congress, one of the longest in recent history, and in many respects it has been a difficult session, too. And yet I believe that nearly all of us will agree it has also been a worthwhile and productive session. Together we have hammered out a sizable program of constructive, responsible, and effective legislation of which the people of the country and our individual districts can well be proud. We have not, of course, done all of the things that some of us would have liked to see done. But the record we have made has been, in my judgment, Mr. Speaker, a sound, middle-of-the-road record on which we may confidently expect that the 2d session of the 86th Congress will continue to build when it convenes next January. In spite of party differences, the Members of this Congress have worked to achieve a harmony of view with the President of the United States so that together we could write the best legislation possible. Very wisely, in my judgment, we have avoided the strong temptation to play politics, and merely draw the lines of political difference more sharply in preparation for coming campaigns instead of actually passing laws for the benefit of our people.

As a freshman Member of this body I am also proud that the record will show that on the issues presented to us here I have consistently refused to vote on any purely partisan basis, but have tried to cast my vote in the interests of all of the people of my district as their representative, irrespective of party affiliation.

JOBS AND UNEMPLOYMENT

During the months that this first session has been in progress there has been one overriding and essential issue in the minds of all of the people in our district and that has been the issue of jobs and unemployment. Members will recall that I have repeatedly taken the floor of this House to point out the serious economic conditions confronting upstate New York, and to impress upon them the need for appropriate legislative action to meet the steady loss of jobs from certain areas of our country at the very same time that other areas have been reporting unprecedented prosperity.

To my deep regret we did not succeed, in spite of all of the efforts of our bipartisan steering group, in passing through this House the so-called distressed areas bill, adopted earlier by the Senate. This bill would have made funds available immediately to help communities help themselves attract new industries to take up the slack of unemployment and vanished jobs. I confidently expect, however, that this legislation will stand high on the agenda of priority items when the second session convenes in January, and I for one intend to devote my full efforts toward seeing some such legislation enacted into law. Eliminating needless pockets of chronic unemployment such as exist today in Amsterdam, Gloversville, Johnstown, and Schenectady—and to some extent also in Oneonta—is certainly the most pressing single piece of unfinished business before the 86th Congress.

In fact when we convene again I hope we will pass not only the distressed areas bill, of which I am a cosponsor, but also legislation similar to a bill which I have introduced to provide tax relief—through faster tax writeoffs—for industries which will locate or expand their facilities in areas already suffering from unemployment. Legislation of this type is needed to halt the movement of industry away from established industrial States like New York, and will also, I believe, go far toward preventing the growing concentration of defense production in the far western section of our country while New York State, which still pays 20 percent of all Federal taxes, is receiving less than half the amount of defense contracts going to a State like California.

SCOTIA NAVY DEPOT

Even though we need to meet this problem of unemployment on a broad national basis, I am happy to be able to report that we have made some small progress in arresting the decline in jobs in our district and in turning the employment curve back up again. Last fall, before I took office, the Navy announced the closing of the supply depot at Scotia, with an attendant loss of 675 jobs in our area, plus the countless skills and productive know-how built up by these loyal employees over many years. Although the Navy indicated that some of its activities would still be carried on at Scotia after December 31 by the General Services Administration, this was still a heavy blow to our hard-hit area. I have appealed repeatedly to the Navy during the last year, and I have enlisted the full support of our two U.S. Senators in these efforts. But the Navy has refused to alter its plans in any way and, until recently, had been most vague about employment details after January 1, 1960. In the meantime loyal workers were being gradually thrown off their jobs.

I am happy to report, however, that within the past few days Navy Secretary Franke has given me the first official assurance that at least 90 persons presently employed at Scotia will be retained after December 31 to work with GSA. He has also agreed to my request that these persons be selected in advance by the Navy rather than being discharged now and then rehired later on. I hesitate, of course, to hope too much for the future, but I do believe that experience will prove that the proper and most effective conduct of our defense program requires the continued and even fuller utilization of existing facilities and skills at Scotia. In the meantime I have been assured by the Civil Service Commission that they expect to place almost every employee who is let go at Scotia in some other job, either Government or

private, and I have tried to be helpful myself in making these changes possible for individual employees.

TURBINES AND TVA

One of the major factors contributing to heavy unemployment in my district has been the sharp decline in turbine manufacturing at the great General Electric works in Schenectady. Part of this decline has resulted from a sudden shift in policy on the part of some of our Government agencies, notably TVA, in favor of purchasing foreign-built turbines rather than those built in America. I have frequently taken this floor, Mr. Speaker, as Members will recall, to protest this disastrous and shortsighted policy on the part of our Government. I am proud that as a result of my efforts along these lines the RECORD shows that before the TVA self-financing bill was adopted this year the TVA Board made a definite commitment to Congress that the Buy-American Act would continue to apply to the $750 million of additional funds being made available under the legislation. Shortly thereafter Schenectady General Electric was awarded a contract by TVA for production of the largest steam turbine ever built, a 600,000-kilowatt machine. This contract will be of great benefit to our area, though I do wish the lag in time between the contract award and the moment when men are actually put to work were not so long.

Our continued battle against foreign turbine purchases on the part of the Government has also helped, by the way, to channel several other substantial awards to Schenectady GE, including a contract for four huge turbine-generators for the Army Engineers Barkley Dam project in Kentucky. The Army's original award to GE had been protested by one of GE's foreign competitors. But I took exception to this most unusual interruption of normal Army contract procedures, and the Comptroller General ended by authorizing the contract, plus the many jobs it will entail, to Schenectady GE as the Army had originally planned.

GLOVES, CARPETS, AND FOREIGN IMPORTS

The inroads of foreign competition into the turbine manufacturing field are comparatively new. But the heavy impact of low-cost, low-wage competition is an old, old story for the glove industry in Fulton County and the carpet industry in Amsterdam. Both industries are in need of immediate relief in terms of higher tariffs or lower import quotas, and I have introduced and fought hard for legislation to help them both. Some measure of the seriousness of the problem which both industries face from foreign imports is shown by the recent announcement that the only two really "chronic" areas of unemployment in all of New York State are Amsterdam and Johnstown-Gloversville, both in my district.

Within recent weeks the leather glove industry has instituted a so-called escape clause action with the U.S. Tariff Commission in Washington. I have joined in support of this action, and expect to testify in behalf of the glove industry during the hearing. Similar action has been taken by the knit glove industry with the Office of Civil and Defense Mobilization, designed to get relief on the basis of the importance of the glove industry to our whole defense mobilization base. After all, you cannot fight with cold hands. I am also supporting this action in the strongest possible way.

Yet more is needed than even favorable decisions in both of these cases. Under present law, for example, even a successful recommendation by the Tariff Commission in favor of the glove industry could be overruled or vetoed by the President for "international" reasons. In fact over the past few years most such recommendations to help hard-hit industries have been vetoed in this way. Decisions to protect local industry must therefore be given greater legislative weight, and I have introduced a bill to prevent any indiscriminate overriding or vetoing of such tariff relief decisions. Besides that, if we are really to be safe, a more favorable tariff on foreign gloves and a sharply reduced quota of imports must be written into the basic trade law itself. I have introduced legislation to fix this import quota at 50 percent of domestic production, which seems to me a fair and reasonable figure.

It is true, Mr. Speaker, that those of us who are fighting for legislation to protect local jobs against throatcutting, unfair, low-wage competition from abroad are fighting a hard, uphill battle. But I am confident that our ranks are growing. Our bipartisan group in this House has grown considerably in size during this session, and many influential organizations, including leading national labor unions who originally were opposed to tariff restrictions, have now rallied to our side. The battle is still far from won, but I sincerely believe that our cause is prospering and that victory is in sight.

Legislation of the same kind is needed to protect our local carpet industry. In the meantime I have had occasion to speak out, as Members will recall, against some recent efforts being made to eliminate rugs and carpets from offices in the new Senate Office Building. While this exchange may have had its lighter aspects, the move to replace carpets with other types of floor covering could well jeopardize hundreds of jobs in Amsterdam and other carpet centers in America, and it was therefore something that should not have gone unchallenged.

BIPARTISAN CONGRESSIONAL COOPERATION

To me, Mr. Speaker, one of the most encouraging developments of this 1st session of the 86th Congress has been the new spirit of harmony and cooperation among all 43 members of the New York State congressional delegation, regardless of party affiliation. For the first time in many a year, so I am told, Democrats and Republicans got together and pledged our joint efforts to work for increased jobs and industry for our own State. Certainly the need to keep business in New York State and to attract new businesses is something that transcends narrow party lines. If New York suffers we all suffer together. I am glad to have had a small part in stimulating this bipartisan cooperation, and I want to commend the gentleman from New York [Mr. CELLER], and the gentleman from New York [Mr. TABER], for the job which they have done in heading up our delegation's bipartisan steering committee. It is time that we in New York pulled together to see that our State gets its fair share of defense contracts, for example, and to see that the interests of an established and progressive industrial State like New York, where men and women work under advanced and civilized conditions and at fair and reasonable wages, are not impaired or jeopardized by unfair legislation or shortsighted actions by executive departments.

KEEPING AMERICA STRONG AGAINST AGGRESSION

I know the people in my district were as pleased as I was at the recognition afforded to our 32d District when I was fortunate enough, as a freshman Member of the House, to be assigned to the powerful Armed Services Committee. We in our district have a direct and personal interest in keeping America strong against any threat of Communist aggression, and in having our armed services efficiently operated and ready for any emergency.

Mr. Speaker, as a member of this committee it has been a high privilege to serve under our outstanding and deeply beloved chairman, the gentleman from Georgia [Mr. VINSON], one of the really great Members of this House and the one man who unquestionably knows more than any other living American about the defense of our Nation. I was honored to be selected to represent him this past year on the Board of Visitors at West Point. I was likewise honored to be among those selected by him last March to visit our farthermost outpost of freedom, West Berlin, during the Berlin crisis, so as to report to the other members of our committee as to the condition of our defenses there. And I have been happy to have been selected to serve on the special subcommittee investigating the misuse of personnel in our armed services, under the distinguished chairmanship of the gentleman from Illinois [Mr. PRICE], and alongside the able gentleman from Connecticut, Colonel KOWALSKI, who has waged such a relentless fight against all waste of military manpower.

I believe the record will show, Mr. Speaker, that one of the great achievements of this Congress has been what we have done in the field of national defense. We have appropriated, for example, some $400 million in additional funds to modernize our Army. We have provided funds for a new modern Navy carrier. We have continued the sound program of constructing more of those atomic submarines, pioneered by Vice Admiral Rickover, and developed with the efforts of so many of the great General Electric Co. scientists at the Knolls Atomic Power Laboratory in my own district.

Working together without any touch of narrow partisanship, members of our

committee have called attention to the need to stand firmly behind the President in Berlin. As a result of the outspoken comments of some of us with regard to the recent aggression in Laos, our Government has also taken, as it must take, a firmer line there, too. Surely we cannot accept at face value the protestations of Premier Khrushchev or other Communist leaders about wanting peace or disarmament while "brush fire" aggressions, nibbling at the fringes of the free world, are allowed to continue unabated in faraway places. We must not be lulled, by any exchange of visits, into letting down our guard or abandoning our defenses without first receiving some ironclad assurances of international inspection and control.

In this past session, Mr. Speaker, I have found myself branded as a warmonger by the Communist propaganda radio for voicing sentiments such as these on the floor of the the House. But I am proud of that attack and I shall of course continue to speak out without fear or hesitation in exercising my responsibility as a Member of Congress and a member of its Committee on Armed Services.

NO DEFENSE CONTRACTS FOR GE?

Knowing the defense needs of our country, Mr. Speaker, I was especially proud, as a freshman Member, to have led the fight on the floor of this House some months ago against legislation which would have banned all defense contracts to any company, including the General Electric Co. and ALCO Products in my own district, which had any retired admiral or general on its payroll. Had this hastily-conceived legislation actually been approved, New York and my own district would have suffered a heavy blow against our industrial production. Fortunately we defeated the amendment by a single vote, and the subsequent investigation—conducted by the Hébert investigating subcommittee—into the charges which inspired this amendment has not substantiated any of the original assertions about improper influence on the part of our retired officers.

LABOR-MANAGEMENT REFORM LEGISLATION

Let me touch briefly on some of the other highlights of this session too. We have adopted, for example, a bill to eliminate racketeering from labor-management relations. As I have already reported elsewhere in greater detail, I opposed the original Landrum-Griffin bill because I felt that in dealing with racketeering excesses it infringed unfairly and unnecessarily on the legitimate rights of decent, law-abiding unions, and might even jeopardize the industrial position of established States like New York by speeding up shifts of industry to the South. I did support the move to send this bill to conference, however, rather than pigeonholing it, because I believed that many of these bad features could be eliminated by the conference committee. That in fact is just what happened. The bill which finally emerged, and which I supported, even though it has some imperfections which ought to be corrected in the light of the bill's operating experience, is substantially the same kind of fair, middle-of-the-road legislation originally reported out of our House committee.

OTHER ACCOMPLISHMENTS

This session of the 86th Congress also took a forward legislative step when it increased the appropriation for medical research by some quarter of a billion dollars, which means that we can now speed up the search for a cure to such diseases as cancer. I am especially pleased that this expanded medical research appropriation included an item of $50,000 which was inserted at my request to authorize a nationwide study into the effects of naturally radioactive rocks on unborn babies, a study to be based on earlier research carried out in New York by our State health department in areas of the Adirondacks and in Otsego County with such startling results.

We passed a bill providing much-needed increases in railroad retirement pensions.

We approved admission of Hawaii as the 50th State in our Union and in so doing welcomed to Washington a bipartisan delegation of Congressmen from the Aloha State who are themselves evidence that one more barrier has fallen in our continuing fight against prejudice and bigotry in America.

We adopted an improved and expanded program of veterans' pensions, although the special needs of many of our World War I veterans have still failed, in my judgment, to get proper recognition.

We approved higher interest rates on Government savings bonds, which means that men and women who invest their funds in the future of America will no longer be penalized for their patriotism.

We extended the good work of the Civil Rights Commission for another 2 years.

We passed a reasonable housing program.

We continued the Federal highway program, even though Congress unfortunately refused to provide proper reimbursement for States like New York which have already accomplished so much at their own expense without Federal help. Without such reimbursement, incidentally, it will be much more difficult to get Federal assistance for needed road improvement projects in Hamilton County and elsewhere. Incidentally I voted against the 1-cent boost in the gas tax that was tied onto this program because I believed it was unnecessary and improper.

We authorized a new food-stamp plan to make more of our huge food surpluses, which we are already sending abroad in great quantities, available also to needy people within our own country.

We put a much-needed and long-overdue limit of $35,000 on farm subsidy payments, which should now help to get our farm program geared back toward the small family farmer instead of toward the huge factory-type of farm.

ECONOMY AND INFLATION

I am pleased that this Congress has chosen to live within the Federal budget and not risk further inflation by incurring budget deficits. That decision was the direct result not only of the spirited campaign waged by President Eisenhower, but also of all the letters, telegrams, and phone calls which came from our constituents. I am happy to have had a small part in helping to nail down this important policy decision because I voted against earlier bills which called for excessive spending over and above the budget figures. Later these programs were scaled down to more moderate figures and I was glad to support the programs in that new form. Official figures in the CONGRESSIONAL RECORD now show that Congress has not only ended the session by staying within the President's budget figure but has even reduced the total by some $1.8 billion. This is one more dramatic proof that it does pay to write your Congressman.

Even the public works appropriation bill, the annual water development and flood control measure, was passed at a figure under the President's budget, in spite of much apparent confusion on this point. Congress may have disagreed with the President as to which flood control projects were most urgently needed, but there was no real disagreement that these costs too must be kept within overall budget allocations.

KEARNEY PHILIPPINE AWARD BILL

Naturally I am proud that the final record of this Congress includes one bill, H.R. 5477, which I introduced and fought for until it became law. It is a bill which authorizes my predecessor, former Congressman Bernard W. Kearney, who represented this district with great ability for 16 years until his retirement last year, to accept a medal conferred upon him some time ago by the Philippine Government in appreciation of his many services to Philippine veterans. In spite of some difficulties in getting the bill approved in the Senate, I am happy that with the support of Senator LYNDON JOHNSON, of Texas, and Senator EVERETT MCKINLEY DIRKSEN, of Illinois, both former colleagues of "Pat" Kearney in this House, we did get the bill passed and signed into law. This Kearney bill is not merely a fitting tribute to a great legislator, and, incidentally, a real thrill for a new Congressman, but it has also served to teach me something about how bills are really enacted into law—a lesson, I hope, that will be helpful in the upcoming second session.

FARM LEGISLATION

While the record of this session of Congress has been a successful one, much of course remains to be done. Besides the urgent need for legislation to deal with the critical problem of unemployment, to which I have already referred, there is, for example, the pressing need for a revamped and more satisfactory farm program. Congress has failed thus far to face up to the challenge of drafting such a program. In voting as I did against such separate agricultural bills as the wheat and cotton legislation offered in this session, I tried to demonstrate my conviction that we cannot continue indefinitely just to increase farm subsidies and then pile up greater and greater surpluses to be stored at the taxpayers' expense. We need a fresh approach to the needs of

the farmer, to lift from his back some of the weight of unnecessary government interference, and to give him a fairer opportunity on his own merits to make a more ample living and keep his farm income ahead of his costs of production. In placing a top limit on farm subsidy payments this session of Congress made at least one step in what I regard is the right direction. But we need to move much further ahead next year to assure that any farm program is geared strictly to the family farmer.

MILK CONSUMPTION

Much of the difficulty that confronts the Nation's dairy farmers comes from our continuing failure to promote a really adequate level of fluid milk consumption across the Nation. Here is one area where government can properly be helpful to the farmer without interfering with the operation of his own business. As a Member of Congress I have been greatly concerned with the need to stimulate the consumption of milk, and as a Member of the House Armed Services Committee I have suggested a number of proposals for greater utilization of milk by our armed services and for civil defense stockpile purposes. This is one line of approach that offers real possibilities for expansion and I plan to pursue it even more vigorously in the months ahead.

YOUTH CONSERVATION CORPS

Unfortunately no action was taken in the House this session on a bill which I joined in sponsoring to establish a Youth Conservation Corps to provide useful outdoor jobs in conservation and reforestation work in such counties as Hamilton, Fulton, and Otsego for young men who have not yet located a position in industry. The bill did pass the Senate, however, and, considering the renewed attention that has been focused on this kind of useful outdoor activity in the light of increased juvenile crime, I am very hopeful our bill will receive an early hearing next session and be speedily adopted into law in line with the recommendation of many civic groups.

NO BIG DAMS FOR OTSEGO COUNTY

My experience during the past year in Washington, I am happy to report, has convinced me that the pressure for construction of any big flood control dams in Otsego County has disappeared. The fact that the 1960 public works appropriation bill contained funds for flood control operations in the Binghamton area is clear evidence, I believe, that the Army Engineers have now abandoned any serious attempt to carry out the alternative program of big upstream dams, including those in Otsego County, originally authorized in 1936. In fact, as a practical matter, I have discovered that hundreds of authorizations for similar flood control projects all over the country have been adopted over the years on which no further action has ever been taken. Apparently it is only when the Army seeks the funds to carry out such authorized projects that the matter really becomes serious. I have learned that no effort whatsoever has been made to obtain any funds for these Otsego County dams, which would indicate that the Army has changed its mind. Still, as long as the legal authorization remains on the books there is a kind of technical sword of Damocles hanging over the heads of the people of Otsego County, and so I have introduced legislation to rescind that original 1936 action, and shall continue to fight for the adoption of my bill, to relieve once and for all the minds of the people I have the honor to represent of the fear that their farms and homes might some day be taken from them.

TAX RELIEF FOR THE RAILROADS

The steady decline in railroad passenger operations has become a serious national problem directly affecting our own district. From many angles, including national defense, we simply cannot permit the railroads to wither away, nor can we allow regular passenger operations to be abandoned. One step in helping the railroads is a sensible program of tax relief. With that in mind I have introduced legislation to provide such relief through faster tax writeoffs for railroad equipment and rolling stock. My bill received a highly favorable report last month from the Interstate Commerce Commission, and in view of this favorable report I am hopeful the legislation can be scheduled for hearing and action early in the second session.

COLLEGE SUMMER INTERN PROGRAM

One of the major problems in a democracy is training young men and women in the workings and techniques of free, representative government. Unless our younger people not only understand how government works but also become enthusiastic enough to seek government service themselves we cannot expect to have a healthy and workable democracy.

With this in mind I made my Washington office available this past summer to three young college students who joined our office staff temporarily as summer interns. These young men proved of tremendous value in helping to carry out the many tasks that any congressional office is called upon to perform. One came from Union College in Schenectady, one from State University Teachers College at Oneonta, and one from Harvard. Two of the three were selected by their own colleges and were supported in Washington by special educational grants. I am most enthusiastic about the merits of this program, and the young people who took part in it likewise seemed to enjoy the opportunity to watch the operation of Congress at close hand. I look forward to repeating this arrangement for two or three other students next summer.

ADJOURNMENT SCHEDULE

Let me just conclude by saying that being the Congressman from the 32d District of New York has been the most exciting and thrilling experience I have ever had. Never have I had a more challenging or more stimulating job, and I am deeply grateful to all the people of my district for the opportunity they have given me to serve them in the U.S. House of Representatives. I look forward eagerly to the opportunity to return home and to see and talk with them again. It is my intention to hold open-air office hours in each community throughout my district over the next few weeks so as to be easily available to anyone who may want to take up some kind of problem with his Congressman. The schedule of these visits will be locally announced and I hope everyone will feel free to drop in on me. In these months while Congress is in adjournment I hope to be able to speak with hundreds of my constituents about what I have tried to accomplish in the session and, what is even more important, to learn from them their thoughts, views, criticisms, and suggestions as to the kind of additional legislation which will best meet their needs and interests in the year ahead.

During this period my local office will be open as usual at 505 State Street, Schenectady, telephone FRanklin 4–4000, and my staff or I will be available there at all times to render any service we possibly can.

Mr. Speaker, I want to take this opportunity, too, to extend to you, to my colleagues in this body, and to all the people of the 32d District of New York, my sincere thanks and appreciation for the magnificent support, assistance, and understanding that have been rendered to me during the past 8½ months I have served here. I am more proud today than ever before to be a Member of Congress. And I sincerely hope that with the help and advice which I will seek from my constituents as I meet with them personally during the adjournment period I can come back down here next January prepared to try to do an even better job toward promoting the health, prosperity, and welfare of the people of the 32d District of New York State and of all free Americans.

Congressman Curtis' Remarks on Action on President's Budget

EXTENSION OF REMARKS
OF
HON. CLARENCE CANNON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. CANNON. Mr. Speaker, much of the data included in the tabulations inserted in the CONGRESSIONAL RECORD of September 10—pages 19007–19008—and in the RECORD of September 11—pages 19158–19159—by the gentleman from Missouri [Mr. CURTIS] is misleading, inaccurate, and carries connotations and inferences not borne out by the facts.

In the RECORD of the 10th, page 19007, he included what he termed "three sets of corrections for table I on appropriations, a revised table II which compares like periods of time in the President's request with corresponding actions of the Congress, and lastly, a table III which includes $1,683,900,000 in spending increases not requested by the President and blithely skipped over by the other two tables."

"CORRECTION A IN TABLE I AS OF SEPTEMBER 8, 1959"

Its implications are grossly misleading. Table I on the back of the CONGRESSIONAL RECORD of September 8, to which he refers, is clearly labeled as covering the appropriation bills for the 1st session of the 86th Congress. The body of that table clearly segregates the 1959 fiscal supplemental bill from the 1960 supplemental and regular bills. In no wise does it purport to deal solely with fiscal 1960; it is a session table, not a fiscal year table. Yet, Mr. CURTIS, in his "correction A," directly infers otherwise because he gives to "correction A" the title "Amounts for other than the fiscal year 1960 included in table I." Congress operates on a session basis and entertains any and all budget requests from the President regardless of the fiscal year to which they pertain. Format of table is no different in substance from previous years.

But, more importantly, Mr. CURTIS uses erroneous figures in his "correction A." He shows the President's budget estimate for the Development Loan Fund under mutual security as $500 million and the amount agreed to by conferees as $590 million, with the result that Congress is shown to have increased the President's budget request by $90 million. This is so far from the truth as to be ridiculous. The President's budget estimate was $700 million for fiscal year 1960 and an additional $500 million for 1961. Congress refused to appropriate any of the $500 million for 1961—yet Mr. CURTIS says $590 million was appropriated. Furthermore, table I to which Mr. CURTIS refers could not have shown, and did not show, any amount having been agreed to by the conferees for the very simple reason that the bill had not even reached the conferees. In fact, it had not even passed the Senate on the date to which he refers. But he, nevertheless, lists $590 million as having been agreed to. The fact is, Congress finally appropriated $550 million against the President's total request of $1,200 million, of which he proposed $700 million for fiscal 1960.

"CORRECTION B IN TABLE I AS OF SEPTEMBER 8, 1959"

"Correction B" is entitled "Authorizations to expend from public debt receipts in appropriation bills that are not included in table I." Table I is an appropriations table and is so labeled and under the rulings of the House these authorizations to expend from debt receipts have been held not to be an appropriation and, therefore, traditionally have not been included in "appropriation" totals. But, if Mr. CURTIS insists on amending table I to include these—and I did the same thing in my extension of remarks of September 14, page 19822—then he ought to list all such items. But he did not. He failed to include the similar public debt authorization items carried in the District of Columbia appropriation bill. So his "correction B," like "correction A," also needs to be corrected.

"CORRECTION C IN TABLE I AS OF SEPTEMBER 8, 1959"

This one he labels "Reported reductions in 1960 annual appropriation acts which will probably have to be restored in future sessions." This is a favorite charge of the opposition. Note use of the word "probably." The President said a similar thing in September 1957 right after Congress had cut his fiscal 1958 budget by approximately $5.7 billion. He indicated that much of the cut was phony and would have to be restored in deficiency bills in the next session. The truth is, as we conclusively documented on the floor when the first deficiency bill of the next session was brought in—CONGRESSIONAL RECORD, volume 104, part 2, page 2765—that less than 5 percent of the $5.7 billion cut had to be restored the next session and most of that was on mandatory items such as public assistance grants and veterans pension items not subject to precise determination in advance.

Mr. CURTIS now indulges in the same sort of thing. He has not the slightest idea whether any of those amounts which he lists in "correction C" will have to be restored and neither does anyone else. In any event, they are only nominal in amount.

"CORRECTED TABLE II" (NEW OBLIGATIONAL AUTHORITY PROVIDED OUTSIDE THE APPROPRIATION PROCESS)

In this table he seeks to "correct" table II appearing in the Daily Digest each day. But all he has done is to so confuse the situation by the use of inaccurate data that this "corrected table II" probably needs more extensive correction than any other. This "corrected table II" shows that the Congress increased the President's requests on "backdoor" bills by $606 million. That is so far from the truth as to be absolutely absurd.

The first thing he does is to show a $500 million increase by the Congress over the President's request in S. 57, the Housing Act of 1959. Then, he lists S. 2539, the second Housing Act of 1959, but he does not add the figures to arrive at the $606 million alleged increase. And he should not have added the figures on S. 57 in the totals, because the table in the RECORD which he seeks to correct clearly shows that both S. 57 and S. 2539 had been vetoed.

The third-try housing bill, S. 2654, carried no such increases as Mr. CURTIS lists in his table. In my remarks of September 14, page 19823, the correct situation is shown in the last entry on the "backdoor" table.

Incidentally, his most severe castigation was reserved for table II in the Daily Digest each day. It is the fact that as of the date the table to which he addresses himself was prepared, for the bills shown it was literally correct in its comparisons of what the Congress had enacted as against what the President had requested. And it showed a reduction, as of that date, of $799 million. What it did not show, and evidently this is the one thing Mr. CURTIS really objected to although his remarks leave the impression the entire table was inaccurate, is that on the airport and housing bills the table did not compare the President's request and amounts made available for similar time periods. But, nevertheless, the table as presented was literally correct. It was not final for the session because the session was not then concluded.

"TABLE III" INSERTED BY MR. CURTIS (P. 19008, RECORD OF SEPTEMBER 10)

Mr. CURTIS identifies this table as one which "includes $1,683,900,000 in spending increases not requested by the President and blithely skipped over by the other two tables." In the first place, neither of the two tables in question, by their headings or otherwise, purported to represent the complete record of what had happened or what was happening to all of the President's budget proposals. Neither of those two tables purported in any way, shape, or form, to deal with budgetary revenue proposals, for example, and of course neither of them in any wise purported to deal with authorizations for appropriations which may or may not later materialize into actual requests. Congress frequently authorizes programs but does not supply the appropriation to carry them out.

For example, Mr. CURTIS lists one item, "All other authorizations for appropriations," showing an increase of $65,400,000 by Congress over the President's requests. He says this will "affect spending in 1960 and future years." How does he know? How does anyone know? Maybe the President will never ask for the money and even if he does, the Congress may well deny it.

Another item in this table is not accurate, or at least it is out of date. He lists an item from S. 57, the Housing Act of 1959, although as of the date of his remarks both that bill and the second housing bill had been vetoed and were in the process of being replaced, by a third housing bill containing lower amounts.

A third item on this table shows an increase of $36 million over the President's request relating to forest and public land highways. This is a duplicate entry because the action taken is already accounted for in table I on appropriations under the Commerce Department appropriation bill.

The insertion of this type of table is informative and useful to the Members and to the country, but not unless it is correct. This one is not correct in at least these three particulars.

REMARKS IN RECORD OF SEPTEMBER 11 (PP. 19158–19159)

In these remarks, Mr. CURTIS drags a number of red herrings across the scene. He confuses and confounds and makes mountains out of molehills.

For example, in the middle column, page 19158, he seems to impart some sinister motive to changes made in the headings of certain columns of the appropriation table appearing in the Daily Digest each day. He tries to make a big point of the fact that columns formerly headed, for example, "Budget estimates" were changed to read "President's budget estimates." These

changes were clarifying and to make a point of them is childish indeed. It can be taken as indicative of the shallowness of most of his arguments.

Furthermore, in these same remarks, in the right hand column of page 19158, he indicates that table II—the back door table—in the Daily Digest each day was, subsequent to July 6, prepared by an employee of the House Space and Astronautics Committee whereas previously it had been prepared by others. The chairman of that House committee has since stated on the floor that the table was not being prepared by anyone employed by the House Space Committee. More inaccuracy, and indicative of the trivia used to discredit and confuse.

"ALL AGREE IKE'S BUDGET WAS CUT"

This is the heading of a Scripps-Howard news story appearing in the Washington Daily News of Thursday, September 17, the first paragraph of which reads as follows:

They all agree, Republicans and Democrats of both House and Senate, that the 1st session of the 86th Congress cut the President's budget by $1,881,410,093.

This news story later refers to some controversy as to precisely how much was provided by the Congress outside the appropriations process—through "back door" bills. I undertook to show the true facts on new authority to obligate the Government provided in back door appropriation bills by inserting a table on page 19823, RECORD of September 14. So far as can be authoritatively determined, it is accurate and furthermore it is fair and honest in its comparisons with the President's requests. I am certain its authenticity can not be successfully challenged. It shows that, on a comparable basis, Congress in these back door bills did exceed the President's requests by some $231 million identified.

Mr. CURTIS—and he ought to enlist the aid of other colleagues of the House—would be performing a distinct public service if he would indulge less in obfuscation and devote his time to calling attention to the evils of back door spending which impairs effective congressional control of the purse strings. The left hand ought to know what the right hand is doing when it comes to handling the public funds. Mr. CURTIS could render valuable assistance in trying to stop this practice. But, all he has done here is to further confuse by disseminating inaccurate and misleading data.

MISLEADING BUDGETS

Incidentally, if Mr. CURTIS wants a lesson in obfuscation and budgetary legerdemain, or wants to complain about it, he should turn to the President's budget for fiscal 1956, submitted in January 1955. That was one of the most extraordinary documents ever submitted to the Congress. In black and white, it said that the Defense Department was going to cut its own budget by $1¾ billion. They did not specify where they were going to cut, but they said they were going to cut. It was only entered as a one-line item, "Unallocated reduction," which was to be allocated as the year proceeded. The truth is that they not only never did allocate it but they spent the $1¾ billion and $41 million besides. If there ever was a case of positive intent to mislead the people, there it was in the budget the President sent down to Congress in January 1955.

Another historic example: On the day the President submitted the fiscal 1958 budget in January 1957, the President's own Cabinet rebelled against it and demanded that Congress cut it. The Secretary of the Treasury himself came out and said it should be cut, hoped it would be cut, and he urged the Congress to cut it. Later in the session, the President sent a secret letter to every department and in substance told them that, regardless of what the budget said or regardless of what the Congress had provided, they were to cut their budgets back to the previous year's level as a minimum. At the same time, the departments were still defending the higher budget then pending before the Congress and every penny requested when many of them knew they were going to have to cut their appropriations once they were granted.

Princeton and Westminster, Mass., Celebrate Their 200th Anniversaries

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. PHILBIN. Mr. Speaker, October of this year marks the 200th anniversary of the incorporation of two outstanding communities in my district: the towns of Princeton and Westminster, Mass., with histories that actually go farther back in time than the 200 years of progress which were celebrated this summer with impressive exercises.

Both Princeton and Westminster are located in an area of Massachusetts which was settled by pioneer colonists in the very earliest days of American history. Courageous bands of early settlers, many descendants of whom still reside there, carved out of the wilderness a civilization, a tradition, a way of life, and a history which live to this day in the heritage which is so fortunately ours.

The early settlers of Princeton and Westminster helped to establish for all America the basic institutions of democratic government and helped to forge a record of magnificent achievement that lives to this day. It is fitting, Mr. Speaker, that we of the present should make note of the struggles and bitter sacrifices of this pioneer people so that we and our posterity may benefit from the remarkable legacy of accomplishment they have left us.

Mr. Speaker, in recognition of the anniversary celebrations of Princeton and Westminster, I introduced House Resolution 395 on September 12, the full text of which follows:

HOUSE RESOLUTION 395

Whereas the year 1959 marks the two hundredth anniversary of the incorporation of the towns of Princeton and Westminster, Massachusetts; and

Whereas from the time of settlement the people of Princeton and Westminster have figured conspicuously in the founding and growth of this Nation; and

Whereas the observances of the bicentennial anniversaries of Princeton and Westminster were celebrated with impressive community ceremonies which attracted many visitors this summer to central Massachusetts; and

Whereas the anniversary celebration in Princeton will come to an end with the town bicentennial address and community dinner on October 20, 1959: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Princeton and Westminster, Massachusetts, on the occasion of the two hundredth anniversary of these communities and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Princeton and Westminster during the past two hundred years.

This resolution pays humble, but profoundly felt tribute to the communities of Princeton and Westminster on their 200th anniversaries and I know that my colleagues in the House join me in extending congratulations and best wishes to the people of Princeton and Westminster on this great event, so fittingly observed by both towns in separate summer-long celebrations which come to an end in October.

It is not possible for me to recite in this brief address the histories of Princeton and Westminster, but I would like to bring to the attention of my colleagues in the House some of the highlights and accomplishments of these two progressive communities which are part of the Third Congressional District, which I have the great honor to represent in the Congress.

The founding of Westminster was one of the indirect results of King Philip's War of 1675. Veterans of this war in 1685 petitioned the General Court of Massachusetts for a grant of land which had been promised them. The petition was approved and a tract 8 miles square in the Nipmug country was granted the petitioners. Unfortunately, the tract was not located nor surveyed and the land lay dormant until June 1727, when the descendents of the Narragansett soldiers petitioned anew for land. The grant was approved and in 1728 there was reported to the general court "a plan of a town to the contents of 6 miles square exclusive of the ponds near Rutland and Lunenburg." This tract became the town of Westminster.

Actual settlement of Westminster did not begin until 1737 when Fairbanks Moor of Lancaster erected a frame home for his wife and family of five children. He was joined in the same year by Joseph Holden and his family of Watertown and before winter came, both families were settled in their new homes.

Westminster grew slowly because the times were troubled. War between

France and England brought the threat of Indian warfare from the powerful tribes which joined the French. The threats of war, actual fighting and only few ominous periods of peace did little to encourage the growth of frontier settlements. Despite these hazards, Westminster saw its population increase from about 130 in 1750 to 350 in 1760. This comparatively rapid growth for a frontier town resulted in independent corporate existence for Westminster in 1759. John Holden and 31 other residents petitioned the general court and on October 20 of that year the district of Westminster come into being. In 1770, Westminster obtained full town powers from the general court.

The early history of Princeton is similar to that of Westminster. Originally a part of Rutland, the town was made a district by the general court in 1759, to which the name of Prince Town was given. The first settler in that area of Rutland which was to become later Princeton was Joshua Wilder who built there in 1734.

Benjamin Houghton and others petitioned the general court on June 8, 1758, to form a new district, but this petition was denied. The following year another petition was presented and, finally, on October 12, 1759, the House passed an act incorporating the area "into a separate district by the name of Prince Town."

Like Westminster, the early settlers of Princeton fought in the French and Indian War. In the Revolutionary War, the Princeton company of minutemen marched toward Lexington and Concord on April 19, 1775, and the town continued to furnish men, arms and money until victory was won. A direct descendant of Jonas Beaman, one of these minutemen, is the general chairman of Princeton's bicentennial celebration. He is P. Alden Beaman, to whom great credit is due for the sucess of the Princeton observance. Another outstanding leader descended from this illustrious family, is John Beaman, a friend and contemporary of mine at Harvard.

In early stagecoach days, Princeton gained fame as a summer resort. Catering to the summer visitor became one of the important activities of the town. Oddly enough, the advent of the automobile which brought famed summer resorts closer to the people began to see the decline of Princeton's many attractive hotels and summer boardinghouses.

John Greenleaf Whittier, on a visit to Princeton's famed Mount Wachusett in the 1860's, was inspired by the peace and beauty of this rural setting to pen these words:

So twilight deepened 'round us. Still and black
The great woods climbed the mountain at our back;
And on their skirts, where yet the lingering day
On the shorn greenness of the clearing lay,
The brown old farmhouse like a bird's nest hung.

The quiet charm of Mount Wachusett, which so impressed Whittier in its pastoral setting, still lives with us today, Mr. Speaker, so much so that my friend, O. J. Whittemore, Jr., of Boylston Avenue, Princeton, was prompted to write me earlier this year, requesting the issuance of a special commemorative stamp, depicting Mount Wachusett, in honor of Princeton's 200th anniversary.

This proposal received my wholehearted support, and on February 18 of this year I introduced H.R. 4734, calling for the issuance of such a stamp. In addition, I sought the help of the Postmaster General in the authorization of the stamp. Under leave to extend my remarks in the RECORD, I include the text of H.R. 4734 and the reply I received from the Post Office Department on the Princeton stamp:

H.R. 4734

A bill to provide for the issuance for a special postage stamp to commemorate the two hundredth anniversary of the founding of Princeton, Massachusetts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp to commemorate the two hundredth anniversary of the founding of Princeton, Massachusetts. Such special postage stamp shall have as design a view of famed Mount Wachusett, a central Massachusetts landmark, and shall be issued in such denomination and for such period beginning October 20, 1959, as the Postmaster General may determine, and shall be placed on sale in Princeton, Massachusetts, one day before it is made available to the public elsewhere.

FEBRUARY 24, 1959.

Hon. PHILIP J. PHILBIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PHILBIN: The Postmaster General has asked me to thank you for your letter of February 9 and the enclosed one from Mr. O. J. Whittemore, Jr., Princeton, Mass., requesting that a special stamp be issued this year to commemorate the 200th anniversary of the founding of Princeton, Mass.

The importance of this anniversary to the residents of Princeton is readily appreciated but it is now too late to consider a commemorative stamp for this event. As you will note from the enclosed booklet, requests for commemorative stamps should be submitted preferably 18 months in advance of the proposed date of issuance. Too, the members of the Citizens' Stamp Advisory Committee feel that celebrations honoring anniversaries of cities and towns do not have widespread national appeal and significance and, therefore, do not meet the established criteria for commemorative issues.

We do, however, appreciate your interest in our philatelic program and regret that our reply cannot be more favorable.

With kindest personal regards.

Cordially yours,

L. ROHE WALTER,
Special Assistant to the Postmaster General.

Mr. Speaker, Mount Wachusett may again become the famed resort area of not too long ago. At present, there is considerable enthusiasm to make of this area a ski resort with lifts, trails, and open slopes.

A major ski development on Mount Wachusett would attract thousands of ski enthusiasts to the central Massachusetts area. From its summit, 2,006 feet above sea level, the north slope of Mount Wachusett has a vertical drop of nearly 800 feet, in contrast to the vertical drop of about 600 feet at famed Hogback in Vermont. The Mount Wachusett drop could provide fine ski trails, ranging from a half mile to a mile and a half.

On weekends, the Hogback ski area attracts anywhere from 2,000 to 3,000 ski enthusiasts. If the facilities at Hogback can be matched, and perhaps made better, at Mount Wachusett, this famed natural asset of central Massachusetts may enter an entirely new era of recreational activity, thus attracting many new visitors to the area.

First time visitors to Princeton were many this past summer as a result of the community's bicentennial observance. The program of events began last May with an Old Folks Concert sponsored by the Adult and Senior Youth Choir of the Princeton Congregational Church under the direction of Mrs. Robert Erickson. Other bicentennial activities included the following:

June 7, a rope pull between the bearded men of Princeton and the bearded men of Westminster. The growing of beards by men in both towns began early this year so that by the time summer came there was a distinct frontier atmosphere to many of the bicentennial events.

July 3, food sale sponsored by the Princeton Historical Society on the village green with Mrs. Norman M. Howe as chairman.

July 9, Ye Old Prince Town Fair, sponsored by the Friendship Club, in the vestry of the First Congregational Christian Church with Mrs. H. Chester Morse as chairman.

July 18, 200th anniversary grand parade, Firemen's Muster and Field Day with Paul S. Lantz and H. Merritt Woodward as cochairmen.

August 6, visitation to old homes sponsored by the Princeton Historical Society and the Garden Club with Miss Marjorie Inman as chairman.

August 16, Mountain Holiday Fair sponsored by the Prince of Peace Mission with Joseph O'Connor and Allen C. Ikalainen as cochairmen.

September 5, bicentennial dance with Everett P. Webster as chairman.

The bicentennial observance will come to a close on October 20 with an anniversary address and dinner. P. Alden Beaman is the chairman for this final event of the Princeton celebration.

The July 18 event attracted an estimated 10,000 visitors to Princeton. Highlights included the morning parade, soap box derby, firemen's muster and the beard judging contest. Willie H. Mason of Worcester Road was winner of the beard competition from a field of about 40 members of the Hirsute Hillbillies Society of Princeton. Runners up were Erwin R. Speckman, of Brooks Station Road and Clarence J. Cusson, of Main Street.

The grand parade in the morning was led by Paul Lantz, general chairman of the day's program, accompanied by Cub Scout Jeffrey Kemp, 10, son of Mr. and Mrs. Richard S. Kemp, of Worcester Road, and Brownie Marcia Wambach, 8, daughter of Mr. and Mrs. Clyde Wambach, of Esty Road.

Among the bands in the line of march were the 590th Air Force Band, the Royalaires from the Greendale American Legion Post, of Worcester, the Italian-

American Drum and Bugle Corps, of Worcester, the Leicester Drum and Bugle Corps, and the Grafton Community Band.

Many outstanding community floats appeared in the parade. The winners of prizes were:

East Princeton Village Improvement Society with a re-creation of the Redemption Rock scene of early Princeton history, showing Mary Rowlandson being redeemed from her Indian captors, which event has become a classic of colonial literature; Princeton Boy Scout Troop 1 with a camp scene; Wiggins and Wolcott, local builders, with a log cabin scene.

The Princeton PTA won a special honorable mention with its float bearing Miss Roslyn Mason, daughter of Mr. and Mrs. Rockwood P. Mason of Mountain Road, the Princeton Bicentennial Queen, and her court. The court comprised the Misses Fae Niemi, Susan Woodward, Barbara Stein and Diane Robertson.

In the firemen's muster sponsored by the Wachusett District Firemen's Muster Association, Sterling retained its title by tieing its own record of 46 seconds in the "bed race" and setting a new record of 16.6 seconds in the pump run.

The day's program ended with a community bean supper and square dance on the common.

Highlight of the Westminster anniversary celebration was a huge parade on August 8 with 100 marching units. About 20,000 visitors helped to make this day one of the best ever in the history of the town.

The bicentennial parade was reported to be one of the largest parades ever conducted in the area. The day's events ended with a huge display of fireworks in the evening. Earlier in the evening a band concert was given by the 8th Air Force Band from Westover Air Force Base.

The Gardner State Hospital with its float, "The Battle Against Mental Illness," won first honors in the morning parade. Other prizewinners were the bearded "Hillbillies of Princeton" with their float depicting a log cabin; St. Edward the Confessor Church with a float depicting a family in church with the inscription, "The family that prays together stays together." Honor awards were also made to the Westminster PTA for its float depicting an old-fashioned schoolhouse, and the Baptist Church with a float built around the cross.

Awards to business organizations went to the following:

Old Mill, first prize; C. L. Smith, boxmaker, second prize, and Grahn, the florist, third prize. Johnson & Sons poultry farm received an honorable mention.

First prize in the single entry division was awarded to Charles L. Smith, 82, owner of the C. L. Smith box factory. who entered two horse-drawn shays, both featured in the 1909 parade when Westminster celebrated its 150th anniversary.

Heading the parade of more than 100 floats, marching units and single entries was a division of mounted State police. Wesley Battles was the grand marshal, Byron Smith, Federal flag bearer, and Mrs. Janet Battles Terrett, State flag bearer. Color guards were Bud Smith and Andrew Michaud, followed by the Westminster band and the official cars.

In the first car, an antique Rolls Royce driven by its owner, Leo Moulter, the passengers were George Dawley, Fred Chalmers, and Stanley Whitney, distinguished elder citizens of the town, and Preston Baker, chairman of the board of selectmen. The second car, a 1959 Rolls Royce driven by Lionel Trinque, had Mrs. Naomi Carpenter and Selectmen Lennard Salo and Daniel O'Hearn as passengers.

Among the bands were the famous Shriners Oriental Band of Boston, the Simplex Band of Gardner, St. Joseph Cadets of Fitchburg, and the Shirley Drum Corps.

Chairman of the Westminster bicentennial observance, which comes to an end in October, is Frank Onischuk.

Mr. Speaker, Princeton and Westminster can be proud indeed of their anniversary observances which were conducted with simplicity and dignity. Their programs provided entertainment for thousands of visitors while giving to the townspeople the opportunity to relive some of the great events of years gone by. Truly, these programs were impressive and interesting and the community leaders deserve the warm thanks of all for a difficult job exceptionally well done.

God willing, may Princeton and Westminster continue to grow and develop their peerless American heritage in helping to build a greater, stronger, more prosperous, happy and peaceful Nation. And may the noble example of the noble sons and daughters of these historic Massachusetts towns long continue to inspire the American people and preserve our blessed heritage.

The Fight in 1959 for Education

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. METCALF. Mr. Speaker, early this month, school bells rang out across the Nation and, for the 15th consecutive year, a new record number of boys and girls answered. At least one out of every four of them is now being educationally short changed because of the continuing shortage of classrooms and qualified teachers.

Today there are some 43 million boys and girls attending elementary and secondary schools, an increase of 1,750,000 over last year. By the most conservative estimates, the education of 10 million of them is being impaired by the classroom shortage.

Recent reports on public school enrollment show 1,843,000 pupils in excess of normal school capacity. These excess students were added to an estimated 6 million in crowded urban elementary schools and more than another 2 million in obsolete or inadequate buildings. The 10 million figure is extremely conservative—because it does not include either urban high schools or rural schools.

The desirable maximum class size is 30 pupils. If a class has 40 or 50 pupils, the education of every child is being impaired—not just that of the additional 10 or 20 pupils. Even though the class size may be within the desirable limit, the youngsters are being short changed if their teacher is substandard. At the start of this year we were short 195,000 qualified teachers.

Less than 2 months ago, Secretary Flemming of the Department of Health, Education, and Welfare told a press conference this Nation is short 140,000 classrooms, or 2,300 better off than we were 2 years ago. If we close this classroom gap at the rate of 1,200 a year, it will be 117 years—the year 2076 before we have an educational plant adequate to house our schoolchildren.

And the States and local districts—reaching the point of exhaustion, exhaustion of debt capacity, exhaustion of ability of local taxpayers to bear the heavy tax burden on local property that good schools and teachers now require—cannot even maintain, much less increase as they must, their phenomenal efforts to catch up to the pupil increase.

President Eisenhower has been all over the lot on the question of whether the Federal Government shall face up to its responsibility in this crisis in our classrooms. I traced his wavering course, from study, through action to inaction and back to study, on page 3079 of the February 26, 1959, CONGRESSIONAL RECORD. Since that time, the administration has sent up its ineffectual answer to the classroom shortage.

It would authorize $300 million a year for 5 years to underwrite school bonds in States guaranteeing a "reasonable tax effort"—undefined—and matching the Federal contribution dollar for dollar with State funds.

This proposal would do nothing for districts which already have reached or neared statutory or constitutional debt ceilings. It would do nothing for States which meet their educational obligation other than by helping build schools. And even should the States be willing to comply with this maximum Federal control—and be willing to rewrite their constitutions and laws—they would still be at the mercy of a band of bureaucrats who would determine what is a "reasonble tax effort" for the citizens of a State to make.

While pushing this program, the administration has served notice that the President would veto my H.R. 22, the School Support Act of 1959, principally sponsored in the other body by the senior Senator from Montana, Senator MURRAY.

As reported by the Committee on Education and Labor, H.R. 22 would authorize allocation of $1.1 billion a year for each of 4 years among the States on a basis of $25 for each school age child. The allotment becomes State money and is to be expended for either construction or teachers' salaries or both as each State wishes.

The Senate Committee on Labor and Public Welfare has reported S. 8, a 2-year $1.1 billion program for classroom construction only.

Both proposals are opposed by the administration, which is so serious about our schools, which President Eisenhower once called "strong points in our national defense," that it even proposes to reduce existing Federal aid programs for construction, operation, and maintenance.

This Federal aid, under Public Laws 815 and 874, goes direct to the local districts for construction, operation, and maintenance—including textbooks and teachers' salaries—in areas of Federal impact.

In the 8 years that these laws have been on the books, the Federal Government has spent more than $901 million on 4,506 projects to build classrooms to house more than 1.3 million children. More than 768 million Federal dollars have been appropriated for operation and maintenance of schools in 3,546 districts with a total enrollment of 8.6 million children.

Schoolchildren, their parents, and future generations will thank this Congress for rejecting Eisenhower recommendations that we cut back these Federal aid programs. A vast majority of the schoolchildren and their parents, from whom I have heard, hope that during the next Congress the Federal Government will shoulder its share of the heavy responsibility for the schooling of the youth of our Nation.

Accomplishments for Alaska in the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF
HON. ERNEST GRUENING
OF ALASKA
IN THE SENATE OF THE UNITED STATES
Monday, September 14, 1959

Mr. GRUENING. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have prepared on the accomplishments of the 1st session of the 86th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

As the 1st session of the 86th Congress comes to an end, I would like to review, for the benefit of my constituents, some of its accomplishments.

This has been an historic session. It has been a long session and, despite disappointments resulting mainly from the use of the Presidential veto to cancel out programs which were for the public good, on the whole a productive session of great accomplishment.

The 1st session of the 86th Congress holds for Alaskans a very special interest, for it is the 1st session in history in which my fellow citizens in the 49th State have had voting representation in the Congress. It is the first session in which Alaska has had representation in the Senate.

Alaska became a State on January 3, 1959. The session of Congress which began 4 days later, and which is now ending, has fulfilled substantially Alaskans' hopes for the achievement which could be realized under statehood.

We have not reached every goal we set ourselves. We have not solved in 8½ months all of Alaska's problems which could be solved by legislation; but the experience of Alaska in this first session of Congress after statehood has been a happy one. The accomplishments have been so numerous and so substantial that even those of us who have worked most closely with the Alaska legislation which has been considered in this Congress are surprised when we look over the list.

The report which I am about to make is a personal one. It will be my review of what has occurred in this 1st session of the 86th Congress which I feel will be of interest to Alaskans. But I want to emphasize that the results which have been achieved have not been gained by the efforts of any one man. They are instead the achievements of a hard-working, a dedicated, and—most important of all—a united delegation.

Alaskans have been fortunate, in this first Congress in which they have had voting representation, in that the two Senators and the Representative elected to come to Washington are men who are politically, personally, and temperamentally in a position to work together. There is nothing so effective as a united team, and Alaska has had one. I have never seen men work more devotedly and more intelligently than have my colleagues, the distinguished senior Senator from Alaska, BOB BARTLETT, and our State's Member in the other body, RALPH RIVERS, in laboring in this session of Congress for laws which would be good for their fellow Alaskans.

I would like to pay tribute too to the leadership of the Senate for its broad and sympathetic understanding of the many needs of a new State. Both the senior Senator from Alaska [Mr. BARTLETT] and I have had daily testimony to the desire of the majority leader, of the assistant majority leader, of the chairmen of the committees, and others to see that Alaska gets off to a good start as a State.

The combination of a united team from Alaska, working with leadership of the same party, has proved to be unbeatable.

Alaska had many problems when its citizens started down the statehood path at the opening of this session of Congress. It has not so many now. Here is the story of what has been achieved.

ALASKA OMNIBUS ACT

This legislation, which has become Public Law 86–70, is of major importance to Alaska. It was enacted for the purpose of insuring effective transition of Alaska from a Territory to a State. Its provisions include:

1. Transitional grants of Federal funds to the State, authorized to be appropriated over the next 5 years in a total amount of $28,500,000. An appropriation of $10,500,000, representing the transitional grant authorized for the 1960 fiscal year was included in the Supplemental Appropriation Act for 1960 (Public Law 86–213);

2. Provisions for transfers of Federal functions and property no longer needed for those functions to the State government;

3. Amendment of numerous Federal grant-in-aid statutes to authorize Alaska participation as a State, on an equal basis with the other States;

4. Amendment of many other acts to conform with Alaska's status as a State.

Two of this act's provisions which are of special interest to Alaskans have to do with transfer to the State of the Federal airports at Anchorage and Fairbanks (with means provided for extension of their runways to accommodate jet aircraft) and inclusion of Alaska in the major programs of the Federal Aid Highway Act on a basis of full equality starting July 1, 1960. It is also provided in the Alaska Omnibus Act that the State will take over administration of fish and wildlife resources January 1, 1960.

ALASKA OIL AND GAS LEASE ACREAGE INCREASE

The Congress passed H.R. 6940, a bill which, had it not been vetoed by the President, would have increased permissible acreage holdings of oil and gas land from the present limitation of 300,000 acres under option and lease to a total of 600,000 acres for each individual owner. I was a cosponsor of a Senate bill with identical provisions.

The action of the President in vetoing this bill undoubtedly gives to the Alaska delegation in Congress the distinction of having introduced legislation which failed of final enactment due to the most shocking and completely unjustified veto of all the many vetoes ever exercised by the administration. Except as a political gesture, there is no explanation for the action of the President, nor of the Interior Department, in recommending the veto. Means will be sought to achieve the goals of H.R. 6940 in the second session.

ALASKA COAL LEASE ACREAGE LIMITATION INCREASE

The Alaska delegation introduced, and obtained passage of H.R. 6939, which will give Alaska equality with the other States with respect to limitations on acreage which may be held under lease by individuals on public lands containing coal deposits. The law (Public Law 86–252) will now permit lessees in Alaska, as in other States, to hold a total acreage of 10,240 acres, with the possibility of obtaining, in the discretion of the Secretary of the Interior, an additional 5,120 acres. The law represents an increase of a possible 12,800 acres which may be held by individual coal operators over the previous total allowed of 2,560 acres. The prior legislation, which was unduly discriminatory to Alaskan lessees, was repealed by this law. I am proud to have been a cosponsor of this constructive change.

ALASKA OIL AND GAS LAND SELECTION EXTENSION

This important law (Public Law 86–173), of which I was a cosponsor, amends the Alaska Statehood Act to allow the State an additional 5 years within which it may select, as part of the entitlement of approximately 103 million acres under statehood, Federal land which has been placed under oil and gas leases. Under provisions of the Statehood Act, the State was limited in its selection of leased lands to those lands which were under lease at the time of enactment of that act.

FEDERAL AIRPORT ASSISTANCE

The importance to Alaska of air transportation and the fact that airport needs will not be met adequately by legislation enacted early in this session extending provisions of the Federal Airport Aid Act for an additional 2 years was recognized by the Congress by the enactment of Public Law 86–295, which authorizes the Federal Aviation Administrator to allocate discretionary funds to Alaska and Hawaii for the improvement of airports.

Under the present law, as extended by Public Law 86–72, 25 percent of funds authorized are placed in a discretionary fund which the administrator may allocate to the participating States on the basis of priorities of need for special assistance for particular projects. Alaska and Hawaii were not authorized to participate in allocations of the discretionary fund under the general airport aid legislation. This law, which I cosponsored, will permit discretionary allocations to them.

I should mention that I consider the action which the Congress has taken in this matter to be but a first step toward full equality for Alaska, which by every right should participate in airport aid programs to the same extent as the older States.

FORTY-NINE STAR FLAG

Public Law 86–18, enacted from a bill of which I was a cosponsor, authorized the Architect of the Capitol to present to the State of Alaska the official flag with 49 stars first flown over the west front of the Capitol on the Fourth of July, 1959. The flag will be duly presented to the Alaska congressional delegation by the Architect of the Capitol for transfer to Governor Egan.

RECLAMATION INVESTIGATIONS

I cosponsored also S. 1514, which passed the Senate, which would remove an existing limitation of $250,000 on the amount of money which may be spent annually by the Bureau of Reclamation in making investigations of water resource development projects, including hydroelectric projects, in the State of Alaska. Action in the House of Representatives is hoped for in the 2d session of the 86th Congress next year.

WATER RESOURCES STUDY COMMISSION

Another bill which has passed the Senate would authorize establishment of a special study commission to investigate and report on land and water resources of the State of Alaska. The Commission would be composed of 14 members, appointed by the President, and would be required to report its findings within 7 years after appointment. I am a cosponsor of S. 2628, so providing. We hope for action on it in the House next year.

FEDERAL ASSISTANCE FOR HIGHWAYS

This important legislation (Public Law 86–342) provides for increases in excise taxes earmarked for the highway trust fund which finances construction of Federal aid highways and the Interstate Highway System. Included in provisions of the law is a section which authorizes the Secretary of Commerce to study the need for extending the Interstate Highway System to include mileage in Alaska and Hawaii. Under existing legislation, neither of the new States obtains Federal assistance for construction of roads under the interstate highway program.

The highway finance law also provides for use of emergency relief funds for repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads, whether or not they are part of a Federal aid highway system.

FEDERAL HOME LOAN BANK DIRECTORS

Public Law 86–349 provides for election of two additional directors of the Federal Home Loan Bank Board district which includes Alaska and Hawaii. By increasing the number of district directors from 11 to 13, the two new States can be represented on the Board, without reduction in membership of older States.

ALASKA MAIL SERVICE

S. 1849, which I introduced for myself and Senator BARTLETT, would improve mail service for the Aleutian Islands by providing that mail boats serving the area would be required to be based in Alaska, and would not allow them to make stops at other than Alaska ports. This restriction on the mail boat run for the Aleutians would insure provision of more efficient service for the localities served by the powerboat operator to whom contracts for mail service are granted by the Post Office Department. The bill passed the Senate August 3.

WATER CARRIER REGULATION

S. 1507, which was introduced by the chairman of the Interstate and Foreign Commerce Committee by request, would provide for regulation, by the Interstate Commerce Commission, of water carriers operating within the State of Alaska and coastal water carriers operating between Alaska and other U.S. ports. No action was taken on it in this session.

ALASKA RAILROAD REGULATION

S. 1508, which provides for regulation of the Alaska Railroad by the Interstate Commerce Commission, was reported with amendments by the Senate Interstate and Foreign Commerce Committee and no further action has been taken on it.

INCORPORATION OF THE ALASKA RAILROAD

S. 2514 would repeal existing legislation governing operation of the Alaska Railroad, and would provide for a new form of management. Under provisions of the bill the Alaska Railroad would function as a government corporation. No action has yet been taken on this bill, of which I am a cosponsor.

GRANDFATHER RIGHTS

The Senate has passed S. 1509, which authorizes certain "grandfather rights" for motor and inland water carriers in Alaska which came under the jurisdiction of the Interstate Commerce Commission with passage of the Statehood Act. Action is awaited on this bill in the House.

ALASKA RAIL AND HIGHWAY COMMISSION

The Congress passed, and the President signed into law, Public Law 86–78, which will extend the life of the Alaska Rail and Highway Commission. The law was changed to provide that at least one member of the Commission must be a resident of Alaska. The Commission is required to make a final report by June 1, 1961, on the cost of constructing rail and highway facilities along routes determined most feasible and beneficial by the Commission. An appropriation for the Commission of $200,000 was included in the Second Supplemental Appropriation Act for 1959 (Public Law 86–30).

TRANSPORTATION VIA CANADIAN VESSELS

Public Law 86–126 reenacts previous legislation authorizing for another year the transportation of passengers and cargo by Canadian vessels to ports in southeastern Alaska.

OTHER TRANSPORTATION MEASURES

S. 2451 would require common carriers serving Alaska to establish through routes and joint rates. No action was taken on it. Similarly, no action was taken on S. 2452, which would permit—as contrasted to require—common carriers serving Alaska to establish through routes and joint rates.

APPROPRIATIONS

The gains which we were able to make in this session of Congress in obtaining appropriations needed to carry forward Federal development projects in Alaska can best be understood, I think, by reference to a brief table which I have prepared:

Appropriations requested for Federal Government programs of importance to Alaska

	Requested		Appropriated	
	By the administration: Nothing for any item.			
Public works (H.R. 7509; vetoed; not overridden)	By the Alaska delegation in Congress:			
(See Budget presentation to Senate Appropriations Committee for additional requests for which no appropriation approved.)	Rampart Canyon (investigation)	$100,000	Rampart Canyon (examination and survey)	$50,000
	Dillingham Harbor	406,000	Dillingham Harbor	406,000
	Naknek River	21,000	Naknek River [1]	21,000
	Seldovia Harbor	816,000	Seldovia Harbor [1] (channel work)	245,000
Public works (H.R. 9105; veto overridden, Public Law 86–254).			Same as appropriated in H.R. 7509, each item reduced by 2½ percent	
Supplemental, 1960 (H.R. 7978; Public Law 86–213)	Arctic Health Research Center	226,500	Senate appropriation (omitted in conference)	100,000
	Fire presuppression program, Bureau of Land Management, Department of Interior	250,000	Fire presuppression program, Bureau of Land Management, Department of Interior	250,000
Departments of Labor; and Health, Education, and Welfare (H.R. 6769, Public Law 86–158).	Arctic Health Research Center	226,500	Arctic Health Research Center	
	Water pollution control program	45,000,000	Water pollution control program	45,000,000
	Bureau of Labor Statistics (for Consumer Price Index studies in Alaska)	175,000	Bureau of Labor Statistics (for Consumer Price Index studies in Alaska)	100,000

[1] Eligible for selection under a lump-sum appropriation for small authorized projects.

This summary of action on appropriation measures does not include appropriations for Federal programs in Alaska which are contained in other appropriation measures, but for which the Alaska delegation made no special request. Such appropriations for programs in Alaska are contained in the Appropriation Act for the Department of Interior, for the Department of Defense, and in the military construction appropriations bill, as well as in the appropriations for all other Federal departments and agencies performing work of the Government in Alaska.

GRADE A FRESH MILK

In addition to this salutary congressional action on requests for appropriations needed for Alaska, Senator BARTLETT and I were successful in obtaining action in the Senate which has resulted in the issuance of a directive by the Secretary of Defense requiring the purchase of fresh grade A milk from Alaskan dairymen for consumption by military personnel stationed in our State. In testifying before the Senate Appropriations Committee, we brought attention to the fact that in Alaska servicemen were being served reconstituted grade C milk despite the local availability of fresh grade A milk. The report of the Senate committee included a statement directing the Department of Defense to serve fresh, grade A milk to servicemen stationed in all the States, including Alaska, unless an undue disparity should exist between local prices for fresh milk as compared with other milk products. This directive of the committee was strengthened by a colloquy on the floor of the Senate at the time that body acted on the appropriation measure. Senator CHAVEZ, chairman of the Department of Defense Subcommittee of the Appropriations Committee, emphasized that the committee "feels that, even if it costs a little more money, the soldier * * * should be given grade A milk. We did not want any grade B, C, or D milk given to the personnel if it were possible to get grade A milk."

The various measures which I have described up to this point consist for the most part of bills which have gone all the way, or

a substantial way, through the legislative mill. In addition, there are a number of bills which I introduced, either for myself or as a cosponsor, which are still awaiting action in Senate committees in the 2d session of the 86th Congress, which will convene next January.

HOMESTEADERS

One of the most important of these, in my estimation, is S. 1670, my bill to enable homesteaders on the Kenai Peninsula and elsewhere in Alaska to obtain oil and gas rights as well as surface rights to lands they have homesteaded. These homesteaders have in effect been deprived of mineral rights which otherwise would have been theirs by the happenstance that oil was discovered on the Kenai Peninsula in July of 1957, bringing into play a statute which reserves oil and gas rights on homesteads to the Federal Government. The homesteaders who would be given relief by the terms of my bill are those who already had valid existing rights at the time of the oil discovery. I regret to report that S. 1670 has been opposed by the Secretary of the Interior, despite what many interpreted as a pledge by him to seek remedial legislation. My bill, still in committee, will have hearings on the Kenai Peninsula in Alaska this fall.

ALASKA HIGHWAY PAVING

Among bills which I have sponsored in the field of transportation, one would authorize negotiations with Canada looking toward paving of the Alaska highway at joint expense. This bill, S. 1125, was introduced by the junior Senator from Oregon, Senator NEUBERGER, whose interest in Alaska has been deep and abiding.

FERRIES, APPROACH ROADS

S. 2661 would amend existing Federal highway aid legislation to provide for Federal assistance in the construction of approach roads to public or privately owned ferries in Alaska (as well as any other States having a similar need). There are sections of my State—southeastern Alaska primarily—where the ruggedness of the terrain is such that highways cannot be built, or cannot be built except at excessive cost. The ferries which in that circumstance provide the only feasible way for automobiles to be moved are deserving of Federal assistance, I contend, to the same extent as are roadways. The ferries in such locations are in essence "floating highways" connecting links of standard roadway.

CONSTRUCTION SUBSIDIES FOR FERRIES

Another related measure, S. 1956, would authorize the Federal Government to pay construction subsidies for vessels used as ferries on a proposed ferry transportation network in southeastern Alaska.

EXEMPTION FROM INSPECTION

S. 2669 would exempt from Coast Guard inspection certain small vessels essential for water transportation in southeastern Alaska. These vessels, serving the population along the protected coast, now enjoy such exemption, but the authority for it will expire next March unless S. 2669 is enacted.

GOLD

My bill, S. 590, provides for free marketing of gold and directs the Secretary of the Treasury to pay $70 per fine ounce for all gold mined domestically and tendered to the Treasury. This would double the existing price of $35 an ounce and would stimulate the gold mining industry in the mining States.

TIN

Similarly, S. 1957 would authorize the Secretary of the Interior to make incentive payments to producers of tin.

DISPOSAL OF PUBLIC LAND

S. 1411 would amend an act of August 1, 1956, to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska by clarifying the words "restored lands" as used in the act, as including certain lands at Big Delta and Tok Junction.

WITHDRAWALS OF PUBLIC LAND

S. 2587 would extend to all public land withdrawal proposals of the Federal Government the provision of law now applicable to land withdrawals for defense purposes and would require a specific act of Congress for the withdrawal of lands in areas in excess of 5,000 acres for use for any Federal purpose.

SALMON

S. 502 would prohibit the importation of salmon taken on the high seas by nationals of any country that permits fishing for salmon by gill nets in areas inhabited by large quantities of immature North American salmon.

COST OF LIVING ALLOWANCES

S. 176 would authorize payment of cost of living allowances for employees of the Federal Government assigned to Alaska in amounts exceeding the present limit of 25 percent of the basic rate of compensation. My objective is that the allowance paid should reflect the actual added cost of living and not be arbitrarily limited.

LEAVE BENEFITS

S. 973 would permit officers and employees of the Federal Government to accumulate a maximum of 45 days annual leave rather than the 30 days now permitted. This would reestablish the leave privileges in effect prior to the achievement of statehood.

VETERANS

S. 2201 would provide for reestablishment of authorization available to the Veterans' Administration prior to the achievement of statehood under which the Veterans' Administrator could arrange for hospitalization of veterans with non-service-connected disabilities by contracting with private hospitals in Alaska.

TRANSFER OF SURPLUS PROPERTY

In my capacity as chairman of the Donable Property Subcommittee of the Senate Committee on Government Operations, I am especially interested in studying the effects of existing surplus property legislation on the State of Alaska. In order to meet apparent needs of the State, I have introduced S. 2442, a reenactment of legislation previously in effect, under which the Federal Government was authorized to transfer surplus property to Alaska, without reference to other restrictions of present law which limit such transfers (as donations) to activities organized for purposes of education, public health, and civil defense.

During the adjournment period the Donable Property Subcommittee, under my direction, will make a special study of the disposition of surplus property in Alaska with a view to obtaining early and favorable action on this bill at the next session of Congress.

EXPORT RAIL RATES

S. 1673 would authorize the General Services Administration to appeal decisions of regulatory bodies in the Federal courts. The purpose of the bill is to allow GSA, without reference to the Department of Justice, to appeal decisions of the Interstate Commerce Commission which are considered to be adverse to the interests of Alaska. Such a decision was rendered in a case in which export rates were sought from the transcontinental railroads on shipments destined for Alaska. Low export rates such as are denied Alaska shippers are enjoyed on rail movements of cargo destined ultimately for foreign and Hawaii destinations. The provisions of S. 1673 would also extend to other types of regulatory action affecting the GSA.

JUDICIARY

S. 2705 would provide for the appointment of an additional Federal district judge for Alaska, the one judge specified by the Statehood Act being deemed inadequate to handle Federal cases in that extensive jurisdiction.

Many bills of interest to Alaskans, either because the citizens of my State would like to see them enacted, or fear they will be, have been introduced by other Senators. I would like to discuss a few of these briefly.

ARCTIC WILDLIFE RANGE

One bill which was introduced at this session of Congress was opposed by me when it was the subject of a hearing before the Senate Interstate and Foreign Commerce Committee. This bill, S. 1899, would establish an Arctic Wildlife Range in Alaska. It would, if enacted, result in the withdrawal of some 9 million acres from northeastern Alaska to be used as a wildlife refuge. There has been no action on this bill.

AIR TRANSPORTATION OF MAIL

S. 2402, which Senator MONRONEY introduced, and which was reported by the Senate Post Office and Civil Service Committee, would authorize the Postmaster General to negotiate contracts with air carriers for the transportation of mail of classes other than air mail. This would greatly improve mail service to Alaska from the other States.

ALASKA COMMUNICATIONS SYSTEM

In the House of Representatives, a bill has been introduced to authorize the Secretary of Defense to dispose of the Alaska Communications System by negotiation. No action has been taken on H.R. 4879.

BRANDED GOODS

The Alaska delegation has gone to considerable lengths to persuade the Secretary of Defense that procurement officers of the Department in Alaska should procure branded goods from Alaska suppliers. The problem was solved by a combination of the effect of passage of the Statehood Act and the passage of the Defense Department Appropriation Act for 1960. The latter carries a provision which has been regularly included in it for many years which prohibits payment of transportation costs of items to be sold at commissaries in the United States. Alaska was not, formerly, considered to be a part of the United States; hence the prohibition did not apply. With this act now signed by the President, Alaska suppliers will be in the same position as those in other States. Under prior authorizations the Defense Department bought branded goods in other States and paid the cost of transportation to Alaska, thus undercutting Alaska merchants.

MAJOR LEGISLATION

Mr. President, my presentation to this point has concerned itself with actions taken by this Congress on bills of particular and specific interest to Alaskans. As citizens of the Nation, Alaskans also participate in the benefits of all general legislation for the people of the United States. In some respects the Congress was frustrated in this session in its attempts to legislate for the people of the United States and to meet the needs of this growing Nation. The frustration came from the use of the veto by the Executive. Vetoes struck down, and set at naught, many pieces of badly needed legislation.

The remedy, in a democracy, lies at the polls. After 1960, with a President from the Democratic Party occupying the White House, we can resume that progress on housing, airport construction, public power, navigation improvement and developmental programs generally which has been the hallmark of Democratic administrations.

Some progress, despite the "no new starts" philosophy and practice by the Republican

administration, was made through major legislation enacted at this session.

HOUSING

After two attempts at passage of housing legislation which met with Presidential vetoes, the Congress finally passed a third housing bill which extends and amends basic housing legislation and meets immediate needs of the housing program.

Of particular interest to Alaska is an amendment to section 214 of the National Housing Act, which authorizes the FHA to insure mortgages on housing in Alaska, Guam, and Hawaii in amounts up to 50 percent higher than is authorized elsewhere. The 1959 amendment will allow the administration to apply the 50-percent additional allowance to mortgages insured in maximum amounts as determined under other provisions of the National Housing Act which permit upward adjustments of insurable mortgage amounts required in high-cost areas.

Another of the many amendments enacted by the new law is section 413 which will authorize the use of 20 percent of capital grants for urban renewal to be applied to the redevelopment of nonresidential areas for nonresidential purposes where local public agencies determine that such redevelopment is necessary for the proper development of the community.

I was a cosponsor of the first housing bill introduced at this session of Congress, which contained far more liberal measures with respect to Federal assistance to States for housing programs than the bill which has now become law as Public Law 86–372.

STATEHOOD FOR HAWAII

Hawaii was admitted as the 50th State under provisions of Public Law 86–3. I am proud to have been a cosponsor of this legislation which has brought full membership in the family of States to the last organized Territory of the United States.

LABOR-MANAGEMENT REFORM

Congress acted to safeguard the rights of union members and the public against unfair and unethical practices of labor unions and management. Public Law 86–257 has yet to prove its efficacy and fairness in practice.

AIRPORT CONSTRUCTION

The program under which the States receive Federal assistance for construction and improvement of airports was extended for an additional 2 years. Alaska continues to receive funds allocated on the same basis, with the same matching requirements, as applied to her as a Territory. Alaska's share for the 1960 and 1961 fiscal years will be $1,350,000 from the funds to be allocated under the regular matching programs, in addition to such other funds as may be made available to Alaska from the discretionary fund in which the State will share under terms of the special bill enacted upon introduction by the Alaska Senators.

VETERANS' LEGISLATION

The GI Assistance Act of 1959 (S. 1138), of which I was a cosponsor, would extend the GI bill of rights for Federal assistance for education, vocational rehabilitation, and for housing and farm loans to post-Korean war veterans. This bill passed the Senate July 21. It awaits House action.

A new veterans' pension bill which makes numerous changes in pension rates for veterans and dependents of veterans with nonservice-connected disabilities was enacted as Public Law 86–211.

YOUTH CONSERVATION

S. 812 would establish a Youth Conservation Corps to provide an opportunity for healthful training and employment for young men in connection with carrying out planned conservation programs. This bill, of which I am a cosponsor, passed the Senate August 13.

AREA REDEVELOPMENT

Another bill of which I am a cosponsor, S. 722, would provide Federal assistance for areas of the United States in which there is a substantial amount of unemployment. It passed the Senate March 23.

HEALTH INSURANCE

Public Law 86-382 provides for a federally administered program of health insurance for Federal Government employees. The law authorizes payroll deductions and an equal contribution by the Federal Government to the cost of approved health insurance programs. I am proud to be a cosponsor of related legislation, which has not yet passed, to extend the same health insurance benefits to retired Government employees. That bill is S. 2575.

MUTUAL SECURITY

An extension, with amendments, of basic mutual security legislation was enacted in the form of Public Law 86–108, carrying with it an authorization for funds for assistance to other countries.

As you know, I led an attempt to amend the legislation to require the International Cooperation Administration, which administers the program, to submit firm budgets for expenditures of funds it requests from Congress. The Gruening amendment to the authorization legislation was not adopted. However, I am gratified that the mutual security appropriation law, enacted in the closing hours of the session, contains a provision similar to the one I earlier recommended. Under the amendment, the ICA will be required to report to the Congress any deviations from justification data submitted by the agency to obtain appropriations from Congress.

PUBLIC BUILDINGS ACT

This legislation (Public Law 86–249) provides authorization for construction of Federal public buildings by the General Services Administration. It is expected, under procedures established by this law, that it will be possible for the Government to construct Federal buildings authorized by previous legislation (but for which funds were never provided) at Anchorage, Juneau, and Seward in Alaska.

FLUORSPAR INDUSTRY

Senate Resolution 162, of which I was a cosponsor, requires the Tariff Commission to make a special study of the effects of fluorspar imports on the domestic fluorspar industry with a view toward determining whether import restrictions should be applied in the interests of protection of the domestic industry. Fluorspar is one of Alaska's mineral resources.

LEAD AND ZINC INDUSTRY

Senate Resolution 163, which I also cosponsored, requires the Tariff Commission to make a study of the effects of lead and zinc imports on the domestic industry, with a view to determining whether import restrictions should be applied for its protection.

INDIAN HEALTH FACILITIES

Public Law 86–121, cosponsored by me, authorizes the Surgeon General of the U.S. Public Health Service to construct sanitation facilities for Indian homes, communities and lands. It applies to Alaska villages.

OTHER ENACTMENTS

The first session also enacted a crash program to attack cancer, heart disease and other killing and crippling diseases. It extended the Civil Rights Commission, liberalized railroad retirement and passed comprehensive legislation to attack the problem of water pollution. The last is still in conference.

This Congress cut more than $1,850 million from President Eisenhower's appropriation requests, effectively refuting by action the accusation so often made that it consisted mainly of irresponsible spenders. Congress not only took the President at his word in his repeated calls for fiscal integrity and the balanced budget, it went him one better and spent considerably less than he had requested. To the credit of the Congress, let it be recorded also that the sums voted for public works, internal development and the strengthening of our national economy were above his requests. The economies were taken elsewhere.

THE SECOND HALF

The 86th Congress finds itself at what in a football game would be called half time. Ahead of us is the second session, when more touchdowns will be made. I am confident that, with the same attention to business and devotion to the interests of all the people, we can in 1960 write another proud chapter in American history.

Summary of the Record and Accomplishments of the Committee on Ways and Means During the 1st Session of the 86th Congress

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EXTENSION OF REMARKS

OF

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. MILLS. Mr. Speaker, in accordance with the usual custom of the chairman of the Committee on Ways and Means, and also in specific response to the request of our distinguished majority leader, the Honorable JOHN W. MCCORMACK, to committee chairmen, I am pleased to take this means and opportunity to summarize the record and accomplishments of the Committee on Ways and Means during the 1st session of the 86th Congress.

At the outset, I would like to commend the members of the Committee on Ways and Means for their hard work, their devotion of long hours and days and weeks to our committee activity, and to the manner in which they have diligently carried out their responsibilities as legislators and as members of the committee. My colleagues on the Committee on Ways and Means have served ably and conscientiously, and during the course of this session of the 86th Congress they have initiated and acted upon legislation which is meritorious and which is greatly in the public interest.

During the session of the 86th Congress which has just drawn to a close, the committee has acted upon legislation touching practically every field of its broad jurisdiction. As will be recalled, the Committee on Ways and Means has the primary responsibility for considering legislation relating to Federal revenue, our Federal social-security laws and programs, our customs and tariff laws and programs including reciprocal trade agreements, measures relating to the management of the public debt and deposit of public moneys generally, renegotiation, legislation to control the trafficking in narcotics and narcotic

drugs, and certain other miscellaneous categories of legislation which are minor but nonetheless important areas of activity. It is unnecessary to emphasize that the consideration of legislation touching upon any of these fields calls for the highest degree of responsibility, because these areas of legislative activity have an immediate effect upon the lives of all of our citizens and the economy of our Nation.

The legislation which has been favorably acted upon is sound, responsible, and beneficial to the American people. Of course, as is the usual case, there were some measures reported on which there was not unanimous agreement, just as there were some bills reported which I voted against. However, that is the way our committee system works. Customarily, due to the complexities of the legislative measures which come before the Committee on Ways and Means, it is necessary for the committee to devote a considerable amount of time to an intensive exploration of the issues involved and an evaluation of the ramifications which any given proposal may have upon the economy of the Nation prior to taking action. It should be borne in mind, therefore, that the 1st session of the 86th Congress has also been a period of establishing the necessary detailed groundwork in preparation for further activity which will transpire during the second session of this Congress.

Before reviewing in detail the legislation which was favorably reported by the committee during this first session at this point I will present statistics on the committee activity which may be of interest.

From early January of this year until the adjournment of the first session, the full Committee on Ways and Means met in executive session 91 times, covering approximately 75 days, many of which days consisted of both morning and afternoon sessions. In addition, the committee met 40 days in the conduct of public hearings on subjects falling within its jurisdiction. The hearings of the full committee are contained in some 10 volumes covering 5,200 pages of testimony. During the course of these public hearings approximately 450 witnesses personally appeared before the committee to present testimony. In addition, the hearings contain statements and expressions of views of hundreds of additional individuals and organizations on the subjects under consideration.

There follows a complete table which shows all the subjects upon which public hearings were conducted by the committee, along with the number of witnesses who actually appeared personally before the committee and the number of days devoted to each such hearing:

TABLE 1.—*Public hearings, Committee on Ways and Means, 1st sess., 86th Cong.*

	Dates held	Number of—	
		Days	Witnesses
Advisory group recommendations on chs. C, J, and K of the Internal Revenue Code	Feb 24, 25, 26, 27, Mar. 2, 3, and 4, 1959	7	41
Mineral treatment processes for percentage depletion purposes	Mar. 5, 6, 9, 10, and 11, 1959	5	46
Unemployment compensation	Apr. 7, 8, 9, 10, 13, 14, 15, and 16, 1959	8	95
Extension of the Renegotiation Act	Apr. 27, 28, and 29, 1959	3	19
Public debt and interest rate ceiling on bonds	June 10, 11, and 12, 1959	3	16
Foreign Investment Incentive Act (H.R. 5)	July 7, 8, and 9, 1959	3	52
Children's estate tax deduction (H.R. 7924)	July 10, 1959	1	8
Hospital, nursing home, and surgical benefits for beneficiaries (H.R. 4700)	July 13, 14, 15, 16, and 17, 1959	5	91
Taxation of exchanges and distributions pursuant to antitrust decrees (H.R. 8126, 8231)	July 20 and 21, 1959	2	12
Highway trust fund and Federal-aid highway financing program	July 22, 23, and 24, 1959	3	70
Total		40	450

There were referred to the Committee on Ways and Means during the session just concluded a total of 1,606 public bills and resolutions which constitutes approximately 20 percent of all the public bills and resolutions introduced in the House of Representatives during this period. The committee favorably reported to the House of Representatives a total of 56 bills, of which 51 have passed the House of Representatives, 25 have passed the Senate, and 25 have been enacted into public law. These reported measures, as has been pointed out earlier, cover all areas of the committee's jurisdiction. There follow tables which show the foregoing in more detail, including a breakdown of the measures both referred to the committee and reported by the committee:

TABLE 2.—*Legislation referred to Committee on Ways and Means, 86th Cong., 1st sess.*

	Total number of tax bills	Total number of tariff bills	Total number of miscellaneous bills	Total number of social security bills	Total
House bills	943	189	55	385	1,572
House joint resolutions	3	2	1	1	7
House concurrent resolutions	1	0	21	0	22
House resolutions	1	1	2	0	4
Senate bills	0	0	1	0	1
Total	948	192	80	386	1,606

TABLE 3.—*Statistics on status of bills reported by Committee on Ways and Means, 86th Congress, 1st sess.*

	Social security	Tariff	Tax	Miscellaneous	Total
Bills reported to House	4	16	32	4	56
Bills passed House	4	14	28	5	51
Bills reported to Senate	2	9	10	4	25
Bills passed Senate	2	9	10	4	25
Bills enacted into law	2	9	10	4	25

ESTABLISHMENT OF SUBCOMMITTEES

The Committee on Ways and Means, under the Rules of the House of Representatives, is charged with maintaining continuous watchfulness over the administration of the laws within the jurisdiction of the committee by the administrative agencies concerned. In order to more effectively carry out its responsibilities in this regard the committee in the early part of this first session established three subcommittees as follows: Subcommittee on Administration of the Internal Revenue Laws; Subcommittee on the Administration of Foreign Trade Laws and Policy; and Subcommittee on Administration of the Social Security Laws. These subcommittees were authorized and directed to maintain watchfulness over the administration of the existing laws within their respective jurisdictions and to take such actions as were appropriate in the premises to advise the full committee with regard thereto. During the latter part of the session just concluded the committee also specifically charged its Subcommittee on the Administration of the Internal Revenue Laws to make certain studies with respect to the administration of the laws relating to the Federal highway trust fund.

Due to the heavy schedule of the full committee, the subcommittees generally deferred their hearing activities until after adjournment, at which time it is anticipated that each area involved will receive careful and intensive consideration.

The membership of each of the subcommittees is as follows:

Subcommittee on Administration of the Internal Revenue Laws: Hon. WILBUR D. MILLS, Democrat, of Arkansas, chairman; Hon THOMAS J. O'BRIEN, Democrat, of Illinois; Hon. EUGENE J. KEOGH, Democrat, of New York; Hon. FRANK IKARD, Democrat, of Texas; Hon. RICHARD M. SIMPSON, Republican, of Pennsylvania; Hon. NOAH M. MASON, Republican, of Illinois; Hon. HOWARD H. BAKER, Republican, of Tennessee.

Subcommittee on the Administration of Foreign Trade Laws and Policy: Hon. HALE BOGGS, Democrat, of Louisiana, chairman; Hon. CECIL R. KING, Democrat, of California; Hon. FRANK M. KARSTEN, Democrat, of Missouri; Hon. THADDEUS M. MACHROWICZ, Democrat, of Michigan; Hon. JAMES B. FRAZIER, JR., Democrat, of Tennessee; Hon. JOHN W.

BYRNES, Republican, of Wisconsin; Hon. VICTOR A. KNOX, Republican, of Michigan; Hon. JAMES B. UTT, Republican, of California; Hon. BRUCE ALGER, Republican, of Texas.

Subcommittee on Administration of the Social Security Laws: Hon. BURR P. HARRISON, Democrat, of Virginia, chairman; Hon. A. S. HERLONG, JR., Democrat, of Florida; Hon. WILLIAM J. GREEN, JR., Democrat, of Pennsylvania; Hon. JOHN C. WATTS, Democrat, of Kentucky; Hon. LEE METCALF, Democrat, of Montana; Hon. THOMAS B. CURTIS, Republican, of Missouri; Hon. JACKSON E. BETTS, Republican, of Ohio; Hon. ALBERT H. BOSCH, Republican, of New York.

PREPARATION FOR PANEL DISCUSSIONS ON TAX REFORM

The committee completed plans for the initial stages of consideration of the practical possibilities for constructive reform of our Federal income tax system. Beginning on November 16, 1959, a series of panel discussions will be conducted at which time the committee will receive the views and opinions of acknowledged experts in all of the major areas of income taxation covered by the Internal Revenue Code. Prior to the conduct of these actual panel discussions there will be published a volume of papers which will have been prepared by the experts who are expected to take part in the November panel discussions. This volume of papers will be made available to Members of Congress and the interested public at an early date. It is anticipated also that a record will be made during the panel discussions which will run for approximately 5 weeks and that this record will likewise be published and made available to all who are interested.

LEGISLATION TO STRENGTHEN AND AID SMALL BUSINESS

Before proceeding to a discussion of the major legislation reported by the Committee on Ways and Means, it is worthwhile to briefly mention at this point several measures which received favorable consideration by the committee which in the aggregate will result in material assistance to our small business enterprises throughout the Nation. As may be recalled, the committee has properly been concerned for the past several years with the continued maintenance of effective opportunities for the Nation's small business activities. During this session of the Congress, the committee took favorable action on a series of measures which will strengthen and assist many small business endeavors. Without undertaking to enumerate them in any order of relative importance, the following measures are worthy of mention: The committee took action to provide that, for purposes of the provisions relating to the payment of the excise tax on gasoline, wholesale distributors of gasoline are to be treated as producers. Under this legislation, a hardship previously existing with regard to the payment of the excise tax by independent distributors and jobbers will be effectively removed. Second, the committee favorably reported and there has been enacted into law a measure to remove a hardship with regard to the taxation of so-called dealer reserves. This legislation, which is summarized at a later point, should be of material benefit in assisting not only dealers in automobiles, but also dealers in other forms of personal and real property. For the most part, these are all small business enterprises. Third, the committee acted to amend the laws relative to the tax treatment of expenditures made to determine the presence, location, quantity, or quality of any deposit of ore or other mineral—except oil and gas. Prior law provided for a maximum deduction which might be taken for any one year of $100,000, but for no more than 4 years. The legislation approved by the committee would remove the 4-year limitation while maintaining an overall limit of $400,000. This legislation would, therefore, assist the small enterprises engaged in this form of activity. Still another provision of law which was agreed to by the committee, in the form of acceptance of Senate amendments to another House bill, was a change in the statute relating to the election of certain small business corporations as to their taxable status. Specifically, this provision removed a hardship which had developed under prior law in determining the number of shareholders of a small business corporation where a husband and wife owned stock jointly or as community property. Additionally, the law was clarified with regard to the definition of a small business corporation. Finally, these amendments also included a provision to exempt small-business investment companies from the personal holding company tax, a measure which was requested by the Small Business Administration.

The foregoing is not intended to be a complete or exhaustive discussion of all of the measures which the committee favorably acted upon which will benefit small business, but merely to list a few examples of such measures as indicative of the committee's solicitous regard for the importance of maintaining and strengthening small-business enterprises in our great Nation.

BRIEF OVERALL SUMMARY OF MAJOR BILLS REPORTED

The following measures might well be classed in the category of major legislation favorably reported by the committee during the 1st session of the 86th Congress: the Life Insurance Company Tax Act of 1959; the Public Debt Act of 1959; the financing provisions of the Federal-Aid Highway Act of 1959; a bill permitting the issuance under specified circumstances of series E and H U.S. savings bonds at interest rates above the existing maximum, et cetera; a bill making technical changes in certain excise tax laws; the extension of the Renegotiation Act of 1951; the Tax Rate Extension Act of 1959; the Self-Employed Individuals' Retirement Act of 1959; and the Narcotics Manufacturing Act of 1959. A brief summary of each of these measures follows:

H.R. 4245, by Mr. MILLS; Public Law No. 86–69, signed June 25, 1959:

The Life Insurance Company Tax Act of 1959 provided the most comprehensive revision of the taxation of life insurance companies since 1921. In 1921, life insurance companies were taxed only on a portion of their investment income. The portion taxable broadly represented the amount of investment income over and above the company's requirements for adding interest to life insurance reserves. This excess portion has in the past been computed on the basis of formulas derived from the aggregate industry experience. Since 1921, the life insurance companies paid no tax on their so-called underwriting income, that is, the excess of their premium income over their expenses and their provisions for death benefits and additions to reserves.

The new life insurance company tax law makes two fundamental changes. The law provides that the tax will be based only in part on the company's investment income, and in part on the company's underwriting income. In computing the taxable portion of the investment income, the law avoids the use of industrywide formulas and provides a method whereby each company's investment income tax liability is based upon its own investment experience.

To explain the new law more specifically, the investment income tax is contained in the so-called phase 1 tax. For purposes of this tax, the company first determines its net investment income, that is, the total of interest, dividends, and the like, minus investment expenses. From this, it is permitted a reserve interest deduction computed by multiplying its adjusted reserves by its earnings rate. The earnings rate is the lower of its current earnings rate or the average of its earnings rate over the previous 5 years. The adjusted reserves are the book reserves adjusted to eliminate the effect of the company's arbitrary reserve interest assumption.

The so-called phase 2 of the tax is based upon the company's actual net gain from operations which is, generally speaking, its total income. This total income figure is derived from the company's own books with certain adjustments. If the total income exceeds the phase 1 tax base, the company must add to its taxable income from phase 1 one-half the difference. If the total income is less than the phase 1 tax base, the company may substract the difference, after limiting its deduction for policyholder dividends to a maximum of $250,000.

To comment on the second alternative first, it should be pointed out that the new law for the first time since 1921 provides that the life-insurance company's tax may go down when the company's actual operations show losses. It has been a feature of the investment income tax approach that many new and small life-insurance companies have had to pay substantial taxes on their investment income in years when their own books showed an aggregate loss. For this reason, the new tax law will be of great benefit to many new and small life-insurance companies.

In the case of life-insurance companies whose aggregate income is in excess of the tax case from phase 1, it was explained that they will be taxable currently on only one-half of this difference. The other half will, so to speak, be available as a reserve to meet future contingencies and will be added to the tax base at any time that it is actually paid out to shareholders.

The bill also contains a number of provisions dealing with special situations that might arise in the life-insurance industry.

H. R. 7749, by Mr. MILLS; Public Law 86–74, signed June 30, 1959:

This bill, which became law without amendment, provided for an increase in the permanent debt ceiling of $2 billion, to $285 billion, and for an additional temporary increase of $10 billion for 1 year, making the debt ceiling $295 billion to June 30, 1960.

The administration had requested that the permanent ceiling be raised to $288 billion, with an additional temporary increase for fiscal year 1960 of $7 billion. The committee, however, did not consider it necessary or advisable to raise the permanent ceiling to the full extent requested by the administration, and in subsequent testimony the Secretary of the Treasury indicated to the Senate Finance Committee that the provisions of the bill reported by the Committee on Ways and Means were workable in terms of Treasury requirements, and acceptable to the administration.

Title II of H.R. 8678; Public Law 86-342, signed September 21, 1959:

One quite significant and important action of the Committee on Ways and Means was the development of title II of H.R. 8678, which provided financing provisions to secure additional revenue for the Federal-aid highway program, which is financed through the highway trust fund. While the bill H.R. 8678 was formally reported by the Committee on Public Works, title II thereof was developed and drafted by the Committee on Ways and Means in accordance with a prior agreement which had been worked out by the Committee on Ways and Means and the Committee on Public Works. Likewise, the material contained in title II of the House report which accompanied the bill was developed and drafted by the Committee on Ways and Means.

It was drawn to the attention of the committee during the course of the first session that an immediate problem with regard to financing the Federal-aid highway program was in evidence in that without legislation providing further funds for the program, it was estimated that there would be a deficit in the highway trust fund by the end of fiscal year 1960 of some $490 million, and at the end of the fiscal year 1961, an accumulated deficit of $980 million would be in prospect even if no further apportionments were made.

Legislation, therefore, was urgently necessary to provide additional financing for the highway trust fund to meet this immediate problem.

Title II of H.R. 8678, therefore, contained a solution for the financing problems and enabled the continuance of the Federal-aid highway program at a level commensurate with the completion of the program and the needs of the economy. Specifically, title II of H.R. 8678 provided for the imposition of an additional 1-cent-per-gallon tax on gasoline, diesel fuel, and special motor fuels, for the 21-month period beginning October 1, 1959, and ending June 30, 1961, and allocation to the highway trust fund of 5 percentage points of the manufacturers' excise tax on passenger cars, etc., and of 5 percentage points of the tax on auto parts and accessories for the 3-year period beginning July 1, 1961, and ending June 30, 1964. The additional revenue provided by title II, combined with the existing revenues of the trust fund, should make possible apportionments for the Interstate System of $1.8 billion for the fiscal year 1961 and $2 billion for the fiscal year 1962, in addition to the $2.5 billion of apportionments which had already been made for the fiscal year 1960. These apportionments can be made without suspension of the limitation on the trust fund, which is the so-called Byrd amendment.

These provisions should assure that there will be no deficit in the highway trust fund for 1961 or in any subsequent year through the fiscal year 1964.

H.R. 9035, by Mr. MILLS; Public Law 86-346, signed September 22, 1959:

Another major bill in the field of general fiscal and debt management legislation which was favorably reported by the Committee on Ways and Means was H.R. 9035 (which has become Public Law 86-346, approved September 22, 1959).

This bill made a number of changes in the laws relating to savings bond interest rates and other aspects of debt management:

First, it permits the maximum interest rate (or investment yield) limitation of 3.26 percent on series E and H savings bonds to be exceeded where there is a finding by the President that the national interest so requires. The bill also authorizes increasing the interest rates on outstanding series E and H savings bonds. In this case, also, the existing maximum limitation of 3.26 percent on these bonds may be exceeded, but only in the case of a finding by the President that the national interest so requires. A Senate amendment to this section of the bill, which was accepted by the House, added a proviso that in no event may the interest rate or the investment yield on these bonds exceed 4¼ percent per annum.

Second, the bill adds a new section to the Internal Revenue Code providing for nonrecognition of gain or loss on the exchange of U.S. obligations when so provided by regulations. This is intended to aid the Government in its attempts to achieve a better balance in the debt structure by facilitating the refinancing of outstanding securities in advance of their final maturities.

Third, the bill authorizes the issuance of obligations of the United States to Government trust funds at the issue price, whether or not at par. Under existing law in the case of certain trust funds, these obligations may be issued to the funds only at par.

Fourth, the bill makes it clear that both the principal and interest on U.S. obligations are exempt from all State taxes except nondiscriminatory franchise, etc., taxes.

Fifth, the bill relieves from liability to the U.S. Government agents who erroneously paid U.S. bonds if they did not receive written notice from the United States within 10 years from the date of the erroneous payment.

This legislation is quite important to the millions of American citizens who purchase and hold series E and H savings bonds, since it will permit an increase in the interest rate payable to these individuals on this important type of savings, if the President finds that the national interest will thereby be served. The legislation will further encourage investment in these bonds by our individual citizens and will permit them to continue to participate in this vitally important savings program. It will assist the Treasury in the management of the public debt.

H.R. 8725, by Mr. HARRISON; Public Law 86-344, signed September 21, 1959:

In 1958 the Congress passed the Excise Tax Technical Changes Act of 1958, which constituted a comprehensive revision of the technical and administrative provisions of the Federal excise taxes. In a technical revision of this magnitude, almost of necessity there are changes made which after experience in actual operations will require further modifications. The purpose of H.R. 8725, as amended by the Committee on Ways and Means, was to effect six such modifications which experience under the 1958 act has shown to be required. These technical changes amend the provisions relating to the retailers' excise tax on jewelry, the exemptions from excise taxes for nonprofit educational organizations, the club dues tax, the tax on communications as it relates to common carriers and communication companies, the basis of the documentary stamp tax in the case of transfers of stock rights or warrants, and the occupational tax applicable to so-called claw, crane, or digger machines in certain cases.

This legislation, which was favored by the Treasury Department, became law in the form reported by the committee.

H.R. 7086, by Mr. MILLS; Public Law 85-89, signed July 13, 1959:

As reported to the House by the Committee on Ways and Means, this bill provided for an extension of renegotiation authority for 4 years to June 30, 1963. Certain other amendments were contained in the bill which the committee was of the opinion would be of benefit to industry as well as contributing to the administration of the act. These related to the factors to be considered in determining excessive profits, the provision for carry-forward of losses on renegotiable business, the statements required to be furnished by the Renegotiation Board, proceedings before the Tax Court in renegotiation cases, and review of Tax Court decisions in such cases.

The Senate amended the House bill substantially, and it was sent to conference. Under the conference agreement, which was accepted by both bodies, a 3-year extension of renegotiation authority was provided, to June 30, 1962. In addition, a 5-year carryforward to fiscal years ending after December 31, 1958, of renegotiation losses was provided, in the cases of losses arising in fiscal years ending on or after December 31, 1956. An increase in the compensation of the General Counsel of the Renegotiation Board was provided, to $19,000 per annum. Further, certain studies of procurement policies and practices, the Renegotiation Act, and the policies and practices of the Renegotiation Board were directed to be made. The overall report developed from these studies is to be made not later than March 31, 1961.

H.R. 7523, by Mr. MILLS; Public Law 86-75, signed June 30, 1959.

As reported to the House by the Committee on Ways and Means, and as the bill passed the House, it would have provided a 1-year extension, to July 1, 1960, of the existing corporate normal tax rate and of certain excise tax rates (the so-called Korean increases, including the increased rates on distilled spirits, beer, wine, cigarettes, passenger automobiles, and automobile parts and accessories). The legislation was designed to implement the request of the administration that these rates be continued for another year.

The Senate, while approving the provisions of the House bill, added several amendments. These included the repeal, as of July 1, 1960, of the excise taxes on communication services, the repeal of the tax on transportation of persons, the repeal of the 4 percent credit against tax presently provided for dividend income, and other amendments relating to the Federal share in certain public assistance programs under the social security law.

Under the conference agreement, and as the bill became law, the bill in addition to providing a 1-year extension of the existing corporate normal tax rate and the excise tax rates referred to above, provides that the tax on transportation of persons will be reduced to 5 percent as of July 1, 1960, and that the tax on general (local) telephone service be repealed as of July 1, 1960.

H.R. 10, by Mr. KEOGH; passed House March 16, 1959.

This bill would permit self-employed individuals to take a current tax deduction for limited amounts of investment in certain types of retirement annuity, or a specific type of retirement trust. The investment, plus accumulated earnings, would be treated as ordinary income when taken down.

The House suspended the rules and passed this bill, as amended by the Committee on Ways and Means, on March 16, 1959, and at adjournment it was pending before the Senate Committee on Finance.

H.R. 529, by Mr. KARSTEN; passed House September 9, 1959:

This bill, as reported to the House by the Committee on Ways and Means, is designed

to give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. It is also designed to amend the Narcotic Drugs Import and Export Act to bring the regulation of exports in conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes. It establishes a comprehensive system of licensing and control over the manufacture, distribution, and use of both natural and synthetic narcotic drugs.

The committee received favorable reports on this legislation from the Departments of State and the Treasury, and it has the approval of the pharmaceutical industry. The committee is of the opinion that enactment of this legislation will be of assistance to the agencies charged with administering our narcotic control laws and treaties, and will be beneficial to the citizens of our Nation.

In addition to the major bills discussed above, there were a number of less comprehensive but nonetheless important bills reported by the Committee on Ways and Means during the 1st session of the 86th Congress, which are summarized below, grouped as to the subject with which each deals—that is, taxes, social security, customs and tariff, and so forth.

TAX LEGISLATION (OTHER THAN EXCISES)

H.R. 47, by Mr. BOGGS; Public Law 86-376, signed September 23, 1959:

As reported to the House by the Committee on Ways and Means, this bill provided that, with respect to the $600 dependency exemption for income tax purposes, a child placed with the taxpayer by an authorized placement agency for legal adoption by him shall be treated in the same manner as a natural born child and a legally adopted child, if the child is a member of the individual's household.

The Senate, in addition to approving the provision of the House bill, added two basic amendments, both relating to the tax treatment of small business. The first, making changes in the statute relating to the election of certain small business corporations as to their taxable status (1) amends section 1371 of the Internal Revenue Code to provide that in determining the number of shareholders of a small business corporation, a husband and wife owning stock jointly or as community property shall be counted as only one shareholder; (2) amends section 1374 of the code to make clear that a deceased shareholder will not be denied his pro rata share of a small business corporation's net operating loss; and (3) strikes out paragraph (8) of section 1504(b) (relating to the definition of "includible corporation") of the code, thereby clarifying the definition of a small business corporation. The Senate Finance Committee report indicates that this paragraph of the code actually operates to have an effect just the reverse of its original intent, which was to prevent an electing small business corporation from having an 80-percent-owned subsidiary.

The second Senate amendment amended section 542(c) of the code to exempt small business investment companies from the personal holding company tax. This amendment had been requested by the Small Business Administration in an executive communication which was referred to the Committee on Ways and Means.

The House agreed to the Senate amendments to this legislation.

H.R. 135, by Mr. KEOGH; passed House August 25, 1959:

This bill, which passed the House unanimously as reported by the Committee on Ways and Means, excludes from U.S. tax the portion of amounts paid to nonresident alien individuals by the United States as civil service annuities and other retirement benefits for services performed abroad as employees of the United States. Under present law, nonresident aliens working for an American Embassy or other Government agency abroad are not subject to U.S. tax on salaries paid by the United States; similarly, amounts set aside by the Government for the future retirement of nonresident aliens working abroad are free of tax. However, to the extent such annuities represent earnings on the amounts set aside by the Government, such payments are taxable. The committee was advised by the Department of State that nonresident alien employees consider their pensions to be deferred compensation, and that since their earned income is tax free, they expect their pensions also to be tax free. The committee was further informed that the imposition of this tax has caused severe hardships and has engendered resentment against the United States, and that this tax treatment has been objected to by many foreign governments, some of which have repeatedly protested its imposition. This legislation, as amended by the committee, was also favored by the Treasury Department.

H.R. 137, by Mr. KEOGH; Public Law 86-175, signed August 21, 1959:

This bill prevents a pyramiding of Federal estate taxes where foreign death taxes are imposed on charitable bequests. This is accomplished by allowing a deduction for estate tax purposes for foreign death taxes (as provided under present law for State death taxes) imposed (and paid) on charitable bequests if (1) the property on which the tax is imposed is situated in the foreign country and included in the gross estate of a citizen or resident of the United States, and (2) if the decrease in tax resulting from the deduction is to go to charities (or the entire Federal estate tax is to be equitably apportioned among all of the transferees of the estate). Where this deduction is allowed, no credit against the estate tax is to be available for the foreign taxes which are deducted.

As reported by the Committee on Ways and Means, and as the bill passed the House, this provision would have been effective with respect to the estates of decedents dying after the date of enactment of the bill. The Senate, however, amended the bill to provide an effective date of July 1, 1955 (that is, to apply to the estates of decedents dying on or after that date).

The Senate amendment was accepted by the House.

H.R.1219, by Mr. BENTLEY; Public Law 86-141, signed August 7, 1959:

This bill adds a provision to the 1954 code relating to persons who have been mentally incompetent for a period beginning at least 3 months prior to December 31, 1947, and who remain so until the date of their death. The bill provides that any powers such persons have at the date of their death to change beneficiaries of a trust they created (of the type referred to in section 1000(e) of the 1939 code) are not to result in such property being included in their gross estate for estate tax purposes. This provision is the same as a 1939 code provision (sec. 811(d)(4)) which was applicable with respect to decedents dying after December 31, 1947, and on or before August 16, 1954.

The provision added to the 1954 code by this bill is to apply with respect to estates of decedents dying after August 16, 1954. Thus, as a result of this bill, and previous actions, the exception for mentally incompetents will apply to all years from 1947 forward, so long as the decedent involved is mentally incompetent from October 1, 1947, to the date of his death.

The bill, which became law without amendment, contains a provision that no interest is to be allowed or paid on any overpayment resulting from its enactment with respect to payments made before the date of enactment.

H.R. 2573, by Mr. YATES; passed House August 18, 1959:

As reported by the Committee on Ways and Means, this bill provides that the marital deduction is to be available for estate tax purposes with respect to allowances or awards which, pursuant to local law, are paid within 15 months from the date of a decedent's death to the decedent's surviving spouse for her support during the period the decedent's estate is being settled. This is accomplished by specifically providing that these allowances or awards are property passing from the decedent to a person, and not terminable interests for which no marital deduction is available. Under present law, questions arise as to the circumstances under which the marital deduction is available with respect to an award or allowance made pursuant to local law for support of a decedent's surviving spouse during the period of the settlement of the decedent's estate; these questions for the most part have been resolved by reference to the governing local law as interpreted by the local courts, with the result that the allowance of the marital deduction for these awards has varied from State to State. Uncertainty also exists as to whether any estate tax deduction is available for these allowances. This bill would assure that the extent to which the marital deduction is allowed with respect to these awards or allowances is the same in all States, and will not turn on technical questions of local law.

This legislation passed the House under unanimous consent and at adjournment was pending in the Senate Finance Committee.

H.R. 2906, by Mr. MCCORMACK; Public Law 86-280, signed September 16, 1959:

As reported by the Committee on Ways and Means, this bill provided that the period of limitations for filing a claim for credit or refund for an overpayment of taxes, to the extent attributable to a creation of or an increase in a net operating loss carryback resulting from the elimination of excessive profits by renegotiation, is not to expire before September 1, 1959, or the end of 1 year after the month in which the agreement or order for the elimination of the excessive profits becomes final, whichever is later. The bill amends both the 1939 and 1954 codes, and applies to all 1954 code years and, with respect to the 1939 code, to claims for taxable years ending after December 31, 1952. While the special period provided under the law where net operating loss carrybacks are involved generally provided adequate time for the filing of a claim for credit or refund, the committee's attention was called to a type of case where this was not true and where the taxpayer may not be in a position to know that he is eligible for a credit or refund before the expiration of the period of limitations. This placed the Government in the position in such cases of taking money away from a taxpayer, on one hand, and yet on the other hand denying him the opportunity to obtain a credit or refund where this decreases his tax liability. This legislation was intended to rectify this situation.

The Senate approved the provision of the House bill, and added an amendment directing the Secretary of the Treasury or his delegate to allow credit or refund to Dexter Phillips and Jeannette H. Phillips of an income tax overpayment for the calendar year 1951, to the extent such overpayment was attributable to the erroneous inclusion in their gross income for such year of the amount received by Dexter Phillips in final distribution of his grandfather's estate. The

Senate report (S. Rept. 663) states that "the circumstances of this case * * * indicate that a timely claim for refund was made, and that this claim was erroneously rejected by the examining officer and his superior. In view of these circumstances, your committee is of the opinion that relief should be given in this case for the particular taxpayers who, following the conclusions of the Government's representatives concerned, did not further prosecute their claim within the period of limitations."

After conference agreement to the Senate-passed bill, the bill became law in that form.

H.R. 3151, by Mr. CURTIS (Missouri); failed of House passage under suspension of the rules September 1, 1959:

This bill would amend the provisions of present law permitting the Federal Government upon request to enter into an agreement to withhold State or Territorial tax from compensation paid Federal employees who are employed in the State or Territory so as to also provide for withholding of city taxes by the Federal Government, with respect to its employees who are employed in a city with such a tax, if the city has a population of 75,000 or more. The committee was of the opinion that the same reasons which prompted enactment of the law permitting withholding of State tax from the compensation of Federal employees also required the withholding of city income taxes from such employees, i.e., the fact that cities also have cooperated with the Federal Government with respect to fiscal matters generally and do withhold Federal income taxes from compensation paid their employees.

The restrictions of existing law applicable to State withholding taxes, designed to limit the administrative burdens of the withholding by the Federal Government and to prevent hardship and discrimination in the case of the Federal employees involved, would also apply to the city withholding taxes, under the bill.

The Treasury Department indicated its approval of this legislation, which failed to pass the House under suspension of the rules by a narrow margin, and at adjournment was pending on the Union Calendar.

H.R. 4251, by Mr. BAKER; passed House September 9, 1959:

Under present law, a deduction for income tax purposes may be taken for exploration expenditures made to determine the presence, location, quantity, or quality of any deposit of ore or other mineral. (This is not available in the case of oil and gas wells.) The maximum deduction which may be taken for any year is $100,000, for no more than 4 years (whether or not consecutive) with respect to all property held by the taxpayer. The purpose of H.R. 4251, as amended by the Committee on Ways and Means, is to remove the 4-year limitation of present law, and substitute an overall limitation of $400,000; the maximum limitation of $100,000 in any one year would be retained.

The committee was advised that the provision of present law has tended to discriminate against the small producers, in that a large producer may obtain the full benefit of these deductions by claiming $100,000 in each of 4 years, but a small producer whose annual exploration expenditures are not as high as $100,000 will have the deductions available to him reduced below $400,000 because of the 4-year limitation. Under the bill, a taxpayer would still not be able to claim exploration expenditure deductions with respect to any year in excess of $100,000, but if his expenditures on a yearly basis are less than $100,000, he will be able to claim such deductions over more than a 4-year period so long as the total deductions claimed are not in excess of $400,000.

The bill was pending in the Senate Committee on Finance at the time of adjournment.

H.R. 5547, by Mr. MILLS; passed House September 9, 1959:

As reported to the House by the Committee on Ways and Means, this bill would amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States.

First, the bill provides that income tax liability incurred to the Virgin Islands may be reduced by grants, subsidies, or similar payments in the case of corporations, and in general only if in past 3 years they have derived 80 percent of their income from sources within the Virgin Islands and 50 percent from the active conduct of a trade or business. Where such conditions are met the income tax liability of the corporations may be reduced only with respect to their income from sources without the United States. In the case of individuals, the bill provides that tax liability may be reduced only in the case of citizens of the United States (whether or not also citizens of the Virgin Islands) only if they are bona fide residents of the Virgin Islands for the entire year. Where these conditions are met the tax liability of the individuals may be reduced only with respect to income from sources within the Virgin Islands. These amendments are to apply to tax liability for taxable years beginning on or after January 1, 1959.

Second, the bill provides that the estate and gift taxes are to apply to those who are U.S. citizens only by reason of citizenship in the U.S. possession and who are residents of a U.S. possession at the time they die or make a gift in the same manner as in the case of those who are "nonresidents not citizens of the United States." In general this means that they are to be subject to estate or gift tax only with respect to property situated in the United States (but not in the case of property situated in the possessions or elsewhere). The estate and gift tax amendments are to apply to estates of decedents dying after, or gifts made after, the date of enactment of this bill.

The bill had the support of the Treasury Department, and passed the House under unanimous consent.

H.R. 6155, by Mr. BETTS; passed the House August 25, 1959:

As amended by the Committee on Ways and Means, and as it passed the House, the purpose of this bill is to move forward from September 1, 1951, to September 1, 1957, the date before which certain mutual deposit guarantee funds must be organized in order to qualify for income tax exemption. The other requirements for the exemption, which are left unchanged by this bill, provide that the organizations must be mutual, nonprofit organizations without capital stock and operated to provide reserves and insurance for building and loan associations, cooperative banks, or mutual savings banks.

Three of the four presently existing mutual deposit guarantee funds were organized before September 1, 1951, and therefore presently qualify for exemption. A fourth such organization organized after that date but before September 1, 1957, will qualify for exemption under this bill. These organizations perform essentially the same type of services as the FDIC and FSLIC, Federal corporations which are exempt from income taxation.

H.R. 6482, by Mr. UTT; passed House September 9, 1959:

As reported to the House by the Committee on Ways and Means, this bill amends the provisions of the Internal Revenue Code relating to the unemployment tax. At present a corporation, which within the first 20 weeks of the year is merged or consolidated in a second corporation, is not treated as an "employer" for purposes of the Federal unemployment tax but generally is so considered for most State unemployment compensation taxes. As a result, the first corporation usually must pay the State tax in such cases, and then the second corporation must pay the full Federal tax but cannot obtain the credit usually available for the State tax paid by the first. This faulty operation of the credit for State taxes is overcome in the bill by permitting the same credit to the second corporation in such cases for the State taxes paid by the first as if this first corporation had been the "employer."

The House passed this bill under unanimous consent and at adjournment it was pending before the Senate Committee on Finance.

H.R. 6777, by Mr. O'BRIEN of Illinois; passed House August 25, 1959:

This bill relates to restricted stock options where the spread between the option price is from 85 to 95 percent of the price of the stock on the date the option was granted. In these cases, in general, the spread between the option price and the price of the stock at the time the option was granted is treated as ordinary income at the time of the sale of the stock or at the time of the employee's death.

As reported to the House by the Committee on Ways and Means, this bill provides that if the stock passes to the surviving spouse, the taxation of the ordinary income element is deferred until the spouse sells the stok or dies, etc. The stock must actually go to the spouse, however, by bequest or inheritance (it can also pass to the spouse by surviving in the case of joint ownership) within 15 months of the employee's death, or if not in this interval the Treasury must be given notice within that time that it may go to the spouse and then inform the Treasury of the subsequent disposition of the stock. The amendment would be effective for employees dying in 1959 and later years.

H.R. 6779, by Mr. SIMPSON; passed House August 25, 1959:

Under present law, the unlimited charitable contribution deduction in general is available where in the last 10 years the charitable contributions and income taxes paid by an individual equal 90 percent of his taxable income (with certain modifications) in each of 8 years. The purpose of H.R. 6779, as amended by the Committee on Ways and Means, is to amend this provision of the Internal Revenue Code to provide that the 90-percent test will be considered as satisfied for each of any two consecutive years where it is met on the basis of the average of contributions, taxes, and income in the 2-year period. The bill provides, however, that the charitable contributions and taxes in each of these 2 years must represent at least 75 percent of the income of that year.

The amendment would be effective for the calendar year 1957 and subsequent years, but no refunds or credits are to be paid as a result of this change for any year prior to the calendar year 1959.

H.R. 7588, by Mr. KEOGH; passed House August 18, 1959:

As reported to and passed by the House, this bill would amend the Internal Revenue Code to provide that personal holding company income is not to include income from copyright royalties. The bill specifies certain conditions to preclude the abuse of this amendment.

The personal holding company tax was developed to prevent the establishment of a corporation to be used as a corporate pocketbook in handling investment income. It has been brought to the committee's attention that existing law does in fact characterize as a personal holding company an organization that is actually an operating company. It was not intended that such an organization be included within the defini-

tion of a personal holding company, and this legislation would clarify existing law in that respect.

H.R. 7947, by Mr. IKARD; passed House September 9, 1959:

Under present law, financial institutions selling mortgage paper to the Federal National Mortgage Association must subscribe to stock of the Association in an amount equal to 2 percent of the mortgages sold. This stock, however, has been selling on the market at substantially less than the issuance price. The purpose of H.R. 7947 is to provide that where FNMA stock is purchased under these conditions, any excess of the issuance price over the fair market value on the date of issuance is to be treated as an ordinary and necessary business expense in the year of purchase rather than as a part of the cost of acquiring the stock. This treatment is to be available for taxable years beginning after December 31, 1958, and the committee stated in its report on the legislation that it intends no inferences to be drawn as to the tax treatment accorded FNMA stock before the enactment of this provision.

The bill passed the House, as amended by the Committee on Ways and Means, under unanimous consent.

H.R. 8126, by Mr. SIMPSON; reported to House September 2, 1959:

As amended by the Committee on Ways and Means, this bill adds two new sections to the Internal Revenue Code relating to the income tax treatment of distributions of stock and dispositions of property made pursuant to orders enforcing the antitrust laws. The committee was of the opinion that this legislation carries out the policies already established by Congress with respect to the income tax treatment of other situations in which a taxpayer is compelled to divest himself of property as a result of Government action. In such situations it has been considered inappropriate to impose a tax where there is an involuntary realization of gain. The provisions of the bill do not result in exemption from tax, but rather a postponement, where distributions of stock or dispositions of property are made as a result of orders enforcing the antitrust laws.

H.R. 8229, by Mr. KNOX; passed House September 9, 1959:

As reported to the House by the Committee on Ways and Means, this bill provides a new exempt category for income tax purposes in the case of trusts providing for the payment of supplemental unemployment-compensation benefits. These may be the only benefit payments made by the trusts, or may be payments made together with subordinate sick or accident benefits (but not retirement or death benefits). This exempt category differs from the category, already under existing law, under which some of these trusts obtain exemption, in that the new provision does not require the subtrusts to obtain at least 85 percent of their income from employers or employees (and not from investment income). The so-called nondiscriminatory provisions of present law applying to qualified pension, profit sharing, and stock-bonus plans are in general made applicable to the trusts qualifying under the new exemption category. In addition, the prohibited transaction and unrelated business income provisions of present law are made applicable to the new exemption category.

H.R. 8684, by Mr. IKARD; passed House September 9, 1959:

This legislation pertains to the timing of reporting for tax purposes with respect to dealer reserves and provides transitional rules to bring the reporting of dealer reserve income into conformity with proper accounting methods. As amended by the Committee on Ways and Means, two alternative methods are provided for payment of tax due on such income not previously reported. First, it provides that such amounts can be treated as required changes in methods of accounting. In general this means that the reserves built up prior to 1954 need not be reported for tax purposes, and that only the excess of the current balance over the 1954 balance in the reserve is to be reported. A second alternative provided permits the computation of the deficiencies (or overassessments) which would arise if the income had been reported in the proper years, and then the sum of these amounts (plus interest up to the time of selecting this alternative) may be paid in 10 annual installments, generally beginning in 1961.

The committee agrees that dealer reserve income should be reported on a proper accrual accounting basis; however, it is believed that a hardship would be created by requiring all dealers to make the transition to this method of reporting this income in 1 year, following recent Supreme Court decisions in this matter, especially in view of the numerous circuit court decisions going to the contrary of these Supreme Court decisions, which many dealers have previously been following.

This legislation passed the House under unanimous consent, and, at adjournment was pending before the Senate Committee on Finance.

S. 2282, by Senator SALTONSTALL and Senator KENNEDY; Public Law 86-371, signed September 23, 1959:

The purpose of this legislation was to provide that no department or agency of the United States shall accept compensation from any State or Territory for withholding State or Territorial income taxes. Enactment of this bill had become necessary because of a newly enacted State law providing for compensation to employers who withhold State taxes from their employees, and in the absence of legislation to the contrary, there was doubt as to the power of the executive departments or their officers to decline to accept compensation due to the United States. There are compelling reasons against the wisdom of such acceptance. After consideration, the Committee on Ways and Means agreed to the Senate amendment, and so indicated on the floor of the House, without filing a committee report, whereupon the bill was passed and sent directly to the President.

EXCISE TAX LEGISLATION

H.R. 147, by Mr. KEOGH; Public Law 86-37, signed May 29, 1959:

This bill, which was enacted into law without amendment, suspended through June 30, 1960, the 3-cents-per-pound tax imposed on the first domestic processing of palm oil, palm-kernel oil and fatty acids or salts derived therefrom. This action was taken in order to place these oils on a competitive parity with coconut and babassu oils, which are used for the same general purposes. The tax on the first domestic processing of coconut oil was suspended to June 30, 1960, by the provisions of a Senate amendment to H.R. 2842 of the 85th Congress, which the House accepted and which became part of Public Law 85-235; no processing tax is imposed on babassu oil. The resulting situation, therefore, placed palm and palm-kernel oils at a competitive disadvantage, and this legislation was designed to restore the competitive balance.

H.R. 2164, by Mr. FORAND; passed House September 1, 1959:

As reported by the Committee on Ways and Means to the House, this bill would reduce from 20 to 10 percent the tax imposed with respect to roof gardens, cabarets, and similar establishments. The committee stated in its report on the bill (H. Rept. 817) that this action was taken for two principal reasons: First, the present 20-percent rate is discriminatory in that the rates of almost all other ad valorem excise taxes do not exceed 10 percent; and second, it is believed that the present high rate of this tax has been a substantial deterrent to the employment of musicians and other entertainers. The House suspended the rules and passed the bill.

H.R. 4586, by Mr. FORAND; passed House August 18, 1959:

The purpose of this bill, which was reported to the House without amendment by the Committee on Ways and Means, is to exempt aromatic cachous from the excise tax on toilet preparations. The committee was of the opinion that aromatic cachous (which are aromatic pellets, such as Sen Sen, which are chewed for the purpose of sweetening the breath) should not be subject to tax as toilet preparations since they are more nearly like mouthwashes and candied mints than like the externally applied toilet preparations which comprise the other articles subject to that tax; moreover, the tax on aromatic cachous places them at a competitive disadvantage with nontaxed articles purchased for similar use; and further, they are usually sold in shops which do not handle other articles subject to the toilet preparations tax, thus discouraging the proprietors from handling them because of the burdensome requirement of collecting and remitting negligible amounts of tax.

The Treasury Department submitted a favorable report on this legislation, which passed the House under unanimous consent and at adjournment was pending in the Senate Finance Committee.

H.R. 4857, by Mr. HAGEN; Public Law 86-319, signed August 21, 1959:

As reported by the Committee on Ways and Means, this bill amended two of the exemptions from the admissions tax to provide that in determining whether an athletic game is played between students from elementary or secondary schools, or colleges, where the proceeds inure to a hospital for crippled children, or an exempt organization operated exclusively for the benefit of retarded children, the term "student" is to include anyone who was a student at the school or college within the 8 months immediately before the athletic game. This makes the exemption available for all-star and other similar benefit games even though the game is played shortly after the end of the school or college year. The bill was favored by the Treasury Department, and became public law in the form reported by the committee.

H.R. 5751, by Mr. MACHROWICZ; reported to House August 18, 1959 (see H.R. 8678, title II):

As amended by the Committee on Ways and Means, this bill would have provided that, for purposes of the provisions relating to payment of the excise tax on gasoline, wholesale distributors of gasoline are to be treated as "producers," when they are registered and bonded for this tax. The gasoline tax is payable by the producer or importer at the time he makes his sale; thus, in the case of the integrated company, no tax is collected until after sale to the service station or ultimate consumer. The tax on sales made to independent wholesalers, however, has heretofore been collected at the time of that sale, which the committee believed has resulted in discrimination against independent gasoline wholesale distributors.

This legislation was reported to the House unanimously by the committee; however, the provisions of this amendment were also incorporated in title II of H.R. 8678 (the financing provisions of the Federal-Aid Highway Act of 1959), and became public law as a part of that bill (Public Law 86-342).

H.R. 6132, by Mr. MILLS; passed House September 9, 1959:

This bill, which was reported to the House by the Committee on Ways and Means and passed the House unanimously, without amendment, amends the Internal Revenue Code of 1954 with respect to the rate of tax on the issuance of shares or certificates of stock by regulated investment companies.

Under present law the documentary stamp tax on original issues of stock is levied at the rate of 10 cents per $100 of actual value. The documentary stamp tax on stock transfers, on the other hand, is levied at the rate of 4 cents per $100 of actual value.

Regulated investment companies which operate as open-end mutual investment companies, however, do not usually provide for the trading of their securities. Instead they issue new securities to those desiring to buy their stock, and redeem the stock of those desiring to sell. As a result they pay a 10-cents-per-$100 issuance tax on transactions which to others would result in a transfer tax of 4 cents per $100 of actual value.

The bill provides that the issuance tax in the case of qualifying regulated investment companies is to be imposed at the rate of 4 cents per $100 of actual value, rather than the 10-cent rate otherwise applicable.

H.R. 6785, by Mr. FRAZIER; passed House September 9, 1959:

The purpose of this bill, as reported to the House by the Committee on Ways and Means, is to amend section 4071 of the Internal Revenue Code of 1954 so as to provide a tax of 1 cent a pound in the case of the sale of laminated tires not of the type used on highway vehicles if the tires consist wholly of scrap rubber from used tire casings and have an internal metal fastening agent. This is in lieu of the 5-cents-a-pound tax which otherwise would apply. Such tires are used for off-highway purposes, primarily on lifts, cranes, payloaders, weed cutters, and similar types of industrial and farm equipment. The committee was advised that there are relatively few known manufacturers of laminated tires, and it is believed that any revenue loss from enactment of this legislation will be negligible.

H.R. 8318, by Mr. KEOGH; reported to House September 8, 1959:

At the present time bicycle tires are subject to the 5-cents-a-pound manufacturers' tax on tires, and bicycle inner tubes are subject to the 9-cents-a-pound manufacturers' tax on inner tubes. This is true both of tires and tubes manufactured in the United States and those imported. These excise taxes do not apply, however, to tires and tubes already mounted on bicycles when the latter are imported into the United States.

The purpose of this bill, as amended by the Committee on Ways and Means, is to exempt from the manufacturers' excise tax on tires and tubes, bicycle tires and tubes sold for use, or used, in the manufacture of new bicycles. The taxes would continue to apply to tires and tubes sold, or used, as replacements.

SOCIAL SECURITY LEGISLATION

H.R. 213, by Mr. PATMAN; Public Law 86–284, signed September 16, 1959:

As this bill was reported by the Committee on Ways and Means, it amended section 218 of the Social Security Act to provide an additional period of time within which certain State agreements may be modified to secure coverage for nonprofessional school district employees. This provision, under which nine States (including Hawaii) can provide OASI and disability insurance coverage for certain nonprofessional school district employees without a referendum and as a group separate from the professional employees who are in positions under the same retirement system, had expired on July 1, 1957, and the committee was advised that at least some of the named States had not secured the desired coverage before its expiration. In order to accommodate the States whose legislatures meet only in odd-numbered years, the committee-amended bill reinstates this provision to January 1, 1962.

In addition to approving the provisions of the House bill, the Senate added several amendments. These amendments extend to the States of California, Kansas, North Dakota, and Vermont the application of the present provision of the social security law which permits specified States to extend old-age, survivors and disability insurance coverage to policemen and firemen covered by a State or local retirement system. A provision was also adopted which has the effect of validating certain social security contributions which had erroneously been made by certain municipal employees in Oklahoma.

In conference, the House agreed to the Senate amendments.

H.R. 3472, by Mr. FORAND; passed House March 23, 1959:

This bill provides that in determining the eligibility of Federal civilian employees for unemployment compensation, their accrued annual leave shall be treated in accordance with State laws. Under present law, no compensation may be paid to a Federal employee during a period subsequent to separation from Federal service when he is being paid for accrued annual leave. The committee was of the opinion that there is no inconsistency in the payment of both unemployment compensation and a sum for accrued annual leave to the same person for the same period of time, as the concept of insurance, unemployment, and maintenance of purchasing power (with which unemployment compensation is concerned) are not involved with respect to the matter of annual leave. The bill would place the Federal civilian worker in the position of being treated in exactly the same manner as workers in private industry who receive similar annual leave payments upon separation, by making the award of unemployment compensation depend upon the provisions of the appropriate State law. The committee approved a technical amendment to the bill to insure that no change would result in the rules for determining "Federal service" and "Federal wages" for purposes of the exservicemen's unemployment compensation program, which became law last year (Public Law 85–848), and the bill passed the House without further amendment. This legislation is presently pending in the Senate Finance Committee.

H.R. 5640, by Mr. MILLS; Public Law 86–7, signed March 31, 1959:

The purpose of this bill, which was reported to the House by the Committee on Ways and Means and passed the House without amendment, was to extend from April 1, 1959, to July 1, 1959, the time during which unemployed persons who had established a claim to temporary unemployment compensation under the Temporary Unemployment Compensation Act of 1958 before April 1, 1959, might receive such payments. The legislation was designed to provide a gradual closing out of the program rather than a sudden discontinuance. The unexpended balance of the appropriation which had been made at the time the 1958 program was enacted was more than sufficient to take care of the additional payments and costs which the Department of Labor estimated were involved in this legislation.

The Senate amended the bill to some extent, and under the conference report which was agreed to by the House and Senate, the bill became law as passed by the House, with an amendment which had been suggested to the Senate Finance Committee by the Department of Labor which was designed to assure that individuals who had exhausted their regular benefits prior to April 1, 1959, but whose regular report days, under procedures followed by their State agencies, would be after April 1, 1959, would not be precluded from receiving the benefits of this act (in all cases such claims must have been filed before April 7, 1959).

H.R. 5920, by Mr. BOSCH; passed House September 9, 1959:

As reported by the Committee on Ways and Means, this bill would amend title II of the Social Security Act to change the rule for crediting quarters of coverage on the basis of maximum creditable wages paid in years before 1951 to conform to the rule applied in the case of maximum creditable earnings in years after 1950. Under present law an individual who receives the maximum creditable wages for OASI coverage is given credit for four quarters of coverage, regardless of when in the year the wages were earned; however, with respect to wages earned in a calendar year before 1951, an individual earning the maximum creditable amount is deemed to have a quarter of coverage in each quarter following his first quarter of coverage of such year.

The committee was advised that this discrimination has precluded some individuals from qualifying for OASI coverage, and this legislation would correct this situation.

CUSTOMS AND TARIFF LEGISLATION

H.R. 1217, by Mr. BENTLEY; reported to House August 3, 1959:

As reported to the House by the Committee on Ways and Means, this bill provides for a 2-year suspension of import duties on amorphous graphite or plumbago (crude or refined) which is valued at $50 per ton or less. The United States is dependent on imports for nearly all its requirements of natural amorphous graphite, which is a mineral with a wide variety of uses. Favorable reports were received on the bill as introduced (which provided for transfer to the free list, irrespective of value) from the Departments of Commerce, Treasury, State, Defense, Labor, and Interior, as well as an informative report from the U.S. Tariff Commission. No action had been taken on this legislation in the House prior to adjournment of the first session.

H.R. 2411, by Mr. MAGNUSON; Public Law 86–262, signed September 1, 1959:

As reported by the Committee on Ways and Means, this bill provided for the addition to the free list of tourist literature issued by certain groups, relating chiefly to places or travel facilities outside the United States, the purpose and effect of the legislation being to simplify the tariff treatment of tourist literature and to extend the present duty-free treatment to a broader class of such literature. Safeguarding provisions against abuse are provided for by law. The bill passed the House without amendment.

The Senate, in addition to approving the provisions of the House bill, amended the bill to include the provisions of two other bills which the Committee on Ways and Means reported individually, and both of which passed the House—H.R. 4576 (providing for a 2-year suspension of duty on the importation of book bindings or covers imported by certain institutions) and H.R. 6249 (liberalizing the tariff laws for works of art and other exhibition material). A further Senate Finance Committee amendment relating to the importation of wood moldings, was deleted on the Senate floor. The amendments of the Senate were accepted by the House.

H.R. 2886, by Mr. KEOGH; Public Law 86–235, signed August 8, 1959:

Enactment of this legislation suspended for 3 years the import duties on certain

classifications of spun silk yarn provided for in paragraph 1202 of title I of the Tariff Act of 1930. Spun silk yarns of the fineness provided for in this bill are not produced domestically in any quantity. Imported yarns, which are usually finer in size than those of domestic manufacture, are used for various decorative purposes and in the production of certain types of silk broadcloth and other fabrics. The committee was advised that suspension of the duties on the raw materials for such silk fabrics would improve the competitive position of the domestic silk-weaving industry and would tend to increase the domestic production of silk cloth. Favorable reports on the legislation were received from the Departments of State, Treasury, Agriculture, and Commerce, as well as an informative report from the U.S. Tariff Commission.

The bill became law in the form reported by the Committee on Ways and Means.

H.R. 3681, by Mr. OSTERTAG; Public Law 86–34, signed May 29, 1959:

This legislation provided for the duty-free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42 in Rochester, N.Y. The committee was advised that these bells are not manufactured in the United States, would be used for the musical training and appreciation of students at the school, and would remain the property of the school. The bill became law without amendment.

H.R. 4385, by Mr. MACHROWICZ; passed House August 18, 1959:

As reported to the House by the Committee on Ways and Means, the purpose of this bill is (1) to add iconostases to the list of articles for which free entry is presently provided in paragraph 1774 of the Tariff Act of 1930, as amended (providing for the free entry of certain articles for religious purposes); (2) to provide for the free entry of adjuncts and appurtenances of the named articles whether to be physically joined thereto or not; and (3) to extend the application of paragraph 1774 to cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by corporations and associations organized and operated for religious purposes.

The committee was advised by the interested Government departments that enactment of this bill would assist in solving certain difficult interpretative questions which have arisen under the present provisions of paragraph 1774. Favorable reports on the bill were received from the Departments of State, Labor, and Commerce, and informative reports from the Department of the Treasury and the U.S. Tariff Commission. The House passed the bill under unanimous consent and at adjournment it was pending in the Senate Finance Committee.

H.R. 4576, by Mr. COHELAN; passed House August 18, 1959 (see H.R. 2411):

This bill, as it was reported to the House by the Committee on Ways and Means, provided for a 2-year suspension of the import duties on book bindings or covers imported by certain institutions. The suspension of duty on book bindings or covers provided by Public Law 83–694 and Public Law 84–723 expired on August 31, 1958, and since that time these items have been subject to duty. The committee was advised by the U.S. Tariff Commission that it was not aware of any complaints against imports under the previous temporary duty exemption, and favorable reports on the bill were received from the Departments of State, Treasury, and Commerce.

This bill passed the House under unanimous consent on August 18, 1959; the Senate Finance Committee, however, adopted the provisions of H.R. 4576 as an amendment to H.R. 2411, and the 2-year suspension of duty on book bindings or covers became law as a part of that bill (Public Law 86–262).

H.R. 5054, by Mr. HERLONG; reported to House August 31, 1959:

As reported by the Committee on Ways and Means, this bill would amend section 304 of the Tariff Act of 1930, as amended, to provide that imported articles whose container must be marked with the name of the country of origin, shall whenever repackaged, have all succeeding containers so marked, whether repackaged by the importer, jobber, distributor, dealer, retailer, or other person. Failure to mark will make the goods subject to seizure and forfeiture under the customs laws. The Committee on Ways and Means amended the bill to limit the importer's liability under its provision so as to apply only until the article in question passes out of his custody and control, and unless and until subsequently repackaged by or for his account,

H.R. 5508, by Mr. MILLS; Public Law 86–14, signed April 22, 1959:

This bill, which became law without amendment, provided permanent legislation permitting the free entry under bond of imported articles for exhibition or use at fairs designated by the Secretary of Commerce. The bill follows the basic provisions of the numerous trade fair laws which have been enacted for individual fairs in the past, and eliminates the necessity for the enactment of separate laws in behalf of individual fairs and the repeated issuance of regulations, as in the past. The committee was advised that enactment of this legislation, which was recommended by the interested executive departments, would facilitate cultural and commercial interchanges between the United States and other countries.

H.R. 5887, by Mr. KEITH; passed the House September 9, 1959:

The purpose of this bill, as amended by the Committee on Ways and Means, is to amend the Tariff Act of 1930, as amended, by placing ground, powdered, or granulated seaweeds on the free list. The seaweed involved is used primarily by domestic processors who produce an end product in the form of a powdered extractive used in foods and other products as jelling, thickening, etc., agents. The committee received favorable reports on this legislation from the Departments of State, Treasury, Commerce, and Labor, and an informative report from the U.S. Tariff Commission.

H.R. 6054, by Mr. KARTH; Public Law 86–115, signed July 28, 1959:

This bill, which became law in the form in which it was reported by the Committee on Ways and Means, provided for a 1-year continuation, to June 30, 1960, of the suspension of duties on imports of metal scrap. Favorable departmental reports were received on this legislation and the committee received no information indicating any opposion to its enactment.

H.R. 6249, by Mr. METCALF; passed House August 25, 1959 (see H.R. 2411):

As amended by the Committee on Ways and Means, this bill was designed to amend the Tariff Act of 1930, as amended, so as to liberalize the definition of "works of art" which may be imported duty-free to include modern art forms and to ease restrictions on the importation of articles of educational or artistic value when they are meant for exhibition and not for sale. The legislation was worked out in cooperation with the Treasury Department to modernize the antiquated provisions of law which tended to sharply reduce the number of abstracts, collages, lithographs, and primitive carvings imported for the enjoyment of the general public. This bill passed the House unanimously on August 25, 1959; the Senate Finance Committee, however, adopted the provisions of H.R. 6249 as an amendment to H.R. 2411, and this legislation became law as a part of that bill (Public Law 86–262).

H.R. 6368, by Mr. HERLONG; Public Law 86–325, signed September 21, 1959:

The purpose of this legislation, which became law without amendment, was to transfer from the dutiable to the free list of the Tariff Act of 1930 pumice stone imported to be used in the manufacture of concrete masonry products, such as building blocks, bricks, tiles, and similar forms. The Committee on Ways and Means was advised that enactment of this legislation would benefit the makers of building blocks and other masonry products, and that there were no facts to indicate it would have an adverse effect on any U.S. industry. Favorable reports were received on the bill from the Departments of State, Treasury, and Commerce, as well as informative reports from the Department of the Interior and the U.S. Tariff Commission.

H.R. 6579, by Mr. KEOGH; Public Law 86–288, signed September 16, 1959:

This legislation, which was enacted into law in the form reported by the Committee on Ways and Means, provided for the temporary free importation (to the close of September 28, 1960) of extracts, decoctions, and preparations of hemlock suitable for use for tanning, regardless of their chief use. Favorable reports were received on the bill from the Departments of State, Treasury, Commerce, and Labor, and an informative report from the U.S. Tariff Commission.

H.R. 7456, by Mr. BALDWIN; passed House August 18, 1959:

The purpose of this bill, as reported to the House by the Committee on Ways and Means, is to extent for 3 years (until the close of March 31, 1963) the existing suspension of import duties imposed on casein under paragraph 19 of the Tariff Act of 1930, as amended. The committee was advised by the executive departments that they are unaware of any unfavorable developments resulting from the free importation of casein, and favorable reports were received on this legislation from the Departments of Agriculture, Labor, and Commerce, as well as informative reports from the Department of the Treasury and the U.S. Tariff Commission.

H.R. 7567, by Mr. MILLS; Public Law 86–99, signed July 17, 1959:

This legislation, which was introduced in behalf of the administration at the request of the Department of Defense, extends for 2 years, to July 1, 1961, the privilege of free importation of gifts from members of the Armed Forces of the United States on duty abroad. This privilege has been provided continuously since 1942, and is limited to shipments of bona fide gifts not exceeding $50 in value.

The Department of Defense in urging the enactment of this legislation expressed the opinion that a very definite morale factor is embodied in this legislation. It is extremely important to a serviceman on tour of duty overseas that he be able to send small gifts and souvenirs from the region in which he is serving to his family and friends in this country. If such articles were made subject to duty, the administrative problems involved in sending gifts home would serve to discourage this practice.

Adequate safeguarding provisions exist in the act and through appropriate administrative regulations. The bill became law without amendment.

MISCELLANEOUS

Although the following bills amend the Internal Revenue Code, they are not properly classifiable as tax legislation.

H.R. 4029, by Mr. KING of California; passed House August 18, 1959.

This legislation, which passed the House under unanimous consent, amends the sections of the Internal Revenue Code of 1954 which were developed from the National Firearms Act. The primary purpose of that act was to facilitate the control of weapon utilization by gangster and other underworld characters. The purpose of the bill is to eliminate the interference of this police regulation of these weapons with sport and recreational utilization without jeopardizing the deterrence to improper and unlawful uses. The legislation, the provisions of which were worked out in conferences with representatives of the Internal Revenue Service and law enforcement agencies, would be of benefit to gun collectors, rifle associations, and persons having an avocation involving firearms, without interfering with the effective administration of the National Firearms Act taxes. As a result of the conferences on this legislation, a number of features have been incorporated in the bill which are designed to aid in enforcement and simplify the administration of these provisions.

H.R. 8685, by Mr. MILLS; Public Law 86-368, signed September 22, 1959.

The purpose of this bill, which became law as amended by the Committee on Ways and Means, was to provide that the Assistant General Counsel for the Treasury Department who is to be the Chief Counsel for the Internal Revenue Service is to be appointed by the President by and with the advice and consent of the Senate. The office of Assistant General Counsel serving as Chief Counsel of the Internal Revenue Service, which the new office replaces, was filled by an appointee of the Secretary of the Treasury. The basic compensation rate of the new officer will be $19,000.

Enactment of this legislation was favored by the Treasury Department.

Classroom and Teacher Shortages

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. METCALF. Mr. Speaker, a few weeks ago a new school year opened to the same tune of classroom shortages and teacher shortages, which impair the education of at least one out of every four schoolchildren.

This continuing crisis facing the American public school system inspired a series of meetings of representatives of a broad range of national organizations who realize that the time has come to do something about our current school situation.

The meetings were attended by representatives of many of the organizations listed below:

American Association of University Professors.

American Association of University Women.

American Home Economics Association.

American Library Association.

American Parents Committee.

American Veterans Committee.

Americans for Democratic Action.

Associations for Childhood Education International.

National Council of Jewish Women.

General Federation of Womens Clubs.

National Education Association.

National Farmers Union.

Textile Workers Union of America.

United Church Women.

The other listed organizations have asked that they also be associated with the following summary, which I would call a primer outlining the needs of elementary and secondary education:

EDUCATION LEGISLATION AND OUR CHILDREN'S FUTURE

The educators of America have made a magnificent contribution to the growth of this Nation.

Between 1870 and 1955, while our population was increasing 4 times, our public school attendance increased 80 times. From 1900 to 1955 the population of America nearly doubled, but the number of college graduates multiplied 11 times and the number of doctoral degrees 22 times. We have twice as many teachers as we had in 1910 but require 10 times as many college teachers as we did 50 years ago.

Today almost 47 million Americans are attending school—almost 1 out of every 4 people in this country—and 2 million Americans are teaching them in more than 150,000 institutions.

The number of boys and girls attending elementary and secondary schools grew from less than 17 million in 1900 to some 43 million today. College enrollments in the same period rose 15-fold, from 238,000 to almost 4 million.

While we have been increasing the quantity of education we have also been increasing the quality. More than anything else our American educational system is carrying out the American dream of equality of opportunity.

Some of the interest in education and especially in higher education is due to our recent years of prosperity, some to the GI bill which permitted thousands of ex-service men and women, who otherwise would have been unable to go to college, to complete their education.

But there is a more fundamental reason for this growth. College attendance grew even during the depression of the thirties. The chief characteristic of a complex modern society is the insatiable demand for educated people. It is not just technologists and scientists that we need, we need more and more gifted teachers, professional men and scholars.

Despite the heroic efforts our people are making, our educational crisis continues.

THE BUILT-IN CRISIS

On January 28 of this year the U.S. Office of Education announced that this Nation needed an additional 140,500 classrooms to adequately house the boys and girls of America attending the public schools. This is in spite of almost record construction in the 1957-58 school year, when 71,600 classrooms were built. From the fall of 1957 until the end of January 1959, the classroom shortage had been reduced only 1,800.

In August 1959 Secretary Arthur S. Flemming, of the Department of Health, Education, and Welfare, told a news conference that the present shortage was 140,000 classrooms, a reduction of 500 in 7 months.

The reduction in the 2 years prior to his press conference, then, was 2,300, or less than 1,200 a year. At that rate it would be almost 117 years before we have an educational plant adequate to house our schoolchildren. And it is unlikely that the States and local communities will be able even to maintain the pace of 71,000 classrooms a year.

Even if they could, we would still fall behind the phenomenal increase in the number of new schoolchildren each year. According to the Office of Education, America's primary and secondary school enrollment has reached an alltime high for the 15th consecutive year. The increase this year was 1,750,000. If you divide this figure by 27½, the present national average of pupils per classroom, this increase alone would require nearly 64,000 new classrooms. If you add to this 64,000 the 22,000 classrooms needed each year to replace those which are—or should be—abandoned, you have a total of 86,000 classrooms—including libraries, adequately staffed and stocked—needed this year to house the increase and replace facilities which are outmoded, unsafe, or both.

NATION SHORT 195,000 TEACHERS

At the same time, U.S. Commissioner of Education Lawrence G. Derthick announced that a total of 1,563,000 teachers will be needed in both public and nonpublic schools in the coming year, whereas the number presently qualified is 1,368,000. This is a deficit of 195,000 teachers.

The continued shortage of qualified teachers tells the story of the Nation's failure to give members of this profession financial and community standing sufficient to attract them into the field and to keep them in it.

The shortage of teachers is even worse than figures indicate, because teaching in our schools today are at least 92,337 persons with substandard certificates to teach.

A RHETORICAL QUESTION AND ANSWER

At the recent news conference, Secretary Flemming asked reporters rhetorically: "What does this continuing neglect by the Federal Government of this classroom shortage mean in terms of the actual loss of educational opportunity?"

He answered his own question this way: "When there aren't enough classrooms there are generally more pupils per teacher. Educational facilities are crowded. Half-day and split sessions are imposed. There are fewer hours for children in school. Parents, teachers, children are subjected to constant frustration. A crowded classroom robs every child in that room—not just those who make up the statistical enrollment for the school."

According to Secretary Flemming, the education of 10 million American youngsters is being impaired in varying degrees by the classroom shortage.

He said recent reports on public-school enrollment show there were 1,843,000 pupils in excess of normal school capacity last year. These excess students were added to an estimated 6 million in crowded urban elementary schools alone and another 2 million or so in obsolete or inadequate buildings to arrive at the total of 10 million.

These figures are extremely conservative—because they do not include either urban high schools or rural schools.

Thirty pupils make up the desirable maximum class size. If a class has 40 or 50 pupils, then the education of every child is being impaired—not just that of the additional 10 or 20 pupils. And even though the class size may be within the desirable limits, the youngsters are being shortchanged if their teacher is substandard.

SOCIETY ALSO IS ROBBED

Not only the child but all of society is robbed by inadequate school facilities and a shortage of qualified teachers. The products of our schools are responsible for this country's livelihood through the maximum development of all the Nation's human resources, an adequate long-range defense plan based on fuller development and use of top brainpower, and greater economic growth which can come through well-educated producers and consumers.

Our national defense, on which we spend more than one-half of every tax dollar, is handicapped by substandard education. Some States have done, continue to do, an outstanding job on classroom construction and recruiting and retaining qualified teachers. What is their interest in schools in other States? One of the statistical tables, part of the hearing record of the House Education Committee, provides part of the answer—and illustrates that the classroom shortage is a national problem, and that quality teaching is more important than guided missiles or jet planes. It is the percentage of selective service registrants disqualified because of mental tests in the various States. Such disqualification ranges from 3.5 percent in Montana to almost 50 percent in Mississippi. This means that the States, in which the educational system is more nearly adequate, must make up the draft deficit for those States where the educational plants have run down.

NUMBER ONE PROBLEM

Securing a major increase in financial support is today's number one school problem. The broadly representative White House Conference on Education estimated in 1955 that between 25 and 30 billion dollars would have to be spent on school construction alone in the next 10 years to bring our school plants up to standard. That Conference also concluded that "the people of the United States must make a greater effort through their local, State, and Federal governments to improve the education of our youth."

Since that time, State and local governments have made a greater effort while the contribution of the Federal Government, the largest tax collector, has remained at a constant average of 4 percent. Even this 4 percent is distributed inequitably among the States, and goes not for general aid to education but for specialized programs such as construction, operation and maintenance of schools in federally impacted areas, Indian and vocational education.

In recent years, local and State debt has been increasing faster than the Federal debt. Since 1945, the Federal debt has risen less than 10 percent, while the total debt of the States has gone up 500 percent, and the local debt has risen 300 percent.

Across the Nation, school district after school district is reaching the point of exhaustion, exhaustion of debt capacity, exhaustion of ability of local taxpayers to bear the heavy tax burden on local property that good schools and teachers now require. The decline of a net gain of 1,800 classrooms in 1958 to a net gain of 500 in 1959 is the first sign of the growing inability to continue to build schools at a rate of more than 71,000 classrooms per year.

OLDER THAN THE CONSTITUTION

Federal assistance to education is not new. It is older than our Federal Constitution. Under the Articles of Confederation, 3 years before our Federal Constitution was ratified, the old Northwest Ordinance of 1785 was enacted. The ordinance specified that in the new lands of our Nation "there shall be reserved the lot No. 16 of every township for the maintenance of public schools within said township." This Federal law was responsible for the establishment of public schools in many States and for many years provided a major portion of their financial support. It is important to note that the establishment of this Federal grant did not interfere with the discretionary right of the individual States to use the money derived therefrom as the State determined it should best be used. Federal aid without Federal control is thus one of the oldest traditions of public education.

Succeeding public laws for vocational education, federally affected areas, and national defense education are among those currently providing Federal help in special areas. No responsible official has ever charged that there has been Federal control of education in any of these programs.

Mr. Speaker, many of us in Congress are willing to cooperate in any plan to meet the crisis in our classrooms. I appreciate the letters I have received from those who are really interested in solving our most important domestic problem. So do my colleagues in the House.

Government Financing

EXTENSION OF REMARKS

OF

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. DIRKSEN. Mr. President, from time to time I have asked the Director of the Bureau of the Budget to make a careful evaluation of estimates, appropriations, new obligation authority, and new obligation authority outside of the appropriation process—commonly referred to as back-door financing.

In addition I have requested complete data on all other measures which might affect the 1960 budget and also future years. I am therefore submitting, and ask unanimous consent, for inclusion in the RECORD certain tables relating to these matters. This I believe will bring this entire physical matter up to date.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—*Adjustment to appropriation bills*

	President's budget estimates	Final amount approved	Increase or decrease compared to President's budget estimates
Total, all bills (CONGRESSIONAL RECORD of Sept. 14, 1959)	$74,859,008,445	$72,977,598,352	−$1,881,410,093
Decreases which are actually postponements to another year or reductions which must be restored for uncontrollable items:			
Development Loan Fund, 1961 requirements			500,000,000
Defense production expansion—restoration of capital			179,285,072
Commodity Credit Corporation—restoration of capital			100,000,000
Decreases, etc.—Continued			
Liquidation of contract authority, prior-year deficiencies, etc			$48,300,000
Reductions in uncontrollable items: Veterans' compensation, pensions, etc			20,962,500
Actual decrease			1,032,862,521

TABLE II.—*New obligational authority provided outside the appropriation process (so-called back-door financing)*

Bill No.	Title	President's request	Amount agreed to by conferees	Increase or decrease made by the Congress	Bill No.	Title	President's request	Amount agreed to by conferees	Increase or decrease made by the Congress
H.R. 4452 S. 1094	Bretton Woods Agreement Act	$4,550,000,000	$4,550,000,000	----------	H.R. 3460	Tennessee Valley Authority	$750,000,000	$750,000,000	----------
S. 2654	Housing Act of 1959, 1959-61	800,000,000	925,000,000	+$125,000,000		Total, 1959-61	6,220,000,000	6,451,000,000	$+231,000,000
S. 1 H.R. 1011	Aid to Airports, 1960-61	120,000,000	126,000,000	+6,000,000					
H.R. 2256	Veterans Housing Loan Act	----------	100,000,000	+100,000,000					

TABLE III.—*Other measures affecting the budget in 1960 and future years*

A. AUTHORIZATION IN APPROPRIATION ACTS

Bill No.	Title	President's request	Amount agreed to by conferees	Increases or decreases made by the Congress	Remarks
H.R. 7349	Commerce appropriation bill—increase in merchant marine subsidized voyages.	----------	$1,300,000,000	+$1,300,000,000	For a 20-year period.
H.R. 7175	Agriculture appropriation bill: Agricultural conservation program	$100,000,000	250,000,000	+150,000,000	Authorization for 1960 crop year, requiring appropriations in fiscal year 1961.
	Farmers Home Administration—loan authorization.	388,000,000	421,000,000	+33,000,000	
H.R. 7509	Public works appropriation bill—public works starts	----------	751,000,000	+751,000,000	Cost to complete after 1960.
H.R. 5676	District of Columbia appropriation bill—loan authorization.	35,400,000	34,300,000	−1,100,000	

B. SUBSTANTIVE LEGISLATION

H.R. 7650	Veterans pension bill	----------	$9,300,000,000	+$9,300,000,000	Estimated costs for 40-year period over existing law. Administration bill (H.R. 6432) proposed savings below existing law of $47,862,000,000 over the 40-year period.
S. 2654	Housing Act of 1959: Public housing—annual contributions	----------	719,000,000	+719,000,000	For a 40-year period.
	All other authorizations for appropriations	$10,000,000	75,000,000	+65,000,000	
S. 1289	Extension of special program	----------	11,000,000	+11,000,000	For a 2-year period.
S. 2162	Federal employees health benefits	80,000,000	110,000,000	+30,000,000	1st year costs.

C. FAILURE TO ENACT PRESIDENT'S PROPOSALS

Postal rates	−$350,000,000	----------	+$350,000,000	Proposed increase in postal rates.
Aviation fuel tax and user charges	−140,000,000	----------	+140,000,000	Proposed increase in receipts for full year.
Tax adjustments	−50,000,000	----------	+50,000,000	Do.
Total (net)	73,400,000	$12,971,300,000	[1]12,897,900,000	

[1] The food stamp program (H.R. 8609), which is nonmandatory, would add $220,000,000 to this total for a 2-year period (1960-62). The total excludes pending legislation passed by one or both Houses now awaiting further congressional action. In future fiscal years these bills would cost several billion dollars beyond the President's requests. They include peacetime ex-servicemen's readjustment benefits (S. 1138), youth conservation corps (S. 812), international medical research (S.J. Res. 41), grants to States for educational television (S. 12), area redevelopment (S. 722), and water pollution (H.R. 3610).

Statement by Senator Wiley on His Activities During the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. WILEY. Mr. President, I request unanimous consent to have printed in the CONGRESSIONAL RECORD a review of highlights, including my own activities, during the 1st session of the 86th Congress.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

SENATOR WILEY'S RECORD IN THE 1ST SESSION OF THE 86TH CONGRESS

Upon adjournment of the Congress—as senior Senator of Wisconsin—I am taking this opportunity to review the highlights of legislative action during the session.

The résumé will include (1) measures which I sponsored, cosponsored, or supported; and (2) it will include efforts to oppose legislation which I felt against the best interests of Wisconsin and the Nation.

A brief review cannot, of course, touch upon all the issues raised in this session of Congress.

This effort, however, is to hit the high spots and provide a general idea of my overall record.

STRENGTHENING OUR NATIONAL DEFENSE

Nationally, the maintenance of a strong defense is still a real challenge before the American people.

The worldwide Communist conspiracy—pursuing its goals of world domination, and controlling about a billion people and vast volumes of natural and strategic resources—continues to be a real threat to our security. Consequently, it is vital that we support a strong U.S. defense—and strengthen efforts to create an ever-stronger free-world alliance—to act as a deterrent to aggression by the Communists.

During the session, I supported, for the most part, the administration's recommendations for expansion of our Army, Navy, and Air Force; procurement of modern aircraft, warships, missiles, and submarines; carrying forward our space exploration programs—with its significance, not only for scientific and military purposes, but also for progress in such fields as weather forecasting and control, communications, transportation, and other activities; extension of the draft; expanding our scientific research and development program; and other measures to provide us with protection in our battle for survival with the Communist world.

MAINTAINING A STRONG ECONOMY

Strengthening our economy, too, is a major challenge. Unless we remain strong and healthy economically, we will not be able to support the needed defenses, nor to meet the competition by the Communists, in the economic, ideological, scientific, and other fields. Economic progress is needed, too, to further improve the standards of living for our people.

To promote economic activity, measures were enacted to improve and expand our airport construction program; expand the housing program; establish a Commission on Unemployment Problems, to deal with the various aspects of unemployment, which adversely affect the economy; clarify the conditions under which States can tax firms dealing with interstate commerce; and other measures.

During the session, also, a strong constructive effort was made to balance the Federal budget—so as not to increase the burden on the American taxpayer, as well as to keep inflationary pressures at a minimum.

CURBING ABUSES IN THE LABOR-MANAGEMENT FIELD

During its brief lifetime, the Select Committee on Improper Activities in the Labor or Management Field, probing into the field of labor and management, revealed strong evidence of abuses in the labor-management field.

The 86th Congress—courageously and constructively, I believe—enacted legislation designed to curb such abuses.

We recognize, of course, that new laws are only as effective as their enforcement. The task now is to put the new statute, Public Law 86–257, into effect as effectively and quickly as possible.

The purpose of the law is not to unnecessarily hamstring either the unions or management. Rather, the aim is to protect the rights of the workers, preserve the legitimate interests of both union and management, as well as to protect the interests of the public.

VETERANS LEGISLATION

Over the years, the Nation has designed a program of veterans benefits to meet the needs of patriots who have served in our country's Armed Forces.

In view of the sacrifices of our veterans, it is particularly important, I strongly feel, to maintain a fair system of benefits.

During the session of Congress, a wide variety of proposals were made for further modifying and/or improving such benefits.

However, the major piece of legislation enacted was: Public Law 86–211 to (a) increase non-service-connected pensions to veterans; (b) establish payments on a revised scale, perhaps on need; and (c) equalize pensions of World War II and the Korean war widows, with those of World War I.

The pending legislation relating to pensions, housing, medical care, and other veteran interests will be subject to further consideration next session.

PROTECTION OF CIVIL RIGHTS

As ranking Republican of the Senate Judiciary Committee, I am naturally deeply interested in assuring the protection of the constitutional rights of all our citizens—regardless of race, creed, or national origin. Having cosponsored legislation passed during the 85th Congress—the first major civil rights legislation enacted in 80 years—I again supported such efforts during this Congress. The best that could be obtained was the extension of the Civil Rights Commission, which is carrying on studies and investigations in this field. The purpose is ultimately to strengthen our laws so as to assure preservation of the precious privileges and rights of all our citizens under the Constitution.

COMPLETION OF ST. LAWRENCE SEAWAY

In 1954, the enactment of the Wiley-Dondero law authorized the United States to participate in deepening and modernizing the St. Lawrence Seaway. In June 1959 we witnessed the completion of that project. The Seaway is now a reality.

During the 50-year effort to get legislative approval of the Seaway, strong opposition was voiced by the Atlantic coast ports, the eastern railroads and about 200 other organizations. With the Seaway completed, we who supported the project felt that the fight was finished.

Unfortunately, this now appears not to be true. During the 86th Congress, for example, the fight was renewed. How? During the enactment of a law to extend the Public Law 480 program for shipment of surplus farm commodities overseas, an effort was made to tack on an amendment which would have virtually killed off a substantial proportion of such traffic through the Seaway. The purpose of the amendment was to require that shipments of surplus farm commodities from the Midwest—for example, through Milwaukee, Green Bay, or other lake ports—would, instead, be required to come through gulf or Atlantic coast ports.

Fortunately, we were successful in defeating this ill-advised effort.

Despite this victory, however, the attack should serve to warn us that, in all likelihood, there will be successive efforts in the years ahead of cripple the Seaway.

IMPROVING THE GREAT LAKES CONNECTING CHANNELS

The early completion of work to deepen and improve the Great Lakes connecting channels, too, is of high priority. As yet, these channels between the lakes west of Lake Erie will not handle deep draft vessels. According to schedule, the earliest date at which this work can be completed is 1962.

During this past session, as in previous sessions, it has required a fight to get approval of sufficient funds for deepening and improving these channels. Fortunately, we succeeded in getting approval of about $26.9 million for the fiscal year 1960. The job now is to get adequate funds in years ahead to enable the Corps of Engineers to finish the deepening and improving work by the target date of 1962.

RIVERS AND HARBORS

With the completion of the Seaway, a next major step is the further deepening and improving of our ports and harbors. During this session, it was possible to get approval of additional money for Federal participation in providing for expansion of our port facilities for handling increased volumes of traffic. The harbor projects include Bad River, Bayfield Harbor, Eau Galle River, Saxon Harbor, Two Rivers Harbor.

OPPOSING WATER STEAL BILL

During the past session of Congress, a new effort was made to enact legislation to authorize diversion of dangerously large volumes of water from Lake Michigan.

Although such action has been defeated—either by opposition in Congress or by the President's veto—in previous years, the proponents continue to attempt to push such ill-advised legislation through Congress.

Although the bill again passed the House of Representatives, it was possible—after a long and arduous debate in the Senate—to have the bill recommitted to the Foreign Relations Committee. The purpose of this move is to assure consideration of the international problems created by such legislation, since the diversion bill proposes to take water from the Great Lakes which serve as the common boundary between the United States and Canada.

We can expect that the supporters of this bill will be pushing it again in the next session of Congress.

GREAT LAKES BASIN COMPACT

As the Great Lakes States attempt to further develop their resources, it has been felt that the establishment of a Great Lakes Basin compact would help to speed the development and utilization of the industrial, commercial, cultural, residential and other resources of the area.

Fortunately, it was again possible to get the bill, S. 548, passed by the Senate. As last year, however, it was regrettably bottled up in the House of Representatives.

ICE AGE NATIONAL PARK FOR WISCONSIN

During this session, too, I introduced legislation to establish an ice age national park in Wisconsin. The purpose of this was to preserve the beauty of the unique topographical features of the 500-mile-long moraine area. The moraines include formations of rock, gravel, sand, hills, and valleys—sculptured by glacial action—and are of tremendous geological, scientific, biological and scenic significance. These moraines are unsurpassed anywhere in the United States. A study is being made upon the feasibility of establishing such a park by the Department of the Interior. Unfortunately, this has delayed action on the legislation for a considerable length of time. However, I shall again be urging that the Congress take action for the establishment of a moraine national park in Wisconsin during the next session.

OTHER LEGISLATION SPONSORED OR COSPONSORED BY SENATOR WILEY

Senate Resolution 19 would establish a standing Committee on Veterans' Affairs in the U.S. Senate.

Senate Concurrent Resolution 7 extends best wishes of Congress to the American Dental Association. (Passed on February 9, 1959.)

Senate Concurrent Resolution 10 favors congressional recognition of the National Railroad Museum to be located at Green Bay, Wis.

Senate Joint Resolution 66 provides for the centennial celebration of the establishment of the land grant colleges and State universities and the establishment of the Department of Agriculture.

S. 11, to strengthen the Robinson-Patman Act provisions relating to the burden of rebutting prima facie cases of unlawful price discriminations.

S. 50, to provide for Hawaiian statehood; signed into law on March 18, 1959, and now Public Law 86–3.

S. 265, to establish a Commission on Country Life. The purpose of this bill would be to design long-range programs for brightening the outlook in agriculture.

S. 730 would establish a U.S. Foreign Service Academy to "sharpen up" our Foreign Service program.

S. 764, to establish a Richard E. Byrd Antarctic Commission to better protect U.S. rights in Antarctica.

S. 895, to provide a public defender for indigent defendants in U.S. courts.

S. 910, to authorize payments in lieu of taxes to local governments for Federal nontax-paying property.

S. 988, to establish uniform milk sanitation standards to protect the public health.

S. 1003, to compel production of documentary material in antitrust cases. A bill with similar objectives, S. 716, passed the Senate on July 29, 1959.

S. 1019 extends to Farmers Home Administration operating loan program to bona fide fur farmers.

S. 1123, to establish a National Wilderness Preservation System.

S. 1021, to provide for a fairer apportionment of funds to aid the States in wildlife restoration under the Pittman-Robertson Act.

S. 1289, to increase and extend special milk program for children; enacted as Public Law 86–163.

S. 1315, to incorporate the Blue Star Mothers. Passed Senate April 29, 1959. Referred to the House District of Columbia Committee.

S. 1365, for better disposal to certain welfare agencies of surplus property.

S. 1389, to establish the Patent Office as an independent agency.

S. 1383, to require competitive bidding on Armed Forces contracts.

S. 1395, to provide for an adequate supply of turkeys to consumers, to maintain an orderly marketing condition and to promote the consumption of turkeys.

S. 1459, to establish a Dairy Research Laboratory at Madison, Wis.—in the heart of dairyland.

S. 1885, to establish a Hoover-type commission on Federal taxation for a top-to-bottom overhaul of the system.

S. 2004, to eliminate termination date for non-quota immigrant visas for certain alien orphans.

S. 2080, to establish a National Economic Council for Security and Progress, which would plan and coordinate programs to meet the Communist challenge in the economic sphere.

S. 2123, to provide mandatory sentences in certain cases for mailing, importing, or transporting obscene material.

S. 2188, to establish a Citizens Council for the Advocacy of Freedom, to counter the Communist's ideological offensive on a world-wide basis.

S. 2168. I strongly opposed this bill, aimed at substituting oleomargerine or margerine for butter in the rations of the U.S. Navy.

S. 2242, to make a study for feasible means of de-icing the Great Lakes and St. Lawrence Seaway for the ultimate purpose of opening this great tradeway to year-around navigation.

S. 2315, to deny passports to supporters of the international Communist movement.

Address by Hon. Robert W. Kastenmeier, of Wisconsin

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. WOLF. Mr. Speaker, under leave to revise and extend my remarks, I should like to place in the RECORD an address by my good friend and colleague from across the Mississippi River, Mr. KASTENMEIER, of Wisconsin. I have read the address with great respect, since it deals incisively with one of the major problems of our government and society.

In a Constitution Day address, Mr. KASTENMEIER was examining a major challenge to our heritage of constitutional government. As he pointed out, in the areas of individual legal rights, rights to economic security, and civil rights we are moving ahead to fulfill the Constitution. But as to the basic aim of the Constitution, the establishment of accountability of the Government to the governed, we are falling behind rather than gaining. Under the pressures of modern hot and cold war, we have allowed certain agencies that make the ultimate decisions to operate without being accountable to the people. Insofar as this is happening, we are losing democratic controls over government. And, as we might expect, the result is apathy among our people. Like my colleague, I regard this trend as terribly dangerous. I believe his analysis of the situation and of its remedy deserve to be carefully studied by this House and by the people of the Nation:

I am very happy and honored to be here today to speak to you about our Constitution and our attempts to fulfill the meaning of this great document. Constitution Day presents us with the opportunity to reexamine that document, now almost two centuries old, whose interpretations and purpose are still as much the center of dispute now as when it was first presented to the various State conventions for ratification. In this, of course, rests its vitality, excitement, and validity. Thus, to me, the Constitution is not only a framework upon which to operate a government and rule a society, but also, in certain ways, it enumerates goals and aspirations which we as a Nation should achieve.

This is especially true in the area of individual personal rights. The courts, and to a lesser degree Congress, are pursuing a course in which greater rights are guaranteed to the individual.

For example, the whole problem of right to counsel is constantly under review. Because of our dual form of government, it has been generally accepted that the right to counsel as guaranteed under the sixth amendment is only applicable to a Federal court, except in capital cases and in cases where substantive due process is denied to the defendant in the State court. There is now a general feeling among many members of the Judiciary Committee of the Congress, the committee of which I am a member, that the best way to give the sixth amendment meaning as it applies to the Federal court system is actually to guarantee and place at the disposal of indigent defendants a public defender who will have the same status and stature as the local United States attorney. In this way we might go about fulfilling the Constitution as it applies to the individual defendant.

There are other areas, of course, where the problem exists of fulfilling our Constitution and our general conception of equalitarian democracy. As a result of the 1930's a series of economic rights or opportunities, not specifically provided for in the Constitution, are now considered to be almost as important as certain political rights. The protection of such economic rights means that a balance between economic groups must be maintained, since protection for one group sometimes is at the partial expense of another. Where the balance should be held is, therefore, an ethical question that depends in each case on the judgment and spirit of the citizenry.

In another area of individual liberty, the ethics are clear, and they do not in the least pit one group against another. In the area of civil rights, many now argue that the Federal Government must affirmatively guarantee certain rights if they are to be in any sense meaningful. They argue that it is not enough to guarantee on paper the right to vote, or the right to attend schools without regard to race, or the right, if you will, of first-class citizenship. For the most part the ideals of this argument are accepted in our Nation. Although the fight is hard, the pressures great, the traditions of various parts of the Nation strong, I believe that in the not too distant future this kind of equality of opportunity will be guaranteed to our citizens through the positive or affirmative use of Federal law and Federal power.

In another time, perhaps a more socially conscious age, the concept of ordered liberty will embrace rights which are not now articulated. It is this potentiality to expand as man expands which is the genius of our Constitution.

Despite this potentiality, there is a basic area involving our Constitution about which I am deeply disturbed. It does not concern the question of individual liberty or economic opportunities or civil rights, but rather concerns the entire notion of constitutional government. In order to give perspective to this problem, I wish to go over certain basic notions of the framework of freedom granted through the Constitution and the philosophy of government outlined in the Constitution. I hope that this recapitulation of basic axioms upon which our Government is based will not be an empty exercise, but will rather give us insight to a new set of problems peculiar to the authoritarian-oriented 20th century. These latter problems, for which as yet we have found neither answers nor ways to apply our constitutional directives, could erode our free society and the ideals of constitutional government.

Basic to our constitutional form of government is the belief that the ultimate power of government must of necessity reside in the people. James Madison, the philosopher of the Constitution, told the delegates at the Constitutional Convention: "It seems indispensable that the mass of citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them."

To have adopted any other conception would have utterly abandoned the founders' enmity to the worst elements of British rule. For their rebellion against that rule had been aimed directly at the concentration of power and control outside the hands of the people.

Yet this view was not the complete picture. Certainly there were members of the Constitutional Convention who feared control by the people without any system of checks and balances over the choices of the people. The fear was suggested by the classical Greek social experience and Greek philosophy. It was believed that democratic controls quickly ended in control by the tyrant or the demagog. As John Adams once said, "Democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide."

The problem of the founders was how to avoid unrestrained power in the hands of either small groups or the people as a whole which could lead to a form of tyranny.

What the Founding Fathers wanted and what they expressed in our Constitution was the concept of balanced government, an idea at least as old as Aristotle. Madison stated that our Government must be so constructed "that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places."

Thus a properly designed state was one in which interest would check interest, class would check class, faction would check faction, and one branch of government would limit the power of the other branch of government, in what one student of that period has called a harmonious system of mutual frustration.

Practically speaking the quest of the Founding Fathers may be reduced to the concept of accountability, which forces various interests to check and control one another, with ultimate power lying in the hands of the people.

Our Nation has used tihs philosophy as a basis for governing since our first days. We have believed in a system of checks and balances; of interest balancing interest and faction balancing faction so that the control of our Nation would not rest with the unchecked few, or a tyrannous majority. Some philosophers of American history have suggested that our Founding Fathers' theory of man was not a sanguine one, and hence they conceived of their task in the public realm as balancing vice against vice, or interest against interest. That is how our Government operated through the 1930's.

Since that time—I would say since about 1940, with American involvement in the Second World War—the system of checks and balances, of vice balancing vice, and of accountability, has suffered rapid erosion. Unfortunately, there has arisen the notion of nonaccountability, either to the people or their elected representatives on the part of various defense and other policymaking groups in this country. Under present world conditions, these groups literally have the power of life and death over all of humanity. Such groups have been able to evolve by cloaking their activities under the phrase "national security."

The meaning of this phrase as it is now applied could never have been guessed by the most farsighted of our Founding Fathers. For example, the National Security Council, the Central Intelligence Agency, and other units organized specifically for the purpose of protecting democratic government are, in the name of national security, removed from the normal controls of democratic government. Congress has no control over, and indeed, does not even know, how these groups spend appropriations given to them. Decisionmaking processes and factual decisions are never disclosed until after the fact. It disturbs me to state that there are now organizations within Government, created by Government, which have no obligation to report to the Congress and the electorate which they represent. While it can be argued from a legislative point of view that these groups are responsible only to the Executive, it should be noted that until the Second World War the activities and actions of our various agencies and departments were public knowledge, open to criticism, investigation, and comment by the public and the Congress.

It has been wisely and justly said of our Constitution that it both affirms and denies the principle of affording responsibility to the electorate. Responsibility in this context means no more than that those who govern are accountable to the governed. This accountability means only that the governed have the power both to approve and to dismiss constitutionally those whom they have chosen to govern.

The burning crisis in the life of the American Constitution is that those who are constitutionally accountable are not those who govern. For example, questions as to the nuclear capacity of our Nation and of other countries of the world are questions which involve, in the words of the President, "humanity itself." And yet, paradoxically, this is an area which does not admit the electorate, but only those possessing special technical competence, to make final judgments. And we are told that even if the public did have the special competence required to make final judgments in the use of nuclear weapons, the publicity attending such a debate must necessarily be abandoned in the interests of national security. The public is told it must instruct its elected representatives to willingly foreclose whole areas from public debate or questioning because of the ignorance of the public and the necessity of maintaining the national security. These factors are said to carry such great force as to free many groups of these experts from any duty to account to the legislature. Thus it is that the very area which affects our Nation with the greatest directness is precisely the area where our electorate and its representatives are not going to be permitted to make any decisions at all.

The revolutionary implications of these developments for our Constitution are tremendous in scope. We have power delegated by the legislature to experts who are responsive neither to the executive, the judiciary, nor to the legislature itself from which they derive their legal authority. The Roman lawyers had as a maxim in their law the proposition that once delegated, authority cannot be further delegated. Can the legislature, should the legislature delegate to agencies, nominally in the executive but due to the complexity and urgency of their work actually independent, powers which under the Constitution are expressly granted to the legislature or the Chief Executive? These are problems with which the exposition of the constitutional law must now grapple.

It is an unhappy situation, whatever the sound reasons which necessitate it, when the feeling spreads among the voters in a democracy that though their vote may perhaps influence agricultural policy, it will not influence the decision as to what amount of strontium will be allowed in the atmosphere; whether American soldiers will be shipped to fight in police actions; whether atomic weapons will be used in wartime. The negative emotional and cultural consequences, the feeling of helplessness engendered is very dangerous in a democracy such as ours. The Constitution presupposes at all times a responsible citizenry. In some instances it provides that the will of the citizenry be responsive to the judgments of the judiciary as to whether or not they have exceeded the bounds to which the Constitution confines them. Now a whole field of problems has been removed from the governed and those who under the Constitution are given the duty of governing.

From such a cultural and political situation a feeling of alienation from government occurs among the electorate. A citizen may well feel himself lost to affect decisions; he feels himself a pawn in the hands of others. In the views of some, this makes for the beginning of a garrison state in which our citizenry may grow passive, indifferent, and atomized.

As I suggested, these problems are recent in origin and were born quite apart from the normal evolution of constitutional processes. Instead they owe their origin to an international power struggle where a society's interest in survival constantly has to be weighed alongside its determination to preserve constitutional government.

But, whatever the origin of our problem, be it a result of general history or the nature of authoritarian ideologies in the 20th century, if we believe in freedom, we must do all in our power to make the concept of government outlined in the Constitution apply to today's life. Given the present size of government and the rise of groups which are to a great extent unaccountable to the people, the task is not an easy one.

I do not believe that the task of restoring accountability and meaning to the democratic process is beyond our strength. A simple beginning might be made by returning to the basic proposition that the people must judge. And this requires only a reaffirming of our belief in ourselves. By our actions in denying information to the electorate are we not actually denying our belief in democracy? Whatever the risk—are we not surrendering that which we most wish to defend?

Accepting or reaccepting the belief that the people must judge, we must provide information so that through their representatives they may again take part in the decisionmaking process. This means that we must completely reevaluate the pernicious and insidious doctrine of secrecy, and reformulate the notion of classified information. We must completely review certain of our approaches to national security. We must know what such amorphous policymaking bodies as the CIA, the AEC, and the Defense Department are doing. We must be willing to undertake large-scale educational programs for our citizens so that when information is made available to them, they will be able to make reasonable choices.

The creativity of the American people cannot be applied to solution of the great economic, social, and technical problems of our time unless they are given the facts. I believe the American people have the courage to be free. Let the people and their elected representatives, the Congress, judge more fully those problems which mean life or death to our civilization. Let us return to our Constitution the idea of accountability so basic to the thought of our Founding Fathers. I firmly believe that the people can return to their rightful place as governors rather than the governed.

Finally I believe that we can again continue as a free democratic people despite the authoritarian mood which is that of the 20th century.

In the drama of government in which states are the players, the garrison state waits for its chance in the wings of the stage. It is incumbent upon us to stop it from occupying that stage, from destroying the state of freedom which our Founding Fathers so carefully won for us.

The Milk Price Crisis in Southeastern Wisconsin

EXTENSION OF REMARKS

OF

HON. GERALD T. FLYNN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. FLYNN. Mr. Speaker, early this spring, a number of Wisconsin Congressmen spoke on the floor of this House, pointing out the urgency of the situation existing in Wisconsin insofar as the milk market was concerned—and with particular reference to the prices Wisconsin farmers received for grade A milk.

It was a pleasure to participate in this discussion, which took place at the time the Maryland-Virginia Milk Producers Cooperative was engaged in fighting uniform standards for the interstate shipment of fluid milk. In this discussion, we Wisconsin Members, pointed out that for some unknown reason, grade A milk being produced under the highest sanitary standards existing anywhere in the Nation, was being produced in Wisconsin and being sold on the Chicago milk market—or Chicago milkshed as it is commonly known—for $2 less per hundredweight than milk sold on the eastern and southern markets. I inserted in the RECORD on March 9, 1959, page 3621, a letter from the Pure Milk Association, Chicago, Ill., to the effect that the PMA could deliver grade A Wisconsin milk, meeting these highest standards, to the District of Columbia area for $1.02 less per hundredweight than the Washington dairies were paying for milk from the Maryland-Virginia Milk Producers Co-op. This price, on Wisconsin milk, was after the cost of shipping—about $1 per hundredweight—had been paid.

We, from Wisconsin, could see no reason then and see no reason now why we should sell milk in the Chicago milk market for $2 less than what the same milk would bring in the eastern and southern markets. Wisconsin does not want to engage in tactics which would cause the prices in the eastern and southern markets to come down to the Chicago level when the economic facts are that the Chicago market prices to the farmers should be higher. The discrepancy in prices comes from the fact that the Department of Agriculture, in issuing its marketing orders, uses one formula for basing the price in the East and South and another formula for basing the price in the Chicago and other Midwest markets.

In order to correct this situation, we asked the Department of Agriculture to hold hearings in Chicago so the Pure Milk Association, the Pure Milk Products Cooperative and all other interested organizations and individuals could appear and offer testimony to establish the need for a higher price in the Chicago area and for the use of a different pricing formula. I was only too glad to join in this request with the other Wisconsin Congressmen.

However, the Department of Agriculture refused to hold any hearings and insisted that the Chicago milk price formula continue to be applied. I have been in constant touch with the Pure Milk Association of which a constituent of mine, Arnie Agnew of Milton, Wis., is vice president, and with other associations, and there has been no improvement whatever in the Chicago milk price situation and no constructive action has been taken by the Department of Agriculture.

As a result, while as announced this week by Mr. Benson, the net farm income of all farmers in the Nation has dropped 12 percent in 1959 from a comparable period in 1958, the income of the dairy farmer has dropped even more than 12 percent. With the dairy farmer caught in the price squeeze—costs going up and income going down—these dairymen are unable to meet their bills with their monthly milk checks. They are operating at a loss and the situation in my district in southeastern Wisconsin has become so acute that the sound, conservative, hardworking, old-established dairymen, farmers who are not given to threats or violence, have recently met at Evansville, Wis., to discuss their mutual problem. The result of this meeting is that these same farmers have been giving serious consideration to starting a milk strike. This will be a strike that is justified in every economic respect. It will be a strike that the most fairminded and reasonable person will admit is long overdue. If this strike occurs, as it now appears likely, I predict it will spread from the First Congressional District of Wisconsin to milk-producing areas in Illinois, Minnesota, Ohio, and Michigan. We must remember that the last price increase which dairy farmers received under the milk marketing order administered by Mr. Benson, did not come until the Michigan dairy farmers went on strike and tied up the Detroit milk supply.

I have been interested in an editorial on this subject published by the Janesville Gazette of Janesville, Wis. This paper, which has historically and uniformly supported the Republican Party and its policies, has come out on the side of the dairy farmer, even though the Secretary of Agriculture is a Republican, because the Gazette knows the merits of the case presented by the dairy farmers and knows their financial distress in the area.

A milk strike seems a high price to pay to secure a fair return to keep pace with our present economy. I say to you, Mr. Speaker, and to all Members of this House, that Secretary Benson not only continues to follow unsound policies with his farm program with its astronomical costs and fantastic surpluses, but he has also, in spite of economic charges, refused to schedule hearings on the Chicago milk prices and prefers to ignore the plight of the Wisconsin dairy farmer rather than listen to testimony relative to the merits of these farmers' complaints. Why should our farmers be forced to strike in order to gain recognition of their need for a price increase? Why should Secretary Benson refuse to hold the requested hearings on milk prices?

I take the time to bring this deplorable situation to the attention of the Members of Congress, in the hope of showing why it is necessary for the Wisconsin dairy farmers, in the Chicago milk market, to take the extreme step of giving serious consideration to a milk strike in order to secure for themselves fair treatment and a decent income. I sincerely hope that in this crisis we can operate under the rules of law and reason and not under the rule of economic pressure which would prevail in the event of a milk strike. I call upon the Secretary of Agriculture to act on the dairy farmers' request for hearings on the Chicago milk prices and the pricing formula. I call upon him to act and not to let the situation get out of hand by arbitrarily refusing to act even though duty and responsibility dictate that he should act.

Respect for Law

EXTENSION OF REMARKS
OF
HON. HERMAN TOLL
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. TOLL. Mr. Speaker, adult and juvenile delinquency is an evergrowing problem of such importance that all the resources of the Nation must be mobilized to combat it.

There are many agencies in the field which are engaged in a perennial battle against this expanding evil. Present efforts obviously are not enough. We must mobilize our resources to a much greater extent.

Hearings which have been held in various portions of the country by a special Senate committee disclose the need for laws to control the sale of firearms and other weapons; illicit narcotics traffic; transportation of obscene literature and photographs; and for other Federal, State, and local controls.

Rehabilitation programs like the Pennsylvania forestry camps for delinquent boys should be supported. The bill for a Youth Conservation Corps, which has already been passed by the U.S. Senate, would help those who have not become delinquents. Studies which can be undertaken by the National Conference on Children and Youth will also contribute to the solutions which are needed.

It is time to concentrate more firmly on solutions to the problem, and programs should be initiated which would tend to reduce the incidence of delinquency and to create more respect for law.

The Federal Bar Association, Philadelphia chapter, has initiated a program to mobilize the resources of the community to promote respect for law and legal processes. The program is designed to educate adults and juveniles alike in the importance of the role of law in a civilized society and to build a healthy attitude toward the law and legal processes. Through the use of communications media—speakers, educators, the clergy, and community groups—the need, function, and operation of existing laws as well as the importance of adherence to these laws in everyday life will be explained and publicized.

All bar associations, civic organizations, newspapers, radio and television and similar groups throughout the country should mobilize their resources and join in a nationwide crusade—on a never-ending day-to-day basis—to promote respect for the law and adherence to its concepts.

Legislative Report, 1st Session, 86th Congress

EXTENSION OF REMARKS
OF
HON. WALTER H. MOELLER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MOELLER. Mr. Speaker, this report is prepared so that the people of my district and others interested will have a ready source of information as to the activities of the 1st session of the 86th Congress. It is also intended to supply my constituents with a record of the activities of their Congressman during his first term as their representative in the Congress of the United States.

The accomplishments of the 1959 session of Congress were, on the whole, substantial and constitute a record of which we in the Congress are justly proud. We enacted legislation to meet the demands of progress in the broad areas of national defense and security, the national economy, international affairs, our natural resources, and the organization of our Government, as well as in the special fields of social security, health and welfare, veterans' affairs, and others, including some attention to the problems of agriculture. I will devote some time to each of these major fields of legislation. In addition, I will discuss at some length one of the most pressing of all the problems which face us today and that is the Federal budget; Government spending; and the difficulties the Congress surmounted in its appropriations measures in trying to keep spending at an absolute minimum consistent with the requirements of our national security and the demand that this Nation keep pace with the need for continued progress in providing for the welfare of our people, planning for prosperity in the future, and increasing the pace of our scientific achievements for the good of humanity and for our protection

against the competitive menace of the Communist conspiracy under the merciless drive of Nikita Khrushchev. This in itself was no small accomplishment in the face of the administration's demands upon Congress for unprecedented amounts of the taxpayers' money.

With respect to the accomplishments of this session of Congress I want to point out that the laws finally enacted are not the only measure of what the Congress has done. Much of our work during this session will produce its results during the 1960 session and even in later Congresses. I refer to the labors of the various committees of the Congress, which held thousands of meetings, heard testimony on issues covering the whole range of problems in which the Federal Government is concerned, and prepared reports recommending action on these issues or will make such reports next year.

Using the procedures in the House as an example, there were a total of 10,676 bills introduced by its Members. Committee reports were issued on 1,090 of these bills. However, only 187 public bills of the House and 79 private bills were enacted into law. Adding to this the number of Senate-originated bills which became law we have a total of 289 public bills and 185 private bills. Thus, although many of the reported measures will probably never receive final approval of the Congress, we prepared the way during this session for future action on a great many matters of vital import to the people of the United States. The true effectiveness of this 1st session of the 86th Congress, then, will not become apparent until the end of next year's session at the earliest, and the fruits of our labors will continue to be harvested by the succeeding Congresses as they act on the basis of the work of our committees during this past year.

With this in mind let me turn now to the legislation which was enacted in the major areas I have mentioned. In the field of national defense and security the most important work of the Congress, as is the case in almost every year, was that involved in authorizing and appropriating money for the operations of the Department of Defense for the fiscal year ending in June 1960. The administration requested $39¼ billion for this purpose. Congress appropriated almost exactly the amount asked, although in doing so we directed that certain changes be made in the uses to which the money was to be put, particularly emphasizing the need to speed up our missile programs; to resolve the conflicting views of the Air Force and the Army on our vital air defense with respect to the use of the Air Force Bomarc and Army Nike-Hercules defense missiles, and a speedup in the development of the Nike-Zeus, the only missile designed to cope with attacking ICBM missiles; and to improve the United States capabilities for waging limited warfare by increasing the size of our Marine forces and modernizing Army equipment as well as giving the Navy the materiel it needs to support our ground forces. These steps were taken because of increasing indications that so-called brush fire wars will continue to be a major tool of Russia and its satellites in spreading their empire, testimony from the chiefs of the armed services indicating that the administration had ignored their views on this vital strategic issue, and continuing signs that the administration itself, although headed by a military leader, is unable to cope with the urgent need for positive coordination among the three services in the defense of the Nation. I hope and believe that during the next session the Congress will take further and more positive steps to reorganize the operations of the Department of Defense if the administration itself continues its failure to recognize the present weakness in this area.

The work of my own committee, the Committee on Science and Astronautics, was of great importance particularly in the face of Soviet accomplishments in this field. In addition to authorizing over $500 million of the use of the National Aeronautics and Space Administration for the operation and development of space rockets and satellites and for a concentrated effort to permit the United States to keep pace with and eventually to surpass the Soviet in space exploration and research, we devoted great effort to attempts to overcome the handicap we face as a result of the administration's failure to develop a comprehensive long-range civilian-military space program, and inadequate coordination of NASA's work and that of the Defense Department's Research Projects Agency. As a new committee, functioning for the first time this year, we have educated ourselves greatly in this complicated field. We are now prepared to take the steps we feel will be needed in the years ahead to see to it that the United States does not fall behind in opening up for the benefit of mankind the vast possibilities inherent in the mysteries of outer space.

The Congress also extended the draft laws until 1963, a step I reluctantly supported; authorized needed construction to modernize our military installations and to implement the air defense plan, and adopted numerous measures to strengthen the organization of the Department of Defense. In addition, the House has passed certain measures dealing with subversion, passport controls, and the like in an effort to strengthen our internal defenses against the Communist movement. The Senate has yet to act on these measures.

The continued strain on our national economy as a result of inflationary pressures required the Congress to take numerous unpleasant actions. These actions, all taken at the request of the President, included an increase in the permanent debt limit to $285 billion and a temporary increase to $295 billion until June 30, 1960, which I voted against; an extension of the present corporate and excise tax rates, with certain modifications, for another year; and an increase in the Federal gasoline tax of 1 cent per gallon to permit the Federal interstate highway construction program to continue.

The Congress, after considerable disagreement with the administration, including vetoes by the President of the first bills passed in each field, took action to extend the Federal Airport Act for 2 years, with expenditures at about the present rates, and to continue the Federal housing programs. I voted against both of these pieces of legislation the first time they were before the House as I considered that they called for far too great an expenditure of tax money at a time when the Federal Government is under a severe economic strain. However, after the programs were trimmed down to what I believed to be a reasonable size, I supported the measures which were finally enacted.

Perhaps the most important measure affecting the national economy upon which the Congress took action was the labor reform bill. This measure, the result of disclosures by the McClellan committee showing that dishonest and corrupt elements had seized control of certain unions, was the cause of the bitterest controversy in Congress in many years. There were those who fought against any but the weakest legislation; there were those who sought to use the committee disclosures as an excuse to enact a law which would deprive organized labor of many of its legitimate rights and weaken the whole labor movement because of the sins of a few; and there was a third group, of which I was a part, which worked for the passage of a law which would deal effectively with crime, corruption, and undemocratic procedures in labor unions without punishing the vast majority of honest unions and union leaders. The bill which finally emerged and was signed by the President, although I feel that it was too severe in some respects, will if properly administered provide at least a part of the answer to the problem of corruption in unions. The other and major part must be played by the honest efforts of leaders in both unions and management, and most particularly by the people of this country in their demands that present laws against criminal actions of this type are honestly enforced by local law-enforcement agencies.

In international affairs the extension of the mutual security program was probably the most important issue with which the Congress was faced. Without going into detail I will point out that the President requested $4,436 million for this purpose. The final amount approved by Congress was $3,626 million. Actually, between his first request and final action the President had added an additional $400 million to his demands so that the end result was that the Congress cut the administration's estimates by $1,200 million. I supported these cuts and also supported the action of Congress in writing into the bill provisions which call for a clear distinction between military and economic foreign aid, direct the President to submit a detailed plan for progressive reduction of all bilateral grant assistance, and establish in the State Department an Office of the Inspector General and Controller to audit and to oversee the spending of all foreign aid funds. I am sincerely hopeful that these latter actions will enable us to bring the present excessive spending in the field of foreign aid down to a more reasonable amount within the next few

years. I shall watch closely the operations of the new Inspector General and Controller in the expectation that needless waste in these programs, such as that disclosed in Laos and other southeast Asia areas, will be eliminated.

It should be pointed out that under our Constitution the House has little voice in the direct conduct of our foreign affairs, and the Senate in most matters can act only in an advisory capacity to the President. Thus, the Congress has little to say about the day-to-day operations of our State Department in its contacts with foreign governments and must leave the establishment of policy to the President and his advisers. For this reason, the Congress took no official action in such matters as the Khrushchev visit, the Berlin crisis, the Communist crushing of Tibet and the invasion of Laos, other than the voicing of the opinions of individual Members. I personally opposed the Khrushchev visit as an affront to our allies and to the oppressed people of the nations under the heel of Communist dictatorship.

One matter involving international affairs in which the Congress can act is in the field of foreign trade. While no significant legislation in this area was enacted this year a number of studies were undertaken. Probably of most importance was the initiation of legislation looking to the encouragement of the investment of private American capital in certain foreign countries as a possible means of providing them with American dollars through this means. A successful program of this kind might make possible the reduction of direct foreign aid loans and grants at the expense of the American taxpayer. I hope that during the next session in 1960 more positive action on such legislation will be taken.

Of greatest importance in matters involving Government organization was the admission of Hawaii to statehood, thus adding the 50th star to the American flag. I supported this measure wholeheartedly. Other than certain minor legislation, there was only one additional law enacted in this area. This involved the creation of an Advisory Commission on Intergovernmental Relations to study and to make recommendations with a view to better coordination of the activities of the Federal, State, and local governments, and to reducing the present overlapping responsibilities in many of the activities in which our governmental bodies engage. Such overlaps create confusion in a wide range of Government programs, from our tax systems; our social programs; construction such as highways, airports, and so forth; and other major programs, down to the most minute matters in which the Government is concerned. The new Commission is composed of Members of the House and Senate, representatives of the executive branch of the Federal Government, State Governors, State legislators, mayors, and representatives of county governments.

The continuing growth of Government activities makes this issue of growing concern to all of us. It is my hope that through the committee and action by the Congress we can straighten out some of these problems, particularly with a view to returning to the States some of the responsibilities which they should rightfully bear and which have caused the Federal budget to grow so fast in the past few decades.

In the field of natural resources the Congress took action to remove from the Federal Treasury the necessity of providing funds for future Tennessee Valley Authority construction, while at the same time writing into law a provision which prevents TVA from expanding its activities beyond what is roughly its present territory, thus assuring that it will not enter into competition with existing power companies in the surrounding area. The Congress also provided $1,185 million for continuing the present program of planning and construction of public works projects along our rivers and in our harbors. This appropriation was finally enacted after the President had vetoed two similar measures. The important issue between the Congress and the President was the administration's insistence that no new construction be authorized, even though little immediate expenditure of funds is required. It seems to me that following such a policy hampers an orderly development of our water resources programs, which are of particular importance in the Ohio River Valley. The measure which finally passed into law contains funds for continuing this orderly development, while keeping the total expenditures for the next fiscal year at an amount which is actually $100,000 less than the President himself requested.

The Congress also passed legislation to expand our water pollution control program, also of vital importance to our area; and approved various other measures, including a resolution urging executive studies to assure a continuing sound mining industry, and a Senate committee to study the development and coordination of national water resources policy. I am sorry to report that the President vetoed a bill which would have established a Coal Research and Development Commission to develop programs for maintaining our coal mining industry in the face of competition from other power and heat sources.

In the area of social legislation, no action was taken in the field of civil rights other than to extend the life of the Civil Rights Commission for 2 years. Assurances were given, however, that civil rights legislation will be taken up in the Senate early in the next session. Since a Senate filibuster is the major roadblock to effective action on civil rights, I am hopeful that this early consideration will permit final action by the Congress during 1960 on legislation to extend equality to all elements in our population regardless of color or creed.

A number of House-passed measures in this field are awaiting Senate action next year, including bills to permit the self-employed to set aside a portion of their incomes, tax free, for retirement purposes to give them some of the advantages of those under social security; a bill to strengthen the authority of the Post Office Department in curbing distribution of obscene literature; and a bill extending controls over the manufacture of narcotics.

Programs providing health insurance for Federal employees, improving the school milk program, and extending the Federal air pollution control in cooperation with local health authorities were also enacted.

The Senate has passed another measure in which I am interested. This calls for the establishment of a Youth Conservation Corps in an effort to help curb juvenile delinquency while promoting at the same time the conservation of our natural resources in national forests and parks. I shall follow House action on this bill next year with great attention.

Major veterans legislation enacted was the bill to increase benefits for the dependents of veterans on a revised scale based upon need, and equalizing pensions of World War II and Korean war widows with those of World War I. Direct housing loans to veterans were also authorized, and in addition a number of relatively minor bills relating to medical care, housing, and so forth, were enacted.

The problem of agriculture and our farm programs in general were not squarely met either by the administration or the Congress this year. The administration failed to submit a comprehensive plan for badly needed revision of the programs and, as a result, congressional action was confined to piecemeal legislation. I opposed most of those measures on the ground that they only served to contribute more confusion to an already confused situation. One measure which I supported was the extension of the Agricultural Trade Development and Assistance Act for another 2 years, broading the authority for disposition of our farm surpluses through this means. This measure also includes a provision for the distribution of surplus products to the needy at home through a trial food stamp plan. I hope that the President will see fit to proceed with this trial program so that we may find out through actual experience whether the controversial plan will actually serve the dual purpose of reducing our surpluses while at the same time contributing to the welfare of those in need of public assistance.

In these and other fields much was done and much remains to be done. It will be my purpose during the 2d session of the 86th Congress to work for the enactment of such further legislation as is needed to round out these programs as much as is possible within the limits of our national economic resources and a sound budgetary policy.

This brings me to the problem of appropriations for Federal expenditures. You will hear much debate during the next few months as to whether this is a "spend happy" Congress and whether the President or the Congress is responsible for such savings as were made or for excessive spending where it may have occurred. As for actual appropriations for fiscal 1960 the facts are clear. The President requested a total of $74,859,008,445 to be spent in fiscal 1960. The Congress appropriated a total of

$72,997,598,352—a net reduction of $1,881,410,093.

For future years spending, the President requested authority for $6,400 million of such funds. The Congress approved $5,701 million—a net reduction of $699 million. The total reduction by the Congress in next year's spending and in authorization for future years was $2,580,410,093.

The controversy will rage as to whether some of the cuts by Congress are actually only postponements until next year or until a supplemental appropriation is required for fiscal 1960, and as to whether in the future year authorizations, the so-called back door spending, the programs approved by the Congress will actually call for more or less spending than the President and his budget experts calculate. There is undoubtedly truth on both sides of these arguments to some extent.

However, we must remember that this argument rages each year. The administration viewpoint conveniently ignores that it is the traditional and, indeed, the only practical method for the Congress to authorize the expenditure of more funds than it is anticipated will be needed. This is to provide for contingencies in any program if for nothing else. It is also to permit an expanded operation in any area if an urgent need should arise. The proof of the pudding is in the eating—and in this case the eating occurs when the Congress actually appropriates the money in each fiscal year and the administration actually spends it. Thus, in the last analysis, it is each year's appropriation bills that actually count.

The Congress this year, as it has in every previous year of this administration, appropriated less money than the President asked for. This year the cut amounted to $1,880 million. The Congress will not vote additional funds for this fiscal year in the next session unless the President asks for them. It is up to the administration, therefore, to determine whether this reduction sticks or not by using the money it has as economically as it can.

As to back door spending the administration actually asked for more than the Congress provided, although the period of years over which this money is to be spent varies. Here again we find that these funds cannot be spent in future years unless some future President puts it into his budget. Some of the programs, once started, must be finished it is true, just as when we build a house or buy a car we must keep up the payments. A great part of each year's appropriations are made up of what was last year's back door spending. For those who try to make the Congress out as a Congress of "spenders" it is manifestly unfair to count this spending twice in one year in an effort to make it appear that the Congress is not economy minded. I am confident that when next year's actual appropriations are made we will again reduce the actual spending below what the President and his advisers ask, and that is the true test.

This is not to say that I do not believe that the Federal Government is not spending more than it should. But when we consider that the administration has 2½ million or more employees under its direct control to manage our affairs, and there are 437 Members of the House and 100 Senators to attempt to oversee what the administration proposes and disposes, it is self-evident that the major responsibility for economy lies with the executive branch. I have voted for many cuts in our spending wherever I had the opportunity. I shall continue this course and I shall continue to look for every opportunity I can find that will encourage the Federal Government to reduce unnecessary programs and to economize to the utmost.

With respect to my personal activities I shall be brief. The House was in session for a total of 141 days during the 1st session of the 86th Congress, and I attended most of those sessions even when no important legislation was to be considered. My Committee on Science and Astronautics met a total of 146 times, including subcommittee hearings; heard 447 witnesses and listened to several million words of testimony; conducted 30 separate investigations; and issued 21 reports. I took an active part in this committee work, attending practically every meeting of the full committee and of my Subcommittee on Research and Development. In addition, I represented the Committee on Inspections and Investigations at Eglin Air Force Base, Fla.; the Huntstone Arsenal in Alabama and at Cape Canaveral, Fla.; and at Pine Bluff Arsenal in Arkansas. These investigations were conducted in the main on weekends and at such times as they would not interfere with the business of the House.

I was given the further honor of representing the House of Representatives at the Atlantic Congress held in London in June to consider the work of the North Atlantic Treaty Organization during its first 10 years, and to make recommendations as to its course during the next 10 years. I was a member of the Spiritual and Cultural Committee at the Atlantic Congress.

In addition to this legislative work my staff and I answered thousands of pieces of mail from the people of the 10th District, involving questions on legislation, personal problems, business problems, and the like. I met with every constituent who visited my office as far as possible; conferred with legislators, Government agency representatives, and so forth, on innumerable occasions; and familiarized myself with the operations of the executive as well as the legislative branch of our Government.

It is my feeling that no Congressman can properly perform his duties unless he keeps in close direct touch with the people of his district. In fulfillment of this obligation I used every weekend on which my presence in Washington was not required to return to the 10th District, usually traveling by auto but also using planes and on one occasion the train. On these weekends I attended every public function to which I was invited and also kept appointments with as many individuals as I could to discuss their personal problems, and with State and local officials on the problems of our area. I estimate that I made at least 15 such trips, involving a round trip mileage of over 800 miles each time, and while in the district traveled thousands of additional miles by auto in making contacts with my constituents.

The above recapitulates only the highlights of the activities of the Representative of the 10th Ohio District during the 1st session of the 86th Congress. I trust that at the end of the second session of this Congress an equally impressive report can be made.

Report on 1st Session, 86th Congress

EXTENSION OF REMARKS
OF

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. SMITH of Iowa. Mr. Speaker, as the 1st session of the 86th Congress comes to an end, I would like to review, for the benefit of my constituents, friends, and neighbors, some of its record.

It has been a long and hardworking session. It has been a session which encountered the problems that are bound to arise when a government is divided with one party in control of the executive department and the other party in control of Congress.

But the length and the work and the difficulties are only incidental to what actually resulted. Though in some instances Congress has not stood sufficiently firm in meeting the Presidential veto or for good and needed legislation, nevertheless this has been, in my opinion, a fairly productive session in terms of national needs. In some respects, this Congress has also refused to pass some legislation which would have been detrimental to the national interest. While it takes a two-thirds majority to pass legislation over a veto, a simple majority can refuse to pass bad legislation.

Congress was faced with the problem of meeting the Soviet menace, of placating the administration in its request for the highest budget in peacetime, of grappling with an $8 billion interest on the national debt, of increasing the limit on the national debt, and of passing a Mutual Security Act. Domestic issues became secondary and/or dependent upon the cost of meeting the Soviet menace, balancing the budget and controlling inflation.

The entire policy of the Eisenhower administration was in a state of fluctuation. A cooperative state of mind and action on the part of Congress was tried to the point of frustration. President Eisenhower requested legislation and then vetoed bills because they were too much or too little or not in exactly the wording he as a matter of hindsight said he would have preferred.

LABOR-MANAGEMENT REFORM LEGISLATION

The most controversial and heated piece of legislation to reach the floor of the House was the labor-management reform bill. Pressure was brought to

bear upon the whole Congress, and was accentuated through mass media by the President, the Senate Rackets Committee, and prolabor and antilabor forces. On both sides, misinformation was the order of the day. As a result, Congress was besieged by carloads of mail and the Capitol was crowded with hundreds of lobbyists and pressure groups. Labor-management reform was supported almost unanimously by Congress, but how to effect remedial legislation that would clear corrupt elements out of unions without imposing punitive measures on clean unions and impairing the collective bargaining process, caused much heated disputation on the bills.

The Senate passed the Kennedy-Ervin labor-management reform bill on August 25, 1959, by a vote of 90 to 1. When the legislation reached the floor of the House, the committee bill was sidetracked, and the Landrum-Griffin bill was substituted.

The bill that was finally agreed upon by the House and the Senate and which became law was 95 percent like the sidetracked House bill known as the Elliott bill. It provides for a secret ballot in union elections, financial reports to union members, and some restrictions on organizing activities. It also adopted the Landrum bill provision which denies the protection and services of the National Labor Relations Board to employees and employers of businesses which purchase less than $500,000 from outside the State. Most Iowa businesses are in this category. I vigorously opposed this section of the bill because I don't believe small businesses and employees of small businesses should be discriminated against.

HOUSING LEGISLATION

The last week of Congress was highlighted by the drive for adjournment. Congress, for the third time this session, passed an omnibus housing bill. The President vetoed the first two. After the Congress refused to be a rubber stamp, a third bill was requested which was almost the same as the first two, and many Federal housing projects, including the Des Moines urban renewal would have been eliminated or drastically curtailed for lack of funds had the President not finally agreed to accept such a bill.

Representative government is based on the art of compromise, and I feel Congress performed its obligation by reconciling its original request to some extent in this field to gain the approval of the administration. In turn, it is my belief that the President failed to meet the Congress halfway, by objecting to the program for housing for the elderly, urban renewal, and loans for college dormitories until a third bill was passed by the Congress. This needlessly absorbed much time of Congress that was needed to work on other bills.

NATIONAL DEFENSE

We live in an age of pushbutton warfare, and we are one of the great powers on earth. Another big power, Soviet Russia, through her leaders, has said on numerous occasions that it has the thermonuclear power to destroy the United States within half a day.

Members of Congress, even before this session, have made every effort to determine whether this Nation is adequately prepared to deter Soviet aggression.

The Gaither report, which was kept secret longer than it should have been, said in part:

The United States is moving in a frightening course to the status of a second-class power.

The Rockefeller report said:

Unless present trends are reversed, the world balance of power will shift in favor of the Soviet bloc. If that should happen we are not likely to be given another chance to remedy our failings.

Adm. Hyman G. Rickover stated:

I think it is almost too late. This is what I worry about. Some of my money for fiscal 1958 which was appropriated by Congress several months ago has not yet been made available to me.

Secretary of Defense McElroy said:

By 1962 the Russians may lead the United States in guided missiles by as much as 3 to 1.

Gen. Thomas Power, Air Force Strategic Commander, said:

I think you are just risking the whole country. That is how important I feel it is. The force which is now programmed is not adequate because it is not coming fast enough.

Faced with these grim facts, the Congress approved a measure to create a new National Aeronautics and Space Administration with nearly $500 million to spend; extended the draft authorization by 4 years; extended the Renegotiation Act under which the Government recovers excessive profits on defense contracts, and in general did its best to overcome the administration's avowed intention of lagging behind the Soviet Union in long-range missiles and other thermonuclear instruments of war.

CIVIL WORKS

The President vetoed the two bills that contained the Red Rock and Saylorville Dam projects. I worked hard to get these projects and found that they could be sold to Congress on their merits. While we paid for dams and public works for other areas year after year, central Iowa has never before received $1 for construction of a flood control, recreation area, valley development project. With the large-scale movement of population to central Iowa, we need more water in dry weather and less in time of floods and, also, more recreation areas. The Red Rock Dam bill will bring $71 million into this area by the time of completion, and the Army Engineers estimate it will return more than $1.50 of benefits for each $1 of cash cost over and above the value for recreational purposes. These measures have been termed "pork barrel," but there is nothing "pork barrel" about a flood. There have been years when the flood damage totaled in 1 year more than the cost of the flood-control projects in the bill that was passed over the President's veto.

I realize some people do not agree with me and do not approve of these dams on the Des Moines River. It is often said that an elected representative should avoid controversy. That may be good politics, but I think we have better Government when the Congressman takes a stand for or against. I aggressively supported and promoted the Red Rock bill and will accept the blame by those who oppose it.

TAXES

Congress extended for 1 year the Korean war corporation taxes and certain excise taxes. The transportation and local telephone taxes were reduced.

New levies were imposed on life insurance companies which will return to the Government another estimated $215 million annually.

HIGHWAY PROGRAM

It looked for a while as if the Federal highway program would be faced with a financial roadblock. As a final resort, Congress yielded to part of the demand of the President and increased the Federal gas tax from 3 to 4 cents. This tax becomes effective October 1, 1959, and continues for 21 months.

This bill did not provide the full amount of money needed by States to continue their program and also absorbed more of their traditional source of revenue, the gasoline tax. Highway users are now paying $1.6 billion more than is used for roads. I believe this bill is due for some revision and improvement in the next session.

RAILROAD WORKERS

The Congress approved a measure increasing pension and jobless benefits under the Railroad Retirement and Unemployment Acts. The Government does not pay these benefits.

VETERANS

Congress provided $100 million for direct housing loans to veterans. It also readjusted non-service-connected disability pensions and provided new pensions for widows.

AGRICULTURE

Congress extended the surplus farm products law, and introduced a Federal food stamp plan for needy families in a few trial areas of the country. I regret that Secretary of Agriculture Benson has indicated that he will not put the plan into effect despite the action of Congress.

The wheat bill, designed to reduce production and cost to the Government without reducing farm income, was vetoed. A tobacco bill was also vetoed. In spite of the fact that the Benson corn law put into effect this year is proving very costly to both the taxpayers and farmers, Benson said he would recommend a veto for any corn bill that reduced production without reducing prices and so there is now a sort of stalemate with Congress refusing to further lower prices and increase production and Government costs.

I think this is a very serious problem and I introduced a bill, H.R. 7710, which I believe would help considerably. I testified for this bill and am going to continue to do all I can to help solve this problem.

POSTAL AND BOND INTEREST RATES

The 1st session of the 86th Congress refused to increase postage rates and in-

terest rates on the long-term Government bonds held by the big banks. The administration wants to increase the maximum interest on these bonds above 4¼ percent. Authority was given to increase the interest rates on the E and H series savings bonds that are held by individuals.

AIRPORT PROGRAM

A $63 million matching Federal aid to States was approved this session for airport improvements for the fiscal years of 1960 and 1961. The Des Moines Airport is being improved under this program.

INTERNATIONAL AFFAIRS

The President requested an extension of the economic and military assistance programs to other countries. I believe in supporting the President on international affairs unless I am fully convinced the national interest demands a contrary action. In the field of foreign policy, we must depend greatly upon any President and without regard to politics because he is the Commander in Chief of the Armed Forces and has access to all of the secret information necessary to make decisions. I consider these matters completely above party politics.

THE NATIONAL DEBT

Congress, at the request of President Eisenhower, raised the legal limit of the national debt to $295 billion. The national debt in 1952, when President Eisenhower assumed office, was $265 billion, or roughly $30 billion less than the present amount.

With increases in interest rates, this is becoming a serious matter. Congress reduced the President's spending requests by a net of $1.9 billion. The two sessions of the 85th Congress had reduced his spending requests by $5 billion. Congress spent a lot of time finding ways to cut the spending requests without sacrificing programs necessary to the strengthening of our economy. $259 million was added to the budget for cancer research and health programs, but other nonessential spending requests were reduced enough so that the net reduction was $1.8 billion. Some would have us believe that such a reduction would stop inflation, but I notice the cost of living has continued to rise. The fact is that some basic industries, like steel, are able to set inflationary prices which increase their profits by 600 percent in 1 year and these inflationary pressures more than offset the savings made by Congress.

A joint committee of Congress is now working on an economic study which I hope will help point the way to some needed legislation.

NEAL SMITH RESOLUTION ON NATIONAL FORESTS AND MINERALS

One reorganization plan by the administration would have permitted the sale and transfer of Government minerals in forest lands without notice to the public or approval by the Secretary of the Interior. An employee of the Agriculture Department would have been authorized to make such transfers. Under the law, such administrative plans go into effect unless Congress acts within 60 days. I introduced House Resolution 295 to stop this authority and protect us against what I considered an invitation to another Teapot Dome scandal. My resolution passed July 7 by more than a two-thirds vote. It seems to me that we must protect our Government property and evidently the overwhelming majority in Congress agree.

HAWAII STATEHOOD

A 50th State was born this session of Congress with the admission of Hawaii. The borders of the United States now extend northward to within a few miles of Soviet Siberia and into the strategic Pacific.

There was other legislation passed which was very important to those affected but space will not permit discussing each of the 385 bills which became public law. There are also some laws upon which I believe the Congress should enact but did not, and this means that there is a great deal of work to be done next year.

The 1st session of the 86th Congress came to an end after working all through the night giving final approval to the mutual security bill and extending the life of the Civil Rights Commission for 2 years. A broad civil rights bill was blocked by a coalition but is scheduled for early action in the second session. The 1st session of the 86th Congress was in continuous session longer than any other session of Congress since 1951.

I appreciate the opportunity to represent the 5th District of Iowa at the 1st session of the 86th Congress and hope the next session will enact more legislation that is good for our area.

First Session Wind-Up Report From Washington

EXTENSION OF REMARKS
OF

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. KARTH. Mr. Speaker, I take this opportunity to report to my constituents, the people of Ramsey County, the Fourth Congressional District of Minnesota.

Many have been the descriptions of achievements of the 1st session of the 86th Congress. These rank from "finest" to that of "abysmal failure." As usual, somewhere between the truth lies.

Many people long tired of the vacuum of leadership in our Government out of plain frustration did a lot of wishful thinking that an 86th Congress with a whole new platoon of freshman Democrats elected in a popular reaction against the 1958 recession could somehow work miracles.

It was unrealistic to think the group of Democratic freshmen without influential committee positions could overcome, with veteran liberal Democrats, a "spoiler" coalition of Republicans and high seniority conservative Democrats who wield effectively, through their one-third votes of the House, an effective veto backstop. In addition, there is the massive opposition of the Federal bureaucracy. As economic recovery took hold, the public pressure for new recovery programs vanished. The administration and the Republican Party capitalized on this shifting sentiment—or the lack of public pressure—by tagging the "spender" label on a Congress that had not even gotten down to serious legislative work.

The strategy, if it was meant to chop the budget, was overwhelmingly successful because the conservative congressional leadership of both parties vied with each other to be fiscally responsible and to pin the "spender" tag on their opponents. As a result, badly needed programs requiring some investment in order to resume national social and economic progress were stopped dead. Area redevelopment, aid to education, the Youth Conservation Corps, health insurance for the elderly as part of the social security program, and an adequate farm program are very much the unfinished business for our Nation during the 2d session of the 86th Congress.

The result of the budget mayhem was that Congress finally appropriated or obligated some $78,678,600,000, or $2,580,410,000 less than the President requested. I am sure the Republican congressional leadership is secretly gloating at having maneuvered the Democrats into using the meat ax on the budget and killing off necessary new programs for our national growth and development.

There is tremendous opportunity for eliminating wasteful expenditures in the budget, particularly in defense spending. I was shocked at the unbelievable performance of the Pentagon in almost literally throwing away millions of dollars on projects of dubious value. About one-fourth of a billion dollars was thrown away in the boron, so-called exotic fuel, program when two plants were completed and never operated because the Navy and the Air Force junked the whole idea before the machinery could start up. To me the criminal part of this is that money continued to be poured into the project although the upper echelon in the Department of Defense had already abandoned the program.

The same story could be repeated for the jet seaplane program. The Seamaster was abandoned with a loss of $400 million to the taxpayers. Many millions more have been squandered through loose practices in defense contract awards and supervision. The General Accounting Office has forced General Motors, Boeing, Douglas, North American and other defense contractors to return millions of dollars in Government overpayments.

To my mind it is in the area of defense expenditures—for which this Congress has approved over $39.2 billion—that I believe Congress can most profitably achieve the greatest economies.

LABOR LAW

There is no doubt that in the public mind the Griffin-Landrum law is the most important piece of legislation the 86th Congress has thus far passed. This law is the bitter fruit of 2½ years of antilabor propaganda fostered by the McClellan committee hearings.

The Griffin-Landrum bill is a blow at decent unionism which will now be harassed by yards of bureaucrat red-tape—already $2 million has been appropriated to hire at least 200 new Government workers and to establish offices so that the anticipated mountain of reports can be processed. A more serious blow to legitimate unionism lies in the new roadblocks to organizing new plants, especially in the South.

I have contended all along that northern Congressmen who voted for the bill in order to punish Hoffa and other malefactors have unwittingly done their constituencies a grave disservice by giving industry and business in the unorganized South an unfair competitive advantage.

The South is already undercutting decent northern employers with its right-to-work laws, with no unemployment compensation, with little or no workmen's compensation, unfair labor standards, lack of factory health and safety standards, and antiorganizing laws.

Small businessmen who look to the Griffin-Landrum law for solution of their labor relations problems may soon find their hopes illusory, especially in States with no substantial body of labor relations law.

The Griffin-Landrum legislation, in my opinion, is bad law which will require years of expensive court action before we can find out what judges think the language of the bill means. It will prove to be a full-employment act for lawyers.

I introduced the labor bill, H.R. 8540, which while it would penalize the crooks and racketeers who prey on the labor movement, would protect the interest of union members and the legitimate activities of labor unions. A similar bill sponsored by Representative SHELLEY was offered as a substitute to the original committee bill but was defeated by a vote of 132–245. Subsequently the move to substitute the Griffin-Landrum bill was passed by a vote of 229–201. I, of course, voted against the Griffin-Landrum substitute and voted against final passage in the House on August 14 when it was adopted by a vote of 303–125.

After a historic series of conference committee meetings during which some of the most vindictive aspects of Griffin-Landrum were modified, the bill was reported out and then passed by the Senate on September 3 by a vote of 95 to 2. The next day, September 4, the House adopted the bill 352 to 52 and sent it to the White House where it was signed into law.

HIGHLIGHTS OF THE SESSION—DEFENSE

Although the Government is led by the outstanding American military figure of our time, it is becoming apparent that the country's expectations, heightened by the promise in the Madison Avenue advertising agency's slogan "more bang for a buck" is doomed to disappointment. The sorry record of wasted millions of dollars, of silly and expensive interservice rivalry, of confusion and the working at cross purposes, especially in the missile program, could well prove tragic for our country.

The Gaither report which was kept secret longer than it should have been said in part:

The United States is moving in a frightening course to the status of a second class power.

The Rockefeller report said:

Unless present trends are reversed, the world balance of power will shift in favor of the Soviet bloc. If that should happen, we are not likely to be given another chance to remedy our failings.

Adm. Hyman G. Rickover stated:

I think it is almost too late. This is what I worry about. Some of my money for fiscal 1958 which was appropriated by Congress several months ago has not yet been made available to me.

Secretary of Defense McElroy said:

By 1962 the Russians may lead the United States in guided missiles by as much as 3 to 1.

These are grim facts. The Congress has showed itself willing to appropriate over $39.2 billion for the Defense Department and to give NASA nearly a half billion dollars to spend to facilitate our space program. The Congress extended the draft to 4 years, extended the Renegotiation Act to allow the Government to recapture excess profits on defense contracts and, in general, did its best to overcome the administration's avowed intention of lagging behind the Soviet Union in long-range missiles and thermonuclear instruments of war.

INTERNATIONAL AFFAIRS

The cold war can continue for generations, experts say. If this is so, it will be necessary for the United States to bolster the economic and military strength of our allies for that period.

The mutual security measure which passed in the closing days of this session appropriated $2.1 billion in military assistance and another approximate $1 billion in economic assistance.

HIGHWAY PROGRAM

The whole Federal highway program was practically faced with financial disaster until the Congress most reluctantly passed a 1-cent increase in the Federal gas tax and made other changes in allocation of excise taxes to insure the financial soundness of the program. The tax, effective from October 1, continues for 21 months.

RAILWAY WORKERS

Congress approved a bill increasing pensions and jobless benefits under the Railroad Retirement and Unemployment Compensation Acts. This law, which I supported, is of extreme importance to the many thousands of families in our district which depend on railroads for their livelihood.

FEDERAL EMPLOYEES

A long overdue improvement in work benefits for Federal employees—the underwriting by the Government of up to 50 percent of the cost of their health benefit plans—was provided by the 86th Congress. This plan is to go into effect next July 1.

Employees hereafter will also be given a day off on Fridays preceding those national holidays which fall on Saturday.

VETERANS

Congress provided $100 million for direct housing loans to veterans. Congress passed a readjustment non-service-connected disability pension law and also provided new pensions for some widows.

AGRICULTURE

Congress has not yet come forth with an adequate program to preserve the family farm, backbone of the greatest agricultural system in the world. During the last session there was passed the surplus farm products law and the Federal food stamp plan for needy families in a few trial areas in the country. A ceiling of $50,000 was placed on price support payments to single recipients in order to halt the outrageous raid on the Federal Treasury by the corporate farms.

AIRPORT PROGRAM

Sixty-three million dollars a year in matching Federal aid to States was approved for airport improvements for the fiscal years 1960 and 1961. This was far from adequate to complete necessary work, for example, on the airports serving St. Paul and Minneapolis.

CIVIL RIGHTS

The long sought for amendment to the civil rights law was bottled up in the House Rules Committee by hostile southerners and northern Republicans. Only minor progress made in the name of civil rights was the extension of the Civil Rights Commission for an additional 2 years.

NATIONAL DEBT

Congress again, at the request of the President, raised the debt limit to $295 billion. When President Eisenhower took office in 1952 the debt was $265 billion, or approximately $25 billion less than at the present time.

BOND RATE INTEREST

One of the greatest behind-the-scenes struggles to take place during this session was over the administration's determination to increase the interest giveaway to bankers who already are enjoying the greatest profits in history. The Ways and Means Committee blocked an interest rate increase on the long-term debt but granted a hike on E and H savings bond income.

The interest rate increase fight is a basic economic struggle between the industry-banker-oriented administration and a substantial people-oriented group in Congress. Higher Federal bond interest rates are a cruel indirect tax on all people who pay income taxes and an increased cost of living to anyone who buys anything or even pays a utility bill.

HOUSING

One of the major points of contention between President Eisenhower and the Congress was housing. Three bills were actually passed and two were vetoed. The bill in its final form provides an extension of authority for the FHA to continue the guarantee of funds for home construction.

Maximum interest on rental housing and management-type mortgages insured by FHA would be raised from 4½ percent to 5¼ percent with the interest ceiling on sales-type cooperatives raised from 5 percent to 5¾ percent. The

maximum insurable mortgage would be raised from $20,000 to $22,500 for one-family units.

The bill also contained authorization for 37,000 new units for low rental public housing to be built as a stopgap step toward helping cities rehabilitate blighted areas.

Unfortunately the provision authorizing direct loans to colleges for classroom construction and equipment was a casualty of the President's disapproval.

CIVIL WORKS

The President vetoed two public works bills complaining of the inclusion of 67 projects which the Bureau of the Budget did not include in its 1960 budget. Congress upset the cherished Eisenhower tradition of "no overridden vetoes" on the second bill by mustering better than two-thirds vote against the President.

The bill means that $159,000 will be spent for the planning of a flood control project in St. Paul and South St. Paul, where damage of approximately $7½ million was suffered in 1951 and 1952. Estimated final cost of this project will be $6.8 million.

HAWAII

Our 50th State was admitted to the Union this session.

CONCLUSION

I believe those who have hastened to disparage this Congress for not having assumed our Nation's leadership in this first session will have reason to be more charitable at the end of the 86th Congress.

Much of the first session's confusion and turmoil engendered by the 1957–58 recession and the wind-up of the McClellan committee antilabor hysteria will have disappeared and the long overdue task of promoting the general welfare of our country will be earnestly attended to by Congress which is anxious to get down to the task of building.

Some of the urgent legislative issues which I believe will be considered and upon which I am confident action will be taken are:

First. Legislation to relieve chronically depressed areas.

Second. Strengthening the civil rights law.

Third. Providing for aid to education.

Fourth. Plugging tax loopholes, including amendments on (a) 27½ percent depletion allowances, (b) 4 percent dividend credit, (c) tax withholding at source on interest and dividend income, (d) examination of capital gains, (e) examination of nonlegitimate business expense deductions, (f) investigation of undesirable effects of new depreciation provisions.

Fifth. More realistic minimum wage and broadened coverage.

Sixth. Adequate unemployment compensation legislation.

Seventh. Adequate farm legislation.

Eighth. Implementation of laws to promote the growth of small businesses.

Ninth. Health insurance for the elderly as part of the social security program.

Tenth. Post-Korean GI benefit bill.

Eleventh. Measures to promote the economic development of backward foreign areas and to provide immediately urgently needed medical assistance and food to the poor and starving people of these lands.

Twelfth. A water pollution law to save our water resources.

There are other important issues, but I think these must have urgent priority in the consideration of Congress in the next session.

During the recess I will make every endeavor to see and talk with as many of you as is humanly possible. My meetings with you always prove to be stimulating and valuable.

With Careful Administration of Government Expenditures Both Tax Relief and Debt Reduction Can Become a Reality

EXTENSION OF REMARKS

OF

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. STAGGERS. Mr. Speaker, the administration has been engaging itself in a series of discussions on financial matters to which Members of Congress should give very serious consideration between now and the opening of the second session in January.

The Budget Director recently stated that U.S. citizens could be given a tax cut without any reduction in military spending if proper measures of economy were effected in other areas. I would certainly not disagree with this theory; on the contrary I am confident that highly important budgetary gains can be accomplished if the executive department will only try to follow the very fiscal policies that it has echoed from time to time. Rather than challenge such appeals for a sensible spending program, I shall assume that the White House and its various departments and agencies are sincere in their expressed concern about the cost of Government and particularly the size of the national debt.

I have always been eager to support any realistic measures—regardless of their political heredity—that are designed to save public funds without interfering with necessary Government services or threatening the general welfare. The executive department must also adhere to these principles if the Nation is to remain economically sound.

Recently a statement was issued in the name of the President. Some of the more offensive political implications need to be corrected, if only for the sake of harmony in setting up the budget for the next fiscal year.

The President said that his biggest disappointment in the record of this Congress was its failure to remove the interest ceiling on long-term Government bonds. Then he said that he deplored the action of Congress in slashing foreign aid. I submit that confidence in Government bonds can best be restored by checking inflation and reducing the national debt. I remind you that by next June 30 the national debt will have risen to $284.7 billion, a gain of more than $18 billion since 1953 when the administration first stepped in with the assurance that the debt would be reduced.

Under the circumstances it is difficult to understand the attacks on Congress for cutting mutual security appropriations. With the flow of gold away from this country and imports gaining as exports drop, the $3¼ billion made available for foreign aid would seem to be ample. Congress has been shown so many instances of poor judgment and waste on the part of administration officials handling the overseas program that the White House should set out to clean up the program as a primary responsibility, and to cooperate in reducing its cost wherever and whenever possible.

To check inflation requires a concerted effort on the part of Congress and the White House. In the recent statement the President patronizingly observed that our farmers are entitled to legislation that will allow them to plan for a secure future. Of course the farmer wants to plan for a secure future. So does the railroader, the factory worker, the coal miner, the truckdriver, the schoolteacher, and the housewife. The man who puts his money in the bank or in insurance certainly cannot feel very secure unless he has some indication that the inflationary spiral is going to level off. What about the pensioner whose income is barely enough to get by on at the present time? How can he feel confident about the future if groceries, fuel, clothing, and other necessities continue to cost more and more?

Regardless of how much talk we hear about wage increases contributing to inflation, you and I know full well that inflation gets its thrust in Washington. Our first target has to be trimming of Government expenditures, with the savings to be applied to tax reduction and/or debt reduction. Interest on the national debt has now reached the frightful figure of $9 billion per year. Thus the interest alone is now equal to the total cost of more than 3½ million automobiles valued at $2,500 each. It is enough to buy 600,000 homes priced at $15,000 each. Or look at it this way: To pay the annual interest on the national debt requires the Internal Revenue to take $500 from each of 18 million taxpayers.

Yes, the consequences of an enormous national debt are obvious enough. America is going to have to pitch in and start paying off this deficit, and I agree with the Director of the Budget that our objective can be attained if we make the cuts in the proper places. I suggest only that our own people be given the benefit of any questions involving funds for domestic versus foreign uses.

Mr. Speaker, on March 12, 1959, I introduced H.R. 5634, a bill to establish a program of economic relief for distressed areas through a system of loans and grants-in-aid. This program would have cost a very small percentage of the amount of money that the President wants to send overseas. While a very

large part of the funds that are sent abroad are used to purchase foreign materials and equipment that compete with the products of American labor, the revolving funds called for in my bill would have been the means of stimulating the economy of surplus labor areas. My bill was intended to make it possible for West Virginians and other citizens idle through no fault of their own to get back to work. Once returned to a payroll, they would begin buying the things they need so desperately—including clothing, household goods, automobiles, and electrical equipment. This increased buying power would have a very beneficial reaction throughout the producing centers of our land. It would also result in increased tax revenues—local, State, and Federal.

Let me emphasize that I am pleased to hear the administration denounce inflation and appeal for reduced Government spending. To realize this objective during the second session of Congress will require only the proper determination of where cuts are to be made, and it is my hope that the White House will, at that time, show as much concern for the surplus labor areas of this country as has been voiced in behalf of a bigger and more expensive foreign-aid program. When our people have the opportunity to get back to work, the consequent economic stimulation will be felt throughout the country. And, with careful administration of Government expenditures, there is reason to believe that both tax relief and debt reduction can at long last become a reality.

The Fight in 1959 for Federal Employee Legislation

EXTENSION OF REMARKS
OF
HON. JOHN R. FOLEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. FOLEY. Mr. Speaker, with the conclusion of the 1st session of the 86th Congress, it should be noted that considerable progress has been made on legislation affecting Federal employees. It is pertinent, however, to keep in mind the necessity for continually reviewing these programs with an eye to improving working conditions for career employees so as to maintain the high morale conducive to providing an efficient civil service. As the country's largest single employer, the Government of the United States provides a working model for better employer-employee relations in private enterprise.

In the field of fringe benefits, the Government has lagged behind private industry. With passage of S. 2162, the Federal Health Insurance Act, we have taken a long step toward narrowing the gap in a crucially important area. By establishing a contributory health insurance program for Federal employees and their families, the Congress affirmatively has made Federal employment more attractive to young people concerned with their families and futures. Under the provisions of the law, Federal employees may secure protection against many types of ailments. Employees will not only be able to obtain more hospitalization but twice as many benefits as well for each dollar invested, since the Government will be making a matching contribution. Moreover, should the individual Government employee increase his premium, he will be eligible for a higher level of benefits.

Despite opposition from the executive branch to present consideration of proposed legislation for the extension of similar coverage to retired civil service employees, the House will have an opportunity during the next session to consider the Senate bill providing health insurance coverage for these deserving people.

Final hearings were completed on H.R. 5178, which would establish a badly needed medical and health program for overseas employees so that they may avail themselves of appropriate health services and facilities on a uniform basis. In addition, the House passed two other bills relating to oversea employees: S. 96 increased compensation for overseas teachers and other school employees thereby improving oversea school activities while reducing personnel turnover and recruitment problems to a minimum; H.R. 7758, which establishes a uniform system of compensating U.S. citizens for hardships and inconveniences incidental to their oversea assignment. These three bills were concrete actions taken upon recommendations of the 84th Congress to strengthen and improve civilian personnel administration in the overseas activities of our Government.

Other legislation enacted by the House provided for the following:

First. For employees over 65, liberalized Government employment life insurance values so that those remaining in service and paying premiums do not suffer a loss in value.

Second. Increased from $400 to $750 the amount of unsecured loans that the Federal Credit Union may lend to members. Increased the payment period from 3 to 5 years.

Third. Gave Federal employees the preceding Friday off whenever a legal holiday falls on Saturday.

Fourth. Over 400 Public Law 313 and supergrade jobs in defense as well as nondefense agencies.

Additional legislation passed by the House dealt with annuities, residence requirements of postal workers, and increased travel allowances. Also, the Federal Government is authorized by H.R. 7577 to defend employees involved in suits as a result of operating motor vehicles on official business.

While the accomplishments of the House during this session on behalf of the Government employee have been substantial, an increasing number of Federal employee questions will become evident in the second session of this Congress. Among these will be matters relating to the whole spectrum of problems raised in the daily relations between the civil servant and his employer, the Government of the United States—pay raises, leave and travel allowances, promotion policy, retirement, the Hatch Act, automation, union recognition, and other related matters. Many of these are similar to the most vexing problems facing labor and management in the field of private enterprise. Actions taken on behalf of this great group of loyal, and efficient employees who have had their competency tested by competition and their loyalty by investigation, will be reflected not only in the quality of service performed for all the people by its Government, but also in the type of judgment, skill, and good will prevailing in employer-employee relations throughout the community. The Federal employee is deserving our continuing interest.

The Fight in 1959 for Fair Labor Standards

EXTENSION OF REMARKS
OF
HON. JAMES G. O'HARA
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. O'HARA of Michigan. Mr. Speaker, it has been over 20 years since the dark depression days when Franklin D. Roosevelt looked around him and saw "one-third of a nation ill fed, ill clothed, and ill housed." Since then as a nation we have come to enjoy unparalleled prosperity.

It would be pleasant to think that the poorest among us have shared equally in that prosperity. It would be even more pleasant to think that the poor are a rapidly diminishing group that will entirely disappear as our technology improves and as our productivity increases.

Poverty is not, however, a condition that is disappearing. Studies by the Bureau of Labor Statistics, the Commerce Department, the Federal Reserve Board and others make it increasingly evident that tens of millions of our people have not shared in our growing national prosperity, nor can they reasonably expect to do so unless Congress does something about it.

Tens of millions of our people are still ill fed, ill clothed, and ill housed. In large part their plight is caused by the payment of wages that are too low to cover the bare necessities of life. No matter how hard they work nor how long they labor, they cannot hope to have the basic minimum standard of food, shelter, clothing and medical care that they have a right to expect.

When the Fair Labor Standards Act was enacted, the 75th Congress pledged "to correct and as rapidly as possible to eliminate conditions detrimental to the minimum standard of living necessary for health, efficiency, and general well-being of workers." Not only has that pledge never been redeemed, but, relative to their fellows, the poorest paid of our workers are worse off than they were in

1938. They have come to form a class increasingly isolated from their fellow workers, a class disorganized, without influence, without voice, without power. They are the forgotten workers of our affluent society.

Liberal amendments to the Fair Labor Standards Act can do much to relieve this tragic and indefensible situation. Democratic Members of both Houses of Congress have introduced a number of bills designed to remove the inadequacies of this law, by raising the minimum wage itself and by extending the protection it affords to millions not presently covered.

In keeping with the Republican tradition of despair and accepting the premise that a little misery is inevitable, the administration has opposed these changes, both as to an extension of coverage and as to the increase in the minimum wage.

Typical of the fine measures introduced is the Kennedy-Morse-Roosevelt bill—S. 1046 and H.R. 4488—which would raise the minimum wage to $1.25 per hour and extend the protection of the Fair Labor Standards Act to about 7¾ million not presently covered. While no action was taken on this measure in the House, the Labor Subcommittee of the Senate Committee on Labor and Public Welfare held extensive hearings, and on July 10, favorably reported S. 1046 with amendments. As sent to the full committee, the bill would raise the minimum wage to $1.25 and bring 10 million additional employees under the protection of the act. For the 25 million wage earners now covered by the act, the minimum wage would be raised to $1.15 per hour the first year and $1.25 the second. Newly added groups would receive $1 the first year, the minimum gradually being raised to $1.25 over a 4-year period for most of them. Those not receiving the four-stage raise to $1.25, numbering 2.7 million, are mostly in retail and service trades doing a business of less than $750,000.

This very modest measure was immediately attacked by the President and his Secretary of Labor as, among other things, "inflationary." This was to be expected, of course. The administration's obsession with inflation is not new. Lacking the energy to act or the intelligence to know what to do on any given issue, inflation is invariably seized upon as a permanent and universal alibi for inactivity. A perfect excuse for a do-nothing government.

As a matter of fact, no significant price effect need be expected from the passage of this legislation. The best estimates place the increase in wages that would result at about $2.5 billion—less than one-half of 1 percent of our gross national product and less than 1 percent of the total compensation paid in wages and salaries for the Nation. This increase will take place gradually over a 4-year period and would mainly affect industries characterized by substantial price competition. Not only would the total impact be slight and slow in coming, but it is unlikely that the entire increase in wage costs would ever be reflected in consumer prices. This reasoning is supported, of course, by studies of the economic effects of the original act and subsequent raises in the minimum wage, with which Mr. Mitchell, at least, should be familiar.

This increase in purchasing power would have beneficial rather than harmful effects on the demand side of the economic picture. Studies of low-income consumer expenditures show that over half of this increase would be spent for food and clothing. Very little of it would be spent on items for which there is a limited supply. This increase in purchasing power would, in fact, give a boost to those very sectors of the economy most in need of a stimulant. It would contribute, in a small way perhaps, to a reduction in our farm surplus. Incidentally, some $100 million would be drained off in excise, income, and social security taxes.

The administration's objections to this type of legislation are not, of course, limited to the inflation issue. I see no reason at this time, however, for a rehash of the tired old alibies that reactionaries have consistently relied upon to excuse inaction in this field.

The fact is that failure to extend coverage of the Fair Labor Standards Act and failure to raise the minimum wage would be indefensible—morally, socially, politically, and economically indefensible.

Failure to act will encourage the continuing growth of a depressed class numbering millions, whose members cannot realistically hope to share in our prosperity, nor to share in what we think of as the American way of life. For those whose earnings are presently geared to the Federal minimum wage and for a substantial portion of the 20 million who are without wage-hour protection, there is no hope unless Congress acts. They are for the most part unorganized, immobile, and ignorant of alternative employments.

The gap between what they suffer along with and what the average American worker earns continues to broaden each year. Nor is their plight tragic merely in a relative sense. The fact is, a dollar an hour is simply not enough to get along with. Yet millions of workers are expected to raise a family on that or less. Humanitarian considerations aside, Ricardo's "iron law" of wages would dictate better treatment of the wage earner.

As a nation we can ill afford the costs of such cheap labor. Poverty below the subsistence level quickly translates itself into slums, crime, delinquency and disease for which ultimately we must pay the price. A generation of tens of millions of physically weak and ignorant children constitutes economic waste as real as any of which we might conceive.

I, too, am critical of the measures thus far proposed. I am critical of the fact that they do not accomplish enough. Coverage should be given all the unprotected millions who need it. The constitutional limitations of our power and feasibility of administration are the only justifiable limitations on our action in this regard.

I am particularly concerned that coverage should be extended to the factories of the field, to the farm laborers, to that group which is always left out when legislation is written, whose rights are consistently bargained away and eliminated from social legislation as the price of getting something else in. I speak of all farm laborers, of course, but particularly the migrants. The exploitation of these people has for much too long imposed a heavy burden on our conscience as a people.

It is imperative also that more effective procedures for the enforcement of the Fair Labor Standards Act should be provided. The inability of the Labor Department to enforce the act lends encouragement to the unscrupulous employer whose failure to comply is cheating workers of over $350 million a year.

Finally, I urge support for H.R. 8297, a bill which I introduced making the child-labor provisions of the Fair Labor Standards Act applicable to agricultural employment. It will give to the child working on a "factory" farm the same protection provided years ago to children in other employments. The exploitation of children in this area is a vestige of an older and crueler era which long ago should have been removed.

Amendment of the Fair Labor Standards Act along the lines I have suggested should be the first order of business for the second session of the 86th Congress. The needs of millions of our people should be sufficient to stimulate action on our part, but remember, too, that the eyes of the world are upon us. While our standard of living may be impressive, our belief in human dignity is tested by the way in which we treat those at the bottom of the economic ladder.

The Fight in 1959 for Conservation

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. METCALF. Mr. Speaker, conservationists scored at least one major victory over the administration during the 1st session of the 86th Congress.

In the continuing fight for clean water, they again rejected President Eisenhower's proposal to sharply reduce, then end, the Federal grant program which has stimulated the cleanup of 19,000 miles of streams and many more miles of lake and ocean shorelines. They also overrode administration objections and voted to increase the grant authorization from the present $50 million a year.

Ill-advisedly, the President again was part of a drive—spearheaded by the Chamber of Commerce of the United States, the National Association of Manufacturers, and trade associations representing certain polluting industries—to end this program.

In his budget message, as he had last year, President Eisenhower proposed to cut the grant program deeply, to $20 million this year from $45 million. Congress voted $45 million.

Despite administration opposition, the House voted to double the authorization, the Senate voted to raise it to $80 million. In the face of the threat of a pocket veto, the conference was held over until next year.

Last year, the Bureau of the Budget opposed requesting any Federal money for grants to help build State-approved municipal sewage treatment plants. This opposition continues as work goes ahead on the budget President Eisenhower will submit to Congress early next year.

Here is a brief summary of other bills of interest to conservationists:

Enacted were bills to increase the authorization for the continuing research program into the effects of pesticides on fish and wildlife; authorize Federal research on migratory marine game fishes; permit interstate shipment of black bass fish and eggs for breeding and stocking purposes; extend indefinitely the Interior Secretary's authority to use surplus grain to prevent waterfowl depredation; prohibit use of motor vehicles or aircraft or poisoning waterholes in hunting wild horses and burros.

Passed by one body and awaiting action in the other were bills to authorize fisheries research aimed at continuous good fishing in reservoirs behind Federal dams; establish a Youth Conservation Corps to combat juvenile delinquency while benefiting natural resources; for the first time acquire land for fish and wildlife purposes as part of a Federal water resource development project.

Committees in at least one body reported bills which would establish a national wildlife disease research laboratory; authorize fish and game programs and special hunting and fishing permits on military reservations; create a 9-million-acre Arctic wildlife range; establish the Chesapeake and Ohio Canal National Historical Park; settle the dispute over the Des Plaines public hunting and refuge area in Illinois.

Committees heard measures giving the protection of law to areas now being administered as wilderness areas in national parks, game ranges, migratory waterfowl refuges, primitive, wilderness, and wild areas; adding State wildlife departments to the public agencies eligible to receive donable Federal surplus property; establishing, in varying degrees, the supremacy of State water laws on Federal lands and over Federal programs.

Pending are bills to save our shorelines, purchase and develop 10 principal seashore and Great Lakes coastal areas; amend the Federal Power Act to provide protection and consideration of fish and wildlife resources in the Columbia River Basin, eliminate Federal subsidies for draining wildlife-producing wetlands; make fish and wildlife and recreational values an integral part of the planning of Federal reservoir projects; extend and enlarge the conservation reserve; establish a Council of Resources and Conservation Advisers to the President and a Joint Committee on Resources and Conservation; give formal sanction to the long-existing program for the training of graduate students in wildlife sciences under the cooperative program of the Fish and Wildlife Service, land-grant colleges, State fish and game departments, and the Wildlife Management Institute.

During the recess, the new Senate Select Committee on National Water Resources, studying the Nation's present and future water needs, will hold 19 public field hearings in all parts of the country. The committee is to make recommendations to the Senate by January 31, 1961. And I hope that long before that date we also will have received from the Bureau of Land Management and the Fish and Wildlife Service comprehensive long-range programs for the development and management of the public lands and resources in their custody. The Forest Service already has submitted its program.

If the Soviet Union Can Afford Scientific Progress and Education Why Can't President Eisenhower—President Eisenhower Should Keep a Scorecard on His Sure-Fire No. 1 Issue for Winning in 1960

EXTENSION OF REMARKS
OF

HON. HARRIS B. McDOWELL, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. McDOWELL. Mr. Speaker, it would be well, I think, if the President kept a scorecard on his economy record for there is a growing belief that his performance is not quite up to his promises.

You will recall that he recently described economy as the most important single issue for winning the election in 1960 to a $100-a-plate Republican political rally in Washington, D.C., so his performance has to be judged in this context too. The President told the rally that—

> It is the Republican Party that fights for responsible, sensible fiscal policy.

The Democratic Party is so deeply interested in genuine economy that Democrats in the Congress have cut the President's budget requests by $10 billion in the past 5 years.

In 1952 the Republicans promised to bring the best business brains to Washington. A few of them are still here, but most of them are gone. If these businessmen had run their own companies the way they have run the Government their companies would be facing bankruptcy. Billions of dollars of tax money are being wasted because of poor management.

If the Soviet Union can afford scientific progress and education why cannot President Eisenhower? This is a good question and gets to the heart of our problem. A balanced budget looks good, but you cannot win wars with one and in this cold war period we may well find that if it means an inadequate education, and a lack of missile progress it may be too expensive to afford.

We cannot afford scientific progress and education in part because our economy has failed to expand and grow as it should have during the past 7 years. It is not keeping up with the growth of the economy of the U.S.S.R.

During these years private investment opportunity has been down about $40 billion, and the unnecessary idleness of plant and manpower has caused us to lose about $150 billion in national output. Net farm income has been $31 billion less than it should have been and wage and salary income almost $100 billion less. Labor Secretary Mitchell and Health, Education, and Welfare Secretary Flemming have been doing some fancy talking about hiring the older workers, but we are losing some of our best brains and skills by an unrealistic Federal hiring policy which makes it practically impossible for a man of 45 or older to get a job in the Federal Government. No other nation can afford this kind of waste, and we cannot either.

In his 1952 campaign President Eisenhower promised to tidy up the national debt. Now we know what he had in mind. On June 30, 1959, the fiscal year ended with the largest Federal budget deficit in our history—$12 billion. During the time the President has been in office the public debt has increased from $267 billion to $285 billion. The cost of interest on the public debt has risen from $5.8 billion to $8 billion.

Let us all take note of the fact that the total Federal budget in 1939 for all purposes was only $7.9 billion during the height of the New Deal era under President Franklin D. Roosevelt.

One of the leading spokesmen for the Eisenhower administration, Senator CLIFFORD P. CASE of New Jersey, recently called for a reform of the fantastic farm program. According to the New York Times he asked:

> How much longer will the American people tolerate a net expenditure of $4,500 million a year for an unfair and self-defeating farm program which constitutes a major obstacle to a balanced budget?

And, he added—

> Only a quarter of American farmers benefit from this program. The average American family is beginning to realize, too, that it is hurt as a consumer of foodstuffs by our high price-support program.

FEDERAL SPENDING FACTS COMPILED BY COUNCIL OF STATE CHAMBERS OF COMMERCE

I include as part of my remarks an excerpt from Bulletin No. 173, Federal Spending Facts, issued in September 1959 by the Council of State Chambers of Commerce which gives the box score on appropriations for 1960:

THE BOX SCORE ON APPROPRIATIONS FOR 1960

> On the last page of this analysis is a table [not printed in the RECORD] which shows the results of actions on all appropriations bills for the 1960 fiscal year. Exclusive of the permanent appropriations (mainly interest on the public debt) on which congressional action is not required, the total 1960 appropriations requests considered by Congress was $71,458 million.
>
> The House approved $68,663 million, or $2,795 million less than the total requested. The latter figure, however, does not represent

the actual reductions made by the House because the requested total includes $717 million of requests which were submitted to Congress after the House had acted on the bills involved and it includes $28 million of Senate funds not considered by the House. Thus, the net reduction effected by the House in requests that it considered is $2,795 million less $745 million, or $2,050 million. The Senate approved more than the House in every bill but two and effected a net reduction from the total requests in the amount of $419 million.

After differences in House and Senate actions had been resolved by conference committees on the various bills, the final total voted by Congress was $70,213 million, or $1,245 million less than the total requests. Some reduction in dollar amount was made in every bill except one, but many of the reductions were hardly more than token cuts. The one increase was in the bill for the Departments of Labor, Health, Education, and Welfare and was in the amount of $260 million over the request.

A Proposal for Tax Equity

EXTENSION OF REMARKS
OF
HON. HOWARD H. BAKER
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. BAKER. Mr. Speaker, on June 11, 1959, my able and distinguished colleague, the gentleman from Louisiana [Mr. BOGGS], and I joined in sponsoring legislation to tax all fire and casualty insurance companies alike—on the same basis and at the same rate as corporations in other industries. These bills, H.R. 7671, Mr. BOGGS, and H.R. 7672, Mr. BAKER, will eliminate the discrimination which presently exists in the taxation of stock companies as compared with the taxation of mutual and reciprocal fire and casualty insurance companies. The proposal covers all insurance companies other than life companies. It is expected to result in approximately $25 to $30 million additional revenue to the Treasury for a normal year. Under these bills small companies will receive special treatment comparable to that in existing law. It is not our purpose to subject to tax those small mutual and reciprocal companies now exempt.

The Congress recently passed a bill relating to the taxation of the income of life insurance companies. It was the purpose of that legislation to provide increased revenue to the Treasury from the life insurance companies based on both their underwriting and investment income. In framing the life insurance bill, both the Committee on Ways and Means and the Senate Finance Committee repeatedly emphasized the importance of not discriminating in tax treatment between stock and mutual life insurance companies. It is equally important not to discriminate in the taxation of the different types of fire and casualty insurance companies. Our bills will place all fire and casualty companies on an equal tax basis so that equal incomes will bear equal tax liabilities.

There are three types of fire and casualty insurance companies: stock companies, mutual companies, and reciprocal insurers. The existing Federal tax law discriminates against stock companies in favor of mutual companies and reciprocal companies. Simple equity requires that all be taxed on the same basis and at the same rates.

Our recent hearings before the Committee on Ways and Means have disclosed that all insurance companies have two types of income: First, underwriting income; and, second, investment income. Both types of income should be taxed. No basis exists for excluding either type of income from a fair tax. Under existing law, stock fire and casualty companies are taxed at the full corporate rate of 52 percent on both underwriting and investment income. Since the inception of the Federal income tax, stock companies have paid the regular corporate rates paid by other business corporations. However, mutual companies are taxed on an entirely different basis. Under existing law, mutual companies pay the higher of (a) 1 percent of their premium income plus 1 percent of their gross investment income, or (b) 52 percent on their net investment income only. Reciprocals have never paid any tax whatsoever on their substantial underwriting income, but are taxed on their investment income only. These different methods of taxation are highly preferential in favor of the mutual and reciprocal companies and give them an unwarranted competitive advantage. Federal taxes of all stock companies for the 15 years ended with 1957 amounted to 2 percent of their net premiums written. Federal taxes of all the mutuals and reciprocals for this same period were only 1 percent of their premiums.

The mutuals and reciprocals have earned and retained substantial profits from underwriting and investments. Such retained profits during the 15 years ended with 1957 amounted to $920 million. This increase in surplus was accumulated on a tax-favored basis. The mutuals and reciprocals, by reason of their lesser tax burden, were able to retain much more of their net income than they otherwise could have. They also retained more than twice as much, proportionally, as their stock company competitors.

Under existing law, a large number of small mutual companies are either exempt from tax entirely or receive special tax consideration. The bills we have introduced do not disturb this. Of the 2,500 mutual companies in the United States, approximately 1,750 are tax exempt and their exemption would be continued under these bills. In addition, some 150 mutual companies are partially tax exempt under existing law and our proposal would not increase their tax burden. It would impose no hardship upon small farm and local mutual insurance companies.

The remaining 600 large mutual companies would be taxed at regular corporate rates. These large mutual companies write the same lines of insurance as stock companies in the several States. They use the agency or brokerage system as well as the direct writing system, just as the stock companies do. All are subject to the same State regulation as stock companies. There are no basic methods found in one type that are not found in the others. There is no reason for a disparity in tax treatment.

These 600 large mutuals write 98 percent of the volume of all mutual fire and casualty insurance companies. Under our bills these companies will pay substantially more tax than they have previously paid. For example, the five largest mutuals and the three largest reciprocal companies have for the 16 years ended with 1958 paid total Federal income taxes of $96 million. If they had paid taxes on the corporate basis as proposed in this bill, these eight companies would have paid $182 million, an increase of $86 million, or 90 percent. Of course, equality of taxation between these companies could be achieved by reducing the stock companies' tax basis to the level of the mutual companies. However, this would result in a great loss of revenue to the Treasury. I believe that the most equitable basis of tax for insurance companies is the basis provided for stock companies and companies in industry generally, that is, regular corporate rates. This would bring the taxes of mutual and reciprocal companies in line with the taxes of their competitors.

There is no reason to continue the existing discrimination between fire and casualty companies in the Federal tax laws. Our proposal would eliminate the present competitive impact of the different methods and formulas now applied to these companies. It involves few of the complexities found in our consideration of a permanent bill for the taxation of life insurance companies. On the contrary, it is simple. In summary, this bill would eliminate the existing inequities in the taxation of the various types of fire and casualty companies and would increase the revenue to the Treasury by a substantial amount.

It is my hope, Mr. Speaker, that favorable legislative action can be taken by the Congress on this meritorious proposal in the 2d session of the 86th Congress.

Figures—of Principal and of Interest—of Speech and of Principle—and of Interest

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. MULTER. Mr. Speaker, the dropping of your gavel coincident with your pronouncement that this 1st session of the 86th Congress has ended will surely come in a matter of moments. I therefore ask your indulgence, while I recount briefly our congressional activities.

We have done much in which we can take pride as Americans and as Democrats.

There is still much to be done. Most of that we will do in the second session of this Congress, which will start on January 6, 1960. But in a never-ending fast-moving world, new problems will always beset us. Instead of delving into the future, a most uncertain task at best, I will dwell on the immediate past.

We have enacted into law some 400 laws of general national and international interest. Of that number, about 100 can be labeled of major importance. Merely to list all of these would take much more time than is now available. I, therefore, will refer only to the most important.

SPENDING

We appropriated more than $39 billion for national security and defense; that is almost 60 percent of the total sum appropriated for the fiscal year for all purposes. This is $20 million less than the President asked for.

The total sum appropriated for all purposes, including what Republicans invidiously refer to as back-door financing, was $79,428,598,352, more than $2½ billion less than the President requested.

It can never be sufficiently emphasized that the Congress can merely authorize expenditures and appropriate the money therefor. Only the President and his appointees, under his direction and control, can spend the money. Surely we, the Congress, can refuse to authorize or appropriate. But even after we do both only the Executive—the President—can spend. Under our form of government there is but one spender—the President. Repeatedly, the incumbent now in the White House has ignored congressional intent and directive. He has refused to spend money as directed, spent it contrary to congressional directives and even spread out and cancelled out contracts authorized and let.

Let us never forget that when our Republican friends and campaigners start calling names, the only spender, reckless or otherwise, in our National Government, is the titular head of the Republican Party, President Eisenhower. By doubling the cost of operation of his own office, he has set the spendthrift example which all his appointees seek to imitate.

While on the subject of spending, let me remind you that a major part of the cost of government is the interest we pay on U.S. obligations. This administration without the help of Congress and over our vigorous protests has run up that cost from 1953 to date by more than 100 percent. Starting with short-term interest rates of under 2 percent and long-term rates of not more than 2½ percent, President Eisenhower has approved our paying 4¾ percent and assents to the threat of his Secretary of the Treasury that we may yet pay 6 percent. The President and his big-moneyed friends are demanding that the Congress eliminate the limit on the interest rate on long-term bonds so that he can and I quote the President, "demonstrate responsibility in the management of our Federal debt."

Responsibility, indeed. He may have forgotten but we cannot forget that this is the same fiscal genius who in two political campaigns—1952 and 1956—promised to reduce the national debt. Three times since his first promise, at his request we increased the debt limit, this year by $2 billion to $285 billion permanently and to $295 billion temporarily until 1960.

I am proud that this Congress increased the interest rate payable on savings bonds and refused to increase it on long-term bonds. I have been introducing a bill to accomplish that in each of the last four Congresses. The administration has at long last seen the light and gone along with me.

Note the difference between savings bonds, the E- and H-bonds, and other Government securities. The savings bonds are anti-inflationary because they tend to immobilize savings. Other securities produce money that flows into the money stream to pay bills for construction, experimentation, material, services and the like.

Savings bonds traditionally, until 1953, paid an interest rate higher than savings and thrift accounts. Our people are not so stupid as to keep their savings in bonds at minimum rates, when they can keep them in institutions paying maximum rates, all guaranteed by U.S. Government agencies.

I suppose it is human nature to take care of one's friends. So let us not be too hard on Ike and his big-business, big-moneyed friends, who say let the devil take care of the masses, the wage-earners and little businessmen and his E and H savings bonds. Be sure these big business operators in Government will take care of their friends with more and more profits and higher and higher interest rates. They will continue to complain about being in the 90-percent tax bracket, to try to make us forget that the little fellows pay 90 percent of the gross tax collection.

Before I leave the fiscal affairs of our Nation I wish to comment on the scare campaign the Republicans are engaging in about inflation.

The one thing they learned from President Roosevelt was "there is nothing to fear except fear itself." The difference is that he tried to teach us to be unafraid. They are using that concept in reverse, to scare us into ignoring the facts of life.

If they can cry "inflation" loud enough and long enough, we may look away from administered prices that ignore the law of supply and demand. We may not learn that the worst kind of inflation comes from administered prices coupled with unconscionable interest rates. The very people who are demanding that we cut Government expenses are the same ones who are pushing prices up, demanding higher interest rates and tax cuts allowances and exemptions and all to balance the budget.

In 1958, the banks and moneylenders of the country had their best year in our history, in gross receipts, and in net profits—both before and after taxes. Nineteen hundred and fifty-nine will be even better.

The same is true of corporation profits. Eight hundred and eight leading corporations showed a 56-percent increase in profits this year over the same period for 1958—$6,915,729,000, as against $4,438,065,000, or $2,477,644,000 more net profits after taxes. More than half of these did better than that average. Four hundred and twenty-eight of these corporations improved their corporate profits by more than 75 percent in the second quarter of 1959 as against the same quarter in 1958.

These 808 companies are the very ones paying for full page ads to frighten us out of our skins because of inflation they created and as a result of which they made these profits.

BANKING LAWS

In the financial field, we also enacted bills that increased our subscriptions to the International Monetary Fund and the International Bank for Reconstruction and Development—the World Bank, to set up a new Inter-American Bank for Central and South America similar to the World Bank, some modernization of the National Banking and Federal Reserve Acts, restrictions on holding companies in the savings and loan association field and the first complete revision in 25 years of the Federal Credit Union Act. I was most pleased that the credit union bill was enacted in almost the exact form in which I had introduced it.

FOREIGN AID

The mutual security authorization and appropriation bills were a fine example of the operation of our Government in true bipartisan spirit, with both parties in Congress and the President moving forward in the best interests of our country and of world peace.

What irked me, however, was that in his messages to us asking for legislation in the international field the President indicated we had enough money for loans and grants abroad, for housing abroad, for highways abroad, for reclamation and community facility projects abroad, for schools and education and health programs abroad, in short for almost everything anyone could ask for abroad. But the domestic scene was different. From his veto messages it became apparent he thought we did not have enough money for any of these things needed so badly at home; not even enough for loans to our cities and States.

My position on these matters was and is quite simple—I am for all of these things for foreign friends. I have always voted for them. But I have and always will vote for them for our people at home as long as we need them.

If the time is here or ever comes that we do not have enough for both, we must first take care of our own and use the surplus, if any, to take care of those abroad.

This is not a matter of charity begins at home. This is fiscal responsibility as to taxpayers' money. I can apportion my personal funds, charitywise as I please. I have no right to do so with taxpayers' funds.

RULE BY VETO

Incidentally, it is well to note that although we overrode a Presidential veto only once, each of the other votes by which we failed to override demonstrated that the overwhelming majority

of the people and their representatives were against the President. The Constitution requires a two-thirds vote to make a bill law against a Presidential veto. In neither House does the Democratic Party control a two-thirds vote. In the Senate there are 35 Republicans and 65 Democrats. In the House there are 153 Republicans, 283 Democrats, and 1 vacancy. We failed to override vetoes by from one to six votes on important measures, thus permitting one-third of either House plus one to six votes to thwart the will of a vast majority of the people's representatives.

VETERANS' AFFAIRS

Veterans' affairs were given considerable attention. We extended their direct loan program, although in my opinion not sufficiently nor in the right direction. Among other things we should not have increased their interest rates. At the urging of this administration, these rates have now been pushed up by 32 percent since 1953. We wrote a new Veterans' Pension Act and extended veterans' preferences and entitlements. Still pending is much needed legislation for a civilian pardons board to review sentences imposed upon members of the armed services.

MISCELLANEOUS

Business has been helped by amendments to the antitrust laws, the Small Business Administration Act and the Small Business Investment Company Act. Much more needs to be done in these fields.

Increased benefits to retired employees, extended temporary unemployment compensation, changes in our immigration laws, the extension of the Draft Act, establishment of a National Space Agency, aid to Federal airports and a TVA self-financing act are among our creditable accomplishments.

HOUSING

Two vetos of the housing bills were further demonstration of smoke screens blown up to camouflage real issues. The third housing bill, which the President approved, is just as inflationary as the two he vetoed. The only real difference in substance is that the final approved version omits $50 million in loans for college classrooms. The President admits we need the classrooms but contends that in the $8 billion housing loan guaranty program, which he approved, a $50 million loan program is inflationary. He had his way—a Phillipic victory, if ever there was one. No one will ever be able to assess the loss to the Nation and the world if only one potential genius is denied a college education because these loans are postponed to an election year.

CIVIL RIGHTS

Hawaii became a State, thus establishing another beacon light along the path of true democracy and affirming the divinely inspired sentiments of our Founding Fathers that "all men are created equal" and "are endowed by their Creator with certain unalienable rights" and that "governments are instituted among men, deriving their just powers from the governed."

Our citizens in the District of Columbia have not fared as well. Five times in the last 10 years, the Senate has passed a bill granting home rule to the District. Not once during that time has the House District Committee reported a bill. Not once in that period, until I filed a discharge petition, to bring a home rule bill before the House, did the House District Committee even conduct any hearings. Congressional courtesy dictates that I do not characterize those hearings. Suffice it to say, that if some members of that committee and of the Rules Committee have their way, no bill will reach the floor in this Congress.

A home rule bill will be acted upon by this Congress only if 219 Members sign my discharge petition. Up to this time 104 Democrats and 16 Republicans or a total of 120 Members have signed it.

Home rule for the District of Columbia is pledged by both party platforms. The public is fast learning that we are getting a lot of doubletalk from our Republican friends. No one expects southern Republicans or southern Democrats to support home rule for the Nation's Capital. That eliminates about 120 Members, 111 Democrats, and 9 Republicans. Four hundred and thirty-six less 120 leaves 316. One hundred and fifty-three Republicans less 9 southern Republicans leaves a net balance of 144. Two hundred eighty-three Democrats less 111 southern Democrats leaves a net balance of 172. One hundred four of the 172 Democrats have already signed the discharge petition. Only 16 of the 144 Republicans have signed it. That is a terrible indictment of the Republican Party. I am certain that if the Republicans will sign that petition in the same ratio as the Democrats have, in the first 2 weeks of January 1960, enough additional Democrats will sign the petition to bring the bill to the floor.

THE LABOR BILL

One other important piece of legislation that was enacted has been hailed as the labor reform bill. Time will prove, in my opinion, that this was the worst piece of anti-industrial-city and anti-labor legislation ever enacted by any Congress.

I impugn no Member's motives, good faith or integrity. I trust that those who voted for that bill will credit as much to me and the 200 colleagues whom I joined in voting against that bill. It ill behooves any citizen, capitalist, union leader, businessman or wage earner to pretend to be so omniscient as to have the right to accuse anyone on either side of a vote of 229 to 201 of having voted except in accordance with what his conscience dictated was best for our country. If as few as 13 Members voted the other way, the bill would have been defeated by a tie vote of 215 to 215, with the Speaker casting the deciding negative vote. If the four absentees had been present and voted nay—since they were not paired, I do not say they would have so voted—it would have required only a switch of 11 votes to defeat the bill.

No one will dare say that there is any Member of this House, regardless of how he or she voted on this bill, who would not vote to eliminate racketeering and crime not merely from union activities but from every sphere of activity on the American and even on the world scene.

The same must be said about legislation that would make unions more responsible and more responsive to the needs and desires of their members. Again that must also be said of legislation that would protect business as well as the public against illegal or improper activities of unions.

This bill was represented as accomplishing those ends. I will concede, for the sake of argument only, that that was the purpose of the bill.

I am convinced, however, it does not and will not accomplish those ends. To the extent that it tends to, I am afraid it does so by means that the courts will condemn. There are now more than enough laws on our statute books to arrest, indict, and convict every criminal, in and out of unions, whether the crime is perjury, embezzlement, forgery, fraud, bribery, theft, assault, murder, or conspiracy to commit any of these crimes or merely the attempt to do so. On that score, we do not need more laws but better enforcement of those we do have.

To the extent that this bill may make criminal that which heretofore was legal, though perhaps immoral, under our Constitution, the law must be prospective and not retroactive in its effect.

It follows, therefore, that it will oust from unions, on account of past conduct, no one, no matter how bad and no matter what his name.

Despite all of the foregoing, I could have brought myself to vote for the bill if it had not been for its many other bad features. I believe they far outweighed all the good sought to be accomplished.

In voting on all bills I try to keep in mind our fundamental law, the Constitution, and particularly that portion of it known the world over as the Bill of Rights. I will never vote for any piece of legislation, no matter how well intentioned, which does not square with it. If it violates the Bill of Rights, I cannot support it. That Bill of Rights must forever remain inviolate. If we chip away even the slightest part thereof we begin to destroy it.

This bill, in my opinion, oversteps the bounds of propriety; it makes second-class citizens of unionists and of workingmen who might desire to join unions; it denies them rights guaranteed to them by our Constitution.

Furthermore, this bill can be used to entice business out of our industrial centers and into labor surplus parts of the country. It is not sectionalism that prompts me to take this position. It is part of the free enterprise competitive system for business to move to the place where it can operate most profitably.

However, the best interests of our country, of the whole country, demand that no part of the country be permitted to entice businessmen to come there because of the promise or intimation that by moving there they will have cheap labor, sweatshop conditions, or nonunion shops. This misnamed labor reform bill practically guarantees to every unionized business firm that it can freely move to nonunion States and be forever free from unionization. To me that means destroying unions and enslaving

the working men and women of our country. I am all for raising the standards of our citizens to the highest prevailing. I am opposed to lowering those standards to the lowest prevailing.

A PERSONAL NOTE

Permit me at this time to inject a rather personal note. During this session, I was incapacitated by illness, from which, thank God, I have recovered. For a long time I was out of Washington and for an even longer period prevented from giving full time to my congressional duties. But everything in this world has its compensating balances. My misfortune brought me the good that comes from learning how much our colleagues are genuinely concerned about each other. They extended to me a spirit of fellowship and camaraderie close to kinship. It crossed district and State lines as well as party lines and religious and color lines. The assistance and offers of aid to me, and more particularly to my staff, were immeasurable. I am forever in their debt. I am, indeed, grateful. Some say only in America can it happen. I say only in America it does happen.

The Challenge of the Future

EXTENSION OF REMARKS
OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. FEIGHAN. Mr. Speaker, under leave obtained, I insert in the RECORD an address delivered by the Honorable PAUL H. DOUGLAS, of Illinois, on July 24, before the National Strategy Seminar conducted at the National War College, Washington, D.C., on "The Challenge of the Future."

The address follows:

During the past 10 days, you have been engaged in an examination of the world conflict which Russian communism has created; the nature of this conflict, the tactics and techniques employed by the Communist forces, the strengths and vulnerabilities of both the free world and the Communist forces, and the courses of action which are open to us—both as a nation and as acknowledged leaders of the free world. The formal curriculum for this seminar gives encouraging evidence of a political realism which I hope will be contagious, particularly in those circles which are responsible for the forming and carrying out of our foreign policy. The commandant and faculty of the National War College are to be congratulated for acting as hosts to this timely Reserve officers seminar on national strategy, and the Institute of American Strategy and the Reserve Officers Association which have prepared the voluminous documentation are deserving of all praise. I take special pride in the fact that the idea and the main drive for this seminar came from the Midwest and, indeed, from my own city of Chicago, the home of the Institute.

I fear, however, that you are more or less exhausted by this strenuous program of lectures and study and that my comments, prepared during the spare moments of a somewhat crowded life, may be the crowning indignity of all. For I well know the saying that the mind cannot absorb more than the posterior can endure.

I

Political realism dictates that we accept the fact that we are in a form of war with the forces of world communism. This is not a war of our making or choosing but one which has been forced upon us. It is vital that we recognize the full meaning of this fact, understand the nature of this conflict, and then engage the enemy to the fullest of our capabilities. Otherwise, we shall perish as a free society. The forces of communism leave us no other alternative.

It is the unorthodox nature of the war in which we are engaged that makes it difficult for some to recognize the harshness and the cold reality of our present situation. The nature of the conflict is political, or more accurately stated, geopolitical. By long-standing dogma, unmistakable public declarations, and a documented record of actions over the past 40 years, the Communists leave no room for doubt that the ultimate object of their political warfare is world domination. They are determined, by any and all means, to impose their system upon all nations and people of the world. The tactics they employ to this end are diversified, deceptive, and well organized. Individual liberty as we know it, representative and self-government as we practice it, have no place in the kind of world planned by the elite class—the new aristocracy—spawned by these past 40 years of Communist experience in Soviet Russia. The same type of absolute dictatorial control which they now force upon the people of their captive empire is the dismal and reactionary way of life which they plan for all the people of the world.

THE NATURE OF THE THREAT WE FACE

To understand fully the source and nature of present-day Communist power requires a realistic view of the historic origins of its theory and practice.

Communism as a theory was developed in a setting of great empires and amidst conditions of grave injustices in the then existing social order. The world of Marx and Engels was controlled by a few great powers, most of which were ruled by hereditary aristocracies. Class distinctions were hard and fixed. The destiny of the individual in terms of his personal dignity and possibilities in life were regulated largely by the accident of birth. Wars were waged for the extension and preservation of empires. These were the conditions against which the Communist manifesto of 1848 was issued.

It should also be recognized that the industrial revolution which brought such a great increase in productivity and which strengthened the middle class and political democracy also brought with it terrible abuses. The spectacle of little children working 12 to 14 hours a day in the textile mills and being whipped by brutal owners for sleeping at their posts properly excites horror and indignation. So does the practice of making women drag coal cars underground, crawling on all fours like animals. And in our own country, the men and women of my generation can remember the horrors of child labor in the sweatshops, as breakerboys, and in the textile mills. Nor can the starvation wages paid to women in stores and factories be ignored nor the 12-hour day which prevailed in steel until the 1920's.

When all this was combined with the waste and luxuries of the rich, as evidenced on Fifth Avenue and in Newport on this continent and in Mayfair in London and their lesser counterparts all over the Western World, is it any wonder that sensitive people were moved to outrage and sought to improve matters? And when these noble souls such as Florence Kelley and Jane Addams were then denounced for their efforts as unpatriotic by many of those who profited from these abuses, is it any wonder that the fires of radicalism were fed and that communism was able to make converts by posing as the champion of the disinherited? But communism in practice has also been a cruel exploiter of the people and has raised a new set of masters over those who do the back-breaking work of the world.

In 1850, self-government was a relatively new political phenomenon, struggling toward stability and permanency. The United State of America, as the repository of this great hope for the future of the world, was still the frequent target of imperial intrigues. But the powerful human appeal of this new way of life was undeniable. By the turn of this century, it had caught the attention and support of the common man in the Western Hemisphere and throughout the European Continent. With the coming of World War I, this spirit—this striving for a better way of life, both political and economic—was reflected in the birth of the national independence movement which shook and finally shattered three of the European empires. I refer to the Czarist Russian, the Austro-Hungarian, and the German Empires. Along with them, the Ottoman Empire also passed into history.

A new world order was taking shape. The fallen empires were replaced by a large number of independent nations. Self-determination was the popular demand by nations long submerged by imperialism. Nationalism emerged as a worldwide political force.

It was in these circumstances that the Communist theoreticians—led by Lenin—seized power in Petrograd, the historic seat of the broken Russian Empire. It was at this point in history (1917–18) that the political war in which we are now engaged began.

The first phase of this war witnessed the conflict between theoretical communism and the national independence movements. No less than 12 independent national States had emerged from the yoke of Russian imperialism. Among these were Estonia, Latvia, Lithuania, Byelorussia, Ukraine, Georgia, Armenia, North Caucasus, Azerbaijan, Turkestan, Cossacia, and Idel-Ural. The leaders and people of these newly independent nations rejected communism as a way of life. In their declarations of independence and constitutions, most of them made it clear that they would settle for nothing less than the modern forms of democracy with representative governments and individual liberty. With Russia as a base of operations, the Bolsheviks—as the Communists were then known—launched a campaign of terror, infiltration, and armed aggression against these newly independent nations. In the absence of any effective support from the democracies of the West, all but Estonia, Latvia, and Lithuania were occupied and put under Communist military control by 1922.

The flame of nationalism, however, continued to burn brightly in these once-independent nations. By 1925, the internal pressures of this spirit forced the Communist leaders to create a political safety valve. The Union of Soviet Socialist Republics was manufactured, along with a high-sounding but meaningless constitution, in an effort to placate the independence-minded people of the non-Russian nations and, at the same time, to conceal the colonial and imperialistic nature of the new regime in control of the partially reconstructed Russian Empire.

In the 10-year period which followed, Stalin made an all-out effort to apply the economic and social theories of Marx, Engles, and Lenin. These efforts were met with failures after failure. Nevertheless, Stalin pressed forward with his experiments, extracting a frightful price in human suffering and life.

The determined resistance of the masses of the people forced the Communist theorists to develop the technique of conflict management. They recognized their system was not capable of winning the voluntary acceptance and support of the masses. They also accepted the fact that a constant state of war would exist between their regime and the people, extending over many decades. The immediate task at hand was to establish the organizational mechanisms to manage the conflict so as to keep the masses of people under control.

Gradually, the Communists reverted to the methods of old-fashioned Russian despotism as the system of internal control. The secret police became all-powerful. A network of slave labor camps expanded to unbelievable proportions. Terror tactics and mass purges spread fear everywhere—even among the Communist Party members. Monopolistic state capitalism emerged as the new economic system with slave labor as a calculated, basic element of this system. The Commissariat of Foreign Affairs was charged with developing a worldwide system of espionage and indigenous Communist action elements.

By 1939, the merger of Russian imperialism and theoretical communism was completed. The emotional appeal of theoretical communism gave the Russians an external weapon their imperial system lacked during the long reign of the czars. Just as the slogan of "liberty, equality, and fraternity" had enabled the French Revolution to expand beyond the borders of France, so the promises of a classless society, of a fellowship of workers and the abolition of race prejudice, enabled communism to broaden its appeal and to seduce large numbers of well-meaning persons.

One of the great tragedies of modern times is the way in which so many originally decent people have gradually become corrupted by the immoral tactics of the Communist elite and have changed into malevolent beings. And a companion tragedy is the waste of precious energies which men, women, and nations have suffered in worshiping false gods. For the Communists have installed not a new day, but a new and more terrible night.

The despotic system of internal control developed by the czars over the centuries was perfected as the tool of conflict management. With the coming of World War II, the Russians were well prepared with the global plan of conquest tailored to any opportunity which might present itself for extending their Empire.

The nations bordering on the Soviet Union were singled out as the first targets. Their geographical location made them susceptible to a combined forces attack, including military, diplomatic, propaganda and heavy agent infiltration. The military were assigned the primary task with the diplomatic, propaganda and agent cadres playing a supporting role.

A long-range plan was worked out for those nations beyond the immediate reach of the Red army. It was no less complete and, in some respects, it was more elaborate than the short-range plans. Involved were the development of indigenous cadres of skeleton governments, infiltration of existing governments by skilled agents, local Communist Parties, fronts, action groups, covert agent networks, and propaganda operatives. No strata of existing society in the free world was overlooked in the development of these plans.

THE NEW EURASIAN EMPIRE

By 1950, imperial communism was in control of a huge land mass extending from the Baltic Sea to the Pacific Ocean. Over 800 million people and some 20-odd nations were forcibly incorporated into this empire. In every case, without exception, military power was the primary instrument of conquest. Diplomacy by ultimatum, intrigue, indigenous Communist Parties, manufactured governments in exile, Russian-style elections, the united front tactics, and a massive global propaganda program were in a carefully coordinated support role. The short-range political objectives of imperial communism had been completed. The new Eurasian empire had a geographical contiguity which offered unique opportunities for geopolitical warfare.

THE RESPONSE OF THE FREE WORLD

Alarm over the growing evidence of Communist aggressive intentions toward the world produced the Truman doctrine of 1947. This saved Greece and Turkey. Continuing Communist aggressions produced the North Atlantic Treaty Organization in 1949. These were purely defensive measures expressing the collective will of freemen to resist aggression. By them, we have unquestionably saved Western Europe and have helped, at least partially, to offset Communist gains in Asia and the Middle East.

But the reaction of imperial communism to these defensive measures was the war of aggression which they launched in Korea in 1950. By this military campaign, in an exposed and then vulnerable area, the forces of imperial communism sought to destroy NATO and to break the will of free men to resist. Here they made a serious miscalculation. This challenge and the resolve with which it was met, under the leadership of President Truman, provided the spirit and determination needed to build a global defense system against further Communist aggression. The Communist efforts to manipulate the national independence revolution in Indochina, the Communist-provoked crisis in the Quemoy-Matsu Strait, and the crisis in the Middle East served to stiffen and strengthen the growing alliances of free nations.

COMMUNIST TOTAL POLITICAL WARFARE

Political warfare is now the primary instrument employed by the forces of world communism. This warfare is supported by an elaborate system of military, diplomatic, economic, psychological, subversive and propaganda support programs. Each of these support programs are manned by trained action elements prepared to play a well-defined role in the master plan. The master plan, including its time phasing, is directed by the Communist central authority in Moscow. No nation, no organization, no group is immune from its efforts of penetration and manipulation. Thus, this political warfare is total in character.

THE BERLIN CRISIS

Communist diplomacy by ultimatum is an essential part of this political warfare. The thinly disguised threat of Communist nuclear war has been directed at the nations of the NATO community since November 1957. At that time, the Russians delivered diplomatic notes to our European allies expressing this threat. The sputnik success of October 1957 was quickly translated into the image of precise intermediate and intercontinental ballistic missiles by Communist propaganda. Every European nation has been subjected to the relentless pounding of this imagery ever since. Meanwhile, Khrushchev was clamoring for another summit conference without making the purpose of his demands clear. However, Khrushchev was also calling for a status quo, that is, recognition by the free West that the political status of Central and Eastern Europe was frozen. Then came the ultimatum on Berlin. Khrushchev demanded that the United States, Great Britain, and France surrender their legal rights to be in Berlin and thereby desert the free people of West Berlin. He set a due date for our retreat from responsibility. When President Eisenhower made it clear that we would not be intimidated, and that we would hold the Russians responsible for whatever resulted from the ultimatum, Khrushchev then backed off. He then claimed that the due date applied only to the holding of our agreement to hold another summit conference.

It was then that the first serious break in the solidarity of the free nations occurred. The British leaders expressed support for another summit conference. We were finally dragged into a foreign ministers conference, under terms largely controlled by the Communists, to take up a limited agenda tailored to Communist needs. The months of propaganda buildup for this conference caused the people of the world on both sides of the Iron Curtain to turn their eyes and ears toward Geneva. The results of the first round of this conference produced a serious net loss to the free world.

Before the conference got underway, we largely surrendered our position of nonrecognition of the East German Communist regime. By agreeing to their admission as advisers to the conference, we virtually extended de facto recognition to them. The admission of the Federal Republic of Germany to the conference did not raise this question for the Russians, since they had long before extended de jure recognition to it. We have been party to opening the door to legitimizing the communist regime in East Germany. The political pressures on us to complete this defeat will be tremendous in the months immediately ahead.

During the exchange of views which followed, we have more or less agreed to neutralize Radio Rias in West Berlin—the most powerful voice of freedom for the East Germans and very large numbers of people in captive Central Europe. In exchange, the Communists agreed to be less violent in the use of anti-Western propaganda beamed to free Germany and Western Europe. Here we traded a potent weapon for peace for a highly dubious promise.

It was to offset this serious defection on the part of our policy makers that some weeks ago I introduced a resolution making this third week of July "Captive Nations Week" so that we could let the people behind the Iron Curtain know that some of us, at least, did not intend to desert them. I am happy to report that this resolution passed Congress 2 weeks ago and that efforts are being made to carry the message behind the Iron Curtain. This has evidently struck home since Mr. Khrushchev complained about it on Tuesday in Poland. But I see no reason why we should tie our hands propaganda-wise while the Russians are so active beyond their borders.

During the entire course of the first round of discussions in Geneva, we failed to raise the question of the future status of the Communist-occupied nations of central and eastern Europe. By this failure, we made ourselves a tacit party to the acceptance of a status quo in that area. Time and time again, Khrushchev has called for such recognition, particularly through his public offers of pacts of nonaggression and peaceful coexistence with the free West. In the central arena of political warfare, acts of omission are as important as acts of commission. Communist propaganda has made this abundantly clear since the summit conference of 1955.

This estimate is not offered as criticism of the Eisenhower administration or Secretary Herter. The nature of the war in which we are now engaged allows no room for partisan feelings or negative criticism. It is offered as current evidence of Communist political strategy, the tactics they employ to attract world attention to their actions and the reactions of free nations, and the manner in which the central arena of political warfare

thus created is used to further their objective.

The meeting of the foreign ministers in Geneva stands as an excellent example of high-level Communist tactics in political warfare. The outmoded forms of passive negotiation which have characterized our efforts at the summits can lead nowhere but to peaceful submission to Communist long-range strategy. While we remain bogged down with useless forms, the Russians move steadily forward to win the battle of substantive political objectives.

THE NEW ISOLATIONISM

The United States, as acknowledged leader of the free world, has been preoccupied with building the military shield required to deter Communist aggression in all parts of the world. The major support effort for this shield has been our economic assistance programs on a global basis. Our international information program has been treated as a questionable experiment, more or less as the fifth wheel on a wagon. We have grown accustomed to reacting to Communist actions. In the process, we have developed an unrealistic dependence on the United Nations for tasks it is either unprepared or unwilling to perform. National attitudes are being fostered which nourish a trend toward a new isolationism, that is, political isolationism. Such descriptive language as "strategic withdrawal," "peaceful competition," and "political evolution" are symptomatic of this trend.

THE REVOLUTIONARY ERA

In our preoccupation with the threat of armed Communist aggression, we have been seemingly asleep to the worldwide revolutionary era in which we are living. The revolutionary era to which I refer is reflected in the acute political awakening of old civilizations long in a dormant stage, the awakening of less-advanced civilizations now moving toward modern forms of statehood, and the politically restless spirit which permeates life within the many nations submerged by imperial communism. The motivating force of this revolutionary era is the strong desire of large numbers of people for self-government and their corresponding demands to be free masters of their destinies. They also want to improve their economic position as rapidly as possible. In south and southeast Asia, the old empires have fallen. They have been replaced by self-governing and independent nations. In the Near and Middle East, the former protectorate system has given way to another group of independent nations. In Africa, still more nations have emerged from colonial status and the dual slogans of "Dawn" and "Liberty" which are shouted in every language and dialect of the continent herald the gathering storm of the national independence movement on the march. Within the Communist empire, the political uprising in East Germany, the freedom riots in Poland, the freedom revolution in Hungary, the revolt in Tibet, together with the growing evidence of political unrest in the non-Russian nations of the Soviet Union and on the China mainland, portend a great political upheaval which could well dwarf the revolution against the empires of the 1917–18 era.

In the Western Hemisphere, this spirit is in evidence as the popular demand for more representative and constitutional forms of democracy and for land reform increases to the south of our borders.

This is the kind of world in which we free Americans live. This is the kind of realistic world view which reflects the hopes and strivings of the common man the world over for peace, for justice, and for a way of life which befits his dignity as man.

There are those who, liking the old order, dislike these modern movements and wish to oppose them with all the power they possess. It is, of course, the free right and privilege of these men so to think and act. I merely wish to suggest that this is a sure way of enabling the Communists to take over the popular movements of these countries and by picturing the United States as the supporter of the present economic and political rulers, to be able to identify us as defenders of reaction. In this way, the new nationalistic and social movements would be turned against us. Now, I happen to be one who does not want this to happen and I therefore wish to utter a solemn warning that, from the standpoint of our national interest, this would be a great mistake. But based upon a long experience in domestic politics, I have some doubt as to how effective any such warning is likely to be upon those who exercise power.

THE CHALLENGE OF THE FUTURE

A declaration of intentions alone will not suffice to bring us into a position becoming to our beliefs and free political institutions in this revolutionary era. We must demonstrate by a program of action that we believe the future belongs to the many, that representative self-government offers the best hopes for the fulfillment of mankind's yearning for a better life and that a just and lasting peace can be won despite the communist threat of nuclear warfare.

But we must act now before the divisions which have developed in our European alliance deepen still further and threaten the stability of our military shield against communist aggression.

May I raise the following very simple questions which may point to some answers?

1. If we permit our defense of West Berlin to be weakened or to be abandoned by one face-saving device or another, how much reliance will the West Germans or other members of the NATO alliance put in our pledges to defend them against attack? Will there not be an inevitable and rapid disintegration of NATO and a scramble by various countries to make terms with Communist Russia?

2. Is it wise to accept the present domination of the captive nations by Russia? Without encouraging any premature revolts, would it not be well to keep the fires of independent and democratic nationalism burning and to hold out hopes for their ultimate redemption when in God's good time the Russian Communist empire begins to break up? Therefore, should not the Voice of America and Radio Free Europe be encouraged to keep on with their work instead of being dampened down as so many influential persons are quietly advocating?

3. Would not the non-Communist countries of Asia be much less inclined to resist communism by the admission of Red China to the United Nations and by our granting diplomatic recognition to it?

4. Did American encouragement of Batista, Trujillo, and the dictators of Venezuela and Colombia improve our standing with the great masses of Latin America?

5. Will the new loans of $375 million to Franco, plus a probable $130 million more, make it easier to win over the Spanish people to our side? And should we not think about the effect of such a policy upon non-Communist countries?

6. Can we afford anti-British, anti-French or anti-German talk and feelings?

7. Can Italy and Greece be disregarded, and could a modest change in our immigration policy improve relations with those countries?

8. Is it safe to cripple our capacity for limited war by approving the cuts which this administration has made in the Army and Marine Corps?

9. Are we making an adequate effort in the field of missiles?

10. Are there not wastes in our defense establishment which could and should be eliminated or reduced so that the funds thus released could be used to improve our combat efficiency?

11. In view of the fact that the uncommitted peoples of the earth—nearly a billion in number—are almost entirely members of the brown, yellow, and black races, can we help to win their support by displays of race prejudice? Has the spectacle of Little Rock and all that that implies strengthened us in the struggle with communism? Have we properly emphasized the improvements which have been made?

12. Does the existence of the slums of our cities and the conditions under which millions of our children are being brought up present such an attractive picture of life here that other peoples will spontaneously rush to imitate these features? Can we also emphasize such constructive steps as we have taken in these fields?

13. Do the working, living and traveling conditions of migratory workers who harvest many of our crops help us to win the allegiance of the farm laborers of the world?

These are just a few of the questions which I think we should ask ourselves as we enter upon this long struggle with communism.

Some people may resent my raising many of these questions and feel that it is somehow unpatriotic for me to touch upon them. I will merely reply that Communist propaganda is raising them every minute of the day in all parts of the world. The best answer we can make is to deal constructively with them.

It is my conviction also that, since the struggle is a total one, the old distinction between domestic and foreign policy no longer holds good. Our answer must be integral.

I furthermore wish to suggest that there is but one way for us to go, namely, forward into the future in an effort to make good the implicit promise of America, which is a better and a freer life for all the children of man.

Ours is, fortunately, an open society where—despite all our faults—we have the power to correct them. We can do so if we have the will.

And there is one final moral question which we need to answer both individually and collectively and that is:

What is the worst fate which could befall our Nation and the world?

Different people may have different answers, but I have a very simple one—tyranny or slavery.

This is true today as it was in the era of flintlock muskets. Once we agree upon this and also the need for helpful compassion in the world, I believe our duty becomes clearer and the tactics which we should adopt are more evident.

Finally, may I propose that we take the lead by calling a true summit conference of the free nations of the world, both of those who are committed to our side and of those who are uncommitted. Such a conference, under our leadership, might be able to work out a charter and a program for future progress which would bind together the free world.

It could reduce the danger of Communist subversion by setting up a positive and constructive program for improving the economic, social, and political life of mankind. But, if we convene such a summit conference, we should be in earnest and be resolved to back up our words with deeds. Talk is not enough.

In this seminar, you have seen that the struggle is for survival; that it is complicated and that it will be protracted.

You have learned that, while each of us may have our individual viewpoints and criticisms, dedicated men of ability and good will are working tirelessly in the State and Defense Departments, and in the Congress on both sides of the aisle.

You now know—if you did not know before—that there are no magic or simple or easy answers. Acheson, Dulles, and Herter, to name only a few, all fought to the limit of their abilities. Our private and our military people know their grave responsibility.

But this you must recognize; that the President, the executive branch and the Congress require in our free society the support of an intelligent citizenry with a firm national will. This type of seminar, in my opinion, is one of the best means of carrying the message to the people. Nonpartisan studies of our problems, understanding the grave threat which confronts us, reexamining and articulating what free America stands for, and forging our national determination is your job.

I congratulate all those in the Defense Department and the other executive departments who have made this seminar possible. I again congratulate the civilian sponsors, the Institute for American Strategy and the Reserve Officers Association.

I hope that you participants, when you leave here as private citizens, will continue to support the Institute and similar organizations in the continuing and eternal struggle to preserve our hard-won freedoms and human dignity.

National strategy, liberty, and morality is still everyone's responsibility.

Protests Rise as Imports Increase

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, in recent months the impact of unreasonable foreign competition has created distress in a growing number of American industries. More and more domestic producers are seeing their markets invaded, and the jobs of more and more American workers are jeopardized.

Documentation for this spreading economic malady can be found on page after page of the CONGRESSIONAL RECORD, the official and historic journal of the Congress. Numerous Members of the 86th Congress, in both Houses, have called attention repeatedly to the plight of domestic industries.

To provide my colleagues with authoritative evidence of the alarming dimensions of this national problem, I have compiled a compendium of material from the CONGRESSIONAL RECORD bearing on foreign trade. While covering only a few months, this digest will serve as a ready reference to the scope of market losses and job displacement already suffered by domestic industry and workers.

Governmental policies are making Americans dependent upon foreign factories for some goods which this Nation once produced in greater quantity than all other countries combined. As the gentleman from Pennsylvania [Mr. DENT] declared, certain public officials have misinterpreted public opinion. The real public opinion, he said, is that of the displaced American worker, his family, his creditors, and, soon, his local merchants who will have shelves full of foreign goods and streets full of unemployed Americans (June 4, 1959).[1]

Real economy may be served better by buying domestic materials at a higher price than by procuring strategic materials from foreign sources. For this reason, among others, a sound national minerals policy is needed in this country. (Senator MURRAY, of Montana, June 9, 1959.)

The jobs of 1,919,200 textile workers are threatened by U.S. trade policies regarding the subsidized exportation of raw cotton and the indiscriminate importation of finished textiles. Congress should act against this grave threat to the American textile industry. (Senator TALMADGE, of Georgia, June 9, 1959.)

The State of Massachusetts faces serious unemployment problems, largely because of the plight of the import-distressed textile industry. Many areas are rapidly becoming distressed because the contraction of this industry is accelerating. (Representative LANE, of Massachusetts, June 12, 1959.)

Has the United States kept Japan out of the Communist trading sphere by sacrificing our domestic textile industry? The fact that Japan has recently contracted to buy 6,000 bales of raw cotton from the U.S.S.R. would indicate that this is not the case. The Lancaster (S.C.) News, in an editorial, points out that it is not inconceivable that products woven from Soviet cotton will find their way into Japanese exports to the United States. (Representative HEMPHILL, of South Carolina, June 12, 1959.)

Leading business firms in the United States are purchasing Soviet-produced materials although these materials are readily available here from domestic sources—often in overabundance. This is only one indication that U.S. foreign trade policy is an area which has too long been neglected. (Senator SCHOEPPEL, of Kansas, June 15, 1959.)

Representative BAILEY, of West Virginia, proposed that the Buy American Act be amended to give it real effectiveness. An alarming trend is underway to buy from foreign manufacturers more and more items essential to national security (June 15, 1959).

In denying the request of American manufacturers of heavy electrical equipment for reasonable controls on imports, OCDM has struck a blow against national security and threatened the jobs of American workers. (Representative STRATTON, of New York, June 16, 1959.)

Must the United States helplessly watch the extinction of a great natural resource? It is important to the U.S. economy to safeguard the North American salmon. Present Japanese commercial fishing methods may destroy the commercial value of the red salmon runs. (Senator BARTLETT, of Alaska, July 1, 1959.)

Contrary to the fears of many, mandatory controls on imports of crude oil have not increased the price of crude oil in this country. The price has, in fact, declined. It would appear that fears of excessively high petroleum prices as a result of the mandatory import control program are completely groundless. (Senator CARLSON, of Kansas, July 6, 1959.)

"Is our textile industry expendable?" This is the question asked by Donald Comer, chairman of the executive committee of Avondale Mills, in a letter addressed to Assistant Secretary of Commerce Henry Kearns. Mr. Comer points out the great need for relief from many adverse conditions threatening the American cotton industry today. (Representative HUDDLESTON, of Alabama, July 6, 1959.)

Migration of American capital abroad carries with it the transfer of job opportunities from these shores to countries abroad. In addition, goods made abroad by American capital are being shipped back to the United States to compete with domestic industry. Congress should know much more about the implications of this movement of capital, both in the short run and in the long run. (Senator PROXMIRE, of Wisconsin, July 8, 1959.)

The U.S. Pacific tuna fleet is being put out of business by mounting tuna imports from Japan. This serious situation is discussed in detail by Ronald J. Ostrow in the Wall Street Journal, July 7, 1959. (Senator ENGLE, of California, July 8, 1959.)

The rising tide of imports hurts not only domestic industry but also the dealer who sells, and the consumer who buys, foreign-made items. By destroying domestic producers, we are undermining the American economy and will eventually find ourselves at the mercy of foreign manufacturers. (Representative BAILEY, of West Virginia, July 13, 1959.)

The domestic shrimp industry will find itself in bankruptcy unless help is provided soon. Shrimp imports are uncontrolled at present and a quota system or reasonable tariff is a dire necessity. (Representative PRESTON, of Georgia, July 13, 1959.)

All of the fleets fishing for tuna out of San Diego and San Pedro have been hit by the vast amount of Japanese tuna being imported into this country. Only responsible safeguards can help the domestic tuna fleets during this critical period. (Representative UTT, of California, July 13, 1959.)

The present international competitive situation is dramatically illustrated in a letter from the Japanese Brass Mill to the American Brass Co. The Japanese manufacturer solicited business in this country on grounds that he can purchase rough copper and brass in the United States, fabricate it in Japan, mark it with the name of the American company, and ship it back to the United States for sale with the guarantee that the finished product can still be sold here for less than U.S.-fabricated articles. (Representative MONAGAN, of Connecticut, July 14, 1959.)

It is unfair to American rye growers to import large quantities of rye while U.S. surpluses keep mounting. The Tariff Commission should consider this problem, bearing in mind the effect of

[1] Dates in parentheses refer to publication dates in the CONGRESSIONAL RECORD.

rye imports on the producer, the taxpayer, and the national economy. (Representative LANGEN, of Minnesota, July 14, 1959.)

Total world cotton production has increased 9.4 million bales since 1954, while U.S. production has declined 3 million bales. While this country is making a desperate fight to preserve the domestic cotton acreage, imports of cotton textiles continue to rise, from an equivalent of 87,060 bales in 1950 to an estimated equivalent of 286,630 bales in 1958. This not only displaces American textile sales but represents an estimated 500,000 acres that would otherwise have been cultivated by American farmers. (Senator STENNIS, of Mississippi, July 15, 1959.)

It is imperative that American farmers and textile workers be given the safeguards which they have a right to expect from their Government. Unfair competition, both in the price of cotton and in the form of cheap imported textiles from Hong Kong and Japan, is throwing cottongrowers off their farms and putting textile employees out of work. (Senator TALMADGE, of Georgia, July 16, 1959.)

Liquidation of at least 2 million spindles and the jobs connected with this manufacturing capacity can be prevented by the passage of S. 314, a bill to assist the U.S. cotton textile industry to regain its equitable share of the world market. (Senator SMITH, of Maine, July 16, 1959.)

Private investment abroad raises serious problems which Congress has a duty to consider. There is a vast difference between the jobs made available in this country by American exports and the jobs not made available in this country but provided abroad by U.S. foreign investment. (Senator PROXMIRE, of Wisconsin, July 17, 1959.)

The security of workers' jobs should begin at home, say Patrick E. Gorman and Thomas J. Lloyd in their article about rising meat imports, "Ghost Plants in Packing Towns." While the United States does not begrudge foreign workers their new-found prosperity, it must be remembered that, "we have a right to live too." (Representative SILER, of Kentucky, July 17, 1959.)

Imported textiles are having a dangerous impact on the American economy, and the situation is bound to worsen unless steps are taken to safeguard domestic industry and workers, stated Leon Lowenstein, a leader in the U.S. textile industry. (Representative HUDDLESTON, of Alabama, July 20, 1959.)

"Chicago, once the heart of the giant meat industry, is now but a shadow of its former self," warn Patrick E. Gorman and Thomas J. Lloyd in their article, "Ghost Plants in Packing Towns." Beef from Australia, dumped on the open market cheaper per pound than the American packer can produce it, creates unsound competitive conditions. (Representative PRICE, of Illinois, July 21, 1959.)

The domestic textile industry must be strengthened before the rest of the world becomes dependent upon the American market. J. Craig Smith, president of Avondale Mills, contends that great ill will could result if the United States encourages other countries to build an industry on the expectation of supplying a market which they will eventually lose. (Representative ROBERTS, of Alabama, July 22, 1959.)

National security is aided by a robust domestic economy, which might not remain so healthy if imports of manufactured products continue to increase. H.R. 8345 would require the Government to award bids on contracts for public works to the lowest domestic bidder if such a bidder had a net income of less than $1 million in the preceding year. (Representative BETTS, of Ohio, July 23, 1959.)

On June 29, the National Cotton Council petitioned the Secretary of Agriculture to act under section 22 of the Agricultural Adjustment Act. This section contains provisions for relief from imports if it is found that foreign products are disrupting the agriculture program of the Government. Compelling reasons for this action are abundant. (Senator THURMOND, of South Carolina, July 24, 1959.)

A thorough investigation of the cotton import problem can lead only to recommendations for a quota schedule on foreign cotton textiles. This would be a realistic answer to the severe problem besetting the domestic cotton textile industry. (Representative OLIVER, of Maine, July 28, 1959.)

The domestic textile market has declined steadily since the United States launched its postwar program to revitalize the economies of other free nations. Present U.S. policies toward cotton textile imports deny this country the rewards it is offering to others. (Senator JORDAN, of North Carolina, July 29, 1959.)

The first meeting of the Textile Industry Advisory Council pointed up many of the basic problems created for the industry by cheap foreign imports, many manufactured of American cotton sold overseas at 25 percent less than the domestic price. (Senator PASTORE, of Rhode Island, Aug. 3, 1959.)

"By allowing Hong Kong's cotton goods to flood the United States we are, in effect, trading with Red China," said J. Craig Smith, president of the Avondale Mills, as quoted in an editorial in the Sylacauga (Ala.) Advance. In 1958, Hong Kong bought 114 million yards of cotton fabric from Red China. During 1959, if the present rate continues, 114 million yards will be shipped from Hong Kong to the United States. The State Department, however, seems unwilling to safeguard the domestic textile industry, even from a hostile power, Red China. (Representative ROBERTS, of Alabama, Aug. 3, 1959.)

Importation of shrimp are steadily increasing to the great detriment of the domestic shrimp industry. Imports totaled 85 million pounds in 1958, and are even higher for the first 5 months of 1959 than for the corresponding period a year ago. (Representative SIKES, of Florida, Aug. 6, 1959.)

Since World War II, over 1 million U.S. jobs have been "exported" and over $27 billion in U.S. capital have been invested in factories, mines, oil wells, and other enterprises abroad. H.R. 5, calculated to induce still more American companies to invest abroad, is a suicidal bill which would sap the foundation of the American economy. (Representative BAILEY, of West Virginia, Aug. 10, 1959.)

American cotton sold abroad for 8 cents less per pound than it can be purchased by domestic mills creates a severe problem for the entire textile industry and related trades, stated Donald Comer, leading American textile manufacturer. American-grown cotton is used to manufacture the very imports which threaten the domestic industry. (Representative HUDDLESTON, of Alabama, Aug. 13, 1959.)

Vanishing American markets pose a real threat to the Nation, according to Mill and Factory magazine. Action must be taken to offset U.S. disadvantages in world trade. (Representative HENDERSON, of Ohio, Aug. 13, 1959.)

Progressive demolition of U.S. tariffs under the trade agreements program instituted in 1934 is a major cause of the exportation of American industry abroad, according to E. F. Tompkins in the New York Journal-American. Some of the largest U.S. industries can no longer compete effectively in the world market. (Representative KNOX, of Michigan, Aug. 14, 1959.)

A recent survey conducted by the magazine Mill and Factory shows that 75 percent of 150 American industrial companies polled expect to lose a greater share of the domestic market to foreign products. Furthermore, nearly two-thirds of these companies anticipate rising unemployment as a direct result of this market invasion. (Representative SIMPSON of Pennsylvania, Aug. 14, 1959.)

The U.S. steel industry provides a most dramatic instance of market penetration by imports. This country now buys more steel abroad than it sells, and the industry's production would be far below capacity even without a steel strike this year. (Representative BETTS, of Ohio, Aug. 14, 1959.)

H.R. 5 would injure the Nation by exporting still more American jobs and capital. Domestic industry is already threatened by foreign competition to a dangerous degree. Encouraging American industries to move abroad is not the solution. (Representative BRAY, of Indiana, Aug. 17, 1959.)

Three hundred textile mills have been closed and 345,000 millworkers displaced by the U.S. trade agreements program, warned Representative W. J. BRYAN DORN, of South Carolina, over the Manion Forum radio network on August 9, 1959. Mr. DORN stated that unfair imports are severely damaging the U.S. economy. (Representative LANE, of Massachusetts, Aug. 20, 1959.)

Textile imports must be controlled unless this Nation is willing to write off the domestic textile industry as expendable, according to an editorial in the Lancaster (S.C.) News of August 13, 1959. The United States has already lost foreign markets, but this will be a relatively minor blow should the domestic market be exposed to further invasion of textiles from low-wage countries. (Representa-

tive HEMPHILL, of South Carolina, Aug. 20, 1959.)

The rapid rise in imported stainless steel flatware from Japan has caused serious injury to the domestic industry. In a letter to President Eisenhower, the U.S. Stainless Steel Flatware Manufacturers Association asked for relief in the form of a global quota of 4 million dozen annually on all imports of stainless steel flatware having a foreign value up to and including $3.50 per dozen. (Representative DENT, of Pennsylvania, Aug. 20, 1959.)

Tax concessions for American industry abroad are unfair to every American taxpayer. H.R. 5 would, in fact, offer bounties to American industries which do business in foreign countries. (Senator AIKEN, of Vermont, August 25, 1959.)

Steel imports in the first 6 months of 1959 seem sure to have exceeded the 1.7 million tons imported in all of 1958. Ray Vicker and Jeffery Pemberton, in the Wall Street Journal of July 29, 1959, point out that as imports rise, exports are falling steadily. (Senator GOLDWATER, of Arizona, Aug. 25, 1959.)

A large segment of the U.S. labor movement insists on a modernized trade policy geared to meet the current import crisis. Labor will welcome the cooperation and support of farsighted industry groups such as the Trade Relations Council in their campaign to prevent the wholesale destruction of American jobs. (Representative BAILEY, of West Virginia, Aug. 27, 1959.)

Labor and management have joined to discuss the threat of imported textiles to the garment industry. The jobs of 400,000 American workers and the billion-dollar investment of American management are now in jeopardy. (Senator KEATING, of New York, Aug. 27, 1959.)

Huge importations of lamb from Australia and New Zealand must be controlled or the American sheep industry will be led to economic slaughter. (Senator MCGEE, of Wyoming, Aug. 28, 1959.)

The United States must be extremely wary in trade talks with Khrushchev. Before entering into trade agreements with Communist countries, this Nation must be very sure that American security will not be threatened. (Senator WILEY, of Wisconsin, Aug. 31, 1959.)

The flood of foreign imports and the decline of U.S. exports create a truly alarming situation that may well be disastrous for many great American industries. Foreign made sewing machines, watches, typewriters, automobiles, textiles, and other manufactures are bringing unemployment to vast areas of this country. Congress must act soon to prevent the Nation's economic collapse. (Representative PHILBIN, of Massachusetts, Sept. 1, 1959.)

The United States must take a firm stand now against international cartels and monopolies. Restrictive business practices abroad are undermining American economic development. (Representative WOLF, of Iowa, Sept. 2, 1959.)

The American workingman is suffering the disastrous effects of foreign trade policies injurious to the American economy. Imported textiles, wire, automobiles, and countless other manufactures have cost thousands of American jobs. (Representative DENT, of Pennsylvania, Sept. 4, 1959.)

"Exports of U.S. goods are declining while imports from abroad are rising," Leslie Gould observed in his article, "Our Trade Gap Dwindles—Why It May Soon Be Unfavorable." Loss of American technical advantage, restoration of foreign industry, and the passing of the sellers' market can be blamed for this critical problem. (Representative DORN, of South Carolina, Sept. 4, 1959.)

The United States must insist on reciprocal treatment for every tariff concession it grants at the GATT meeting in 1961. Only a reversal of the State Department's past policy of tariff giveaways can preserve the American economy. (Representative SIMPSON of Pennsylvania, Sept. 4, 1959.)

Imported crabmeat and canned oysters from Japan threaten prosperity and employment in the Pacific Coast shellfish industry. (Representative MACK of Washington, Sept. 4, 1959.)

For America's coal miners and workers, TVA seems to mean "Take Vittles Away." The United Mine Workers Journal of September 1, 1959, reports that the Tennessee Valley Authority spent $17,900,000 on foreign-made manufactured goods for the fiscal year ending June 30, 1959. (Representative SILER, of Kentucky, Sept. 7, 1959.)

The Treasury Department is failing to safeguard American industry from foreign producers who dump their products in the U.S. market. (Representative SIMPSON of Pennsylvania, Sept. 8, 1959.)

Japan seems about to destroy completely the U.S. clothing industry. U.S. producers cannot compete with foreign wages, but we can safeguard our right to earn a living. (Representative BARRETT, of Pennsylvania, Sept. 9, 1959.)

Congress, responsible to all U.S. citizens, will be guilty of a grave dereliction of duty if it permits unnecessary deterioration of any domestic industry. (Representative SAYLOR, of Pennsylvania, Sept. 10, 1959.)

Cheap men's wear from the Far East threatens the U.S. market and distresses the domestic industry, Laurence G. O'Donnell reported in the Wall Street Journal. (Representative HEMPHILL, of South Carolina, Sept. 11, 1959.)

Agricultural imports from Australia and New Zealand pose a serious threat to U.S. farmers. (Representative KNOX, of Michigan, Sept. 11, 1959.)

Will the introduction of smaller American-made cars restore U.S. export markets lost in recent years? This will be a true test of reciprocity. (Representative KNOX, of Michigan, Sept. 11, 1959.)

A quota and tariff are essential to safeguard the domestic sulfur industry from the disastrous effects of imports from nations where substandard wages and preferential shipping rates prevail. (Representative SIMPSON of Pennsylvania, Sept. 11, 1959.)

Prompt action must be taken to assist the crippled domestic mining industry. Imports are working untold hardships on mineworkers and mineowners alike. (Representative PFOST, of Idaho, Sept 12, 1959.)

Before the next GATT negotiations in 1961, the American people must be alerted to the dangers inherent in the Government's policy of tariff handouts. There is still time to prevent economic catastrophe. (Representative KNOX, of Michigan, Sept. 12, 1959.)

U.S. typewriter exports sag badly while imports rise, according to a research report by the Business and Defense Services Administration. The United States dominated the world typewriter market before World War II, supplying one-half to two-thirds of world demand. In 1958, less than 10 percent of the world market was supplied by U.S. producers. (Representative BETTS, of Ohio, Sept. 12, 1959.)

U.S. farm imports exceed farm exports despite overwhelming farm surpluses (Representative DORN of South Carolina, Sept. 12, 1959.)

An editorial in Tradeways, the publication of the Trade Relations Council of the United States, points out that further offers to cut our already decimated tariffs cannot hold back the trend toward large trade blocs abroad. The only certainty would be to expose American industries to the increasingly injurious effects of imports from low-wage countries. (Representative SIMPSON of Pennsylvania, Sept. 12, 1959.)

The United States cannot compete with low-priced foreign imports, and it is time for the Government to stop assisting American industries that move abroad. (Representative GROSS, of Iowa, Sept. 14, 1959.)

The U.S. textile industry is in serious difficulty, largely because of irresponsible trade policies. At long last, American labor has raised its voice in protest. (Representative SIMPSON of Pennsylvania, Sept. 14, 1959.)

Low-wage, low-taxed, low-priced, subsidized goods entering the United States to compete with high-wage, high-taxed, high-priced domestic products threaten 10 to 15 million American jobs, George E. Sokolsky noted in his syndicated column of September 12, 1959. (Representative BECKER, of New York, Sept. 15, 1959.)

A partial listing of ships and cargoes entering U.S. ports on September 9, 1959, points out the tremendous variety and volume of goods being imported from abroad to compete with American products. (Representative DENT, of Pennsylvania, Sept. 15, 1959.)

Since June 1 of this year alone, between 40 and 50 of our colleagues in the House and Senate have proposed legislation designed to correct some of the injurious effects of the current trade policies of the United States.

Mr. Speaker, it is time for this Nation to insist that other nations discontinue their trade discriminations against our exports; it is also time that realistic legislative action be taken to end those trade policies that permit imports to saturate our domestic markets, destroy our jobs, and weaken our defense potential. Our American way of life must be preserved and strengthened by a new trade policy that is in the national interest and that contributes to the welfare of every American.

A Special Report on the 1st Session of the 86th Congress

EXTENSION OF REMARKS
OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. BRADEMAS. Mr. Speaker, following the adjournment of the 1st session of the 86th Congress I prepared a special report on this productive session for distribution to the residents of Indiana's Third District which I have the honor to represent.

My special report follows:

A SPECIAL REPORT ON THE 1ST SESSION OF THE 86TH CONGRESS

The 1st session of the 86th Congress was the longest since 1951 and one of the most controversial. Congress produced a great deal of constructive legislation and completed hearings on other important bills with final action awaiting the second session next year. At a time when our country is confronted with a host of pressing problems at home and the challenge of Soviet communism abroad, there is plenty of work left to do.

Here is a report from your Representative in Congress on the first session:

LABOR REFORM BILL PASSED

Hottest legislative battle of the year came on proposals to curb racketeering and insure democracy in certain labor unions.

On September 4 I was among those Members of Congress who voted for the Labor-Management Reform Act of 1959, which is now law.

As a member of the House Education and Labor Committee, I took part in the work of many weeks to produce a fair and effective bill to rid the American labor movement of crooks and racketeers. Because of my stand, I was publicly attacked by Jimmy Hoffa's top labor lawyer.

In the 1958 campaign I promised that I would support reform legislation. I called attention to the fact that my Republican opponent, at that time the Congressman, had in 1958 voted against the Kennedy-Ives labor reform bill. He voted against this bill in spite of the fact that the U.S. Senate had already passed it by an overwhelming vote of 88 to 1.

When I said in the campaign I believed a labor reform law was necessary, I meant exactly what I said.

The final bill passed by Congress was the product of a House-Senate conference committee and represents a vast improvement over the Landrum-Griffin bill originally approved by the House. The Landrum bill imposed such harsh restrictions on decent labor unions that, as Senator JOHN KENNEDY said, it would have brought "the union movement in the South to a dead, screeching halt."

The Landrum bill was opposed by 97 percent of the Democrats in the North (including every Democratic and one Republican Congressman from Indiana) because it so obviously was an attempt to give the relatively nonunionized South a legislative license to steal industry from Indiana and other Northern States which pay union wages. I want industry to stay in Indiana.

Overwhelming Republican support for the Landrum bill was the result of one of the famous "deals" between the GOP and the Dixiecrats in Congress. The Halleck leadership in effect promised to drag Republican feet on civil rights legislation if the South would "go along" on the labor bill.

Major provisions of the new reform law include: A bill of rights for union members, financial and other reporting requirements for both unions and employers, guarantees of fair union elections and honest trusteeship procedures, safeguards of union funds, and prohibitions against convicted felons serving in union office. The bill also contains amendments to the Taft-Hartley Act which tighten up the ban on secondary boycotts, prohibit hot cargo agreements, restrict organizational picketing, and close the "no man's land" gap in National Labor Relations Board cases.

Much of the anticorruption language in the law originated in the bill which I supported in the Education and Labor Committee.

The new law is not perfect and I am still concerned that certain of its provisions will handicap the legitimate activities of the American trade union movement. But I am also convinced that the act will go a long way toward curbing the abuses uncovered by the Senate Rackets Committee which so shocked the American people.

Although honest citizens may differ over the specific provisions of this and other reform bills considered this session, I believe that the Labor-Management Reform Act will be one of the major accomplishments of the 86th Congress.

A SUMMARY OF OTHER MAJOR ACTIONS OF CONGRESS

Congress this year took the historic step of approving statehood for Hawaii. It provided a 2-year, $63 million annual program of Federal aid for airport construction; continued the draft for 4 more years; extended the life of the Civil Rights Commission for 2 years; and established a health insurance program for Federal employees.

The lion's share of the Federal budget in the cold war age goes to defense. Congress voted $39.2 billion for defense funds for fiscal 1960.

The landing of a Soviet missile on the moon in September gave added significance to the vote of $485 million to the National Aeronautics and Space Administration for work on space programs; $229 million was appropriated for Atomic Energy Commission construction projects.

Congress increased benefits under the Railroad Retirement Act, raised the interest rate on E and H savings bonds, and voted to add $200 million a year to the tax bill of the life insurance industry.

The public works bill Congress passed over President Eisenhower's veto contained funds to save human lives and property in Indiana by providing for much-needed flood control projects in the Wabash Valley.

Every Hoosier Representative, Democrat and Republican alike, except CHARLES HALLECK, voted against the 1-cent increase in the Federal gas tax Congress reluctantly accepted. I strongly favor building highways but I want to see more evidence than the Craig and Handley administrations have given that Indiana taxpayers are getting some good highways for their gas tax money.

The major veterans organizations supported a revision of the veterans pension program. The present system of flat monthly payments to all eligible persons was replaced by a sliding-scale of benefits related to other income, with the provision that no one now receiving benefits would be forced to take a cut. About 70 percent of the 1,250,000 veterans, widows and orphans eligible for payments will begin to receive larger benefits next year.

This Congress has been a budget-conscious Congress despite the Republican administration's charge that Democrats are "wild spenders." Congress cut over $1.8 billion from Eisenhower's budget requests for fiscal 1960.

Of the 17 appropriations bills passed, Congress increased only 1 over the President's request. We voted more money than he wanted for health and medical research. I was proud to support more funds to fight such killers and cripplers as heart disease and cancer.

The President's partisan attacks on Democrats as "spenders" were as unwise in winning support for his foreign aid program in Congress as they were unfair to the Senators and Congressmen on whom he most had to rely for passing it, the Democrats. Although I supported the mutual security program because I believe it essential in fighting communism and encouraging democracy abroad, many Democrats resented the President's curious logic that you were a "spender" if you voted Federal funds for flood control and housing in America but you were not if you voted for similar programs in other countries in a foreign aid bill.

Congress voted $3.2 billion for the mutual security program, a slash of $1.2 billion under the President's final request. Democrat RAY MADDEN of Gary, Republican Leader HALLECK, and I were the only Indiana Congressmen who voted for the bill.

HOUSING BILL PASSES WITH BRADEMAS AMENDMENT

Every American family seeking to buy a home and nearly every community in the Third District—South Bend, Mishawaka, Michigan City, La Porte, Kingsford Heights, Goshen, Plymouth, Nappanee, Lakeville, and North Liberty—has a stake in the housing bill passed by Congress. After vetoing two excellent bills, President Eisenhower finally approved the third one.

All three included my amendment to permit some 350 South Bend families to keep their homes by authorizing the Federal Housing Administrator to modify the terms of a contract by the Southmore Mutual Housing Corp. to buy a Federal housing project. Homeowners had been threatened with foreclosure for falling behind in mortgage payments.

My amendment will allow the Southmore residents both to keep their homes and to pay their debt on a realistic basis, thus saving the taxpayers money by making costly foreclosure unnecessary.

Major provisions of the Housing Act of 1959 are as follows:

1. Authorized urban renewal grants of $650 million over a 2-year period.

2. Increased by $8 billion the total amount of mortgages FHA can insure.

3. Increased the maximum FHA mortgage from $20,000 to $22,500 and cut downpayment required on homes valued at $13,500 to $18,000 to 10 percent.

4. Authorized $50 million in direct loans for housing for the elderly.

5. Authorized 37,000 units of low-rent public housing, vital for taking care of slum dwellers displaced by urban renewal.

6. Increased the college housing loan fund by $250 million.

MICHIGAN CITY GETS $7,800 FOR HARBOR SURVEY

Passage of the public works appropriations bill over the President's veto means that Michigan City will receive $7,800 in Federal funds for a study survey by the Army Corps of Engineers of the city's proposed harbor improvement project.

I am delighted that this first big step has been taken to better the harbor facilities at Michigan City. The improvements can mean a significant increase in commerce to the benefit of the entire northern Indiana area.

The money will be used to determine if there is economic justification for deepening the harbor and for extending the head of navigation.

HARTKE-BRADEMAS BILL HELPS LA PORTE COUNTY SCHOOL

In the fall of 1958 fire destroyed the grade school in Union Township, La Porte County, near the Kingsbury Ordnance Plant. Sena-

tor VANCE HARTKE and I were able, in the closing hours of the last day of this session, to get both the Senate and House to pass a bill which in effect gives the township rent-free classroom space at the vacant Kingsbury plant.

The Army Department, now in charge of the empty plant, had at first billed Union Township $2,325 for temporary classroom space there but later demanded the township pay an additional $2,500 for installation of a new boiler and heating system.

Because the plant was idle and the township was already burdened with the construction of a new school, both Senator HARTKE and I felt the Army demands were excessive and unfair.

By authorizing the Army to credit the cost of installing the boiler and heating system against the rental, our bill in effect cancels the rental and saves the township $2,325 for its new school.

BRADEMAS URGES TAX CUT FOR MUSIC STUDENTS

The study of music has today become a normal part of the school curriculum of American boys and girls. We should do all we can to encourage young people who have the talent to play musical instruments.

In June I introduced a bill to remove the 10-percent Federal excise tax on musical instruments costing $150 or less. This bill, awaiting action next year, is aimed at encouraging the purchase of low-cost musical instruments by students for use in elementary, high school and college music courses.

At present instruments purchased by schools are exempt from this tax. Students who purchase their own instruments, however, must pay the 10-percent tax.

BRADEMAS PROPOSES "GREAT WHITE FLEET"

Last July I joined other Members of Congress in proposing the creation of a Great White Fleet to carry surplus foods and technical and medical aid to disaster and distress areas throughout the world.

Navy hospital ships, transports, and an aircraft carrier would be removed from mothballs and outfitted at relatively small expense to carry help to the world's sick and hungry.

Unarmed and painted white, this fleet would present to the peoples of the world the true image of America as a Nation dedicated to peace, friendship, and the relief of human suffering.

This bold and imaginative proposal makes a great deal more sense to me than many more expensive parts of our foreign aid program.

UNEMPLOYMENT STILL SERIOUS PROBLEM IN UNITED STATES

At a time when Soviet Premier Khrushchev threatens to bury the capitalist system by outproducing us, we must take effective action against chronic unemployment. The Nation cannot afford the lost production and loss of tax revenues caused when millions of persons are without work for long months.

The September statement of Secretary of Labor James P. Mitchell that unemployment continues to be a significant problem in some parts of the country dramatizes the importance of area redevelopment legislation now pending in Congress.

The Labor Department listed 70 major industrial areas, 17 of them for the first time, as centers of chronic labor surplus because of their heavy unemployment in good times as well as bad.

The area redevelopment bill, the first bill I introduced in Congress, is designed to bring in new industry and create new job opportunities in such chronically distressed communities. The bill, already passed by the Senate, would enable private industry to work jointly with local and Federal governments to encourage industrial growth in distressed areas.

I hope the House will have an opportunity to vote on the area redevelopment bill next year.

Two other proposals Congress will work on in 1960 are bills (1) to set better minimum standards for unemployment insurance benefits, and (2) to improve the minimum wage law by raising the figure from the present $1 an hour and extending coverage to more workers.

BRADEMAS OFFERS RIGHT-TO-VOTE AMENDMENT

In many States, especially in the South, Negro citizens are denied the right to vote through literacy tests, poll taxes, and other devices.

Because I believe such practices are in direct conflict with the American principles of democracy and freedom, in September I introduced a constitutional amendment to guarantee all Americans the right to vote in Federal elections.

This universal suffrage amendment was urged by the Reverend Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, in the recently released report of the U.S. Commission on Civil Rights of which he is a member.

My amendment, which might better be called the Hesburgh amendment, would insure the right to vote in Federal elections to every citizen who meets his State's age and residence requirements and who is not legally confined at the time of registration or election.

I will work hard for action on this proposal next year. Only those who deny the Hebrew-Christian tradition of respect for the dignity of the individual human being as a child of God can deny to an American citizen the right to vote.

STOP MOVE TO HURT GREAT LAKES SHIPPING

In late August the House voted to extend for 1 year the Public Law 480 program to dispose of Government-owned surplus food stocks to friendly foreign nations.

I voted against an amendment to this bill which would in effect have prevented shipment of surpluses abroad from Great Lakes ports. A coalition of Midwest Democrats and Republicans joined to defeat the amendment by a vote of 142 to 134. It was an "anti-St. Lawrence Seaway" proposal that would have favored seaboard and Gulf coast ports.

The extended program authorizes the Government to sell up to $1.5 billion worth of surpluses from our bulging warehouses to foreign countries for foreign currencies and to donate an additional $300 million worth to nations suffering from famine or other disasters.

INVESTMENT IN EDUCATION PAYS DIVIDENDS

America's schools opened this fall with a shortage of 195,000 teachers and 130,000 classrooms.

Indiana, according to State School Superintendent William E. Wilson, is about 3,000 classrooms short and faces "a critical shortage of teachers."

The facts are plain. Many of our Nation's schoolchildren, including many young Hoosiers, are being cheated of a good education because of overcrowded classrooms and a lack of trained teachers.

Every year 2 million more children join the national school population. It has become clear that local and State governments cannot fiscally or physically meet the obvious requirement of more investment in classrooms and teachers. We cannot get much more blood out of the property tax turnip.

These are some of the reasons that, as a member of the General Education Subcommittee of the House Education and Labor Committee, I was pleased to help write a modified school-support bill under which Federal funds will be provided—$1.1 billion a year for 4 years—to the States to support them in building new schools and improving teachers' salaries.

As a former teacher, I am opposed strongly to Federal control and therefore glad to say the bill contains a provision expressly prohibiting Federal intervention.

A full Education Committee favorably reported the bill but a Republican-Dixiecrat coalition on the Rules Committee has prevented the House from having a chance to vote on the measure. I shall continue to work hard for passage of this bill. A nation that refuses to invest adequately in its most important natural resource, educated young men and women, will not be able to meet the stern demands of the 20th century. And we are not now investing enough.

BRIDGING THE "LANGUAGE GAP"

More than 3 million Americans are stationed overseas today, yet comparatively few speak a foreign language fluently, and less than 15 percent of our public high school students now study a modern foreign language. The Soviet Union, by way of contrast, has made intensive efforts to encourage such proficiency.

There is no question that the vital interests of the United States abroad have suffered seriously because of our failures in the field of foreign language training. Last April I analyzed this "language gap" in a speech at Valparaiso University before members of the Indiana Foreign Language Teachers Association.

I proposed the creation of a national language foundation similar to the National Science Foundation to stimulate foreign language study and also suggested granting income tax deductions to language teachers who travel abroad to improve their knowledge of the languages they teach.

BRADEMAS REPRESENTS U.S. CONGRESS IN PERU

In May, legislators from throughout the Western Hemisphere met in Lima, Peru, at the first Inter-American Parliamentary Conference. I was honored to be chosen as one of three to represent the U.S. Congress.

Congressmen POAGE, of Texas, MONTOYA, of New Mexico, and I flew to Lima for the week-long conference and joined in the unanimous adoption of a resolution to encourage the economic integration of South and Central America.

The recent crises in Cuba, Venezuela, and Argentina are dramatic symbols of why we must give greater attention to our relations with Latin American nations. As a delegate to this conference, my own conclusion is that our discussions were of real help in improving these relations.

CARL SANDBURG, ROBERT FROST, DEBBIE QUINN, SAM RAYBURN

Among the personal highlights of my first year in Congress were: Listening to the white-haired American historian, Carl Sandburg, hold a joint session of Congress hushed and enthralled with his moving address on the 150th anniversary of the birth of Abraham Lincoln. Spending an evening with Robert Frost, four times a Pulitzer Prize winner and one of the most distinguished poets America has produced. A warm and kindly, but plain-talking, man of granitelike features, Robert Frost believes deeply that we shouldn't make life too easy for people. "If I had one gift to give to man," he told me, "it would be character." Welcoming little Debbie Quinn to Washington. Debbie, 6, is the daughter of Mr. and Mrs. James Quinn, of La Porte. Completely recovered from a serious heart operation, she was formally crowned as America's Valentine Girl of 1959 by Mrs. Eisenhower at the White House. Chatting for an hour in the office of Speaker SAM RAYBURN as he welcomed Mayor Edward F. Voorde, of South Bend, and his 18-year-old daughter, Frances Mary, to Washington.

FILMS AVAILABLE ON FREE LOAN

By writing me at my home office, Federal Building, South Bend 24, Ind., or phoning (South Bend, CEntral 5-5616), church, school and civil groups can obtain on free loan any of several 16 mm. sound films of interest to Third District citizens.

For example, you can borrow a 10-minute film entitled "Mr. Brademas Goes to Washington," showing the first few weeks in the life of a freshman Congressman. The film, shown to schoolchildren throughout the Nation, depicts scenes from our own district as well as shots of President Eisenhower, House Speaker Sam Rayburn and former President Harry Truman.

Other films, all 16 mm., available on free loan through my office, are listed:

"The Challenge of Civil Rights," a 15-minute discussion of the U.S. Civil Rights Commission Report by the Reverend Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, Congressman Chester Bowles of Connecticut and Congressman Brademas.

"The Ugly American and Our Foreign Aid Program," a 15-minute discussion by Eugene Burdick, coauthor of the bestselling novel, U.S. Senator Hubert Humphrey of Minnesota and Congressman Brademas.

"Man on the Hill," a 15-minute color film produced by the U.S. Government describing the job of a Congressman.

"The Role of Religion in the Armed Services," an 11-minute filmed interview in which three uniformed chaplains, Jewish, Protestant, and Roman Catholic—Army, Air Force, and Navy—explain to Congressman BRADEMAS how the Armed Forces provide for the religious needs of servicemen.

HOME OFFICE OPEN DURING ADJOURNMENT

During October, November, and December I can be reached at my home office: Federal Building, South Bend 24, Ind. The telephone number is CEntral 4-5616.

I also plan to tour the four counties of the district from time to time in order that anyone who wishes to take up a problem with me can do so.

My first year of service as your Representative in Congress has been an exciting and satisfying experience. I am honored by the trust you have placed in me, and I welcome your writing to me with your views on important issues and your requests for assistance on matters where I can be helpful. I am here to serve you. Please don't hesitate to call on me.

Your friend,

JOHN BRADEMAS,
Member of Congress.

Mrs. Lydia Cady Langer

EXTENSION OF REMARKS
OF

HON. WILLIAM LANGER

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, September 14, 1959

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD certain articles, editorials, and resolutions concerning the death of Mrs. Langer.

There being no objection, the articles, editorials, and resolutions were ordered to be printed in the RECORD, as follows:

[From the Steuben News, August-September 1959]

SENATOR LANGER'S WIFE PASSED AWAY

WASHINGTON, D.C.—Mrs. Lydia Cady Langer, wife of Senator WILLIAM LANGER, of North Dakota, died after a long sickness. Born into a New York family of social distinction, she had been his untiring helpmate in his long and occasionally stormy career. She was known in the Capital as a gracious hostess, and the citizens of North Dakota held her in high esteem.

In addition to the Senator, the following children survive: Mrs. Emma Bulkley Schaeffer, Mrs. Lydia Cady Irwin, Mrs. Mary Erskine Gokey, and Mrs. Cornelia Langer Noland. In North Dakota, the Langers made their home in Bismarck and Wheatland.

The Steuben Society of America, which has had close ties with the Senator since he campaigned for Robert La Follette in 1924, sent him a message of condolence.

SENATORS EXPRESS SORROW AT DEATH

WASHINGTON.—The death of Mrs. William Langer, wife of the Republican Senator from North Dakota, was announced to the Senate Tuesday by Senator EVERETT DIRKSEN, of Illinois, the Republican leader.

DIRKSEN described Mrs. Langer as a "kindly, gracious lady."

Senator MILTON YOUNG, Republican, of North Dakota, said he regarded Mrs. Langer as one of the most outstanding and wonderful women he had ever known.

Senator LYNDON JOHNSON, of Texas, Senate Democratic leader, also said he was deeply distressed by Mrs. Langer's death. At least 10 other Senators extended sympathy to LANGER.

Representative DON SHORT, Republican, of North Dakota, expressed his grief Tuesday.

"Mrs. Short and I were extremely grieved to learn of the passing of Mrs. William Langer," SHORT said in the message from Washington.

"No one was more highly admired and respected by North Dakotans and by all with whom she came in contact here in Washington. North Dakota has lost a fine lady who fought a valiant battle these past several months against an incurable disease.

"Our sympathy goes out to the Senator and his family."

[From the Minot Daily News, Aug. 5, 1959]

WE ADMIRED HER

In North Dakota, the State of her adoption, Mrs. William Langer will be remembered as a gracious woman who pretty well personified the ideas North Dakotans have of those qualities of loyalty and courage which a wife and mother should possess.

We think we speak just about unanimously for the State when we pay Lydia Langer such a personal tribute, and express our sincere sympathy to the Senator and all members of the Langer and Cady families in their bereavement.

The people of North Dakota have known their senior Senator and his career well enough to guess that despite the fact he has been a devoted husband and father, he probably hasn't been the easiest man in the world to keep a home for. The times in which he rose to political strength were turbulent to say the least, and the home he and Mrs. Langer kept at Bismarck while he was Governor was a place to which just about any appellant for the Governor's intervention could gain access, day or night.

Though she ran for Governor herself once, at a time when the Nonpartisan League-controlled Republican machinery needed a candidate to uphold the Langer name in politics, Mrs. Langer was really a modest woman who personally preferred to be a wife rather than a candidate. In the main she kept out of the political limelight. Yet she was, in Bismarck and afterward in Washington, a mainstay of Mr. LANGER. Her loyalty throughout her husband's controversial career made people respect her, and doubtless it was a symbol which made some of his political success possible.

The story of the West is replete with cases of eastern girls who married western men and left environments of refinement and comfort to adapt themselves successfully to new country. Lydia Langer made that adjustment, and the regard North Dakotans had for her is perhaps the best proof of her success. She was a memorable example of the popular western story.

Those messages many North Dakotans have been accustomed to receive from the Langers about Christmas time, signed "Lydia and Bill," were always gracious, and somehow they seemed personal. It may well have been Lydia's touch that made them so. Those messages will be missed. To her bereaved husband, all of us can say, "BILL, we admired Lydia."

[From Bulletin No. 28, Government Employes' Council AFL-CIO, Aug. 6, 1959]

WASHINGTON ACTIVITIES

Mrs. William Langer: We join with Senator and Mrs. Langer's legion of friends in expressing our sympathy to Senator WILLIAM LANGER, his daughters, and all members of their family, in the passing of Mrs. Langer. Thousands of postal and Federal employees will remember Mrs. Langer who attended many national, State, and local conventions along with our great friend and supporter, the Honorable WILLIAM (BILL) LANGER, who has faithfully served for 20 years on the Senate Post Office and Civil Service Committee. Mrs. Langer's untimely death was brought about by cancer. Mr. and Mrs. Langer were married for 41 years and worked closely together on all legislation. Services will be conducted from the Augustana Lutheran Church, 16th, New Hampshire Avenue, and V Streets NW., at 1 p.m. Friday, August 7.

CITY OF FARGO, N. DAK.,
August 5, 1959.

The Honorable WILLIAM LANGER,
U.S. Senator and Family,
Washington, D.C.

DEAR SENATOR LANGER: The city of Fargo is deeply grieved at the passing of your beloved wife and our constant and good friend.

As an expression of our deepest heartfelt sympathy, I am enclosing a certified copy of a resolution which I offered to the Board of City Commissioners of the City of Fargo last evening, as a lasting tribute of our respect and affection for your beloved wife and the mother of your children. The people of Fargo, as well as all the people who knew Mrs. Langer, will forever honor and hold sacred her memory. She was indeed a good friend.

In closing, I sincerely hope that you will take good care of yourself, and with kindest personal regards, I am,

Sincerely yours,

HERSCHEL LASHKOWITZ,
Mayor.

RESOLUTION

President Lashkowitz offered the following resolution and moved its adoption:

"Be it resolved by the Board of City Commissioners of the City of Fargo, that—

"Whereas Mrs. William Langer, the beloved wife of our esteemed senior U.S. Senator, the Honorable WILLIAM LANGER, has just passed on to her eternal rest; and

"Whereas Mrs. William Langer, as the first lady of North Dakota, and as the helpmate of our distinguished senior Senator, has come to be known and loved by all the people of our city as a dear friend, whose place will forever be enshrined in our memory; and

"Whereas the city of Fargo deeply mourns the passing on of its beloved friend and good neighbor; and

"Whereas Mrs. William Langer achieved eminence not only as the helpmate and inspiration of North Dakota's greatest Governor, but also has been recognized as an outstanding example of American womanhood who took a vital interest and played a

prominent role in local, State, and National affairs and made a lasting contribution to the advancement and development of her adopted State, and merited the affection and respect of the people of our city and State; and

"Whereas Mrs. William Langer has been an example of courage and inspiration to all: Now, therefore, be it

"Resolved by the Board of City Commissioners of the City of Fargo, That it does hereby extend its condolences and deepest heartfelt sympathy on behalf of the citizens of the city of Fargo to the Honorable WILLIAM LANGER, our distinguished senior Senator, and the bereaved family of Mrs. William Langer; and be it further

"Resolved, That a copy of this resolution be spread upon the permanent minutes of the Board of City Commissioners of the City of Fargo, and that copies be forwarded to the Honorable WILLIAM LANGER, U.S. Senator from North Dakota, and to the bereaved family of Mrs. William Langer, and also to the congressional delegation from North Dakota, with the request that this resolution be read from the floor of the Senate and the U.S. House of Representatives and made a part of the proceedings thereof."

Second by McCannel. On the vote being taken on the question of the adoption of the resolution, Commissioners Hagen, Lewis, Markey, McCannel, and Lashkowitz all voted "aye."

No commissioner being absent and none voting "nay," the president declared the resolution to have been duly passed and adopted.

HERSCHEL LASHKOWITZ,
Mayor.

STATE OF NORTH DAKOTA,
County of Cass, ss:

I, William G. Johnson, do hereby certify that I am the duly appointed, qualified, and acting city auditor of the city of Fargo, N. Dak.; and

That the foregoing is a full, true, and correct copy of a resolution adopted by the Board of City Commissioners of the City of Fargo at the regular meeting of the board held on Tuesday, August 4, 1959; and

That such resolution is now a part of the permanent records of the city of Fargo, N. Dak., as such records are filed in the office of the city auditor.

WM. G. JOHNSON,
City Auditor of the City of Fargo, Fargo, N. Dak.

Harley O. Staggers Reports on the 86th Congress

EXTENSION OF REMARKS
OF
HON. HARLEY O. STAGGERS
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 14, 1959

Mr. STAGGERS. Mr. Speaker, the 1st session of the 86th Congress was a hard working body of men and women, determined to fight for its goals and undaunted when faced with Presidential vetoes. We are armed with the knowledge there is another session coming up in January 1960, and with it will be renewed action to pick up the unfinished business of the first session and stand ready to shoulder the new challenges of America's needs and world problems.

So many were the issues studied, passed on, or awaiting further action at the next session that it would be impossible to mention all of them here and treat each with proper coverage.

Therefore, I shall refer only to those principal issues which I believe to be of the most importance and interest to West Virginia, and particularly to the Second District, which includes the eastern panhandle counties of Jefferson, Berkeley, Morgan, Hampshire, Mineral, Hardy, Grant, Pendleton, and Tucker. Toward the south extending the slice down the Virginia border is Pocahontas County, and lying well within the State are Webster, Randolph, and Barbour Counties. Toward the north on the Maryland and Pennsylvania borders are Preston and Monongalia Counties.

It is my great privilege to serve the people of the Second District as their Representative in Congress and it is my desire to present informally the following:

RAILROAD

Whatever affects the railroad worker affects a very large segment of the people of the Second District of West Virginia. Having once been a railroader, I have a pretty good insight into the problems and hopes of the man at the throttle, the one who carries a braking stick or oilcan, or uses the brawn of his muscles to keep the cars rolling and the track in shape. I know full well that these men have hopes and ambitions and plans for a good life and comfortable retirement for themselves and their dependents.

In 1958 Congress passed a 7-percent social security increase which did not apply to railroad employees, who have their own railroad retirement system.

However, on April 29, 1959, an opportunity beckoned to me to strike a blow for the railroad worker. With the combined efforts of my colleagues, we brought forth legislation that promotes the welfare of this group of workers, who, as many do not know, cannot look to social security for assistance, and who must look to Congress for specific legislation.

The passage of H.R. 8610, which became Public Law 86–28, is a milestone in human relations, exemplifying the brotherhood of man, providing for the widows, orphans and aged as well as assisting those who are thrown out of work through no fault of their own. It took a long time to bring about these amendments to the Railroad Retirement Act, but the long hours, loss of rest, pleadings and tempers totaled little compared to the great good that has resulted. This improved legislation corrects many inequities in the old act and provides long overdue benefits for railroad workers.

COAL RESEARCH

Knowing how important a successful outcome would be to the State of West Virginia, I worked eagerly and diligently for legislation that would establish a Coal Research and Development Commission. House and Senate Members gave their support, knowing coal and its potentialities mean a great deal to the industrial development of this country and to our national defense.

The coal research bill went through Congress with excellent support only to die at the hands of a Presidential veto. Notwithstanding this defeat, renewed effort will create new legislation on this subject when the 2d session of the 86th Congress comes to bat. A Coal Research and Development Commission would put new hopes and new life into the crippled coal industry so well known by the operators and workers in West Virginia coalfields.

LABOR

Labor legislation was one of the controversial subjects of this past session of Congress and perhaps received more interest than any other issue. The Labor-Management Reporting and Disclosure Act of 1959 became a law September 14, 1959.

I felt the committee measure which was approved by the Labor and Education Committee after 3 months' hard work by those experts on labor matters would have effectively stamped out racketeering and wrongdoing in labor unions and would have been more equitable to both industry and labor.

We cannot judge labor leaders by the few who have taken advantage of the trust placed in them by the members of their organizations. We do not judge all the Disciples by Judas who betrayed Christ. Labor, which in my opinion, includes the factory workers, the builders, teachers, farmers, the homemakers, all city, county, State, and Federal employees, and workers in every field of endeavor which has made this a great and mighty Nation—and it is as essential as brains and capital to our way of life.

History has proven that when we chip away at the liberties of any one group we slowly chip away at the liberty and freedom of all.

VETERANS

Many veterans will be pleased to know that legislation was enacted that makes $100 million available to the Administrator of Veterans' Affairs, upon his request, for immediate use in the direct-loan program for the purpose of reducing existing waiting lists.

Public Law 86–211 modifies the pension programs for veterans of World War I, World War II, and the Korean conflict, and for their widows and children. It provides a sliding scale of pension based on the income and dependency status of the recipient. No person on the pension rolls on the day before the effective date shall have his pension reduced or shall be removed from the pension rolls because of the enactment. All persons on the pension rolls on the day before the effective date will be permitted election to the higher rates if they qualify under the new program.

Of the several new laws pertaining to veterans, these two, I believe, will be of most interest to the majority of veterans wishing to secure loans or receive a pension.

PUBLIC WORKS

Just about everybody benefits by and enjoys the net results of the public works program. It took an overriding vote of the President's veto to get the public works bill through. "Pork barrel" spending and inflationary recklessness were accusations unfairly thrown at Congress, yet Congress stood firm and voted its convictions.

Many of our national leaders think it is all right to send millions abroad for foreign aid—both economical and military—yet they hold up their hands in horror when a proposal for public works is mentioned for the homefront.

West Virginia came in for close to 70 projects, including a fair number for the Second District: Hildebrand lock and dam on the Monongahela River near Morgantown, $1,246,050; dam 8 on Monongahela River below Morgantown in Pennsylvania, $706,875; flood control project on the Potomac River near the Keyser area has been approved by the Army Engineers; and an engineering investigation toward flood control program on Decker's Creek, $14,625.

HOUSING

Housing legislation had a rough and rocky journey. To combat inflation was the reason the President was said to have had for vetoing the two housing bills that went to his desk. Failing to muster sufficient votes to override the veto, the third—a watered-down and insufficient housing bill—went to the White House where it met a better fate.

There is much clamor about the cost of housing for the low-income groups, yet few of us stop to consider the terrific cost of crime and punishment, of disease and poverty, of ignorance. While not implying that better housing would obliterate these foes of mankind, I believe that it would at least help to check their upward climb. Environment does not necessarily make a saint or a sinner, but it most certainly plays a great part in determining sound moral, physical, and educational habits.

EDUCATION

For many years the question of Federal aid to education has been discussed by Members of Congress, by educators, and by interested lay citizens. Little or nothing had been done. Then suddenly Russia's sputnik aroused this Nation to its shortcomings in the field of education. Some legislation was passed, and some plans and programs are being studied and talked about, but there still remains the great need for more classrooms, more teachers, more opportunities for higher education for students who can qualify for advanced and specialized training.

I would recommend an all-out crash program to inform and alert every community, every county, and every State to the second-class status of the great majority of our teachers and schools. Bombard the people with the unvarnished truth in understandable terms. As an eye opener: During the year 1956 this Nation spent for liquors over $9 billion; for tobacco almost $8 billion; and for cosmetics, beauty, and barber shops, close to $4 billion which makes a sum of almost $21 billion.

Now, compare $21 billion with $11 billion spent for education. Half again more for liquor, tobacco, and beauty than for education of our youth. It just does not make sense.

I urge all elected officials from the county level up to the President of the United States recognize our situation and prove to the mothers and fathers their trust is well placed.

AGRICULTURE

One job the 86th Congress and the administration must do is to help alleviate the distress in the agricultural situation. As I have said many times in the past, agriculture is the greatest industry in the Nation, and I sincerely feel this problem should be given our first consideration.

Attention must be given to the plight of the small farmers in West Virginia and the Nation. Action must be taken to help the desperate circumstances of this worthy group which has been struggling to earn a livelihood for themselves and educate their children.

The small farmer is the fundamental strength of the United States. History has shown that when small farmers get into trouble, sooner or later the remainder of the economy is in trouble—and today the small farmers and poultry industry are at the danger point.

I know the farming problem is desperate as I live on a farm in Mineral County myself and I know firsthand some of the difficulties being encountered.

Although the national income has increased 100 percent during the past dozen years, according to Government statistics, figures reflect that the agricultural income for the same period has declined 20 percent. This is further worsened by the fact that the purchasing power of the dollar has been reduced 33 percent. In terms of dollar purchasing power, agriculture is receiving only about half of the amount received 12 years ago. And bringing this down to the farmer, it is even worse because, considering the decline in the purchasing power of the dollar, the farmer is receiving only a net income of about one-third of the amount he received during the previous period. We must agree that this is an intolerable situation which—unless checked—can only lead to further confusion and, eventually, chaos.

SOCIAL SECURITY

This year I introduced legislation to lower the age limit for receiving benefits from social security, in the case of a man to age 60, and in the case of a woman to age 55.

Personally, I do not advocate the compulsory retirement at these ages, but I do feel that those men and women who have worked hard and have reached the ages of 55 and 60, and do want to retire, should have that privilege with full social security benefits.

Statistics of the National Institutes of Health show that some human beings age before others, and some people do not have the life expectancy of 65. Lowering the age limit will give many the opportunity of enjoying their retirement years while they are still physically able to do so.

DEFENSE

A mixture of the 1958 recession with its lower revenues and the spiraling cost of public borrowing, high cost of national security, and the inflationary headaches that face both Government and individual buying have forced the national debt to an alltime high.

Congress endeavored to trim here and there, study item by item, and was able to cut the President's budget by $1.5 billion. The big expenditures still remain for national defense, foreign aid, and capital for World Bank.

STATEHOOD FOR ALASKA AND HAWAII

Now, West Virginia may not have been as interested in Hawaii's becoming our 50th State as some other actions of Congress, but I am sure most of us hope at some time in our lives to visit this beautiful and romantic land.

Last January 3 Alaska became officially the 49th State, and caused the flagmakers to lose some sleep; and then Hawaii donned her official statehood bonnet on August 21, and the flagmakers went into an extended period of insomnia.

To these two new States, we, as the hospitable Americans we are, extend a warm welcome to our family, now numbering 50. To these men and women who worked long years, suffered many disappointments, but never gave up the struggle in building their stairways to statehood, I am sure the majority of our great Nation say "a job well done."

Great dangers beset civilization today from every side—the atom bomb, guided missiles, and diseases of all kinds—but the greatest danger of all is communism. It is more deadly to the human body and soul than poisonous gas or the bite of the cobra.

The greatest struggle today is for the control of the people's minds. A new doctrine is being spread in America and the world that for the sake of peace we can coexist with the antireligious evil called communism; that evil which denies the existence of God and the dignity and eternal life of the human soul.

The communistic propagandists are already at work saying Communists are not so bad, that they want peace, too, and we can coexist with them.

In Biblical days, Job was tempted, as was Jesus, to compromise with evil. To save their lives they were offered worldly pleasures and power, but both resisted these temptations.

Imre Nagy, Premier of the anti-Communist uprising in Hungary, yielded to temptation and agreed to compromise with communism. He lost his life. His last words were, "I want the world to know that there can be no compromise."

Jesus said, "What shall it profit a man if he shall gain the whole world and lose his own soul?"

This, I believe, is the key to man's eternal future: Faith in himself and faith in Almighty God as the compassionate ruler of destiny.

Report on Major Legislation, 1st Session, 86th Congress

EXTENSION OF REMARKS

OF

HON. W. PAT JENNINGS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. JENNINGS. Mr. Speaker, as this 1st session of the 86th Congress ends, the

appraisals of our work over the past 8½ months are coming from every side.

We have heard praise; we have heard criticism. Both have been tempered to a great extent by the political affiliation of the person making the statements, or by the action taken—or not taken—on a particular piece of legislation or program.

Objectively, we can say that this has been a long and hardworking session. We have encountered problems that are peculiar to government when the executive branch is controlled by one party and the legislative branch by another. Of course, not everything has been done. In our growing and complex society, in the maze of governmental organization and actions, new problems and proposals are constantly pressing upon the Congress even before the old ones are dealt with in the lengthy legislative process.

Mr. Speaker, under leave to extend my remarks in the RECORD, I want to review some of the major achievements of the session.

DIVIDED GOVERNMENT

For the fifth straight year, the Congress has been Democratic-controlled while the administration has been Republican. This has created difficulties in reaching agreement on much legislation. However, again this year, as in the 84th and 85th Congresses, the Congress has made a sustained effort to do more than its share in making this divided Government function efficiently.

We have endeavored to cooperate with the administration; we have sought to pass legislation rather than create issues; and we have devoted months of work to controversial bills in the effort to meet the national needs.

Unfortunately, in many instances, the administration has refused to give its half of the cooperation needed to produce the desired results. The President's veto has nullified congressional work, and the threat of a veto has prevented action on other pending bills.

BUDGET APPROPRIATIONS

Again in this session, as in the previous four sessions of Congress, a reduction has been effected in the record-breaking budget proposals of the administration. Despite misleading statements to the contrary, Congress has been constantly concerned with the need for economy in Government. The facts clearly illustrate that substantial savings were made on various appropriation bills.

In approving 17 regular and supplementary appropriation bills, $1,881,410,093 was cut from the budget estimates submitted by the administration. Actually appropriated was a total of $72,977,598,352; the bulk of this is for fiscal year 1960 but a nominal amount was included for the old fiscal year, 1959. Certain permanent appropriations that become available automatically under previous law, such as the interest payments on the public debt, are not included in this total. Also, new obligational authority for Government spending outside the appropriations process has not been included. These, of course, will have considerable effect on total Government spending for fiscal year 1960.

The appropriation bill for the Departments of Health, Education, and Welfare and Labor, was the only one of the 17 bills increased over budget requests. Much of this increase will be utilized in the vital research programs of the National Institutes of Health, which seek to find the causes and cures of crippling and killing diseases.

The largest of the appropriation bills was again that of the Department of Defense. Adequate funds were provided for the activities of the Army, Navy, and Air Force—over $39.2 billion. Congress cut almost $20 million from the budget request for the Department of Defense.

OTHER FISCAL LEGISLATION

The administration again presented a twofold request for an increase in the public debt limit, which was approved. The statutory limit was raised from $283 billion to $285 billion, and a temporary increase of $10 billion was granted to provide "elbowroom" in managing the Nation's debt. This means that the debt limit will be $295 billion until June 30, 1960, when it will drop to $285 billion.

In the general field of taxation, legislation has been passed to extend for 1 year the present corporate tax rate and certain excise taxes. Provisions were written into this measure to reduce the transportation tax on persons from 10 to 5 percent and to repeal the tax on local telephones, both changes to become effective on July 1, 1960. In another tax bill, an equitable formula to tax the income of life insurance companies was approved to replace existing temporary tax rates.

Agreement was also reached late in the session on a bill to provide additional revenues for the highway trust fund from which Federal shares of highway construction costs are allocated to the States. Of immediate concern was the continuation of the interstate highway construction, but other Federal aid to primary and secondary highways would have been curtailed without this legislation. As passed, the bill authorizes a 1-cent-per-gallon increase in the Federal gasoline tax; the increase would be in effect for 21 months. It also provides that a portion of certain automobile excise taxes will be transferred to the highway trust fund to keep the construction program—interstate, primary, and secondary—moving along on schedule and on a pay-as-you-go basis.

The House Ways and Means Committee, which has jurisdiction over tax legislation, will conduct a general revenue revision study during the adjournment period. This study will be the basis for any tax legislation reported from this committee in the second session.

LABOR-MANAGEMENT REFORM

One of the landmarks of this session was the passage of the Labor-Management Reporting and Disclosures Act of 1959, which resulted directly from the lengthy McClellan committee investigation of abuses and racketeering in the labor-management field. As it became law, the legislation contains portions of three bills brought before the Congress and represents the best that could be achieved to correct the exposures of the McClellan committee while protecting the legitimate interests of both labor and management.

I voted for passage of this legislation.

VETOES KILL FARM BILLS

Mr. Speaker, the prime example of how effectively the veto and the threat of a veto stymied needed legislation this session was in the field of agriculture. As in the past two Congresses, we have found our efforts to write and approve reasonable farm legislation met by an unsympathetic and uncompromising attitude on the part of the administration, especially the Secretary of Agriculture.

The House Agriculture Committee, on which I have again had the privilege of serving in this Congress, held many long and thorough hearings on the several hundred bills referred to it. The record on farm legislation would be much better had we received cooperation from the administration in working out modified approaches to the problems brought before the committee.

The two bills that were passed by Congress to meet the pressing and specific needs of two important commodities—wheat and tobacco—were vetoed.

The wheat proposal would have cut wheat acreage and reduced the wheat surplus. It would have reduced the cost of the program, but it was vetoed. Why? Because it included price support provisions to prevent great hardships on the farmer while wheat acreage was being drastically reduced.

The tobacco legislation, which was of great concern to the tobacco producing areas of Virginia and the Ninth District, had the objective of stabilizing the level of price supports so that American-produced tobacco would be more competitive in the world market. This bill would have aided materially in the retention and expansion of our export market. It was vetoed, although it had the combined and united support of tobacco-grower organizations, farm organizations, and the many other people directly concerned with the tobacco program. The consequences of this veto will be unfavorable to the tobacco farmer and the tobacco industry in general.

Last year we made an extensive study of the tobacco export situation. As a member of that study group and as the sponsor of the House bill to stabilize tobacco price supports—the vetoed bill—I certainly feel that a grave mistake was made by the President in following the Secretary of Agriculture's advice to veto this legislation.

One of the major agricultural bills passed was that extending the Agricultural Trade Development and Assistance Act for 2 years and strengthening its provisions. This bill includes permissive authority to establish a domestic food stamp plan for distribution of additional surplus commodities to needy people here at home, and it also specifies that insofar as practicable the Secretary of Agriculture shall make surplus commodities available for distribution to the Nation's needy before selling them overseas.

Among other agricultural bills given final approval were those to provide additional funds for the school milk program in fiscal year 1959, to authorize $81

million for the program in fiscal year 1960 and $85 million in fiscal year 1961. Awaiting final approval—different versions have been approved in the House and Senate—is a proposal to create an Agricultural Research and Development Commission, to establish more effective research programs to expand markets for agricultural and forestry products, and to reduce farm surpluses. I sponsored a bill similar to that reported from the House Agriculture Committee.

Renewed efforts will be forthcoming in the next session to pass reasonable and adequate agriculture legislation. The key to the success of these efforts will be the attitude of the administration and the Secretary of Agriculture.

MAJOR MISCELLANEOUS

Also approved in this session were: Statehood for Hawaii; a self-financing program for the Tennessee Valley Authority's future construction of power-producing facilities within its present service area; an extension of the draft until July 1, 1963; a health insurance program for Federal employees under which the Government will share the costs on a 50–50 basis; a 3-year continuation of the Renegotiation Act to provide for recovery of excessive profits on defense contracts; exemption of news-type radio and TV programs from the equal-time requirement of the Federal Communications Act for political candidates; an increase to 4¼ percent in permissible interest payments on savings bonds; additional lending authority—from $500 million to $575 million—for the Small Business Administration; authority for the Federal Reserve Board to lower the reserve requirements for member banks; improved benefits under the Railroad Retirement and Unemployment Compensation Acts.

The omnibus housing bill, which was approved three times before the final version was signed by the President, gives the Federal Housing Administration authority to insure up to $8 billion in new home loans and reduces downpayments on such insured housing. This measure also contains provisions on urban renewal, a loan program for housing for the elderly, and public housing. Airport developments throughout the Nation, including four now under construction or planned in the Ninth District of Virginia, will be able to proceed because of the congressional approval of a 2-year Federal-aid-to-airports program. The military construction bills in this session included authorization and appropriations for additional work at the Abingdon Army Reserve Armory.

VETERANS' PROGRAMS

In addition to several minor changes in the laws governing the various veterans' programs, two bills were approved in this session of general interest to veterans and their families.

The first of these became Public Law 86–211, which modifies and liberalizes the non-service-connected pension program for veterans of World Wars I and II and the Korean conflict, their widows and children. This new law provides a sliding scale of pensions based on income and dependency status of the recipient; places World War II and Korean conflict widows and children on the same basis as the widows and children of World War I for purposes of pension eligibility; and makes several other changes and improvements in the existing program. This new law goes into effect on July 1, 1960.

The second major veterans' bill was aimed at improving the opportunities for veterans to secure home loans. This measure authorized $100 million in direct home loan funds, which will enable the backlog of direct home loan applications to be reduced to a great extent. This type of loan is primarily for veterans in rural areas where conventional home financing is not easily available. Authority was provided in this bill, also, for an increase in the maximum interest rate on GI home loans. The rate was increased from the previous 4¾ to 5¼ percent with the hope that additional mortgage funds would become available for veterans desiring to utilize the guaranteed home loan program.

VETO HITS NINTH

Mr. Speaker, the President's veto of several bills in this session hit sharply and frequently at the Ninth District of Virginia. The short- and long-range economic effects of these vetoes can be severe to large segments of my district.

The veto of the tobacco price support stabilization bill, which I have mentioned, will further weaken the position of American-produced tobacco in the world export market. Several thousand farm families in my district depend on burley tobacco as their primary cash crop.

It will be my intention during the adjournment period of Congress to talk with all segments of the tobacco industry—from growers to exporters—and to develop new legislative proposals for the next session. It is my hope that the Tobacco Subcommittee, on which I serve, can again hold hearings next year on the general subject of tobacco legislation and perhaps report a bill to the full House Agriculture Committee.

Although twice vetoed, the public works appropriations bill was finally approved—the first time Congress has overridden a veto of the incumbent President. Additional funds will thus be provided for a flood protection project in my district. The Flannagan Dam and Reservoir located on Pound River in Dickenson will be allocated approximately $2,438,000 to complete planning in the last half of 1959 and to initiate construction early in 1960.

The Corps of Engineers, which recommended this project for construction as one of the flood protection dams on the Big Sandy River tributaries in Virginia, is currently working on preconstruction planning under appropriations granted by Congress in the last 2 years.

The budget for fiscal year 1960 requested only enough funds to complete planning. Approving just this request would have delayed the project another year and only resulted in further increases in costs. I appeared before the Public Works Subcommittee of the House Appropriations Committee and asked that funds be provided in the bill to begin construction in fiscal year 1960. Following this hearing, and testimony from the Corps of Engineers it had the capability to efficiently and economically utilize additional funds, a total of $2.5 million was put in the bill for the Flannagan Dam and Reservoir. This bill, after it had been passed by the House and Senate, was vetoed. The President objected to the inclusion of several new starts on construction in this fiscal year.

Following the veto, a second public works appropriation bill was reported and a reduction of 2½ percent was made in all projects and programs, bringing the funds for the Flannagan project down to approximately $2,438,000 and reducing the overall total funds below the fiscal year 1960 budget request. This second bill was also vetoed because of the new starts insisted upon by Congress as the continuation of a reasonable and orderly program of flood control and water resource development. This second veto was overridden.

The House approved an omnibus rivers and harbors authorization bill—projects must be authorized before funds can be appropriated for planning and construction—but it will not be passed by the Senate before adjournment. Incorporated into this omnibus bill are provisions of my bill to authorize construction of a flood control reservoir on the North Fork of Pound River above the town of Pound, Wise County. It is hoped that final passage of this bill can come next year.

It has been rumored that a veto message will be forthcoming on a third bill of great interest to the Ninth District—the bill to establish an independent coal research and development commission to coordinate and expand research into new uses and new markets for coal. This proposed research program is of vital concern to the coal industry and the communities dependent on coal production as the basic element in their local economy.

I sponsored a similar bill in both the last and in this session of Congress. Final action was not taken on a coal research bill last year, but we have succeeded in passing a bill this year to carry out the recommendations of the subcommittee for an independent commission to guide the way to new opportunities for coal.

It should be pointed out that recommendations of the subcommittee were almost unanimously those of the coal industry and those leaders in related industries concerned with the future of coal. As in the case of tobacco, the President will be ignoring these united recommendations if a veto is announced for the coal research bill.

BILLS SPONSORED

In addition to the four bills already mentioned in this summary—coal and agricultural research, tobacco price support stabilization, and authorization of the North Fork of Pound Reservoir—I have sponsored several bills on other subjects.

My bill to designate the Pound River Dam and Reservoir in Dickenson County as the "John W. Flannagan Dam and Reservoir" was passed and became Public Law 86–189. This gives an ap-

propriate name to this flood control project and eliminates the confusion existing between it and the other dam proposed for the North Fork of Pound River in Wise County.

The House approved a bill to make volunteer fire departments eligible to receive donable surplus property from the Government. One of my bills had this objective, but would have also made rescue and first aid squads eligible to receive such property. The Senate has not acted on the House bill as yet. I am considering the introduction of a new bill pertaining to rescue and first aid squads, and hope that further attention will be given to this subject next year.

Two of my social security bills are pending in the House Ways and Means Committee. These would eliminate the requirement that an individual be 50 years of age before receiving disability benefits and provide full benefits to both men and women at age 62. A special study of the disability provisions of the social security program is to be carried out later this year by a subcommittee of the Ways and Means Committee. This study is aimed at determining whether the disability program is being administered in an efficient and fair manner and in accordance with the intent of Congress. The term "disability" will be scrutinized and the subcommittee will study allegations made that disability determinations have been slow and that appeals have been unduly delayed. This is definitely a needed study.

Undue criticism has been made of the Nation's farmers because of the cost of the programs conducted by the Department of Agriculture. In reality, much of the Department's work is for the benefit of the general public or serves a dual role of aiding the national welfare and of also benefiting the farmer. There are many examples of these programs too numerous to include in this brief statement. I have introduced a bill to provide that the costs of the surplus food programs, the national school lunch program, surplus foods distribution, and the national school lunch and school milk programs shall be attributed to the Department of Health, Education, and Welfare instead of the Department of Agriculture. This bill is pending in the House Government Operations Committee.

A resolution was passed by both Houses calling upon the President to have reviews made of existing programs in the executive branch of the Government with the purpose of utilizing them more fully to increase employment in the domestic and mining industries, to advise Congress of the actions taken or proposed, and to submit any recommendations for legislation. The coal research bill, which may be vetoed, tied in directly with this resolution. A third proposal, which I have joined in sponsoring, would establish a joint congressional committee to make a full investigation and study of the available fuel reserves, and to formulate proposals for a national fuels policy. This resolution is currently pending in the House Rules Committee.

Mr. Speaker, this report on legislation is brief; it does not attempt to convey my position on every subject discussed; nor does it present arguments for or against bills in each instance. The purpose is to simply review the major subjects and those of particular interest to my district. Inquiries on the contents will be welcome and will be answered fully.

A Report to the People of the 7th Congressional District of Maryland on the 1st Session of the 86th Congress by Representative Samuel N. Friedel

EXTENSION OF REMARKS
OF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 14, 1959

Mr. FRIEDEL. Mr. Speaker, under leave to extend my remarks, I would like to give the voters of the 7th Congressional District of Maryland a brief review of the accomplishments of the 1st session of the 86th Congress, together with a summary of my votes on major bills as well as my activities on their behalf.

The 1st session of the 86th Congress has been a constructive and productive one. Much has been accomplished in the public interest, notwithstanding the difficulties encountered by a politically divided Government. Historically, such a division inevitably brings with it conflicts in basic philosophies on vital issues. As always, the Democratic Party has put the welfare of our country above partisanship considerations and has endeavored to achieve amity with the executive branch of Government whenever possible.

As an American citizen, and a representative of the people, I have always advocated an adequate national defense. That is why I voted for ample funds for our Armed Forces as well as for space research. The only way to insure peace and continuance of our way of life is to be fully prepared against any eventuality.

In the field of international affairs, the Congress took cognizance of the enormous and growing Communist potential to launch a full-scale nuclear war. To stem the rising tide of the Red menace, I supported mutual security legislation, thereby assisting the free world in our fight for freedom.

As an ardent advocate of economy and efficiency in Government, I point with pride to the fact that the Democratic-controlled Congress appropriated $1.9 billion less than the President requested.

For many years I have advocated some relief in the amount of Federal income taxes that persons have to pay. Accordingly, I have introduced measures to increase the personal tax exemption of a taxpayer, including the exemption for a spouse and dependents and the additional exemption for old age and blindness, from $600 to $800. This will be of greatest assistance to those persons of small income.

My deep interest for the welfare of labor and my profound concern for the aged of our country are well known. We are all aware of the continuous rise in the cost of living. This is a particularly acute problem of the aged of our Nation, as well as for those who receive support under our survivor programs. To assist in the solution of the problem, I introduced a bill to amend the Social Security Act in order to increase the amount of outside earnings permitted without deductions from benefits under the act. I also introduced two different bills to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and also to increase the amount of outside income which a survivor annuitant may earn without deduction from his or her annuity.

Because of my interest in the veterans, those valiant defenders of our great Nation that we all love, I am happy to report that the Congress increased pensions to veterans disabled by illness, even though not directly connected with their military service. Widows and orphans of such disabled American veterans are to receive increases, too. In addition, the veterans of the Korean war were given more leeway in the use of educational benefits.

Realizing the great importance of the small-business segment of our economy, the Congress enacted a variety of new laws to assist the small businessman. The Small Business Administration was granted additional authority to make loans. A bill amending the Clayton Antitrust Act to expedite procedures for enforcement of cease and desist orders of the Federal Trade Commission was enacted. Another measure to help small business was the passage of a statute which provides that no State shall tax the income of any firm whose sole interstate commerce activity within the State is the solicitation of orders by salesmen or by mail, and when orders resulting from such solicitation are approved and filled outside of the taxing State.

As a result of congressional action, a new star will be added to our country's flag. Hawaii was brought into the Union as the 50th State, thus giving due notice to the world that our national frontier is further extended into the Pacific and thereby giving full recognition and citizenship to all Americans of whatever creed or former foreign origin. This will go a long way toward creating a stronger protection of democracy in a most vital part of the world.

This session of the Congress will be remembered for the enactment of a labor reform bill to curb racketeering and corruption that has been brought to light by a Senate committee during public hearings. The individual workingman must be protected against dishonesty and abuse by corrupt union officials. I shall watch how this new law works and see in what manner amendments to it may be indicated or be necessary, as I believe in fairness and equity to labor and management alike.

Believing as I do that every American, of whatever color or creed, is equally entitled to all civil rights, I was pleased that the Congress extended the life of

the Civil Rights Commission. Needless to say, such measure had my affirmative vote. The privilege of expression of our political preferences through the franchise should not be restricted or impeded in any manner whatsoever. The right to vote is the cornerstone upon which our democracy is built.

The pages of the CONGRESSIONAL RECORD reflect the fact that I have at all times been a spokesman for Maryland's and Baltimore's interests. When the occasion demanded affirmative action, I never hesitated. My many activities on behalf of Friendship International Airport and on behalf of the port of Baltimore are well known. In fact, the Baltimore Chamber of Commerce recently complimented me for my efforts to prevent the exportation of American grain through Canadian ports. I have time and again strongly protested to the Executive against the removal of various Federal installations and facilities from our city or State. In the interest of industrial peace, I have contacted the President of the United States urging him to take active measures to end the current steel strike. The Bethlehem Steel Co. was urged, in a speech I delivered on the floor of Congress, to sit down with the Industrial Union of Marine and Shipbuilding Workers to agree upon a contract. On every occasion when Baltimore's favorable freight differential was attacked by northern interests, I immediately did my best to demonstrate that Baltimore was equitably entitled to retain such differentials becauses of its natural advantages of location.

In summarizing, I include the following brief account of my voting record on the major issues enacted during the 1st session of the 86th Congress:

Hawaii statehood: Yes.
Foreign bonds: Yes.
TVA bonds: Yes.
Amendment of labor bill: No.
Passage of labor bill: Yes.
Public works: Yes.
Housing bill: Yes.
Federal Aid Highway Act, increase gas tax: Yes.
Interest rise on savings bonds: Yes.
Mutual security appropriations: Yes.
Extending Civil Rights Commission: Yes.

The door of my office has always been open to everyone, and I am always available when needed by my constituents. I subscribe to the principle that a Congressman's job is to serve the people and be a vital link between them and the Federal Government.